

PLAT NO. S/D 72-36 MAP NO. 4946

NAME RIDGE PLAZA 3RD ADDITION

LOCATION On the west side of Ridge Road between Kellogg
and Maple

ENGINEER Baughman Company

OWNER Max Cole, et. al.

APPLICATION FILED 4-10-72

SKETCH PLAT FILED none submitted

PRELIMINARY FILED 4-10-72

S/D ACTION 4-20-72 Approve

FINAL FILED 6-11-73

S/D ACTION 6-21-73 Approved subj to conditions

MAPC ACTION 6-28-73 deferred

7-12-73 approved

BCC ACTION 7-31-73 Approved subj to recording
120 days.

RECORDED 4/11/74

REMARKS _____

S/D 72-36 - RIDGE PLAZA 3RD ADD.-
On the west side of Ridge Road
between Kellogg and Maple
Baughman Company

POSTED
4-14-72

ACTION

	DATE
S/D COMMITTEE (PRELIM)	4-20-72
(final) Approved only	6-21-73
to conditions	
MAPC	6-28-73
approved	7-12-73
B.C.C. MAPC Approved	7-31-73
submit to recording in 120 days	

Map No. 4946
Sec^m No. 28
Twp. No. 27 S
Range 1 W

Subdivision Report and Progress

S/D No.: 72-36

Name: RIDGE PLAZA 3RD ADDITION

General Location: On the west side of Ridgeroad between Kellogg and Maple

Owner: Max Cole, et. al.

Address: 626 Sutton Place 67202 Phone: 262-4459

Subdivider: Same - Bowen Brady & Dale Hecox

Address: 6405 East Kellogg 67207 Phone: 684-0175

Engineer/Surveyor: Baughman Company

Address: 330 Laura 67211 Phone: 262-7271

Application Received 4-10-72

Conf. with Applicant none

Sketch Plat Received none submitted

Present Zoning "AA" & "LC"

Proposed Zoning A, B, BB, & LC

Letter of Intent none

FINAL PLAT RECEIVED 6-11-73

S/D Comm. Action 6-21-73 Approved

subly to conditions

Dept. Report on Final

M.A.P.C. ACTION 6-28-73

Dept. Report of Final approved deferred

Letter on Irons Received

Title/Taxes Rec'd & Reviewed

Final Review

Referral to B.C.C.

PREL. PLAT RECEIVED 4-10-72

S/D Comm. Action 4-20-72 Approve

Dept. Report on Prel.

B.C.C. ACTION 7-31-73 Approved

TRACING PROGRESS:

Received 11/29/73

Released

Received

Released

Recorded 1/11/74

Comments:

* Z-1192 - Associated zone change from "AA" to "A", "B", "BB" & "LC"

DP-37 - Associated community unit plan

11/30/73 print for M-PL.

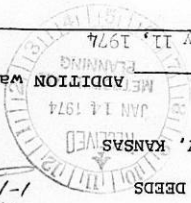
19-328

Register Of Deeds

John Hale

filed for record on January 11, 1974

HIDGE PLAZA 3RD
ADDITION WAS



JAN 14 1974

SEDGWICK COUNTY, KANSAS

REGISTER OF DEEDS

1-17-74

2

March 22, 1977

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

S/D 72-36 - Ridge Plaza 3rd Addition, drainage
channel improvement performance bond.

As a condition of approval of the Ridge Plaza 3rd Addition, the applicant was required to guarantee all the drainage channel improvement across the plat. The applicant submitted a performance bond naming Max L. Cole as Principal and Commercial Union Insurance Company as Surety, and for an amount of \$75,000 guaranteeing improvement of all the proposed drainage channel crossing the property in Ridge Plaza Third Addition. We have been advised by Mr. S. Mitchell of the Maintenance-Flood Control office, that the drainage channel has been completed and the work inspected and approved; and the performance bond may therefore be released.

Your office is holding said performance bond in the amount of \$75,000 and it may now be released at request from the applicant or Mr. Norman L. Sharp of R. B. Jones Insurance, Inc., attorney-in-fact for the bonding company. If you have any questions concerning this matter, please call.

Jack H. Galbraith
Chief Planner

JHG:CLN:rme

cc: Keith E. Parker, Parker-Krehbiel Associates, 1021-1 East
Waterman, Wichita, Kansas 67211
Norman L. Sharp, Suite 230, R. H. Garvey Bldg., 300 West
Douglas, 67202
William P. Higgins, Attorney, Penthouse, Sutton Place, 67202



Newby
parker krehbiel associates

architects planners commercial consultants

March 14, 1977



Mr. Norman L. Sharp
R. B. Jones Insurance, Inc.
R. H. Garvey Building, Suite 230
300 West Douglas
Wichita, Kansas 67202

Re: Channel Improvement
Ridge Plaza 3rd Addition
Wichita, Kansas

Dear Norm:

The enclosed letter from the City of Wichita indicates that the referenced channel improvement has been completed on the Ridge Plaza 3rd Addition. The City has advised that they are processing the release of the performance bond that was posted for this work. With a copy of the enclosed letter, you should be able to contact the Wichita City Clerk and obtain a release of the bond posted for this work.

Sincerely,

PARKER KREHBIEL ASSOCIATES

Keith E. Parker, A.I.A.

KEP:ep

cc: Mr. Dick Linn
Mr. Curtis Newby ✓
Mr. Max Cole

(316) 263 6251 1021-1 east waterman wichita, kansas 67211



March 9, 1977

Mr. Keith Parker
Parker-Krehbiel Assoc.
1021 East Waterman
Wichita, Kansas

Subject: Channel Improvement-Ridge Plaza 3rd Addn.

Dear Mr. Parker:

Please be advised that we have completed the final survey of drainage improvements constructed by you across subject plat. These improvements were a requirement of the Subdivision plat and they have been completed satisfactorily.

I trust this information is sufficient for your purpose; however, if further information or discussion is desired, please advise.

Yours truly,

M. S. Mitchell,
Ass't. Superintendent of
Public Works Maintenance

MSM/glm

cc: G. H. Wilton
Dick Linn
Ridge Plaza 3rd Addn. Plat File
Jack Galbraith
Dugan Tributary to Big Slough-Cowskin Floodway Stream File

October 20, 1976

Norman L. Sharp
Suite 230, R. H. Garvey Building
Wichita, Kansas 67202

Re: Max L. Cole - various bonds.

Dear Mr. Sharp:

On October 7, 1976, you wrote R. W. Linn, City Engineer, requesting information as to the status of improvements covered by several bonds. At Mr. Linn's request, I am responding concerning the first two bonds you mentioned as they are connected with required improvements guaranteed as conditions of plat approval.

1. Performance Bond CK 7117631 - \$75,000
No work has been done on the drainage channel and said channel completion is dependent upon the construction of the freeway interchange proposed at U. S. 54 Highway and Ridge Road.
2. Performance Bond CK 7117632 - \$15,000
This bond to the Water Department to guarantee extension of water service to Lot 4, Ridge Plaza Addition is no longer needed as Lot 4 has been eliminated by condemnation for the freeway interchange right-of-way. The City Clerk will be notified by memo that this bond can be released upon request of the applicant or the bonding company.

If you have any questions concerning these two items, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: R. W. Linn, City Engineer

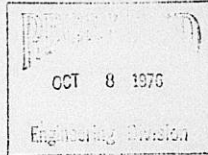
*Released by
City Clerk
11-2-76*

R.B. JONES
INSURANCE inc.



Suite 230 The R.H. Garvey Building
300 West Douglas
Wichita, Kansas 67202
316-265-7871

October 7, 1976



Mr. R. W. Linn, City Engineer
City of Wichita
455 N. Main
Wichita, Ks. 67202

Re: Max L. Cole - Various Bonds

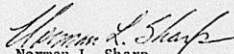
Dear Mr. Linn:

We would like to have some information regarding the progress of the various improvements that are covered by our bonding company for the following:

1. Performance Bond CK 7117631 - \$75,000
Improvement of the proposed drainage channel crossing the property in Ridge Plaza Third Addition.
2. Performance Bond CK 7117632 - \$15,000
Extension of water main in Ridge Road from the south of Kellogg Street to the north of Lot 4, Ridge Plaza Third Addition.
3. Special Assessments Bond CK 7117706 - \$120,500
Streets - Holland Lane - DAKF 573065
Streets - University Ave. - DAKF 574002
Ridge Plaza Third Addition
4. Farmington Square - Special Assessment Bond CK 71176-62 - \$571,500
Streets - Shade Lane & Par Lane DAKS 575008
Winterset Lane - DAKS 575011
Sewers - Lateral 71 DBKL 575004
Lateral 72 DBKL 575005
Storm Drains - S.W. Drain 22 DBKD 575006
S.W. Sewer 116 DBKA 575007

We would appreciate a progress report in order to determine the time period the bonds will remain in effect.

Yours very truly,


Norman L. Sharp

cc: Max L. Cole

A DIVISION OF R. B. JONES CORPORATION

September 8, 1975

Ralph Wuls, City Manager

Jack H. Galbraith, Chief Planner

Performance bonds associated with Ridge
Plaza 3rd Addition Improvements.

As a condition of approval of the above referred to plat, the applicant was required to guarantee drainage improvements on subject property and guarantee the water main to serve subject property. In January 1974, the applicant submitted a performance bond in the amount of \$110,000 guaranteeing said drainage improvements and water main extension. \$10,000 of said bond was for the water main extension, \$80,000 for the drainage improvements. Said improvements were to be installed on or before September 12, 1975. Since that time the applicant has been working with the City Engineer relative to the cost of the drainage improvement and the City Engineer has reduced the amount of guarantee to \$75,000.

Attached herewith are two new performance bonds, both naming Max L. Cole as principal, Commercial Union Insurance as surety. One bond for the amount of \$75,000 guaranteeing the drainage improvement to be completed on or before September 12, 1977, and the second bond is in the amount of \$15,000 guaranteeing the water main extension to be completed on or before September 12, 1977. These two bonds should be placed on the City Manager's agenda for formal approval by the governing bodies at their regular meeting of September 16, 1975. At such time as the new bonds have been approved by the governing body, the original bond in the amount of \$110,000 being held in the City Clerk's Office may be released on request from the applicant or the Bonding Company.

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

Jack H. Galbraith, Chief Planner

Robert A. Lakin
Director of Planning

JHG:rme
Attachment

cc: Don C. Gisick, City Clerk
Norman L. Sharp, Suite 230, R. H. Garvey Bldg., 67202
William P. Higgins, Attorney, 313 1st National Bank Bldg.
67202

**R.B. JONES
INSURANCE inc.**



Suite 230 The R.H. Garvey Building
300 West Douglas
Wichita, Kansas 67202
316-263-0291 or 316-265-1621

OUR NEW TELEPHONE
NUMBER IS 265-7871

August 29, 1975

Mr. Curtis L. Newby
Metropolitan Area Planning Dept.
City of Wichita
104 S. Main St.
Wichita, Kansas 67202

RE: Max L. Cole - Ridge Plaza Third Addition
Bonds for Improvement

Dear Mr. Newby,

As requested we are enclosing bonds in the amount of \$75,000 for the drainage improvements, and \$15,000 for the water main extension to replace the existing bond. Please return the old bond for cancellation as soon as possible.

Thank you for your cooperation.

Yours Very Truly,


Norman L. Sharp

cc: Max L. Cole - 3841 W. 13th St., Wichita, Kans. 67203
Wm. P. Higgins - 313 First National Bank Bldg., Wichita, Kans. 67202



A DIVISION OF R.B. JONES CORPORATION

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

I Max L. Cole as Principal, and Commercial Union Insurance Company as Surety, are held and firmly bound unto the City of Wichita, County of Sedgwick and State of Kansas, in the sum of Seventy Five Thousand (\$ 75,000.00) Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the City of Wichita for the development and improvement in Ridge Plaza Third Addition (name of subdivision) Plat located in Section 28 Township 27 South Range 1 West, Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal Max L. Cole shall perform the following obligations and conditions:

1. Improvement of all the proposed drainage channel crossing the property in Ridge Plaza Third Addition.
2. * N/A
3. *
4. *
5. Reimbursement to the City of Wichita at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

which obligations and each of them shall be performed on or before September 12, 19 77 ** and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Department of Public Works of the City of Wichita.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the City may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the City may install said projects and pay for same out of said forfeited bond funds.

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans or specifications therefore, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this 29th day of August, 19 75.

Max L. Cole Principal
Commercial Union Insurance Company Surety
By Norman L. Sharp
Norman L. Sharp (Attorney-in-Fact)

* Insert N/A (Not Applicable) when blanks are not used.

** Insert date, 2 years following the date of approval of the final plat by the Planning Commission.

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 29th day of August, 19 75, before me, a Notary Public in and for said County and State, came Max L. Cole and Norman L. Sharp, (Principal) (Surety) to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Barbara S. Love Notary Public

My Commission Expires: 11/11/78

BARBARA S. LOVE
STATE NOTARY PUBLIC
Sedgwick County, Kansas

August 25, 1975

Norman L. Sharp
R. B. Jones Insurance, Inc.
Suite 230, 300 West Douglas
Wichita, Kansas 67202

Dear Mr. Sharp:

In response to the letters dated August 19, 1975 concerning your bonds number CK 71135-51 and CK 71135-46; neither of these bonds can be released or changed in amount unless the work required has been satisfactorily completed and approved by the City Engineer or unless a new substitute bond in a new amount has been submitted to the City Commission for acceptance.

Please be advised that we will be able to release the bond on the Lincoln Meadows project at such time as the City Engineer has confirmed that all of the work has been completed and accepted.

Concerning the bond on the Ridge Plaza 3rd project, the only way both amounts can be reduced to \$90,000 and extended for an additional year whether the change was endorsed by the City Engineer or not, is by submitting a new bond in the amount of \$90,000 with a completion date of September 12, 1977 and having this new bond accepted by the City Commission.

If you wish to discuss this matter further, please do not hesitate to call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Max L. Cole, 3841 West 13th Street, 67203
William P. Higgins, Attorney, 313 First National Bank Bldg.,
67202

**R.B. JONES
INSURANCE inc.**

OUR NEW TELEPHONE
NUMBER IS 265-7871



Suite 230 The R.H. Garvey Building
300 West Douglas
Wichita, Kansas 67202
316-263-0291 or 316-265-1621

August 19, 1975

Curtis L. Newby
Metropolitan Area Planning Dept.
104 S. Main Street
Wichita, Kansas 67202

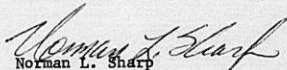
Re: S/D 72-36 Ridge Plaza 3rd Addition
Performance Bond CK 71135-46
Your letter of Aug. 6th, 1975

Dear Mr. Newby:

The above mentioned bond has been reduced to \$90,000. and extended to September 12, 1977 by an endorsement dated April 11, 1975. The above endorsement was accepted by Mr. R. W. Linn. We are enclosing a copy for your files. If this is not satisfactory, please let me know.

