

GF&A

ABSOLUTE • LIVE & ONLINE LAND AUCTION



THURSDAY, August 1, 2024 • 11:00 AM

LIVE LOCATION: The White Barn, 37680 W Harry St, Cheney, KS

ONLINE BIDDING: www.gavelroads.com

This 36± acre parcel of prime land lies within Cheney City Limits and offers significant development potential as Cheney expands northward, with utilities conveniently close by. Located off Hoover St/375th St W, the property has an entrance and potential second access via a City-owned lot on Shadybrook. A wooded waterway adds natural charm and value to this versatile parcel. Previously cultivated with wheat boasting a PLC yield of 44 bushels/acre, and more recently in brome, it is both productive and promising for residential development. Known for its friendly atmosphere and strong community ties, Cheney is a thriving municipality close to Cheney Lake, Highway 54, and about 20 minutes to the Wichita Airport. Cheney's historic downtown, top-notch schools, and safe neighborhoods make it the ideal place to call home. A rural community with easy access to urban conveniences just a few miles away. For inquiries regarding development opportunities, please contact the City of Cheney at 316-540-3622. An Information Packet, including a City utilities map, is available upon request and at www.genefrancis.com.

Location: From the intersection of 15th St S (Harry) and 375th St W, 1 ¾ mile south, the property is on the west side of the road, south of the creek.

Legal Description: A portion of the southeast Quarter of 5-28-4W, Sedgwick Co., KS (full legal description and survey in information packet and title commitment)

Minerals: Seller's mineral interest will pass to the Buyer.

Soils: 48% Class 3 including Punkin-Taver complex, 33% Class 2 including Shellabarger-Nalim complex, 18% including Class 1 Canadian fine sandy loam

Possession: Possession upon Closing.

Taxes: Due to lot split, current taxes would not be accurate, 2024 Taxes will be prorated as of the date of closing.

Terms: Earnest money required and shall be paid the day of the auction, \$15,000 with the balance due on or before September 6, 2024. The property is selling in "as is" condition and is accepted by the Buyer without any expressed or implied warranties. It is the Buyer's responsibility to have any and all inspections completed prior to bidding. The Buyer and Seller shall split equally in the cost of title insurance and the closing fee. Bidding is not contingent upon financing. If necessary, financing needs to be arranged and approved before the auction. Statements made on the day of the auction take precedence over all printed advertising and previously made oral statements. Gene Francis & Associates and Gavel Roads are agents of the Seller. There is no buyer's premium.



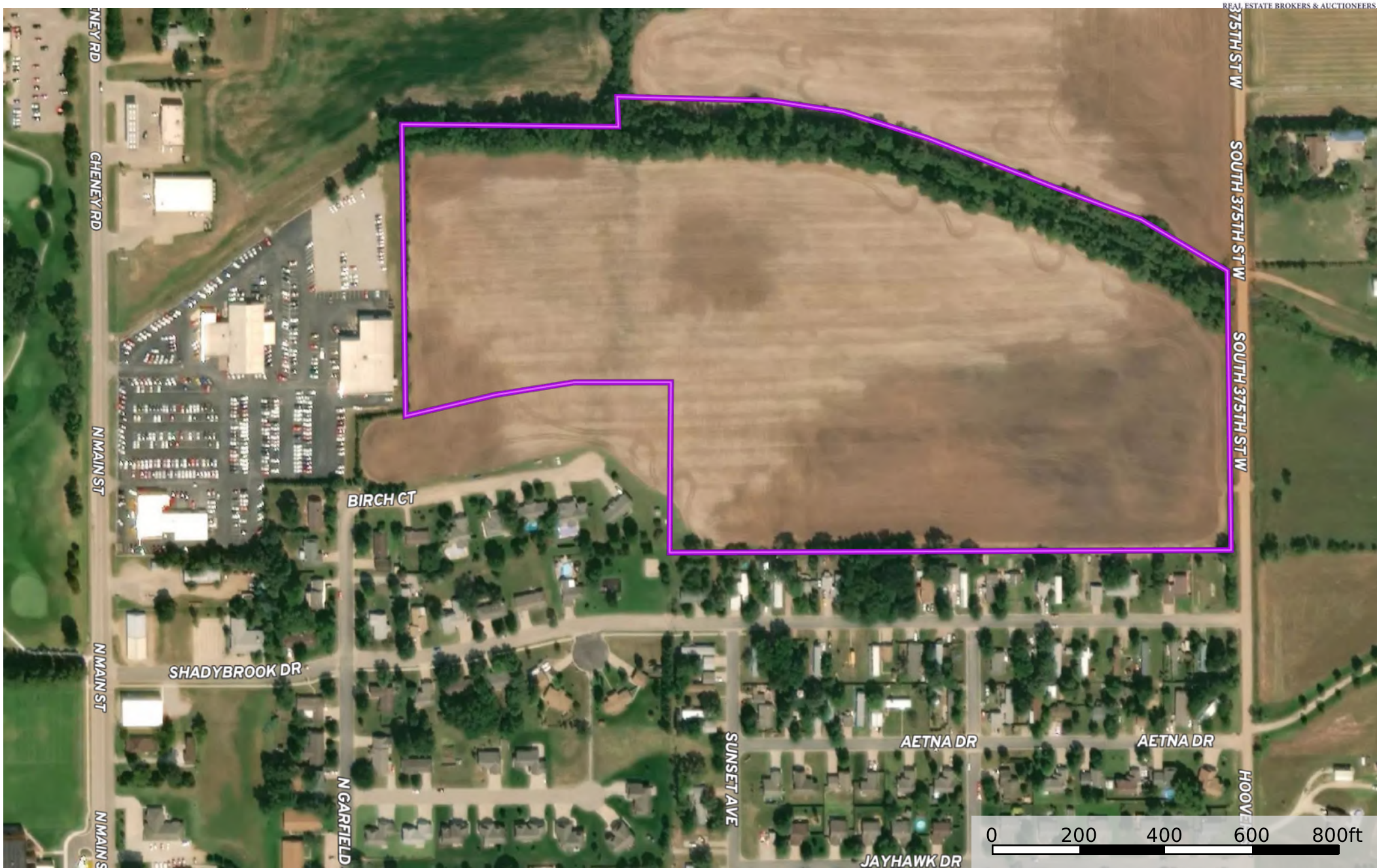
Jami Viner, Broker
(785) 550-6203
jami@genefrancis.com

Tyler Francis, REALTOR® & Auctioneer
(316) 734-7342
tyler@genefrancis.com

For more information, please visit www.genefrancis.com

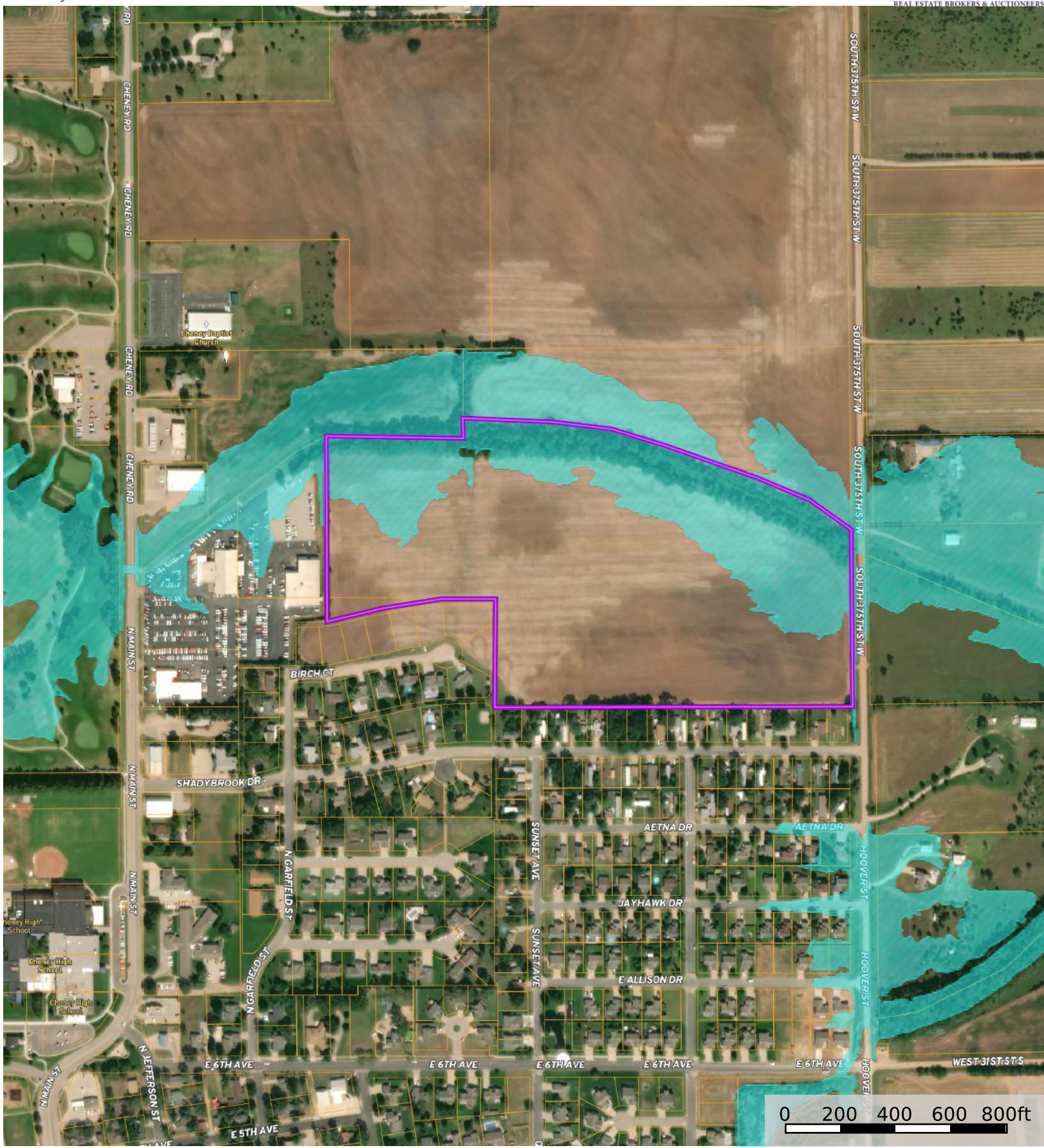


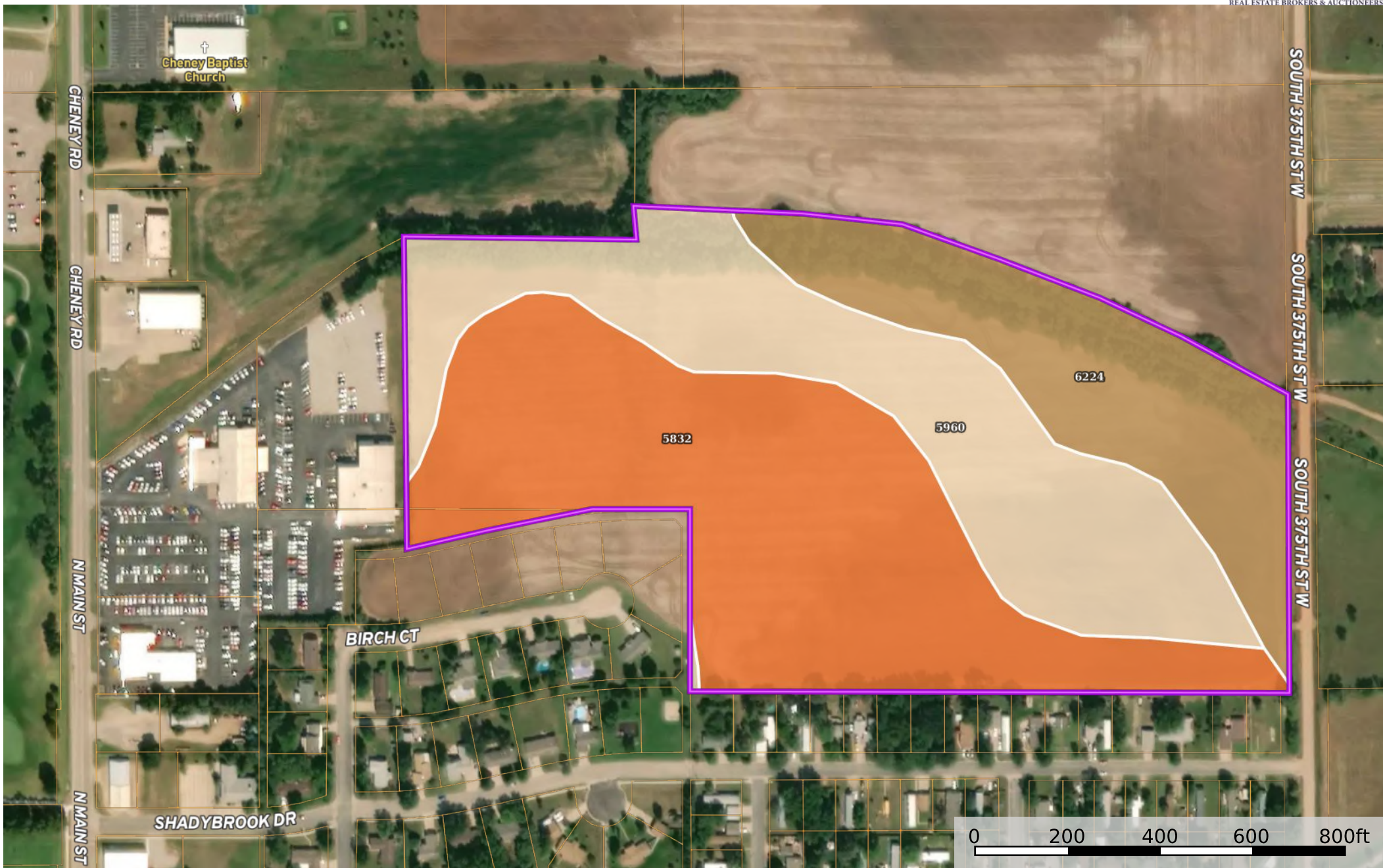
Cheney, KS Land Tract 36+- acres - Aerial



 Boundary

Cheney, KS Land Tract 36+- acres - Flood Zone





- Boundary
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway
- Special
- Unmapped/ Not Included

|  Boundary 35.65 ac

SOIL CODE	SOIL DESCRIPTION	ACRES	%	CPI	NCCPI	CAP
5832	Punkin-Taver complex, 0 to 1 percent slopes	16.1	45.17	0	37	3s
5960	Shellabarger-Nalim complex, 1 to 3 percent slopes	11.66	32.72	0	57	2e
6224	Canadian fine sandy loam, rarely flooded	7.89	22.14	0	51	2c
TOTALS		35.65(*)	100%	-	46.65	2.45

(*) Total acres may differ in the second decimal compared to the sum of each acreage soil. This is due to a round error because we only show the acres of each soil with two decimal.

