

WICHITA - SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

To: Larry Henry, Program Development  
Engineer

Date: January 17, 1984

From: Barbara R. Bonanni, Junior Planner

Subject: Platting improvements guaranteed by Letters of Credit  
(Nos. 1774, 1775 and 1776), S/D 83-124 - Lamsdale  
Fifth Addition. Generally located at the southeast  
corner of Oliver and 13th Street North.

The above-referenced Letters of Credit were required with the platting of Lamsdale Fifth Addition. Please advise me of the status of these improvements so I may either release the guarantees or proceed with obtaining updates or revisions. Attached are copies of the three Letters of Credit that itemize the particular improvements.

Thank you.

*Barbara R. Bonanni*

Barbara R. Bonanni  
Junior Planner

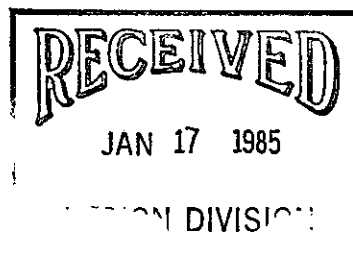
BRB:mlh

Attachments

*Advised Barbara the following:*

- 1 San Sewer relocation is completed.*
- 2. Decel Lane - not done*
- 3 Drainage - not certain*

*VRH 1/21/85*



IRREVOCABLE LETTER OF CREDIT

FIRST NATIONAL BANK IN WICHITA  
(Name and address of bank)

*cost oked  
by Chris  
3-14*

DATE: March 13, 1984

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 2,500.00 for the account of Wesley Medical Endowment Foundation

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before March 13, 1985 (6)

- 1. Construction of drainage improvements to be constructed to the east of Lot 1, Block 1, as required by the approved drainage plan for th platting of Lot 1, Block 1, Lambsdale Fifth Addition.

*EX*  
in *Law* Lambsdale Fifth Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

- 1. The improvements have been timely completed and the credit may be released, or
- 2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under \_\_\_\_\_"

First National Bank in Wichita, Credit No. C-1776, dated March 13 1984.  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before May 13, 1985  
(insert a date at least 60 days from the date on line 6)



Very truly yours,

FIRST NATIONAL BANK IN WICHITA  
(Name of bank)

By *C. A. Whitney, Jr.*  
(Authorized signature)

(Also type or print name below)

C. A. Whitney, Jr., Vice President

STATE OF KANSAS }  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
10:00 A.M.

AFFIDAVIT

NOV 2 1984

NO. 7 18337

BETTE F. McCART  
REGISTER OF DEEDS

*Sat Kettlers*  
*Deputy*

STATE OF KANSAS  
COUNTY OF SEDGWICK

SS:

Michael E. Lindebak, P.E., City Engineer for the City of Wichita,  
Kansas, being first duly sworn, on oath states:

*Plat*  
*corrected*  
*11/22/85*  
*J & R*

I have examined the final plat of Lambsdale Fifth, an addition to  
Wichita, Sedgwick County, Kansas, and have found that reference to the  
point of beginning on the face of the plat, and also in the legal  
description should be 357.75 feet south of the northwest corner of  
Section 13, Township 27 south, Range 1 east, and not 354.75 feet as  
shown. The legal description should be corrected to read as follows:

A replat of a portion of Fourth Addition to Lambsdale, an  
addition to Wichita, Sedgwick County, Kansas, all within the  
northwest quarter of Section 13, Township 27 south, Range 1  
east of the 6th P.M., more particularly described as follows:

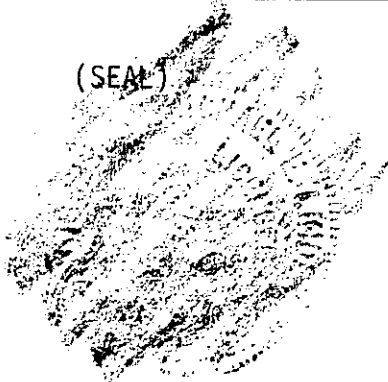
Beginning at a point 357.75 feet south on an assumed bearing  
of S 0° 00' 00" E, and east 50.00 feet bearing  
N 90° 00' 00" E, from the northwest corner of said Section 27,  
said point also being 50.00 feet east of the centerline of  
Oliver Street; thence N 89° 53' 41" E, 410.00 feet; thence  
S 0° 00' 00" E, 275.00 feet, to a point on the north line of  
12th Street; thence westerly along said north line bearing  
S 89° 53' 41" W, 410.00 feet to a point on the east line of  
Oliver Street; thence northerly along said east line bearing  
N 0° 00' 00" E, 275.00 feet to the point of beginning;  
containing 2.59 acres, more or less.

FURTHER AFFIANT SAITH NOT.

*Michael E. Lindebak*  
Michael E. Lindebak, P.E.

Dated this 1 day of November, 1984

(SEAL)



6.00

*Mid-Kansas Engineering Consultants*  
*240 N. 1st St. Wichita, KS 67202*

STATE OF KANSAS

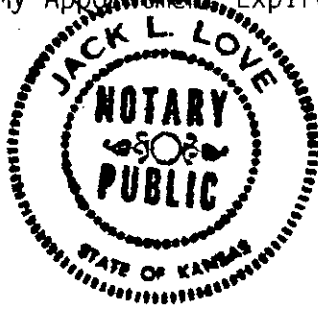
SS:

COUNTY OF SEDGWICK

Be it remembered that on this 1st day of November, 1984, before me, a Notary Public in and for said State and County, came Michael E. Lindebak, City Engineer for the City of 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 by notarial seal the day and year above written.

Jack L Love, Notary Public

My Appointment Expires: Dec 9, 1986



S/D No. 83-124 Name Lambsdale Fifth  
Date Application Rec'd. 12-23-83 Preliminary Approval 1-19-84  
Scheduled S/D Meeting 3-1-84

DESCRIPTION

General Location N.E. corner of Oliver and 12th St. North

Owner Wichita Art Assoc., Wesley Medical Indowment, W.S.U. Endowment Assoc.  
Surveyor/Engineer Mid-Kansas Engineering Consultants, P.A.  
Address 240 N. Rock Rd., Suite 130, Wichita, Ks. Zip Code 67206 Phone 682-6561

- |                                                                |                                                         |                                     |                        |
|----------------------------------------------------------------|---------------------------------------------------------|-------------------------------------|------------------------|
| 1. Gross Acreage of Plat                                       | <u>2.58</u>                                             | 7. Lineal Feet of New Street        |                        |
| 2. Number of Lots :                                            |                                                         | a. _____ R/W _____ ft.              |                        |
| Residential                                                    | _____                                                   | b. _____ R/W _____ ft.              |                        |
| Commercial                                                     | <u>1</u>                                                | c. _____ R/W _____ ft.              |                        |
| Industrial                                                     | _____                                                   | d. _____ R/W _____ ft.              |                        |
| Other                                                          | _____                                                   | e. _____ R/W _____ ft.              |                        |
| Total Number of Lots                                           | <u>1</u>                                                | TOTAL _____ ft.                     |                        |
| 3. Minimum Lot Frontage                                        | <u>265 feet</u>                                         | 8. Sidewalk adjacent to all streets | <u>yes</u> <u>x</u> no |
| 4. Minimum Lot Area                                            | <u>2.5+ acres</u>                                       |                                     |                        |
| 5. Existing Zoning                                             | <u>LC</u>                                               |                                     |                        |
| 6. Proposed Zoning                                             | <u>LC w/CUP (DP-135)</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 _____ |                                     |                        |

