PLAT NO. 71-38 MAP NO. 5247

NAME DILLON 4TH ADDITION

LOCATION At the southwest corner of Douglas and Meridian

ENGINEER Baughman Company

OWNER Dillon Inv. Co, Inc. Attn: J. H. Lemmon

APPLICATION FILED 5-24-71

SKETCH PLAT FILED 5-24-71

PRELIMINARY FILED none submitted

S/D ACTION N/A

* FINAL FILED 5-24-71

S/D ACTION 6-3-71 Approve

MAPC ACTION 6-10-71 Approve; 1-13-72 Tribfomaze

BCC ACTION 6-22-71 Approve exc. 50 ft st. dedication req'd

RECORDED 4-3-72

REMARKS

* Revised final filed: 11-22-71
S/D action: 12-2-71 Defer 2 wks.
S/D " : 12-16-71 Approve
Revised final filed: 1-24-72
S/D action: 2-3-72 Approve
MAPC action: 2-10-72 Approve

S/D Com. Action: 2-17-72 Defer w/ MAPC approval
BCC ACTION 3-7-72 Approve

S/D 71-38 - DILLON 4TH ADDITION, at the southwest corner of Douglas and Meridian.

Baughman Company

POSTED
6/1/71

ACTION

		DATE
S/D COMMITTEE (FINAL)	Approve	6-3-71
M.A.P.C.	Approve	6-10-71
B.C.C./~~B. CO.C.~~	Approve (60 ft st. dedic. req'd)	6-23-71

S/D Com.	(revised final) Defer 2 wks	12-2-71
" "	" Approve	12-16-71
MAPC	Strike from agenda	1-13-72
S/D Com.	(revised final) Approve	2-3-72
MAPC	Approve	2-10-72
S/D Com.	Concur w/ MAPC approval	2-17-72
BCC	Approve	3-7-72

Map No. 5247
Sec. No.
Twp. No.
Range

Subdivision Report and Progress

S/D No.: 71-38

Name: DILLON 4TH ADDITION

General Location: At the southwest corner of Douglas and Meridian

Owner: Dillon Inv. Co., Inc. ~~Attn: J. H. Lemmon~~
Address: 2700 East 4th Hutchinson, Ks. 67501 Phone:
Subdivider: M. K. Gentry
Address: 2321 South Seneca, 67213 Phone: 264-2847
Engineer/Surveyor: Baughman Company
Address: 2522 East Kellogg, 67211 Phone: 683-7431

ALSO SEND CORRESPONDENCE TO: EUGENE COOMBS, ATT'Y.

Application Received 5-24-71
Conf. with Applicant ~~A-on~~ 5-71
Sketch Plat Received 5-24-71
Present Zoning "~~B~~" "A" & "LC"
*Proposed Zoning "LC"
Letter of Intent none

PREL. PLAT RECEIVED none submitted
S/D Comm. Action N/A

Dept. Report on Prel. N/A

TRACING PROGRESS:
Received 2-24-72
Released 3-30-72
Received
Released

** FINAL PLAT RECEIVED 5-24-71
S/D Comm. Action 6-3-71 Approve
~~12-16-2-3-72 Approve~~
Dept. Report on Final 6-4-71
*M.A.P.C. ACTION 6-10-71 Approve
Dept. Report on Final 6-11-71
~~Letter on Irons Received~~ N/A
Title/Taxes Rec'd & Reviewed 2-28-72
Final Review
Referral to B.C.C. 6-17-71 / 3-2-72

B.C.C. ACTION 6-22-71 Approve
(50 ft. st. dedication req'd.)
Recorded 4-3-72

Comments:

* associated zone case Z-1272, "A" to "LC"

** Revised final plat rec'd: 11-22-71
S/D Com. action : 12-2-71 defer 2 wks.
" " " : 12-6-71 Approve
MAPC : 1-13-72 Strike from agenda
Revised final received : 1-24-72
S/D Com. action : 2-3-72 Approve
MAPC " " : 2-10-72 Approve
S/D Comm. : 2-17-72 Concur w/ MAPC approval
BCC " : 3-7-72 Approve.

T9-302 (2)

REGISTER OF DEEDS

SEDGWICK COUNTY, KANSAS

DILLON 4th ADDITION was

filed for record on April 3, 1972

S-2 2-22
80
vh

John Hale
Register Of Deeds

T9-328

May 2, 1973

Ralph C. Eberly, City Clerk

Jack H. Galbraith, Chief Planner

S/D 71-38, Dillon 4th Addition, Irrevocable
Letter of Credit guarantee for improvements.

The above referred to plat was approved by the Metropolitan Area Planning Commission on June 10, 1971, and by the Board of City Commissioners on June 22, 1971, subject to several conditions. The applicant was to guarantee the paving of a new alley, removal of an existing alley curb return, abandonment of a portion of an existing sewer line, removal and replacement of curb and gutters, and reconstruction of existing sidewalks adjacent to the new property lines on Douglas and Meridian. The applicant submitted an irrevocable letter of credit, from the Hutchinson National Bank and Trust Company, for the account of Dillion Real Estate Company, Inc., in the total amount of $10,100, guaranteeing the above mentioned improvements would be completed within two years time, on or before June 10, 1973.

The Engineering Division of the Department of Public Works has now advised our office the improvements have been completed in accordance with the specifications of the City Engineer, have been inspected and approved, and the irrevocable letter of credit may, therefore, be released.

Your office is holding said letter of credit in the amount of $10,100 and said letter of credit may now be released at request from the applicant. If you have any questions concerning this matter, please call.

JHG:CLN:rme

cc: Leon L. Deaver
Dillon Real Estate Co., Inc.
2700 East 4th Street
Hutchinson, Kansas, 67501

Hutchinson National Bank & Trust Co.
Hutchinson, Kansas, 67501

Area Code 316
665-5511

DILLON REAL ESTATE CO., INC.

2700 East 4th St., Hutchinson, Kans. 67501

April 16, 1973

Mr. John Gist
Wichita Metropolitan Area Planning Department
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Dear Mr. Gist:

A little over a year ago, we forwarded to your office an irrevocable letter of credit regarding certain improvements near our new Dillons Store at Douglas and Meridian in Wichita. Since the improvements listed on the letter have been completed, we would appreciate having the letter of credit returned.

Thank you for your help and we will look forward to hearing from you.

Sincerely,

DILLON REAL ESTATE CO., INC.

Leon L. Deaver

LEON L. DEAVER
Real Estate Department

LLD/dlr

RECEIVED
APR 17 1973
METROPOLITAN
PLANNING

Area Code 316
665-5511

DILLON REAL ESTATE CO., INC.

2700 East 4th St., Hutchinson, Kans. 67501

March 23, 1972

WICHITA METROPOLITAN AREA PLANNING DEPARTMENT
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Attention: John D. Gist

Dear Mr. Gist:

In regard to the platting of the Dillon 4th Addition, the structures, that were previously encroaching into the rights-of-way being dedicated for Meridian Avenue and the relocated alley, have now been removed from the location of the particular dedications.

Sincerely,

DILLON REAL ESTATE CO., INC.

Leon L. Deaver

LEON L. DEAVER
Real Estate Department

Tracing released on 3/30/72 JHB.

LLD/css

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 71-38 Name DILLON 4TH ADDITION
Application Filed: 5-24-71 Sketch Filed: 5-24-72
Preliminary Plat Filed: None Approved by S/D: N/A
Final Plat Filed: (Rev.) 1-24-72 Approved by S/D: 2-3-72
Approved by Metropolitan Area Planning Commission: 2-10-72

DESCRIPTION

General Location: Southwest corner of Douglas and Meridian

Surveyor or Engineer: Baughman Company
Owner: Dillon Inv. Co., Inc.
Address: 2700 E. 4th, Hutchinson, Kansas 67501

1. Gross Acreage of Plat 2.08
2. Number of Lots:
   Residential
   Commercial 1
   Industrial
   Other
   Total Number of Lots: 1
3. Minimum Lot Frontage: 280 ft.
4. Minimum Lot Area ~~2,589.25~~ N/A sq.ft.
5. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 280 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 605 ft.
6. Existing Zoning: "A" & "LC"

An Irrevocable Letter of Credit has been submitted guaranteeing the reconstruction of the sidewalks on the south side of Douglas Ave. and the west side of Meridian Ave. adjacent to the new property line, the abandonment of an existing sanitary sewer line, closing of existing alley curb returns, paving of a new alley, and replacement and removal of existing curbs and gutters around the perimeter of the plat.

Planning Commission Recommendation:

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

1. There are existing structures encroaching into the right-of-way being dedicated for the alley and for Meridian Avenue. prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

Recording of the plat within 180 days after approval by the Board of City Commissioners.

NOTE: The associated and amended zone Case Z-1272, "A" and "LC" to "LC", has been approved by the Board of City Commissioners on February 29, 1972, subject to platting.

Vote of Planning Commission: Unanimous.

ACTION: Receive and file the Irrevocable Letter of Credit, approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

IRREVOCABLE LETTER OF CREDIT

HUTCHINSON NATIONAL BANK & TRUST CO.
(Name of bank)

Date: 2/10/72

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding $*10,100.00********* for the account of DILLON REAL ESTATE CO., INC. (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before 2/10/74
(Insert date two years from MAPC approval of plat)

1. Alley paving - $5,000.00
2. Sidewalk - $1,800.00
3. Removal of alley curb returns - $240.00
4. Abandoning sewer - $60.00
5. Remove and replace curb and gutters - $3,000.00

in DILLON 4th Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under Hutchinson National Bank & Trust Co., Credit No. _____, dated 2/10/72.
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before 5/10/74.

