

PLAT NO. S/D 79-144 MAP NO. 5644

NAME BURGARDT ADDITION

LOCATION: South side of Pawnee between El Rancho and
Twin Oaks

ENGINEER Baughman Company, P.A.

OWNER Cletus T. Burgardt

APPLICATION FILED 12-28-79

SKETCH PLAT FILED 12-28-79

PRELIMINARY FILED _____

S/D ACTION _____

FINAL FILED 12-28-79

S/D ACTION 1-10-80 approve

MAPC ACTION 1-17-80 approve

BCC ACTION 7-29-80 approved

RECORDED 8/19/80

REMARKS Associated Case Z-2094

S/D 79-144 - BURGARDT ADDITION -
South side of Pawnee, between
El Rancho and Twin Oaks. Baughman
Company, P.A.

ACTION

DATE

S/D COMMITTEE (Final) approve

1-10-80

M.A.P.C.

approve

1-17-80

B.C.C./B.C.C.C. Approved

7-29-80

POSTED
1-4-80
[Signature]

August 29, 1980

Donald C. Gisick, City Clerk
Jack H. Galbraith, Chief Planner

Z-2094 - "RB" to "LC"; and
S/D 79-144 - Burgardt Addition

At the regular meeting of the Board of City Commissioners on January 30, 1979, 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 establishing the zone change until such time as the plat has been recorded. The associated plat was approved by the Board of City Commissioners on July 29, 1980.

This is to advise you that the final plat of Burgardt Addition was recorded with the Register of Deeds on August 19, 1980 and, therefore, the ordinance establishing the zone change may now be published.

Jack H. Galbraith
Chief Planner

JHG:el

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 79-144 Name Burgardt Addition
Application & Sketch Filed: 12-28-79
Preliminary Plat Filed: N.A. Approved by S/D: N.A.
Final Plat Filed: 1-28-79 Approved by S/D: 1-10-80
Approved by Metropolitan Area Planning Commission: 1-17-80

DESCRIPTION

General Location: South side of Pawnee between El Rancho and Twin Oaks.

Surveyor or Engineer: Baughman Company, P.A.
Owner: Cletus R. Burgardt
Address: 125 Penrose, 67206

- | | |
|--|---|
| 1. Gross Acreage of Plat <u>1.42</u> | 6. Access Control |
| 2. Number of Lots | St. <u>Pawnee</u> No. Openings <u>3</u> |
| Residential _____ | St. _____ No. Openings _____ |
| Commercial <u>4</u> | St. _____ No. Openings _____ |
| Industrial _____ | 7. Req'd Improvements |
| Other _____ | St. Paving _____ Water <u>x</u> |
| Total Number of Lots: <u>4</u> | Sidewalk <u>x</u> Drainage _____ |
| 3. Minimum Lot Area: <u>14,000 sq. ft</u> | Sewer _____ Other _____ |
| 4. Existing Zoning: <u>RB and LC</u> | |
| 5. Special Problems Discussed: <u>access to Pawnee</u> | |

The applicant has submitted a 100% petition for water service to Lot 4, and a certificate confirming the petition. A sidewalk certificate has been submitted which states that a sidewalk will be constructed on El Rancho Road adjacent to Lot 4 when Lot 4 is developed. A letter of credit was submitted as guarantee that one of the two existing driveways to Pawnee on Lot 3 will be closed. Traffic Engineering requested that the total number of access points to Pawnee between Twin Oaks Road and El Rancho Road be limited to two since the corner lots also have access to the side streets. However, the Planning Commission, at the applicant's request, recommended 3 openings.

Planning Commission Recommendation: That this plat be approved subject to recording within 30 days after approval by the Board of City Commissioners.

