

PLAT NO. S/D 70-51 MAP NO. 5747

NAME HERMAN ADDITION

LOCATION At the northeast corner of Hillside and Lewis

ENGINEER Baughman Company

OWNER Vickers Refining Company, Inc.

APPLICATION FILED 9-21-70

SKETCH PLAT FILED 9-21-70

PRELIMINARY FILED none submitted

S/D ACTION N/A

FINAL FILED 9-21-70

S/D ACTION 10-1-70 Approve

* MAPC ACTION 10-8-70 Approve

BCC ACTION 10-29-70 Approve as recommend
except contingent d/c was accepted

RECORDED 12-15-70

REMARKS *11-12-70 Mapc. Reapprove

S/D 70-51 - HERMAN ADDITION - At the
northeast corner of Hillside and Lewis
Baughman Company

ACTION

S/D COMMITTEE (final) Approval ^{DATE} 10-1-70

M.A.P.C. Approval 10-8-70

B.C.C./B.C.C. ~~10-27-70~~ 10-27-70
P.B. cont. add.
was accepted

Map Reapproval 11-18-70

Map No. 5747
Sec. No. 23
Twp. No. 27 S
Range 1 E

Subdivision Report and Progress

S/D No.: 70-51

Name: HERMAN ADDITION

General Location: At the northeast corner of Hillside and Lewis

Owner: Vickers Refining Company, Inc.

Address: Vickers Towers Phone: _____

Subdivider: Same c/o Robert H. Nelson

Address: Suite 630-200 West Douglas Phone: 262-3777

Engineer/Surveyor: Baughman Company

Address: 2522 East Kellogg (11) Phone: 683-7431

Application Received 9-21-70 FINAL PLAT RECEIVED 9-21-70

Conf. with Applicant Aug. 1970 S/D Comm. Action 10-1-70 Approve

Sketch Plat Received 9-21-70

Present Zoning "A" Dept. Report on Final 10-2-70

* Proposed Zoning "LC" *** M.A.P.C. ACTION 10-8-70 Approve

Letter of Intent none Dept. Report on Final 10-9-70

PREL. PLAT RECEIVED none submitted Letter on Irons Received N/A

S/D Comm. Action N/A Title/Taxes Rec'd & Reviewed 11-25-70

Dept. Report on Prel. N/A Final Review 10-22-70

Referral to B.C.C. 10-22-70

B.C.C. ACTION 10-27-70 App. etc.

TRACING PROGRESS: Conting. ded. accepted

Received 11-5-70 Recorded 12-15-70

Released 12-1-70

Received _____

Released _____

Released _____

Comments:

* Associated Zone Case No. Z-1197 - 422C

* 11-12-70 Map Reapprove

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

HERMAN ADDITION was

filed for record on December 15, 1970.

R-2 6-15

Book 78

vh

John Hale 1261 - 0261
Register Of Deeds

T9-328

December 16, 1970

Ralph Wulz, City Manager

Jack H. Galbraith, Chief Planner

S/D 70-51 - Final Plat of HERMAN ADDITION - Generally located at the northeast corner of Hillside and Lewis

The City Commission, at its regular meeting on October 27, 1970, approved the above-captioned plat as recommended by the Planning Commission, except that a contingent dedication was accepted for right-of-way on Hillside instead of the immediate dedication which has been the usual requirement in the past.

Since the plat had to be reapproved by the Planning Commissioners, their first motion to reapprove the plat and accept the contingent dedication failed by a vote of three in favor and four opposed. After further discussion, the following motion was made:

MOTION: TROUT moved that this plat be re-approved, accepting the contingent dedication as approved by the City Commission, and that a transcript of the minutes of this case be forwarded to the City Commission, emphasizing that the Planning Commission does not recognize the acceptance of the contingent dedication as being a policy. BLEDSOE seconded the motion and it carried by a vote of 6 in favor (Trout, Bledsoe, Blakey, Blanchat, Jackson and Souders) and 1 opposed (Ramen).

Attached are the minutes of the Planning Commission in reconsidering this plat. These minutes are provided the City Commission as directed by the Planning Commission.

JHG:ber

Attachment

November 30, 1970

Ralph C. Eberly, City Clerk

John D. Gist, Senior Planner

S/D 70-51 - Herman Addition, generally located at the northeast corner of Hillside and Lewis.

At their regular meeting on October 27, 1970, the Board of City Commissioners considered and approved the above captioned plat. A condition of their approval was subject to the applicant submitting a contingent dedication for the 20 feet of additional right-of-way on Hillside Avenue.

Attached is the executed contingent dedication which needs to be recorded with the Register of Deeds, with the costs thereof to be billed to the applicant.

JDG:rme

Attachment

CONTINGENT DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, The Vickers Refining Co., Inc., being the owner of the following described real estate in Sedgwick County, Kansas, to-wit:

Lot 1, Herman Addition

does hereby dedicate the following described real estate to the public for street right-of-way purposes, to-wit:

The west twenty (20) feet of said Lot 1, Herman Addition to Wichita, Sedgwick County, Kansas;

subject, however, to the following:

Said dedication shall not become effective until such time as the Board of City Commissioners of the City of Wichita shall determine that the said twenty feet above referred to is necessary for public use including utilities and street right-of-way purposes.

Upon said determination of the necessity of said twenty feet above referred to having been made by the Board of City Commissioners of the City of Wichita, the undersigned does hereby agree and will without any expense to the City of Wichita remove from the said twenty feet being so dedicated the improvements located thereon.

This contingent dedication shall be considered to be a covenant running with the land and binding upon all subsequent owners and assigns of this owner.

Executed this 16th day of November, 1970.



THE VICKERS REFINING CO., INC.

BY Robert H. McKee
Vice President

Thomas E. Rieley
Secretary

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED, that on this 16th day of November, 1970, came Robert H. McKee, Vice President to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.