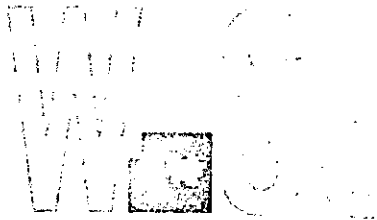
STAFF COMMENTS:

- A. The main purpose of the north-south 20-foot utility easement is for a relocated sanitary sewer line. Since the new easement must be extended off-site before merging with the existing easement and sewer line, the applicant shall grant this new easement by separate instrument. The easement shall be submitted to the Planning Department for recording with the plat.
- B. The applicant shall guarantee the abandonment of the existing sanitary sewer within the easement being vacated and shall guarantee the construction of a new sewer within the new easement.
- C. The applicant shall guarantee construction of the decel lane on Oliver and the third lane on 12th Street adjacent to this site.
- D. In accordance with the sidewalk ordinance, a certificate shall be submitted stating that a sidewalk will be constructed on the north side of 12th Street adjacent to this lot when the lot develops.
- E. The applicants shall dedicate by separate instrument the major street intersection and deceleration lane rights-of-way adjacent to their commercial ownership not included in this plat. A guarantee shall be submitted for construction of these decel lanes so that the improvements can be made in conjunction with the intersection improvements planned for this summer.
- F. The City Engineer's representative shall be prepared to comment on the applicant's final drainage plan and state whether any off-site drainage easements are required or whether any drainage improvements need to be guaranteed with the platting of this lot.

*not submitted*

- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

WICHITA SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-1261

January 20, 1984

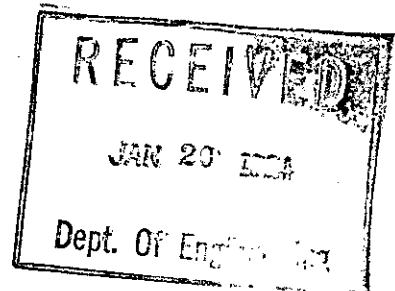
Mr. Bill G. Yung  
Bill G. Yung Design  
8225 E. 35th St. North  
Wichita, Ks. 67226

Re: S/D 83-124 - Preliminary plat of Lambsdale Fifth  
Addition

Dear Mr. Yung:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 19, 1984, 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. Prior to or at the time of submitting a final plat, the applicant shall submit a drainage plan to the City Engineer's office for review and approval.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. Since building setbacks are established by the Lambsdale Community Unit Plan, they should not be indicated on the final plat.
- D. As can be noted on this preliminary plat, the applicant is proposing the vacation of a portion of an existing utility easement by this replat. On the final plat, appropriate reference shall be made to K.S.A. 12-512(b) in the Engineer's text.
- E. The applicant shall guarantee the abandonment of the existing sanitary sewer line in the utility easement being vacated by this replat.
- F. The applicant shall guarantee construction of the replacement sanitary sewer line made necessary by the sewer line abandonment (see comments D and E).
- G. The final plat shall indicate a minimum of 60 feet of half street right-of-way for Oliver and 13th Street in



order to provide for deceleration lanes to serve the 10 acres of commercial zoning.

- H. The applicant shall guarantee the construction of continuous deceleration lanes on Oliver and 13th Street adjacent to this plat.
  - I. On the final plat, the applicant shall dedicate the necessary additional right-of-way for 12th Street adjacent to proposed Lot 2 in order to provide for a third lane to be constructed from Oliver to the westernmost driveway. The construction of this third lane for 12th Street shall be guaranteed with the final platting of proposed Lot 2.
  - J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
  - K. The final plat shall indicate the amount of existing half street rights-of-way adjacent to this site and the amount of additional rights-of-way being dedicated by this plat.
  - L. The final plat shall indicate "access control except for 2 openings" to 12th Street across the south line of Lot 2.
  - M. As this property is zoned for light commercial purposes, the applicant shall submit a sidewalk certificate stating that a sidewalk will be constructed on 12th Street when Lots 2 and 3 are developed.
  - N. When Lot 3 is finished out, the final plat shall clearly call out and define the temporary nature of the 45-foot wide temporary drainage easement indicated adjacent to this lot's south line.
  - O. The final plat shall indicate bearings and distances for the proposed sanitary sewer easement being provided for the sanitary sewer lateral relocation.
  - P. As required by the associated Community Unit Plan, the applicant shall submit a document to the Director of Planning for review and approval that shall provide for the existing C.U.P. to be superseded. This document shall be recorded prior to the recording of a final plat for this property.
  - Q. As required by the C.U.P., the Subdivision Committee has requested that the revised site plan for the post office be submitted for their review and approval along with the final plat. The plan should reflect the location of the proposed building, parking, circulation, the location and dimensions of curb openings, proposed additional street rights-of-way, landscape area, location of walls, etc. In addition, the Committee has requested a letter outlining
- 
-

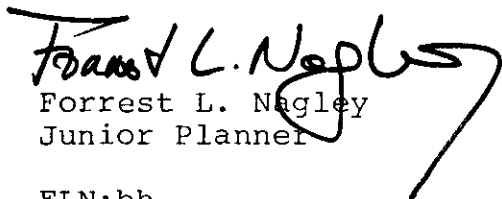
the post office operational procedures for this facility, including hours of operation, as well as other aspects to assure the Committee that the operation will accommodate in an efficient and convenient manner peak hour deliveries so as not to have an adverse impact on traffic.

- R. The finaling out of only Lot 2 will require the submission of an off-site drainage easement and the granting by separate instrument of the major street intersection and deceleration lane rights-of-way adjacent to this plat which are not included as part of a final plat for Lot 2.
- S. As requested by Southwestern Bell, the final plat shall indicate a 10-foot north-south utility easement from 12th Street to 13th Street adjacent to or centered on the east line of Lots 1 and 2.
- T. 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.
- U. 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,

  
Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Wichita Art Assoc., Wesley Med. Endow., W.S.U. Endow. Assoc.  
3500 N. Rock Rd. #100, 67226  
Landmark Communities, 3500 N. Rock Rd., #100, 67226  
Mid-Kansas Engineering Consultants, P.A., 240 N. Rock Rd.,  
#130, 67206  
Mike Lindebak, City Engineer

S/D No. 83-124 Name Lambsdale Fifth Addition  
Date Application Rec'd. 12-23-83 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 1-19-84

DESCRIPTION

General Location S.E. corner of Oliver and 13th Street North.

