

VERTICAL FILE POCKET  
No. 12345

STATE NO. S/D 66-96 CASE NO. 5947  
PROJECT NAME ROCKWOOD SOUTH THIRD ADDITION  
LOCATION On the north side of Kellogg in an area west of Rock Road  
ENGINEER: K. O. Taylor  
OWNER Rock Road Improvement, Inc.  
APPLICATION FILED 8-15-66  
SKETCH PLAT FILED None  
PRELIMINARY FILED 8-15-66  
S/D ACTION 8-25-66 Approve Prelim.  
FINAL FILED 9-17-66  
S/D ACTION 9-29-66 Approve Final  
MARC ACTION 10-6-66 Approve  
MARC ACTION 10-11-66 Approved  
RECORDED 10-19-66  
REMARKS Closed 10-13-66

M.A.F.C.

Approved 10-6-66

~~B.C.C.~~

Approved 10-11-66

Closed 10-12-66

S/D 66-96 - ROCKWOOD SOUTH THIRD ADDITION, on the north side of Kellogg in an area west of Rock Road -Taylor



REGISTER OF DEEDS

SEDGWICK COUNTY, KANSAS

ROCKWOOD SOUTH THIRD ADDITION WAS

FILED FOR RECORD ON October 19, 1966

*Rufus E. Deering*

REGISTER OF DEEDS

T9-328

April 4, 1969

Ralph C. Eberly, City Clerk

Jack H. Galbraith, Senior Planner

Case No. S/D 66-96 - Rockwood South Third Addition  
(Sidewalk Performance Bond)

We have received notification from the Engineering Division of the Department of Public Works that the sidewalks required in the above captioned case have been constructed to City specifications or sufficiently petitioned for construction.

A bond was submitted in the amount of \$4,945 to guarantee the installation of sidewalks. Said bond is being held by your office and may be cancelled by your office upon the request of the applicant. It is our understanding that cancellation of the bond requires no action by the Board of City Commissioners.

If you have any questions concerning this matter, please call.

JHG:js

cc: Emma Gorham  
Surety Bond Dept.  
Wheeler, Kelley, Hagney  
309 S. Market

Mr. Earl Graves  
Wheeler, Kelley, Hagney  
309 South Market

Mr. Lionel Turner  
Turner Ford, Inc.  
7301 E. Kellogg



Wheeler Kelly Hagny  
Insurance, Inc.

INSURANCE — EVERY KIND

AREA CODE 316  
AMHERST 2-1414

P. O. BOX 2281  
309 SO. MARKET ST.

Wichita, Kansas 67201

April 3, 1969

Mr. Dick Linn, City Engineering  
City of Wichita  
104 South Main  
Wichita, Kansas 67202

Dear Mr. Linn:

Rock Road Improvement, Inc.  
Bond #672850 - Seaboard Surety  
Guarantee Bond - \$4,945.00

This bond covers installation of sidewalks in  
Rockwood South Third Addition along south side and east  
side of Lot 1 abutting Kellogg and Armour and on west side  
of Lot 2 abutting Kellogg and Armour.

We have been advised by Mr. Earl Graves of  
Rock Road Improvement, Inc. that this work has been  
accomplished. Will you please obtain for us a letter from  
the City advising that this bond may be cancelled.

Thank you.

Yours truly,

*Ernest L. Johnson*  
Surety Bond Department

EGorham

Walk on E Side Armour (Kellogg N.) } - Petitioned 2-1-69  
Walk on N Side Kellogg (Armour W.) }  
(Adjacent to Lot 2)  
(Walk on W S. Armour } - adjacent to Lot 1 - (Built)  
(Walk on N S. Kellogg. }

January 10, 1969

Ralph Wulz, City Manager

Jack H. Galbraith, Senior Planner

S/D 66-96 - Rockwood South Third Addition (sidewalk guarantee)

The above captioned plat was approved by the Board of City Commissioners on October 11, 1966. One of the conditions of approval was that the applicant guarantee the construction of sidewalks adjacent to the north side of Kellogg and both sides of Armour Drive, in the amount of \$4,945, within two years. The applicant submitted a performance bond guaranteeing that the sidewalks would be constructed on or before October 3, 1968, in accordance with City specifications.

A sidewalk has been installed adjacent to the north side of Kellogg for that portion adjacent to Lot 1, on which the Turner Ford agency has been constructed. We are informed that the sidewalk is presently under construction on the west side of Armour Drive, or what would be the east side of Lot 1. Since the two-year guarantee has now expired, sidewalk petitions have been submitted for those portions yet to be constructed, or that part adjacent to the south and west sides of Lot 2. Attached are these petitions which should be placed on the City Manager's Agenda for formal approval by the Board of City Commissioners at their regular meeting on January 21, 1969. The cost of the publication of the resolutions should be billed to the applicant.

Once these petitions have been formally approved and the sidewalk is completed on the west side of Armour Drive, then we will notify the City Clerk's office that the original bond can be released upon request from the applicant.

If you have any questions concerning this matter, please call.

JHG:JDG:js

Attachment

cc: Ralph Eberly, City Clerk

✓ Evelyn Houchin,  
Surety Bond Dept  
Wheeler, Kelley, Hagney  
309 S. Market

✓ Mr. Earl Graves  
Wheeler, Kelley, Hagney  
309 S. Market

✓ Mr. Lionel Turner  
Turner Ford, Inc.  
7301 E. Kellogg

October 18, 1967

Ralph C. Eberly, City Clerk

Jack H. Galbraith, Senior Planner

S/D 66-96 - Rockwood South Third Addition (Performance Bonds  
Guaranteeing Required Improvements)

We have received notification from the Engineering Division of the Department of Public Works that the removing of temporary fill from the U. S. 54 Service Road at Armour Drive, and the construction of pavement, drainage and culverts in the improvement of Armour Drive, all of which were required in the above-captioned case, have been sufficiently satisfied or assured through some other means.

Bonds (No. 672855 and 672853) were submitted in the amounts of \$5,000 and \$50,000 guaranteeing the above-referred to improvements and are being held by your office and may be cancelled upon the request of the applicant. It is our understanding that cancellation of the bonds requires no action by the Board of City Commissioners.

It should be pointed out that an additional bond (No. 672850) in the amount of \$4,945 was also submitted guaranteeing the installation of sidewalks. The Engineering Division has advised us that said sidewalks have not been constructed and, therefore, it is necessary that this bond not be cancelled until further notice is received from this office.

If you have any questions concerning this matter, please call.

JHG:JDG:bgs

cc: Mr. Earl T. Graves  
Wheeler, Kelly, Hagny  
309 South Market  
Wichita, Kansas 67202

Evelyn Houchin  
Surety Bond Department  
Wheeler, Kelly, Hagny  
309 South Market  
Wichita, Kansas 67202



Wheeler Kelly Hagny  
Insurance, Inc.

INSURANCE — EVERY KIND

AREA CODE 316  
AMHERST 2-1414

P. O. BOX 2281  
309 SO. MARKET ST.

Wichita, Kansas 67201

October 4, 1967

Mr. Ralph Eberly, City Clerk  
City of Wichita  
City Building  
Wichita, Kansas 67202

Dear Mr. Eberly:

Re: Guarantee Bonds  
Rock Road Improvement, Inc.  
Seaboard Surety Company

You have on file the following bonds for our insured and we would appreciate your checking and if the requirements under these bonds have been complied with we would appreciate a letter releasing the Seaboard Surety Company of any further liability.

Guarantee Bond No. 672850 - Sidewalks in Rockwood South Third Addition along south side and east side of Lot 1 abutting Kellogg and Armour and on south side and west side of Lot 2 abutting Kellogg and Armour - \$4,945.00 - Bond dated 10-3-66.

Guarantee Bond No. 672855 - Removal of temporary fill from U. S. 54 Service Road on Armour Drive in Rockwood Third Addition - \$5,000. Bond dated 10-4-66.