Capability Legend

Increased Limitations and Hazards

Decreased Adaptability and Freedom of Choice Users

Land, Capability

								
	1	2	3	4	5	6	7	8
'Wild Life'	•	•	•	•	•	•	•	•
Forestry	•	•	•	•	•	•	•	
Limited	•	•	•	•	•	•	•	
Moderate	•	•	•	•	•	•		
Intense	•	•	•	•	•			
Limited	•	•	•	•				
Moderate	•	•	•					
Intense	•	•						
Very Intense	•							

Grazing Cultivation

(c) climatic limitations (e) susceptibility to erosion

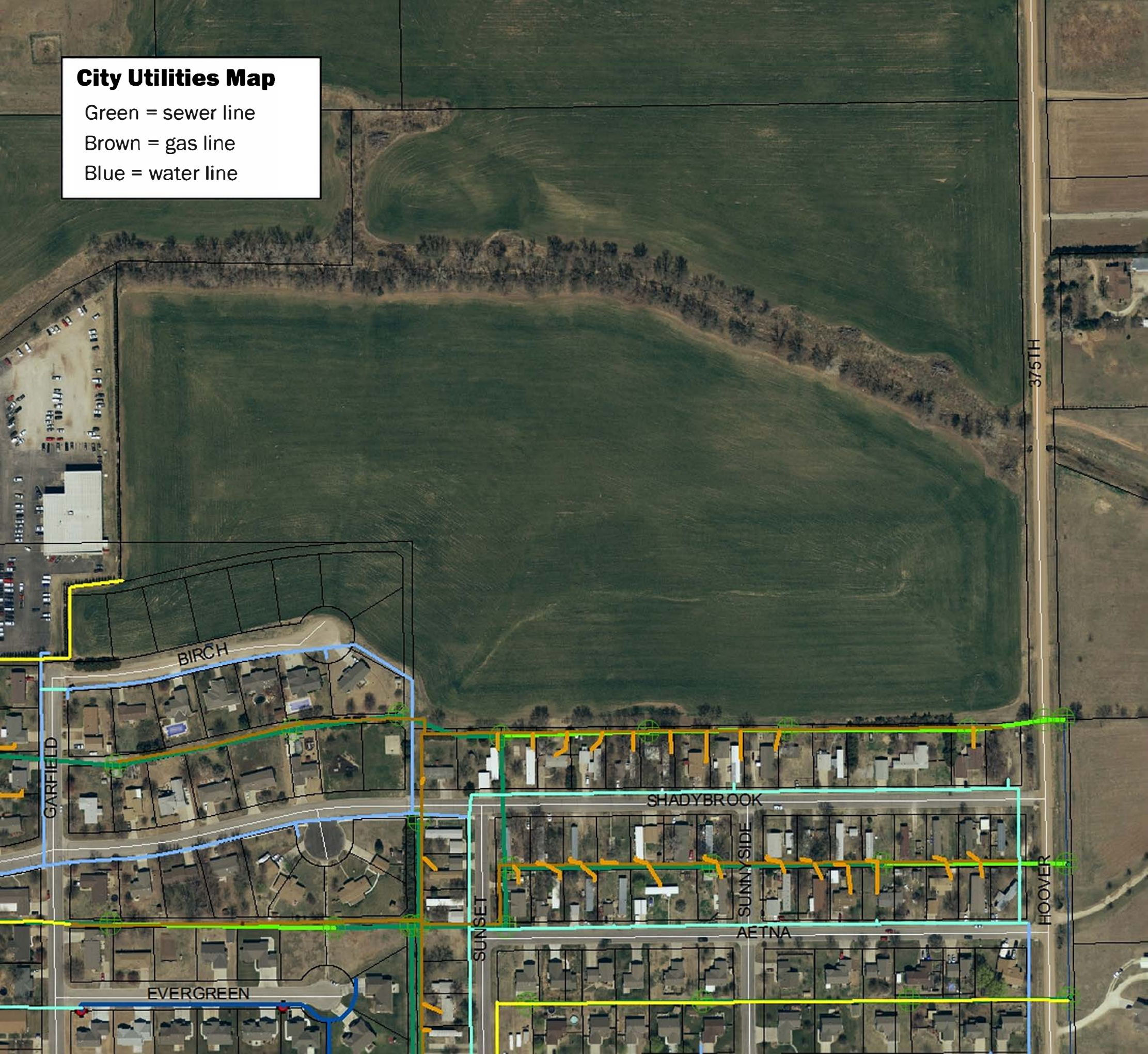
(s) soil limitations within the rooting zone (w) excess of water

City Utilities Map

Green = sewer line

Brown = gas line

Blue = water line





Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30313656

Receipt #: 2430124
Pages Recorded: 2

Recording Fee: \$38.00

Cashier: KVENATOR

Authorized By: Tonya Buckingham

Date Recorded: 06/07/2024 02:49:49 PM



Main Office
2908 North Plum Street
Hutchinson, KS 67502
Office: (620) 665-7032
Fax: (620) 663-7401

Garber Surveying Service, P.A.

Branch Offices
Manhattan 785-320-4810
McPherson 620-241-4441
Newton 316-283-5053
Salina 785-404-6302
Wichita 316-260-9933

SURVEY FOR: ROGER L. ZERENER LIVING TRUST

Project No. G2024-102

DESCRIPTION:

SHEET 1 OF 2

REVISED: 05/30/2024

PARCEL 1:

A portion of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian, Sedgwick County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on May 9, 2024 as follows:

Beginning at the Northeast corner of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian; Thence with a bearing of South 01°03'37" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Southeast Quarter a distance of 673.48 feet; Thence North 65°05'15" West a distance of 593.25 feet; Thence North 62°59'42" West a distance of 200.00 feet; Thence North 74°45'29" West a distance of 150.00 feet; Thence North 89°57'32" West a distance of 583.00 feet; Thence North 00°01'19" West a distance of 272.49 feet to the North line of said Southeast Quarter; Thence North 89°11'15" East along the North line of said Southeast Quarter a measured distance of 103.38 feet (103.40 feet per Record) to the Northwest corner of the Northeast Quarter of said Southeast Quarter; Thence North 89°11'13" East along the North line of said Southeast Quarter a measured distance of 1,328.38 feet (1,328.44 feet per Record) to the point of beginning, containing 12.850 Acres, and subject to a road right-of-way easement across the East 30.00 feet thereof and any other easements or restrictions of record.

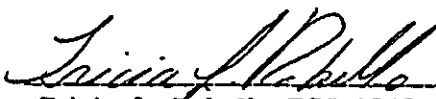
PARCEL 2:

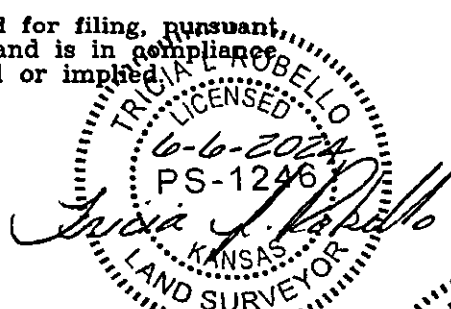
A portion of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian, Sedgwick County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on May 9, 2024 as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian; Thence with a bearing of South 01°03'37" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Southeast Quarter a distance of 673.48 feet for the point of beginning; Thence continuing South 01°03'37" East along the East line of said Southeast Quarter a distance of 630.79 feet; Thence South 89°16'00" West a distance of 1,324.83 feet; Thence North 00°40'43" West a Record distance of 396.43 feet; Thence South 87°01'59" West a Record distance of 82.56 feet; Thence following the arc of a curve to the left having a radius of 1,550.00 feet Southwesterly a distance of 337.91 feet (chord bears South 83°12'05" West 337.24 feet); Thence South 76°54'01" West a distance of 173.30 feet; Thence following the arc of a curve to the right having a radius of 450.00 feet Southwesterly a distance of 24.64 feet (chord bears South 79°06'25" West 24.64 feet); Thence North 00°51'26" West a measured distance of 668.99 feet (668.87 feet per Record); Thence North 58°03'26" East a distance of 8.91 feet; Thence South 89°05'20" East a distance of 486.57 feet; Thence North 00°01'19" West a distance of 54.09 feet; Thence South 89°57'32" East a distance of 583.00 feet; Thence South 74°45'29" East a distance of 150.00 feet; Thence South 62°59'42" East a distance of 200.00 feet; Thence South 65°05'15" East a distance of 593.25 feet to the point of beginning, containing 36.148 Acres, and subject to a road right-of-way easement across the East 30.00 feet thereof and any other easements or restrictions of record.

REVIEW SURVEYOR'S CERTIFICATE

I hereby certify that this survey has been reviewed for filing, pursuant to K.S.A. 58-2005 and K.S.A. 58-2011 for content only and is in compliance with those provisions. No other warranties are extended or implied.


Tricia L. Robello PS# 1246
Land Surveyor

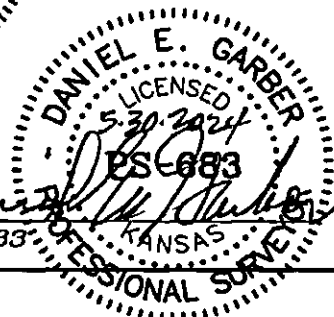


DATE OF FIELD WORK: February 21, 2024

SURVEYOR'S CERTIFICATE:

I hereby certify this plat to be a true, correct and complete representation of the property described above as surveyed under my supervision.

Dated: May 30, 2024



Main Office
2908 North Plum Street
Hutchinson, KS 67502
Office: (620) 665-7032
Fax: (620) 663-7401



Garber Surveying Service, P.A.

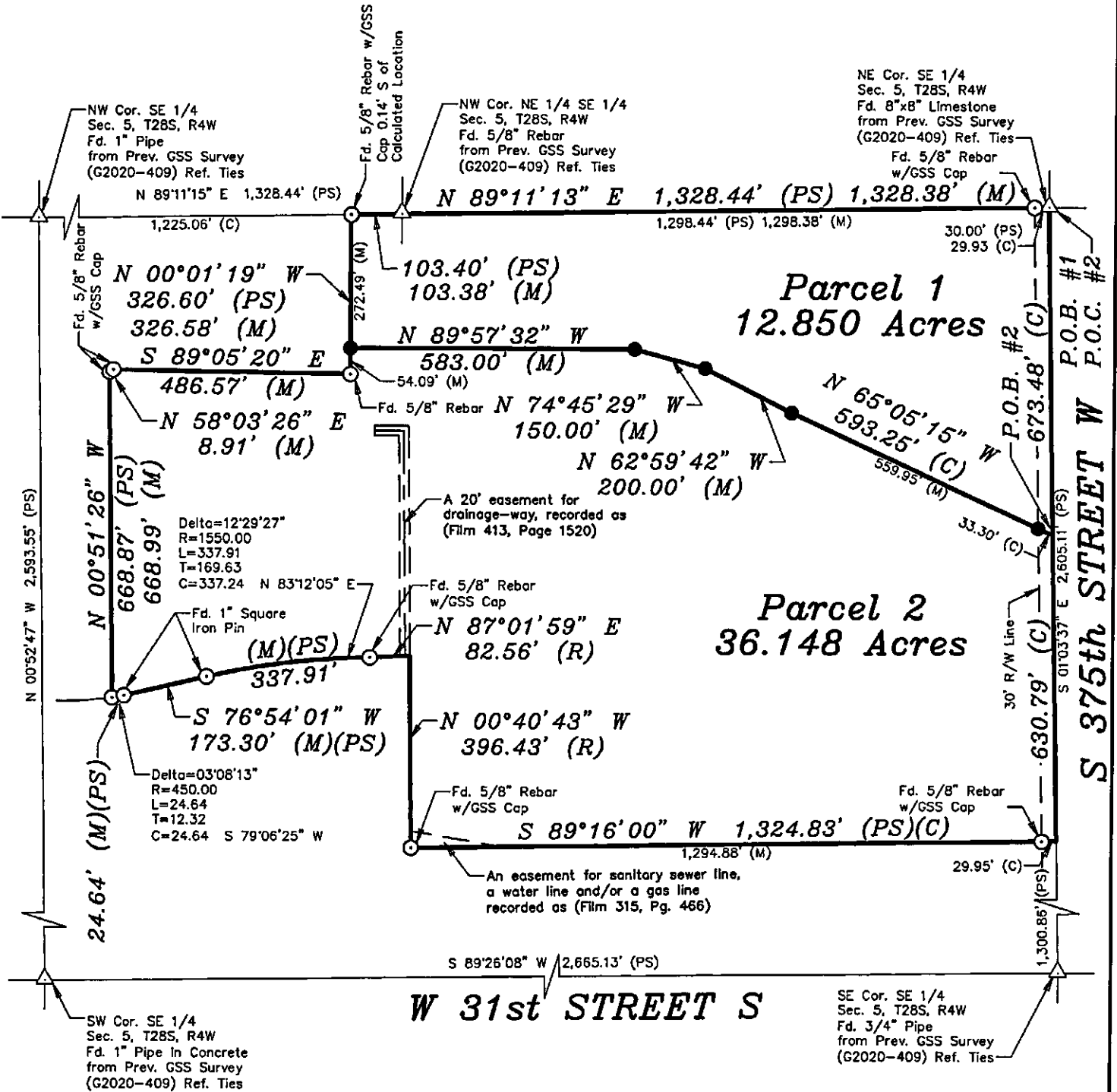
Branch Offices
Manhattan 785-320-4810
McPherson 620-241-4441
Newton 316-283-5053
Salina 785-404-6302
Wichita 316-260-9933

SURVEY FOR: ROGER L. ZERENER LIVING TRUST

Project No. G2024-102
SHEET 2 OF 2
REVISED: 05/30/2024

DESCRIPTION:

A survey of a portion of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian in Sedgwick County, Kansas more particularly described on Sheet 1.



NOTE:

Parcel 1 and the land to the North must be merged and developed together or a utility plan must be in place for Parcel 1 for them to be developed separately.

