

July 27, 1989

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 89-49 - TALLGRASS COMMERCIAL 5TH ADDITION

OWNER/APPLICANT: Slawson Commercial Development Co., 104 S. Broadway, Wichita, KS 67202

SURVEYOR/ENGINEER: Bill Yung Design/Mid-Kansas Engineering Consultants

LOCATION: In an area east of Rock Road and north of 21st Street North.

SITE SIZE: 15.55 acres

NUMBER OF LOTS

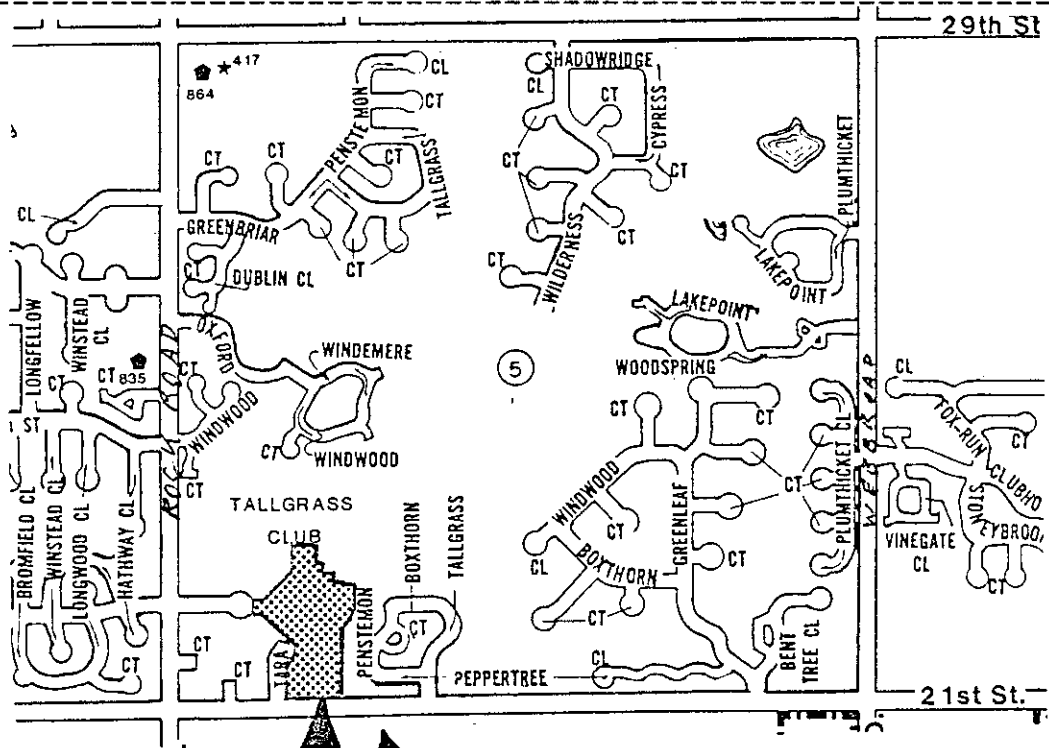
Residential:	
Office:	13
Commercial:	
Industrial:	
Total:	13

MINIMUM LOT AREA: 25,300 sq. ft.

CURRENT ZONING: "AA" One Family Dwelling and "BB" Office

PROPOSED ZONING: "BB" Office (DP-92)(Z-2955)

VICINITY MAP:



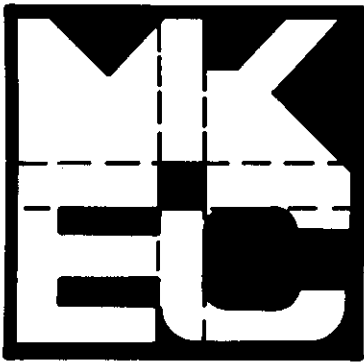
STAFF COMMENTS:

NOTE: This plat is part of the Tallgrass Commercial and Office Park Community Unit Plan (DP-92) Lot 13 corresponds to parcel 7 of the C.U.P., with the remaining lots all falling within parcel 16. The associated zone change case (Z-2955) was approved at the July 11, 1989, City Council Meeting. A complex system of joint access agreements, and private streets will allow all platted lots to have access to public streets.

- A. The applicant shall either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee construction of the storm sewers required by this plat.
- F. The applicant shall guarantee the paving of the proposed private interior streets to the 26-foot public street standard.
- G. The applicant shall guarantee the construction of the major openings for Lots 9 and 10, in the public right-of-way.
- H. The applicant shall guarantee the abandonment, relocation and termination of the sanitary sewer lines (on lot 13 and Reserve B) not being covered by a utility easement.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

- K. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
 - L. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
 - M. The applicant shall submit a joint access agreement for the major opening between Lot 9 and 10. Appropriate recording information shall be shown on the final plat.
 - N. The proposed joint access easement will need to be established by separate instrument with appropriate recording information indicated on the final plat tracing. Prior to recording the joint access easement, a draft shall be submitted to the Planning Department for review and approval. The instrument must clearly state the purpose of the easement as well as which properties benefit from the easement. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
 - O. As Lot 10 will share a major opening with Lot 9 the final plat shall indicate that the east 120-feet of Lot 10 is platted as complete access control.
 - . Since Lot 8 has access to Tara Circle, the trees to the south of this lot are to remain, and there is to be only one access point by way of a major opening. The south line of Lot 8 shall be designated as complete access control.
 - Q. The final plat shall make proper reference to K.S.A. 12-512(b).
 - R. In order to assist title companies in determining if buildings constructed on this site observe the building setbacks required by the associated Community Unit Plan, the final plat shall indicate the platting of building setbacks.
 - S. The final plat tracing shall indicate angles or bearings for the perimeter of this plat.
 - T. On the final plat tracing, angles or bearings shall be indicated for all side lot lines which are not at right angles with or radial to adjacent street lines. Section 5-402(F).
 - U. The final plat shall reference a tie point to a previously platted lot corner or section corner.
-

- V. The applicant is advised that according to the C.U.P. a maximum of 12 buildings can be established on parcel 6, or 1 building per lot being platted.
- W. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- X. 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.
- Y. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Z. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- AA. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- BB. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Lot 13 shows a jog in a 20-foot utility easement because of the placement of proposed structures. This "jog" however, is 15-feet wide and not the 20-foot standard. Considering the unique placement of the proposed structures, may the 20-foot standard be waived?
- CC. The representative from Traffic Engineering should be prepared to comment on any traffic improvements that should be required along 21st Street North. Particularly any improvements associated with the major opening proposed for Lots 9 and 10.



**MID-KANSAS ENGINEERING
CONSULTANTS, P.A.**
3500 N. Rock Road, #800
Wichita, KS 67226

PROJECT: Tallgrass Commercial 5th Addition
Letter of Credit
Paving - Reserve "A"

PROJECT #: _____ **DATE:** 10/11/89

TO: Ms Vicky Huang
Engineering Dept. - 7th Floor
455 North Main
Wichita, Kansas 67202

Reserve "A" - from 22nd Street Court N. to Tara Circle

Centerline Length: 695.81 L.F. x 21 x 1/9 x \$30.00/S.Y.	=	\$48,706.70
Tara Circle Entrance: 357.39 S.Y. x \$30.00/S.Y.	=	10,721.70
22nd St. N. Court Entrance: 140.3 S.Y. x \$30.00/S.Y.	=	4,209.00
Remove Curb & Gutter: 60.00 L.F. x \$3.00/L.F.	=	180.00
		<hr/>
Subtotal		\$63,817.40
City Plan Review for Private Paving Project		500.00
7% Engineering		4,467.22
10% Staking and Inspection		6,381.74
		<hr/>
Total		\$75,166.36

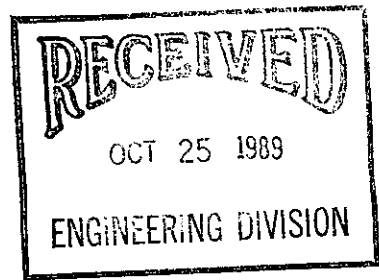
MID-KANSAS ENGINEERING CONSULTANTS, P.A.

