

PLAT NO. S/D 74-48 MAP NO. E-1W-D

NAME MARCIE ADDITION

LOCATION: On the west side of Valleyview in an
area south of 11th St. North

ENGINEER K. O. Taylor

OWNER Jim Sanders

APPLICATION FILED 4-10-74

SKETCH PLAT FILED _____

PRELIMINARY FILED _____

S/D ACTION _____

FINAL FILED 4-10-74

S/D ACTION 4-18-74 *Approve*

S/D 7-18-74 *Approve*

MAPC ACTION 4-25-74 *Approve*

mapc 7-25-74 *Approve*

ECC ACTION 11-5-74 *Approved*

RECORDED 11-22-74

REMARKS _____

S/D 74-48 - MARCIE ADDITION -
On the west side of Valleyview
in an area south of 11th St.

Final Appraisement 7.18.74
M.A.P.C. Appraisement 4.25.74
me pc appraisement 7.25.74
B.C.C. / ~~me pc~~ Appraisement 11.5.74

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

12-3-74

MARCIE ADDITION was
filed for record on November 22, 1974

John H. Harts

Register Of Deeds

T9-328

THE CITY OF WICHITA

OFFICE OF WATER DEPARTMENT

DATE July 29, 1975

TO Jack H. Galbraith, Chief Planner
FROM Bill H. Otten, Chief Engineer, Water Engineering
SUBJECT Marcie Addition

The plattors of Marcie Addition have submitted a valid petition for a water benefit district to serve this plat. Therefore, our requirements for water service to this area have been fulfilled. The letter of credit may now be released.



Bill H. Otten
Chief Engineer - Water Engineering

BHO:ar

cc: John D. Wynkoop
Director of Water

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number **74-48** Name **MARCIE ADDITION**
 Application & Sketch Filed: **4-10-74**
 Preliminary Plat Filed: -- Approved by S/D: --
 Final Plat Filed: **4-10-74** Approved by S/D: **7-18-74**
 Approved by Metropolitan Area Planning Commission: **7-25-74**

DESCRIPTION

General Location: **West side of Valleyview in
an area south of 11th Street**

Surveyor or Engineer: **K. O. Taylor**
 Owner: **Jim Sanders**
 Address: **3158 South Hoover 67215**

1. Gross Acreage of Plat <u>4.2</u>	6. Access Control	
2. Number of Lots:	St. _____	No. Openings _____
Residential <u>10</u>	St. _____	No. Openings _____
Commercial _____	St. _____	No. Openings _____
Industrial _____	7. Req'd Improvements	
Other _____	St. Paving <u>X</u>	Water <u>X</u>
Total Number of Lots: <u>10</u>	Sidewalk <u>X</u>	Drainage _____
3. Minimum Lot Area: <u>0.3</u> Acres	Sewer <u>X</u>	Other _____
4. Existing Zoning <u>"AA"</u>		
5. Special Problems Discussed <u>None</u>		

Valid petitions have been submitted guaranteeing the paving of Harvest Lane, the construction of a sidewalk adjacent to each side of Harvest Lane and the extension of sanitary sewer. A certificate has also been submitted certifying the petitions.

Planning Commission Recommendation:

That this plat be approved subject to:

1. The applicant shall make satisfactory arrangements and guarantee for the handling of the drainage of Harvest Lane.
2. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Gragert moved, Rising seconded and it carried unanimously. (Blakey, Hill, Hopper and Kamen absent.)

NOTE: A temporary drainage easement has been submitted to satisfy condition "1".

ACTION: Accept the easement, approve the petitions and instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the certificate and easement 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.

CERTIFICATE

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

I, Quality Investments Inc by James T. Sanders, Pres
tor of Marcie 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. Sidewalks
2. Sanitary Sewers
3. Street Improvements
- 4.
- 5.
- 6.
- 7.

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

Signed this 26th day of May, 1974.

James T. Sanders President
Theresa Sanders Secretary

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

Be it remembered that on this 15th day of May,
1974, before me, a notary public in and for said County and State,
came James T. Sanders And T. Maxine Sanders, 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
fixed my notarial seal the day and year above written.

Norma L. Brown
Notary Public



My Commission Expires:
April 21, 1976

October 7, 1974

TO WHOM IT MAY CONCERN:

I am currently a resident of _____ (city)
in _____ County, Alaska and I am the sole owner
of the following described property in Sedgwick County, Kansas:

North half of the West half of the
West half of the Southwest Quarter
(except the South 462 feet) of
Section 17 Township 27 South, Range
one West of the Sixth P.M.

