

75-1
Box 16
1st Floor

PLAT NO. S/D 75-24 MAP NO. 5048
NAME MILES LAKEWOOD LIVING ADD.
LOCATION West side of I-235 Bypass north of 8th St.
ENGINEER K. O. Taylor
OWNER Gene Miles
APPLICATION FILED 3-24-75
SKETCH PLAT FILED _____
PRELIMINARY FILED 3-24-75
S/D ACTION 4-3-75 Approved
FINAL FILED 4-21-75
S/D ACTION 5-1-75 App subject to condition
MAPC ACTION 5-8-75 app subject to conditions
BCC ACTION 9-2-75 Approved subject to Cit, Water
bill's approval
RECORDED 11-7-75
REMARKS _____

S/D 75-24 - MILES LAKEWOOD LIVING
ADD - West side of I-235 Bypass
north of 8th St. K. O. Taylor

M.A.P.
App. subject to ~~5000~~
condition
B.C.C./~~5000~~ *Approved subject 9-2-75*
to City Water
being provided

Map No. 5048
Sec. No. 15
Twp. No. 27S
Range 1W

Subdivision Report and Progress

S/D No.: 75-24

Name: MILES LAKEWOOD LIVING ADDITION

General Location: West side of I-235 Bypass north of 8th St.

Owner: Gene Miles
Address: 10711 W. KELLOGG Phone: _____
Subdivider: _____ Phone: _____
Address: _____
Engineer/Surveyor: K. O. Taylor
Address: 1542 S. St. Francis Phone: 264-4072

Application Received 3-24-75
Conf. with Applicant none
Sketch Plat Received none submitted
Present Zoning AA
Proposed Zoning R-5
Letter of Intent N/A

PREL. PLAT RECEIVED 3-24-75
S/D Comm. Action 4-3-75 App

Dept. Report on Prel. 4-4-75

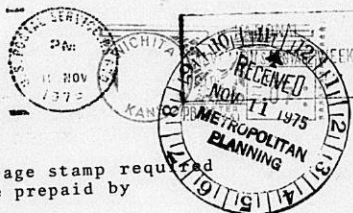
TRACING PROGRESS:
Received 7-24-75
Released 11-4-75
Received _____
Released _____

FINAL PLAT RECEIVED 4-24-75
S/D Comm. Action 5-1-75
Dept. Report on Final 5-2-75
M.A.P.C. ACTION 5-8-75 App subject to conditions
Dept. Report on Final to conditions 5-8-75
Letter on Irons Received N/A
Title/Taxes Rec'd & Reviewed 8-1-75
Final Review 8-27-75
Referral to B.C.C. 8-27-75

B.C.C. ACTION 9-2-75 Approval subject to City Water being approved
Recorded 11-7-75

Comments:

Z-1687 Associated Zone Case AA to R-5 & DP-70, Residential
C.M.P.



No postage stamp required
Postage prepaid by

Wichita-Sedgwick County
Metropolitan Area Planning Department
104 South Main
Wichita, Kansas 67202

recalled in 1975

LO
File

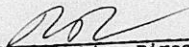
July 21, 1982

E. H. Denton, City Manager
Robert A. Lakin, Director of Planning

Gilda Circle Paving Petition

We have researched our CUP and Subdivision files, and MAPC minutes to determine if there were references about what portion of the paving costs for Gilda Circle were to be born by the developer. The MAPC minutes of May 8, 1975, (copy attached), state that the developer, Gene Miles, was to pay 100 percent of the paving costs of Gilda. Likewise, the referral sheet for S/D 75-24, Miles Lakewood Living Addition (copy attached), reflects that the developer had submitted a petition guaranteeing the paving of Gilda Circle.

Based on a review of the MAPC minutes of May 8, 1975, when the plat was discussed, and after talking to members of my staff who were involved with the plat, it appears that the developer was required to pay 100 percent of the paving costs for Gilda Circle since it did not serve any other property. It would appear that the same facts prevail today, the 70/30 percent policy existed when the plat was considered and the determination at that time was that since this dead-end frontage road serves only the Miles property, that his development should pay the entire cost.


Robert A. Lakin, Director of Planning

RAL:JHG:vn
cc: R. W. Bruggeman, Director of Engineering, City of Wichita

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 75-24 Name MILES LAKEWOOD LIVING ADDITION
Application & Sketch Filed: 3-24-75
Preliminary Plat Filed: 3-24-75 Approved by S/D: 4-3-75
Final Plat Filed: 3-24-75 Approved by S/D: 5-1-75
Approved by Metropolitan Area Planning Commission: 5-8-75

DESCRIPTION

General Location: West side of I-235 Bypass north of 8th Street

Surveyor or Engineer: K. O. Taylor
Owner: Gene Miles
Address: 10711 West Kellogg 67209

- 1. Gross Acreage of Plat 34.135
2. Number of Lots: Residential 1, Commercial, Industrial, Other
3. Minimum Lot Area: 1 Acres
4. Existing Zoning "AA"
5. Special Problems Discussed None
6. Access Control
7. Req'd Improvements: St. Paving, Sidewalk, Sewer, Water, Drainage, Other

Valid petitions have been submitted guaranteeing the extension of sanitary sewer to serve subject property, the paving of 8th Street, Arapaho and on Gilda Circle

Planning Commission Recommendation:

That this plat be approved subject to:

- A. The applicant shall submit the required certificate for the petitions submitted with the plat.
B. The applicant shall submit the properly executed avigational easement and construction covenant associated with the plat.
C. The applicant shall guarantee the extension of City water to serve subject property.
D. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Goebel moved, Bayouth seconded and it carried unanimously. Gragert abstained from voting and Savina was absent.

NOTE: The paving petition submitted for the paving of 8th Street is a 55.4% petition. Therefore the appropriate notices have been sent to the affected property owners.

The associated zone case Z-1687, "AA" to "R-5" and the Residential Community Unit Plan DP-70 have been approved by the Board of City Commissioners subject to platting.

ACTION: Approve the petitions, instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the certificate with the Register of Deeds when submitted and bill the publication and filing costs to the applicant; and approve the plat as approved by the Metropolitan Area Planning Commission, authorize the Mayor to sign, and instruct the Planning Department to withhold release of the plat for recording until all conditions of the plat approval have been complied with.

* City Clerk called on 11-4-75. He says it was ok to release plat tracing as original. He gave appropriate guarantee for extension of water to plat.

after the benefit district is established, it is possible for the property owners within the benefit district to offer objections and if sufficient in number the project would not be continued.

GARDENHIRE suggested the staff inform the City Commission that the Planning Commission is aware of the situation and that alternatives have been discussed, but no agreement reached, and suggest that the city Commission make a determination. LAKIN said that it is possible the City Commission may favor a sharing of the cost of the project by the applicant and the abutting property owners.

GOEBEL did not think the City Commission should require the applicant to pay for the paving or they would deny the zoning, but that there should be a sharing of the costs, possibly by the applicant, the benefit district and the city at large. He did not feel that the property owner had created the problem, in view of the involvement of the City, County, and State with respect to the highway on the east and the flood control project on the west.

MOTION: That this matter be referred back to the Subdivision Committee for resolution of the paving of Gilda and how it will be paid. Hennesy moved, but this motion was not seconded.

MOTION: That this matter be forwarded to the City Commission with a recommendation from the Planning Commission that the developer not be held responsible for all of the paving, and let the City Commission work out the financing. Hopper moved and Bayouth seconded. (Bayouth later in the meeting withdrew his second to this motion.)

RISING suggested adding the feeling of the Planning Commission that an equitable solution would involve the developer and the property owners, and leave it to the City Commission to assess whatever percentage they deem best. HOPPER said a petition has already been filed for Arapaho, and the developer will follow through on improvement of 8th Street, the road adjacent on the east and interior private streets.

GOEBEL brought up the possibility of the access road along the east side adjacent to the Interstate, such access road being public right-of-way, being vacated and retained then as a private interior street. Then, since the developer will have to improve it at his own expense, it could be at lesser standards than city specifications, and the difference in cost would justify assessing the developer for a portion of Gilda improvement. He pointed out that the developer is being asked to pave the cul-de-sac on Arapaho, the frontage road and cul-de-sac along the Interstate, and his share of 8th Street adjacent to this property. As to 8th Street, GOEBEL pointed out that if the developer can submit a paving petition representing the required percentage of property adjacent, then a benefit district would be established and assessments spread among the district, thus the developer would not be paying the total cost.

The reasoning is that if not required to spend so much money for improvement of other streets associated with this project, then the developer would be more agreeable to bearing some of the cost of Gilda improvement.