LEGEND

- △ - Sectional Monument Found
- - Survey Monument Found
- - 5/8" x 24" Iron Rebar Set w/G.S.S. Cap
- (C) - Calculated
- (M) - Measured
- (R) - Record measurement
- (PS) - Previous GSS Survey (G2020-409)
- P.O.B. - Point of Beginning
- P.O.C. - Point of Commencement

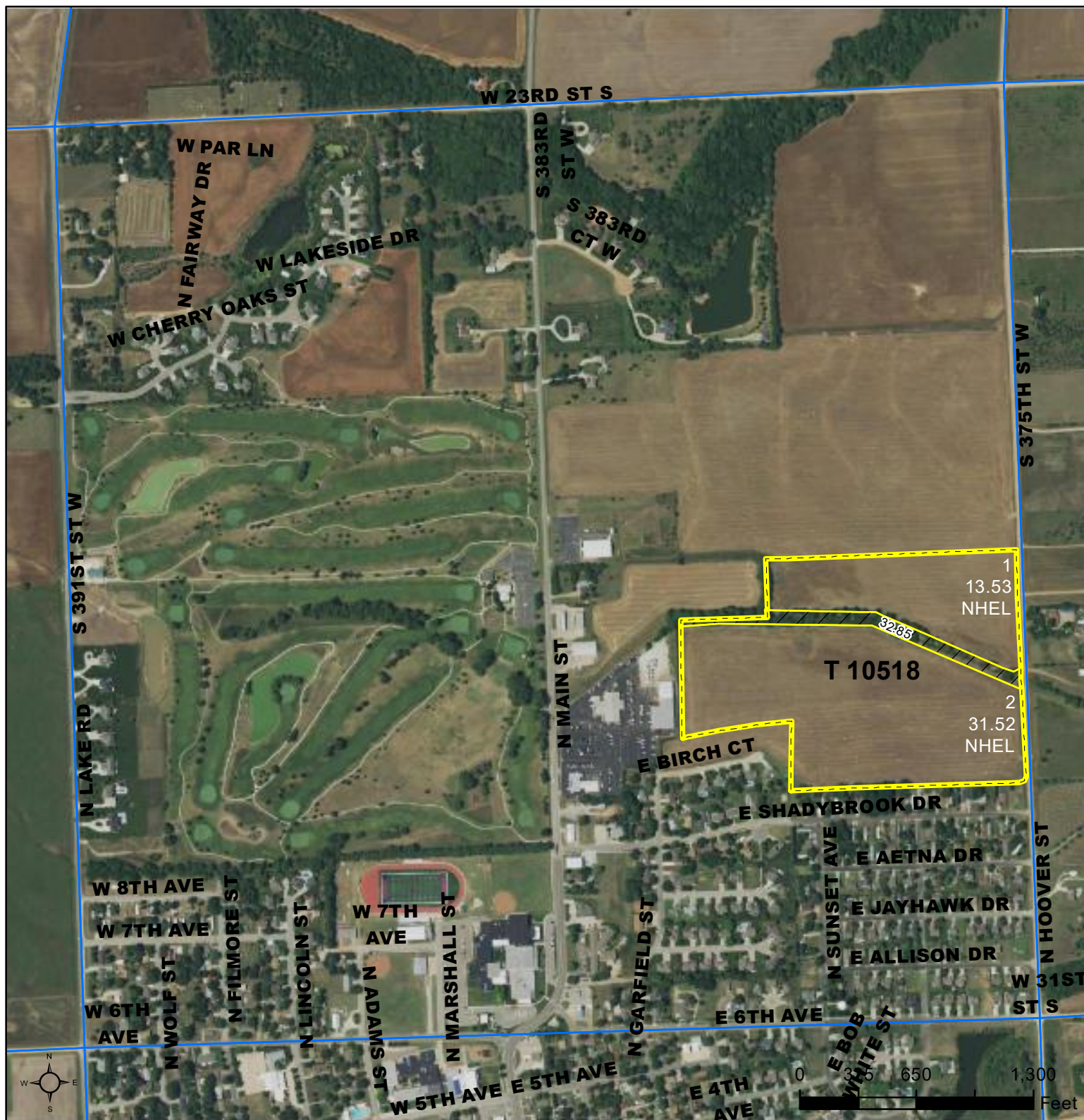


Scale: 1" = 300'
BASIS OF BEARING
= NAD 83 KANSAS
SOUTH ZONE



United States
Department of
Agriculture

Sedgwick County, Kansas



Common Land Unit

- Tract Boundary
- PLSS
- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Unless noted on field:

- | | |
|-----------------------------|--------------------------------|
| 1/ All Wheat HRW, NI, GR | 6/ Grass SMO, NI, FG |
| 2/ All Sorghum GRS, NI, GR | 7/ Alfalfa, NI, FG |
| 3/ All Corn YEL, NI GR | 8/ Sorghum Forage Cane, NI, FG |
| 4/ All Soybeans COM, NI, GR | 9/ Cotton, Upland, NI, GR |
| 5/ Grass NAG, NI, GZ | 10/ Grass NAG, NI, LS |

Tract Cropland Total: 45.05 acres

2024 Program Year

Map Created October 19, 2023

Farm 17696

Tract 10518

5-28-4

Displayed over 2021 NAIP

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



Other Producers

: None

Recon ID

: None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
		0	

NOTES

Tract Number : 10518

Description : B-12 E 46 AC IN N1/2 SE1/4 5-28-4W

FSA Physical Location : KANSAS/SEDGWICK

ANSI Physical Location : KANSAS/SEDGWICK

BIA Unit Range Number :

HEL Status : NHEL: No agricultural commodity planted on undetermined fields

Wetland Status : Tract does not contain a wetland

WL Violations : None

Owners : ROGER - L ZERENER REV LIV TR ZERENER

Other Producers : None

Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
47.90	45.05	45.05	0.00	0.00	0.00	0.00	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	45.05	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Wheat	45.05	0.00	41

Commitment Cover Page

Order Number: **3081277**

Delivery Date: **06/25/2024**

Property Address: **Beg Ne Cor Se1/4 S 1304.25 Ft W 1326.41 Ft N to Ne Cor Northboro Add. W 82.56 Ft Wly Alg Cur 338.16 Ft Sw 173.07 Ft Wly Alg Cur 24.99 Ft N 669.15 Ft Ne 8.6 Ft Ely 487.3 Ft N 326 Ft to N Li Se1/4 E 1431.4 Ft to Beg Exc Part Ly in Cheney City Limits Sec 5-28-4 W, Cheney, KS 67025**

For Closing Assistance

Transaction Services
727 N Waco Ave, Ste 300
Wichita, KS 67203
Office: (316) 267-8371
ts@security1st.com

For Title Assistance

Residential Title Staff
727 N Waco Ave, Ste 300
Wichita, KS 67203
Office: (316) 779-1994
rthd@security1st.com

Buyer/Borrower

a Legal Entity, To Be Determined
Delivered via: Electronic Mail

Agent for Seller

Gene Francis & Associates LLC
Attention: Jami Viner
229 North Main Street
Cheney, KS 67025
(316) 540-3124 (Work)
(316) 540-0134 (Work Fax)
jami@genefrancis.com
Delivered via: Electronic Mail

Seller/Owner

Roger L. Zerener, Trustee of the Roger L. Zerener
Revocable Living Trust under Trust Agreement dated
September 19, 2019
Delivered via: Electronic Mail

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions

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ALTA COMMITMENT FOR TITLE INSURANCE

issued by
First American Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

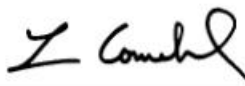
COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, FIRST AMERICAN TITLE INSURANCE COMPANY, a California Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

FIRST AMERICAN TITLE INSURANCE COMPANY

By: 
Kenneth D. DeGiorgio, President

By: 
Lisa W. Cornehl, Secretary

Issuing Agent: Security 1st Title

 Security 1st Title
Residential Title Staff
727 N Waco Ave, Ste 300
Wichita, KS 67203
(316) 779-1994 (Work)
rthd@security1st.com

**Transaction Identification Data for reference only:**

Issuing Agent:	Security 1st Title	Buyer:	a Legal Entity, To Be Determined
Issuing Office:	727 N Waco Ave, Ste 300 Wichita, KS 67203	Title Contact:	Residential Title Staff 727 N Waco Ave, Ste 300 Wichita, KS 67203 (316) 779-1994 (Work) rthd@security1st.com
ALTA Universal ID:	1010831		
Loan ID Number:			
Commitment No.:	SBR-DB3081277		
Property Address:	Beg Ne Cor Se1/4 S 1304.25 Ft W 1326.41 Ft N to Ne Cor Northboro Add. W 82.56 Ft Wly Alg Cur 338.16 Ft Sw 173.07 Ft Wly Alg Cur 24.99 Ft N 669.15 Ft Ne 8.6 Ft Ely 487.3 Ft N 326 Ft to N Li Se1/4 E 1431.4 Ft to Beg Exc Part Ly in Cheney City Limits Sec 5-28-4 W Cheney, KS 67025		

SCHEDULE A**1. Commitment Date:**

06/06/2024 at 7:00 AM

2. Policy to be issued:

ALTA Owner's Policy 07-01-2021

Proposed Insured: a Legal Entity, To Be Determined

The estate or interest to be insured: Fee Simple

TBD

3. The estate or interest in the Land at the Commitment Date is:

Fee Simple

4. The Title is, at the Commitment Date, vested in:

Roger L. Zerener, Trustee of the Roger L. Zerener Revocable Living Trust under Trust Agreement dated September 19, 2019

5. The Land is described as follows:

Property description set forth in Exhibit A attached hereto and made a part hereof.

Security 1st Title, LLC

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Commitment No.: SBR-DB3081277

Exhibit A

A portion of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian, Sedgwick County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on May 9, 2024 as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian; Thence with a bearing of South 01°03'37" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Southeast Quarter a distance of 673.48 feet for the point of beginning; Thence continuing South 01°03'37" East along the East line of said Southeast Quarter a distance of 630.79 feet; Thence South 89°16'00" West a distance of 1,324.83 feet; Thence North 00°40'43" West a record distance of 396.43 feet; Thence South 87°01'59" West a record distance of 82.56 feet; Thence following the arc of a curve to the left having a radius of 1,550.00 feet Southwesterly a distance of 337.91 feet (chord bears South 83°12'05" West 337.24 feet); Thence South 76°54'01" West a distance of 173.30 feet; Thence following the arc of a curve to the right having a radius of 450.00 feet Southwesterly a distance of 24.64 feet (chord bears South 79°06'25" West 24.64 feet); Thence North 00°51'26" West a measured distance of 668.99 feet (668.87 feet per record); Thence North 58°03'26" East a distance of 8.91 feet; Thence South 89°05'20" East a distance of 486.57 feet; Thence North 00°01'19" West a distance of 54.09 feet; Thence South 89°57'32" East a distance of 583.00 feet; Thence South 74°45'29" East a distance of 150.00 feet; thence South 62°59'42" East a distance of 200.00 feet; thence South 65°05'15" East a distance of 593.25 feet to the point of beginning, Subject to a road right-of-way easement across the East 30.00 feet thereof and any other easements or restrictions of record.

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SCHEDULE B, PART I - Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, and recorded in the Public Records.
5. **For each policy to be issued as identified in Schedule A, Item 2; the Company shall not be liable under this commitment until it receives a designation for a Proposed Insured, acceptable to the Company. As provided in the Conditions, the Company may amend this commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured.**
6. **File a partial release of the Mortgage dated July 16, 2020, recorded July 27, 2020, as Doc.#/Flm-Pg: [29973579](#), made by Roger L. Zerener Revocable Living Trust dated September 29, 2019, to The Citizens State Bank, in the amount of \$346,000.00. (Contains additional property)**
7. **Furnish for our approval a Certification of Trust that is given pursuant to KSA 58a-1013 of the Kansas Uniform Trust Code, which may be executed by any of the current trustees of the Roger L. Zerener Revocable Living Trust under Trust Agreement dated September 19, 2019.**

In the alternative, we may be provided with said Trust together with all amendments thereto. We reserve the right to make additional requirements we deem necessary.

8. **File a Trustee's Deed from Roger L. Zerener, Trustee of the Roger L. Zerener Revocable Living Trust under Trust Agreement dated September 19, 2019 to a Legal Entity, To Be Determined.**

NOTE: Said instrument must make reference to the terms and provisions of the Trust Agreement; be made pursuant to the powers conferred by said Agreement; state that the Trust Agreement remains in full force and effect at this time and that the same has not been amended or revoked, and finally, recite the full consideration being received.

9. **Provide this company with a properly completed and executed Owner's Affidavit.**

10. Recording Information for Kansas Counties:

Deed: \$21.00 (first page) + \$17.00 (each additional page)

Mortgage: \$21.00 (first page) + \$17.00 (each additional page)

Mortgage Release: \$20.00 (first page) + \$4.00 (each additional page)

Mortgage Assignment: \$20.00 (first page) + \$4.00 (each additional page)

The above fees do not include all documents that may be filed in each county. Some fees may vary. For a full list of recording fees, services and format requirements, please contact the Register of Deeds Office for the specific county in question.

NOTE: The State of Kansas requires that any deed transferring real estate must be accompanied by a Real Estate Validation Questionnaire. This form must be executed by either the Grantor (Seller) or the Grantee (Buyer). Certain exemptions do apply. The official form can be obtained from the Register of Deeds or from Security 1st Title. Photocopies of the official form will not be accepted.

NOTE: For documents electronically recorded. There is an additional third-party service fee of \$5.00 per document, which is in addition to the County recording fees.

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SCHEDULE B, PART II—Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records at Date of Policy.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
7. **General taxes and special assessments for the year 2023 in the amount of \$264.81, PAID.**

Property ID # MO-CH-01501

PIN # 00565055 (Covers a portion or subject property)

8. **General taxes and special assessments for the year 2023 in the amount of \$0.43, PAID.**

Property ID # MO-CH-01138-0001

PIN # 00283835 (Covers the remainder of subject property)

A NEW 2024 TAX ID# WILL BE CREATED BY THE COUNTY WITH THE NEW LEGAL FROM THE SURVEY.

