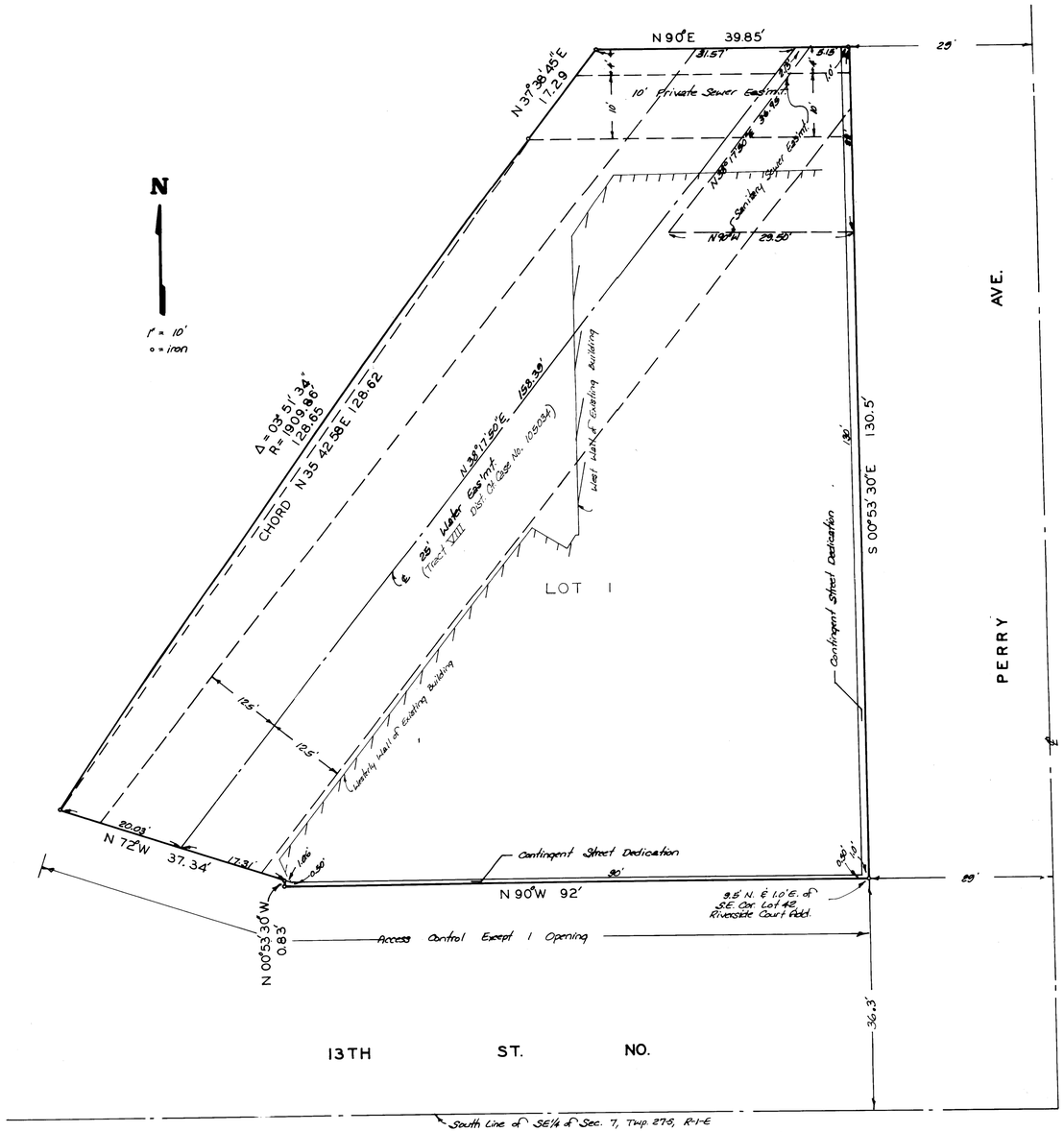
HERSHEL COOK ADDITION

WICHITA, KANSAS.



State of Kansas)
Sedgwick County) S.S.

