

(sketch)
PLAT NO. S/D 76-18 MAP NO. 5148
NAME BERTRAM ADDITION

LOCATION: Northeast corner of Baker Street and 11th
Street North
ENGINEER Baughman Co.
OWNER William B. Bertram
APPLICATION FILED 3-11-76
SKETCH PLAT FILED 3-11-76
PRELIMINARY FILED 4-12-76
S/D ACTION 4-22-76 approved
FINAL FILED 4-24-76
S/D ACTION 5-6-76 *Disc 2 weeks*
S/D 5-20-76 approved
MAPC ACTION 5-27-76 *Approved*
SCC ACTION 9-21-76 *approved*
RECORDED October 1, 1976
REMARKS 0

S/D 76-18 - BERTRAM ADDITION,
generally located on the north-
east corner of Baker St. and

Map No. 5148
Sec. No. 14
Twp. No. 27
Range 1W

Subdivision Report and Progress
S/D No.: 76-18

Name: BERTRAM ADDITION

General Location: Northeast corner of Baker St. and 11th St. North

Owner: William B. Bertram
Address: 1226 Baker St., Wichita 67212 Phone: 943-4621
Subdivider: _____ Phone: _____
Address: _____
Engineer/Surveyor: Baughman Company
Address: 330 Laura, Wichita, 67211 Phone: 262-7271

Application Received 3-11-76
Conf. with Applicant _____
Sketch Plat Received 3-11-76
Present Zoning "AA"
Proposed Zoning NA
Letter of Intent Leadah & K quest for problem plat
PREL. PLAT RECEIVED 4-12-76
S/D Comm. Action 4-22-76 - approved
Dept. Report on Prel. 4-23-76

FINAL PLAT RECEIVED 5-10-76
S/D Comm. Action 5-6-76 differ 2 wks.
SD 5-20-76 approved
Dept. Report on Final 5-
M.A.P.C. ACTION 5-27-76 approved
Dept. Report on Final 5-28-76
Letter on Irons Received 4/11
Title/Taxes Rec'd & Reviewed 6-18-76
Final Review 9-16-76
Referral to B.C.C. 9-16-76

B.C.C. ACTION 9-21-76 approved

TRACING PROGRESS:
Received 6-18-76
Released _____
Received _____
Released _____

Recorded October 1, 1976

Comments:

3-19-76 Bill McKinley has no comment on sketch plat
3-17-76 Dea. Sellers comments on sketch plat:
1) Need 5' additional R.O.W. for Baker
2) Extend city sewer to street lots 2 & 5 or obtain approval for connection across private property
9-23-76 Call Barber to pick up drawing
9-16-76 Schwaldt cond made up

SPD 76-18
no zero code
B
10-11-76

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

_____ BERTRAM _____ ADDITION was
filed for record on October 1, 1976

Bate J. McAuliffe

Register Of Deeds

T9-328

January 24, 1978

R. W. Bruggeman, Director of Public Works

Robert A. Lakin, Director of Planning

Sidewalk Guarantees - Bertram Addition

I understand our sidewalk policy to include cash guarantees before building permits are issued in new areas represented by:

- A. All plats filed after adoption of the new policy for which an acknowledgment of sidewalks has been filed.
- B. Area not built up and representing block faces not yet broken into. Amarado Estates in its undeveloped area is one of those types.

Areas in "B" may or may not have existing guarantees, petition or letter of credit. It seemed to me to be the matter of determining whether Bertram address fell into the area of "new" or "old" neighborhoods. No hard and fast rules will work. Someone has to make a judgment. I think the "policy" called for us to confer on areas to make this determination. I will be happy to do this and I thought that in what was going on an questions came up. Based on development pattern at 11th and Baher, I and my staff advised your staff and Finch that we should consider Bertram Addition part of an existing neighborhood and wait for its sidewalk plan. If a sidewalk is called for on 11th of Baher, Linn will use the petition. If not, he will ask to have them abandoned at that time.