RISING suggested the above motion be modified to include a statement that the developer should not pay for the total improvement of Gilda. GOEBEL commented that perhaps the first motion was correct and that it should be returned to the Subdivision Committee to consider vacating the access road along the Interstate, and then the developer could blacktop it to whatever standards he desired as an interior street right-of-way and in return assess him for a portion of Gilda Street paving.

GALBRAITH said that the possibility of vacating the right-of-way along the Interstate was considered before the application was filed, and it was ascertained that the State is reluctant to vacate any street right-of-way.

Bayouth withdrew his second to the previous motion.

MOTION: That the Planning Commission recommend to the City Commission that this plat be approved, subject to the following conditions as recommended by the Subdivision Committee:

- A. Approval of this plat is subject to approval of the associated zone case Z-1687, from "AA" to "R-5" and the associated Community Unit Plan DP-70.
- B. Building setbacks as approved on the associated Community Unit Plan shall govern.
- C. The applicant shall be advised that no parking will be permitted within the designated setback areas.
- D. Prior to the issuance of any building permits on subject property, the applicant's engineer shall submit a site development plan to the Wichita Fire Department.
- E. The applicant shall guarantee the extension of City water to serve subject property.
- F. The applicant shall contact Larry L. Henry of the Soil Conservation Service relative to taking proper precautions to prevent soil erosion from wind and water during the development of subject property.
- G. The applicant's engineer shall submit a lot grading plan to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.
- H. The applicant shall guarantee the paving of the cul-de-sac on Arapaho Avenue, the frontage road and cul-de-sac along I-235,

and 8th Street from the west line of the plat to the frontage road.

- I. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of 8th Street, around the cul-de-sac on Arapaho and along the frontage road.
- J. Referencing on the plat tracing to a minimum floor elevation shall be amended to read "Minimum building pad elevation."
- K. The applicant shall be advised that the construction of the sidewalks will be required at the time of final building inspection when said sidewalks have been required as a condition of plat approval.
- L. 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.
- M. Forty-six feet of right-of-way for the frontage road shall be provided by the plat.
- N. Recording of the plat within 30 days after approval by the Board of City Commissioners.

And that the developer of the property not be responsible for all the costs of paving Gilda and that an equitable solution for the paving be reached for all parties concerned. Goebel moved, Bayouth seconded and it carried unanimously as to those voting. Gragert abstained. Savina was absent.

-
7. S/D 75-30 - Final Plat of RUBY J. 2ND ADDITION, generally located at the southeast corner of Seneca and Pawnee.

GALBRAITH pointed out the area involved and the fact that the intersection of Pawnee and Seneca has recently been rebuilt on a 60-foot right-of-way on Pawnee and 50 feet on Seneca. He said that in the early discussion of this plat, it was pointed out that the 75-foot half-street right-of-way which is normally required at section line intersections, should not be required of this developer as right-of-way does not exist to that extent on any of the other three corners, and that only a 10-foot dedication should be required on Seneca to make a total of 60 feet of half right-of-way for both streets. He pointed out that the 10 feet proposed is shown for off-street parking on the plan but that, while it can be used for parking, such cannot be considered in complying with the required parking spaces.

THE CITY OF WICHITA

OFFICE OF Director of Engineering

DATE July 19, 1982

Honorable Board of City Commissioners
TO (Through E. H. Denton, City Manager)

FROM R. W. Bruggeman, Director of Engineering

SUBJECT Gilda Paving Petition



Attached is a letter from Gene Miles requesting that a new petition for paving Gilda Street, from 8th Street North, be approved.

Gilda was originally petitioned as a concrete street in 1975 at the time of platting Miles Lakewood Living Addition. The 1975 petition provided for 100% of the paving cost to be assessed to the private property. Mr. Miles has requested that Gilda be considered a frontage road.

A frontage road provides access to property on one side and is adjacent to a controlled access roadway on the other side. Frontage roads are designed for two lanes of moving traffic with no parking.

Mr. Miles requests that Gilda be considered a frontage road because it parallels I-235, a controlled access highway. As a frontage road, 70% of the cost of paving would be assessed to the addition, and 30% paid by the City-at-large. If Gilda is paved as a residential street, 100% of the construction cost (except intersections) will be assessed to the benefit district.

If the City Commission is of the opinion that the project meets frontage road policy, then the recommended action is to approve the petition and instruct the City Attorney to prepare the necessary resolution. If the City Commission does not believe that the project qualifies as a frontage road, then the recommended action is to deny the petition.

RWB
R. W. Bruggeman
Director of Engineering

RWB:mgr

Attachment

July 2, 1982

Mr. R.W. Bruggeman
Director of Engineering
7th Floor - City Hall
455 N. Main
Wichita, Kansas 67202

RE: Miles Lakewood Living Addition
Gilda Street Paving Petition

Dear Mr. Bruggeman:

We are proceeding with the first phase of development in Miles Lakewood Living Addition. This phase will consist of townhouse condominiums located along Gilda Street on the east side of the lake. It is necessary to submit a new paving petition on Gilda Street to provide additional financing. The existing petition was filed in 1975 and does not provide adequate funds. It is also desirable to change the type of pavement specified in the petition. The new petition specifies asphalt pavement, which is more cost effective than concrete pavement.

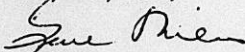
The petition provides for 70% of the paving cost to be assessed to the Addition and 30% to be paid by the City at large, consistent with City policy on 'frontage' roads.

The current sidewalk policy requires sidewalk to be installed adjacent to multi-family developments. Due to the dead-end nature of Gilda Street; no sidewalks required south of the development; and the low-density proposed in the individually owned townhouses; it is required that the sidewalk requirement be waived. A pedestrian walkway will be provided by the developer along the lake frontage. This walkway at the rear of the townhouses will provide pedestrian circulation eliminating the need for a sidewalk along Gilda.

Professional Engineering Consultants, P.A., are providing engineering services on private improvements within the plat and the amendment to the Community Unit Plan. We request that the City Commission select PEC to perform the engineering services on the pump station and force main, the first phase Sanitary Sewer, and the Gilda Street paving project. Letters of credit guaranteeing payment of special assessments have been submitted with the petitions and we are very anxious to proceed immediately with these projects.

If additional information is desired, please advise.

Very Truly Yours,



Gene Miles

THE CITY OF WICHITA

RECEIVED

MAR 18 1983

METROPOLITAN PLANNING
ROUTE ~~10~~



DEPARTMENT OF
OPERATIONS AND MAINTENANCE
FLOOD CONTROL & LANDFILL DIVISION
CITY HALL - EIGHTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4591

March 17, 1983

Mr. Gene Miles
10711 West Kellogg
Wichita, Kansas 67209

Dear Mr. Miles:

We have reviewed the copies of the three deeds submitted by you along with your letter of February 18, 1983. Approval of your request to use the 60' portion of the floodway easement is hereby granted, subject to your granting the appropriate utility easements and our review and approval of the proposed plans for work to be done on the floodway easement. ?

Sincerely,

Gene Rath
Street Services Director

GR:GL:gc

cc: David Stowe, Director of O & M
R. W. Bruggeman, Director of Engineering
Robert Lakin, Director of Planning
Dick Linn, P.E.C.

0557

Cassina Stowe

1-3-83

Special Assessments associated with Sandpiper Bay

PAVING

Gilde from Central to 8th has recently been paved. Miles paid 60%; B.D. 40%.

Gilde north of 8th will be assessed 100% to Miles.

Arapaho cul-de-sac was paid for entirely by Miles AND he paid for a portion of the paving on Arapaho south of the cul.

8th Street from Gilde to Arapaho will be paid on a land value rather than square footage basis. All lots abutting the street will pay including a 400-foot deep portion of Miles' lot. (This 400' depth is the distance from 8th to the lake.)

SEWER

Miles will pay the entire cost of a pump station and force main. No other properties are in the sewer B.D.

WATER

Miles to pay 74% of the ^{benefit} ~~improvement~~ district's share. Others in B.D. to pay 26%. Water is coming all way from Central.

THE CITY OF WICHITA

OFFICE OF Public Works Engineering

DATE May 30, 1980

RECEIVED

JUN 3 1980

METROPOLITAN PLANNING ROUTE ~~1~~

TO E. H. Denton, City Manager

FROM Mike Lindebak, Program Development Engineer

SUBJECT Paving Gilda from 132 feet North of Elm to Eighth.

Thursday, May 29, 1980, Dean Sellers and I along with Bill Morris, CPO Staff, met with Mr. Martin Kaiser, Mr. Rodger Sherman, and other property owners in the benefit district for paving Gilda. Also in attendance were other neighborhood residents interested in stopping the Gene Miles apartment project North of Eighth St. and West of I-235. Attached is a list of those in attendance.

For the benefit of those people new to the area since 1975 the projects history was reviewed.

