

Mr. Bill G. Yung  
8225 E. 35th North  
1-7-83 - Page 2

- H. The applicant shall guarantee extension of sanitary sewer to serve all lots not already served.
- I. The applicant shall guarantee extension of City water to serve all lots not already served.
- J. The applicant shall submit an avigational easement and restrictive noise covenant on this property.
- K. It is recommended that the building setback lines not be shown on the final plat but that reference be made to the setbacks on the C.U.P.
- L. Only the access controls to the arterial streets shall be granted on the final plat.
- M. 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.
- N. 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.

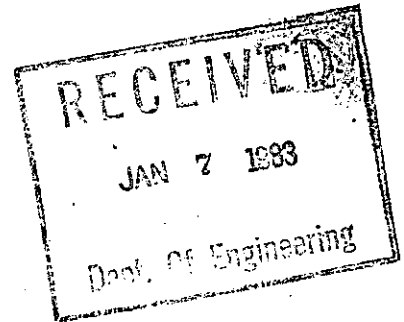
If you should have any questions concerning this matter, please call.

Sincerely,

  
Louise Olivarez  
Senior Planner

LO:bh

cc: Independence Commons, P.O. Box 4048, 67204  
Tallgrass Company, P.O. Box 4048, 67204  
Mid-Kansas Engineering Consultants, P.A., 240 N. Rock Rd.,  
#130, 67206  
X Mike Lindebak, City Engineering



January 7, 1983

Mr. Bill G. Yung Design  
8225 E. 35th North  
Wichita, Kansas 67226

Re: S/D 82-73 - Preliminary plat of Tallgrass Commercial

Dear Mr. Yung:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 6, 1983, 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. Any final plats shall distinguish between existing street right-of-way and right-of-way being dedicated on the plat. The cul-de-sac on Tara will need to be dedicated with the final plat of Lot 3, Block 2. Twenty-second Street will need to be dedicated with the final plat of Lots 1 and 2, Block 2 unless the plat of Executive Park at Tallgrass gets recorded first.
- B. Ten feet of additional right-of-way shall be dedicated for Rock Road adjacent to Block 2. Ten feet of additional right-of-way shall be dedicated for 21st Street adjacent to Block 1 just west of the interior street.
- C. The "Penstemon" street name shall be changed to "Executive."
- D. The right-of-way for Peppertree/Executive shall be increased to 70 feet.
- E. The applicant shall guarantee construction of all streets being platted, including appropriate decel lanes and left turn channelization on the arterials.
- F. Due to the zoning of this land, sidewalks are required on Tara, 22nd Street and Peppertree/Executive. Appropriate guarantees shall be submitted at the time of final platting.
- G. A drainage plan shall be submitted to City Engineering with the final plat.

PROJECT TALLGRASS COMMERC &

OFFICE PARK

DATE Jan. 12, 1982

PROJECT NO.

TO Bill Yung

8225 E. 35th Street North

Wichita, Kansas

KANSAS ENGINEERING CONSULTANTS  
NORTH ROCK ROAD SUITE 130  
WICHITA, KANSAS 67206

A parcel of land in the southwest quarter, Section 5, Township 27 south, Range 2 east of the 6th P.M. more particularly described as follows:

Beginning at the intersection of the north right of way line of 21st Street North and the east right of way line of Rock Road, said point of beginning being 40.00 feet northerly and 50.00 feet easterly of said southwest corner of Section 5; thence northerly along the east right of way line of Rock Road bearing N 1° 01' 02" W, 1471.54 feet; thence N 89° 58' 58" E, 230.00 feet; thence N 37° 16' 16" E, 253.62 feet; thence S 62° 16' 02" E, 555.00 feet; thence N 89° 06' 26" E, 43.28 feet; thence S 0° 53' 34" E, 316.00 feet; thence S 43° 58' 58" W, 407.13 feet; thence S 88° 58' 58" W, 114.91 feet; thence along a curve to the right having a radius of 50.00 feet, a long chord bearing S 20° 52' 30" W, 38.32 feet, a central angle of 45° 03' 51" and an arc length of 39.33 feet; thence N 88° 58' 58" E, 108.19 feet; thence S 46° 01' 02" E, 360.16 feet; thence S 43° 58' 58" W, 58.24 feet to the point of curvature of a curve to the left; thence along said curve having a radius of 242.00 feet, a long chord bearing S 21° 28' 58" W, 185.22 feet, a central angle of 45° 00' 00" and an arc length of 190.07 feet; thence S 1° 01' 02" E, 284.76 feet to a point on the north right of way line of Twenty First Street North; thence westerly along said north right of way line bearing S 89° 06' 26" W, 71.72 feet; thence N 87° 04' 43" W, 150.33 feet; thence S 89° 06' 26" W, 100.00 feet; thence S 1° 01' 02" E, 10.00 feet; thence S 89° 06' 26" W, 35.00 feet; thence S 1° 01' 02" E, 10.00 feet; thence S 89° 06' 26" W, 393.31 feet to the point of beginning; containing 27.695 acres, more or less.