9. **Roadway easement, if any, over the East 30 feet of Parcel 3.**
10. **An easement for a sanitary sewer line, a water line and/or a gas line, recorded as Film 315, Page 466.
In favor of: The City of Cheney, Kansas
Affects: a portion of subject property**
11. **An easement for drainage-way, recorded as Film 413, Page 1520.
In favor of: City of Cheney, Kansas
Affects: a portion of subject property**
12. **An Ordinance annexing a portion of subject property into the City of Cheney, Kansas, filed April 15, 2005 as Doc#/Flm-Pg: [28665139](#).**

13. The actual value of the estate or interest to be insured must be disclosed to the Company, and subject to approval by the Company, entered as the amount of the policy to be issued. It is agreed that, as between the Company, the applicant for this commitment, and every person relying on this commitment, the amount of the requested policy will be assumed to be \$1,000.00, and the total liability of the Company on account of this commitment shall not exceed that amount, until such time as the actual amount of the policy to be issued shall have been agreed upon and entered as aforesaid, and the Company's applicable insurance premium charge for same shall have been paid.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions

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Property Taxes and Appraisals

**BEG NE COR SE1/4 S 1304.25 FT W 1326.41 FT N TO NE COR NORTHBORO AD
W 82.56 FT WLY ALG CUR 338.16 FT SW 173.07 FT WLY ALG CUR 24.99 FT N
669.15 FT NE 8.6 FT ELY 487.3 FT N 326 FT TO N LI SE1/4 E 1431.4 FT TO BEG
EXC PART LY IN CHENEY CITY LIMITS SEC 5-28-4W**

Property Description

Legal Description	BEG NE COR SE1/4 S 1304.25 FT W 1326.41 FT N TO NE COR NORTHBORO ADD. W 82.56 FT WLY ALG CUR 338.16 FT SW 173.07 FT WLY ALG CUR 24.99 FT N 669.15 FT NE 8.6 FT ELY 487.3 FT N 326 FT TO N LI SE1/4 E 1431.4 FT TO BEG EXC PART LY IN CHENEY CITY LIMITS SEC 5-28-4W
Owner	ZERENER ROGER L REV LIV TR
Mailing Address	PO BOX 157 CHENEY KS 67025-0157
Geo Code	MO CH01501
PIN	00565055
AIN	173050410000101
Tax Unit	5301 125 CHENEY U-268 MOCH
Land Use	9010 Farming/ranch land (no improvements)
Market Land Square Feet	
2024 Total Acres	47.60
2024 Appraisal	\$4,740
2024 Assessment	\$1,422

*Information on the property card is as of January 1st

Appraisal Values

Year	Class	Land	Improvements	Total	Change
2024	Agricultural	\$4,740	\$0	\$4,740	-19%
2023	Agricultural	\$5,870	\$0	\$5,870	-16%
2022	Agricultural	\$7,010	\$0	\$7,010	-4%
2021	Agricultural	\$7,340	\$0	\$7,340	-3%
2020	Agricultural	\$7,570	\$0	\$7,570	-4%
2019	Agricultural	\$7,910	\$0	\$7,910	-2%
2018	Agricultural	\$8,040	\$0	\$8,040	+5%
2017	Agricultural	\$7,660	\$0	\$7,660	-1%
2016	Agricultural	\$7,750	\$0	\$7,750	+10%
2015	Agricultural	\$7,030	\$0	\$7,030	

Assessment Values

Year	Class	Land	Improvements	Total	Change
2024	Agricultural	\$1,422	\$0	\$1,422	-19%
2023	Agricultural	\$1,761	\$0	\$1,761	-16%
2022	Agricultural	\$2,103	\$0	\$2,103	-4%
2021	Agricultural	\$2,202	\$0	\$2,202	-3%
2020	Agricultural	\$2,271	\$0	\$2,271	-4%

Year	Class	Land	Improvements	Total	Change
2019	Agricultural	\$2,373	\$0	\$2,373	-2%
2018	Agricultural	\$2,412	\$0	\$2,412	+5%
2017	Agricultural	\$2,298	\$0	\$2,298	-1%
2016	Agricultural	\$2,325	\$0	\$2,325	+10%
2015	Agricultural	\$2,109	\$0	\$2,109	

Tax Billings

Tax Year	Tax Rate	General Tax	Specials Tax	Interest	Fees	Total	Paid	Balance
2023	150.368000	\$264.81	\$0.00	\$0.00	\$0.00	\$264.81	\$264.81	\$0.00
2022	152.296000	\$320.27	\$0.00	\$0.00	\$0.00	\$320.27	\$320.27	\$0.00
2021	146.973000	\$323.65	\$0.00	\$0.00	\$0.00	\$323.65	\$323.65	\$0.00
2020	152.791000	\$347.00	\$0.00	\$0.00	\$0.00	\$347.00	\$347.00	\$0.00
2019	154.078869	\$365.64	\$0.00	\$0.00	\$0.00	\$365.64	\$365.64	\$0.00
2018	154.096000	\$371.69	\$0.00	\$0.00	\$0.00	\$371.69	\$371.69	\$0.00
2017	155.144000	\$356.53	\$0.00	\$0.00	\$0.00	\$356.53	\$356.53	\$0.00
2016	155.606000	\$361.79	\$0.00	\$6.72	\$0.00	\$368.51	\$368.51	\$0.00
2015	155.192000	\$327.28	\$0.00	\$0.00	\$0.00	\$327.28	\$327.28	\$0.00
2014	152.197196	\$289.02	\$0.00	\$0.00	\$0.00	\$289.02	\$289.02	\$0.00

Tax Authorities

Tax Authority	Tax Rate
0101 STATE	1.500000
0201 COUNTY	28.988000
0436 MORTON TOWNSHIP	0.907000
0503 CITY OF CHENEY	59.303000
0611 USD 268	16.325000
0611 USD 268 SC	7.994000
0611 USD 268 SG	20.000000
0721 USD 268 BOND	10.979000
0811 USD 268 REC COMM	4.372000
Total: 150.368000	

SELLER'S PROPERTY DISCLOSURE STATEMENT - for Land Only

(To be completed by Seller)

This report supersedes any list appearing in the MLS

1 Property Address: Tract in SE/4 5-28-4W (Parcel 2 on Survey)
2 Seller: Roger L Zerener Revocable Liv Tr Date of Purchase: _____
3 Property currently zoned as: Agricultural

4 **Message to the Seller:** This statement is a disclosure of the condition of the above described Property known by the SELLER on
5 the date that it is signed. It is not a warranty of any kind by the SELLER(S) or any real estate licensees involved in this transaction,
6 and should not be accepted as a substitute for any inspections or warranties the BUYER(S) may wish to obtain. If you know
7 something important about the Property that is not addressed on the Seller's Property Disclosure, add that information to the
8 form. Prospective Buyers may rely on the information you provide.

9 **Instructions:** (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available
10 supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a
11 question, use the comment lines to explain.

12 By signing below, you acknowledge that the failure to disclose known material information about the Property may result in liability.

13 **Message to the Buyer:** Although Seller's Property Disclosure is designed to assist the SELLER in disclosing all known material
14 (important) facts about the Property, there are likely facts about the Property that the SELLER does not know. Therefore, it is
15 important that you take an active role in obtaining the information about the Property.

16 **Instructions:** (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any
17 incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the Seller's Property Disclosure. (5) Obtain
18 professional inspections of the Property. (6) Investigate the surrounding area.

19 **THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT INDEPENDENTLY VERIFIED BY THE BROKER(S) OR AGENTS(S).**

PART I

Indicate the condition of the following items by marking the appropriate box.
Check only one box for each item.

None
Does Not Transfer
Working
Not Working
Don't Know

WATER SYSTEMS

20 ☒ ☐ ☐ ☐ ☐
21 Well/Pump _____
22 Drinking _____ Irrigation _____
23 Location _____
24 Depth _____
25 Type _____
26 If on well water, has water ever shown test results of contamination? ☐ Yes ☐ No
27 Is the property connected to ☐ city ☐ rural water systems?
28 Rural Water Transfer? ☐ Yes ☐ No Transfer Fee \$ _____
29 ☒ ☐ ☐ ☐ ☐ Cistern _____
30 ☒ ☐ ☐ ☐ ☐ Other _____
31 Comments: _____
32

DRAINAGE/SEWAGE SYSTEMS

33 ☒ ☐ ☐ ☐ ☐
34 Sewer Lines _____
35 Septic/Laterals _____
36 Lagoon _____
37 Tank Size _____ Location _____
38 # Feet of Laterals _____
39 Other _____
40 Other _____
41 Comments: _____
42

Seller's Initials

X 023

Buyer's Initials

PART II

Answer questions to the best of your (Seller's) knowledge.

None
Does Not Transfer
Working
Not Working
Don't Know

GAS/ELECTRIC

- 43 ☒ ☐ ☐ ☐ ☐ Is there a propane tank on the property?
 44 If yes, is it ☐ owned ☐ leased?
 45 Company: _____
 46 ☒ ☐ ☐ ☐ ☐ Are there solar panels on the property?
 47 If yes, are they ☐ owned ☐ rented/leased?
 48 Company: _____
 49 ☒ ☐ ☐ ☐ ☐ Are there wind turbines on the property?
 50 If yes, are they ☐ owned ☐ rented/leased?
 51 Company: _____
 52 ☒ ☐ ☐ ☐ ☐ Is there hydroelectric on the property?

Yes
No
Don't Know

- 53 ☐ ☐ ☐ Is gas connected to property? If not, distance to nearest source? to south
 54 ☐ ☐ ☐ Is electricity connected to property? If not, distance to nearest source? in area
 55 ☐ ☐ ☒ To your knowledge, is there any additional costs to hook up utilities?
 56 If yes, please explain: _____
 57 _____
 58 _____
 59 _____

Comments: _____

DRAINAGE/SEWAGE SYSTEMS

- 60 ☒ ☐ ☐ Is property connected to a public sewer system?
 61 If yes, no explanation required.
 62 ☒ ☐ ☐ Is there a septic tank/lagoon system serving this property?
 63 If yes, when was it last serviced? Date _____
 64 ☒ ☐ To your knowledge, is there any problems relating to the septic tank/cesspool/sewer system?
 65 ☒ ☐ To your knowledge, is the property located in a federally designated flood plain or wetlands area? (below)
 66 ☒ ☐ ☐ Is the property located in a subdivision with a master drainage plan?
 67 ☒ ☐ ☐ If so, is this property in compliance?
 68 ☒ ☐ ☐ Has the property ever had a drainage problem during your ownership?
 69 ☒ ☐ ☐ Do you currently pay flood insurance?
 70 ☒ ☐ ☐ Other drainage/sewage systems and their conditions: _____
 71 Comments: Flood zone along creek
 72 _____

BOUNDARIES/LAND

- 73 ☐ ☐ ☐ Have you had a survey of your property? yes - provided
 74 ☐ ☐ ☐ Are the boundaries of your property marked in any way? surveyors stakes
 75 ☐ ☐ ☐ Is there any fencing on the boundary(ies) of the property?
 76 ☐ ☐ ☐ If yes, does the fencing belong to the property?
 77 ☒ ☐ ☐ To your knowledge, are there any boundary disputes, encroachments, or unrecorded easements?
 78 ☒ ☐ ☐ Are there any features of the property shared in common with adjoining landowners, such as walls, fences,
 79 roads, driveways?
 80 ☒ ☐ ☐ Is this property owner responsible for maintenance of any such shared feature?
 81 ☒ ☐ ☐ Do you know of any expansive soil, fill dirt, sliding, settling, earth movement, upheaval, or earth stability
 82 problems that have occurred on the property or in the immediate neighborhood?
 83 Comments: _____
 84 _____

Seller's Initials XZ

Buyer's Initials _____

Yes No Don't Know

HOMEOWNER'S ASSOCIATION

Is the property subject to rules or regulations of any homeowner's association?

Annual dues \$ _____ Initiation Fee \$ _____

To your knowledge, are there any problems relating to any common area?

Have you been notified of any condition which may result in an increase in assessments?

Comments: _____

ENVIRONMENTAL CONDITIONS

To your knowledge, are any of the following substances, materials, or products present on the real property?

Asbestos

Contaminated soil or water (including drinking water)

Landfill or buried materials

Methane gas

Oil sheers in wet areas

Radioactive material

Toxic material disposal (e.g., solvents, chemicals, etc.)

Underground fuel or chemical storage tanks

EMFs (Electro Magnetic Fields)

Gas or oil wells in area

Other

To your knowledge, are any of the above conditions present near your property?

Comments: _____

MISCELLANEOUS

To your knowledge:

Are there any gas/oil wells on the property or adjacent property?

Is the present use of the property a non-conforming use?

Are there any violations of local, state or federal government laws or regulations relating to this property?

Is there any existing or threatened legal or regulatory action affecting this property?

Are there any current special assessments or do you have knowledge of any future assessments?

Are there any proposed or pending zoning changes on this or adjacent property?

Are any local, state, or federal agencies requiring repairs, alterations or corrections of any existing conditions?

Are there any diseased or dead trees or shrubs?

Is the property located in an area where public authorities have or are contemplating condemnation proceedings?

Are there any facts, conditions, or circumstances, on or off site, which could affect the value, beneficial use, or desirability of the property? If yes, please explain below.

Comments: _____

Seller Owns:

Mineral Rights:

100 % pass with the land to the Buyer _____ % remain with the Seller

_____ % are owned by third party _____ unknown

Are there any oil, gas, or wind leases of record or Other? Please explain: _____

Crops planted at the time of sale:

_____ pass with the land to the Buyer X remain with the Seller

_____ none

_____ Other (please describe): seller will retain their

share of hay crop. possession after removal

Seller's Initials X DZ

Buyer's Initials _____

Tenant's rights apply to the subject property with lease or shares as follows: tenant has the right to harvest the growing 2024 hay crop

Water Rights:

☒ pass with the land to the Buyer - Permit # _____
☐ remain with the Seller - Permit # _____
☐ have been terminated

Comments: _____

SELLER'S ACKNOWLEDGMENT

Seller acknowledges that: the information contained in this disclosure is accurate, true and complete to the best of Seller's knowledge, information and belief; Seller has provided all the information contained in this Seller's Property Disclosure; and that the Broker/Realtor® has not prepared, nor assisted in the preparation of this Disclosure. Seller hereby indemnifies, holds harmless and releases all Brokers/Realtors® involved in the sale of the property from all liability, claims, loss, cost, or damage in connection with the information contained in this Disclosure. Seller hereby authorizes the listing broker to provide copies of this Disclosure to other real estate brokers and agents and prospective buyers of the property.

☒ [Signature]
Seller

☒ 6/20/22
Date

Seller

Date

OR

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by Seller. I have not occupied this property in _____ years and am not familiar with all conditions represented in this form.

Seller

Date

Seller

Date

BUYER'S ACKNOWLEDGMENT AND AGREEMENT

1. I personally have carefully inspected the property. I will rely upon the inspections encouraged under my contract with Seller. Subject to any inspections, I agree to purchase the property in its present condition without representations or guarantees of any kind by the Seller or any REALTOR® concerning the condition or value of the property.
2. I agree to verify any of the above information that is important to me by an independent investigation of my own. I have been advised to have the property examined by professional inspectors.
3. I acknowledge that neither Seller nor any REALTOR® involved in this transaction is an expert at detecting or repairing physical defects in the property. I state that no important representations concerning the condition of the property are being relied upon by me except as disclosed above or as fully set forth as follows: _____
4. I acknowledge that I have been informed that Kansas Law requires persons who are convicted of certain sexually violent crimes after April 14, 1994, to register with the sheriff of the county in which they reside. I have been advised that if I desire information regarding those registrants, I may find information on the home page of the Kansas Bureau of Investigation (KBI) at <http://www.Kansas.gov/kbi> or by contacting the local sheriff's office.
5. I acknowledge that McConnell Air Force Base is located within Sedgwick County and is an operational military Air Force base that is open 24 hours a day and activity at that base may generate noise. The volume, pitch, amount and frequency of noise may be affected by future changes in McConnell Air Force Base activity. I have been informed that if I desire information regarding potential for noise caused by the aircraft operations associated with McConnell Air Force Base and its operations, I may find information by contacting the Metropolitan Area Planning Department.

Buyer

Date

Buyer

Date

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Seller's Initials

☒ AB

Buyer's Initials _____

GROUNDWATER / ENVIRONMENTAL ADDENDUM

1 THIS ADDENDUM to Contract for Sale and Purchase of Real Estate between and among the undersigned is
2 entered into effective on the last date set forth below.

3 Groundwater contamination has been detected in several areas in and around Sedgwick County.
4 Licensees do not have any expertise in evaluating environmental conditions.

