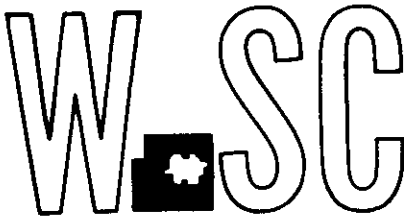
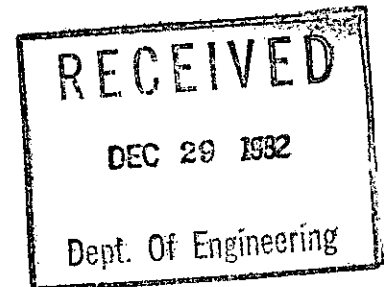


WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561



December 23, 1982

**Baughman Company, P.A.
330 Laura
Wichita, Kansas 67211**

Re: S/D 82-69 - Final plat of Len Dennis Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, December 23, 1982, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant is proposing access to the four lots by way of two joint access easements. In order to establish the construction and maintenance responsibilities of the shared access drives, it is necessary for the easements to be granted by separate instrument. The access easements need to also function as private drainage easements and shall be so labeled on the final plat tracing. Reference shall be included in the separate document as to which lots are the beneficiaries of these easements. This instrument shall be submitted to the Planning Department for review prior to recording. The recording data shall be shown on the final plat tracing.
- B. The contingent dedication of right-of-way for the future east-west street shall be referenced in the plattor's text.
- C. The applicant shall guarantee by petition the extension of sanitary sewer south across the contingent street dedication to serve Lots 3 and 4. A 20-foot utility easement shall be indicated on the final plat tracing centered on the lot line common to Lots 3 and 4 to accommodate this sewer extension.

Baughman Company, P.A.
Page 2, December 23, 1982

- D. A notarized certificate listing the sanitary sewer petition shall be submitted to the Planning Department for recording.
- E. Closure computations shall be submitted with the final plat tracing.
- F. 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. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable letter of credit are available from this office.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, January 13, 1983, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



Louise Olivarez
Senior Planner

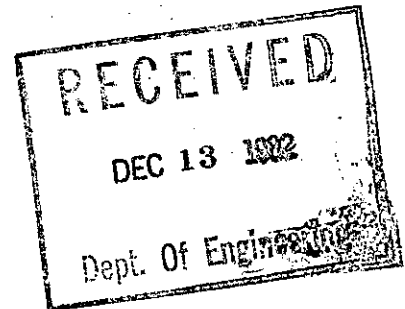
LO:bh cc: Len Dennis, 907 W. 47th St. South, 67217
X Mike Lindebak, City Engineering

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561



December 10, 1982

Baughman Company, P.A.
330 Laura
Wichita, Kansas 67211

Re: S/D 82-69 - Preliminary plat of Len Dennis Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, December 9, 1982, the above-captioned plat was considered. The action of the Committee was to approve the preliminary plat and authorize preparation of the final plat, subject to the following:

- A. As can be noted on this preliminary plat, the applicant is proposing access to the four lots by way of two joint access easements. In order to establish the construction and maintenance responsibilities of the shared access drives, it is necessary for the easements to be granted by separate instrument. The access easements will also function as private drainage easements and shall be labeled as such on the plat. Reference shall be included in the separate document as to which ~~locations~~ ^{lots} are the beneficiaries of these easements. This instrument shall be submitted to the Planning Department for review prior to recording. The recording data shall be shown on the final plat tracing.
- B. In order to provide for a future street to serve the south lots, the applicant is proposing a contingent street dedication. This contingent dedication is in general alignment with a similar contingent dedication on Faith Meadows Addition to the east. The contingent dedication shall be based on the City's need for the property for any street related purpose and shall be so referenced in the plat's text.
- C. As requested by K. G. and E., ten-foot easements shall be shown along the west line of Lot 4 and south of and paralleling the contingent street dedication.