Yours very truly,

R. B. JONES INSURANCE INC.


Norman L. Sharp

NLS:db

enclosure

cc: Max Cole - 3841 West 13th St., Wichita, Kansas 67203
Larry Cooley, Commercial Union, Kansas City, Mo.
William Higgins, Attorney, 313 First National Bank Bldg., Wichita, Kansas

A DIVISION OF R. B. JONES CORPORATION

Bond CK 71135 46

Principal: Max L. Cole

Obligee: City of Wichita

It is understood and agreed that the penalty under this bond has been reduced to ~~Seventy-Five-Thousand-and-no/100~~ ^{Ninety Thou} ~~\$75,000.00~~, and the date of performance shall be extended to on or before Sept. 12 19 77.

\$90,000⁰⁰

All other terms and conditions remain the same.

In Witness where of, we have here unto set our hand and seals this 14th day of April 1975.

Max L. Cole
Max L. Cole (Principal)

COMMERCIAL UNION INSURANCE COMPANY

By Norman L. Sharp
Norman L. Sharp (Attorney In Fact)

Accepted by the
City of Wichita, Kansas

By A. W. Linn
Title City Engineer

August 14, 1975

William P. Higgins
Attorney at Law
313 First National Bank Building
Wichita, Kansas 67202

Re: S/D 72-36 - Ridge Plaza 3rd
Addition (performance bond)

Dear Mr. Higgins:

Pursuant to your phone conversation of August 12, concerning the \$110,000 performance bond guaranteeing the drainage channel improvements and extension of water on the above referred to plat before September 12, 1975, I would advise you that we have, approximately one month ago, been informed by the City Engineer that the drainage portion of the bond guarantee could be reduced from a \$100,000 down to \$75,000 in amount due to the recent purchase by the Highway Department of interchange right-of-way which involves a portion of the drainage improvement area. As I explained to you on the phone, in order for this bond to be officially reduced and for the time of the guarantee to be extended beyond the completion date of September 12, a new bond should be submitted in the amount of \$75,000 to replace the existing performance bond. Once this new bond has been submitted and accepted by the City, we then can release the original \$110,000 bond back to you. It is my understanding that you intend to submit the new bond in the immediate future, therefore we at this point will advise the City Treasurer that a new bond is being submitted and that he will not have to institute proceedings to collect on the original bond.

If you have any questions concerning this matter, please do not hesitate to call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

William P. Higgins
August 14, 1975
Page 2

cc: Max L. Cole, 3841 W. 13th, 67203
Frank Y. Dickenhut, Commercial Union Insurance Co.
Boston, Massachusetts
Bill Otten, Water Department
Dick Linn, City Engineer

August 6, 1975

Max L. Cole
626 Sutton Place
Wichita, Kansas 67202

Re: S/D 72-36 - RIDGE PLAZA 3RD
ADDITION (performance bond).

Dear Mr. Cole:

The above captioned plat was approved by the Metropolitan Area Planning Commission on July 12, 1973 and by the Board of City Commissioners on July 31, 1973. Among the conditions of approval for the plat was that the applicant guarantee the improvement of the drainage channel crossing subject property and guarantee the extension of City water to serve Lot 4. Neither of these required improvements has yet been completed.

Our files indicate that you submitted a performance bond in the amount of \$110,000, naming the Commercial Union Insurance Company as surety, guaranteeing that the drainage channel would be improved and the water would be extended on or before September 12, 1975, in accordance with City specifications. Since the time limit is about to expire, we would appreciate your contacting our office as to the status of construction and your intent to fulfill this requirement. In the event we do not hear from you by September 12, 1975, we will contact the City Treasurer with regard to collecting on the bond.

We are anxious to assist you in any way we can to expedite the fulfillment of this requirement and the closing of this file. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Frank Y. Dickenhut, Commercial Union Insurance Co.
Boston, Massachusetts
William P. Higgins, Attorney, 313 1st National Bank Bldg.,
67202

February 13, 1974

Dean Sellers, Assistant City Engineer

Curtis L. Newby, Junior Planner

Ridge Plaza Community Unit Plan, DP-37 and
S/D 72-36, Ridge Plaza 3rd Addition

As you requested the order of events concerning the above referred to cases is as follows:

- June 25, 1970 - Metropolitan Area Planning Commission considers and approves DP-37 and associated zone case.
- July 14, 1970 - Board of City Commissioners deferred cases.
- August 27, 1970 - Planning Commission reapprove DP-37 with provisional setback line from intersection of Ridge Road and U. S. 54 Highway for possible future interchange.
- September 1, 1970 - Board of City Commissioners approve DP-37 and associated zone case and subject to the provisional setback having a 3 year time limit.
- April 20, 1972 - Preliminary plat of Ridge Plaza 3rd Addition approved by Subdivision Committee of the Planning Commission.
- *June 21, 1973 - Final plat of Ridge Plaza 3rd Addition approved by Subdivision Committee with provisional setback agreement from the new proposed interchange right-of-way line to expire on January 1, 1974.
- July 12, 1973 - Planning Commission approved final plat subject to conditions.
- July 31, 1973 - Board of City Commissioners approved plat subject to completion of all conditions of approval by applicant before release of the plat for recording.
- January 4, 1974 - Plat released for recording.
- January 11, 1974 - Plat recorded.

*Copy of provisional setback agreement attached herewith.
CLN:rme
Attachment

W. L. KORBER

R. G. WAYMIRE

BAUGHMAN CO.

S U R V E Y O R S

PHONE 316/262-7271

330 LAURA

WICHITA, KANSAS 67211

DEDICATION FOR PORTION OF UNIVERSITY AVENUE

Commencing at a point 1126.37 feet south and 775 feet east of the N.W. Corner of the NE $\frac{1}{4}$, Sec. 28, Twp. 27-S, R-1-W, said point being the N.E. Corner of Ridge Plaza 4th Addition, Wichita, Kansas; thence east along a curve having a radius of 387.1 feet and through a central angle of 20°-30', a distance of 138.5 feet to the P.T. of said curve; thence along tangent to said curve 215 feet for a place of beginning; thence continuing along last described line, 544.76 feet; thence with an angle to the left of 95°-18', a distance of 35.15 feet; thence with an angle to the left of 84°-42' a distance of 541.52 feet; thence southerly at right angles 35 feet to the place of beginning.

Bowen H. Brady
Dale F. Hecox
Raymond I. Adams
Ruth Adams Clark

Mary E. Brady
Norma J. Hecox
Bernard F. Clark

W. L. KORBER R. G. WAYMIRE
BAUGHMAN CO.
S U R V E Y O R S

PHONE 316/262-7271

330 LAURA

WICHITA, KANSAS 67211

DESCRIPTION OF DRAINAGE RIGHT-OF-WAY

Tract in the NE $\frac{1}{4}$, Sec. 28, Twp. 27-S, R-1-W, described as beginning at a point on the north line of said $\frac{1}{4}$ Section, 1097 feet west of the N.E. Corner thereof; thence west along the north line of said $\frac{1}{4}$ Section, 110 feet; thence south parallel with the east line of said $\frac{1}{4}$ Section, 137.61 feet to the P.C. of a curve to the left having a central angle of 26 $^{\circ}$ -19'-15" and a radius of 1338.04 feet; thence along said curve 614.86 feet to the P.T. of said curve; thence along tangent to said curve 115.13 feet to center line of University Avenue as platted in Ridge Plaza 3rd Addition Wichita, Kansas; thence with an angle to the left of 84 $^{\circ}$ -42', a distance of 55.24 feet; thence with an angle to the right of 84 $^{\circ}$ -42', a distance of 1294.03 feet to a point 1981.5 feet south and 392 feet west of the N.E. Corner of said $\frac{1}{4}$ Section; thence east parallel with the north line of said $\frac{1}{4}$ Section, 61.08 feet; thence with an angle to the left of 115 $^{\circ}$ -48' a distance of 1440.82 feet to the P.C. of a curve to the right having a central angle of 26 $^{\circ}$ -19'-15", and a radius of 1228.04 feet; thence along said curve 564.14 feet to the P.T. of said curve; thence along tangent to said curve, 138.61 feet to the point of beginning.

Bowen H. Brady
Dale F. Hecox
Raymond I. Adams
Ruth Adams Clark

Mary E. Brady
Norma J. Hecox
Bernard F. Clark

C E R T I F I C A T E

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

We the undersigned a duly bonded and qualified Abstracter for the within County and State hereby certify that we have examined the records in the Office of the Register of Deeds relative to the owners of the property covered by the attached Dedication. From such examination we hereby certify that the following are all the owners of said property:

Bowen H. Brady
Mary E. Brady
Dale F. Hecox
Norma J. Hecox
Raymond I. Adams
Ruth Adams Clark
Bernard F. Clark

Dated this 26th day of December 1973

at 7:00 A.M.

FIDELITY TITLE COMPANY INC.

By *R. E. D. Tadder*
VP

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Bowen H. Brady, Mary E. Brady, Dale F. Hecox, Norma J. Hecox, Raymond I. Adams, Ruth Adams Clark and Bernard F. Clark being the owners of the following described real estate in Sedgwick County, Kansas, to-wit:

Tract in the NE1/4, Sec. 28, Twp. 27-S, R-1-W, described as beginning at a point on the north line of said 1/4 Section, 1097 feet west of the N. E. Corner thereof; thence west along the north line of said 1/4 Section, 110 feet; thence south parallel with the east line of said 1/4 Section, 137.61 feet to the P. C. of a curve to the left having a central angle of 26°-19'-15" and a radius of 1338.04 feet; thence along said curve 614.86 feet to the P. T. of said curve; thence along tangent to said curve 115.13 feet to center line of University Avenue as platted in Ridge Plaza 3rd Addition Wichita, Kansas; thence with an angle to the left of 84°-42', a distance of 55.24 feet; thence with an angle to the right of 84°-42', a distance of 1294.03 feet to a point 1981.5 feet south and 392 feet west of the N. E. Corner of said 1/4 Section; thence east parallel with the north line of said 1/4 Section, 61.08 feet thence with an angle to the left of 115°-48', a distance of 1440.82 feet to the P. C. of a curve to the right having a central angle of 26°-19'-15" and a radius of 1228.04 feet; thence along said curve 564.14 feet to the P. T. of said curve; thence along tangent to said curve, 138.61 feet to the point of beginning.

do hereby dedicate the above described real estate to the public for drainage purposes.

Executed this 12th day of November, 1973.

Bowen H. Brady
Bowen H. Brady
Dale F. Hecox
Dale F. Hecox
Raymond I. Adams
Raymond I. Adams

Mary E. Brady
Mary E. Brady
Norma J. Hecox
Norma J. Hecox
Ruth Adams Clark
Ruth Adams Clark

Bernard F. Clark
Bernard F. Clark

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

BE IT REMEMBERED, that on this 23rd day of October, 1973, came Bowen H. Brady and Mary E. Brady to me personally known to be the same persons 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.

James D. Redback
Notary Public

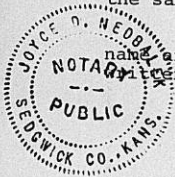
My commission expires:

September 21, 1974



STATE OF KANSAS)
SEDGWICK COUNTY) SS:

BE IT REMEMBERED, that on this 22nd day of
October, 1973, came Dale F. Hecox and Norma J.
Hecox to me personally known to be the same persons 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.

Joyce D. Hedrick
Notary Public

My commission expires:

September 21, 1974

STATE OF KANSAS SS:
SEDGWICK COUNTY

BE IT REMEMBERED, that on this 11th day of
November, 1973, came Raymond I. Adams 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.

Joyce D. Hedrick
Notary Public

My commission expires:

September 21, 1974

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 12th day of
November, 1973, came Ruth Adams Clark and Bernard F.
Clark 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.

Joyce D. Hedrick
Notary Public

My commission expires:

September 21, 1974

Submitted to the Wichita Sedgwick County Metropolitan Area Planning
Commission and the Board of Commissioners of the City of Wichita,
Kansas, and approved by said Board of Commissioners of the City of
Wichita, Kansas, this _____ day of _____, 1973.

City Clerk



FOR ALMOST A HALF CENTURY,

FIDELITY TITLE COMPANY, INC. has been performing a full title service for Wichita and Sedgewick County, Kansas. During this half century, Fidelity has demonstrated that it has the records, personnel, and the financial responsibility to give you the best in title insurance, abstracts, and closings. Further, in the Today Title Company that we are, and through the outstanding national title insurance companies that we represent, we serve our clients' title insurance needs anywhere in Kansas, the United States, or even beyond. In addition to extensive title insurance services in Wichita, we perform millions of dollars of title insurance service elsewhere in Kansas and the United States every year.

It is a pleasure to serve you.



FRANK MALONE
President

C. E. "Bud" RIDDER
Sr. Vice Pres. & Treas.

ART HOWE
Vice President

WM. "Bill" MALONE
Exec. Vice President

PATTIE GRIER
Secretary

MARY CRAIG
Ass't. Vice President

CHARLES MASON
Ass't. Treasurer

E. A. RANDALL
Consultant

221 N. Market Wichita, Kansas 67202 Phone (316) 262-8261

Fidelity  **Title**

RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING RIDGE PLAZA 3RD ADDITION

THIS DECLARATION made this 8th day of December, 1973, by MAX L. COLE, Trustee, hereinafter called Grantor.

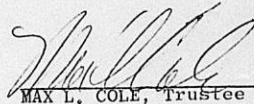
WITNESSETH:

WHEREAS, Grantor is owner of Ridge Plaza 3rd Addition to Wichita, Sedgwick County, Kansas, which property is located in or near an area subject to possible future highway improvements; and

WHEREAS, the City of Wichita, in connection with approval of the plat of said Addition, considers it to be in the public interest to require that no permanent structures or buildings be constructed on a portion of said Addition which is being considered for future highway right-of-way use for an interchange at U.S. 54 Highway and Ridge Road;

NOW, THEREFORE, Grantor hereby declares that Ridge Road 3rd Addition shall be and the same is subjected to the following restrictive covenant, to-wit:

No permanent structures or buildings shall be constructed upon that portion of Ridge Plaza 3rd Addition described in Exhibit "A" herewith attached, before January 1, 1974 or until a final right-of-way plan for said interchange has been approved by the appropriate agencies, whichever shall first occur. This covenant shall run with the land and shall bind the successors and assigns thereof; and shall remain in full force and effect for the length of time and under the conditions heretofore specified. Upon the fulfillment of the conditions heretofore described, this covenant shall become automatically and without further notice, null and void.