cc: Arte Ponte  
Security Abstract & Title Co.

Art Chambers



PROJECT Tallgrass Commercial

TRANSMITTAL

1st Addition

DATE 1-13-83

PROJECT NO. \_\_\_\_\_

TO Mr. Chris Breitenstein

Drainage & Flood Control Engineer

455 North Main - 7th Floor

Wichita, Kansas 67202

MID-KANSAS ENGINEERING CONSULTANTS  
260 NORTH ROCK ROAD SUITE 245  
WICHITA, KANSAS 67206

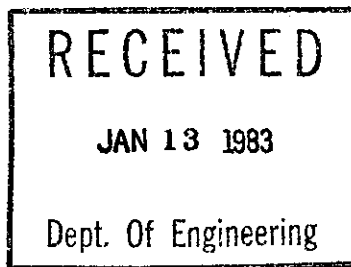
We are sending you the following items:

- PRINTS
- SPECIFICATIONS
- LEGAL DESCRIPTIONS
- TRACINGS
- PETITIONS
- CORRESPONDENCE
- OTHER

- FOR YOUR APPROVAL
- APPROVED AS TO GENERAL CORRECTNESS
- APPROVED AS CORRECTED
- REVISE & RESUBMIT
- FOR YOUR FILES
- FOR YOUR USE
- OTHER

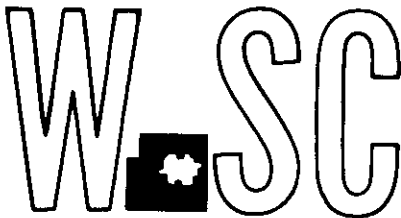
REMARKS: Submitted herewith is the site drainage plan for the  
above referenced project.

COPIES TO:



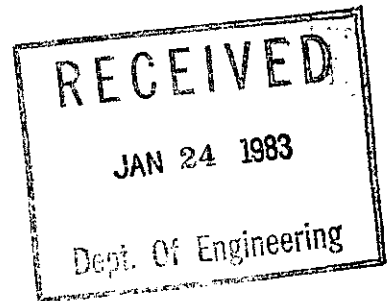
Signed Kenneth H. Bengtson  
Kenneth H. Bengtson

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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



January 21, 1983

Mid-Kansas Engineering Consultants  
Attention: Ken Bengtson  
240 N. Rock Rd., #130  
Wichita, Kansas 67206

Re: S/D 82-73 - Final plat of Tallgrass Commercial First  
Addition

Dear Mr. Bengtson:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, January 20, 1983, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee extension of sanitary sewer to serve the lots.
- B. The applicant shall guarantee the paving of 22nd Street North to commercial street standards, including a sidewalk.
- C. The applicant shall guarantee the construction of the decel lane on Rock Road south of 22nd Street.
- D. The applicant shall submit an avigational easement and restrictive noise covenant on this property.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording with the plat.
- F. As required by the applicant's drainage plan for this property, the applicant shall provide a covenant establishing cross lot drainage for Lots 1 and 2 and shall obtain an off-site drainage easement to drain the proposed cul-de-sac.
- G. A covenant shall be submitted with provides for the establishment of the Tallgrass Commercial Association. This covenant shall specify when the association will be established; when the reserve will be deeded to the association; and who will own and maintain the reserve until the association takes over.

