

PLAT NO. S/D 73-32 MAP NO. 6046

NAME HIGH POINT EAST ADDITION

LOCATION On the West side of Webb Road South of the
Kansas Turnpike

ENGINEER Moehring & Associates

OWNER Gunnison County Development Corp.

APPLICATION FILED 3-26-73

SKETCH PLAT FILED _____

PRELIMINARY FILED 3-26-73

S/D ACTION 4-5-73 *Approved subj to conditions*

FINAL FILED 4-23-73

S/D ACTION 5-3-73 *Approved subj to conditions*

MAPC ACTION 5.10.73 *Approved as recommended*

BCC ACTION 7/31/73 *Approved*

RECORDED 8.8.73

REMARKS _____

S/D 73-32 HIGH POINT EAST ADDTN.
On the West side of Webb Road S
of the Kansas Turnpike. Gunnison
Co. Dev. by Moehring & Associates

ACTION

DATE

S/D COMMITTEE (prelim.) *Approved* 4.5.73
Subj. Explored and 5-3-73
(Excess) Condition Recommended 5.10.73

M.A.P.C.

2-31-73

B.C.C./B. CO. C. *Approved*

Closed 8.8.73

Map No. 6046
Sec. No. 29
Twp. No. 27S
Range 2E

Subdivision Report and Progress
S/D No.: 73-32

Name: HIGH POINT EAST ADDITION

General Location: On the West side of Webb Road South of the Kansas Turnpike

Owner: Gunnison County Development Corp.
Address: 400 N. Woodlawn, 67206 Phone: 685-2328
Subdivider: Law Co.
Address: 313 S. Market, P.O. Box 1139 Phone: 265-8584
Engineer/Surveyor: Moehring & Associates
Address: 314 Brown Building Phone: 263-6781

Application Received 3-26-73
Conf. with Applicant NONE
Sketch Plat Received none
Present Zoning ~~R-6~~ "AA"
* Proposed Zoning "R-6"
Letter of Intent none

PREL. PLAT RECEIVED 3-26-73
S/D Comm. Action 4-5-73
Approved subj to conditions
Dept. Report on Prel. 4-9-73

TRACING PROGRESS:

Received 6-5-73
Released 8-8-73
Received
Released

FINAL PLAT RECEIVED 4-23-73
S/D Comm. Action 5-7-73 *Approved subj to conditions*
Dept. Report on Final 5-4-73
M.A.P.C. ACTION 5-10-73 *Approved as recommended*
Dept. Report on Final 7-3-73
Letter on Irons Received
Title/Taxes Rec'd & Reviewed 7/25/73
Final Review
Referral to B.C.C.

B.C.C. ACTION 7/31/73 *Approved*
Recorded 8.8.73

Comments:

* Associated zone case 2-1432, approved subject to platting
* Called Don Moehring to pick up Plat tracing for recording

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

J
8-13-73

_____ HIGH POINT EAST _____ ADDITION was
filed for record on Aug. 8 1973

John Hale
Register Of Deeds

T9-328

Form 230-021

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		

DESCRIPTION	AMOUNT
<i>Submittal on application</i>	
Name _____	
Address _____	
Type _____	Due Date _____
Comments: _____	

Date _____	By <i>Healy</i>

May 23, 1975

Gunnison County Development Corp.
400 North Woodlawn
Wichita, Kansas 67206

Re: S/D 73-32 - High Point East
Addition - Performance Bond

Gentlemen:

I have been advised by the Maintenance-Flood Control Office that there is approximately two weeks of work left to complete the drainage channel improvements on the site for which you submitted the performance bond as a guarantee. The Maintenance-Flood Control Office also advised that they cannot give an exact estimate of the cost of the remaining work to be done. Therefore although the two year time limit on the bond expired on May 10, 1975, we would be agreeable to allowing the matter to stand for two weeks before we would proceed to collect the amount of the bond or as stated in our previous letter of April 30, 1975, you may submit a new bond in the amount of \$20,000 which would extend the time to complete the improvements for up to an additional two years.

Please call if you wish to discuss this matter with me.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: M. S. Mitchell, Maintenance-Flood Control

April 30, 1975

Gunnison County Development Corp.
400 North Woodlawn
Wichita, Kansas 67206

Re: S/D 73-32 - High Point
East Addition.

Gentlemen:

As you may recall, the above captioned case was approved by the Metropolitan Area Planning Commission on May 10, 1973 and by the Board of City Commissioners on July 31, 1973. Among the conditions of plat approval was that the applicant guarantee the extension of City water and guarantee the construction and improvement of the drainage channel on subject property. Our files indicate that you submitted a performance bond in the amount of \$50,000 issued through United States Fidelity and Guaranty Company, guaranteeing that the above improvements would be constructed in accordance with City specifications on or before May 10, 1975.

We have been advised by the Water Department that a valid petition for a water benefit district has been submitted and therefore, \$30,000 of the \$50,000 performance bond may be released at such time as a new bond in the amount of \$20,000 for the drainage improvements is submitted and accepted by the governing body. It is essential that the new bond be submitted to our office prior to the May 10, 1975 expiration date of the original bond.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:JR:rme

December 14, 1973

Mr. Don C. Moehring
314 Brown Building
Wichita, Kansas 67202


Subject: S/D 73-32 - HIGH POINT
EAST ADDITION

Dear Mr. Moehring:

Subsequent to the filing of the above referred to plat, an adjacent subdivision case brought to our attention the fact that the District Court record description of land acquired by K.T.A. in the NE 1/4, Section 29, T-27-S, R-2-E contains an error which has considerable affect on the location of the K.T.A. right-of-way line forming the north and west boundaries of the subject plat. After consulting with the Public Works Maintenance Division and Law Department, we recommend that a correction conveyance be filed which would change a bearing on the south line of the K.T.A. right-of-way which has the effect of moving the northwest corner of your plat approximately three feet west. A corresponding adjustment of the plat's west and south line dimensions and the appropriate correction certificate entered on the face of the plat completes the recommended changes. For your record, that we have not discussed the dimension errors discovered or the recommended changes with K.T.A. officials. A copy of High Point East marked as described above is attached.