ACTION: Receive and file the letter of credit guaranteeing the driveway closure; receive and file the water engineering feasibility report, adopt the resolution of finding and the resolution ordering and directing the water system improvement and approve the petition; instruct the City Clerk to file the Certificate of petitions and the sidewalk certificate with the Register of Deeds, the recording costs of which shall be billed to the applicant. Approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

IRREVOCABLE LETTER OF CREDIT #152

IRREVOCABLE LETTER OF CREDIT

BOULEVARD STATE BANK
2300 E. LINCOLN
WICHITA, KS 67211

DATE: July 9, 1980

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 1,000.00 for the account of Cletus T. and Viola M. Burgardt (Purchaser), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before January 18, 1982 (6)

1. Removal of Drive Opening
- 2.
- 3.

in Burgardt Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under Boulevard State Bank, Credit No. 152, dated July 9, 1980.

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before March 19, 1982.

Very truly yours,

BOULEVARD STATE BANK

BY: 

Ronald D. Heikes
Assistant Cashier

CERTIFICATE

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

I We, Cletus T. Burgardt, Viola M. Burgardt, owner of
(give name of proposed plat, if appropriate) _____

BURGARDT 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. ~~Subtract~~ Water Petition Lot 4
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

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

Signed this 30th day of APRIL, 1980.

X Cletus T. Burgardt
X Viola M. Burgardt

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

Be it remembered that on this 30th day of APRIL,
1980, before me, a notary public in and for said County and State,
came CLETUS T. BURGARDT and VIOLA M. BURGARDT ~~my wife~~ 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.

D. Baker
Notary Public

My Commission Expires:
Nov 25 1982

CERTIFICATE OF SIDEWALK

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

I, Cletis T. Burgardt and Vida M. Burgardt, owner of

Burgardt Addition

do hereby acknowledge that in accordance with the sidewalk ordinance of the City of Wichita, construction of sidewalks is required on the following streets within the addition:

1. Sidewalk adjacent to lot 4 on El Rancho Rd.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

This is to place on notice all owners of lots and subsequent owners thereof within said addition that as a result of the above cited ordinance, said owners and subsequent owners thereof are responsible for seeing that sidewalks are installed or guaranteed by cash or other acceptable financial means as a precondition of the issuance of a building permit for all development occurring on lots or portions thereof within _____ Addition.

BURGARDT ADDITION

Signed this 30th day of APRIL, 1980.

X Cletis T. Burgardt
X Vida M. Burgardt

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

Be it remembered that on this 30th day of APRIL, 1980, before me, a notary public in and for said County and State, came CLETIS T. BURGARDT and VIDA M. BURGARDT 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.

[Signature]
Notary Public

My Commission Expires:

Nov 25th 1982

CERTIFICATE OF SIDEWALK

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

I, W. Cletis T. Burgardt and Vida M. Burgardt, owner of
Burgardt Addition

do hereby acknowledge that in accordance with the sidewalk ordinance of the City of Wichita, construction of sidewalks is required on the following streets within the addition:

1. Sidewalk adjacent to Lot 4 on El Rancho Rd.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

This is to place on notice all owners of lots and subsequent owners thereof within said addition that as a result of the above cited ordinance, said owners and subsequent owners thereof are responsible for seeing that sidewalks are installed or guaranteed by cash or other acceptable financial means as a precondition of the issuance of a building permit for all development occurring on lots or portions thereof within

BURGARDT ADDITION Addition.

Signed this 30th day of APRIL, 1980.

X Cletis T. Burgardt
X Vida M. Burgardt

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

Be it remembered that on this 30th day of APRIL, 1980, before me, a notary public in and for said County and State, came CLETIS T. BURGARDT and VIDA M. BURGARDT 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.

[Signature]
Notary Public

My Commission Expires:

Nov 25th 1982

Commitment No. Y-88,555

St. Paul Title Insurance Corporation

ST. PAUL TITLE INSURANCE CORPORATION, a Missouri corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to 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, ST. PAUL TITLE INSURANCE CORPORATION has caused this commitment to be signed and sealed by its duly authorized officers, the commitment to become valid when countersigned by an authorized signatory as of Effective Date shown in Schedule A.