Owner Wichita Art Assoc., Wesley Med. Endow., W.S.U. Endow Assoc.  
Surveyor/Engineer Bill G. Yung Design  
Address 8225 E. 35th St. North Zip Code 67226 Phone 683-5567

- |                                                                                                                                     |                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Gross Acreage of Plat <u>9.98</u>                                                                                                | 7. Lineal Feet of New Street                                                                                                                      |
| 2. Number of Lots :<br>Residential _____<br>Commercial <u>3</u><br>Industrial _____<br>Other _____<br>Total Number of Lots <u>3</u> | a. _____ R/W _____ ft.<br>b. _____ R/W _____ ft.<br>c. _____ R/W _____ ft.<br>d. _____ R/W _____ ft.<br>e. _____ R/W _____ ft.<br>TOTAL _____ ft. |
| 3. Minimum Lot Frontage <u>279 ft.</u>                                                                                              | 8. Sidewalk adjacent to all streets <u>yes</u> <input checked="" type="checkbox"/> <u>no</u>                                                      |
| 4. Minimum Lot Area <u>2.5 + acres</u>                                                                                              |                                                                                                                                                   |
| 5. Existing Zoning <u>"LC"</u>                                                                                                      |                                                                                                                                                   |
| 6. Proposed Zoning <u>"LC" w/CUP (DP-135)</u>                                                                                       |                                                                                                                                                   |
| 9. Is public water available <input checked="" type="checkbox"/> Yes _____ No, Name <u>City of Wichita</u>                          |                                                                                                                                                   |
| 10. Is sanitary sewer available <input checked="" type="checkbox"/> Yes _____ No, Name <u>City of Wichita</u>                       |                                                                                                                                                   |
| 11. Has Health Dept. approval been obtained (where applicable) <u>NA</u> Yes _____ No _____                                         |                                                                                                                                                   |
| 12. City of Wichita <input checked="" type="checkbox"/> 3-Mile Area _____ Outside of 3-Mile Area _____                              |                                                                                                                                                   |

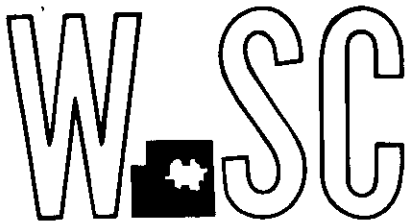
STAFF COMMENTS:

NOTE: This property is subject to the provisions of the proposed Lambsdale Community Unit Plan (DP-135). Proposed development of the three lots ranges from light commercial to office uses. The name of the final plat will be Lambsdale Fifth Addition.

- A. The representative from the City Engineer's office should be prepared to comment on the status of the drainage concept for this preliminary plat.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. Since building setbacks are established by the Lambsdale Community Unit Plan, they should not be indicated on the final plat.
- D. As can be noted on this preliminary plat, the applicant is proposing the vacation of a portion of an existing utility easement by this replat. On the final plat, appropriate reference shall be made to K.S.A. 12-512(b) in the Engineer's text.
- E. The applicant shall guarantee the abandonment of the existing sanitary sewer line in the utility easement being vacated by this replat.
- F. The applicant shall guarantee construction of the replacement sanitary sewer line made necessary by the sewer line abandonment (see comments D and E).
- G. The final plat shall indicate a minimum of 60 feet of half street right-of-way for Oliver and 13th Street in order to provide for deceleration lanes to serve the 10 acres of commercial zoning.
- H. The applicant shall guarantee the construction of continuous deceleration lanes on Oliver and 13th Street adjacent to this plat.

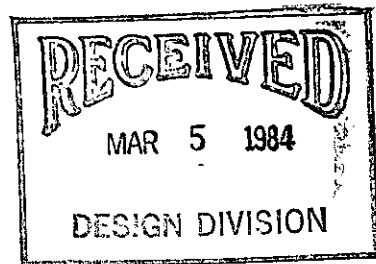
(over)

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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



March 2, 1984

Mid-Kansas Engineering Consultants  
240 N. Rock Rd., Suite 130  
Wichita, Kansas 67206

Re: Final plat of Lambsdale Fifth Addition  
S/D 83-124

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission March 1, 1984, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The main purpose of the north-south 20-foot utility easement is for a relocated sanitary sewer line. Since the new easement must be extended off-site before merging with the existing easement and sewer line, the applicant shall grant this new easement by separate instrument. The easement shall be submitted to the Planning Department for recording with the plat.
- B. The applicant shall guarantee the abandonment of the existing sanitary sewer within the easement being vacated and shall guarantee the construction of a new sewer within the new easement.
- C. The applicant shall guarantee construction of the decel lane on Oliver and the third lane on 12th Street adjacent to this site.
- D. In accordance with the sidewalk ordinance, a certificate shall be submitted stating that a sidewalk will be constructed on the north side of 12th Street adjacent to this lot when the lot develops.
- E. The applicants shall dedicate by separate instrument the major street intersection and deceleration lane rights-of-way adjacent to their commercial ownership not included in this plat. A guarantee shall be submitted for construction of these decel lanes so that

the improvements can be made in conjunction with the intersection improvements planned for the near future.

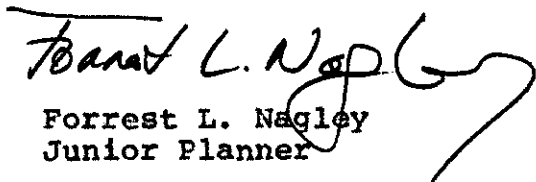
- F. The applicant shall obtain the off-site drainage easements required by this plat's drainage plan. The applicant shall also guarantee the drainage improvements required by the approved drainage plan.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. Prior to scheduling this plat for governing body review, the applicant shall submit a document to the Planning Department for review and approval which provides for the old, recorded C.U.P. to be superseded by the new C.U.P. This document shall be recorded when the plat is recorded.
- 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 March 8, 1984, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

  
Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Wichita Art Assoc., Wesley Med. Endow., W.S.U. Endow. Assoc.,  
c/o Elton Parsons, 3500 N. Rock Rd., #100, 67226  
+Mike Lindebak, City Engineer

EASEMENT

THIS EASEMENT made this 9th day of March, 1984, by and between Wesley Medical Endowment Foundation Parties Wichita State University-Wichita Art Association / of the first part and City of Wichita Party 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 Sanitary Sewer, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

The following is the centerline of a 20.00 foot sanitary sewer easement in the northwest quarter of Section 13, Township 27 south, Range 1 east of the 6th P.M., more particularly described as follows:

Beginning at a point 629.75 feet southerly bearing S 0° 00' 00" W, and 174.84 feet easterly bearing N 89° 53' 41" E of the northwest corner of said Section 13, said point also being on a line 30.00 feet north of the centerline of 12th Street North; thence N 51° 54' 40" W, 31.70 feet; thence N 0° 00' 00" E, 265.40 feet; thence N 33° 00' 00" E, 55.00 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 Sanitary 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.

WICHITA ART ASSOCIATION

WESLEY MEDICAL ENDOWMENT FOUNDATION

WICHITA STATE UNIVERSITY

STATE OF KANSAS

SEDGWICK COUNTY

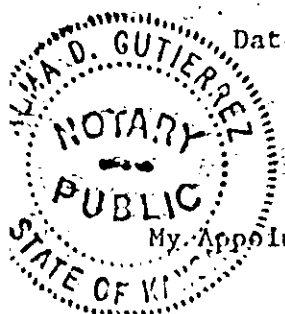
ss:

Virginia Mastio - President
Duane L. Dyer - President
H. R. Reidenbaugh - Executive Secretary

Personally appeared before me a notary public in and for the County and State of Kansas Virginia Mastio, Pres.; Wichita Art Association, Duane L. Dyer, Pres., Wesley Medical Endowment Foundation, H. R. Reidenbaugh, Exec. Sec., Wichita State to me personally known and believed 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 12th day of March, 1984.

