

**Affadavit of Activity concerning the property of Todd Wait
Located at 1002 W. Dayton, Wichita, Ks. 67213
Legal Descripton – Lots 33 & 35 in Glendale Addition, Sedgwick County, Wichita, Ks.
Presented before the Kansas House Judiciary Committee
Concerning Bill regarding Citizens Grand Jury**

Hello, my name is Todd Wait and I reside at 1002 W. Dayton in Wichita, Kansas. I want to thank you for taking time to hear my concern about our justice system and my support of passing this legislation. Let me give you a little background:

On August 26, 1994 I closed on the purchase of my home located at 1002 W. Dayton from Wallace M. & Mildred J. Ellington. The elderly couple had purchased the property in 1967. When we were moving in (as they were moving out), the Ellington's son (Marvin Ellington) asked if he could purchase the shed (which did have living facilities) from me for \$1 so his parents could live there. That had been discussed briefly at closing but the Title Company stated the property did not meet criteria set by the city for a "lot split". In retrospect, I should have said – "Sorry, I can't help you". However, I offered to allow the Ellington's to reside in the property (which had no legal address – until he put the address 715 S. Walnut on the house). They continued to live in the shed until the both passed (Wallace in 2000 and Mildred in 2004).

Upon her passing their son, Marvin, did not remove her belongings or return the key to the property. Instead, he placed the property (which had never been split) up for sale. Shortly thereafter I was contacted by Attorney Cami R. Baker who was representing Marvin Ellington and she offered to purchase all rights to the 715 S. Walnut property for \$1. I found out later that she had already began the process of trying to acquire the entire property. The situation escalated (including intense discussions with workers who were on MY property working on MY shed) as I sought advice on how to prohibit the situation to proceed. I was informed by Kenneth Woodward, of the Sedgwick County Apprasiers Office, that I should change the locks on the property (which I did), and to hire an attorney (which I did as well – G. N. Nelson Van Fleet). In the fall of 2005, I was served a restraining order from the north 50' of MY property. Also, included in the court order was to "quiet the title" to Marvin Ellington and to sue Todd for \$75,000. I appeared in court concerning this issue before Judge Mark Vining, in his opinion he stated the "plaintiff will prevail" only if they change the property description dividing the property into two parcels of land (as I mentioned earlier the supposed 715 W. Walnut does not meet standard for a single family dwelling). Mr. Ellington appeared in court with another lawyer, Rachel K. Pirner (it seemed that Cami R. Baker had made several mistakes in the process). Judge Vining stated that they should begin the process of dividing the property which is for a number of reason violates the Title that I was given upon purchase of the property. Resulting in a lengthy court battle which included my wrongful incarceration (starting July 13, 2006 for 29 days).

I believe that the irreparable damage has been done to me and my family through this miscarriage of justice. Presently, I pay for insurance and taxes for the entire property. It is my understanding that both Sedgwick County and the insurance companies are receiving double payments for the property. I have been fighting this problem for over 6 years and have ran into many barriers to find a solution. We have had a sympathetic ear from:the Sedgwick County Register of Deeds, Bill Meek; FBI Agents Lt. Kenneth Tibedaux (sp?) and Lt. Tom Entz; and multiple County officials. My pastor, Dr. Michael O'Donnell has been with me on numerous occasions trying to find a solution to this injustice and we are unable to find

HOUSE JUDICIARY

DATE:

2/12/13

ATTACHMENT

7

satisfaction. We have been told that the court can "do whatever they want to do" and we have no recourse. I refuse to accept that accounting and I am asking for your help in trying to resolve this matter that has plagued me for these years. In my research on this problem I have come across many others who have suffered similarly. I can only come to the conclusion that there is much corruption in the judicial system here in Sedgwick County. Sadly, I have had no one offer any support. So, I am at loss of what to do with my property. I feel that possibly your office can assist me. I know that my pastor is sending Toni Porter a brief summary of his involvement with my case. After reviewing this problem, I would ask if we could have a meeting with those whom you feel would be able to bring this to conclusion.

Thank you for taking the time to listening to my story and I do believe that my situation could be addressed by a Citizen's Grand Jury. Please feel free to contact me about any part of this accounting of the story for clarification. I know that my pastor, Dr. Michael O'Donnell for all of his help with this situation and I know he would be willing to assist you as well!

Sincerely yours,

Todd Wait

1002 W. Dayton
Wichita, Ks. 67213
(316) 390-2721