

PLAT NO. S/D 76-37 MAP NO. 5745

NAME SAFEWAY STORES ^{2nd} ADDITION

LOCATION: between Hillside and George Washington
Blvd. in an area south of Harry

ENGINEER Safeway Stores, Inc.

OWNER Safeway Stores, Inc.

APPLICATION FILED 4-29-76

SKETCH PLAT FILED 4-29-76

PRELIMINARY FILED ---

S/D ACTION ---

FINAL FILED ---

S/D ACTION 9-23-76 defer 2 weeks; 3-10-77 ^{defer} indefinitely

S/D 10-7-76 defer 2 weeks

MAPC ACTION 10-28-76 ^{approved}

BCC ACTION ---

RECORDED Closed at applicant's request

REMARKS S/D (final) 10-21-76 - approve as revised

S/D 76-37 - SAFEWAY ~~Stores~~ ^{Stores} Addition
generally located between Hillside
& Geo. Washington Blvd. in an
area south of Harry, by Safeway
Stores, Inc.

*For 76-37
4-30-76*

ACTION

DATE

S/D COMMITTEE (final) *defer 2 weeks 9-23-76*
S/D (final) *defer 3 weeks 10-7-76*

M.A.P.C. Approved *10-28-76*

B.C.C./B. CO. C. _____

S/D (final) *appears the press 10-21-76*

S/D (final) *defer indefinitely 3-10-77*

D E E D

This Indenture made this 18th day of September, 1951, by and between CONNECTICUT GENERAL LIFE INSURANCE COMPANY, as Grantor, and the COUNTY OF SEDGWICK, State of Kansas, as Grantee. The Grantor does hereby dedicate to the Grantee, Sedgwick County, Kansas, the following described property across the land owned by the Grantor for highway, road and street purposes as follows:

Located in Wichita in the County of Sedgwick and State of Kansas and beginning at a point one hundred thirty and seven-tenths (130.7) feet east of the northwest corner of the southwest quarter of the Northwest Quarter of Section 35, Township 27 South, Range 1, East, said point being the intersection of the west line of George Washington Boulevard and the center line of Frances Avenue, as platted in Crown Point Addition; thence southeasterly along the west line of said Boulevard one hundred forty-nine and four-tenths (149.4) feet to a point on the south line of Lot 8, Block 9, Crown Point Addition, which is two hundred five (205) feet east of the west line of the Northwest Quarter of said Section 35; thence west fifteen (15) feet to the center of the alley in said Block 9, thence south fifty-seven and four hundredths (57.04) feet; thence northwesterly and parallel to the west line of said Boulevard two hundred fourteen and eight-tenths (214.8) feet more or less to the center line of said Frances Avenue; thence east along said center line to the point of beginning.

Also, beginning at the intersection of the west line of George Washington Boulevard and the south line of Lot 16, Block 9, Crown Point Addition; thence southeasterly along said west line of the Boulevard one hundred seventy-two (172) feet more or less to the south line of Lot 28, Block 9, Crown Point Addition; thence west along said south line forty-seven and one hundredth (47.01) feet, thence northwesterly and parallel to the west line of said Boulevard to the south line of Lot 16, Block 9; thence east forty-seven and one-hundredths (47.01) feet to the point of beginning.

For clarification of the description hereinbefore set forth, there is attached hereto and made a part of this instrument the plat marked Exhibit "A".

TO HAVE AND TO HOLD the said above described property only so long as the same shall be used for highway, road, street and alley purposes and no longer, and if said property shall cease to be used for highway, road, street and alley purposes, then the same shall revert to the grantor herein, its successors and assigns.