Alma D. Suterrey
Notary Public



My Appointment Expires: May 20, 1985

EASEMENT

THIS EASEMENT made this 9th day of March, 1984  
by and between Wesley Medical Endowment Foundation Parties  
Wichita State University - Wichita Art Association/ of the first  
part and City of Wichita Party 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 Drainage, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A drainage easement in the northwest quarter of Section 13, Township 27 south, Range 1 east of the 6th P.M., more particularly described as follows:

Beginning at the southeast corner of Lambsdale Fifth, an addition to Wichita, Sedgwick County, Kansas, said point being 629.75 feet, south, bearing S 0° 00' 00" E, and 460.00 feet easterly bearing N 89° 53' 41" E, from the northwest corner of said Section 13; thence N 0° 00' 00" E, 150.00 feet; thence N 89° 53' 41" E, 300.00 feet; thence S 0° 00' 00" E, 150.00 feet; thence S 89° 53' 41" W, 300.00 feet to the point of beginning.

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 Drainage, 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.

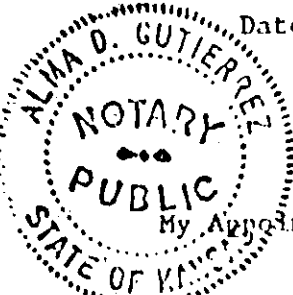
IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

WICHITA ART ASSOCIATION  
WESLEY MEDICAL ENDOWMENT FOUNDATION  
WICHITA STATE UNIVERSITY  
STATE OF KANSAS  
SS:  
SEDGWICK COUNTY

Virginia Mastio  
Virginia Mastio - President  
Duane L. Dyer  
Duane L. Dyer - President  
H. R. Reidenbaugh  
H. R. Reidenbaugh - Executive Secretary

Personally appeared before me a notary public in and for the County and State of Kansas Wichita, Virginia Mastio, Pres., Wichita Art Museum, Duane L. Dyer, Pres. aforesaid came Wesley Medical Endowment Foundation, & to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

H. R. Reidenbaugh, Exec. Sec. Wichita State University  
Dated at Wichita, Kansas this 12th day of March, 1984.



Alma D. Gutierrez  
Notary Public

My Appointment Expires: May 20, 1985

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned Wichita State University / Wesley Medical Endowment Foundation / Wichita Art Association.

being the owner<sub>s</sub> of the following described real estate in Sedgwick County, Kansas, to wit:

The following is a description of a 10.00 foot deceleration lane dedication and major street intersection in the southeast corner of Oliver Street and 13th Street North, in the northwest quarter of Section 13, Township 27 south, Range 1 east of the 6th P.M., more particularly described as follows:

Beginning at a point 50.00 feet N 89° 54' 15" E, and 50.27 feet S 0° 00' 00" E, from the northwest corner of said Section 13; thence easterly parallel and 50.00 feet adjacent to the north line of said Section 13 bearing N 89° 54' 15" E, 750.00 feet; thence S 0° 05' 45" E, 10.00 feet; thence S 89° 54' 15" W, 450.00 feet; thence S 81° 22' 24" W, 101.12 feet; thence S 89° 54' 15" W, 175.02 feet; thence S 0° 00' 00" W, 175.00 feet; thence S 8° 31' 51" W, 101.12 feet; thence S 0° 00' 00" W, 4.60 feet; thence S 90° 00' 00" W, 10.00 feet; thence parallel and 50.00 feet adjacent to the west line of said northwest quarter of Section 13, bearing N 0° 00' 00" E, 304.56 feet to the point of beginning.

do public street hereby dedicate the above described real estate to the public for public street purposes.

Executed this 12<sup>th</sup> day of March, 1984.

Virginia Mastio  
Virginia Mastio - President  
WICHITA ART ASSOCIATION

H.R. Reidenbaugh  
H.R. Reidenbaugh - Executive Secretary  
WICHITA STATE UNIVERSITY

Duane L. Dyer  
Duane L. Dyer - President  
WESLEY MEDICAL ENDOWMENT FOUNDATION  
STATE OF KANSAS )  
SEDGWICK COUNTY ) ss

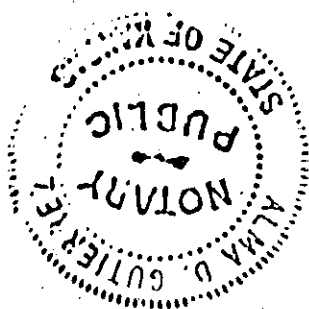
BE IT REMEMBERED, that on this 12<sup>th</sup> day of March, 1984, came Virginia Mastio, President, Wichita Art Association, H. R. Reidenbaugh, Executive Secretary, Wichita State University and Duane L. Dyer, President, Wesley Medical Endowment Foundation. to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

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

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,  
this \_\_\_\_\_,  
\_\_\_\_\_  
City Clerk

Alma D. Gutierrez  
Notary Public

My Commission Expires:  
My Appointment Expires May 20, 1985



LAW OFFICES OF  
BOYER, DONALDSON & STEWART

1030 FIRST NATIONAL BANK BUILDING

WICHITA, KANSAS 67202

JOHN E. BOYER  
KENNETH P. STEWART  
JAMES R. HANSON  
ROBERT L. SMITH  
JOHN H. GIBSON  
MICHAEL L. NORTH  
LELANE E. COX  
PAMELA E. BAILEY

GEORGE J. HONDROS (1910-1962)  
PAUL J. DONALDSON (1911-1978)

264-7321  
AREA CODE 316

March 13, 1985

Mr. Elton Parsons  
Landmark Communities  
3500 North Rock Road #100  
Wichita, Kansas 67226

RECEIVED

MAR 14 1985

Mr. Thomas Gossen  
Gossen, Livingston Associates, P.A.  
420 South Emporia  
Wichita, Kansas 67202

GOSSEN, LIVINGSTON  
ASSOCIATES, P.A.

Re: Wesley Medical Endowment Foundation; Letters of Credit Guaranteeing Construction of a Decel Lane on Oliver, a Third Lane for 12th Street, and Certain Drainage Improvements Required with the Platting of Lambsdale 5th Addition; S/D 83-124 (Credit Nos. C-1775 and C-1776). Our File EF-031

Dear Gentlemen:

This office represents the Wesley Medical Endowment Foundation. Mr. Parsons may remember speaking with me on March 8 regarding the above-captioned letters of credit which were originally taken out by the Wesley Medical Endowment Foundation in connection with the platting of the Lambe property near 13th and Oliver.

After consulting with Bob Lakin, the Director of Planning, regarding these letters of credit, I was advised that construction has not yet begun on these items. Furthermore, as the City had not received evidence of any contractual requirement for the postal service to make these improvements, it was deemed necessary for the Endowment Foundation to renew these letters of credit, which would otherwise have expired on March 13.

We would greatly appreciate any assistance which you gentlemen can provide regarding this matter to assure that there will be no need to extend these letters of credit

Mr. Elton Parsons  
Mr. Thomas Gossen

March 13, 1985  
Page 2

again on March 13 of 1986. In other words, we simply want to assure our client that these improvements will be completed or that it will be shown to the City Planning Commission that these improvements will not be necessary, so that these letters of credit may also expire. Please contact either Evan Meyers at the Endowment Foundation or myself regarding this matter. As always, your cooperation and assistance is greatly appreciated.

