

EASEMENT FOR DRAINAGE OF SURFACE WATER  
(CANCELATION OF PRIOR EASEMENT)

WHEREAS the undersigned Sam E. and Elenore Rudd, Highland House, A Partnership, and The Celia Levand Trust are the owners of certain land being platted as Lots 1 and 2, Block 1, Central-Maize 2nd Addition to Wichita, Sedgwick County, Kansas; and

WHEREAS it is desirable to create a private drainage easement to allow Lot 1 of said Addition, to drain surface water to Lot 2 of said Addition:

NOW, therefore, the above mentioned owners, hereby grant to the current or future owners of Lot 1 of said Addition; full and free right and authority to drain surface water to Lot 2 in accordance with the approved drainage plan on file with the City of Wichita;

THE current or future owners of Lot 2 shall develop and maintain Lot 2 in such a manner as to not hinder the flow of drainage from said Lot 1.

AND FURTHER, this grant of easement will supercede and make null and void the private easement for drainage of surface water established on Film 657, Page 245.

THE grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their successors or assigns.

Executed This 4th Day of September, 1985

[Signature], Sam E. Rudd

[Signature], Elenore Rudd

HIGHLAND HOUSE, A PARTNERSHIP  
BY ALL PARTNERS

[Signature], Leslie J. Rudd

This signature will be added  
FEN

[Signature], Nestor R. Weigand Jr.

THE CELIA LEVAND TRUST:

[Signature], Trustee  
Celia Levand

[Signature], Trustee  
Doris E. Steeg

State of Kansas  
County of Sedgwick

Be it remembered that on this 4th day of September, 1985 before me a Notary Public in aforesaid State and County, came Sam E. Rudd and Elenore Rudd, Husband and Wife, to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have here unto set my hand and affixed my Notarial Seal the day and year above written.

[Signature], Notary Public

My Appointment Expires March 16, 1987

State of Kansas  
County of Sedgwick

Be it remembered that on this 4<sup>th</sup> day of September, 1985  
before me a Notary Public in aforesaid State and County, came  
Nestor R. Weigand, Jr., Partner and Leslie J. Rudd, Partner, all of the  
partners of Highland House, a Partnership to me personally known to be  
the same persons who executed the foregoing instrument of writing and  
duly acknowledged the execution of same for and on behalf and as the  
act and deed of said Partnership, in testimony whereof I have hereunto  
set my hand and affixed my Notarial Seal the day and year above written.

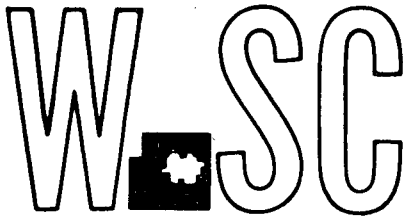
Patricia J. Dale, Notary Public  
My Appointment Expires March 16, 1987

State of Kansas  
County of Sedgwick

Be it remembered that on this 4<sup>th</sup> day of September, 1985  
before me a Notary Public in aforesaid State and County, came Celia Levand,  
Trustee, and Doris E. Steeg, Trustee of the Celia Levand Trust, to me  
personally known to be the same persons who executed the foregoing  
instrument of writing and duly acknowledged the execution of same for  
and on behalf and as the voluntary act and deed of said trust, in  
testimony whereof I have hereunto set my hand and affixed my Notarial  
Seal the day and year above written.

Patricia J. Dale, Notary Public  
My Appointment Expires March 16, 1987

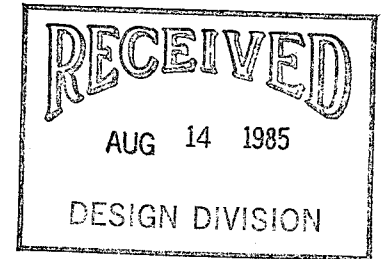
WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

August 8, 1985



Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
1440 East English  
Wichita, KS 67211

Re: S/D 85-52 - Final Plat of Central-Maize Second Addition

Dear Mr. Wiley:

At the regular meeting of the Metropolitan Area Planning Commission on August 8, 1985, 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 August 2, 1985.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners 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 first half of 1985 and all prior years have been paid.

Please call if you have any questions.