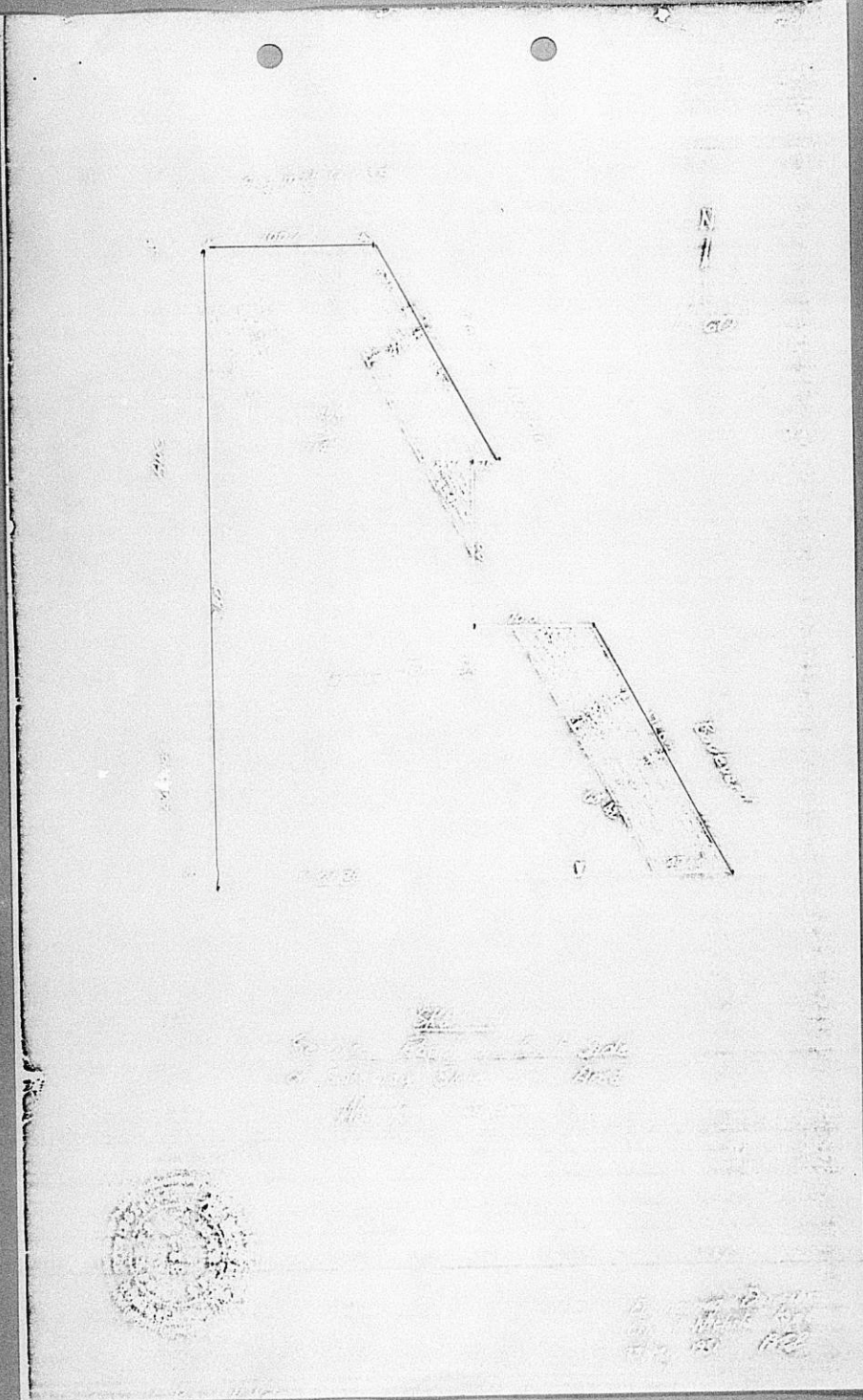
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal.

DATED this 18th day of September, 1951.

CONNECTICUT GENERAL LIFE INSURANCE COMPANY

By I. G. Bjork
I. G. Bjork, Vice President

By W. P. Gamble
W. P. Gamble, Assistant Secretary



MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

2552

NW 1/4 Sec. 38, T9N, R12E

Connecticut General Land Office
City of Wichita

FILED ON
TRANSFER RECORD
MAR 28 1952

OTIS SCHWETTER
COUNTY CLERK

NW 1/4 - 35 - 275 R1E

STATE OF KANSAS } SS. This is to certify
 SEDGWICK COUNTY } that this instrument was filed for record on the
 24 day of March
 1952 at 2:30 o'clock P. M., and duly
 recorded in book 845 page 521
 By Henry H. Adams REGISTER OF DEEDS
 DEPUTY

City bank
to 1/11/52

300
not 40

RECORDED
INDEXED

MICROFILMED
FROM THE BEST
AVAILABLE COPY

COWAN, KAHRNS & NELSON
ATTORNEYS AT LAW
FOURTH NATIONAL BANK BUILDING
WICHITA 2, KANSAS

AUSTIN M. COWAN 1888-1948
W. A. KAHRNS
ROBERT H. NELSON
CLARENCE N. MOLEMAN
KEITH L. WALLIS

January 23, 1952

*1/19/52
Approved - City Clerk
to record*

Mr. Tom Via
Planning Commission Director
City Building
Wichita 2, Kans.

