

PROPERTY INFORMATION



AUCTION



**E. 11th Ave.
Hutchinson, KS**

**Online Only | Bidding Ends
THURSDAY, AUGUST 31, 2023 @ 2:00 PM CT**



Kevin Howell, Auctioneer
316-292-3971 | khowell@weigand.com



Table of Contents

03

PROPERTY REPORT CARD

04

PROPERTY TAXES

05 - 06

PROPERTY AERIAL & ZONING MAP

07 - 30

PHASE I

31

SURVEY

32 - 39

TITLE COMMITMENT

40 - 42

DEMPGRAPHICS

Reno County, KS

Summary

Parcel ID 1330801002005000
Quick Ref ID R24033
Property Address E 11TH AVE
HUTCHINSON, KS 67501
Brief Tax Description HOME DEPOT, S08, T23, R05W, Lot 2, ACRES 10
(Note: Not to be used on legal documents)
Taxing Unit Group 005
Lot Size (SF) 453460
Acreage 0
Property Class Vacant
Zoning C4
Lot Block Subdivision 2- - - HOME DEPOT
S-T-R 08-23-05W
Deed Book & Page 630 - 193; 642 - 274; 630 - 335; 642 - 275;
Neighborhood 507



Owner

Primary Owner
Lone Star Bank
2600 S Gessner Rd
Ste 100
Houston, TX 77063

Market Land Info

Method	Type	AC/SF	Class
Sqft	Primary Site - 1	453,460	

Valuation

2023 Appraised Value				2022 Appraised Value			
Class	Land	Building	Total	Class	Land	Building	Total
V	\$544,150	\$0	\$544,150	V	\$544,150	\$0	\$544,150
Total	\$544,150	\$0	\$544,150	Total	\$544,150	\$0	\$544,150

Photos



No data available for the following modules: Ag Acreage, Residential Information, Mobile Home Information, Commercial Information, Other Buildings, Other Building Components, Building Permits, Sketches.

Disclaimer: The information in this web site represents current data from a working file which is updated continuously. Information is believed reliable, but its accuracy cannot be guaranteed. No warranty, express or implied, is provided for the data herein, or its use.
[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 7/20/2023, 8:51:31 PM

Contact Us

Developed by
 **Schneider**
GEOSPATIAL

Reno County, KS

Summary

Tax ID	LONE00006
Tax Year	2022
Name	LONE STAR BANK
Property Address	00000 E 11TH
Sec-Twp-Rng	8--23-05
Description	
Parcel ID/Cama	1330801002005000
Parcel Classes	RL
Tax Unit	5

Tax History

Tax Year	Assessed Valuation	Mill Levy	Ad Valorem	Special Assessments	Total Tax	Total Paid	Delq
2022	\$0	0.000	\$0.00	\$0.00	\$10,853.78	\$10,853.78	N
2021	\$0	0.000	\$0.00	\$0.00	\$13,947.26	\$13,947.26	N
2020	\$0	0.000	\$0.00	\$0.00	\$20,363.86	\$20,363.86	N
2019	\$0	0.000	\$0.00	\$0.00	\$20,491.68	\$20,491.68	N
2018	\$0	0.000	\$0.00	\$0.00	\$20,547.78	\$20,547.78	N
2017	\$0	0.000	\$0.00	\$0.00	\$28,484.80	\$28,484.80	N
2016	\$0	0.000	\$0.00	\$0.00	\$28,507.50	\$28,507.50	N
2015	\$0	0.000	\$0.00	\$0.00	\$28,384.40	\$28,384.40	Y
2014	\$0	0.000	\$0.00	\$0.00	\$28,625.04	\$28,625.04	N
2013	\$0	0.000	\$0.00	\$0.00	\$29,602.98	\$29,602.98	Y
2013	\$0	0.000	\$0.00	\$0.00	\$237.50	\$237.50	Y
2012	\$0	0.000	\$0.00	\$0.00	\$23,314.06	\$23,314.06	N
2011	\$0	0.000	\$0.00	\$0.00	\$23,447.24	\$23,447.24	Y
2010	\$0	0.000	\$0.00	\$0.00	\$23,261.68	\$23,261.68	Y
2009	\$0	0.000	\$0.00	\$0.00	\$23,127.00	\$23,127.00	N
2008	\$0	0.000	\$0.00	\$0.00	\$22,120.74	\$22,120.74	N
2007	\$0	0.000	\$0.00	\$0.00	\$20,314.22	\$20,314.22	N
2006	\$0	0.000	\$0.00	\$0.00	\$19,718.58	\$19,718.58	N
2005	\$0	0.000	\$0.00	\$0.00	\$20,521.34	\$20,521.34	N
2004	\$0	0.000	\$0.00	\$0.00	\$20,102.12	\$20,102.12	N
2003	\$0	0.000	\$0.00	\$0.00	\$5,770.22	\$5,770.22	N
2002	\$0	0.000	\$0.00	\$1,042.00	\$2,084.01	\$2,084.01	N
2002	\$0	0.000	\$0.00	\$0.00	\$5,521.11	\$5,521.11	N
2001	\$0	0.000	\$0.00	\$0.00	\$4,890.61	\$4,890.61	N
2001	\$0	0.000	\$0.00	\$1,042.00	\$2,084.01	\$2,084.01	N

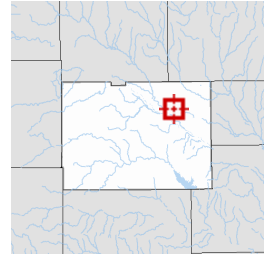
Disclaimer: The information in this web site represents current data from a working file which is updated continuously. Information is believed reliable, but its accuracy cannot be guaranteed. No warranty, express or implied, is provided for the data herein, or its use.
| [User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 7/20/2023, 8:51:31 PM

Contact Us

Developed by
 Schneider
GEOSPATIAL



Overview



Legend

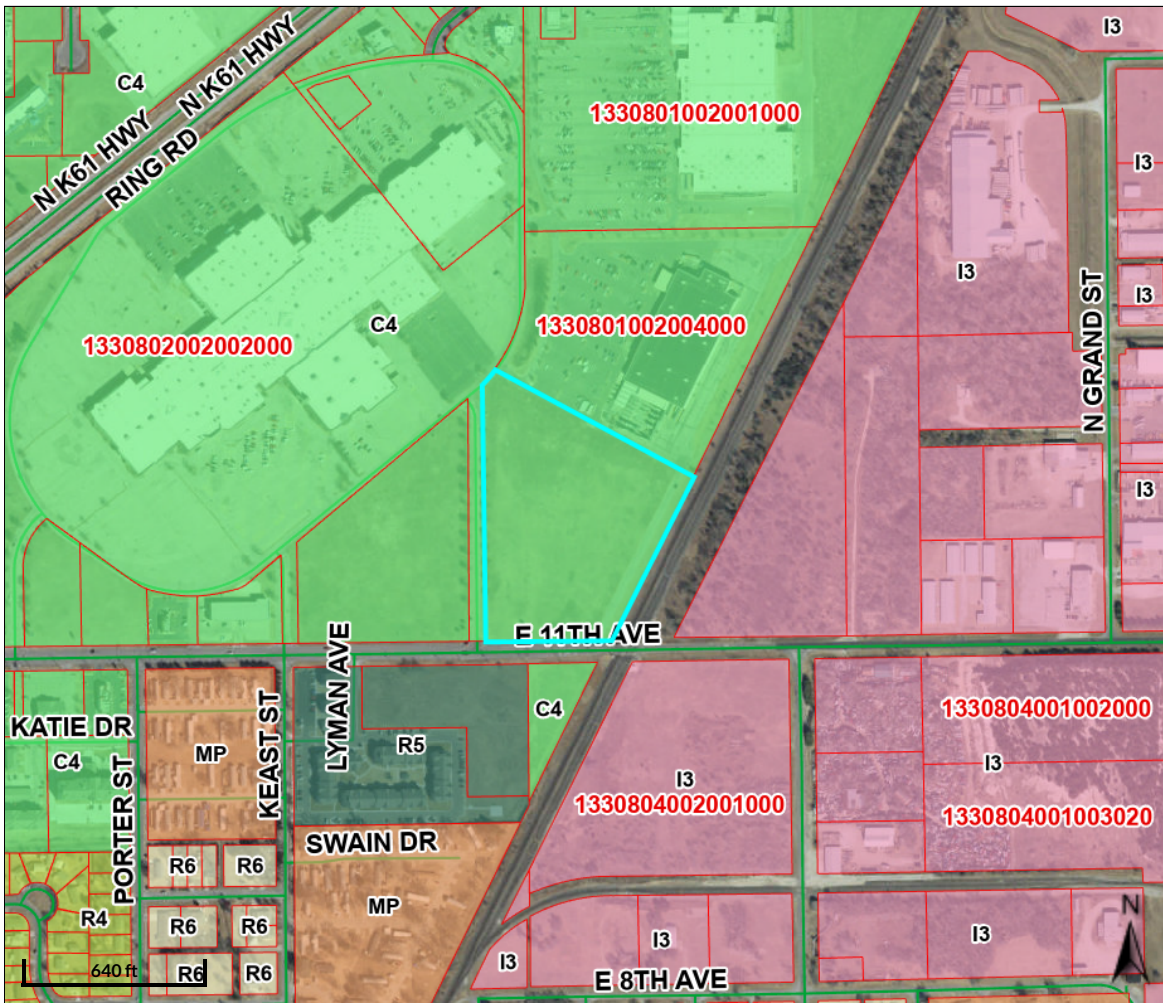
- Parcel Numbers
-  Parcels
-  Townships
-  Road Centerline
-  Reno County Boundary