Virginia A. Baker
Notary Public

My commission expires:
October 28, 1972

KAHRS, NELSON, FANNING, HITE & KELLOGG
ATTORNEYS AT LAW

SUITE 630 - 200 WEST DOUGLAS AVENUE
WICHITA, KANSAS 67202

AREA 316
262-3777

AUSTIN M. COWAN (1888-1948)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN
LARRY A. WITHERS
GARY A. WINFREY

November 25, 1970

Metropolitan Area Planning Commission
City Building Annex
104 South Main
Wichita, Kansas 67202

Re: S/D 70-51
Final plat of Herman Addition

Gentlemen:

This is to advised that based on policy of title insurance issued by the Lawyers Title Insurance Company dated November 18, 1970, I find that the property in the above entitled plat is vested in fee simple in The Vickers Refining Co., Inc. I further find that the 1969 taxes and taxes for all prior years have been paid in full.

Yours very truly,

Need 1970 taxes paid

Robert H. Nelson

Robert H. Nelson
OF KAHRS, NELSON, FANNING, HITE & KELLOGG

RHN:kd

cc: The Vickers Refining Co., Inc.
Herman Oil Company

11/17/70 I verify that the taxes for the year 1970 on the property in the above plat, have been paid in full.

Robert H. Nelson, atty

KAHRS, NELSON, FANNING, HITE & KELLOGG

ATTORNEYS AT LAW

SUITE 630 - 200 WEST DOUGLAS AVENUE

WICHITA, KANSAS 67202

November 18, 1970

AREA 316
262-3777

AUSTIN M. COWAN (1888-1946)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN
LARRY A. WITHERS
GARY A. WINFREY

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Attention: Mr. Galbraith

Re: S/D 70-51
Final plat of Herman Addition

Gentlemen:

Enclosed herewith pursuant to your letter of November 16, 1970, is a contingent dedication which has been executed by the Vickers Refining Company, owner of the property in Herman Addition.

According to your letter of October 9, 1970, I will forward to you within the very near future certification as to the fee title and that the taxes for the year 1969 and prior years have been paid in full.

Yours very truly,

Robert H. Nelson
Robert H. Nelson
OF KAHRS, NELSON, FANNING, HITE & KELLOGG

*now need
1970 taxes
paid*

OK 12-1-70 [initials]

RHN:kd
Enclosure

cc: Baughman Company
Vickers Refining Company
Attention: Mr. Ricky
Mr. Wendelin Herman



November 16, 1970

Mr. Robert H. Nelson
Attorney at Law
Suite 630 - 200 West Douglas
Wichita, Kansas 67202

Re: S/D 70-51 - Final Plat of
HERMAN ADDITION

Dear Mr. Nelson:

At the regular meeting of the Metropolitan Area Planning Commission on November 12, 1970, the above-captioned final plat was reconsidered. The action of the Planning Commission was to reapprove the plat, accepting the contingent dedication as approved by the City Commission. The Planning Commission instructed that we forward a transcript of the Planning Commission minutes to the City Commission, emphasizing that the Planning Commission does not recognize the acceptance of this contingent dedication as being a policy.

At such time as the conditions of approval have been complied with and we receive the executed contingent dedication, we will release the tracing for recording.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Baughman Company, 2522 East Kellogg 67211
Vickers Refining Company, Inc., Vickers Towers 67202

November 9, 1970

Mr. Robert H. Nelson
Suite 630 - 200 West Douglas
Wichita, Kansas 67202

Subject: S/D 70-51 - HERMAN
ADDITION (contingent dedication)

Dear Mr. Nelson:

Please refer to your letter dated October 29, 1970, addressed to Mr. John Dekker with a carbon to Mr. Galbraith with the MAPC. Your proposed form of the contingent dedication which was attached, has been reviewed by both Mr. Dekker and this office. There were minor changes suggested which were incorporated into your draft and again reviewed by John, which he has now approved.

Attached please find the revised and now approved form.

Very truly yours,

John D. Gist
Senior Planner

JDG:rme

ROUTE SLIP
(PLEASE CIRCLE DESTINATION)

- | | | |
|----------------------|-------------------|-----------------------|
| City Manager | Dir. of Adm. | <u>Planning Dept.</u> |
| Deputy City Manager | Auditing | Police Dept. |
| Housing | Budget | Dir. of Public Works |
| Human Res. Dev. | Data Proc. | Administration |
| Model Cities | Industrial Rel. | Central Insp. |
| City Clerk | Personnel | Engineering |
| Civil Defense | Public Info. | Traffic Engr. |
| Community Facilities | Purchasing | Maintenance |
| Fire Department | Duplicating | Sanitation |
| Health Department | Ret. & Group Ins. | Urban Renewal |
| Director of Law | Treasury | Water Department |
| Prosecutor's Office | Library | Water Pol. Control |
| Municipal Court | Park Department | |

For: John Gist

For your information Reply sending me 2 copies
 For your comments Prepare reply for my signature
 Note and return You handle. No report required.

MESSAGE:

This is O.K.



SIGNED John Dekker - Law DATE 11/4

000-013

CONTINGENT DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, The Vickers Refining Co., Inc., being the owner of the following described real estate in Sedgwick County, Kansas, to-wit:

Lot 1, Herman Addition

does hereby dedicate the following described real estate to the public for street right-of-way purposes, to-wit:

The west twenty (20) feet of said Lot 1, Herman Addition to Wichita, Sedgwick County, Kansas;

subject, however, to the following:

Said dedication shall not become effective until such time as the Board of City Commissioners of the City of Wichita shall determine that the said twenty feet above referred to is necessary for public use including utilities and street right-of-way purposes.

Upon said determination of the necessity of said twenty feet above referred to having been made by the Board of City Commissioners of the City of Wichita, the undersigned does hereby agree and will without any expense to the City of Wichita remove from the said twenty feet being so dedicated the improvements located thereon.