I understand that Quality Investment's, Inc., a
Kansas Corporation is currently 'plating a sub-division to be
called "Marcie Addition" to the city of Wichita, Sedgwick
County, Kansas and that there is a need to drain surface
water from that addition via, a drainage ditch, which will
be located along the West side of Lot 5, Block 2, Marcie
Addition, and that said surface water is to be drained onto
the above described property, owned by me.

I hereby give permission and consent to the drain-
age of surface water from said Marcie Addition into said
drainage ditch on said Lot 5 and thence onto my said pro-
perty, above described.

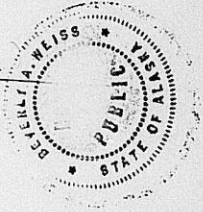
Gladys R. Tinney

State of Alaska)
Borough of Juneau) SS
~~County of~~)

Personally appeared before me a Notary Public
in and for the County and State aforesaid, Gladys R. Tinney,
Single,, to me personally known to be the same person who
signed the foregoing document and said person duly acknow-
ledged the signing thereof.

Dated this 7th day of October, 1974.

Beverly A. Weiss
Notary Public



My Commission Expires: July 16, 1977.

TEMPORARY EASEMENT

THIS EASEMENT made this 7 day of October, 19 74,

by and between Gladys R. Tinney, a single person
of the first part and the City of Wichita of the second part.

WITNESSETH: That the said first part y, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a temporary right-of-way and easement for the purpose of constructing drainage system according to the plans and specifications now on file in the office of the City Engineer of the City of Wichita, Kansas, over, along and across the following described real estate situated in Sedgewick, County, Kansas, to wit:

Beginning at a point on the north line of the Southwest Quarter, Section 17, Township 27 South, Range 1 West of the 6th P.M., said point being four hundred thirty and fifty-five hundredths (430.55) feet east of the Northwest corner of said Southwest Quarter; thence west one hundred (100) feet along said north line; thence south twenty (20) feet; thence east one hundred (100) feet; thence north twenty (20) feet to the point of beginning.

The above contains two thousand (2,000) sq. ft., more or less.

This easement does not include a right-of-way over land occupied by a permanent structure. Said easement shall expire upon completion of drainage system.

IN WITNESS WHEREOF: The said first part y ha s signed these presents the day and year first written.

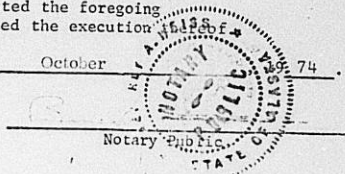
Gladys R. Tinney
GLADYS R. TINNEY

STATE OF ALASKA)
 Borough of Sineau) ss:
~~STATE OF KANSAS~~ xxx
~~SEDGEMAN COUNTY~~ xxx

Personally appeared before me a notary public in and for the County and State aforesaid Gladys R. Tinney, a single person.

to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated ~~XXXXXXXXXXXX~~, this 7th day of October, 1974.



(My Commission expires July 16, 1977)

Harvest Lane
Marcie Addition

DRAINAGE EASEMENT

THIS EASEMENT made this 15th day of October, 19 74,
by and between Quality Investments, Inc. of the first part
and the City of Wichita on the second part.

WITNESSETH: That the said first part y, in consideration of the sum
of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is
hereby acknowledged, do hereby grant and convey unto the said second party a perpetual
right-of-way and easement for the purpose of constructing, maintaining, and repairing
drainage system according to the plans and specifications now on file in the office
of the City Engineer of the City of Wichita, Kansas, over, along and under the following
described real estate situated in Sedgwick County, Kansas; to wit:

The west twenty(20)feet of Lot 5, Block 2, Marcie Addition.
The above contains 3,090sq. ft. more or less.

And said second party is hereby granted the right to enter upon said premises
at any time for the purpose of constructing, operating, maintaining, and repairing
such drainage system.

IN WITNESS WHEREOF: The said first part y has signed these presents
the day and year first written.

Quality Investments, Inc.
BY: James T. Sanders
James T. Sanders, President

STATE OF KANSAS } SS
SEDGWICK COUNTY }

Personally appeared before me, a notary public, in and for the County and
State aforesaid James T. Sanders, president of Quality Investments, Inc.
to me personally known to be the same person who executed the foregoing
instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this 15th day of October, 19 74.