Benny Gegen
Benny Gegen

BG/kb

1/11/89

THE CITY OF WICHITA



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CENTRAL INSPECTION DIVISION
CITY HALL — SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

October 20, 1989

Jim Shaffer
400 N. Woodlawn
Wichita, KS. 67208

Dear Mr. Shaffer,

You have contacted me requesting the issuance of conditional permit for the footings, under slab utilities, and slab on two additional buildings. We have already issued conditional permits on two buildings.

I am authorizing the issuance of two additional conditional permits as you requested only because of the approaching winter season and your need to do this concrete work while wheather permits. I am taking this action with the explicit understanding that there is to be absolutely no framing work to be done on any of the four buildings that have conditional permits.

It is my understanding from our earlier meeting some time ago that your clients were going to proceed on a timely basis to submit all documents required by the Metropolitan Area Planning Department and the City Engineers office to accomplish the final platting without delay. This has not occurred as only a few of the documents have been submitted, none of which were the important petitions or guarantees to accomplish the new road and storm water drainage improvements.

As you are aware there have been complaints about drainage from the residents southeast of the Tallgrass Inn. Therefore, our office will not extend the conditional permits to allow any work beyond the slabs until the replatting process has been completed and we have assurances from Engineering and MAPD that they expect no problems securing approval of the City Council.

SUPERINTENDENT OF CENTRAL INSPECTION 268-4460
BUILDING CODE ENGINEER 268-4468
PLAN EXAMINATION 268-4477

HOUSING 268-4481
ZONING 268-4479
SIGNS 268-4475

BUILDING & CONSTRUCTION 268-4461
PLUMBING & MECHANICAL 268-4471
ELECTRICAL & ELEVATOR 268-4465

Also, it is my understanding the Slawson Company has a contract with your client to have the paved road and drainage improvements completed by December, 1989. If this is not completed as scheduled we will require that the guarantees for this work be submitted to the City Engineer, and that the existing site grades be modified to create a berm or other means to protect the residences southeast of the Tallgrass Inn from storm water run-off.

Please feel free to contact me about this matter if there are any questions.

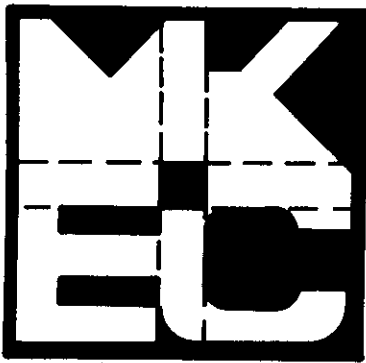
Sincerely,



Monty H. Robson
Supt. of Central Inspection

MHR:LDD:bp

cc: Mike Lindebak, City Engineer
Vicky Huang, Engineering
Jack Galbraith, MAPD
Tom Compton, Ritchie Assoc.
Ken Bengston, Mid Kansas Engineering
Slawson Development
Jim Browning, Architect
Paul Hays, Plans Examiner III
Jim Cranford, Building Code Admin.
CID Inspection/Area Inspector



MID-KANSAS ENGINEERING
CONSULTANTS, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

PROJECT: Tallgrass Commercial 5th Addition

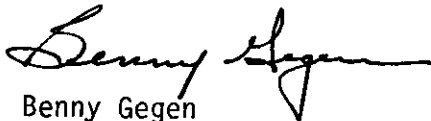
PROJECT #: _____ DATE: 10/23/89

TO: Mr. Larry Chambers
Slawson Investment Corporation
104 S. Broadway
Wichita, KS 67202

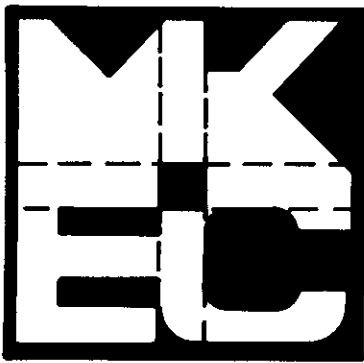
ACCESS EASEMENT FROM RES. "A" TO TALLGRASS PARKING

Centerline Length: 731.57 L.F. x 21x 1/9 x \$30.00/S.Y.	= \$51,209.90
Intersection @ Reserve "A": 140.3 S.Y. x \$30.00/S.Y.	= 4,209.00
Asphalt Hookup: 54.06 S.Y. x \$20.00/S.Y.	= <u>1,081.20</u>
	\$56,500.10
City Plan Review for Private Paving Project	500.00
7% Engineering	3,955.01
10% Staking and Inspection	<u>5,650.01</u>
	\$66,605.12

MID-KANSAS ENGINEERING CONSULTANTS, P.A.


Benny Gegen

BG/vb



MID-KANSAS ENGINEERING
CONSULTANTS, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

PROJECT: Tallgrass Commercial 5th Addition

Private - Paving Plans

PROJECT #:

DATE: 11-7-89

TO: File

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITIES</u>	<u>UNIT</u>
1.	7" Reinf. Conc. V.G. w/2 Bit. Base	70	S.Y.
2.	7" A.C. Pavt. w/5" Bit. Base	3620	S.Y.
3.	2 1/2" Bit. Base	790	S.Y.
4.	Combined Curb & Gutter Full (6 5/8")	2592	L.F.
5.	Monolithic Edge Curb Full (6 5/8")	70	L.F.
6.	Manipulation	4630	S.Y.
7.	Lime Treatment		
	Alt. #1 Pebble Lime (19#/S.Y.)	44.0	Tons
	Alt. #2 Carbide Lime (24#/S.Y.)	55.6	Tons
8.	Combined Curb & Gutter Removed	60	L.F.
9.	Remove Asphalt Pavement	1030	S.Y.
10.	Remove & Relocate Tree	1	Each
11.	Saw Cut	60	L.F.

MID-KANSAS ENGINEERING CONSULTANTS, P.A.

A handwritten signature in cursive script, appearing to read 'Benny Gegen', is written over the printed name.

Benny Gegen

BG/vb

cc: Neil Kerans
Joe Rothwell

Pre-Sub Sept. 7, '89

(1/2)

1. R. Larry Roberts. Vacation of utility easement.
No water problem.
2. Woodlawn Development Co. Vacation of utility easement. No water problem.
3. Sharon Ryan Addition. Preliminary plat. Item C, existing utilities to be covered by easements. Plat needs to show existing water easement end lines.
4. Smithmoor Addition. Preliminary plat. 16" main in Harry St. needs to be extended. Interior lines to be extended as required by development.
5. Cowskin Subdivision. Final plat. Nearest City water at 21st and 119th St. West. No water problem. Item A, wells.
6. Cross Second Addition. Preliminary plat. Item B, mains to be extended from Park City. No water problem.
7. James Place Addition. Final plat. Item C, mains to be extended. No water problem.
8. Tallgrass Commercial 5th Addition. Final plat. Item C, mains to be extended. Due to high and low pressure systems, valving or check valving may be required.
9. Phillips Southeast Addition. Final plat. Property now served. No water problem.
10. Trimmell Addition. Preliminary plat. Item A, water petition to be carried or held if not successful in carrying petition. No water problem.

11. B. B. B. R. Addition. Final plat. Property now served. No water problem.

12. Park West Plaza Addition. Final plat. Item B, mains to be extended. No water problem.

13. Other matters.

THE CITY OF WICHITA
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: December 12, 1989

TO: Mike Lindebak, City Engineer
FROM: Don Losew, Senior Planner, Current Plans
SUBJECT: Private Street Guarantee for the Tallgrass
Commercial 5th Addition, S/D 89-49

Attached are copies of a letter-of-credit and correspondence concerning use of an escrow account as a means to guarantee the above referenced improvement. This plat was approved by the City Council December 5, 1989 and has subsequently been released for recording. As Engineering has agreed to accept this approach as a means to guarantee the private street improvement associated with the platting of this site, it is best that Engineering monitor this project especially as it will involve the disbursement of funds from the escrow account to cover various engineering costs.