This contingent dedication shall be considered to be a covenant running with the land and binding upon all subsequent owners and assigns of this owner.

Executed this ____ day of _____, 1970.

THE VICKERS REFINING CO., INC.

BY _____

ATTEST:

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED, that on this ____ day of _____, 1970, came _____ to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

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

Notary Public

My commission expires:

November 3, 1970

John Dekker, Director of Law

John D. Gist, Senior Planner

Contingent Dedication (S/D 70-51, Herman Addition)

Attached is a redraft of Mr. Robert H. Nelson's draft of a contingent dedication for the additional right-of-way on Hillside as required by the Board of City Commissioners on the above captioned plat. I believe the redraft contains the changes per our phone conversation on last Friday.

If you have any questions concerning this matter, please advise.

JDG:ls
Attachment

CONTINGENT DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, The Vickers Refining Co., Inc., being the owner of the following described real estate in Sedgwick County, Kansas, to-wit:

Lot 1, Herman Addition

does hereby dedicate the following described real estate to the public for street right-of-way purposes, to-wit:

The west twenty (20) feet of said Lot 1, Herman Addition to Wichita, Sedgwick County, Kansas;

subject, however, to the following:

Said dedication shall not become effective until such time as the Board of City Commissioners of the City of Wichita shall determine that the said twenty feet above referred to is necessary for public use including utilities and street right-of-way purposes.

Upon said determination of the necessity of said twenty feet above referred to having been made by the Board of City Commissioners of the City of Wichita, the undersigned does hereby agree and will without any expense to the City of Wichita remove from the said twenty feet being so dedicated the improvements located thereon.

This contingent dedication shall be considered to be a covenant running with the land and binding upon all subsequent owners and assigns of this owner.

Executed this ___ day of _____, 1970.

THE VICKERS REFINING CO., INC.

BY _____

ATTEST:

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED, that on this ___ day of _____, 1970, came _____ to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

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

Notary Public

My commission expires:

CONTINGENT DEDICATION

✓ talked to Dabher
by phone on 10/30/70
/ J

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, The Vickers Refining Co., Inc., being the owner of the following described real estate in Sedgwick County, Kansas, to-wit:

Lot 1, Herman Addition

does hereby dedicate the following described real estate to the public for street purposes, to-wit:

The west twenty (20) feet of said Lot 1, Herman Addition to Wichita, Sedgwick County, Kansas;

OK 2/15/71
X Missing legal?
being plat'd as

subject, however, to the following:

Said dedication shall not become effective until such time as the Board of City Commissioners of the City of Wichita shall determine that the said twenty feet above referred to is necessary for use for street purposes. Upon said determination of the necessity of said twenty feet above referred to having been made by the Board of City Commissioners of the City of Wichita, the undersigned does hereby agree and will without any expense to the City of Wichita remove from the said twenty feet being so dedicated the improvements located thereon.

This contingent dedication shall be considered to be a covenant running with the land and binding upon all subsequent owners and assigns of this owner.

Executed this _____ day of _____, 1970.

THE VICKERS REFINING CO., INC.

BY _____

ATTEST:

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED, that on this _____ day of _____, 1970, came _____ to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

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

Notary Public

My commission expires:

✓
check with
Dabher about
removal
time when it
is to be removed
90 days
NO NOT
NECESSARY

minutes

10-30-70

HEGEMAN ADDITION

Motion @ City Commission
meeting on Oct. 27, 1970:

Contracting and
Rehabilitation
Ch. w/ [unclear]

... K. now. to app as recom by ...
... mayor to sign,
except that item 4 shall read
as follow.... cont. ded until
such time as public ^{use} becomes
necessary or until such time
as public utilities need the
space as determined by the
City.

THEREFORE → use previous wording
of past cont. dedications
as follows:

Maintenance?

..... necessary for use for public
purposes, including street, excavation,
fill paving, sidewalks, public
utilities and other similar street
purposes.

Set time for removal of improvements
from right-of-way
..... located thereon. The owner
shall have 90 days to complete such
removal of the ~~the~~ improvements, upon notification
by the City of their determination for the
~~necessity of~~ need of said ~~to~~
twenty (20) feet of street right-of-way.

LEGAL KS, to-wit: Lots 13-15-17-19-21 & 23,
Lawlins and Bridwell's Subdivision of Lots 5 and 6, Blk.
2, Grandview Add. to Wichita, Ko. being platted as Lot 1, Hegeman...

October 27, 1970

Mr. Robert H. Nelson
Suite 630-200 West Douglas
Wichita, Kansas 67202

Subject: S/D 70-51 - Final Plat
of HERMAN ADDITION

Dear Mr. Nelson:

At the regular meeting of the Board of City Commissioners on October 27, 1970, the above captioned plat was considered. It was the action of the Board to approve the plat as recommended by the Planning Commission with the exception that a contingent dedication for an additional 20 feet of street right of way for Hillside was accepted in lieu of an outright dedication.

In accordance with Article 10-101 of the Subdivision Rules and Regulations and inasmuch as the governing body overruled the recommendation of the Planning Commission, this plat will appear on the next regular meeting agenda of the Planning Commission for their reapproval as required by law.