ST. PAUL TITLE INSURANCE CORPORATION

BY:

James D. Jones
CHAIRMAN OF THE BOARD

ATTEST:

Edward K. Cross
SECRETARY

COUNTERSIGNED:

William B. Malone
AUTHORIZED SIGNATURE



1. Effective date: **June 24, 1980 @ 7:00 A.M.** Amount
2. Policy or Policies to be issued: \$
- (a) ALTA Owner's Policy Form A-1970 (Amended 10-17-70) Limited to \$250.00
- (a) X ALTA Owner's Policy Form B-1970 (Amended 10-17-70)
- Proposed Insured: **City of Wichita, a Municipal Corporation**

- (b) ALTA Loan Policy (Amended 10-17-70)
- (b)
- Proposed Insured: **none proposed.**

3. The estate or interest in the land described or referred to in this Commitment and covered herein is a **fee simple**

4. Title to the **fee simple** estate or interest in said land is at the effective date hereof vested in: **Cletus T. Burgardt & Viola M. Burgardt, husband and wife as to insured premises except the North 150 feet of insured premises, except the East 50 feet thereof; Dale L. Hill and Elsie Mae Hill, husband and wife, as to the North 150 feet of insured premises except the East 50 feet thereof.**
5. The land referred to in this Commitment is situated in the County of **Sedgwick**,

State of **Kansas**, and is described as follows:

The North 150 feet and the South 82.73 feet of the North 232.73 feet of the East 150 feet of Block 3, PAWNEE RANCH ADDITION, Sedgwick County, Kansas, and Lot 23, Replat of Part of Block 3, PAWNEE RANCH ADDITION, Sedgwick County, Kansas.

TO BE PLATTED AS: **BURGARDT ADDITION, Wichita, Sedgwick County, Kansas.**

SCHEDULE B-I
(REQUIREMENTS)


Commitment No. Y-88,555

1. The following are the requirements to be complied with:

- A. Payment to, or for the account of, the sellers or mortgagors of the full consideration for the estate or interest to be insured.
- B. Instruments in insurable form which must be executed, delivered and duly filed for record.
 - (a) Procure and file and record a properly approved and satisfactorily executed Plat of Burgardt Addition by Cletus T. Burgardt and Viola M. Burgardt, husband and wife, and Dale L. Hill and Elsie Mae Hill, as fee owners.
 - (b) Proposed plat must be consented to by the holders of the following mortgages.
 - (1) Mortgage by, Cletus Thomas Burgardt and Viola Marie Burgardt, husband and wife, to Boulevard State Bank, in the sum of \$50,000.00, dated June 26, 1973, filed July 3, 1978, recorded in Book 65 at Page 943.
 - (2) Mortgage by, Cletus Thomas Burgardt and Viola Marie Burgardt, husband and wife, to Boulevard State Bank, in the sum of \$12,000.00, dated January 15, 1976, filed January 22, 1976 at 8:00 A.M., recorded in Film 174 at Page 479.
 - (c) 1979 real estate taxes are shown paid, Key Nos: C-22546, C-22547, C-22548 and C-22549.
 - (d) Company has been furnished a copy of proposed plat, which includes grants for utility easements, building set-back lines and access control.

Schedule B-I consists of _____ pages.

TSP-113B-1-9/77

 W. J. & Co.
ST. PAUL TITLE

SCHEDULE B-II
(EXCEPTIONS)Commitment No. Y-88,555

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. (A) Rights of dower, curtesy, homestead or other marital rights of spouse, if any, of any individual insured. (B) Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished imposed by law and not shown by the public records. (C) Survey: Any encroachments, measurements, party walls, or other facts which a correct survey of the premises would show. (D) Easements, or claims of easements, not shown by the public records. (E) Rights or claims of parties in possession not shown by the public records.
3. All assessments and taxes for the year 19 80 and all subsequent years.
4. **16 foot Easement as shown and granted on the South 16 feet of the North 141 feet of Block 3, Pawnee Ranch.**
5. **Easement for public utilities granted in instrument recorded in Misc. Book 249 at Page 197.**
6. **Restrictions, covenants and conditions contained in Instruments recorded in Misc. 223 at Page 324 and Misc. 250 at Page 17, which do not contain a forfeiture or reverter clause.**
7. **Any restrictions, covenants and conditions to be imposed subsequent to the recordation of the title.**
8. **Any easements, streets or right-of-ways to be dedicated to the public including but not limited to all abutter's rights or access to any streets, drainage rights of way, public utilities, approval of elevation or other restrictive matters that may be reserved, dedicated or granted in the recorded Plat.**
9. **Such state of facts as would be determined by a Judgment Search of the official records of Sedgwick County, Kansas as to Dale L. Hill and Elsie Mae Hill and Cletus T. Burgardt and Viola M. Burgardt, husband and wife.**