As usual, Planning will monitor the letter-of-credit as to any default and expiration dates and will pursue any needed extensions or arrange for its release upon completion of the project. Please do advise us if any matters arise concerning this project that may require our attention.



Don Losew
Senior Planner

DL:sm
Attachments (2)
cc: Vicki Huang, Engineering



MID-KANSAS CONSTRUCTION CO., INC. P.O. Box 17470 / 3511 S. West St. / Wichita, KS 67217 / 524-5200 / FAX 524-36
 A subsidiary of Western-Mobile Inc.

November 8, 1989

Mid-Kansas Engineering Consultants
 3500 N. Rock Road
 Building 800
 Wichita, Kansas 67226

Re: Tallgrass Commercial 5th

Please see the following prices based on the listed units. Prices include labor, equipment and materials necessary to construct per City of Wichita Specifications.

70 s.y. 7" conc. valley gutter	\$ 31.00 per s.y. =	\$ 2,170.00
3620 s.y. 7" asphalt paving	\$ 8.50 per s.y. =	\$ 30,770.00
790 s.y. 2 1/2" asphalt base	\$ 3.00 per s.y. =	\$ 2,370.00
2592 L.F. stan. combined curb & gutter	\$ 7.00 per L.F. =	\$ 18,144.00
70 L. F. monolithic edge curb	\$ 2.00 per L.F. =	\$ 140.00
4630 s.y. subgrade manipulation	\$ 1.50 per s.y. =	\$ 6,945.00
44 tons pebble lime	\$ 77.00 per ton =	\$ 3,388.00
60 L.F. curb & gutter removed	\$ 4.00 per L.F. =	\$ 240.00
1030 s.y. asphalt pavement removal	\$ 1.10 per s.y. =	\$ 1,133.00
Remove and relocate one (1) elm tree	\$ 400.00 per ea. =	\$ 400.00
60 L.F. sawing	\$ 1.75 per L.F. =	\$ 105.00
Earthwork L.S.		\$ 10,000.00
	Total	\$ 75,805.00

- Notes 1. Prices do not include staking or inspection fees.
 2. If tax exempt certificate cannot be furnished please add 5.25%.

Sincerely,

Neal R. Kerans
 Vice-President

MID-KANSAS CONSTRUCTION CO., INC.

NRK/llg

PAVING

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PAVING

PAVING

Bid To: Mr. Ken Bengston
 Mid Kansas Engineering Consultants
 3500 N. Rock Road, Building #800
 Wichita, Kansas 67226

Bid For: Tallgrass Inn
 Street Project

Bid Date: November 8, 1989

ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL
7" Valley Gutter	$\frac{758.5 \text{ sf}}{9} = 84.3 \text{ sy}$ 70	SY	35.23	\$ 2,466.10
$32745 \text{ sq ft} - 728 = 32017/9 = 3557 \text{ sy}$				
7" Asph. Conc. Pavement (5" Bit. Base)	3620	SY	8.68	\$31,421.60
$2625 \times 2.67 = 780 \text{ sy}$				
2 1/2" Bituminous Base	790	SY	2.80	\$ 2,212.00
$1295.2 + 762.5 + 924.5 + 2782.2 - 357.2 = 2625$				
Comb. Curb & Gutter (6 5/8" & 1 1/2")	2592	LF	6.40	\$16,588.80
$22.4 + 45.2 = 67.6$				
Monolithic Edge Curb (6 5/8")	70	LF	1.00	\$ 70.00
$2625 \times 3.17 + 3557 + 84.3 = 4570 \text{ sy}$				
Lime Stabilization	4630	SY	1.50	\$ 6,945.00
54.8				
Carbide Lime	55.6	Tons	55.00	\$ 3,058.00
Curb & Gutter Removed	60	LF	5.25	\$ 315.00
Asphalt Removed	1030	SY	1.16	\$ 1,194.80
Remove & Replace Tree	1	EA		
Sawing for Pavement Removal	60	LF	3.22	\$ 193.20
Bid Total				\$64,464.50

THE ABOVE BID INCLUDES THE FOLLOWING: Bonds. Tax on Materials. & Grade Parkings

THE ABOVE BID DOES NOT INCLUDE : Staking, Testing, Inspection, Excavation & Remove & Replace Tree.

By: Ritchie Paving, Inc.

Joe Rothwell



November 8, 1989

Mid-Kansas Engineering Consultants
 3500 N. Rock Road
 Building 800
 Wichita, Kansas 67226

Re: Tallgrass Commercial 5th

Please see the following prices based on the listed units. Prices include labor, equipment and materials necessary to construct per City of Wichita Specifications.

70 s.y. 7" conc. valley gutter	\$ 31.00 per s.y. =	\$ 2,170.00
3620 s.y. 7" asphalt paving	\$ 8.50 per s.y. =	\$ 30,770.00
790 s.y. 2½" asphalt base	\$ 3.00 per s.y. =	\$ 2,370.00
2592 L.F. stan. combined curb & gutter	\$ 7.00 per L.F. =	\$ 18,144.00
70 L. F. monolithic edge curb	\$ 2.00 per L.F. =	\$ 140.00
4630 s.y. subgrade manipulation	\$ 1.50 per s.y. =	\$ 6,945.00
44 tons pebble lime	\$ 77.00 per ton =	\$ 3,388.00
60 L.F. curb & gutter removed	\$ 4.00 per L.F. =	\$ 240.00
1030 s.y. asphalt pavement removal	\$ 1.10 per s.y. =	\$ 1,133.00
Remove and relocate one (1) elm tree	\$ 400.00 per ea. =	\$ 400.00
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Earthwork L.S.		\$ 10,000.00
	Total	\$ 75,805.00

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Sincerely,

Neal R. Kerans
 Vice-President

MID-KANSAS CONSTRUCTION CO., INC.

NRK/llg

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Bid To: Mr. Ken Bengston
 Mid Kansas Engineering Consultants
 3500 N. Rock Road, Building #800
 Wichita, Kansas 67226

Bid For: Tallgrass Inn
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Bid Date: November 8, 1989

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7" Asph. Conc. Pavement (5" Bit. Base)	3620	SY	8.68	\$31,421.60
$2625 \times 2.67 = 780 \text{ SY}$				
2 1/2" Bituminous Base	790	SY	2.80	\$ 2,212.00
$1295.2 + 762.5 + 924.5 = 2982.2 - 3571 = 2625$				
Comb. Curb & Gutter (6 5/8" & 1 1/2")	2592	LF	6.40	\$16,588.80
$22.4 + 45.2 = 67.6$				
Monolithic Edge Curb (6 5/8")	70	LF	1.00	\$ 70.00
$2625 \times 3.17 + 3557 + 64.3 = 4570 \text{ SY}$				
Lime Stabilization	4630	SY	1.50	\$ 6,945.00
54.8				
Carbide Lime	55.6	Tons	55.00	\$ 3,058.00
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By: Ritchie Paving, Inc.

Joe Rothwell



November 8, 1989

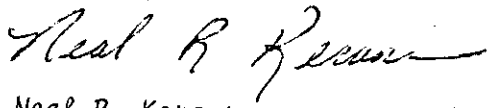
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Sincerely,

 Neal R. Kerans
 Vice-President

MID-KANSAS CONSTRUCTION CO., INC.