MAX L. COLE, Trustee

GRANTOR

STATE OF KANSAS, SEDGWICK COUNTY, ss:

BE IT REMEMBERED, that on this 8th day of December, 1973, before me, a notary public in and for said county and state, came MAX L. COLE, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My Commission expires:

8-6-77

Jean Pritchard
Notary Public



EXHIBIT "A"

Beginning at a point on the East line and 290 feet North of the SE corner of the NE 1/4 of Section 28, T27S, R1W of the 6th P.M., thence along the East line of said NE 1/4 bearing N 0° 02' 30" W a distance of 133.1 ft., thence bearing S 89° 26' 30" W a distance of 60 feet to the SE corner of Lot 4, Ridge Plaza 3rd Addition, Wichita, Kansas, thence bearing N 57° 30' 00" W a distance of 174.56 feet, thence bearing N 26° 21' 30" W a distance of 146.25 feet to a point in the North line of said Lot 4, thence along the north line of said Lot 4 bearing S 89° 26' 30" W a distance of 120 feet to a point 1981.5 feet South and 392 feet West of the NE corner of the NE 1/4 of said Section 28, thence bearing N 26° 21' 30" W a distance of 780 feet, thence bearing S 27° 40' 00" W a distance of 452.8 feet to the P.C. of a curve to the right, thence along said curve to the right having a radius of 1,145.92 feet through a central angle of 17° 10' 00" a distance of 343.33 feet, thence bearing S 44° 50' 00" W a distance of 675.58 feet to a point 1010 feet East of the West line of said NE 1/4, thence South parallel with the West line of said NE 1/4 and bearing S 0° 00' 00" W a distance of 172.95 to a point in the North line of the U.S. 54 Highway as recorded in Deed Book 1136 Page 113, and as condemned in Case A-38302, thence East along the North line of said U.S. 54 Highway to a point 65 feet West of the West line of Lot 1, Ridge Plaza Addition, thence parallel to and 65 feet West of the West line of Lot 1, Ridge Plaza Addition and bearing N 0° 02' 30" W a distance of 202.66 feet, thence East parallel with the South line of the NE 1/4 of said Section 28, bearing N 89° 12' 15" E a distance of 440 feet to the point of beginning.

Excepting from the above description Ridge Road and Kellogg Drive Street right-of-ways and the drainage dedication as shown in Ridge Plaza 3rd Addition, Wichita, Kansas.

January 24, 1974

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

S/D 72-36 - Ridge Plaza 3rd Addition - drainage
improvement and water service extension guarantees

The above referred to plat was approved by the Metropolitan Area Planning Commission on July 12, 1973 and by the Board of City Commissioners on July 31, 1973 subject to several conditions. Two of these conditions of the plat approval are: The applicant shall guarantee the improvement of the drainage channel crossing subject property and the applicant shall guarantee extension of City water to serve Lot 4 of said addition. The applicant submitted a cashier's check in the amount of \$110,000.00 guaranteeing the improvements.

Attached herewith is a performance bond in the amount of \$110,000 which has been submitted by the applicant to replace the cash guarantee. This bond should be placed on the agenda for the City Commission meeting of January 29, 1974 for formal acceptance by the Board of City Commissioners.

Should you have any questions concerning this matter, please call.

JHG:CLN:rme
Attachment

cc: Max L. Cole, 626 Sutton Place, 67202

Commercial Union Insurance Company
c/o Frank Y. Dickhut
Boston, Massachusetts

Bill Otten, Water Department

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

I MAX L. COLE as Principal, and COMMERCIAL UNION INSURANCE COMPANY as Surety, are held and firmly bound unto the City of Wichita, County of Sedgwick and

State of Kansas, in the sum of One Hundred Ten Thousand & 00/100 (\$ 110,000.00) Dollars, lawful money of the United States, for payment of which and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the City of Wichita for the development and improvement in Ridge Plaza Third Addition (name of subdivision) Plat located in Section 28 Township 27 South Range 1 West Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal MAX L. COLE shall perform the following obligations and conditions:

1. Extension of water main in Ridge Road from the South of Kellogg Street to the North of Lot 4, Ridge Plaza Third Addition.
2. Improvement of all the proposed drainage channel crossing the property in Ridge Plaza Third Addition.
3. N/A
4. N/A
5. Reimbursement to the City of Wichita at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

which obligations and each of them shall be performed on or before September 12, 1975 and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Department of Public Works of the City of Wichita.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the City may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the City may install said projects and pay for same out of said forfeited bond funds.

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans or specifications therefore, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this 10th day of January 1974.

Witness as to Principal:

[Signature]

[Signature] Principal
Max L. Cole
COMMERCIAL UNION INSURANCE CO.
Surety

By *[Signature]*
Frank Y. Dickhut, Attorney-in-Fact

* Insert N/A (Not Applicable) when blanks are not used.

** Insert date, 2 years following the date of approval of the final plat by the Planning Commission.

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 23rd day of January, 1974, before me, a Notary Public

in and for said County and State, came Max L. Cole (Principal) and Frank Y. Dickhut (Surety)

to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year



[Signature] Notary Public

Commission Expires: July 24-1975

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the COMMERCIAL UNION INSURANCE COMPANY, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, and having its principal office in the City of Boston, Mass., hath made, constituted and appointed, and does by these presents make and constitute and appoint JOHN W. TUCKER, MILTON L. MUELLER, LUCILLE WRAY, FRANK Y. DICKEHUT, FRED JOHNS, JR., SHIRLEY ANN HADLEY and JUDSON E. TERRY, JR., all of Wichita, Kansas

and each of them its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf as surety any and all bonds or undertakings

and the execution of such bonds or undertakings in pursuance of these presents, shall be binding upon said Company as fully and amply, to all intents and purposes, as if such bonds were signed by the President, sealed with the corporate seal of the Company, and duly attested by its Secretary, hereby ratifying and confirming all the acts of said Attorney-in-Fact pursuant to the power herein given. This Power of Attorney it made and executed pursuant to and by authority of the following resolutions adopted by the Board of Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

Resolved, That the President, or any Vice-President, or any Assistant Vice President, may execute for and in behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, the same to be attested when necessary and the seal of the company affixed thereto by the Secretary, or any Assistant Secretary; and that the President, or any Vice President, or Assistant Vice President, may appoint and authorize an Attorney-in-Fact to execute on behalf of the company any and all such instruments and to affix the seal of the company thereto; and that the President, or any Vice-President, or any Assistant Vice-President, may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That Attorneys-in-Fact may be given full power and authority to execute for and in the name and on behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the company as if signed by the President and sealed and attested by the Secretary, and, further, Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and are also authorized and empowered to certify to a copy of any of the by-laws of the company as well as any resolution of the Directors having to do with the execution of bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and to certify copies of the Power of Attorney or with regard to the powers of any of the officers of the company or of Attorneys-in-Fact.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

"Resolved: That the signature of the President, or any Vice-President, or any Assistant Vice President, and the signature of the Secretary or any Assistant Secretary and the Company Seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Attorneys-in-Fact for purposes only of executing and attesting any bond, undertaking, recognition or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, the COMMERCIAL UNION INSURANCE COMPANY, has caused these presents to be signed by its Vice-President and its corporate seal to be hereto affixed, by its Secretary this 5th day of February 1973.



Attest: William D. Bogan Secretary

COMMERCIAL UNION INSURANCE COMPANY

By John G. Thompson Vice-President

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF SUFFOLK SS.

On this 5th day of February 1973, before me personally came John G. Thompson, Vice-President, and William D. Bogan, Secretary of the COMMERCIAL UNION INSURANCE COMPANY to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and sayeth, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the corporate seal of said Company and that the said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.



Robert L. Marzelli
Robert L. Marzelli - Notary Public
(My Commission expires June 5, 1975)

CERTIFICATE

I, the undersigned, Assistant Secretary of the COMMERCIAL UNION INSURANCE COMPANY, a Massachusetts Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked; and furthermore, that The Resolutions of the Board of Directors set forth in the power of attorney are now in force.
Signed and sealed at the City of Boston. Dated this 10th day of January 19 74



Earle C. Leavitt
Assistant Secretary

January 16, 1974

Ralph C. Eberly, City Clerk

Jack H. Galbraith, Chief Planner

S-1192 - "Zone Change from "AA" to "LC"
and S/D 72-36 - Ridge Plaza 3rd Addition

At the regular meeting of the Board of City Commissioners on September 1, 1970, the above-captioned request for zone change was considered and approved, subject to platting, and the City Clerk was instructed to withhold publication of the ordinance effectuating the zone change until such time as the plat had been recorded. The associated plat was approved by the Board of City Commissioners on July 31, 1973. Our records also reveal that no zoning ordinance was forwarded for first reading at that time.

This is to advise you that the final plat of Ridge Plaza 3rd Addition was recorded with the Register of Deeds on January 11, 1974. Therefore, attached herewith is the appropriate ordinance for the change in zoning, which should be placed on first reading on the City Clerk's agenda for the January 22, 1974 City Commission meeting. At such time as the ordinance has been approved on first and second readings, it may be published.

JHG:CLN:bar
Attachment

January 16, 1974

Ralph Wuls, City Manager

Jack H. Galbraith, Chief Planner

S/D 72-36 - Ridge Plaza 3rd Addition -
Approval by the Governing Body of
Guarantees for Improvements Required
in Plat Approval

On July 31, 1973, the Board of City Commissioners approved the final plat of Ridge Plaza 3rd Addition, subject to the completion of all platting requirements, and instructed the Planning Department to withhold release of the plat tracing from recording until all conditions of the plat approval had been complied with.

Attached herewith are various instruments, petitions, easements, etc., which have been submitted by the applicant to satisfy the conditions of the plat approval, and said instruments should be placed on the agenda for formal approval and acceptance by the Board of City Commissioners at their regular meeting of January 22, 1974. It should also be noted that the paving petition for University Avenue has been signed by only 83.3% of the abutting landowners, and therefore, the City Engineer has sent the appropriate notice to affected landowners advising that this petition would be considered by the governing body on January 22, 1974.

The recommended action for the governing body to take is as follows:

"Accept the easement, covenants and dedications, approve the petitions, instruct the Director of Law to prepare the necessary resolutions and instruct the City Clerk to file the easement, covenants and dedications with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant."

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

JHG:CLN:ber

Attachments

cc: Dick Linn, City Engineer
M. S. Mitchell, Maintenance-Flood Control
William P. Higgins, Attorney,
313 1st Nat'l Bank Bldg. 67202

THE CITY OF WICHITA

Cart File



OFFICE OF THE CITY MANAGER
262-0611 — AREA CODE 316
CITY BUILDING — 204 S. MAIN ST.
WICHITA, KANSAS 67202

January 11, 1974

Mr. William P. Higgins
Suite 313
First National Bank Building
Wichita, Kansas 67202

Dear Mr. Higgins:

This is to acknowledge your request for an extension of time for filing the plat of Ridge Plaza Third Addition (MAPC Case S/D 72-36).

The Planning Department has advised that the plat is now ready for recording and recommends that a short extension of time for recording the plat be granted.

Accordingly, an extension of time of 15 days for filing the final plat is hereby granted in accordance with MAPC Policy No. 5.

Sincerely,

Ralph Wulz
Ralph Wulz
City Manager

RW/kmp

cc: Robert A. Lakin, Director of Planning ✓



NOTE:

\$100,000 - drainage
\$19,000 - Water line
extension

12-28-73

Received from Bill
Higgins cashier's check for
\$110,000 as guaranteed for
drainage ^{and water line extension} improvements
associated with Ridge
Plaza 3rd add.

The check has been placed
in the middle drawer of
the safe in the City Treas.
off. to hold until bond
is submitted replacing check.

The \$110,000 amount is the
estimate given by the
City Eng. *Newby*

January 7, 1974

Elmer Karstensen, Executive Assistant

Jack H. Galbraith, Chief Planner

S/D 72-36 - Ridge Plaza 3rd Addition - extension
of time in which to record plat.

We have reviewed the time extension for recording the above referred to plat request by William P. Higgins, attorney, in his letter to us.

As you will recall, the original action of the Board of City Commissioners in approving the plat, included a condition that the plat be recorded within 120 days after approval by the governing body. The 120 days has expired, but the plat is now ready for recording, and we are of the opinion, if the City Manager agrees, that a short extension of the recording time should be granted. We also feel that no action of the governing body would be required in granting the request.

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

JHG:CLN:rme

LAW OFFICES
OF
WILLIAM P. HIGGINS

SUITE 313
FIRST NATIONAL BANK BUILDING
WICHITA, KANSAS 67202
316/263-6148

December 21, 1973

Mr. Curtis Newby
City Planning Department
City Building Annex
104 South Main Street
Wichita, Kansas 67202



Re: Ridge Plaza Third Addition Plat

Dear Mr. Newby:

Examination of the letter setting out the conditions of the City Commission's approval of the above captioned plat indicates that we have gone beyond the time allowed for the recording of the plat.

This plat and the conditions surrounding the platting are very technical, as well as the conditions surrounding the request by the City Commission, as well as the Planning Commission, that negotiations for early acquisition by the State Highway Commission be pursued, all of which have caused us to need additional time to complete the recording of this plat. We have just this week obtained the new estimate for the costs of the water drainage system and we are in the process, hopefully, of completing the necessary bonding or letters of credit for purposes of finalizing of the requirements for obtaining the signature of the city officials on the plat and proceeding to go through the county. We would, therefore, request that the date required for recording of this plat be extended to the last day of February so that we will be certain we have everything completed.

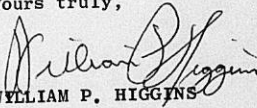
Any questions you or the City Manager have on the reasons for delay I would be happy to explain personally. However, I think you are familiar enough with this file to know the extensive requirements, and further know that we have not been dilatory in proceeding.

Mr. Curtis Newby
December 21, 1973
Page Two

I would appreciate your immediately notifying me of
your acceptance of this requested extension.