Very truly yours,

BOYER, DONALDSON & STEWART

By:

*Leland C. Boyer*

LEC:llr

cc: Mr. Evan A. Meyers

IRREVOCABLE LETTER OF CREDIT

FIRST NATIONAL BANK IN WICHITA  
(Name and address of bank)

*Count OKed  
By [Signature]  
3-14*

DATE: March 13, 1984

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 2,500.00 for the account of Wesley Medical Endowment Foundation

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before March 13, 1985 (6)

1. Construction of drainage improvements to be constructed to the east of Lot 1, Block 1, as required by the approved drainage plan for th platting of Lot 1, Block 1, Lambsdale Fifth Addition.

in Lambsdale Fifth Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under First National Bank in Wichita, Credit No. C-1776, dated March 13, 1984."  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before May 13, 1985  
(insert a date at least 60 days from the date on line 6)



Very truly yours,

FIRST NATIONAL BANK IN WICHITA  
(Name of bank)

By [Signature]  
(Authorized signature)  
(Also type or print name below)

C. A. Whitney, Jr., Vice President

IRREVOCABLE LETTER OF CREDIT

First National Bank in Wichita  
(Name and address of bank)

DATE: March 13, 1984

*Count OK by 5-14-84  
in file on 12th St*

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 16,488.00 for the account of Wesley Medical Endowment Foundation

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before March 13, 1985 (6)

- 1. Construction of the dual lane on Oliver Street lying adjacent to the west line of Lot 1, Block 1, Lamsdale Fifth Addition and continuation of the third lane
- \*x. on 12th Street north adjacent to the south line of Lot 1, Block 1, Lamsdale Fifth Addition.
- \*y.

in Lamsdale Fifth Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

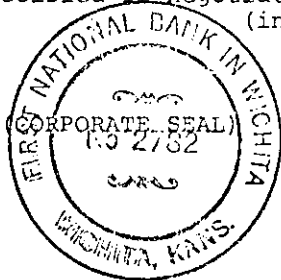
- 1. The improvements have been timely completed and the credit may be released, or
- 2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under First National Bank in Wichita, Credit No. C-1775, dated March 13, 1984." (Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before May 13, 1984 (insert a date at least 60 days from the date on line 6)



*Amendment to be forwarded attached*

Very truly yours,

First National Bank in Wichita  
(Name of bank)

By C. A. Whitney, Jr.  
(Authorized signature)  
(Also type or print name below)

C. A. Whitney, Jr., Vice President

Letter of Credit No. C-1775  
Dated: March 13, 1984  
Maturity: May 13, 1984

IRREVOCABLE LETTER OF CREDIT

First National Bank in Wichita  
(Name and address of bank)

DATE: March 13, 1984

*Cost OK'd  
by Stone Palmer  
3-14-84  
Carrington  
& Hillier  
on the  
Lawrence*

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 16,488.00 for the account of Wesley Medical Endowment Foundation

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before March 13, 1985 (6)

- 1. Construction of the dual lane on Oliver Street lying adjacent to the west line of Lot 1, Block 1, Lambsdale Fifth Addition and continuation of the third lane
- \*2. on 12th Street north adjacent to the south line of Lot 1, Block 1, Lambsdale Fifth Addition.
- \*3.

in Lambsdale Fifth Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

- 1. The improvements have been timely completed and the credit may be released, or
- 2. The purchaser has failed to perform or is in default hereunder.

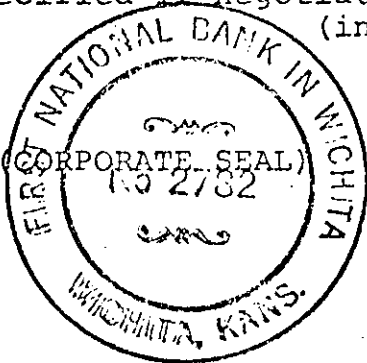
All drafts drawn hereunder must be marked: "Drawn under \_\_\_\_\_"

First National Bank in Wichita, Credit No. C-1775, dated March 13, 1984  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before May 13, 1984  
(insert a date at least 60 days from the date on line 6)



*amendment to be reviewed attached*

Very truly yours,  
First National Bank in Wichita  
(Name of bank)  
By [Signature]  
(Authorized signature)  
(Also type or print name below)  
C. A. Whitney, Jr., Vice President

IRREVOCABLE LETTER OF CREDIT

FIRST NATIONAL BANK IN WICHITA  
(Name and address of bank)

DATE: March 13, 1984

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 16,500.00 for the account of Wesley Medical Endowment Foundation

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before March 13, 1985 (6)

- 1. Abandonment of the existing Sanitary Sewer within the easement being vacated which lies north and south in Lot 1, Block 1, Lambsdale Fifth Addition and
- 2x the construction of a new sanitary sewer within the new platted easement lying north and south in Lot 1, Block 1, Lambsdale Fifth Addition.

2x  
in Lambsdale Fifth Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

- 1. The improvements have been timely completed and the credit may be released, or
- 2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under \_\_\_\_\_"

First National Bank in Wichita, Credit No. C-1774, dated March 13, 1984.  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before May 13, 1984  
(insert a date at least 60 days from the date on line 6)

Very truly yours,

First National Bank in Wichita  
(Name of bank)

By [Signature]  
(Authorized signature)  
(Also type or print name below)  
C. A. Whitney, Jr., Vice President



*amendment to be attached*

MAR 15 1985

James A. Roos

CER2:JARoos:sla:-2462

Award of Modification 03  
Wichita, KS - Munger Station 67208-9998  
Contract 19-9954-24-V-0055  
New Construction Owned

E. W. Johnson Inc., General Contractors  
P. O. Box 11453  
Wichita, KS 67202-0453

Enclosed is Modification 03 to the subject contract. Please acknowledge receipt by signing and returning one copy of the modification to this office.

Also enclosed are updated copies of PS Form 4211-B, Invoice and Payment Authorization for your signature. Please use these for future payment requests.

SHIRLEY LEWIS  
Contract Specialist  
Design and Construction  
Enclosures

to \$1,225,123.80 as a result of this modify

**AMENDMENT-MODIFICATION**

1

1.  MODIFICATION NO. 03 TO CONTRACT/ORDER NO. 19-9954-84-V-0055 (SEE BLOCK 8)

2. OFFEROR/CONTRACTOR NAME AND ADDRESS  
 E.W. Johnson, Inc.  
 P.O. Box 11453  
 Wichita, KS 67202

3. ISSUED BY  
 United States Postal Service  
 Field Real Estate and Buildings Office  
 Design and Construction  
 5700 Broadmoor, Room 920  
 Mission, KS 66202-2462

4. DATE ISSUED:

5. THIS BLOCK APPLIES ONLY TO AMENDMENTS TO SOLICITATIONS

The above numbered solicitation is amended as set forth in Block 7.  
 NOTICE: Offerors must acknowledge receipt of this amendment prior to the date and time specified in the solicitation by one of the following methods:  
 a. By signing and returning \_\_\_\_\_ copies (two, if not otherwise specified) of this amendment;  
 b. By acknowledging receipt of this amendment on each copy of the offer submitted; or  
 c. By submitting separate letter or telegram which includes reference to the solicitation and amendment numbers.  
 FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE SPECIFIED IN THE SOLICITATION PRIOR TO THE DATE AND TIME SPECIFIED FOR RECEIPT OF OFFERS MAY RESULT IN REJECTION OF YOUR OFFER.  
 If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter provided such telegram or letter makes reference to the solicitation and amendment numbers, and is received prior to the date and time specified.  
 If this box is checked, the date and time specified for receipt of offers is extended to \_\_\_\_\_ (Date) \_\_\_\_\_ (Time)