Parcel ID	1330801002005000	Alternate ID	R24033	Owner Address	LONE STAR BANK
Sec/Twp/Rng	08-23-05W	Class	V - Vacant		2600 S GESSNER RD
Property Address	E 11TH AVE	Acreage	10.0		STE 100
	Hutchinson				HOUSTON, TX 77063
District	005				
Brief Tax Description	HOME DEPOT, S08, T23, R05W, Lot 2, ACRES 10				
	(Note: Not to be used on legal documents)				

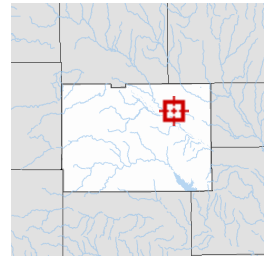
Date created: 8/4/2023

Last Data Uploaded: 8/3/2023 9:44:53 PM

Developed by  **Schneider**
GEOSPATIAL



Overview



Legend

- Parcel Numbers**
-  Parcels
-  Townships
- Hutchinson**
-  C1
-  C2
-  C3
-  C4
-  C5
-  CR
-  EN
-  I1
-  I2
-  I3
-  MP
-  P/I
-  R1
-  R2
-  R3
-  R4
-  R5
-  TA
-  <all other values>
-  Road Centerline
-  Reno County Boundary

Parcel ID 1330801002005000
Sec/Twp/Rng 08-23-05W
Property Address E 11TH AVE
 Hutchinson

Alternate ID R24033
Class V - Vacant
Acreage 10.0

Owner Address LONE STAR BANK
 2600 S GESSNER RD
 STE 100
 HOUSTON, TX 77063

District 005
Brief Tax Description HOME DEPOT, S08, T23, R05W, Lot 2, ACRES 10
 (Note: Not to be used on legal documents)

Date created: 8/4/2023
 Last Data Uploaded: 8/3/2023 9:44:53 PM

Developed by  **Schneider**
 GEOSPATIAL

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall
Southeast corner of E 17th Ave. and Ken Kennedy Fwy.
Hutchinson, Reno County, Kansas

November 20, 2012

Terracon Project No. 01127781-01



Prepared for:

Kutak Rock LLP
Omaha, Nebraska

Prepared by:

Terracon Consultants, Inc.
Wichita, Kansas

Offices Nationwide
Employee-Owned

Established in 1965
terracon.com

Terracon

November 20, 2012



Kutak Rock LLP
1650 Farnam Street
Omaha, NE 68102

Attn: Ms. Lisa Peters
P: [402] 346-6000 x1701
E: Lisa.Peters@kutakrock.com

Re: Phase I Environmental Site Assessment
Phase I ESA - Rubloff and Hutchinson Properties
Hutchinson Mall
Hutchinson, Reno County, Kansas
Project No. 01127781-01

Dear Ms. Peters:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Phase I Environmental Site Assessment (ESA) report for the above-referenced site. This assessment was performed in accordance with Terracon Proposal No. E0112273 dated October 16, 2012.

We appreciate the opportunity to be of service to you on this project. In addition to Phase I services, our professionals provide geotechnical, environmental, construction materials, and facilities services on a wide variety of projects locally, regionally and nationally. For more detailed information on all of Terracon's services please visit our website at www.terracon.com. If there are any questions regarding this report or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,

Terracon Consultants, Inc.

Lucas May
Environmental Field Technician

James C. Bruggeman, P.G.
Due Diligence Department Manager

Meagan Haas
Field Geologist

Attachments

Terracon Consultants Inc. 1815 S. Eisenhower Wichita, KS, 67209

P 316-262-0171 F 316-262-6997 terracon.com

TABLE OF CONTENTS

	Page No.
EXECUTIVE SUMMARY	i
Findings.....	i
Conclusions.....	ii
Recommendations	ii
1.0 INTRODUCTION.....	1
1.1 Site Description.....	1
1.2 Scope of Services	1
1.3 Standard of Care.....	1
1.4 Additional Scope Limitations, ASTM Deviations and Significant Data Gaps.....	2
1.5 Reliance	3
1.6 Client Provided Information.....	3
2.0 PHYSICAL SETTING	4
3.0 HISTORICAL USE INFORMATION	5
3.1 Historical Topographic Maps	5
3.2 Historical Aerial Photographs.....	6
3.3 Historical City Directories.....	7
3.4 Historical Fire Insurance Maps	8
3.5 Site Ownership.....	8
3.6 Title Search	8
3.7 Environmental Liens.....	8
3.8 Historical and Site Interviews.....	8
3.9 Prior Report Review.....	9
3.10 Historical Use Information Summary	9
4.0 RECORDS REVIEW	9
4.1 Federal and State/Tribal Databases	10
4.2 Local Agency Inquiries.....	13
4.2.1 Kansas Department of Health and Environment	13
4.2.2 KGS Oil and Gas Well Database.....	13
4.2.3 Water Well Records	14
4.3 Records Review Summary	14
5.0 SITE RECONNAISSANCE.....	14
5.1 General Site Information	14
5.2 Overview of Current Site Occupants and Operations.....	15
5.3 Site Observations.....	15
5.4 Site Reconnaissance Summary.....	17
6.0 ADJOINING PROPERTY RECONNAISSANCE.....	17
7.0 ADDITIONAL SERVICES.....	17
8.0 DECLARATION	18

TABLE OF CONTENTS (continued)

APPENDICES

APPENDIX A	Figure 1 – Topographic Map, Figure 2 – Site Diagram
APPENDIX B	Description of Terms and Acronyms
APPENDIX C	Historical Documentation and User Questionnaire
APPENDIX D	Environmental Database Information
APPENDIX E	Site Photographs
APPENDIX F	Credentials

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS
November 20, 2012 ■ Terracon Project No. 01127781-01



EXECUTIVE SUMMARY

This Phase I Environmental Site Assessment (ESA) was performed in accordance with Terracon Proposal No. E0112273 dated October 16, 2012, and was conducted consistent with the procedures included in ASTM E 1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The ESA was conducted under the supervision or responsible charge of James C. Bruggeman, P.G., Environmental Professional. Lucas May performed the site reconnaissance on November 2, 2012.

Findings

A cursory summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein.

Site Description and Use

The site is approximately 2.40 acres of vacant land located southeast of E 17th Ave. and Ken Kennedy Fwy intersection in Hutchinson, Reno County, Kansas. The site is grass covered with a water supply well/well house for Sonoco on the northeastern portion of the site, and trees bordering the southwestern portion of the site.

Historical Information

Based on a review of the historical information, the site has been vacant land since at least 1959. A water supply well/well house for the Sonoco paper mill was installed on the northeastern portion of the site before approximately 1970. The surrounding area has historically been developed with various commercial structures generally beginning circa 1985. According to the Reno County assessor's records, the current site owner is Rubloff Development Group. RECs were not identified during the review of historic information.

Records Review

Review of regulatory database information indicated 1 RCRA-CESQG, 1 RCRA-SQG, 4 LUST, 6 SHWS, 1 UST, 1 AST, 1 CERCLIS, 1 CERCLIS/NFRAP, and 2 VCP facilities are located within the specified search radius. Based on distance, environmental setting and/or facility characteristics, the identified facilities and inquiry results from the local agencies do not constitute RECs in connection with the site at this time.

Site Reconnaissance

During the site reconnaissance one pad-mounted transformer and a water supply well/well house for the Sonoco paper mill were observed. RECs were not observed onsite during the site reconnaissance.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS
November 20, 2012 ■ Terracon Project No. 01127781-01



Previous Reports

The Inspection Group August 28, 2006 Phase I report indicated "based on the information gathered to date, the site does not meet any of the environmental criteria listed under the National Environmental Protection Act (NEPA) for further study and therefore, no additional Environmental Assessment is required."

Adjoining Properties

E 17th Ave., followed by a vacant lot and Ken Kennedy Fwy. is located adjacent north of the site. Located adjacent east of the site is a mall entrance/exit road, followed by a vacant lot and a Wal-Mart southeast of the site. A mall entrance/exit road, followed by IHOP restaurant and the Hutchinson Mall is located adjacent south of the site. Located adjacent west is a paved parking lot, followed by a vacant Red Lobster building.

Conclusions

We have performed a Phase I ESA consistent with the procedures included in ASTM Practice E 1527 of the vacant land located northeast of the Hutchinson Mall, the site. Recognized environmental conditions were not identified with the property.

Recommendations

Based on the scope of service, limitations, and findings of this assessment, Terracon did not identify RECs, which, in our opinion, warrant additional investigation at this time.

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
VACANT LAND NORTHEAST OF THE HUTCHINSON MALL
SOUTHEAST CORNER OF E 17TH AVE. AND KEN KENNEDY FWY.
HUTCHINSON, RENO COUNTY, KANSAS**

Terracon Project No. 01127781

November 20, 2012

1.0 INTRODUCTION

1.1 Site Description

Site Name	Vacant land northeast of the Hutchinson Mall
Site Location/Address	Southeast corner of E 17 th Ave. and Ken Kennedy Fwy, Hutchinson, Reno County, Kansas
Land Area	Approximately 2.40 acres
Site Improvements	The site is currently vacant land primarily grass-covered with a water well for Sonoco, and trees bordering the southeastern portions of the site.