With kindest personal regards, I remain,

Yours truly,



WILLIAM P. HIGGINS

WPH/jsp

cc/ Mr. Ralph Wulz,
City Manager

AVIGATIONAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That for a good and valuable consideration, the receipt of which is hereby acknowledged, that Max L. Cole, Dody Cole, Daniel M. Carney, Beverly L. Carney, Alfred A. Caro, Louise A. Caro, David J. Cohen, Terry P. Duggins, James R. Burns, Margaret L. Burns, Bruce W. Buehler, Jacquelin R. Buehler, Steven E. Wickliff and Mimi Wickliff do hereby grant a permanent Avigational Easement to the public authority authorized by law to own and operate public-owned airports in Sedgwick County, Kansas, for the use of "navigable Airspace" as defined by the Federal Aviation Act of 1958, over all of the following described real estate, to-wit:

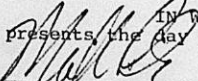
Commencing at a point on the west line of the NE 1/4 of Sec. 28, Twp. 27-S, R-1-W, and 1126.37 feet south of the N. W. Corner thereof; thence east parallel with the north line of said NE 1/4, 775 feet for a point of beginning, said point also being the point of curvature of a curve to the left having a central angle of 20°30' and a radius of 387.1 feet; thence northeasterly along said curve 138.5 feet to the point of tangency of said curve; thence northeasterly along the tangent of said curve 815 feet; thence southeasterly 1294.03 feet to a point 1981.5 feet south and 392 feet west of the N. E. corner of said NE 1/4; thence east parallel with and 1981.5 feet south of the north line of said NE 1/4, 392 feet to the east line of said NE 1/4; thence south along the east line of said NE 1/4, 360 feet more or less to a point 290 feet north of the S. E. corner of said NE 1/4, said point being the N. E. corner of Ridge Plaza Addition, Wichita, Kansas; thence west parallel with the south line of said NE 1/4 and along the north line of said Addition and extended west; 440 feet thence south parallel with and 65 feet west of the west line of Lot 1 in said Ridge Plaza Addition, 202.66 feet to the north line of US-54 Highway as recorded in Deed Book 1136 at page 113, thence westerly along the north right-of-way line of said US-54 as recorded in said Deed Book 1136 at page 113 and as condemned in Case A-38302, to a point 1010 feet east of the west line of said NE 1/4; thence north parallel with and 1010 feet east of the west line of said NE 1/4 252.95 feet more or less to a point 2346.77 feet south of the north line of said NE 1/4; thence west parallel with the north line of said NE 1/4, 235 feet thence north parallel with and 775 feet east of the west line of said NE 1/4, 1220.4 feet to the point of beginning.

By virtue of this easement, the grantors, for and on behalf of themselves and all successors in interest to any and all of the real property above described, waive as to the public authority only and all claims for damage of any kind whatsoever incurred as a result of aircraft using the "Navigable Airspace" granted herein. This easement does not grant or convey any surface use rights, nor is it to be construed to grant any right to private persons or corporations.

"Navigable Airspace" means air space above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, Section 101(24) 49 U. S. Code 1301 and shall include air space needed to insure safety in take-off and landing of aircrafts.

To have and to hold said easement forever.

IN WITNESS WHEREOF, the grantors have signed these presents, the day and year first written.


MAX L. COLE


DODY COLE

STATE OF MISSOURI)
COUNTY OF JACKSON) SS:

BE IT REMEMBERED, that on this 1st day of November 1973, before me a notary public in aforesaid county and state came Terry P. Duggins, a single person, to me known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Peggy E. Eyer
Notary Public



My commission expires:
13, 1975
STATE OF ARKANSAS)
COUNTY OF _____)

SS:

BE IT REMEMBERED, that on this _____ day of _____, 1973, before me a notary public in aforesaid county and state came James R. Burns and Margaret L. Burns, his wife, to me known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My commission expires:

RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING RIDGE PLAZA 3RD ADDITION

THIS DECLARATION made this _____ day of _____, 1973, by Max L. Cole, Dody Cole, Daniel M. Carney, Beverly L. Carney, Alfred A. Caro, Louise A. Caro, David J. Cohen, Terry P. Duggins, James R. Burns, Margaret L. Burns, Bruce W. Buehler, Jacquelin R. Buehler, Steven E. Wickliff, Mimi Wickliff, hereinafter called the Grantors.

WITNESSETH


WHEREAS, Grantors are the owners of Ridge Plaza 3rd Addition to Wichita, Sedgwick County, Kansas, which property is located near Wichita Municipal Airport and is accordingly subject to considerable noise from the operation of aircraft, and

WHEREAS, the City of Wichita in connection with approval of the plat of said addition considers it to be in the public interest to require any buildings constructed on said addition to be designed and constructed giving proper consideration to noise pollution in the area.

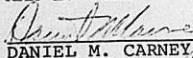
NOW THEREFORE, Grantor, hereby declares that Ridge Plaza 3rd Addition shall be and the same is subjected to the following restrictive covenant, to-wit:

Any building constructed on the premises shall be so designed and constructed as to minimize noise pollution in any such structure, giving due consideration to the use for which such structure is designed and built. This covenant is for the benefit of said property and shall run with the land and shall inure to the benefit of and pass with said property and shall apply to and bind the successors in interest and any owner thereof.


EXECUTED the day and year first above written.



MAX L. COLE



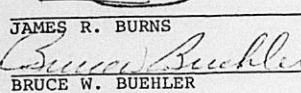
DANIEL M. CARNEY



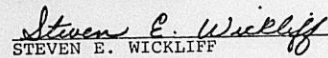
ALFRED A. CARO



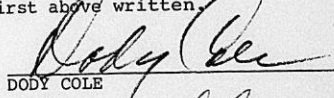
DAVID J. COHEN



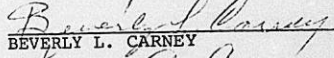
BRUCE W. BUEHLER




STEVEN E. WICKLIFF



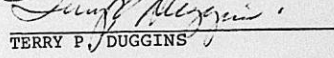
DODY COLE



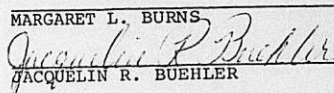
BEVERLY L. CARNEY



LOUISE A. CARO



TERRY P. DUGGINS



MARGARET L. BURNS



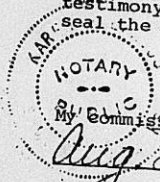
JACQUELIN R. BUEHLER



MIMI WICKLIFF

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

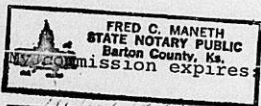
BE IT REMEMBERED, that on this _____ day of _____, 1973, before me a notary public in aforesaid county and state came Max L. Cole and Dody Cole, his wife, and Daniel M. Carney and Beverly L. Carney, his wife, and Alfred A. Caro and Louise A. Caro, his wife, and David J. Cohen, a single person, to me known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.



Steven J. LaRue
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF BARTON)

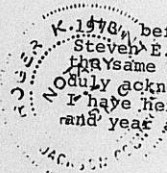
BE IT REMEMBERED that on this 22nd day of October, 1973, before me a notary public in aforesaid county and state came Bruce W. Buehler and Jacqueline R. Buehler, his wife, to me known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.



Fred C. Maneth
Notary Public

STATE OF KANSAS)
) SS:
COUNTY OF JOHNSON)

BE IT REMEMBERED, that on this 1ST day of NOVEMBER, 1978, before me a notary public in aforesaid county and state came Steven E. Wickliff and Mimi Wickliff, his wife, to me known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.



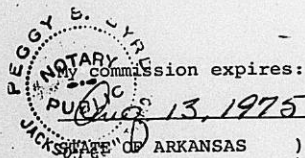
My commission expires:

April 17 1975

RKH
Notary Public
Roger K. Hunt

STATE OF MISSOURI) SS:
COUNTY OF JACKSON)

BE IT REMEMBERED that on this 1st day of November 1973, before me a notary public in aforesaid county and state came Terry P. Duggins, a single person, to me known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.



[Signature]
Notary Public

STATE OF ARKANSAS)
COUNTY OF _____) SS:

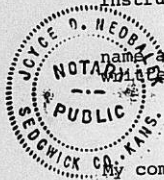
BE IT REMEMBERED that on this _____ day of _____, 1973, before me a notary public in aforesaid county and state came James R. Burns and Margaret L. Burns, his wife, to me known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My commission expires:

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 11th day of
November, 1973, came Raymond I. Adams 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 first above
written.

Joyce D. Hedbrink
Notary Public

My commission expires:
September 21, 1974

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 12th day of
November, 1973, came Ruth Adams Clark and Bernard F.
Clark 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 first above
written.

Joyce D. Hedbrink
Notary Public

My commission expires:
September 21, 1974

Submitted to the Wichita-Sedgwick County Metropolitan
Area Planning Commission and the Board of Commissioners of the City
of Wichita, Kansas, and approved by said Board of Commissioners
of the City of Wichita, Kansas, this _____ day of _____,
1973.

City Clerk

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Bowen H. Brady, Mary E. Brady, Dale F. Hecox, Norma J. Hecox, Raymond I. Adams, Ruth Adams Clark and Bernard F. Clark being the owners of the following described real estate in Sedgwick County, Kansas, to-wit:

Tract in the NE1/4, Sec. 28, Twp. 27-S, R-1-W, described as beginning at a point on the north line of said 1/4 Section, 1097 feet west of the N. E. Corner thereof; thence west along the north line of said 1/4 Section, 110 feet; thence south parallel with the east line of said 1/4 Section, 137.61 feet to the P. C. of a curve to the left having a central angle of 26°-19'-15" and a radius of 1338.04 feet; thence along said curve 614.86 feet to the P. T. of said curve; thence along tangent to said curve 115.13 feet to center line of University Avenue as platted in Ridge Plaza 3rd Addition Wichita, Kansas; thence with an angle to the left of 84°-42', a distance of 55.24 feet; thence with an angle to the right of 84°-42', a distance of 1294.03 feet to a point 1981.5 feet south and 392 feet west of the N. E. Corner of said 1/4 Section; thence east parallel with the north line of said 1/4 Section, 61.08 feet thence with an angle to the left of 115°-48', a distance of 1440.82 feet to the P. C. of a curve to the right having a central angle of 26°-19'-15" and a radius of 1228.04 feet; thence along said curve 564.14 feet to the P. T. of said curve; thence along tangent to said curve, 138.61 feet to the point of beginning.

do hereby dedicate the above described real estate to the public for drainage purposes.

Executed this 12th day of November, 1973.

Bowen H. Brady
Bowen H. Brady
Dale F. Hecox
Dale F. Hecox
Raymond I Adams
Raymond I Adams

Mary E. Brady
Mary E. Brady
Norma J. Hecox
Norma J. Hecox
Ruth Adams Clark
Ruth Adams Clark

Bernard F. Clark
Bernard F. Clark

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

BE IT REMEMBERED, that on this 23rd day of October 1973, came Bowen H. Brady and Mary E. Brady to me personally known to be the same persons 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.



James A. [Signature]
Notary Public

My commission expires:

September 21, 1974

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

BE IT REMEMBERED, that on this 22nd day of
October, 1973, came Dale F. Hecox and Norma J.
Hecox to me personally known to be the same persons 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.

Joyce D. Nedbalek
Notary Public

My commission expires:

September 21, 1974

STATE OF KANSAS SS:
SEDGWICK COUNTY

BE IT REMEMBERED, that on this 11th day of
November, 1973, came Raymond I. Adams 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.

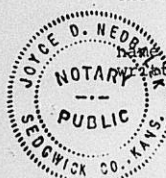
Joyce D. Nedbalek
Notary Public

My commission expires:

September 21, 1974

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 12th day of
November, 1973, came Ruth Adams Clark and Bernard F.
Clark 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.

Joyce D. Nedbalek
Notary Public

My commission expires:

September 21, 1974

Submitted to the Wichita Sedgwick County Metropolitan Area Planning
Commission and the Board of Commissioners of the City of Wichita,
Kansas, and approved by said Board of Commissioners of the City of
Wichita, Kansas, this _____ day of _____, 1973.

City Clerk

American Land Title Association Commitment — 1966

NUMBER

Y-24,275

COMMITMENT FOR TITLE INSURANCE

Issued by

ST. PAUL TITLE INSURANCE CORPORATION

St. Paul Title Insurance Corporation, a Missouri corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate three months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

This Commitment shall not be valid or binding until Schedules A and B are countersigned by an authorized signatory.

IN WITNESS WHEREOF, St. Paul Title Insurance Corporation has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A.

Attest:

Ray L. Potter
Secretary



ST. PAUL TITLE INSURANCE CORPORATION

Fred H. Benson
President



CONDITIONS AND STIPULATIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

COMMITMENT FOR PLATTING

SCHEDULE A

Commitment
No. **Y-24,275**

1. Effective date: **December 26, 1973 @ 7:00 A.M.**

2. Policy or Policies to be issued:

Amount

(a) <input checked="" type="checkbox"/> ALTA Owner's Policy	Form A — 1970 (Amended 10-17-70).....	\$.....
	Form B — 1970 (Amended 10-17-70).....	Not to exceed \$250.00

Proposed Insured: **The City of Wichita, a municipal corporation**

(b) ALTA Loan Policy — 1970 (Amended 10-17-70)..... \$.....

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is a **fee simple**.

4. Title to the **fee simple** estate or interest in said land is at the effective date hereof vested in:

See EXHIBIT #1, SCHEDULE A, attached and incorporated herewith.

5. The land referred to in this Commitment is situated in the **County** of **Sedgwick**,
State of **Kansas**, and is described as follows:

See EXHIBIT #2, SCHEDULE A, attached and incorporated herewith.

FIDELITY TITLE COMPANY, INC.
WICHITA, Kansas

.....
Authorized Signatory

This Commitment valid only if Schedule B is attached.

EXHIBIT # 1

SCHEDULE A

4. (Continued)

Fee simple title vested in:

Max L. Cole; Alfred A. Caro; Bruce W. Buehler; David J. Cohen; Terry P. Duggins; and Steven E. Wickliff, being all of the ventures in that certain Joint Venture known as Ridge Plaza Associates) as to the proposed Lot 1 in Ridge Plaza 3rd Addition, Wichita);

Fee simple title vested in:

Max L. Cole; and Daniel M. Carney (as to the proposed Lots 2 and 3, Ridge Plaza 3rd Addition, Wichita);

Fee simple title vested in:

Max L. Cole (as to the proposed Lot 4, Ridge Plaza 3rd Addition, Wichita).