NRK/llg

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Bid To: Mr. Ken Bengston
Mid Kansas Engineering Consultants
3500 N. Rock Road, Building #800
Wichita, Kansas 67226

Bid For: Tallgrass Inn
Street Project

Bid Date: November 8, 1989

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2 1/2" Bituminous Base	$2625 \times 2.67 = 700 \text{ SY}$ 790	SY	2.80	\$ 2,212.00
Comb. Curb & Gutter (6 5/8" & 1 1/2")	$1295.2 + 762.5 + 924.5 = 2982.2 - 357.2 = 2625$ 2592	LF	6.40	\$16,588.80
Monolithic Edge Curb (6 5/8")	$22.4 + 45.2 = 67.6$ 70	LF	1.00	\$ 70.00
Lime Stabilization	$2625 \times 3.17 + 3557 + 84.3 = 4570 \text{ SY}$ 4630	SY	1.50	\$ 6,945.00
Carbide Lime	54.8 55.6	Tons	55.00	\$ 3,058.00
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By: Ritchie Paving, Inc.

Orl Rathwell

Tallgrass Commercial
5th Add'n

November 13, 1989

Mr. Michael Lindebak, P.E.
City of Wichita
Engineering Department
455 N. Main, 7th Floor
Wichita, KS 67202

Re: Tallgrass Commercial 5th Addition
Pavement Guarantees

Dear Mr. Lindebak:

Enclosed please find copies of the bids we have received from Ritchie Paving and Mid Kansas Construction for paving the private streets serving the referenced addition. Per contractual agreement between Slawson Investment Corporation & Inntel Corporation of America, the costs are to be split 70-30 respectively.

For purposes of the total guarantee we have added in the costs related to staking, inspection and plan review. This would be as follows:

Construction	\$75,805.00
Engineering, Administration, & Contingencies	<u>13,000.00</u>
Total:	\$88,805.00

If these figures are acceptable please advise us as soon as possible so that each owner can escrow the monies.

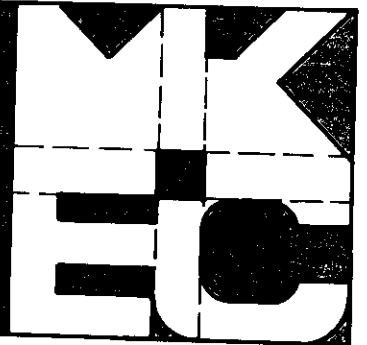
Very Truly Yours,

MID-KANSAS ENGINEERING CONSULTANTS, P.A.

Kenneth H. Bengtson

Kenneth H. Bengtson, P.E.

KHB/vb



MID-KANSAS ENGINEERING CONSULTANTS PA
(316) 636-5566 FAX (316) 636-4125

3500 N. ROCK ROAD #800
WICHITA, KANSAS 67226

**THE CITY OF WICHITA
OFFICE OF PUBLIC WORKS - ENGINEERING**

TO: Don Losew, Associate Planner

DATE: November 13, 1989

FROM: Vicky Huang, Subdivision Engineer *VH*

SUBJECT: Tallgrass Commercial 5th Add'n

We have been contacted by the developer who expressed their wishes to guarantee certain improvements for the subject plat by setting up escrow accounts with a local bank to be used to pay the contractor as the improvement is constructed. This form of guarantee is acceptable to us. Should you have any questions please call me at 4236.

VH:gnz

November 13, 1989

Mr. Michael Lindebak, P.E.
City of Wichita
Engineering Department
455 N. Main, 7th Floor
Wichita, KS 67202

Re: Tallgrass Commercial 5th Addition
Pavement Guarantees

Dear Mr. Lindebak:

Enclosed please find copies of the bids we have received from Ritchie Paving and Mid Kansas Construction for paving the private streets serving the referenced addition. Per contractual agreement between Slawson Investment Corporation & Intel Corporation of America, the costs are to be split 70-30 respectively.

For purposes of the total guarantee we have added in the costs related to staking, inspection and plan review. This would be as follows:

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Total:	\$88,805.00

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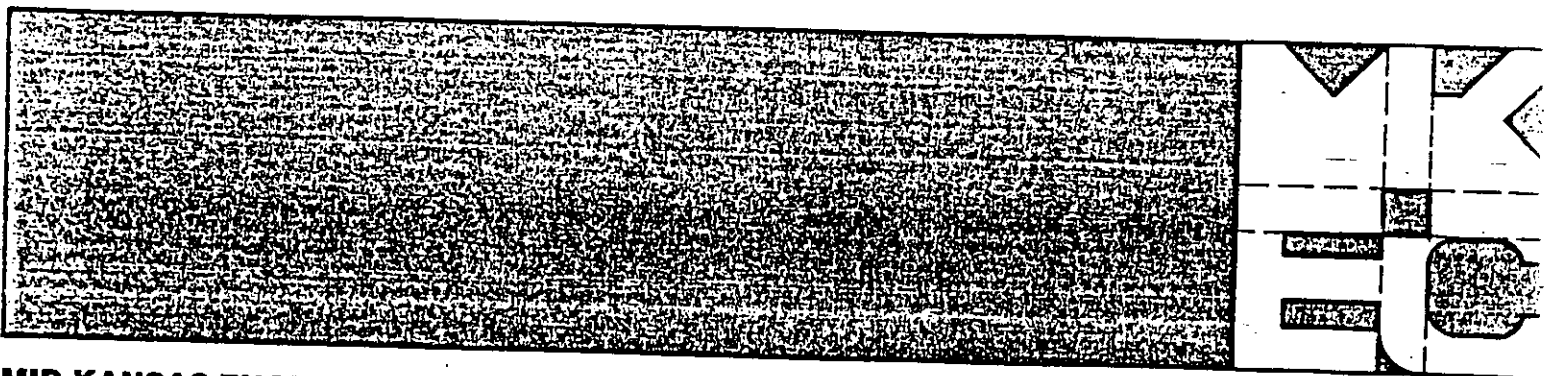
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(316) 636-5566 **FAX (316) 636-4125**

3500 N. ROCK ROAD #
WICHITA, KANSAS 67

November 13, 1989

Mr. Michael Lindebak, P.E.
City of Wichita
Engineering Department
455 N. Main, 7th Floor
Wichita, KS 67202

Re: Tallgrass Commercial 5th Addition
Pavement Guarantees

Dear Mr. Lindebak:

Enclosed please find copies of the bids we have received from Ritchie Paving and Mid Kansas Construction for paving the private streets serving the referenced addition. Per contractual agreement between Slawson Investment Corporation & Intel Corporation of America, the costs are to be split 70-30 respectively.

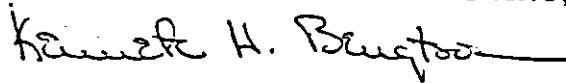
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Construction	\$75,805.00
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Total:	\$88,805.00

If these figures are acceptable please advise us as soon as possible so that each owner can escrow the monies.

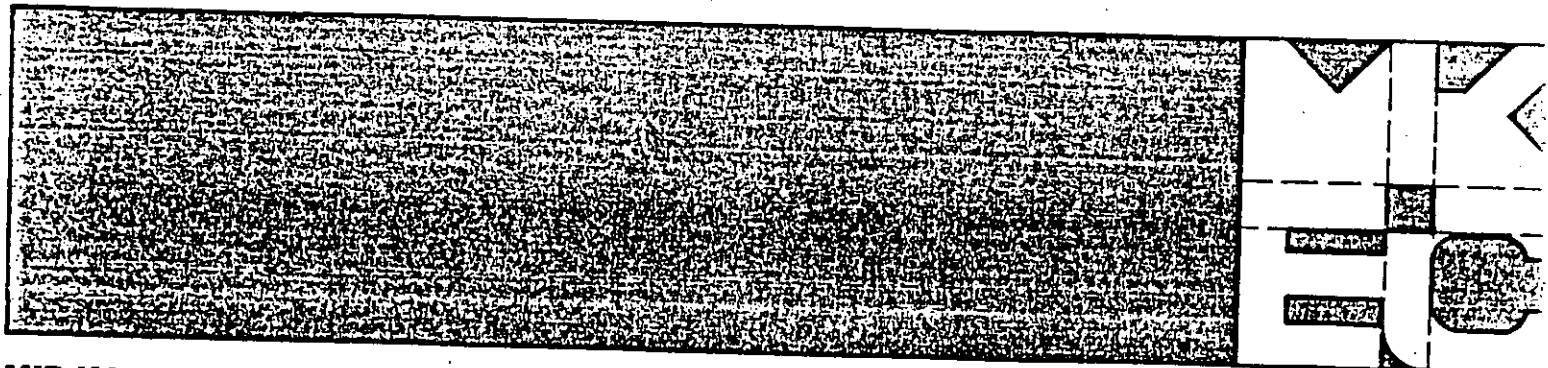
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Kenneth H. Bengtson, P.E.