May 13, 1975

City Commission reviewed a zone change request and CUP for the area North of Eighth Street and West of I-235. It was stated that the problem of access to the site had not been resolved. It was suggested that Gilda would provide access, but it was not paved and the City Commission would have to determine the method of improvement as well as the assessment of cost. It was suggested that the developer and residents share the cost 50-50 or possibly 75 percent developer and 25 percent residential property. The matter was deferred to provide the developer an opportunity to determine what extent he was willing to participate in the cost of the access road to the development.

*5/6/3/80
BCC
West 60/40 developer/a.d.*

June 3, 1975

A 80.9 percent petition for the paving of Gilda was presented to the City Commission. The estimated cost of the project was \$65,000 to be paid \$20,500 by the developer, \$20,500 by the residential property, and \$24,000 by the City at large. Mr. Martin Kaiser presented a protest petition with the signatures of 14 property owners. He expressed the feeling that the improvement would be of more benefit to the developer therefore the developer should pay a greater percent of the cost. The developers representative stated that Mr. Miles felt the proposal was an equitable distribution of costs. More discussion followed regarding the increase in traffic on Gilda. Dale Wood, an area resident, suggested the developer pay 80.9 percent since he would

receive more benefits. C. L. Slicker, property owner, stated he did not oppose the paving project, but did oppose the proposed development North of Eighth Street. The paving petition was approved 5 to 0. The project was to be held for development.

April 2, 1980

Mr. Miles submitted a letter of credit to initiate the paving of Gilda.

May 13, 1980

A public hearing was held on an amended project. The estimated cost of the project being \$116,000 with \$41,000 to be paid by Mr. Miles, \$41,000 by the residential property, and \$34,000 by the City of Wichita at large. Martin Kaiser spoke in opposition to the project. Rodger Sherman had questions about drainage. The hearing was continued to allow City staff to meet with Mr. Kaiser and Mr. Sherman to discuss their questions.

May 22, 1980

Martin Kaiser requested a neighborhood meeting to discuss the financing of the proposed project.

The floor was then opened for questions. The questions centered around how to stop the apartment project North of Eighth Street. There was a concern that property values would be lowered, traffic problems worsened, and the crime rate increased. The consensus appeared to be that stopping the paving project would halt or slow the proposed apartment project.

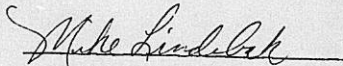
Regarding the financing of the paving project, there were more comments than questions. Those present expressed the feeling that Mr. Miles property benefited more from the paving of Gilda than the residential property. It was suggested that Miles pay 80.9 percent of the cost, but no consensus obtained. Those present appeared to be more interested in stopping the project than arriving at a satisfactory financing arrangement.

The current financing distribution would result in assessments, including interest, of approximately \$8.50 per month to the owner of a 75 x 132 foot lot. Those present were cautioned that killing the project today may result in the residential property owners paying 100 percent of the cost project at some future date.

The property owners will be meeting again prior to the June 3, 1980 City Commission meeting to organize a City Commission presentation. The presentation may include requests to stop the apartment project, conduct more traffic studies, stop the paving project, or increase Miles share of the paving project.

E. H. Denton
Page 3
Paving Gilda

A private meeting was held with Mr. Sherman on the location of the fence south of his property. Mr. Sherman is aware that he has fenced City property. At the May 13 City Commission meeting, Mr. Sherman indicated he had talked to a "City surveyor" about filling a drainage ditch and fencing. Mr. Sherman advised that the person he talked to was a State Highway employee. Alternative drainage designs, grass swale or covered flume were discussed with him. Mr. Sherman's concerns can be addressed during the design phase of the project.



Mike Lindebak
Program Development Engineer

ML:ck

cc: R. W. Bruggeman
Director of Public Works

Dean Sellers
Acting City Engineer

Bill Morris
C.P.O. Aide

Robert Lakin ✓
Director of Planning

Attachment: (1)

GUEST LIST

Martin Kaiser *	754 Eisenhower
Fred Baker	5820 W. Murdock
Leon Payne *	5707 W. Franklin
Bertha Klausmeyer	5814 W. Murdock
Larry Ryan	765 N. Arapaho
Curt Barker	801 N. Arapaho
Michael W. Tillotson *	5808 W. Murdock
Clara J. Davis *	830 Gilda
Mr. & Mrs. Niles Barnett	746 N. Eisenhower
Mr. & Mrs. Chuck Miller *	750 Eisenhower
M. R. Collin	734 N. Arapaho
Chester Deig	706 Boyd
John Laiacono	705 N. Boyd
Dan Coffman	733 Boyd
Roger Sherman *	802 N. Gilda
Willie Stavig	736 N. Boyd
D. D. Eaton *	741 Gilda
Dick Higgins *	2222 Jeanette
Phill Higgins *	615 Sheridan
Walter Higgins	5801 W. 8th
Thomas Woodman	5802 Franklin
Larry McCanless *	733 Gilda
Don Manning *	5807 W. 8th
Mr. & Mrs. M. D. Ragain	728 Boyd

* Properties within the Benefit District

Nov.20, 1975

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

Z-1687 - Zone Change from "AA" to "R-5"; and
✓S/D 75-24 - Miles Lakewood Living Addition.

At the regular meeting of the Board of City Commissioners on June 3, 1975, the above captioned request for zone change was considered and approved, subject to platting, and the City Clerk was instructed to withhold publication of the ordinance effectuating the zone change until such time as the plat had been recorded. The associated plat was approved by the Board of City Commissioners on September 2, 1975.

This is to advise you that the final plat of Miles Lakewood Living Addition was recorded with the Register of Deeds on November 7, 1975, and therefore, the ordinance effectuating the zone change may now be published.

Jack H. Galbraith
Chief Planner

JHG:el

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE November 4, 1975

TO Jack H. Galbraith, Chief Planner
FROM Bill H. Otten, Chief Engineer-Water Engineering
SUBJECT Miles Lakewood Living

The plattors of Miles Lakewood Living 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.

Bill H. Otten

Bill H. Otten
Chief Engineer-Water Engineering

BHO:ar

cc: John D. Wynkoop, Director of Water

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE November 4, 1975

TO Jack H. Galbraith, Chief Planner
FROM Bill H. Otten, Chief Engineer-Water Engineering
SUBJECT Miles Lakewood Living

The plattors of Miles Lakewood Living 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.

Bill H. Otten

Bill H. Otten
Chief Engineer-Water Engineering

BHO:ar

cc: John D. Wynkoop, Director of Water

September 23, 1975

Donald C. Gisick, City Clerk

Curtis L. Newby, Junior Planner

S/D 75-24 - Miles Lakewood Addition.

Please find attached a certificate, avigational easement and restrictive covenant for the above captioned plat as approved by the Board of City Commissioners at the September 2, 1975 meeting. These instruments should now be filed with the Register of Deeds, the filing costs of which shall be billed to the applicant.

Please call if you have any questions regarding this matter.

CLN:rme
Attachment

Curtis L. Newby, Junior Planner

RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING MILES LAKEWOOD LIVING
ADDITION.

THIS DECLARATION made this 15th day of September, 1975,
by Gene Miles and Marie Miles, his wife, hereinafter called the
Grantors.

WITNESSETH

WHEREAS, Grantors are the owners of Miles Lakewood Living
Addition to Wichita, Sedgwick County, Kansas, which property is
located near Wichita Mid-Continent Airport and is accordingly
subject to considerable noise from the operation of aircraft, and

WHEREAS, the City of Wichita in connection with approval of
the plat of said addition considers it to be in the public interest
to require any buildings constructed on said addition to be designed
and constructed giving proper consideration to noise pollution in
the area:

NOW THEREFORE, Grantor, hereby declares that Miles Lakewood
Living Addition, shall be and the same is subjected to the following
restrictive covenant, to-wit:

Any building constructed on the premises shall
be so designed and constructed as to minimize
noise pollution in any such structure, giving
due consideration to the use for which such
structure is designed and built. This covenant
is for the benefit of said property and shall
run with the land and shall inure to the benefit
of and pass with said property and shall apply
to and bind the successors in interest and any
owner thereof.

EXECUTED the day and year first above written.

Gene Miles
Gene Miles

Marie Miles
Marie Miles

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

Personally appeared before me a notary public in and for
the County and State aforesaid Gene Miles and Marie Miles, to me
personally known to be the same persons who executed the
foregoing instrument of writing and said persons duly acknowledged
the execution thereof.

Dated at Wichita, Kansas, this 15th day of September, 1975.

BARBARA L. JOHNS
NOTARY PUBLIC
Sedgwick County, Kansas
My Comm. Exp. Mar. 13, 1979

Barbara L. Johns
Notary Public

My Commission Expires:

March 13, 1979

RESTRICTIVE COVENANT

The undersigned, the Wichita State Bank, a Kansas corporation, having a mortgagee's interest in the above described real property, do hereby ratify and concur in the dedication and conveyance of the above and foregoing Restrictive Covenant.