6. THIS BLOCK APPLIES ONLY TO MODIFICATIONS TO CONTRACTS/ORDERS

The above numbered contract/order is modified as set forth in Block 7, by:  
 a. Change Order Issued pursuant to authority of Clause 5, Changes of the General Provisions.  
 b. Administrative Change (such as changes in paying office or accounting and fiscal data).  
 c. Supplemental Agreement entered into pursuant to authority of \_\_\_\_\_  
 NOTE: THIS SUPPLEMENTAL AGREEMENT CONSTITUTES THE COMPLETE AND FULL AGREEMENT OF THE PARTIES.  
 d. No Cost Change to, or No Cost Cancellation of, purchase order.  
 If this box is checked, Contractor is required to sign and return One copies of this modification to the Issuing Office (See Block 3).

7. DESCRIPTION OF AMENDMENT/MODIFICATION Wichita, KS - Munger Station  
New Construction Owned  
Project No. K-10-089

a. The Change. This constitutes full and final settlement of all claims for time and costs incurred by and/or arising from the Contractor furnishing all labor, materials, equipment, supervision, taxes, insurance and bonds required for performance of the following items:  
 1. Reroute electrical primary service entrance as per A/E's proposal request No. 2, dated September 20, 1984.  
 2. Provide changes in decel lane, along Oliver Street traffic control and on-site modifications to paving and landscaping as required by A/E proposal request No. 1 and it's amendment, dated October 5, 1984.  
 b. Time. No contract time extension is granted by this modification.  
 c. Payment. The contract price is hereby increased by \$18,852.95 arrived at as follows:  
     Item No. 1 - \$ (914.75) Credit  
     Item No. 2 - 19,767.70  
     Total \$18,852.95  
 from \$1,206,275.69 to \$1,225,128.64 as a result of this modification.

Except as provided herein, all terms and conditions of the document referenced in Block 1, as herebefore changed, remain unchanged and in full force and effect.  
 8a. ACCOUNTING AND FISCAL DATA:  UNCHANGED  CHANGED, SEE Paragraph 7. 8b. SEQ. NO.

9. CONTRACTOR/OFFEROR		10. U. S. POSTAL SERVICE	
9a. NAME/TITLE OF AUTHORIZED PERSON (Type or Print)		10a. NAME OF CONTRACTING OFFICER (Type or Print)	
		JOHN L. LEDGERWOOD	
9b. SIGNATURE	9c. DATE SIGNED	10b. SIGNATURE	10c. DATE SIGNED

Facility and fixed mechanization project contract

Date of Order	Wichita, KS - Munger Station 67208	Control Number	5C-1725
---------------	------------------------------------	----------------	---------

To: Director, Postal Data Center, St. Louis, MO 63190-9000

Project Authorization		Contract		Date of Contract	Contract Form Used	
Number (1-13)		Number (16-28)	Change Code (29-30)			
1-48-19-9713-C-100		19-9954-84-V-0055	03	5-9-84	PS 7390	
Installation Name (City)			(State and ZIP Code)			
Wichita,			KS 67208-9998			
Accounting Identification						
B/P Finance No. (31-37)		Sublocation No. (38-40)	W/C Code (41-42)			
16-9909		G11				
RPI (43)	FAC Code (44)	Account Number (45-49)	Index Code (50-52)	Additional Amount This A/P (53-53)	Previously Comm. Amount (64-74)	Total To Date (75-85)
C		86121	1BC	18,852.95	1,206,275.69	1,225,128.64
C						
C						
C						
C						

Payee Name and Address

Name Line (86-108)	Address Line (109-131)
E. W. Johnson Inc. General Contractors	P. O. Box 11453
Address Line (132-154)	Address Line (155-177)
Wichita, KS 67202-0453	
Address Line (178-200)	Address Line (201-223)

Remarks

Award of Modification 03 to the Construction Contract.  
 PA Appears on Page 4,784 of A/P #04, FY 85 PACS printout.  
 Contractual Span: No extension time is granted.

Signature & Title of Contracting Officer	Address & Telephone No. of Contracting Officer	Date
Contracting Officer	D&C - KC FREBO--US Postal Service 5700 Broadmoor, #920, 913/262-1081 Mission, KS 66202-2462	

U.S. POSTAL SERVICE  
**INVOICE AND PAYMENT AUTHORIZATION**  
*(Facility and Fixed Mechanization Contract)*

INVOICE DATE

PAYMENT REQUEST NO.

**TO:**  
 Director, Postal Data Center  
 St. Louis, MO 63180

**FACILITY NAME AND LOCATION**  
 Munger Station - Wichita, KS 67208  
 New Construction Owned

PROJECT AUTHORIZATION NUMBER (1-13)	CONTRACT		ACCOUNTING IDENTIFICATION		
	NUMBER (16-28)	CHG CODE (29-30)	B/A FINANCE NUMBER (31-37)	SUBLOC NO. (38-40)	W/C CODE (41-42)
1-48-19-9713-C-100	19-9954-84-V-0055	00	16-9909	G11	

**PAYEE NAME AND ADDRESS**

<b>NAME (43-63)</b> E.W. Johnson Inc., General Contractors	<b>ADDRESS (64-68)</b> P.O. Box 11453
<b>ADDRESS (89-111)</b> Wichita, KS 67202-0453	<b>ADDRESS (112-134)</b>
<b>ADDRESS (133-157)</b>	<b>ADDRESS (158-180)</b>

PDC USE				ACCOUNT NUMBER (190-194)	INDEX CODE (195-197)	PAYMENT AMOUNT (From Summary Line 8) Dollars and Cents (198-209)
VOR CODE (181-185)	PAY CODE (187)	STATUS (188)	T/S CODE (189)			
				86121	1BC	

**TOTAL**

**FOR CONSTRUCTION CONTRACTS:** In accordance with the Contract and the Request for Payment the Contractor is entitled to payment in the amount shown above.

