

FLAT NO. S/D 69-14 MAP NO. 5542

NAME ALLISON ADDITION

LOCATION Between MacArthur Rd. & 43rd St. So.
on the east side of Broadway.

ENGINEER: Reiss & Goodness

OWNER Richard Allison

APPLICATION FILED 1-27-69

SKETCH FLAT FILED 1-27-69

PRELIMINARY FILED 7-2-69

S/D ACTION 7-17-69 Approve

FINAL FILED 12-2-69

S/D ACTION 12-18-69 Approve

MAPC ACTION 12-22-69 Approve

BCC ACTION 1-27-70

RECORDED 2-24-70

REMARKS _____

S/D 69-14 - ALLISON ADDITION -
Between MacArthur Rd. & 43rd St. St
and on the east side of Broadway.

ACTION

DATE

S/D COMMITTEE (Pre-Plan) Approved 7-17-69
S/D Committee (Final) Approved 12-18-69
M.A.P.C. Approved 12-22-69

B.C.C. / Approved 1-27-70

Map No. 5542
Sec. No. 16
Twp. No. 28
Range 1E

Subdivision Report and Progress
S/D No.: 69-14

Name: ALLISON ADDITION

General Location: Between MacArthur Rd. & 43rd St. So. on the east side of Broadway.

Owner: Richard D. Allison, Sr.

Address: 634 S. Chautauqua (11) Phone: MU 60041

AGENT Subdivider: same BILL FARMER, ATT'Y.

Address: BEACON BLDG. Phone: _____

Engineer/Surveyor: Reiss & Goodness

Address: 2160 E. Douglas Phone: AM 4-1391

Application Received 1-27-69
Conf. with Applicant None
Sketch Plat Received 1-27-69
Present Zoning LC
Proposed Zoning C
Letter of Intent 2-24-69

PREL. PLAT RECEIVED 7-2-69
S/D Comm. Action 7-17-69 Approve

Dept. Report on Prel. 7-29-69

TRACING PROGRESS:

Received 12-2-69
Released 12-22-69
Received 12-29-69
Released 1-30-70

FINAL PLAT RECEIVED 12-2-69
S/D Comm. Action 12-18-69 Approve

Dept. Report on Final 12-19-69
M.A.P.C. ACTION 12-22-69 Approve
Dept. Report on Final 12-23-69
Letter on Irons Received 12-2-69
Title/Taxes Rec'd & Reviewed 1-8-70
Final Review 1-22-70
Referral to B.C.C. 1-22-70

B.C.C. ACTION 1-27-70 Approve

Recorded 2-24-70

Comments:

7-1065 Associated Zone Case - "LC" to "C"
1-30-70 Called Don Allison to pick up tracing for recording

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

Allison ADDITION was
filed for record on February 24, 1970

Drawer: R-1 8-10
2-24-70
sl
T9-328

John H. Webb
Register Of Deeds

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number	69-14	Name	ALLISON ADDITION
Application Filed:	1-27-69	Sketch Filed:	1-27-69
Preliminary Plat Filed:	7-2-69	Approved by S/D:	7-17-69
Final Plat Filed:	12-2-69	Approved by S/D:	12-18-69
Approved by Metropolitan Area Planning Commission:			12-22-69

DESCRIPTION

General Location: Between MacArthur Road and 43rd Street South
on the east side of Broadway

Surveyor or Engineer: Reiss & Goodness
Owner: Richard D. Allison, Sr.
Address: 634 South Chautauqua

- | | | |
|--------------------------|--------------------------|---|
| 1. Gross Acreage of Plat | <u>10.953</u> | 5. Lineal Feet of New Streets: |
| 2. Number of Lots: | | a. <u>35</u> R/W <u>960</u> ft. |
| Residential | _____ | b. <u>20</u> R/W <u>360</u> ft. |
| Commercial | <u>1</u> | c. _____ R/W <u>362.78</u> ft. |
| Industrial | _____ | d. _____ R/W _____ ft. |
| Other | _____ | e. _____ R/W _____ ft. |
| Total Number of Lots: | <u>1</u> | TOTAL <u>1,320</u> ft. |
| 3. Minimum Lot Frontage: | <u>362.78</u> ft. | 6. Existing Zoning: <u>3642 "C" & "A"</u> |
| 4. Minimum Lot Area | <u>2,021,842</u> sq. ft. | |
| | <u>221,840 sq. ft.</u> | |

Petitions have been submitted guaranteeing the extension of sanitary sewer and for the construction of a sidewalk adjacent to the east side of Broadway. A "certificate" has also been submitted certifying the petitions.