Dated this 15 day of September, 1975.

WICHITA STATE BANK



By [Signature]
President

Attested By:

[Signature] AVP

AVIGATIONAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That for a good and valuable consideration, the receipt of which is hereby acknowledged, that GENE MILES and MARIE MILES, husband and wife, do hereby grant a permanent Avigational Easement to the public authority authorized by law to own and operate public-owned airports in Sedgwick County, Kansas, for the use of "Navigable Airspace" as defined by the Federal Aviation Act of 1958, over all of the following described real estate, to-wit:

The following described real property, which is being platted as "MILES LAKEWOOD LIVING", an Addition to Wichita, Sedgwick County, Kansas, and now described as: A tract in the SE 1/4 and the NE 1/4 of Section 15, T-27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, also part of West Central Gardens Third Addition, Sedgwick County, Kansas and part of Avery Addition, Sedgwick County, Kansas, described as follows: Commencing at the NE corner of said SE 1/4; thence south along the east line of said SE 1/4, 660 feet; thence west parallel to the north line of said SE 1/4, 547.6 feet to a point of beginning, said point of beginning being on the west line of Interstate Highway 235 as condemned in Case A-77197; thence S 89°39'W parallel to said north line of said SE 1/4, 668.22 feet to a point 110 feet east of the west line of the NE 1/4 of said SE 1/4; thence N0°20'30"W parallel to the west line of said NE 1/4 of said SE 1/4, 198 feet to the NE corner of Lot 1, Block 1 in said Avery Addition, thence S89°39'W along the north line of said Lot 1, Block 1, 110 feet to the NW corner of said Lot 1, Block 1 and to the west line of said NE 1/4 of said SE 1/4; thence N0°20'30"W along said west line of said NE 1/4 of said SE 1/4, 212 feet to the SE corner of Lot 26, Block A in said West Central Gardens Third Addition; thence westerly along the south (front) line of said Lot 26, Block A, 60 feet to the SW corner of said Lot 26, Block A; thence N27°14'16"W along the west line of said Lot 26, Block A, 168.12 feet to the rear line of said Lot 26, Block A; thence N89°39'W, 108.41 feet to the easterly right of way line of the Wichita-Valley Center Flood Control Project as condemned in Case A-31849; thence N22°25'30"E along said right of way line, 122.15 feet; thence N26°25'33"E, 454.05 feet to the west line of the E 1/2 of said NE 1/4; thence N27°21'24"E along said right of way line, 77.82 feet; thence N32°25'30"E along said right of way line, 447.65 feet; thence N37°21'25"E along said right of way line, 447.51 feet; thence N40°47'30"E along said right of way line, 169.41 feet; thence N41°45'30"E along said right of way line, 440.42 feet; thence N41°44'E, 532.43 feet to a point on the east line of said NE 1/4, said point being 590.57 feet south of the NE corner of said NE 1/4; thence S0°29'E along the east line of said NE 1/4, 107.74 feet to the westerly right of way line of Interstate Highway 235 as condemned in Case A-77197; thence southwesterly and south along said right of way line to the point of beginning.

By virtue of this easement, the grantors, for and on behalf of themselves and all successors in interest to any and all of the real property above described, waive as to the public authority only any and all claims for damage of any kind whatsoever incurred as a result of aircraft using the "Navigable Airspace" granted herein. This easement does not grant or convey any surface use rights, nor is it to be construed to grant any right to private persons or corporations.

"Navigable Airspace" means air space above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, Section 101 (24) 49 U. S. Code 1301, and shall include air space needed to insure safety in take-off and landing of aircraft.

To have and to hold said easement forever.

IN WITNESS WHEREOF: The grantors have signed these presents the day and year first above written.

Gene Miles
Gene Miles

Marie Miles
Marie Miles

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

Personally appeared before me a notary public in and for the County and State aforesaid Gene Miles and Marie Miles, to me personally known to be the same persons who executed the foregoing instrument of writing and said persons duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this 15th day of September, 1975.

BARBARA L. JOHNS
NOTARY PUBLIC
Sedgwick County, Kansas
My Comm. Exp. Mar. 13, 1979

Barbara L. Johns
Notary Public

My Commission Expires:
March 13, 1979

RATIFICATION

The undersigned, the Wichita State Bank, a Kansas corporation, having a mortgagee's interest in the above described real property, do hereby ratify and concur in the dedication and conveyance of the above and foregoing permanent Avigational Easement.

Dated this 15 day of Sept, 1975.

WICHITA STATE BANK



By [Signature]
S.V. President

Attested By:
[Signature] AWP

CERTIFICATE

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

I, Gene Miles, owner of

Miles Lakewood Living

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 Pavement
2. Sidewalks
3. Sanitary Sewers
- 4.
- 5.
- 6.
- 7.

As a result of the above-mentioned petitions for improvements, lots or portions thereof within Miles Lakewood Living Addition may be subject to special assessments assessed thereto for the cost of constructing the above-described improvements.

Signed this 15th day of Sept., 1975.

X Gene Miles
Gene Miles

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

Be it remembered that on this 15th day of September, 1975, before me, a notary public in and for said County and State, came Gene Miles, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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

Barbara L. Johns
Notary Public

My Commission Expires:
March 13, 1979

T9-207

BARBARA L. JOHNS
NOTARY PUBLIC
Sedgwick County, Kansas
My Comm. Exp. Mar. 13, 1979

September 3, 1975

Mr. Gene Miles
10711 West Kellogg
Wichita, Kansas 67209

Re: S/D 75-24 - Miles Lakewood
Living Addition.

Dear Mr. Miles:

This is to advise you that on September 2, 1975, the Board of City Commissioners approved the above referred to plat subject to the applicant making satisfactory arrangements and guarantee for the extension of City water to serve subject property, and subject to the completion of the other plat approval requirements as outlined in our letters of May 2 and May 9, 1975.

At such time as all the conditions of the plat approval have been complied with we will be able to release the plat to you for recording. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Bill Otten, Water Department
Kenneth O. Taylor, Engineer, 1542 S. St. Francis, 67211

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSSUBDIVISION APPROVAL

S/D Number 75-24 Name MILES LAKEWOOD LIVING ADDITION
 Application & Sketch Filed: 3-24-75
 Preliminary Plat Filed: 3-24-75 Approved by S/D: 4-3-75
 Final Plat Filed: 3-24-75 Approved by S/D: 5-1-75
 Approved by Metropolitan Area Planning Commission: 5-8-75

DESCRIPTION

General Location: West side of I-235 Bypass
north of 8th Street

Surveyor or Engineer: K. O. Taylor
 Owner: Gene Miles
 Address: 10711 West Kellogg 67209

- | | | |
|---|-----------------------|--------------------|
| 1. Gross Acreage of Plat <u>34.135</u> | 6. Access Control | No. Openings _____ |
| 2. Number of Lots: | St. _____ | No. Openings _____ |
| Residential <u>1</u> | St. _____ | No. Openings _____ |
| Commercial _____ | 7. Req'd Improvements | |
| Industrial _____ | St. Paving <u>X</u> | Water <u>X</u> |
| Other _____ | Sidewalk <u>X</u> | Drainage _____ |
| Total Number of Lots: <u>1</u> | Sewer <u>X</u> | Other _____ |
| 3. Minimum Lot Area: _____ Acres | | |
| 4. Existing Zoning <u>"AA"</u> | | |
| 5. Special Problems Discussed <u>None</u> | | |

Valid petitions have been submitted guaranteeing the extension of sanitary sewer to serve subject property, the paving of 8th Street, Arapaho and on Gilda Circle

Planning Commission Recommendation:

That this plat be approved subject to:

- A. The applicant shall submit the required certificate for the petitions submitted with the plat.
- B. The applicant shall submit the properly executed avigational easement and construction covenant associated with the plat.
- C. The applicant shall guarantee the extension of City water to serve subject property.
- D. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Goebel moved, Bayouth seconded and it carried unanimously. Gragert abstained from voting and Savina was absent.

NOTE: The paving petition submitted for the paving of 8th Street is a 55.4% petition. Therefore the appropriate notices have been sent to the affected property owners.

The associated zone case Z-1687, "AA" to "R-5" and the Residential Community Unit Plan DP-70 have been approved by the Board of City Commissioners subject to platting.

ACTION: Approve the petitions, instruct the Director of La. to prepare the necessary resolutions, instruct the City Clerk to file the certificate with the Register of Deeds when submitted and bill the publication and filing costs to the applicant; and approve the plat as approved by the Metropolitan Area Planning Commission, authorize the Mayor to sign, and instruct the Planning Department to withhold release of the plat for recording until all conditions of the plat approval have been complied with.