Very truly yours,

HUTCHINSON NATIONAL BANK & TRUST CO.
(Name of bank)

(CORPORATE SEAL)

By: _____
(Authorized signature)

LAW OFFICES OF
COOMBS AND BRICK
SUITE 725 SUTTON PLACE
WICHITA, KANSAS 67202
(316) 263-2261

EUGENE G. COOMBS
SIDNEY J. BRICK

DWIGHT D. MURPHEY
OF COUNSEL

February 28, 1972

RECEIVED
FEB 28 1972
METROPOLITAN PLANNING

City of Wichita
Metropolitan Area Planning Commission
City Building Annex

Attention: Mr. John D. Gist

Gentlemen:

We have examined the title to the following described real estate located in Sedgwick County, Kansas, to wit:

Lots 148 thru 159, odd and even, on Douglas Ave., in Phillip's Subdivision; Lot 8 in Smithson's Addition and Lots 11, 12, 13, 14, 15 and the North 1/2 of Lot 17 in Royal's Subdivision, Wichita, Sedgwick County, Kansas,

now being platted as Dillon 4th Addition; and this is to certify that all of said real estate, except Lots 156, 157, 158 and 159, Phillip's Subdivision, is vested in:

DILLON REAL ESTATE CO., INC.

The legal title to Lots 156, 157, 158, and 159 is vested in:

DOROTHY Y. HAYES and ROY C. HAYES, her husband;
BETTE J. KOOP and WALDO E. KOOP, her husband; and
GRACE M. LUCE,

subject, however, to an Exchange Agreement, dated September 22, 1971, by and between said titleholders with Dillon Real Estate Co., Inc. for the exchange of said real estate to Dillon Real Estate Co., Inc. for other property to become owned by Dillon Real Estate Co., Inc. on which a Dillon Kwik Shop is located.

This is to certify that the taxes for the year 1971 and all prior years are paid on all of captioned real estate.

None of captioned real estate is subject to mortgages of record.

Very truly yours,

COOMBS AND BRICK

Eugene G. Coombs

Eugene G. Coombs

EGC:db

cc: Mr. Leon Deaver

THE CITY OF WICHITA

ZERO in ON SAFETY

OFFICE OF Ass't. Superintendent of Public Works Maintenance **DATE** February 25, 1972

TO John Gist, Principal Planner

FROM M. S. Mitchell

SUBJECT - Dillon 4th Addn.
SD 71-38

Reference is made to Item #11 of your staff comments on subject final plat. Mr. Mullin of the Dillon Company advised me that the site plan submitted to the Central Inspection Section was his grading plan and asked that we review it. I have reviewed the site plan and it contains satisfactory provisions to protect adjacent private property.

I trust this information is sufficient to permit final processing of the plan; however, if further information or discussion is desired, please advise.

M. S. Mitchell

M. S. Mitchell,
Ass't. Superintendent of
Public Works Maintenance

MSM/glm

cc: G. H. Wilton, Supterintendent of Public Works Maint.
Tom Byrnes, Central Inspection
Dillon 4th Addn. Plat File
MR. ROBERT E. MULLEN, DILLON INVEST. CO., INC.

RECEIVED FEB 25 1972 METROPOLITAN PLANNING

February 23, 1972

Mr. Leon Deaber
Dillon Investment Co., Inc.
2700 East 4th Street
Hutchinson, Kansas 67501

Subject: S/D 71-38 - Revised Final Plat of DILLON 4TH ADDITION

Dear Mr. Deaber:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, February 17, 1972, the above captioned plat was considered. The Committee reviewed the revised plat and took action to concur with the Planning Commission's approval on February 10. The only additional comments received during the meeting was a request that the applicant's surveyor get with the Engineering Division of the Department of Public Works relative to some of the dimensions shown on the plat drawing.

It is now necessary that the applicant pursue completion of all those items outlined in our department letters to Baughman Company dated February 4th and 11th. We have reviewed the Irrevocable Letter of Credit that you submitted the day of the meeting, and it does contain the proper dates as as well as the amounts to cover those improvements listed per our check with the Engineering Division. I question, however, whether Mr. Richard Dillon's signature as Vice President is on behalf of the PURCHASER of the letter of credit or on behalf of the Hutchinson National Bank and Trust Company. The authorized signature, together with the accompanying corporate seal, needs to be that of the bank.

OK
3-1-72

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

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

cc: Baughman Company, 330 Laura, 67211
Eugene Coombs, Attorney, Sutton Place Building, 67202
M. K. Gentry, 2321 South Seneca, 67213

KANSAS GAS AND ELECTRIC COMPANY

February 18, 1972

Mr. John Gist
Metropolitan Area Planning Department
City Building Annex
104 South Main
Wichita, Kansas 67202

Subject: Final Form Plat of Dillon's 4th Addition to Wichita, Kansas

Dear Mr. Gist:

This is to advise that satisfactory arrangements have been made with our company to remove our facilities in the alleys to be vacated by the above plat.

This company has no objection to the plat.

Sincerely yours,

Robert L. Blevins

Robert L. Blevins
Senior Estimator

RLB:pw
cc: Mr. Jim Pattinson
J. S. Dillon Company
2700 E. 47th Street
Hutchinson, Kansas 67501
Alfred Snider - SWB Tele. Co.

RECEIVED
FEB 22 1972
METROPOLITAN PLANNING

201 N. Market — Wichita, Kansas — Mail Address: P. O. Box 208 / Wichita, Kansas 67201 — Telephone: Area Code (316) 264-1111

THE GAS SERVICE COMPANY
General Offices • 700 SCARRITT BLDG., KANSAS CITY, MISSOURI 64142

ADDRESS REPLY TO
WICHITA, KANSAS DIVISION
127 NORTH MARKET
WICHITA, KANSAS 67201

February 18, 1972

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Attention: Mr. Robert Lakin

Re: Plat of Dillon 4th. Addition

Dear Sir:

This is to advise you that satisfactory arrangements have been completed between Dillon Real Estate Company, Incorporated and The Gas Service Company relative to our facilities involved in the platting of Dillon 4th. Addition.

Yours very truly,
THE GAS SERVICE COMPANY

S. E. Walker, Jr.
General Superintendent

GWE:ss
cc: Mr. Robert E. Mullen
Dillon Real Estate Company
2700 East 4th. Street
Hutchinson, Kansas 67501

RECEIVED
FEB 22 1972
METROPOLITAN PLANNING

Southwestern Bell

P.O. Box 2579
Wichita, Kansas 67201
February 15, 1972

Wichita Metropolitan Area Planning Commission
Attention: Mr. John Gist
104 South Main
Wichita, Kansas 67202

Dear Sir:

The Dillon Company has requested Southwestern Bell Telephone Company for cost estimates to clear aerial telephone poles and cables on property at Meridian, Richmond and Douglas Ave., known as Dillon's 4th Addition.

Cost estimates were furnished to them, and they have agreed to pay for plant rearrangements as quoted.

Southwestern Bell has no objection to the replat as proposed for the MAPC meeting on February 17, 1972.

Yours truly,

Alfred A. Snider
District Engineer

cc: Dillon Companies, Inc.
Att: James D. Pattinson

RECEIVED
FEB 17 1972
METROPOLITAN PLANNING

February 11, 1972

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 71-38 - Final Plat of
DILLON 4TH ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on February 10, 1972, the amended plat submitted since the Subdivision Committee approval of February 3, 1972, was considered. It was the action of the Planning Commission to approve the revised plat subject to the conditions as shown in our letter of February 4, 1972, and subject to the Subdivision Committee reviewing the re-designed alley and re-approving the plat at their next regular meeting of February 17, 1972.

Assuming that the Subdivision Committee approves this amended plat on February 17, 1972, in addition to complying with the conditions as shown in our letter of February 4, 1972, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for consideration:

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Certification by an attorney that fee title is vested in the plattor.
4. Certification that all taxes due and payable for 1971 and prior years have been paid.

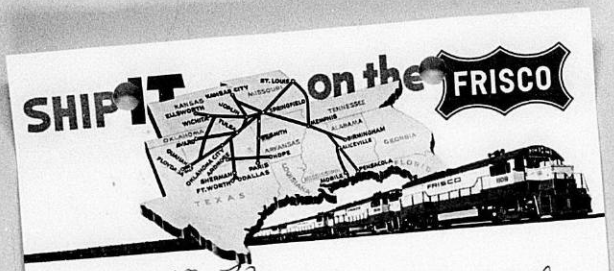
If you have any questions concerning this matter, please call our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Leon Deaber, Dillon Investment Co., Inc., 2700 East 4th Street, Hutchinson, Kansas 67501
Eugene Coombs, Attorney, Sutton Place Building 67202
Roger M. Sherwood, Attorney, Suite 630, 200 West Douglas 67202
M. K. Gentry, 2321 South Seneca 67213



OK 2-10-72

Tuesday - Eng Dept called to give estimates on following improvements for Dillon 4th Add.

1. Pave new alley — $5,000
2. New sidewalk — $1,800
3. New curb & gutter around site — $3,000
4. Close alley returns — $ 240
5. Abandon & plug sewer — $ 60

Total $10,100

February 4, 1972

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

Subject: S/D 71-38 - Final Plat
of DILLON 4TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, February 3, 1972, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

The approval of the plat shall be subject to the approval of the associated and amended zone case, Z-1272. approved 2-29-72

The surveyor's certificate shall be expanded to make reference to the alleys described therein as being vacated by virtue of K.S.A. 1970 Supp. 12-512(b).

e. The angle indicated at the southeast corner of Lot 2 is in error and shall be corrected by the applicant's surveyor.