Planning Commission Recommendation:

HENNESSY moved and TROUT seconded that the Planning Commission recommend to the City Commission that this plat be approved, subject to:

- Approval of the plat is subject to the approval of the associated zone Case Z-1065 - "LC" to "C".
 - The applicant shall submit a contingent dedication of street right of way for the north 35 feet of the plat, which shall be such that the City of Wichita has the right of way at such time as it is actually needed for street purposes. This instrument should also commit the corporation of the present and all future owners of the property, in the executing of a paving petition for said right of way.
 - To be recorded within 30 days after approval by the City Commission.
- Vote of Planning Commission: Unanimous

ACTION: Approve the petitions and instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the certificate and contingent dedication with the Register of Deeds, the publication and filing costs of which shall be paid by the applicant; and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

CERTIFICATE

City of Wichita)
Sedgwick County) ss
State of Kansas)

I, Richard D. & Juanita W. Allison, owner and plat-
tor of ALLISON Addition, do hereby
certify that petitions for the following improvements have been
submitted to the Board of Commissioners of the City of Wichita,
Kansas:

1. Providing for the construction of a sidewalk on the east side of Broadway.
2. Providing for the extension of sanitary sewer to serve said addition
3. N/A
4. N/A
5. N/A
6. N/A
7. N/A

As a result of the above-mentioned petitions for im-
provements, lots within ALLISON Addition
may be subject to special assessments assessed thereto for the
cost of constructing the above-described improvements.

Signed this 23rd day of January, 1970.

Richard D. Allison
Richard D. Allison

Juanita W. Allison
Juanita W. Allison

City of Wichita)
Sedgwick County) ss
State of Kansas)

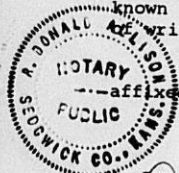
Be it remembered that on this 23rd day of JANUARY,
1970, before me, a notary public in and for said County and State,
came RICHARD D. ALLISON & JUANITA W. ALLISON, to me personally
known to be the same person who executed the fore-going instrument
writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and
affixed my notarial seal the day and year above written.

Robert Allison
Notary Public

My Commission Expires:

August 24, 1972



CONTINGENT DEDICATION

WHEREAS, Richard D. Allison and Juanita W. Allison, who are residents of Sedgwick County, Kansas, hereinafter referred to as "Allisons", are the owners of the following described property, which property is being platted as Allison's Addition, to-wit:

Beginning 888.83 feet North of the Southwest corner of the NW $\frac{1}{4}$ of Section 16, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, thence East 661.5 feet; thence North 362.78 feet; thence West 661.5 feet; thence South to the point of beginning, generally located on the East side of Broadway, North of I-235.

WHEREAS, the City of Wichita anticipates in the future the necessity of acquiring additional street right-of-way along the North side of the aforesaid Allison addition to the City of Wichita, for an east-west street running east from Broadway, and

WHEREAS, the City of Wichita has no immediate plans for such a street, and Allisons desire to continue to use such area pending any demand from the City for use of such property for street purposes.

NOW, THEREFORE, in consideration of the premises and contingent upon the commercial zoning for the purpose herein, after stated, Allisons hereby dedicate to the public for street purposes the following described property, to-wit:

The North 35 Feet of Allison's Addition to the City of Wichita.

It is further part of this dedication that:

1. That neither the public nor the City of Wichita shall be privileged or entitled to the use of the area herein dedicated

for maintenance, excavation or fill, paving, installation of utilities and other similar street uses, until and unless the same is actually needed for the purposes as herein stated.

2. That until such time as the area hereby dedicated is actually used for the purpose of street right-of-way, including any or all of those uses as stated above, Allison's shall be permitted the continued use of said additional right-of-way.

3. When the area hereby dedicated is needed for street purposes as herein described, Allison's in behalf of themselves, their heirs, successors and assigns, agree to cooperate in the execution of a proper paving petition for such right-of-way.

This dedication herein expressed, conditioned as aforesaid, shall be accepted by the City of Wichita upon approval of Commercial Zoning and upon the recording of this instrument. Upon the recording hereof, this instrument shall constitute a public dedication and a covenant running with the binding upon Richard D. Allison and Juanita W. Allison, their successors and assigns, conditioned as aforesaid. Acceptance by the City of Wichita of this contingent dedication denotes the acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Richard D. Allison and Juanita W. Allison have caused this instrument to be executed and delivered to the City of Wichita on this 16th day of January, 1970.

Richard D. Allison
RICHARD D. ALLISON

Juanita W. Allison
JUANITA W. ALLISON

ACKNOWLEDGEMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, That on this 16th day of January, 1970, before me, a Notary Public, in and for said County and State,

CONTINGENT DEDICATION

WHEREAS, Richard D. Allison and Juanita W. Allison, who are residents of Sedgwick County, Kansas, hereinafter referred to as "Allisons", are the owners of the following described property, which property is being platted as Allison's Addition, to-wit:

Beginning 888.83 feet North of the Southwest corner of the NW $\frac{1}{4}$ of Section 16, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, thence East 661.5 feet; thence North 362.78 feet; thence West 661.5 feet; thence South to the point of beginning, generally located on the East side of Broadway, North of I-235.

WHEREAS, the City of Wichita anticipates in the future the necessity of acquiring additional street right-of-way along the North side of the aforesaid Allison addition to the City of Wichita, for an east-west street running east from Broadway, and

WHEREAS, the City of Wichita has no immediate plans for such a street, and Allisons desire to continue to use such area pending any demand from the City for use of such property for street purposes.

NOW, THEREFORE, in consideration of the premises and contingent upon the commercial zoning for the purpose herein, after stated, Allisons hereby dedicate to the public for street purposes the following described property, to-wit:

The North 35 Feet of Allison's Addition to the City of Wichita.