Your cooperation and most gracious assistance in this matter is appreciated.

Yours truly,


Robert A. Lakin
Director of Planning

RAL:rme
Attachment

cc: M. S. Mitchell, Maintenance-Flood Control

November 19, 1973

Gunnison County Development Corp.
400 North Woodlawn
Wichita, Kansas 67206

Subject: S/D 73-32 - High Point
East Addition Performance Bond
guarantee for extension of water
service and drainage improvements.

Gentlemen:

We have been advised by the Water Department that you have submitted a valid petition for a water benefit district and therefore, the \$30,000 portion guaranteeing the extension of City water, of the above referred to performance bond, can be released.

This is to advise you that this performance bond in the amount of \$50,000 may be released at such time as a new bond in the amount of \$20,000 for the drainage improvements has been submitted and accepted by the governing body. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: W. P. Matchette
The Law Company
313 South Market, 67202

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE October 18, 1973



TO Jack H. Galbraith, Chief Planner
FROM Bill H. Otten, Design & Planning Supt.

SUBJECT Quail Meadows First Addition and
High Point East

The plattors of Quail Meadows First Addition and High Point East have submitted a valid petition for a water benefit district to serve these plats. Therefore, our requirements for water service to these areas have been fulfilled. The performance bond for the water requirements for High Point East may now be released.

Bill H. Otten
Bill H. Otten
Design & Planning Supt.

cc: John D. Wynkoop, Operations Chief Engineer

BHO:mw

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number	73-32	Name	HIGH POINT EAST ADDITION
Application Filed:	3-26-73	Sketch Filed:	
Preliminary Plat Filed:	3-26-73	Approved by S/D:	4-5-73
Final Plat Filed:	4-23-73	Approved by S/D:	5-3-73
Approved by Metropolitan Area Planning Commission:			5-10-73

DESCRIPTION

General Location: West side of Webb Road south
of the Kansas Turnpike

Surveyor or Engineer: Moehring and Associates
Owner: Gunnison County Development Corp.
Address: 400 North Woodlawn 67206

- | | | |
|--------------------------|------------------|--------------------------------|
| 1. Gross Acreage of Plat | 22.81 | 5. Lineal Feet of New Streets: |
| 2. Number of Lots: | | a. 70 R/W 1,048.87 ft. |
| Residential | 2 | b. 50 R/W 354.71 ft. |
| Commercial | | c. R/W ft. |
| Industrial | | d. R/W ft. |
| Other | | e. R/W ft. |
| Total Number of Lots: | 2 | TOTAL 1,403.58 ft. |
| 3. Minimum Lot Frontage: | 588.87 ft. | 6. Existing Zoning: "AA" |
| 4. Minimum Lot Area | 159,467.45sq.ft. | |

Valid petitions have been submitted guaranteeing the extension of sanitary sewer and the construction of a sidewalk adjacent to the north line of Lincoln street. A certificate certifying the petitions has also been submitted.

Planning Commission Recommendation:

That this plat be approved, subject to:

- A. Guaranteeing the extension of City water.
- B. Guaranteeing the installation of the drainage improvements.
- C. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Kamen moved, Rising seconded and it carried unanimously. (Harrison and Burnett absent.)

NOTE: The associated zone Case Z-1432 from "AA" to "R-6" was approved by the Board of City Commissioners on October 17, 1972, subject to platting.

Conditions "A" and "B" listed above have been satisfied by a performance bond.

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

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 28, 1973:

19. S/D 72-36 - Final Plat of RIDGE PLAZA 3RD ADDITION, generally located on the west side of Ridge Road between Kellogg and Maple.

LAKIN pointed out the area on the map and stated that a CUP was approved for the 160 acres about three years ago, at which time a provisional setback was established for a period of 3 years (to expire in September of this year) to allow for the possible right-of-way which would be required for improvement of West 54 in this area. At the time it was thought a decision would be made by the State and Federal agencies by this time. LAKIN continued that three design alternatives have now been suggested by the consultant for consideration, and they have been so indicated on the plat displayed.

LAKIN said the Subdivision Committee had made the following recommendation, among several other conditions, in forwarding the plat to the Planning Commission for consideration:

- A. The applicant shall submit, in the form of a separate instrument, a temporary building setback line on subject plat which shall coincide with the maximum right-of-way line needed for the proposed Ridge Road-West U.S. 54 Highway interchange as proposed on the three alternate design plans being developed by the consulting engineer on the West U. S. 54 Highway redevelopment project. The instrument shall be drawn so as to provide for the temporary building setback to remain in effect for a maximum of two years from the date of approval of the plat by the Board of City Commissioners, or in the event a design proposal is adopted and approved by Federal, State and local authorities which does not require a highway interchange within the area of subject property covered by the temporary building setback, prior to the two year time limit, said setback would automatically become null and void. The applicant's attorney should contact the Planning Department regarding an appropriate description for said setback line.

