

PLAT NO. S/D 78-76 MAP NO. 5949

NAME LISA COLE 1ST ADDITION

LOCATION: south side of Rockhill, in an area  
west of Rock Road

ENGINEER Baughman Company

OWNER Max L. Cole

APPLICATION FILED 7-31-78

SKETCH PLAT FILED \_\_\_\_\_

PRELIMINARY FILED 7-31-78

S/D ACTION 3-10-78 approve

FINAL FILED 9-25-78

S/D ACTION 10-5-78 design only for re design

MAPC ACTION 12-7-78 Approves

BCC ACTION 6-5-79 Approved

RECORDED 9-28-79

REMARKS \_\_\_\_\_

S/D (final) 11-30-78 - approve

S/D 78-76 - LISA COLE 1ST ADD'N. - south side of Rockhill, in an area west of Rock Rd., Baughman Company

*POSTED  
8-8-78  
[Signature]*

# ACTION

|                 |                         |      |                 |
|-----------------|-------------------------|------|-----------------|
| 570 COMMITTEE   | (Pulkin) <u>approve</u> | DATE | <u>8-10-78</u>  |
|                 | (Purd) <u>approve</u>   |      | <u>10-5-78</u>  |
| M.A.P.C.        | <u>Approved</u>         |      | <u>12-7-78</u>  |
| B.C.C./B-CO. C. | <u>Approved</u>         |      | <u>6-5-79</u>   |
| S/O (June)      | <u>approve</u>          |      | <u>11-30-78</u> |

Map No. 5949  
Sec. 7  
Twp. 27  
Range 2E

Subdivision Report and Progress

S/D No.: 78-76

Name: LISA COLE 1ST ADDITION

General Location: South side of Rockhill, in an area west of Rock Road.

Owner: Max L. Cole

Address: 2000 E. Lincoln

Zip Code: 67207 Phone: 686-6376

Subdivider: \_\_\_\_\_

Address: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Engineer/Surveyor: Baughman Company

Address: 330 Laura

Zip Code: 67211 Phone: 262-7271

Present Zoning: "R-5"

Proposed Zoning: "R-5"

Assoc. Zone Case: \_\_\_\_\_

M.A.P.C. ACTION: 12-7-78 Approved

Advisory Letter: 12-7-78

APPLICATION RECEIVED: 7-31-78

SKETCH PLAT RECEIVED: none

Letter of Intent: none

PREL. PLAT RECEIVED: 7-31-78

S/D Comm. Action: 8-10-78 approved

Advisory Letter: 8-11-78

Closure Data Submitted: -

Title/Taxes Rec'd. and

Reviewed: 5-7-79

Final Review: 5-18-79

Referral to B.C.C.: 5-29-79

B.C.C. ACTION: 6-5-79 Approval

FINAL PLAT RECEIVED: 9-25-78

S/D Comm. Action: 10-5-78. After index for highway

Advisory Letter: 11-30-78 approved

Advisory Letter: 12-1-78

Tracing Received: 5-7-79

Released for Recording: 6/7/79

Plat Recorded: 9/28/79

Comments:

Sidewalk not required

REGISTER OF DEEDS  
SEDGWICK COUNTY, KANSAS

S/D 78-76  
Map 5949  
no zone case

LISA COLE FIRST ADDITION was  
filed for record on September 28, 1979

Robert J. McCall  
Register of Deeds

T9-302 (2)

Return to: Wichita-Sedgwick County  
Metropolitan Area Planning Department  
(Inter-Office Mail)

T9-328

No. 2153C  
HASTINGS, MN. LOS ANGELES  
LOAN ON - MCDONOUGH TX U. S. A.

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERS

1-28  
29  
30  
31

SUBDIVISION APPROVAL

S/D Number 78-76 Name Lisa Cole 1st Addition  
Application & Sketch Filed: 7-31-78  
Preliminary Plat Filed: 7-31-78 Approved by S/D: 8-10-78  
Final Plat Filed: 9-25-78 Approved by S/D: 11-30-78  
Approved by Metropolitan Area Planning Commission: 12-7-78

DESCRIPTION

General Location: South of Rockhill in an area west of Rock Road.

Surveyor or Engineer: Baughman Company, P.A.  
Owner: C and V Development (Max L. Cole)  
Address: 9000 E. Central, Wichita, Ks. 67207

- |                                       |  |
|---------------------------------------|--|
| 1. Gross Acreage of Plat <u>18.2</u>  | 6. Access Control None                           |
| 2. Number of Lots:                    | St. _____ No. Openings _____                     |
| Residential <u>47</u>                 | St. _____ No. Openings _____                     |
| Commercial _____                      | St. _____ No. Openings _____                     |
| Industrial _____                      | 7. Req'd Improvements                            |
| Other _____                           | St. Paving <u>Required</u> Water <u>Required</u> |
| Total Number of Lots: <u>47</u>       | Sidewalk <u>Required</u> Drainage <u>Not Req</u> |
| 3. Minimum Lot Area: <u>.19</u> Acres | Sewer <u>Required</u> Other _____                |
| 4. Existing Zoning <u>R-5</u>         |  |
| 5. Special Problems Discussed _____   |  |

Valid petitions have been submitted guaranteeing the paving of all streets and the installation of sanitary sewer and City water to serve all lots. A certificate has been submitted certifying the petitions. An acknowledgement has been submitted for sidewalks adjacent to all new streets.