Guarantee Bond No. 672853 - Construction of pavement, drainage and culverts in the improvement of Armour Drive in Rock Wood South Third Addition - \$50,000.00 - Bond dated 10-7-66.

Thank you for your assistance on this.

Very truly yours,

Surety Bond Department

EHouchin



The  
Wheeler Kelly & Hagny  
Investment Company

AREA CODE 316  
AMHERST 2-1414

P. O. BOX 2281  
309 SO. MARKET ST.

Wichita, Kansas 67201

September 26, 1968

Mr. Dick Linn  
Assistant City Engineer  
104 South Main  
Wichita, Kansas 67202

Dear Mr. Linn:

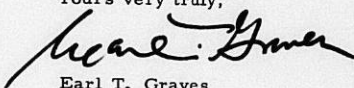
Re: Seaboard Surety Bond #672850  
Rock Road Improvement, Inc.  
Sidewalk Guarantee Bond

We would like to be released from renewing the Sidewalk Bond that expires on October 3, 1968.

You have been furnished "Petitions for Sidewalks" for Block 2 Rockwood South 3rd Addition. A sidewalk has already been installed on Kellogg Drive on Block 1.

Please advise us if this bond can be cancelled.

Yours very truly,

  
Earl T. Graves  
Treasurer

ETG:eh

cc: Mr. Lionel Turner  
Turner Ford, Inc.  
7301 East Kellogg  
Wichita, Kansas

Seaboard Surety Company  
Kansas City, Missouri

10-8-68  
these 2 petitions  
cover lot 2 only, and  
not all that was  
guaranteed by the bond.  
The sidewalk has been  
constructed on Kellogg,  
adjacent to lot 1, but  
some arrangement needs  
to be made for the  
walk on Armour adjacent  
to the east side of  
lot 1 prior to scheduling  
these pet. & authorizing release of  
Bok B.

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

Rock Road Improvement, Inc.; Turner Ford, Inc.; and Bob Moore Oldsmobile, Inc. as Principal and Seaboard Surety Company as Surety, are held and firmly bound unto the City of Wichita, County of Sedgwick and State of Kansas, in the sum of Fifty Thousand Dollars (\$50,000.00)

Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the City of Wichita for the development and improvement in Rock Wood South Third Addition

Plat located in Section 19 Township 27 South Range 2 East Sedgwick County, Kansas.

NOW, THEREFORE, the said Principals Rock Road Improvement, Inc.; Turner Ford, Inc.; and Bob Moore Oldsmobile, Inc. shall perform the following obligations and conditions:

- 1. Shall submit and file petition to the Board of Commissioners, Wichita, Kansas, for the construction of pavement, drainage and culverts in the improvement of Armour Drive between the north line of Kellogg Drive to a line 280 feet north of the north line of Kellogg Drive, assessing against Rock Wood South Third Addition and designated remaining property in the Rock Wood South Third Addition and designated remaining property in the Rock Wood South Third Addition and designated remaining property in the Rock Wood South Third Addition... 3. Community Unit Plan approved by the Board of Commissioners, Wichita, Kansas on July 28, 1966, all or any part of the costs of said construction not paid for by the State Highway Commission, State of Kansas, U. S. Bureau of Public Roads or the City of Wichita, Kansas... 5. Reimbursement to the City of Wichita at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

which obligations and each of them shall be performed on or before October 7, 1968 and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Department of Public Works of the City of Wichita.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the City may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the City may install said projects and pay for same out of said forfeited bond funds.

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans or specifications therefor, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this 7th day of October 1966

Turner Ford, Inc. By [Signature] Principal

Bob Moore Oldsmobile, Inc. By [Signature] Surety

By [Signature] (Robert C. Brent) Attorney-in-fact

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 7th day of October, 1966, before me, a Notary Public in and for said County and State, came U. A. Denker, Lionel Turner and Robert C. Brent and Robert W. Moore (Principal) (Surety)

to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature] Notary Public

My Commission Expires: Aug 6, 1970

Certified Copy

No. 5579

SEABOARD SURETY COMPANY  
HOME OFFICE  
NEW YORK, NEW YORK

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SEABOARD SURETY COMPANY, a corporation of the State of New York, has made, constituted and appointed and by these presents does make, constitute and appoint W. S. Wohrll or A. C. Shroeder or A. C. Richard or James A. Ryan or Hann Gordon or Robert C. Brent or William H. Rutherford, Jr. or Evelyn Rouchin

of Wichita, Kansas  
its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf insurance policies, surety bonds, undertakings and other instruments of similar nature as follows: Without Limitations.

Such insurance policies, surety bonds, undertakings and instruments for said purposes, when duly executed by the aforesaid Attorney-in-Fact, shall be binding upon the said Company as fully and to the same extent as if signed by the duly authorized officers of the Company and sealed with its corporate seal; and all the acts of said Attorney-in-Fact, pursuant to the authority hereby given, are hereby ratified and confirmed.

This appointment is made pursuant to the following By-Laws which were duly adopted by the Board of Directors of the said Company on December 8th, 1927, and are still in full force and effect:

ARTICLE IX, SECTION 1:

"Policies, bonds, recognizances, stipulations, consents of surety, underwriting undertakings and instruments relating thereto. Insurance policies, bonds, recognizances, stipulations, consents of surety and underwriting undertakings of the Company, and releases, agreements and other writings relating in any way thereto or to any claim or loss thereunder, shall be signed in the name and on behalf of the Company

- (a) by the President, a Vice President or a Resident Vice President and by the Secretary, an Assistant Secretary, a Resident Secretary or a Resident Assistant Secretary; or
- (b) by an Attorney-in-Fact for the Company appointed and authorized by the President or a Vice President to make such signature; or
- (c) by such other officers or representatives as the Board may from time to time determine.

The seal of the Company shall if appropriate be affixed thereto by any such officer, Attorney-in-Fact or representative."

IN WITNESS WHEREOF, SEABOARD SURETY COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed and duly attested by its Assistant Secretary, this 20th day of September, 1966.

Attest:

SEABOARD SURETY COMPANY,  
By

(Seal) B. C. Rode  
Assistant Secretary

W. S. Wohrll  
Vice-President

STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss.:

On this 20th day of September, 1966, before me personally appeared W. S. Wohrll Vice-President of SEABOARD SURETY COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said that he resides in the State of New York; that he is Vice-President of SEABOARD SURETY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

(Seal)

STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss.:

B. C. Rode  
I, Margaret Cunningham Asst. Secretary of SEABOARD SURETY COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a power of attorney executed by said SEABOARD SURETY COMPANY, which is still in full force and effect.

Margaret Cunningham  
State of New York Notary Public  
No. 31-5003523 Qualified in New York County  
Certificate Filed in New York County  
Commission Expires March 30, 1969

IN WITNESS WHEREOF, I have signed this certificate at New York, New York, this 7th day of October, 1966.

B. C. Rode  
Assistant Secretary



ASPHALTIC CONCRETE

PAVING PETITION

To the Board of Commissioners,  
Wichita, Kansas.

Gentlemen:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

The north 500 feet of Lot 1, Rockwood South 3rd Addition;

do hereby petition, pursuant to the provisions of K. S. A. 12-6a01, as follows:

- (a) That there be constructed pavement and driveways on Armour Drive - West Side from the north line of Lot 1, Rockwood South 3rd Addition, to a point 500 feet south of the north line of said Lot 1; that said pavement between aforesaid limits be constructed for a width of twenty-six (26) feet from gutter line to gutter line, cement combined curb and gutter to be constructed on each side of said pavement, the gutter to be two (2) feet in width, making a total roadway of thirty (30) feet; that said pavement shall consist of a Portland cement concrete base, five (5) inches in thickness, and an asphaltic concrete wearing surface, two (2) inches in thickness, composed of stone, sand, mineral filler, and asphalt, according to specifications to be furnished by the City Engineer.
- (b) That the estimated and probable cost of the foregoing improvements being \$11,000.00 payable by the improvement district.
- (c) That the land area above described shall be constituted as an improvement district against which shall be assessed 100% of the total cost of said improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K. S. A. 12-6a04.

