

WICHITA-SEDGWICK COUNTY

DATE

January 4, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**


✓ Dean Sellers, Acting City Engineer  
Robert B. Feldner, Superintendent of Central Inspection  
Paul B. Graves, Traffic Engineer  
TO Max Greene, Flood Control and Landfill Director

FROM Jack H. Galbraith, Chief Planner

SUBJECT DP-101 - ROCK ROAD STORAGE Commercial C.U.P.  
Z-2212 - Zone Change "AA", "B" & "LC" to "C"  
located on the west side of Rock Road, between  
Lincoln and Harry.

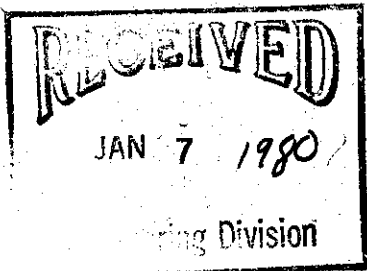
Attached is a copy of a proposed commercial C.U.P. for the area at the above location. The residential storage warehouses are currently on the site. The applicant has requested a zone change to "C" Commercial for the site in order to permit outside storage of recreational vehicles, small trucks, boats, etc.

We have scheduled this for the January 31, 1980 Planning Commission meeting and I would appreciate any comments you might have regarding the proposed C.U.P. and zone change by January 16, 1980.

  
Jack H. Galbraith  
Chief Planner

JHG:ADC:e1

Attachment



**THE CITY OF WICHITA**

**OFFICE OF Public Works Engineering**

**DATE January 14, 1980**

**TO Jack H. Galbraith, Chief Planner**

**FROM Mike Lindebak, Program Development Engineer**

**SUBJECT Rock Road Storage Commercial CUP**

General Provision #4 deals with drainage. Drainage as indicated on the plan would require an amended drainage plan for Lots 4 and 5, Branson 2nd Addition. Rather than deal with drainage at building permit time, an amended drainage plan should be obtained now and shown on the CUP.

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**Mike Lindebak  
Program Development Engineer**

**ML:ck**

**RODGER A. BROOKS - ARCHITECT, P.A.**  
 East Side Financial Center  
 7701 East Kellogg Avenue - Suite 725  
 WICHITA, KANSAS 67207

**LETTER OF TRANSMITTAL**

(316) 684-0147

TO Mr. Yash Desai

DATE <u>2/12/80</u>	JOB NO.
ATTENTION	
RE:	

GENTLEMEN:

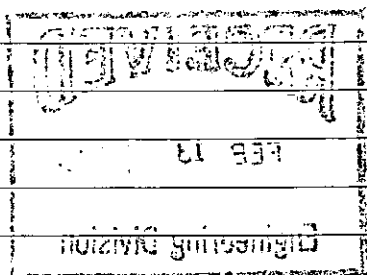
- WE ARE SENDING YOU  Attached  Under separate cover via \_\_\_\_\_ the following items:
- Shop drawings     Prints     Plans     Samples     Specifications  
 Copy of letter     Change order     \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
2	1-2-80	1	ROCK ROAD STORAGE CUP

THESE ARE TRANSMITTED as checked below:

- For approval     Approved as submitted     Resubmit \_\_\_\_\_ copies for approval  
 For your use     Approved as noted     Submit \_\_\_\_\_ copies for distribution  
 As requested     Returned for corrections     Return \_\_\_\_\_ corrected prints  
 For review and comment     \_\_\_\_\_  
 FOR BIDS DUE \_\_\_\_\_ 19 \_\_\_\_\_  PRINTS RETURNED AFTER LOAN TO US

REMARKS sent per Keith Anderson request.