Baughman Company, P.A. - 12-10-82
Page 2

- D. The applicant shall guarantee by petition the extension of sanitary sewer south across the contingent street dedication to serve Lots 3 and 4. This sewer construction need not occur until the street is put in. The necessary easement for this sewer extension shall be shown on the final plat.
- E. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

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

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

Sincerely,


Louise Olivarez
Senior Planner

LO:bh

cc: Len Dennis, 907 W. 47th St. South, 67217
✓ Mike Lindebak, City Engineering

S/D No. 82-69 Name Len Dennis Addition
Date Application Rec'd. 11-29-82 Preliminary Approval _____
Scheduled S/D Meeting 12-9-82

DESCRIPTION

General Location South side 47th St. South in an area east of Seneca

Owner Len Dennis
Surveyor/Engineer Baughman Company, P.A.
Address 330 Laura, Wichita, Ks. Zip Code 67211 Phone 262-7271

- | | | | |
|--|---|-------------------------------------|------------------------|
| 1. Gross Acreage of Plat | <u>3</u> | 7. Lineal Feet of New Street | |
| 2. Number of Lots : | | a. <u>64</u> R/W <u>198</u> ft. | |
| Residential | <u>4</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>4</u> | TOTAL | <u>198</u> ft. |
| 3. Minimum Lot Frontage | <u>20</u> ft | 8. Sidewalk adjacent to all streets | <u>yes</u> <u>X</u> no |
| 4. Minimum Lot Area | <u>22,120</u> sq. ft. | | |
| 5. Existing Zoning | <u>"AA"</u> | | |
| 6. Proposed Zoning | <u>"AA"</u> | | |
| 9. Is public water available | <u>x</u> Yes _____ No, Name <u>City of Wichita</u> | | |
| 10. Is sanitary sewer available | <u>x</u> Yes _____ No, Name <u>City of Wichita</u> | | |
| 11. Has Health Dept. approval been obtained (where applicable) | _____ Yes _____ No | | |
| 12. City of Wichita | <u>x</u> 3-Mile Area _____ Outside of 3-Mile Area _____ | | |

STAFF COMMENTS:

- x Private Driveway Easement*
- A. As can be noted on this preliminary plat, the applicant is proposing access to the four lots by way of two joint access easements. In order to establish the construction and maintenance responsibilities of the shared access drives, it is necessary for the easements to be granted by separate instrument. This instrument shall be submitted to the Planning Department for review prior to recording. The recording data shall be shown on the final plat tracing.
- Ext SS
S of Cont
Ded*
- B. In order to provide for a future street to serve the south lots, the applicant is proposing a contingent street dedication. This contingent dedication is in general alignment with a similar contingent dedication on Faith Meadows Addition to the east. The contingent dedication shall be based on the City's need for the property for any street related purpose and shall be so referenced in the plat's text.
- C. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- D. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

S/D No. 82-69 Name Len Dennis Addition
Date Application Rec'd. 11-29-82 Preliminary Approval 12-9-82
Scheduled S/D Meeting 12-23-82

DESCRIPTION

General Location South side of 47th St. South in an area east of Seneca

Owner Len Dennis
Surveyor/Engineer Baughman Company, P.A.
Address 330 Laura, Wichita, Ks. Zip Code 67211 Phone 262-7271

- | | |
|---|--|
| 1. Gross Acreage of Plat <u>3</u> | 7. Lineal Feet of New Street |
| 2. Number of Lots : | a. <u>64</u> R/W <u>198</u> ft. |
| Residential <u>4</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>4</u> | TOTAL _____ ft. |
| 3. Minimum Lot Frontage <u>20 ft.</u> | 8. Sidewalk adjacent to all streets <u>yes</u> <u>X</u> no |
| 4. Minimum Lot Area <u>22,120 sq. ft.</u> | |
| 5. Existing Zoning <u>"AA"</u> | |
| 6. Proposed Zoning <u>"AA"</u> | |
| 9. Is public water available <u>X</u> Yes _____ No, Name <u>City of Wichita</u> | |
| 10. Is sanitary sewer available <u>X</u> Yes _____ No, Name <u>City of Wichita</u> | |
| 11. Has Health Dept. approval been obtained (where applicable) <u>Yes</u> <u>No</u> | |
| 12. City of Wichita <u>X</u> 3-Mile Area _____ Outside of 3-Mile Area _____ | |

STAFF COMMENTS:

- A. As can be noted on this final plat, the applicant is proposing access to the four lots by way of two joint access easements. In order to establish the construction and maintenance responsibilities of the shared access drives, it is necessary for the easements to be granted by separate instrument. The access easements need to also function as public drainage easements and shall be so labeled on the final plat tracing. Reference shall be included in the separate document as to which lots are the beneficiaries of these easements. This instrument shall be submitted to the Planning department for review prior to recording. The recording data shall be shown on the final plat tracing.
- B. The contingent dedication of right-of-way for the future east-west street shall be referenced in the plat's text.
- C. The applicant shall guarantee by petition the extension of sanitary sewer south across the contingent street dedication to serve Lots 3 and 4. A 20-foot by 20-foot utility easement shall be indicated on the final plat tracing centered on the lot line common to Lots 3 and 4 just south of the contingent street dedication.
- D. A notarized certificate listing the sanitary sewer petition shall be submitted to the Planning Department for recording.
- E. Closure computations shall be submitted with the final plat tracing.
- F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Approved by Board of Commissioners
this APR 13 1982

THIS EASEMENT made this 6th day of April, 1982,

by and between Len Dennis

of the first part and the City of Wichita of the second part.

WITNESSETH: That the said first party , 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 sewer pipes and a sewer system, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A PERMANENT SEWER EASEMENT described as beginning at a point seven hundred, forty-six and sixty-four hundredths (746.64) feet East and two hundred seventy-eight and five tenths (278.5) feet South of the Northwest corner of Section 20, Township 28 South, Range 1 East of the 6th P.M.: thence South twenty (20) feet; thence East one hundred (100) feet; thence North twenty (20) feet; thence West one hundred (100) feet to point of beginning.

MH 324.7 S of Sec Line

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 sewer and sewer system.

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

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
APR 19 1982
5 79481
BETTE F. MCCART
REGISTER OF DEEDS

Len Dennis

Len Dennis

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Sat Kettles
Deputy

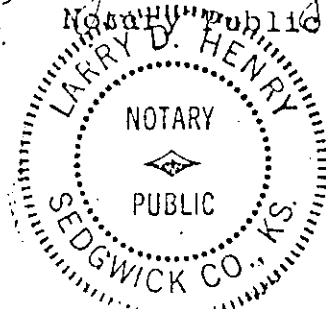
Personally appeared before me a notary public in and for the County and State aforesaid Len Dennis

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 6th day of April, 1982.

Larry D. Henry

Notary Public



My Commission Expires Oct 16, 1983

City Clerk

5.10

Approved by Board of Commissioners
this APR 13 1982

Form KB-016

TEMPORARY EASEMENT

THIS EASEMENT made this 6th day of April, 1982,

by and between Len Dennis

of the first part and the City of Wichita of the second part.

WITNESSETH: That the said first party, 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 temporary right-of-way and easement for the purpose of constructing sewer pipes and a sewer system according to the plans and specifications now on file in the office of the City Engineer of the City of Wichita, Kansas, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A TEMPORARY CONSTRUCTION EASEMENT described as beginning at a point seven hundred forty-six and sixty-four hundredths (746.64) feet and two hundred fifty-eight and five tenths (258.5) feet South of the Northwest corner of Section 20, Township 28 South, Range 1 East of the 6th P.M.: thence South Twenty (20) feet; thence East one hundred (100) feet; thence North twenty (20) feet; thence West one hundred (100) feet to point of beginning.

This easement does not include a right-of-way over land occupied by a permanent structure. Said easement shall expire upon completion of sewer.

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

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
APR 19 1982
NO. 5 179482
BETTE F. MCCARTY
REGISTER OF DEEDS

Len Dennis
Len Dennis

STATE OF KANSAS)
SEDGWICK COUNTY) SS

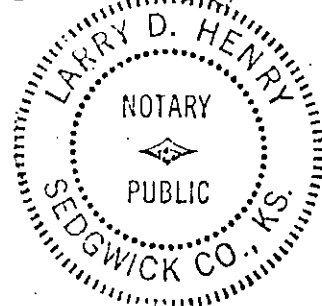
Personally appeared before me a notary public in and for the County and State aforesaid Len Dennis

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 6th day of April, 1982.