As to your specific question on whether I will review my requirement for cash guarantees at the building permit stage in similar additions, I:

- A. View this to be the City's requirement as administered by you through your division;
- B. Will assist and advise you (or your staff) either on an area by area, plat, or city wide basis what we view as being new areas or existing neighborhoods;
- C. Will, when conditions are as in Bertram, recommend the City not require cash.
- D. Will advise to keep the sidewalk petitions in areas

determined to be established neighborhoods until sidewalk plans are approved.

Robert A. Lakin
Director of Planning

RAL:et

cc: Robert G. Finch, Deputy City Manager
R. W. Linn, City Engineer
Robert Vinson, Public Works Administrator

THE CITY OF WICHITA

OFFICE OF Director of Public Works

DATE January 17, 1978

TO Robert A. Lakin, Director of Planning

FROM R. W. Bruggeman, Director of Public Works

SUBJECT Sidewalk Guarantee - Bertram Addition

I have been advised this date by Robert G. Finch, Deputy City Manager, that the cash guarantee - sidewalk requirement for the Bertram Addition is no longer a requirement before the issuance of a building permit.

In view of this decision, please advise if you will review your requirement for cash guarantee prior to the issuance of a building permit for similar additions in this area and in other areas.

Attached is the sidewalk card for the Bertram Addition.


R. W. Bruggeman
Director of Public Works

RWB:gr

Attachment

cc: Robert G. Finch, Deputy City Manager
R. W. Linn, City Engineer
Robert Vinson, Public Works Administrator



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 76-18 Name BERTRAM ADDITION
Application & Sketch Filed: 3-11-76
Preliminary Plat Filed: 4-12-76 Approved by S/D: 4-22-76
Final Plat Filed: 4-26-76 Approved by S/D: 5-20-76
Approved by Metropolitan Area Planning Commission: 5-27-76

DESCRIPTION

General Location: Northeast corner of Baker Street
and 11th Street North

Surveyor or Engineer: Baughman Company
Owner: William B. Bertram
Address: 1226 Baker Street

- | | | |
|---|-----------------------|--------------------|
| 1. Gross Acreage of Plat <u>1.2</u> | 6. Access Control | |
| 2. Number of Lots: | St. _____ | No. Openings _____ |
| Residential _____ | St. _____ | No. Openings _____ |
| Commercial <u>5</u> | St. _____ | No. Openings _____ |
| Industrial _____ | 7. Req'd Improvements | |
| Other _____ | St. Paving _____ | Water _____ |
| Total Number of Lots: <u>5</u> | Sidewalk <u>X</u> | Drainage _____ |
| 3. Minimum Lot Area: <u>0.16</u> Acres | Sewer _____ | Other _____ |
| 4. Existing Zoning <u>"AA"</u> | | |
| 5. Special Problems Discussed <u>None</u> | | |

Valid petitions have been submitted guaranteeing construction of sidewalks on the east side of Baker Street and the north side of 11th Street. A certificate has also been submitted certifying the petitions.

Planning Commission Recommendation:

That this plat be approved subject to recording of the plat within 30 days after approval by the City Commission.
Gragg moved, Goebel seconded and it carried unanimously. Kamen, Barrier and Porter were absent.

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

CERTIFICATE

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

I, William B. & Betty L. Bertram, owner and plat-
tor of Bertram Addition 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. Sidewalk East side of Baker Street
2. Sidewalk North side of Eleventh Street
- 3.
- 4.
- 5.
- 6.
- 7.

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

Signed this 22th day of June, 1976.

William B. Bertram
William B. Bertram
Betty L. Bertram
Betty L. Bertram

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

Be it remembered that on this 22th day of June,
1976, before me, a notary public in and for said County and State,
came William B. & Betty L. Bertram, to me personally
known to be the same person who executed the fore-going instrument
of writing and duly acknowledged the execution of same.

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

My Commission Expires:
11/14/76

Mark A. [Signature]
Notary Public



RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING BERTRAM ADDITION.

THIS DECLARATION made this 29th day of JUNE, 1976 by William B. & Betty L. Bertram, hereinafter called the Grantor.

WITNESSETH

WHEREAS, Grantor is owner of BERTRAM Addition to Wichita, Kansas, which property is located near 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 BERTRAM 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.

William B. Bertram
William B. Bertram

Betty L. Bertram
Betty L. Bertram

Betty L. Bertram

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid William B. Bertram and Betty L. Bertram

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 29th day of JUNE, 1976.

