

PLAT NO. S/D 80-51 MAP NO. 5745

NAME SLOTHOWER ADDITION

LOCATION: South side of Harry, in an area east of Terrace.

ENGINEER Professional Engineering Consultants, P.A. (G. Wiley)

OWNER Commonwealth - Slothower Theatre Corp.

APPLICATION FILED 7-11-80

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

PRELIMINARY FILED 7-11-80

S/D ACTION 7-24-80 *approve*

FINAL FILED 7-25-80

S/D ACTION 8-7-80 *approve*

MAPC ACTION 8-14-80 *approve*

BCC ACTION 7-9-80 *Approved*

RECORDED 10-29-80

REMARKS DP-100 & Z-2200

S/D 80-51 - SLOTHOWER ADDITION -  
South side of Harry, in an area  
east of Terrace. P.E.C., P.A.  
(Gary Wiley)

*POSTED*  
*7-16-80*

DATE

*7-24-80*

*8-1-80*

*8-14-80*

**ACTION**

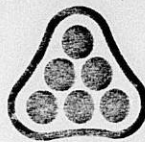
S/D COMMITTEE (*Initial*) *approve*  
S/D (*final*) *approve*  
M.A.P.C. *approve*  
B.C.C./B.C.C.C. *Approved* *9-9-80*



**DIRECTORS**

C. O. KNOP, P.E.  
R. B. FEUGH, P.E.  
C. J. FREUND, P.E.  
W. H. HELTNER, P.E.  
R. D. PLETCHER, P.E.  
F. D. MIDDLETON, JR., P.E.  
D. E. MALTBIE, P.E.  
M. D. SCHWABER, P.E.

*Received 7-2-80*



**PROFESSIONAL  
ENGINEERING  
CONSULTANTS**  
PROFESSIONAL ASSOCIATION

July 1, 1980

Steve Lackey, Design Chief Engineer  
Engineering Division, Department of Public Works  
7th Floor - City Hall  
455 N. Main  
Wichita, Kansas 67202

RE: Meadowlark Addition - Drainage Concept  
PEC File No. 30-79151-1081

Dear Mr. Lackey:

The Meadowlark C.U.P. has been approved with the following General Provision #4:

Drainage: At the time of platting, the applicant shall submit a Drainage plan for the entire development and guarantee drainage improvements as may be required. The difference between developed 100 year storm water runoff and undeveloped 100 year storm water runoff shall be detained on the property and released at a rate not to exceed the undeveloped 100 year storm water runoff.

The "undeveloped" runoff has been calculated based on the area soil type and as a pasture in good condition. This would be identical to the adjacent golf course condition. The runoff flow rate is 31 cfs.

The proposed multi-family residential development is assumed to be 50% impervious and 50% open area. The flow rate is calculated to be 58 cfs for the design storm (100 year, 6 hour).

The detention volume required is 2.8 acre - feet. Attached are copies of the calculations. Also attached are calculations for the outlet pipe.

The attached Drainage Concept provides for a detention pond with a minimum capacity of 2.8 acre feet, and 1' freeboard. The entire site is to be graded to drain into the pond (except a 10' strip adjacent to the west and east property lines).

The Drainage Plan will be submitted for review and approval prior to submission of the Final Plat.

Very Truly Yours,

*Richard W. Linn*  
Richard W. Linn, P.E.  
Manager, Land Development

cc: Mike Lindebak  
Tom Allen  
Louise Olivarez

1440 EAST ENGLISH  
WICHITA, KANSAS 67211  
(316) 262-2691

*Tell Linn we need different name on plat.*

November 16, 1983

Donald C. Gisick, City Clerk

Forrest L. Nagley, Junior Planner

Release of letters of credit submitted in conjunction with the platting of Slothower Addition. (Credit Numbers CU-I 9867 SB and CU-I 9868 SB)

On November 15, 1983, the Board of City Commissioners received and filed letters of credit associated with the approval of Georgetown Addition. This plat is a replat of Slothower Addition. The above-referenced letters of credit may be released as they have been superceded by the recently obtained Georgetown letters of credit.

The original letters of credit should be returned to Commonwealth Theatres, Inc., Attention: Raymond H. Beikman, 215 W. 18th Street, Kansas City, Missouri, 64108.

Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Commonwealth Theatres, Inc., Attention: Raymond H.  
Beikman, 215 W. 18th St., Kansas City, Mo., 64108  
United Missouri Bank, P.O. Box 226, Kansas City, Missouri,  
64141

September 16, 1983

Commonwealth Theatres, Inc.  
Attention: Raymond H. Beikman  
215 W. 18th Street  
Kansas City, Missouri 64108

Re: Irrevocable letters of credit submitted in conjunction  
with the platting of Slothower Addition. (Credit  
Number CU-I 9867 and CU-I 9868 S.B.)

Dear Mr. Beikman:

Thank you for your letter of September 7, 1983. We are aware that Georgetown Partnership is the new owner of Slothower Addition. The new owner is nearing the completion of replatting the property. In conjunction with this replatting, new guarantees for the improvements you originally guaranteed are being required. As soon as the new owner submits these guarantees and the Board of City Commissioners "receives and files" them on behalf of the City, we will promptly release the original guarantees submitted with Slothower Addition.

I will, as you have requested, mail the original letters of credit to you directly. As for the timing when I will be able to release them, that depends on when the new owners meet their platting requirements and the plat is reviewed by the City Commission. Should you have any questions, please feel free to call me at (316) 268-4421.

Sincerely,

Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Georgetown Partnership, Building #1, 555 N. Woodlawn,  
67208  
United Missouri Bank, P.O. Box 226, Kansas City, Mo.,  
64141  
Professional Engineering Consultants, P.A., Attention:  
Gary Wiley, 355 Ellis, 67211

# Commonwealth Theatres, Inc.



215 WEST EIGHTEENTH ST. • KANSAS CITY, MISSOURI 64108 • PHONE (816) 474-3050

September 7, 1983

Forrest L. Nagley  
Wichita-Sedgewick County Metropolitan  
Planning Commission  
City Hall - 10th Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: Irrevocable Letters of Credit Submitted In  
Conjunction With Platting Of Slothower Addition  
(Credit Nos. CU I 9867 And 9868 S.B.)

Dear Mr. Nagley:

This is to advise you that the sale of the Slothower Addition was completed on June 2, 1983. The new owner is Goergetown Partnership, 555 North Woodlawn, Building 1, Wichita, Kansas 67208. To evidence this transaction, enclosed is a copy of Warranty Deed dated May 31, 1983 conveying the property to Goergetown Properties, a Kansas General Partnership.

Therefore as referenced above, please return the original Letters of Credit to my attention at this office to enable us to return them to the bank for cancellation. As the bank is pressing us on this matter, a prompt reply would be sincerely appreciated. Thank you.

Sincerely yours,

Raymond H. Beikman

RB/rm

Encl.