The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department. ok ok

The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

→ letter of credit

OK The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division of the Department of Public Works shall be contacted regarding this matter. → Letter of Credit

OK g. The applicant shall prepare, and submit to the Engineering Division for approval, construction plans and specifications for the paving of the alley and curb and gutter along the perimeter of the plat that is adjacent to Meridian, Douglas and ~~Richmond.~~ → Per phone call from Fraley 2-25-72 /hs

OK h. The applicant shall install or guarantee the paving of the east-west alley being dedicated. → Letter of credit

OK i. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line. → Letter of Credit

OK j. see memo from Mitchell
The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

k. There are existing structures encroaching into the right-of-way being dedicated for the alley and for Meridian Avenue. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

l. Recording of the plat within 180 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

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 Thursday, February 10, 1972, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

Enclosure

cc: Dillon Investment Co., Inc., Attn: Leon Deaber
2700 East 4th Street, Hutchinson, Kansas, 67501
Eugene Coombs, Attorney, Sutton Place Bldg., 67202
Roger M. Sherwood, Attorney, Suite 630 - 200 W. Douglas, 67202
M. K. Gentry, 2321 South Seneca, 67213

REVISED FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 71-38 Name DILLON 4TH ADDITION
Date Application Rec'd. 5-24-71 Preliminary Approval N/A
Scheduled S/D Meeting 2-3-72

DESCRIPTION

General Location At the southwest corner of Douglas and Meridian

Owner Dillon Investment Co., Inc.
Surveyor/Engineer Baughman Company
Address 2522 East Kellogg Phone 683-7431

1. Gross Acreage of Plat 2.08
2. Number of Lots:
   Residential
   Commercial 2
   Industrial
   Other
   Total Number of Lots 2
3. Minimum Lot Frontage 19 ft.
4. Minimum Lot Area 2,588.25 sq. ft.
5. Existing Zoning A & LC
6. Proposed Zoning LC
7. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 230 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 555 ft.
8. Sidewalk adjacent to all streets? yes X no

9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) (Yes-No)
12. City of Wichita X : Three-Mile Area

STAFF COMMENTS:

BACKGROUND

1. On June 3, 1971, the Subdivision Committee reviewed and approved a final plat for Dillon 4th Addition, subject to certain conditions. The applicant appealed the recommended requirement for 75 feet of half street right-of-way for Douglas and Meridian to the Planning Commission, and on June 10th that Commission also required the additional right-of-way. On appeal to the City Commission, June 22, the governing body approved the plat as recommended by MAPC, except that only 50 feet of right-of-way was required for Douglas and Meridian.

2. The applicant then assembled additional property at the southwest corner of Douglas and Meridian, and one of the properties in the previous plat and associated zone change became unavailable for purchase, therefore, the applicant filed a revised plat and amended the zoning application, Z-1272. The revised final plat was approved by the Subdivision Committee on December 16, 1971.

3. Subsequently, the applicant has been able to acquire the additional property at the southeast corner of Douglas and Richmond and has filed a new revised plat.

APPLICABLE CONDITIONS

4. The approval of the plat shall be subject to the approval of the associated and amended zone case, Z-1272.

5. The surveyor's certificate shall be expanded to make reference to the alleys described therein as being vacated by virtue of K.S.A. 1970 Supp. 12-512(b).

6. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within

(over)

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE January 26, 1972

TO Files - V-0581

FROM John D. Gist, Principal Planner

SUBJECT Closing of file

file S/D 71-38

This vacation case was initiated by the Metropolitan Area Planning Department, as instructed by the Subdivision Committee of the Planning Commission, and was done so in conjunction with the processing of file S/D 71-38, Dillon 4th Addition, so that not just part, but the entire east-west alley could be vacated. Subsequently, because of court action, Dillon Real Estate Company, Inc. was able to acquire Lots 148 and 149, on Douglas Avenue, Phillips Subdivision of Block 9, in Smithsons Addition to Wichita, Sedgwick County, Kansas. The result of the acquisition is that said company now controls all the property abutting the alley, eliminating the need for either Dennis and Rozetta Jantz or MAPD of being a party to this vacation. It was mutually agreed with Eugene Coombs, attorney for Dillon Real Estate Company, Inc., that this also eliminated the need to continue to process this case as they would again submit a revised final plat of their ownership and accomplish the vacation of the entire alley by replat and virtue of K.S.A. 12-512(b). 1970 SUPP.

Therefore, this case shall be considered closed, and any conditions applicable to the closing of the alley shall be a part of S/D 71-38, Dillon 4th Addition.

JDG:rme

cc: File S/D 71-38, Dillon 4th Addition

Eugene Coombs, Attorney
Sutton Place Building, 67202

COPY

REVISED FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 71-38 Name DILLON 4TH ADDITION
Date Application Rec'd. 5-24-71 Preliminary Approval N/A
Scheduled S/D Meeting 2-3-72

DESCRIPTION

General Location At the southwest corner of Douglas and Meridian

Owner Dillon Investment Co., Inc.
Surveyor/Engineer Baughman Company
Address 2522 East Kellogg Phone 683-7431

1. Gross Acreage of Plat 2.08
2. Number of Lots:
   Residential
   Commercial 2
   Industrial
   Other
   Total Number of Lots 2
3. Minimum Lot Frontage 19 ft.
4. Minimum Lot Area 2,588.25 sq. ft.
5. Existing Zoning A & LC
6. Proposed Zoning LC
7. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 230 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 555 ft.
8. Sidewalk adjacent to all streets? yes X no

9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) (Yes-No)
12. City of Wichita X : Three-Mile Area

STAFF COMMENTS:

BACKGROUND

1. On June 3, 1971, the Subdivision Committee reviewed and approved a final plat for Dillon 4th Addition, subject to certain conditions. The applicant appealed the recommended requirement for 75 feet of half street right-of-way for Douglas and Meridian to the Planning Commission, and on June 10th that Commission also required the additional right-of-way. On appeal to the City Commission, June 22, the governing body approved the plat as recommended by MAPC, except that only 50 feet of right-of-way was required for Douglas and Meridian.

2. The applicant then assembled additional property at the southwest corner of Douglas and Meridian, and one of the properties in the previous plat and associated zone change became unavailable for purchase, therefore, the applicant filed a revised plat and amended the zoning application, Z-1272. The revised final plat was approved by the Subdivision Committee on December 16, 1971.

3. Subsequently, the applicant has been able to acquire the additional property at the southeast corner of Douglas and Richmond and has filed a new revised plat.

APPLICABLE CONDITIONS

4. The approval of the plat shall be subject to the approval of the associated and amended zone case, Z-1272.

5. The surveyor's certificate shall be expanded to make reference to the alleys described therein as being vacated by virtue of K.S.A. 1970 Supp. 12-512(b).

6. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within

(over)

the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

7. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

8. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division of the Department of Public Works shall be contacted regarding this matter.

9. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

10. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

11. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

12. There are existing structures encroaching into the right-of-way being dedicated for the alley and for Meridian Avenue. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

13. Recording of the plat within 180 days after approval by the Board of City Commissioners.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

January 26, 1972

TO

Files - V-0581

FROM

John D. Gist, Principal Planner

SUBJECT

Closing of file

file S/D 71-38

COPY

This vacation case was initiated by the Metropolitan Area Planning Department, as instructed by the Subdivision Committee of the Planning Commission, and was done so in conjunction with the processing of file S/D 71-38, Dillon 4th Addition, so that not just part, but the entire east-west alley could be vacated. Subsequently, because of court action, Dillon Real Estate Company, Inc. was able to acquire Lots 148 and 149, on Douglas Avenue, Phillips Subdivision of Block 9, in Smithsons Addition to Wichita, Sedgwick County, Kansas. The result of the acquisition is that said company now controls all the property abutting the alley, eliminating the need for either Dennis and Rozetta Jantz or MAPD of being a party to this vacation. It was mutually agreed with Eugene Coombs, attorney for Dillon Real Estate Company, Inc., that this also eliminated the need to continue to process this case as they would again submit a revised final plat of their ownership and accomplish the vacation of the entire alley by replat and virtue of K.S.A. 12-512(b) 1970 Supp.

Therefore, this case shall be considered closed, and any conditions applicable to the closing of the alley shall be a part of S/D 71-38, Dillon 4th Addition.

JDG:rme

cc: X File S/D 71-38, Dillon 4th Addition

Eugene Coombs, Attorney
Sutton Place Building, 67202

WARRANTY DEED (Following Kansas Statutory Warranty Form)

DENNIS JANTZ and ROZETTA JANTZ, his wife

CONVEY____ AND WARRANT____TO

DILLON REAL ESTATE CO., INC.

5/D71-38

, all the following

described REAL ESTATE in the County of Sedgwick

and the State of Kansas to-wit:

Lots 148 and 149, on Douglas Avenue, in Phillips Sub-Division of Block 9, in Smithsons Addition to Wichita, Sedgwick County, Kansas

for the sum of $10.00 and other valuable consideration.

EXCEPT AND SUBJECT TO: Easements and restrictions of record and applicable zoning and building ordinances of the City of Wichita, Kansas.

Dated January 24 19 72

STATE OF KANSAS, SEDGWICK COUNTY, ss

BE IT REMEMBERED, That on this 24th day of January A. D. 19 72, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came

DENNIS JANTZ and ROZETTA JANTZ, Husband and Wife

who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

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

Notary Public.

Term expires 12-26- 19 72

Dennis Jantz
DENNIS JANTZ

Rozetta Jantz
ROZETTA JANTZ

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING DEPARTMENT
PHONE 262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

file in S/D 71-38

December 21, 1971

Dillon Real Estate Co., Inc.
2700 East 4th Street
Hutchinson, Kansas 67501

Subject: V-0581 - vacation of an alley in an area south of Douglas extending between Richmond and Meridian.

Gentlemen:

At its regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, December 16, 1971, the above captioned vacation request was considered. The action of the Committee was to recommend that this vacation request be approved, subject to the following:

1. Approval of the associated replat, S/D 71-38 - Dillion 4th Addition, and that the vacation ordinance not be published until the replat has been recorded with the Register of Deeds.

2. Reserving as a utility easement within the vacation ordinance, that portion of the alley not being replatted as a part of Dillon 4th Addition.