Very truly yours,

*BRB*

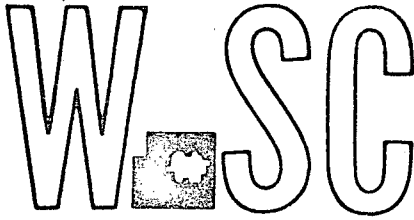
Barbara R. Bonanni  
Junior Planner

BRB:mlh

cc: Highland House, a Partnership, c/o Nestor Weigand, Jr., 150 North  
Market, Wichita, KS 67202  
Mike Lindebak, City Engineer

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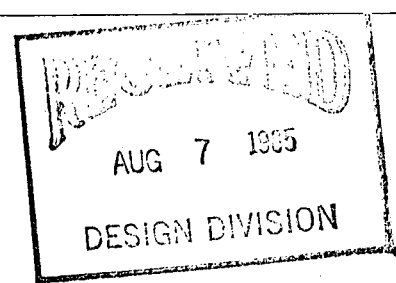
WICHITA—SEDCWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

August 2, 1985



Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
1440 East English  
Wichita, KS 67211

Re: S/D 85-52 - Final Plat of Central-Maize Second Addition

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, August 1, 1985, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. In accordance with the C.U.P. requirement, a continuous decel lane along the north line of Lot 2 and the east line of Lots 2 and 3 shall be guaranteed. These guarantees shall provide for the construction of those portions of the two (2) required major entrances which are within street right-of-way.
- B. The applicant shall guarantee the extension of sanitary sewer laterals, from the 25-inch sewer main in Maize Road, to serve each of the proposed lots.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. Since access controls to Central and Maize Roads are being dedicated by way of this plat, the note on the face of the plat shall be amended to delete the inference that one must review the Community Unit Plan in order to determine the access controls. This inference shall also be removed from the plat's text.
- E. On the final plat tracing, the wording in the plat's text shall be amended to more clearly reference that "building setbacks are per the requirements of the Maize Road Development Community Unit Plan (DP-129) on file with the Wichita-Sedgwick County Metropolitan Area Planning Department."

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Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
Re: S/D 85-52 - Final Plat of Central-Maize Second Addition  
August 2, 1985  
Page 2

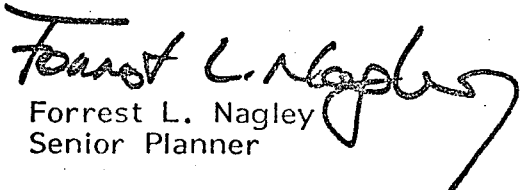
- F. The applicant shall establish, by separate instrument, the "cross-lot drainage agreements" required by the applicant's drainage plan.
- G. The final plat tracing shall indicate the platting of a minimum building pad elevation of 1327 Mean Sea Level for Lot 3 and 1329 Mean Sea Level for Lots 1 and 2.
- H. Closure computations shall be submitted with the final plat tracing.
- 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 Thursday, August 8, 1985 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

  
Forrest L. Nagley  
Senior Planner

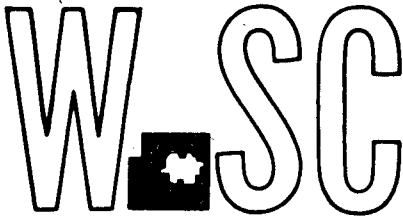
FLN:mlh

Enclosure

cc: Highland House, a Partnership, c/o Nestor Weigand, Jr., 150 North  
Market, Wichita, KS 67202  
✓ Mike Lindebak, City Engineer

Name	Address
Tom + Elsie Bourn	10909 W. Edna 722-783
Dave + Linda Rushton	625 Karren 721-3731
Billy + Joe Medear	10901 Edna Lane 722-466
David L. Rushton	625 Karren 721-3731
Bob + Annabelle Wertz	546 Karren 722-1254
<sup>Mr. Mrs.</sup> Gene Curless (and Shirley)	530 " 722-8619
Don Doherty	609 " 722-0034
Clydine Doolittle	" " "
Beverly Jatten	540 KARREN 722-862
Queth Breth	640 Karren 722-109
Lina + Ron Barkley	629 Karren 721-4883
Mike + Stephanie Hallman	617 Karren 722-0522
Tommy + Sue Crabb	10900 W. Edna 722-8417
Ray Druryway	610 Karren Ln. 722-4322

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

August 2, 1985



Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
1440 East English  
Wichita, KS 67211

Re: S/D 85-52 - Final Plat of Central-Maize Second Addition

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, August 1, 1985, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. In accordance with the C.U.P. requirement, a continuous decel lane along the north line of Lot 2 and the east line of Lots 2 and 3 shall be guaranteed. These guarantees shall provide for the construction of those portions of the two (2) required major entrances which are within street right-of-way.
- B. The applicant shall guarantee the extension of sanitary sewer laterals, from the 25-inch sewer main in Maize Road, to serve each of the proposed lots.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. Since access controls to Central and Maize Roads are being dedicated by way of this plat, the note on the face of the plat shall be amended to delete the inference that one must review the Community Unit Plan in order to determine the access controls. This inference shall also be removed from the plattor's text.
- E. On the final plat tracing, the wording in the plattor's text shall be amended to more clearly reference that "building setbacks are per the requirements of the Maize Road Development Community Unit Plan (DP-129) on file with the Wichita-Sedgwick County Metropolitan Area Planning Department."