LAKIN stated further that suggested Condition E. relating to height restrictions could be eliminated as such is covered in the CUP as well as the City Code.

WILLIAM P. HIGGINS, attorney representing the applicant, said they are not objecting to the original provisional setback established on the CUP, which will expire in September of this year, but they are resisting the superimposing of the right-of-way for all three alternates being considered.

At this point, LAKIN pointed out that one of the conditions of the zoning associated with the CUP was the platting of the property within a year's time, which has not been done and which also raises some questions that both the zoning and CUP should be refiled.

In response to one of the Commissioners, LAKIN said there is no absolute assurance from the State Highway Department as to which route will be selected, and it appears there may be some delay in scheduling a public hearing for selection of a route because of the need for an environmental statement which now is a requirement of the Federal Highway Administration. The governmental agencies are not in a position to exercise eminent domain until after a public hearing on right-of-way selection, but assuming one of the three routes is selected, the acquisition of right-of-way could proceed.

It was estimated that, based on the Federal requirements, a minimum of a year's time would be needed before the agency would be in a position to acquire, and it was further pointed out that the design alternate has shifted to the west about 400 feet as compared to three years ago when the CUP was considered.

It was pointed out that if development is permitted, it would result in higher acquisition costs, and that while the actual design so far as location has not been developed, the interchange design has been completed.

BURNETT asked which alternate is considered the most feasible by the professionals. LAKIN answered that Alternate 3 has been considered the most feasible and requires the least right-of-way from subject property.

HIGGINS referred to the litigation which would result in eminent domain proceedings and the fact that there are loans against the property and a great deal of money invested. He said he felt they should and would consent to the continuance of the provisional setback given three years ago. He pointed out the fact that a number of years have passed since this highway proposal and engineering proposals have been on the board (at least 10 years) and in view of the uncertainty of the matter, he felt it unreasonable to ask for the large right-of-way reservation wherein no construction could occur. As for the possibility of stopping the highway improvement, as had been intimated in the discussion, he felt such would not occur and that if it is to "go", this project will not stop the improvement. He referred again to the investors and the loss they would incur in the delay of development necessitated by the suggested setback lines, and did not consider such to be fair.

In explanation of the delay in platting, HIGGINS said his client purchased the property 1 1/2 years ago, the original plat was filed in May of 1972 and at that time nothing was brought out about the year's platting time. As for where a proposed building might be located, HIGGINS said he had no idea at this time - that they don't have plans in view of the uncertainty of the setback.

RISING asked what could be done to expedite a decision on right-of-way requirements, and Lakin said he did not know that anything could be done - that certain procedures must be followed and decisions made by the Federal and State agencies involved.

KAMEN pointed out that similar situations have arisen in considering other subdivisions and that while the Subdivision Committee does not like to cause delays, the fact remains that an effort should be made to protect what might be needed for public improvement and to avoid the possibility of loss of Federal funds.

BLAKEY asked what would happen if footings were poured the day after expiration of the present setback line. LAKIN said he was not sure he could give a definite answer because it hinges on judgments of various agencies at various levels. He commented that if it happened before the public hearing, it is possible the Federal agency would determine that all three design alternates are no longer viable, because of the cost and seek a new design; or the improvement might go forward, but without an interchange, or possibly only one interchange at the Airport Road and not at Ridge Road. Further, in view of the delay in platting within a year's time, it is possible the zoning and CUP could be declared null and void. It was pointed out, however, that the right to plat often is extended beyond a year.

HIGGINS referred to a public hearing held by the State Highway Commission where three alternates were considered, plus an extra alternate over Alternate 1, and since that time nothing more was brought out about the highway plans until the first of this week when the present design was indicated. He said the

State will not agree that any of the interchange or ramps will be as shown on the plans under consideration. He stated also that the construction of the Sheraton Inn could have been stopped, but a value judgment was made and plans changed for the highway. He said the Canterbury Inn on the south side of U. S. 54 was constructed in the shadow of the plans and at that time the highway was moved from Hoover to avoid the involvement of the Canterbury Inn site. He emphasized that a certain amount of common sense must be exercised in making decisions, and it must be assured that property owners have a right to the use of the property until sold or condemned by a governmental agency. HIGGINS maintained that in this case there is no public right being protected because the public doesn't know what right they want and does not have a legal claim to any in this case.

HIGGINS pointed out that it can be assumed that a serious investor has common sense and wants to develop as best he can and in such a way that if condemned he is not thoroughly ruined. He said his client is prepared to comply with the provisional setback indicated on the CUP.

A question was raised as to when a public hearing might be held for determination of the final right-of-way plan, and LAKIN said such is held by the State and a date has not been set as it depends on when the sound level and environmental statement is completed for the project.

JACKSON suggested it might be in order to defer this matter for two weeks and contact the State agency to determine the ramifications since it is a cloudy issue.

LAKIN pointed out in this discussion that the time for platting could be extended, first by the City Manager for a year, and a second extension by the Governing Body. The first extension by the City Manager has already been granted in this case, subject to extension of the September date on the existing CUP, which Mr. Higgins has not agreed to.

MOTION: That a decision on this case be deferred two weeks so that a meeting could be scheduled with the State Highway officials to review plans and time schedules for public hearings. Jackson moved and Blakey seconded.

It was suggested the staff would attempt to schedule such a meeting. LAKIN indicated he did not expect to be able to obtain any additional specific information other than what has already been reported.

JACKSON said he would not want to vote on this issue without further and more recent information. HIGGINS said he would be in Federal court for 6 weeks on July 9 and not be available for such a meeting.