EXHIBIT # 2

SCHEDULE A

5. (Continued)

LEGAL DESCRIPTION:

Commencing at a point on the west line of the NE $\frac{1}{4}$ of Sec. 28, Twp. 27-S, R-1-W, and 1126.37 feet south of the N. W. Corner thereof; thence east parallel with the north line of said NE $\frac{1}{4}$, 775 feet for a point of beginning, said point also being the point of curvature of a curve to the left having a central angle of 20° 30' and a radius of 387.1 feet; thence northeasterly along said curve 138.5 feet to the point of tangency of said curve; thence northeasterly along the tangent of said curve 815 feet; thence southeasterly 1294.03 feet to a point 1981.5 feet south and 392 feet west of the N. E. Corner of said NE $\frac{1}{4}$; thence east parallel with and 1981.5 feet south of the north line of said NE $\frac{1}{4}$, 392 feet to the east line of said NE $\frac{1}{4}$; thence south along the east line of said NE $\frac{1}{4}$, 360 feet more or less to a point 290 feet north of the S. E. Corner of said NE $\frac{1}{4}$, said point being the N. E. Corner of Ridge Plaza Addition, Wichita, Kansas; thence west parallel with the south line of said NE $\frac{1}{4}$ and along the north line of said Addition and extended west, 440 feet; thence south parallel with and 65 feet west of the west line of Lot 1 in said Ridge Plaza Addition, 202.66 feet to the north line of US-54 Highway as recorded in Deed Book 1136 at page 113; thence westerly along the north right-of-way line of said US-54 as recorded in said Deed Book 1136 at page 113 and as condemned in case A-38302, to a point 1010 feet east of the west line of said NE $\frac{1}{4}$; thence north parallel with and 1010 feet east of the west line of said NE $\frac{1}{4}$, 252.95 feet more or less to a point 2346.77 feet south of the north line of said NE $\frac{1}{4}$; thence west parallel with the north line of said NE $\frac{1}{4}$, 235 feet; thence north parallel with and 775 feet east of the west line of said NE $\frac{1}{4}$, 1220.4 feet to the point of beginning.

To be platted into an addition to be known as:

RIDGE PLAZA 3RD ADDITION,
Wichita, Kansas

SCHEDULE B

Commitment
No. Y-24,275

I. The following are the requirements to be complied with:

- a. Payment to or for the account of the persons entitled thereto of the full consideration for the estate or interest and mortgage thereon covered by said policy or policies of title insurance.
- b. Instruments in insurable form creating the estate or interest and mortgage thereon to be insured which must be executed, delivered, and duly filed for record:

1. Procure and file a properly approved plat of

RIDGE PLAZA 3RD ADDITION, Wichita, Kansas,

to be executed by the fee simple owners and Amarado Investment Company, Inc. and Wichita State Bank, as Mortgagees.

II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. The lien of the General Taxes for the year 19...74....., and thereafter. (1973 Taxes show paid on Key Numbers listed on Exhibit #3, Schedule B attached and incorporated herewith)
3. The lien of any Special Taxes or Assessments ~~shown on the plat~~
4. ~~Rights of the owners, donees, or other parties to the property or any part thereof~~
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Survey: Any encroachments, measurements, party walls, or other facts which a correct survey of the premises would show. (This Commitment is given for Platting purposes; therefore, the rec- ordation of plat would advise as to the consideration and matters of Survey. for parties or encroachments make exceptions for Mechanic Liens, parties in pos- session or encroachments)
7. Easements, or claims of easements, not shown by the public records.
8. Rights or claims of parties in possession not shown by the public records.
9. Roads, ways or streams, if any, not shown by the public records.
10. Rights claimed in appliances or personal property attached or unattached to the real estate or buildings.
11. Covenants, Conditions and Restrictions: dated April 27, 1970; filed May 7, 1970; in Book Misc. 666 at page 484, covering beginning at a point 290 feet North and 110 feet West of the SE corner of the NE $\frac{1}{4}$ of Section 28, Township 27 South, Range 1 West; thence West parallel with the South line of said NE $\frac{1}{4}$, 330 feet; thence North 38.9 feet; to the North line of the South half of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 28; thence East along said North line 330 feet; thence South 38.9 feet to beginning.

---- CONTINUED ----

FIDELITY TITLE COMPANY, INC.
Wichita, Kansas

Schedule B of this Commitment consists of 4 pages.

Authorized Signatory

SCHEDULE B

Y-24,275

2. (Continued)

TAX INFORMATION (KEY NUMBERS)

D-294-A-UP
D-294-A1-UP
D-294-C-UP
D-294-C-2-UP
D-294-C3-UP
D-294-F-UP
D-294-F1-UP
D-294-G-UP
D-294-G1-UP
D-294-H-UP
D-294-J-UP
D-294-J-1UP
D-294-K-UP
D-294-K-1-UP
D-294-P-UP
D-294-Q-UP

SCHEDULE B

Y-24,275

12. Abutter's rights of access taken by the State for Highway purposes over and across a line described as beginning at a point on the North right of way line of Highway U.S. 54, 15.0 feet West and 50.6 feet North of the Southeast corner of the Northeast Quarter of Section 28, Township 27 South, Range 1 West; first course; thence West along said right of way line 1140.0 feet to a point 42 feet North of the South line of said Quarter Section, as condemned in District Court of Sedgwick County, Kansas, Case No. A-72140.
13. Easement to W. R. Azim, Fred E. Stevens and Raymond E. Stevens, for a temporary easement for the location, construction and maintaining a septic tank and lateral lines pertaining the reto over and upon the West 110 feet of the East 615.03 feet of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28, Township 27 South, Range 1 West, to be used in common with the owners or tenants of the balance of Ridge Plaza Addition, until such time as the sewer lines are made available for the connecting to the sewer system all as set forth in instrument dated January 23, 1970, executed by Robert T. Feagins and Lowana Rae Feagins, his wife, and Robert V. Kirsch and Mary Gertrude Kirsch, his wife, and Don E. Satterthwaite and Maricharles Satterthwaite, his wife; filed January 26, 1970; in Book Misc. 660 at page 57.
14. Easement to the City of Wichita for sewer purposes over 20 feet on both sides of the following described center line: Beginning at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 28, Township 27 South, Range 1 West of the 6th P.M.; thence West 50 feet; thence South parallel with the East line of said Northeast Quarter to the North line of Ridge Plaza Addition; thence West parallel with and 290 feet North of the South line of said Northeast Quarter to a point 750 feet East of the West line of said Northeast Quarter; thence North parallel with the West line of said Northeast Quarter a distance of 175 feet; thence West parallel with the South line of said Northeast Quarter to the West line of said Northeast Quarter, except road right of way and except that part platted as Ridge Plaza Second Addition; also a 25 foot temporary construction easement adjacent to and on the right side of the above described permanent easement except that portion occupied by a permanent structure. Said temporary construction easement shall expire upon completion of the sewer, as created by instruments dated June 1, 1971; filed June 17, 1971; in Book Misc. 691 at page 367; page 368, page 407, and Book Misc. 693 at page 35.
15. It is noted for informational purposes that captioned property will become subject to special assessments for Submain 4, Southwest Interceptor Sewer, as set forth in City of Wichita Ordinance No. 31-690; filed July 9, 1971; in Book Misc. 693, page 29.

---- CONTINUED ----

SCHEDULE B

Y-24,275

16. Any Restrictive Covenants to be imposed subsequent to recordation of the Plat.
17. Any Easements, streets or right of ways to be dedicated to the public including but not limited to all abutter's rights or access to any streets, drainage right of ways, public utilities, approval of elevation or other restrictive matters that may be reserved, dedicated or granted in the recorded plat.
18. Subject to the terms and conditions of the Mortgage by Max L. Cole and Dody Cole, husband and wife, to Amarado Investment Company, Inc.; dated July 11, 1972; filed July 13, 1972 at 4:10 P.M. (1 20452); as recorded in Book 23 at page 462 in the original amount of \$500,000.00.
19. Subject to the terms and conditions of the Mortgage by Max L. Cole and Dody Cole, husband and wife; and Daniel M. Carney and Beverly Lee Carney, husband and wife; to Wichita State Bank; dated November 20, 1972; filed November 24, 1972 @ 8:05 A.M. (1 35449); as recorded in Book 39 at page 1067; in the original amount of \$75,000.00.

Authorized Signatory

42015 SBC Ed. 8-67 Printed in U.S.A.

7

RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING RIDGE PLAZA 3RD ADDITION

THIS DECLARATION made this 8th day of December, 1973, by MAX L. COLE, Trustee, hereinafter called Grantor.

WITNESSETH:

WHEREAS, Grantor is owner of Ridge Plaza 3rd Addition to Wichita, Sedgwick County, Kansas, which property is located in or near an area subject to possible future highway improvements; and

WHEREAS, the City of Wichita, in connection with approval of the plat of said Addition, considers it to be in the public interest to require that no permanent structures or buildings be constructed on a portion of said Addition which is being considered for future highway right-of-way use for an interchange at U.S. 54 Highway and Ridge Road;

NOW, THEREFORE, Grantor hereby declares that Ridge Road 3rd Addition shall be and the same is subjected to the following restrictive covenant, to-wit:

No permanent structures or buildings shall be constructed upon that portion of Ridge Plaza 3rd Addition described in Exhibit "A" herewith attached, before January 1, 1974 or until a final right-of-way plan for said interchange has been approved by the appropriate agencies, whichever shall first occur. This covenant shall run with the land and shall bind the successors and assigns thereof; and shall remain in full force and effect for the length of time and under the conditions heretofore specified. Upon the fulfillment of the conditions heretofore described, this covenant shall become automatically and without further notice, null and void.


MAX L. COLE, Trustee

GRANTOR

STATE OF KANSAS, SEDGWICK COUNTY, ss:

BE IT REMEMBERED, that on this 8th day of December, 1973, before me, a notary public in and for said county and state, came MAX L. COLE, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My Commission expires:

8-6-77

Jean Pritchard
Notary Public



EXHIBIT "A"

Beginning at a point on the East line and 290 feet North of the SE corner of the NE 1/4 of Section 28, T27S, R1W of the 6th P.M., thence along the East line of said NE 1/4 bearing N 0° 02' 30" W a distance of 133.1 ft., thence bearing S 89° 26' 30" W a distance of 60 feet to the SE corner of Lot 4, Ridge Plaza 3rd Addition, Wichita, Kansas, thence bearing N 57° 30' 00" W a distance of 174.56 feet, thence bearing N 26° 21' 30" W a distance of 146.25 feet to a point in the North line of said Lot 4, thence along the north line of said Lot 4 bearing S 89° 26' 30" W a distance of 120 feet to a point 1981.5 feet South and 392 feet West of the NE corner of the NE 1/4 of said Section 28, thence bearing N 26° 21' 30" W a distance of 780 feet, thence bearing S 27° 40' 00" W a distance of 452.8 feet to the P.C. of a curve to the right, thence along said curve to the right having a radius of 1,145.92 feet through a central angle of 17° 10' 00" a distance of 343.33 feet, thence bearing S 44° 50' 00" W a distance of 675.58 feet to a point 1010 feet East of the West line of said NE 1/4, thence South parallel with the West line of said NE 1/4 and bearing S 0° 00' 00" W a distance of 172.95 to a point in the North line of the U.S. 54 Highway as recorded in Deed Book 1136 Page 113, and as condemned in Case A-38302, thence East along the North line of said U.S. 54 Highway to a point 65 feet West of the West line of Lot 1, Ridge Plaza Addition, thence parallel to and 65 feet West of the West line of Lot 1, Ridge Plaza Addition and bearing N 0° 02' 30" W a distance of 202.66 feet, thence East parallel with the South line of the NE 1/4 of said Section 28, bearing N 89° 12' 15" E a distance of 440 feet to the point of beginning.

Excepting from the above description Ridge Road and Kellogg Drive Street right-of-ways and the drainage dedication as shown in Ridge Plaza 3rd Addition, Wichita, Kansas.

11-28-73

Bill Heggens come into office this date to submit petitions, plat tracing, covenants etc.. Items yet to be completed

- A. ~~Submission of Temporary building setback instrument~~
- B. Guarantee for extension of City Water to serve Lot 4
- C. Guarantee for drainage channel improvement
- D. Letter from Flood Control to be signed by applicant agreeing to additional drainage dedication north of north line of Lot 1.
- E. Title & tax opinions.

Heggens advised me he would submit building setback instrument & letters of credit for the guarantees as quickly as possible.

Wentley

DRAFT

Note: copy sent to Ball
Heggen 10-23-72

RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING RIDGE PLAZA 3RD ADDITION

THIS DECLARATION made this _____ day of _____,
hereinafter called the GRANTOR.

WITNESSETH

WHEREAS, Grantor is owner of Ridge Plaza 3rd Addition to Wichita, Sedgwick County, Kansas, which property is located in or near an area subject to possible future highway improvements; and

WHEREAS, the City of Wichita, in connection with approval of the plat of said Addition, considers it to be in the public interest to require that no permanent structures or buildings be constructed on a portion of said Addition which is being considered for future highway right-of-way use for an interchange at U. S. 54 Highway and Ridge Road.

NOW, THEREFORE, Grantor hereby declares that Ridge Road 3rd Addition shall be and the same is subjected to the following restrictive covenant, to-wit:

No permanent structures or buildings shall be constructed upon that portion of Ridge Plaza 3rd Addition described in "Exhibit A", herewith attached, before January 1, 1974 or until a final right-of-way plan for said interchange has been approved by

the appropriate agencies, whichever shall first occur. This covenant shall run with the land and shall bind the successors and assigns thereof; and shall remain in full force and effect for the length of time and under the conditions heretofore specified. Upon the fulfillment of the conditions heretofore described, this covenant shall become automatically and without further notice, null and void.