KHB/vb



MID-KANSAS ENGINEERING CONSULTANTS PA
(316) 636-5566 FAX (316) 636-4125

3500 N. ROCK ROAD #
WICHITA, KANSAS 67

IRREVOCABLE LETTER OF CREDIT

Kansas State Bank & Trust

123 North Market, Wichita, Ks 67202
(Name and address of bank)

Date: November 14, 1989

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 \$ 26,641.50 for the account of Intel Corporation of America

(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 November 14, 1991: (7)

1. Paving Private Streets
- 2.
- 3.

in Tallgrass Commercial 5th 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.

Irrevocable Letter of Credit
Page 2 of 2

All drafts drawn hereunder must be marked: "Drawn under Kansas State Bank & Trust Credit No. 100167A, dated 11-14-89."

(Name of bank)

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits (1983 Revisions) ICC Publication No. 400.

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

January 14, 1992

(Insert a date at least 60 days from the date on line 7.)

Very truly yours,

(CORPORATE SEAL)

KANSAS STATE BANK & TRUST
(Name of bank)

By 

(Authorized Signature)
(Also type or print name below)
Arnold D. Gray, President

Form MAPD 1046/Aug. 1989
(City)

IRREVOCABLE LETTER OF CREDIT

Kansas State Bank & Trust

123 North Market, Wichita, Ks 67202
(Name and address of bank)

Date: November 14, 1989

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WICHITA, KANSAS

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Page 2 of 2

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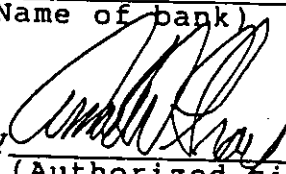
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KANSAS STATE BANK & TRUST
(Name of bank)

By 
(Authorized signature)
(Also type or print name below)
Arnold D. Gray, President

Form MAPD 1046/Aug. 1989
(City)

FIRST MORTGAGE CORPORATION OF KANSAS
a subsidiary of FIRST NATIONAL BANK IN WICHITA

Ivan P. Salyer, CMB
President

401 First National Bank
Box One
Wichita, Kansas 67201
Phone 316 262-0247

FIRST MORTGAGE CORPORATION

November 16, 1989

Mr. Michael Lindebak, P.E.
City of Wichita
Engineering Department
455 N. Main, 7th Floor
Wichita, KS 67202

RE: Tallgrass Commercial 5th Addition
Pavement Guarantees

Dear Mr. Lindebak:

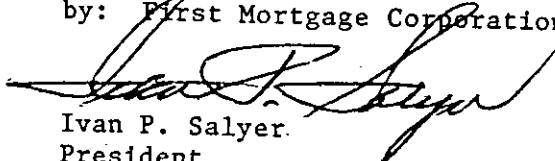
In connection with the platting of the above-referenced Addition, please be advised that Slawson Investment Corporation has placed funds on deposit at First National Bank in Wichita the amount of \$62,165 representing its share of the estimated cost for paving the private streets serving said Addition pursuant to the attached cost estimate.

These funds have been restricted by Slawson Investment Corporation solely for payment of said costs as same are incurred and become payable. First National Bank has been authorized by Slawson Investment Corporation to disburse these funds in one or more payments directly to the approved providers of all material, labor and services necessary for the completion of said private streets. These funds have been restricted by Slawson Investment Corporation as stated above for a period of two years.

If you have any questions regarding the above, feel free to contact me directly.

Yours very truly,

FIRST NATIONAL BANK IN WICHITA
by: First Mortgage Corporation


Ivan P. Salyer
President

IPS/sb

cc: Larry Chambers, Slawson Investment Corporation

FIRST MORTGAGE CORPORATION OF KANSAS
a subsidiary of FIRST NATIONAL BANK IN WICHITA

Ivan P. Salyer, CMB
President

401 First National Bank
Box One
Wichita, Kansas 67201
Phone 316 262-0247

FIRST MORTGAGE CORPORATION

November 16, 1989

Mr. Michael Lindebak, P.E.
City of Wichita
Engineering Department
455 N. Main, 7th Floor
Wichita, KS 67202

RE: Tallgrass Commercial 5th Addition
Pavement Guarantees

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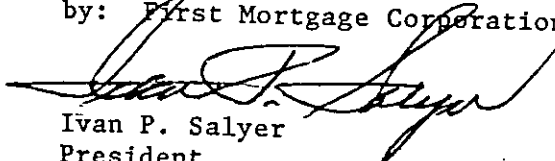
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If you have any questions regarding the above, feel free to contact me directly.

Yours very truly,

FIRST NATIONAL BANK IN WICHITA
by: First Mortgage Corporation


Ivan P. Salyer
President

IPS/sb

cc: Larry Chambers, Slawson Investment Corporation

DRAINAGE EASEMENT

THIS EASEMENT made this 10th day of November, 1989, by and between SLAWSON INVESTMENT CORPORATION 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 construction, maintaining and repairing their storm sewer, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A 25.00 foot strip of land lying in the Southwest Quarter, Section 5, Township 27 South, Range 2 East of the 6TH P.M., Sedgwick County, Kansas, said tract of land centered on the following described line:

Commencing at the Northeast corner of Reserve E, SUMMERFIELD, an addition to Wichita, Sedgwick County, Kansas; thence S 16° 08' 34" E, 199.25 feet to a point on a curve to the right; thence along said curve 5.00 feet, said curve having a central angle of 02° 18' 51", a radius of 123.80 feet, and a long chord of 5.00 feet, bearing S 14° 59' 09" E; thence N 73° 51' 26" E, 41.19 feet to the point of beginning; thence S 40° 43' 21" E, 138.52 feet; thence S 58° 24' 37" E, 18.15 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.

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

SLAWSON INVESTMENT CORPORATION

By: Larry A. Chambers
Larry A. Chambers, President

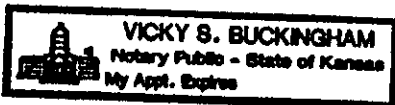
STATE OF KANSAS

ss.

SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Larry A. Chambers, President of SLAWSON INVESTMENT CORPORATION, to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita this 10th day of November, 1989.



Vicky S. Buckingham
Notary Public

My Appointment Expires: 10-4-93

DRAINAGE EASEMENT

THIS EASEMENT made this _____ day of _____, 1989, by and between JIM COLBERT GOLF OF KANSAS, INC. of the first part and the 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, does hereby grant and convey unto the said second party a perpetual right of way and easement for the purpose of construction, maintaining and repairing their storm sewer, along and under the following described real estate situated in Sedgwick County, Kansas, (collectively, the "Easement Parcel") to wit:

A 25.00 foot strip of land centered on the following described line:

Commencing at the Northeast corner of Reserve E, SUMMERFIELD, an addition to Wichita, Sedgwick County, Kansas; thence S 88° 58' 58" W, 11.24 feet along the North line of said Reserve; thence N 38° 17' 34" W, 192.49 feet to the point of beginning; thence S 45° 57' 12" W, 31.80 feet; thence S 71° 44' 53" W, 31.83 feet; thence S 85° 27' 08" W, 257.32 feet; thence S 44° 06' 26" W, 16.16 feet to the point of termination.

and also:

A 25.00 foot strip of land centered on the following described line:

Commencing at the Northeast corner of Reserve E, SUMMERFIELD, an addition to Wichita, Sedgwick County, Kansas; thence S 88° 58' 58" W, 11.24 feet along the North line of said Reserve; thence N 38° 17' 34" W, 192.49 feet; thence S 45° 57' 12" W, 31.80 feet; thence S 71° 44' 53" W, 31.83 feet; thence S 85° 27' 08" W, 257.32 feet to the point of beginning; thence N 46° 25' 35" W, 81.95 feet; thence N 79° 59' 30" W, 184.02 feet; thence N 75° 46' 38" W, 17.11 feet to the point of termination.

and also:

A 25.00 foot strip of land lying in the Southwest Quarter, Section 5, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, said tract of land centered on the following described line:

Commencing at the Northeast corner of Reserve E, SUMMERFIELD, an addition to Wichita, Sedgwick County, Kansas; thence S 16° 08' 34" E, 114.41 feet along the East line of said Reserve to the point of beginning; thence S 40° 43' 21" E, 98.79 feet to the point of termination.

and also:

A 25.00 foot strip of land lying in the Southwest Quarter, Section 5, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, said tract of land centered on the following described line:

Commencing at the Northeast corner of Reserve E, SUMMERFIELD, an addition to Wichita, Sedgwick County, Kansas; thence S 16° 08' 34" E, 199.25 feet to a point on a curve to the right; thence along said curve 5.00 feet, said curve having a central angle of 02° 18' 51", a radius of 123.80 feet, and a long chord of 5.00 feet, bearing S 14° 59' 09" E; thence N 73° 51' 26" E, 41.19 feet; thence S 40° 43' 21" E, 138.52 feet; thence S 58° 24' 37" E, 18.15 feet to the point of beginning; thence S 58° 24' 37" E, 139.11 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.

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

JIM COLBERT GOLF OF KANSAS, INC.

By: _____

STATE OF KANSAS

ss:

SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came JIM COLBERT GOLF OF KANSAS, INC., to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita this _____ day of _____, 1989.

Notary Public _____

My Appointment Expires: _____

SUBDIVISION COMMITTEE

AND

UTILITY ADVISORY COMMITTEE

AGENDA

September 7, 1989

The regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission will be held on Thursday, September 7, 1989, at 1:00 p.m. in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

1. V-1633 - R. Larry Roberts requests vacation of a utility easement legally described as:

The south 167.53 feet of North 177.53 feet of the west 10-feet of Lot 11, Block 1, Woodland Estates, an addition to Wichita, Sedgwick County, Kansas.

In an area north of Central and west of Linden.

2. V-1634 - Woodlawn Development Co. requests vacation of a utility easement legally described as:

The west 5 feet of Lot 5, Block 2, except the north and south 20 feet thereof; and the west 5 feet of Lot 4, Block 1 and the east 5 feet of Lot 3, Block 1, except the south 10 feet of Lots 4 and 3, Block 1; the above being a part of Mediterranean Plaza an Addition to Wichita, Sedgwick County, Kansas.

On both sides of 32nd St. North in an area east of Rock Road and north of 29th St. North.

3. S/D 89-59 - Preliminary Plat of SHARON RYAN ADDITION, located on the southeast corner of Kellogg and Rock Rd.

Engineer:	Professional Engineering Consultants
Acreage:	23.7
Total	
Lots:	4

4. S/D 89-61 - Preliminary Plat of SMITHMOOR ADDITION, located on the southwest corner of Harry and Greenwich Road.

Engineer: Municipal Engineers
Acreage: 47.3
Total Lots: 3

5. S/D 89-60 - Final Plat of COWSKIN SUBDIVISION, located south of 37th St. North, in an area west of 119th St. North.

Engineer: Goedecke Engineering Company
Acreage: 5.65
Total Lots: 1

6. S/D 89-58 - Preliminary Plat of CROSS SECOND ADDITION, located on the southwest corner of 57th St. North and Broadway.

Engineer: Air Capitol Land Surveyors
Acreage: 3.38
Total Lots: 2

7. S/D 89-41 - Final Plat of JAMES PLACE ADDITION, located in an area east of West Street and north of 47th Street South.

Engineer: Macon Company
Acreage: 16.8
Total Lots: 53

8. S/D 89-49 - Final Plat of TALLGRASS COMMERCIAL 5TH ADDITION, located in an area east of Rock Road, north of 21st Street North.

Engineer: Mid-Kansas Engineering
Consultants
Acreage: 15.55
Total Lots: 13

9. S/D 89-57 - Final Plat of PHILLIPS SOUTHEAST ADDITION, located at the northwest corner of Pawnee and Oliver.

Engineer: Mid-Kansas Engineering
Consultants
Acreage: 1.26
Total Lots: 1

10. S/D 89-62 - Preliminary Plat of TRIMMELL ADDITION, located at the east side of West St. approx. 1/3 mile south of I-235.

Engineer:	Baughman Company
Acreage:	5.15
Total Lots:	1

11. S/D 89-55 - Final Plat of B.B.B.R. ADDITION, located at the northwest corner of Kellogg and Tyler Rd.

Engineer:	Bill Yung Design/Baughman Company
Acreage:	1.61
Total Lots:	2

12. S/D 89-37 - Final Plat of PARK WEST PLAZA ADDITION, located on the west side of Maize Road, south of Central Avenue.

Engineer:	Bill Yung Design/Baughman Company
Acreage:	17.6
Total Lots:	7

13. OTHER MATTERS

September 9, 1989

STAFF REPORT
(Final Plat; Preliminary Plat Approved 7/27/89)

CASE NUMBER: S/D 89-49 - TALLGRASS COMMERCIAL 5TH ADDITION

OWNER/APPLICANT: Slawson Commercial Development Co., 104 S. Broadway, Wichita, KS 67202

SURVEYOR/ENGINEER: Mid-Kansas Engineering Consultants

LOCATION: In an area east of Rock Road and north of 21st Street North.

SITE SIZE: 15.55 acres

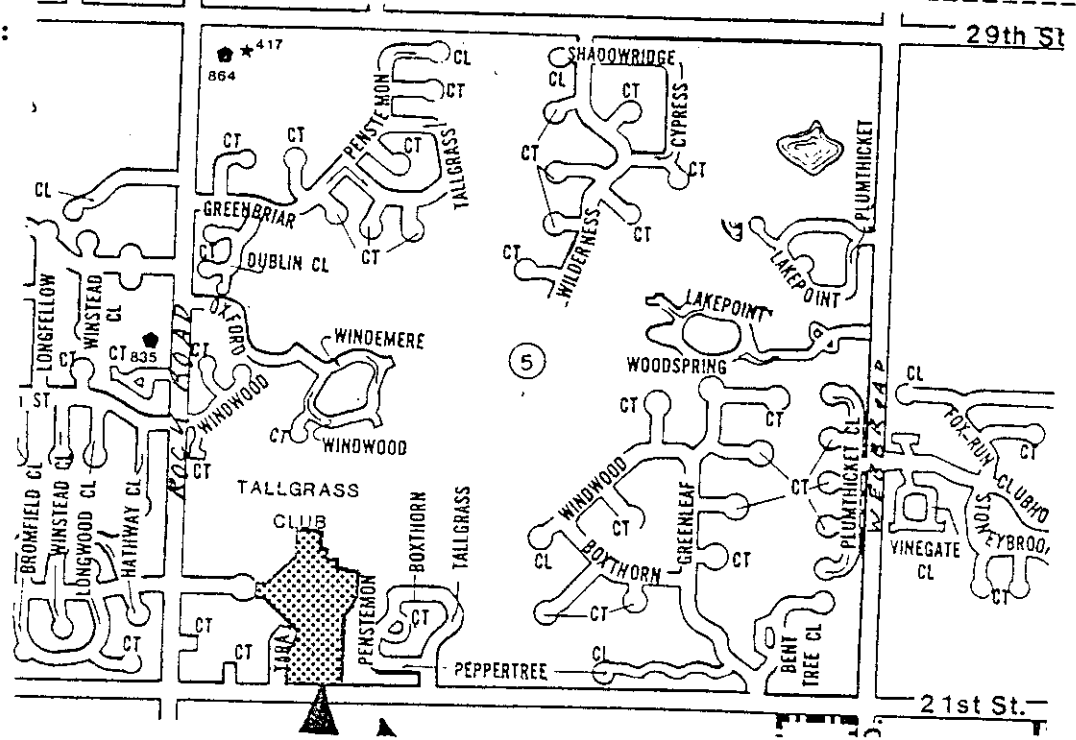
NUMBER OF LOTS
Residential:
Office: 13
Commercial:
Industrial:
Total: 13

MINIMUM LOT AREA: 25,300 sq. ft.