Schedule B-II consists of _____ pages.
TSP-113 B-II-9/77

 *WPM*
ST. PAUL TITLE

Conditions and Stipulations

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

IRREVOCABLE LETTER OF CREDIT #152

IRREVOCABLE LETTER OF CREDIT

BOULEVARD STATE BANK
2300 E. LINCOLN
WICHITA, KS 67211

DATE: July 9, 1980

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 1,000.00 for the account of Cletus T. and Viola M. Burgardt (Purchaser), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before January 18, 1982 (6)

1. Removal of Drive Opening
- 2.
- 3.

in Burgardt Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under Boulevard State Bank, Credit No. 152, dated July 9, 1980.


The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before March 19, 1982.

Very truly yours,

BOULEVARD STATE BANK

BY: 
Ronald D. Heikes
Assistant Cashier

CERTIFICATE

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

I We, Cletus T. Burgardt, Viola M. Burgardt, owner of
(give name of proposed plat, if appropriate) _____

BURGARDT ADDITION

do hereby certify that petitions for the following improvements
have been submitted to the Board of Commissioners of the City of
Wichita, Kansas:

1. ~~Street~~ Water Petition Lot 4
2. Water Petition Lot 4
- 3.
- 4.
- 5.
- 6.
- 7.

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

Signed this 30th day of APRIL, 1980.

X Cletus T. Burgardt
X Viola M. Burgardt

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

Be it remembered that on this 30th day of APRIL,
1980, before me, a notary public in and for said County and State,
came CLETUS T. BURGARDT and VIOLA M. BURGARDT his wife 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.

[Signature]
Notary Public

My Commission Expires:
April 25th 1982

CERTIFICATE OF SIDEWALK

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

I, Clotis T. Burgardt and Vida M. Burgardt, owner of
Burgardt Addition

do hereby acknowledge that in accordance with the sidewalk ordinance of the City of Wichita, construction of sidewalks is required on the following streets within the addition:

1. sidewalk adjacent to lot 4 on El Rancho Rd.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

This is to place on notice all owners of lots and subsequent owners thereof within said addition that as a result of the above cited ordinance, said owners and subsequent owners thereof are responsible for seeing that sidewalks are installed or guaranteed by cash or other acceptable financial means as a precondition of the issuance of a building permit for all development occurring on lots or portions thereof within

BURGARDT ADDITION Addition.

Signed this 30th day of APRIL, 1980.

x Clotis T. Burgardt
x Vida M. Burgardt

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

Be it remembered that on this 30th day of APRIL, 1980, before me, a notary public in and for said County and State, came CLOTIS T. BURGARDT and VIOLA M. BURGARDT 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.

[Signature]
Notary Public

My Commission Expires:

Nov 25th 1982

THE CITY OF WICHITA

OFFICE OF ENGINEERING

DATE JANUARY 24, 1980

TO JACK GALBRAITH, CHIEF PLANNER
FROM YASH D. DESAI, DRAINAGE CHIEF ENGINEER
SUBJECT DRAINAGE PLAN: BURGARDT ADDITION

Baughman Company has submitted the drainage concept plan for the subject plat to my office for approval. The plan shows Lots 2 and 3 draining against natural grade to Pawnee Avenue, a portion of Lot 1 to Pawnee Avenue and remaining, West to Twin Oaks Road. Lot 4 shows draining East to El Rancho Road, against the natural grade.