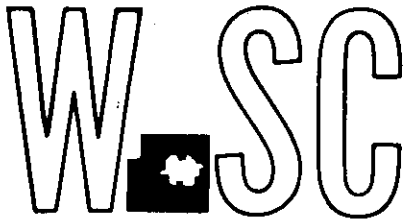
**PROGRESS PAYMENT SUMMARY**

<b>ARCHITECT-ENGINEER REPRESENTATIVE</b> COMPANY	<b>1. INITIAL CONTRACT AMOUNT</b>	\$ 1,202,000.00
	<b>2. APPROVED CHANGE ORDERS AMOUNT</b> MODS 01 and 02 MOD 03	\$ 4,275.69 18,852.95
	<b>3. TOTAL CONTRACT AMOUNT TO DATE</b> (Lines 1 plus 2)	\$ 1,225,128.64
<b>BY</b>	<b>DATE</b>	<b>4. VALUE OF WORK COMPLETED TO DATE</b> (Attach Supportive Data) (Includes value of material received (in period attach invoices)
<b>TITLE</b>		<b>5. AMOUNT OF RETAINAGE</b>
The undersigned Contractor certified that the work covered by this application for payment has been completed in accordance with the contract documents and that all amounts have been paid by him for work which previous Certificates for Payment were issued and payments received from the USPS, and that the current payment shown herein is now due and has not been previously paid.		<b>6. SUB-TOTAL (Line 4 minus 5)</b>
		<b>7. PREVIOUS PAYMENTS AMOUNT</b>
		<b>8. AMOUNT OF THIS PAYMENT</b> (Line 6 minus 7)
		<b>9. FINAL PAYMENT</b> <input type="checkbox"/> YES <input type="checkbox"/> NO

**CONTRACTING OFFICER**

<b>BY</b>	<b>DATE</b>	<b>APPROVED FOR PAYMENT</b>	<b>DATE</b>
<b>TITLE</b>		<b>ADDRESS</b> U.S. Postal Service Field Real Estate and Buildings Office Design and Construction 5700 Broadmoor, Room 920 Mission, KS 66202-2462	
<b>DESIGN/CONSTRUCTION MANAGEMENT REPRESENTATIVE</b>			
<b>RECOMMENDED FOR PAYMENT</b>	<b>DATE</b>		

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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



March 26, 1985

C  
O  
P  
Y  
Mr. Duane L. Dyer, President  
Wesley Medical Endowment Foundation  
3306 East Central  
Wichita, KS 67208

Re: Letters of Credit guaranteeing construction of a decel lane on Oliver, a third lane for 12th Street and certain drainage improvements required with the platting of Lambsdale Fifth Addition - S/D 83-124. (Credit Numbers C-1775 and C-1776.)

Dear Mr. Dyer:

This letter is written as follow-up to my previous letter to you dated February 25, 1985, regarding the above-referenced matter. As you are aware, the subject Letters of Credit reference a project completion or default date of March 13, 1985. As of this date, the required improvements have not been completed.

Please contact the First National Bank and authorize them to submit amendments to your Letters of Credit which reference the following:

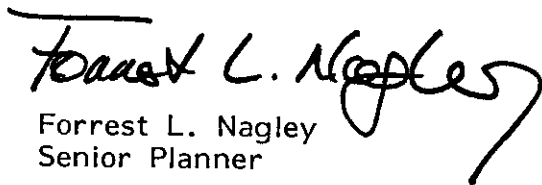
1. A new project completion or default date of March 13, 1986.
2. A new negotiation or expiration date of May 13, 1986.
3. The dollar amounts may remain the same (i.e., \$16,448.00 for No. C-1775 and \$2,500.00 for No. C-1776).

The amendments must be submitted to this office prior to April 8, 1985. Should you choose not to authorize the bank to prepare the required amendments, we have no choice but to initiate the process for collection on the guarantees.

Mr. Duane L. Dyer, President  
Wesley Medical Endowment Foundation  
Re: Letters of Credit Nos. C-1775 and C-1776  
March 26, 1985  
Page 2

Should you have any questions about what is needed, please call me at 268-4421. Action on the Foundation's part is imperative to avoid collection on the Letters of Credit.

Sincerely,



Forrest L. Nagley  
Senior Planner

FLN:mlh

cc: C. A. Whitney, Jr., V.P., First National Bank, Box 1,  
Wichita, KS 67201  
Elton Parsons, Landmark Communities, 3500 N. Rock Road, #100,  
Wichita, KS 67226  
✓ Mike Lindebak, City Engineer

March 26, 1984

City of Wichita  
455 North Main  
Wichita, Kansas 67202

AMENDMENT NO. 1  
Letter of Credit No. C-1775  
March 13, 1984

Gentlemen:

We hereby amend our Irrevocable Letter of Credit No. C-1775 dated March 13, 1984 in your favor for the account of Wesley Medical Endowment Foundation, 3306 East Central, Wichita, Kansas 67208.

DELETE: So much of last paragraph as reads: "if negotiated on or before May 13, 1984"

ADD: In lieu thereof: "if negotiated on or before May 13, 1985".

All other terms and conditions remain unchanged and in full force and effect.

Very truly yours,

C. A. Whitney, Jr.  
Vice President

CAW:jl

COPY

RATIFICATION and CONFIRMATION of the  
Plat of LAMBSDALE FIFTH ADDITION to  
Wichita, Sedgwick County, Kansas

WHEREAS:

On March 28, 1984, at 11:30 a.m. the Plat of LAMBSDALE FIFTH ADDITION to Wichita, Sedgwick County, Kansas, was duly filed in the Office of the Register of Deeds of Sedgwick County, Kansas.

and

WHEREAS:

The owners executing said Plat were shown as Wichita State University Foundation, Wichita Art Association and Wesley Medical Endowment when in truth and fact the lawful names should have been shown as WICHITA STATE UNIVERSITY ENDOWMENT ASSOCIATION, INC., WICHITA ART ASSOCIATION, INC. and WESLEY MEDICAL ENDOWMENT FOUNDATION.

and

WHEREAS:

In the Description paragraph in said Plat, through scrivener's error in the third line thereof, the Section was shown as Section 27, when in fact, it should have been shown as Section 13, and further, the beginning point was shown by figures on said plat as being 354.75 feet South when, in truth and fact, the true beginning point should have been shown as being 357.75 feet South of the NW Corner of Section 13, Township 27 South, Range 1 East.

NOW THEREFORE, We the undersigned owners of the property platted as LAMBSDALE FIFTH, an Addition to Wichita, Sedgwick County, Kansas, do hereby ratify and confirm said plat, and further hereby ratify and confirm the corrections in the two scrivener's errors as shown in said plat.

Dated at Wichita, Kansas, this \_\_\_\_\_ day of April, 1984.

WICHITA STATE UNIVERSITY  
ENDOWMENT ASSOCIATION, INC.

WICHITA ART ASSOCIATION, INC.

By \_\_\_\_\_  
Wilson Cadman, Vice President

By \_\_\_\_\_  
Betty Burns, Vice President

WESLEY MEDICAL ENDOWMENT FOUNDATION

By \_\_\_\_\_  
Duane L. Dyer, President

STATE OF KANSAS

SS:

COUNTY OF SEDGWICK

Be it remembered that on this \_\_\_\_\_ day of April, 1984, before me, a Notary Public in and for said State and County, came Wilson Cadman, Vice President of Wichita State University Endowment Association, Inc., and Duane L. Dyer, President of Wesley Medical Endowment Foundation, and Betty Burns, Vice President of Wichita Art Association, Inc., to be known to be the same persons who executed the foregoing instrument of writing and duly acknowledge the execution of the same as the act and deed of said corporations.

In testimony thereof, I have hereunto set my hand and affixed my Notary Seal the day and year above written.

\_\_\_\_\_  
Notary Public

My Appointment expires: \_\_\_\_\_

I hereby certify that the two corrections as shown in this  
Ratification and Confirmation are correct to the best of my  
knowledge and belief, this \_\_\_\_\_ day of April, 1984.

Michael D. Harding P.E.  
Mid Kansas Engineering Consultants, P.A.  
240 North Rock Road, Suite 130  
Wichita, Kansas

GOSSEN LIVINGSTON ASSOCIATES, P.A.