Mark A. [Signature]
Notary Public

(My Commission expires 4/1/80)



PRIVATE SEWER EASEMENT

BERTRAM ADDITION

Lots No. 2 & 3

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, William B. Bertram and Betty Lea Bertram, husband and wife, being the present owners of the property known and described as "Bertram Addition to Wichita, Sedgwick County, Kansas," consisting of Lots Numbered one (1) to five (5) inclusive, according to the Plat of said Addition. Said owners do hereby grant and establish:

For the use and benefit of Lot Numbered Two (2), a private easement for the laying, constructing and maintenance of a sewer over, along and through the South Ten (10) Feet of Lot Numbered 3, in Bertram Addition, to run with the land described;

subject, however, to the obligation on the part of the owner of Lot Numbered Two (2), to lay, construct, repair and maintain any such sewer line, or connecting line as may be installed across said easement of Lot Numbered Three (3), at the sole and separate expense and cost of the owner of Lot Numbered Two (2), for whose benefit such easement is granted and established.

Dated at Wichita, Kansas, this 3rd day of September, 1976.

William B. Bertram
William B. Bertram

Betty Lea Bertram
Betty Lea Bertram

STATE OF KANSAS

SS.

COUNTY OF SEDGWICK

BE IT REMEMBERED, that on this 3rd day of September, 1976, before me, a Notary Public, in and for said County and State, came WILLIAM B. BERTRAM and BETTY LEA BERTRAM, husband and wife, to me personally known to be the same persons who executed the foregoing Private Sewer Easement, and they duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Official Seal on the day and year last above written.

Marjorie D. McFadden
Notary Public, Sedgwick County, Kansas.



PRIVATE SEWER EASEMENT

BERTRAM ADDITION

Lots No. 4 & 5

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, William B. Bertram and Betty Lea Bertram, husband and wife, being the present owners of the property known and described as "Bertram Addition to Wichita, Sedgwick County, Kansas, " consisting of Lots Numbered one (1) to five (5) inclusive, according to the Plat of said Addition. Said owners do hereby grant and establish:

For the use and benefit of Lot Numbered Five (5), a private easement for the laying, constructing and maintenance of a sewer over, along and through the South Ten (10) Feet of Lot Numbered Four (4), in Bertram Addition, to run with the land described;

subject, however, to the obligation on the part of the owner of Lot Numbered five (5), to lay, construct, repair and maintain any such sewer line, or connecting line as may be installed across said easement of Lot Numbered Four (4), at the sole and separate expense and cost of the owner of Lot Numbered Five (5), for whose benefit such easement is granted and established.

Dated at Wichita, Kansas, this 3rd day of September, 1976.

William B. Bertram
William B. Bertram

Betty Lea Bertram
Betty Lea Bertram

STATE OF KANSAS

SS.

COUNTY OF SEDGWICK

BE IT REMEMBERED, that on this 3rd day of September, 1976, before me, a Notary Public, in and for said County and State, came WILLIAM B. BERTRAM and BETTY LEA BERTRAM, husband and wife, to me personally known to be the same persons who executed the foregoing Private Sewer Easement, and they duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Official Seal on the day and year last above written.

Marjorie M. McFadden
Notary Public, Sedgwick County, Kansas.

My Commission Expires 6-6-79.



THE CITY OF WICHITA
OFFICE OF LAW DEPARTMENT

DATE September 1, 1976



TO Curtis L. Newby, Junior Planner
FROM Eugene L. Pirtle, First Assistant City Attorney
SUBJECT S/D 76-18 Bertrom Addition

This is to report that, following our previous telephone conversation with Mr. Waldo Wetmore, attorney for Mr. and Mrs. Bertrom, we received copy of your letter and the proposed easement attached to your letter of August 30, 1976, and addressed to Mr. Wetmore.

We have this date again conferred orally with Mr. Wetmore by telephone, and are advised that, as attorney for the Bertroms, Mr. Wetmore will not recommend that the landowners execute the type of easement suggested by the Planning Department.