5 The parties are proposing the sale and purchase of certain property, commonly known as:

6 Tr SE/4 S-28-4W (Parcel 2 on survey)

7 The parties are advised to obtain expert advice in regard to any environmental concerns.

8 **SELLER'S DISCLOSURE (please complete both a and b below)**

9 (a) Presence of groundwater contamination or other environmental concerns (initial one):

10 ☒ RZ Seller has no knowledge of groundwater contamination or other environmental concerns;
11 or

12 ☐ Known groundwater contamination or other environmental concerns are:
13
14

15 (b) Records and reports in possession of Seller (initial one):

16 ☒ RZ Seller has no reports or records pertaining to groundwater contamination or other
17 environmental concerns; or

18 ☐ Seller has provided the Buyer with all available records and reports pertaining to
19 groundwater contamination or other environmental concerns (list document below):
20
21

22 **BUYER'S ACKNOWLEDGMENT (please complete c below)**

23 (c) ☐ Buyer has received copies of all information, if any, listed above. (initial)

24 CERTIFICATION

25 Seller certifies, to the best of Seller's knowledge, that the information Seller has provided is true and
26 accurate, and that Buyer and all licensees involved are relying on Seller's information. Buyer certifies that
27 Buyer has reviewed Seller's responses and any records and reports furnished by Seller.

28 ☒ RZ 6/20/24
29 Seller Date

Buyer Date

30
31 Seller Date

Buyer Date

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WATER AND SANITARY SEWER SYSTEM STUDY NORTH PRIMARY GROWTH AREA

CHENEY, KANSAS

MAY 2024



**WATER AND SANITARY SEWER SYSTEM STUDY
NORTH PRIMARY GROWTH AREA
CITY OF CHENEY, KS
MAY 2024**

The purpose of this study was to evaluate sanitary sewer and water service for a proposed development north of Cheney located in the Primary Growth Area of the City's comprehensive plan. The proposed development (identified herein as Eaton) is located at the northwest corner of 375th street and 23rd street (See Figure 1 – Proposed Developments and Figure 2 – Proposed Eaton Development) and includes 41 lots on approximately 160 acres of undeveloped land. Specifically, the purposes of this study include:

1. Would a proposed sewer lift station to serve this development also be capable of servicing the City's growth area to west and north of this site? If so, what is the approximate size of gravity sewer pipe needed into the lift station?
2. Would a proposed sewer lift station to serve this development also be capable of servicing a previously proposed development (Bison Ridge) located approximately ½ mile south?
3. What is the available capacity and potential service area of two existing sewer lift stations within the City (Cherry Oaks and Albers) and could they provide short-term or long-term sewer service within the City's primary growth area?
4. What is the capacity of the City's water system (storage and main lines) to provide water and fire protection services for the proposed Eaton development as well as the City's primary growth area?
5. What is the capacity of the City's wastewater treatment lagoon facility to serve the proposed Eaton development as well as the City's primary growth area?

Figure 1 - Proposed Developments

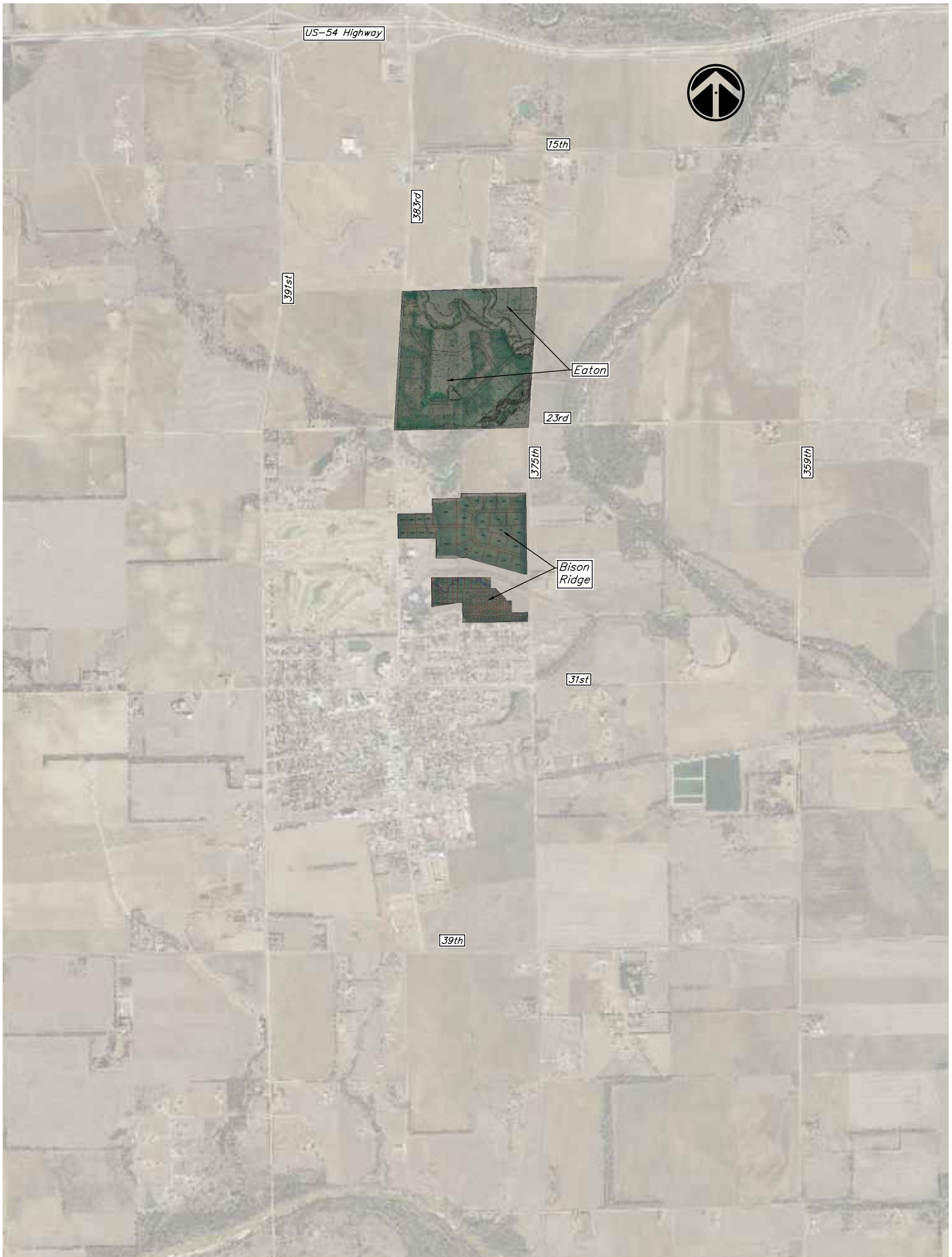
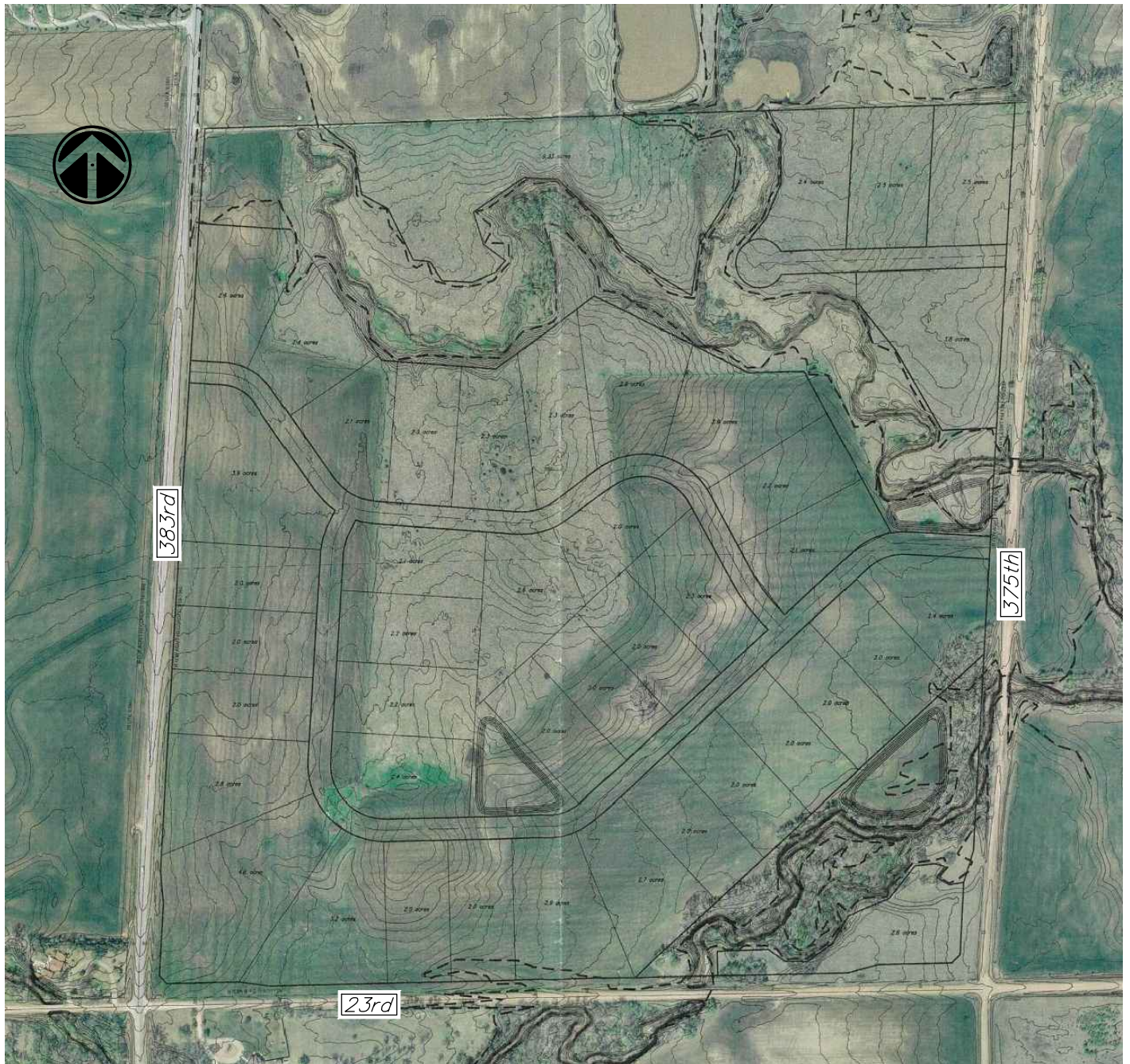


Figure 2 - Proposed Eaton Development



Projected Sanitary Sewer Flows and Gravity Sewer Capacities

Standard engineering calculation for sanitary sewer flows from single family home is as follows:

2.5 people @ 100 gal per capita per day = 250 gal per day = 0.17 gal per min (gpm).

0.17 gpm x 4 (daily peak factor) = **0.7 gpm per home**

In general, gravity sewer capacities are based on size of sewer pipe and the slope (or grade) that the pipe is installed. Each pipe size has a minimum slope which will provide a cleansing velocity (2 fps) within that pipe to avoid liquid and solids from separating. Engineering design is to assume maximum capacity with pipe flowing 2/3 full. The following approximate capacities are based on the minimum recommended slope for each size of sewer pipe and based on flowing 2/3 full. This provides the resultant number of homes (at 0.7 gpm per home) that each pipe can serve:

<u>Pipe</u>	<u>Approx. Cap.</u>	<u>Resultant # Homes</u>
8 inch @ 0.4% = 300 gpm;		428 homes
10 inch @ .25% = 500 gpm;		700 homes
12 inch @ 0.2% = 700 gpm;		1,000 homes

Existing Sewer Lift Station Information and Capacities

The City has three (3) existing sewer lift stations (See Figure 3 – Sewer Lift Stations) as identified below. Based on information gathered from the City staff and available elevation contour maps, pertinent details (depth, run times, capacity, etc.) are indicated for each station.

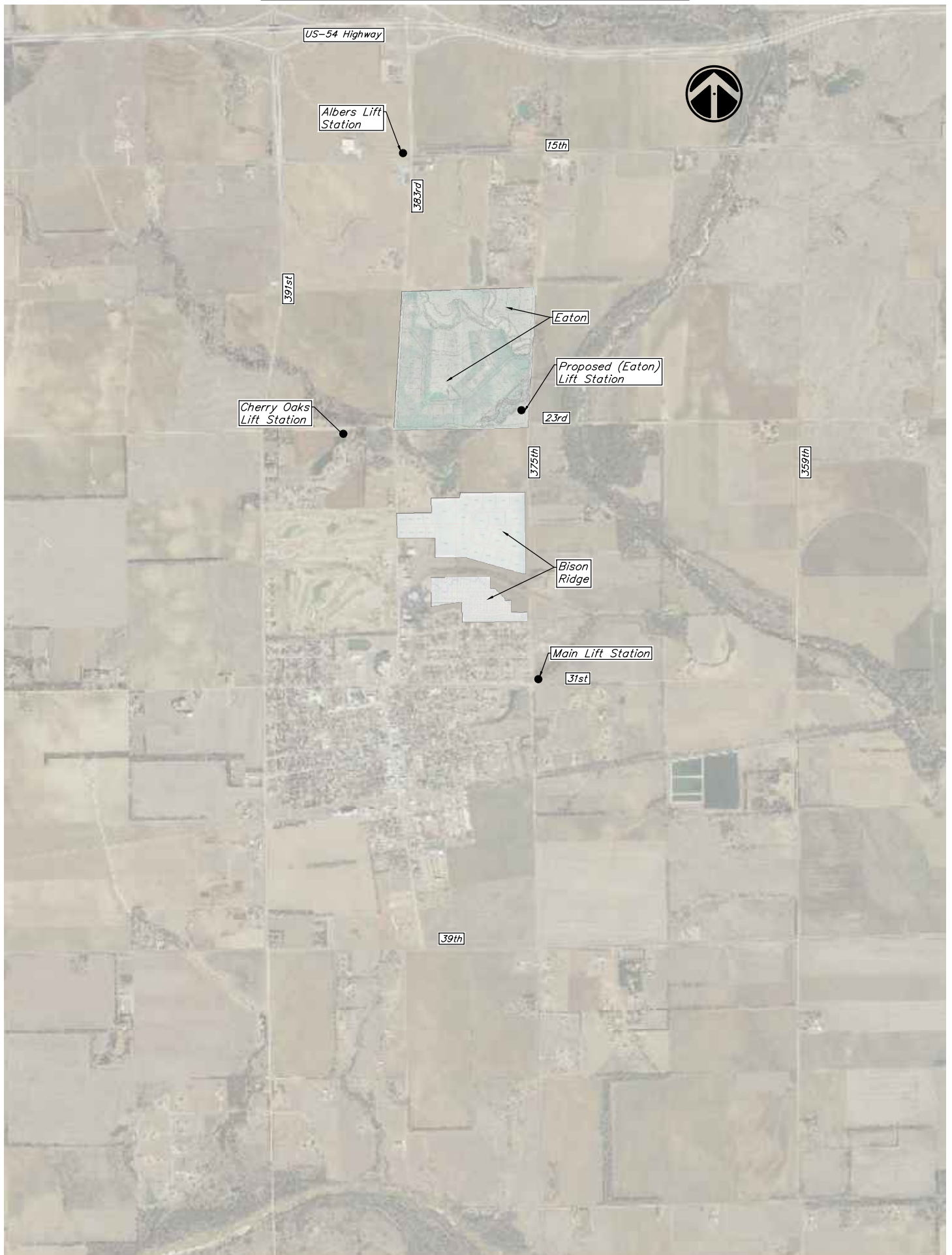
Standard engineering calculations assume that the maximum depth of an incoming gravity sewer line into a lift station would be 6' above the wetwell bottom to allow the pumps to operate and cycle adequately without backing up flow into the gravity sewer line. This depth along with gravity sewer slope and capacities from above can then be used to determine the sewer service area that the station could accommodate.

