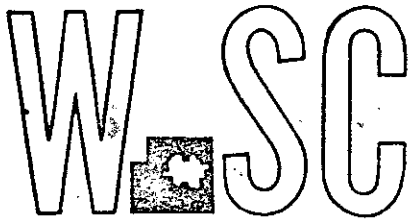


WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

RECEIVED

DEC 23 1981

Dept. Of Engineering

December 22, 1981

Baughman Company  
330 Laura  
Wichita, Ks. 67211

Re: S/D 81-131 - Final plat of Hershel Cook Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission December 21, 1981, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The proposed wording for the "Right of Entry", "Removal of Portion of Building" and "Insurance Requirements" agreements shall be included in the plattor's text on the final plat tracing.
- B. The ten-foot private sewer easement shall be granted by separate instrument, recorded, and the recording data shown on the final plat tracing. A copy of the easement shall be submitted to the Planning Department.
- C. The contingent dedications of street right-of-way shall be referenced in the plattor's text. The contingency is the removal or substantial destruction of the building.
- D. Access control except for one opening to 13th Street shall be granted and labeled on the final plat tracing and referenced in the plattor's text.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, January 14, 1982, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

*Forrest L. Nagley*  
Forrest L. Nagley  
Junior Planner

Baughman Company, P.A.

December 22, 1981

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cc: Hershel B. Cook, 1501 N. Woodrow, 67203

W. A. Bonwell, Jr., Attorney, Suite 611, 1st National Bank Bldg.,  
105 N. Main, 67202

X Mike Lindebak, City Engineering

DRAFT OF PLATTER'S TEXT  
RIGHT OF ENTRY

It is agreed that the City of Wichita, Kansas, shall have a right of entry to gain access to the sewer manhole located within the building that is situated on the captioned addition at all times to service the sewer lines that are connected to said manhole. The right of entry shall include the right to forcibly enter said premises in the event access cannot be obtained from the owner thereof within a reasonable time under the circumstances then existing that relate to the need to gain access to said manhole.

DRAFT OF PLATTER'S TEXT  
REMOVAL OF PORTION OF BUILDING

In the event that the portion of the building located on and over the existing water main line easement or on or over the sewer easement (except for that portion of the sewer easement wherein the service line for the building is located), is vacant for a period of two years or is destroyed by fire or other casualty to the extent that removal and reconstruction must be made that exceed fifty per cent (50%) of the value of the portion of the building located over said easements, then said portion of said building must be demolished and removed. Provided, however, if said remodeling and reconstruction costs to bring said portion of the building back to usable condition are less than fifty per cent (50%) then the owner thereof may remodel or reconstruct.

Draft of Plator's Text

Re: Hold harmless and insurance requirements, Cook Addition

For so long as any portion of the improvements located upon the captioned addition are located upon and over the 48" water main owned by the City of Wichita, the owner of such addition shall save and hold the City of Wichita harmless of any and all liability, claims or expenses of any kind made by or incurred by persons or property upon the captioned addition and growing out of or caused by the breaking, bursting or rupture of that portion of said 48" water main located under the improvements upon said addition. For so long as said improvements are located upon said 48" water line, the owner of said addition shall furnish and file with the City Clerk of the City of Wichita a liability insurance policy approved as to form by the City Attorney to protect against such damage or loss to persons or property upon the captioned addition arising from the bursting, rupture or breaking of said 48" water line under such permanent improvements in the amount of \$25,000.00 for damage to property and \$300,000.00 for personal injury to persons upon the captioned addition.