I suggested that Mr. Wetmore draft his version of what might be more appropriate, but received no firm commitment that he would draft such an instrument. Will you please notify the landowners of the status of this matter. It would be my observation that any future delay will have been occasioned by the reluctance of the landowners to comply with the subdivision requirements.

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

ELP:cr

cc: Waldo B. Wetmore
Attorney at Law
709 Bitting Building
Wichita, Kansas 67202



August 30, 1976

Mr. Waldo B. Wetmore, Attorney
709-11 Bitting Building
Wichita, Kansas 67202

Subject: S/D 76-13 Bertram Addition

Dear Mr. Wetmore:

Enclosed herewith is the private sewer easement form you discussed with Mr. Mitchell of the Maintenance Division of the Department of Public Works.

This instrument should be signed by the Bertrams, notarized and returned to the Planning Department Office. It will then be forwarded with the plat to the City Commission with instructions to the City Clerk to record the easement when the plat is recorded. If you have any questions concerning this matter please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:gb
Enclosure:

cc: M.S. Mitchell, Asst. Supt. of Maintenance
Gene Pirtle, First Asst. City Attorney

EASEMENT

The undersigned being the owners of Lots 1 through 5, Bertram Addition, Wichita, Sedgwick County, Kansas; do hereby grant and convey for the benefit of future owners, their successors and assigns of Lot 2 and Lot 5 of said Addition, easements which shall run with the land and specifically described as follows, to-wit:

An easement 10 feet in width being the south 10 feet of Lot 3, Bertram Addition, Wichita, Sedgwick County, Kansas and;

An easement 10 feet in width being the south 10 feet of Lot 4, Bertram Addition, Wichita, Sedgwick County, Kansas.

The interest and right in the above described easements hereby conveyed consists of the right of way to construct, maintain and operate therein a sanitary sewer pipeline or pipelines together with appurtenances thereto and connections therewith.

In witness whereof and for good and valuable considerations the receipt of which is hereby acknowledged. Dated this _____ day of _____, 1976.

William B. Bertram

Betty L. Bertram

STATE OF KANSAS) SS
SEDGWICK COUNTY)

Personally appeared before me a notary public in and for the County and State aforesaid _____

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 ____ day of _____, 19____.

Notary Public

(My Commission expires _____)

July 14, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-18 - Bertram Addition

Gentlemen:

In our review of the final plat tracing you submitted, we note that in the platlor's certificate, wording has been added to grant the private 10-foot sanitary sewer easement on Lots 3 and 4 in favor of Lots 2 and 5. As you are aware, since this plat document will be acknowledged by both the City and County Commissions thereby accepting the public rights-of-way and the public easements being granted, the acceptable practice has been on plats to confine the dedications to those which are to be accepted by and for the use of the public. Therefore, referencing the private easement on the plat drawing is appropriate, so that person examining the plat document in the future be made aware that a private easement exists. However, as for as granting the private easement which involves only the benefiting private properties and is not in the realm of a public easement for the installation of a public sewer line, the appropriate means of granting the easement would be by separate instrument.

You may want to have the applicant submit the instrument to our office so that the City Clerk can have it recorded when the plat has been approved by the City Commission, or you may submit a recorded copy to us for our files prior to the City Commission approval of the plat. Our file indicates that the only item not taken care of is the private sewer easement matter. Once this matter has been resolved, we will be able to schedule this case for consideration by the City Commission.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Waldo B. Wetmore, Attorney, 709-11 Bitting Building, 67202

July 14, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-18 - Bertram Addition

Gentlemen:

In our review of the final plat tracing you submitted, we note that in the plattor's certificate, wording has been added to grant the private 10-foot sanitary sewer easement on Lots 3 and 4 in favor of Lots 2 and 5. As you are aware, since this plat document will be acknowledged by both the City and County Commissions thereby accepting the public rights-of-way and the public easements being granted, the acceptable practice has been on plats to confine the dedications to those which are to be accepted by and for the use of the public. Therefore, referencing the private easement on the plat drawing is appropriate, so that person examining the plat document in the future be made aware that a private easement exists. However, as for as granting the private easement which involves only the benefiting private properties and is not in the realm of a public easement for the installation of a public sewer line, the appropriate means of granting the easement would be by separate instrument.