Planning Commission Recommendation:  
That this plat be approved subject to:

*Public - ?  
density = collector  
for the street  
Subwell on N  
let this plat off.*

- The applicant shall submit a restrictive covenant which states that no development shall occur on the lots within the floodway (Lots 6, 7, 8 and 9 in Block 3) until a drainage culvert has been constructed under the railroad south of this site and the floodway has been vacated.
- The applicant shall submit a covenant which states that 4 off-street parking spaces will be provided on each lot which fronts upon a 58-foot street.
- Recording of the plat within 30 days after approval by the Board of City Commissioners.

Bayouth moved, Cole seconded and it carried unanimously. (Hennessy and Taylor were absent).

ACTION: Approve the petitions and instruct the Director of Law to prepare the necessary resolutions and instruct the City Clerk to file the certificate, sidewalk acknowledgement, and restrictive covenants 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.

June 8, 1979

Mr. Max L. Cole  
520 S. Holland #103  
Wichita, Kansas 67209

Re: Sidewalk guarantees for Lisa Cole 1st Addition

Dear Mr. Cole:

In accordance with the current City Commission <sup>policy</sup> on sidewalks, there will be no requirement for sidewalks on any of the streets platted in Lisa Cole 1st Addition. Therefore, we are returning to you the sidewalk acknowledgment which was submitted with the plat.

Sincerely yours,

Louise Olivarez  
Senior Planner

LO:bh

Encl.

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

S/D Number 78-76 Name Lisa Cole 1st Addition  
 Application & Sketch Filed: 7-31-78  
 Preliminary Plat Filed: 7-31-78 Approved by S/D: 8-10-78  
 Final Plat Filed: 9-25-78 Approved by S/D: 11-30-78  
 Approved by Metropolitan Area Planning Commission: 12-7-78

DESCRIPTION

General Location: South of Rockhill in an area west of Rock Road.

Surveyor or Engineer: Baughman Company, P.A.  
 Owner: C and V Development (Max L. Cole)  
 Address: 9000 E. Central, Wichita, Ks. 67207

- |                                       |  |
|---------------------------------------|--|
| 1. Gross Acreage of Plat <u>18.2</u>  | 6. Access Control None                         |
| 2. Number of Lots:                    | St. _____ No. Openings _____                   |
| Residential _____ 47                  | St. _____ No. Openings _____                   |
| Commercial _____                      | St. _____ No. Openings _____                   |
| Industrial _____                      | 7. Req'd Improvements                          |
| Other _____                           | St. Paving Required _____ Water Required _____ |
| Total Number of Lots: <u>47</u>       | Sidewalk Required _____ Drainage Not req _____ |
| 3. Minimum Lot Area: <u>.19</u> Acres | Sewer Required _____ Other _____               |
| 4. Existing Zoning <u>R-5</u>         |  |
| 5. Special Problems Discussed _____   |  |

Valid petitions have been submitted guaranteeing the paving of all streets and the installation of sanitary sewer and City water to serve all lots. A certificate has been submitted certifying the petitions. An acknowledgement has been submitted for sidewalks adjacent to all new streets.

Planning Commission Recommendation:  
 That this plat be approved subject to:

- A. The applicant shall submit a restrictive covenant which states that no development shall occur on the lots within the floodway (Lots 6, 7, 8 and 9 in Block 3) until a drainage culvert has been constructed under the railroad south of this site and the floodway has been vacated.
- B. The applicant shall submit a covenant which states that 4 off-street parking spaces will be provided on each lot which fronts upon a 58-foot street.
- C. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Bayouth moved, Cole seconded and it carried unanimously. (Hennessy and Taylor were absent).

ACTION: Approve the petitions and instruct the Director of Law to prepare the necessary resolutions and instruct the City Clerk to file the certificate, sidewalk acknowledgement, and restrictive covenants 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.

RESTRICTIVE COVENANTS

THIS INDENTURE made and entered into this 23rd  
day of May, 1979.

Declaration of restrictions upon Lisa Cole First Addition to the City of Wichita, Sedgwick County, Kansas, which is a replat of All of Lot Two (2), Block Two (2) of E. E. Jabes Addition to Wichita, Sedgwick County, Kansas.

WITNESSETH:

That C and V Developments, a joint venture, does hereby covenant and agree with the public and other owners in regard to the Lisa Cole First Addition as follows:

1. That the restrictions and covenants hereinafter stated shall run with the land and shall be binding upon all persons owning the lots and parcels in the said addition or claiming unto them until such time as these covenants are terminated as hereinafter set out.

2. Lots Six (6), Seven (7), Eight (8) and Nine (9), Block Three (3) shall be used exclusively for drainage purposes and shall not be used, nor shall construction be begun until such time as the floodway is vacated and a drainage culvert shall be completed under the railroad right-of-way adjacent to southerly border of the property known as Lisa Cole 1st Addition by the City of Wichita, any other governmental department or subdivision or by private development. At such time as the drainage culvert is complete and the floodway vacated the restrictions on use set forth in this Paragraph 2 shall be terminated and of no further force of effect.

3. Four off-street parking spaces shall be provided for each lot which fronts upon Doreen Street, 18th Street North, Winstead Street and Winstead Court at the time of the development of any such lots. The use of the said lots shall not be changed so as to eliminate the said four off-street parking spaces.

