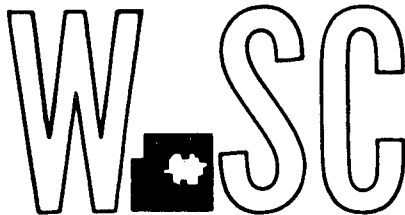


WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

November 17, 1978

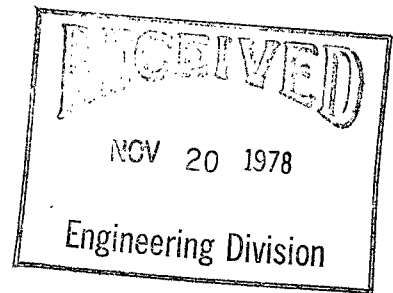
Oblinger-Smith Corporation
625 First National Bank Bldg.
Wichita, Ks. 67202

Re: S/D No. 78-122 - Preliminary plat of
Rock Road Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, November 16, 1978, 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. It is noted that the associated C.U.P. requires that a 10 foot landscape area be planted adjacent to Rock Road in the area shown as a 25 foot Continental Pipeline easement and that a screening wall be constructed along the south line of Lot 10 on the plat. The applicant shall obtain a letter from the Continental Company stating that the planting will not interfere with the pipeline, or the planting strip shall be moved to the west side of the pipeline easement. Either the screen wall shall be constructed north of the 10 foot easement shown on lot 10, or the easement shall be moved north to allow the construction of the wall at the property line.
- B. The applicant shall guarantee the paving of Funston and Longfellow Circle.
- C. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- D. The applicant shall guarantee the installation of City water to serve each lot.
- E. Prior to submission of the final plat, the applicant shall submit a drainage plan to the City Engineer's office for review and approval. The applicant shall guarantee all drainage improvements required by this plan.



- F. The applicant shall guarantee the construction of an accel-decel lane along Rock Road adjacent to Lots 8, 9, and 10.
- G. 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 any habitable structure constructed on subject property.
- H. The cul-de-sac radius shall be increased to 75 feet. (City Engineer's office stated on 11-17-78 that a 65 foot radius would be sufficient).
- I. 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.
- J. 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,

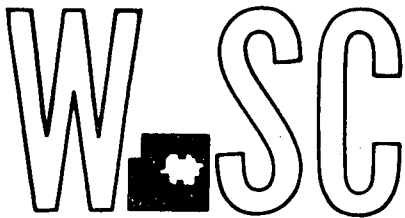


Louise Olivarez
Junior Planner

LO:bh

cc: Land Enterprises Co., 3900 E. Harry, Suite 135, 67218
Dean Sellers, Assistant City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

December 1, 1980

Land Enterprises Company
Suite 135
3900 E. Harry
Wichita, Ks. 67218

Re: Performance bond guaranteeing the construction of a drainage ditch and a temporary accel-decel lane for Rock Road adjacent to Lots 8, 9, and 10, Rock Road Addition.

Gentlemen:

Your performance bonds from Universal Surety Company in the amounts of \$22,000.00 and \$3,600.00 guaranteeing the above referenced improvements are nearing maturity. The terms of the bonds indicate that you are to make these improvements on or before December 21, 1980. City Engineering has advised that neither of the required improvements have been completed.

This letter acts to remind you of your agreement to make these improvements. We can grant a one-year time extension for the completion of these required improvements provided that a new performance bond is submitted to this office in the amount of \$4,500.00 as guarantee for the accel-decel lane and a second performance bond is submitted for the drainage guarantee in the amount of \$25,960.00. I have enclosed two new performance bond forms for your use when renewing these guarantees. Once I have received the new performance bonds in the amounts of \$4,500.00 and \$25,960.00, I will proceed to initiate the process necessary for release of your \$3,600.00 and \$22,000.00 guarantees.