Such drainage plan is not unsatisfactory; but it will require substantial fill to raise the rear of the lots to drain against the grade. It would be economical to drain only the building setback areas to Pawnee Avenue and then drain the remaining portions of Lots 1, 2 and 3 to rear and then through a flume out under the curb of Twin Oaks Road. A private drainage easement approximately 30 feet wide at rear of Lots 1 and 2 is recommended for this plan. Lot 4 can also be graded to drain to rear and then North to this private drainage easement. The private drainage easement should be recorded with the plat.

Before the final plat is approved, it would be necessary to contact the Engineering Office to decide the final drainage plan. Please feel free to call me at (316)268-4235 if you need to discuss the plan further.

Yash D. Desai

Yash D. Desai, P.E.
Drainage Chief Engineer

YDD/d1a

cc: Bill Korber, Baughman Company

*7-11-80 Mike Lindbak said
this memo states that their
drainage plan is not
unsatisfactory.*

RECEIVED

JAN 25 1980

METROPOLITAN PLANNING

ROUTE 15

January 18, 1980

Baughman Company, P.A.
330 Laura
Wichita, Ks. 67211

Re: S/D 79-144 - Final plat of Burgardt Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, January 17, 1980, the above captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of January 15, 1980. The Planning Commission agreed with the staff and recommended a waiver of the sidewalk requirement on Twin Oaks.

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:

- 79 1. Submission of a fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 79 2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the platlor.
- 79 3. Certification that all taxes due and payable for 1979 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Louise Olivarez
Senior Planner

LO:bh

cc: Cletus Burgardt, 125 Penrose, 67206

January 15, 1980

Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 79-144 - Final plat of Burgardt Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 10, 1980, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- sidewalk certificate*
- A. The applicant shall guarantee the closing of one curb cut to Pawnee from proposed Lot 3. *letter of credit \$1000*
 - B. On the final plat tracing, the MAPC signature block shall be corrected to read: William J. Goebel, Chairman.
 - C. In accordance with the City sidewalk ordinance, the applicant shall guarantee, at this location, a sidewalk adjacent to El Rancho. (Commercial zoning). The sidewalk ordinance also requires the construction of a sidewalk adjacent to this property on Twin Oaks. This requirement would, however, act to provide a side lot line stub extension of sidewalk into a residential area which has no existing sidewalk. Staff recommends that the Subdivision Committee recommend to MAPC the waiving of the sidewalk requirement adjacent to this property on Twin Oaks.
 - D. The final plat tracing shall show the 35-foot building setback from Pawnee and the 20-foot building setback from El Rancho extending through the existing building located at the corner of Pawnee and El Rancho. This is necessary in order to insure that, if the existing building is removed, new building construction will observe the building setbacks established elsewhere on this plat from these streets.
 - E. The applicant shall guarantee the extension of City water to serve Lot #4. *petition to Water Dept 7-9-80*
 - F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Baughman Company
Page 2
1-14-80

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 January 17, 1980, at 1:30 p.m. If you have any questions regarding this matter, please call.

Sincerely,

Forrest L. Nagley
Junior Planner

FLN:bh

cc: Cletus T. Bargardt, 125 Penrose, 67206
Dean Sellers, Acting City Engineer

Final plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 79-144 Name Burgardt Addition
Date Application Rec'd. 12-28-79 Preliminary Approval _____
Scheduled S/D Meeting 1-10-80

DESCRIPTION

General Location South side of Pawnee between El Rancho and Twin Oaks

Owner Cletus T. Burgardt
Surveyor/Engineer Baughman Company, P.A.
Address 330 LauRa, 67211 Phone 262-7271

- | | |
|---|--|
| 1. Gross Acreage of Plat <u>1.42 acres</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>10'</u> R/W <u>300</u> ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial <u>4</u> | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>4</u> | TOTAL _____ ft. |
| 3. Minimum Lot Frontage <u>100.0</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>14,000.0</u> ft. | streets? <u>yes</u> <u>x</u> <u>no</u> |
| 5. Existing Zoning <u>"LC" and "RB"</u> | |
| 6. Proposed Zoning <u>"LC" Z-2094</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) _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> : <u>Three-Mile Area</u> | |

STAFF COMMENTS:

Note: The applicant's associated zone change case Z-2094 requesting "RB" to "LC" has been approved subject to replatting.

