

SUBDIVISION REPORT

S/D 85-90 - INDUSTRIAL AIR CENTER (Formerly Toben 4th)

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- L. The applicant shall submit an avigational easement and restrictive noise covenant for this property. Section 7-107.**
- M. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.**
- N. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.**
- O. The applicant shall submit a copy of the instrument which establishes the Northwest Central Pipeline easement on this property.**
- P. The applicant shall submit a copy of the instrument which establishes the Gas Service Company easement on this property.**
- Q. Any relocation, lowering or encasement of the pipelines, made necessary by this development, will not be at the expense of the City.**
- R. The applicant shall make satisfactory arrangements with K.G. & E. for removal of their power pole from the 38th Street North/Webb Road intersection. A letter shall be obtained for the Planning Department's files which states that proper arrangements have been made.**
- S. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).**
- T. Recording of the plat within 30 days after approval by the Board of City Commissioners.**
- U. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, what drainage guarantees are required with this plat?**

**Final Plat
SUBDIVISION REPORT**

**SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION**

S/D No.: 85-90 Name: INDUSTRIAL AIR CENTER (Formerly Toben 4th)

**Preliminary Approved: 10/24/85
Scheduled S/D Meeting: 1/30/86**

DESCRIPTION

General Location: Northwest corner of 37th Street North and Webb Road.
Owner: Horst K. Hiller, 630 North Washington, Wichita, KS 67214
Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

- 1. Gross Acreage of Plat: 45.3 Acres**
 - 2. Number of Lots:**
 - Residential:**
 - Office:**
 - Commercial:**
 - Industrial: 24**
 - Total: 24**
 - 3. Minimum Lot Area: 55,000 Sq. Ft.**
 - 4. Existing Zoning: "R-1" and "LC"**
 - 5. Proposed Zoning: "E" (SCZ-0513)**
-

STAFF COMMENTS:

NOTE: This property is subject to the County Zone Case (SCZ-0513) requesting "R-1" and "LC" to "E" zoning. This plat was previously named Toben 4th.

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.**
- B. The applicant shall guarantee the extension of City Water to serve the lots being platted.**
- C. The applicant shall guarantee the pavement of Cypress and 38th Street North to the industrial street standard.**
- D. As was agreed at the time of preliminary plat approval, the applicant shall guarantee the construction of a temporary decel lane along Toben and 39th Street North. In addition, the applicant shall petition for the construction of a permanent decel lane at this location. This petition is required so the permanent decel lane may be constructed at such time as Toben/39th Street North is constructed to a four-lane, arterial street standard.**
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.**
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.**
- G. The final plat tracing shall indicate the dedication of an additional 10 feet of street right-of-way for Toben/39th Street North. This additional right-of-way is needed for the future permanent decel lane.**
- H. As was indicated on the approved preliminary plat, the final plat tracing shall indicate the dedication of five (5) feet of additional right-of-way for 37th Street North. (35 feet of half-street right-of-way.)**
- I. The final plat tracing shall indicate the platting of 40 feet of "complete access control" to 39th Street North across the east 40 feet of the north line of Lot 16, Block 1.**
- J. On the final plat tracing, the platlor's text shall be amended to state that the location of the permitted openings to Webb Road, 39th Street North and Toben Street "shall be determined by the City Engineer."**
- K. On the final plat tracing, the labeling of the northwest Central Pipeline easement on Reserve B shall be dimensioned.**

I, Kenneth H. Bengtson, a Civil Engineer in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "INDUSTRIAL AIR CENTER", an addition to Wichita, Sedgwick County, Kansas, into Lots, Blocks, Streets, and Reserves, the same being accurately set forth in the accompanying plat and described as follows:

A tract of land lying within the Southeast Quarter of Section 29, Township 26 South, Range 2 East of the 6th P.M., more particularly described as follows:

Commencing at the Southeast corner of said Section 29; thence N 0° 50' 50" W, 30.00 feet; thence S 89° 07' 32" W, 40.00 feet to the point of beginning; thence S 89° 07' 32" W, 1784.62 feet parallel and 30.00 feet North of the South line of said Southeast Quarter to the beginning of a curve to the right; thence 91.08 feet along said curve having a radius of 110.00 feet, a central angle of 47° 26' 36", a long chord of 88.50 feet bearing N 67° 09' 10" W; to a point on a curve to the left, said point lying on the East right-of-way line of Toben Street as platted in Toben Second Addition, an addition to Wichita, Sedgwick County, Kansas; thence following said East right-of-way 526.44 feet along said curve having a radius of 570.87 feet, a central angle of 52° 50' 10", a long chord of 507.98 feet bearing N 25° 35' 56" E; thence N 0° 49' 09" W, 229.26 feet to the beginning of a curve to the right; thence 525.97 feet along said curve having a radius of 470.87 feet, a central angle of 64° 00' 00", a long chord of 499.05 feet bearing N 31° 10' 51" E; thence following the South right-of-way line of 39th Street North as platted in said Toben Second Addition N 63° 10' 51" E, 113.98 feet to the beginning of a curve to the right; thence 213.22 feet along said curve having a radius of 470.87 feet, a central angle of 25° 56' 41", a long chord of 211.40 feet bearing N 76° 09' 12" E; thence N 89° 07' 32" E, 756.18 feet; thence S 76° 50' 19" E, 103.08 feet; thence N 89° 07' 32" E, 210.00 feet; thence S 0° 50' 50" E, 1214.86 feet parallel and 40.00 feet West of the East line of said Southeast Quarter to the point of beginning.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this day of _____, 1987.

Kenneth H. Bengtson, P.E.
Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, Building #800
Wichita, KS 67226

Know all men by these presents that we the undersigned property owners of the land as above set forth in the Civil Engineers Certificate, have caused the same to be surveyed and platted into Lots, Blocks, Streets, and Reserves, the same to be known as "INDUSTRIAL AIR CENTER", an addition to Wichita, Sedgwick County, Kansas. The streets are hereby dedicated to and for the use of the public. Reserves are platted for construction and maintenance of public utilities, drainage, landscaping, irrigation and entry monuments. Reserve B is also platted for recreational purposes and related structures. Reserves shall be owned and maintained by the Industrial Air Center Owners Association. Easements for the construction and maintenance of public utilities and drainage, as indicated on the accompanying plat, are hereby granted. All abutters rights of access to or from Webb Road over and across the East line of "INDUSTRIAL AIR CENTER", except for one opening each to Lot 1 and 16, Block 1 and Lot 1, Block 2 as shall be determined by the City Engineer, are hereby granted to the City of Wichita, Kansas. Also, abutters rights of access to or from Toben/39th Street North across the West line of Lots 9, 10 and 11, Block 1 and the North line of Lots 12, 13, 14, 15 and 16, Block 1 except for two openings per lot as shall be determined by the City Engineer are hereby granted to the City of Wichita, Kansas.

M & H Investments, Inc

By: _____
Horst K. Hiller, President

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

Be it remembered that on this _____ day of _____, 1987, before me a Notary Public in and for said State and County, came Horst K. Hiller, President, M & H Investments, Inc., to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____, Notary Public

My Appointment Expires: _____

This plat of "INDUSTRIAL AIR CENTER" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this 6 day of February, 1986.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

_____, Vice Chairman
David Bayouth

_____, Secretary
Michael E. Lindabak

This plat approved and all dedications shown hereon, if any, accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 1987.

_____, Mayor
Robert G. Knight

_____, Deputy City Clerk
Dale E. Rea

Entered on transfer record this _____ day of _____, 1987.

_____, County Clerk
Don Wright

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the Register of Deeds office this day of _____, 1987.

_____, Register of Deeds
Pat Kettler

_____, Deputy
Ed Resa

We, the Kansas State Bank and Trust Company, Wichita, Kansas, mortgagees on the above described property, do hereby consent to the plat of "INDUSTRIAL AIR CENTER".