This matter will be scheduled for consideration on Thursday, November 12, 1970, at 1:30 p.m., Room 401 City Building Annex, 104 South Main, Wichita, Kansas. If you have any questions concerning this matter, please call our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ls

cc Baughman Company, 2522 East Kellogg 67211
Vickers Refining Company, Inc., Vickers Towers 67202

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 8, 1970:

12. S/D 70-51 - Final Plat of HERMAN ADDITION, generally located at the northeast corner of Hillside and Lewis.

GALBRAITH pointed out that subject property was recently approved for rezoning to "LC" by the City Commission, subject to replatting to provide additional street dedication, setbacks and access control. He stated that the plat has been submitted showing a 20-foot contingent dedication for additional right-of-way for Hillside instead of an immediate dedication. He pointed out that a service station is planned for the property and the Sub-division Committee reviewed the applicant's development plan and at that time it was indicated that the building could be moved back farther to the east to provide for the 20-foot dedication as well as setback requirements. GALBRAITH stated that other zone changes and replats to the north have observed the normal dedication requirements, and it was the recommendation of the Staff that the dedication also be required at this time as gasoline pumps and other structures, such as signs and asphalt for circulation, should not be installed in necessary street right-of-way.

ROBERT H. NELSON, attorney for the subdivider, said that the three houses on the property will be removed for construction of a service station. He stated that when the zoning to "LC" was approved by the City Commission, replatting was overlooked and after the meeting he was asked to agree to replatting without the zoning having to be reconsidered by the City Commission. He said he agreed to the replatting and that it has been discussed at length with the Staff and while the Staff is requesting an outright dedication of 20 feet for Hillside, it was his opinion that if such is required, then his client might operate with a minor street privilege so that the pumps could be installed as shown on the plan, which is approximately 12 feet from the present property line, which is a requirement of the Fire Department. NELSON said that if a minor street privilege permit can be obtained, the dedication would be made with the understanding that at any time the City wanted possession then a new solution would be determined for location of the pumps.

NELSON said he had ascertained from the Director of Public Works that where a dedication is made there is no charge for a minor street permit, but if the area is not dedicated by the owner, then there is an annual fee. In this case, if the dedication is made outright, there would be no charge for a minor street privilege. The Director of Public Works referred the matter of minor street privilege to the Fire Department and the Traffic Engineer. The Fire Department had no objection and the Traffic Engineer, after viewing the site plan, indicated he foresaw no problems. NELSON said he contacted the City Engineer with reference to approach and engineering problems and was advised to shift the approach on Lewis to the east, which presented no problem; however, the City Engineer would not permit pumps to be placed as indicated on the plan because of the hazards to pedestrian traffic on the sidewalk.

NELSON said his client prefers to have the pumps located as shown on the plan so that they can be seen from a distance so that a motorist can make arrangements to turn in. NELSON continued that inasmuch as Hillside from Douglas to Kellogg has only recently been improved, it did not seem reasonable to expect that the additional 20 feet for Hillside would be needed within the foreseeable future. So far as his client locating pumps 12 feet from the 20-foot dedication line, NELSON commented that his client feels that such would make the property less valuable to them for a service station and that the site has been acquired at a cost of \$60,000, and by the time City requirements are complied with it will represent an investment of \$75,000. NELSON indicated his client is willing to take a chance in locating the pumps now, with the knowledge that they might have to be relocated at some future time. NELSON further pointed out that the additional dedication would result in a jog in the sidewalk. He considered it arbitrary on the City's part not to permit a minor street privilege in this case or accept a contingent dedication. He said the City Engineer's argument for denying the request was on the basis of the creation of additional hazards to pedestrians by putting the sidewalk so close to the curb, although it would be no more hazardous than at present. NELSON further pointed out that at present there are three access points onto Hillside whereas with removal of the three residences and construction of a service station, there would be only two.

TROUT commented that apparently the contingent dedication is preferred by the applicant so that the pumps may be placed closer to the street and where they would not be blocked by adjoining residences.

NELSON agreed that that was one reason, plus the feeling that it is not likely Hillside will be widened in the near future.

TROUT commented that the fact that residences block the site indicates the "LC" zoning was premature and the applicant is not willing to invest the money indicated unless he is reasonably sure the business will repay the cost of the development of the site, which obviously was chosen because of its proximity to Kellogg. TROUT questioned why this case should be any different than others on major streets and he related that over the years as far as he could recall, the only time contingent dedications are accepted is when a structure is actually overlapping into the area required for street or other public use.

NELSON stated that minor street privilege permits are granted regardless of dedication or structures and that there apparently is no rule one way or the other. TROUT commented that there is a policy, however.

NELSON said the City Attorney's office has indicated that so far as that office is concerned, it is immaterial whether a contingent or outright dedication is required, just as long as it can be used by the City when desired for street or utilities.

BLEDSE said the members of the Subdivision Committee strongly recommend the complete dedication at this time.

MOTION: HENNESSY moved that a contingent dedication be accepted inasmuch as the attorney has stated that use will be relinquished by the applicant anytime the City desires to use the property.

HENNESSY referred to the Central/Hillside intersection where Wesley Medical Center was granted a minor street privilege for right-of-way for parking until needed by the City. He considered it within the prerogative of the Planning Commission to accommodate people in this respect.

BLEDSON said that the attorney was aware at the time of rezoning of the replatting requirements on Hillside and that when the zoning was considered, it was presented as being only one block off Kellogg because of the future interchange. If the interchange actually materializes, it will open up the area so that the station will be clearly visible to the traveling motorist.

TROUT commented that the lot is barely large enough for a station and as for the sidewalk, the applicant and his representative should have been aware of where the sidewalk would be installed. He commented further that if it creates a hazard, it should have been brought out at the time of rezoning.

TROUT said his real concern is with respect to other requests which will be submitted along the Hillside frontage, and if an exception is made in subject case, others will expect the same treatment. He said realtors are promoting the sale of property along Hillside and he was confident other requests would be made if a precedent is established in subject case. Further, if the street is opened up for commercial development, there will be a need for widening sooner than one might expect at this time.

TROUT continued that apparently the 20-foot dedication is considered a hardship by the applicant, but on the other hand, rezoning is what increased the value of the property. TROUT suggested that it would be better to change the regulations and establish an overall new policy than to make an exception as requested.

