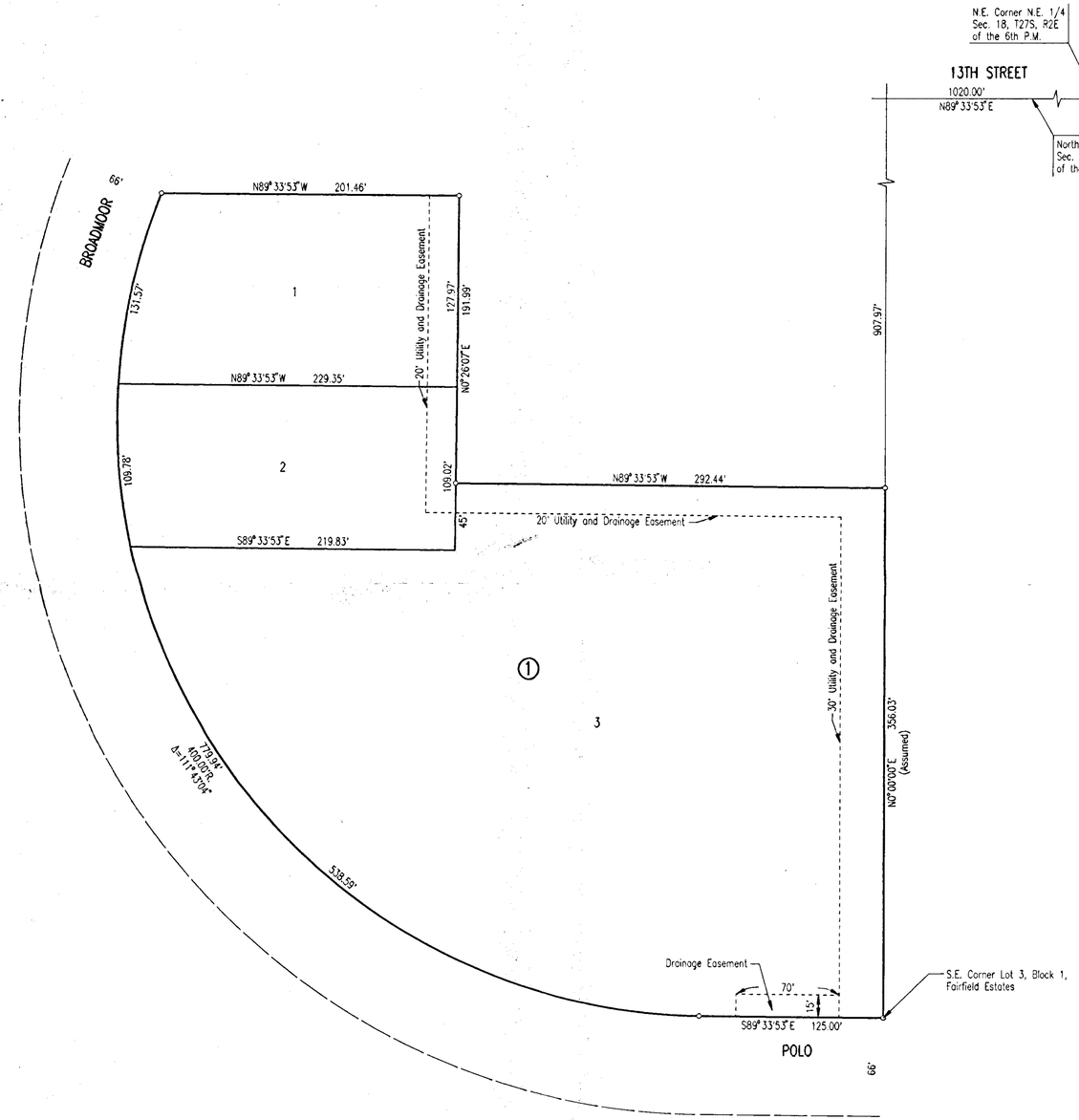
CAPITAL 2ND ADDITION

copied from Tracing 12/29/95 TO WICHITA, SEDGWICK COUNTY, KANSAS



STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

I, MICHAEL W. BERRY, A REGISTERED LAND SURVEYOR IN AFORESAID STATE AND COUNTY, DO HEREBY CERTIFY THAT ON THIS 17th DAY OF DECEMBER, 1995, I HAVE CAUSED TO BE SURVEYED AND PLATTED CAPITAL 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, INTO LOTS AND A BLOCK THE SAME BEING A REPLAT OF AND DESCRIBED AS:

LOTS 1, 2, 3, 4, AND 5, BLOCK 1, CAPITAL ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, EXCEPT BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, CAPITAL ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE BEARING S0°00'00"E ALONG THE EAST LINE OF LOT 1 EXTENDED A DISTANCE OF 252.00 FEET; THENCE BEARING N89°33'53"W A DISTANCE OF 292.44 FEET; THENCE BEARING N0°26'07"E A DISTANCE OF 191.99 FEET; THENCE BEARING N89°33'53"W A DISTANCE OF 201.46 FEET TO A POINT ON A CURVE IN THE WEST LINE OF SAID LOT 1 HAVING A RADIUS OF 400.00 FEET AND A CHORD OF 54.74 FEET BEARING N26°04'35"E; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°50'50" AN ARC DISTANCE OF 54.78 FEET; THENCE BEARING N30°00'00"E A DISTANCE OF 12.24 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTH LINE OF SAID LOT 1, BEARING S89°33'53"E A DISTANCE OF 462.26 FEET TO THE POINT OF BEGINNING.

ALL THAT PORTION OF CAPITAL ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, AS DESCRIBED IN THE ABOVE PARAGRAPH AND PART OF SANITARY SEWER EASEMENT AS PER FILM 1556, PAGE 261, ARE HEREBY VACATED AND RE-PLATTED BY VIRTUE OF K.S.A. 12-512(b) AMENDED.

Michael W Berry

MICHAEL W. BERRY, R.L.S. NO. 948
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

MICHAEL W. BERRY REGISTERED LAND SURVEYOR LS-948 12-19-95 KANSAS LAND SURVEYOR

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED PROPERTY OWNERS OF THE LAND AS ABOVE SET FORTH IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO LOTS, AND A BLOCK THE SAME TO BE KNOWN AS CAPITAL 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

EASEMENTS AS INDICATED FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE ARE HEREBY GRANTED.

FOR ADDITIONAL INFORMATION AND BUILDING SETBACK LINES SEE CUP DP-146 ON FILE AT THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT, WICHITA, KANSAS.

OWNER: W.K. CAPITAL ENTERPRISES, INC.

BY Sharol Rasberry, VICE-PRESIDENT
SHAROL RASBERRY

OWNER:
Robert D. Smith
DR. ROBERT D. SMITH

Roxanne Smith
ROXANNE SMITH

OWNERS:
Gerald L. Howell
DR. GERALD L. HOWELL

Joan C. Loehr
DR. JOAN C. LOEHR

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED THAT ON THIS 22nd DAY OF December 1995, BEFORE ME, A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME SHAROL RASBERRY, VICE PRESIDENT OF W.K. CAPITAL ENTERPRISES, INC., KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF THE SAME AS THE VOLUNTARY ACT AND DEED OF SAID CORPORATION IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED BY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley, NOTARY PUBLIC
GARY L. WILEY

MY COMMISSION EXPIRES Jan 15, 1997

GARY L. WILEY NOTARY PUBLIC STATE OF KANSAS My Appt. Exp. 1-15-97

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED ON THIS 20th DAY OF December, 1995, BEFORE ME, A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME DR. ROBERT D. SMITH AND ROXANNE SMITH, HUSBAND AND WIFE, TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME AS THEIR VOLUNTARY ACT AND DEED IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley, NOTARY PUBLIC
GARY L. WILEY

MY COMMISSION EXPIRES Jan 15, 1997

GARY L. WILEY NOTARY PUBLIC STATE OF KANSAS My Appt. Exp. 1-15-97

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED ON THIS 20th DAY OF December, 1995, BEFORE ME, A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME DR. GERALD L. HOWELL AND DR. JOAN C. LOEHR, HUSBAND AND WIFE, TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME AS THEIR VOLUNTARY ACT AND DEED IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley, NOTARY PUBLIC
GARY L. WILEY

MY COMMISSION EXPIRES Jan 15, 1997

GARY L. WILEY NOTARY PUBLIC STATE OF KANSAS My Appt. Exp. 1-15-97

WE, BANK IV, N.A., HOLDER OF A MORTGAGE ON PART OF THE ABOVE DESCRIBED PROPERTY, DO HEREBY CONSENT TO THE PLATTING OF CAPITAL 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

BY: Timothy C. McGuigan, VICE-PRESIDENT
TIMOTHY C. MCGUIGAN

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED ON THIS 20th DAY OF December, 1995, BEFORE ME, A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME TIMOTHY C. MCGUIGAN, VICE PRESIDENT OF BANK IV KANSAS, N.A. TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME FOR AND ON BEHALF AND AS THE ACT AND DEED OF SAID BANK, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley, NOTARY PUBLIC
GARY L. WILEY

MY COMMISSION EXPIRES Jan 15, 1997

GARY L. WILEY NOTARY PUBLIC STATE OF KANSAS My Appt. Exp. 1-15-97

THIS PLAT HAS BEEN SUBMITTED TO AND APPROVED BY THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, WICHITA, KANSAS. DATED THIS 14th DAY OF December, 1995.