Re: Dedication of Service Road,
George Washington Blvd.

Deed to Sedgewick County

Dear Mr. Via:

I am enclosing herewith, a deed which has been executed by the Connecticut General Life Insurance Company, wherein they are dedicating to the City of Wichita, a strip of land 41 feet in width along the west side of George Washington Blvd. immediately adjoining what is known as the Safeway property south of the intersection of Hillside and George Washington Blvd.

This deed is in compliance with the agreement which was entered into some months ago between the representatives of the City of Wichita and Safeway Stores, Inc., wherein it was agreed that Safeway would make such dedication if the City would zone an area to the south of the original Safeway site so that same could be used for parking facilities. The deed is executed by the Connecticut General Life Insurance Company for the reason that they are the owners of said property.

Yours very truly,

Robert H. Nelson
OF COWAN, KAHRNS & NELSON

RHN:vw
Enc. 1



MICROFILMED
FROM THE BEST
AVAILABLE COPY



SAFeway STORES, INCORPORATED

P.O. Box 461, Kansas City, Missouri 64141 (624 Westport Road)

September 14, 1978



Louise

Ms. Louise Olivarez
Metropolitan Area Planning Department
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202

Re: Expiration of platting time associated with zone change
on east side of Hillside in an area north of Skinner in
Wichita, Kansas
(Your letter dated 8/23/78)

Dear Ms. Olivarez:

In reference to your above dated letter, we are no longer interested
in replatting this property at the present time.

We sincerely appreciate your efforts in this matter.

Yours very truly,

SAFeway STORES, INC.
Design & Construction Dept.

J. F. Dymak, Manager

JFD:cp

August 23, 1978

Safeway Stores, Inc.
624 Westport Road
Kansas City, Missouri 64141

Attention: Joseph F. Dymak

Re: Expiration of platting time associated with zone
change on east side of Hillside in an area north
of Skinner in Wichita, Kansas

Dear Mr. Dymak:

As you will recall a zone change from "B" and "LC" to "LC" was approved for the above referenced property by the Board of City Commissioners on August 24, 1976, subject to platting the property within one year. Since that date, a one-year time extension has been granted, making the current deadline for recording a plat August 24, 1978. The plat, Safeway Third Addition, was considered by the Subdivision Committee in March of 1977, but was deferred indefinitely at your surveyor's request because of title problems on the triangular-shaped property originally condemned for street right-of-way adjoining the east side of the plat.

In the last seventeen months we have had no contact from anyone regarding this plat. If you still wish to retain the conditionally-approved light commercial zoning, you must request a second platting time extension. This extension will have to be approved by the Board of City Commissioners. If an extension is desired, please address your letter of request to E. H. Denton, City Manager, and send a copy to Jack Galbraith of this office. If we have not heard from you by September 24, 1978, the zone case file will be marked "denied and closed."

If I can be of assistance to you in this matter, please do not hesitate to contact me.

Sincerely yours,

Louise Olivarez
Junior Planner

LO:bh

Safeway Stores, Inc.
August 23, 1978
Page 2

cc: Baughman Company, 330 Laura, 67211
Clark R. Nelson, Attorney, 200 W. Douglas, Suite 630,
Wichita, Kansas 67202

April 6, 1977

E. H. Denton, City Manager
Jack H. Galbraith, Chief Planner

Z-1835, "B" & "LC" and associated plat
S/D 73-37 - Safeway 3rd Addition - request
for platting time limit extension.

We are in receipt of your memo of March 31, 1977 and the attached copy of the letter from Clark Nelson, attorney, requesting a one-year extension of the platting time limit on the above referred to zone case.

Our files indicate that the associated final plat of Safeway 3rd Addition has been approved by the Planning Commission subject to several conditions, and the expiration date for completing the plat is to be August 24, 1977. Because of some legal problems with ownership and reversionary rights to an adjoining portion of street right-of-way which was going to be vacated, the plat is being redesigned and the applicant has requested and has been granted an indefinite deferral of the plat by the Subdivision Committee. We would therefore concur in the requested one-year extension of the platting time from the current expiration date to the new date of August 24, 1978. If you have any questions concerning this matter, please call.