RECEIVED

SEP - 9 1983

METROPOLITAN PLANNING

ROUTE

# WARRANTY DEED

This Deed Witnesseth, That COMMONWEALTH-SLOTHOWER THEATRE CORP.,

a Corporation organized and existing under the laws of the State of Kansas ----- and having its principal place of business in Jackson ----- County, Missouri -----, Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable considerations, ----- does by these presents, SELL and CONVEY unto

----- GEORGETOWN PARTNERSHIP, a Kansas General partnership, ----- whose mailing address is: 555 North Woodlawn, Building 1, Wichita, Kansas 67208, ----- Grantee--, its successors heirs and assigns the following land situate in Wichita, Sedgwick County, Kansas, to-wit:

Lot 1, Block 1, SLOTHOWER ADDITION to Wichita, Sedgwick County, Kansas; subject, however, to easements, restrictions and other matters of record;

This Deed is delivered upon the condition that Grantee, by its acceptance hereof (evidenced by the recording of this Deed), consents and agrees for itself and its successors in title, with Grantor as follows: that no part of the property, or any buildings or improvements of any kind thereon, shall be used, or permitted to be used, in whole or in part, directly or indirectly or in any guise whatever, as a drive-in theatre, drive-in motion picture theatre, theatre, motion picture theatre, or like commercial amusement facility, for a period of twenty (20) years following the recording of this Deed; that this restriction shall run with the land and shall bind Grantee and its successors in title; and that if Grantee or any of its successors in title to the property or any part thereof, shall violate this restriction, it shall be lawful for Grantor, its successors and assigns, to prosecute any appropriate proceeding at law or in equity against the person or persons violating or attempting to violate the restriction to prevent such person or persons from doing so, provided that such remedy shall be deemed cumulative, and shall not be deemed in limitation of any other right or remedy available to Grantor, its successors and assigns, at law or in equity.

TO HAVE AND TO HOLD, The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining, unto said Grantee-- and unto its successors ----heirs and assigns forever; said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that it has good right to convey the same; that said premises are free and clear from any incumbrance done or suffered by it ~~or those under whom it claims~~ and that it will warrant and defend the title to said premises unto said Grantee-- and unto its successors ----heirs and assigns forever, against the lawful claims and demands of all persons claiming under it; except as above stated and except the lien of general taxes and special assessments, and installments thereof for 1983 and all subsequent years.

IN WITNESS WHEREOF, said Grantor has caused these presents to be executed under its seal, pursuant to due authority, this 31st day of May 1983.

(Corporate Seal)

Attest

David H. Krause, Secretary

COMMONWEALTH-SLOTHOWER THEATRE CORP.

By

Dale N. Stewart, President

In the State of Missouri ----, County of Jackson ---, on this 31st day of May 1983, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Reserved for Recorder of Deeds

DALE N. STEWART --- to me personally known, who being by me duly sworn did say that he is -- President of the Grantor Corporation in the foregoing deed, and that the seal thereto affixed is the Corporate Seal of said Corporation and that said deed was signed and sealed in behalf of said Corporation by authority of its Board of Directors and said DALE N. STEWART acknowledged said deed to be the free act and deed of said corporation.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

(N.P. Seal)

Notary Public

My Term Expires

10/10/83

September 10, 1982

Donald C. Gisick, City Clerk  
Forrest L. Nagley, Junior Planner

Forwarding of amendments to letters of credit  
associated with Slothower Addition (S/D 80-51)

Attached please find the above-referenced documents to  
be held in your files until such time as their release  
is authorized by either Planning or City Engineering.

Forrest L. Nagley  
Junior Planner

FLN:bh

Attachment

# Commonwealth Theatres, Inc.



215 WEST EIGHTEENTH ST • KANSAS CITY, MISSOURI 64108 • PHONE (816) 474-3050  
September 8, 1982

RECEIVED

SEP 9 1982

METROPOLITAN PLANNING  
ROUTE  Nagley

DAVID H. KRAUSE  
VICE PRESIDENT  
AND TREASURER

Attn: Forrest L. Nagley  
Wichita-Sedgewick County Metropolitan  
Planning Commission  
City Hall - 10th Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: Irrevocable Letters of Credit Submitted In Conjunction  
With Platting Of Slothower Addition (Credit Nos. CU I 9867  
And 9868 S.B.)

Dear Mr. Nagley:

As you requested in your letter dated August 23, 1982, we are pleased to enclose Amendments to our Irrevocable Letters of Credit Nos. CU-I 9867 S.B. and CU-I 9868 S.B. issued in favor of the City of Wichita in connection with the proposed construction of a major entrance to Harry Street and a sidewalk with fencing to Griffith School on our property in the Slothower Addition. I believe you will find these Amendments to be in accordance with your letter. However, if anything further is needed, please let us know.

Sincerely yours,

Dave Krause

DK:jfr

Attachments

CC: Richard Orear  
O.H. Reesman  
Greg Knowles

TELEX NO. 4-2572.  
ANSWERBACK: "UMBKCN KSC."

 **United Missouri bank  
of Kansas city, n.a.**  
Post Office Box 274  
Kansas City, Missouri 64101 U.S.A.

INTERNATIONAL DEPARTMENT  
CABLE ADDRESS: "CINAT."  
September 2 19 82

RE: IRREVOCABLE LETTER OF CREDIT NO. CU-I 9868 S.B.

AMENDMENT NO. ONE

TO:  
City of Wichita  
State of Kansas

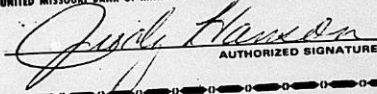
IN ACCORDANCE WITH INSTRUCTIONS RECEIVED FROM Commonwealth-Slothower Theatre Corp.  
215 W. 18th St.  
Kansas City, Mo. 64108

FOR ACCOUNT OF:  
Commonwealth-Slothower Theatre Corp.  
WE HEREBY AMEND THE AFOREMENTIONED CREDIT, ISSUED IN YOUR FAVOR, AS FOLLOWS:

1. In the statement required under item No.1, the date of August 14, 1982, is changed to read August 14, 1984.
2. Expiry date extended to October 15, 1984.

ALL OTHER CONDITIONS REMAINING UNCHANGED.  
AS THIS LETTER IS TO BE CONSIDERED A PART OF THE AFOREMENTIONED CREDIT INSTRUMENT, IT SHOULD BE ATTACHED THERETO.

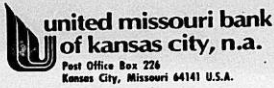
UNITED MISSOURI BANK OF KANSAS CITY, NATIONAL ASSOCIATION

  
AUTHORIZED SIGNATURE

ORIGINAL

UMB 211318

TELEX NO. 4-2572.  
ANSWERBACK: "UMBKCN KSC."



INTERNATIONAL DEPARTMENT  
CABLE ADDRESS: "CINAT:"

September 2 19 82

RE: IRREVOCABLE LETTER OF CREDIT NO. CU-I 9867 S.B.