** Kelly Miller called on 11-4-75 to say it was ok to release plat tracing an applicant. Kellogg guaranteed for extension of water to serve the plat.*

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, 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 six months 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.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

Alvin W. Long
President.

Issued by:
THE SECURITY ABSTRACT & TITLE
COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) AMierst 7-8371

ATTEST:

Chester C. McCullough
Secretary.

Julius M. Bell
Authorized Signatory



STANDARD EXCEPTIONS FOR OWNER'S POLICY

The owner's policy will be subject to the mortgage, if any, noted under item one of Section 1 of Schedule B hereof and to the following exceptions: (1) rights or claims of parties in possession not shown by the public records; (2) encroachments, overlaps, boundary line disputes, and any matters which would be disclosed by an accurate survey and inspection of the premises; (3) easements, or claims of easements, not shown by the public records; (4) 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; (5) taxes or special assessments which are not shown as existing liens by the public records.

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 Exclusions from Coverage and the Conditions and Stipulations 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.

A.L.T.A. COMMITMENT

FORM 3361

SCHEDULE A

Number
221820a

Effective Date
July 24, 1975 at 7:00 A. M.

1. Policy or Policies to be issued:

OWNER'S: ALTA Fm B 1970 \$

Proposed Insured:

City of Wichita

LOAN: \$

Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple, and title thereto is at the effective date hereof vested in: Gene Miles as to all of captioned property except that tract of land in the name of the City of Wichita described as follows:
A tract in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ 15-27-1W of the 6th P. M., Commencing at the NE/c (continued on added page)
3. The land referred to in the Commitment is described in Schedule C.

SCHEDULE B — Section 1

The following are the requirements to be complied with:

1. Instrument(s) creating the estate or interest to be insured must be approved, executed and filed for record, to wit:

None.

2. Payment of the full consideration to, or for the account of, the grantors or mortgagors.

3. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable. ~~None due~~

4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid.

(Schedule A continued)

Policy Number _____

Owners

Policy Number _____

Loan

Commitment #221820a

of Lot 26, Block A, West Central Gardens Third Addition, Sedgwick County, Kansas; thence West on the North line of said Lot 26 and on the North line of said $W\frac{1}{2}$ of said $SE\frac{1}{4}$, 87.6 feet to a point of beginning; thence Southwesterly along the rear line of said Lot 26, 122.15 feet; thence West parallel to the North line of said $SE\frac{1}{4}$, 108.5 feet more or less to the Easterly right of way line of the Wichita-Valley Center Flood Control Project; thence Northeasterly along said right of way line 122 feet, more or less to the North line of said $SE\frac{1}{4}$; thence East 108.5 feet more or less to the point of beginning.

A.L.T.A. COMMITMENT

FORM 3322

SCHEDULE B — continued

Number
221820a

SCHEDULE B — Section 2

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. Any owner's policy issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof. Any loan policy will contain under Schedule B standard Exceptions 1, 2 and 3 unless a satisfactory survey and inspection of the premises is made.
3. Taxes or special assessments which have not been certified to the office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.
4. Mineral Deed to Russ Prater of a one-half interest in and to all oil, gas and other minerals in and under and that may be produced from the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15-27-1W filed July 1, 1948 in Book Misc. 240, Page 475.
5. Terms, conditions, duties and obligations imposed by instrument dated September 16, 1960, entitled Covenant Running With The Land, filed September 22, 1960 in Book Misc. 470, Page 59, covering a portion of captioned property.
6. Terms, conditions, duties and obligations imposed by instrument dated September 16, 1960, entitled Covenants Running With The Land, filed September 22, 1960 in Book Misc. 470, Page 57, covering a portion of captioned property.
7. Easement over the East, North and Northwesterly 8 feet of Lot 26, Block A, West Central Gardens Third Addition.
8. Front Building setback line of 25 feet as to Lot 26, Block A, West Central Gardens Third Addition.
9. Restrictive Covenants dated January 10, 1956, filed January 10, 1956 in Book Misc. 360, Page 372 as to Lot 26, Block A, West Central Gardens Third Addition.
10. Restrictions imposed in Deed executed by Morris Building Company, Inc., to L. I. Beckner et al, dated June 2, 1964, filed January 20, 1969 in Book 1474, Page 567, as to Lot 26, Block A, West Central Gardens Third Addition.

(Schedule B continued)

Section 2

Policy Number _____
OwnersPolicy Number _____
Loan

Commitment #221820a

11. Easement over the rear 8 feet of Lot 2, Block 1, Avery Addition for the construction and maintenance of all public utilities.
12. Easement over the rear 8 feet of Lots 3 and 4, Block 1, Avery Addition for the construction and maintenance of all public utilities.
13. Easement over the West 5 feet of Lot 3, Block 1, Avery Addition for the construction and maintenance of all public utilities.
14. A 30 foot front building setback line as to Lots 2, 3 and 4 Block 1, Avery Addition.
15. Mortgage dated February 3, 1975, executed by Gene Miles and Marie Miles, husband and wife to Wichita State Bank, filed February 10, 1975 as Document #220998 on Film 131, Page 357, in the original amount of \$110,000.00, covering a portion of captioned property.
16. Flood Control right of way as condemned in Case No. A-31849 over that portion of captioned property lying in the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ and over that portion of captioned property lying North of a line commencing at the NE corner of sd $NE\frac{1}{4}$ th $S 0^{\circ}29' E$ along the E ln of sd $NE\frac{1}{4}$, 984.60 feet to a point of beginning; thence $S 89^{\circ}35' W$, 358.02 feet to the Easterly right of way line of the flood control project right of way.

ALTA COMMITMENT
FORM 3243
SCHEDULE C

Number
221820a

The land referred to in this Commitment is described as follows:

A tract in the SE 1/4 and the NE 1/4 of Section 15, T27S, RLW of the 6th P.M., Sedgwick County, Kansas, also part of West Central Gardens Third Addition, Sedgwick County, Kansas and part of Avery Addition, Sedgwick County, Kansas, described as follows: Commencing at the NE corner of said SE 1/4; thence south along the east line of said SE 1/4, 660 feet; thence west parallel to the north line of said SE 1/4, 547.6 feet to a point of beginning, said point of beginning being on the west line of Interstate Highway 235 as condemned in Case A-77197; thence S89°39'W parallel to said north line of said SE 1/4, 668.22 feet to a point 110 feet east of the west line of the NE 1/4 of said SE 1/4; thence N0°20'30"W parallel to the west line of said NE 1/4 of said SE 1/4, 198 feet to the NE corner of Lot 1, Block 1 in said Avery Addition; thence S89°39'W along the north line of said Lot 1, Block 1, 110 feet to the NW corner of said Lot 1, Block 1 and to the west line of said NE 1/4 of said SE 1/4; thence N0°20'30"W along said west line of said NE 1/4 of said SE 1/4, 212 feet to the SE corner of Lot 26, Block A in said West Central Gardens Third Addition; thence westerly along the south (front) line of said Lot 26, Block A, 60 feet to the SW corner of said Lot 26, Block A; thence N27°14'16"W along the west line of said Lot 26, Block A, 168.12 feet to the rear line of said Lot 26, Block A; thence N89°39'W, 108.41 feet to the easterly right of way line of the Wichita-Valley Center Flood Control Project as condemned in Case A-31849; thence N22°25'30"E along said right of way line, 122.15 feet; thence N26°25'33"E, 434.05 feet to the west line of the E 1/2 of said NE 1/4; thence N27°21'24"E along said right of way line 77.82 feet; thence N32°25'30"E along said right of way line, 447.65 feet; thence N37°21'25"E along said right of way line, 447.51 feet; thence N40°47'30"E along said right of way line, 169.41 feet; thence N41°45'30"E along said right of way line, 440.42 feet; thence N41°44'E, 532.43 feet to a point on the east line of said NE 1/4, said point being 590.57 feet south of the NE corner of said NE 1/4; thence S0°29'E along the east line of said NE 1/4, 107.74 feet to the westerly right of way line of Interstate Highway 235 as condemned in Case A-77197; thence southwesterly and south along said right of way line to the point of beginning.

THE CITY OF WICHITA
OFFICE OF Director of Public Works

DATE August 6, 1975



ON SAFETY
PHASE II

TO Ralph Wulz, City Manager
FROM R. W. Bruggeman, Director of Public Works

SUBJECT Sale of Excess Real Property - Miles
Lakewood Living CUP

Attached is the original and one copy of a resolution effecting the sale of the property which was included in the Miles Lakewood Living CUP.

The \$500.00 estimated value of the tract was determined as the result of his offer to you to pay this amount for said property.

A handwritten signature in cursive script that reads "RWB".