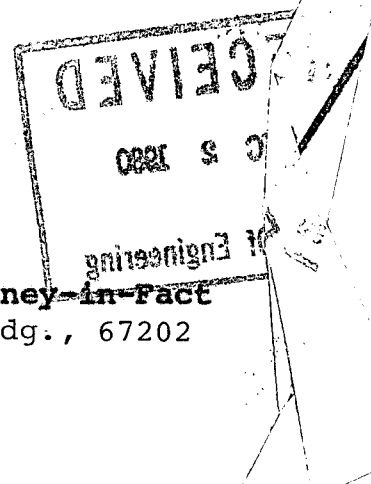
Should you have any questions about this matter, please call me at 268-4421. I have attached copies of your existing guarantees for your reference and information. Action on your part is imperative in order to avoid default on your existing bonds.

Sincerely,

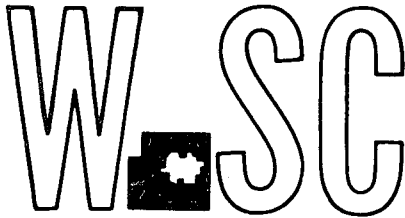
Forrest L. Nagley
Forrest L. Nagley
Junior Planner
FLN:bh

Enclosures (4)

cc: /Mike Lindebak, City Engineering
Paul C. Yankey, Jr., Union Center Bldg., Attorney-in-Fact
for Universal Surety Company, Union Center Bldg., 67202



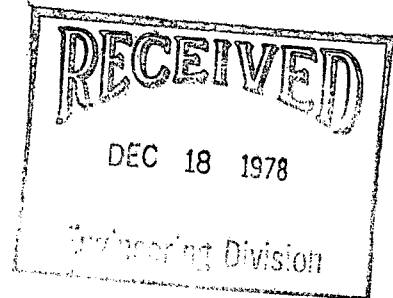
WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

(316) 268-4561
December 15, 1978



Oblinger-Smith Corporation
625 1st National Bank Bldg
Wichita, Kansas 67202

Re: S/D 78-122 - Final plat of Rock Road Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, December 14, 1978, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicants' drainage plan has been given tentative approval and the applicants' engineer has agreed to submit the additional information requested by the City Engineer prior to the Planning Commission meeting on December 21, 1978. If this is not accomplished by said meeting date the plat shall be deferred until the drainage plans have been completed.
- B. A dimension shall be indicated for the south line of Lot 1.
- C. It is noted that the associated C.U.P. requires that a 10 foot landscape area be planted adjacent to Rock Road in the area shown as a 25 foot Continental Pipeline easement and that a screening wall be constructed along the south line of Lot 10 on the plat. The applicant shall obtain a letter from the Continental Company stating that the planting will not interfere with the pipeline, or the planting strip shall be moved to the west side of the pipeline easement.
- D. The applicant shall guarantee the paving of Funston and Longfellow Circle.
- E. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- F. The applicant shall guarantee the installation of City water to serve each lot.


- G. The applicant shall guarantee the construction of both a temporary and permanent accel-decel lane along Rock Road adjacent to Lots 8, 9 and 10.
- H. The "drainage easement" on Lot 1, shall be changed to a drainage dedication on the final plat tracing.
- I. The applicant shall submit recorded copies of the private drainage easements on Lots 3 & 4 prior to forwarding the final plat to the City Commission.
- J. Any raising, lowering, relocation or incasement of the Continental pipeline as a result of improvements required on this plat, shall be at the sole expense of the applicant.
- 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 any habitable structure constructed on subject property.
- L. 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.

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 21, 1978, at 1:30 p.m. If you should have any questions concerning this matter, please call.