3. The applicant of the associated replat, Dillon 4th Addition, providing the necessary fill and adjustments in grade for the north half (N½) of the alley being vacated, between the existing grade of the property to the north versus the finish grades of the proposed improvements on Dillon 4th Addition to the south.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, January 13, 1971, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Very truly yours,

Struck from agenda

John D. Gist
Principal Planner

JDG:rme

cc: Dennis & Rozetta Jantz, 2525 West Douglas, 67213
Dorothy Y. & Roy C. Hayes, and Bette J. & Waldo E. Koop
2507 West Douglas, 67213
Dillon Investment Co., Inc., Attn: Jack H. Lemmon
2700 East 4th Street, Hutchinson, Kansas 67501
Eugene Coombs, Attorney, Sutton Place Building, 67202
M. K. Gentry, 2321 South Seneca, 67213
Roger M. Sherwood, Attorney, Suite 630-200 West Douglas, 67202
Baughman Company, 2522 East Kellogg, 67211
Case File S/D 71-38
Mr. Gene White, c/o Dillon Investment Co., Inc.
2700 East 4th Street, Hutchinson, Kansas, 67501
Mr. Robert H. Nelson, Attorney, Suite 630 - 200 W. Douglas,
67202

December 21, 1971

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

Subject: S/D 71-38 - Revised Final Plat of DILLON 4TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, December 16, 1971, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

1. The approval of the plat shall be subject to the approval of the associated and amended zone case, Z-1272, and the associated vacation case V-0581.

2. The surveyor's certificate shall be expanded to make reference to the alleys described therein as being vacated by virtue of K.S.A. 1970 Supp. 12-512(b).

3. There is an error that needs corrected in either one of the increment dimensions, or the overall summation, along the west side of the plat.

4. All corner angles shall be shown on the plat, and a revised print containing such information shall be furnished to the Maintenance-Flood Control and Engineering Divisions of the Department of Public Works, as well as to the Planning Department.

5. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

6. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

7. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division of the Department of Public Works shall be contacted regarding this matter.

8. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

9. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

10. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

11. There is an existing structure encroaching into the right-of-way being dedicated for the alley. Prior to release of the plat tracing for recording, this structure shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed. amend

12. Recording of the plat within 180 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

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 Thursday, January 13, 1971, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

Enclosure

cc: Dillon Investment Co., Inc., Attn: Jack H. Lemmon
2700 East 4th Street, Hutchinson, Kansas, 67501
Eugene Coombs, Attorney, Sutton Place Bldg., 67202
Roger M. Sherwood, Attorney, Suite 630 - 200 W. Douglas, 67202
M. K. Gentry, 2321 South Seneca, 67213

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING DEPARTMENT
PHONE 262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

December 13, 1971

Dillon Real Estate Co., Inc.
2700 East 4th Street
Hutchinson, Kansas 67501

Subject: V-0581 - vacation of an alley in an area south of Douglas extending between Richmond and Meridian.

Gentlemen:

An application has been filed for the vacation of the following:

> The east-west 15 feet alley adjacent on the south of Lots 148 thru 159 on Douglas, odd and even inclusive, Phillips Subdivision of Block 9, in Smithson's Addition to Wichita, Kansas.

This vacation application has been initiated as instructed by the Subdivision Committee of the Metropolitan Area Planning Commission, and will be considered by that Committee in conjunction with an associated replat entitled Dillon 4th Addition. Both of these matter will be considered at the Committee's regular meeting on Thursday, December 16, 1971, at 2:00 p.m., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas.

You may appear if you so desire and discuss with the members of the Committee your feelings as to whether or not this vacation should be approved.

Very truly yours,

John D. Gint
Principal Planner

JDG:rmo

cc: Dennis & Rosetta Jantz, 2525 West Douglas, 67213
Dorothy Y. & Roy C. Hayes, and Betta J. & Waldo E. Koop
2507 West Douglas, 67213
Dillon Investment Co., Inc., Attn: Jack H. Lemmon
2700 East 4th Street, Hutchinson, Kansas, 67501
Eugene Coombs, Attorney, Sutton Place Building, 67202
H. K. Gentry, 2321 South Seneca, 67213
Roger M. Sherwood, Attorney, Suite 603-200 West Douglas, 67202
Haughman Company, 2522 East Kellogg, 67211
Case File S/D 71-38

ADDITION Dillon 4th. Add.

LINE	bearing	DIST.	COSINE	SINE	LATITUDE N	LATITUDE S	DEPARTURE E	DEPARTURE W
E.	N-0° 00'	324.93	—	—	324.93			
N.	N-89°53'30"W	280.67	.00189077	.99999821	0.53			280.669
	S-0°-02'-00E	362.27	.99999983	.00058178		362.269	0.21	
	S-89° 52 — E	140.23	.00232710	.99999729		0.326	140.229	
	N-0°-01' — W	37.45	.99999996	.00029089	37.449			0.01
	S-89° 52 — E	140.24	.00232710	.99999729		0.326	140.239	
							280.68	
					362.91			280.68
						362.92		

Rec'd. 12-7-71 PS

December 7, 1971

Dillon Investment Co., Inc.
Attn: Jack H. Lemmon
2700 East 4th Street
Hutchinson, Kansas 67501

Subject: S/D 71-38 - Revised Final Plat of DILLON 4TH ADDITION, generally located at the southwest corner of Douglas and Meridian.

Dear Mr. Lemmon:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, December 2, 1971, the above captioned revised final plat was considered. After discussing the plat's history and recognizing the principal difference in the revised final plat was the deletion of the property in the northwest corner, or the immediate southeast corner of the intersection of Douglas and Richmond, which affects the original proposal of vacating the existing east-west 15 foot alley in its entirety, it was the action of the Committee to defer this revised plat for two weeks. Since the north half of said alley which still remain adjacent to the south side of the deleted or "excepted" property to the northwest, it further was the action of the Committee to instruct the Planning Department to in tiate the vacation proceedings on the entire east-west alley south of Douglas between Richmond and Meridian.

This vacation proceeding will be initiated and scheduled along with the revised final plat on the Subdivision Committee's agenda for their next regular meeting on December 16, 1971. Notices of such proceeding will be sent to parties concerned and the two mattars can be considered jointly at that meeting

which will begin at 2:00 p.m. If you should have any further questions concerning this matter, please call.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

cc: Eugene Coombs, Attorney, Sutton Place Building, 67202
M. K. Gentry, 2321 South Seneca, 67213
Baughman Company, 2522 East Kellogg, 67211
Dennis Rozetta Jantz, 2525 West Douglas, 67213
Roger M. Sherwood, Attorney, Suite 603 - 200 W. Douglas, 67202

[illegible] November 19, 1971

[illegible]

Subject: [illegible]

[illegible]

Dear [illegible]

[illegible]

You may appear either in person or by agent or attorney if you so desire, and discuss with the members of the Committee your feelings concerning this plat as they relate to the partial vacation of said alley.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

cc: Roger M. Sherwood, Attorney, Suite 630 - 200 W. Douglas, 67202
Eugene Coombs, Attorney, Sutton Place Bldg., 67202
Dillon Investment Company, Inc., Attn: Jack H. Lemmon
2700 East 4th Street, Hutchinson, Kansas, 67501
M. K. Gentry, 2321 South Seneca, 67213
Baughman Company, 2522 East Kellogg, 67211

REVISED FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 71-38 Name DILLON 4TH ADDITION
Date Application Rec'd. 5-24-71 Preliminary Approval N/A
Scheduled S/D Meeting 12-2-71

DESCRIPTION

General Location At the southwest corner of Douglas and Meridian

Owner Dillon Investment Co., Inc.
Surveyor/Engineer Baughman Company
Address 2522 East Kellogg Phone 683-7431

1. Gross Acreage of Plat 2.08
2. Number of Lots:
   Residential
   Commercial 2
   Industrial
   Other
   Total Number of Lots 2
3. Minimum Lot Frontage 19 ft.
4. Minimum Lot Area 2,588.25 sq. ft.
5. Existing Zoning A & LC
6. Proposed Zoning LC
7. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 230 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 555 ft.
8. Sidewalk adjacent to all streets? yes X no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) (Yes-No)
12. City of Wichita X : Three-Mile Area

STAFF COMMENTS:

BACKGROUND

1. On June 3, 1971, the Subdivision Committee reviewed and approved a final plat for Dillon 4th Addition, subject to certain conditions. The applicant appealed the recommended requirement for 75 feet of half street right-of-way for Douglas and Meridian to the Planning Commission, and on June 10th that Commission also required the additional right-of-way. On appeal to the City Commission, June 22, the governing body approved the plat as recommended by MAPC, except that only 50 feet of right-of-way was required for Douglas and Meridian.

2. The applicant has now assembled additional property at the southwest corner of Douglas and Meridian, and one of the properties in the previous plat and associated zone change is not now available for purchase, therefore, the applicant has filed this revised plat and has amended the zoning application, Z-1272. The approval of the revised plat shall be subject to the approval of the associated and amended zone case.

CONDITIONS STILL APPLICABLE

3. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within approximately the east half of the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

4. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

(over)

5. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division of the Department of Public Works shall be contacted regarding this matter.

6. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

7. There is an existing structure encroaching into the right-of-way being dedicated for the alley. Prior to release of the plat tracing for recording, this structure shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

8. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

9. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

10. Recording of the plat within 180 days after approval by the Board of City Commissioners.

ADDITIONAL COMMENTS AND CONDITIONS

11. The surveyor's certificate shall be expanded to make reference to the alleys described therein as being vacated by virtue of K.S.A. 1970 Supp. 12-152(b).

12. There appears to be an error in either one of the increment dimensions, or the overall summation, along the west side of the plat.

13. The applicant shall be advised that sidewalk construction will be required prior to final building inspection for lots where the sidewalk has been required as a condition of platting.

14. The revised final plat resulting from the deletion of property at the southeast corner of Douglas and Richmond, affects the original proposal of vacating the existing east-west 15-foot alley in its entirety. The north half of said alley would still remain adjacent to the south side of said deleted property.