Jack H. Galbraith
Chief Planner

APPROVED BY:

Robert A. Lakin
Director of Planning

JHG:CLN:rme

cc: Clark R. Nelson, Attorney,
Kahrs, Nelson, Fanning, Hite & Kellogg
Suite 630, 200 W. Douglas, 67202

March 16, 1977

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-37 - Final plat of
SAFEWAY 3RD ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 10, 1977, the above captioned plat was considered. The action of the Committee was to defer consideration of this case indefinitely at the applicant's request.

At such time as you wish to have this case rescheduled for consideration by the Subdivision Committee, please contact our office. If a lengthy deferral is anticipated, the applicant should write the City Manager requesting an extension of the platting time limit approved on the associated zone case so that the zoning approval will not be lost.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Safeway Stores, Inc., 624 Westport Rd., Kansas City, Mo.,
64141
Clark R. Nelson, Attorney, 200 W. Douglas, Suite 630, 67202
Dean Sellers, Assistant City Engineer

Newby

KAHRS, NELSON, FANNING, HITE & KELLOGG
ATTORNEYS AT LAW

AUSTIN M. COWAN (9885-1949)
W. A. KAHRS
ROBERT H. NELSON (RETIRED)
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
RICHARD L. HONEYMAN
LARRY A. WITHERS
GARY A. WINFREY

SUITE 630 • 200 WEST DOUGLAS AVENUE
WICHITA, KANSAS 67202

AREA 316
265-7761

CLARK R. NELSON
JOHN K. PEARSON
HARKER E. RUSSELL
JOHN B. RATHMEL
STEVEN D. GOUGH

March 3, 1977



Mr. Curtis L. Newby
Junior Planner
Metropolitan Area Planning Commission
455 North Main Street
Wichita, Kansas 67202

Re: S/D 76-37 - Plat of Safeway 3rd Addition

Dear Mr. Newby:

Pursuant to oral conversations had between your office and Mr. William Korber, I am, on behalf of Safeway Stores, Inc., requesting that a new hearing be scheduled in front of the sub-committee on Thursday, March 10, 1977.

The reason for requesting the rescheduling of this matter is the title problems of the triangular shaped property originally condemned for street right-of-way adjoining the east side of the plat. As we have discussed previously, Safeway Stores, Inc., cannot obtain title to said property by vacating the triangular shaped property.

Your assistance in getting this matter rescheduled as requested will be very much appreciated. If you have any questions, please feel free to contact me.

Yours very truly,

Clark R. Nelson

Clark R. Nelson
of KAHRS, NELSON, FANNING, HITE & KELLOGG

CRN:cdh

CC: William Korber

October 29, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-37 - Final Plat of
SAFEWAY 3RD ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on October 28, 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 October 26, 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. Submission of a title report by an abstract or title insurance company, or an attorney's opinion that fee title is vested in the plat.
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: Safeway Stores, Inc., 624 Westport Road, Kansas City, Mo. 64141
Dean Sellers, Assistant City Engineer

October 26, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-37 - Final plat of
SAFEWAY 3RD ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, October 21, 1976, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The triangular shaped piece of property which was originally condemned for street right-of-way and which adjoins the east side of the plat, shall be incorporated into the plat, with appropriate wording in the surveyor's certificate to indicate said piece of property acquired for street purposes is being vacated by the plat.
- B. The portion of street right-of-way for Hillside being contingently dedicated, shall be so labeled on the plat and the actual dedication instrument shall be submitted to the Planning Department.
- C. The applicant shall guarantee construction of a 4-foot sidewalk along the east side of Hillside Avenue and along the west side of George Washington Boulevard adjacent to subject property.
- D. The applicant shall be advised that the construction of sidewalks will be required at the time of the final building inspection when the sidewalks are a requirement of plat approval.
- E. Line 10 of the surveyor's certificate refers to "St. Francis Ave." which should be "Frances Street".

S/D 76-37
October 26, 1976
Page 2

- F. The plat shows an angle of $119^{\circ}02'30''$ in the northeast portion of the property which is in error and shall be corrected.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, October 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: Safeway Stores, Inc., 624 Westport Rd., Kansas City, Mo. 64141
Dean Sellers, Assistant City Engineer

October 13, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-37 - Preliminary plat
of SAFEWAY 3RD ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, October 7, 1976, the above captioned plat was considered. The action of the Committee was to defer this case for two weeks to allow the applicant to investigate the possibility of vacating the triangular shaped portion of street right-of-way previously condemned for George Washington Boulevard, and to see if the County Commission will rule favorable on use of the right-of-way for parking in connection with the proposed development of the subject property.