AMENDMENT NO. ONE

TO:  
City of Wichita  
State of Kansas

IN ACCORDANCE WITH INSTRUCTIONS RECEIVED FROM Commonwealth-Slothower Theatre Corp.  
215 W. 18th St.  
Kansas City, Mo. 64108

FOR ACCOUNT OF:  
Commonwealth-Slothower Theatre Corp.  
WE HEREBY AMEND THE AFOREMENTIONED CREDIT, ISSUED IN YOUR FAVOR, AS FOLLOWS:

1. In the statement required under item No.1, the date of August 14, 1982, is changed to August 14, 1984.
2. Expiry date extended to October 15, 1984.
3. Letter of Credit amount increased by US\$830.00.

ALL OTHER CONDITIONS REMAINING UNCHANGED.

AS THIS LETTER IS TO BE CONSIDERED A PART OF THE AFOREMENTIONED CREDIT INSTRUMENT, IT SHOULD BE ATTACHED THERETO.

UNITED MISSOURI BANK OF KANSAS CITY, NATIONAL ASSOCIATION

AUTHORIZED SIGNATURE

ORIGINAL

UMB 211318

August 23, 1982

Commonwealth-Slothower Theatre Corp.  
215 W. 18th Street  
Kansas City, Missouri 64108

Re: Irrevocable letter of credit submitted in conjunction  
with the platting of Slothower Addition. (Credit num-  
bers CU-I 9867 and 9868 S.B.)

Gentlemen:

Your letter of credit guaranteeing the construction of a major entrance to Harry Street and a sidewalk with fencing to Griffith School on Slothower Addition are in default. The terms of the guarantees reference completion dates of August 14, 1982. To date this work remains uncompleted.

Since the use of this property has remained the same and no new development has occurred, we can authorized a two-year extension of time to complete the required improvements provided an amendment to your letter of credit is submitted which references the following:

Credit No. CU-I 9867 (sidewalk):

- A. New dollar amount of \$4,330.00 (provide for inflationary factor);
- B. New completion or default date of August 14, 1984;
- C. New expiration or negotiation date of October 15, 1984.

Credit No. CU-I 9868 (major entrance):

- A. New completion or default date of August 14, 1984;
- B. New expiration or negotiation date of October 15, 1984;
- C. Existing \$6,000.00 amount is adequate.

Please have your bank draft these amendments and submit them as soon as possible, but, no later than September 14, 1982.

Commonwealth-  
Slothower Theatre Corporation  
Page 2  
August 23, 1982

Should you have any questions, please feel free to call me at (316)  
268-4421.

Sincerely,

Forrest L. Nagley  
Junior Planner

FLN:bh

cc: United Missouri Bank, P.O. Box 226, Kansas City Mo., 64141

November 12, 1980

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

Z-2200 - Zone change "AA" to "R-6"; and  
S/D 80-51 - Slothower Addition

At the regular meeting of the Board of City Commissioners on April 22, 1980, the above captioned request for zone change was considered and approved, subject to platting and C.U.P., 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 September 9, 1980.

This is to advise you that the final plat of Slothower Addition was recorded with the Register of Deeds on October 29, 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 80-51                      Name Slothower Addition  
Application & Sketch Filed: 7-11-80  
Preliminary Plat Filed: 7-11-80                      Approved by S/D: 7-24-80  
Final Plat Filed: 7-25-80                      Approved by S/D: 8-7-80  
Approved by Metropolitan Area Planning Commission: 8-14-80

DESCRIPTION

General Location: South side of Harry in an area west of Clapp Park

Surveyor or Engineer: Professional Engineering Consultants

Owner: Commonwealth-Slothower Theatre Corporation

Address: 215 W. 18th Street, Kansas City, Missouri 64108

- |  |                       |                       |
|--|-----------------------|-----------------------|
| 1. Gross Acreage of Plat <u>20+</u>    | 6. Access Control     |                       |
| 2. Number of Lots                      | St. <u>Harry</u>      | No. Openings <u>2</u> |
| Residential <u>1</u>                   | St. _____             | No. Openings _____    |
| Commercial _____                       | St. _____             | No. Openings _____    |
| Industrial _____                       | 7. Req'd Improvements |                       |
| Other _____                            | St. Paving _____      | Water _____           |
| Total Number of Lots: <u>1</u>         | Sidewalk _____        | Drainage _____        |
| 3. Minimum Lot Area: <u>19.7 acres</u> | Sewer _____           | Other _____           |
| 4. Existing Zoning: <u>AA</u>          |                       |                       |
| 5. Special Problems Discussed: _____   |                       |                       |

Z-2200 "AA" to "R-6" and DP-100 Meadowlark residential C.U.P. have been approved subject to platting. Sewer and water exist to serve the site and Harry is paved. The applicant has submitted a petition for a decel lane and major entrance on Harry and a certificate confirming the petition. A \$6000.00 letter of credit guaranteeing that portion of the major entrance which is on private property has also been submitted. Several private easements between the Park Board and this property have been submitted for recording as has an easement from Slothower Addition across park property to Griffith School. The platator has submitted a \$3500.00 letter of credit guaranteeing construction of a sidewalk within this pedestrian easement and the fencing of the easement. An avigational easement and restrictive noise covenant have also been submitted. A covenant providing for the maintenance of a storm water detention system has been submitted for recording.

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

Bayouth moved, Hennessy seconded and it carried unanimously. Jones, Lofton, Martens and Shook were absent.

ACTION: Receive and file the letters of credit; approve the petition and instruct the Director of Law to prepare the necessary resolution; accept the avigational easement and instruct the City Clerk to file the easement, noise covenant, maintenance covenant, pedestrian access easement, certificate of petitions and two private easements 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.



ORIGINAL

# united missouri bank of kansas city, national association

Post Office Box 226, Kansas City, Missouri 64141 Telephone (816) 556-7000

DATE August 25, 1980

PLEASE ADDRESS REPLY TO  
INTERNATIONAL DEPARTMENT

AMOUNT: US\$6,000.00

CABLE ADDRESS "CINAT"  
TELEX 4-2872  
"UMBKCN-KSC"

TO:

IRREVOCABLE LETTER OF CREDIT NO. CU-I 9868 S.B.

CITY OF WICHITA  
State of Kansas

WE HEREBY ISSUE IN YOUR FAVOR OUR IRREVOCABLE LETTER OF CREDIT FOR ACCOUNT OF Commonwealth-Slothower Theatre Corp., 215 W. 18th St., Kansas City, Mo. 64108 UP TO AN AGGREGATE AMOUNT OF US\$ SIX THOUSAND U.S. DOLLARS

AVAILABLE BY DRAFTS DRAWN AT SIGHT ON UNITED MISSOURI BANK OF KANSAS CITY, N.A., KANSAS CITY, MISSOURI AND ACCOMPANIED BY THE FOLLOWING DOCUMENTS:

1. A signed statement from the City of Wichita, Kansas, reading as follows:

"The drawing under this Letter of Credit #CU-I 9868 S.B. is due to default or failure to perform by Commonwealth-Slothower Theatre Corp., the following improvements on or before August 14, 1982. The improvements are: construction of a major entrance in Slothower Addition, a subdivision located in the City of Wichita, State of Kansas."

ALL DRAFTS UNDER THIS CREDIT MUST BE MARKED "DRAWN UNDER UNITED MISSOURI BANK OF KANSAS CITY, N.A. LETTER OF CREDIT NO. CU-I 9868 S.B." AND BE PRESENTED TO US IN KANSAS CITY, MISSOURI, ON OR BEFORE October 15, 1982.