WICHITA-SEDGWICK COUNTY

DATE July 9, 1971

METROPOLITAN AREA PLANNING DEPARTMENT

TO Members of the Utility Advisory Committee

FROM John D. Gist, Principal Planner Gist

SUBJECT Revised final plat of Dillon 4th Addition

By previous memo dated June 8, 1971, we forwarded to you a copy of the applicant's revised sketch plat containing design revisions involving additional properties and changes in the handling of the new east-west alley. You will recall that the Subdivision Committee on June 3 required the dedication of 50 and 75 feet of right-of-way for Douglas and Meridian in accordance with the standards of the Subdivision Regulations for intersecting arterials. The applicant appealed this decision to the Planning Commission, and on June 10 that Commission also required the additional right-of-way. On appeal to the City Commission, June 22, 1971, the governing body approved the plat as recommended by MAPC, except that only 50 feet of right-of-way was required for Douglas and Meridian.

The attached final plat is for your information and to make your records and files current. It should be noted that provisions for dedicating the alley are reflected in the plattor's text twice, and the last sentence thereof will be deleted accordingly. It is also noted that the overall dimension on the east line of the plat does not equal the sum of the east lot line and the right-of-way being dedicated for Douglas Avenue. The applicant's surveyor is increasing the east lot line dimension accordingly.

JDG:rme

Attachment

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 10, 1971:

7. S/D 71-38 - Final Plat of DILLON 4TH ADDITION, generally located at the southwest corner of Douglas and Meridian.

LAKIN said that at the Subdivision Committee meeting the applicant had indicated a desire to discuss some of the requirements of the Committee with the Planning Commission, especially concerning the 75 feet of right-of-way dedications at Douglas and Meridian. He stated that although it does not show on the agenda, the Subdivision Committee recommendation on this right-of-way requirement was by a vote of 2 in favor and 1 opposed.

GALBRAITH pointed out that the Planning Commission has previously approved a change of zoning to "LC" for this corner subject to replatting. He said there was considerable discussion at the Subdivision Committee meeting relative to the east-west alley to the south of the proposed development which was indicated as turning east to Meridian, and since it was indicated that the applicant had options to purchase more property to the south, it was suggested that the plat be redesigned to include such area and that the alley be turned to the west to Richmond. These changes have been made on the plat and the requirement of a 35-foot radius on the alley has been changed to 19 feet since the Subdivision Committee meeting and after checking with the Traffic Engineer.

GALBRAITH said the primary discussion was related to 50 and 75 feet of half-street right-of-way for Douglas and Meridian and that the plat as submitted indicates only a 50-foot dedication on both streets, which is not according to the policy with respect to dedications on major street intersections. GALBRAITH said that two of the Subdivision Committee members recommended that 75 feet be required in accordance with the policy and one member preferred that only 50 feet be required, but that another 25 feet be controlled through setback lines so that when the City does need to improve the intersection there would be no building to condemn and the City could negotiate for the purchase of the needed right-of-way. GALBRAITH pointed out that there is older commercial development on the other three corners of this intersection.

GALBRAITH said that another issue was a building setback line on the west along Richmond which usually is required to be 20 feet. In this instance, however, the building as now proposed has to locate as shown on the sketch because of existing utilities and the size of the building, and the applicant has asked that only a 10-foot setback be required from the side street. This also was opposed by one member of the Subdivision Committee.

JAMES LEMMON, real estate manager for Dillon Stores, said they realized at the time the zoning was changed that there would be some dedication of rights-of-way and that they desire to dedicate 20 feet of additional right-of-way on Meridian and 10 feet on Douglas, which would provide for 50 feet of half-street right-of-way for both streets. However, the Subdivision Committee has recommended an additional 25 feet for both streets,

and from an economical standpoint such is not feasible for the Dillon Company. LEMMON said that at previous hearings before the Planning Commission and City Commission it was indicated that rights-of-way would be discussed in connection with re-platting of the property. He pointed out that as mentioned at the Subdivision Committee hearing, dedication as recommended by the Subdivision Committee represents a value of $30,000.

LEMMON said that aside from the economic aspects of the recommended rights-of-way, which they considered a heavy burden on the property itself, the additional street dedication would pose the possibility of the Company losing about 43 parking spaces without remuneration to the Company and would reduce the desirability of an additional 23 spaces. From the standpoint of serving the public at a cost of approximately $600,000, it would not appear to be a wise investment for the Company in having to dedicate property valued at $30,000.

LEMMON said that there was a question in his mind that a 150-foot right-of-way will be needed at this corner in the foreseeable future and there is no specific design for the intersection at this time; also, it was stated at the Subdivision Committee meeting that the desired intersection improvement could be developed in a 100-foot right-of-way by reducing the parkway area.

LEMMON said they have made what they considered to be considerable changes from the original concept of their project and that they felt strongly that they cannot proceed on the basis of the additional dedications, and asked that the Planning Commission recommend approval of the plat to the City Commission with the street dedications as originally proposed (50 feet for half-street right-of-way for Meridian and Douglas.

JACKSON said that at the Subdivision Committee meeting, the possibility of outright dedication and use of the area by the applicant under a minor street privilege permit was discussed. LEMMON said such has been utilized in relation to some of their Kwik Shop Stores where parking was not so vital, but in this particular project, the only way consideration could be given would be through an extended lease agreement whereby the Dillon Company would have use of the property for a number of years, and he doubted that it would be legally possible for the City to enter into such an agreement. Under any other type of agreement for use, if the City wanted the use of the right-of-way only two years after their project was built for any use whatsoever whether widening of the street or not, then the applicant would be faced with a problem. He commented that in developing new stores, the needs of the Company so far as serving the consuming public must be considered, and in this case he felt it was unfair and unnecessary to request the right-of-way as recommended. He believed there was a precedent for making an exception, and he also pointed out that in any improvement of this intersection, the City would have to condemn the other

three corners, as well as subject corner if the applicant does not proceed with the proposed development. He pointed out that if the City paid for condemnation then they could purchase additional property in the block to replace parking if final plans for the intersection should actually require 150 feet of right-of-way.

When asked how long a time period he referred to for use of the property, LEMMON said at least 20 or 25 years, which would coincide with financing.

JACKSON pointed out that the vacation of the east-west and north-south alleys which the applicant has requested in connection with redevelopment of this area and which area would revert to the applicant, could be considered as replacing some of the right-of-way required for street dedications.

LEMMON pointed out that while the applicant and a mortgage company consider closely the economics involved in this project, the utility value is of great importance also because the parking is needed which would be eliminated through dedication as suggested. LEMMON said they have plans for 128 cars or 6 spaces for each 1,000 square feet of store area, while under the ordinance only 80 spaces are required. He said they are trying to develop a facility that would be good for many years and one that is geared to the consuming market today.

RISING asked if the applicant was aware of the requirements being discussed prior to starting the project and felt they would be able to obtain an exception.

LEMMON said they were aware of the requirements and had considered other locations, one being at Maple and Meridian, which is even a narrower street, and it was primarily at the insistence of the real estate broker who had numerous hours invested in attempts to assemble properties at subject site that they entered into discussions with the Planning Staff and decided to file applications for zoning and subdivision.

RISING asked Lakin if he could point out any exceptions made which had been referred to previously by Mr. Lemmon.

LAKIN pointed out that an exception was made at the northwest corner of Douglas and Hillside, where Safeway Stores had acquired properties and constructed a store. In this instance, only 50 feet was required, the reason being largely because of the conditions on the other three corners where there were permanent structures on two and a parking lot on the third associated with a business. It was the opinion of the Commission at that time that these circumstances precluded the possibility that this intersection would be redeveloped with full channelization within the foreseeable future.

LAKIN continued that in most cases on commercial plats at such locations (intersection of major arterials), and there appears to be a 50/50 chance that the other corners may be

developed or redeveloped, then 75 feet of right-of-way has been required. He pointed out that there are other exceptions, such as in the downtown area where such is not required in the Central Business District.

LAKIN referred back to the suggestion that the applicant would desire an agreement for use of any potential right-of-way property for at least 20 or 25 years, and pointed out that this particular intersection has been in the Capital Improvement Program for a number of years, but has been rescheduled several times; however, it definitely is meant for reconstruction within the next planning period of 5 years although there are no specific plans drawn at this time. He pointed out that there will have to be some condemnations at this corner particularly to resolve the jog in the street. He pointed out also that if the 75-foot dedication is not required and a setback is to prevent construction in the area, the City would probably be faced with rather heavy severance damages if it is required to condemn parking space, since the applicant considers such parking quite important to the economic vitality of their project.

LEMMON said they were not interested in developing a property that is not properly controlled and with adequate streets and parking, and stated that they have attempted to develop proposals that they felt would be adequate. He stated that so far as comparison with the corner of Hillside and Douglas, he could not visualize subject intersection carrying more traffic than Hillside and Douglas for sometime in the future, if ever, and for that reason he considered that a 100-foot right-of-way should be adequate.

One of the Commissioners suggested that parking facilities could be increased utilizing properties just to the south on which the applicant has options. LEMMON agreed, but continued to point out that it would be the least desirable area for parking. He pointed out also that they have had to reduce the size of the building because of the easements involved and have made every effort to adapt their project to circumstances as they exist. LEMMON said that after all the requirements, they are able to utilize only about 43% of their property, including areas covered by easements.

BLAKEY asked that the record show that because of a conflict of interest he would abstain from discussion or voting on this case.

JACKSON explained that because of the size of the building, the Subdivision Committee felt that a 10-foot setback on Richmond would be adequate, which is a deviation from the normal 20-foot setback required.

LEMMON said the property to the south of the alley on which they have an option is only 37 1/2 feet in width.

JACKSON indicated his desire to require the 75-foot dedication and for the applicant to utilize the property under a minor street

privilege. He suggested the possibility of locating the building farther south and relocating the employee parking which had been planned along the south side.

LEMMON said it would be necessary to redesign the north and east elevations to do what is required since they cannot have any canopies over the easements. He said they have agreed to landscape the 10-foot setback on Richmond and that the airconditioning equipment will be recessed into the building out of sight.