The site location is depicted on Figure 1 of Appendix A, which was reproduced from a portion of the Hutchinson USGS 7.5-minute series topographic map. A Site Diagram of the site and adjoining properties is included as Figure 2 of Appendix A. Acronyms and terms used in this report are described in Appendix B.

1.2 Scope of Services

This Phase I ESA was performed in accordance with Terracon Proposal No. E0112273 dated October 16, 2012, and was conducted consistent with the procedures included in ASTM E 1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The purpose of this ESA was to assist the client in developing information to identify Recognized Environmental Conditions (RECs) in connection with the site as reflected by the scope of this report. This purpose was undertaken through user-provided information, a regulatory database review, historical and physical records review, interviews, including local government inquiries, as applicable, user-provided information, and a visual noninvasive reconnaissance of the site and adjoining properties.

1.3 Standard of Care

This ESA was performed in accordance with generally accepted practices of this profession, undertaken in similar studies at the same time and in the same geographical area. We have endeavored to meet this standard of care, but may be limited by conditions encountered during performance, a client-driven scope of work, or inability to review information not received by the

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



report date. Where appropriate, these limitations are discussed in the text of the report, and an evaluation of their significance with respect to our findings has been conducted.

Phase I ESAs, such as the one performed at this site, are of limited scope, are noninvasive, and cannot eliminate the potential that hazardous, toxic, or petroleum substances are present or have been released at the site beyond what is identified by the limited scope of this ESA. In conducting the limited scope of services described herein, certain sources of information and public records were not reviewed. It should be recognized that environmental concerns may be documented in public records that were not reviewed. No ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs. No warranties, express or implied, are intended or made. The limitations herein must be considered when the user of this report formulates opinions as to risks associated with the site or otherwise uses the report for any other purpose. These risks may be further evaluated – but not eliminated – through additional research or assessment. We will, upon request, advise you of additional research or assessment options that may be available and associated costs.

1.4 Additional Scope Limitations, ASTM Deviations and Significant Data Gaps

Based upon the agreed-on scope of services, this ESA did not include subsurface or other invasive assessments, business environmental risk evaluations, or other services not particularly identified and discussed herein, including an evaluation of vapor encroachment conditions. Credentials of the company (Statement of Qualifications) have not been included in this report but are available upon request. Pertinent documents are referred to in the text of this report, and a separate reference section has not been included. Reasonable attempts were made to obtain information within the scope and time constraints set forth by the client; however, in some instances, information requested is not, or was not, received by the issuance date of the report. Information obtained for this ESA was received from several sources that we believe to be reliable; nonetheless, the authenticity or reliability of these sources cannot and is not warranted hereunder. This ESA was further limited by the following:

- Credentials of the company (Statement of Qualifications) have not been included in this report but are available upon request.
- Pertinent documents are referred to in the text of this report, and a separate reference section has not been included.

An evaluation of the significance of these limitations and missing information with respect to our findings has been conducted, and where appropriate, significant data gaps are identified and discussed in the text of the report. However, it should be recognized that an evaluation of significant data gaps is based on the information available at the time of report issuance, and an evaluation of information received after the report issuance date may result in an alteration of our conclusions, recommendations, or opinions. We have no obligation to provide information obtained or discovered by us after the issuance date of the report, or to perform any additional

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



services, regardless of whether the information would affect any conclusions, recommendations, or opinions in the report. This disclaimer specifically applies to any information that has not been provided by the client.

This report represents our service to you as of the report date and constitutes our final document; its text may not be altered after final issuance. Findings in this report are based upon the site's current utilization, information derived from the most recent reconnaissance and from other activities described herein; such information is subject to change. Certain indicators of the presence of hazardous substances or petroleum products may have been latent, inaccessible, unobservable, or not present during the most recent reconnaissance and may subsequently become observable (such as after site renovation or development). Further, these services are not to be construed as legal interpretation or advice.

1.5 Reliance

This ESA report is prepared for the exclusive use and reliance of Kutak Rock LLP and First National Bank of Omaha. Use or reliance by any other party is prohibited without the written authorization of Kutak Rock LLP and Terracon Consultants, Inc. (Terracon).

Reliance on the ESA by the client and all authorized parties will be subject to the terms, conditions and limitations stated in the proposal, ESA report, and Terracon's Agreement for Services. The limitation of liability defined in the Agreement for Services is the aggregate limit of Terracon's liability to the client and all relying parties.

Continued viability of this report is subject to ASTM E 1527-05 Sections 4.6 and 4.8. If the ESA will be used by a different user (third party) than the user for whom the ESA was originally prepared, the third party must also satisfy the user's responsibilities in Section 6 of ASTM E 1527-05.

1.6 Client Provided Information

Prior to the site visit, Lisa M. Peters, client's representative, was asked to provide the following user questionnaire information as described in ASTM E1527-05 Section 6.

Client Questionnaire Responses

Client Questionnaire Item	Client Did Not Respond	Client's Response	
		Yes	No
Specialized Knowledge or Experience that is material to a REC in connection with the site.			X
Actual Knowledge of Environmental Liens or Activity Use Limitations (AULs) that may encumber the site.			X

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Actual Knowledge of a Significantly Lower Purchase Price because of hazardous substances or petroleum products.	X		
Commonly Known or Reasonably Ascertainable Information that is material to a REC in connection with the site.			X
Obvious Indicators of Contamination at the site.			X
Terracon's consideration of the client provided information did not identify RECs (see Appendix C).			

2.0 PHYSICAL SETTING

Physical Setting

Physical Setting Information			Source
Topography (Refer to Appendix A for an excerpt of the Topographic Map)			
Site Elevation	Approximately 1, 530 feet (NGVD)		USGS Topographic Map, Hutchinson Quadrangle, 1960, Map revised 1978.
Surface Runoff/ Topographic Gradient	Relatively flat area with general gradient towards the southeast based on site observations.		
Closest Surface Water	An apparent pond, approximately 4,100 feet to the southeast of the site.		
Soil Characteristics			
Soil Type	Farnum-Slickspot complex (Fs)		Reno County, KS USDA-NRCS Web Soil Survey issued 1966
Description	Fs soils are located on the site and generally consist of a complex of 50 percent Farnum loam, 40 percent Slickspot soils and 10 percent Tabler clay. Permeability is slow to very slow.		
Geology/Hydrogeology			
Formation	Arkansas River Lowlands of the Central Lowlands, physiographic province.		Kansas Geological Survey (KGS) Bulletin No. 120 "Geology and Ground-Water Resources of Reno County, Kansas" (Bayne, 1956); KGS Bulletin No. 162, "The Geologic History of Kansas" (Merriam, 1963)
Description	The Arkansas River Lowlands are generally comprised of large areas of unconsolidated Quaternary (Pleistocene and Pliocene) silt, sand, gravel, and hummocky sand dune tracts. Permian-age Ninnescah Shale Formation forms the bedrock surface in the area, and occurs at a depth of approximately 75 to 100 feet below grade. The Ninnescah Shale Formation consists chiefly of red and gray-green shale, siltstone, and very fine silty sandstone.		

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Physical Setting Information		Source
Estimated Depth to First Occurrence of Groundwater	Approximately 18 feet below ground surface.	KS Water Well Database
*Hydrogeologic Gradient	Generally to the southeast.	KGS Bulletin No.120

* The groundwater flow direction and the depth to shallow, unconfined groundwater, if present, would likely vary depending upon seasonal variations in rainfall and other hydrogeological features. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

3.0 HISTORICAL USE INFORMATION

Terracon reviewed the following historical sources for indications of RECs. A summary of the historical review is included at the end of the Historical Use Information section. Copies of selected historical documents are included in Appendix C.

3.1 Historical Topographic Maps

Readily available historical USGS topographic maps were reviewed to evaluate land development in connection with the site. Reviewed historical topographic maps are summarized below.

- EDR- 1893, 1960, and 1978; scale varies

Historical Topographic Maps

Direction	Description
Site	1893: The scale of the map is not adequate to identify site specific details. However, the site appears to be undeveloped land located northeast of the metropolitan area of Hutchinson, Kansas and northwest of the Chicago Kansas Railroad. 1960-1978: Apparent undeveloped land is located on the site.
North	1893: The scale of the map is not adequate to identify site specific details. However, the adjacent north property appears to be undeveloped land located northeast of the metropolitan area of Hutchinson, Kansas and northwest of the Chicago Kansas Railroad. 1960: A road corresponding to E 17 th Ave., followed by undeveloped land. 1978: A road corresponding to E 17 th Ave., followed by a highway corresponding to Ken Kennedy Fwy and undeveloped land.
East	1893: The scale of the map is not adequate to identify site specific details. However, the adjacent east property appears to be undeveloped land located northeast of the metropolitan area of Hutchinson, Kansas and northwest of the Chicago Kansas Railroad. 1960: Undeveloped land, followed by a railroad corresponding to Chicago Rock Island and Pacific Railroad. 1978: No apparent change from the previous map.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Direction	Description
South	1893: The scale of the map is not adequate to identify site specific details. However, the adjacent south property appears to be undeveloped land located northeast of the metropolitan area of Hutchinson, Kansas and northwest of the Chicago Kansas Railroad. 1960-1978: Undeveloped land is located south of the site.
West	1893: The scale of the map is not adequate to identify site specific details. However, the adjacent west property appears to be undeveloped land located northeast of the metropolitan area of Hutchinson, Kansas and northwest of the Chicago Kansas Railroad. 1960: Undeveloped land is located west of the site. 1978: Undeveloped land, followed by a highway corresponding to Ken Kennedy Fwy.