Mary Jo Deaves
Notary Public

My Commission Expires September 25, 1978



LAW OFFICE OF

RONALD K. BADGER

400 R. H. GARVEY BUILDING
WICHITA, KANSAS 67202

AREA CODE 316
262-7461

October 14, 1974

Mr. Curtis L. Newby,
Junior Planner
Metropolitan Area
Planning Commission
104 S. Main
Wichita, Kansas 67202

Re: S-D 74-48- Final Plat of Marcie Addition

Dear Mr. Newby:

I enclose the original of the Temporary Construction Easement which has been signed by Gladys R. Tinney in regard to the drainage system for referenced Addition and I also enclose the original of a letter from Gladys R. Tinney giving her permission to allow the surface water from referenced addition to be drained onto her property located directly South of Lot 5, Block 2, of referenced addition and finally enclosed is a drainage easement executed on behalf of Quality Investment Inc. covering the West 20 feet of Lot 5, Block 2, of referenced addition.

With the above documents and with the addition to the plat of an easement, between lots 2 & 3, Block 2, covering the North 15⁴.49 feet of said lots, I believe all of the requirements of your letters of April 19, 26, and July 10, 1974 have been satisfied. If there is any additional information per any additional steps to be taken please advise.

Sincerely yours,

Ronald K. Badger

Ronald K. Badger

RKB:dg

Encl.

CC James Sanders, President
Quality Investments Inc.



LAW OFFICE OF

RONALD K. BADGER
400 R. H. GARVEY BUILDING
WICHITA, KANSAS 67202

AREA CODE 316
262-7461

October 11, 1974

Mr. M. S. Mitchell
Flood Control Dept.
104 S. Main
Wichita, Kansas

Re: Marcie Addition



Dear Mr. Mitchel:

This will confirm our telephone conversation on October 11, 1974, in regard to the use by the various utilities of the easement on the West side of Lot 5, Block 2 of referenced Addition.

I have consulted with Mr. Brewer in regard to sanitary sewers, Mr. Blevens in regard to electric service, Mr. Atchinson in regard to telephone service, Mr. Guy in regard to Gas service and Mr. Gegen in regard to Water service. These gentlemen are all of the opinion that the easement on the West side of Lot 5, Block 2 of Marcie Addition will not be needed for their respective utility services. However, one or more of these gentlemen did say that if the utility easement on the West side of the Lot 5, Block 2 is not available, they would require an easement between lots 2 and 3 in Block 1 and Lots 2 and 3 in Block 2.

As you know, there is already an easement on the plat between Lots 2 and 3 of Block 1. You will recall that it is the Applicant's desire to grant a 20-foot drainage easement along the West side of Lot 5, and I understand that you are suggesting this be done by separate instrument and that we eliminate the 20-foot utility easement on the West side of Lot 5, Block 2, I trust I will be hearing from you or Mr. Newby to confirm this requirement.

Very truly yours,

Ronald K. Badger

RKB:dg

Mr. M. S. Mitchel
October 11, 1974
Page 2

CC

Mr. Darrell Brewer
Engr. Department
104 S. Main
Wichita, Kansas

Mr. Benny Gegen
City Water Dept.
104 S. Main
Wichita, Kansas

Mr. Robert Blevens
K. G. & E.
1900 E. Central
Wichita, Kansas

Mr. Hugh Atchinson
Southwestern Bell Telephone
105 E. 2nd Street
Wichita, Kansas

Mr. Fred Guy
Arkla Gas Co.
400 S. Washington
Wichita, Kansas

Mr. Kenneth Taylor
1542 S. St. Francis
Wichita, Kansas

Mr. Curtis Newby
Metropolitan Area Planning Co.
104 S. Main
Wichita, Kansas

Mr. James Sanders
Quality Investments Inc.
3158 S. Hoover Road
Wichita, Kansas

9-12-74

Talked to Ron Badger,
attorney for applicant
regarding the drainage problem
to be resolved on the plat.
I advised him to meet
with city attorney, city
Eng: M.S. Mitchell - Maintenance
Flood Control as to possible
ways to obtain required drainage
assessment.

6-26-74

Still need:

- A. Indicating recorded Bk's page
no. for pipeline easement on
the plat.
- B. Guarantee drainage imp.
within drainage assessment
applicant is to obtain
from level owner between
plat & Maize Rd.

July 26, 1974

Mr. Kenneth O. Taylor
1542 South St. Francis
Wichita, Kansas 67211

Re: S/D 74-48 - Final Plat of
MARCIE ADDITION

Dear Mr. Taylor:

At the regular meeting of the Metropolitan Area Planning Commission on July 25, 1974, 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 July 19, 1974.

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 1973 and prior years have been paid.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber
cc: Jim Sanders, 3158 South Hoover 67215
Dean Sellers, Assistant City Engineer

July 19, 1974

Kenneth O. Taylor
1542 South St. Francis
Wichita, Kansas 67211

Re: S/D 74-48 - Final Plat of
MARCIE ADDITION.