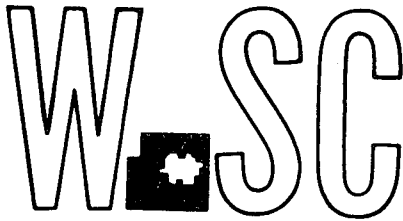
Sincerely yours,


Curtis L. Newby
Junior Planner

CLN:bh

cc: Land Enterprises Co., 3900 E. Harry, Suite 135, 67218
Baughman Company, 330 Laura
Dean Sellers, Assistant City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

September 14, 1981

Land Enterprises Company
Suite 135, 3900 E. Harry
Wichita, Kansas 67218

Re: Performance bond guaranteeing the construction of a
drainage ditch and a temporary accel-decel lane for
Rock Road adjacent to Lots 8, 9 and 10, Rock Road
Addition

Gentlemen:

Your performance bonds from Universal Surety Company in the amounts of \$25,960.00 and \$4,500.00 guaranteeing the above-referenced improvements are nearing maturity. The terms of the bonds indicate that you are to make these improvements on or before December 21, 1981. A recent field check of the subject lots indicates no development has occurred and, consequently, neither of the required improvements have been completed.

This letter acts to remind you of your agreement to make these improvements by December 21, 1981. Since no development has occurred on the adjacent lots, we can authorize a one year extension of time to complete the improvements provided a new performance bond is submitted to this office in the amount of \$5,310.00 as guarantee for the accel-decel lane and a second bond is submitted as guarantee for the drainage improvement in the amount of \$30,633.00. Should you desire an extension of time, please so advise me in writing. Please include in the request the reason why the extension of time is requested and when we can anticipate the completion of these improvements. New performance bond forms may be obtained from this office.

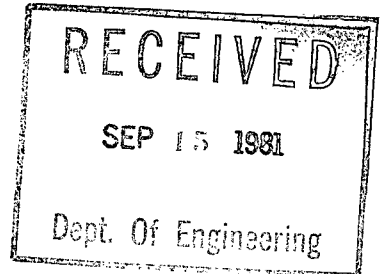
Should you have any questions about this matter, please call me at 268-4421. I have attached copies of your existing guarantees for your reference and information. Action on your part is imperative in order to avoid default on your existing bonds.

Sincerely,


Forrest L. Nagley
Junior Planner

FLN:bh

Enclosures (2)



Land Enterprises Company

9-14-81

Page 2

cc: Mike Lindbak, City Engineering
Paul C. Yankey, Jr., Union Center Bldg., Attorney-in-fact
for Universal Surety Company, Union Center Bldg., 67202

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
11:30 A.M.

MAR 30 1979

4 31989

NO.
BETTE F. McCART
REGISTER OF DEEDS

EASEMENT FOR DRAINAGE OF SURFACE WATER

Pat Kettler
Signature

THIS INDENTURE, Made this 20th day of February, 1979, by the undersigned owners of the real property hereinafter described;

W I T N E S S E T H:

WHEREAS, the undersigned are the legal and equitable owners of proposed Rock Road Addition to Wichita, Sedgwick County, Kansas, located in a portion of the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Twenty-seven (27) South, Range Two (2) East, Sedgwick County, Kansas; and

WHEREAS, it is necessary in connection with the development of the above addition to provide for the drainage of surface water from Lots Three (3) and Five (5) of said addition, as proposed;

NOW, THEREFORE, the parties hereby agree as follows:

1. The undersigned owners of the legal and equitable title in and to the proposed rock Road Addition do hereby grant and dedicate an easement for drainage purposes for the benefit of Lots Three (3) and Five (5) of the aforesaid proposed Rock Road Addition the West Twenty feet (W 20') and the South Twenty feet (S 20') of Lot Four (4) of said proposed Rock Road Addition;

2. The easement herein dedicated and granted may be utilized for drainage purposes only by a drainage system such as pipe, channel, flume or other drainage structure approved by the City of Wichita. Sheet drainage across property lines shall not be permitted.