KANSAS STATE BANK AND TRUST COMPANY, WICHITA, KANSAS

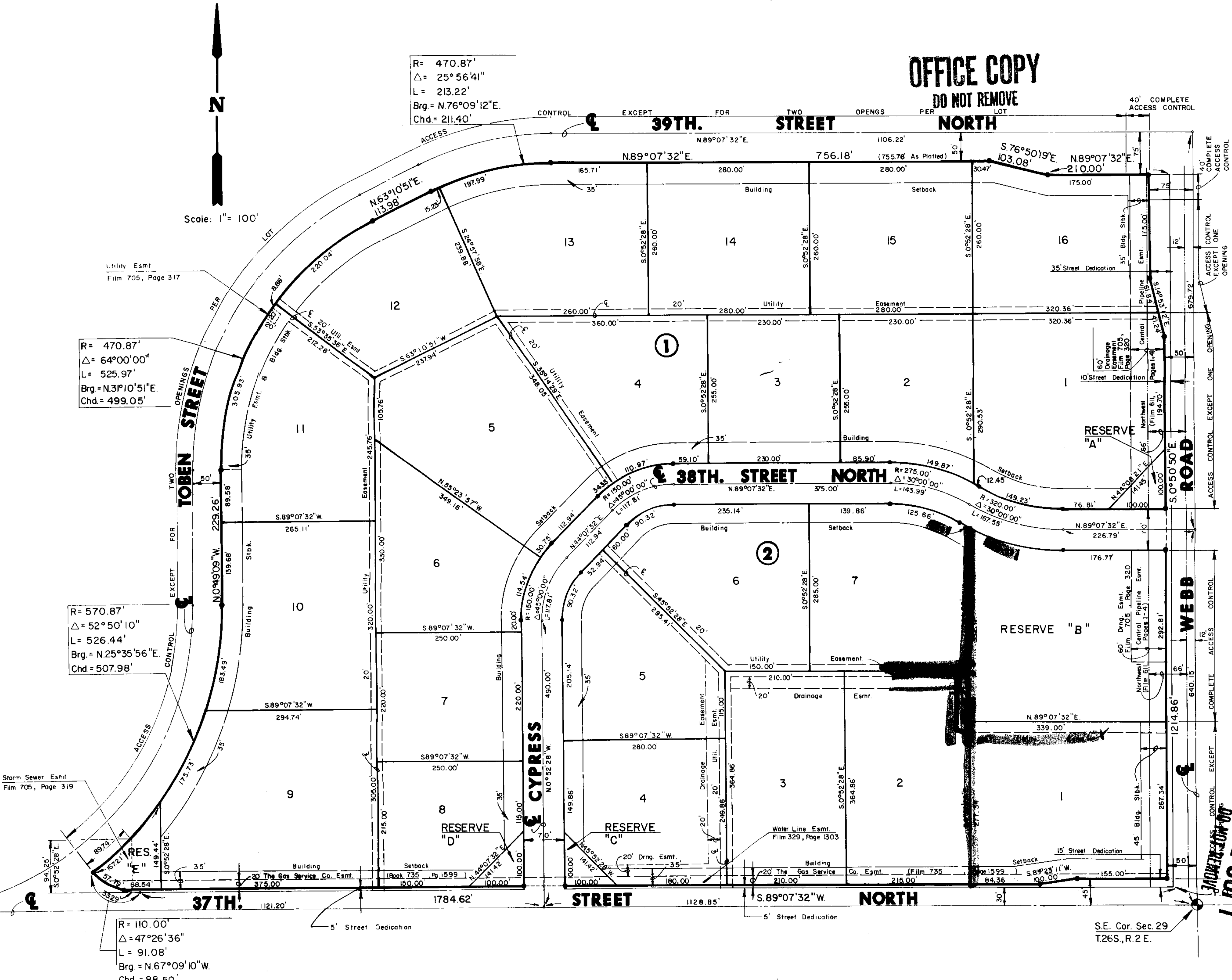
By: _____

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

Be it remembered that on this _____ day of _____, 1987, before me a Notary Public in and for said State and County, came _____, on behalf of Kansas State Bank and Trust Company, Wichita, Kansas, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____, Notary Public

My Appointment Expires: _____



R = 470.87'
Δ = 25°56'41"
L = 213.22'
Brg = N 76°09'12"E.
Chd = 211.40'

R = 470.87'
Δ = 64°00'00"
L = 525.97'
Brg = N 31°10'51"E.
Chd = 499.05'

R = 570.87'
Δ = 52°50'10"
L = 526.44'
Brg = N 25°35'56"E.
Chd = 507.98'

R = 110.00'
Δ = 47°26'36"
L = 91.08'
Brg = N 67°09'10"W.
Chd = 88.50'

S.E. Cor. Sec. 29
T.26S., R. 2 E.

April 30, 1987

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road #800
Wichita, KS 67226

Re: Revised Final Plat S/D 85-90 - INDUSTRIAL AIR
CENTER ADDITION

Dear Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on April 30, 1987, 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 April 23, 1987.

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 title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all real estate taxes for 1986 and all prior years have been paid.

Please call if you have any questions.

Sincerely,



Donald Losew
Junior Planner

DL:dlk

cc: Horst Hiller, 630 N. Washington, Wichita, KS 67214