Dear Mr. Taylor:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 18, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

ch Changing condition "C" as approved on April 25, 1974, to read as follows: "The applicant shall make satisfactory arrangements and guarantee for the handling of the drainage of Harvest Lane with the Department of Law and the Department of Public Works."

- B. All other conditions of approval as stated in letters dated April 19, 1974 and April 26, 1974, shall remain the same.

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.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, July 25, 1974, 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: Jim Sanders, 3158 South Hoover, 67215
Dean Sellers, Assistant City Engineer



**QUALITY
MANUFACTURERS,
INCORPORATED**

3158 SOUTH HOOVER ROAD • WICHITA, KANSAS 67215

JAMES T. SANDERS, PRESIDENT

PHONE 316 • 943-5303

JULY 13, 1974

CURTIS L. NEWLY
METROPOLITAN AREA PLANNING COMMISSION
CITY BLDG. ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

RE: S/D 74-48 - FINAL PLAT OF
MARCIE ADDITION

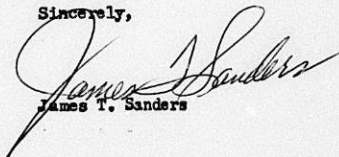
Dear Mr. Newly,

I have contacted the office of M. S. Mitchell regarding drainage requirements. They checked the plat and referred me to Mr. Dick Lynn.

I visited with Mr. Lynn and told him that I had contacted the owner of property west of Marci Addition, and asked to obtain an easement to Maise Road. I was given a definite "No" answer.

Please check and reconsider approval of this plat. If more information is needed please let me know. Otherwise, I plan to be at the meeting on July 18.

Sincerely,


James T. Sanders

JTS/ljc

cc: Dick Lynn, City Engineer



DROP HAMMER STAMPING - DIE CASTING AND FINISHING - STAINLESS STEEL FINISHING
STAINLESS STEEL FABRICATION - ALUMINUM HEAT TREAT - AIRCRAFT EXHAUST SYSTEMS
ALUMINUM AND SHEET METAL ASSEMBLIES - STRUCTURAL & ORNAMENTAL IRON WORK
PLASTER PATTERNS - PLASTIC TOOLING



No. 62 RIGHT OF WAY CONTRACT Book Misc. 98, Page 153

CHAS. A. PETERSON ET UX
To
PHILLIPS PIPE LINE COMPANY.

FOR AND IN CONSIDERATION of the sum of Thirty-One & 35/100 Dollars (\$31.35) in hand paid, the receipt of which is hereby acknowledged, Chas. A. Peterson and Cora Peterson, Husband & Wife, hereinafter referred to as Grantor, (whether one or more, does hereby grant unto PHILLIPS PIPE LINE COMPANY a Delaware corporation, hereinafter referred to as Grantee, its successors and assigns, the right to lay, maintain, inspect, alter, repair, operate, remove and relay a pipe line or pipe lines, for the transportation of oil and gas and products and by-products thereof, water and other substances, and such drips, valves, fittings, meters and other equipment and appurtenances as may be necessary or convenient for such operations, and to erect, maintain, inspect, repair, operate and remove, upon a single line of poles, with necessary anchorage and appurtenances telephons, telegraph or electrical lines, or any of them, over, through, upon, under and across the following described land in Sedgwick County, State of Kansas, to-wit:

Fidelity
Title
Company
Inc.

NW 1/4 SE 1/4 Sec. 17, Twp. 27, South, Range 1 West.

It is expressly provided that any poles set for the purposes above mentioned, shall be so set on or along the line designated as follows: Inside the fence line, around the field.

Together with the rights of ingress and egress to and from said line or lines, or any of them, for the purpose aforesaid. Grantor to have the right to fully use and enjoy the above described premises, except as to the rights hereinbefore granted; and Grantee hereby agrees to pay any damages which may arise to crops, pasturage, fences, or buildings of said Grantor from the exercise of the rights herein granted, said damages, if not mutually agreed upon to be ascertained and determined by three disinterested persons, one thereof to be appointed by Grantor, one by Grantee, and the third by the Two so appointed, and their written determination of amount to be final and conclusive.

Should more than one pipe line be laid under this grant, at any time, an additional consideration equal to the consideration hereinabove recited, shall be paid for each line so laid after the first line.

Grantee shall bury pipe lines below plow depth.



To Have and to Hold said easement, rights, and rights of way unto the said Phillips Pipe Line Company, its successors and assigns, until said easement be exercised, and so long as any structure installed hereunder is used or remains thereon.