3.2 Historical Aerial Photographs

Selected historical aerial photographs were reviewed at approximately 10 to 15 year intervals, if readily available, to obtain information concerning the history of development on and near the site. Evaluation of these aerials may be limited by a photo's quality and scale. Selected photographs are summarized below.

- EDR- 1959, 1977, 1981, 1985, 1991, 1997, 2002, 2005, 2006, and 2008; scale varies

Historical Aerial Photographs

Direction	Description
Site	1959: Apparent undeveloped land is located on site. 1977-2002: Apparent vacant land with an apparent water well house on the northeastern portion of the site. 2003-2008: No apparent change from the previous photograph.
North	1959: A road corresponding to E 17 th Ave., followed by undeveloped land. 1977: A road corresponding to E 17 th Ave., followed by vacant land and a highway corresponding to Ken Kennedy Fwy. 1981-2008: No apparent change from the previous photograph.
East	1959-1991: Undeveloped land, followed by a railroad corresponding to Chicago Rock Island and Pacific Railroad. 1997: A road corresponding to the mall entrance/exit road, followed by a vacant lot. 2002-2008: No apparent changes from the previous photograph.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Direction	Description
South	1959: Undeveloped land is located south of the site. 1977-1981: Vacant land is located south of the site. 1985: An apparent vacant lot, followed by apparent construction of the Hutchinson Mall. 1991: A vacant lot, followed by a paved parking lot attached to the Hutchinson Mall. 1997-2002: A road corresponding to the mall entrance/exit road, followed by a vacant lot and a paved parking lot attached to the Hutchinson Mall. 2005-2008: A road corresponding to the mall entrance/exit road, followed by an IHOP restaurant, a small structure located east of IHOP, and the Hutchinson Mall.
West	1959: Undeveloped land is located west of the site. 1977-1991: A vacant lot, followed by a highway corresponding to Ken Kennedy Fwy. 1997-2008: An apparent parking lot and commercial structure, followed by Ken Kennedy Fwy.

3.3 Historical City Directories

The Polk city directories used in this study were made available Environmental Data Resources, Inc. (EDR) (selected years reviewed: 1989, 1995, 2001, 2007, and 2012) and were reviewed at approximate five-year intervals, if readily available. There is no current address for the site.

Historical City Directories

Direction	Description
Site	Vacant lot, no listing provided.
North	1912 E 17th Ave.: No listing provided (1989-2007); Petco (2012) 1918 E 17th Ave.: No listing provided (1989-2007); Check Cashing SVC (2012) 1920 E 17th Ave.: No listing provided (1989-2007); US Cellular (2012) 1930 E 17th Ave.: No listing provided (1989-2001); Lowe's (2007-2012)
East	1905 E 17th Ave.: No listing provided (1989-1995); Michael Calhoun (2001); Michael Calhoun OD (2007); Da-Vi Nails (2012)
South	1807 E 17th Ave.: No listing provided (1989-2001); IHOP (2007-2012) 1903 E 17th Ave.: No listing provided (1989-2001); Mirastar (2007); No listing provided (2012) 1907 E 17th Ave.: No listing provided (1989-2001); Home Depot (2007-2012)
West	1609 E 17th Ave.: No listing provided (1989-1995); Applebees Neighborhood Grill & Bar (2001-2012) 1801 E 17th Ave.: No listing provided (1989-1995); Ridco Jewelry Stores (2001); Chili's Grill and Bar (2007-2012) 1805 E 17th Ave.: No listing provide (1989-1995); Red Lobster (2001); No listing provided (2007-2012)

3.4 Historical Fire Insurance Maps

Historical fire insurance maps produced by the Sanborn Map Company were requested from EDR to evaluate past uses and relevant characteristics of the site and surrounding properties. Based upon inquiries to the above-listed Sanborn provider, Sanborn Maps were not available for the site.

3.5 Site Ownership

Based on a review of information obtained from Reno County assessor's records, the current site owner is Rubloff Development Group.

3.6 Title Search

At the direction of the client, a title search was not included as part of the scope of services. Unless notified otherwise, we assume that the client is evaluating this information outside the scope of this report.

3.7 Environmental Liens

Environmental lien records recorded against the site were not provided by the client. At the direction of the client, performance of a review of these records was not included as part of the scope of services and unless notified otherwise, we assume that the client is evaluating this information outside the scope of this report.

3.8 Historical and Site Interviews

The following individual was interviewed regarding the current and historical use of the site.

Interviewees

Interviewer	Interviewee/Phone #	Title	Date/Time
Meagan Haas	Dan Flores/620-665-5307	Hutchinson Mall Property Manager	November 7, 2012/2:00pm

Mr. Dan Flores, Hutchinson Mall Property Manager, indicated he has been associated with the site since the mid-1980s. According to Mr. Flores, the current site owner is Rubloff & Hutch and the previous owner was Simon Property Group. Mr. Flores indicated the site is currently a vacant tract of land with a water well/well house on the northeastern portion of the site. Mr. Flores indicated the water well is owned and operated by Sonoco, a paper mill in Hutchinson. According to Mr. Flores, the current electrical provider is Westar Energy, and the natural gas provider is Kansas Gas. According to Mr. Flores the potable water source for the site is the City of Hutchinson, and storm water for the area is drained to a retention pond west of the

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS
November 20, 2012 ■ Terracon Project No. 01127781-01



Hutchinson Mall. Mr. Flores was not aware of any pending, threatened or past environmental litigation, proceedings or notices of possible violations of environmental laws or liability or potential environmental concerns in connection with the site.

3.9 Prior Report Review

Previous environmental reports for the site were provided by the client to Terracon for review.

- Phase I ASTM Environmental Site Assessment and HUD NEPA Environmental Review
Out Parcels 1, 2, & 3 Approximately 1500 E. 11th
Dated: August 28, 2006
Prepared by: The Inspection Group
For: First National Bank of Omaha

The Inspection Group August 28, 2006 Phase I report indicated "based on the information gathered to date, the site does not meet any of the environmental criteria listed under the National Environmental Protection Act (NEPA) for further study and therefore, no additional Environmental Assessment is required."

3.10 Historical Use Information Summary

Based on a review of the historical information, the site has been vacant land since at least 1959. A water supply well/well house for the Sonoco paper mill was installed on the northeastern portion of the site before approximately 1970. The surrounding area has historically been developed with various commercial structures generally beginning circa 1985. According to the Reno County assessor's records, the current site owner is Rubloff Development Group. RECs were not identified during the review of historic information.

4.0 RECORDS REVIEW

Regulatory database information was provided by EDR, a contract information services company. The purpose of the records review was to identify RECs in connection with the site. Information in this section is subject to the accuracy of the data provided by the information services company and the date at which the information is updated, and the scope herein did not include confirmation of facilities listed as "unmappable" by regulatory databases.

In some of the following subsections, the words up-gradient, cross-gradient and down-gradient refer to the apparent groundwater gradient in relation to the site. As stated previously, the groundwater flow direction and the depth to shallow groundwater, if present, would likely vary

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



depending upon seasonal variations in rainfall and the depth to the soil/bedrock interface. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

4.1 Federal and State/Tribal Databases

Listed below are the facility listings identified on federal and state/tribal databases within the ASTM-required search distances from the approximate site boundaries. Database definition, descriptions, and the database search report are included in Appendix D.

Federal and State Databases

Database	Description	Radius (miles)	Listings
Federal			
CERCLIS	The CERCLIS database is a compilation of facilities which the EPA has investigated or is currently investigating for a release or threatened release of hazardous substances pursuant to the CERCLA of 1980.	0.5	1
CERCLIS / NFRAP	CERCLIS/NFRAP refers to facilities that have been removed and archived from EPA's inventory of CERCLA sites.	0.5	1
ERNS	The Emergency Response Notification System (ERNS) is a listing compiled by the EPA on reported releases of petroleum and hazardous substances to the air, soil and/or water.	Site	0
IC / EC	A listing of sites with institutional and/or engineering controls in place. IC include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls. EC include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.	Site	0
NPL	The NPL is the EPA's database of uncontrolled or abandoned hazardous waste facilities that have been listed for priority remedial actions under the Superfund Program.	1	0
NPL (Delisted)	The NPL (Delisted) refers to facilities that have been removed from the NPL.	0.5	0
RCRA CORRACTS/ TSD	The EPA maintains a database of RCRA facilities associated with treatment, storage, and disposal (TSD) of hazardous waste that are undergoing "corrective action." A "corrective action" order is issued when there has been a release of hazardous waste or constituents into the environment from a RCRA facility.	1	0