Likewise, standard engineering calculations assume a lift station can safely operate up to 6 hours total runtime per day. This allows for a 4:1 daily peak factor, as well as buffer for wet weather flow increase typical in older gravity sewer systems, Inflow and Infiltration (I & I).

Main Lift Station

Ground Elevation:	1366
Wetwell Depth:	27 ft (Elevation 1339)
# Pumps:	2
Pump Capacity:	2200 gpm
Pump Run Time/Day:	1.6 hrs (0.8 hrs each pump)
Current Flow:	211,200 gal per day (gpd)
Max Capacity:	792,000 gpd (6 hrs runtime)
Avail Capacity:	580,800 gpd or approximately 2,300 additional single family homes

Figure 3 - Sewer Lift Stations



In summary, the Main Lift Station has sufficient capacity to handle the current proposed developments (Eaton and Bison Ridge combined 80 single family homes) without any improvements necessary. Likewise, this lift station appears adequate to serve the City growth for the foreseeable future (2,300 additional single family homes). It also has more capacity than the wastewater lagoon treatment facility, which will be discussed separately below.

Cherry Oaks Lift Station

Ground Elevation:	1376
Wetwell Depth:	14 ft (Elevation 1362)
Max Sewer Depth:	8 ft (Elevation 1368)
# Pumps:	2
Pump Capacity:	250 gpm
Pump Run Time/Day:	0.61 hrs (0.3 hrs each pump)
Current Flow:	9,150 gal per day (gpd)
Max Capacity:	90,000 gpd (6 hrs runtime)
Avail Capacity:	80,850 gpd or approximately 325 additional single family homes

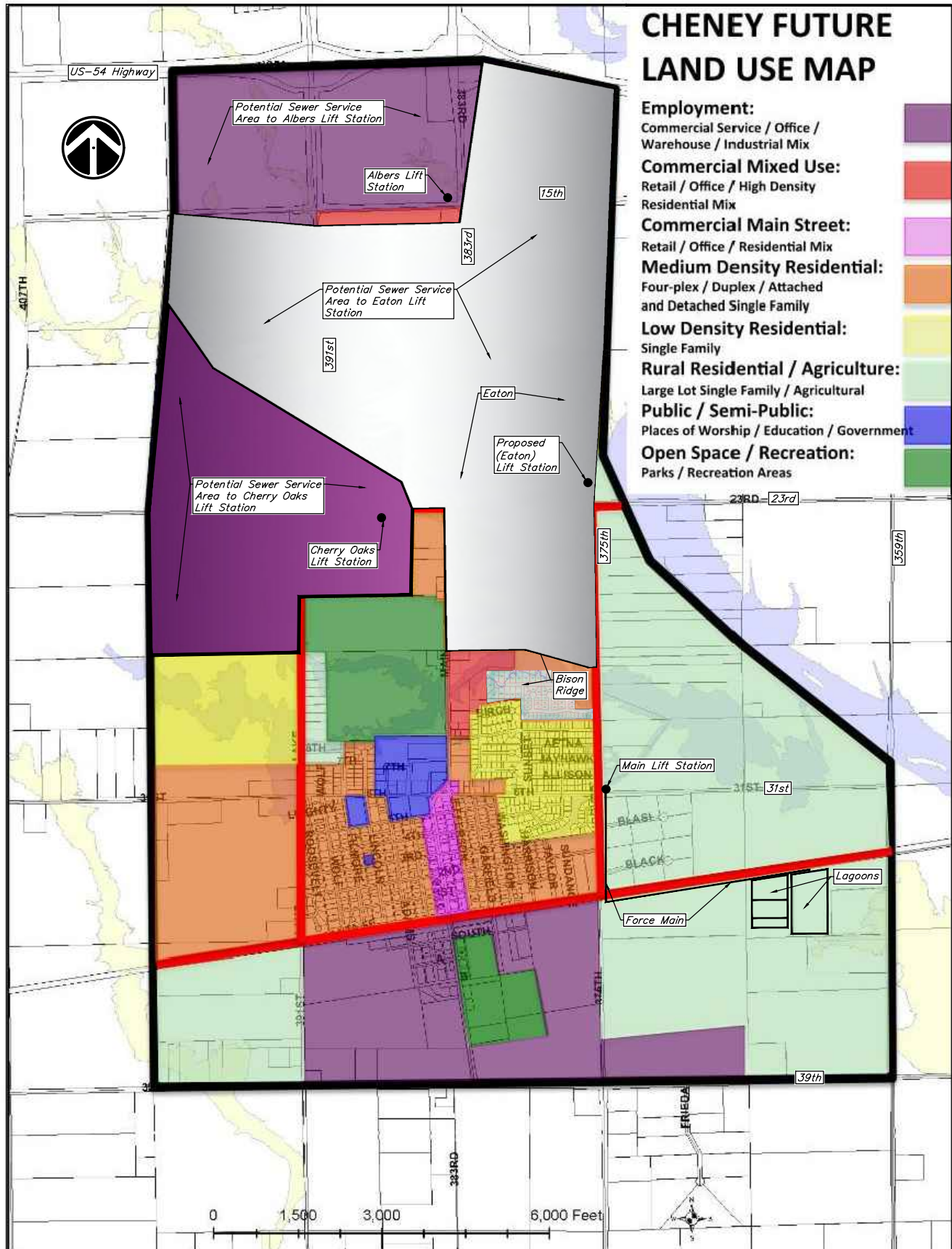
In summary, the Cherry Oaks Lift station has adequate capacity and depth to serve a future development area to the west and north of the existing Cherry Oaks development (See Figure 4 – Future Sewer Service Area Map). While a proposed Eaton Lift Station could also serve this area, the location and availability of the Cherry Oaks Lift Station would allow for easier and quicker service if development occurs prior to gravity sewer extending into this area from Eaton.

Albers Lift Station

Ground Elevation:	1390
Wetwell Depth:	17 ft (Elevation 1373)
Max Sewer Depth:	11 ft (Elevation 1379)
# Pumps:	2
Pump Capacity:	150 gpm
Pump Run Time/Day:	1.0 hrs (0.5 hrs each pump)
Current Flow:	9,000 gal per day (gpd)
Max Capacity:	54,000 gpd (6 hrs runtime)
Avail add Capacity:	45,000 gpd

In summary, the Albers Lift station has adequate capacity and depth to serve a future development area to the west of 383rd Street and north of the W Harry Street up to Hwy 400 (See Figure 4 – Future Sewer Service Area Map). As this area is identified as Employment (commercial/ office/ warehouse/ industrial) in the City's comprehensive plan, actual sewer flows will be highly dependent on the type of business that develops. While a proposed Eaton Lift Station could also serve this area, the location and availability of the Albers Lift Station would allow for easier and quicker service if development occurs prior to gravity sewer extending into this area from Eaton.

Figure 4 - Future Sewer Service Area Map



Proposed Eaton Development and Lift Station

A primary purpose of this study is to determine how City service (water and sanitary sewer) could be provided to the proposed Eaton Development consisting of approximately 40 single family home lots on 160 acres (1/4 section) located northwest of the corner of 23rd Street and 375th Street. The developer proposed a new sewer lift station located near this corner with a force main running approximately 0.75 mi south along 375th Street and connecting to the existing City gravity sewer (See Preliminary Lift Station Basin drawing by Baughman Company and dated 27 September 2023). In general, the proposed Eaton Lift Station details are as follows:

Ground elevation:	1348
Wetwell Depth:	29 ft (Elevation 1319)
Max Sewer Depth:	23 ft (Elevation 1325) to get under the creek on property.
# Pumps:	2
Initial Pump Capacity:	180 gpm (estimated to provide min velocity in 6" force main)
Initial Max Capacity:	64,800 gpd (6 hrs. runtime) or approx 260 single family homes

In summary, the depth of this proposed Eaton Lift Station would allow for gravity sewer lines to be extended through the entire North Primary Growth Area from the City's comprehensive plan, which is approximately 1.5 miles north and 1.5 miles west of the 23rd St and 375th street corner or nine (9) quarter (¼) sections of area. The gravity sewer line size connecting into this lift station is not limited by elevation and minimum slope (i.e. 8-inch gravity sewer at 0.4 % slope could reach the limits of this growth area). Rather, the size of this connecting sewer should be based on the estimated future buildout in this area. If we assume this entire North Primary Growth Area developed similar to the proposed Eaton (40 single family homes per 160 acres), a total of **360-400 single family homes** could be developed. As indicated above, an 8-inch gravity sewer at minimum slope can provide service for **up to 428 homes** and, therefore, be adequate for connection into the proposed lift station. To provide some reserve capacity to allow different development types, the City may want to use a 10-inch connecting sewer extended at least across the initial Eaton development, which can provide service for **up to 700 homes**.

A potential layout of the 10-inch gravity sewer across the Eaton Development is not provided as this would be up to the Developer to layout easement and alignment. The only requirement would be that it extend across Eaton and minimum slope (0.25%) and ends with a manhole near 383rd Street to allow future service to north and west.

A Preliminary Project Cost Estimate for the Eaton Development Lift Station and Sewer Improvements is included below. This estimate is based on a combination of the Baughman estimate completed in September 2023 and our bid tab information from other similar projects. It should be noted that this estimate is for improvements that could serve the Eaton Development, the north Bison Ridge development and capable of servicing the North Development Area from the City's Comprehensive plan. Alternatively, individual 100 gpm lift stations with 4-inch force main could serve Eaton and Bison Ridge separately.



PRELIMINARY
PLAN, NOT FOR
CONSTRUCTION.
This plan is preliminary
and is not a final, signed
and sealed document.



**BAUGHMAN
COMPANY**
315 Ellis St.
Wichita, KS 67211
316-262-7271
BaughmanCo.com

LIFT STATION
BASIN EXHIBIT

**PRELIMINARY
LIFT STATION
BASIN**

PROJECT NUMBER:

DESIGN: TRC, DRAWING: JLD
DATE: 27 September 2023

SHEET
OF
1 1

EATON DEVELOPMENT - LIFT STATION & SANITARY SEWER IMPROVEMENTS
City of Cheney, Kansas
May 2024
PRELIMINARY PROJECT COST ESTIMATE

PHASE I:

<u>Construction Costs</u>		<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
1	Mobilization	1	LS	\$30,000.00 =	\$30,000.00
2	6' Diameter Wet Well	1	LS	\$50,000.00 =	\$50,000.00
3	6'x6' Valve Vault	1	LS	\$15,000.00 =	\$15,000.00
4	Duplex 180 GPM Pumps and Control Panel	1	LS	\$100,000.00 =	\$100,000.00
5	Wet Well Piping and Site Piping	1	LS	\$30,000.00 =	\$30,000.00
6	Equipment Install	1	LS	\$20,000.00 =	\$20,000.00
7	Electrical & Power Pole Relocation	1	LS	\$45,000.00 =	\$45,000.00
8	6" PVC Force Main	4,500	LF	\$50.00 =	\$225,000.00
9	Air Release Valve Assembly	3	EA	\$5,000.00 =	\$15,000.00
10	10" PVC Gravity Sanitary Sewer Main	3,000	LF	\$75.00 =	\$225,000.00
11	10" Stream Crossing	1	LS	\$50,000.00 =	\$50,000.00
12	Tracer Wire	7,500	LF	\$0.40 =	\$3,000.00
13	Standard Depth Concrete Manholes	2	EA	\$11,000.00 =	\$22,000.00
14	Connection to Existing Manhole	1	EA	\$4,000.00 =	\$4,000.00
15	Manhole Lining	1	LS	\$5,000.00 =	\$5,000.00
16	Site Work / Seeding	1	LS	\$10,000.00 =	\$10,000.00
17	Traffic Control	1	LS	\$10,000.00 =	\$10,000.00
<i>Subtotal Phase I Construction Cost (Items 1-17) =</i>					\$859,000.00
<i>+20% Contingencies =</i>					\$171,800.00
<i>Total Phase I Construction Cost =</i>					\$1,030,800.00

Overhead Costs:

1	Design Engineering	8.0%	LS	=	\$104,000.00
2	Construction Contract Administration/Observation	6.0%	Hourly	=	\$78,000.00
3	Easement Acquisition		LS	=	\$50,000.00
<i>Subtotal Overhead Cost (Items 1-3) =</i>					\$232,000.00

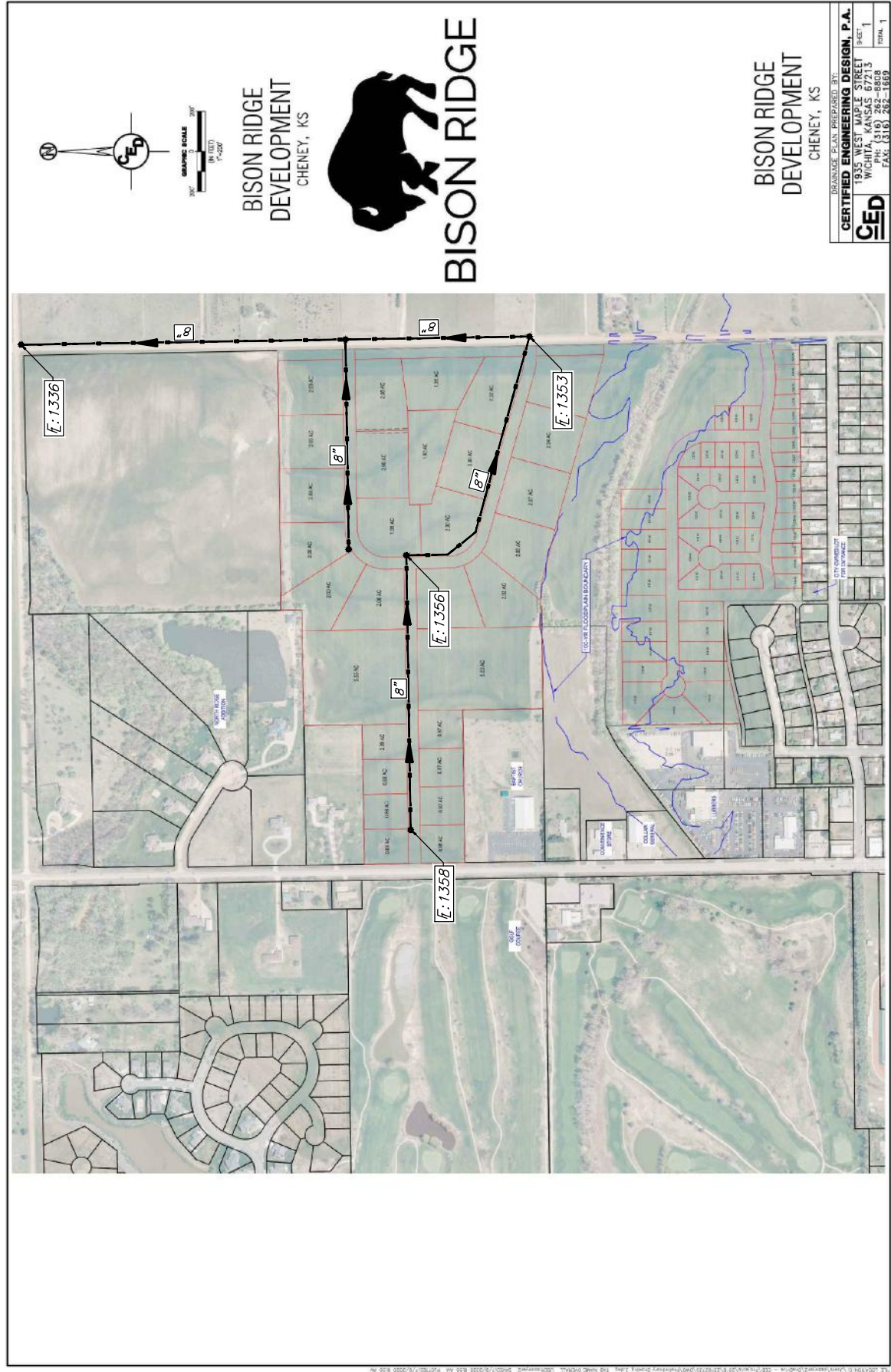
TOTAL ESTIMATED PROJECT COST = \$1,262,800.00