CURRENT ZONING: "AA" One Family Dwelling and "BB" Office

PROPOSED ZONING: "BB" Office (DP-92)(Z-2955)

VICINITY MAP:



STAFF COMMENTS:

NOTE: This plat is part of the Tallgrass Commercial and Office Park Community Unit Plan (DP-92) Lot 13 corresponds to parcel 7 of the C.U.P., with the remaining lots all falling within parcel 16. The associated zone change case (Z-2955) was approved at the July 11, 1989, City Council Meeting. A complex system of joint access agreements, and private streets will allow all platted lots to have access to public streets.

A. The applicant shall either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.

B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.

C. The applicant shall guarantee the extension of City water to serve the lots being platted.

D. The applicant shall guarantee any drainage improvements required by the platting of this property.

E. The applicant shall guarantee construction of the storm sewers required by this plat.

F. The applicant shall guarantee the paving of the proposed private interior streets to the 26-foot public street standard.

G. The applicant shall guarantee a left turn bay and decel lane on 21st Street to Tara Circle.

H. The applicant shall guarantee the construction of the major openings for Lots 9 and 10, in the public right-of-way.

I. The applicant shall guarantee the abandonment, relocation and termination of the sanitary sewer lines (on lot 13 and Reserve B) not being covered by a utility easement.

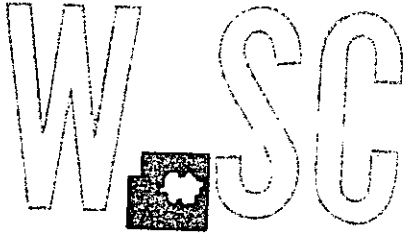
J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

K. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

- L. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
 - M. The applicant shall submit a joint access agreement for the major opening between Lot 9 and 10. Appropriate recording information shall be shown on the final plat. Since this one major opening is needed to serve both Lots 9 and 10 of this plat and only one opening is indicated on the C.U.P. TO 21st Street, the final plat tracing shall indicate complete access control either side of this joint opening.
 - N. The proposed joint access easement will need to be established by separate instrument with appropriate recording information indicated on the final plat tracing. Prior to recording the joint access easement, a draft shall be submitted to the planning department for review and approval. The instrument must clearly state the purpose of the easement as well as which properties benefit from the easement. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
 - O. The plattor's text shall be amended to indicate that the reserves will be owned and maintained by a lot owners association (instead of homeowners).
 - P. The applicant is advised that according to the C.U.P. a maximum of 12 buildings can be established on parcel 6, or 1 building per lot being platted.
 - Q. 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.
 - R. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
 - S. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
 - T. Recording of the plat within 30 days after approval by the City Council.
-

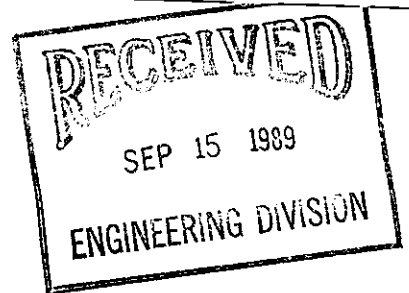
- U. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- V. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- W. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Also, are utility easement widths adequate in relation to what is proposed in the sanitary sewer layout? Specifically, this final plat appears to again show 13 and 15 foot utility easements which are also intended for sanitary sewer facilities.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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



September 8, 1989

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

Re: S/D 89-49 - TALLGRASS COMMERCIAL 5TH ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, September 7, 1989, 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 either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee construction of the storm sewers required by this plat.
- F. The applicant shall guarantee the paving of the proposed private interior streets to the 26-foot public street standard.
- G. —The applicant shall guarantee a left turn bay and decel lane on 21st Street to Tara Circle. The applicant shall meet with Traffic Engineering to determine or resolve any right-of-way needs for these improvements.

- H. The applicant shall guarantee the construction of the major openings for Lots 9 and 10, in the public right-of-way.
- I. The applicant shall guarantee the abandonment, relocation and termination of the sanitary sewer lines (on lot 13 and Reserve B) not being covered by a utility easement.
- J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- K. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- L. As indicated by the sanitary sewer layout plan, sewer will be located along the east line of lots 7 and 8. Therefore, the final plat tracing shall indicate a 20-foot wide easement to cover this sanitary sewer line. The final plat tracing shall also indicate any other easements required by the sewer layout plan. In addition, the applicant shall meet with City Engineering to determine the size of easement being shown on Lots 4 and 5 for sanitary sewer. The final plat tracing shall indicate the width of easement required by City Engineering.
- M. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- N. The applicant shall submit a joint access agreement for the major opening between Lot 9 and 10. Appropriate recording information shall be shown on the final plat. Since this one major opening is needed to serve both Lots 9 and 10 of this plat and only one opening is indicated on the C.U.P. TO 21st Street, the final plat tracing shall indicate complete access control either side of this joint opening.
- O. The proposed joint access easement will need to be established by separate instrument with appropriate recording information indicated on the final plat tracing. Prior to recording the joint access easement, a draft shall be submitted to the planning department for review and approval. The instrument must clearly state the purpose of the easement as well as which properties benefit from the easement. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.

- P. As indicated by the drainage plan for this site, off-site drainage easements shall be obtained. These easements shall be approved by City Engineering and submitted to the Planning Department for recording. Also, cross lot drainage agreements shall be provided and submitted to the Planning Department for recording.
- Q. The plat's text shall be amended to indicate that the reserves will be owned and maintained by a lot owners association (instead of homeowners).
- R. The applicant is advised that according to the C.U.P. a maximum of 12 buildings can be established on parcel 6, or 1 building per lot being platted.
- S. 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.
- T. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- V. Recording of the plat within 30 days after approval by the City Council.
- W. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

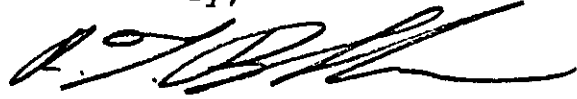
Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are available from this office.

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

S/D 89-49 Tallgrass Commercial 5th
Page 4

This matter will be forwarded to the Planning Commission for its consideration on Thursday, September 14, 1989 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



R. Timothy Bickhaus
Associate Planner

RTB:svm
Enclosure

cc: Bill Yung Design, 4912 E. 29th St. North, 67202
Slawson Commercial Development Co., 104 S. Broadway, 67202
Frank Sisson & Co., Frank E. Sisson III, P.O. Box 781282,
67278
Mike Lindebak, City Engineer
Bill McKinley, Traffic Engineer

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

September 14, 1989

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

Re: S/D 89-49 - TALLGRASS COMMERCIAL 5TH ADDITION

Dear Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on September 14, 1989, the above captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of September 8, 1989.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all real estate taxes for the second half of 1988 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

R. Timothy Bickhaus
Associate Planner

RTB:svm

cc: Bill Yung Design, 4912 E. 29th St. North, 67202
Slawson Commercial Development Co., 104 S. Broadway, 67202
Frank Sisson & Co., Frank E. Sisson III, P.O. Box 781282,
67278
Mike Lindebak, City Engineer
Bill McKinley, Traffic Engineer

THE CITY OF WICHITA
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: December 12, 1989

TO: Mike Lindebak, City Engineer
FROM: Don Losew, Senior Planner, Current Plans
SUBJECT: Private Street Guarantee for the Tallgrass
Commercial 5th Addition, S/D 89-49

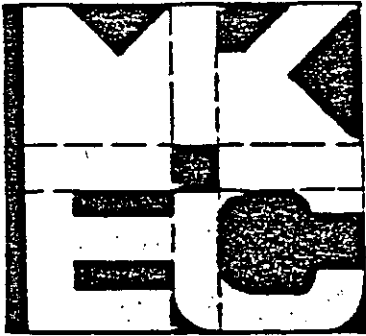
Attached are copies of a letter-of-credit and correspondence concerning use of an escrow account as a means to guarantee the above referenced improvement. This plat was approved by the City Council December 5, 1989 and has subsequently been released for recording. As Engineering has agreed to accept this approach as a means to guarantee the private street improvement associated with the platting of this site, it is best that Engineering monitor this project especially as it will involve the disbursement of funds from the escrow account to cover various engineering costs.