3. That when this petition has been filed with the City Clerk and a certification has been made that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

<u>LEGAL DESCRIPTION</u>	<u>SIGNATURE</u>	<u>DATE</u>
North 500 feet of Lot 1, Rockwood South 3rd Addition	By <u>W. A. L. Linton</u> President	10-10-66
All Lots in Rockwood South Third Addition		

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION.

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

Alfred Green  
Name

6427 Clayton St.  
Address

AM 2-1414  
Telephone No.

Sworn to and subscribed before me this 12<sup>th</sup> day of October,  
1966.

Donald P. Smith  
Dep. City Clerk.

ASPHALTIC CONCRETE

PAVING PETITION

To the Board of Commissioners,  
Wichita, Kansas.

Gentlemen:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

The north 615.24 feet of Lot 2, Rockwood South 3rd Addition;

do hereby petition, pursuant to the provisions of K. S. A. 12-6a01, as follows:

- (a) That there be constructed pavement and driveways on Armour Drive - East Side from the north line of Lot 2, Rockwood South 3rd Addition, to a point 615.24 feet south of the north line of said Lot 2; that said pavement between aforesaid limits be constructed for a width of thirty-six (36) feet from gutter line to gutter line, cement combined curb and gutter to be constructed on each side of said pavement, the gutter to be two (2) feet in width, making a total roadway of forty (40) feet; that said pavement shall consist of a Portland cement concrete base, six (6) inches in thickness, and an asphaltic concrete wearing surface, two (2) inches in thickness, composed of stone, sand, mineral filler, and asphalt, according to specifications to be furnished by the City Engineer.
- (b) That the estimated and probable cost of the foregoing improvements being \$19,000.00 payable by the improvement district.
- (c) That the land area above described shall be constituted as an improvement district against which shall be assessed 100% of the total cost of said improvement.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K. S. A. 12-6a04.

3. That when this petition has been filed with the City Clerk and a certification has been made that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
North 615.24 feet of Lot 2, Rockwood South 3rd Addition	Rockwood Improvement, Inc By --- <u>W. H. Adams</u> President	
	All Lots in Rockwood South Third Addition	10-10-66

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION.

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

Marie - Green  
Name

6427 Clayton  
Address

AM 2-1414  
Telephone No.

Sworn to and subscribed before me this 12<sup>th</sup> day of October,  
1966.

Donald Christ  
Dep. City Clerk.

October 7, 1966

Mr. K. O. Taylor  
567 West Douglas  
Wichita, Kansas

Subject: S/D 66-96 - Final Plat of Rockwood South  
Third Addition

Dear Mr. Taylor:

At its regular meeting on October 6, 1966, the Metropolitan Area Planning Commission considered the Final Plat of Rockwood South Third Addition. The action of the Planning Commission was to recommend that this plat be approved subject to:

1. The applicant providing a sidewalk adjacent to both sides of Armour Drive, and the north side of the Kellogg service road.
2. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to forwarding of the plat to the Board of City Commissioners; the total construction cost to be in the amount of \$4,945.
3. Consideration should be given as to whether Armour Court, north of Lot 1, is to be dedicated in whole or in part, and whether the adjoining sidewalk is to be installed and included with this plat. If the applicant desires to include the street and/or the sidewalk when the area to the north is platted, then a letter shall be submitted which states the applicant's agreement in assuming the cost of the sidewalk on the north side of Lot 1 at that time. Said letter shall commit the present applicant regardless of whether the area now being platted is sold off. (A satisfactory letter has been submitted.)

October 7, 1966

- on both*
4. The applicant guaranteeing, by either/a bond in the amount of \$80,000, or a petition for the installation of pavement for Armour Drive and the Kellogg frontage road adjacent to subject plat. Said assurances shall guarantee the installation of pavement in conformance with City Engineering plans "Proposed Pavement Alignment - Armour and Kellogg" and shall be submitted prior to releasing of the tracing for recording.
  5. Contracts, performance bonds or other like security covering the construction of the drainage channel to specifications of the Flood Control section of the Maintenance Division of the Department of Public Works, shall be submitted to the Planning Department prior to forwarding of the plat to the Board of City Commissioners.
  6. Recording within 30 days after approval by the Board of City Commissioners.

This matter will be forwarded to the Board of City Commissioners for their consideration at 9:00 a.m., Tuesday, October 11, 1966, in Room 201, City Building, 204 South Main, Wichita, Kansas.

If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:bgs

cc: Mr. Earl Graves  
Wheeler, Kelly, Hagny  
309 South Market

Mr. Charles W. Harris  
830 First National Bank Bldg.

## SUBDIVISION REPORT

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERS

## Subdivision Approval

S/D Number: **66-96** Name: **Rockwood South Third Addition**  
 Application Filed: **8-15-66** Sketch Filed: **None**  
 Preliminary Plat Filed: **8-15-66** Approved by S/D: **8-25-66**  
 Final Plat Filed: **9-19-66** Approved by S/D: **9-29-66**  
 Approved by Metropolitan Area Planning Commission: **10-6-66**

DESCRIPTION

General Location: **North side of Kellogg in an area west of Rock Road**

Owner: **Rock Road Improvement, Inc.**  
 Surveyor or Engineer: **K. O. Taylor**  
 Address: **567 West Douglas**

- |   |                                   |
|---|-----------------------------------|
| 1. Gross Acreage of Plat <u>23.55</u>     | 7. Lineal Feet of New Streets:    |
| 2. Number of Lots:                        | (a) <u>233</u> R/W <u>915</u> ft. |
| Residential _____                         | (b) _____ R/W _____ ft.           |
| Commercial <u>2</u>                       | (c) _____ R/W _____ ft.           |
| Industrial _____                          | (d) Total <u>915</u> ft.          |
| Other _____                               | 8. Total Area of New Streets:     |
| Total <u>2</u>                            | R/W <u>213,645</u> sq. ft.        |
| 3. Average Lot Frontage <u>800</u> ft.    | 9. Existing Zoning <b>"LC"</b>    |
| 4. Minimum Lot Frontage <u>305</u> ft.    | 10. Lot Area Required by          |
| 5. Average Lot Area <u>356,000</u> sq.ft. | Zoning _____ sq. ft.              |
| 6. Minimum Lot Area <u>355,800</u> sq.ft. |                                   |

Sidewalks required adjacent to the north side of Kellogg Drive and the east and west sides of Armour Drive. A performance bond has been submitted guaranteeing their construction.

Planning Commission Recommendation:

See attached sheet.

**ACTION:** Receive and file the performance bond guaranteeing construction of the sidewalks, the bond guaranteeing the removal of the temporary fill and completing final portion of the drainage channel, and the guarantee that Armour Drive and the Frontage Road will be constructed, and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

SUBDIVISION COMMITTEE RECOMMENDATION - SEPTEMBER 29, 1966:

The Committee recommends approval, subject to the following:

1. The applicant providing a sidewalk adjacent to both sides of Armour Drive, and the north side of the Kellogg service road.
2. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the City Commission; the total construction cost to be in the amount of \$4,945.
3. Consideration should be given as to whether Armour Court, north of Lot 1, is to be dedicated in whole or in part, and whether the adjoining sidewalk is to be installed and included with this plat. If the applicant desires to include the street and/or the sidewalk when the area to the north is platted, then a letter shall be submitted which states the applicant's agreement in assuming the cost of the sidewalk on the north side of Lot 1 at that time. Said letter shall commit the present applicant regardless of whether the area now being platted is sold off. (Satisfactory letter has been submitted.)
4. The applicant shall contact the Engineering Division of the Department of Public Works, concerning the preparation of a paving petition for Armour Drive. Said petition shall establish paving widths and benefit districts, and shall be submitted prior to the forwarding of the plat to the City Commission.
5. Contracts, performance bonds or other like security covering the construction of the drainage channel to specifications of the Flood Control Section of the Maintenance Division of the Department of Public Works shall be submitted to the Planning Department prior to the forwarding of the plat to the City Commissioners.
6. Recording within 30 days after approval by the City Commission.