It is further part of this dedication that:

1. That neither the public nor the City of Wichita shall be privileged or entitled to the use of the area herein dedicated

for maintenance, excavation or fill, paving, installation of utilities and other similar street uses, until and unless the same is actually needed for the purposes as herein stated.

2. That until such time as the area hereby dedicated is actually used for the purpose of street right-of-way, including any or all of those uses as stated above, Allisons shall be permitted the continued use of said additional right-of-way.

This dedication herein expressed, conditioned as aforesaid, shall be accepted by the City of Wichita upon approval of Commercial Zoning and upon the recording of this instrument. Upon the recording hereof, this instrument shall constitute a public dedication and a covenant running with the binding upon Richard D. Allison and Juanita W. Allison, their successors and assigns, conditioned as aforesaid. Acceptance by the City of Wichita of this contingent dedication denotes the acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Richard D. Allison and Juanita W. Allison have caused this instrument to be executed and delivered to the City of Wichita on this ____ day of _____, 1970.

RICHARD D. ALLISON

JUANITA W. ALLISON

ACKNOWLEDGEMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, That on this ____ day of _____, 1970, before me, a Notary Public, in and for said County and State,

future petitioning for street improvement

SMITH, SHAY, FARMER & WETTA

ATTORNEYS AT LAW

SUITE 830

200 WEST DOUGLAS

WICHITA, KANSAS 67202

PAUL V. SMITH
DOUGLAS E. SHAY
WILLIAM C. FARMER
LEO R. WETTA
THOMAS A. WOOD
A. J. "JACK" FOCHT
DENNIS E. SHAY
ROGER D. HUGHEY

TELEPHONE
(316) 267-5293

January 8, 1970

Wichita-Sedgwick County
Metropolitan Area Planning Commission
Wichita, Kansas

Gentlemen:

We have examined the title to the following described property situated in Sedgwick County, Kansas:

Beginning 888.83 feet north of the Southwest corner of the Northwest Quarter of Section 16, Township 28 South, Range 1 East of the 6th P.M., thence East 661.5 feet, thence North 362.78 feet, thence West 661.5 feet, thence south to the point of beginning,

as reflected in the base abstract to the following described property:

The $N\frac{1}{2}$ of a tract described as follows:
Beginning 1384.38 feet South of the NW corner of the $NW\frac{1}{4}$ of Section 16, Township 28, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence East 1323 feet to the East line of the $W\frac{1}{2}$ of said $NW\frac{1}{4}$; thence south 164.63 feet; thence West 1323 feet to the West line of said Quarter section; thence North 164.63 feet to the place of beginning,

consisting of entries #1 to 50, inclusive, together with court proceedings; and

Page Two

a base abstract to the following described property:

The South Half of the following described tract:
Beginning 1384.38 Feet South of the Northwest
Corner of the Northwest Quarter of Section 16,
Township 28 South, Range 1 East of the Sixth
P.M., thence East 1323 Feet to the East line
of the West Half of said Northwest Quarter,
thence South 164.63 Feet, thence West 1323
Feet to the West line of Quarter Section,
thence North 164.63 Feet to beginning, in
Sedgwick County, Kansas,

consisting of entries #1 to 58, inclusive, together with court
proceedings; and

a base abstract to the following described property:

The North Eight (8) Acres of the South
Thirteen (13) Acres of the North Half of
the Southwest Quarter (SW $\frac{1}{4}$) of the North-
west Quarter (NW $\frac{1}{4}$) of Section Sixteen (16)
Township Twenty Eight (28) Range One (1)
East, Sedgwick County, Kansas, except begin-
ning at Southwest Corner of said 8 acre tract
north 65.85 feet East 661.5 feet, South 65.85
feet, West 661.5 feet to beginning, Sedgwick
County, Kansas

consisting of entries #1 to 62, inclusive, together with court
proceedings;

and a supplemental abstract to all tracts above described consist-
ing of entries #1 to 9, inclusive, last certified by Security Abstract
& Title Co., Inc., on December 15, 1969, at 7:00 o'clock A.M.

From such examination, it is our opinion that title is vested in:

RICHARD D. ALLISON, SR., and JUANITA W.
ALLISON, husband and wife, as joint tenants,

subject to the following comments:

Page Three

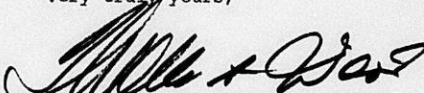
1. At entry #3 of the supplemental abstract appears a mortgage to Hazel A. Brown, Keith Litton and Marcella June Litton, executed September 16, 1968, in the principal amount of \$12,000, recorded in Book 1641 of Mortgages at Page 233, which affects the north 82.315 feet of the property.

At entry #5 of the supplemental abstract appears a mortgage to Irene Moore, executed November 15, 1967, in the principal amount of \$10,500, recorded in Book 1613 of Mortgages at Page 532, which affects the south one-half of the north 164.63 feet of the property.

2. The abstractor's certificate discloses that taxes for 1968 and prior years are paid. We have personal knowledge and do hereby certify that taxes for the year 1969 are paid.