VOTE ON ABOVE MOTION: Carried unanimously.
(Harrison absent.)

EXCERPT FROM PLANNING COMMISSION MINUTES OF JULY 12, 1973:

26. S/D 72-36 - Final Plat of RIDGE PLAZA 3RD ADDITION, generally located on the west side of Ridge Road between Kellogg and Maple.

LAKIN stated that this plat was deferred at the previous meeting until a meeting with the State Highway Department could be held. He continued to point out that the entire quarter section was the subject of a previous approved CUP and when it

was considered the question of a highway interchange and right-of-way requirements were raised. At that time (1970), an agreement was made for a "super setback line" to be established for a period of three years, by which time it was hoped that the design of West 54 improvement in this area would have been resolved and right-of-way requirements known. He said the three year period will expire in September of this year. LAKIN said more recently the consultant for the State has developed three possible designs, each of which would require a major portion of subject area, and he pointed out on the plat where lines had been drawn to indicate the outer limits of the three designs.

LAKIN pointed out that it is apparent a public hearing for determination of the alignment will not be held before September and it is not possible until that time to determine the final alignment. He said that he learned at the meeting with the State officials that, contrary to his previous understanding, in unusual cases, an exception could be made for right-of-way acquisition prior to a public hearing. He continued that this is dependent on the outcome of certain other projects in this area, such as the post office site. He stated that a meeting with Federal officials seems to have resolved the problem of the post office location.

LAKIN stated that the State officials recommend approval of this plat subject to showing on the plat an exceptional setback for the outer extremes of the three design alternates for a period of two years, which would allow them ample time to make the necessary decisions and acquire what right-of-way is needed.

For the benefit of the new members, HENNESSY pointed out that three years ago when the CUP was approved, a super setback was required to prevent any development on the corner because of the highway proposal and now the same question is back before the Commission, and in his opinion it was depriving the owner of the right to use the land.

LAKIN said that since three years ago, the design has been moved about 400 feet to the west which accounts for the major change in what might be needed for right-of-way.

BLAKEY commented that each of the three design proposals would require a portion of subject property, and he expressed an interest in knowing the cost of acquisition of the land with the "super setback" indicated as opposed to the undeveloped land without the control. LAKIN indicated the cost would generally be the same and that he had asked this question of the County Counselor and the City Director of Law and they have agreed that there should be no change particularly in the amount of money this developer would receive.

KAMEN stated that at the previous meeting it was decided that the applicant would not build on any of the area in question if the plat was approved.

HILL said that was not his understanding, but that the developer wanted a line established, and the concern of the Department and the State Highway Commission and Federal people was that they could not move as fast as the developer would like for them to move. However, it was indicated that it is possible now to progress more rapidly than in the past three years, and it was indicated that if outright approval is given without protecting the right-of-way, the entire project might be shelved so far as improving West 54 in this area. It was pointed out that the reason for moving the interchange 400 feet to the west was because of certain development that has occurred to the east, which made it necessary to redesign the project.

KAMEN pointed out that in the past efforts have always been made to hold an area from development where right-of-way might be required.

JAY SAMRA, speaking on behalf of the applicant in the absence of Mr. Higgins, the attorney, said they are agreeable to all of the conditions suggested by the Subdivision Committee except Item A which recommends the temporary setback covering each of the three alternates for a period of two years while the State Highway Department and the City considers various plans for the interchange.

SAMRA said they have a commitment from a major department store to locate in this center, provided a second major tenant of equal size can be secured, and a two year delay would result in the loss of this tenant and prevent any progress for development of this property. He said it would be an extreme hardship on the owner and deprive him of a reasonable right to develop his land in the near future. He asked the Commission to not impose this hardship on the owner, but to approve the plat without requiring the suggested setback for a two year period.

GARDENHIRE said she would abstain from voting because she did not have the necessary background to make an intelligent evaluation of the matter.

BLAKEY referred to the inference by the State highway representatives that they could acquire property ahead of the public hearing if circumstances warranted it. LAKIN pointed out that altho that was indicated at the time he asked for more specific information along this line, but was not provided any and he questioned just how effective the State could be in any such attempt.

BLAKEY suggested only a four month time period for the setback, noting that the present time period as established on the CUP does not expire until September, and four months from that time would be beyond the public hearing.

KAMEN asked Lakin if there was anything to report from the meeting with the highway people in regard to the post office site. LAKIN said the meeting was held yesterday and it was believed the point was being resolved, although it will require additional negotiation between the postal authority, the Park Board and FAA in trying to relocate the site. He considered it desirable to avoid the possibility of anything that would tend to stop the project, noting, however, that while everything looks favorable at this time, new stumbling blocks can always occur.

In discussing the Subdivision Committee recommendation for a period of two years, KAMEN said it was the feeling that the highway project is close enough that probably the uncertainty of right-of-way would be eliminated by the latter part of this year, and the State would be in a position to definitely state its plan and start acquisition.

In further discussion of Blakey's suggestion for a four month time period, he suggested the setback line as approved here be left until October 1 and between now and then the State Highway Department can determine if they are or aren't going to acquire the property.

KAMEN felt a little longer than four months would be better.

MOTION: That the Planning Commission recommend to the City Commission that this plat be approved, subject to the conditions recommended by the Subdivision Committee, except that for Condition A the separate instrument to be submitted for the temporary building setback line is to be for a period of 6 months to January 12, 1974. Blakey moved, Hill seconded and it carried unanimously as to those voting. Gardenhire abstained. (Arnholz and Rising absent.)