R. W. Bruggeman
Director of Public Works

RWB:gr

Attachment

cc: Robert A. Lakin, Director of Planning ✓
G. H. Wilton, Supt. of Public Works Maintenance



RESOLUTION

A RESOLUTION PROVIDING FOR THE SALE OF A TRACT OF LAND LOCATED GENERALLY IN THE VICINITY OF 8th STREET AND ARAPAHO IN THE AREA BETWEEN I-235 AND THE WICHITA-VALLEY CENTER FLOODWAY, AND SETTING FORTH THE CONDITIONS OF SUCH SALE.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. The governing body of the City of Wichita does hereby deem that it is in the best interest of the City of Wichita to dispose of the following described property, for the reason that the same is no longer adaptable to public use.

SECTION 2. That the sale of the tract of land, described as follows:

A tract in the W 1/2 of the SE 1/4 of Section 15, T27S, R1W of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the NE Corner of Lot 26, Block A, West Central Gardens Third Addition, Sedgwick County, Kansas; thence west on the north line of said Lot 26, and on the north line of said W 1/2 of said SE 1/4, 87.6 feet to a point of beginning; thence, southwesterly along the rear line of said Lot 26, 122.15 feet; thence west parallel to the north line of said SEP, 108.5 feet, more or less, to the easterly right-of-way line of the Wichita-Valley Center Flood Control Project; thence northeasterly along said right-of-way line 122 feet, more or less, to the north line of said SE 1/4; thence east 108.5 feet more or less, to the point of beginning, containing 12,215 square feet or 0.28 acres, more or less,

shall be by sealed bids received by the Purchasing Manager of the City of Wichita.

SECTION 3. The estimated value of said tract is \$500.00.

SECTION 4. The sale price must be approved by the Board of City Commissioners at its regular meeting on Tuesday, _____, 1975, in the City Commission Room, 204 South Main.

SECTION 5. This resolution shall take effect upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this _____ day of _____,

1975.

MAYOR

ATTEST:

City Clerk

Approved as to form:

Eugene L. Pirtle
Eugene L. Pirtle,
First Assistant City Attorney

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE August 6, 1975

TO Jack H. Galbraith, Chief Planner
FROM Bill H. Otten, Chief Engineer-Water Engineering
SUBJECT Miles Lakewood Living

The plattors of Miles Lakewood Living 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.

Bill H. Otten

Bill H. Otten
Chief Engineer-Water Engineering

BHO:ar

cc: John D. Wynkoop, Director of Water

*Valid petition but not 100%
will be on B.C.L. agenda Aug 19, 1975
do not ok water guarantee until B.C.L.
has approved petition.*

INVENTORY & EVALUATION

* {
INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

REQUESTED BY Miles Lakewood Living LOCATION West side I-25 north
of 8th Street

ASSISTED BY Larry I. Henry, District Conservationist DATE 4-3-75

SITUATION: Specific Problems: This area has a very severe wind erosion
problem. It will blow very easily.

Solutions: 1. Disturb only the area needed for construction. 2.

Disturbing as small an area as possible, install streets, curbs, water mains,
electric and telephone cables, storm drains, and sewers in advance of home

or other building construction. (Very Important) 3. Temporarily stabilize

each segment of graded or otherwise disturbed land, including the sediment-

control devices not otherwise stabilized, by seeding and mulching or by mulching
alone. Permanently stabilize these areas as work on the land is completed.

Both temporary and permanent stabilization practices are to be installed
according to Sedgwick County Conservation District standards and specifications.

SUGGESTED SOLUTION(S): ~~XXXXXXXXXXXX~~ The following are adapted perennial grasses and

should be seeded at the following rates: Native bluestem mix, 3 pounds per
1,000 square feet, acre. Tall fescue, 3 pounds per 1,000 square feet, acre.

Bromegrass, 3 pounds per 1,000 square feet, acre. Apply nitrogen and
P₂O₅ fertilizer at the rates listed below or have the soil tested and fertilize

accordingly. Tall fescue, 2 pounds per 1,000 square feet, acre. Bromegrass,

2 pounds per 1,000 square feet, acre. Adapted perennial grasses for sodding

are Zoysia, Bluegrass, and Fescue. 4. Stabilize each lot within 60 days after

work starts on home or other building construction. 5. Backfill, compact,

seed, and mulch trenches within 60 days after they are opened.

* Circle appropriate category.

INVENTORY & EVALUATION

* {
INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

REQUESTED BY _____ LOCATION _____

ASSISTED BY _____ DATE _____

SITUATION: 6. If additional information or on-site assistance is needed

XXXXXXXX

relative to soils, seeding procedures, structure design or related problems, call

this number: 943-9471.

SUGGESTED SOLUTION(S): _____

* Circle appropriate category.

THE CITY OF WICHITA

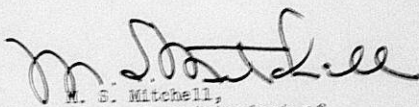
OFFICE OF Ass't. Supt. of Public Works Maint. DATE July 14, 1975

TO Jack Galbraith, Chief Planner, MAPD
FROM M. S. Mitchell

SUBJECT - Miles Lakewood Living CUP
SD 75-24

Reference is made to my request before the Subdivision Committee for a Lot Grading Plan for subject above. Please be advised a Lot Grading Plan was submitted to this office July 9th which states "All storm water runoff on Lot 1, Block 1 shall be drained to the lake on said lot.". This plan is approved.

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



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

MSM/glm

cc: G. H. Wilton
Miles Lakewood Living CUP File



THE CITY OF WICHITA

OFFICE OF ENGINEERING

DATE May 29, 1975

TO Ralph Wulz, City Manager

FROM Dick Linn, City Engineer

SUBJECT Paving of Gilda Avenue
Miles Lakewood Living Addition

On May 13, 1975, the City Commission considered a zone change request and C.U.2. (Z-1687 & DR 70) for an area west of I-235 and north of 8th Street.

The major point of discussion was the paving of Gilda Avenue and the method of apportioning costs. The Commission deferred the matter for three (3) weeks to provide the developer an opportunity to determine to what extent he would be willing to participate in the paving cost on Gilda.

It is proposed that Gilda be improved to residential street standards and the cost would normally be assessed to the properties south of 8th Street.

The developer met with Engineering Division staff and indicated he would sign a petition for the paving of Gilda Avenue with 50% of the benefit district cost to be assessed against his proposed plat. This proposal would reduce the normal assessment to the lots south of 8th Street by 50%. The developer stated that this division of cost is more than fair to the properties south of 8th Street and is a financial burden to his project, but he is willing to proceed on this basis to permit his project to be approved.

The attached petition is an 80.9% petition by area of total benefit district and does provide for 50% of the benefit cost to be assessed against the proposed plat and 50% assessed to the properties south of 8th Street in the normal benefit district. The petition also states the costs to be paid by the City at large for street intersections and pavement adjacent to the I-235 right-of-way.

R. W. Linn
City Engineer

RWL:tn

cc: Gene Miles
Bob Lakin

Gene Miles to City Council

May 13, 1975

Mr. Grey Dresie, Attorney
815 Union National Building
Wichita, Kansas 67202

Re: S/D 75-24 - Final Plat of
MILES LAKEWOOD LIVING ADDI-
TION

Dear Mr. Dresie:

I am sorry I gave you the wrong information by phone this morning. As you can see by the copy of our letter to Mr. Miles dated May 9, 1975, we advised that subject plat would be forwarded on to the Board of City Commissioners for consideration whenever the conditions of platting had been complied with. When you raised the question this morning, I thought subject case had resulted in a moot vote by the Planning Commission last week. Have also Xeroxed a copy of my memorandum to Ray Bruggeman requesting that he and Dick Linn be prepared to comment on methods of paving Gilda, and assessments, when this plat is forwarded to the City Commission.

Inasmuch as you mentioned that your client was trying to complete the purchase of a piece of City property that is being incorporated in the plat, I would expect that he is desirous of completing this transaction, as well as the previous conditions of approval, prior to this matter going forward to the Board of City Commissioners. Therefore, I do not expect this case to go forward on May 27, as I advised.

If you have any questions concerning these attachments, please contact me.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber
Attachments

cc: Gene Miles, 10711 West Kellogg 67209

May 9, 1975

Ray Bruggeman, Director of Public Works
Jack H. Galbraith, Chief Planner

S/D 75-24 - Final Plat of MILES
LAKEWOOD LIVING ADDITION

At the regular meeting of the Metropolitan Area Planning Commission on May 8, 1975, the above-captioned final plat was considered. Although the Subdivision Committee had recommended the approval of the plat subject to many conditions, there was never a recommendation as to resolving the issue of paving of Gilda Street from approximately one block north of Central to 8th Street. Subject plat is expected to be developed with 300 dwelling units and one of our original concerns was the paving of Gilda to provide good access to subject property.