It is understood that the person securing this grant is without authority from Grantee to make any agreement in respect of the subject matter hereof not herein expressed.

No. 62 - continued (2)

Book Misc. 98, Page 153

This agreement is binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

Executed this 14th day of July, 1930.

Chas. A. Peterson (Seal).

In presence of C. L. Hammer, Cora Peterson (Seal).

ACKNOWLEDGED: Before Clarence P. Yeager, Notary Public (Seal) for Sedgwick County, Kansas, on July 14, 1930 xx came Chas. A. Peterson and Cora Peterson, husband and wife xx

The Grantor represents that the above described land is not rented for the period beginning ___ 19__ to ___ 19__ on cash or crop basis to ___

FILED for record April 6, 1931 at 1 P. M.

Lester E. Neal, Register of Deeds.

---LB---


Fidelity
Title
Company,
Inc.

No. 63

Book Misc. 350, Page 277

AGREEMENT AS TO PIPE LINE EASEMENTS

THIS AGREEMENT, made and entered into this 2nd day of August, 1935, by and between W. W. TAYLOR and A. GENIEVE TAYLOR, his wife, M. C. KENNEDY and BESSIE KENNEDY, his wife, and ROBERT O. PETERSON and ELAINE ANN PETERSON, his wife, hereinafter referred to as "Grantors", and PHILLIPS PIPE LINE COMPANY, a Delaware corporation with an office at Bartlesville, Oklahoma, hereinafter referred to as "Grantee",

WITNESSETH WHEREAS, on July 14, 1930, a certain Right of Way Contract was executed and delivered by Chas. A. Peterson and Cora Peterson, husband and wife, to Phillips Pipe Line Company, a Delaware corporation, and its successors and assigns, covering the following described lands in Sedgwick County, Kansas.

NW/4 of the SW/4 of Section 17, Township 27 South, Range 1 West,

which said Right of Way Contract was duly recorded in the records of said County in Book 98 of Miscellaneous at Page 153; and

WHEREAS, all easements, rights and right of ways granted under the terms of said Right of Way Contract dated July 14, 1930, are now owned by Grantee; and

WHEREAS, Grantors are the present owners in fee simple of the following described lands in Sedgwick County, Kansas, covered by said Right of Way Contract dated July 14, 1930:



The E/2 of the NW/4 of the SW/4 of Section 17,
Township 27, South, Range 1 West; and

WHEREAS, it is the desire of the parties hereto to effect the release, surrender and abandonment of the easements, rights and right of ways granted under the terms of said Right of Way Contract dated July 14, 1930, insofar as the same cover, affect and relate to a part of the premises not now used and occupied by Grantee, in exchange, and as consideration for, the covenants and agreements of Grantors hereinafter set forth;

NOW THEREFORE, it is agreed as follows:

1. Grantee hereby releases, surrenders and abandons to Grantors, and their successors and assigns, all of the easements, rights and right of ways granted to Grantee under the terms of said Right of Way Contract dated July 14, 1930, insofar, and insofar only, as the same cover and relate to the following described lands in Sedgwick County, Kansas:

The E/2 of the NW/4 of the SW/4 of Section 17,
Township 27 South, Range 1 West,

Fidelity

Title

Company,

Inc.

HAVE AND EXCEPT a strip of land Forty Feet (40') in width across said E/2 of the NW/4 of the SW/4 of Section 17, the center line of which is described as follows:

Beginning at the intersection of the West line of the E/2 of the NW/4 of the SW/4 of Section 17, Township 27 South, Range 1 West, Sedgwick County, Kansas, with the Southermost of two existing 8-inch pipe lines owned by Phillips Pipe Line Company, said point being approximately 138 feet South of the North line of said E/2 of the NW/4 of the SW/4 of Section 17; thence northeasterly with said existing 8-inch pipe line 295 feet, more or less, to a point on the North line of said E/2 of the NW/4 of the SW/4 of Section 17, approximately 260 feet East of the Northwest corner thereof, said strip being 40 feet in width by 295 feet (17.9) rods in length;

reserving unto Grantee and its successors and assigns, all of the easements, rights and right of ways granted under said Right of Way Contract dated July 14, 1930, insofar as said easements, rights and right of ways cover and pertain to said strip of land forty feet in width hereinabove last described, and to the W/2 of the NW/4 of the SW/4 of Section 17, Township 27 South, Range 1 West, Sedgwick County, Kansas.