The conditions of approval are as follows:

- A. The applicant shall submit, in the form of a separate instrument, a temporary building setback line on subject plat which shall coincide with the maximum right-of-way line needed for the proposed Ridge Road-West U. S. 54 Highway interchange as proposed on the three alternate design plans being developed by the consulting engineer on the West U. S. 54 Highway redevelopment project. The instrument shall be drawn so as to provide for the temporary building setback to remain in effect for a maximum of six months to January 12, 1974, or in the event a design proposal is adopted and approved by Federal, State and local authorities which does not require a highway interchange within the area of subject property covered by the temporary building setback, prior to the six months time limit, said setback would automatically become null and void. The applicant's attorney should contact the Planning Department regarding an appropriate description for said setback line.
- B. Only half-street right-of-way has been provided for University Avenue. This will not permit said street to be opened, improved or maintained, therefore, the applicant shall obtain the balance of the right-of-way at this time.
- C. "Complete access control" shall be indicated adjacent to the south 23.41 feet of Ridge Road on subject plat with appropriate wording in the plat's text.
- D. The applicant shall install or guarantee the paving of Kellogg Drive, Holland Street, University, and the construction of an acceleration-deceleration lane adjacent to Ridge Road.
- E. All references made in the plat's text to the "drainage" shall be amended to read as the "drainage dedication".
- F. The Mayor's name shall be amended to read as "James M. Donnell".
- G. A 10-foot utility easement shall be indicated adjacent to the west lines of Lots 2 and 3.
- H. The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.
- J. The applicant shall submit by separate instrument the balance of the drainage dedication for the drainage channel north of the north line of Lot 1.
- K. The applicant shall guarantee the improvement of all of the proposed drainage channel crossing subject property and the applicant and/or his surveyor shall contact M. S. Mitchell of the Maintenance Division of the Department of Public Works regarding said guarantee, and relative to adjustments in the southern portion of the drainage right-of-way dimensions at Ridge Road, and dimensions indicated on the plat.
- L. The applicant shall contact the Water Department and make satisfactory arrangements for the extension of City water to serve Lot 4.
- M. The applicant shall install or guarantee installation of sidewalks adjacent to the north side of Kellogg Drive, the east side of Holland Street, the south side of University Avenue and the west side of Ridge Road: the total estimated construction cost to be in the amount of \$10,905.

- N. The applicant shall be advised that the sidewalk construction will be required at the time of final building inspection when the sidewalk has been required as a condition of plat approval.
 - O. Recording of the plat within 30 days after approval by the Board of City Commissioners.
-

CERTIFICATE

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

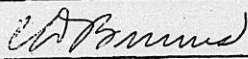
C. D. Burrus, Secretary
I, Gunnison County Development Corporation, owner and plat-
tor of High Point East Addition, do hereby
certify that petitions for the following improvements have been
submitted to the Board of Commissioners of the City of Wichita,
Kansas:

1. Street paving (Lincoln).
2. Sidewalks (north side of Lincoln).
3. Sanitary Sewer laterals.
- 4.
- 5.
- 6.
- 7.

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

Signed this 25th day of July, 1973.

GUNNISON COUNTY DEVELOPMENT CORPORATION


C. D. Burrus, Secretary



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

Be it remembered that on this 26th day of July,
1973, before me, a notary public in and for said County and State,
came C. D. Burrus, to me personally
known to be the same person who executed the fore-going instrument
of writing and duly acknowledged the execution of same.

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

SANDRA BRANSCUM
★ NOTARY PUBLIC ★
SEDGWICK CO. KANSAS
MY COMM. EXP. SEPT. 26, 1976

My Commission Expires:

Sept. 26, 1976


Notary Public

#87-0120-517-73

Bond Number

CERTIFIED COPY

GENERAL POWER OF ATTORNEY

No. 83321

Know all Men by these Presents

That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint W. G. Matchette, W. P. Matchette, M. J. Cox, Betty Glenn, John P. Hawkins and Robert H. Curry

of the City of Wichita, State of Kansas its true and lawful attorneys

for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever anyone of the said W. G. Matchette and the said W. P. Matchette and the said M. J. Cox and the said Betty Glenn and the said John P. Hawkins and the said Robert H. Curry

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this 29th day of November, A. D. 1972

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed) By John Hamilton Vice-President.

(SEAL) (Signed) R. H. Bland, Jr. Assistant Secretary.

STATE OF MARYLAND, BALTIMORE CITY, ss:

On this 29th day of November, A. D. 1972, before me personally came John Hamilton, Vice-President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and R. H. Bland, Jr., Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland; that they, the said John Hamilton and R. H. Bland, Jr. were respectively the Vice-President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively, of the Company. My commission expires the first day in July, A. D. 1974.

(SEAL) (Signed) Herbert J. Aull Notary Public.

STATE OF MARYLAND, BALTIMORE CITY, } Sect.

I, Robert H. Bouse, Clerk of the Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that Herbert J. Aull, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed his name, was at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths and take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary, and verily believe the signature to be his genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this 29th day of November, A. D. 1972 Robert H. Bouse Clerk of the Superior Court of Baltimore City.