Notary Witness and Seal

"EXHIBIT A"

Beginning at a point on the East line and 290 feet North of the SE corner of the NE 1/4 of Section 28, T27S, R1W of the 6th P.M., thence along the East line of said NE 1/4 bearing N 0° 02' 30" W a distance of 133.1 ft., thence bearing S 89° 26' 30" W a distance of 60 feet to the SE corner of Lot 4, Ridge Plaza 3rd Addition, Wichita, Kansas, thence bearing N 57° 30' 00" W a distance of 174.56 feet, thence bearing N 26° 21' 30" W a distance of 146.25 feet to a point in the North line of said Lot 4, thence along the North line of said Lot 4 bearing S 89° 26' 30" W a distance of 120 feet to a point 1981.5 feet South and 392 feet West of the NE corner of the NE 1/4 of said Section 28, thence bearing N 26° 21' 30" W a distance of 780 feet, thence bearing S 27° 40' 00" W a distance of 452.8 feet to the P.C. of a curve to the right, thence along said curve to the right having a radius of 1,145.92 feet through a central angle of 17° 10' 00" a distance of 343.33 feet, thence bearing S 44° 50' 00" W a distance of 675.58 feet to a point 1010 feet East of the West line of said NE 1/4, thence South parallel with the West line of said NE 1/4 and bearing S 0° 00' 00" W a distance of 172.95 to a point in the North line of the U.S. 54 Highway as recorded in Deed Book 1136 page 113 and as condemned in Case A-38302, thence East along the North line of said U.S. 54 Highway to a point 65 feet West of the West line of Lot 1, Ridge Plaza Addition, thence parallel to and 65 feet West of the West line of Lot 1, Ridge Plaza Addition and bearing N 0° 02' 30" W a distance of 202.66 feet, thence East parallel with the South line of the NE 1/4 of said Section 28, bearing N 89° 12' 15" E a distance of 440 feet to the point of beginning. Excepting from the above description Ridge Road and Kellogg Drive Street right-of-ways and the drainage dedication as shown in Ridge Plaza 3rd Addition, Wichita, Kansas.

ROBERT B. DOERING, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant Director of Highways
JOHN D. McNEAL, State Highway Engineer



ROBERT P. HAGEN
Lawrence, Kansas
BOB KENT
Salina, Kansas
HENRY SCHWALLER
Hays, Kansas
KARL A. BRUECK
Topeka, Kansas
GALE MOSS
St. Joseph, Kansas
LOUIS KAMPSCHROEDER
Garden City, Kansas

916 North,
STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

August 24, 1973

(BC) 54-87-U 038-3 (35)
Sedgwick County
(Seville Avenue to Hoover Road)
Ridge Plaza 3rd Addition

Wichita-Sedgwick County
Metropolitan Area Planning Dept.
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Attention: Robert A. Lakin, Director of Planning

Dear Mr. Lakin:

As requested in your letter of August 1, 1973, we are sending you a print of Ridge Plaza 3rd Addition with the legal description of the total approximate right-of-way required to construct any of the three Ridge Road interchange designs. The right-of-way as described is shown in red on the enclosed print.

Please advise us if any additional information is required.

Very truly yours,

GLENN ANSCHUTZ, P. E.,
ENGINEER OF DESIGN,

By: *Dale L. McGregor*
DALE L. MCGREGOR, P. E.,
Squad Leader,
CONSULTING SERVICES SECTION

DLMcG/lb
Att.

cc: Mr. J. O. Adams, Asst. State Highway Engineer
Right-of-Way Department
Mr. C. H. Price, Engineer of Consulting Services



August 1, 1973

Mr. John D. McNeal
State Highway Engineer
State Highway Commission
State Office Building
Topeka, Kansas 66612

Re: U. S. 54 - I-235 to Seville
(BC) 54-87 U-038-3(35)
RIDGE PLAZA 3RD ADDITION

Dear Mr. McNeal:

Ridge Plaza 3rd Addition, located north of U. S. 54 and west of Ridge Road, was presented to the Board of City Commissioners on July 31, together with the recommendation of the Metropolitan Area Planning Commission. By a vote of 3 to 0 (two members absent), the Board of City Commissioners approved the plat as recommended by the Planning Commission, subject to its being recorded in 120 days rather than 30 days.

This action requires the applicant to establish temporary setback lines at the extremes of the estimated right-of-way lines for the three design alternates. This setback line is to extend to not later than January 12, 1974. In order to do this, we will need a legal description describing those rights-of-way. I know they have not been definitely set, but we will need something legally definable for use during this time period.

During the discussion by the Board of City Commissioners, it was expressly stated that they were hopeful that the State would proceed immediately as to acquisition. Should action not be taken quickly, one Commissioner suggested the plat be returned for reconsideration of removing Condition A.

Please advise if there is any additional information needed concerning this plat or action by the Metropolitan Area Planning Commission or Board of City Commissioners.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber
Attachment:

Page 2 - Mr. John D. McNeal
August 1, 1973

cc: J. O. Adams, State Highway Department, State Office Building,
Topeka, Kansas 66612 w/a
R. W. Morrissey, Division Engineer, Federal Highway
Administration, 1263 Topeka Avenue, Topeka, Kansas 66612 w/a
Carl Knop, Professional Engineering Consultants, 1440 East
English, Wichita, Kansas 67211 w/a
William P. Higgins, Attorney, 313 First National Bank
Building, Wichita, Kansas 67202 w/a

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number	72-36	Name	RIDGE PLAZA 3RD ADDITION	
Application Filed:	4-10-72	Sketch Filed:	None Submitted	
Preliminary Plat Filed:	4-10-72	Approved by S/D:	4-20-72	
Final Plat Filed:		Approved by S/D:	6-21-73	
Approved by Metropolitan Area Planning Commission:			7-12-73	

DESCRIPTION

General Location: West side of Ridge Road between Kellogg and Maple

Surveyor or Engineer: Baughman Company
Owner: Max Cole, et al.
Address: 625 Sutton Place 67202

- | | |
|------------------------------------|---------------------------------|
| 1. Gross Acreage of Plat _____ | 5. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. 35 R/W 2,000 ft. |
| Residential _____ | b. 10 R/W 1,200 ft. |
| Commercial _____ 4 _____ | c. 75 R/W 23 ft. |
| Industrial _____ | d. 30 R/W 340 ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots: 4 _____ | TOTAL 3,563 ft. |
| 3. Minimum Lot Frontage: 157.9 ft. | 6. Existing Zoning: "AA" & "LC" |
| 4. Minimum Lot Area 37,762 sq.ft. | |

Planning Commission Recommendation:

That this plat be approved, subject to: (See attached sheet for conditions of approval.)

Blakey moved, Hill seconded and it carried unanimously as to those voting. Gardenhire abstained. (Arnholz and Rising absent.)

NOTE: Excerpts of Planning Commission minutes related to this subdivision for the meetings of June 28, 1973 and July 12, 1973, have been provided the Board of City Commissioners.

NOTE: The associated cases, Zone Case Z-1192, "AA" to "A", "B" and "LC" and Community Unit Plan DP-37, were approved by the Board of City Commissioners on September 1, 1970.

NOTE: William Higgins, the applicant's attorney, has requested that this plat be considered by the Board of City Commissioners prior to the applicant complying with the conditions of approval, as they are desirous of discussing Condition A.

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

Conditions of Approval - S/D 72-36 - RIDGE PLAZA 3RD ADDITION

- 6/29*
The applicant shall submit, in the form of a separate instrument, a temporary building setback line on subject plat which shall coincide with the maximum right-of-way line needed for the proposed Ridge Road-West U.S. 54 Highway interchange as proposed on the three alternate design plans being developed by the consulting engineer on the West U. S. 54 Highway redevelopment project. The instrument shall be drawn so as to provide for the temporary building setback to remain in effect for a maximum of six months to January 12, 1974, or in the event a design proposal is adopted and approved by Federal, State and local authorities which does not require a highway interchange within the area of subject property covered by the temporary building setback, prior to the six months time limit, said setback would automatically become null and void. The applicant's attorney should contact the Planning Department regarding an appropriate description for said setback line.
- 6/29*
Only half-street right-of-way has been provided for University Avenue. This will not permit said street to be opened, improved or maintained, therefore, the applicant shall obtain the balance of the right-of-way at this time.
- 6/29*
"Complete access control" shall be indicated adjacent to the south 23.41 feet of Ridge Road on subject plat with appropriate wording in the plat's text.
- 6/29*
petitioned
The applicant shall install or guarantee the paving of Kellogg Drive, Holland Street, University, and the construction of an acceleration-deceleration lane adjacent to Ridge Road.
- 6/29*
All references made in the plat's text to the "drainage" shall be amended to read as the "drainage dedication".
- 6/29*
The Mayor's name shall be amended to read as "James M. Donnell".
- 6/29*
A 10-foot utility easement shall be indicated adjacent to the west lines of Lots 2 and 3.
- 6/29*
The 20-foot sewer easement indicated on the plat shall be relabeled as a 20-foot utility easement.
- 6/29*
The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.
- 6/29*
see Mr. Green re this
The applicant shall submit by separate instrument the balance of the drainage dedication for the drainage channel north of the north line of Lot 1.
- 6/29*
have bank check \$10,000
The applicant shall guarantee the improvement of all of the proposed drainage channel crossing subject property and the applicant and/or his surveyor shall contact M. S. Mitchell of the Maintenance Division of the Department of Public Works regarding said guarantee, and relative to adjustments in the southern portion of the drainage right-of-way dimensions at Ridge Road, and dimensions indicated on the plat.
- 6/29*
for cash guarantee \$10,000
The applicant shall contact the Water Department and make satisfactory arrangements for the extension of City water to serve Lot 4.
- 6/29*
petitioned
The applicant shall install or guarantee installation of sidewalks adjacent to the north side of Kellogg Drive, the east side of Holland Street, the south side of University Avenue and the west side of Ridge Road; the total estimated construction cost to be in the amount of \$10,905.

- The applicant shall be advised that the sidewalk construction will be required at the time of final building inspection when the sidewalk has been required as a condition of plat approval.
- Recording of the plat within 30 days after approval by the Board of City Commissioners.

July 16, 1973

Mr. J. O. Adams
Kansas State Highway Department
State Office Building
Topeka, Kansas 66612

Re: S/D 72-36 - Final Plat of
RIDGE PLAZA 3RD ADDITION
Northwest corner of Ridge
Road and U. S. 54

Dear Mr. Adams:

Bob Lakin asked that I advise you that the Planning Commission considered the above-captioned plat at their regular meeting on July 12, 1973. You will recall that the Subdivision Committee of the Planning Commission had recommended that the applicant be required to submit, in the form of a separate instrument, a temporary building setback line on subject plat which would coincide with the maximum right-of-way line needed for the proposed Ridge Road/West U. S. 54 interchange as proposed on the three alternate design plans being developed by Professional Engineering Consultants on the West U. S. 54 redevelopment proposal. As recommended, the setback was to be reserved for a period of two years.

This is to advise you that the action of the Planning Commission was to require the instrument for the setback, however, the Planning Commission set the date of the setback to expire in six months from their meeting, to January 12, 1974 rather than the recommended two year period.

The date for forwarding this plat on to the Board of City Commissioners has not yet been determined as Mr. Higgins is in Federal court. We will advise you as to the action of the City Commission relative to this plat.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

July 13, 1973

Mr. William P. Higgins
Attorney at Law
313 First National Bank Building
Wichita, Kansas 67202

Re: S/D 72-36 - Final Plat of
RIDGE PLAZA 3RD ADDITION

Dear Mr. Higgins:

At the regular meeting of the Metropolitan Area Planning Commission on July 12, 1973, the above-captioned plat was re-considered. It was the action of the Commission to approve the plat as recommended by the Subdivision Committee, subject to the conditions listed in our letter to Baughman Company dated June 25, 1973, except that for Condition A the separate instrument to be submitted for the temporary building setback line is to be for a period of 6 months to January 12, 1974.

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. Compliance with the requirements of the Metropolitan Area Planning Commission.
2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Certification by an attorney that fee title is vested in the platlor.
4. Certification that all taxes due and payable for 1972 and prior years have been paid.

As we had previously discussed and inasmuch as you are in Federal court for the next several weeks, you indicated that you would advise me at such time as you desire that the plat be forwarded on to the Board of City Commissioners for their consideration. I was under the impression that there were several of the conditions that you were not desirous of complying with prior to the City Commission consideration of this case. Would

Page 2 - Mr. William P. Higgins
July 13, 1973

appreciate your advising me as to those conditions and the date
that you are desirous of setting this application for City Com-
mission consideration.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Baughman Company, 330 Laura 67211
Max Cole, et al., 626 Sutton Place 67202
Bowen Brady and Dale Hecox, 6405 East Kellogg 67207
Jay Samra, 209 South Sycamore 67213
Dean Sellers, Assistant City Engineer

● ATTENDANCE RECORD ●

Amby

Date: 7-5-73
 Time: 10:30 AM
 Place: MAFC Room
 Meeting Arranged By: MAFC
 Purpose: Report 7/22/73

Name	Organization	Address
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>Suburban Co.</i>	
<i>[Handwritten Name]</i>	<i>-</i>	
<i>[Handwritten Name]</i>	<i>-</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	
<i>[Handwritten Name]</i>	<i>MAFC</i>	

Name	Organization	Address
Ray Bruggeman Phone:	City of Wichita	
PAUL GRAVES Phone:	" " "	
JACK Turner Phone:	Sedgwick County	
Ted H. Hill Phone:	Jesynick Co. K	
Bill Howard Phone:	FHWA	Topeka
William J. Higgins Phone:	atly	Wichita
Mike [unclear] Phone:	Owner	Wichita
Marjorie L. Taylor Phone:	MAPC	
Carl O. Knop Phone:	P.E.C.	Wichita
Joe Sladky Phone:	MAPC	Wichita
Curtis L. Newby Phone:	MAPD	
Jack Balbrath Phone:	MAPD	
Phone:		
Phone:		
Phone:		
Phone:		

LAW OFFICES
OF
WILLIAM P. HIGGINS

SUITE 313
FIRST NATIONAL BANK BUILDING
WICHITA, KANSAS 67202
316/263-6148

July 5, 1973

Metropolitan Area Planning Commission
City of Wichita
City Annex Building
Wichita, Kansas

Attn: Robert Lakin

Re: S/D 72-36-Final Plat of
Ridge Plaza 3rd Addition

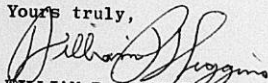
Dear Mr. Lakin:

Subsequent to our off-the-record meeting with members of the Planning Commission, County Commission, State Highway Department, City and County Legal Counsel and my client, had this morning at 10:30, I am writing this letter to advise you that I will not be able to appear at the next Planning Commission meeting this coming Thursday, at which time this plat is to return to the agenda. I am further taking this opportunity to advise you that I have said everything at the previous meeting that I could possibly say regarding my feelings as to the unconstitutionality of these delays and requirements being made on this plat relative to the future location of the U. S. 54 West Interchange which effects my clients property in the extreme.