> MOTION: JACKSON moved, KAMEN seconded and it carried by a vote of 5 in favor (Jackson, Kamen, Burnett, Souders and Taylor), and 1 opposed (Rising) that the Planning Commission recommend to the City Commission that this plat be approved, subject to the conditions as recommended by the Subdivision Committee and as set out below, including an inside turning radius of 19 feet on the alley extending west to Richmond and the dedication of 50 and 75 feet of right-of-way for Douglas and Meridian; further, that it is recommended that the applicant be permitted to utilize the additional 25 feet of right-of-way on Douglas and Meridian under a minor street privilege, or the right-of-way be contingently dedicated, but the method of minor street privilege is preferred. BLAKEY abstained.

CONDITIONS OF APPROVAL:

1. Indicating 50 and 75 feet of half-street right-of-way for Douglas and Meridian Avenues, in accordance with the standards of the Subdivision Regulations for intersecting arterials. Building setbacks to be adjusted to 35 feet from the new right-of-way lines accordingly.

2. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within approximately the east half of the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

3. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

4. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division

of the Department of Public Works shall be contacted regarding this matter.

5. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

6. There are existing structures encroaching into the right-of-way being dedicated for the alley and the arterial streets. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

7. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

8. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

9. Recording of the plat within 180 days after approval by the Board of City Commissioenrs.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 10, 1971:

7. S/D 71-38 - Final Plat of DILLON 4TH ADDITION, generally located at the southwest corner of Douglas and Meridian.

LAKIN said that at the Subdivision Committee meeting the applicant had indicated a desire to discuss some of the requirements of the Committee with the Planning Commission, especially concerning the 75 feet of right-of-way dedications at Douglas and Meridian. He stated that although it does not show on the agenda, the Subdivision Committee recommendation on this right-of-way requirement was by a vote of 2 in favor and 1 opposed.

GALBRAITH pointed out that the Planning Commission has previously approved a change of zoning to "LC" for this corner subject to replatting. He said there was considerable discussion at the Subdivision Committee meeting relative to the east-west alley to the south of the proposed development which was indicated as turning east to Meridian, and since it was indicated that the applicant had options to purchase more property to the south, it was suggested that the plat be redesigned to include such area and that the alley be turned to the west to Richmond. These changes have been made on the plat and the requirement of a 35-foot radius on the alley has been changed to 19 feet since the Subdivision Committee meeting and after checking with the Traffic Engineer.

GALBRAITH said the primary discussion was related to 50 and 75 feet of half-street right-of-way for Douglas and Meridian and that the plat as submitted indicates only a 50-foot dedication on both streets, which is not according to the policy with respect to dedications on major street intersections. GALBRAITH said that two of the Subdivision Committee members recommended that 75 feet be required in accordance with the policy and one member preferred that only 50 feet be required, but that another 25 feet be controlled through setback lines so that when the City does need to improve the intersection there would be no building to condemn and the City could negotiate for the purchase of the needed right-of-way. GALBRAITH pointed out that there is older commercial development on the other three corners of this intersection.

GALBRAITH said that another issue was a building setback line on the west along Richmond which usually is required to be 20 feet. In this instance, however, the building as now proposed has to locate as shown on the sketch because of existing utilities and the size of the building, and the applicant has asked that only a 10-foot setback be required from the side street. This also was opposed by one member of the Subdivision Committee.

JAMES LEMMON, real estate manager for Dillon Stores, said they realized at the time the zoning was changed that there would be some dedication of rights-of-way and that they desire to dedicate 20 feet of additional right-of-way on Meridian and 10 feet on Douglas, which would provide for 50 feet of half-street right-of-way for both streets. However, the Subdivision Committee has recommended an additional 25 feet for both streets,

and from an economical standpoint such is not feasible for the Dillon Company. LEMMON said that at previous hearings before the Planning Commission and City Commission it was indicated that rights-of-way would be discussed in connection with re-platting of the property. He pointed out that as mentioned at the Subdivision Committee hearing, dedication as recommended by the Subdivision Committee represents a value of $30,000.

LEMMON said that aside from the economic aspects of the recommended rights-of-way, which they considered a heavy burden on the property itself, the additional street dedication would pose the possibility of the Company losing about 43 parking spaces without remuneration to the Company and would reduce the desirability of an additional 23 spaces. From the standpoint of serving the public at a cost of approximately $600,000, it would not appear to be a wise investment for the Company in having to dedicate property valued at $30,000.

LEMMON said that there was a question in his mind that a 150-foot right-of-way will be needed at this corner in the foreseeable future and there is no specific design for the intersection at this time; also, it was stated at the Subdivision Committee meeting that the desired intersection improvement could be developed in a 100-foot right-of-way by reducing the parkway area.

LEMMON said they have made what they considered to be considerable changes from the original concept of their project and that they felt strongly that they cannot proceed on the basis of the additional dedications, and asked that the Planning Commission recommend approval of the plat to the City Commission with the street dedications as originally proposed (50 feet for half-street right-of-way for Meridian and Douglas.

JACKSON said that at the Subdivision Committee meeting, the possibility of outright dedication and use of the area by the applicant under a minor street privilege permit was discussed. LEMMON said such has been utilized in relation to some of their Kwik Shop Stores where parking was not so vital, but in this particular project, the only way consideration could be given would be through an extended lease agreement whereby the Dillon Company would have use of the property for a number of years, and he doubted that it would be legally possible for the City to enter into such an agreement. Under any other type of agreement for use, if the City wanted the use of the right-of-way only two years after their project was built for any use whatsoever whether widening of the street or not, then the applicant would be faced with a problem. He commented that in developing new stores, the needs of the Company so far as serving the consuming public must be considered, and in this case he felt it was unfair and unnecessary to request the right-of-way as recommended. He believed there was a precedent for making an exception, and he also pointed out that in any improvement of this intersection, the City would have to condemn the other

three corners, as well as subject corner if the applicant does not proceed with the proposed development. He pointed out that if the City paid for condemnation then they could purchase additional property in the block to replace parking if final plans for the intersection should actually require 150 feet of right-of-way.

When asked how long a time period he referred to for use of the property, LEMMON said at least 20 or 25 years, which would coincide with financing.

JACKSON pointed out that the vacation of the east-west and north-south alleys which the applicant has requested in connection with redevelopment of this area and which area would revert to the applicant, could be considered as replacing some of the right-of-way required for street dedications.

LEMMON pointed out that while the applicant and a mortgage company consider closely the economics involved in this project, the utility value is of great importance also because the parking is needed which would be eliminated through dedication as suggested. LEMMON said they have plans for 128 cars or 6 spaces for each 1,000 square feet of store area, while under the ordinance only 80 spaces are required. He said they are trying to develop a facility that would be good for many years and one that is geared to the consuming market today.

RISING asked if the applicant was aware of the requirements being discussed prior to starting the project and felt they would be able to obtain an exception.

LEMMON said they were aware of the requirements and had considered other locations, one being at Maple and Meridian, which is even a narrower street, and it was primarily at the insistence of the real estate broker who had numerous hours invested in attempts to assemble properties at subject site that they entered into discussions with the Planning Staff and decided to file applications for zoning and subdivision.

RISING asked Lakin if he could point out any exceptions made which had been referred to previously by Mr. Lemmon.

LAKIN pointed out that an exception was made at the northwest corner of Douglas and Hillside, where Safeway Stores had acquired properties and constructed a store. In this instance, only 50 feet was required, the reason being largely because of the conditions on the other three corners where there were permanent structures on two and a parking lot on the third associated with a business. It was the opinion of the Commission at that time that these circumstances precluded the possibility that this intersection would be redeveloped with full channelization within the foreseeable future.

LAKIN continued that in most cases on commercial plats at such locations (intersection of major arterials), and there appears to be a 50/50 chance that the other corners may be

developed or redeveloped, then 75 feet of right-of-way has been required. He pointed out that there are other exceptions, such as in the downtown area where such is not required in the Central Business District.

LAKIN referred back to the suggestion that the applicant would desire an agreement for use of any potential right-of-way property for at least 20 or 25 years, and pointed out that this particular intersection has been in the Capital Improvement Program for a number of years, but has been rescheduled several times; however, it definitely is meant for reconstruction within the next planning period of 5 years although there are no specific plans drawn at this time. He pointed out that there will have to be some condemnations at this corner particularly to resolve the jog in the street. He pointed out also that if the 75-foot dedication is not required and a setback is to prevent construction in the area, the City would probably be faced with rather heavy severance damages if it is required to condemn parking space, since the applicant considers such parking quite important to the economic vitality of their project.

LEMMON said they were not interested in developing a property that is not properly controlled and with adequate streets and parking, and stated that they have attempted to develop proposals that they felt would be adequate. He stated that so far as comparison with the corner of Hillside and Douglas, he could not visualize subject intersection carrying more traffic than Hillside and Douglas for sometime in the future, if ever, and for that reason he considered that a 100-foot right-of-way should be adequate.

One of the Commissioners suggested that parking facilities could be increased utilizing properties just to the south on which the applicant has options. LEMMON agreed, but continued to point out that it would be the least desirable area for parking. He pointed out also that they have had to reduce the size of the building because of the easements involved and have made every effort to adapt their project to circumstances as they exist. LEMMON said that after all the requirements, they are able to utilize only about 43% of their property, including areas covered by easements.

BLAKEY asked that the record show that because of a conflict of interest he would abstain from discussion or voting on this case.

JACKSON explained that because of the size of the building, the Subdivision Committee felt that a 10-foot setback on Richmond would be adequate, which is a deviation from the normal 20-foot setback required.

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[illegible] the possibility of [illegible]
[illegible] the employee [illegible]
[illegible]

privilege. He suggested the possibility of locating the building farther south and relocating the employee parking which had been planned along the south side.