This matter will be rescheduled for consideration by the Subdivision Committee on October 21, 1976. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Safeway Stores, Inc., 624 Westport Rd., Kansas City, Mo. 64141
Dean Sellers, Assistant City Engineer

THE CITY OF WICHITA

OFFICE OF Ass't Supt of Public Works Mtce. DATE October 1, 1976



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

SUBJECT SD76-37 Safeway 3rd Addition

Reference is made to my request before the Sub-Division Committee for a lot grading plan for subject addition. On September 30, the applicants' Surveyor, Mr. Korber, submitted a plan which proposes to drain the Lot to streets via flumes, inlet, driveways.

The plan is approved.

A handwritten signature in cursive script, appearing to read "M. S. Mitchell".

M. S. Mitchell
Assistant Superintendent
Public Works Maintenance

MSM:wmk

CC: G. H. Wilton
c.i.d.
Plat File



MAP D
Received 12-4-76
C. X. Healy

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.

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

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:

Chester C. McCullough
Secretary.

Julius M. Bell
Authorized Signatory



Form 3615 - K.C. Division

Security
ABSTRACT AND TITLE CO., INC.
434 NORTH MAIN
Phone 267-8371

DELIVER TO:

METROPOLITAN AREA PLANNING COMMISSION
City Administration Bldg.

FOR PLATTING PURPOSES: Safeway 3rd
Addition.

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 Exclusion 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.

SCHEDULE A

Number

242555

Effective Date

September 24, 1976 @ 7:00 A.M.

1. Owners Policy to be issued:

ALTA Form B - 1970
(Amended 10-17-70)

Amount:

Proposed Insured:

City of Wichita

Loan Policy to be issued:

ALTA Form 1970
(Amended 10-17-70)

Amount:

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:

Connecticut General Life Insurance Company, a Connecticut Corporation

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

Part of the North Half of the Southwest Quarter of the Northwest Quarter of Section 35, Township 27 South, Range 1 East, beginning at a point 30.00 feet East of the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 35, said point being on the East line of Hillside Avenue at the center of St. Francis Avenue as platted in Crown Point Addition to Wichita; thence Easterly 100.70 feet to the West line of George Washington Blvd.; thence Southeasterly along the West line of said Blvd., 149.40 feet to a point on the South line of Lot 8, Block 9 of said Crown Point Addition, which is 205.00 feet East of the West line of said Northwest Quarter; thence Westerly 15.00 feet to the center of the alley in said Block 9; thence Southerly 100.00 feet; thence Easterly 70.90 feet to the West line of George Washington Blvd.; thence Southeasterly, along the West line of said Blvd. 343.10 feet to a point on the North line of Lot 41, Block 10 of Crown Point Addition; thence Westerly 398.80 feet to a point on the East line of Hillside Avenue, said point being 30.00 feet East and 530.00 feet South of the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 35; thence Northerly, along said East line, to the place of beginning.

"When sending instruments for filing please include the above referenced commitment number"

Form 3616 - K.C. Division

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the necessary deeds and/or mortgages in insurable form, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. 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.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. 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.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): Year 1975 taxes paid, \$10,089.20.
9. Right of Way for road purposes to the County of Sedgwick over the following:
Beginning at a point 130.7 feet East of the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 35, Township 27 South, Range 1 East, said point being the intersection of the West line of George Washington Boulevard and the center line of Frances Avenue, as platted in Crown Point Addition; thence Southeasterly along the West line of said Boulevard 149.4 feet to a point on the South line of Lot 8, Block 9, Crown Point Addition, which is 205 feet East of the West line of the Northwest Quarter of said Section 35; thence West 15 feet to the center of the alley in said Block 9, thence South 57.04 feet; thence Northwesterly and parallel to the West line of said Boulevard 214.8 feet more or less to the center line of said Frances Avenue; thence East along said center line to the point of beginning.
Also, beginning at the intersection of the West line of George Washington Boulevard and the South line of Lot 16, Block 9, Crown Point Addition; thence Southeasterly along said West line of the Boulevard 172 feet more or less to the South line of Lot 28, Block 9, Crown Point Addition; thence West along said South line 47.01 feet; thence Northwesterly and parallel to the West line of said Boulevard to the South line of Lot 16, Block 9; thence East 47.01 feet to the point of beginning.
230' S of Frances
10. It is noted for informational purposes only and not as an exception to title which will appear in our policy, that captioned property may become subject to special assessments for street improvements, notice of which is given by Resolutions filed on Film 96, Page 920, and Film 114, Page 1450.