Bison Ridge Development

Based on the elevations of the proposed Eaton Lift Station, a gravity sewer line could be extended approximately ½ mile south on 375th street to provide sewer service from a previously proposed Bison Ridge Development. Assuming an 8-inch gravity sewer line at 8' below existing grade (to provide basement service) for residential lots and 4' below existing grade for the commercial lots near the west end, the resulting gravity sewer flowline would be approximately 1336 into the lift station, well above the 1325 elevation identified for the station as the max sewer depth. (See Figure 5 – Potential Bison Ridge Gravity Sewer) Alternatively, an individual 100 gpm lift station with 4-inch force main to service this development separately from the Eaton Development.

If the commercial lots within this proposed development (near west end along 383rd street) were to develop at a faster rate than the residential lots and/or prior to the gravity sewers being installed, a simpler solution would be to require individual sumps with grinder pump within the commercial buildings that could collect internal drainage and pump discharge into the existing 6" force main along 383rd. A single 1 ½ - 2-inch force main tied into the 6" force main could be used by several commercial lots with their own sump/grinder pump tying into it.

Figure 5 - Potential Bison Ridge Gravity Sewer



Wastewater Treatment Lagoon Facility

Based on information provided by City staff, the City operates a 4 cell wastewater treatment lagoon facility for final sewage treatment prior to discharge. KDHE requires a minimum of 3 cells and a minimum of 120 days detention time for discharging lagoon facilities. The facility is summarized as follows:

Cell 1:	15.67 ac @ 6' depth	30.6 MG
Cell 2:	4.68 ac @ 5' depth	7.6 MG
Cell 3:	4.67 ac @ 5' depth	7.6 MG
Cell 4:	2.07 ac @ 6' depth	<u>4.0 MG</u>
Total Volume:		49.8 MG
Rated Design Flow:		360,000 gpd
Detention Time @ Rated Design Flow:		138 days (>120 day min req'd)
Max Allowable Flow @ 120 days Detention:		415,000 gpd

The lagoon facility is fed directly from the Main Lift Station, therefore the current flow rate into the lagoon is the current flow from the lift station as identified above at 211,200 gpd. Therefore, available capacity for growth is as follows:

Rated Design Flow minus Current Flow:	115,800 gpd available (360,000 – 211, 200)
Available population growth @ 100 gpcd	1,158 people
Capacity available for single family homes:	463 single family homes

Max Allowable Flow minus Current Flow:	203,800 gpd available (415,000 - 211,200)
Available population growth @ 100 gpcd	2,038 people
Capacity available for single family homes:	815 single family homes

In summary, the existing lagoon facility appears adequate to provide treatment for an additional **1100 – 2000 population** or approximately **450 – 800 new single family homes**. Typically, KDHE will require a specific engineering study on the treatment facility once flow exceeds the Rated Design Flow and/or the facility starts exceeding discharge permit limits.

Water System Capacities

The City's existing water system includes a network of distribution piping and a 400,000 gallon elevated storage tank. Depending on the City's fire insurance rating, ideally is to be able to provide 1,000 gpm for 2 hours in residential areas. The 2 hour duration requires 120,000 gallons available storage supplemented by replenishment rate (wells) at that time. Also, standard engineering practice is to always provide a minimum of 40 psi static pressure.

The City's existing distribution system includes two 8-inch waterlines that extend north of the main system (See Figure 6 – Proposed Waterline Extensions). One 8-inch line extends north on 383rd Street to a small subdivision at 383rd Court. A second 8-inch line extends north on 391st Street and into the Cherry Oaks subdivision.

A recent fire hydrant flow test at 383rd Street & 383rd Court provided the following information:

Elevation	1375
Static Pressure, psi	50
Flow, gpm	2192
Residual Pressure, psi	36

On the basis of that information, if approximately 4,000 linear feet (lf) of 8-inch water line is extended north to 23rd Street and East to the corner of 375th Street (proposed Eaton Development), the calculations for a minimum 1,000 gpm fire flow is as follows:

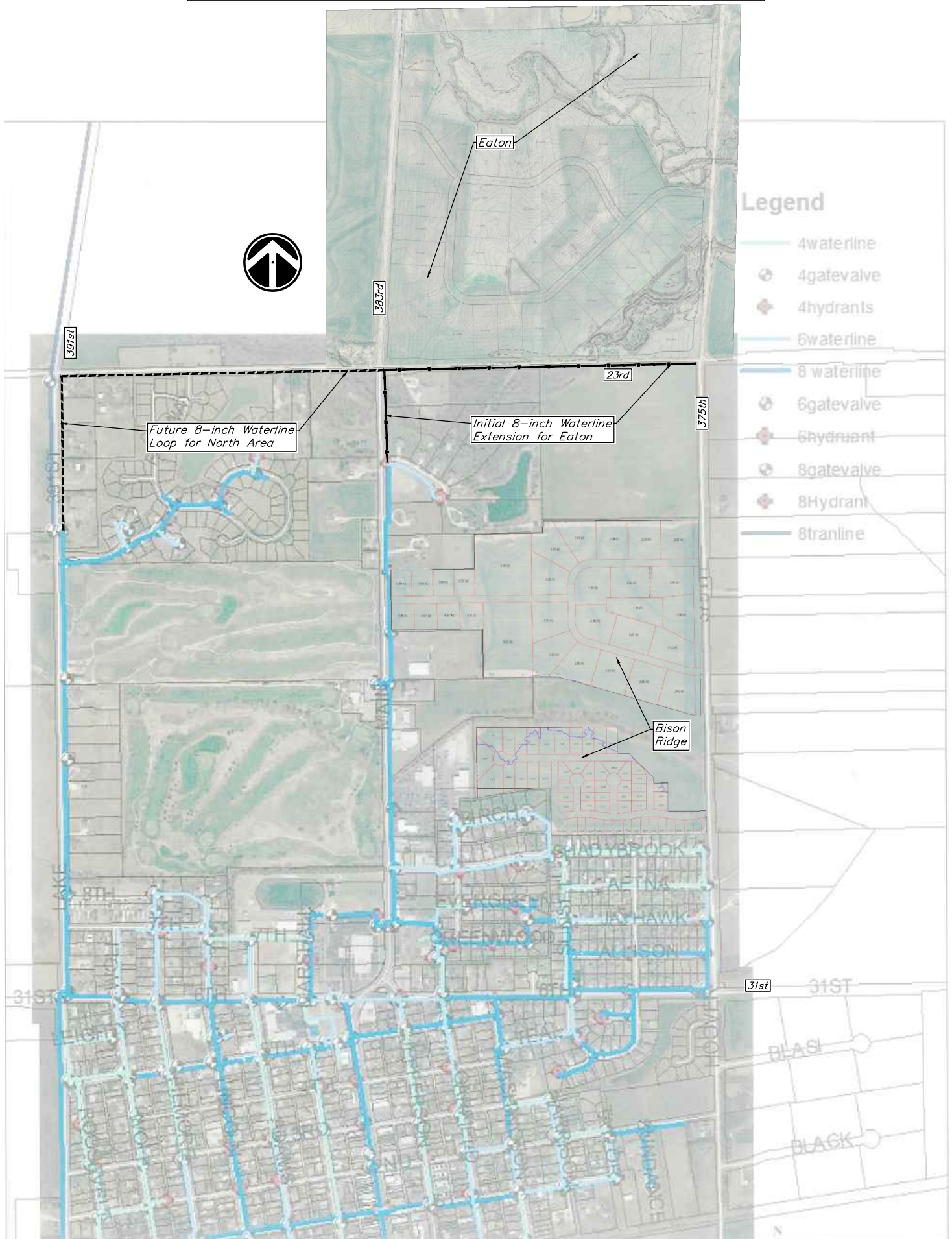
Elevation	1350
Static Pressure, psi	60
Flow, gpm	1000
Residual Pressure, psi	34

Therefore, water service and fire flow (as indicated above) would be adequate in the proposed Eaton Development with the extension of a single 8-inch waterline along 23rd Street and internal distribution within the development. Alternatively, the extension could stop short of the 23rd/375th corner and enter the Eaton Development at a mid-point with internal distribution as developer determines.

If and when more development occurs north of 23rd Street, it would be advantageous to create an 8-inch loop in the water system by extending approximately 4,500 lf of waterline west on 23rd Street and south on 391st Street to tie into the existing 8-inch line at the Cherry Oaks subdivision. This loop would certainly increase available fire flows and residual pressures in the north areas.

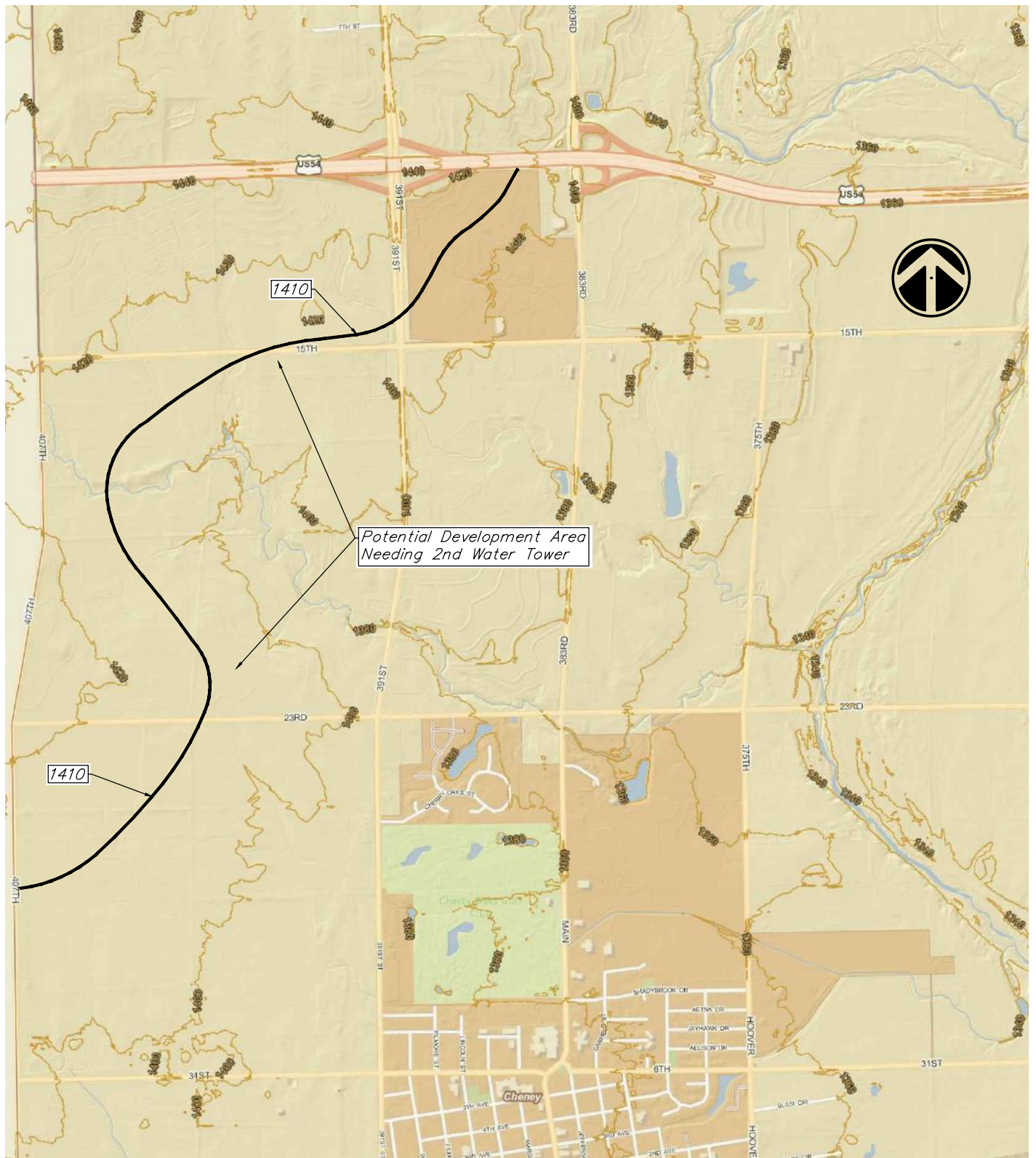
Based on the static pressure indicated at the fire hydrant at 383rd St & 383rd Ct, static pressures in the majority of the north growth area would stay above 40 psi until the ground elevation exceeds 1410. The area above that elevation is along the west edge of the growth area (west of 391st St) and

Figure 6 - Proposed Waterline Extensions



encompassing the entire northwest area (north of Harry St). If development were to happen in those areas in the future, a second water tower at a higher elevation would become necessary (See Figure 7 – Development Area Needing 2nd Water Tower). This would create a second pressure system within the water system and would also require the installation of pressure regulating valves to separate the two pressure systems.

Figure 7 - Development Area Needing 2nd Water Tower



Water and Sanitary Sewer System Study

North Primary Growth Area

Potential growth area of 530.2 acres for lift station (453.2 acres outside city limits)
35.8% (190 acres) of development currently being discussed Bison Ridge, Eaton, land in between

Bison Ridge (north) Potential to tie on to Main Street utilities?
Floodplain restrictions?

Additional Costs to City

Road upkeep
Costs of upkeep to new lift station
Maintain new utility main lines
police calls (out of jurisdiction)
375th/23rd Street - future paving?
Internal Infrastructure - upsizing costs? City pay?
8" allows 428 homes and 10" allows 700 homes
Is the upsized line a main line along 383rd/23rd?