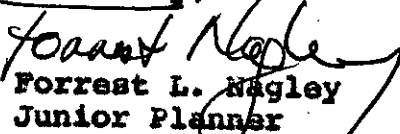
- H. Closure computations shall be submitted with the final plat tracing.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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 Friday, January 28, 1983, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

  
Forrest L. Nagley  
Junior Planner

FLN:dh

cc: Independence Commons, P.O. Box 4048, 67204  
Tallgrass Company, P.O. Box 4048, 67204  
X Mike Lindebak, City Engineering

DECLARATION OF DRAINAGE EASEMENT

THIS DECLARATION, made this 26<sup>th</sup> day of January, 1983, by INDEPENDENCE COMMONS COMPANY, ("Declarant").

W I T N E S S E T H: That,

WHEREAS, Declarant is the owner of all of Lots 1 and 2, Tallgrass Commercial First Addition, an Addition to Wichita, Sedgwick County, Kansas; and

WHEREAS, it is necessary in connection with the development of said property to provide for the drainage of surface water; and

WHEREAS, it is anticipated that title to each lot may become vested in separate owners and it is therefore necessary to establish such drainage easement of record.

NOW, THEREFORE, Declarant hereby establishes and declares that the said Lot 2 shall be subject to an easement for the benefit of said Lot 1 to drain surface water from said Lot 1 over and across all of said Lot 2 all in accordance with the approved drainage plan for said Addition.

Nothing herein shall be construed as preventing the owner of Lot 2 from constructing and making improvements and repairs on said lot even though such construction and/or repairs may temporarily interfere with the drainage of such surface water, and the owner of Lot 2 shall not be liable in damages to the owner of Lot 1 for such temporary interference with the drainage of said surface water.

This Declarant of Easement shall run with the land and shall be binding upon the present owners of said lots and their respective heirs, devisees, legatees, executors, administrators, trustees, successors and assigns, and all subsequent owners of said lots.

THIS DECLARATION executed the date first above written.

INDEPENDENCE COMMONS COMPANY,  
a partnership

By E. D. Ritchie  
a partner

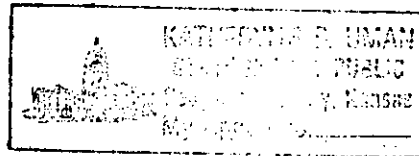
STATE OF KANSAS )  
                          ) ss.  
SEDGWICK COUNTY )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of January, 1983, by E. D. Ritchie, a partner, on behalf of Independence Commons Company, a partnership.

Katherine S. Bowman  
Notary Public

My Commission Expires:

2-2-83



EASEMENT

THIS EASEMENT made this 26<sup>th</sup> day of January, 1983  
by and between Tallgrass Company, a partnership of the first  
part and City of Wichita, Kansas 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 their storm sewer, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

The following is a description of a 30 foot storm drainage easement in the southwest quarter of Section 5, Township 27 south, Range 2 east of the 6th P.M. with the centerline described as follows:

Beginning at a point on the centerline of Twenty-Second Street North, 513.50 feet east of the centerline of Rock Road also being the west line of said Section 5, said point of beginning also being the center of a 50 foot cul-de-sac; thence N 1° 01' 02" W, 264.00 feet; thence N 45° 58' 58" E, 379.18 feet; thence N 00° 53' 23" W, 90.19 feet; thence N 18° 43' 58" E, 108.36 feet to the point of termination.

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 their storm sewer, including the right to open and excavate in any streets or ways that may be constructed on the surface of said easements, provided that upon completion of the necessities of grantee's operations the surface of such easements shall be restored as nearly as possible to its original condition.

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

C. D. Ritchie

STATE OF KANSAS

ss:

SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came E. D. Ritchie 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 2:00 p.m. this 26<sup>th</sup> day of January, 1983.