September 30, 1976

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 76-37 - Final plat of
SAFEWAY 3RD ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, September 23, 1976, the above captioned plat was considered. The action of the Committee was to recommend that this plat be deferred at request of the applicant's surveyor, for redesign to include additional property in the plat.

This case will be rescheduled for consideration by the Subdivision Committee on October 7, 1976. Therefore, 29 copies of the revised plat should be submitted by no later than Tuesday, September 28, 1976.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Safeway Stores, Inc., Attn: Joseph F. Dymak
624 Westport Road
Kansas City, Mo. 64141

Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 76-37 Name SAFEWAY 3RD ADDITION
Date Application Rec'd. 9-13-76 Preliminary Approval N/A
Scheduled S/D Meeting 9-23-76

DESCRIPTION

General Location On the east side of Hillside, north of Skinner

Owner Safeway Stores, Inc.
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | |
|--|--------------------------------|
| 1. Gross Acreage of Plat 2.9 | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. 20 R/W 530 ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial 1 _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots 1 | TOTAL 530 ft. |
| 3. Minimum Lot Frontage 530 ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area 117,783 sq. ft. | streets? yes no |
| 5. Existing Zoning B & LC | |
| 6. Proposed Zoning LC | |
| 9. Public Water Supply Yes (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers Yes (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita X : Three-Mile Area _____ | |

STAFF COMMENTS:

NOTE: A zone change from "B" to "LC" on the south 150 feet of this site (Z-1835) was approved by the Board of City Commissioners on August 24, 1976 subject to platting the property within one year. The north 380 feet is already in the "LC" zone.

- A. The applicant's representative shall be prepared to comment on the ownership and proposed use of the property on the west side of George Washington Blvd., which is excluded from this plat.
- B. The applicant's surveyor shall submit a lot grading plan to M. S. Mitchell of Maintenance-Flood Control. A memo from Mr. Mitchell approving said plan shall be submitted to the Planning Department.
- C. The applicant shall guarantee construction of a 4-foot sidewalk along the east side of Hillside Avenue and along the west side of George Washington Blvd. adjacent to subject property.
- D. The applicant shall be advised that the construction of sidewalks will be required at the time of the final building inspection when the sidewalks are a requirement of plat approval.
- E. The Public Works Department shall be prepared to comment on the need for a public sanitary sewer connection rather than the private sewer which now serves the existing store.
- F. Line 10 of the surveyor's certificate refers to "St. Francis Ave." which should be "Frances Street".
- G. The plat shows an angle of 119°02'30" in the northeast portion of the property which is in error.
- H. Recording of the plat within 30 days after approval by the Board of City Commissioners.

(OVER)

T9-303

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

May 20, 1976

Mr. Joseph F. Dymak
624 Westport Road
Kansas City, Missouri 64141

Re: S/D 76-37 - Sketch plat for
Safeway Store 201, located
between Hillside and George
Washington Blvd. in an area
south of Harry Street.

Dear Mr. Dymak:

We have reviewed the above mentioned sketch plat with various departments and hereby authorize you to proceed with preparation of a preliminary plat. We have been advised by the Engineering Division and Traffic Engineering Division of the Department of Public Works that frontage roads along George Washington Boulevard are no longer required. Therefore, you will not need to dedicate any of your property for road purposes along the Boulevard. However, Hillside is a designated arterial which requires 50 feet of half-street right-of-way. Only 30 feet exists at the present time, therefore you will be required to dedicate an additional 20 feet for Hillside Avenue right-of-way.

A lot grading plan will be required because there are surface drainage problems in this area. The grading plan should be submitted to M. S. Mitchell, Assistant Superintendent of Public Works Maintenance, for his approval. On-site storm drainage may be necessary.

The enclosed "Engineer's Copy" of the sketch plat has been marked by Bill McKinley, Assistant Traffic Engineer, to indicate the parking lot layout requirements.

Apparently the old store is connected to a private sanitary sewer at the north end of the property. Connection to a public sewer may be required as a condition of approval of the final plat.

Mr. Joseph F. Dymak
May 20, 1976
Page 2

If you have any questions regarding this matter, feel free to call
our office.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:LO:rme
Encl.