COPY OF RESOLUTION

That Whereas, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

Therefore, be it Resolved, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performances of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

Also, in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise, be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded for the security or protection of, by or for any person or persons, corporation, body, office, interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

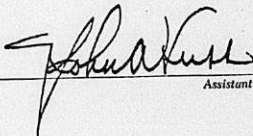
I, **John A. Huss**, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said Company to

W. G. Matchette, W. P. Matchette, M. J. Cox, Betty Glenn, John P. Hawkins and Robert H. Curry

of **Wichita, Kansas**, authorizing and empowering **them** to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company, duly called and held at the office of the Company in the City of Baltimore, on the 11th day of July, 1910, at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of said meeting.

In Testimony Whereof, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on **July 25, 1973**
(Date)


Assistant Secretary.



Y-19,940-A

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

Pioneer National Title Insurance Company
(A STOCK COMPANY)

a California corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate one hundred eighty (180) days after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

This Commitment shall not be valid or binding until countersigned below by a validating officer of the Company.

In Witness Whereof, Pioneer National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A.



Pioneer National Title Insurance Company

by *George B. Garber*
PRESIDENT

Attest: *Ray E. Sweet*
SECRETARY

Countersigned
FIDELITY TITLE COMPANY, INC.

By *William B. Malone*
Validating Signatory

CONDITIONS AND STIPULATIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to Paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in: undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Conditions and Stipulations, and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.



Pioneer National Title Insurance Company

HOME OFFICE
433 South Spring Street
Los Angeles, California 90013

Prepared for: **The City of Wichita and
Gunnison County Development Corporation**

Y-19,940-A

SCHEDULE A

Your No.

Commitment No. **Y-19,940-A**

Inquiries should be directed
to **W. G. Malone**

1. Effective date: **July 25, 1973 @ 7:00 A.M.**

2. Policy or Policies to be issued:

Amount

(a) ALTA Owners Policy — Form _____ — 1970 limited to \$ **250.00**

Proposed Insured: **City of Wichita, a Municipal Corporation**

(b) ALTA Loan Policy 1970 \$ _____

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is a Fee Simple.

4. Title to said estate or interest in said land is at the effective date hereof vested in:

Gunnison County Development Corporation, a Colorado corporation

5. The land referred to in this Commitment is located in the County of **Sedgwick**
State of **Kansas** and described as follows:

SEE SCHEDULE A (continued), EXHIBIT A attached

WGM

SCHEDULE B

Y-19,940-A

- I. The following are the requirements to be complied with:
 - 1. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.

- a. Procure and record a properly approved and executed Plat of **HIGH POINT EAST**, an addition to Wichita, Sedgwick County, Kansas.

- II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

- 1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

- 2. Standard Exceptions:

- (a) Rights or claims of parties in possession not shown by the public records.
 - (b) Easements, or claims of easements, not shown by the public records.
 - (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
 - (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

- (e) ~~Taxes or assessments which are not shown by the public records.~~

- 3. Special Exceptions:

- a. **General and Special Taxes for the year 1973 and thereafter.**
(1972 Taxes show paid--Key Nos. MI 815 and MI 819.)

- b. **Mortgage by Gunnison County Development Corporation, a Colorado corporation, to The Fourth National Bank and Trust Company, Wichita in the original amount of \$65,000.00 as recorded in Book 46 at page 505. (The Fourth National Bank and Trust Company, Wichita, has agreed to consent to the Plat.)**

- c. **Blanket Cities Service Gas Company Easement recorded in Misc. Book 235 at page 597 which covers the East 1/2 of Section 29 from which the proposed Plat is to be dedicated.**

- d. **Any Restrictive Covenants to be imposed subsequent to recordation of Plat.**

- e. **Any Easements, streets, alleys, right-of-ways to be dedicated to the public including but not limited to all abutters rights or access to any streets, drainage right-of-ways, public utilities, approval of elevation or other restrictive matters that may be reserved, dedicated or granted in the recorded plat.**

M. J. ...

EXHIBIT A
 SCHEDULE A (Continued)

5. LEGAL DESCRIPTION:

A tract of land in the NE 1/4 of Sec. 29, T 27 S, R 2 E of the 6th P. M., Sedgwick County, Kansas, described as follows: Beginning at a point described from the NE Corner of said NE 1/4 as S. 00°00' W. along the East line of said NE 1/4, 1643.3' to a point 150' S. of Station 5042 + 37.36 of the Centerline Survey of the Kansas Turnpike; thence W. parallel to said Centerline and bearing S. 89°38' W., a distance of 340.00' to the point of beginning; thence S. 89°38' W., along the South line of the Kansas Turnpike R/W, a distance of 308.57' to the P.C. of a curve to the left having a radius of 4,433.66'; thence Southwesterly along said curve to the left, and through a central angle of 04°06'36", a distance of 318.08'; thence S. 09°14'17" W., a distance of 514.77'; thence S. 00°00' W., a distance of 494.61' to a point in the South line of the NE 1/4 of said Sec. 29; thence N. 89°54' E., a distance of 1,048.87' to the SE Corner of said NE 1/4; thence N. 00°00' E. along the East line of said NE 1/4, a distance of 268.46' to the SE Corner of a tract acquired for K. T. A. R/W purposes; thence S. 90°00' W. along the South line of said R/W, 40.0'; thence N. 06°37'11" W., along the westerly line of said K. T. A. R/W, a distance of 502.72', to a point being the SE corner of tract acquired for K. T. A. Permanent Drainage Easement; thence S. 89°38' W. along the South line of said Drainage Easement, a distance of 240.44'; thence N. 00°22' W. along the West line of said Drainage Easement, a distance of 250.0' to the point of beginning.