One point that I would request you relate to the Commission at the time you present this plat, other than your usual recap of the position of all parties in matters such as this, is that we respectfully request this plat not be deferred but that they do whatever they decide to do and forward it on to the City Commission.

I wish to thank you in advance for your consideration in this matter.

Yours truly,


WILLIAM P. HIGGINS

WPH: jkb

cc: Max L. Cole



June 29, 1973

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Robert A. Lakin, Director of Planning

S/D 72-36 - Final Plat of
RIDGE PLAZA 3RD ADDITION

As requested by the Planning Commission, I have contacted the State Highway Department and asked for a meeting to discuss the status of highway plan designs and their relation to the above plat. Mr. Higgins has asked that the meeting be held prior to his commencing an extended trial which begins, I believe, on July 9. Accordingly, I have arranged for the meeting to be held here in Wichita on July 5 at 10:30 a.m. in the Planning Commission room. The State will have people available at that time and the attorney will have his client available also. Although this is not a normal meeting time, I am hopeful that the entire Commission can make itself available for this meeting.

RAL:ber

cc: William P. Higgins, 313 1st National Bank Building,
Wichita, Kansas 67202
J. O. Adams, State Highway Department, State
Office Building, Topeka, Kansas 66612

June 29, 1973

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

S/D 72-36 - Final Plat of
RIDGE PLAZA 3RD ADDITION

In considering the plat of Ridge Plaza 3rd Addition at the northwest corner of U. S. 54 and Ridge Road, the Planning Commission deferred action, and asked that a meeting be held with State officials relative to the affect of highway proposals on the plat. Although this may conflict with budget or other sessions, I would request that those who receive this memo who might be available be present to assist in the meeting. In particular, we may need some legal advice in connection with the proposed condition to extend setback lines as we did three years ago and to answer questions concerning extension of time for zoning since the plat was to have been filed in order to make the zoning effective.

I would be happy to discuss further details, particularly with the Law Department.

RAL:ber

cc: Ray Bruggeman, Director of Public Works
Dick Linn, City Engineer
Paul Graves, City Traffic Engineer
Grover McLure, County Engineer
John Dekker, Director of Law

June 29, 1973

Mr. William P. Higgins
Attorney at Law
313 First National Bank Building
Wichita, Kansas 67202

Re: S/D 72-36 - Final Plat of
RIDGE PLAZA 3RD ADDITION

Dear Mr. Higgins:

At the regular meeting of the Metropolitan Area Planning Commission on June 28, 1973, the above-captioned plat was considered. It was the action of the Commission to defer a decision on this case for two weeks so that a meeting could be scheduled with the State Highway Officials to review plans and time schedules for public hearings. We will keep you advised as to the scheduling of this meeting.

This plat will be placed on the agenda for Planning Commission further consideration at their next regular meeting on July 12, 1973, the meeting to start at 1:30 p.m. in Room 401 City Building Annex, 104 South Main.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Baughman Company, 330 Laura 67211
Max Cole, et al., 626 Sutton Place 67202
Bowen Brady and Dale Hecox, 6405 East Kellogg 67207
Dean Sellers, Assistant City Engineer

June 25, 1973

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 72-36 - Final Plat of
RIDGE PLAZA 3RD ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, June 21, 1973, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The applicant shall submit, in the form of a separate instrument, a temporary building setback line on subject plat which shall coincide with the maximum right-of-way line needed for the proposed Ridge Road-West U.S. 54 Highway interchange as proposed on the three alternate design plans being developed by the consulting engineer on the West U. S. 54 Highway redevelopment project. The instrument shall be drawn so as to provide for the temporary building setback to remain in effect for a maximum of two years from the date of approval of the plat by the Board of City Commissioners, or in the event a design proposal is adopted and approved by Federal, State and local authorities which does not require a highway interchange within the area of subject property covered by the temporary building setback, prior to the two year time limit, said setback would automatically become null and void. The applicant's attorney should contact the Planning Department regarding an appropriate description for said setback line.
- B. Only half-street right-of-way has been provided for University Avenue. This will not permit said street to be opened, improved or maintained, therefore, the applicant shall obtain the balance of the right-of-way at this time.
- g. "Complete access control" shall be indicated adjacent to the south 23.41 feet of Ridge Road on subject plat with appropriate wording in the platlor's text.

- D. The applicant shall install or guarantee the paving of Kellogg Drive, Holland Street, University, and the construction of an acceleration-deceleration lane adjacent to Ridge Road.
- E. The maximum building height restrictions as approved on the associated CUP shall be indicated on the final plat. The Planning Department should be contacted regarding this matter.
- F. All references made in the plat's text to the "drainage" shall be amended to read as the "drainage dedication".
- G. The Mayor's name shall be amended to read as "James M. Donnell".
- H. A 10-foot utility easement shall be indicated adjacent to the west lines of Lots 2 and 3.
- I. The 20-foot sewer easement indicated on the plat shall be relabeled as a 20-foot utility easement.
- J. The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.
- K. The applicant shall submit by separate instrument the balance of the drainage dedication for the drainage channel north of the north line of Lot 1.
- L. The applicant shall guarantee the improvement of all of the proposed drainage channel crossing subject property and the applicant and/or his surveyor shall contact M. S. Mitchell of the Maintenance Division of the Department of Public Works regarding said guarantee, and relative to adjustments in the southern portion of the drainage right-of-way dimensions at Ridge Road, and dimensions indicated on the plat.
- M. The applicant shall contact the Water Department and make satisfactory arrangements for the extension of City water to serve Lot 4.
- N. The applicant shall install or guarantee installation of sidewalks adjacent to the north side of Kellogg Drive, the east side of Holland Street, the south side of University Avenue and the west side of Ridge Road; the total estimated construction cost to be in the amount of \$10,905.

Page 3
RIDGE PLAZA 3RD ADDITION
June 25, 1973

- G. The applicant shall be advised that the sidewalk construction will be required at the time of final building inspection when the sidewalk has been required as a condition of plat approval.
- F. 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. 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, June 28, 1973, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

cc: Max Cole, et. al.
626 Sutton Place, 67202

Bowen Brady & Dale Hecox
6405 East Kellogg, 67207

Dean Seller, City Engineering

6-18-73

West U.S. 54 realignment
proposal meeting.

Plan #1 - Collateral road shift
Taft R-O-W South between
Hoover & Ridge Rd., Alt
improve existing Taft, but this
would increase traffic adjacent
to existing residential areas.

Ridge Rd South 54 moves
500 ft west.

2 moving lanes on north of
54 & 2 moving lanes in median
will require 15' of add R-O-W
along N. line of 54 R-O-W.

Plan #2 Move Hoover south of 54
 $\frac{1}{4}$ mile west to align with
Jubilee

does not necessarily require
collateral road through
Ridge Plaza 3 R.O.

Plan #3[#]

Public Hearing - 60 days
after State's local concurrence
on what will be presented,
Maybe 1st of September.

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 72-36 Name RIDGE PLAZA 3RD ADDITION
Date Application Rec'd. 4-10-72 Preliminary Approval 4-20-72
Scheduled S/D Meeting 6-21-73

DESCRIPTION

General Location On the west side of Ridge Road between Kellogg and Maple
Owner Max Cole, et. al.
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | |
|--|---|
| 1. Gross Acreage of Plat _____ | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>35</u> R/W <u>2000</u> ft. |
| Residential _____ | b. <u>10</u> R/W <u>1200</u> ft. |
| Commercial <u>4</u> | c. <u>75</u> R/W <u>23</u> ft. |
| Industrial _____ | d. <u>30</u> R/W <u>340</u> ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>4</u> | TOTAL <u>3563</u> ft. |
| 3. Minimum Lot Frontage <u>157.9</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>no</u> |
| 4. Minimum Lot Area <u>37,762</u> sq. ft. | |
| 5. Existing Zoning <u>AA & LC</u> | |
| 6. Proposed Zoning <u>LC</u> | |
| 9. Public Water Supply <u>Yes (Yes-No)</u> , Name _____ | |
| 10. Public Sanitary Sewers <u>Yes (Yes-No)</u> , Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. It should be noted that the associated approved CUP DP-37, provided for a provisional building setback line which would be applicable to Lots 1, 3 and 4. Said setback was to remain in effect for 3 years. Recently an extension of the platting time limit was approved on the associated C.U.P. and zone case. This extension was granted with the provision that the provisional setback line remain in effect for one additional year and that the applicant sign his copy of the extension approval letter and return it to the City Manager to indicate acceptance of this condition. The condition was not acceptable to the applicant.
- B. The applicant shall be prepared to discuss with the Subdivision Committee the proposed redevelopment plans for U. S. Highway 54 as they affect this plat.
- C. Only half street right-of-way has been provided for University Avenue. This will not permit said street to be opened, improved or maintained, and consideration should be given to the applicant dedicating the balance of the right-of-way at this time.
- D. "Complete access control" shall be indicated adjacent to the south 23.41 feet of Ridge Road on subject plat with appropriate wording in the plat's text.
- E. The applicant shall install or guarantee the paving of Kellogg Drive, Holland Street, University, and the construction of an acceleration-deceleration lane adjacent to Ridge Road.
- F. The maximum building height restrictions as approved on the associated C.U.P. shall be indicated on the final plat. The Planning Department should be contacted regarding this matter.
- G. The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in

(over)

the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.

- H. The applicant shall guarantee the improvement of the proposed drainage channel crossing subject property and the applicant and/or his surveyor shall contact M. S. Mitchell of the Maintenance Division of the Department of Public Works regarding said guarantee, and relative to adjustments in the southern portion of the drainage right-of-way dimensions at Ridge Road.
- I. The applicant shall contact the Water Department and make satisfactory arrangements for the extension of City water to serve subject property.
- J. The applicant shall install or guarantee installation of sidewalks adjacent to the north side of Kellogg Drive, the east side of Holland Street, the south side of University Avenue and the west side of Ridge Road; the total estimated construction cost to be in the amount of \$10,905.
- K. The applicant shall be advised that the sidewalk construction will be required at the time of final building inspection when the sidewalk has been required as a condition of plat approval.
- L. All references made in the plat's text to the "drainage" shall be amended to read as the "drainage dedication".
- M. The Mayor's name shall be amended to read as "James M. Donnell".
- N. 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.
- O. The labeling of the 20 foot sewer easement indicated on the plat shall be expanded to indicate the type of sewer, i.e., sanitary, storm sewer, etc. The plat's text shall also reflect the same.
- P. Recording of the plat within 30 days after approval by the Board of City Commissioners.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 11, 1973

TO The File

FROM Curtis L. Newby, Junior Planner *Newby*

SUBJECT West U. S. 54 Highway design proposals as related to Ridge Plaza 3rd and 4th Additions, Jenkins 5th Addition, and Floyd Bailey Fifth Addition.

On April 10, 1973, a meeting was held at Professional Engineering Consultants, consulting engineers for the State Highway Department's redesign proposals for West U. S. 54 Highway from Hoover Road to Tyler Road. Jack Galbraith of our office, myself and Charles Friend of P.E.C. were in attendance.

The meeting was held to determine the effect of the highway design proposals upon the above referred to plats and as well the general effect on the area between Hoover Road and Tyler Road relative to additional right-of-way for U. S. 54 Highway and right-of-way for associated frontage roads.

Charles Friend explained that all design proposals were now only in the study stage and that public hearings for definite design alternates would not be held until the fall of 1973. He then proceeded to point out that the present proposal under study calls for a clover leaf interchange to be located slightly to the north and west of the present Ridge Road U. S. 54 Highway intersection and a one way frontage road system adjacent to either side of U. S. 54 Highway, with collateral two way streets paralleling the highway several hundred feet north and south of said highway. These collateral streets should have 70 feet of right-of-way and would actually serve the present business now located on both sides of the highway. Of primary concern, and the main topic of discussion at the meeting, was the collateral street to the north of the highway which would align approximately with existing Hendryx Street, as it would bisect both of the Ridge Plaza plats and the fact that the Floyd Bailey Fifth Addition plat proposes to bend Hendryx south to the present frontage road along the north side of the Highway. Charles Friend advised that bending Hendryx south to the existing frontage road would be workable only if the frontage road were a two way street which is not now being considered. Also that if a two way frontage road system was considered and accepted the collateral streets could be eliminated. However, since the highway is to be redeveloped to freeway standards, a two way frontage road system could not be incorporated into the design study as this type frontage road

COPY

Page 2 - To the file
April 11, 1973

could not function off of a freeway interchange system. The need for additional right-of-way for the highway and one-way adjacent frontage road systems and interchange right-of-way at Ridge Road was also discussed at the meeting.

Charles Friend agreed to furnish typical cross section information on the road rights-of-way prior to the Subdivision meeting of April 19, 1973 for use in discussing the Floyd Bailey Fifth and Jenkins 5th plats. It was also agreed that a 70 foot reservation on right-of-way should be taken through the Ridge Plaza 4th Addition and that the provisional temporary building setback on the C.U.P. associated with the Ridge Plaza 3rd Addition should be extended as the time limit approved on this setback will expire early this fall. The meeting was then adjourned.

CLN:rme

THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
262-0611 — AREA CODE 316
CITY BUILDING — 204 S. MAIN ST.
WICHITA, KANSAS 67202

March 13, 1973

Mr. William P. Higgins
Suite 313
First National Bank Building
Wichita, Kansas 67202

Dear Mr. Higgins:

This is to acknowledge your letter requesting an extension of six months time for completion of platting of Ridge Plaza Third Addition (S/D 72-36).

In reviewing the zoning change request we note that the Community Unit Plan was approved on September 9, 1970, subject to the condition that a building set back line be allowed at Kellogg and Maple for a period of three years to allow for possible construction of a highway interchange.

Design studies on the highway are now in progress and it is expected that the set back would be required for at least one more year.

Under the provisions of Planning Commission Policy No. 5, this office is authorized to grant an initial extension of six months time for platting. A six months extension is hereby granted subject to extension of the set back agreement for one additional year to September 9, 1974.

Please indicate your acceptance of this condition by signing and returning the enclosed copy of this letter.