420 S. EMPORIA □ WICHITA, KANSAS 67202 □ 316-265-9367

March 28, 1985

Mr. Robert Lakin  
Director of Planning  
City Hall  
455 N. Main  
Wichita KS 67202

Re: USPS Munger Station

Dear Mr. Lakin:

Our office received a letter from Mr. Leland Cox (dated March 13, 1985) regarding the decel lane improvements in front of the new Munger Station at 12th and Oliver. He indicated that "the City had not received evidence of contractual requirement for the postal service to make these improvements,..." The decel lane improvements are included in the construction contract currently being performed.

I have enclosed a copy of the change order to the construction contract that incorporates into that contract the revisions required to the decel lane by the City Engineering Department. Also enclosed is a copy of the final decel lane drawings.

Construction of the decel lane work should begin soon; however, the Contractor for the Postal Service is waiting as long as possible in order to coordinate his work with the City's street work contractor.

Please let me know if this is not adequate information to release the Endowment Association's letter of credits.

Sincerely,

*Mike Kandt/cw*

Mike Kandt, AIA

MEK/cw

Enclosures

cc: Mr. Herb Schmeltz (w/copy of Cox's letter)  
503/1.6/2.6/MEK/TFR

RECEIVED

MAR 29 1985

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

\_\_\_\_\_

ARCHITECTURE □ ENGINEERING □ PLANNING □ INTERIOR DESIGN



*Proposed response to Kandt's  
3/28 letter to Lakin.*

April 2, 1985

Mr. Mike Kandt  
Gossen Livingston Associates, P.A.  
420 South Emporia  
Wichita, KS 67202

Re: Letters of Credit associated with S/D 83-124 - Lambsdale Fifth  
Addition. USPS Munger Station.

Dear Mr. Kandt:

This letter is written in response to your letter dated March 28, 1985, about the above-referenced matter. The submission of a copy of a contract that references that planned completion of required platting improvements is not grounds for us to release the Endowment Association's Letters of Credit.

In order to allow the contractor additional time to complete the required improvements, we can authorize a one-year extension of time provided amendments to the Letters of Credit are submitted.

Sincerely,

Robert A. Lakin  
Director of Planning

RAL/FLN:mlh

cc: Leland Cox, Boyer, Donaldson and Stewart, 1030 First National Bank  
Building, Wichita, KS 67202  
Elton Parsons, Landmark Communities, 3500 N. Rock Road, #100,  
Wichita, KS 67226  
Duane L. Dyer, President, Wesley Medical Endowment Foundation,  
3306 East Central, Wichita, KS 67208  
Mike Lindebak, City Engineer

4/3/85

Larry

LARRY,

This information is regarding Lambdale  
 FIFTH Additions outstanding letters of credit  
 for street improvements & drainage  
 improvements. They want to replace  
 the letters of credit with a copy of  
 the contract which provides for  
 construction of the decel lane. Is a  
 copy of a contract sufficient reason to  
 release the letters of credit?

You should have copies of our letters  
 to the purchaser of the Letters of credit  
 in your plat file. If you need  
 additional information let me know.

TORRES

R.M. [Signature]

Contract alone doesn't assure City that improvements will be put in.  
 Only sufficient guarantee for release is improvements completed & in place.

Forest:

W I C H I T A - S E D G W I C K C O U N T Y

METROPOLITAN AREA PLANNING DEPARTMENT

To: Mike Lindebak, City Engineer

Date: April 9, 1985

From: Forrest Nagley, Senior Planner

Subject: Letters of Credit associated with S/D 83-124 - Lambsdale Fifth Addition, located at the northeast corner of Oliver and 12th Street North. (Expiration date: May 13, 1985.) Credit numbers C-1775 and C-1776.

The conditions of platting the above-referenced subdivision included a \$16,488 guarantee for a third lane on 12th Street and a decel lane for Oliver, and a \$2,500 guarantee for certain drainage improvements. A field inspection of the property has verified that improvement of the platted property is underway, but that neither of the street improvements or drainage work has been completed.

On January 24, 1985, we sent a letter to Elton Parsons, platting agent for the purchaser of the Letter of Credit, reminding him of the need to complete the work by March 13, 1985. Since we did not receive any correspondence from Mr. Parsons, we wrote directly to Wesley Medical Endowment Foundation, the purchaser of the Letters of Credit, on February 28, 1985. In this letter, we advised that we could authorize a one-year extension of time to complete the improvements provided amendments to the Letters of Credit were submitted by March 13, 1985.

On March 26, 1985, we once again wrote Wesley Medical Endowment Foundation and advised that the required amendments to their outstanding Letters of Credit had not been received. We requested that they authorize the bank to submit the needed amendments no later than April 8, 1985.

Since we have been unable to obtain the needed amendments to these Letters of Credit (which defaulted on March 13, 1985), we request that the City Engineer's office take the necessary steps to collect on the guarantees. Attached are copies of the Letters of Credit. The originals are on file in the City Clerk's office.

Should you need additional information, please advise.

  
Forrest L. Nagley  
Senior Planner

FLN:mlh

Attachments

cc: Duane L. Dyer, President, Wesley Medical Endowment Foundation,  
3306 East Central, Wichita, KS 67208  
Rose Dean, First National Bank, Box 1, Wichita, KS 67201  
Elton Parsons, 3500 North Rock Road, #100, Wichita, KS 67226  
Leland Cox, Boyer, Donaldson & Stewart, 1030 First National Bank  
Bldg., Wichita, KS 67202

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# PROJECT MEMO

TO: <u>FILE</u> _____ _____ _____	FROM: <u>MORRIS</u> _____ _____ _____
PROJECT TITLE: <u>Platting guarantees / Lambdale 5th</u>	
PROJECT NUMBER:	DATE: <u>4/18/85</u>
COMMENTS: <p><u>Advised this date by Susan of Clerk's Office that amendments to Letters of Credit HAS BEEN RECEIVED.</u></p> <p style="text-align: right;"><u>JSM</u></p>	
ADDITIONAL COPIES TO: 1. _____ 4. _____ 7. _____ 2. _____ 5. _____ 8. _____ 3. _____ 6. _____ 9. _____	

- H. Prior to scheduling this plat for governing body review, the applicant shall submit a document to the Planning Department for review and approval which provides for the old, recorded C.U.P. to be superseded by the new C.U.P. This document shall be recorded when the plat is recorded.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. The final plat shall indicate the amount of existing half street rights-of-way adjacent to this site and the amount of additional rights-of-way being dedicated by this plat.
- K. The final plat shall indicate the access controls specified by the Community Unit Plan. Action by the Planning Commission on January 12th regarding this C.U.P. will be pointed out by Planning staff at this meeting.
- L. As this property is zoned for light commercial purposes, the applicant shall submit a sidewalk certificate stating that a sidewalk will be constructed on 12th Street when Lots 2 and 3 are developed.
- M. The applicant or his agent shall be prepared to discuss the temporary nature of the 45-foot wide temporary drainage easement indicated adjacent to the south line of Lot 3. On the final plat, the plat's text shall make appropriate reference to the temporary nature of the drainage easement.
- N. The final plat shall indicate bearings and distances for the proposed sanitary sewer easement being provided for the sanitary sewer lateral relocation.
- O. 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.
- P. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).