3. The above described property is subject to oil and gas leases which are part of a production unit as to which a unitization agreement has been executed and as to which an affidavit of production has been filed. Such leases are held by the E. B. Shawver Petroleum Corporation.

Very truly yours,


OF SMITH, SHAY, FARMER & WETTA

TAW:p



REGISTERED PROFESSIONAL ENGINEERS:
CHARLES M. GOODNESS
AL E. REISS

PHONE (316) 264-1391

REISS & GOODNESS ENGINEERS

Consulting Engineers

2160 E. DOUGLAS AVE.
WICHITA, KANSAS 67214

Dec. 31, 1969

Mr. Jack H. Galbraith, Senior Planner
Metropolitan Area Planning Commission
City Building Annex
104 S. Main Street
Wichita, Kansas 67202

Re: S/D 69-14 - Final Plat
of Allison Addition

Dear Mr. Galbraith:

Reference is made to your letter of December 23, 1969 regarding
subject plat.

Item 5 in your letter requests certificate that the irons have
been set as required. Our records indicate that this certificate
had been submitted to you, however, we are enclosing a copy
of this certificate for your file.

Very truly yours,

Charles M. Goodness
Charles M. Goodness, P. E.

CMG:h
Encl.



REISS & GOODNESS ENGINEERS

2160 E. DOUGLAS AVE.
WICHITA, KANSAS 67214

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

I, Charles M. Goodness, Professional Engineer in said county and state, do hereby certify that this 6th day of August, 1969 iron pins have been set in Allison Addition to Wichita, Sedgwick County, Kansas as required by the Sub-division Rules and Regulations of the Metropolitan Area Planning Commission.

Charles M. Goodness
Charles M. Goodness, P. E.

December 23, 1969

Reiss and Goodness
2160 East Douglas
Wichita, Kansas 67214

Re: S/D 69-14 - Final Plat of
ALLISON ADDITION

Gentlemen:

At the special meeting of the Metropolitan Area Planning Commission on December 22, 1969, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee, subject to the conditions stated in our letter of December 19, 1969.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for its consideration:

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
- OK. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- OK. Certification by an attorney that fee title is vested in the plattor.
- OK. Certification that all taxes due and payable for 1969 and prior years have been paid in full.
- OK. Certification that the irons have been set as required by the Subdivision Regulations of the Metropolitan Area Planning Commission.

Page 2 - Reiss and Goodness
December 23, 1969

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:ber

cc: Richard D. Allison, Sr.
634 South Chautauqua
Wichita, Kansas 67211

Tom Wood, Attorney
Beacon Building
Wichita, Kansas 67202

December 19, 1969

Reiss and Goodness
2160 East Douglas
Wichita, Kansas 67214

Subject: S/D 69-14 - Final Plat of
ALLISON ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, December 18, 1969, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

1. Approval of the plat is subject to the approval of the associated zone case ZP1065 "LC" to "C".

2. The plat's text shall be amended, and expanded to include the granting of access control as follows: "... platted into a block, lot and an avenue to be known as ... Kansas. Easements are ... maintenance. The avenue is hereby dedicated ... public. All abutters rights of access to or from Broadway Avenue over and across the west line of Lot 1 are hereby granted to the City of Wichita, provided however, that Lot 1 shall have access to Broadway at two locations to be determined by the City Engineer of the City of Wichita, Kansas."

3. The applicant shall submit a contingent dedication of street right-of-way for the north 35 feet of the plat, which shall be such that the City of Wichita has the right-of-way at such time as it is actually needed for street purposes. This instrument should also commit the cooperation of the present and all future owners of the property, in the executing of a paving petition for said right-of-way.

Page 2 - S/D 69-14
Reiss and Goodness
December 19, 1969

~~OK~~ A 70-foot building setback shall be indicated from the north property line so as to prevent new construction from occurring within, or too close to, the future east-west street.

~~OK~~ The applicant shall install or guarantee the installation of a sidewalk on the east side of Broadway Avenue; the total estimated construction cost to be in the amount of \$910.

~~OK~~ The applicant shall petition for sanitary sewer to serve subject property.

~~7.~~ Recording within 30 days after approval by the Board of City Commissioners.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Monday, December 22, 1969, at 1:30 p.m. If you have any questions concerning this matter, please call.

Very truly yours,

John D. Gist
Planner III

JDG:vjp

Enclosure

cc: Richard D. Allison, Sr.
634 S. Chautauqua
Wichita, Kansas 67211

Tom Wood, Attorney
Beacon Building
Wichita, Kansas 67202

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 69-14 Name ALLISON ADDITION
Date Application Rec'd. 1-27-69 Preliminary Approval 7-17-69
Scheduled S/D Meeting 12-18-69

DESCRIPTION

General Location Between MacArthur Road and 43rd Street South on the
east side of Broadway
Owner Richard D. Allison, Sr. and Juanita W. Allison
Surveyor/Engineer Reiss & Goodness
Address 2160 East Douglas Phone AM 4-1391