When we raised this question in the past, the applicant, Gene Miles, has commented that he is responsible for participating in the pavement of 8th Street and for the total cost of the termination of Arapaho in a "T" cul-de-sac, and for the construction of the frontage road along the entire east side of subject plat and that he doesn't feel he should have to participate in paving Gilda. Our major concern has been how we can get the paving project initiated, since it is three blocks in length, we can't order it in, and the abutters probably won't sign a petition.

We raised this issue again yesterday and after considerable discussion, the plat was recommended for approval subject to the conditions as recommended by the Subdivision Committee, which did not address Gilda. Regarding the issue of paving of Gilda, the Commission recommended to the City Commission that the developer not be required to bear all of the costs for the pavement; however, they stated that an equitable solution needed to be reached for all those concerned. Suggestions included a benefit district, including the applicant's property; the City paying the entire cost; or participating in the cost of the project with abutting property owners.

Although the plat will not go to the City Commission for several weeks, the CUP and zone case are scheduled for consideration Tuesday as Item 7 on the City Manager's agenda. I would expect that this issue will be raised or at least pointed out as a matter to be determined when the plat is later forwarded to them for consideration. There is a portion of this right-of-way that is adjacent to I-235 and questions were raised as to who would pay that assessment. Lakin responded that he felt that none of the costs would be assessed to the State.

Page 2 - Ray Bruggeman
May 9, 1975

Would appreciate you and Dick Linn giving some thoughts to this matter and suggested methods for accomplishing the paving. We will keep you advised as to when this plat is scheduled for consideration by the City Commission.

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Dick Linn, City Engineer

May 9, 1975

Mr. Gene Miles
10711 West Kellogg
Wichita, Kansas 67209

Re: S/D 75-24 - Final Plat of
MILES LAKEWOOD LIVING ADDI-
TION

Dear Mr. Miles:

At the regular meeting of the Metropolitan Area Planning Commission on May 8, 1975, the above-captioned subdivision was considered. In the discussion, several questions were raised concerning the method of improving Gilda Street; whether or not such pavement should be paid for by only the abutting property owners; whether or not subject property should be assessed for a portion of the cost; whether or not the City-at-large should pay for the entire costs or pay for a lesser percentage.

The action of the Commission was to recommend approval of the plat, subject to the conditions as recommended by the Subdivision Committee and listed in our letter dated May 2, 1975. In addition, it was recommended to the City Commission that the developer of this plat not be responsible for all the costs of paving Gilda and that an equitable solution for the paving be reached for all parties concerned.

In addition to complying with the above 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.

Page 2 - Mr. Gene Miles
May 9, 1975

~~/~~ Certification that all taxes due and payable for 1974 and
prior years have been paid.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Kenneth O. Taylor, 1542 South St. Francis 67211
Dean Sellers, Assistant City Engineer

May 2, 1975

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

Re: S/D 75-24 - Final plat of
MILES LAKEWOOD LIVING
ADDITION.

Dear Mr. Taylor:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 1, 1975 the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. Approval of this plat is subject to approval of the associated zone case Z-1687 from "AA" to "R-5" and the associated Community Unit Plan DP-70.
- B. Building setbacks as approved on the associated Community Unit Plan shall govern.
- C. The applicant shall be advised that no parking will be permitted within the designated setback areas.
- D. Prior to the issuance of any building permits on subject property, the applicant's engineer shall submit a site development plan to the Wichita Fire Department.
- E. The applicant shall guarantee the extension of City water to serve subject property.
- F. The applicant shall contact Larry L. Henry of the Soil Conservation Service relative to taking proper precautions to prevent soil erosion from wind and water during the development of subject property.
- G. The applicant's engineer shall submit a lot grading plan to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.

S/D 75-24
May 2, 1975
Page 2

- plotted*
J. The applicant shall guarantee the paving of the cul-de-sac on Arapaho Avenue, the frontage road and cul-de-sac along I-235, and 8th Street from the west line of the plat to the frontage road.
- plotted*
K. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of 8th Street, around the cul-de-sac on Arapaho and along the frontage road.
- L. Referencing on the plat tracing to a minimum floor elevation shall be amended to read "Minimum building pad elevation."
- M. The applicant shall be advised that the construction of the sidewalks will be required at the time of final building inspection when said sidewalks have been required as a condition of plat approval.
- plotted*
N. 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.
- O. Forty-six feet of right-of-way for the frontage road shall be provided by the plat.
- P. Recording of the plat within 30 days after approval by the Board of City Commissioners.

In addition to the above conditions, the City Engineer has requested that the applicant's engineer contact him relative to minor adjustments in the cul-de-sac geometrics on Arapaho.

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 8, 1975, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

S/D 75-24
May 2, 1975
Page 3

Enclosure

cc: Mr. Gene Miles
10711 West Kellogg, 67209

Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 75-24 Name MILES LAKEWOOD LIVING
Date Application Rec'd. 3-24-75 Preliminary Approval 4-3-75
/ Scheduled S/D Meeting 5-1-75

DESCRIPTION

General Location West side of I-235 Bypass north of 8th Street

Owner Gene Miles
Surveyor/Engineer Kenneth O. Taylor
Address 1542 South St. Francis Phone 264-4072

- | | |
|--|---|
| 1. Gross Acreage of Plat <u>34.135</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>30-100</u> R/W <u>200</u> ft. |
| Residential <u>1</u> | b. <u> </u> R/W <u> </u> ft. |
| Commercial <u> </u> | c. <u> </u> R/W <u> </u> ft. |
| Industrial <u> </u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u> </u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>1</u> | TOTAL <u>200</u> ft. |
| 3. Minimum Lot Frontage <u>668</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>1,468,820</u> sq. ft. | streets? <u>yes</u> <input checked="" type="checkbox"/> <u>no</u> |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>R-5</u> | |
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 X : Three-Mile Area

STAFF COMMENTS:

- A. Approval of this plat is subject to approval of the associated zone case Z-1687 from "AA" to "R-5" and the associated Community Unit Plan DP-70.
- B. Building setbacks as approved on the associated Community Unit Plan shall govern.
- C. The applicant shall be advised that no parking will be permitted within the designated setback areas.
- D. Prior to the issuance of any building permits on subject property, the applicant's engineer shall submit a site development plan to the Wichita Fire Department.
- E. The applicant shall guarantee the extension of City water to serve subject property.
- F. The applicant shall contact Larry L. Henry of the Soil Conservation Service relative to taking proper precautions to prevent soil erosion from wind and water during the development of subject property.
- G. The applicant's engineer shall submit a lot grading plan to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.
- H. The applicant shall guarantee the paving of the cul-de-sac on Arapaho Avenue, the frontage road and cul-de-sac along I-235, and 8th Street from the west line of the plat to the frontage road.
- I. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of 8th Street, around the cul-de-sac on Arapaho and along the frontage road.

- J. The applicant shall be advised that the construction of the sidewalk will be required at the time of final building inspection when said sidewalk has been required as a condition of plat approval.
- K. 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.
- L. The applicant's engineer shall contact the City Engineer relative to assuring 50 feet of right-of-way for the frontage road will be provided by the plat.
- M. Recording of the plat within 30 days after approval by the Board of City Commissioners.

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE April 21, 1975

Neuberg

TO Eugene L. Firtle, First Assistant City Attorney
FROM Ralph Wulz, City Manager

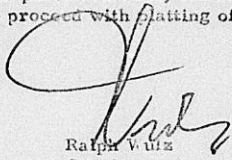
SUBJECT Miles Lakewood Living CUP

With respect to your request to Mr. Karstensen of this office concerning Law Department involvement in possible transfer of certain real property for Miles Lakewood Living CUP, yes, the Law Department should work with Planning and Public Works on this matter.

As a first step in this process, a determination should be made whether the property can legally be sold by the City, that is, do we have a marketable title?

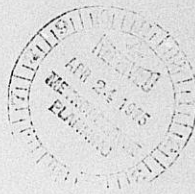
If so, it will then be necessary for the Department of Public Works to initiate the procedure for sale of surplus real property as provided in AP 6.

Since the procedures for sale of City property are time consuming and since Mr. Miles is probably the only prospective buyer for the property, if a determination is made that the property in question is salable and excess to the needs of the City; Mr. Miles may wish to pursue an early lease agreement through the Law Department to permit him to proceed with platting of the property.


Ralph Wulz
City Manager

RW/kmp

cc: Ray W. Bruggeman, Director of Public Works
Robert A. Lakin, Director of Planning ✓



April 22, 1975

R. L. Bruggeman, Director of Public Works

Jack H. Galbraith, Chief Planner

Alternatives for Cul-de-Sac

As you are aware we often are in controversy when considering a plat when we require the termination of existing dead end streets with the use of a cul-de-sac. I think it has been clear that both Public Works and Planning have supported this approach, however, it often becomes the major item of contention as a platator may feel he doesn't need the cul-de-sac terminated on his land, he objects to paying for those improvements, particularly when we are suggesting he should not even have access to it as it introduces potentially heavy traffic into a low density residential neighborhood.