As usual, Planning will monitor the letter-of-credit as to any default and expiration dates and will pursue any needed extensions or arrange for its release upon completion of the project. Please do advise us if any matters arise concerning this project that may require our attention.

DL
Don Losew
Senior Planner

DL:sm
Attachments (2)
cc: Vicki Huang, Engineering

LETTER OF TRANSMITTAL



MID-KANSAS ENGINEERING
CONSULTANTS, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

PROJECT: Tallgrass Commercial 5th
water Distribution System

PROJECT #: 448-76-245-88435-000-000-00 DATE: 1-12-90

TO: Bill Morris
Engineering Dept.
455 N. Main, 7th Fl.
Wichita, Kansas 67202

We are sending you the following items: Attached
 Under separate cover via _____
 Prints Specifications Legal Descriptions
 Tracings Petitions Correspondence Other

COMMENTS: The "AFFIDAVIT" for the subject project is
hereby submitted for your use. The Letter of
Credit is being submitted by Southwest National
Bank.

These are transmitted as checked below:

For Your Approval As Requested
 For Your Use For Your Files
 Approved as Noted For Review and Comment

REMARKS:

Copies To:

Signed: Benny [Signature]

This MAY 2 1995

VACATION OF JOINT ACCESS EASEMENT

THIS INDENTURE made this 14th day of April, 1995, by Slawson Investment Corporation ("Slawson").

WITNESSETH

Whereas by an instrument dated November 15, 1989 of record at Film 1083, Page 676, Slawson as the owner of Lots 9 and 10, Block 1, Tallgrass Commercial 5th Addition to Wichita, Sedgwick County, Kansas, granted and created a perpetual joint access easement for ingress and egress purposes. Said access to be constructed within the area along the south property line of said Lots 9 and 10 in which one opening is allowed for access to 21st Street North as shown on the recorded plat of said addition.

Said access easement was to provide joint ingress and egress to 21st Street North from Lots 9 and 10, of said addition, with the further provision:

1. Initial Construction. The construction of the joint access driveway within the area described above shall be completed by the first party to commence construction of improvements on said Lots 9 and 10, and the total cost of the construction shall be borne by such party.
2. Maintenance. All maintenance costs incurred in maintaining the joint access driveway in good and serviceable condition from the public road to the adjacent parking area shall be borne equally by the owners of said Lots 9 and 10.
3. Covenant Running with the Land. The joint access easement created hereby shall run with the land and benefit and bind the present and future owners of said Lots 9 and 10.

Now therefore, Slawson as owner of the above-described lots does hereby vacate, cancel and rescind such joint access easement for ingress and egress purposes over and across the above-described lots and such joint access easement shall be null and void from and after the day and year first above written.



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

1452086 E-5B

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS
GARY WETTLER
REGISTER OF DEEDS

SLAWSON INVESTMENT CORPORATION

By: Larry A. Chambers
Larry A. Chambers, President

[Handwritten signature]
County

This instrument was acknowledged before me on this 14th day of April, 1995, by Larry A. Chambers as President of Slawson Investment Corporation.

Gary L. Wiley
Notary Public

My appointment expires: Jan. 15, 1997



600
ck

SD 94-76 City Clerks Office
455 N. Main - 12th Floor
Wichita, KS 67202 *[Signature]*

FILM 522 PAGE 0581
MICROFILMED
OF RECORD

SEDGWICK COUNTY



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

July 28, 1989

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

Re: S/D 89-49 - TALLGRASS COMMERCIAL 5TH ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, July 27, 1989, 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. The applicant shall either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee construction of the storm sewers required by this plat.
- F. The applicant shall guarantee the paving of the proposed private interior streets to the 26-foot public street standard.
- G. The applicant shall guarantee a left turn bay and decel lane on 21st Street to Tara Circle.

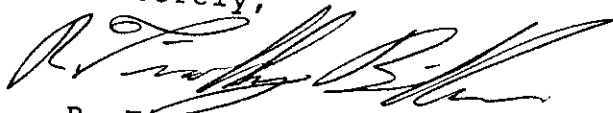
- H. The applicant shall guarantee the construction of the major openings for Lots 9 and 10, in the public right-of-way.
- I. The applicant shall guarantee the abandonment, relocation and termination of the sanitary sewer lines (on lot 13 and Reserve B) not being covered by a utility easement.
- J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- K. On the final plat, Reserve A shall be indicated as an entity separate from the adjoining lots. Abutting lot lines shall therefore, terminate at the Reserve's abutting property line.
- L. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- M. Prior to submitting the final plat, the applicant shall meet with City Engineering to discuss the 15-foot sanitary sewer easements indicated at several locations on the Preliminary Plat.
- N. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- O. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- P. The applicant shall submit a joint access agreement for the major opening between Lot 9 and 10. Appropriate recording information shall be shown on the final plat.
- Q. The proposed joint access easement will need to be established by separate instrument with appropriate recording information indicated on the final plat tracing. Prior to recording the joint access easement, a draft shall be submitted to the Planning Department for review and approval. The instrument must clearly state the purpose of the easement as well as which properties benefit from the easement. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.

- R. As Lot 10 will share a major opening with Lot 9 the final plat shall indicate that the east 120-feet of Lot 10 is platted as complete access control.
- Since Lot 8 has access to Tara Circle, the trees to the south of this lot are to remain, and there is to be only one access point by way of a major opening. The south line of Lot 8 shall be designated as complete access control.
- S. The final plat shall make proper reference to K.S.A. 12-512(b).
- T. In order to assist title companies in determining if buildings constructed on this site observe the building setbacks required by the associated Community Unit Plan, the final plat shall indicate the platting of building setbacks.
- U. The final plat tracing shall indicate angles or bearings for the perimeter of this plat.
- V. On the final plat tracing, angles or bearings shall be indicated for all side lot lines which are not at right angles with or radial to adjacent street lines. Section 5-402(F).
- W. The final plat shall reference a tie point to a previously platted lot corner or section corner.
- X. The applicant is advised that according to the C.U.P. a maximum of 12 buildings can be established on parcel 6, or 1 building per lot being platted.
- Y. The final plat shall indicate the utility easements requested by K.G. & E. and Southwestern Bell which are indicated on the enclosed "marked" copy of the plat.
- Z. Prior to or at the time of submitting the final plat, the applicant shall also submit a sanitary sewer layout plan to City Engineering.
- AA. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- BB. 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.

S/D 89-49 Tallgrass Commercial 5th Addition
Page 4

- CC. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- DD. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- The enclosed "marked" copy of the plat is for your information and files. If you should have any questions, please call.

Sincerely,



R. Timothy Bickhaus
Associate Planner

RTB:svm
Enclosure

cc: Bill Yung Design, 4912 E. 29th St. North, 67202
Slawson Commercial Development Co., 104 S. Broadway, 67202
Frank Sisson & Co., Frank E. Sisson III, P.O. Box 781282,
67278
Mike Lindebak, City Engineer
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