Sincerely,

Handwritten signature of Ralph Wulz in cursive script.
Ralph Wulz
City Manager

RW/kmp
Enclosure
cc: Robert A. Lakin, Director of Planning



February 26, 1973

Ralph Wulz, City Manager
Robert A. Lakin, Director of Planning

S/D 72-36 - Ridge Plaza Third Addition

The above subdivision is being submitted in connection with zoning Case Z-1192 and DP-37, which involved a major Community Unit Plan and zoning changes to commercial, office and residential in the general area between Woodchuck and Ridge Road and between Maple and U. S. 54. The approval of that zoning was conditioned upon filing a plat within one year's time from the granting of the changes in zoning by the City Commission. That took place on September 9, 1970, with the condition that the platting be completed within one year's time. This has not occurred. The one year has expired and normally our action would be to mark the case closed and the application denied.

This is also the case wherein in approval of the CUP, we had agreed to set an area aside with a setback line for the possible construction of an interchange. This was to be set aside for three years wherein no buildings could be built thereon, pending the acquisition of this property. As you know, the location approval was just given recently within the last two months for this project and now the consultants (PEC) are working on design plans in order to be able to go to a design hearing later this year. I would expect it will be at least one year from now at a minimum before we are in a position to purchase the right-of-way we had discussed and had set aside by the above action in 1970.

Since Mr. Higgins needs additional time grant for his clients concerning the platting, it would be my recommendation that consideration be given to this, subject to also considering extending the setback area line for at least one more year from September, in which the State Highway Commission and the City has an opportunity to acquire before buildings may be built in the area.

If there are any questions concerning this project or the specifics of the file and dates, either Jack Galbraith or I will be available to advise.

RAL:ber

LAW OFFICES
OF
WILLIAM P. HIGGINS

SUITE 313
FIRST NATIONAL BANK BUILDING
WICHITA, KANSAS 67202
316/263-6148

February 22, 1973

Mr. Ralph Wulz
City Manager
City of Wichita
City Building
Wichita, Kansas 67202

re: Request for Extension of
Time for Completing Plat
of Ridge Plaza Third Addition
S/D 72-36

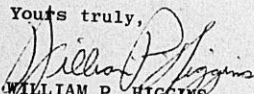
Dear Mr. Manager:

In conformity with policy statement #5 of the Wichita Sedgwick County Metropolitan Area Planning Commission, this request is being made on behalf of the owner of Ridge Plaza Third Addition requesting six months extension to complete the final plat of said addition.

The preliminary plat of said addition has been approved by the Subdivision Committee on April 20, 1972, subject to the terms and conditions contained in the letter prepared by the staff and forwarded to the applicant relative to said meeting dated April 24, 1972. This plat and the property involved has required some extensive analysis in relation to the drainage problems on the property and for this reason, as well as additional time necessary to administratively complete the proceedings, we request said extension.

We are in the process of immediately moving forward with the completed final plat and hopefully our engineer will have the same ready for filing within a short time.

Yours truly,


WILLIAM P. HIGGINS

WPH: jkb

cc: Robert A. Lakin ✓
Planning Department



April 24, 1972

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 72-36 - Preliminary
Plat of RIDGE PLAZA 3RD ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 20, 1972, 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 building setback lines as indicated on the associated and approved C.U.P., DP-37, shall govern and no setback lines need to be indicated on the plat.
- B. It should be noted that said approved C.U.P. also provides for a provisional building setback line which is applicable to Lots 1 and 2, Block D, and Lots 2 and 4, Block E. Said provisional setback is effective for a period of three (3) years from the date of approval of the C.U.P., and the conditions thereof are set out on the plan under C.U.P. note #6.
- C. The north-south streets Brown Thrush and Cole shall be relabeled as "Cole" and "Holland Lane" respectively, on the face of the plat.
- D. The right-of-way for Cole Street shall be increased to 60 feet in width and the drainage right-of-way adjacent thereto on the east, shall be decreased to 100 feet in width.
- E. Only half (1/2) street right-of-way has been provided for portions of University and Holland Lane. This will not permit said streets to be opened, improved or maintained, and consideration should be given to the applicant obtaining the balance of these rights-of-way at this time.

Page 2 - Preliminary Plat of RIDGE PLAZA
3RD ADDITION
April 24, 1972

- F. The frontage road indicated adjacent to the south line of the plat shall be labeled as Kellogg Drive.
- G. The applicant shall install or guarantee the paving of Kellogg Drive, all interior streets being platted, and the construction of acceleration-deceleration lanes adjacent to Ridge Road and for that portion of Maple between Cole and Ridge Road.
- H. The applicant shall contact Kansas Gas and Electric Company and Southwestern Bell Telephone Company regarding various needed easements to be reflected on the plat.
- I. The applicant shall contact the Planning Department and the Park Board relative to preparation of a separate instrument granting an avigational air space easement over subject property. Said instrument once properly drawn and executed, shall be submitted to the Planning Department.
- J. The maximum building height restrictions as approved on the associated C.U.P. shall be indicated on the final plat. The Planning Department should be contacted regarding this matter.
- K. As discussed in the approval of C.U.P., DP-37, the applicant shall take into account the noise factors associated with the location of subject property in relation to the Municipal Airport. Construction standards need to be developed to provide adequate protection from noise pollution resulting from such aviation activities.
- L. The Wichita School Board has indicated an interest in the possibility of purchasing that portion of subject property indicated as Lot 2, Block A for future expansion of the school facility at the southeast corner of Maple and Woodchuck Lane. The applicant should contact the School Board regarding this and shall advise the Planning Department as to the intent with regards to this matter.
- M. The applicant shall guarantee the improvement of the proposed drainage channel crossing subject property and the applicant and/or his surveyor shall contact M. S. Mitchell of the Maintenance Division of the Department of Public Works regarding said guarantee, and relative to adjustments in the southern portion of the drainage right-of-way dimensions at Ridge Road.
- N. The applicant shall contact the Water Department and make satisfactory arrangements for the extension of City water to serve subject property.

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3RD ADDITION
April 24, 1972

- O. The applicant shall install or guarantee the construction of sidewalks adjacent to the north side of Kellogg Drive, the west side of Ridge Road, the south side of Maple and adjacent to all interior streets being platted; the total estimated construction cost to be determined upon submission of a final plat.
- P. 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.
- Q. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked copy of the preliminary plat for your information and files.

If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Planning Analyst

CLN:rme

Enclosure

cc: Max Cole, et. al., 626 Sutton Place, 67202
Bowen Brady & Dale Hecox, 6405 East Kellogg, 67207
Dr. Richard Holstead, Board of Education
428 South Broadway, 67202

April 17, 1972

Dr. Richard Holstead
Board of Education
428 South Broadway
Wichita, Kansas 67202

Subject: S/D 72-36 - Preliminary
Plat of RIDGE PLAZA 3RD ADDITION,
generally located on the west side
of Ridge Road between Kellogg and
Maple.

Dear Dr. Holstead:

On April 2, 1970, I wrote you concerning a proposed Community Unit Plan in the general location described above. Since this involved property which was adjacent to the elementary school at the southeast corner of Maple and Woodchuck we apprised you of the application as we were aware of the possibility of the Board of Education needing additional property for that site. On April 7, 1970, you acknowledged that you had been talking to Dale Hecox and Bowen Brady for several years about acquiring some additional land that would abut your existing property. You indicated the need for following the legal procedures of the Board of Education in land acquisition and were going to proceed with appraisals of the land and possible negotiation with the owners. In the further processing of the application we did advise the Planning Commission that the applicants had been made aware that the Board of Education had indicated an interest in the possibility of obtaining Parcel 19 of the Community Unit Plan, which was removed from the flight cone pattern of the Municipal Airport, for future expansion of the Benton Elementary School facility and that preferably acquisition of said land should be determined prior to the platting of the Parcel.

There has now been submitted a preliminary plat on much of the area included in the approved Community Unit Plan. This plat is scheduled for consideration by the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 20, 1972, and a copy of that plat as well as a list of our staff

Page 2 - Preliminary Plat of RIDGE PLAZA
3RD ADDITION
April 17, 1972

comments has already been forwarded to you in two mailouts from our office last week. By this letter we are interested in keeping you further apprised of the platting activity in the area, and secondly to inquire as to your status of negotiations for acquisition of additional land. We are aware that portions of the original overall Community Unit Plan have been sold to other parties, but believe the area that you have previously expressed an interest in is owned by Bowen Brady.

We would appreciate hearing from you on this matter, or if you have any questions or desire further information or discussion, please call. As I will be out of town the next two days, please refer calls to Curtis Newby.

Very truly yours,

Jack H. Galbraith
Chief Planner

JHG:rme

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 72-36 Name RIDGE PLAZA 3RD ADDITION
Date Application Rec'd. 4-10-72 Preliminary Approval
Scheduled S/D Meeting 4-20-72

DESCRIPTION

General Location On the west side of Ridge Road between Kellogg
and Maple
Owner Max Cole, et. al.
Surveyor/Engineer Baughman Company Phone 262-7271
Address 330 Laura

- | | | | |
|--------------------------------|--|--|-------------------|
| 1. Gross Acreage of Plat | <u>118.2</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>10</u> R/W | <u>1200</u> ft. |
| Residential | <u>2</u> | b. <u>35</u> R/W | <u>1930</u> ft. |
| Commercial | <u>8</u> | c. <u>50</u> R/W | <u>3850</u> ft. |
| Industrial | | d. <u>60</u> R/W | <u>2910</u> ft. |
| Other | <u>5</u> | e. <u>75</u> R/W | <u>550</u> ft. |
| Total Number of Lots | <u>15</u> | TOTAL | <u>10,440</u> ft. |
| 3. Minimum Lot Frontage | <u>160</u> ft. | 8. Sidewalk adjacent to all
streets? <u>yes</u> <u>X</u> no | |
| 4. Minimum Lot Area | <u>38,000</u> sq. ft. | | |
| 5. Existing Zoning | <u>AA & LC</u> | | |
| 6. Proposed Zoning | <u>A, B, BB & LC</u> | | |
| 9. Public Water Supply | <u>Yes</u> (Yes-No), Name _____ | | |
| 10. Public Sanitary Sewers | <u>Yes</u> (Yes-No), Name _____ (Yes-No) | | |
| 11. Health Department Approval | (where applicable) _____ | | |
| 12. City of Wichita | <u>X</u> : Three-Mile Area _____ | | |

STAFF COMMENTS:

- A. The associated cases, zone case Z-1192, "AA" to "A", "B", "BB" & "LC" and Community Unit Plan DP-37, have been approved by the Board of City Commissioners subject to platting.
- B. It is recommended that the building setback lines as indicated on the associated and approved C.U.P., DP-37, shall govern and that no setback lines need to be indicated on the plat.
- C. It should be noted that said approved C.U.P. also provides for a provisional building setback line which is applicable to Lots 1 and 2, Block D, and Lots 2 and 4, Block E. Said provisional setback is effective for a period of three (3) years from the date of approval of the C.U.P., and the conditions thereof are set out on the plan under C.U.P. note #6.
- D. Only 50 feet of right-of-way has been indicated for Brown Thrush between University and Maple. Right-of-way standard of the Subdivision Regulations for commercial and business type streets is 70 feet. The right-of-way needs for this street, which is joined on the east by a drainage dedication, will be discussed at the Subdivision Committee meeting in light of the approved C.U.P.
- E. Only half (1/2) street right-of-way has been provided for portions of University and Cole Streets. This will not permit said streets to be opened, improved or maintained, and consideration should be given to the applicant obtaining the balance of these rights-of-way at this time.
- F. The frontage road indicated adjacent to the south line of the plat shall be labeled as Kellogg Drive.
- G. The applicant shall install or guarantee the paving of Kellogg Drive, all interior streets being platted, and the construction of acceleration-deceleration lanes adjacent to Ridge Road and for that portion of Maple between Brown Thrush and Ridge.

(over)

- H. The applicant shall guarantee the improvement of the proposed drainage channel crossing subject property.
- I. As discussed in the approval of C.U.P., DP-37, the applicant shall take into account the noise factors associated with the location of subject property in relation to the Municipal Airport. Construction standards need to be developed to provide adequate protection from noise pollution resulting from such aviation activities.
- J. The Wichita School Board has indicated an interest in the possibility of purchasing that portion of subject property indicated as Lot 2, Block A for future expansion of the school facility at the southeast corner of Maple and Woodchuck Lane. The applicant should contact the School Board regarding this matter.
- K. The applicant and/or his surveyor shall contact Bob Vinson of the Department of Public Works regarding the street names as indicated on the preliminary plat.
- L. The applicant shall install or guarantee the construction of sidewalks adjacent to the north side of Kellogg Drive, the west side of Ridge Road, the south side of Maple and adjacent to all interior streets being platted; the total estimated construction cost to be determined upon submission of a final plat.
- M. 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- N. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 4946
Section No.: 28
Twp. No.: 27 S
Range: 1 W

S/D No. 72-36

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: RIDGE PLAZA 3RD ADDITION
General Location: side of lot maple
Ridge Road A Kellogg & Ridge
Name of Property Owner: Max Cole 626 Sutton Place 262-4459
Address: Bowen Brady & Dale Hecox 6405 E. Kellogg Phone: Office 14
Name of Subdivider: same 684-0175
Address: _____ Phone: _____
Name of Agent/Surveyor: Baughman Co.
Address: 330 Laura Phone: 262-7271
Date of Application: April 5, 1972

SUBDIVISION INFORMATION:

- Gross Acreage of Plat 118.2
- Number of Lots:
 - Residential 2
 - Commercial 8
 - Industrial _____
 - Other 5Total Number of Lots 15
- Minimum Lot Frontage 1/2 ft.
- Minimum Lot Area 28,000 sq. ft.
- Existing Zoning AA + LC
- Proposed Zoning A, B, BB + LC
- Lineal Feet of New Streets:
 - a. 10 R/W 1200 ft.
 - b. 35 R/W 1930 ft.
 - c. 50 R/W 3850 ft.
 - d. 60 R/W 2910 ft.
 - e. 75 R/W 550 ft.TOTAL 10,440 ft.
- Sidewalk adjacent to all streets? yes no
- Public Water Supply yes (Yes-No), Name _____
- Public Sanitary Sewers yes (Yes-No), Name _____
- Health Department Approval (where applicable) _____ (Yes-No)
- City of Wichita X 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 with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. 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: [Signature]

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

Received by _____
Date 4-10-72
Fee Submitted yes

T9-301B
(2-71)

Z-1192
DP-37

Form 273-021

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
<i>10 [unclear] 81-</i>	
<i>[unclear]</i>	

Name

Address

Type

Due Date

Comments:

Date

By

4-10-72

[Signature]