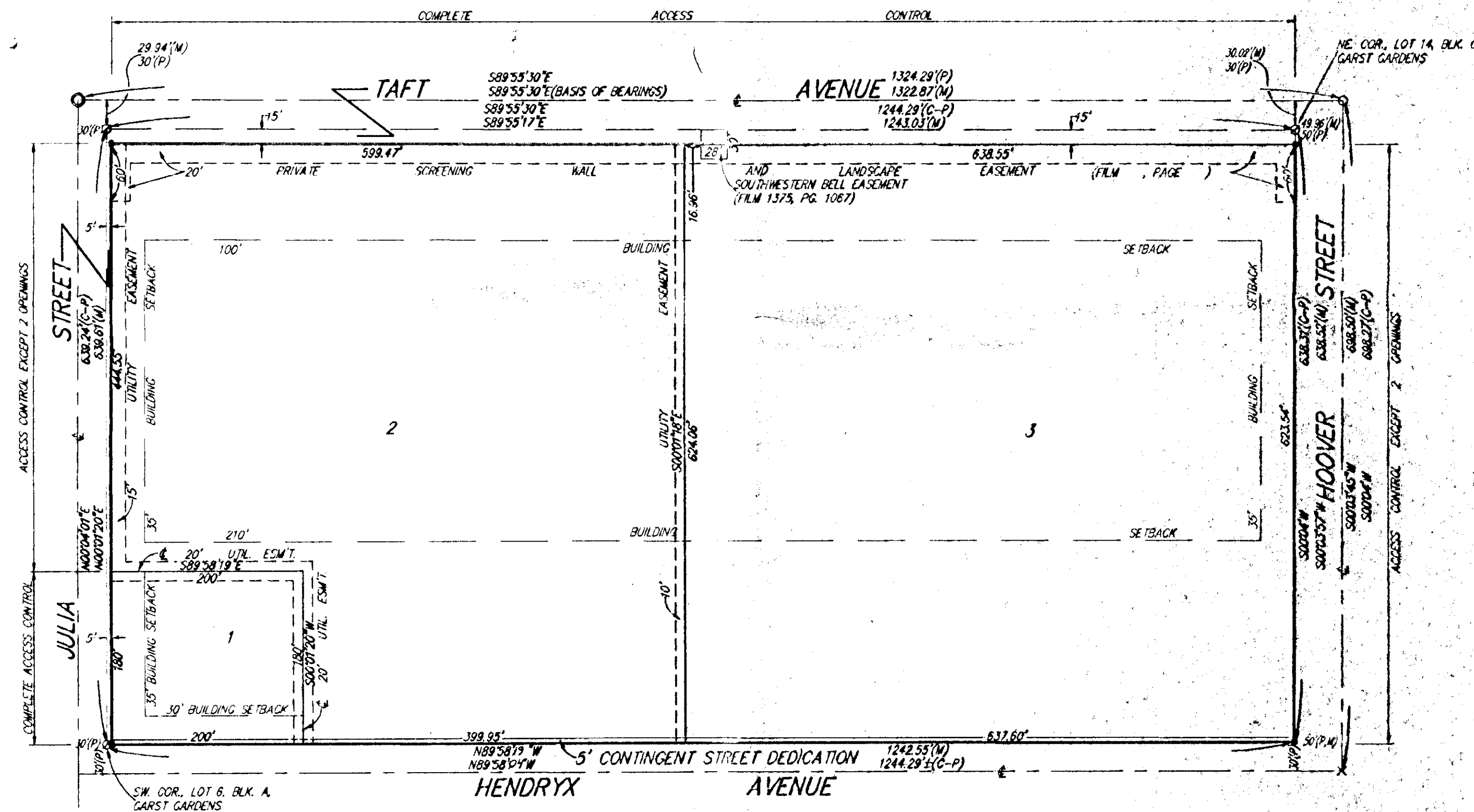


WEST KELLOGG POWER CENTER ADDITION

Copied from *Tracing* **WICHITA, SEDGWICK COUNTY, KANSAS**

7/17/96



Note:
See Community Unit Plan
DP-221 For Additional Building
Setbacks and Information.