You may want to have the applicant submit the instrument to our office so that the City Clerk can have it recorded when the plat has been approved by the City Commission, or you may submit a recorded copy to us for our files prior to the City Commission approval of the plat. Our file indicates that the only item not taken care of is the private sewer easement matter. Once this matter has been resolved, we will be able to schedule this case for consideration by the City Commission.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Waldo B. Wetmore, Attorney, 709-11 Bitting Building, 67202

CERTIFICATE

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

I, William B. & Betty L. Bertram, owner and plat-
tor of Bertram Addition 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. Sidewalk East side of Baker Street
2. Sidewalk North side of Eleventh Street
- 3.
- 4.
- 5.
- 6.
- 7.

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

Signed this 29th day of JUNE, 1976.

William B. Bertram
William B. Bertram
Betty L. Bertram
Betty L. Bertram

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

Be it remembered that on this 29th day of JUNE,
1976, before me, a notary public in and for said County and State,
came William B. & Betty L. Bertram, to me personally
known to be the same person who executed the fore-going instrument
of writing and duly acknowledged the execution of same.

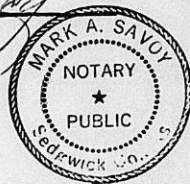
In Testimony Whereof, I have hereunto set my hand and
affixed my notarial seal the day and year above written.

Mark A. Savoy
Notary Public

My Commission Expires:

7/19/80

T9-128



RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING BERTRAM . ADDITION

THIS DECLARATION made this 29th day of JUNE, 1976 by William B. & Betty L. Bertram, hereinafter called the Grantor.

WITNESSETH

WHEREAS, Grantor is owner of BERTRAM Addition to Wichita, Kansas, which property is located near 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 BERTRAM 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.

William B. Bertram
William B. Bertram

Betty L. Bertram

Betty L. Bertram

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid William B. Bertram and Betty L.

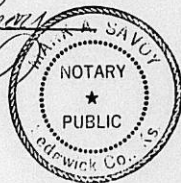
Bertram

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 29th day of June, 1976.

Mack A. Savoy
Notary Public

(My Commission expires 1/14/80)



Z WETMORE
(1884-1962)

WALDO B. WETMORE

Wetmore & Wetmore
ATTORNEYS-AT-LAW
709-11 Bitting Building
Wichita, Kansas 67202

TELEPHONE 263-3248

June 15, 1976

Jack Galbraith
Chief Planner - City Planning Commission
10th Floor - City Administration Bldg.
455 N. Main
Wichita, Kansas

ABSTRACT OPINION

Re: The South 177 Ft. of Lot 18 in
R. A. Morris Gardens, Sedgwick
County, Kansas, proposed as
plat of Bertram Addition to
the City of Wichita, Kansas.

Dear Mr. Galbraith

I have examined the annexed Abstracts of Title and Supplemental Abstract, last extended and certified to by the Security Abstract & Title Company, Inc. on June 4, 1976 at seven o'clock A. M., and prior abstractors, purporting to be an Abstract of Title to the above described property in two combined Abstracts covering:

- (a). The South 102 Ft. of Lot 18 in R. A. Morris Gardens Addition; and
- (b). The North 75 Ft. of the South 177 Ft. of Lot 18 in R. A. Morris Gardens Addition, Sedgwick County, Kansas.

I am of the opinion that the title to said property on June 4, 1976 at seven o'clock A. M. was vested in William B. Bertram and Betty Lea Bertram, husband and wife, as to the South 102 Ft. of said Lot 18, and in William B. Bertram and Betty L. Bertram, husband and wife, as to the North 75 Ft. of the South 177 Ft. of Lot 18, both as joint tenants and with right of survivorship and not as tenants in common, subject to the following liens, defects and requirements:

1. At Entry No. 64 of the base abstract for the North 75 Ft. of the South 177 Ft. of Lot 18, the Grantee in the deed is named, "William B. Bertran, Jr. and Betty L. Bertram." An affidavit should

be procured identifying that William B. Bertram and William B. Bertran, Jr., are one and the same person, as described in the Deed to the South 102 Ft. and the North 75 Ft. of the South 177 Ft. of Lot 18, notwithstanding the discrepancy in spelling of the name of said Grantee, and that Betty Lea Bertram, his wife, is the same as Betty L. Bertram, as Grantee in both deeds.