WE HEREBY AGREE WITH YOU THAT ALL DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WILL BE DULY HONORED UPON PRESENTATION AND DELIVERY OF DOCUMENTS AS SPECIFIED TO US.

THIS CREDIT IS SUBJECT TO UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1974 REVISION) INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 290.

UNITED MISSOURI BANK OF KANSAS CITY, N.A.  
KANSAS CITY, MISSOURI

  
(AUTHORIZED SIGNATURE)

ORIGINAL

  
**united missouri bank**  
of kansas city, national association

Post Office Box 226, Kansas City, Missouri 64141 Telephone (816) 556-7000

DATE August 25, 1980

CABLE ADDRESS "CINAT"  
TELEX 4-2572  
"UMBKCN-KSC"

PLEASE ADDRESS REPLY TO  
INTERNATIONAL DEPARTMENT

AMOUNT: US\$3,500.00

TO:  
CITY OF WICHITA  
State of Kansas

IRREVOCABLE LETTER OF CREDIT NO. CU-I 9867 S.B.

WE HEREBY ISSUE IN YOUR FAVOR OUR IRREVOCABLE LETTER OF CREDIT FOR ACCOUNT  
OF Commonwealth-Slothower Theatre Corp., 215 W. 18th St., Kansas City, Mo. 64108  
UP TO AN AGGREGATE AMOUNT OF US\$ THREE THOUSAND FIVE HUNDRED U.S. DOLLARS  
AVAILABLE BY DRAFTS DRAWN AT SIGHT ON UNITED  
MISSOURI BANK OF KANSAS CITY, N.A., KANSAS CITY, MISSOURI AND ACCOMPANIED BY THE  
FOLLOWING DOCUMENTS:

1. A signed statement from the City of Wichita, Kansas, reading as follows:

"The drawing under this Letter of Credit #CU-I 9867 S.B. is due to  
default or failure to perform by Commonwealth-Slothower Theatre Corp.,  
the following improvements on or before August 14, 1982. The improvements  
are: sidewalk and fencing of pedestrian easement to Griffith School in  
Slothower Addition, a subdivision located in the City of Wichita, State  
of Kansas."

ALL DRAFTS UNDER THIS CREDIT MUST BE MARKED "DRAWN UNDER UNITED MISSOURI BANK OF  
KANSAS CITY, N.A. LETTER OF CREDIT NO. CU-I 9867 S.B." AND BE  
PRESENTED TO US IN KANSAS CITY, MISSOURI, ON OR BEFORE October 15, 1982.

WE HEREBY AGREE WITH YOU THAT ALL DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE  
TERMS OF THIS CREDIT WILL BE DULY HONORED UPON PRESENTATION AND DELIVERY OF  
DOCUMENTS AS SPECIFIED TO US.

THIS CREDIT IS SUBJECT TO UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS  
(1974 REVISION) INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 290.

UNITED MISSOURI BANK OF KANSAS CITY, N.A.  
KANSAS CITY, MISSOURI

  
(AUTHORIZED SIGNATURE)

CERTIFICATE

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

I, Commonwealth - Slothower Theatre Corp., owner of  
(give name of proposed plat, if appropriate) \_\_\_\_\_  
Slothower 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. Major entrance and decel lane
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

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

Signed this 22 day of August, 1980.  
Commonwealth - Slothower Theatre Corp.

Jackson Kansas City  
City of ~~WICHITA~~  
Sedgwick County) ss  
State of ~~Kansas~~  
Missouri

Dale N. Stewart  
President

Be it remembered that on this 22nd day of August  
1980, before me, a notary public in and for said County and State,  
came Dale N. Stewart, President, 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.

Dale N. Stewart  
Notary Public

My Commission Expires:  
12/10/83



RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING Slothower ADDITION

THIS DECLARATION made this 22nd day of August, 1980 by Commonwealth - Slothower, hereinafter called the Grantor. Theatre Corp.

WITNESSETH

WHEREAS, Grantor is owner of Slothower Addition to Wichita, Kansas, which property is located near McConnell Air Force Base and is accordingly subject to considerable noise from the operation of aircraft, and is exposed at times to aircraft noise which may infringe upon a resident's enjoyment of property and may, depending upon the degree of accoustical treatment of the dwelling, affect his health and/or well being, and

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

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

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

EXECUTED the date and year first above written.

Commonwealth - Slothower  
Theatre Corp.

Dale N. Stewart, pres  
Dale N. Stewart, President

STATE OF Missouri)  
Jackson COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid Commonwealth - Slothower Theatre

Corp. By

Dale N. Stewart, President

to me personally known to be the same person(s) who executed the foregoing instrument of writing and said person(s) duly acknowledged the execution thereof.

Dated at Kansas City, Missouri, this 22nd day of August, 19 80.

John W. Stutley J  
Notary Public

(SEAL)

(My Appointment expires 6/10/83)

COVENANT

This Declaration made this 22nd day of August, 1980,  
by Commonwealth - Slothower Theatre Corp., hereinafter called Declarant,

WITNESSETH

Whereas, Declarant is owner of Slothower Addition to Wichita, Sedgwick County, Kansas

and

Whereas, the undersigned wishes to plat said property as Slothower Addition to Wichita, Sedgwick County, Kansas and whereas it is required in connection therewith that a Covenant for maintenance of a storm water detention system be placed of record:

Now, Therefore, Declarant hereby declares and covenants that Lot 1, Block 1, Slothower Addition to Wichita, Sedgwick County, Kansas will maintain a storm water detention system as required by DP-100, Meadowlark Residential Community Unit Plan, and in accordance with the approved drainage plan for Slothower Addition, on file in the office of the Director of Engineering, City of Wichita. In the event declarant fails to properly maintain said storm water detention system, the Director of Operations and Maintenance, City of Wichita, shall have the authority to order maintenance of said detention system and assess all work to the owner(s) of record.

This covenant is binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title to the above described property.

EXECUTED the day and year first above written.

Commonwealth - Slothower Theatre Corp.

Dale N. Stewart, President  
Dale N. Stewart, President

State of Missouri)  
Jackson County)

Personally appeared before me, a Notary Public in and for the County and State aforesaid, Commonwealth - Slothower Theatre Corp., by Dale N. Stewart to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Kansas City, Missouri this 22nd day of August, 1980.

John W. Bentley, Jr.  
Notary Public

(My Commission Expires 6/10/83)

EASEMENT

THIS EASEMENT made this 22nd day of August, 19 80,  
by and between Commonwealth - Slothower Theatre Corp.  
of the first part and the Board of Park Commissioners  
of the second part.