-----  
**NOTE:** The conditions listed above are recommended conditions of approval of the Final Plat by the Subdivision Committee. The Planning Commission had not considered this final plat when this agenda was prepared.

**NOTE:** The Planning Staff will report the Planning Commission action as to the required guarantee assurances that Armour Drive and the frontage road extension will be constructed. If the installation of these facilities is not guaranteed, it is the recommendation of the Planning Department that the plat not be approved.  
-----

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That, we Rock Road Improvement, Inc. as Principal, and Seaboard Surety Company as Surety, are held and firmly bound unto the City of Wichita, County of Sedgwick and State of Kansas, in the sum of Five Thousand and No/100 (\$ 5,000.00) Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the City of Wichita for the development and improvement in Rockwood South Third Addition (name of subdivision) Plat located in Section 19 Township 27 South Range 2 East, Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal Rock Road Improvement, Inc. shall perform the following obligations and conditions:

1. Removal of temporary fill from U. S. 54 Service Road on Armour Drive in Rockwood Third Addition to complete final portion of drainage channel when permission to remove temporary service road construction by the State Highway Commission of Kansas and the City of Wichita is received.
2. \* N/A
3. \* N/A
4. \* N/A
5. Reimbursement to the City of Wichita at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

which obligations and each of them shall be performed on or before October 4, 1968 \*\* and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Department of Public Works of the City of Wichita.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the City may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the City may install said projects and pay for same out of said forfeited bond funds.

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans, specifications and provisions, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this 4th day of October, 1968.

Rock Road Improvement, Inc.  
By U. A. Denker President  
Seaboard Surety Company Surety  
By A. C. Hiebert Attorney-in-fact

\* Insert N/A (Not Applicable) when blanks are not used.

\*\* Insert date, 2 years following the date of approval of the final plat by the Planning Commission.

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 4th day of October, 1968, before me, a Notary Public in and for said County and State, came U. A. Denker and A. C. Hiebert (Principal) (Surety)

to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Earl Lynn Hiebert Notary Public

My Commission Expires: May 22, 1970

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

Certified Copy

# SEABOARD SURETY COMPANY

HOME OFFICE

NEW YORK, NEW YORK

No. \_\_\_\_\_

## POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That SEABOARD SURETY COMPANY, a corporation of the State of New York, has made, constituted and appointed and by these presents does make, constitute and appoint

of its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf insurance policies, surety bonds, undertakings and other instruments of similar nature as follows:

Such insurance policies, surety bonds, undertakings and instruments for said purposes, when duly executed by the aforesaid Attorney-in-Fact, shall be binding upon the said Company as fully and to the same extent as if signed by the duly authorized officers of the Company and sealed with its corporate seal; and all the acts of said Attorney-in-Fact, pursuant to the authority hereby given, are hereby ratified and confirmed.

This appointment is made pursuant to the following By-Laws which were duly adopted by the Board of Directors of the said Company on December 8th, 1927, and are still in full force and effect:

### ARTICLE IX, SECTION 1:

"Policies, bonds, recognizances, stipulations, consents of surety, underwriting undertakings and instruments relating thereto. Insurance policies, bonds, recognizances, stipulations, consents of surety and underwriting undertakings of the Company, and releases, agreements and other writings relating in any way thereto or to any claim or loss thereunder, shall be signed in the name and on behalf of the Company

(a) by the President, a Vice President or a Resident Vice President and by the Secretary, an Assistant Secretary, a Resident Secretary or a Resident Assistant Secretary; or

(b) by an Attorney-in-Fact for the Company appointed and authorized by the President or a Vice President to make such signature; or

(c) by such other officers or representatives as the Board may from time to time determine.

The seal of the Company shall if appropriate be affixed thereto by any such officer, Attorney-in-Fact or representative."

**IN WITNESS WHEREOF,** SEABOARD SURETY COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed and duly attested by its Assistant Secretary, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Attest: SEABOARD SURETY COMPANY,  
By \_\_\_\_\_

(Seal) \_\_\_\_\_ Assistant Secretary \_\_\_\_\_ Vice-President

STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss.:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally appeared \_\_\_\_\_ Vice-President of SEABOARD SURETY

COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said that he resides in the State of \_\_\_\_\_; that he is Vice-President of SEABOARD SURETY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

(Seal) \_\_\_\_\_ Notary Public

STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss.:

I, \_\_\_\_\_ Asst. Secretary of SEABOARD SURETY COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a power of attorney executed by said SEABOARD SURETY COMPANY, which is still in full force and effect.

**IN WITNESS WHEREOF,** I have signed this certificate at New York, New York, this \_\_\_\_\_ 4th day of \_\_\_\_\_, 19 66.

Assistant Secretary

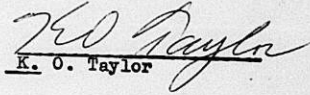


KENNETH D. TAYLOR  
Consulting Engineer  
567 WEST DOUGLAS  
WICHITA, KANSAS 67213  
October 4, 1966

Wichita-Sedgwick County MAPC  
City Building Annex  
Wichita, Kansas

Gentlemen:

This is to certify that irons have been set at all block corners  
in ROCKWOOD SOUTH THIRD ADDITION, Wichita, Sedgwick County,  
Kansas.

  
K. O. Taylor



PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That, we Rock Road Improvement, Inc. as Principal, and Seaboard Surety Company as Surety, are held and firmly bound unto the City of Wichita, County of Sedgwick and State of Kansas, in the sum of Four Thousand Nine Hundred Forty-Five and No/100 Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the City of Wichita for the development and improvement in Rockwood South Third Addition (name of subdivision) Plat located in Section 19, Township 27 South Range 2 East, Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal Rock Road Improvement, Inc. shall perform the following obligations and conditions:

1. Construction of sidewalk along south side and east side of Lot 1 abutting Kellogg Drive and Armour Drive and on south side and west side of Lot 2 abutting Kellogg Drive and Armour Drive in Rockwood South 3rd Addition.
2. N/A
3. N/A
4. N/A
5. Reimbursement to the City of Wichita at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

which obligations and each of them shall be performed on or before October 3, 1966 \*\* and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Department of Public Works of the City of Wichita.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the City may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the City may install said projects and pay for same out of said forfeited bond funds.

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans or specifications therefore, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this 3rd day of October, 1966

ROCK ROAD IMPROVEMENT, INC.  
By U. A. Denker Principal  
SEABOARD SURETY COMPANY  
By A. C. Hiebert Surety

\* Insert N/A (Not Applicable) when blanks are not used.

\*\* Insert date, 2 years following the date of approval of the final plat by the Planning Commission.

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 3rd day of October, 1966, before me, a Notary Public in and for said County and State, came U. A. Denker and A. C. Hiebert,  
(Principal) (Surety)

to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Evelyn Handlin Notary Public

My Commission Expires: May 22, 1970

Certified Copy

SEABOARD SURETY COMPANY

HOME OFFICE

NEW YORK, NEW YORK

No. 5579

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SEABOARD SURETY COMPANY, a corporation of the State of New York, has made, constituted and appointed and by these presents does make, constitute and appoint R. J. Hols or A. C. Amadoria or A. C. Elbert or James A. Davin or Hans Goshaw or Robert C. Brent or William H. Rutherford, Jr. or Evelyn Housh...

of Wichita, Kansas its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf insurance policies, surety bonds, undertakings and other instruments of similar nature as follows: Without Limitations.

Such insurance policies, surety bonds, undertakings and instruments for said purposes, when duly executed by the aforesaid Attorney-in-Fact, shall be binding upon the said Company as fully and to the same extent as if signed by the duly authorized officers of the Company and sealed with its corporate seal; and all the acts of said Attorney-in-Fact, pursuant to the authority hereby given, are hereby ratified and confirmed.