COPY TO \_\_\_\_\_

SIGNED: Rodger A. Brooks

March 5, 1980

Mr. Burrus  
Land Enterprises Company  
3900 East Harry  
Wichita, KS 67218

Dear Mr. Burrus:

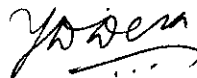
Re: Rock Road Storage C.U.P.; also Lots 4 and 5, Branson 2nd Addition  
Drainage

Mr. Roger A. Brooks, Architect, P.A., has submitted the drainage concept plan for the subject plat in the form of Rock Road Storage CUP. As part of requirement for this drainage plan, Mr. Keith L. Anderson granted easement for drainage of surface water of Lots 4 and 5, Branson 2nd Addition through Lot 5, Captain's Addition to Wichita, Sedgwick County, Kansas. A similar easement should be filed and recorded for drainage of surface water from West 158.16 ft. of Lot 5, Branson 2nd Addition to Lot 4, Branson 2nd Addition.

Please submit such easement at your earliest convenience. Please feel free to call me at (316)268-4235 if you have any questions.

Thank you in advance.

Very truly yours,



Yash D. Desai, P.E.  
Drainage Chief Engineer

YDD/dla

cc: Jack Galbraith, Chief Planner, City of Wichita  
Robert Feldner, Supt. of Central Inspection Division, City of Wichita  
Roger A. Brooks, 7701 E. Kellogg, Suite 725, Wichita, Kansas 67207

STATE OF KANSAS  
 SEDGWICK COUNTY  
 FILED FOR RECORD AT  
 11:00 A.M.  
 FEB 19 1980  
 4 78127

MICROFILMED  
 OF RECORD

DECLARATION OF EASEMENT FOR  
DRAINAGE OF SURFACE WATER

NO. 1  
 BETTE F. McCART  
 REGISTER OF DEEDS

*lat  
 Ketchum  
 Sedgwick*

WHEREAS, the undersigned, LAND ENTERPRISES COMPANY, a Kansas partnership, is the owner of the following described real property in Sedgwick County, Kansas, to-wit:

Lots Two (2) and Three (3) and the East One Hundred Sixty-three feet (E 163') of Lot Five (5), Branson Second Addition to the City of Wichita, Sedgwick County, Kansas;

WHEREAS, an easement should be created for the purpose of draining surface water from the East 163 feet of the said Lot Five (5), Branson Second Addition to the City of Wichita, Sedgwick County, Kansas;

NOW, THEREFORE, the undersigned, LAND ENTERPRISES COMPANY, a Kansas partnership, does hereby dedicate and create an easement for the purpose of draining surface water from the East 163 feet of Lot Five (5) Branson Second Addition to the City of Wichita, Sedgwick County, Kansas, over and across the following described real property, to-wit:

The North Twelve feet (N 12') of Lot Three (3) and the South Twelve feet (S 12') of Lot Two (2), Branson Second Addition to the City of Wichita, Sedgwick County, Kansas.

The granting of this easement shall not prevent LAND ENTERPRISES COMPANY, its successors or assigns, from constructing and making improvements and repairs upon the above designated surface water drainage easement even though such construction and repairs may temporarily interfere with the drainage of said surface water, and such construction and repairs shall not result in any liability upon the undersigned for temporary interference with the drainage of surface water from the East 163 feet of Lot Five (5), Branson Second Addition to the City of Wichita, Sedgwick County, Kansas.

*Antelope Investment Co.  
 1100 South Dock Road*

This easement shall run with the land and shall be binding on and inure to the benefit of any successor on, in and to the above described real property.

EXECUTED this 18<sup>th</sup> day of July, 1979.

LAND ENTERPRISES COMPANY

By C. David Burrus  
C. DAVID BURRUS Partner

A C K N O W L E D G M E N T

STATE OF KANSAS        )  
                              ) ss.  
COUNTY OF SEDGWICK )

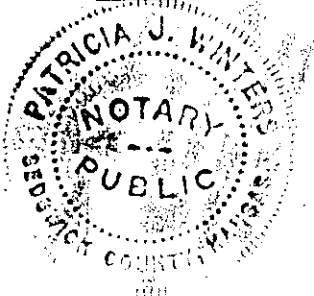
BE IT REMEMBERED, That on this 18<sup>th</sup> day of July, 1979, before me, the undersigned notary public in and for said county and state, came C. David Burrus, a partner in LAND ENTERPRISES COMPANY, a Kansas partnership, to me personally known to be the same person who executed the foregoing instrument as such partner, and such person duly acknowledged to me his execution of the same as his free and voluntary act and deed on behalf of said partnership, for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Patricia J. Winters  
Notary Public  
PATRICIA J. WINTERS