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Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
Re: S/D 85-52 - Final Plat of Central-Maize Second Addition  
August 2, 1985  
Page 2

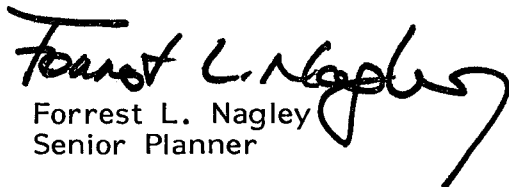
- F. The applicant shall establish, by separate instrument, the "cross-lot drainage agreements" required by the applicant's drainage plan.
- G. The final plat tracing shall indicate the platting of a minimum building pad elevation of 1327 Mean Sea Level for Lot 3 and 1329 Mean Sea Level for Lots 1 and 2.
- H. Closure computations shall be submitted with the final plat tracing.
- 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 Thursday, August 8, 1985 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

  
Forrest L. Nagley  
Senior Planner

FLN:mlh

Enclosure

cc: Highland House, a Partnership, c/o Nestor Weigand, Jr., 150 North  
Market, Wichita, KS 67202  
✓ Mike Lindebak, City Engineer

Proc-Sub Aug. 1, 85

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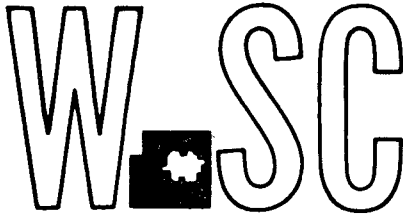
1. Builders Inc. Vacation of Alley. No water problems.
2. Robert W. Moore. Vacation of Fire Lane. No water problems.
3. Everett Long. Vacation of Drainage R/W. No water problem.
4. Richard A. Hiebsch. Vacation of Utility Esmt. No water problem.
5. West Meadows Addition. Existing 16" AC in 135th St. West, going south from Rolling Hills, existing 12" A.C. in 13th St. N. going E. from Cedar Park. To extend water would be possible with a "supply line" benefit district, 12" to be extended in 13th. Item A. No water available.
6. D. A. Niss Addition. Item A. Nearest water at Keywest and Meridian. No water available.
7. Central - Maize Second Addition. Existing 16" AC Water mains in Central and Maize. No water lines shown on preliminary plot. No water problems.
8. Midtown Third Addition. Existing water main in 60' Utility Esmt. No water problem.
9. Leonard A. Garnett Addition. Existing 12" Water main in 31st St. S. 6" or 8" to be extended north from 31st to serve Lot 2. Sizing depends on fire hydrant requirements.
10. A. J. Sorries 9th Addition. Existing 8" water in Woodrow Ct. No water problem.
11. Hybritecth Wheat Addition. Nearest water at Keywest and Meridian. Item A.
12. Home State Bank Addition. Item A. No water available.
13. C.C.R. Addition. Item C. 12" Main to be extended along Rock Rd. from Security Storage Properties to N. Line of

Pre-Sub Aug. 1, 1985

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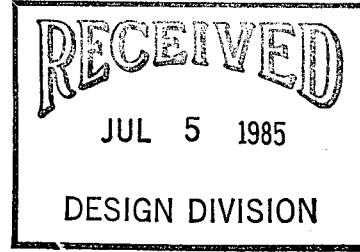
14. Kuehn Addition. Item D. Wells to be allowed. Existing water going West from Mosley in 55th.
15. Ford M. Duke. Street Dedication. Existing water line now in Curtis St. going N. from Robinson. Existing water easement along a portion lots 18 and 19, not being utilized.
16. Tallgrass Company. Granting Utility Esmt. No water problem.
17. Other Matters.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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



July 3, 1985

Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
1440 East English  
Wichita, KS 67211

Re: S/D 85-52 - Preliminary Plat of Central-Maize Second Addition.