- = THIMBLE (FOUND)
- = 1/4" IRON (FOUND)
- = 1/4" REBAR W/ "BAUGHMAN" CAP (SET)
- = CROSS (FOUND)
- = 1/2" IRON (FOUND)

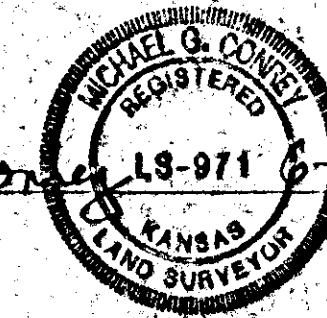
State of Kansas) SS We, Baughman Company, P.A., Surveyors in
Sedgwick County) aforesaid County and State do hereby certify that we have surveyed
and platted "WEST KELLOGG POWER CENTER ADDITION", Wichita, Sedgwick
County, Kansas, and that the accompanying plat is a true and correct
exhibit of the property surveyed, described as and being a replat of Lots
1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, and 14, Block A, and Lots 1, 2, 3,
4, 5, 6, 9, 10, 11, 12, 13, and 14, Block B, and Lots 1, 2, 3, 4, 5,
6, 9, 10, 11, 12, 13, and 14, Block C, Garst Gardens, Sedgwick County,
Kansas, and that part of Garst Street and Meadowhaven Street lying
between said Lots.

All being situated in the NW1/4 of Sec. 27, Twp. 27-S, R-1-W
of the 6th P.M., Sedgwick County, Kansas.

Existing public easements and dedications being vacated by virtue
of K.S.A. 12-512(b).

Baughman Co., P.A.

Michael G. Conroy, 13-971 6-27-96, Surveyor
Michael G. Conroy



Know all men by these presents that we,
the undersigned, have caused the land in the surveyors certificate
to be platted into Lots and Streets to be known as "WEST KELLOGG
POWER CENTER ADDITION", Wichita, Sedgwick County, Kansas. The
utility easements are hereby granted as indicated for the construction
and maintenance of all public utilities. The streets are hereby
dedicated to and for the use of the public. All abutters rights of
access to or from Taft Avenue over and across the north line Lots
2 and 3 are hereby granted to the City of Wichita, Kansas. All
abutters rights of access to or from Julia Street over and across
the west line of Lots 1 and 2 are hereby granted to the City of
Wichita, Kansas provided, however, that said Lot 2 shall have access
to Julia Street at two locations as shall be determined by the City
Engineer of the City of Wichita, Kansas. All abutters rights of access
to or from Hoover Street over and across the east line of Lot 3 are
hereby granted to the City of Wichita, Kansas provided, however, that
said Lot 3 shall have access to Hoover Street at two locations as
shall be determined by the City Engineer of the City of Wichita, Kansas.
The Hendryx Avenue Contingent Street Dedication shall become effective
in the event that the City of Wichita determines a need for the right-
of-way for any street related purposes.

KCBB, Inc.

Michael J. Boyd, Vice-President
Michael J. Boyd

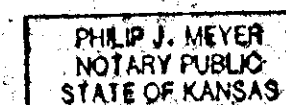
Visser Real Estate Investments, a Colorado partnership

William K. Malone, Attorney-in-Fact
WILLIAM K. MALONE

State of Kansas) SS The foregoing instrument acknowledged be-
fore me, this 15th day of JULY, 1996, by Michael J.
Boyd, Vice-President, KCBB, Inc., on behalf the corporation.

My App't. Exp. 5/5/97

Philip J. Meyer, Notary Public
PHILIP J. MEYER



State of Kansas) SS The foregoing instrument acknowledged be-
fore me, this 15th day of JULY, 1996, by William K. Malone,
Attorney-in-Fact for Visser Real Estate Investments, a Colorado partnership,
on behalf of the partnership.

My App't. Exp. 5/5/97

Nancy L. Malone, Notary Public
NANCY L. MALONE

This plat of "WEST KELLOGG POWER CENTER
ADDITION", Wichita, Sedgwick County, Kansas has been submitted to and
approved by the Wichita, Sedgwick County Metropolitan Area Planning
Commission, Wichita, Kansas.

Dated this 30th day of May, 1996.
Wichita-Sedgwick County Metropolitan Area Planning Commission



Susan Osborne-Hawes, Chairman

Marvin S. Krout, Secretary

This plat approved and all dedications
shown hereon accepted by the City Council of the City of Wichita,
Kansas, this 15th day of July, 1996.

Bob Knight, Mayor

Pat Burnett, Deputy City Clerk

Entered on transfer record this 15th day
of July, 1996.

Susan E. Crockett-Spoon, County Clerk

State of Kansas) SS This is to certify that this plat has been
filed for record in the office of the Register of Deeds, this 15th day
of July, 1996, at 10 o'clock A.M. and is duly
recorded.

Pat Kettler, Register of Deeds

Ed Resa, Deputy

We, the undersigned, holders of a mortgage
on the above described property, do hereby consent to this plat of
"WEST KELLOGG POWER CENTER ADDITION", Wichita, Sedgwick County,
Kansas.

American National Bank

H.C. Stalker, Vice-President
H. C. Stalker

State of Kansas) SS The foregoing instrument acknowledged be-
fore me, this 15th day of July, 1996, by
H. C. Stalker, Vice-President of American National Bank, on behalf of
the bank.