This appointment is made pursuant to the following By-Laws which were duly adopted by the Board of Directors of the said Company on December 8th, 1927, and are still in full force and effect:

ARTICLE IX, SECTION 1:

"Policies, bonds, recognizances, stipulations, consents of surety, underwriting undertakings and instruments relating thereto. Insurance policies, bonds, recognizances, stipulations, consents of surety and underwriting undertakings of the Company, and releases, agreements and other writings relating in any way thereto or to any claim or loss thereunder, shall be signed in the name and on behalf of the Company

(a) by the President, a Vice President or a Resident Vice President and by the Secretary, an Assistant Secretary, a Resident Secretary or a Resident Assistant Secretary; or

(b) by an Attorney-in-Fact for the Company appointed and authorized by the President or a Vice President to make such signature; or

(c) by such other officers or representatives as the Board may from time to time determine."

The seal of the Company shall if appropriate be affixed thereto by any such officer, Attorney-in-Fact or representative."

IN WITNESS WHEREOF, SEABOARD SURETY COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed and duly attested by its Assistant Secretary, this 20th day of September, 1966.

Attest:

SEABOARD SURETY COMPANY, By

(Seal) D. C. Hols Assistant Secretary

W. S. Wehrroll Vice-President

STATE OF NEW YORK COUNTY OF NEW YORK } ss.:

On this 20th day of September, 1966, before me personally appeared W. S. Wehrroll, Vice-President of SEABOARD SURETY COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said that he resides in the State of New York; that he is Vice-President of SEABOARD SURETY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

(Seal)

STATE OF NEW YORK COUNTY OF NEW YORK } ss.: B. C. Hols

Notary Public State of New York No. 31-580525 Qualified in New York County Certificate Filed in New York County Commission Expires March 30, 1968.

I, SEABOARD SURETY COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a power of attorney executed by said SEABOARD SURETY COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have signed this certificate at New York, New York, this 3rd day of October, 1966.

Assistant Secretary



ROCK ROAD  
Improvement, Inc.  
Wichita, Kansas.



P.O. Box 2281

October 3, 1966



Wichita Area Metropolitan Planning Commission  
Wichita, Kansas

Re: Rockwood South 3rd Addition  
Drainage Channel

Gentlemen:

Upon the elimination of the present temporary service road across the drainage channel on Armour in Rockwood 3rd Addition plat, this is to advise you that we will remove this fill and complete this portion of the drainage channel to Wichita-Sedgwick County Flood Control engineer's satisfaction when permission is given us to remove said temporary crossing of the drainage channel by the State Highway Commission or the City of Wichita.

Yours very truly,

Earl T. Graves  
Assistant Secretary

ETG:elh



**TITLE INSURANCE COMMITMENT**

and/or

**INSURED TITLES, INC.,  
WICHITA, KANSAS**

**TITLE BINDER**

Application No. \_\_\_\_\_ Amount of Insurance \_\_\_\_\_  
 Effective Date: October 3, 1966 Owner \$ \_\_\_\_\_  
 at 7 A.M. Mortgagee \$ \_\_\_\_\_

**APPLICANT TO BE INSURED**

~~Purchaser~~ **TO:** Wichita Sedgwick County Metropolitan Area Planning Commission  
Wichita, Kansas  
~~Mortgagee:~~ \_\_\_\_\_

**SCHEDULE A**

The fee simple title to said land is at the date hereof vested in:

**Rock Road Improvement, Inc.**

The land referred to herein is described as follows:

(attached hereto)

**SCHEDULE B**

In addition to the items recited on the face of this Title Binder, and the Conditions and Stipulations in the Company's usual form of policy, the premises in question are, as of the effective date hereof, subject to the following:

1. Restrictive covenants to be imposed subsequent to recordation of Plat.
2. General taxes and special assessments, payable subsequent to the date hereof.
3. Utility easements and road rights of way, if any, to be dedicated in Plat.
4. Any state of fact dependent upon survey for determination.
5. Rights of Parties in Possession.
6. Unfiled liens for labor or material.
7. Easements and/or rights of way of record.

(1965 and prior years general and special taxes are paid.)

**SCHEDULE C**

REQUIREMENTS TO BE COMPLIED WITH BEFORE POLICY OF TITLE INSURANCE WILL BE ISSUED WITHOUT EXCEPTION THERETO.

- (a) File properly approved plat of Rockwood South Third Addition.
- (b) File release two mortgage trust indentures recorded October 24, 1961 in Volume 1420, pages 190 and 194, wherein Trustees named are M. M. Williams, Walter P. Innes, Jr. and George M. Brown.



Note: There have been no restrictions as to race, color, or creed filed subsequent to February 15, 1950, unless specifically shown under Schedule B above.



**TITLE INSURANCE COMMITMENT**

**INSURED TITLES, INC.,  
WICHITA, KANSAS**

and/or

**TITLE BINDER**

Application No. \_\_\_\_\_  
Effective Date: October 3, 1966  
at 7 A.M.

Amount of Insurance \_\_\_\_\_  
Owner \$ \_\_\_\_\_  
Mortgagee \$ \_\_\_\_\_

**APPLICANT TO BE INSURED**

~~Purchaser~~ **TO:** Wichita Sedgwick County Metropolitan Area Planning Commission  
Wichita, Kansas  
~~Mortgagee:~~ \_\_\_\_\_

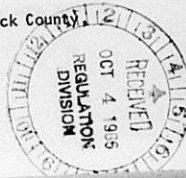
**SCHEDULE A**

The fee simple title to said land is at the date hereof vested in:

Rock Road Improvement, Inc.

Beginning at a point 450 feet east of the intersection of the west line of the SE $\frac{1}{4}$  of Section 19, T27S, R2E of the 6th P.M. and 20 feet north of the north right of way line of U.S. Highway 54; thence east parallel to the north line of said Highway right of way, 439.75 feet; thence north at right angles, 30 feet; thence east at right angles, 166 feet; thence south at right angles, 30 feet; thence east parallel to and 20 feet north of the north line of said Highway right of way, 380.6 feet; thence north at an interior angle of 89°32', 915 feet; thence west parallel to said north line of said Highway right of way, 622.3 feet; thence south at an interior angle of 89°32', 115 feet; thence west parallel to said north line of said Highway right of way, 430.32 feet to the P.C. of a curve; thence northwesterly on a curve to the right having a radius of 130 feet and a deflection angle of 44°05', a distance of 100.02 feet; thence southwesterly 112.92 feet to a point 205 feet east of the west line of said SE $\frac{1}{4}$ ; thence south parallel to the west line of said SE $\frac{1}{4}$ , 258 feet to the north line of Lot 2, Rockwood South First Addition to Wichita, Kansas; thence east 245 feet to the NE corner of said Lot 2 in said Addition; thence south on the east line of said Lot 2, 500 feet to the point of beginning.

(to be platted as "ROCKWOOD SOUTH THIRD ADDITION", Wichita, Sedgwick County, Kansas.)



7. Easements and/or rights of way of record.

(1965 and prior years general and special taxes are paid.)

**SCHEDULE C**

REQUIREMENTS TO BE COMPLIED WITH BEFORE POLICY OF TITLE INSURANCE WILL BE ISSUED WITHOUT EXCEPTION THERETO.

- (a) File properly approved plat of Rockwood South Third Addition.
- (b) File release two mortgage trust indentures recorded October 24, 1961 in Volume 1420, pages 190 and 194, wherein Trustees named are M. M. Williams, Walter P. Innes, Jr. and George M. Brown.



Note: There have been no restrictions as to race, color, or creed filed subsequent to February 15, 1950, unless specifically shown under Schedule B above.

**NOTICE TO APPLICANT:**

This **TITLE BINDER** is issued preparatory to the issuance of your **TITLE POLICY**. The **POLICY** will be issued upon the elimination of such exceptions and your procuring and recording such instruments as may be necessary to establish title according to your application.