_____, CHAIR
SUSAN OSBORNE-HOWES

_____, SECRETARY
MARVIN S. KROUT

THIS PLAT APPROVED AND ALL DEDICATIONS SHOWN HEREON ARE ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WICHITA, KANSAS. DATED THIS _____ DAY OF _____, 1996.

_____, MAYOR
BOB KNIGHT

_____, DEPUTY CITY CLERK
PAT BURNETT

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 1996.

_____, COUNTY CLERK
SUSAN E. CROCKETT-SPOON

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE AT _____ M., ON THIS _____ DAY OF _____, 1996.

_____, REGISTER OF DEEDS
PAT KETTLER

_____, DEPUTY
ED RESA

SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

December 14, 1995

P.E.C., P.A.
c/o Gary Wiley
303 S. Topeka
WICHITA, KS 67202

Re: S/D 95-77 CAPITAL 2ND ADDITION (Final Plat)

Dear Sir:

At the regular meeting of the Metropolitan Area Planning Commission on December 14, 1995, 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 7, 1995.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.

2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.

3. Subdivision regulations now require a detailed Lot Grading Plan be submitted to Engineering prior to the tracing being released. This applies to all multi-lot and residential developments.

Please call if you have any questions.

Sincerely,

Don Losew

Don Losew
Senior Planner

DL:rh

cc: WK Capital Enterprises, Inc., c/o Sharol Rasberry, P. O. Box 3358, WICHITA, KS 67201
George Sherman, Agent, 8609 Stoneridge, WICHITA, KS 67206
Dr. Robert D. Smith, D.D.S. and Dr. Joan C. Loehr, D. D. S., 4624 E. Kellogg, Wichita, KS 67218
Mike Lindebak, City Engineer

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1568
(316) 268-4421
FAX (316) 268-4390

December 7, 1995

P.E.C., P.A.
c/o Gary Wiley
303 S. Topeka
WICHITA, KS 67202

Re: S/D 95-77 CAPITAL 2ND ADDITION (Final Plat)

Dear Sir:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, December 7, 1995, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

A. In regard to existing petitions, do these petitions need to be abandoned or amended. Also, are any projects needing to be abandoned and are any costs involved. Based upon existing facilities, it does appear that new petitions for sanitary sewer will be required to serve several of the lots now being platted. A guarantee for sanitary sewer extension will be required.

   The applicant shall submit a document which respreads the existing specials.

B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

C. On the final plat tracing, the reference to a "Tract 2:" in the legal description appears to be referring to a lot split tract. In any case, this reference to a tract does not seem to be an appropriate portion of the legal description and should be deleted.

D. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

E. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

F. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of

File Copy

the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

G. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).

H. Recording of the plat within 30 days after approval by the City Council.

I. The drainage plan is approved; a cross-lot drainage easement will be required. Drainage improvements will be installed at the time of site development.

If this plat requires the guaranteeing of improvements a list of the five methods which have been adopted as being acceptable is available through the Planning Department. Also, certificates which are required if petitions are submitted and forms for the bond and irrevocable Letter of Credit are also 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 14, 1995 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

Don Losew

Don Losew
Senior Planner

DL:rh
Enclosure: Marked Copy of plat
cc: WK Capital Enterprises, Inc., c/o Sharol Rasberry, P. O. Box 3358, WICHITA, KS 67201
George Sherman, Agent, 8609 Stoneridge, WICHITA, KS 67206
Dr. Robert D. Smith, D.D.S. and Dr. Joan C. Loehr, D. D. S., 4624 E. Kellogg, Wichita, KS 67218
Mike Lindebak, City Engineer

AGENDA ITEM NO. 2-7

METROPOLITAN AREA PLANNING COMMISSION

December 14, 1995

STAFF REPORT
(Final Plat Approved 12/7/95)

CASE NUMBER: S/D 95-77 CAPITAL 2ND ADDITION

OWNER/APPLICANT: WK Capital Enterprises, Inc., c/o Sharol Rasberry, P. O. Box 3358, WICHITA, KS 67201

AGENT: George Sherman, Agent, 8609 Stoneridge, WICHITA, KS 67206

OWNER: Dr. Robert D. Smith, D.D.S. and Dr. Joan C. Loehr, D. D. S., 4624 E. Kellogg, Wichita, KS 67218