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, July 3, 1985, 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 original Central-Maize Addition plat and associated Community Unit Plan provided for the creation of four (4) lots. Since this replat now proposes the relotting of this property into three (3) lots, the applicant must file for an adjustment to the Community Unit Plan in order to ensure that the lots now proposed will correspond with C.U.P. parcel boundaries. A final plat shall not be submitted until the associated Community Unit Plan has been adjusted to provide parcel boundaries which match the three (3) proposed lots.
- B. In accordance with the C.U.P. requirement, a continuous decel lane along the north line of Lot 2 and the east line of Lots 2 and 3 shall be guaranteed. Included in these guarantees shall be the portions of the major entrances into Lot 2 which are within public right-of-way.
- C. Any drainage improvements required for development of this property shall be guaranteed by the applicant.
- D. The applicant shall guarantee the extension of sanitary sewer laterals, from the 25-inch sewer main in Maize Road, to serve each of the proposed lots.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

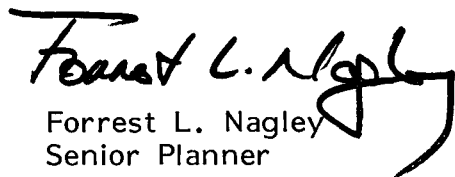
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Mr. Gary Wiley  
Professional Engineering Consultants, P.A.  
Re: S/D 85-52 - Preliminary Plat of Central-Maize Second Addition.  
July 3, 1985  
Page 2

- F. The final plat shall specify that building setbacks are per the Maize Road Development Community Unit Plan (DP-129) on file at the Metropolitan Area Planning Department. This shall be specified both on the face of the plat and in the plat's text.
- G. The final plat shall indicate the platting of access controls to Central and to Maize that are required by the Community Unit Plan.
- H. Since platted utility easements are being vacated by this replat, proper reference shall be made to K.S.A. 12-512(b).
- I. As a floodway is being platted as part of Lots 2 and 3, the plat's text on the final plat shall make reference to the standard floodway language.
- J. The applicant is advised that the drainage plan for this property requires the existing cross-lot drainage agreement to be revised, as well as modifying the existing minimum building pad on this property.
- K. 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.
- L. 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.
- M. 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,

  
Forrest L. Nagley  
Senior Planner

FLN:mlh

Enclosure

cc: Highland House, a Partnership, c/o Nestor Weigand, Jr., 150 North  
Market, Wichita, KS 67202  
Mike Lindebak, City Engineer

Ac. Sub July 3, 1985

1. Broadway Christian Church. Vacation of alley. Water as shown. No water problem.
2. John M. West. Vacation of Utility Easement. No Water mains in esmt. No water problems.
3. Malcolm Atkinson. Vacation of St. R/W. No water lines in area to be vacated. No water problems.
4. Roger D. Farrow. Vacation of alley. No water lines in alley. No water problems.
5. Stephen L. Clark. Vacation of access control. No Fire Hydrants in area to be moved. No water problems.
6. Lindy & Stanley G. Andeel. Easement vacation. Should be no water lines in easement. Verify: 1) Address is not 360 N. Rock Road or 320 N Rock Road. 2) Location is not 528' N of N Line Payant. No water problems.
7. Cosco Addition. Existing 12" AC Water in West St. No water problem.
8. Central & Maize 2nd Addition. Existing 16" AC Water mains in Central and Maize. No water lines shown on Preliminary Plat. No water problem.
9. Chelsea Brook Addition. Existing 12" AC in Kellogg (US54) and 8" Water around Davids. No water problems.
10. Lloyd A. Maddox. Grant utility easement. No water in area of easement. No water problems.
11. Other matters.

S/D No.: 85-52      Name: CENTRAL-MAIZE SECOND ADDITION

Preliminary Approved: 7/3/85  
Scheduled S/D Meeting: 8/1/85

DESCRIPTION

General Location: At the southwest corner of Central and Maize Roads.  
Owner: Highland House, a Partnership, c/o Nestor Weigand, Jr., 150 North  
Market, Wichita, KS 67202  
Surveyor/Engineer: Professional Engineering Consultants, P.A.

1. Gross Acreage of Plat: 21.3 Acres +
  2. Number of Lots:
    - Residential:
    - Office:
    - Commercial: 3
    - Industrial:
    - Total: 3
  3. Minimum Lot Area: 30,625 Sq. Ft.
  4. Existing Zoning: "AA" & "LC"
  5. Proposed Zoning: "AA" & "LC"
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STAFF COMMENTS:

NOTE: This property is subject to the provisions of the Maize Road Development Community Unit Plan (DP-129). Uses permitted on all lots include financial, office, personal service and retail sales as provided for by the "LC" (light commercial) zoning district.