00

Baughman Co.
330 Laura

3. Nothing herein contained shall prevent the grantors of said easement or their successors or assigns from constructing or making improvements and repairs on Lot Four (4) at their sole cost and expense, even though such construction and/or repair may temporarily interfere with the drainage of surface water from Lots Three (3) and Five (5), and the undersigned, their successors or assigns, shall not be liable in damages for such temporary interference with the drainage of said surface water.

4. The easement herein dedicated and granted is otherwise superior and paramount to the rights of the undersigned in the respective servient estate so created and the undersigned further agree that said easement shall be a covenant that shall run with the land and shall inure to the benefit of and be binding upon the undersigned, their respective heirs, devisees, legatees, executors, administrators, trustees, successors and assigns.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

THE ESTATE OF WILLIAM LEVITT, Deceased

By *Rosalie Kreitzer*
ROSALIE KREITZER, ^{ss}-Executor

By *David W. Goldschmidt*
DAVID W. GOLDSCHMIDT, Co-Executor

LAND ENTERPRISES COMPANY, a partnership

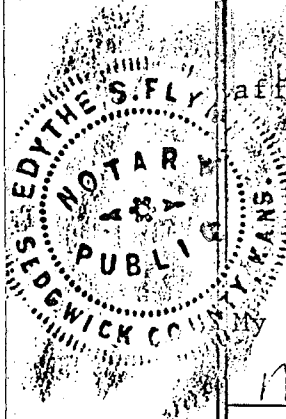
By *C. David Burrus*
Partner
C. David Burrus

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, That on this 24th day of MARCH, 1979, before me, the undersigned notary public in and for said county and state, came ROSALIE KREITZER and DAVID W. GOLDSCHMIDT, Co-Executors of the Estate of William Levitt, deceased, who are personally known to me to be the same persons who executed the foregoing instrument, and such persons duly acknowledged to me their execution of the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.



Ethyte S. Flynn

Notary Public

My appointment expires:
MARCH 24 1983

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

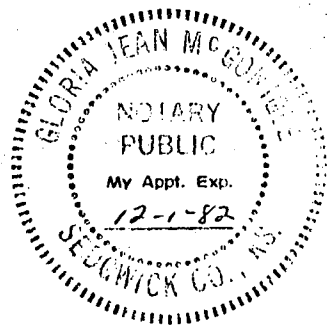
BE IT REMEMBERED, That on this 21st day of February, 1979, before me, the undersigned notary public in and for said county and state, came C. David Burnett, a partner in LAND ENTERPRISES COMPANY, a Kansas partnership, who is personally known to me to be the same person who executed the foregoing instrument, and such person duly acknowledged to me his execution of the same as his free and voluntary act and deed, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Gloria Jean McGonigle

Notary Public

My appointment expires:
12-1-82



S/D NO. S/D 78-122 Name Rock Road Addition
Date Application Rec'd. 11-6-78 Preliminary Approval
Scheduled S/D Meeting 11-16-78

DESCRIPTION

General Location Southwest corner of Rock Road and Funston

Owner Land Enterprises Company
Surveyor/Engineer Oblinger-Smith Corporation
Address 625 1st Nat'l Bank Bldg., Wichita, Ks. 67202 Phone 262-0451

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>17.3</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>70'</u> R/W <u>340+</u> ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial <u>3</u> | c. _____ R/W _____ ft. |
| Industrial <u>7</u> | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>10</u> | TOTAL <u>340+</u> ft. |
| 3. Minimum Lot Frontage <u>55+</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>23,500 sq.</u> ft. | streets? <u>yes</u> <input type="checkbox"/> no <input type="checkbox"/> |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>C and E Assoc. zone</u> Case Z-1989, Z-1990, and DP-84 | |
| 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>N/A</u> (Yes-No) | |
| 12. City of Wichita _____: <u>Three-Mile Area</u> | |

STAFF COMMENTS:

- A. Associated cases DP-84, Commercial C.U.P. and Z-1989, "AA" to "C" involving Lots 8, 9 and 10; and Z-1990, "AA" to "E" involving Lots 1 thru 7 have all been approved by the Board of City Commissioners subject to platting.
- B. It is noted that the associated C.U.P requires that a 10 foot landscape area be planted adjacent to Rock Road in the area shown as a 25 foot Continental Pipeline easement and that a screening wall be constructed along the south line of Lot 10 on the plat. The applicant shall obtain a letter from the Continental Company stating that the planting will not interfere with the pipeline. Either the screen wall shall be constructed north of the 10 foot easement shown on Lot 10, or the easement shall be moved north to allow the construction of the wall at the property line.
- C. The applicant shall guarantee the paving of Funston and Longfellow Circle.
- D. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- E. The applicant shall guarantee the installation of City water to serve each lot.
- F. The applicant shall guarantee all drainage improvements required by the plat. *& drainage plan.*
- G. The applicant shall guarantee the construction of an accel-decel lane along Rock Road adjacent to Lots 8, 9 and 10.
- H. 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

T9-303

(Over)

effects of noise pollution in any habitable structure constructed on subject property.

- I. 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.
- J. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

K. Drainage Plan

S/D NO. 78-122 Name Rock Road Addition
Date Application Rec'd. 11-6-78 Preliminary Approval 11-16-78
Scheduled S/D Meeting 12-14-78

DESCRIPTION

General Location Southwest corner of Rock Road and Funston

Owner Land Enterprises Company
Surveyor/Engineer Oblinger-Smith Corporation
Address 625 1st National Bank Bldg., Wichita, Ks. 67202 Phone 262-0451

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>17.3</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>70'</u> R/W <u>340±</u> ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial <u>3</u> | c. _____ R/W _____ ft. |
| Industrial <u>7</u> | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>10</u> | TOTAL <u>340+</u> ft. |
| 3. Minimum Lot Frontage <u>55+</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>x</u> no |
| 4. Minimum Lot Area <u>23,500 square</u> ft. | |
| 5. Existing Zoning <u>"AA"</u> | |
| 6. Proposed Zoning <u>"C" and "E" associated</u> zone Case Z-1989, Z-1990 and DP-84 | |
| 9. Public Water Supply <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u>NA</u> (Yes-No) | |
| 12. City of Wichita _____: <u>Three-Mile Area</u> | |

STAFF COMMENTS:

- Applicant is responsible for all details or adjustments to P&S drawings.*
- A. One of the conditions of approval of the preliminary plat was that no final plat was to be submitted until the drainage plans for the property had been approved by the City Engineer. Said plans have not yet been approved. However, the applicant's engineer has indicated approval of the plans is expected before the Subdivision Committee meeting of December 14, 1978, and if the plans are not approved by that time, that the applicant will agree to a deferral of this final plat until the drainage plans are approved.
 - B. A dimension shall be indicated for the south line of Lot 1.
 - C. It is noted that the associated C.U.P. requires that a 10 foot landscape area be planted adjacent to Rock Road in the area shown as a 25 foot Continental Pipeline easement and that a screening wall be constructed along the south line of Lot 10 on the plat. The applicant shall obtain a letter from the Continental Company stating that the planting will not interfere with the pipeline, or the planting strip shall be moved to the west side of the pipeline easement. Either the screen wall shall be constructed north of the 10 foot easement shown on lot 10, or the easement shall be moved north to allow the construction of the wall at the property line.
 - D. The applicant shall guarantee the paving of Funston and Longfellow Circle.
 - E. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
 - F. The applicant shall guarantee the installation of City water to serve each lot.
 - G. The applicant shall guarantee the construction of an accel-decel lane along Rock Road adjacent to Lots 8, 9 and 10.

T9-303

(Over)

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- H. 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 any habitable structure constructed on subject property.
 - I. Recording of the plat within 30 days after approval by the Board of City Commissioners.