2. Grantors agree not to construct, or permit to be constructed, any structure, obstruction or engineering work of whatsoever kind, on or over said forty-foot strip of land hereinbefore last described, and agree that no change shall be effected in the present grade of said forty-foot strip of land; provided, however, that if said E/2 of the NW/4 of the SW/4 of Section 17, Township 27 South, Range 1 West, Sedgwick County, Kansas, shall be platted as Westlink Village Third Addition, Sedgwick County,

Kansas, shall be platted as Westlink Village Third Addition, Sedgwick County, Kansas, as shown on plat attached hereto marked "Exhibit A", Grantee agrees that the street designated Valleyview Lane may cross said forty-foot strip at the location marked in red on said plat, and may be used by the public for street and highway purposes, subject however, to Grantee's right to lay, maintain, inspect, alter, repair, operate, remove and relay pipe lines and appurtenances in and upon said forty-foot strip in accordance with the terms and provisions of said Right of Way Contract dated July 14, 1930.

3. In the event that said E/2 of the NW/4 of the SW/4 of Section 17, Township 27 South, Range 1 West, Sedgwick County, Kansas, shall be platted as Westlink Village Third Addition, Sedgwick County, Kansas, Grantors shall serve written notice upon Grantee not less than Ninety (90) days prior to commencement of grading for the construction of said street designated Valleyview Lane across said forty-foot strip. Grantee shall thereupon furnish to Grantors a statement of the estimated cost of lowering, casing, and relaying its pipe lines at the location at which said Valleyview Lane crosses said forty-foot strip, and Grantors agree to pay to Grantee, within ten (10) days after receipt of such estimate, the amount of such estimated cost. Upon completion of such lowering, casing, and relaying of said pipe lines, Grantee shall furnish to Grantors a statement of the actual cost of such work. If such actual cost exceeds such estimated cost, Grantors shall, within (10) days after receipt of such statement, pay to Grantee the amount of the difference between the actual and estimated cost. If such actual cost is less than such estimated cost, Grantee shall contemporaneously with the furnishing of such statement, pay to Grantors the difference between the actual and estimated cost.

4. In the event the street designated as Valleyview Lane should be paved at the point where it crosses Grantee's said forty-foot strip and Grantee should find it necessary to break the paving to make repairs to its pipe lines, Grantee will, at its own expense, replace the paving, as nearly as practical, to its original condition.

5. The terms, covenants and provisions hereof shall extend to and be binding upon the parties hereto, their assigns and successors in interest.

EXECUTED the day and year first above written.

(CORP. SEAL)

PHILLIPS PIPE LINE COMPANY

ATTEST:

R. E. Arnold,
Ass't. Secretary

By W. H. Wallace, Vice-President.

W. W. Taylor
A. Genevieve Taylor

M. C. Kennedy
Bessie Kennedy

Homer O. Peterson
Maxine Ann Peterson

Fidelity
Title
Company,
inc.



ACKNOWLEDGED: Before Martha L. Davis, Notary Public (Seal) for Washington County, Oklahoma xx on August 2, 1955, xx came W. H. Wallace, Vice President of Phillips Pipe Line Company, a Delaware corporation, who is personally known to me and known to me to be the Vice President of said Corporation, and the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same for and on behalf of and as the act and deed of said corporation. xx

Before Margaret S. Freund, Notary Public (Seal) for Sedgwick County, Kansas xx on July 28th, 1955 xx came W. W. Taylor and A. Genevieve Taylor, husband and wife xx

Before Margaret S. Freund, Notary Public (Seal) for Sedgwick County, Kansas xx on July 28, 1955 xx came M. C. Kennedy and Bessie Kennedy husband and wife xx

Before Margaret S. Freund, Notary Public (Seal) for Sedgwick County, Kansas xx on July 28, 1955 xx came Homer O. Peterson and Maxine Ann Peterson, husband and wife xx

FILED for record August 11, 1955 at 11:30 A. M.

Rufus E. Deering, Register of Deeds.

Ethel Jack, Deputy.

---LB---

Fidelity
Title
Company,
Inc.



American Title Insurance Company

HOME OFFICE - MIAMI, FLORIDA
INTERIM TITLE INSURANCE BINDER

CASE NO. Y-26,825

To The City of Wichita

AMERICAN TITLE INSURANCE COMPANY, herein called the "Company," hereby insures:

That the fee simple title to the land described in Schedule A hereof was

on May 13, 1974 at 7:00 o'clock A. M., vested in

QUALITY INVESTMENTS, INC., (A Kansas Corporation)



subject only to the defects, objections, liens, encumbrances and requirements as shown in Schedules B and C hereof.

