

Appendix C
Proposed NIC Site Boundary

December 21, 2001



Wichita-Sedgwick County Department of Community Health

IMPORTANT NOTICE

North Industrial Corridor (NIC) Boundary Amendment

Dear NIC Participant Member:

KDHE has requested that the NIC Boundary be amended to reflect changes since the Settlement Agreement was entered in 1995. KDHE representatives raised this request in our Participant meeting on November 2, 2001.

The Site boundaries will be reduced by removing the following areas:

- A portion of the Northeast Investigation Area that has never been annexed by the City of Wichita. While the City annexed tracts within the Site in 1999 and 2001 that are outside the TIF boundary, this area has not been annexed and there are no plans to do so. KDHE has stated its intent to work directly with Phillips Petroleum located on this removed tract.
- A six square block area that overlaps the Gilbert & Mosley Site. The Gilbert & Mosley site boundaries were expanded by amendment in 1996 and this area is being addressed in that remediation project. Certificates and Releases in this area will not be affected.

The Amendment will be submitted to the City Council for approval on the January 8, 2002, agenda for approval. Please let us know if you have any comments or questions on the amendment.

Sincerely,


Jack Brown, Director
Environmental Health

Cc Chris Jump



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12/18/01

KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT
AND CITY OF WICHITA

NORTH INDUSTRIAL CORRIDOR

KDHE Case No. 95-E-0321

THIRD AMENDMENT TO SETTLEMENT AGREEMENT

COME NOW the Kansas Department of Health and Environment and the City of Wichita and mutually agree to amend the terms of the Settlement Agreement entered into in Case No. 95-E-0321 pursuant to Paragraph 161 of said Settlement Agreement.

The Settlement Agreement shall be amended in the following respects only:

Attachment 1 – the Site Map is replaced by the Amended N.I.C. Site attached hereto as Attachment 1 and as further delineated in the boundary description attached hereto as Attachment 1A.

This Amendment shall be come effective when signed by the City of Wichita and the Secretary of the Kansas Department of Health and Environment.

CITY OF WICHITA, KANSAS
By Direction of City Council

Date _____

By _____
Chris Cherches, City Manager

ATTEST:

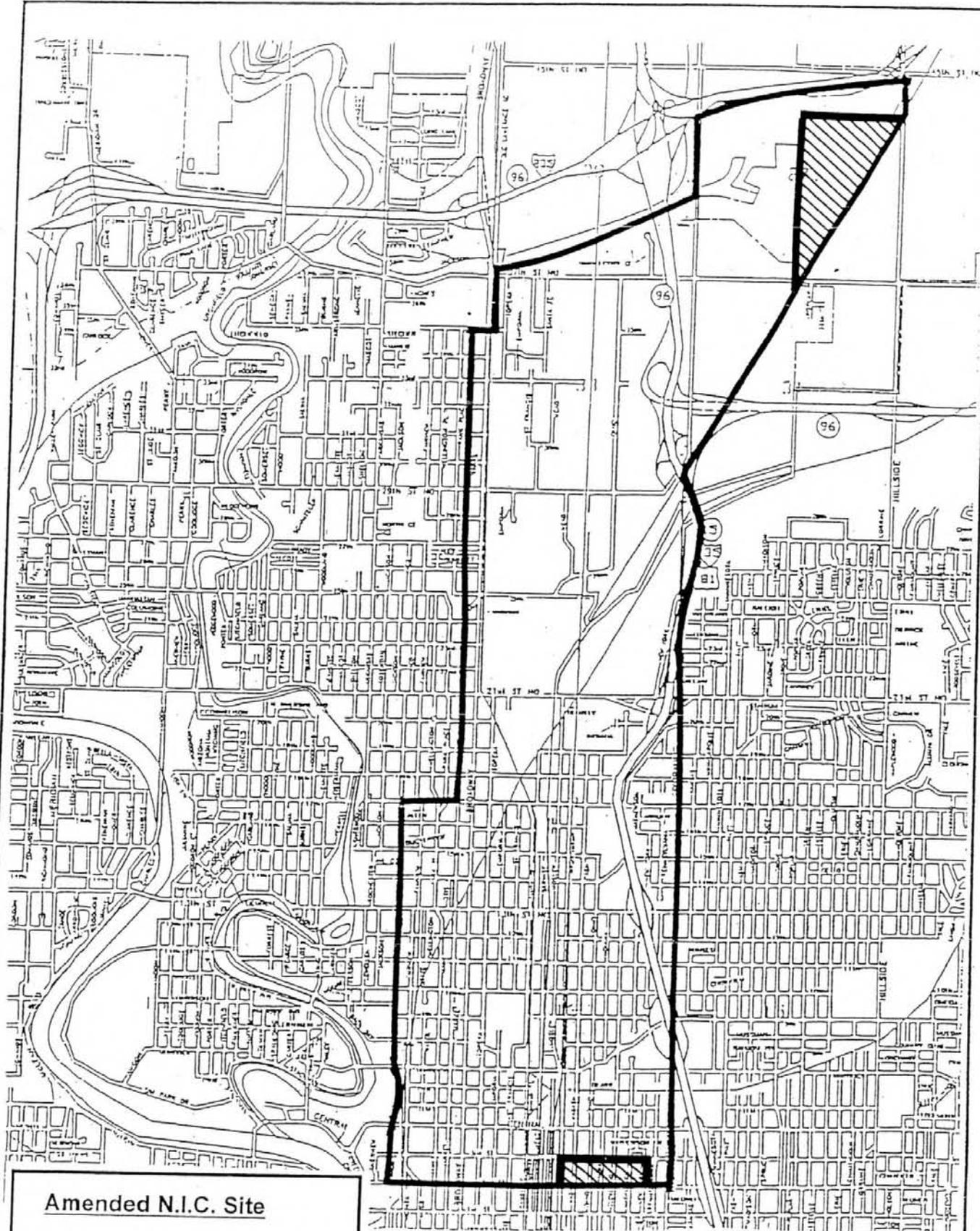
Pat Burnett, City Clerk

Approved as to form:

Gary E. Rebenstorf
Director of Law

KANSAS DEPARTMENT OF HEALTH AND
ENVIRONMENT

By _____
Clyde D. Graeber, Secretary



Amended N.I.C. Site

— Original Boundary

▨ Areas Removed

Attachment 1
Wichita North Industrial Corridor Site

Proposed Modified Boundary for the North Industrial Corridor Site

The Boundary description begins in the northwest corner of the site and proceeds counter-clockwise.

Starting from the intersection of 37th Street North and Broadway Avenue, south along the centerline of Broadway Avenue to the intersection of Broadway and 35th Street North. West along the centerline of 35th Street North to the intersection of 35th and Market Street. South along the centerline of Market Street to the intersection of Market and 17th Street. West along the centerline of 17th Street to the intersection of 17th and Waco Avenue. South along the centerline of Waco Avenue to the intersection of Waco and 2nd Street. East along the centerline of 2nd Street to the intersection of 2nd and Washington Street. North along the centerline of Washington Street to the intersection of Washington and 3rd Street. East on 3rd Street to the intersection of 3rd and New York Street. South on New York Street to the intersection of New York and 2nd Street. East on 2nd Street to the intersection of 2nd and Hydraulic Avenue. North along the centerline of Hydraulic Avenue to the point where the centerline of Hydraulic intersects with the east right-of-way of Highway I-135. Generally north along the east right-of-way of Highway I-135 to the point where the east right-of-way Highway I-135 intersects the west right-of-way of the Union Pacific Railroad. Northeast along the west right-of-way of the Union Pacific Railroad to the north right-of-way line of 37th Street North. West along 37th Street to the east line of the Southwest Quarter of Section 27, Township 26 South, Range 1 East of the 6th P.M. North along said east line and said east line extended north to the south line of the north half of the Northeast Quarter of said Section 27. Easterly along said south line to the northwest right-of-way line of the Union Pacific Railroad. Northeasterly along the Union Pacific Railroad to the west right-of-way line of Hillside Avenue. North along Hillside to the south right-of-way line of Highway K-254. Southwesterly along K-254 to the west right-of-way line of Hydraulic. South along Hydraulic to the southerly right-of-way line of the Chisholm Creek Diversion. Southwesterly along the Chisholm Creek Diversion to the west right-of-way line of the Burlington Northern/Santa Fe Railroad. North along the Burlington Northern/Santa Fe Railroad to the north right-of-way line of the Chisholm Creek Diversion. Westerly along Chisholm Creek Diversion to the centerline of Broadway. South along Broadway to the intersection of 37th Street North and Broadway Street, the beginning point.