Katheryn S. Bauman  
Notary Public

My Appointment Expires; 2-2-83



EASEMENT

THIS EASEMENT made this 26<sup>th</sup> day of January, 1983  
by and between Tallgrass Company, a partnership of the first  
part and City of Wichita, Kansas 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 their storm sewer, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

The following is a description of a 70 foot storm drainage easement in the southwest quarter of Section 5, Township 27 south, Range 2 east of the 6th P.M. with the centerline described as follows:

Beginning at a point on the east right of way line of Rock Road 35.00 feet south of the southwest corner of Tallgrass Commercial First Addition, an addition to Wichita, Sedgwick County, Kansas, said point of beginning also being 465.70 feet north and 50.00 feet east of the southwest corner of said Section 5; thence N 88° 58' 58" E, 323.30 feet to the point of curvature of a curve to the right; thence along said curve having a radius of 95.00 feet, a long chord bearing S 46° 01' 02" E, 127.28 feet, a central angle of 90° 00' 00" and an arc length of 149.23 feet; thence S 1° 01' 02" E, 311.78 feet to the point of termination, said point also being on the north right of way line of Twenty-First Street North, 503.30 feet east and 60.00 feet north of the southwest corner of Section 5.

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 their storm sewer, including the right to open and excavate in any streets or ways that may be constructed on the surface of said easements, provided that upon completion of the necessities of grantee's operations the surface of such easements shall be restored as nearly as possible to its original condition.

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

Tallgrass Company, a partnership

By: C. W. [Signature]

STATE OF KANSAS  
ss:  
SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came E. D. Ritchie 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 2:00 p.m. this 26<sup>th</sup> day of January, 1983.

Katheryn S. Bauman  
Notary Public

My Appointment Expires: 2-2-83



Carl  
GA

DATE: March 31, 1987

TO: Marvin Krout  
Jack Galbraith  
✓Mike Lindebak  
Bill McKinley  
Dave Ritchie  
Jack Ritchie  
Alan Stein

FROM: Bill G. Yung

RE: Tallgrass Commercial C.U.P. - 21st Street North and Rock Road

A meeting was held this date at the Metropolitan Area Planning Department conference room regarding a solution to the request for amending the current Community Unit Plan (C.U.P.) allowing access to parcel one. The following decisions were agreed upon:

1. Access control on 21st Street North will be modified, allowing for complete access control from the center of section east for 160'. Access control except for one opening (right turn only) to be specifically located at a later date within the next 200' east. The remaining distance to 21st Street Court shall then return to complete access control.
2. Access control on Rock Road shall be modified allowing for complete access control for a distance of 160' north of the center of section then access control allowing for one opening, permitting a break in the existing median and allowing for a left turn movement into parcel one within the next 200' north. This opening to be more specifically defined at a later date. The remaining distance north to be complete access controlled.

In accomplishing this, if the specific location is immediately north of the 160' complete access control limit, a 30' curb break could be constructed without any additional modification to the remaining median. If the specific location of the opening is requested farther north (say 190' or more) then the west curb along the existing median shall be removed and reconstructed providing for additional left turn stacking. Regardless of the exact location, the remaining curb north or south of this opening shall remain as a standard curb.

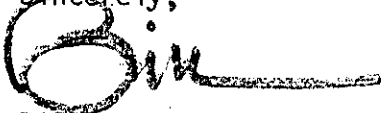
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DESIGN DIVISION

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3. This solution will provide for a left turn movement into parcel one for south bound Rock Road traffic and a right turn only movement for 21st Street North traffic.
4. The requested C.U.P. amendment further provides for expanded uses as per the C.U.P. submitted for staff review dated February 5, 1987, as well as the amended setbacks also indicated on that document.
5. We were requested to review the remaining trees along 21st Street south of 21st Street Court and update the C.U.P. showing any proposals for joint use of this area for parking, drives and saving those remaining trees where possible.
6. Discussion regarding vacation of 21st Street Court and Rock Road Court was held with the decision to leave them as public streets.
7. To permit development of parcel one into three (3) separate ownerships, we will first need to finish the C.U.P. amendment through public hearing, vacate the access control along 21st Street North and Rock Road either as a separate instrument or through a replat of parcel one. If done as a separate instrument, a lot split would also be required for the first sale with a replat then necessary before any additional sales could occur. Prior to any replatting or vacation cases, we are to submit a detailed site plan illustrating the precise locations for our proposed curb cuts.

If there are any inaccuracies, please advise.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill G. Yung". The signature is stylized with a large, looped initial "B" and a long horizontal stroke extending to the right.

Bill G. Yung