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we have surveyed and platted "HERSHEL COOK ADDITION", Wichita, Kansas, and that the accompanying plat is a true and correct exhibit of the property surveyed described as and being a replat of Part of Lot 42, Riverside Court Addition to Wichita, Kansas, and the E½ of the abandoned Arkansas Valley Interurban Railway, beginning at a point on the east line of said Lot 42, said point being 10 feet north of the S.E. Corner thereof; thence N90°W along the north right-of-way line of 13th. St. No., 90.0 feet; thence N72°W and continuing along the north right-of-way line of 13th. St. No., 38.40 feet to a point on the center-line of said railway, being a curve having a radius of 1909.86 feet; thence northeasterly along said center-line and through a central angle of 03°51'34" an arc distance of 128.65 feet, having a chord bearing N35°42'58"E, 128.62 feet to the point of tangency of said curve; thence N37°38'45"E, along the tangent of said curve, 17.29 feet to a point on the north line of said Lot 42, extended west; thence N90°E, 38.85 feet to the N.E. Corner of said Lot 42; thence S00°53'30"E, 130 feet to the point of beginning, together with that part of Perry Ave., described as beginning at a point on the east line of said Lot 42, said point being 9.50 feet north of the S.E. Corner thereof; thence N00°53'30"W, along the east line of said Lot 42, 130.50 feet to the N.E. Corner thereof; thence N90°E, 1.0 feet; thence S00°53'30"E, 130.5 feet; thence S90°W, 1.0 feet to the point of beginning and together with that part of 13th. St. No. described as beginning at a point on the east line of said Lot 42, said point being 9.50 feet north of the S.E. Corner thereof; thence N00°53'30"W, along the east line of said Lot 42, 0.50 feet; thence N90°W, 90 feet; thence N72°W, 1.06 feet; thence S00°53'30"E, 0.83 feet; thence S90°E, 92 feet to the point of beginning: The streets and easements being vacated by virtue of K.S.A. 1970 Supp. 12-512(b). All being situated in the SE¼ of Sec. 7, Twp. 27-S, R-1-E.

Baughman Company, P.A.

11-21-82
Date

William L. Korber
William L. Korber Surveyor

WILLIAM L. KORBER REGISTERED LS-35 KANSAS LAND SURVEYOR

This plat of "HERSHEL COOK ADDITION", Wichita, Kansas, has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this 14TH day of JANUARY 1982.

Wichita-Sedgwick County Metropolitan Area Planning Commission

David Bayouth VICE-CHAIRMAN
DAVID BAYOUTH

Robert A. Lakin Secretary
Robert A. Lakin

This plat approved and all dedications shown hereon accepted by the Board of Commissioners of the City of Wichita, Kansas, this _____ day of _____ 198__.

_____ Mayor
R. C. Brown

_____ City Clerk
Donald C. Gisick

This plat approved and all dedications shown hereon accepted by the Board of Commissioners, Sedgwick County, Kansas, this _____ day of _____ 198__.

_____ Chairman
Jack Spratt

_____ Commissioner
Tom Scott

_____ Commissioner
Donald E. Gragg

_____ County Clerk
Dorothy K. White

Entered on transfer record this _____ day of _____ 198__.

_____ County Clerk
Dorothy K. White

Know all men by these presents that we, Hershel B. Cook and Vera Cook, his wife, have caused the land described in the surveyors certificate to be platted into a Lot to be known as "HERSHEL COOK ADDITION", Wichita, Kansas. The easements are hereby granted as indicated for the construction and maintenance of all public utilities. All abutters rights of access to or from 13th St. No. over and across the south line of Lot 1 are hereby granted to the City of Wichita, provided however that Lot 1 shall have access to 13th St. No. at 1 point as shall be determined by the City Engineer of the City of Wichita, Kansas.

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.

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.

HOLD HARMLESS

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.

CONTINGENT STREET DEDICATION

Those portions of Perry Avenue and 13th Street North labeled on the plat as "contingent street dedication" and described in the surveyor's certificate as being vacated by this plat, are hereby contingently dedicated to the public for street purposes, contingent upon the removal or substantial destruction of the existing building, as it encroaches into said streets. This contingent dedication shall be a covenant running with the land and shall be binding on all heirs and subsequent owners of all parts of said property covered by said dedication.

Hershel B. Cook
Hershel B. Cook

Vera Cook
Vera Cook

State of Kansas)
Sedgwick County) S.S.

The foregoing instrument acknowledged before me this 25th day of January, 1982, by Hershel B. Cook and Vera Cook, his wife.

Mark A. Sears
Mark A. Sears Notary Public

My App't. Exp. 12 May 84

State of Kansas)
Sedgwick County) S.S.

This is to certify that this plat has been filed for record in the office of the Register of Deeds this _____ day of _____ 198__, at _____ o'clock ___ M; and is duly recorded.

_____ Register of Deeds
Bette F. McCart

_____ Deputy
Pat Kettler