My appointment expires:

3-6-80



Yash

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
FEB 19 1980

MICROFILMED  
OF RECORD

FILM 408 - ALL 59

EASEMENT FOR DRAINAGE  
OF  
SURFACE WATER

NO. 4 78426  
BETTE F. McCART  
REGISTER OF DEEDS

THIS INDENTURE made this 18<sup>th</sup> day of July, 1979,

between Keith L. Anderson, Party of the First Part, hereinafter referred to as "Grantor" and Land Enterprises Company, a Kansas partnership, Party of the Second Part, hereinafter referred to as the "Grantee."

Grantor is the owner of the following described real property, to-wit:

Lot 5, Captain's Addition to Wichita, Sedgwick County, Kansas

and,

Grantee is the owner of Lots 4 and 5, Branson Second Addition to Wichita, Sedgwick County, Kansas, and

Grantee is desirous of obtaining an easement from Grantor for the purpose of draining surface water from a portion of Grantee's property over and across a portion of the property owned by Grantor.

NOW, THEREFORE, in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by Grantor, the Grantor hereby grants to Grantee, their heirs and assigns, full and free right and authority to drain surface water from the West 158.16 ft. of Lot 5 and all of Lot 4, Branson <sup>Second</sup> Addition to Wichita, Sedgwick County, Kansas, owned by Grantee, over and across the following described real property owned by Grantor, to-wit:

The West 25 feet of the East 309 feet of Lot 5, Captain's addition to Wichita, Sedgwick County, Kansas,

Grantee covenants with Grantor and his successors and assigns that nothing herein contained shall prevent Grantor from constructing and making improvements and repairs on Grantor's property at Grantor's sole cost and expense even though such construction and/or repairs may temporarily interfere with the drainage of said surface water and Grantee, for themselves, their heirs and assigns, further covenant that Grantor shall not be liable in damages to Grantee or their heirs and assigns for temporary interference with the drainage of said surface water.

RECEIVED  
FEB 25 1980  
Engineering Division

*for Records*

②

*Land Enterprises Co.  
1125 South Rock Road*

This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successors or assigns but may be terminated at any time by mutual recordable instrument executed by the parties who are, at the time of termination, the owners of the afore described real property.

Executed this 18<sup>th</sup> day of July, 1979.

Keith L. Anderson  
Keith L. Anderson, "Grantor"

LAND ENTERPRISES COMPANY, "Grantee"

By: C. David Burrus  
General Partner C. DAVID BURRUS

STATE OF KANSAS: SS  
SEDGWICK COUNTY:

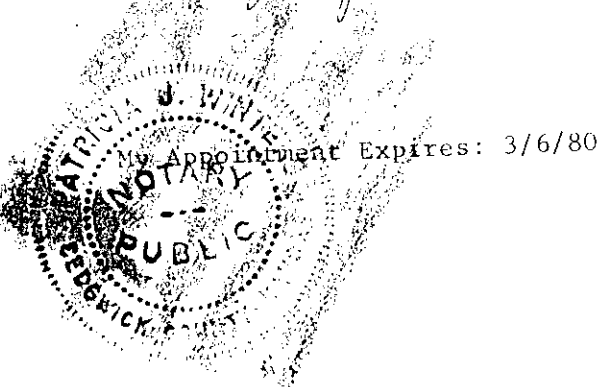
The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of July, 1979, by Keith L. Anderson.



Patricia J. Winters  
Patricia J. Winters, Notary public

STATE OF KANSAS: SS  
SEDGWICK COUNTY:

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of July, 1979, by C. David Burrus, Genl. Partner of Land Enterprises Company.



Patricia J. Winters  
Patricia J. Winters, Notary Public