Cynthia M. Friend, Notary Public
CYNTHIA M. FRIEND

My App't. Exp. Sept. 1, 1998

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

May 30, 1996

Baughman Company
315 Ellis
Wichita, KS 67211

Re: S/D 96-30 - Preliminary-Final (ONE STEP) WEST KELLOGG POWER CENTER

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on May 30, 1996, 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 May 23, 1996.

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
Senior Planner

DL:rh

cc: Attn: Tom Boyd, Box Development, LLC, 128 S. Dellrose, Wichita, KS 67218
Attn: Christian Ablah, Classic Realty, 8343 E. 32nd Street North - Suite 150, Wichita, KS 67226
Mike Knobel, 5922 Taft, Wichita, KS 67209
Mike Lindebak, City Engineer

May 23, 1996



METROPOLITAN AREA PLANNING
DEPARTMENT

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

Baughman Company
315 Ellis
Wichita, KS 67211

Re: S/D 96-30 - Preliminary-Final (ONE STEP) WEST KELLOGG POWER CENTER

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, May 23, 1996, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

A. This site is in a developed area of the City and municipal facilities appear to be available to this site. However, guarantees are needed for sanitary sewer relocations and shall be provided by the applicant.

B. Guarantees shall be provided for the paving of Taft, Hoover and Hendryx adjacent to this site. Engineering has indicated that the design of Taft can/will be made so as to accommodate driveway approaches for residential lots to the north, but installation of the actual driveway approach will be the property owner's responsibility. Sidewalks shall also be guaranteed along one-side of all adjacent streets.

C. The applicant shall guarantee closure of the street opening to Taft (Meadowhaven) and the driveway opening to Julia from Lot 1.

D. While drainage improvements and relocations may be accomplished at the time of site development, a temporary easement shall be provided for an existing storm sewer and cross-lot drainage agreements shall be submitted as needed (i.e., for Lots 1 and 2).

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

F. The final plat tracing shall indicate the dedication of sufficient right-of-way so that all adjacent streets provide at a minimum the 70 feet required for a commercial street. Specifically, five (5) feet of additional right-of-way is still required for Julia and Hendryx. Based upon previous platting or platting of adjacent properties, this site should be responsible for any such additional right-of-way. In regard to Hendryx, the dedication may

File Copy

May 23, 1996

Page 2

be provided as a contingent dedication, being contingent on the City's need for any street or street related improvements.

~~G.~~ On the final plat tracing, the word "complete" shall be deleted where access openings are actually to be allowed. That is, access control cannot be considered complete if openings can actually be provided.

~~H.~~ Prior to this plat being released for recording, ^{KCBAT Inc} the applicant shall provide proof that the site's ownership is all in the control of Box Development, L.L.C., that all property taxes have been paid and that there are no outstanding mortgages. At this time, the site is under multiple ownerships with taxes unpaid for various portions of the site and numerous mortgages in existence for the various owners.

~~I.~~ ^{Prop. now owned by KCBAT Inc} On the final plat tracing, proper reference shall be made as to Box Company, L.L.C., being the platlor of this site.

~~J.~~ Prior to this plat being released for recording, the applicant shall submit a recorded copy of the private wall and landscape easement for the plat file.

~~K.~~ 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.

~~L.~~ 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.)

~~M.~~ 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.

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

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

~~P.~~ The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

~~Q.~~ The final plat shall indicate the utility easements requested by K.G. & E. and Southwestern Bell which are indicated on the enclosed "marked" copy of the plat. If, however, the

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S/D 96 - 30 - Preliminary - Final (ONE STEP) Plat of the WEST KELLOGG POWER CENTER
May 23, 1996
Page 3

applicant does not choose to provide any of the requested easements, the applicant shall submit a letter from these utilities indicating that satisfactory arrangements have been made to relocate any utility lines not being covered by an easement.

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, May 30, 1996 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



Don Losew
Senior Planner

DL:rh

Enclosure: Marked Copy of plat

cc: Attn: Tom Boyd, Box Development, LLC, 128 S. Dellrose, Wichita, KS 67218
Attn: Christian Ablah, Classic Realty, 8343 E. 32nd Street North - Suite 150, Wichita, KS 67226
Mike Lindebak, City Engineer

METROPOLITAN AREA PLANNING COMMISSION

May 30, 1996

STAFF REPORT

[Preliminary-Final (One-Step Plat) Approved 5/23/96]

CASE NUMBER: S/D 96-30 WEST KELLOGG POWER CENTER

CONTRACT PURCHASER: Attn: Tom Boyd, Box Development, LLC, 128 S. Dellrose, Wichita, KS 67218

AGENT: Attn: Christian Ablah, Classic Realty, 8343 E. 32nd Street North - Suite 150, Wichita, KS 67226