LEMMON said it would be necessary to redesign the north and east elevations to do what is required since they cannot have any canopies over the easements. He said they have agreed to landscape the 10-foot setback on Richmond and that the airconditioning equipment will be recessed into the building out of sight.

> MOTION: JACKSON moved, KAMEN seconded and it carried by a vote of 5 in favor (Jackson, Kamen, Burnett, Souders and Taylor), and 1 opposed (Rising) that the Planning Commission recommend to the City Commission that this plat be approved, subject to the conditions as recommended by the Subdivision Committee and as set out below, including an inside turning radius of 19 feet on the alley extending west to Richmond and the dedication of 50 and 75 feet of right-of-way for Douglas and Meridian; further, that it is recommended that the applicant be permitted to utilize the additional 25 feet of right-of-way on Douglas and Meridian under a minor street privilege, or the right-of-way be contingently dedicated, but the method of minor street privilege is preferred. BLAKEY abstained.

CONDITIONS OF APPROVAL:

1. Indicating 50 and 75 feet of half-street right-of-way for Douglas and Meridian Avenues, in accordance with the standards of the Subdivision Regulations for intersecting arterials. Building setbacks to be adjusted to 35 feet from the new right-of-way lines accordingly.

2. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within approximately the east half of the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

3. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

4. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division

of the Department of Public Works shall be contacted regarding this matter.

5. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

6. There are existing structures encroaching into the right-of-way being dedicated for the alley and the arterial streets. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

7. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

8. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

9. Recording of the plat within 180 days after approval by the Board of City Commissioenrs.

DILLON 4th ADDITION

1. STREET AND ALLEY R-O-W BEING DEDICATED AS SHOWN ON PLAT

ST. R-O-W — 9,005.30 SQ.FT.
ALLEY R-O-W — 2,804.80 SQ. FT.
TOTAL 11,810.10 SQ.FT.

2. PUBLIC ~~R-O-W~~ BEING VACATED BY PLAT — 9072.00 SQ.FT.

DIFFERENCE (#1 MINUS #2) — 2,738.10 SQ.FT.

3. 15 FT R-O-W — 10,424.25 SQ.FT. — 19,429.55
ALLEY R-O-W 2,804.80 SQ.FT 2804.80
TOTAL 13,229.05 SQ.FT. 22,234.35

4. PUBLIC R-O-W BEING VACATED BY PLAT — 8992.00 SQ.FT.

DIFFERENCE (#3 MINUS #4) ~~4237.05 SQ.FT.~~
13,242.35

MOhawk 5-5511

DILLON INVESTMENT CO., INC.

2700 EAST FOURTH STREET P.O. BOX 1608 HUTCHINSON, KANSAS 67501

June 14, 1971

Wichita-Sedgwick County
Planning Commission
104 South Main
Wichita, Kansas 67202

Re: S/D 71-38-Final Plat of Dillon 4th Addition

ATTENTION: MR. JACK H. GALBRAITH

Dear Mr. Galbraith:

Please be advised that our company requests that the Board of City Commissioners of Wichita, Kansas, be asked to include on their agenda of June 22, 1971, the subject final plat. It is the intent of our company to appeal the requirement of the Planning Commission that an additional 25 feet of street right-of-way be dedicated over the street right-of-ways proposed for dedication in related zoning hearings and hearings as to platting.

Thank you for your attention to these matters.

Sincerely,

J. H. Lemmon
Real Estate Department

JHL/dlr

RECEIVED
JUN 16 1971
METROPOLITAN
PLANNING

City Manager's Agenda Item Page

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 71-38 Name DILLON 4th ADDITION
Application Filed: 5-24-71 Sketch Filed: 5-24-71
Preliminary Plat Filed: None Approved by S/D: N/A
Final Plat Filed: 5-24-71 Approved by S/D: 6-3-71
Approved by Metropolitan Area Planning Commission: 6-10-71

DESCRIPTION

General Location: Southwest corner of Douglas and Meridian

Surveyor or Engineer: Baughman Company
Owner: Dillon Inv. Co., Inc.
Address: 2700 East 4th, Hutchinson 67501

1. Gross Acreage of Plat 2.24
2. Number of Lots:
   Residential
   Commercial 1
   Industrial
   Other
   Total Number of Lots: 1
3. Minimum Lot Frontage: 280.67 ft.
4. Minimum Lot Area 87,350 sq.ft.
5. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 280 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 605 ft.
6. Existing Zoning: "A" & "LC"

NOTE: The applicant has requested that this plat be forwarded on to the City Commission so that they can appeal number "1" of the recommended conditions of the Planning Commission.

Planning Commission Recommendation:

JACKSON moved and KAMEN seconded that the Planning Commission recommend to the City Commission that the plat be approved, subject to the conditions as recommended by the Subdivision Committee, including an inside turning radius of 19 feet on the alley extending west to Richmond and the dedication of 50 and 75 feet of right-of-way for Douglas and Meridian. It was further recommended that the applicant be permitted to utilize the additional 25 feet of right-of-way on Douglas and Meridian under a minor street privilege, or the right-of-way be contingently dedicated, but the method of minor street privilege is preferred.

SEE ATTACHED SHEET FOR CONDITIONS.

Associated Zone Case: Z-1272, "A" to "LC", has been approved by the Board of City Commissioners on May 11, 1971, subject to replatting.

Vote of Planning Commission: Motion carried by a vote of 5 in favor (Jackson, Kamen, Burnett, Souders and Taylor) and 1 opposed (Rising) and one abstained (Blakey).

ACTION: 1. Approve the plat as recommended by the Planning Commission and authorize the Mayor to sign, and instruct the Planning Department to withhold release of the plat tracing for recording until all conditions have been complied with; or
2. Take such action as the Commission deems appropriate.

S/D 71-38 - DILLON 4TH ADDITION

CONDITIONS OF APPROVAL:

1. Indicating 50 and 75 feet of half-street right-of-way for Douglas and Meridian Avenues, in accordance with the standards of the Subdivision Regulations for intersecting arterials. Building setbacks to be adjusted to 35 feet from the new right-of-way lines accordingly.

2. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within approximately the east half of the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

3. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

4. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division of the Department of Public Works shall be contacted regarding this matter.

5. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

6. There are existing strucutres encroaching into the right-of-way being dedicated for the alley and the arterial streets. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

7. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

8. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

9. Recording of the plat within 180 days after approval by the Board of City Commissioners.

ALSO NEEDED:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.

2. Certification by an attorney that fee title is vested in the plattor.

3. Certification that all taxes due and payable for 1970 and prior years have been paid.

June 11, 1971

Mr. J. H. Lemmon
Dillon Investment Company, Inc.
2700 East 4th Street
Hutchinson, Kansas 67501

Re: S/D 71-38 - Final Plat of
DILLON 4TH ADDITION

Dear Mr. Lemmon:

At the regular meeting of the Metropolitan Area Planning Commission on June 10, 1971, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved subject to the conditions as recommended by the Subdivision Committee and listed in our letter of June 4, 1971, which includes an inside turning radius of 19 feet on the alley extending west to Richmond and the dedication of 50 and 75 feet of right-of-way for Douglas and Meridian. It was further recommended that the applicant be permitted to utilize the additional 25 feet of right-of-way under a minor street privilege, or the right-of-way be contingently dedicated, but the method of minor street privilege is perferred.

In addition, it is necessary that the following conditions be complied with:

1. Compliance with the requirements of the Metropolitan Area Planning Commission.

2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.

3. Certification by an attorney that fee title is vested in the plattor.

4. Certification that all taxes due and payable for 1970 and prior years have been paid.

The usual procedure is that all the above conditions be complied with prior to our scheduling this plat for consideration by the Board of City Commissioners. However, inasmuch as you orally requested this case to be forwarded on to the City Commission

so that you could appeal the requirement of the additional 25 feet of right-of-way, this is to advise you that we will schedule this matter for their agenda of June 22, 1971, at 9:00 a.m., in Room 201 City Building, 204 South Main, Wichita, Kansas. We would appreciate a letter from you for our files stating your request to appeal one of the recommended conditions of the Planning Commission.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: M. K. Gentry, 2321 South Seneca 67213
Baughman Company, 2522 East Kellogg 67211

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE June 8, 1971

TO Members of the Utility Advisory Committee

FROM John D. Gist, Principal Planner

SUBJECT Revised Plat of Dillon 4th Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, June 3, 1971, the final plat of Dillon 4th Addition was considered. The action of the Committee was to recommend that this plat be approved subject to several conditions, one of which was to require that the plat be redesigned. The revisions were to include the applicant's additional land to the south on Richmond, and to provide the alley dedication extending west from the north-south alley out to Richmond, in lieu of east to Meridian. The applicant's surveyor has met with the Traffic Engineering Division of the Department of Public Works concerning these changes, and attached for your information and files is a copy of the applicant's sketch plat containing the design revisions which will be considered by the Planning Commission at their regular meeting on Thursday, June 10, 1971.

The Subdivision Committee also recommended that the 50 and 75 feet of half street right-of-way for Douglas and Meridian be provided in accordance with the standards of the Subdivision Regulations for intersecting arterials. The applicant intends to appeal this requirement to the Planning Commission, and once all of the design issues have been resolved and the plat is approved, we will forward to you revised copies of the final plat which are to be furnished by the applicant.

JDG:rme

Attachment

June 4, 1971

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

Subject: S/D 71-38 - Final Plat
of DILLON 4TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, June 3, 1971, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

OK 1. The applicant shall redesign the final plat so as to include their additional land to the south on Richmond Avenue, and to provide the alley dedication extending west from the north-south alley out to Richmond, in lieu of east to Meridian. Said alley dedication to the west to be such that an inside turning radius of 35 feet is provided, and the outside radius may be eliminated and modified so that the right-of-way lines intersect at 90 degrees.

2. Indicating 50 and 75 feet of half-street right-of-way for Douglas and Meridian Avenues, in accordance with the standards of the Subdivision Regulations for intersecting arterials. Building setbacks to be adjusted to 35 feet from the new right-of-way lines accordingly.