WITNESSETH: That the said first part y, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing access road and drainage ditch, over, along and under the following described real estate situated in Sedgwick County, Kansas, to-wit:

Beginning at the Southeast Corner of Lot 1, Block 1, Slothower Addition to Wichita, Sedgwick County, Kansas; thence bearing N 0° 19' 16" E along the east property line of said lot 1 a distance of 216.0 feet; thence bearing S 89° 55' 02" W a distance of 35.0 feet; thence bearing S 0° 10' 16" W a distance of 102.0 feet to the P.C. of a curve to the right, having a chord bearing of S 45° 02' 39" W; thence along said curve to the right having a radius of 114.5 feet through a central angle of 89° 44' 46" and an arc distance of 179.4 feet to a point on the south line of said lot 1; thence bearing N 89° 55' 02" E along said south line a distance of 149.0 feet to the point of beginning.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such access road and drainage ditch.

IN WITNESS WHEREOF: The said first part y has signed these presents the day and year first written.

Commonwealth - Slothower  
Theatre Corp.  
Dale N. Stewart  
DALE N. STEWART

STATE OF Missouri  
Jackson COUNTY) SS

Personally appeared before me a Notary Public in and for the County and State aforesaid Commonwealth - Slothower Theatre Corp.

By Dale N. Stewart, Pres.  
Dale N. Stewart, President

to me personally known to be the same person        who executed the foregoing instrument of writing and said person        duly acknowledged the execution thereof.

Dated at Kansas City, Missouri this 22 day of August, 19 80.

John W. [Signature]  
Notary Public

(My Commission Expires 6/10/83)

EASEMENT

THIS EASEMENT made this 11th day of August, 1980,  
by and between the Board of Park Commissioners  
of the first part and Commonwealth - Slothower Theatre Corporation  
of the second part.

WITNESSETH: That the said first party, in consideration of the sum of \$1.00 and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey unto the said second party, its assigns and its successors in interest, a perpetual right-of-way and easement for the purpose of constructing, maintaining and repairing drainage sewer over, along and under the following described real property situated in Sedgwick County, Kansas, to-wit:

A.20 foot drainage easement centered on a line described as follows:

Beginning at a point on the south line and 334.0 feet west of the Southeast Corner of Lot 1, Block 1, Slothower Addition to Wichita, Sedgwick County, Kansas; said south line of lot 1 having a bearing of S 89° 55' 02" W; thence bearing S 56° 04' 58" E a distance of 82.5 feet; thence bearing S 18° 04' 58" E a distance of 240.0 feet.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such drainage sewer.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

ATTEST:

The Board of Park Commissioners of  
the City of Wichita, Kansas

Lucille Brierly  
Lucille Brierly, Park Board Clerk

by: Michael D. Gragert  
Michael D. Gragert, President

STATE OF KANSAS)  
SEDGWICK COUNTY) SS

Personally appeared before me a Notary Public in and for the County and State aforesaid Michael D. Gragert, President of the Board of Park Commissioners of the City of Wichita, Kansas

to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof..

Dated at Wichita, Kansas this 11<sup>th</sup> day of August, 1980.

Donna M. Middleton  
Notary Public

(My Commission Expires November 3, 1983)



PEDESTRIAN ACCESS EASEMENT

THIS EASEMENT made this 11th day of August, 19 80,  
by and between the Board of Park Commissioners  
of the first part and Unified School District No. 259 (Wichita)  
of the second part. Sedgwick County, Kansas

WITNESSETH: That the said first party y, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing a sidewalk and easement fencing for pedestrian access to the adjacent school site, over and along the following described real estate situated in Sedgwick County, Kansas, to-wit:

Beginning at a point on the north line of the SW 1/4 of the NE 1/4 of Sec. 35, Twp. 27S., R.1 E., of the 6th P.M., 552.2' East of the West line of said NE 1/4; thence east along said north line a distance of 125'; thence south 10'; thence west 125'; thence north 10' to the point of beginning.

The Pedestrian Access Easement shall not become a part of a plat; should the school site no longer be used for school purposes, that said Easement shall terminate and become null and void; and maintenance of the Easement, when put to use, shall be the responsibility of the second party.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sidewalk and fencing.

IN WITNESS WHEREOF: The said first part y ha s signed these presents the day and year first written.

ATTEST:

The Board of Park Commissioners of the  
City of Wichita, Kansas

Lucille Brierly  
Lucille Brierly, Park Board Clerk

By: Michael D. Gragert  
Michael D. Gragert, President

STATE OF KANSAS)  
SEDGWICK COUNTY) SS

Personally appeared before me a Notary Public in and for the County and State aforesaid Michael D. Gragert, President of the Board of

Park Commissioners of the City of Wichita, Kansas

to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita, Kansas this 11<sup>th</sup> day of August, 19 80.

Donna M. Middleton  
Notary Public

(My Commission Expires November 3, 1983)



## CHICAGO TITLE INSURANCE COMPANY

### COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

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

Issued by:  
THE SECURITY ABSTRACT &  
TITLE COMPANY, INC.  
434 North Main Street  
Wichita, Kansas 67202  
(316) 267-8371

CHICAGO TITLE INSURANCE COMPANY

*Alvin W. Long*  
President.

ATTEST:

*Chester C. McCullough*  
Secretary.

*David A. Haudin*  
Authorized Signatory



## CONDITIONS AND STIPULATIONS

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

SCHEDULE A

Number  
290883

Effective Date  
August 22, 1980, at 7:00 A.M.

1. Owners Policy to be issued: ALTA Form B - 1970 Amount:  
(Amended 10-17-70)  
Proposed Insured:

Metropolitan Area Planning Department

- Loan Policy to be issued: ALTA Form 1970 Amount:  
(Amended 10-17-70)  
Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

Commonwealth-Slothower Theatre Corp., a Kansas corporation

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

The East Half of the North Half of the West Half of the Northeast Quarter of Section 35, Township 27 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas, except the North 36½ feet thereof condemned for road purposes in Sedgwick County District Court Case No. C-22706.

## SCHEDULE B

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

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): 1979 Tax \$10,152.14 paid. Key #C-11177-75-A.
9. Terms and conditions of Lease dated February 28, 1950, by and between The Fourth National Bank of Wichita, Kansas, Trustee under the Will of Charles Leo Driscoll, Deceased; Charles Leo Driscoll and Betty Sue Driscoll, his wife, and Willis K. Lamme and Suzanne Driscoll Lamme, his wife, Lessors, and T. H. Slothower and Merta Slothower, his wife, Lessees, filed September 8, 1952, in Book Misc. 293, Page 379, leasing the premises here in question for a term of years; and Assignment of said Lease executed by Truman H. Slothower and Merta R. Slothower, husband and wife, to Slothower Theatres, Inc., by instrument dated November 30, 1960, filed July 2, 1973, on Film 65, Page 502.
10. Kansas Mortgage dated July 2, 1973, executed by Commonwealth-Slothower Theatre Corp., to Charles Leo Driscoll and Suzanne P. Lamme, filed June 2, 1973, on Film 65, Page 482, which states that it secures a debt in the principal sum of \$400,000.00.