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Database	Description	Radius (miles)	Listings
RCRA Generators	The RCRA Generators database, maintained by the EPA, lists facilities that generate hazardous waste as part of their normal business practices. Generators are listed as either large (LQG), small (SQG), or conditionally exempt (CESQG). LQG produce at least 1000 kg/month of non-acutely hazardous waste or 1 kg/month of acutely hazardous waste. SQG produce 100-1000 kg/month of non-acutely hazardous waste. CESQG are those that generate less than 100 kg/month of non-acutely hazardous waste.	Site and adjoining properties	2
RCRA Non-CORRACTS/TSD	The RCRA Non-CORRACTS/TSD Database is a compilation by the EPA of facilities which report storage, transportation, treatment, or disposal of hazardous waste. Unlike the RCRA CORRACTS/TSD database, the RCRA Non-CORRACTS/TSD database does not include RCRA facilities where corrective action is required.	0.5	0
State/Tribal			
Brownfields	State and/or Tribal listing of Brownfield properties addressed by Cooperative Agreement Recipients or Targeted Brownfields Assessments.	0.5	0
IC	Sites that have institutional control information entered into the Identified Sites List database maintained by the KDHE.	Site	0
LUST	State and/or Tribal database of leaking underground storage tanks in the state of Kansas.	0.5	4
SHWS	The Kansas Department of Health and Environment (KDHE) maintains a database of state equivalent CERCLIS facilities in the state of Kansas.	0.5	6
SWF/LF	State and/or Tribal database of solid waste facilities located within Kansas. The database information may include the facility name, class, operation type, area, estimated operational life, and owner.	0.5	0
UST/AST	State and/or Tribal database of registered storage tanks in the State of Kansas which may include the owner and location of the tanks.	Site and adjoining properties	2
VCP	State and/or Tribal facilities included as Voluntary Cleanup Program sites.	0.5	2

In addition to the above ASTM-required listings, Terracon reviewed other federal, state, local, and proprietary databases provided by the database firm. A list of the additional reviewed databases is included in the regulatory database report included in Appendix D.

The following table summarizes the site-specific information provided by the database and/or gathered by this office for identified facilities. Facilities are listed in order of proximity to the site. Additional discussion for selected facilities follows the summary table.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Listed Facilities

Facility Name And Location	Estimated Distance/Direction/Gradient	Database Listings
Wal-Mart #794 1500 E. 11 th	Approximately 230 feet/adjacent southeast/down-gradient	LUST, RCRA-CESQG, RCRA-SQG, UST, AST
Mirastar #64062 1903 E 17 th St.	Approximately 190 feet/southeast/down-gradient	LUST
Kwik Shop 1525 East 17 th Street	Approximately 2,300/west/cross-gradient	LUST
Shears DIV-HVY HWY Plant #4256 1600 N Lorraine	Approximately 2,080/west-southwest/cross-gradient	LUST
Howmet Corp (AKA Southern Extrusions) Grant & E 15 th Ave.	Approximately 2,150/east-southeast/cross-gradient	SHWS
17 th & Halstead, Hutchinson 17 th & Halstead	Approximately 2,600 feet/east/cross-gradient	SHWS, CERCLIS
Consolidated MFG Inc. 1600 N. Halstead	Approximately 2,600 feet/east/cross-gradient	CERC-NFRAP, SHWS, VCP
Soda Ash Waste Disposal Chemical St. & 11 th Ave.	Approximately 2,600 feet/south-southeast/down-gradient	SHWS, VCP
Oneok, Inc. Brine Release 11 th Ave. & Chemical St.	Approximately 2,600 feet/south-southeast/down-gradient	SHWS
Lowen Corporation Halstead Plant 1501 N Halstead	Approximately 2,600 feet/east/cross-gradient	SHWS

Wal-Mart

This facility, located approximately 230 feet adjacent southeast (southeast of mall entrance/exit road) and down-gradient of the subject site is listed by EDR in the RCRA-CESQG, RCRA-SQG, LUST, UST, and AST databases. According to EDR this facility was listed in the RCRA-CESQG in 1993 with no violations reported; however from 1986-2011 this facility was classified as a RCRA-SQG for ignitable and corrosive hazardous waste with no violations reported.

According to EDR, this facility was listed in the LUST database in 1994 and has a current "closed" LUST project status. EDR indicated that a UST was removed, as well as approximately 20 yards of impacted soil which was disposed of at the Reno County landfill.

This facility is listed by EDR in the AST database. According to EDR, there are four ASTs that have been identified at the site. AST 001 is currently in use and contains used oil. AST 002 and 003 are also currently in use, however they contain new oil. AST 004 is a painted double-wall, used oil tank which was installed in 1992. Both AST 001 and 004 were last permitted June 22, 2012. Due to the facilities down-gradient location and distance, this facility is not considered a REC at this time.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Mirastar #64062

This facility, located approximately 190 feet southeast and down-gradient of the subject site is listed by EDR in the LUST database. According to EDR, this facility was listed in the LUST database in 2009 and has a current “closed” LUST project status. EDR indicated that in 2009 three double-wall, and nonmetallic fiberglass USTs were removed and the report indicated the UST basin and line trenches were below KDHE action limit, therefore no further action was taken. According to EDR, the soil samples taken from UST basins indicated that contaminants do not extend to the groundwater. Due to the distance and down-gradient location from the site, and the “closed” LUST project status this facility is not considered a REC at this time.

The remaining facilities listed in the database report do not appear to represent RECs to the site at this time based upon regulatory status, apparent groundwater gradient, and/or relative distance from the site.

Unmapped facilities are those that do not contain sufficient address or location information to evaluate the facility listing locations relative to the site. The report listed 28 facilities in the unmapped section. Determining the location of unmapped facilities is beyond the scope of this assessment; however, none of these facilities were identified as the site or adjacent properties. These facilities are listed in the database report in Appendix D.

4.2 Local Agency Inquiries

4.2.1 Kansas Department of Health and Environment

The South Central District of the KDHE (SCKDHE) was contacted regarding environmental concerns associated with the site and surrounding area. SCKDHE personnel indicated they were not aware of environmental concerns for the site and surrounding area.

4.2.2 KGS Oil and Gas Well Database

Available oil/gas drilling plugging records for Section 8 (the Section including the site), Township 23 South, Range 5 West, were requested from the KGS through the KGS Oil and Gas Well Database. KGS Oil and Gas Well records indicate four oil/gas well records in Section 8. The closest oil/gas well is approximately 0.5 miles south of the site, with the lease name DDV02 and the well type listed as “other.” Based on the distance from the site, this well is not considered a REC to the site at this time.

Oil and gas drilling/production operations may represent a potential source of salt water and hydrocarbon contamination to soil and groundwater. Dry holes with improperly installed or damaged plugs may represent potential pathways for salt water and hydrocarbons to migrate from deep strata into shallow soils and groundwater. In addition, drilling mud pits and/or workover pits associated with oil/gas wells could contain crude oil, salt water, and other contaminants.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



4.2.3 Water Well Records

The KDHE list of registered water wells for Section 8 (the Section including the site), Township 23 South, Range 5 West, were requested from the KGS through the KGS Hydrology/Water Resources Database. According to available KGS Water Well records, the database contains 136 water well records comprised of domestic wells, lawn and garden wells, irrigation wells, injection/air sparge wells, "other" wells, dewatering wells, recovery/soil vapor extraction wells, unstated/abandoned wells, and groundwater monitoring wells (Appendix C). KGS Water Well records indicate no water wells are located on the site. According to the KGS Water Well records, the closest well is approximately 100 feet or greater, south of the site. The well is owned by Kansas Gas Service and was completed in 2001. However, after viewing the specific water well details location information, this well is actually located approximately 500 feet or greater south of the site. The database does not include records of wells constructed or plugged prior to 1974. Furthermore, during the site reconnaissance a water supply well for the Sonoco paper mill was observed on the northeastern portion of the site. The groundwater well for Sonoco is not considered a REC at this time.

4.3 Records Review Summary

Review of regulatory database information indicated 1 RCRA-CESQG, 1RCRA-SQG, 4 LUST, 6 SHWS, 1 UST, 1 AST, 1 CERCLIS, 1 CERCLIS/NFRAP, and 2 VCP facilities are located within the specified search radius. Based on distance, environmental setting and/or facility characteristics, the identified facilities and inquiry results from the local agencies do not constitute RECs in connection with the site at this time.

5.0 SITE RECONNAISSANCE

5.1 General Site Information

Information contained in this section is based on a visual reconnaissance conducted while walking through the site and the accessible interior areas of structures, if any, located on the site. Figure 2 in Appendix A is a Site Diagram of the site. Photo documentation of the site at the time of the visual reconnaissance is provided in Appendix E. Credentials of the individuals planning and conducting the site visit are included in Appendix F.

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



General Site Information

Site Reconnaissance	
Field Personnel	Lucas May
Reconnaissance Date	November 2, 2012
Weather Conditions	Mostly sunny and breezy, approximately 65°
Site Contact/Title	Dan Flores/Hutchinson Mall Manager

5.2 Overview of Current Site Occupants and Operations

The site is approximately 2.40 acres of vacant land located southeast of E 17th Ave. and Ken Kennedy Fwy intersection in Hutchinson, Reno County, Kansas. The site is grass covered with a water supply well/well house for Sonoco on the northeastern portion of the site, and trees bordering the southwestern portion of the site.

5.3 Site Observations

The following table summarizes site observations and interviews. Affirmative responses (designated by an "X") are discussed in more detail following the table.