Upon receipt by this Company of evidence satisfactory to it that all exceptions and requirements set forth under Schedule B have been satisfied, or will be satisfied simultaneously with the transfer of title in contemplation, and upon payment of its charges for title insurance, and for abstract and other incidental charges incurred, this Company will issue to you, as the insured, its Owner's policy of title insurance on its customary form applicable to the

(Insert Owners, Mortgage, Leasehold)
transaction contemplated in the sum of limited to \$250.00 Dollars. showing in Schedule B of such policy only such exceptions as now appear in Schedule C hereof, provided no liens, encumbrances or objections intervene between the aforesaid date and the date the instrument creating the estate or interest to be insured is filed for record, or if any liens, encumbrances or objections intervene, provided same are satisfied or removed to the satisfaction of the Company.

This Binder is delivered and accepted upon the understanding that you have, and hereafter to the time of issuance of the policy of title insurance will have, no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting said premises other than those shown under Schedules B and C hereof, and your failure promptly to disclose to this Company any such personal information shall render this Binder, and any policy issued based thereon, null and void as to such defect, objection, lien or encumbrance.

Nothing contained in this Binder shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental "police power" over the property described herein.

This Binder is a commitment preliminary to the issuance of a policy of title insurance, and shall become null and void unless all the requirements hereof are met, a policy of title insurance is issued and the premium therefor paid, all within six (6) months from the date hereof.

This Binder shall not be valid until it shall have been countersigned by either an Officer or Authorized Agent of this Company.

IN WITNESS WHEREOF, the Company has caused this Binder to be executed pursuant to its By-Laws at Wichita, Kansas on June 6, 1974.

FIDELITY TITLE COMPANY, INC.
COUNTERSIGNED:

William S. Melore
OFFICER OR
AUTHORIZED AGENT

AMERICAN TITLE INSURANCE COMPANY

BY

Frank B. Howe
ATTEST:

President



SECRETARY
John E. Matthews
SECRETARY

SCHEDULE A
Legal description of the land referred to in this Binder:

SEE ATTACHED FOR LEGAL DESCRIPTION

SCHEDULE A
LEGAL DESCRIPTION

A REPLAT OF PART OF WESTLINK VILLAGE THIRD ADDITION, Sedgwick County, Kansas, described as follows:

Beginning at a point on the South line of the NW $\frac{1}{4}$ of Section 17, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, 400.55 feet East of the SW corner of said NW $\frac{1}{4}$; thence North parallel to the West line of said NW $\frac{1}{4}$, 364.52 feet; thence East parallel to the South line of said NW $\frac{1}{4}$, 478 feet; thence South parallel to said West line, 364.52 feet; thence West, 478 feet to the point of beginning; also Lot 18, Block 8, WESTLINK VILLAGE TENTH ADDITION, Wichita, Sedgwick County, Kansas, and part of WESTLINK VILLAGE THIRD ADDITION, Sedgwick County, Kansas, described as follows: Beginning at the NW corner of said WESTLINK VILLAGE THIRD ADDITION; thence South on the West line of said Addition, 108.7 feet; thence Northeasterly 213.18 feet to a point on the North line of said Addition, 180 feet East of the point of beginning; thence West 180 feet to the point of beginning, being also Block L and the Northerly one-half of Suncrest Avenue in said WESTLINK VILLAGE THIRD ADDITION, said Block and Avenue being vacated and replatted by virtue of K.S.A. 1970 Supp. 12-512(b).

TO BE PLATTED AS:

MARCIE ADDITION, Wichita, Sedgwick County, Kansas

April 26, 1974

Mr. Kenneth O. Taylor
1542 South St. Francis
Wichita, Kansas 67211

Re: S/D 74-48 - Final Plat of
MARCIE ADDITION

Dear Mr. Taylor:

At the regular meeting of the Metropolitan Area Planning Commission on April 25, 1974, 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 April 19, 1974.

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 plat.
4. Certification that all taxes due and payable for 1973 and prior years have been paid.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber
cc: Jim Sanders, 3158 South Hoover 67215
Dean Sellers, Assistant City Engineer

April 19, 1974

Mr. Kenneth O. Taylor
1542 South St. Francis
Wichita, Kansas 67211

Re: S/D 74-48 - Final Plat of
MARCIE ADDITION

Dear Mr. Taylor:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 18, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- X. A 10-foot utility easement shall be indicated on the common lot line of Lots 2 and 3, Block 1.
- X. A 10-foot utility easement shall be indicated adjacent to the west line on the south 108.7 feet of Lot 2, Block 3, as shown on the engineer's marked copy of the final plat.
- C. The applicant shall obtain a drainage easement by separate instrument from the west line of the plat to Maize Road. The applicant shall be advised that if subject easement cannot be obtained, the plat cannot be adequately drained.
- D. The applicant shall guarantee the drainage improvement within said drainage easement.
- E. The applicant shall contact M. S. Mitchell of the Maintenance Flood Control Office relative to dimensions indicated on the plat.
- X. Lot 1, Block 1, shall be expanded to incorporate Lot 18, Block 8, Westlink Village 10th Addition, and the legal description in the engineer's certificate shall be appropriately amended.