*Max L. Cole*  
\_\_\_\_\_  
MAX L. COLE

STATE OF KANSAS     )  
                          ) ss  
COUNTY OF SEDGWICK )

BE IT REMEMBERED, that on this 23rd day of May, 1979, before me, the undersigned, a notary public in and for the county and state aforesaid came MAX L. COLE who are personally known to me to be the same person(s) who executed the foregoing instruments of writing, and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

ESTHER L. PEARSON  
STATE NOTARY PUBLIC  
SEDGWICK CO., KANSAS  
MY APPT. EXPIRES MAY 31, 1980

*Esther L. Pearson*  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: May 31, 1980

CERTIFICATE

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

I, Max L. Cole, owner of  
(give name of proposed plat, if appropriate) \_\_\_\_\_  
Lisa Cole 1st 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
2. Sewer
3. Water
- 4.
- 5.
- 6.
- 7.

As a result of the above-mentioned petitions for  
improvements, lots or portions thereof within \_\_\_\_\_  
Lisa Cole 1st Addition may be subject to special  
assessments assessed thereto for the cost of constructing the  
above-described improvements.

Signed this 1st day of MAY, 1979.

C and V Developments, a Joint  
Venture

Max L. Cole  
Max L. Cole

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

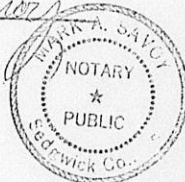
Be it remembered that on this 1st day of MAY,  
1979, before me, a notary public in and for said County and State,  
came Max L. Cole, to me personally  
known to be the same person who executed the foregoing instrument  
of writing and duly acknowledged the execution of same.

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

Mark A. Sawyer  
Notary Public

My Commission Expires:  
4/11/80

T3-207



ACKNOWLEDGEMENT

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

I, Max J. Cole, owner of  
(give name of proposed plat, if appropriate) \_\_\_\_\_  
Lisa Cole 1st

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

1. Doreen
2. 18th St. North
3. Winstead
4. Winstead Ct.
5. 17th St. North
- 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 policy, 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 there of within \_\_\_\_\_

Lisa Cole 1st Addition.

Signed this 1st day of MAY, 1979.

C and V Developments, a Joint  
Venture

Max J. Cole  
Max J. Cole

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

Be it remembered that on this 1st day of MAY, 1979, before me, a notary public in and for said County and State, came Max J. Cole, 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.

Mark A. Snow  
Notary Public

My Commission Expires:

4/14/80



*Louise*

To: Metropolitan Area Planning Dept.  
455 North Main, 10th Floor  
Wichita, Kansas 67202

Attention: Mrs. Louise Olivarez

Project: Lisa Cole Addition  
Wichita, Kansas



We send you herewith  
 Under separate cover  
copy of C & V Developments Joint Venture Agreement, per your request.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

These are:

For your review and approval. Please return \_\_\_\_\_ copies with approval or corrections noted.

For your information.

Reviewed for compliance with contract documents.

Reviewed and required corrections noted.

Revise and resubmit per required corrections.

Rejected.

\_\_\_\_\_

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

By: *Keith E. Parker*  
Keith E. Parker, A.I.A.

Date: May 24, 1979

**Transmittal**

JOINT VENTURE AGREEMENT

This Joint Venture Agreement is made and entered into effective the 2<sup>ND</sup> day of September, 1975, by and between Max L. Cole and Thomas M. Vickers, said parties herein after collectively referred to as "Venturers" or, in the event of individual designation, the parties shall be referred to as "Cole" or Vickers" as the case may be.

RECITALS

The Venturers hereto propose to acquire the property described in Exhibit "A", said property hereinafter sometimes being referred to as the "Venture Property."

The Venturers desire to confirm the existence of a Joint Venture to acquire and otherwise deal with the Venture Property, and to reduce to writing the terms, provisions and conditions relating to the Joint Venture, and for the present limited purpose of acquiring and operating the property described above.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the Venturers hereby create a Joint Venture for the purposes and upon the terms, provisions and conditions hereinafter set forth.

ARTICLE ONE  
NAME AND PLACE OF BUSINESS

The name of the Joint Venture shall be C & V DEVELOPMENTS, and its principal place of business shall be Wichita, Kansas.

ARTICLE TWO  
PURPOSE, TERM AND OWNERSHIP OF THE JOINT VENTURE

2.1 Purpose. The purpose of the Joint Venture shall be to acquire and operate the assets and property described above, and to borrow money and issue evidence of indebtedness in furtherance of any or all of the objects of its business; to secure the

4.3 Bank Accounts. All funds of the Venture shall be deposited in its name in such bank account or accounts as may be designated by the Managing Venturer. Checks shall be drawn upon said account or accounts only for the purposes of the Venture and shall be signed by the Managing Venturer.

ARTICLE FIVE  
MANAGEMENT OF JOINT VENTURE AFFAIRS

5.1 Management. It is agreed that the general ministerial acts relating to the daily business affairs of the Joint Venture, unless expressly provided to the contrary, shall be in the Managing Venturer, to wit: Max L. Cole. The Managing Venturer, may make, execute or deliver any long-term lease of a substantial portion of the Venture Property, sell or convey all or a substantial portion of the Venture Property, or execute a new mortgage or renewal and extension of any existing mortgage, or make secured construction and permanent loans for construction of improvements. Except, the Managing Venturer shall have no authority to:

- a. Do any act in contravention of this agreement;
- b. Do any act which would make it impossible to carry on the business of the Venture;
- c. Possess Venture Property or assign the right of the Venture or its Venturers in specific Venture Property for other than a Venture purpose;
- d. Sell, assign, mortgage or otherwise deal with any of the Venture Property to parties with whom the Managing Venturer has a direct interest in the purchase or mortgage of the Venture Property.