Site Characteristics

Category	Item or Feature	Observed
Site Operations, Processes, and Equipment	Emergency generators	
	Elevators	
	Air compressors	
	Hydraulic lifts	
	Dry cleaning	
	Photo processing	
	Ventilation hoods and/or incinerators	
	Waste treatment systems and/or water treatment systems	
	Heating and/or cooling systems	
	Other processes or equipment	
Aboveground Chemical or Waste Storage	Aboveground storage tanks	
	Drums, barrels and/or containers ≥ 5 gallons	
	MSDS	

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



Category	Item or Feature	Observed
Underground Chemical or Waste Storage, Drainage or Collection Systems	Underground storage tanks or ancillary UST equipment	
	Sumps, cisterns, catch basins and/or dry wells	
	Grease traps	
	Septic tanks and/or leach fields	
	Oil/water separators	
	Pipeline markers	
	Interior floor drains	
Electrical Transformers/PCBs	Transformers and/or capacitors	X
	Other equipment	
Releases or Potential Releases	Stressed vegetation	
	Stained soil	
	Stained pavement or similar surface	
	Leachate and/or waste seeps	
	Trash, debris and/or other waste materials	
	Dumping or disposal areas	
	Construction/demolition debris and/or dumped fill dirt	
	Surface water discoloration, odor, sheen, and/or free floating product	
	Strong, pungent or noxious odors	
	Exterior pipe discharges and/or other effluent discharges	
Other Notable Site Features	Surface water bodies	
	Quarries or pits	
	Wells	X

Electrical Transformers/PCBsTransformers and/or capacitors

During Terracon's site visit, one pad-mounted transformer, owned and serviced by Westar Energy was observed on the northwestern portion of the site; however, no information with regard to PCB content of the transformer fluids was observed. Some transformers contain mineral oil which may contain PCBs.

Westar Energy maintains responsibility for the transformers, and if the transformers were "PCB contaminated," the utility company is not required to replace the transformer fluids until a

Phase I Environmental Site Assessment

Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS
November 20, 2012 ■ Terracon Project No. 01127781-01



release is identified. However, evidence of current or prior release was not observed in the vicinity of the electrical equipment during the site reconnaissance.

Other Notable Site Features

Wells

One water supply well/well house was observed on the northeastern portion of the site. According to the City of Hutchinson, the groundwater well was installed for Sonoco before approximately 1970. The groundwater well for Sonoco is not considered a REC.

5.4 Site Reconnaissance Summary

During the site reconnaissance one pad-mounted transformer and a water supply well/well house for the Sonoco paper mill were observed. RECs were not observed onsite during the site reconnaissance.

6.0 ADJOINING PROPERTY RECONNAISSANCE

Visual observations of adjoining properties (from site boundaries) are summarized below.

Adjoining Properties

Direction	Description
North	E 17 th Ave., followed by a vacant lot and Ken Kennedy Fwy.
East	A mall entrance/exit road, followed by a vacant lot and Wal-Mart southeast of the site.
South	A mall entrance/exit road, followed by IHOP restaurant and the Hutchinson Mall.
West	A paved parking lot, followed by a vacant Red Lobster building.

E 17th Ave., followed by a vacant lot and Ken Kennedy Fwy. is located adjacent north of the site. Located adjacent east of the site is a mall entrance/exit road, followed by a vacant lot and a Wal-Mart southeast of the site. A mall entrance/exit road, followed by IHOP restaurant and the Hutchinson Mall is located adjacent south of the site. Located adjacent west is a paved parking lot, followed by a vacant Red Lobster building.

7.0 ADDITIONAL SERVICES

Per the agreed scope of services specified in the proposal, the following additional services (e.g., asbestos sampling, lead-based paint sampling, wetlands evaluation, lead in drinking water testing, radon testing, etc.) were not conducted.

Phase I Environmental Site Assessment

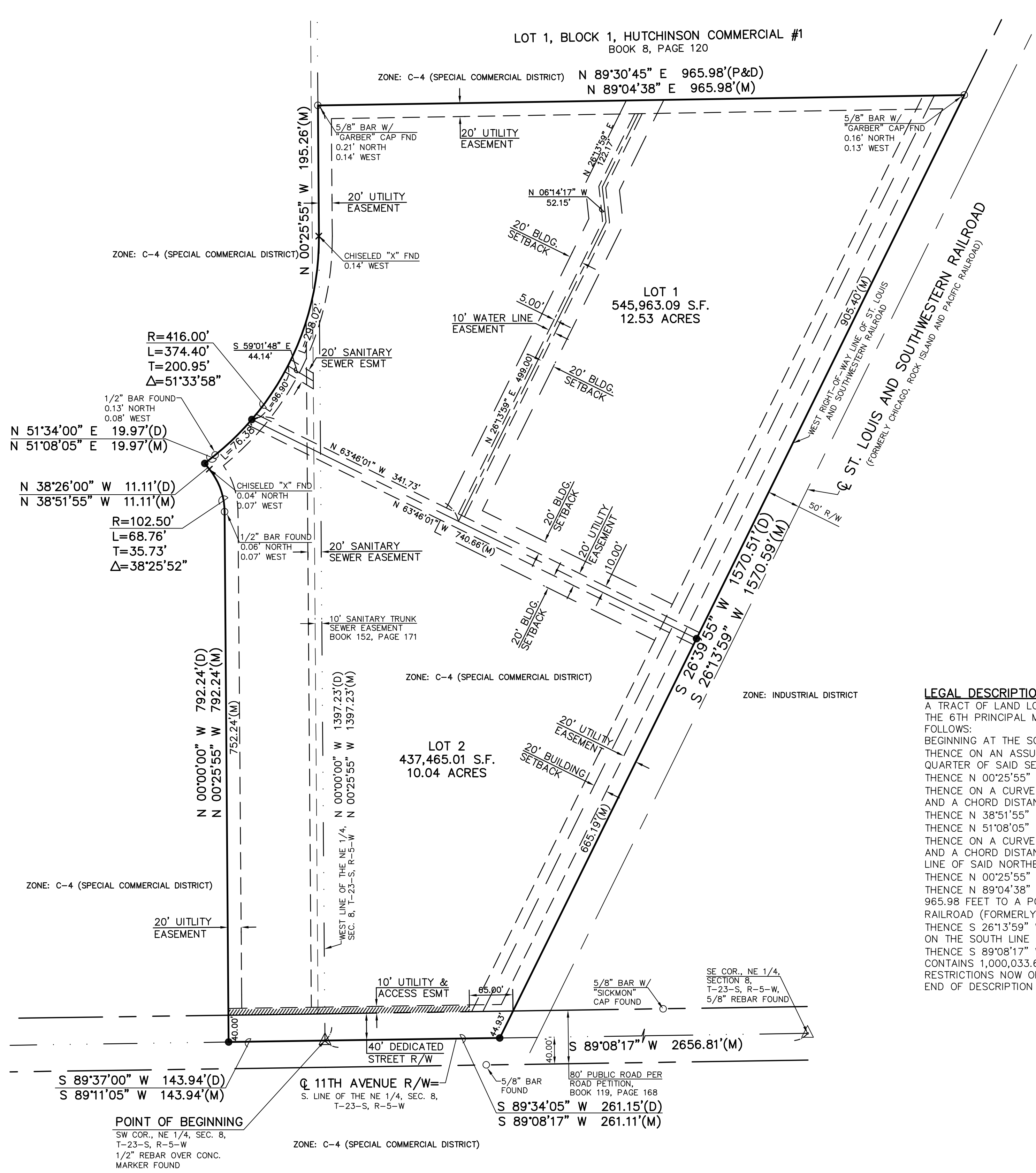
Vacant Land Northeast of the Hutchinson Mall ■ Hutchinson, KS

November 20, 2012 ■ Terracon Project No. 01127781-01



8.0 DECLARATION

I, James C. Bruggeman, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in Section 312.10 of 40 CFR 312; and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the site. I have developed and performed the All Appropriate Inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 8, TOWNSHIP 23, SOUTH, RANGE 5 WEST OF THE 6TH PRINCIPAL MERIDIAN, RENO COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 8;
THENCE ON AN ASSUMED BEARING OF S 89°11'05" W ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8 A DISTANCE OF 143.94 FEET;
THENCE N 00°25'55" W A DISTANCE OF 792.24 FEET;
THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 102.50 FEET, A CHORD BEARING OF N 19°38'55" W AND A CHORD DISTANCE OF 67.47 FEET, AN ARC LENGTH OF 68.76 FEET;
THENCE N 38°51'55" W A DISTANCE OF 11.11 FEET;
THENCE N 51°08'05" E A DISTANCE OF 19.97 FEET;
THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 416.00 FEET, A CHORD BEARING OF N 25°21'05" E AND A CHORD DISTANCE OF 361.89 FEET, AN ARC LENGTH OF 374.40 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER;
THENCE N 00°25'55" W ALONG SAID WEST LINE A DISTANCE OF 195.26 FEET;
THENCE N 89°04'38" E, PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 965.98 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD (FORMERLY CHICAGO, ROCK ISLAND AND PACIFIC);
THENCE S 26°13'59" W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1570.59 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER;
THENCE S 89°08'17" W ALONG SAID SOUTH LINE A DISTANCE OF 261.11 FEET TO THE POINT OF BEGINNING. CONTAINS 1,000,033.61 S.F., 22.96 ACRES MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS, AND RESTRICTIONS NOW OF RECORD.
END OF DESCRIPTION

SURVEYOR'S CERTIFICATE

STATE OF KANSAS } SS
COUNTY OF GEARY }

I, the undersigned do hereby certify that I am a Registered Land Surveyor and Professional Engineer in the state of Kansas with experience and proficiency in land surveying and engineering; that the heretofore described property was surveyed and subdivided by me, or under my supervision; that all Subdivision Regulations of Hutchinson, Kansas, have been complied with in the preparation of this plat, and that all of the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.
Given under my hand and seal at Junction City, Kansas this ____ day of _____, 20__.