**INSURED TITLES INC.**

WICHITA, KANSAS

Under supervision of Insurance Commissioner,  
of the State of Kansas

**TITLE BINDER**

INSURED TITLES, INC., hereinafter called Company, will issue its usual form of **OWNER'S POLICY** and/or **MORTGAGEE'S POLICY** to the applicant(s) and in the amount(s) hereinafter set forth insuring the applicant's interest in the premises described under Schedule A herein, upon payment of the full consideration for such policies, subject only to those matters set forth which are not eliminated prior to the issuance of said **TITLE POLICIES**.

IT IS EXPRESSLY UNDERSTOOD THAT THIS **TITLE BINDER** IS ISSUED SUBJECT TO SUCH DEFECTS IN TITLE, NOT APPEARING OF RECORD, AS MAY BE KNOWN TO THE INSURED BUT NOT DISCLOSED TO THE COMPANY IN WRITING, AND INCORPORATES HEREIN THE SAME CONDITIONS AND STIPULATIONS WHICH APPEAR ON THE COMPANY'S USUAL FORMS OF **TITLE INSURANCE POLICIES**. COPIES OF THESE CONDITIONS AND STIPULATIONS WILL BE FURNISHED UPON REQUEST.

In addition to the matters contained in the Conditions and Stipulations above referred to, this **Title Binder** is also subject to the following:

1. Rights or claims of parties in possession, including roads and easements, not of record.
2. Questions involving any boundaries, quantities, locations or measurements of land, any locations or extensions of improvements largely dependent on actual survey for determination.
3. Liens arising from claims for labor or material not shown of record.
4. Ordinances, laws or regulations enacted by Governmental authority.
5. Taxes and assessments which become payable subsequent to the effective date hereof.
6. Any change in title occurring subsequent to the effective date of this **Title Binder** and prior to the issuance of the **TITLE POLICY**.

This **Title Binder** shall not be valid until countersigned by an officer or authorized agent of the Company and shall be binding for a period not to exceed six months from the effective date hereof pending issuance of the **TITLE POLICY**.

IN WITNESS WHEREOF, Insured Titles, Inc., hath caused its corporate seal to be hereto affixed and these presents to be signed in facsimile under authority of its by-laws.

Countersigned and Validated



INSURED TITLES, INC.

*[Signature]*  
Executive Vice-President

ATTEST:

*[Signature]*  
Secretary

By *[Signature]*  
Authorized Officer or Agent

**ROCK ROAD  
Improvement, Inc.**  
Wichita, Kansas.



P. O. Box 2281

September 30, 1966

Wichita Metropolitan Planning Commission  
City Building  
Wichita, Kansas

Re: Rockwood South 3rd Addition

Gentlemen:

With reference to the sidewalk requirements in connection with the approval of Rockwood South 3rd Addition plat, said sidewalk to be installed on the North side of Lot 1, Rockwood South 3rd Addition, this is to advise you that at the time the street is platted on the North side of Lot 1, the sidewalk will be installed by either the developer, Rock Road Improvement, Inc., or Turner Ford, Inc. who has agreed to pay all special assessments to be levied against Lot 1, Rockwood South 3rd Addition.

Yours very truly,

U. A. Denker, President

UAD:elh

APPROVED:

Turner Ford, Inc.

By:

  
Lionel Turner

September 30, 1966

Mr. K. O. Taylor  
567 West Douglas  
Wichita, Kansas

Subject: S/D 66-96 Final Plat of  
ROCKWOOD SOUTH THIRD ADDITION

Dear Mr. Taylor:

At its regular meeting on September 29, the Subdivision Committee of the Metropolitan Area Planning Commission considered the Final Plat of ROCKWOOD SOUTH THIRD ADDITION. The action of the Subdivision Committee was to recommend that this plat be approved subject to:

1. The applicant providing a sidewalk adjacent to both sides of Armour Drive, and the north side of the Kellogg Service Road.

OK

The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the Board of City Commissioners; the total construction cost to be in the amount of \$4,945.

OK

Consideration should be given as to whether Armour Court, north of Lot 1, is to be dedicated in whole or in part, and whether the adjoining sidewalk is to be installed and included with this plat. If the applicant

3. (cont.) desires to include the street and/or the sidewalk when the area to the north is platted, then a letter shall be submitted which states the applicant's agreement in assuming the cost of the sidewalk on the north side of Lot 1 at that time. Said letter shall commit the present applicant regardless of whether the area now being platted is sold off.
4. The applicant shall contact the Engineering Division of the Department of Public Works concerning the preparation of a paving petition for Armour Drive. Said petition shall establish paving widths and benefit districts, and shall be submitted prior to the forwarding of the plat to the Board of City Commissioners.
5. Contracts, performance bonds or other like security covering the construction of the drainage channel to specifications of the Flood Control Section of the Maintenance Division of the Department of Public Works shall be submitted to the Planning Department prior to the forwarding of the plat to the Board of City Commissioners.
6. Recording within 30 days after approval by the Board of City Commissioners.

**NOTE:** When the Rockwood South Community Unit Plan was approved, the anticipated use of Parcels RS-1 and RS-7, or Lot 1 and Lot 2 of the subject plat, was for some type of automotive centers. Again, it should be pointed out that prior to the issuance of building permits for the construction of the above-mentioned type of use, the applicant will need to file for an exception before the Board of Zoning Appeals. If any body and fender work is

Page -3-  
September 30, 1966

anticipated it will be necessary that the applicant file an application for change of zoning from "LC" to "C" for that portion intended to be used for this purpose.

This matter will be forwarded to the Metropolitan Area Planning Commission for its consideration on October 6, 1966.

Enclosed please find a "marked copy" of the Final Plat for your information and files.

If you have any questions concerning this matter, please call.

Very truly yours,

Jack H. Galbraith  
Senior Planner

JHG:sa  
Enclosure

cc: Rock Road Improvement, Inc.  
309 South Market  
Wichita, Kansas

Earl Graves  
Wheeler, Kelly, & Hagny  
309 South Market  
Wichita, Kansas

FINAL PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D No. 66-96 NAME ROCKWOOD SOUTH THIRD ADDITION  
DATE APPLICATION REC'D 8-15-66 PRELIMINARY APPROVAL 8-25-66

DESCRIPTION

GENERAL LOCATION On the north side of Kellogg in an area west of  
Rock Road  
OWNER Rock Road Improvement, Inc.  
SURVEYOR/ENGINEER K. O. Taylor  
ADDRESS 567 West Douglas

1. GROSS ACREAGE OF PLAT	<u>23.55</u>	7. LINEAL FEET OF NEW STREETS:	
2. NUMBER OF LOTS:		(A) <u>233</u> R/W <u>915</u>	FT.
RESIDENTIAL		(B) _____ R/W _____	FT.
COMMERCIAL <u>2</u>		(C) _____ R/W _____	FT.
INDUSTRIAL _____		(D) TOTAL <u>915</u>	FT.
OTHER _____		8. TOTAL AREA OF NEW STREET	
TOTAL <u>2</u>		R/W <u>213,645</u>	SQ.FT.
3. AVERAGE LOT FRONTAGE <u>800</u>	FT.	9. EXISTING ZONING <u>"LC"</u>	
4. MINIMUM LOT FRONTAGE <u>305</u>	FT.	10. PROPOSED ZONING <u>"LC"</u>	
5. AVERAGE LOT AREA <u>356,000</u>	SQ.FT.	11. LOT AREA REQUIRED BY	
6. MINIMUM LOT AREA <u>355,800</u>	SQ.FT.	ZONING _____	SQ.FT.