- A. In accordance with the C.U.P. requirement, a continuous decel lane along the north line of Lot 2 and the east line of Lots 2 and 3 shall be guaranteed. These guarantees shall provide for the construction of those portions of the two (2) required major entrances which are within street right-of-way.
- B. Any drainage improvements required for development of this property shall be guaranteed by the applicant.
- C. The applicant shall guarantee the extension of sanitary sewer laterals, from the 25-inch sewer main in Maize Road, to serve each of the proposed lots.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. Since access controls to Central and Maize Roads are being dedicated by way of this plat, the note on the face of the plat shall be amended to delete the inference that one must review the Community Unit Plan in order to determine the access controls. This inference shall also be removed from the plat's text.
- F. On the final plat tracing, the wording in the plat's text shall be amended to more clearly reference that "building setbacks are per the requirements of the Maize Road Development Community Unit Plan (DP-129) on file with the Wichita-Sedgwick County Metropolitan Area Planning Department."
- G. The applicant shall establish, by separate instrument, the "cross-lot drainage agreements" required by the applicant's drainage plan.
- H. Closure computations shall be submitted with the final plat tracing.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- J. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, is the minimum building pad correct, are the boundaries of the floodway adequate and are any drainage guarantees required with the platting of this property?

S/D No.: 85-52      Name: CENTRAL-MAIZE SECOND ADDITION

Preliminary Approved:  
Scheduled S/D Meeting: 7/3/85

DESCRIPTION

General Location: At the southwest corner of Central and Maize Roads.  
Owner: Highland House, a Partnership, c/o Nestor Weigand, Jr., 150 North  
Market, Wichita, KS 67202  
Surveyor/Engineer: Professional Engineering Consultants, P.A (Gary Wiley)

1. Gross Acreage of Plat: 21.3 + Acres
  2. Number of Lots:  
    Residential:  
    Office:  
    Commercial: 3  
    Industrial:  
    Total: 3
  3. Minimum Lot Area: 30,625 Sq. Ft.
  4. Existing Zoning: "AA" & "LC"
  5. Proposed Zoning: "AA" & "LC"
- 

STAFF COMMENTS:

NOTE: This property is subject to the provisions of the Maize Road Development Community Unit Plan (DP-129). Uses permitted on all lots include financial, office, personal service and retail sales as provided for by the "LC" (light commercial) zoning district.

- A. The original Central-Maize Addition plat and associated Community Unit Plan provided for the creation of four (4) lots. Since this replat now proposes the relotting of this property into three (3) lots, the applicant must file for an adjustment to the Community Unit Plan in order to ensure that the lots now proposed will correspond with C.U.P. parcel boundaries. A final plat shall not be submitted until the associated Community Unit Plan has been adjusted to provide parcel boundaries which match the three (3) proposed lots.
- B. In accordance with the C.U.P. requirement, a continuous decel lane along the north line of Lot 2 and the east line of Lots 2 and 3 shall be guaranteed. Included in these guarantees shall be the portions of the major entrances into Lot 2 which are within public right-of-way.
- C. Any drainage improvements required for development of this property shall be guaranteed by the applicant.
- D. The applicant shall guarantee the extension of sanitary sewer laterals, from the 25-inch sewer main in Maize Road, to serve each of the proposed lots.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The final plat shall specify that building setbacks are per the Maize Road Development Community Unit Plan (DP-129) on file at the Metropolitan Area Planning Department. This shall be specified both on the face of the plat and in the plat's text.
- G. The final plat shall indicate the platting of access controls to Central and to Maize that are required by the Community Unit Plan.
- H. Since platted utility easements are being vacated by this replat, proper reference shall be made to K.S.A. 12-512(b).
- I. As a floodway is being platted as part of Lots 2 and 3, the plat's text on the final plat shall make reference to the standard floodway language.
- J. 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.

SUBDIVISION REPORT

S/D 85-52 - CENTRAL-MAIZE SECOND ADDITION

Page 2

- K. Requirements for a final plat (see pages 20-25, Part 4, Article 6 of the MAPC Subdivision Regulations).
- L. The City Engineer's representative should be prepared to comment on the applicant's drainage concept for this property. Specifically, are the boundary limits of the floodway acceptable, do any drainage improvements need to be guaranteed with this plat, is a cross-lot drainage agreement required and is the platting of a minimum building pad needed?