John L. Sheets, RLS, PE
RLS No. 583
PE No. 389

OWNER'S CERTIFICATE

STATE OF _____ } SS
COUNTY OF _____ }

The undersigned being the proprietors and owners of the property described hereon have caused to be laid out and platted, Home Depot Addition, Hutchinson, Reno County, Kansas.
All streets and utility easements in said plat are fully set forth and defined upon said plat and are hereby dedicated to public use and purposes for street, drainage, and utility purposes.
Maintenance of all travel ways within platted travel easements shall be the responsibility of the owner and in no way shall the City of Hutchinson have any responsibility for the maintenance of said travel ways.
Witness our signatures this ____ day of _____, 20__.

Simon Property Group, L.P., a Delaware Limited Partnership
By: Simon Property Group, Inc., a Delaware Corporation
Managing General Partner

NOTARY CERTIFICATE

STATE OF _____ } SS
COUNTY OF _____ }

Be it remembered that on this ____ day of _____, 20__ before me a notary public in and for said County and State, personally appeared _____
to be personally known to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of same in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public
My Commission Expires _____

CERTIFICATE OF CITY COUNCIL

STATE OF KANSAS } SS
COUNTY OF RENO }

The dedications shown on this plat are hereby accepted by the City Council this ____ day of _____, 20__.

Attest _____
Deputy City Manager/City Clerk,
Ross Vanderhamm
Mayor, Clay Bontrager

CERTIFICATE OF REGISTER OF DEEDS

STATE OF KANSAS } SS
COUNTY OF RENO }

This is to certify that this instrument was filed for record in the Register of Deeds Office on the ____ day of _____, 20__, at _____ and is duly recorded in Plat Book _____ at Page _____.

Register of Deeds, Carol Salle

Entered on transfer record this ____ day of _____, 20__.

County Clerk, Shari Gagnebin

HUTCHINSON-RENO COUNTY
JOINT SUBDIVISION COMMITTEE CERTIFICATE

STATE OF KANSAS } SS
COUNTY OF RENO }

This plat of _____ HOME DEPOT ADDITION
has been submitted to and approved by the Hutchinson-Reno County Joint Subdivision Committee,
Hutchinson, Kansas.
Dated this ____ day of _____, 20__.

Hutchinson-Reno County
Joint Subdivision Committee
By _____ Chairman, Darren Keller

Secretary, Nancy A. Scott

COUNTY SURVEYOR'S CERTIFICATE

STATE OF KANSAS } SS
COUNTY OF RENO }

I have reviewed the surveyed plat and certify that plat to be in compliance with Kansas survey requirements.

County Engineer & County Surveyor

FINAL PLAT
HOME DEPOT ADDITION
TO
HUTCHINSON, KANSAS

KAW VALLEY ENGINEERING, INC.
2319 NORTH JACKSON - PO BOX 1304
JUNCTION CITY, KANSAS 66441
785-762-5040

PROJECT NO. A02368 SHEET 1 OF 1



First American Title™

Commitment for Title Insurance
Kansas - 2021 v. 01.00 (07-01-2021)

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 EXTRACONTRACTUAL 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
Donna Westmoland
(620) 669-8289 (Work)
dwestmoland@security1st.com

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

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.



Scroll to Top

COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- a. the Notice;
- b. the Commitment to Issue Policy;
- c. the Commitment Conditions;
- d. Schedule A;
- e. Schedule B, Part I—Requirements; and
- f. Schedule B, Part II—Exceptions.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:

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

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.



- i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
 - b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
 - e. The Company is not liable for the content of the Transaction Identification Data, if any.
 - f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
 - g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.
6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM**
- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
 - c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - e. Any amendment or endorsement to this Commitment must be in writing.
 - f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
7. **IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.
8. **PRO-FORMA POLICY**
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
9. **CLAIMS PROCEDURES**
This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.
10. **CLASS ACTION**
ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

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

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.





Transaction Identification Data for reference only:

Issuing Agent:	Security 1st Title	Buyer:	A Legal Entity, To Be Determined
Issuing Office:	1001 N. Main Street Hutchinson, KS 67501	Title Contact:	Donna Westmoland (620) 669-8289 (Work) dwestmoland@security1st.com
ALTA Universal ID:	1100300		
Loan ID Number:			
Commitment No.:	KS-C3038036		
Property Address:	00000 E. 11th Ave Hutchinson, KS 67501		

SCHEDULE A

1. Commitment Date:

07/26/2023 at 07:00 AM

2. Policy to be issued:

ALTA Owner's Policy 07-01-2021

\$1,000.00

Proposed Insured: A Legal Entity, To Be Determined

The estate or interest to be insured: Fee Simple, as to Parcel 1;

Appurtenant Easement as to Parcel 1a

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

Fee Simple, as to Parcel 1; Appurtenant Easement as to Parcel 1a

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

Lone Star Bank, a Texas banking association

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

By:



Commitment No.: KS-C3038036

Exhibit A

Parcel No. 1

A tract of land being a part of Home Depot Addition, an Addition to Reno County, Kansas, lying in the Northeast Quarter of Section 8, Township 23 South, Range 5 West of the 6th P.M., Reno County, Kansas more particularly described as follows: Lot 2, Home Depot Addition, as Addition to Reno County, Kansas.

Parcel No. 1a

A non-exclusive easement for the benefit of the above described Parcel 1 as created by the "Access Easement Agreement" filed on August 17, 2001 in Book 350, Page [54](#) for access over and across the property described therein.

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

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.





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. **File a release of Mortgage dated JULY 30, 2007, recorded AUGUST 06, 2007, as Book 816, Page [189](#), made by Hutchinson Outlots, L.L.C., to First National Bank of Omaha, in the amount of \$2,707,500.00.**
6. **File a Warranty Deed from an authorized officer of Lone Star Bank, a Texas banking association to A Legal Entity, To Be Determined.**
7. **Provide this company with a properly completed and executed Owner's Affidavit.**
8. **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.

9. 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.

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

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.





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 2022 in the amount of \$10,853.78, PAID.**

Property ID # 1-37363

8. **The definition of land as described in the policy does not include any manufactured home or mobile home located on the insured premises, unless the personal title to the same has been cancelled by the Kansas Department of Motor Vehicles and filed with the RENO County Register of Deeds.**
9. **Easements, setback lines or servitudes, if any, reflected on the plat of said land or otherwise appearing in the public records.**
10. **Easement granted to Elliot Megdal and Associates, Pac-N-W as set forth in Book 350, Page [54](#) on August 17, 2001.**
11. **Easement granted to Elliot Megdal and Associates, Pac-N-W as set forth in Book 350, Page [55](#) on August 17, 2001.**
12. **The terms and provisions contained in the document entitled "Road Petition" filed as Book 119, Page [168](#) on August 30, 1963.**
13. **Easement as set forth in Book 152, Page [171](#) on September 6, 1972.**
14. **Easement as set forth in Book 202, Page [110](#) on August 23, 1984.**
15. **Easement as set forth in Book 259, Page [109](#) on August 27, 1992.**
16. **Easement as set forth in Book 275, Page [376](#) on January 10, 1994.**
17. **Easement as set forth in Book 300, Page [105](#) on July 5, 1996.**

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

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.



18. Covenants and restrictions contained in/on Covenants recorded August 17, 2001 in Book 350, Page [53](#); Amendment recorded July 28, 2004 in Book 389, Page [200](#).
19. Rights of the owners of the mineral estate as conveyed or reserved on/in Warranty Deed recorded May 4, 1978 in Book 440, Page [247](#) and in Deed recorded December 29, 2003 in Book 465, Page 374, and of the parties claiming thereunder.
20. "In the Matter of the Proposed Extension of the Boundaries of Equus Beds Groundwater Management District No. 2", recorded January 4, 1989 in Book 219 at Page [147](#) of the Reno County Record.

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.