HENNESSY said he felt every piece of property should be considered on its own merits and that he was resentful of any policy that tended to confiscate property without payment therefor. He felt that since the street has already been reimproved, it did not seem likely that a precedent would be established by making this exception.

BLEDSON said that confiscation does not enter into this case in view of the increased value of the property because of the rezoning. He commented also that to condemn right-of-way when needed is very expensive.

JACKSON commented that the Planning Commission was overruled by the City Commission on the zoning, and it was his opinion that subsequent actions should depend on what has already transpired with respect to subject property in order to be compatible with previous actions.

The above motion was not seconded.

MOTION: BLEDSOE moved, KAMEN seconded and it carried by a vote of four in favor (Bledsoe, Souders, Kamen and Trout) and two opposed (Harney and Jackson) that the Planning Commission recommend to the City Commission that this plat be approved, subject to:

1. A lot number or letter shall be indicated on the face of the plat.
2. The proper corner angles shall be indicated on the face of the plat.
3. The legal description of the application area utilized on the associated same case is as follows: Lots 13, 15, 17, 19, 21 and 23, Rawlins and Bridwell's Sub-division of Lots 3 and 6, Block 2, Grand View Addition to Wichita, Kansas. This differs from the description of the surveyor's certificate and needs to be checked and the necessary changes made.
4. The plat shall be changed to reflect the 26 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication.
5. Amending the plat's text as follows: "...platted into a lot, a street and alley to be known as... The street and alley are hereby...."
6. Indicating "access control except for 3 openings" adjacent to the east line of Hillside Avenue, with the proper notations both on the face of the plat and within the plat's text.
7. The applicant shall guarantee the reconstruction of the sidewalk on Hillside, adjacent to the new right-of-way line.
8. Recording within 30 days after approval by the Board of City Commissioners.

The above motion was not seconded.

MOTION: BLEDSOE moved, KAMEN seconded and it carried by a vote of four in favor (Bledsoe, Souders, Kamen and Trout) and two opposed (Hennessy and Jackson) that the Planning Commission recommend to the City Commission that this plat be approved, subject to:

1. A lot number or letter shall be indicated on the face of the plat.
 2. The proper corner angles shall be indicated on the face of the plat.
 3. The legal description of the application area utilized on the associated zone case is as follows: Lots 13, 15, 17, 19, 21 and 23, Rawlins and Bridwell's Sub-division of Lots 5 and 6, Block 2, Grand View Addition to Wichita, Kansas." This differs from the description of the surveyor's certificate and needs to be checked and the necessary changes made.
 4. The plat shall be changed to reflect the 20 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication.
 5. Amending the plat's text as follows: "...platted into a lot, a street and alley to be known as... The street and alley are hereby...."
 6. Indicating "access control except for 2 openings" adjacent to the east line of Hillside Avenue, with the proper notations both on the face of the plat and within the plat's text.
 7. The applicant shall guarantee the reconstruction of the sidewalk on Hillside, adjacent to the new right-of-way line.
 8. Recording within 30 days after approval by the Board of City Commissioners.
-

October 26, 1970

Ralph Wulz, City Manager
Jack H. Galbraith, Chief Planner

Request for Consideration of 20-foot Dedication
vs. Contingent Dedication - Herman Addition -
Item #7 City Manager's Agenda of October 27, 1970

Regarding Item #7 on the city Manager's Agenda for October 27, 1970, Robert H. Nelson, attorney for the applicant, has requested that we forward this plat without compliance with the conditions of approval so that he can discuss requirement #4 regarding the dedication of an additional 20 feet of right-of-way for Hillside.

As the attached minutes indicate, Nelson's client desires to construct the gasoline pumps associated with a service station as close to existing Hillside right-of-way as possible so that the homes to the north and south do not block the view of the service station. Based on the existing plot plan, there is adequate room to build the station farther to the east, dedicate the 20 feet of right-of-way for Hillside and still have sufficient space for the gasoline pumps.

The associated zone case, Z-1196, was considered and approved by the City Commission on August 18, 1970. The Planning Commission had on two occasions recommended that it not be approved.

Based on the requirement of 50 feet of half-street right-of-way for major streets, both the Subdivision Committee and the Planning Commission approved the plat subject to the immediate dedication instead of the requested contingent dedication. It was pointed out in the discussion that the contingent dedication has been accepted only where there are existing buildings already encroaching into the necessary right-of-way on major streets. In the event the City Commission does not concur with the recommendation of the Planning Commission, this plat should be referred back to the Planning Commission for reconsideration.

JHG:ber

cc: John Dekker
Director of Law

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 8, 1970:

12. S/D 70-51 - Final Plat of HERMAN ADDITION, generally located at the northeast corner of Hillside and Lewis.

GALBRAITH pointed out that subject property was recently approved for rezoning to "LC" by the City Commission, subject to replatting to provide additional street dedication, setbacks and access control. He stated that the plat has been submitted showing a 20-foot contingent dedication for additional right-of-way for Hillside instead of an immediate dedication. He pointed out that a service station is planned for the property and the Sub-division Committee reviewed the applicant's development plan and at that time it was indicated that the building could be moved back farther to the east to provide for the 20-foot dedication as well as setback requirements. GALBRAITH stated that other zone changes and replats to the north have observed the normal dedication requirements, and it was the recommendation of the Staff that the dedication also be required at this time as gasoline pumps and other structures, such as signs and asphalt for circulation, should not be installed in necessary street right-of-way.

ROBERT H. NELSON, attorney for the subdivider, said that the three houses on the property will be removed for construction of a service station. He stated that when the zoning to "LC" was approved by the City Commission, replatting was overlooked and after the meeting he was asked to agree to replatting without the zoning having to be reconsidered by the City Commission. He said he agreed to the replatting and that it has been discussed at length with the Staff and while the Staff is requesting an outright dedication of 20 feet for Hillside, it was his opinion that if such is required, then his client might operate with a minor street privilege so that the pumps could be installed as shown on the plan, which is approximately 12 feet from the present property line, which is a requirement of the Fire Department. NELSON said that if a minor street privilege permit can be obtained, the dedication would be made with the understanding that at any time the City wanted possession then a new solution would be determined for location of the pumps.