The Managing Venturer shall have the right and power to bind the Venture on his signature. A signed and acknowledged affidavit of the Managing Venturer, reciting that he has authority to undertake any act, which when delivered to any third party, shall be all of the evidence such third party shall need evidencing the capacity of the Managing Venturer, and any such third party shall be entitled to rely upon such affidavit and

shall not be required to inquire further as to any of the facts contained in such affidavit, said facts being deemed to be true insofar as such third party is concerned. After delivering such affidavit, the Managing Venturer, by his signature alone, may sign any instrument and bind the Venture and its property just as though all of the Venturers shall have signed, (however, nothing shall give the Managing Venturer power to make a Venturer personally liable unless the Venturer signs, except in the case of closing the initial transaction as set out herein and limited to the purchase price due in Exhibits "B", "C" and "D"). Vickers agrees if the lending institution requires all Venturers to sign personally to secure funds to close Exhibits "B", "C" and "D", he will execute such notes. The other Venturer's sole remedy for any wrongful act of the Managing Venturer shall be against the Managing Venturer for any damages occasioned by false affidavit, and shall not be against the property, so leased, contracted for, sold, conveyed, or mortgaged. Likewise, nothing shall affect the right which third parties may have received as a result of the ministerial actions of the Managing Venturer.

In this connection, and not by way of limitation, the Managing Venturer is authorized to perform all ministerial acts and to execute any and all documents, contracts, evidences of indebtedness, security agreements, and financing statements, necessary or expedient to carry out and effectuate the purpose of the parties as expressed in this Joint Venture Agreement. The Venture is specifically authorized to assume all of the obligations in connection with the Venture Property, and the signature of the Managing Venturer shall bind the Venture and, if applicable, all of the Venturers individually to said liabilities.

5.2 Matters Requiring Unanimity. In addition to any acts for which unanimity is required by other provisions of this agreement, the unanimous consent of all Venturers shall be required to do any of the following:

- a. To confess a judgment or do any act in contravention of this agreement;

8.7 Counterparts. This agreement may be executed in any number of counterparts and each and all shall be deemed for all purposes one agreement.

8.8 Parties Bound. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, personal representatives, administrators, successors, and assigns (where permitted by this agreement). The death of any Joint Venturer shall not have the effect of terminating or dissolving this Joint Venture, but upon the death of a Joint Venturer, his estate shall succeed to his interest in this Joint Venture and shall be bound by the terms and provisions of this Agreement.

8.9 Condemnation of Venture Property. In the event of the condemnation of any part or all of the Venture Property, the Managing Venturer shall have the option to reduce any loan secured by the Venture Property, or to distribute the condemnation proceeds to the Venturers according to their respective proportionate interest of the total Joint Venture.

EXECUTED at Wichita, Kansas, as of the day and year first above written.



---

MAX L. COLE

"COLE"



---

THOMAS M. VICKERS

"VICKERS"

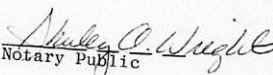
On behalf of C & V Developments, MAX L. COLE  
has the authority to sign and documents regarding  
or pertaining to C & V Developments.

  
MAX L. COLE

STATE OF KANSAS     )  
COUNTY OF SEDGWICK )

On this the 17<sup>th</sup> day of May 1979, before  
me appeared Max L. Cole, personally known to me to be  
the person whose name is subscribed to the within  
instrument and acknowledged that he executed the  
same for the purpose therein contained. In witness  
whereof, I hereunto set my hand and official seal.



  
Notary Public

My Appointment Expires Dec. 12, 1979

# 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 THREE 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:

*Thomas D. [Signature]*  
CHAIRMAN OF THE BOARD

ATTEST:

*Robert [Signature]*  
SECRETARY

COUNTERSIGNED:

BY:

*[Signature]*  
AUTHORIZED SIGNATURE



## 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 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.

1. Effective date: May 1, 1979 @ 7:00 A.M.  
Amount Limited to \$ 250.00

2. Policy or Policies to be issued:  
ALTA Owner's Policy Form A-1970 (Amended 10-17-70)  
(a)  ALTA Owner's Policy Form B-1970 (Amended 10-17-70)  
Proposed Insured: The City of Wichita, a Municipal Corporation

(b) ALTA Loan Policy (Amended 10-17-70)  
Proposed Insured:

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:  
C & V Developments, a Joint Venture

5. The land referred to in this Commitment is situated in the County of Sedgwick,  
State of Kansas, and is described as follows:

Lot 2, Block 2, E. E. JABES ADDITION,  
Wichita, Sedgwick County, Kansas

TO BE PLATTED AS: LISA COLE 1ST ADDITION, Wichita,  
Sedgwick County, Kansas

FIDELITY TITLE COMPANY, INC.

Schedule A consists of 1 pages.  
TSP-113A:9/77 *BT*



SCHEDULE B-1  
(REQUIREMENTS)

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.

(1) Procure and file and record a properly approved and satisfactorily executed Plat of LISA COLE 1ST ADDITION, Wichita, Sedgwick County, Kansas, executed by C & V Developments, a Joint Venture, as fee owner.

(2) 1978 real estate taxes show paid in the amount of \$1,684.27; Key #C-37893.