OK 3. The corner angles indicated on the plat do not close and shall be checked by the applicant's surveyor.

OK 4. The plattor's text shall be amended as follows: "...platted into a lot, streets and an alley to be... The streets are hereby dedicated..."

5. The applicant shall contact the Southwestern Bell Telephone, Kansas Gas and Electric and Gas Service Companies relative to relocation of, or providing adequate easements for, those utility services existing within approximately the east half of the east-west alley being vacated. Letters shall be obtained from each company indicating that satisfactory arrangements have been made, said letters to be furnished to the Planning Department.

6. The applicant and/or his engineer shall submit a lot grading plan for subject property to M. S. Mitchell of the Maintenance Division of the Department of Public Works. The applicant shall obtain a letter from M. S. Mitchell stating that a satisfactory plan has been approved, said letter to be submitted to the Planning Department.

7. The applicant shall close the existing alley curb returns on Meridian and Richmond at the location of the east-west alley being vacated. All other individual driveways or curb cuts to the existing residences shall also be closed at the time of redevelopment of the property. The Engineering Division of the Department of Public Works shall be contacted regarding this matter.

8. The applicant shall install or guarantee the paving of the east-west alley being dedicated.

9. There are existing structures encroaching into the right-of-way being dedicated for the alley and the arterial streets. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

10. The applicant shall make satisfactory arrangements with the Engineering Division of the Department of Public Works for abandoning the affected portion of the sanitary sewer which exists in the east-west alley being vacated.

11. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

12. Recording of the plat within 180 days after approval by the Board of City Commissioners.

The Committee also asked that the applicant have their surveyor prepare a revised final plat showing the redesign of the alley out to Richmond Avenue and the additional property to the south. Twenty-five (25) copies of the redesigned plat shall be furnished to the Planning Department prior to the Planning Commission's meeting on June 10, 1971, said copies which we will redistribute to members of the Utility Advisory Committee. It is suggested that you and/or the applicant consult such offices as Engineering, Traffic Engineering and Planning, in hopes of arriving at a redesign which will afford best utilization of the alley and the applicant's property.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

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 Thursday, June 10, 1971, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

Enclosure

cc: Dillon Investment Co., Inc., Attn: J. H. Lemmon
2700 East 4th Street, Hutchinson, Kansas, 67501

M. K. Gentry, 2321 South Seneca, 67213
Dick Linn, City Engineering
Bill McKinley, Assistant Traffic Engineer
R. L. Nicholas, Southwestern Bell Telephone Company
Robert Blevins, Kansas Gas & Electric Company
George Ecknor, Gas Service Company

THE GAS SERVICE COMPANY
General Offices • 700 SCARRITT BLDG., KANSAS CITY, MISSOURI 64142

ADDRESS REPLY TO
WICHITA, KANSAS DIVISION
127 NORTH MARKET
WICHITA, KANSAS 67201

June 1, 1971

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Attention: Mr. Robert Lakin

Re: Plat of Dillon 4th Addition

Reference is made to the final plat of Dillon 4th Addition which vacates the existing easements granted by Phillip's Subdivision, Smithson's Addition and Royal's Subdivision.

The Gas Service Company has a 8" low pressure main in the alley south of Douglas Avenue and a 3" low pressure main in the alley west of Meridian Avenue. The design of the system serving this area is such that it will be necessary to provide adequate easements for the existing mains or make arrangements for their relocation.

Yours very truly,
THE GAS SERVICE COMPANY

S. E. Walker Jr.

S. E. Walker Jr.
General Superintendent

GWE:ch

RECEIVED
JUN 2 1971
METROPOLITAN
PLANNING

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 71-38 Name DILLON 4TH ADDITION
Date Application Rec'd. 5-24-71 Preliminary Approval N/A
Scheduled S/D Meeting 6-3-71

DESCRIPTION

General Location At the southwest corner of Douglas and Meridian

Owner Dillon Investment Co., Inc.
Surveyor/Engineer Baughman Company
Address 2522 East Kellogg Phone 683-7431

1. Gross Acreage of Plat 2.24
2. Number of Lots:
   Residential
   Commercial 1
   Industrial
   Other
   Total Number of Lots 1
3. Minimum Lot Frontage 280.67 ft.
4. Minimum Lot Area 87,350.± sq. ft.
5. Existing Zoning "A" & "LC"
6. Proposed Zoning "A" & "LC"
7. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 280 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 605 ft.
8. Sidewalk adjacent to all streets? yes X no

9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) (Yes-No)
12. City of Wichita X : Three-Mile Area

STAFF COMMENTS:

1. The associated zone case Z-1272, "A" to "LC", covering a portion of subject property, has been approved by the Board of City Commissioners subject to replatting.

2. It should be noted that this replat proposes to vacate an existing east-west alley and a portion of a north-south alley vacated on subject property. The plat does provide for an alley dedication to extend the remaining portion of the north-south alley, east to Meridian Avenue.

3. The applicant's sketch plat indicates that the location of the proposed building will be abutting an east-west 20 foot utility easement on the north and a north-south 20 foot utility easement on the east which would not allow for portions of the building such as roof overhangs, awnings, etc. to project beyond the building's walls.

4. Subject property is located at the intersection of two arterial streets (Douglas and Meridian) which would require 75 feet of half street right-of-way for both streets as specified in the Subdivision Regulations. However, at the Planning Commission hearing of the associated zone case Z-1272, it was discussed that 50 feet of half street right-of-way for both streets should be provided, due to the other three corners of the intersection already being developed on a lesser right-of-way width, and that a 60 foot building setback from both Douglas and Meridian be established to prevent structures being erected within the area ultimately needed for major street improvements.

5. The corner angles indicated on the plat do not close and shall be checked by the applicant's surveyor.

6. The plattors text shall be amended as follows: "... platted into a lot, streets and an alley to be ... The streets are hereby dedicated..."

(over)

T9-303

7. The plat proposes to establish a 10-foot building setback from the east line of Richmond Avenue. Because of the zoning and existing development adjacent on the south, the Zoning Ordinance requires a 25-foot setback from Richmond and this change should be made accordingly.

8. There are existing structures encroaching into the right-of-way being dedicated for the alley and Meridian Avenue. Prior to release of the plat tracing for recording, these structures shall be removed from the right-of-way, and a letter shall be furnished to the Planning Department indicating that such removal has been completed.

9. The sketch plat indicates that it is proposed to abandon a sanitary sewer line in the existing east-west alley which is to be vacated. Therefore, the applicant shall make satisfactory arrangements with the Engineering Division of the Department of Pulbic Works for abandoning said sewer line.

10. The applicant shall guarantee the reconstruction of the sidewalks on the south side of Douglas and the west side of Meridian adjacent to the new property line.

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

NOTE: This plat has been submitted in final form only, as provided for in Article 4, Part 5, of the MAPC Subdivision Regulations. The Utility Advisory Committee should be prepared to comment on existing utilities and other various improvements, or discuss the feasibility of the applicant extending and/or installing same.

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING DEPARTMENT
AMHERST 2-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

C O P Y

May 27, 1971

SUBJECT: S/D 71-38 - Final Plat of DILLON 4TH ADDITION, at the southwest corner of Douglas and Meridian

TO WHOM IT MAY CONCERN:

This is to advise that the above-captioned plat has been filed in our office and proposes to vacate an existing east-west alley, and the northern portion of a north-south alley, located in the block bounded by Douglas on the north, Burton on the south, Meridian on the east, and Richmond on the west. The plat does however, provide for an alley dedication to extend the remaining portion of the north-south alley out in an easterly direction to Meridian Avenue.

This case will be considered by the Subdivision Committee of the Metropolitan Area Planning Commission at a meeting to be held on Thursday, June 3, 1971, at 2:00 p.m., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas.

You may appear either in person or by agent or attorney if you so desire, and discuss with the members of the Committee your feelings regarding the proposed alley vacations.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

Map No.: 5247
Section No.:
Twp. No.:
Range:

S/D No. 71-37

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Dillon 4th. Add.

General Location: S.W. Cor. Douglas & Meridian

Name of Property Owner: Dillon Inv. Co. Inc. Attn. J. H. Lemmon
Address: 2700 E. 4th. Hutchinson, Kansas Phone:
Name of Subdivider: M. K. Gentry 2321 S. Seneca 264-2847
Address: Phone:
Name of Agent/Surveyor: Baughman Co.
Address: Phone: 683-7431
Date of Application:

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 2.24
2. Number of Lots:
   Residential
   Commercial 1
   Industrial
   Other
   Total Number of Lots 1
3. Minimum Lot Frontage ~~300~~ 280.67 ft.
4. Minimum Lot Area 87350. ± sq.ft.
5. Existing Zoning "C"
6. Proposed Zoning "LC"
7. Lineal Feet of New Streets:
   a. 20 R/W 325 ft.
   b. 10 R/W 280 ft.
   c. R/W ft.
   d. R/W ft.
   e. R/W ft.
   TOTAL 605 ft.
8. Sidewalk adjacent to all streets? yes x no
9. Public Water Supply Yes (Yes-No), Name City
10. Public Sanitary Sewers Yes (Yes-No), Name "
11. Health Department Approval (where applicable) (Yes-No)
12. City of Wichita X 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 with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. 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.

Dillon Inv. Co. Inc.
Owner's Signature: J H Lemmon RealEstate Manager

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

Received by Gist
Date 5-24-71
Fee Submitted 150.00

RECEIVED
MAY 24 1971
REGULATION DIVISION

T9-301B
(2-71)

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.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer	$100.00	

DESCRIPTION	AMOUNT
(2) Lot Plate	
Dillar 4th Add. & Utility	

Name Contractor Sub Div.

Address Baughman, G. 2522 E. Kellogg

Type	Due Date
AA-70-1103	

Comments:

Date	By
5-24-71	Dist