NELSON said he had ascertained from the Director of Public Works that where a dedication is made there is no charge for a minor street permit, but if the area is not dedicated by the owner, then there is an annual fee. In this case, if the dedication is made outright, there would be no charge for a minor street privilege. The Director of Public Works referred the matter of minor street privilege to the Fire Department and the Traffic Engineer. The Fire Department had no objection and the Traffic Engineer, after viewing the site plan, indicated he foresaw no problems. NELSON said he contacted the City Engineer with reference to approach and engineering problems and was advised to shift the approach on Lewis to the east, which presented no problem; however, the City Engineer would not permit pumps to be placed as indicated on the plan because of the hazards to pedestrian traffic on the sidewalk.

NELSON said his client prefers to have the pumps located as shown on the plan so that they can be seen from a distance so that a motorist can make arrangements to turn in. NELSON continued that inasmuch as Hillside from Douglas to Kellogg has only recently been improved, it did not seem reasonable to expect that the additional 20 feet for Hillside would be needed within the foreseeable future. So far as his client locating pumps 12 feet from the 20-foot dedication line, NELSON commented that his client feels that such would make the property less valuable to them for a service station and that the site has been acquired at a cost of \$60,000, and by the time City requirements are complied with it will represent an investment of \$75,000. NELSON indicated his client is willing to take a chance in locating the pumps now, with the knowledge that they might have to be relocated at some future time. NELSON further pointed out that the additional dedication would result in a jog in the sidewalk. He considered it arbitrary on the City's part not to permit a minor street privilege in this case or accept a contingent dedication. He said the City Engineer's argument for denying the request was on the basis of the creation of additional hazards to pedestrians by putting the sidewalk so close to the curb, although it would be no more hazardous than at present. NELSON further pointed out that at present there are three access points onto Hillside whereas with removal of the three residences and construction of a service station, there would be only two.

TROUT commented that apparently the contingent dedication is preferred by the applicant so that the pumps may be placed closer to the street and where they would not be blocked by adjoining residences.

NELSON agreed that that was one reason, plus the feeling that it is not likely Hillside will be widened in the near future.

TROUT commented that the fact that residences block the site indicates the "LC" zoning was premature and the applicant is not willing to invest the money indicated unless he is reasonably sure the business will repay the cost of the development of the site, which obviously was chosen because of its proximity to Kellogg. TROUT questioned why this case should be any different than others on major streets and he related that over the years as far as he could recall, the only time contingent dedications are accepted is when a structure is actually overlapping into the area required for street or other public use.

NELSON stated that minor street privilege permits are granted regardless of dedication or structures and that there apparently is no rule one way or the other. TROUT commented that there is a policy, however.

NELSON said the City Attorney's office has indicated that so far as that office is concerned, it is immaterial whether a contingent or outright dedication is required, just as long as it can be used by the City when desired for street or utilities.

BLEDSOE said the members of the Subdivison Committee strongly recommend the complete dedication at this time.

MOTION: HENNESSY moved that a contingent dedication be accepted inasmuch as the attorney has stated that use will be relinquished by the applicant anytime the City desires to use the property.

HENNESSY referred to the Central/Hillside intersection where Wesley Medical Center was granted a minor street privilege for right-of-way for parking until needed by the City. He considered it within the prerogative of the Planning Commission to accommodate people in this respect.

BLEDSON said that the attorney was aware at the time of rezoning of the replatting requirements on Hillside and that when the zoning was considered, it was presented as being only one block off Kellogg because of the future interchange. If the interchange actually materializes, it will open up the area so that the station will be clearly visible to the traveling motorist.

TROUT commented that the lot is barely large enough for a station and as for the sidewalk, the applicant and his representative should have been aware of where the sidewalk would be installed. He commented further that if it creates a hazard, it should have been brought out at the time of rezoning.

TROUT said his real concern is with respect to other requests which will be submitted along the Hillside frontage, and if an exception is made in subject case, others will expect the same treatment. He said realtors are promoting the sale of property along Hillside and he was confident other requests would be made if a precedent is established in subject case. Further, if the street is opened up for commercial development, there will be a need for widening sooner than one might expect at this time.

TROUT continued that apparently the 20-foot dedication is considered a hardship by the applicant, but on the other hand, rezoning is what increased the value of the property. TROUT suggested that it would be better to change the regulations and establish an overall new policy than to make an exception as requested.

HENNESSY said he felt every piece of property should be considered on its own merits and that he was resentful of any policy that tended to confiscate property without payment therefor. He felt that since the street has already been reimproved, it did not seem likely that a precedent would be established by making this exception.

BLEDSON said that confiscation does not enter into this case in view of the increased value of the property because of the rezoning. He commented also that to condemn right-of-way when needed is very expensive.

JACKSON commented that the Planning Commission was overruled by the City Commission on the zoning, and it was his opinion that subsequent actions should depend on what has already transpired with respect to subject property in order to be compatible with previous actions.

The above motion was not seconded.