1. Gross Acreage of Plat 10.9
2. Number of Lots:
 - Residential _____
 - Commercial 1
 - Industrial _____
 - Other _____
 - Total Number of Lots 1
3. Minimum Lot Frontage 362.78 ft.
4. Minimum Lot Area 2,021,842 sq. ft.
5. Existing Zoning LC
6. Proposed Zoning C
7. Lineal Feet of New Streets:
 - a. 35 R/W 960 ft.
 - b. 20 R/W 360 ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 1320 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply No (Yes-No), Name _____
10. Public Sanitary Sewers No (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita X : Three-Mile Area _____

STAFF COMMENTS:

1. Approval of the plat is subject to the approval of the associated zone case Z-1065 "LC" to "C".
2. The plat's text shall be amended, and expanded to include the granting of access control, as follows: "... platted into a block, lot and an avenue to be known ... Kansas. Easements are ... maintenance. The avenue is hereby dedicated... public. All abutters rights of access to or from Broadway Avenue over and across the west line of Lot 1 are hereby granted to the City of Wichita, provided however, that Lot 1 shall have access to Broadway at two locations to be determined by the City Engineer of the City of Wichita, Kansas."
3. As was established as a condition of approval on the preliminary plat, the applicant shall submit a contingent dedication of street right-of-way for the north 35 feet of the plat. Said dedication shall be such that the City of Wichita has the right-of-way at such time as it is actually needed for street purposes, and shall provide for additional dedication in the event same cannot equitably be acquired from the property to the north when platted. This instrument should also commit the cooperation of the present and all future owners of the property, in the executing of a paving petition for said right-of-way. This will be discussed at the Subdivision meeting.
4. A 70-foot building setback shall be indicated from the north property line so as to prevent new construction from occurring within, or too close to, the future east-west street.
5. The applicant shall install or guarantee the installation of a sidewalk on the east side of Broadway Avenue; the total estimated construction cost to be in the amount of \$910.

Legal on Zoning Case
Plot and Contingent
Redevelopment are all
different.

S/D 69-14
Allison Additions

CONTINGENT DEDICATION

WHEREAS, Richard Allison and Mrs. Richard Allison, residents of Wichita, Sedgwick County, Kansas, hereinafter referred to as "Allison" are the owners of the following described real property, to-wit:

Beginning 888.83 North of the SW corner NW $\frac{1}{4}$ thence East 661.5 South 65.85' East 661.5' North 263.4' West 1323' South to beginning except part lying east of a line from a point 50' west of NE corner to a point 275' West of SE corner for highway Section 16-28-1E. *892.35'*

Beginning 1466.7' South of NW corner NW $\frac{1}{4}$ East 1323' South 82.31' West 1323' North to beginning except part lying east of a line 25' West of NE corner SW to point 50' West of SE corner for highway Section 16-28-1E.

Also beginning 1384.35' South of NW corner NW $\frac{1}{4}$ East 1323' South 82.32' West 1323' North to beginning except part lying East of a line 26' SE corner NE to NE corner for highway Section 16-28-1E. *W.*

and a part of which real property is now in the process of being rezoned to Commercial, said part being described as follows, to-wit:

Block 1

Beginning 888.83 feet North of the southwest corner of the NW $\frac{1}{4}$ of Section 16, T 28 S, R 1 E of the 6th P.M., Sedgwick County, Kansas; thence East 661.5 feet; thence North 362.78 feet; thence west 661.5 feet; thence South to the point of beginning, containing 5.51 acres more or less. *still meters & bounds*

does not coincide w/ zoning (w. 570' is from sect. line)

and

(insert new section) first
WHEREAS, the remainder of the above described property

owned by Allison is shown on the attached sketch, designated as

Parcel A and described as follows, to-wit:

All of the property described above in Paragraph 1, except the property as described in Block 1. *being platted as Block 1 - - - - -*

requires making a sketch to be attached and possibly labeled as EXHIBIT A

describe part being platted since it is different than that advertised for change in zoning

WHEREAS, the City of Wichita anticipates in the future the necessity of acquiring additional street right-of-way along the north side of the aforesaid Block 1, Allison's Addition to the City of Wichita, for an east-west street running east from Broadway, and

WHEREAS, the City of Wichita has no immediate plans for such a street, and Allison desires to continue to use such area pending any demand from the City for the use of such property for street purposes.

NOW, THEREFORE, in consideration of the premises and contingent upon the Commercial zoning and for the purposes herein-after stated, Allison hereby conditionally dedicates to the public for street purposes under the conditions hereinafter set forth the following described real property, to-wit:

The North 35 Feet of what is shown in the hereto attached ^{EXHIBIT A} plat as Block 1, Allison's Addition to the City of Wichita.

Refer to EXHIBIT

It is a further part of this agreement that:

1. At such time as the owner or owners of the real property immediately north of Block 1 and Parcel A shall make application for the platting thereof, the City of Wichita shall cause such owner or owners to dedicate a 35-foot strip of land running parallel and adjacent to the 35-foot strip of land here-in dedicated by Allison, provided however, if the ownership of such land is not of sufficient width to fairly and equitably justify the requiring of a 35-foot strip, then the City of Wichita shall require so much of said 35-foot strip as is fair and equitable to all parties for street purposes.