**THE CITY OF WICHITA**

**OFFICE OF** Park Board

**DATE** August 29, 1980

**TO** Louise Olivarez, Junior Planner, MAPD

**FROM** Thomas P. Allen, Jr., Director

**SUBJECT** Slothower Addition -  
Easements

I am forwarding herewith an executed copy of an easement from the Board of Park Commissioners to Commonwealth-Slothower Theater Corporation for a 20 foot drainage easement in connection with the final platting of the Slothower Addition. This easement is being delivered in exchange for an easement from Commonwealth-Slothower Theater Corporation to the Board of Park Commissioners for a portion of the southeast corner of the Slothower property for access road and drainage purposes, an executed copy of which I understand is in your possession.

I am also enclosing an executed copy of a pedestrian access easement from the Board of Park Commissioners to Unified School District No. 259 (Wichita) Sedgwick County, Kansas.

It is my understanding that you will proceed to have all of the subject easements recorded with the Register of Deeds, and forward the original recorded copies to the appropriate parties. I wish to also request that copies of the two easements being forwarded herewith be made after recording, and sent to my attention.

If there are any questions, please let me know.

*Thomas P. Allen, Jr.*  
Thomas P. Allen, Jr.  
Director

TPA:dm  
Encls.

*original recorded documents will be returned by Dick Linn of P.O.C. who will furnish copies to Allen.*

*Original recorded document of access easement to be returned to Allen.*

*These return instructions given to City Clerk with the documents.*

August 15, 1980

Gary Wiley, P.E.C., P.A.  
355 Ellis  
Wichita, Kansas 67211

Re: S/D 80-51 - Final plat of Slothower Addition

Dear Mr. Wiley:

8-28 ✓  
At the regular meeting of the Metropolitan Planning Commission on August 14, 1980, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved subject to the conditions stated in our letter of August 8, 1980, plus the added condition that the usual avigational easement and restrictive noise covenant be required.

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. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 8-28 ✓ 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.
- 8-28 ✓ 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:hh

cc: Commonwealth-Slothower Theatre Corp., 215 W. 18th St.,  
Kansas City, Mo. 64108

August 8, 1980

Professional Engineering Consultants, P.A.  
Gary Wiley  
355 Ellis  
Wichita, Ks. 67211

Re: S/D 80-51 Final plat of Slothower Addition

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, August 7, 1980, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

*received  
8-28-80*

*need  
petition  
from  
Engineering*

- A. The pedestrian easement connecting this property with Griffith Elementary School shall be finalized between the Park Board and the School Board and shall be recorded. The document granting the easement shall specify who will maintain the easement.
- B. The applicant shall submit a guarantee for construction of a sidewalk within the pedestrian easement and for appropriate fencing of the easement. *\$3500<sup>00</sup> letter of credit*
- C. The applicant shall guarantee the construction of a major entrance into the site from Harry as well as a decal lane on Harry into the major entrance. *\$6000<sup>00</sup> letter of credit for that*
- D. If it is proposed that each dwelling unit will be individually owned, a Homeowners' Association Agreement providing for the maintenance and improvement of drainage facilities, non-public common areas, parking areas, private drives, community facilities, etc., shall be submitted.
- E. 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.

P.E.C., P.A.  
8-8-80  
Page 2

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, August 14, 1980, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Louise Olivarez  
Senior Planner

LO:bh

cc: Commonwealth-Slothower Theatre Corp., 215 W. 18th St.  
Kansas City, Mo. 64108  
Dean Sellers, Acting City Engineer

Louis

8/4/80

Halden, Wesley, Allen, Wiley, Linn

7' 3" fence chain type -

Ent PK Rd to 259 width - ? 10' max  
4' walk.

- Developer will be required for construction of walk & fence.  
~~See~~ ? <sup>see</sup> ~~guarantee~~ w/ CUP or hard guarantee.  
Drainage is feasible -

Assumed maint <sup>USD</sup> 259

All Meadow Lake Theatre Plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 80-51 Name Slothower Addition  
Date Application Rec'd. 7-11-80 Preliminary Approval 7-24-80  
Scheduled S/D Meeting 8-7-80

DESCRIPTION

General Location South side of Harry in an area east of Terrace  
as extended from the north  
Owner Commonwealth-Slothower Theatre Corp.  
Surveyor/Engineer Professional Engineering Consultants, P.A (Gary Wiley)  
Address 355 Ellis, 67211 Phone 263-1107

- 1. Gross Acreage of Plat 20.26 acres
- 2. Number of Lots:
  - Residential 1
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other \_\_\_\_\_
- 3. Minimum Lot Frontage 665.65 ft.
- 4. Minimum Lot Area 19.7 acres+
- 5. Existing Zoning AA
- 6. Proposed Zoning R-6
- 7. Lineal Feet of New Streets:
  - a.          R/W          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   x   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 X : Three-Mile Area \_\_\_\_\_

STAFF COMMENTS:

- A. One condition of preliminary plat approval was that the applicant determine (by meeting with USD 259, the Park Board, and the Director of Planning) whether or not pedestrian access across the south line of the plat would be permitted. This would require an easement across park property into the rear of the Griffith Elementary School site. School officials have indicated a desire for such a pedestrian easement. The easement will need to be fenced and provisions made for maintaining the easement area. The applicant's representative shall be prepared to discuss the status of this easement. If an easement is obtained, a fencing guarantee and a maintenance covenant will be required.
- B. The applicant's representative shall be prepared to discuss the status of the arrangements being made with the Park Board regarding the existing park roadway at the SE corner of this plat.
- C. The applicant shall guarantee the construction of a major entrance into the site from Harry as well as a decel lane on Harry into the major entrance.
- D. If it is proposed that each dwelling unit will be individually owned, a Homeowners' Association Agreement providing for the maintenance and improvement of drainage facilities, non-public common areas, parking areas, private drives, community facilities, etc., shall be submitted.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.

*This covenant requested  
by Flood Control*

COVENANT

This Declaration made this \_\_\_\_\_ day of \_\_\_\_\_, 1980,  
by Commonwealth - Slothower Theatre Corporation, hereinafter called Declarant,

WITNESSETH

Whereas, Declarant is owner of Slothower Addition to Wichita, Sedgwick County,  
Kansas

and

Whereas, the undersigned wishes to plat said property as Slothower Addition  
to Wichita, Sedgwick County, Kansas and whereas it is required in connection  
therewith that a Covenant for maintenance of a storm water detention system be  
placed of record:

Now, Therefore, Declarant hereby declares and covenants that Lot 1, Block 1,  
Slothower Addition to Wichita, Sedgwick County, Kansas will maintain a storm  
water detention system as required by DP-100, Meadowlark Residential Community  
Unit Plan, and in accordance with the approved drainage plan for Slothower  
Addition, on file in the office of the Director of Engineering, City of Wichita.  
In the event declarant fails to properly maintain said storm water detention  
system, the Director of Operations and Maintenance, City of Wichita, shall have  
the authority to order maintenance of said detention system and assess all work  
to the owner(s) of record.

This covenant is binding on the owner, their heirs, or successors or  
assigns and is a covenant running with the land and is binding on all successors  
in title to the above described property.

EXECUTED the day and year first above written.

Commonwealth - Slothower Theatre Corp.