SURVEYOR/ENGINEER: P.E.C., P.A., c/o Gary Wiley, 303 S. Topeka, WICHITA, KS 67202

LOCATION: South of 13th Street North and west of Rock Road

SITE SIZE: 4.47 ± Acres

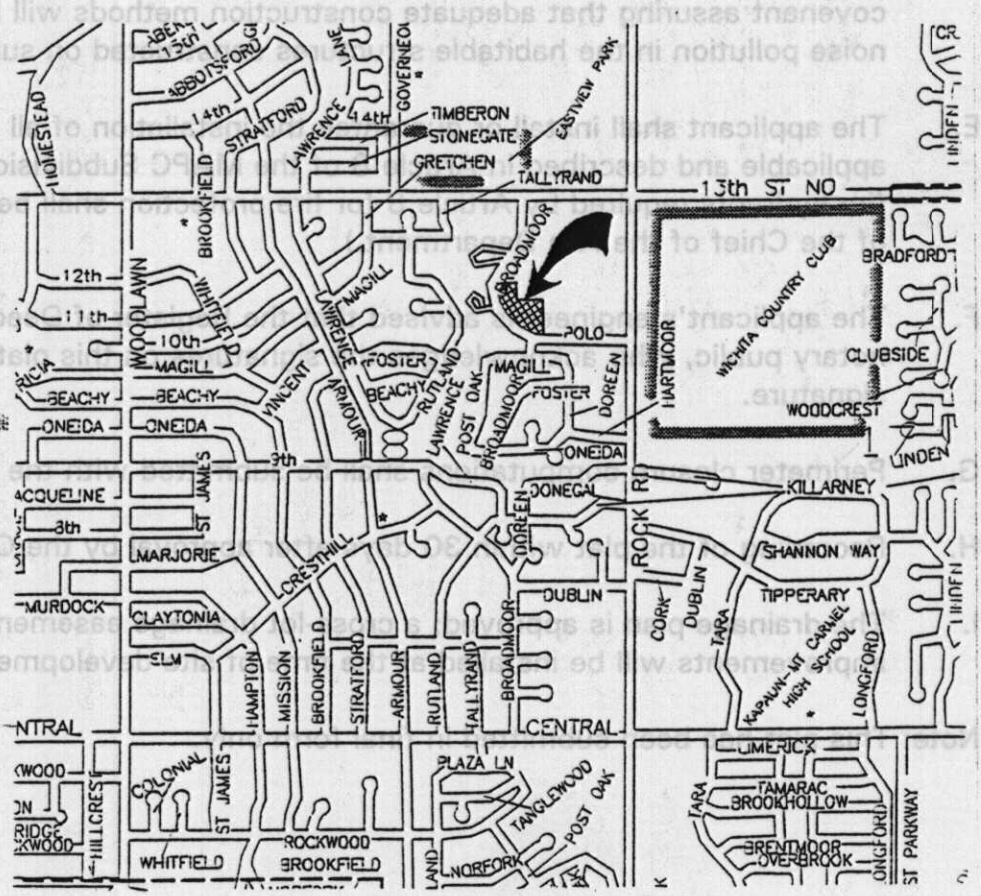
NUMBER OF LOTS

Residential:
Office:
Commercial: 3
Industrial:
Total: 3

MINIMUM LOT AREA: 24,760 Sq. ft.

CURRENT ZONING: "BB"

VICINITY MAP:



NOTE: This plat is a replat of a portion of a previous replat of an original plat. In addition, several lot splits, vacations and dedications by separate instruments have occurred within this site. Consequently, the development of this area is basically an unclear mess for which no clear explanation can be provided in a reasonably coherent manner. Nonetheless, it appears for now that the intentions are to reconfigure the present platted lots into fewer building sites, with one larger building site involving portions of these lots having been previously reconfigured into a building site by means of a lot split.

STAFF COMMENTS:

A. In regard to existing petitions, do these petitions need to be abandoned or amended. Also, are any projects needing to be abandoned and are any costs involved. Based upon existing facilities, it does appear that new petitions for sanitary sewer will be required to serve several of the lots now being platted. A guarantee for sanitary sewer extension will be required.

   The applicant shall submit a document which respreads the existing specials.

B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

C. On the final plat tracing, the reference to a "Tract 2:" in the legal description appears to be referring to a lot split tract. In any case, this reference to a tract does not seem to be an appropriate portion of the legal description and should be deleted.

D. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

E. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

F. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

G. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).

H. Recording of the plat within 30 days after approval by the City Council.

I. The drainage plan is approved; a cross-lot drainage easement will be required. Drainage improvements will be installed at the time of site development.

Note: This plat has been submitted in final form only.