S/D 74-48
April 19, 1974
Page 2

- G. The recorded book and page number for the Phillips Petroleum Company easement shall be indicated on the plat.
- H. The labeling of the street indicated on the plat shall be expanded to read: Harvest Lane.
- I. ^{petitioned} The applicant shall install or guarantee the extension of sanitary sewer and City water to serve each lot being platted.
- J. ^{petitioned} The applicant shall install or guarantee the paving of Harvest Lane.
- K. ^{petitioned} The applicant shall install or guarantee the construction of sidewalks adjacent to both sides of Harvest Lane.
- L. The Mayor's name shall be changed to "Garry L. Porter".
- M. Recording of the plat within 30 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, April 25, 1974, 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: Mr. Jim Sanders
3158 South Hoover, 67215

Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 74-48 Name MARCIE ADDITION
Date Application Rec'd. 4-8-74 Preliminary Approval _____
Scheduled S/D Meeting 4-18-74

DESCRIPTION

General Location On the west side of Valleyview in an area south
of 11th Street North.
Owner Jim Sanders
Surveyor/Engineer K. O. Taylor
Address 1542 South St. Francis Phone 264-4072

- | | |
|---|---------------------------------|
| 1. Gross Acreage of Plat <u>4.20</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>60</u> R/W <u>470</u> ft. |
| Residential <u>10</u> | b. _____ R/W _____ ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>10</u> | TOTAL <u>470</u> ft. |
| 3. Minimum Lot Frontage <u>95</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>11,800</u> sq. ft. | streets? <u>yes</u> <u>X</u> no |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>AA</u> | |
| 9. Public Water Supply Yes (Yes-No), Name <u>Wichita Water Department</u> | |
| 10. Public Sanitary Sewers Yes (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. It should be noted that this final plat is a portion of a previously approved preliminary called Westlink Village 10th Addition.
- B. Lot 1, Block 1, shall be expanded to incorporate Lot 18, Block 8, Westlink Village 10th Addition, and the legal description in the engineers certificate shall be appropriately amended.
- C. The recorded book and page number for the Phillips Petroleum Company easement, shall be indicated on the plat.
- D. The labeling of the street indicated on the plat shall be expanded to read: Harvest Lane.
- E. Right-of-way for a cul-de-sac to terminate Harvest Lane shall be discussed at the meeting.
- F. The applicant shall install or guarantee the extension of sanitary sewer and City water to serve each lot being platted.
- G. The applicant shall install or guarantee the paving of Harvest Lane.
- H. The applicant shall install or guarantee the construction of sidewalks adjacent to both sides of Harvest Lane.
- I. The applicant shall be advised that the construction of the sidewalk will be required at the time of final building inspection when said sidewalk is required as a condition of plat approval.
- J. The applicant shall install or guarantee the installation of utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- K. The Mayor's name shall be changed to read: "Garry L. Porter" beneath his respective signature.

T9-303

(OVER)

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

Map No.: FIWD
Section No.: 17
Twp. No.: 27S
Range: 1W

S/D No. 74-48

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: MARCIE ADDITION

General Location: 1/2 MILE SOUTH OF 13TH ST NO. & 400.55' EAST & OF MAIZE ROAD

Name of Property Owner: Jim Sanders

Address: 3158 South Hoover Phone: 942-7985

Name of Subdivider: _____ Phone: _____

Address: _____ Phone: _____

Name of Agent/Surveyor: K. O. TAYLOR PE

Address: 1542 S ST FRANCIS Phone: 264-4072

Date of Application: 4-9-74

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 4.22
2. Number of Lots:
 - Residential 10
 - Commercial _____
 - Industrial _____
 - Other _____Total Number of Lots 10
3. Minimum Lot Frontage 95' ft.
4. Minimum Lot Area 12,150 ft.
5. Existing Zoning A-A
6. Proposed Zoning A-A
7. Lineal Feet of New Streets:
 - a. 60 R/W 487 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL _____ ft.
8. Sidewalk adjacent to all streets? yes 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) No (Yes-No)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto 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: K. O. Taylor (for technical information only)

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

Received by _____
Date _____
Fee Submitted none req.

T9-301B
(2-71)