\_\_\_\_\_

State of Missouri)  
County)

Personally appeared before me, a Notary Public in and for the County  
and State aforesaid, Commonwealth - Slothower Theatre Corp., by \_\_\_\_\_  
\_\_\_\_\_ to me personally known to be the same person who  
executed the foregoing instrument of writing and said person duly acknowledged  
the execution thereof.

Dated at Kansas City, Missouri this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public

(My Commission Expires \_\_\_\_\_)

*7-29-80*

7-29-80

Stothamer Add.

This AM I discussed with Gary Wiley the fact that his drainage concept shows a detention pond in the SW corner of the plat which is the same location as the pedestrian access easement to the school. He said that in all probability there would be no detention pond. The drainage waters will be held on site in the parking lots.

If a pond is constructed, it might be at a different location. The drainage concept simply shows what amount of water needs to stay on site because it is in excess of current runoff and it shows what size pond and outfall would be needed.

L.O.

**IMPORTANT MESSAGE**

FOR Louise  
DATE 7-25 TIME 9:00 A.M.  
P.M.

WHILE YOU WERE AWAY  
Richard Holcomb

is interested in selection  
OF access to Griffith School

PHONE No. 7701

|                   |                    |                                     |
|-------------------|--------------------|-------------------------------------|
| TELEPHONED        | PLEASE CALL        | <input checked="" type="checkbox"/> |
| CALLED TO SEE YOU | WILL CALL AGAIN    | <input type="checkbox"/>            |
| WANTS TO SEE YOU  | RETURNED YOUR CALL | <input type="checkbox"/>            |

MESSAGE Griffith School  
Central  
Elementary Administration  
Leonard Wesley

SIGNED [Signature] 7819

**DIRECTORS**

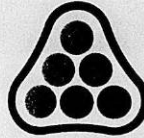
C. O. KNOP, P.E.  
R. B. FEUGH, P.E.  
C. J. FREUND, P.E.  
W. H. KULTNER, P.E.  
R. D. FLETCHER, P.E.  
F. D. MIDDLETON, JR., P.E.  
D. E. MALTBY, P.E.  
M. D. SCHWAKER, P.E.

RECEIVED

JUL 29 1980

METROPOLITAN PLANNING

ROUTE  Course  
 \_\_\_\_\_



PROFESSIONAL  
ENGINEERING  
CONSULTANTS  
PROFESSIONAL ASSOCIATION

July 28, 1980

Tom Allen, Director of Parks  
11th Floor, City Hall  
455 N. Main  
Wichita, Kansas 67202

RE: Pedestrian Access Easement Slothower Addition (Meadowlark C.U.P.)  
PEC File No. 30-79151-1081

Dear Mr. Allen:

The approved Meadowlark C.U.P. contains the following General Provision No. 11:

11. Fencing:

A five foot to eight foot high fence shall be constructed along the east, except for the north 25 feet, and south property lines. The fencing may be of woven wire, wood or similar materials, provided that it is constructed in such a manner that pedestrian access is prohibited. One point of pedestrian access may be permitted in the west 200' of the south property line, provided that written approval is obtained from the Wichita Park Board, Unified School District No. 259 and the Director of Planning. Pedestrian access may be permitted to the east with written agreements between the Park Board and the Developer (owner).

Mr. Robert Lakin, Director of Planning, has requested that we proceed with the securing of a pedestrian access easement during the platting process. The easement will extend from the southwest corner of the Slothower Addition, along the north edge of the Golf Course property, to the northeast corner of the Griffith Elementary School site. Attached is a sketch showing the location of the proposed access easement.

Dr. Richard Holstead, U.S.D. #259, has indicated his approval of the pedestrian access.

Please place this item on the Board of Park Commissioners August 7, 1980 agenda for their consideration.

If additional information is desired, please contact me.

Very Truly Yours,

Richard W. Linn, P.E.  
Manager, Land Development

cc: Robert Lakin  
Dr. R. Holstead  
Louise Olivarez NO ATTACHMENT

1440 EAST ENGLISH  
WICHITA, KANSAS 67211  
(316) 262-2691

July 25, 1980

Gary Wiley, P.E.C.  
355 Ellis  
Wichita, Ks. 67211

Re: S/D 80-51 - Preliminary plat of Slothower Addition

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 24, 1980, 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. Prior to filing a final plat the applicant shall meet with Flood Control in order to reach agreement on the issue of whether or not a maintenance covenant is required for the proposed storm water detention facility.
- B. The applicant shall guarantee the construction of a major entrance to Harry along with a deceleration lane.
- C. The final plat shall indicate a 25-foot perimeter building setback.
- D. If it is proposed that each dwelling unit will be individually owned, then a Homeowners' Association Agreement providing for the maintenance and improvement of drainage facilities, non-public common areas, parking areas, private drives, community facilities, etc., shall be submitted.
- E. Pedestrian access from this site to the property to the south and east was discussed at the time of C.U.P. approval. Provision 11 states that: "One point of pedestrian access may be permitted in the west 200 feet of the south property line, provided that written approval is obtained from the Wichita Park Board, Unified School District No. 259 and the Director of Planning. Pedestrian access may be permitted to the east with written agreement between the Park Board and the developer (owner)."  
No final plat shall be submitted until such time as the pedestrian easement issue is resolved.

Gary Wiley, P.E.C  
July 25, 1980  
Page 2

- F. Prior to final plat approval, satisfactory arrangements shall be made between the Board of Park Commissioners and the applicant regarding the roadway encroachment on the applicant's property. *to be discussed at Park Board meeting 8-11-80*
- G. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- 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 have any questions concerning this matter, please call.

Sincerely,

Forrest L. Nagley  
Junior Planner

cc: Commonwealth-Slothower Theatre Corp, 215 W. 18th, Kansas  
City, Mo. 64108  
Dean Sellers, Acting City Engineer  
PAUL JOHNSON, FLOOD CONTROL

RECEIVED

JUL 23 1980

THE CITY OF WICHITA

OFFICE OF PUBLIC WORKS ENGINEERING      DATE July 22, 1980

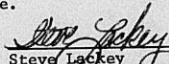
METROPOLITAN PLANNING  
ROUTE              
 Louis

TO                    Jack Galbraith, Chief Planner  
FROM                 Steve Lackey, Design Chief Engineer

SUBJECT             Slothower Addition  
                         Drainage Plan

Professional Engineering Consultants have submitted a satisfactory drainage plan for the Slothower Addition. The design consists of a detention pond, which will limit the flow downstream. The flow will be either equal to or less than predeveloped flow.

If you have any questions, please advise.

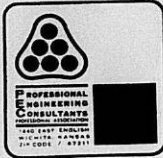
  
\_\_\_\_\_  
Steve Lackey  
Design Chief Engineer

SL:md

cc: Kristen Hart, P.E.C.