STAFF COMMENTS:

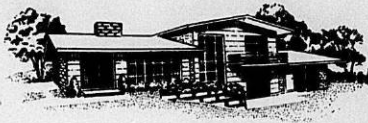
1. The applicant providing a sidewalk adjacent to both sides of Armour Drive, the south side of Armour Court, and the north side of the Kellogg Service Road.
2. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the Board of City Commissioners; the total construction cost to be in the amount of \$5,844.
3. Consideration should be given as to whether Armour Court, north of Lot 1, is to be dedicated in whole or in part, and whether the adjoining sidewalk is to be installed and included with this plat. If the applicant desires to include the street and/or the sidewalk when the area to the north is platted, then a letter shall be submitted which states the applicant's agreement in assuming the cost of the sidewalk on the north side of Lot 1 at that time. Said letter shall commit the present applicant regardless of whether the area now being platted is sold off.
4. The applicant shall contact the Engineering Division of the Department of Public Works concerning the preparation of a paving petition for Armour Drive. Said petition shall establish paving widths and benefit districts, and shall be submitted prior to the forwarding of the plat to the Board of City Commissioners.
5. Contracts, performance bonds or other like security covering the construction of the drainage channel to specifications of the Flood Control Section of the Maintenance Division of the Department of Public Works shall be submitted to the Planning Department prior to the forwarding of the plat to the Board of City Commissioners.
6. Recording within 30 days after approval by the Board of City Commissioners.

FINAL PLAT  
SUBDIVISION REPORT

PAGE 4

NOTE: When the Rockwood South Community Unit Plan was approved, the anticipated use of Parcels RS-1 and RS-7, of Lot 1 and Lot 2 of the subject plat, was for some type of automotive center. Here again, it should be pointed out that prior to the issuance of building permits for the construction of the automotive type of use, the applicant will need to file for an exemption before the Board of Zoning Appeals.

**ROCK ROAD  
Improvement, Inc.  
Wichita, Kansas.**



**P.O. Box 2281**

September 20, 1966

Wichita Metropolitan Planning Commission  
City Building  
Wichita, Kansas

Re: Rockwood South, 3rd Addition

Gentlemen:

In connection with the sidewalk to be installed on the north side of Lot 1, Rockwood South, 3rd Addition, this is to advise you that at the time the street is platted on the north side of Lot 1 the sidewalk will be installed by the developer, at that time, since it is not our desire to plat this street at this time.

Yours very truly,

U. A. Denker  
President

UAD:hed

NOT SUFFICIENT  
JDG



August 26, 1966

Mr. K. O. Taylor  
567 West Douglas  
Wichita, Kansas

Subject: S/D 66-96 - Preliminary Plat of Rockwood South Third  
Addition

Dear Mr. Taylor:

At its regular meeting on August 25, 1966, the Subdivision Committee of the Metropolitan Area Planning Commission considered the Preliminary Plat of Rockwood South Third Addition. The action of the Subdivision Committee was to approve the preliminary plat and authorize preparation of the final plat subject to the following conditions:

1. The applicant providing a sidewalk adjacent to both sides of Armour Drive, the south side of Armour Court, and the north side of the Kellogg Service Road.
2. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the Board of City Commissioners; the total construction cost to be in the amount of \$5,844.

OK.

Dedicating 10 feet of right-of-way for the Kellogg Service Road.

4. The Engineering Division of the Department of Public Works will need to check the geometrics of the street right-of-way along Kellogg, relative to the connecting of the frontage road with the intersection at Armour and Kellogg.
5. Consideration should be given as to whether Armour Court, north of Lot 1, is to be dedicated in whole or in part, and whether the adjoining sidewalk is to be installed and included with this plat. If the applicant desires to include the street and/or the sidewalk when the area to the north is platted, then a letter shall be submitted which states the applicant's

Mr. K. O. Taylor

August 26, 1966

agreement in assuming the cost of the sidewalk on the north side of Lot 1 at that time. Said letter shall commit the present applicant regardless of whether the area now being platted is sold off.

6. The applicant shall contact the Engineering Division of the Department of Public Works concerning the preparation of a paving petition for Armour Drive. Said petition shall establish paving widths and benefit districts, and shall be submitted prior to the forwarding of the plat to the Board of City Commissioners.
7. Contracts, performance bonds or other like security covering the construction of the drainage channel to specifications of the Flood Control Section of the Maintenance Division of the Department of Public Works, shall be submitted to the Planning Department prior to the forwarding of the plat to the Board of City Commissioners. The amount of said bond or like security shall be determined by the Flood Control Section and be forwarded to the applicant at the time the plat is heard by the Metropolitan Area Planning Commission.

OK  
OK  
Indicating an 8-foot utility easement adjacent to the west line of Lot 1.

Indicating an 8-foot utility easement adjacent to the east line of Lot 2 and a 16-foot utility easement lying immediately south of the 30-foot fire lane easement lying along the north line of Lot 2.

10. Requirements for a final plat (see pages 4 and 5 of the Subdivision Rules and Regulations).

NOTE: When the Rockwood South Community Unit Plan was approved, the anticipated use of Parcels RS-1 and RS-7, or Lot 1 and Lot 2 of the subject plat, was for some type of automotive centers. Here again, it should be pointed out that prior to the issuance of building permits for the construction of the above-mentioned type of use, the applicant will need to file for an exception before the Board of Zoning Appeals.

Enclosed herewith is the marked Engineer's copy of the preliminary plat for your information and files.

Mr. K. O. Taylor

August 26, 1968

If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:JHG:jmm  
Enclosure

cc: Rock Road Improvement, Inc.  
309 South Market

PRELIMINARY PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE

S/D No. 66-96 NAME ROCKWOOD SOUTH THIRD ADDITION  
DATE APPLICATION REC'D 8-15-66 S/D COMMITTEE MEETING 8-25-66

DESCRIPTION

GENERAL LOCATION On the north side of Kellogg in an area west of Rock Road.

OWNER Rock Road Improvement, Inc.  
SURVEYOR/ENGINEER K. O. Taylor PHONE AM 4-4072  
ADDRESS 567 West Douglas

1. GROSS ACREAGE OF PLAT	<u>23.55</u>	7. LINEAL FEET OF NEW STREETS:	
2. NUMBER OF LOTS:		(A)	<u>233</u> R/W <u>915</u> FT.
RESIDENTIAL		(B)	_____ R/W _____ FT.
COMMERCIAL	<u>2</u>	(C)	_____ R/W _____ FT.
INDUSTRIAL		(D)	TOTAL <u>915</u> FT.
OTHER		8. TOTAL AREA OF NEW STREET	
TOTAL	<u>2</u>	R/W	<u>213,645</u> SQ.FT.
3. AVERAGE LOT FRONTAGE	<u>800</u> FT.	9. EXISTING ZONING	<u>"LC"</u>
4. MINIMUM LOT FRONTAGE	<u>305</u> FT.	10. PROPOSED ZONING	<u>"LC"</u>
5. AVERAGE LOT AREA	<u>356,000</u> SQ.FT.	11. LOT AREA REQUIRED BY	
6. MINIMUM LOT AREA	<u>355,800</u> SQ.FT.	ZONING	_____ SQ.FT.

STAFF COMMENTS:

THIS PRELIMINARY PLAT COMPLIES WITH THE SUBDIVISION RULES AND REGULATIONS EXCEPT AS FOLLOWS:

1. Dedicating 10 feet right-of-way for the Kellogg Service Road.
2. The applicant providing a sidewalk adjacent to both sides of Armour Drive, the south side of Armour Court, and the north side of the Kellogg Service Road.
3. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the Board of City Commissioners; the total construction cost to be in the amount of \$5,844.
4. The Engineering Division of the Department of Public Works will need to check the geometrics of the street right-of-way along Kellogg, relative to the connecting of the frontage road with the intersection at Armour and Kellogg.
5. The question should be discussed as to whether Armour Court, north of Lot 1 should be dedicated in whole or in part, and whether sidewalks should be required at this time. A letter of agreement from the platator that the cost of a sidewalk on the north side of Lot 1 will be accepted as a part of the next plat to the north might be considered.
6. Consideration should be given to requiring a paving petition for Armour Drive, establishing pavement width and benefit districts.
7. Contracts, performance bonds or other like security covering the construction of the drainage channel to specifications of the Flood Control Section of the Maintenance Division of the Department of Public Works
8. Requirements for a final plat (see pages 4 & 5 of the Subdivision Rules and Regulations).