AND

A tract of land in the SE 1/4 of Sec. 29, T 27 S, R 2 E. of the 6th P. M. Sedgwick County, Kansas, described as follows: The N. 70' of the E. 1,048.87' of the SE 1/4 of Sec. 29, T 27 S, R 2 E of the 6th P. M.

which is to become HIGH POINT EAST, an addition to Wichita, Sedgwick County, Kansas.

June 6, 1973

Mr. Keith Parker
The Law Company
313 So. Market
P. O. Box 1139
Wichita, Kansas 67201

Subject: High Point East CUP

Dear Mr. Parker:

Reference is made to your conference report dated May 21st. I have discussed these arrangements with the Metropolitan Area Planning staff and the only further requirement for drainage is that you submit a suitable guarantee for the construction of the re-routed drainage channel across subject plat.

If further information or discussion is desired, please advise.

Yours truly,

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

MSM/glm

cc: G. H. Wilton, Supt. of Public Works Maint.
Jack Galbraith, Chief Planner, MAFD
High Point East CUP Addn. Plat File



May 11, 1973

Moehring & Associates
314 Brown Building
Wichita, Kansas 67202

Re: S/D 73-32 - Final Plat of
HIGH POINT EAST ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on May 10, 1973, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee, subject to the conditions stated in our letter of May 4, 1973.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for 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 platlor.
4. Certification that all taxes due and payable for 1972 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: Gunnison County Dev. Corp., 400 North Woodlawn 67206
The Law Company, 313 South Market 67202
Dean Sellers, assistant City Engineer

May 4, 1973

Moehring & Associates
314 Brown Building
Wichita, Kansas 67202

Subject: S/D 73-32- Final Plat of
HIGH POINT EAST ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 3, 1973, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The legal description in the engineer's certificate shall be amended as follows: "...to a point 150 feet south of Station 5042 + 37.36 of the centerline survey...".
- B. The applicant shall guarantee the paving of Lincoln Street.
- C. The applicant shall guarantee the extension of sanitary ^{OK} ~~sewer~~ and City water ^{OK} to serve subject property.
- D. The applicant shall guarantee the installation of the drainage improvements associated with subject plat.
- E. The applicant shall install or guarantee construction of a sidewalk adjacent to the north line of Lincoln Street; the total estimated construction cost to be in the amount of \$2,997.
- F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Page 2 - Final Plat of HIGH POINT EAST
ADDITION
May 4, 1973

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, May 10, 1973, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

cc: Gunnison County Development Corp.
400 North Woodlawn, 67206

The Law Company
313 South Market, 67202

Dean Sellers, City Engineering

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-32 Name HIGH POINT EAST ADDITION
Date Application Rec'd. 3-26-73 Preliminary Approval 4-5-73
Scheduled S/D Meeting 5-3-73

DESCRIPTION

General Location On the west side of Webb Road south of the Kansas Turnpike
Owner Gunnison County Development Corp.
Surveyor/Engineer Don C. Moehring Phone 263-6781
Address 314 Brown Building

- | | | |
|---|--------------------------|--|
| 1. Gross Acreage of Plat | <u>22.81</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | <u>2</u> | a. <u>1048.87</u> R/W <u>70</u> ft. |
| Residential | _____ | b. <u>354.71</u> R/W <u>50</u> ft. |
| Commercial | _____ | c. _____ R/W _____ ft. |
| Industrial | _____ | d. _____ R/W _____ ft. |
| Other | _____ | e. _____ R/W _____ ft. |
| Total Number of Lots | <u>2</u> | TOTAL <u>120</u> ft. |
| 3. Minimum Lot Frontage | <u>588.87</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area | <u>359.467.45</u> sq.ft. | |
| 5. Existing Zoning | <u>AA</u> | |
| 6. Proposed Zoning | <u>R-6</u> | |
| 9. Public Water Supply No (Yes-No), Name | _____ | |
| 10. Public Sanitary Sewers No (Yes-No), Name | _____ | |
| 11. Health Department Approval (where applicable) | _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area | _____ | |

STAFF COMMENTS:

- A. The legal description in the engineers certificate shall be amended as follows: "... to a point 150'S. of Station 5042 + 37.36 of the Centerline Survey..."
- B. The applicant shall guarantee the paving of Lincoln Street.
- C. The applicant shall guarantee the extension of sanitary sewer and City water to serve subject property.
- D. The applicant shall furnish to the Planning Department a letter from M. S. Mitchell of the Maintenance-Flood Control Office, stating that satisfactory arrangements have been made for the handling of drainage problems on subject property.
- E. The applicant shall install or guarantee construction of a sidewalk adjacent to the north line of Lincoln Street; the total estimated construction cost to be in the amount of \$2,997.
- F. The applicant shall be advised that the construction of sidewalks will be required at the time of the final building inspection when the sidewalk is a requirement of plat approval.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

1048.87
354.71

1403.58

HIGH POINT EAST
INVENTORY & EVALUATION

* { INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

4100 Maple Street
Wichita, Kansas 67209

REQUESTED BY Metropolitan Area Planning Commission LOCATION Webb Road, So. of K.T.P.

ASSISTED BY Guy Moorefield, District DATE 4/13/73

SITUATION: Conservationist

The area covers about 23 acres. It has about 2% slope protected from erosion by prairie sod. The soil is silty clay.

SUGGESTED SOLUTION(S): Erosion and sediment can be controlled by limiting soil disturbance to the minimum during construction.

Save the existing vegetation to the maximum. Surface or reseed disturbed areas immediately. Tall Fescue grass is well

adapted and should be seeded into a firm seedbed at 100 pounds per acre. Apply about 50 pounds of nitrogen at seeding time.