2. In the event the real property to the north of Block 1 and Parcel A has not been platted or if platted and the aforesaid 35-foot strip or any part thereof has not been dedicated to the City, then at the time platting is requested by Allison for Parcel A, Allison or his successors will dedicate to the City of Wichita an additional strip of land immediately south of the 35-foot strip herein dedicated, said strip of land shall be wide enough to allow for that part of the 35-foot strip required for a street that was not dedicated by the ownership to the immediate north of the Allison property, but in no event shall such additional strip of land from Allison exceed 25 feet in width; however, in the event it is more practical to use Block 1 and Parcel A as one lot with it not being necessary to have access to the North, then the additional strip beyond 35 feet will not be required to be dedicated.

3. A 30-foot setback from Broadway shall be provided for in the plat submitted by Allison.

PROVIDED, however,

(1) That neither the public nor the City of Wichita shall be privileged or entitled to the use of the area herein conditionally dedicated for maintenance, excavation or fill, paving, installation of utilities and other similar street uses, until and unless the same is actually needed for the purposes as herein stated, in which event Allison, upon demand of the City, agrees to irrevocably dedicate said 35-foot strip to the City.

(2) That until such time as the area hereby dedicated is actually demanded by the City for the purposes of street right-of-way, including any or all of those uses as stated above, Richard

35'
Requested &
shown on
preliminary

probably should refer to
setback from
H. R. (min. 6'
for at. +
back of dirt
that)

What about removal
of structures from
said R/W

Allison shall be permitted the continued use of said additional right-of-way.

This dedication herein expressed, conditioned as aforesaid, shall be accepted by the City of Wichita upon approval of *on that certain portion above described,* Commercial zoning and upon the recording of this instrument. Upon the recording hereof, this instrument shall constitute a contingent public dedication and a covenant running with the land binding upon Richard Allison, his heirs, successors and assigns, conditioned as aforesaid. Acceptance by the City of Wichita of this Contingent Dedication denotes its acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Richard Allison and Mrs. Richard Allison have caused this instrument to be executed and delivered to the City of Wichita, Kansas, on this ____ day of _____, 1969.

Richard Allison

Mrs. Richard Allison

STATE OF KANSAS)
)
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this ____ day of _____,
1969, before me, the undersigned, a Notary Public in and for the
county and state aforesaid, came RICHARD ALLISON and MRS. RICHARD
ALLISON, who are personally known to me to be the same persons who
executed the above and foregoing instrument of writing, and said
Richard Allison and Mrs. Richard Allison duly acknowledged the
execution of the same as their free and voluntary act and deed
for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and
official seal on the day and year last above written.

Notary Public

My commission expires:

REGISTERED PROFESSIONAL ENGINEERS:
CHARLES M. GOODNESS
AL E. REISS

PHONE (316) 264.1391

REISS & GOODNESS ENGINEERS

Consulting Engineers

2160 E. DOUGLAS AVE.
WICHITA, KANSAS 67214

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

I, Charles M. Goodness, Professional Engineer in said county and state, do hereby certify that this 6th day of August, 1969 iron pins have been set in Allison Addition to Wichita, Sedgwick County, Kansas as required by the Sub-division Rules and Regulations of the Metropolitan Area Planning Commission.


Charles M. Goodness, P. E.



July 22, 1969

Reiss and Goodness
2160 East Douglas
Wichita, Kansas 67214

Subject: S/D 69-14 - Preliminary Plat of
ALLISON ADDITION

Gentlemen:

ok { At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 17, 1969, the above captioned plat was considered. It was pointed out, and discussed at some length, that the area included within the preliminary plat would be comprised of three different zoning classifications. The west 520 feet of the lot would be "C", the next 30 feet to the east would be "LC", and the east 61.5 feet of the lot would be the "AA" Single Family District. The Committee indicated the problems created by the multiple zoning districts within the given lot. They expressed the opinion that to properly clean up the situation, the applicant and/or his attorney should contact the Planning Department regarding the readvertising of the associated zone case Z-1065, such that the entire lot would be the "C" Commercial District.

It was further concluded that the Committee would approve the preliminary and authorize preparation of the final plat, subject to the following:

1. The applicant shall submit a contingent dedication of street right-of-way for the north 35 feet of the plat. Said dedication shall be such that the City of Wichita has the right-of-way at such time as it is actually needed for street purposes, and shall provide for additional dedication in the event same cannot equitably be acquired from the property to the north when platted. This instrument should also commit the cooperation of the present and all future owners of the property, in the executing of a paving petition for said right-of-way.

- OK* The applicant's engineer and/or attorney should resolve the discrepancy between the dimension in the legal tie on the plat, and that used in the legal which was advertised in the associated zone case.
3. The applicant shall install or guarantee the installation of a sidewalk on the east side of Broadway Avenue; the total estimated construction cost to be in the amount of \$910.
 4. The applicant shall petition for sanitary sewer to serve subject property.

OK Since sanitary sewer and City water will not be available to this property in the near future, the applicant shall contact the Wichita-Sedgwick County Health Department and obtain a letter stating that the use of a private water supply and septic tank system is permissible to serve subject property. A copy of the letter shall be submitted to the Planning Department.