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public
Works Maint.

DATE April 30, 1976



TO Jack Galbraith, Chief Planner, MAPD

FROM M. S. Mitchell

SUBJECT - Safeway Stores
S/D 76-37

There are surface drainage problems in this area and a Lot Grading Plan should be required. The applicant may find it necessary to install "on site" storm drainage.

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

MSM/glm

cc: G. H. Wilton
Safeway Stores Adn. Plat File



WICHITA-SEDGWICK COUNTY

DATE 4-30-76

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bill McKinley, Assistant Traffic Engineer
M. S. Mitchell, Maintenance-Flood Control
FROM Dean Sellers, Assistant City Engineer
Louise Olivarez, Planning Analyst

SUBJECT Sketch plat of S/D 76-37 *Safeway Store*

The above referenced 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 *Friday* May 7, 1976.

Louise Olivarez
Louise Olivarez
Planning Analyst

LO:rne
Attachment

Louise
old store apparently connected to a private
sanitary sewer at N end of property.

(Map F-157)



Form 3-021

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - SECOND 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>Handwritten description</i>	<i>Handwritten amount</i>
<i>Handwritten description</i>	<i>Handwritten amount</i>

Name

Address

Type

Due Date

Comments:

Date

By

Map No.: 5745
Section No.: 35
Twp. No.: 27-S
Range: 1-E

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Safeway 3rd Addition

General Location: east side of Hillside north of Skinner

Name of Property Owner: Safeway Stores, Inc.

Address: P.O. Box 461, Kansas City, Mo. 64141 Phone: 816-531-8500

Name of Subdivider: _____ Phone: _____

Address: _____ Phone: _____

Name of Agent/Surveyor: Baughman Company

Address: 330 Laura Phone: 262-7271

Date of Application: September 13, 1976

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 2.9
2. Number of Lots:
 - Residential _____
 - Commercial 1
 - Industrial _____
 - Other _____
3. Total Number of Lots 1
4. Minimum Lot Frontage 530 ft.
5. Minimum Lot Area 117,783 ft.
6. Existing Zoning "B" & L.C.
7. Proposed Zoning L.C.
7. Lineal Feet of New Streets:
 - a. 20 R/W 530 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 530 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply Yes (Yes-No), Name _____
10. Public Sanitary Sewers Yes (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita X Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Safeway Stores, Inc.

Ray J. Poyanuk
Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by J.D.
Date 9-13-76
Fee Submitted 50.00

Map No.: 5745
Section No.: 35
Twp. No.: 27
Range: 1E

S/D No. 76-37

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: _____

General Location: (S.E. Cor. of Junction of Hillside) - between Hillside & 620 West 2nd Blvd. in an area south of Harvey

Name of Property Owner: _____ Phone: _____

Address: _____

Name of Subdivider: SARGENT & Lundy, INC. Phone: 531-8500

Address: 624 West 2nd Blvd. K. City, Mo.

Name of Agent/Surveyor: _____ Phone: _____

Address: _____

Date of Application: 4/28/76

SUBDIVISION INFORMATION:

- | | |
|---|---|
| 1. Gross Acreage of Plat _____ | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: _____ | a. _____ R/W _____ ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots _____ | TOTAL _____ ft. |
| 3. Minimum Lot Frontage _____ ft. | 8. Sidewalk adjacent to all streets? <input checked="" type="checkbox"/> yes _____ no |
| 4. Minimum Lot Area <u>137,500</u> ft. | |
| 5. Existing Zoning <u>L.C.B.</u> | |
| 6. Proposed Zoning <u>L.C.S.B.</u> | |
| 9. Public Water Supply <input checked="" type="checkbox"/> (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers <input checked="" type="checkbox"/> (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <input checked="" type="checkbox"/> 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: Joseph J. Dymek
Sargent & Lundy, Inc.

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by Paul A. Newby
Date 4-29-76
Fee Submitted none

S
/

GARY W. OSWALD

REALTY MANAGER
SAFEWAY STORES
INCORPORATED

624 WESTPORT ROAD
KANSAS CITY, MISSOURI 64111
PHONE (816) 531-8500

S
/

JOSEPH F. DYMAK

DESIGN & CONSTRUCTION MGR
KANSAS CITY DIVISION
SAFEWAY STORES
INCORPORATED

624 WESTPORT ROAD
P.O. BOX 461
KANSAS CITY, MO 64141
PHONE (816) 531-8500