*Louis*

# MEMO



TO: Steve Lackey  
Design Chief Engineer  
City Hall - 7th Floor  
455 N. Main  
Wichita, Kansas 67202

PROJECT NO. 30-79151-1081

PROJECT: Slothower Addition

COPIES TO:

ATTN: \_\_\_\_\_

DATE: July 16, 1980

Paul Johnston  
Louise Olivarez  
Mike Lindebak  
Dick Linn

FROM: Kristen Harr

REFERENCE: Drainage Plan

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Enclosed is the Drainage Plan for Slothower Addition. The drainage plan is based on the calculations as submitted with the drainage concept. We anticipate filing the Final Plat on July 25, 1980, and would appreciate any comments prior to the above date. Should any additional information be required in your review of the plan, please contact Dick Linn or myself.

July 18, 1980

Keith Sanborn  
2008 Reed  
Wichita, Kansas 67218

Re: S/D 80-51 - Slothower Addition  
South side of Harry, in an area  
east of Terrace.

Dear Mr. Sanborn:

This is to advise you and those receiving a copy of this letter that the above captioned plat has been filed and is scheduled for consideration by the Subdivision Committee of the Planning Commission on July 24, 1980. This plat is associated with the Community Unit Plan submitted on the theatre site south of Harry and west of Clapp Park.

Enclosed is a copy of the agenda and staff comments. If you have any questions, please contact us.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:el

(Enclosures)

cc: Mendell Butler, 4040 Countryside Plaza, Wichita 67218  
Ronald Davis, 4320 East Pawnee, Wichita, 67218  
James A. Duncan, 4301 East Mt. Vernon, 67218  
Howard Boys, 3415 East Skinner, Wichita, 67218

Preliminary plat  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 80-51 Name Slothower Addition  
Date Application Rec'd. 7-11-80 Preliminary Approval  
Scheduled S/D Meeting 7-24-80

DESCRIPTION

General Location South side of Harry in an area east of Terrace *no extended*  
*from the north*  
Owner Commonwealth-Slothower Theatre Corp.  
Surveyor/Engineer Professional Engineering Consultants, P.A. (Gary Wiley)  
Address 355 Ellis, 67211 Phone 263-1107

- |   |  |
|---|--|
| 1. Gross Acreage of Plat <u>20.26 Acres</u>                                 | 7. Lineal Feet of New Streets:             |
| 2. Number of Lots:  | a. <u>        </u> R/W <u>        </u> ft. |
| Residential <u>        1        </u>  | b. <u>        </u> R/W <u>        </u> ft. |
| Commercial <u>        </u>  | c. <u>        </u> R/W <u>        </u> ft. |
| Industrial <u>        </u>  | d. <u>        </u> R/W <u>        </u> ft. |
| Other <u>        </u>   | e. <u>        </u> R/W <u>        </u> ft. |
| Total Number of Lots <u>        1        </u>                               | TOTAL <u>0</u> -new <u>        </u> ft.    |
| 3. Minimum Lot Frontage <u>665.65</u> ft.                                   | 8. Sidewalk adjacent to all                |
| 4. Minimum Lot Area <u>19.7 acres+</u>                                      | streets? <u>        </u> yes <u>X</u> no   |
| 5. Existing Zoning <u>AA</u>  |  |
| 6. Proposed Zoning <u>R-6</u>   |  |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>     |  |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> |  |
| 11. Health Department Approval (where applicable) <u>        </u> (Yes-No)  |  |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u>        </u>              |  |

STAFF COMMENTS:

Note: This property is subject to an approved residential Community Unit Plan (DP-100). "R-6" zoning has been approved for the site subject to platting (Z-2200).

- A. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept plan.
- B. The applicant shall guarantee the construction of a major entrance to Harry along with a deceleration lane.
- C. The final plat shall indicate a 25-foot perimeter building setback.
- D. If it is proposed that each dwelling unit will be individually owned, then, a Homeowners' Association Agreement providing for the maintenance and improvement of drainage facilities, non-public common areas, parking areas, private drives, community facilities, etc., shall be submitted.
- E. Provision 10 of the associated Community Unit Plan states: "Appropriate firelane easements will be considered at the time of platting..." It further specifies that said firelanes shall be a minimum of 24 feet in width. The representatives of the Fire Department and Traffic Engineering should come prepared to advise the Committee as to the desired location of the required firelanes.
- F. Pedestrian access from this site to the property to the south and east was discussed at the time of C.U.P. approval. Provision 11 states that: "One point of pedestrian access may be permitted in the west 200 feet of the south property line, provided that written approval is obtained from the Wichita Park Board, Unified School District No. 259 and the Director of Planning. Pedestrian access may be permitted to the east with written agreement between the Park Board and the developer (owner)." With this

(Over)

C.U.P. provision in mind, the applicant should come prepared to advise the Committee regarding his efforts and desire to establish the above mentioned potential pedestrain access points.

- G. As can be noted in the southeast corner of the preliminary plat, an existing park service road encroaches the applicant's property. The applicant and a Park Department representative should come prepared to discuss the possibility of establishing an access easement to cover this existing roadway.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- I. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

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

S/D No. 80-57

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Slothower Addition

General Location: ~~At Terrace on the south side of Harry~~ IN AN AREA EAST OF  
TERACE

Name of Property Owner: Commonwealth - Slothower Theatre Corp.  
Address: 215 W. 18th Street K.C. Missouri Zip Code: 64108 Phone: 816-474-3050

Name of Subdivider: Same

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

Name of Engineer/Surveyor: Professional Engineering Consultants, P.A. (Gary Wiley) Land Des. Dist.

Address: 1440 E. English - 355 ELLIS Zip Code: 67211 Phone: 263-1107

Date of Application: \_\_\_\_\_

SUBDIVISION INFORMATION:

- |   |                                |
|---|--------------------------------|
| 1. Gross Acreage of Plat <u>20.26 Acres</u>   | 7. Linear Feet of New Streets: |
| 2. Number of Lots:  | a. _____ R/W _____ ft.         |
| Residential <u>1</u>  | b. _____ R/W _____ ft.         |
| Commercial _____  | c. _____ R/W _____ ft.         |
| Industrial _____  | d. _____ R/W _____ ft.         |
| Other _____   | e. _____ R/W _____ ft.         |
| Total Number of Lots <u>1</u>   | TOTAL "0" New _____ ft.        |
| 3. Minimum Lot Frontage <u>665.65</u> ft.   | 8. Are Sidewalks existing?     |
| 4. Minimum Lot Area <u>19.7 Acres +</u>   | Yes _____ No <u>x</u>          |
| 5. Existing Zoning <u>AA</u>  |                                |
| 6. Proposed Zoning <u>R-6</u>   |                                |
| 9. Is a public water supply available? <u>x</u> Yes _____ No, Name <u>City of Wichita</u>         |                                |
| 10. Is a sanitary sewer available? <u>x</u> Yes _____ No, Name <u>City of Wichita</u>             |                                |
| 11. Has Health Department approval been obtained (where applicable) <u>N/A</u> Yes _____ No _____ |                                |
| 12. City of Wichita <u>x</u> Three Mile Area _____ Outside of Wichita _____                       |                                |

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 for by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

COMMONWEALTH-SLOTHOWER THEATRE CORP.

Owner's Signature: \_\_\_\_\_

By: Robert H. Stewart President

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

Received by FUN  
Date 7/11/58  
Fee Submitted \$205.00

T9-301B  
(7-79)

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