SURVEYOR/ENGINEER: Baughman Company, 315 Ellis, Wichita, KS 67211

LOCATION: North of Kellogg and west of Hoover

SITE SIZE: 18.2 Acres

NUMBER OF LOTS

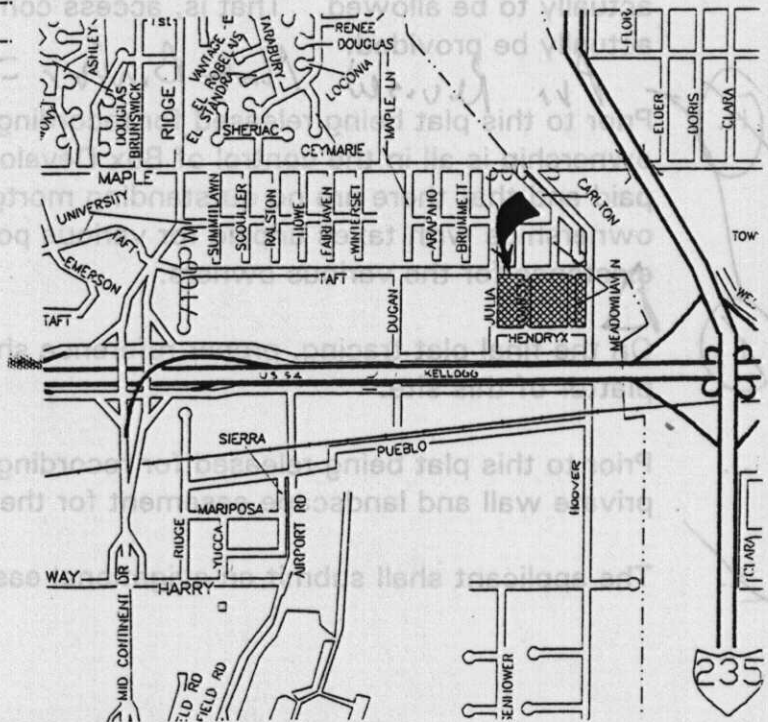
Residential:	
Office:	
Commercial:	3
Industrial:	
Total:	3

MINIMUM LOT AREA: 36,000 sq. ft.

CURRENT ZONING: "SF-6" Single Family

PROPOSED ZONING: "LC" Limited Commercial (Z-3198), CUP, DP-221

VICINITY MAP:



STAFF COMMENTS:

- A. This site is in a developed area of the City and municipal facilities appear to be available to this site. However, guarantees are needed for sanitary sewer relocations and shall be provided by the applicant.
- B. Guarantees shall be provided for the paving of Taft, Hoover and Hendryx adjacent to this site. Engineering has indicated that the design of Taft can/will be made so as to accommodate driveway approaches for residential lots to the north, but installation of the actual driveway approach will be the property owner's responsibility. Sidewalks shall also be guaranteed along one-side of all adjacent streets.
- C. The applicant shall guarantee closure of the street opening to Taft (Meadowhaven) and the driveway opening to Julia from Lot 1.
- D. While drainage improvements and relocations may be accomplished at the time of site development, a temporary easement shall be provided for an existing storm sewer and cross-lot drainage agreements shall be submitted as needed (i.e., for Lots 1 and 2).
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The final plat tracing shall indicate the dedication of sufficient right-of-way so that all adjacent streets provide at a minimum the 70 feet required for a commercial street. Specifically, five (5) feet of additional right-of-way is still required for Julia and Hendryx. Based upon previous platting or platting of adjacent properties, this site should be responsible for any such additional right-of-way. In regard to Hendryx, the dedication may be provided as a contingent dedication, being contingent on the City's need for any street or street related improvements.
- G. On the final plat tracing, the word "complete" shall be deleted where access openings are actually to be allowed. That is, access control cannot be considered complete if openings can actually be provided.
- H. *Per Revised Plat Binder = signs as engineering (with. Hwy) Box*
Prior to this plat being released for recording, the applicant shall provide proof that the site's ownership is all in the control of Box Development, L.L.C., that all property taxes have been paid and that there are no outstanding mortgages. At this time, the site is under multiple ownerships with taxes unpaid for various portions of the site and numerous mortgages in existence for the various owners.
- I. On the final plat tracing, proper reference shall be made as to Box Company, L.L.C., being the platlor of this site.
- J. Prior to this plat being released for recording, the applicant shall submit a recorded copy of the private wall and landscape easement for the plat file.
- K. 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.

- L. 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.)
- M. 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.
- N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- O. Recording of the plat within 30 days after approval by the City Council.
- P. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- Q. The final plat shall indicate the utility easements requested by K.G. & E. and Southwestern Bell which are indicated on the enclosed "marked" copy of the plat. If, however, the applicant does not choose to provide any of the requested easements, the applicant shall submit a letter from these utilities indicating that satisfactory arrangements have been made to relocate any utility lines not being covered by an easement.