The reason for this memo is to encourage a review of an alternate in addition to either requiring a full cul-de-sac or leaving the adjacent street as a dead end. Two recent examples are when we did not require a continuation of the street and termination in a cul-de-sac as in the plat of St. Joseph Medical Park Addition where Yale was left as a dead end street north of the new hospital, and North Woodlawn Addition where Clarendon was permitted to remain as a dead end street. I am particularly interested in a residential community unit plan that the Planning Commission will consider this Thursday and the plat of Miles Lakewood Living Addition which is scheduled for consideration by the Subdivision Committee on May 1, 1975. Attached is a copy of a portion of the C.U.P. and plat that proposes to terminate Arapaho by means of a "T" or "Y" intersection rather than a cul-de-sac. Because of the narrow strip of land between the existing lake and where Arapaho now dead ends, the applicant feels that a cul-de-sac will not permit private circulation adjacent to the lake from one part of his property to the other. He is suggesting the alternate and desires no access to it.

I would appreciate you giving some thought to this in your pre-Subdivision Committee review session as we would prefer to see this type of solution rather than just leaving Arapaho as a dead end street as we have done in other recent cases. If you can support this type of approach would you please consider what is

R. L. Bruggeman
April 22, 1975
Page Two

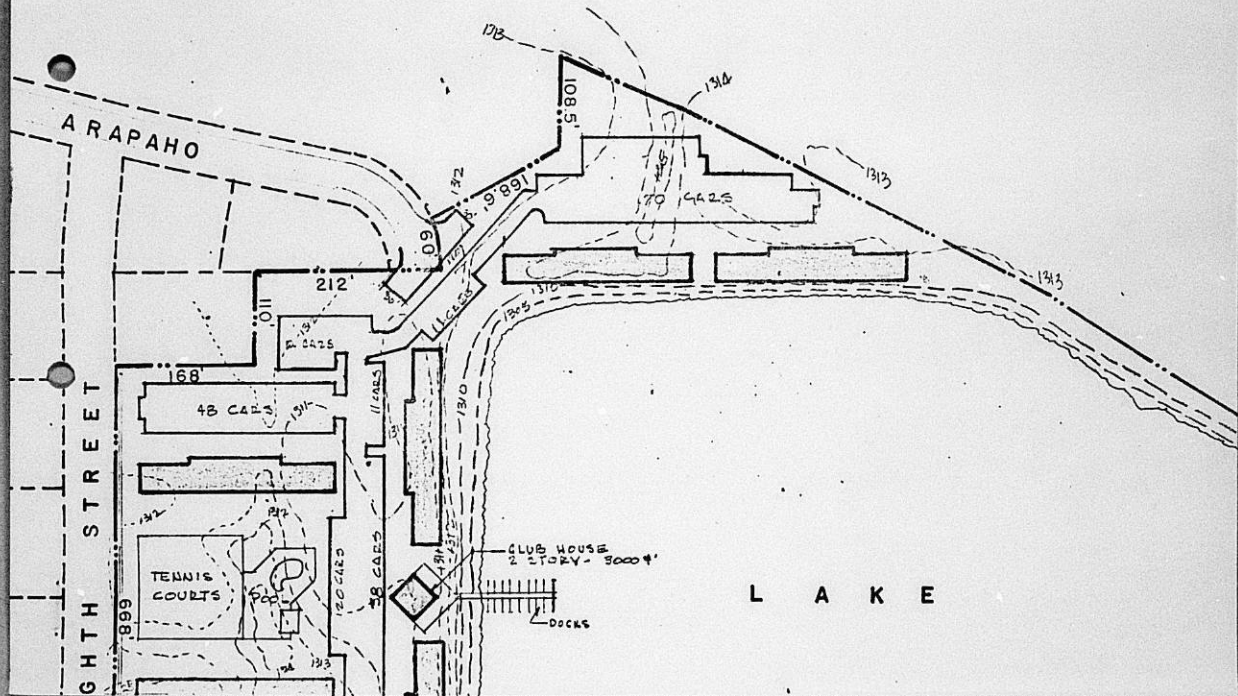
necessary for right of way and for paving. If I can participate
in any discussion on this matter, please advise.

Jack H. Galbraith
Chief Planner

JHG:js

Attachment

cc: Dick Linn, City Engineer
Paul Graves, Traffic Engineer



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

April 7, 1975

Re: S/D 75-24 - Preliminary
Plat of MILES LAKEWOOD
LIVING ADDITION.

Dear Mr. Taylor:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 3, 1975, 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. Building setbacks as approved on the associated Community Unit Plan shall govern.
- B. The applicant shall be advised that no parking will be permitted within the designated setback areas.
- C. Prior to the issuance of any building permits on subject property, the applicant's engineer shall submit a site development plan to the Wichita Fire Department.
- D. The applicant shall guarantee the extension of City water to serve subject property.
- E. A minimum building pad elevation of 1308 shall be labeled on the face of the plat. The applicant shall contact the Traffic Engineering Department relative to indicating a cul-de-sac on the north end of Arapaho Avenue.
- F. The applicant shall contact Larry L. Henry of the Soil Conservation Service relative to taking proper precautions to prevent soil erosion from wind and water during the development of subject property.
- G. The applicant's engineer shall submit a lot grading plan to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.

S/D 75-24
April 7, 1975
Page 2

- H. The applicant shall guarantee the paving of the cul-de-sac on Arapaho Avenue, and the frontage road and cul-de-sac along I-235, and 8th Street from the west line of the plat to the frontage road.
- I. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of 8th Street and around the cul-de-sac on Arapaho and along the frontage road.
- I. 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.
- K. The applicant's engineer shall contact the City Engineer relative to assuring 50 feet of right-of-way for the frontage road will be provided by the plat.
- L. 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.
- M. 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: Mr. Gene Miles
10711 West Kellogg, 67209

Dean Sellers, Assistant City Engineer

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 75-24 Name MILES LAKEWOOD LIVING
Date Application Rec'd. 3-24-75 Preliminary Approval _____
Scheduled S/D Meeting 4-3-75

DESCRIPTION

General Location West side of I-235 Bypass north of 8th Street

Owner Gene Miles
Surveyor/Engineer Kenneth O. Taylor
Address 1542 South St. Francis Phone 264-4072

- | | |
|---|--|
| 1. Gross Acreage of Plat <u>34.135</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>30</u> - <u>100</u> R/W <u>200</u> ft. |
| Residential <u>1</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>1</u> | TOTAL <u>200</u> ft. |
| 3. Minimum Lot Frontage <u>668</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>1,468,820</u> sqft. | streets? <u>yes</u> <u>X</u> no |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>R-5</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u>No</u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. Approval of this plat is subject to approval of the associated zone case Z-1687 from "AA" to "R-5" and the associated Community Unit Plan DP-70.
- B. Building setbacks as approved on the associated Community Unit Plan shall govern.
- C. The applicant shall be advised that no parking will be permitted within the designated setback areas.
- D. The termination of Arapaho by means of an appropriate cul-de-sac will be discussed at the meeting.
- E. The applicant shall guarantee the paving of the cul-de-sac on Arapaho Avenue, and the frontage Road and cul-de-sac along I-235, and 8th Street from Gilda to the Frontage Road.
- F. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of 8th Street and around the cul-de-sac on Arapaho and along the frontage road.
- G. 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.
- H. 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.
- I. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 5048
Section No.: 15
Twp. No.: 27S
Range: 1W

S/D No. 75-24

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Miles Lakewood Living
General Location: North of 8th St. & West of 1-235

Name of Property Owner: _____
Address: _____ Phone: _____
Name of Subdivider: Gene Miles
Address: 10711 W Kellogg 09 Phone: _____
Name of Agent/Surveyor: R. O. Taylor
Address: 1542 S. St. Francis Phone: 264-4072
Date of Application: 3-24-75

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 34.135
2. Number of Lots:
 - Residential 1
 - Commercial _____
 - Industrial _____
 - Other _____Total Number of Lots 1
3. Minimum Lot Frontage 668 ft.
4. Minimum Lot Area 1,468,820 ft.
5. Existing Zoning A-1
6. Proposed Zoning R-5
7. Lineal Feet of New Streets:
 - a. 30-100 R/W 200 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL 200 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: Gene Miles

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

Received by RR
Date 3/21/75
Fee Submitted 750

Form 222-021

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		450

DESCRIPTION	AMOUNT
Miles Lakewood Leasing	

Name
Miles Lakewood Leasing

Address
10711 W. Killbuck

Type
AA 407104

Due Date

Comments:

Date
3/24/75

By
JR