MOTION: BLEDSOE moved, KAMEN seconded and it carried by a vote of four in favor (Bledsoe, Souders, Kamen and Trout) and two opposed (Hennessy and Jackson) that the Planning Commission recommend to the City Commission that this plat be approved, subject to:

1. A lot number or letter shall be indicated on the face of the plat.
 2. The proper corner angles shall be indicated on the face of the plat.
 3. The legal description of the application area utilized on the associated zone case is as follows: Lots 13, 15, 17, 19, 21 and 23, Rawlins and Bridwell's Sub-division of Lots 5 and 6, Block 2, Grand View Addition to Wichita, Kansas." This differs from the description of the surveyor's certificate and needs to be checked and the necessary changes made.
 4. The plat shall be changed to reflect the 20 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication.
 5. Amending the plat's text as follows: "...platted into a lot, a street and alley to be known as... The street and alley are hereby...."
 6. Indicating "access control except for 2 openings" adjacent to the east line of Hillside Avenue, with the proper notations both on the face of the plat and within the plat's text.
 7. The applicant shall guarantee the reconstruction of the sidewalk on Hillside, adjacent to the new right-of-way line.
 8. Recording within 30 days after approval by the Board of City Commissioners.
-

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number	70-51	Name	HERMAN ADDITION	
Application Filed:	9-21-70	Sketch Filed:	9-21-70	
Preliminary Plat Filed:	None	Approved by S/D:	N/A	
Final Plat Filed:	9-21-70	Approved by S/D:	10-1-70	
Approved by Metropolitan Area Planning Commission:			10-8-70	

DESCRIPTION

General Location: Northeast corner of Hillside and Lewis

Surveyor or Engineer: Baughman Company
Owner: Vickers Refining Company, Inc.
Address: Vickers Towers

- | | | |
|--------------------------|----------------------|--------------------------------|
| 1. Gross Acreage of Plat | <u>0.4</u> | 5. Lineal Feet of New Streets: |
| 2. Number of Lots: | | a. _____ R/W _____ ft. |
| Residential _____ | | b. _____ R/W _____ ft. |
| Commercial <u>1</u> | | c. _____ R/W _____ ft. |
| Industrial _____ | | d. _____ R/W _____ ft. |
| Other _____ | | e. _____ R/W _____ ft. |
| Total Number of Lots: | <u>1</u> | TOTAL <u>None</u> ft. |
| 3. Minimum Lot Frontage: | <u>150</u> ft. | 6. Existing Zoning: <u>"A"</u> |
| 4. Minimum Lot Area | <u>19,050</u> sq.ft. | |

Associated Zone Case: Z-1197 "A" to "LC"
Approved by the City Commission on August 18, 1970,
subject to replatting.

Planning Commission Recommendation:

BLEDSON moved and KAMEN seconded that the Planning Commission recommend to the City Commission that this plat be approved, subject to:

(See attached sheet for conditions.)

NOTE: The applicant has requested that this plat be forwarded on to the City Commission so that they can discuss condition of approval No. 4.

Vote of Planning Commission: Unanimous

ACTION: Approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign, and instruct the Planning Department to withhold release of the plat tracing for recording until all conditions have been complied with.

CONDITIONS OF APPROVAL - S/D 70-51 - HERMAN ADDITION

1. A lot number or letter shall be indicated on the face of the plat.
2. The proper corner angles shall be indicated on the face of the plat.
3. The legal description of the application area utilized on the associated zone case is as follows: "Lots 13, 15, 19, 21 and 23, Rawlins and Bridwell's Subdivision of Lots 5 and 6, Block 2, Grand View Addition to Wichita, Kansas". This differs from the description of the surveyor's certificate and needs to be checked and the necessary changes made.
4. The plat shall be changed to reflect the 20 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication.
5. Amending the plattor's text as follows: "...platted into a lot, a street and alley to be known as... The street and alley are hereby....."
6. Indicating "access control except for 2 openings" adjacent to the east line of Hillside Avenue, with the proper notations both on the face of the plat and within the plattor's text.
7. The applicant shall guarantee the reconstruction of the sidewalk on Hillside adjacent to the new right-of-way.
8. Recording within 30 days after approval by the Board of City Commissioners.

ALSO NEEDED:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
 2. Certification by an attorney that fee title is vested in the plattor.
 3. Certification that all taxes due and payable for 1969 and prior years have been paid.
-

KAHRS, NELSON, FANNING, HITE & KELLOGG
ATTORNEYS AT LAW

SUITE 630 - 200 WEST DOUGLAS AVENUE
WICHITA, KANSAS 67202

AREA 316
262-3777

AUSTIN M. COWAN (1898-1949)
W. A. KAHR
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN
LARRY A. WITHERS
GARY A. WINFREY

October 20, 1970

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Attention: Mr. Gist

Re: S/D 70-51 - Final Plat of
HERMAN ADDITION

Gentlemen:

I request on behalf of my client relative to the above plat that the question raised by No. 5) "The plat shall be changed to reflect the 20 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication." be forwarded to the City Commission and placed on the agenda at the next meeting which is October 27, 1970, so that this matter can be determined.

*Condition #4 of MAPD
letter dated 10-2-70*

Yours very truly,

Robert H. Nelson
OF KAHR, NELSON, FANNING, HITE & KELLOGG

RHN:kd

cc: Vickers Refining Co.
Herman Oil Co.
Mr. Bill Rich



October 9, 1970

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

Re: S/D 70-51 - Final Plat of
HERMAN ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission held on October 8, 1970, 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 October 2, 1970.

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:

- OK* Compliance with the requirements of the Metropolitan Area Planning Commission.
- OK* Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- OK* Certification by an attorney that fee title is vested in the platlor.
- OK* Certification that all taxes due and payable for 1969 and prior years have been paid.