(3) Company has been furnished with a copy of the proposed plat, which includes utility easements, building setback, minimum pad elevation, floodway and 100 foot Kansas Gas and Electric Company Easement.

FIDELITY TITLE COMPANY, INC.

Schedule B-1 consists of 1 pages.

TSP-113B-1-9/77



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 79 and all subsequent years.
4. **Any restrictions, covenants and conditions to be imposed subsequent to the recordation of the title.**
5. **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.**
6. **Easement over the West 10 feet as shown and granted on the recorded plat of E. E. Jabes Addition for the construction and maintenance of all public utilities.**
7. **Subject to Easement for power line granted to Kansas Gas and Electric Company in instrument recorded in Misc. Book 245 at page 16 and as shown on the recorded plat of E. E. Jabes Addition over the South 100 feet of insured premises.**
8. **10 foot and 25 foot and 30 foot building setback lines shown on the plat of E. E. Jabes Addition.**
9. **The Floodway as indicated on the recorded plat of E. E. Jabes Addition is reserved for drainage purposes. The Floodway shall be the responsibility of the owners of the adjacent property until such time as the governing body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of the drainage. Provided further, that no building shall be constructed on or within said Floodway, nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of the Wichita-Sedgwick County Flood Control Office or their successors of office.**
10. **Described property may be and/or is subject to Special Assessments as disclosed by various instruments.**

FIDELITY TITLE COMPANY, INC.

Schedule B-II consists of 1 pages.

TSP-113 B-II-9/77



**St. Paul  
Title  
Insurance  
Corporation.**

**Commitment  
For Title  
Insurance**

THE CITY OF WICHITA  
OFFICE OF WATER DEPARTMENT

DATE March 29, 1979

TO Jack H. Galbraith, Chief Planner-Current Plans  
FROM Bill H. Otten, Chief Engineer-Water Engineering

SUBJECT Lisa Cole 1st Addition

The plattors of Lisa Cole 1st Addition have submitted valid 100% petitions for water benefit districts to serve this plat. Therefore, our requirements for water service to this area have been fulfilled. The petitions and resolutions will be placed on the City Commission Agenda for approval at your discretion.



Bill H. Otten, Chief Engineer  
Water Engineering Division

BHO:sd

7  
December 14, 1978

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 78-76 - Final plat of Lisa Cole First Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on December 14, 1978, 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 December 1, 1978.

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.
- 5-7-3. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 5-7-3. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
- 5-7. Certification that all taxes due and payable for 1977 and prior years have been paid.

Please call if you have any questions.

Sincerely yours,

Jack H. Galbraith  
Chief Planner  
JHG:bh

cc: Keith Parker, 239 Pattie, Suite 2, 67211  
Max Cole, 9000 E. Lincoln, 67207

DECEMBER 1, 1978

Baughman Company  
330 Laura  
Wichita, Kansas

Re: S/D 78-76 - Final plat of Lisa Cole First Addition  
Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, November 30, 1978, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

*OK 5-20-79*  
A. *Revised by back to Lots 6, 7, 8 & 9 only (5-18-79)*  
The applicant is hereby advised that the existing floodway affecting Lots 3, 4, 6, 7, 8, and 9 in Block 3 cannot be vacated until a larger box drainage culvert is constructed under the railroad. Therefore, the applicant shall submit a restrictive covenant which states that no development shall occur on these lots until the floodway has been released.

*5-10-79*  
B. *petition*  
The applicant shall guarantee the extension of sanitary sewers to serve all lots.

*3-30-79*  
C. *petition*  
The applicant shall guarantee the extension of City water to serve all lots.

*5-10-79*  
D. *petition*  
The applicant shall guarantee the paving of all interior streets.

*5-7-79*  
E. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owners of each lot when request are made for building permits.

*5-7-79*  
F. Doreen, 18th Street, Winstead, and Winstead Court are being platted as 58-foot streets. The applicant shall be prepared to state on which side of each 58-foot street parking is to be allowed. *Parking plan submitted 3-12-79*

- 5-23 g. The applicant shall submit a covenant which states that 4 off-street parking spaces will be provided on each lot which fronts on a 58-foot street. The covenant shall also state which side of the street will have parking.
- OK H. The applicant shall contact Kansas Gas and Electric Company relative to possible additional easement needs on the plat.  
5-7-79 *Blevins said no additional easement needed*
- I. The applicant shall contact the Planning Department relative to appropriate wording on the plat to reference the development restriction on Lots 3, 4, 6, 7, 8, Block 3.
- OK J. 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, December 7, 1978, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely yours,

Curtis L. Newby  
Junior Planner

CLN:bh

cc: Keith Parker, 239 Pattie, Suite 2, 67211  
Max Cole, 9000 E. Lincoln, 67207  
m Dean Sellers, Assistant City Engineer

November 16, 1978

Mr. Keith E. Parker  
239 Pattie, Suite 2  
Wichita, Kansas 67211

Re: Request for Administrative  
Interpretation for the develop-  
ment of a single family residen-  
tial subdivision on Parcel 4 of  
DP-62 Chelsea Station C.U.P.  
(Lot 2, Block 2 of E.E. Jabes  
Addition)

Dear Mr. Parker:

*✓ Plat - Lisa Cole 1st add*

We have reviewed your request for an administrative determination that development of Parcel 4 of the C.U.P. with a conventional single family residential subdivision can be permitted. From our review, we have made a favorable determination that the single family subdivision would not be a significant deviation from the intent of the C.U.P. relative to Parcel 4. This determination is subject to the approval of the replat of this lot as Lisa Cole 1st Addition. ✓

If you have any questions concerning these matters, or our comments, please call.

