

PLAT NO. S/D 73-119 MAP NO. 4946

NAME RIDGE PLAZA 5TH ADDITION

LOCATION: South of Maple in an area west of
Ridge

ENGINEER Baughman Company, P.A.

OWNER Dale Hecox and Bowen Brady

APPLICATION FILED _____

SKETCH PLAT FILED _____

REVISED PRELIMINARY FILED 8-13-79

S/D ACTION 8-23-79 approve

REVISED FINAL FILED 8-13-79

S/D ACTION 8-23-79 approve

MAPC ACTION 8-30-79 approve

BCC ACTION 10-2-79 approved

RECORDED 10/15/79

REMARKS _____

PLAT NO. S/D 73-119 MAP NO. 4946

NAME RIDGE PLAZA 5TH ADDITION

LOCATION: Southwest of Maple and East of Woodchuck
Lane

ENGINEER Baughman Co.

OWNER Bow^en H. Brady

APPLICATION FILED 9-13-73

SKETCH PLAT FILED _____

PRELIMINARY FILED _____

S/D ACTION _____

* FINAL FILED 9-13-73 5-24-74

S/D 6-6-74 approved

S/D ACTION 9-20-73 Approved, subj. to conditions

MAPC ACTION 9-27-73 Appwd. subj. to conditions

map pl 6-13-74 App. as recommended plus another condition

BCC ACTION 7-16-74 Defer 3-weeks.

BCC ACTION 8-6-74 Defer 2-weeks

RECORDED 8-20-74 Defer 4-weeks

* REMARKS Revised final filed on 5-24-74

BCC 9-17-74 Deferred for 4 weeks

BCC 10-15-74 Deferred for 4 weeks

BCC 11-12-74 Deferred for 4 weeks.

BCC 12-10-74

S/D 73-119 RIDGE PLAZA 5TH ADDTN.
Southwest of Maple and East of
Woodchuck - Bown H. Brady by
Baughman Co.

Posted
9-18-73

ACTION

	DATE
S/D COMMITTEE (final) Appval	9-20-73
S/D Comm. - July to Conditions	6-6-74
M.A.P.C. - Appval subj. etc	9-27-73
map c	6-13-74
B.C.C.A.B. CO. C. Refer 3 weeks	7-16-74
BCC	8-6-74
BCC	8-20-74

POSTED
9-18-73

S/D 73-119 RIDGE PLAZA 5TH ADDN.
Southwest of Maple and East of
Woodchuck - Bown H. Brady by
Baughman Co.

ACTION

	DATE
S/D COMMITTEE (final) <u>approved</u>	9-20-73
S/D Comm. <u>subly to conditions</u>	
<u>approved</u>	6-6-74
M.A.P.C. <u>Approved subly to</u>	9-27-73
<u>Conditions</u>	
<u>Approved</u>	6-13-74
mapc <u>Defer 3 weeks</u>	7-16-74
BCC <u>Defer 2 weeks</u>	8-6-74
BCC <u>Defer 4 weeks</u>	8-20-74
BCC <u>Defer 4 weeks</u>	9-17-74
BCC <u>Defer 4 weeks</u>	10-15-74
BCC <u>Defer 4 weeks</u>	11-12-74
BCC	12-10-74
S/D Comm (revised <u>prelim</u>) <u>approve</u>	8-23-79
S/D Comm (revised <u>final</u>) <u>approve</u>	8-23-79
MAPC (revised <u>final</u>) <u>approve</u>	8-30-79
BCC <u>Approved</u>	10-2-79

Map No. 4946
Sec. No. _____
Twp. No. _____
Range _____

Subdivision Report and Progress
S/D No.: 73-119

Name: RIDGE PLAZA 5TH ADDITION

General Location: Southwest of Maple and East of Woodchuck Lane

Owner: ~~Born H. Brady~~ DALE HECOX AND BOWEN BRADY
Address: 6405 E. Kellogg 67207 2202 W. 13th Phone: 684-0175 267-3891
Subdivider: _____
Address: _____ Phone: _____
Engineer/Surveyor: Baughman Co.
Address: 330 Laura Phone: 262-7271

Application Received 9-13-73 * FINAL PLAT RECEIVED 9-13-73 5-24-79
Conf. with Applicant _____ S/D Comm. Action 9-20-73 6-6-74
Sketch Plat Received _____ *Approved subj to conditions*
Present Zoning _____ Dept. Report on Final _____
Proposed Zoning _____ M.A.P.C. ACTION 9-27-73 *Approved subj to*
Letter of Intent _____ Dept. Report on Final _____
PREL. PLAT RECEIVED _____ Title/Taxes Rec'd & Reviewed _____
S/D Comm. Action _____ Final Review _____
Referral to B.C.C. _____
Dept. Report on Prel. _____

TRACING PROGRESS:

Received _____
Released _____
Received _____
Released _____

see folder
B.C.C. ACTION 7-16-74 *Defer 3 weeks*
" " 8-6-74 *Defer 2 weeks*
Recorded " 8-20-74 *Defer 4 weeks*
9-17-74 *Defer 4 weeks*
map 6-13-74
BCC 10-15-74 *Defer 4 weeks*
BCC 11-12-74 *Defer 4 weeks*
BCC 12-10-74

✓ RECORDED : 10/15/79

Comments:

* 5-24-79 New-revised final plat filed.