PRELIMINARY PLAT  
SUBDIVISION REPORT  
PAGE -2-  
ROCKWOOD SOUTH THIRD ADDITION

NOTE: When the Rockwood South Community Unit Plan was approved the anticipated use of parcels RS-1 and RS-7, or Lot 1 and Lot 2 of the subject plat, was for some type of automotive centers. Here again it should be pointed out that prior to the issuance of building permits for the construction of the above mentioned type of use, the applicant will need to file for an exception before the Board of Zoning Appeals.

MAP No.: 5947  
SEC. No.: 19  
TWP. No.: 27  
RANGE: 2E

S/D No. 66-96

APPLICATION FOR SUBDIVISION APPROVAL

NAME OF SUBDIVISION: Rockwood South Third Addition

GENERAL LOCATION: North of Kellogg <sup>In area</sup> West of Rock Road to 384 19 27 28

NAME OF PROPERTY OWNER: Rock Road Improvement, Inc. PHONE: AM 2-1114

ADDRESS: 309 South Market

NAME OF SUBDIVIDER: Same PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME OF AGENT/SURVEYOR: K. O. Taylor PHONE: AM-4072

ADDRESS: 567 West Douglas

DATE OF APPLICATION: Aug. 12, 1966

SUBDIVISION INFORMATION:

1. GROSS ACREAGE OF PLOT 23.55
2. NUMBER OF LOTS:  
RESIDENTIAL \_\_\_\_\_  
COMMERCIAL 2  
INDUSTRIAL \_\_\_\_\_  
OTHER \_\_\_\_\_
3. AVERAGE LOT FRONTAGE 800 FT.
4. MINIMUM LOT FRONTAGE 305 FT.
5. AVERAGE LOT AREA 356,000 SQ. FT.
6. MINIMUM LOT AREA 355,800 SQ. FT.

7. LINEAL FEET OF NEW STREETS:  
A. 233 Ave. R/W 915 FT.  
B. \_\_\_\_\_ R/W \_\_\_\_\_ FT.  
C. \_\_\_\_\_ R/W \_\_\_\_\_ FT.  
D. TOTAL 915 FT.

8. TOTAL AREA OF NEW STREET R/W: 213,645 SQ. FT.

9. EXISTING ZONING IC
10. PROPOSED ZONING IC

11. PUBLIC WATER SUPPLY Yes (YES-No), NAME City of Wichita
12. PUBLIC SANITARY SEWERS Yes (YES-No), NAME City of Wichita (YES-No)
13. HEALTH DEPARTMENT APPROVAL (WHERE APPLICABLE) No
14. CITY OF WICHITA OR 3 MILE AREA: City of Wichita

THE APPLICANT HEREIN AGREES TO COMPLY WITH THE SUBDIVISION RULES AND REGULATIONS FOR THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA, AS AMENDED, AND ALL OTHER PERTINENT ORDINANCES OF THE CITY OF WICHITA AND/OR RESOLUTIONS OF SEDGWICK COUNTY, KANSAS, AND STATUTES OF THE STATE OF KANSAS. THE APPLICANT FURTHER AGREES THAT HE WAIVES THE 60-DAY STATUTORY PERIOD IN WHICH THE PLANNING COMMISSION OR GOVERNING BODY MUST ACT. THE UNDERSIGNED FURTHER STATES THAT HE IS THE OWNER OR IS THE AUTHORIZED AGENT FOR THE OWNER(S).

OWNER'S SIGNATURE: \_\_\_\_\_  
BY: K. O. Taylor AGENT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA  
PLANNING COMMISSION, ROOM 402, CITY BUILDING  
ANNEX, 104 SOUTH MAIN STREET, WICHITA, KANSAS.

RECEIVED BY John West  
DATE 8-15-66  
\$26 fee submitted



S/D-1 M.A.P.C. 7-23-58 (REV. 10-62)

T21-301

MAP No.: \_\_\_\_\_  
SEC. No.: \_\_\_\_\_  
TWP. No.: \_\_\_\_\_  
RANGE: \_\_\_\_\_

S/D No. \_\_\_\_\_

APPLICATION FOR SUBDIVISION APPROVAL

NAME OF SUBDIVISION: Rockwood South Third Addition

GENERAL LOCATION: North of Kellogg-West of Rock Road in Sec 19-27-2E

NAME OF PROPERTY OWNER: Rock Road Improvement, Inc. PHONE: AM 2-1414  
ADDRESS: 309 South Market

NAME OF SUBDIVIDER: Same PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

NAME OF AGENT/SURVEYOR: K. O. Taylor PHONE: AM 4-1072  
ADDRESS: 567 West Douglas

DATE OF APPLICATION: Aug. 12, 1966

SUBDIVISION INFORMATION:

1. GROSS ACREAGE OF PLAT 23.55  
2. NUMBER OF LOTS:  
RESIDENTIAL \_\_\_\_\_  
COMMERCIAL 2  
INDUSTRIAL \_\_\_\_\_  
OTHER \_\_\_\_\_  
TOTAL NUMBER OF LOTS 2  
3. AVERAGE LOT FRONTAGE 300 FT.  
4. MINIMUM LOT FRONTAGE 305 FT.  
5. AVERAGE LOT AREA 356,000 sq. FT.  
6. MINIMUM LOT AREA 355,800 sq. FT.

7. LINEAL FEET OF NEW STREETS:  
A. 233 Ave. R/W 915 FT.  
B. \_\_\_\_\_ R/W \_\_\_\_\_ FT.  
C. \_\_\_\_\_ R/W \_\_\_\_\_ FT.  
D. TOTAL 915 FT.

8. TOTAL AREA OF NEW STREET R/W:  
213,645 sq. FT.

9. EXISTING ZONING LC  
10. PROPOSED ZONING LC

11. PUBLIC WATER SUPPLY Yes (YES-No), NAME City of Wichita  
12. PUBLIC SANITARY SEWERS Yes (YES-No), NAME City of Wichita (Yes-No)  
13. HEALTH DEPARTMENT APPROVAL (WHERE APPLICABLE) No  
14. CITY OF WICHITA OR 3 MILE AREA: City of Wichita

THE APPLICANT HEREIN AGREES TO COMPLY WITH THE SUBDIVISION RULES AND REGULATIONS FOR THE WICHITA-SEDDGWICK COUNTY METROPOLITAN AREA, AS AMENDED, AND ALL OTHER PERTINENT ORDINANCES OF THE CITY OF WICHITA AND/OR RESOLUTIONS OF SEDGWICK COUNTY, KANSAS, AND STATUTES OF THE STATE OF KANSAS. THE APPLICANT FURTHER AGREES THAT HE WAIVES THE 60-DAY STATUTORY PERIOD IN WHICH THE PLANNING COMMISSION OR GOVERNING BODY MUST ACT. (THE UNDERSIGNED FURTHER STATES THAT HE IS THE OWNER OR IS THE AUTHORIZED AGENT FOR THE OWNER(S).)

OWNER'S SIGNATURE: \_\_\_\_\_

BY: K. O. Taylor  
AGENT

WICHITA-SEDDGWICK COUNTY METROPOLITAN AREA  
PLANNING COMMISSION, ROOM 402, CITY BUILDING  
ANNEX, 104 SOUTH MAIN STREET, WICHITA, KANSAS.

RECEIVED BY \_\_\_\_\_  
DATE \_\_\_\_\_

S/D-1 M.A.P.C. 7-23-58 (REV. 10-62)

T21-301

Form 223-021

**PAYMENT NOTICE**

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>216 (contract)</i>	<i>26.32</i>

Name *South Park Inc*

Address *307 South Market*

Type <i>P-118</i>	Due Date <i>8-15-66</i>
-------------------	-------------------------

Comments:

Date <i>8-15-66</i>	By <i>Ellowers</i>
---------------------	--------------------