APPROVED:

*Robert A. Lakin*  
Robert A. Lakin  
Director of Planning

APPROVED:

*Robert B. Feldner*  
Robert Feldner, Superintendent  
of Central Inspection

RAL:JHG:el

cc: Max Cole, 1441 N. Rock Road, 67206  
Robert Feldner, Superintendent of Central Inspection



November 13, 1978

Metropolitan Area Planning Department  
City of Wichita  
455 North Main  
Wichita, Kansas 67202

Re: Lot 2, Block 2  
E. E. Jabes Addition

Gentlemen:

This letter is sent at the developer's request and as part of the replatting requirements for the above referenced tract. As agent for the developer we are requesting that you respectively change the use of subject lot from an existing multi-family use with a density of approximately 12.5 dwelling units per acre to a single family subdivision containing 47 single family lots.

Please advise if there are any problems or if you have any questions in regards to this request.

Sincerely yours,

KEITH PARKER ASSOCIATES



Keith E. Parker, A.I.A.

KEP:ep

cc: Max Cole & Associates

October 10, 1978

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: Subject: S/D 78-76 - Final plat of Lisa Cole  
First Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on October 5, 1978, the above-captioned plat was considered. The action of the Committee was to defer the plat for redesign so that there will be no lots within the existing floodway. Their decision was based on the fact that there was no assurance the floodway would ever be vacated as there were no plans to enlarge the existing box culvert under the railroad and enlarging the box culvert is necessary to eliminate the floodway. They also expressed concern about the possibility of the lots in the floodway being assessed for sewer street pavement and water service when they could not be developed.

If you would like to discuss this matter in more detail, or if you have any questions, please call.

Sincerely yours,

Curtis L. Newby  
Junior Planner

CLN:bh

cc: Max L. Cole, 9000 East Lincoln, 67207  
Dean Sellers, Assistant City Engineer

final plat  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. S/D 78-76 Name LISA COLE 1ST ADDITION  
Date Application Rec'd. 7/31/78 Preliminary Approval 8/10/78  
Scheduled S/D Meeting 10/5/78

DESCRIPTION

General Location South side of Rockhill in an area west of Rock Road.

Owner L. Cole  
Surveyor/Engineer Baughman Company  
Address 330 Laura, Wichita, Kansas 67211 Phone 262-7271

- |   |                    |                                      |          |
|---|--------------------|--------------------------------------|----------|
| 1. Gross Acreage of Plat                          | 18.2               | 7. Lineal Feet of New Streets:       |          |
| 2. Number of Lots:                                |                    | a. 58 R/W                            | 1900 ft. |
| Residential                                       | 47                 | b. 64 R/W                            | 700 ft.  |
| Commercial  |                    | c. R/W                               | ft.      |
| Industrial  |                    | d. R/W                               | ft.      |
| Other   |                    | e. R/W                               | ft.      |
| Total Number of Lots                              | 47                 | TOTAL                                | 2600 ft. |
| 3. Minimum Lot Frontage                           | 45 ft.             | 8. Sidewalk adjacent to all streets? | X yes no |
| 4. Minimum Lot Area                               | 8,160 sq. ft.      |                                      |          |
| 5. Existing Zoning                                | R-5                |                                      |          |
| 6. Proposed Zoning                                | R-5                |                                      |          |
| 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                               | X                  | Three-Mile Area                      |          |

STAFF COMMENTS:

- A. The applicant is hereby advised that the existing floodway affecting Lots 3, 4, 6, 7, 8, and 9 in Block 3 cannot be vacated until a larger box drainage culvert is constructed under the railroad and this may not be done for many years. Therefore, the applicant shall submit a restrictive covenant which states that no development shall occur on these lots until the floodway has been released.
- B. This property corresponds to Parcel 4 of the Chelsea Station C.U.P. (DP-62). The applicant shall request an administrative adjustment to the C.U.P. which states that single family residences are in compliance with the approved uses for Parcel 4.
- C. The applicant shall guarantee the extension of sanitary sewers to serve all lots.
- D. The applicant shall guarantee the extension of City water to serve all lots.
- E. The applicant shall guarantee the paving of all interior streets.
- F. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.
- G. Doreen, 18th Street, Winstead, and Winstead Court are being platted as 58-foot streets. The applicant shall be prepared to state on which side of each 58-foot street parking is to be allowed.
- H. The applicant shall submit a covenant which states that 4 off-street parking spaces will be provided on each lot which fronts on a 58-foot street. The covenant shall also state which side of the street will have parking.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Henry

DATE: August 10, 1978

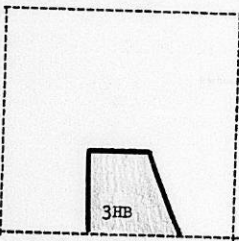
PROPERTY NAME: Lisa Cole 1st Addition

LOCATION: South side of Rockhill in an area west of Rock Road

MAILED TO: Baughman Company  
330 Laura  
Wichita, Kansas 67211

PREPARED BY: Larry L. Henry  
District Conservationist  
USDA-Soil Conservation Service  
4100 Maple, Wichita, Kansas  
942-8422 67209

REQUESTED BY: Wichita-Sedgwick County  
Metropolitan Area Planning  
Commission



Scale: 4" equals 1 mile  
NE $\frac{1}{4}$  7-27-2E

Situation and/or Problems:

The Rosehill soil is highly erosive  
and needs a cover at all times.  
This soil is thin to shale so the  
topsoil is critical to keep in place.

| <u>Symbols</u> | <u>Class</u> | <u>Soil</u>                                  | <u>SOILS LEGEND</u> | <u>Brief Description</u>  | <u>Hydro Group</u> |
|----------------|--------------|--|---------------------|---|--------------------|
| 3HB            | IIIc-3       | Rosehill silty clay<br>1 to 3 percent slopes |                     | Moderately deep and shallow,<br>gently sloping, well drained<br>soils on uplands. These soils<br>have medium to rapid runoff and<br>low available water capacity.<br>Permeability is slow and very<br>slow. <u>Prime agricultural land.</u> | D                  |

SOIL INTERPRETATIONS

| <u>Symbol</u> | <u>Class</u> | <u>Soil</u>                                      | <u>Item</u>              | <u>Limitation</u> | <u>Reason</u>                |
|---------------|--------------|--|--------------------------|-------------------|------------------------------|
| 3B2           | IIIc-3       | Roskill silty<br>clay - 1 to 3<br>percent slopes | Dwellings                | Severe            | Shrink-Swell<br>Low-Strength |
|               |              |  | Local Roads<br>& Streets | Severe            | Low Strength<br>Shrink-Swell |

RECOMMENDATIONS:

1. Disturb only the area needed for construction.
2. Stockpile topsoil and protect it with anchored straw mulch or jute mat material.
3. Disturbing as small an area as possible, install streets, curbs, water mains, electric and telephone cables, storm drains, and sewers in advance of home or other building construction.
4. Temporarily stabilize each segment of graded or otherwise disturbed land by seeding and mulching or by mulching alone. Permanently stabilize these areas as work on the land is completed. Both temporary and permanent stabilization practices are to be installed according to the Sedgwick County Conservation District standards and specifications.
5. Loose-pile material that is excavated for building construction purposes. Keep it loose-piled until it is used for foundation backfill or until the lot is ready for final grading and permanent vegetation.
6. Stabilize each lot within 60 days after work starts on home or other building construction.
7. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
8. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316-942-8422.

If you have any questions or if we can be of additional assistance, don't hesitate to call on us.

August 11, 1978

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 78-76 - Preliminary plat of Lisa Cole 1st Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, August 10, 1978, 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 be advised that the existing floodway affecting Lots 3, 4, 6, 7, 8 and 9 cannot be released until a larger box drainage culvert is constructed under the railroad and there are no present plans for this to be done. Therefore, the plat may be redesigned so that no lots are in the floodway, or the applicant shall submit a restrictive covenant to run with the property involved which provides that no change in grade, fill, or development will occur on the lots in the floodway until such time as the floodway has been released from said lots. The Department of Public Works should be contacted regarding this matter.
- B. ✓ Penrose Street and Court shall be relabeled as Winstead and Winstead Court on the final plat.
- C. This property corresponds to Parcel 4 of the Chelsea Station C.U.P. (DP-62). The applicant shall request an administrative adjustment to the C.U.P. which states that single family residences are in compliance with the approved uses for Parcel 4.
- D. The applicant shall guarantee the extension of sanitary sewer and City water to serve each lot being platted.
- E. The applicant shall guarantee the paving of all interior streets.

Baughman Company  
August 11, 1978  
Page 2

- F. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.
- G. Easement as shown on the marked engineer's copy of the preliminary plat shall be indicated on the final plat.
- H. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:bh  
Encl.

cc: Max L. Cole, 9000 E. Lincoln, 67207  
Dean Sellers, Assistant City Engineer

Baughman Company  
August 11, 1978  
Page 2

- F. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.
- G. Easement as shown on the marked engineer's copy of the preliminary plat shall be indicated on the final plat.
- H. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:bh  
Encl.

cc: Max L. Cole, 9000 E. Lincoln, 67207  
Dean Sellers, Assistant City Engineer

SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. S/D 78-76 Name LISA COLE 1ST ADDITION  
 Date Application Rec'd. July 31, 1978 Preliminary Approval \_\_\_\_\_  
 Scheduled S/D Meeting 8-10-78

DESCRIPTION

General Location South side of Rockhill in an area west of Rock Road.

Owner Max L. Cole  
 Surveyor/Engineer Baughman Company, 330 Laura, Wichita, Ks. 67211  
 Address 330 Laura, Wichita, Kansas 67211 Phone 262-7271

- |   |  |
|---|--|
| 1. Gross Acreage of Plat <u>18.2</u>  | 7. Lineal Feet of New Streets:           |
| 2. Number of Lots:  | a. <u>58</u> R/W <u>1900</u> ft.         |
| Residential <u>47</u>   | b. <u>64</u> R/W <u>700</u> ft.          |
| Commercial _____  | c. _____ R/W _____ ft.                   |
| Industrial _____  | d. _____ R/W _____ ft.                   |
| Other _____   | e. _____ R/W _____ ft.                   |
| Total Number of Lots <u>47</u>  | TOTAL <u>2600</u> ft.                    |
| 3. Minimum Lot Frontage _____ ft.   | 8. Sidewalk adjacent to all              |
| 4. Minimum Lot Area <u>60*</u> ft.  | streets? <u>Yes</u> <u>yes</u> <u>no</u> |
| 5. Existing Zoning <u>R-5</u>   |  |
| 6. Proposed Zoning <u>R-5</u>   |  |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>     |  |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> |  |
| 11. Health Department Approval (where applicable) _____ (Yes-No)            |  |
| 12. City of Wichita _____ : Three-Mile Area _____                           |  |