At Entry No. 2 of the Supplemental Abstract, the Grantor's name, "Wando B. Bell," likewise appears to have been misspelled as to the South 102 Ft. of Lot 18, and an affidavit identifying "Wanda B. Bell," a single person is one and the same person as "Wando B. Bell," named as Grantor in said deeds notwithstanding the discrepancy in the spelling of the name.

3. At Entry No. 7 of the Supplemental Abstract appears an easement, recorded in Book Miscellaneous 536 at Page 318, and at Entry No. 110 of the base abstract on the South 102 Ft. of Lot 18 appears a like easement, recorded in Book Miscellaneous 536, at Page 320, both of which run to the City of Wichita for constructing, maintaining and repairing sewer pipes and sewer systems according to the plans and specifications of the Office of the City Engineer of the City of Wichita, covering the East 16 Ft. of the West 170 Feet of the South 177 Ft. of Lot 18 in R. A. Morris Gardens, together with ingress and egress. According to the plot plan of Bertram Addition, this appears to be included in a general 20 Ft. utility easement across the same area, thus expanding the 16 Ft. sewer easement area to a 20 Ft. utility easement across said tract.

4. The taxes for the year 1975 and prior years appear paid, and the captioned property does not show any outstanding judgments or liens, excepting such chattel mortgages which have not been indexed as affecting the title to real estate.

This Opinion is expressly subject to the following:

1. Rights and claims of persons in possession of said real estate.
2. Rights and claims of mechanics and others for improvements made on said real estate within four months.
3. Defects of title which may be disclosed by an accurate survey of said real estate.
4. The restrictions which may be found in the use of this property from the Zoning Ordinances of the City of Wichita.

May 28, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-18 - Final Plat of
BERTRAM ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on May 27, 1976, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee, subject to the conditions stated in our letter of May 21, 1976.

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 1975 and prior years have been paid.

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: William B. Bertram, 1226 Baker Street 67212
Dean Sellers, Assistant City Engineer

May 21, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-18 - Final plat of
BERTRAM ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 20, 1976, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. A 5-foot utility easement shall be indicated adjacent to the east line of Lot 5, the north line of Lot 5 and the north line of Lot 4, except where the existing building is located, which would encroach into the 5-foot easement. Said easement may be reduced next to said building so that the building will not be in the easement.
- B. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring adequate construction methods will be utilized to minimize noise pollution in any habitable building.
- C. The applicant shall guarantee the installation of sidewalks adjacent to the north side of 11th Street and east side of Baker.
- D. 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.

S/D 76-18
May 21, 1976
Page 2

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 28, 1976, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Encl.

cc: William B. Bertram, 1226 Baker St., 67212
Dean Sellers, Assistant City Engineer

May 7, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-18 - Final plat of
BERTRAM ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 6, 1976, the above captioned plat was considered. The action of the Committee was to recommend that this plat be deferred at the request of the applicant.

This case will be rescheduled for consideration by the Subdivision Committee on May 20, 1976.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: William B. Bertram, 1226 Baker St., 67212
Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 76-18 Name BERTRAM ADDITION
Date Application Rec'd. 3-11-76 Preliminary Approval 4-22-76
Scheduled S/D Meeting 5-6-76

DESCRIPTION

General Location Northeast corner of Baker Street and 11th Street
North.

Owner William B. Bertram
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>1.2</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u> </u> R/W <u> </u> ft. |
| Residential <u>5</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>5</u> | TOTAL <u> </u> ft. |
| 3. Minimum Lot Frontage <u>67.5</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>7,200 sq.</u> ft. | streets? <u> </u> yes <u>X</u> no |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>AA</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u> </u> | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u> </u> | |
| 11. Health Department Approval (where applicable) <u> </u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u> </u> | |

STAFF COMMENTS:

- A. A 10-foot utility easement shall be indicated adjacent to the north side of Lots 4 and 5 and adjacent to the east side of Lot 5.
- B. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be used to minimize noise pollution within any habitable building built on subject property.
- C. The applicant shall guarantee the construction of sidewalks adjacent to the east side of Baker and the north side of 11th Street.
- D. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- E. The existing shed on Lot 4 which will encroach on the 10 foot utility easement shall be removed prior to release of the plat for recording.
- F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

April 26, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-18 - Preliminary plat
of BERTRAM ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 22, 1976, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall guarantee the construction of sidewalks adjacent to the east side of Baker and the north side of 11th Street.
- B. An additional five feet of right-of-way shall be indicated for the east half of Baker Street.
- C. The applicant shall submit an avigational easement covering all of subject property an a covenant assuring that adequate construction methods will be used to minimize noise pollution within any habitable building built on subject property.
- D. A 10-foot utility easement shall be indicated adjacent to the north sides of Lots 4 and 5 and adjacent to the east side of Lot 5.
- E. 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.

S/D 76-18
April 26, 1976
Page 2

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Encl.

cc: William B. Bertram
1226 Baker Street
67212

Dean Sellers, Assistant City Engineer

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 76-18 Name BERTRAM ADDITION
Date Application Rec'd. 3-11-76 Preliminary Approval _____
Scheduled S/D Meeting 4-22-76

DESCRIPTION

General Location Northeast corner of Baker Street and 11th Street
North.

Owner William B. Bertram
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | |
|--|---------------------------------|
| 1. Gross Acreage of Plat <u>1.2</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. _____ R/W _____ ft. |
| Residential <u>5</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>5</u> | TOTAL _____ ft. |
| 3. Minimum Lot Frontage <u>67.5</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>7,200 sq.</u> 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 <u>yes</u> (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers <u>yes</u> (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. The applicant shall guarantee the construction of sidewalks adjacent to the east side of Baker and the north side of 11th Street.
- B. An additional five feet of right-of-way shall be indicated for the east half of Baker Street.
- C. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be used to minimize noise pollution within any habitable building built on subject property.
- D. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- E. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

WICHITA-SEDGWICK COUNTY

DATE
March 15, 1976

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bill McKinley, Ass't. Traffic Engineer
M. S. Mitchell, Ass't. Superintendent, Public Works Maintenance
Dean Sellers, Ass't. City Engineer

FROM Louise Olivarez, Planning Analyst

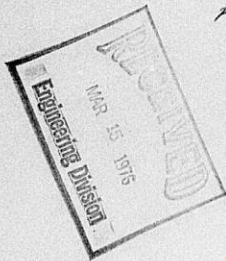
SUBJECT Sketch Plat for Bertram Addition (S/D 76-18)

The above captioned sketch plat was recently submitted to our office. I would appreciate your review of this plat with any comments you may have returned to me no later than Monday, March 22, 1976.

Louise Olivarez
Louise Olivarez, Planning Analyst

Attachment

1. Need 5' Additional right of way for Baker.
2. Extend city sewer to serve lots 2 and 5 or obtain approval of maintenance division of public works for connection across private property



D. Sellers



FORM 2 21

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>City of Wichita</i>	

Name

Address

Type

Due Date

Comments:

Date

By

Sketch

Map No.: 5144
Section No.: 14
Twp. No.: 27
Range: 1-W

S/D No. 7618

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: BERTRAM ADDITION
General Location: N.E. Corner of Baker St. ^{and} 2nd 11th St. No.
Name of Property Owner: William B. Bertram
Address: 1226 Baker St. 67212 Phone: 943-4621
Name of Subdivider: _____ Phone: _____
Address: _____
Name of Agent/Surveyor: Baughman Co.
Address: 330 Laura 67211 Phone: 262-7271
Date of Application: _____

SUBDIVISION INFORMATION:

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>1.2</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. _____ R/W _____ ft. |
| Residential <u>5</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>5</u> | TOTAL _____ ft. |
| 3. Minimum Lot Frontage <u>67.5</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <input checked="" type="checkbox"/> no |
| 4. Minimum Lot Area <u>7200</u> sq. ft. | |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>AA</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <u>Three-Mile Area</u> | |

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: William B. Bertram

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

Received by Carl B. Henley
Date 3-11-76
Fee Submitted None
4-12-76 \$ 62.00