Considerations

If no centralized lift station...
City needs to decide:
Will Bison Ridge install their own lift station or will city allow private utilities?
What is cost of 100 gpm lift station with 4" force main?
Development and Utilities for 34.5 acres north of Bison Ridge?

Eaton agree to annexation without sewer?
City allow private sewer for Eaton if annexed?

Request annexation now of growth areas- with city tax rebate back until developed?
Agree on assessment of sewer costs to areas that annex now (vs. higher cost later on)

What if rest of benefit area does not want sewer?
What are projected specials for Eaton?

Water available to majority of growth area
Sewer Lagoons adequate for 450-800 new single family homes
Main Lift Station- no improvements necessary (2300 additional homes)

City currently has 34 lots available for new homes
21 @ Back 9, 1 @ 383rd, 6 @ Amber Park, 6 @ Feather Lane

Potential development of land south of Santa Fe- will also need lift station

Does the lift station have a benefit to the overall city at large?

Funding

Assess lift station costs per acre of benefit area
City pay a % at large
RHID- get approval from School and County
TIF- increase in tax revenues within benefit area

Next Steps

Timeframe from developers?
Financial analysis by WSU?
Develop policy regarding developments?
Determine if growth area will utilize lift station?

Other cities:

Derby- for regional sewers, lift stations, force mains, waterlines and bridges
the city-at-large will pay 75% of the project cost.
The remaining 25% will be assessed to current and future developments.
In addition to the 75% city-at-large share, the city will have to pay a portion of the developer share attributable to property that benefits from the project, but is not currently proposed for development.
Property in the benefit area that was not initially subject to assessments would be required to petition for their proportionate share when the property develops and plats
The cost charged against the improvement district and benefit fee area shall be charged based on the proportion of each benefitting area compared to the overall area served by the improvement.
The city will generally not initiate such improvements unless the improvement district represents at least 25% of the area benefitting from the improvements.

Harper- paid at large 25% local share of an economic development grant for sewer lift station in industrial park

Roeland Park- set up special assessment district per acre, or as a fee paid at the time of final platting

Newton- paid half of the cost with a commercial development
share % of cost based on the capital investment if within development goal area

Potential benefits to City:

Increased Property tax:		55 mills		40 homes
Home Value	\$400,000	\$2,530	\$101,200	annual revenue
	\$500,000	\$3,163	\$126,500	annual revenue
	\$600,000	\$3,795	\$151,800	annual revenue
	\$700,000	\$4,428	\$177,100	annual revenue

Utility Revenue:

Water		40 homes	
Connection Fee	\$ 650	\$ 26,000	covers meter cost
Monthly Water	\$ 21.50	\$ 10,320	annual revenue

Sewer		40 homes	
Sewer Tap	\$ 750	\$ 30,000	
Monthly Sewer Avg	\$ 30.01	\$ 14,405	annual revenue

Natural Gas

Expense to City to install			
Connection Fee	\$ 750	\$ 30,000	covers meter cost
Monthly Gas	\$ 10	\$ 4,800	annual revenue

Trash

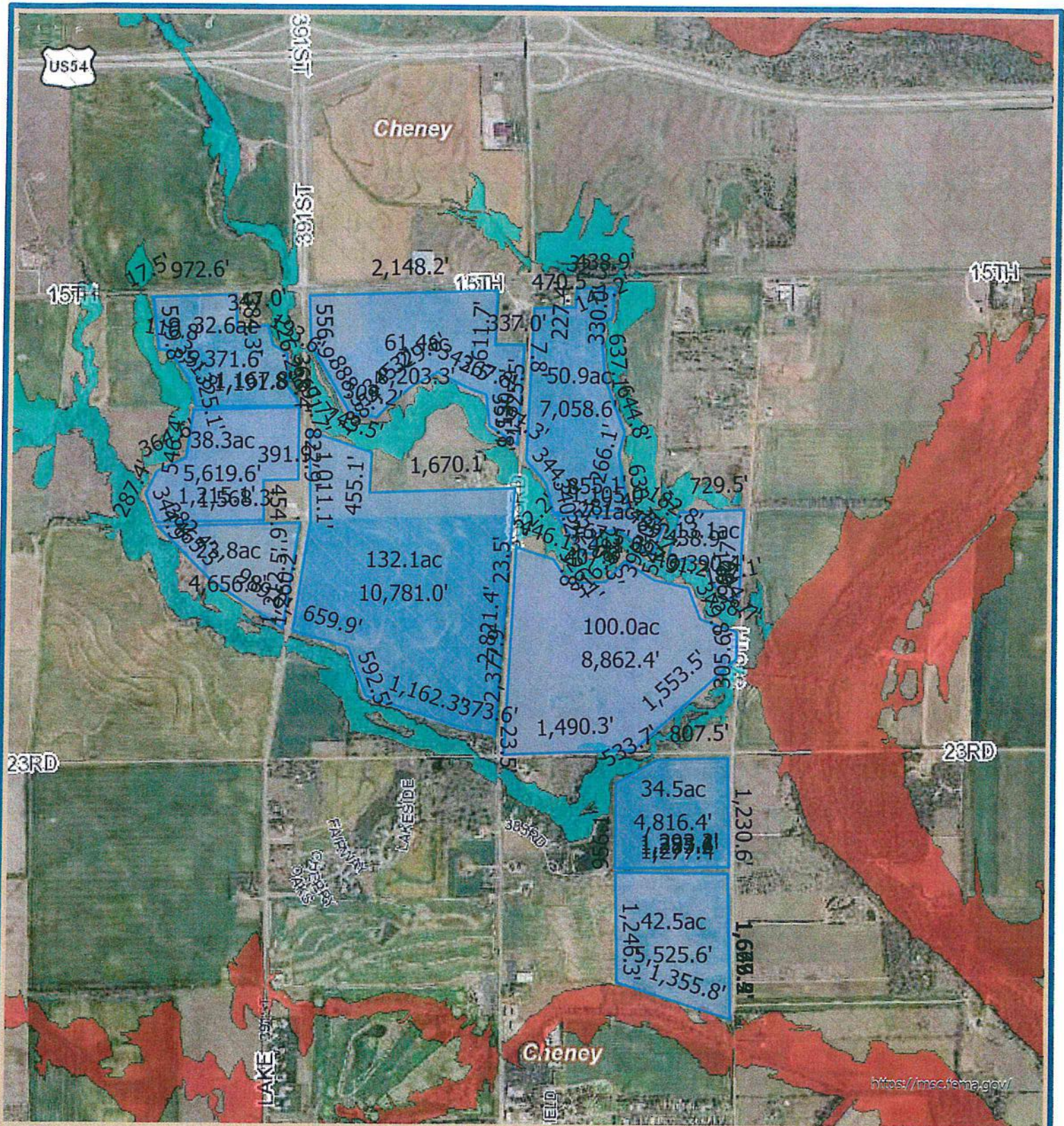
Monthly Service	\$ 3.50	\$ 1,680	annual revenue
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Motor Vehicle Tax

Franchise Utility Fees	\$ 36 per home	\$ 1,400	annual revenue
Building Permit Fees	\$ 675 per home	\$ 27,000	

Funds available:

\$88,000 in 2024 Budget for Sewer construction
\$50,000 transfer in 2024 budget for transfer to reserve
Reserve funds
Financing - Bonds/USDA



Geographic Information Services

Sedgwick County...
working for you

Date: 5/29/2024

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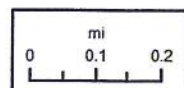
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My Map

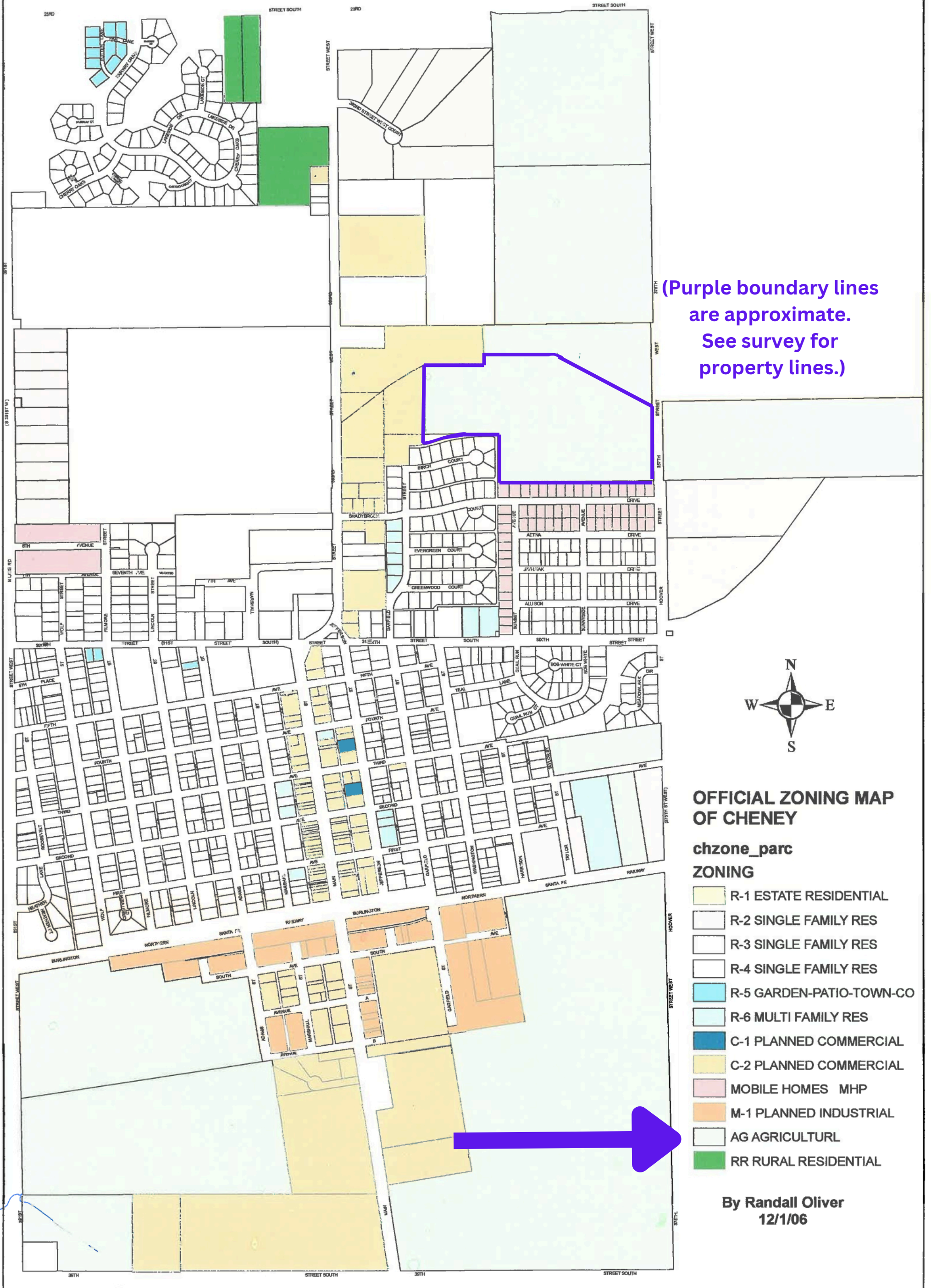
Sedgwick County, Kansas



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CITY OF CHENEY ZONING DISTRICT MAP



CHAPTER 7 AG - AGRICULTURAL DISTRICT

7.00 Statement Of Intent

7.01 Permitted Uses

7.02 Height And Area Regulations For AG Developments

7.03 Development And Performance Standards For AG Developments

7.04 Other Uses And Regulations

7.00 Statement Of Intent

The zoning of property as AG, Agricultural District, is intended to maintain and enhance agricultural operations and preserve agricultural lands utilized for crop production or the raising of livestock. In addition, the Agricultural District may serve as a "holding zone" for land where future urban expansion is possible, but not yet appropriate due to the unavailability of urban level facilities and services. Property zoned AG for "holding zone" purposes may be used for certain commercial and industrial special uses where those uses would be of limited duration or compatible with the uses shown on the Future Land Use Plan of the *Comprehensive Plan*.

7.01 Permitted Uses

No building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered except for one (1) or more of the uses set forth herein, or similar uses, subject to all applicable development and performance standards.

Permitted uses: The following uses shall be permitted by right in the Agricultural District:

- A. Agricultural production - crops
- B. Agricultural production - livestock and animal specialties
- C. Agricultural services
- D. Single-family residences with a minimum of 1,100 square feet living space.

7.02 Height And Area Regulations For AG Developments

The maximum height of buildings and structures, the minimum dimension of lots, setbacks for parking/paving and yards, and the minimum lot area per dwelling unit permitted on any lot shall be as follows, except as otherwise provided in Chapter 26 Height and Area Regulations and Exceptions and Chapter 28 Subdivision and Lot Splits:

- A. Minimum lot area per dwelling unit – twenty (20) net acres.
- B. Maximum height:
 - 1. Residences -- two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet from finished grade.
 - 2. Agricultural structures -- fifty (50) feet from finished grade.
 - 3. Non-agricultural structures and uses -- seventy-five (75) feet, provided such structure is set back from all property lines a distance equal to or greater than its height.
- C. Minimum front, side and rear yards -- fifty (50) feet.
- D. Minimum lot width -- six hundred (600) feet.
- E. Minimum setbacks for parking/paving (nonagricultural uses):

1. Thirty (30) feet from street right-of-way.
2. Thirty (30) feet from property lines other than street right-of-way.

Related Information: Design Guidelines

7.03 Development And Performance Standards For AG Developments

- A. Parking and Loading – See Chapter 23
- B. Sign – Chapter 27
- C. Landscaping and Screening – See Chapter 24
- D. There shall be no restrictions as to operation of agricultural vehicles and machinery, or the sale or marketing of products raised on the premises.
- E. All buildings, structures or yards used for the raising, feeding, housing or sale of livestock or poultry shall be located at least (100) one-hundred feet from residentially zoned land.
- F. There shall be no disposal of garbage, rubbish or offal, other than regular removal thereof, within (300) three-hundred feet of residentially zoned land.
- G. Where a lot or tract had less than the twenty (20) acre minimum lot area required herein in separate ownership upon adoption, this ordinance shall not prohibit the erection or alteration of a single-family dwelling.
- H. Where development utilizing septic tanks is proposed, applicant shall submit a septic tank suitability study in accordance with the requirements in Chapter 1, General Provisions, at the time of filing the application for agricultural zoning.
- I. Noise levels in accordance with Chapter 6, Zoning Districts.

Related Information: Design Guidelines

7.04 Other Uses And Regulations

Other uses and regulations regarding this district please refer to: Special Uses – Chapter 21, Accessory Uses & Structures – Chapter 22, Parking & Loading – Chapter 23, Landscaping & Screening – Chapter 24, and Nonconforming Situations - Chapter 25.