OK *amended zoning application approved by MAPC covers entire area.*
If all the area within the plat is not zoned the "C" Commercial District, then the applicant shall submit a lot grading plan to M. S. Mitchell of the Maintenance Division of the Department of Public Works. If needed, a letter shall be obtained from M. S. Mitchell indicating that a satisfactory plan has been approved and a copy of this letter shall be submitted to the Planning Department.

OK Indicating a 10-foot utility easement adjacent to the south and east lines of the plat.

8. Requirements for a final plat (see pages 20 through 25, Part 4, Article 5 of the MAPC Subdivision Regulations).

It is also suggested that the applicant's attorney contact the Planning Department regarding the readvertising of the associated zone case, and in regard to the drafting of an acceptable contingent dedication.

It is recommended that a 70-foot building setback be indicated from the north property line so as to prevent new construction from occurring within, or too close to, the future east-west street.

Page 3 - S/D 69-14
Reiss and Goodness
July 22, 1969

Enclosed herewith is the "marked" copy of the preliminary plat
for your information and files.

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

Very truly yours,

John D. Gist
Planner III

JDG:vjp

Enclosure

cc: Richard D. Allison, Sr.
634 South Chautauqua
Wichita, Kansas 67211

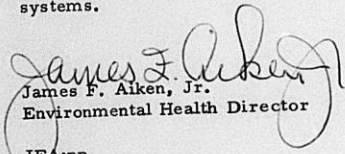
Bill Farmer
Attorney at Law
Beacon Building
Wichita, Kansas 67202

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF Environmental Health DATE July 18, 1969

TO Jack Galbraith, Senior Planner
FROM James F. Aiken, Jr., Environmental Health Director
SUBJECT Allison Addition
 Sewage and Water Systems

Septic tank systems may be used for the subject subdivision provided that a sanitary sewer petition is submitted and any proposed additional uses for the property produces volumes of waste that can be handled by septic tank systems.

On-lot water wells may be used for water supply until such time as city water is available. Existing uses, primarily mobile home sales operation, can continue in operation with the existing water and sewage systems.


James F. Aiken, Jr.
Environmental Health Director

JFA:pp

cc Reiss & Goodness



PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 69-14 Name ALLISON ADDITION
Date Application Rec'd. 1-27-69 Preliminary Approval N/A
Scheduled S/D Meeting 7-17-69

DESCRIPTION

General Location Between McArthur and 43rd Street South on the east side of Broadway

Owner Richard D. Allison, Sr. and Juanita W. Allison
Surveyor/Engineer Reiss & Goodness Phone AM 4-1391
Address 2160 East Douglas

- | | | | |
|--------------------------------|---|--------------------------------------|-------------------------------|
| 1. Gross Acreage of Plat | <u>10.9</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>35</u> R/W <u>960</u> ft. | |
| Residential | | b. <u>20</u> R/W <u>360</u> ft. | |
| Commercial | <u>1</u> | c. <u> </u> R/W <u> </u> ft. | |
| Industrial | | d. <u> </u> R/W <u> </u> ft. | |
| Other | | e. <u> </u> R/W <u> </u> ft. | |
| Total Number of Lots | <u>1</u> | TOTAL | <u>1320</u> ft. |
| 3. Minimum Lot Frontage | <u>362.78</u> sq.ft. | 8. Sidewalk adjacent to all streets? | <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area | <u>2,021,842</u> sq.ft. | | |
| 5. Existing Zoning | <u>LC</u> | | |
| 6. Proposed Zoning | <u>C</u> | | |
| 9. Public Water Supply | <u>No</u> (Yes-No), Name <u> </u> | | |
| 10. Public Sanitary Sewers | <u>No</u> (Yes-No), Name <u> </u> | | |
| 11. Health Department Approval | (where applicable) <u> </u> (Yes-No) | | |
| 12. City of Wichita | <u>X</u> : Three-Mile Area | | |

STAFF COMMENTS:

- This plat has an associated zone case Z-1065, in which the applicant has requested a change from "LC" Light Commercial District to the "C" Commercial District. The request has been recommended for approval by the Planning Commission subject to the platting of the property, and at which time it was pointed out the need for an east-west street which could be considered at the time of platting. It should be pointed out that the area included in the zoning request involves only the west 520 feet of the lot being platted. This means that the west 30 feet of the east 91.5 feet would be "LC" zoning, and the east 61.5 feet is the "AA" Single-Family District. The applicant should consider amending the zoning request such that the area being platted is all under the same zoning classification.
- The plat does not provide any dedication for an east-west street, but the applicant has submitted a proposed, contingent dedication for street right-of-way on the north 35 feet of the plat because of the existing garage which is located therein. Said contingent dedication is drafted such that the City of Wichita has the R-O-W at such time as it is actually needed for street purposes.

The draft further provides for the dedication of additional R-O-W in the event same cannot be equitably acquired from the property to the north.
- The applicant shall install or guarantee the installation of a sidewalk on the east side of Broadway Avenue; the total estimated construction cost to be in the amount of \$910.

(OVER)

4. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
5. Requirements for a final plat (see pages 20 through 25, Part 4, Article 5 of the MAPC Subdivision Regulations).