Larry D. Henry
Notary Public

(My Commission expires Oct 16, 1983)



5.00 City Clerk

City Hall - 13th Floor
455 North Main
Wichita, Kansas 67202
(316) 268-4681

JUN 9 2 03 PM '82

CLERK OF DISTRICT COURT
18TH DISTRICT
SEDCWICK COUNTY
KANSAS

Q/K

IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
CIVIL DEPARTMENT

THE CITY OF WICHITA, KANSAS,)
a Municipal Corporation,)
)
Plaintiff,)
)
vs.)
)
LEN DENNIS, et al.,)
)
Defendants,)
)
Lat. 9, Sbmain 3, SW Interceptor)

Case No. 82 C 1098

Pos. No. A

REPORT OF APPRAISERS

We, the undersigned appraisers, appointed to view and appraise the value of certain lands and/or interests and/or rights therein described in the petition of the plaintiff, the City of Wichita, Kansas, a municipal corporation, in the captioned matter and to determine the damages to the interested parties resulting from the takings, after being duly sworn and in accordance with the written instructions given by the Court, now report as follows:

On May 6, 1982, we published notice of our Public Hearing to commence May 21, 1982, to all interested parties by notice published in The Daily Record, a newspaper of general circulation in Sedgwick County, Kansas, the proof of which said published notice has been filed in this action. On the 7th day of May, 1982, we mailed copies of said published notice of our Public Hearing to the plaintiff and all defendant parties named in the petition whose addresses were known to us or could with reasonable diligence be ascertained, the proof of which mailing has been filed in this action.

On and after our appointment and qualifying herein, we began our appraisal and assessment of damages by actual view of the lands to be taken and of the tracts of which they are a part. On May 21, 1982, at 9:00 o'clock A.M., a public hearing was held in Division A of the Sedgwick County District Court in

Wichita, Kansas, at the time and place stated in the published and mailed notices, at which time we heard oral and/or written testimony concerning our appraisal and assessment of damages from the plaintiff and such of the defendants as were present and desired to be heard.

After our view of the lands involved, after consideration of the testimony received at the hearing and according to the instructions given us by The Honorable Elliott Fry, we have appraised the lands and/or interests and/or rights therein sought by the plaintiff and described in the petition. The damages to the interested parties resulting from the takings are as follows:

TRACT NO. 1

A PERMANENT SEWER EASEMENT described as beginning at a point seven hundred twenty-six and sixty-four hundredths (726.64) feet East and two hundred seventy-eight and five tenths (278.5) feet South of the Northwest Corner of Section 20, Township 28 South, Range 1 East of the 6th P.M.; thence South twenty (20) feet; thence East twenty (20) feet; thence North twenty (20) feet; thence West twenty (20) feet to the point of beginning.

A TEMPORARY CONSTRUCTION EASEMENT described as beginning at a point seven hundred twenty-six and sixty-four hundredths (726.64) feet East and forty (40) feet South of the Northwest Corner of Section 20, Township 28 South, Range 1 East of the 6th P.M.; thence South two hundred thirty-eight and five tenths (238.5) feet; thence East twenty (20) feet; thence North two hundred thirty-eight and five tenths (238.5) feet; thence West twenty (20) feet to the point of beginning, except that portion occupied by permanent structure.

This easement expires upon completion of the sewer construction project.

OWNER: Len Dennis & Ethel J. Dennis
907 West 47th Street South
Wichita, Kansas 67217

(a)	Value of the entire property or interest before taking	\$ 40,650.00
(b)	Value of that portion of the property or interest remaining after taking	\$ 40,382.65
	VALUE OF EASEMENT TAKEN AND DAMAGES RESULTING THEREFROM	\$ 267.35

7-28-82
Disbursed
CH # 58776

See Attachment "A"

We, the appraisers, determine the total damages to the respective interested parties to be as follows: \$11,074.84.

We, the undersigned appraisers, file this Report of Appraisers with the Clerk of the above Court on the 7th day of June, 1982, and hereunto affix our signatures as of that date.

Paul R. Brown
Paul R. Brown

Don Bottenberg
Don Bottenberg

William A. Bonwell
William A. Bonwell
Appraisers

Approved by the Court this 9th day of June, 1982.

[Signature]
JUDGE

Approval:

attorney for Plaintiff

Douglas A. Mosher by 2RP
Douglas A. Mosher