- A. The representative from City Public Works should be prepared to comment on the status of the applicant's lot grading plan and state if any drainage guarantees are required by this plat.
- B. The applicant shall guarantee the closing of one curb cut to Pawnee from proposed Lot 3.
- C. On the final plat tracing, the MAPC signature block shall be corrected to read: William J. Goebel, Chairman.
- D. In accordance with the City sidewalk ordinance, the applicant shall guarantee, at this location, a sidewalk adjacent to El Rancho. (Commercial zoning). The sidewalk ordinance also requires the construction of a sidewalk adjacent to this property on Twin Oaks. This requirement would, however, act to provide a side lot line stub extension of sidewalk into a residential area which has no existing sidewalk. Staff recommends that the Subdivision Committee recommend to MAPC the waiving of the sidewalk requirement adjacent to this property on Twin Oaks.
- E. The final plat tracing shall show the 35-foot building setback from Pawnee and the 20-foot building setback from El Rancho extending through the existing building located at the corner of Pawnee and El Rancho. This is necessary in order to insure that, if the existing building is removed, new building construction will observe the building setbacks established elsewhere on this plat from these streets.
- F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

T9-303



BAUGHMAN COMPANY, P.A.

SURVEYORS

316/262-7271 • 330 LAURA • WICHITA, KANSAS 67211

CONFIRMATION
MEMO

PROJECT Burgardt Add.

DATE 12-28-79

JOB NO. _____

COPIES TO:

TO Yash Desai

Curtis Newby ✓
Mike Lindebak

FROM Wm Horber

REFERENCE Drainage Plan

Attached is the lot grading plan
for the above referenced project.

Plat submitted to planning 12-28-79

To be heard by Subdivision Committee 1-10-80

Map No.: 5644
Section No.: 3
Twp. No.: 28-S
Range: 1-E

S/D No. 79-144

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: BURGARDT ADDITION

General Location: SOUTH SIDE OF PAWNEE BETWEEN EL RANCHO AND TWIN OAKS

Name of Property Owner: CLETUS T. BURGARDT

Address: 125 PENROSE 67204 Phone: Ho: 682-2369

Name of Subdivider: _____ Phone: Bus: 682-5167

Address: _____ Phone: _____

Name of Agent/Surveyor: BAUGHMAN COMPANY, P.A.

Address: 330 LAUREA 67211 Phone: 262-7271

Date of Application: DECEMBER 17, 1972 (July 11, 1972)

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 1.40 ACRES
2. Number of Lots:
 - Residential _____
 - Commercial 4 - L.C.
 - Industrial _____
 - Other _____
3. Total Number of Lots 4
4. Minimum Lot Frontage 100.0 ft.
5. Minimum Lot Area 14000.0 ft.
6. Existing Zoning L.C. & R.B.
7. Proposed Zoning L.C. (Z-2024)
7. Lineal Feet of New Streets:
 - a. 10' R/W 300 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL _____ ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply YES (Yes-No), Name CITY OF WICHITA
10. Public Sanitary Sewers YES (Yes-No), Name CITY OF WICHITA
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita XX 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: Wils M. Burgardt

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

Received by FLN
Date 12/28/72
Fee Submitted \$9.00

FORM 2021

PAYMENT NOTICE
City of Wichita

| | | | |
|-------|------------------|------------|--------|
| Bldg. | Use of Str. | Code Bks | Copies |
| Elec | Elev. Insp. | Hse Moving | Lic. |
| Mech | Boiler Insp. | Pav. Cuts | Cert. |
| Plbg | Exam Fees | Sewer | Elev. |
| Signs | Plan Rev. (P.W.) | Cement | M.S.P. |
| | Planning | | |

| DESCRIPTION | AMOUNT |
|-------------|--------|
|-------------|--------|

NAME

ADDRESS

| | |
|------|----------|
| FUND | DUE DATE |
|------|----------|

COMMENTS

| | |
|------|----|
| DATE | BY |
|------|----|