EXCEPT THAT TAXES FOR 1970 NOW NEED
if you have any questions concerning this matter, please call
our office. **TO BE PAID PRIOR TO RELEASE OF**
THE PLAT TRACING.

sincerely, *[Signature]*
Jack H. Galbraith
Chief Planner

OK 12-1-70
[Signature]

JHG:ber

cc: Vickers Refining Co., Inc., Vickers Towers, 67202
Robert H. Nelson, Suite 630, 200 West Douglas 67202

October 2, 1970

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

Subject: S/D 70-51 - Final Plat
of HERMAN ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, October 1, 1970, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

1. A lot number of letter shall be indicated on the face of the plat.
2. The proper corner angles shall be indicated on the face of the plat.
3. The legal description of the application area utilized on the associated zone case is as follows: "Lots 13, 15, 19, 21 and 23, Rawlins and Bridwell's Sub-division of Lots 5 and 6, Block 2, Grand View Addition to Wichita, Kansas". This differs from the description of the surveyor's certificate and needs to be checked and the necessary changes made. 17
4. The plat shall be changed to reflect the 20 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication. *no longer condition, P.C.A. approved by map 11-12-70*
5. Amending the plattors text as follows: "... platted into a lot, a street and alley to be known as ... The street and alley are hereby ..."
6. Indicating "access control except for 2 openings" adjacent to the east line of Hillside Avenue, with the proper notations both on the face of the plat and within the plattor's text.

Page 2
October 2, 1970

7. The applicant shall guarantee the reconstruction of the sidewalk on Hillside, adjacent to the new right-of-way line. *Guarantee no longer necessary since PTA for Hillside approved as a contingent dedication by B.C.C. JG*
8. Recording 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. 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, October 8, 1970, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Very truly yours,

John D. Gist
Senior Planner

JDG:rme

Enclosure

cc: Vickers Refining Company, Inc., Vickers Towers, 67202
Robert H. Nelson, Attorney, Suite 630-200 W. Douglas, 67202

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 70-51 Name HERMAN ADDITION
Date Application Rec'd. 9-21-70 Preliminary Approval N/A
Scheduled S/D Meeting 10-1-70

DESCRIPTION

General Location At the northeast corner of Hillside and Lewis

Owner Vickers Refining Company, Inc.
Surveyor/Engineer Baughman Company
Address 2522 East Kellogg Phone 683-7431

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>0.4</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u> </u> R/W <u> </u> ft. |
| Residential <u> </u> | b. <u> </u> R/W <u> </u> ft. |
| Commercial <u> </u> | c. <u> </u> R/W <u> </u> ft. |
| Industrial <u> </u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u> </u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>1</u> | TOTAL <u>None</u> ft. |
| 3. Minimum Lot Frontage <u>150</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>19,050 sq.</u> ft. | streets? <u> </u> yes <u> </u> no |
| 5. Existing Zoning <u>"A"</u> | |
| 6. Proposed Zoning <u>"LC"</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u> </u> City <u> </u> | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u> </u> City <u> </u> | |
| 11. Health Department Approval (where applicable) <u> </u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u> </u> | |

STAFF COMMENTS:

1. The associated zone case Z-1197 - "A" to "LC" has been approved by the Board of City Commissioners subject to replatting.
2. A lot number on letter shall be indicated on the face of the plat.
3. The proper corner angles shall be indicated on the face of the plat.
4. The legal description of the application area utilized on the associated zone case is as follows: Lots 13, 15, 17, 19, 21 and 23, Rawlins and Bridwell's Sub-division of Lots 5 and 6, Block 2, Grand View Addition to Wichita, Kansas". This differs from the description of the surveyor's certificate and needs to be checked and the necessary changes made.
5. The plat shall be changed to reflect the 20 feet of street right-of-way being dedicated for Hillside as being an outright dedication, rather than a contingent dedication.
6. Amending the plattors text as follows: "... platted into a lot, a street and alley to be known as The street and alley are hereby"
7. Access control to Hillside Avenue shall be discussed and established at the Subdivision Committee Meeting, and the proper notations thereof shall be added to the face of the plat and within the plattor's text.
8. The applicant shall petition for the reconstruction of the sidewalk on Hillside, adjacent to the new right-of-way line.
9. Recording within 30 days after approval by the Board of City Commissioners.

NOTE: This plat has been submitted in final form only, as provided for in Article 4, Part 5 of the MAPC Subdivision Regulations. The Utility Advisory Committee should be prepared to comment on existing utilities and other various improvements, or discuss the feasibility of the applicant extending and/or installing same.

Map No.: _____
Section No.: _____
Twp. No.: _____
Range: _____

S/D No. 70-51

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: HERMAN ADDITION

General Location: Hillside & Lewis

Name of Property Owner: Vickers Ref. Co. Inc.

Address: Vickers Towers Phone: _____

Name of Subdivider: same Robert H. Nelson

Address: 200 W. Douglas Phone: 2623777

Name of Agent/Surveyor: Baughman Co.

Address: _____ Phone: _____

Date of Application: Sept. 17, 1970

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 0.4 Ac.
2. Number of Lots:
Residential _____
Commercial 1
Industrial _____
Other _____
Total Number of Lots 1
3. Minimum Lot Frontage 150 ft.
4. Minimum Lot Area 19,050 ft.
5. Existing Zoning _____
6. Proposed Zoning _____
7. Lineal Feet of New Streets:
a. _____ R/W _____ ft.
b. _____ R/W _____ ft.
c. _____ R/W _____ ft.
d. _____ R/W _____ ft.
e. _____ R/W _____ ft.
TOTAL none ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply yes (Yes-No), Name _____ City _____
10. Public Sanitary Sewers yes (Yes-No), Name _____ City _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita City Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto including petitions for improvements such as streets, sewer, sidewalks, etc. with the register of deeds as well as all costs of publication of initiating resolutions approving any petition for improvements shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Robert H. Nelson Att. for Owner

Wichita-Sedgwick County Metropolitan Area
Planning Commission, Room 402, City Building
Annex, 104 South Main Street, Wichita, Kansas

Received by Gist (lv)
Date 9-31-70
Fee Submitted 50.00

79-301B (10-68)



Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
Plat - Herman Odd	1.50 ⁰⁰

Name Robert H. Nelson
Address Dist. 690-200 W. Douglas
Type P-71-C Due Date _____
Comments: _____

Date 9-21-70 By ls