* Circle appropriate category.

April 9, 1973

Don C. Moehring
314 Brown Building
Wichita, Kansas 67202

Subject: S/D 73-32 - Preliminary
Plat of HIGH POINT EAST ADDITION

Dear Mr. Moehring:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 5, 1973, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

A. The applicant shall be advised that if the subject property is to be developed as indicated on the site development plan, it will be necessary to file for, and receive approval of, a Board of Zoning Appeals Variance of the required 25 foot front yard setback in the R-6 zoning approved for subject property.

OK The condemnation case number for K.T.A. right-of-way shall be indicated on the plat.

OK "Complete access control" shall be indicated adjacent to the west side of Webb Road.

D. The applicant shall guarantee the extension of sanitary sewer and City water to serve subject property.

E. The applicant shall guarantee the paving of Lincoln.

F. The applicant shall make satisfactory arrangements for handling of drainage problems on subject property with the Maintenance-Flood Control office. A copy of a letter from M. S. Mitchell of said office indicating said arrangements have been made by the applicant with the Kansas Turnpike Authority as is proposed, or by other means, shall be submitted to the Planning Department.

Page 2 - Preliminary Plat of HIGH POINT EAST
ADDITION
April 9, 1973

G. The applicant shall guarantee the construction of sidewalks adjacent to the north side of Lincoln Street; the total estimated construction cost to be determined upon submission of a final plat.

ed The applicant shall contact Guy Moorefield of the Soil Conservation Service relative to taking adequate precautions during the development of subject property to prevent soil erosion from wind and water.

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

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

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

Enclosure

cc: Gunnison County Development Corp.
400 North Woodlawn 67206

The Law Company
P. O. Box 1139 67201

Dean Sellers, City Engineering

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-32 Name HIGH POINT EAST ADDITION
Date Application Rec'd. 3-26-73 Preliminary Approval _____
Scheduled S/D Meeting 4-5-73

DESCRIPTION

General Location On the west side of Webb Road south of the Kansas Turnpike
Owner Gunnison County Development Corp.
Surveyor/Engineer Don C. Moehring
Address 314 Brown Building Phone 263-6781

- | | | | |
|---|---------------------------|--------------------------------------|-------------------------------|
| 1. Gross Acreage of Plat | <u>22.81</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>1048.87</u> R/W <u>70</u> ft. | |
| Residential | <u>2</u> | b. <u>354.71</u> R/W <u>50</u> ft. | |
| Commercial | _____ | c. _____ R/W _____ ft. | |
| Industrial | _____ | d. _____ R/W _____ ft. | |
| Other | _____ | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>2</u> | TOTAL | <u>120</u> ft. |
| 3. Minimum Lot Frontage | <u>588.87</u> ft. | 8. Sidewalk adjacent to all streets? | <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area | <u>359,467.45</u> sq. ft. | | |
| 5. Existing Zoning | <u>AA</u> | | |
| 6. Proposed Zoning | <u>R-6</u> | | |
| 9. Public Water Supply No. (Yes-No), Name | _____ | | |
| 10. Public Sanitary Sewers (Yes-No), Name | _____ | | |
| 11. Health Department Approval (where applicable) | _____ | | (Yes-No) |
| 12. City of Wichita <u>X</u> : Three-Mile Area | _____ | | |

STAFF COMMENTS:

- A. The associated zone case Z-1432 from "AA" to "R-6" has been approved subject to platting.
- B. "Complete access control" shall be indicated adjacent to the west side of Webb Road.
- C. A 25 foot building setback shall be indicated from Webb Road and Lincoln Street.
- D. The applicant shall guarantee the construction of sidewalks adjacent to the west side of Webb Road and the north side of Lincoln Street; the total estimated construction cost to be determined upon submission of a final plat.
- E. The applicant shall be advised that the required 25 foot building setback cannot be utilized for off street parking and/or circulation drives.
- F. The condemnation case number for K.T.A. right-of-way shall be indicated on the plat.
- G. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities. e.g., petition, actual construction, monetary guarantee, etc.
- H. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 6046 4 "AA"
Section No.: 29
Twp. No.: 27S
Range: 2E S/D No. 73-32

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: High Point East

General Location: Webb Road at Lincoln

Name of Property Owner: Gunnison County Development Corp.

Address: 400 North Woodlawn, Wichita, Kansas 67206 Phone: 685-2328

Name of Subdivider: Law Co.

Address: 313 S. Market P.O. Box 1139 Phone: 265-8584

Name of Agent/Surveyor: Moehring & Assoc.

Address: 314 Brown Bldg. Phone: 263-6781

Date of Application: March 26, 1973

SUBDIVISION INFORMATION:

- | | |
|--|---|
| 1. Gross Acreage of Plat <u>22.81</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>1048.8</u> R/W <u>70</u> ft. |
| Residential <u>2</u> | b. <u>354.71</u> R/W <u>50</u> ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>2</u> | TOTAL <u>120</u> ft. |
| 3. Minimum Lot Frontage <u>588.87</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>X</u> no |
| 4. Minimum Lot Area <u>359,467.45</u> ft. | |
| 5. Existing Zoning <u>R-6 "AA"</u> | |
| 6. Proposed Zoning <u>"R-6"</u> | |
| 9. Public Water Supply No. (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers No. (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> 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.

Owner's Signature: Lawrence J. Deuel, President

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

Received by Paul Healy
Date 7-26-73
Fee Submitted 253.00