STAFF COMMENTS:

- A. This property corresponds to Parcel 4 of the Chelsea Station C.U.P. (DP-62). The applicant shall request an administrative adjustment to the C.U.P. which states that single family residences are in compliance with the approved uses for Parcel 4.
- B. Several lots in Block 3 (Lots 3, 4, 6, 7, 8 and 9) are within the boundaries of an existing floodway and cannot be developed until the drainage improvements east of this property have been completed. The applicant and representatives of the Department of Public Works shall be prepared to comment on this matter.
- C. The applicant shall guarantee the extension of sanitary sewer and City water to serve each lot being platted.
- D. The applicant shall guarantee the paving of all interior streets.
- E. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.

Curt

Jim says the plans for drainage for the Keith Parker Plat are being returned by the Rail Road for modification. There is not much problem and Jim says as soon as they are approved, they will let the contract.

He agrees that we should leave the "floodway" indicated on the plat, that in the text we could try some wording that the "floodway" is no longer required upon the completion of "Storm Water Sewer # 112".

Also, that a covenant that the lots are not to be built on until Storm Water Sewer # 112 is completed.

JH



Map No.: 5949  
Section No.: 7  
Twp. No.: 27  
Range: 2-E

S/D No. 78-76

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Lisa Cole 1st Addition  
General Location: south of Rockhill and west of Rock Rd.  
Name of Property Owner: Max L. Cole  
Address: 9000 E. Lincoln Phone: 686-6376  
Name of Subdivider: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Name of Agent/Surveyor: Baughman Company  
Address: 330 Laura Phone: 262-7271  
Date of Application: July 31, 1978

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 19.2
  2. Number of Lots:
    - Residential 47
    - Commercial \_\_\_\_\_
    - Industrial \_\_\_\_\_
    - Other \_\_\_\_\_
    - Total Number of Lots 47
  3. Minimum Lot Frontage 60 \* ft.
  4. Minimum Lot Area 8,000 sq. ft.
  5. Existing Zoning R-5
  6. Proposed Zoning R-5
  7. Lineal Feet of New Streets:
    - a. 58 R/W 1900 ft.
    - b. 64 R/W 700 ft.
    - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
    - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
    - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
    - TOTAL 2600 ft.
  8. Sidewalk adjacent to all streets?  yes  no
- \* At building setback line.
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 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: City Developments by Max L. Cole

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

Received by Paul Newby  
Date 7/31/78  
Fee Submitted \$ 188.00

FORM 2-021

PAYMENT NOTICE  
City of Wichita

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

| DESCRIPTION             | AMOUNT       |
|-------------------------|--------------|
| Subdivision Application | 145.00       |
| See Code 1st Add        |              |
| NAME                    | Brimshaw Co  |
| ADDRESS                 | 330 Lane     |
| FUND                    | DUE DATE     |
| 11-00-000-0007          | -000-000-000 |
| COMMENTS                |              |
| DATE                    | BY           |
| 7/1/70                  | [Signature]  |

RESTRICTIVE COVENANTS

THIS INDENTURE made and entered into this 10th  
day of MAY, 1979.

Declaration of restrictions upon Lisa Cole  
First Addition to the City of Wichita, Sedgwick County,  
Kansas, which is a replat of All of Lot Two (2), Block  
Two (2) of E. E. Jabes Addition to Wichita, Sedgwick  
County, Kansas.

WITNESSETH:

That C and V Developments, a joint venture,  
does hereby covenant and agree with the public and other  
owners in regard to the Lisa Cole First Addition as  
follows:

1. That the restrictions and covenants  
hereinafter stated shall run with the land and shall be  
binding upon all persons owning the lots and parcels in  
the said addition or claiming unto them until such time  
as these covenants are terminated as hereinafter set out.

2. Lots Six (6), Seven (7), Eight (8) and Nine  
(9), Block Three (3) shall be used exclusively for  
drainage purposes and shall not be used, nor shall  
construction be begun until such time as a drainage  
culvert shall be completed under the railroad  
right-of-way adjacent to southerly border of the property  
known as Lisa Cole 1st Addition by the city of Wichita,  
any other governmental department or subdivision or by  
private development. At such time as the drainage  
culvert is complete the restrictions on use set forth in  
this Paragraph 2 shall be terminated and of no further  
force or effect.

3. Four off-street parking spaces shall be  
provided for each lot which fronts upon Doreen Street,  
18th Street North, Winstead Street and Winstead Court at  
the time of the development of any such lots. The use of  
the said lots shall not be changed so as to eliminate the  
said four off-street parking spaces.

  
MAX L. COLE

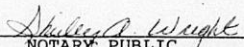
STATE OF KANSAS            )  
                                  ) ss  
COUNTY OF SEDGWICK    )

BE IT REMEMBERED, that on this 10th day of  
May, 1979, before me, the undersigned, a  
notary public in and for the county and state aforesaid,  
came MAX L. COLE

who are personally known to me to be the same person(s)  
who executed the foregoing instruments of writing, and  
such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto  
subscribed my name and affixed my official seal, the day  
and year last above written.



  
NOTARY PUBLIC

My commission expires: My Appointment Expires Dec. 12, 1979