Full Profile

2010-2020 Census, 2023 Estimates with 2028 Projections
Calculated using Weighted Block Centroid from Block Groups

Lat/Lon: 38.0659/-97.8943

E. 11th Ave Hutchinson, KS 67501		1 mi radius	3 mi radius	5 mi radius
Population				
2023 Estimated Population		3,792	35,010	45,313
2028 Projected Population		3,633	33,508	43,663
2020 Census Population		3,979	35,548	46,099
2010 Census Population		4,370	37,554	48,211
Projected Annual Growth 2023 to 2028		-0.8%	-0.9%	-0.7%
Historical Annual Growth 2010 to 2023		-1.0%	-0.5%	-0.5%
Households				
2023 Estimated Households		1,647	14,423	18,894
2028 Projected Households		1,554	13,562	17,914
2020 Census Households		1,718	14,566	19,091
2010 Census Households		1,847	15,033	19,515
Projected Annual Growth 2023 to 2028		-1.1%	-1.2%	-1.0%
Historical Annual Growth 2010 to 2023		-0.8%	-0.3%	-0.2%
Age				
2023 Est. Population Under 10 Years		13.0%	11.5%	11.2%
2023 Est. Population 10 to 19 Years		13.6%	14.0%	13.7%
2023 Est. Population 20 to 29 Years		15.6%	14.3%	13.1%
2023 Est. Population 30 to 44 Years		18.7%	18.8%	18.3%
2023 Est. Population 45 to 59 Years		16.1%	16.6%	17.0%
2023 Est. Population 60 to 74 Years		15.9%	17.0%	17.8%
2023 Est. Population 75 Years or Over		7.0%	7.9%	8.9%
2023 Est. Median Age		35.4	37.6	39.4
Marital Status & Gender				
2023 Est. Male Population		48.7%	51.0%	50.6%
2023 Est. Female Population		51.3%	49.0%	49.4%
2023 Est. Never Married		31.8%	32.8%	30.8%
2023 Est. Now Married		38.6%	39.2%	42.3%
2023 Est. Separated or Divorced		23.4%	20.6%	19.4%
2023 Est. Widowed		6.2%	7.3%	7.5%
Income				
2023 Est. HH Income \$200,000 or More		0.3%	4.2%	5.0%
2023 Est. HH Income \$150,000 to \$199,999		0.5%	2.9%	3.4%
2023 Est. HH Income \$100,000 to \$149,999		5.8%	12.0%	12.7%
2023 Est. HH Income \$75,000 to \$99,999		11.6%	13.6%	13.8%
2023 Est. HH Income \$50,000 to \$74,999		19.8%	18.9%	18.8%
2023 Est. HH Income \$35,000 to \$49,999		18.0%	15.3%	14.7%
2023 Est. HH Income \$25,000 to \$34,999		8.8%	11.9%	11.2%
2023 Est. HH Income \$15,000 to \$24,999		9.9%	9.8%	9.4%
2023 Est. HH Income Under \$15,000		25.3%	11.4%	11.0%
2023 Est. Average Household Income		\$55,716	\$74,744	\$79,794
2023 Est. Median Household Income		\$38,841	\$55,836	\$57,931
2023 Est. Per Capita Income		\$24,325	\$31,842	\$34,174
2023 Est. Total Businesses		298	1,257	1,492
2023 Est. Total Employees		5,693	18,387	21,367

Lat/Lon: 38.0659/-97.8943

E. 11th Ave				
Hutchinson, KS 67501				
	1 mi radius	3 mi radius	5 mi radius	
Race				
2023 Est. White	85.2%	81.1%	82.7%	
2023 Est. Black	3.7%	7.4%	6.5%	
2023 Est. Asian or Pacific Islander	0.8%	1.7%	1.4%	
2023 Est. American Indian or Alaska Native	0.7%	0.6%	0.6%	
2023 Est. Other Races	9.5%	9.2%	8.8%	
Hispanic				
2023 Est. Hispanic Population	491	4,262	5,245	
2023 Est. Hispanic Population	12.9%	12.2%	11.6%	
2028 Proj. Hispanic Population	12.7%	12.1%	11.5%	
2020 Hispanic Population	13.9%	12.6%	11.4%	
Education (Adults 25 & Older)				
2023 Est. Adult Population (25 Years or Over)	2,462	23,491	30,938	
2023 Est. Elementary (Grade Level 0 to 8)	2.1%	2.0%	1.8%	
2023 Est. Some High School (Grade Level 9 to 11)	12.6%	7.0%	6.3%	
2023 Est. High School Graduate	34.6%	29.8%	29.5%	
2023 Est. Some College	32.8%	29.9%	30.1%	
2023 Est. Associate Degree Only	6.9%	11.1%	11.0%	
2023 Est. Bachelor Degree Only	7.6%	13.0%	13.8%	
2023 Est. Graduate Degree	3.4%	7.3%	7.6%	
Housing				
2023 Est. Total Housing Units	1,846	16,047	20,861	
2023 Est. Owner-Occupied	55.4%	55.9%	58.8%	
2023 Est. Renter-Occupied	33.8%	34.0%	31.8%	
2023 Est. Vacant Housing	10.8%	10.1%	9.4%	
Homes Built by Year				
2023 Homes Built 2010 or later	2.3%	2.3%	3.0%	
2023 Homes Built 2000 to 2009	8.1%	5.2%	6.1%	
2023 Homes Built 1990 to 1999	4.8%	6.2%	6.4%	
2023 Homes Built 1980 to 1989	9.1%	7.4%	7.9%	
2023 Homes Built 1970 to 1979	10.4%	10.6%	13.2%	
2023 Homes Built 1960 to 1969	17.8%	11.3%	11.2%	
2023 Homes Built 1950 to 1959	16.6%	16.1%	16.1%	
2023 Homes Built Before 1949	20.1%	30.8%	26.7%	
Home Values				
2023 Home Value \$1,000,000 or More	-	-	-	
2023 Home Value \$500,000 to \$999,999	0.5%	2.4%	2.4%	
2023 Home Value \$400,000 to \$499,999	0.2%	0.9%	1.2%	
2023 Home Value \$300,000 to \$399,999	0.3%	3.2%	3.6%	
2023 Home Value \$200,000 to \$299,999	3.7%	9.9%	11.6%	
2023 Home Value \$150,000 to \$199,999	3.1%	10.9%	13.3%	
2023 Home Value \$100,000 to \$149,999	14.2%	23.3%	23.6%	
2023 Home Value \$50,000 to \$99,999	51.9%	34.0%	31.2%	
2023 Home Value \$25,000 to \$49,999	11.5%	9.1%	7.5%	
2023 Home Value Under \$25,000	14.6%	6.3%	5.5%	
2023 Median Home Value	\$79,966	\$115,627	\$124,229	
2023 Median Rent	\$549	\$591	\$586	

Lat/Lon: 38.0659/-97.8943

E. 11th Ave Hutchinson, KS 67501

1 mi radius 3 mi radius 5 mi radius

Labor Force			
2023 Est. Labor Population Age 16 Years or Over	2,988	28,189	36,567
2023 Est. Civilian Employed	61.1%	58.0%	57.0%
2023 Est. Civilian Unemployed	2.9%	2.1%	1.9%
2023 Est. in Armed Forces	-	-	-
2023 Est. not in Labor Force	36.0%	39.8%	41.0%
2023 Labor Force Males	47.7%	51.0%	50.5%
2023 Labor Force Females	52.3%	49.0%	49.5%
Occupation			
2023 Occupation: Population Age 16 Years or Over	1,826	16,354	20,838
2023 Mgmt, Business, & Financial Operations	6.8%	11.5%	12.4%
2023 Professional, Related	13.4%	19.4%	20.0%
2023 Service	27.4%	19.8%	18.5%
2023 Sales, Office	17.4%	22.7%	22.3%
2023 Farming, Fishing, Forestry	0.8%	0.8%	0.7%
2023 Construction, Extraction, Maintenance	5.2%	6.6%	6.8%
2023 Production, Transport, Material Moving	28.9%	19.3%	19.3%
2023 White Collar Workers	37.6%	53.5%	54.7%
2023 Blue Collar Workers	62.4%	46.5%	45.3%
Transportation to Work			
2023 Drive to Work Alone	74.4%	83.7%	83.7%
2023 Drive to Work in Carpool	15.5%	8.0%	7.6%
2023 Travel to Work by Public Transportation	0.6%	0.4%	0.3%
2023 Drive to Work on Motorcycle	-	0.2%	0.2%
2023 Walk or Bicycle to Work	4.0%	3.2%	2.7%
2023 Other Means	3.8%	0.9%	0.8%
2023 Work at Home	1.7%	3.5%	4.7%
Travel Time			
2023 Travel to Work in 14 Minutes or Less	66.4%	61.7%	58.6%
2023 Travel to Work in 15 to 29 Minutes	20.0%	25.4%	27.4%
2023 Travel to Work in 30 to 59 Minutes	12.3%	9.8%	10.7%
2023 Travel to Work in 60 Minutes or More	1.3%	3.1%	3.3%
2023 Average Travel Time to Work	11.4	12.3	12.9
Consumer Expenditure			
2023 Est. Total Household Expenditure	\$77.11 M	\$822.38 M	\$1.13 B
2023 Est. Apparel	\$2.64 M	\$28.49 M	\$39.05 M
2023 Est. Contributions, Gifts	\$4.05 M	\$46.06 M	\$63.67 M
2023 Est. Education, Reading	\$2.19 M	\$24.65 M	\$34.18 M
2023 Est. Entertainment	\$4.18 M	\$45.72 M	\$62.86 M
2023 Est. Food, Beverages, Tobacco	\$12.16 M	\$127.26 M	\$173.66 M
2023 Est. Furnishings, Equipment	\$2.6 M	\$28.47 M	\$39.12 M
2023 Est. Health Care, Insurance	\$7.27 M	\$76.89 M	\$105.17 M
2023 Est. Household Operations, Shelter, Utilities	\$25.61 M	\$268.61 M	\$366.82 M
2023 Est. Miscellaneous Expenses	\$1.44 M	\$15.51 M	\$21.26 M
2023 Est. Personal Care	\$1.03 M	\$11.03 M	\$15.1 M
2023 Est. Transportation	\$13.94 M	\$149.69 M	\$204.81 M

J.P. Weigand & Sons., Inc. - Auction Division
150 N. Market
Wichita, KS 67202
316-262-6400

WeigandAuctions.com



AUCTION