February 24, 1969

Reiss and Goodness, Engineers
2160 East Douglas
Wichita, Kansas 67214

Subject: S/D 69-14 - Sketch Plat of
ALLISON ADDITION

Gentlemen:

We have reviewed the sketch plat of Allison Addition in light of the associated zone case Z-1065, a request for change in zoning from the "LC" ^{to C-2} commercial district. From said review, we authorize the preparation of the preliminary plat subject to the following comments and conditions.

OK. 1. Indicating 50 feet of half street right-of-way for Broadway Avenue.

2. We have looked at the adjacent ownerships to the north of subject property and find that for the most part said ownerships have narrow frontages adjacent to Broadway Avenue. Since a 35-foot dedication for a new east-west street from the property immediately to the north would result in said land being almost totally unuseable, we recommend that subject plat indicate 60 feet of right-of-way for the new east-west street. This would mean that when the land to the north is platted, the balance of the right-of-way for the new east-west street would be obtained at that time. The new east-west street should extend as far east as is necessary to tie in with a north-south street which has been established by the dedication of right-of-way and MAPC case no. D-0287. The legal description of the right-of-way involved in said dedication is as follows:

The west 80 feet of the east 380 feet of the following described property; beginning 1,745.51 feet north of

the southwest corner of the northwest quarter of Section 16, Township 28 South, Range 1 East of the 6th P.M., thence east 1,323 feet, thence north 131.7 feet, thence west 1,323 feet, thence south 131.7 feet to the place of beginning.

3. All structures located within the street rights-of-way being dedicated on subject plat, shall be removed prior to releasing the plat tracing for recording.
4. The new east-west street shall be named as Alta Avenue.
5. Indicating "access control except 2 openings" adjacent to the east line of Broadway Avenue.
6. Indicating a 35-foot building setback from both streets.
7. The associated zone case, Z-1065, involves only a western portion of subject plat, with the balance of the land being zoned "AA" single-family residential. Therefore, it is suggested that a lot be created to coincide with the land involved in the associated zone case with the balance of the land being lotted in some reasonable fashion in anticipation of land use either being commercial and/or industrial in nature. It should be further pointed out, however, that prior to the development of the additional lots for such uses, it would require the applicant filing the appropriate changes in zoning as well as requiring the submission and approval of a Community Unit Plan under the CUP regulations of the Zoning Ordinance for the City of Wichita, if such land is all to be zoned and developed for commercial purposes held under single ownership or control.
8. Requirements for a preliminary plat of the MAPC Subdivision Regulations.

It should be pointed out that sidewalks will be required adjacent to both streets and that the applicant shall also be responsible for providing utilities and facilities such as sewer and water to serve said addition.

Page 3 - S/D 69-14
Reiss and Goodness
February 24, 1969

The enclosed "engineer's" copy of the Sketch Plat is for your information and files. If you have any questions concerning this matter, please contact our office.

Very truly yours,

John D. Gist
Planner III

JDG:vjp

Enclosure

cc: Richard D. Allison, Sr.
634 South Chautauqua
Wichita, Kansas 67211

Map No.: 5542
Section No.: 16
Twp. No.: 28
Range: 1 E

S/D No. 69-14

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Allison Addition
General Location: Between McArthur and 43rd Street South on the east side of Broadway
Name of Property Owner: Richard D. Allison, Sr. and Juanita W. Allison
Address: 634 S. Chautauqua, Wichita, Kansas Phone: MU 60041
Name of Subdivider: Same Phone: _____
Address: _____
Name of Agent/Surveyor: Reiss & Goodness Engineers
Address: 2160 E. Douglas, Wichita, Kansas 67214 Phone: AM 4-1391
Date of Application: Jan. 27, 1969

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 10.9 ^{5.16}
2. Number of Lots:
Residential _____
Commercial 1
Industrial _____
Other _____
Total Number of Lots 1
3. Minimum Lot Frontage 327 362.78 ft.
4. Minimum Lot Area 10.2 Acres ft.
5. Existing Zoning LC 2,026,842 sq ft
6. Proposed Zoning C
7. Lineal Feet of New Streets:
a. 35 ft. R/W 775 ft.
b. 20 R/W 360 ft.
c. _____ R/W _____ ft.
d. _____ R/W _____ ft.
e. _____ R/W _____ ft.
TOTAL 880 1380 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply No (Yes-No), Name _____
10. Public Sanitary Sewers No (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto including petitions for improvements such as streets, sewer, sidewalks, etc. with the register of deeds as well as all costs of publication of initiating resolutions approving any petition for improvements shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Richard D. Allison Sr.
by Richard D. Allison Jr.

Wichita-Sedgwick County Metropolitan Area
Planning Commission, Room 402, City Building
Annex, 104 South Main Street, Wichita, Kansas

Received by [Signature]
Date 1-27-69
Fee Submitted same
\$50.00 rec'd.
on 7-10-69

Form 273-021

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
-------------	--------

Preliminary Plat	\$50
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Name: Allison Edlin

Address: Nick Allison

4330 S. Broadway

Type: R-71-C	Due Date: 7/10/69
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Comments:

Date: 7/10/69	By: Vera J. Young
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