8-23-79 S/C Revised Prelim - Approved
8-23-79 S/C Revised Final - Approved
8-30-79 M.A.P.C. " " Approved
10-2-79 B.C.C. " " Approved

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

S/D 73-119 +
Map 4946
2-1192 -
(Partial Platting)

RIDGE PLAZA FIFTH ADDITION was

filed for record on October 15, 1979

Barbara J. McCarty
Register of Deeds

T9-302 (2)

Return to: Wichita-Sedgwick County
Metropolitan Area Planning Department
(Inter-Office Mail)

T9-328

December 10, 1979

Donald C. Gisick, City Clerk
Louise Olivarez, Senior Planner

Release of letter of credit for Ridge Plaza 5th Addition

On October 2, 1979, the Board of City Commissioners received and filed a letter of credit in the amount of \$25,000.00, issued by First National Bank in Wichita for the account of Dale Hecox and Bowen Brady, as guarantee that water service would be extended to Lots 1 through 8 in Ridge Plaza 5th Addition prior to December 31, 1979.

The property owners have now submitted a valid petition for water service which will be scheduled for City Commission review on or about December 11, 1979. The letter of credit may now be released at the request of the bank or the purchaser.

Please call if you have any questions regarding this matter.

Sincerely,

Louise Olivarez
Senior Planner

LO:bh

cc: Dale Hecox, 3202 W. 13th, 67203
John P. Naramore, First National Bank in Wichita, 105 N. Main,
67202

THE CITY OF WICHITA

OFFICE OF WATER DEPARTMENT

DATE December 5, 1979

TO Jack H. Galbraith, Chief Planner-Current Plans

FROM Till H. Otten, Chief Engineer-Water Engineering

SUBJECT Ridge Plaza 5th Addition

The plattors of Ridge Plaza 5th Addition have submitted a valid petition for a water benefit district to serve this plat. Therefore, our requirements for water service to this area have been fulfilled. The petition and resolution will be placed on the City Commission Agenda for approval on or about December 11, 1979.

The letter of credit may be released at your discretion.


Bill H. Otten, Chief Engineer
Water Engineering Division

BHO/b

October 19, 1979

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

Z-1192 - "AA"to"B" & "AA" to "BB"; and
S/D 73-119 - Ridge Plaza 5th 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 approval of C.U.P., and the City Clerk was instructed to withhold publication of the ordinance establishing the zone change until such time as the plat had been recorded. The associated plat was approved by the Board of City Commissioners on October 2, 1979. Please note that this is just a portion of the original area in the zone case and additional ordinances will follow as platting occurs.

This is to advise you that the final plat of Ridge Plaza 5th Addition was recorded with the Register of Deeds on October 15, 1979 and, therefore, the ordinance establishing the zone change may now be published.

Jack H. Galbraith
Chief Planner

JHG:e1

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 73-119 Name Ridge Plaza 5th Addition
Application & Sketch Filed: 9-13-73 and 8-13-79
Rev. Preliminary Plat Filed: 8-13-79 Approved by S/D: 8-23-79
Rev. Final Plat Filed: 8-13-79 Approved by S/D: 8-23-79
Approved by Metropolitan Area Planning Commission: 8-30-79

DESCRIPTION

General Location: South of Maple in an area west of Ridge Road.

Surveyor or Engineer: Baughman Company, P.A.
Owner: Dale Hecox and Bowen Brady
Address: 3202 W. 13th, Wichita, 67204

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>8.9 acres</u> | Access Control |
| 2. Number of Lots | St. <u>Maple</u> No. Openings <u>None</u> |
| Residential <u>4</u> | St. _____ No. Openings _____ |
| Commercial _____ | St. _____ No. Openings _____ |
| Industrial _____ | |
| Other <u>Office 4</u> | 7. Req'd Improvements |
| Total Number of Lots: <u>8</u> | St. Paving <u>Yes</u> Water <u>Yes</u> |
| 3. Minimum Lot Area: <u>1/2 acres</u> | Sidewalk _____ Drainage <u>Yes</u> |
| 4. Existing Zoning: <u>AA</u> | Sewer <u>Yes</u> Other _____ |
| 5. Special Problems Discussed: _____ | |

Zone case Z-1192, "AA" to "B" (Lots 3, 4, 5 and 6) and "BB" (Lots 1, 2, 7, and 8) has been approved subject to platting. A petition for paving University from Woodchuck to the east line of Holland has already been accepted. The applicant has submitted petitions for paving Holland Lane from Maple to University, for sanitary sewer service to each lot, for storm sewers, and for construction of a box culvert on University at the drainage channel. A certificate has been submitted certifying the petitions. A \$25,000.00 letter of credit has been submitted guaranteeing extension of City water. An avigational easement and restrictive noise covenant have also been submitted.

Planning Commission Recommendation: That this plat be approved subject to:

- A. Sidewalks will be required in accordance with the regulations in effect when the plat is scheduled for City Commission review.

Bayouth moved, Hennessy seconded and it carried unanimously. Greider was absent.

ACTION: Approve the petitions and instruct the Director of Law to prepare the necessary resolutions; receive and file the letter of credit; accept the avigational easement; instruct the City Clerk to file the easement, restrictive covenant, and certificate with the Register of Deeds, the recording costs of which shall be billed to the applicant; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

IRREVOCABLE LETTER OF CREDIT

✓ First National Bank in Wichita
(Name and address of bank)

Date: September 19, 1979

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 25,000.00 for the account of Dale Hecox and Bowen Brady

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before December 31, 1979 (6)
(Insert date two years from MAPC approval of plat)

1. Water extension to Lots 1 through 8 inclusive
- 2.
- 3.

in Ridge Plaza 5th Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under First
National Bank in Wichita, Credit No. C-1051, dated 9-19-79.
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be only honored on due presentation and delivery of documents as specified ^{DATE} negotiated on or before March 1, 1980
(insert a date at least 60 days after the date on line 6)

Very truly yours,

✓ First National Bank in Wichita
(Name of bank)

By: John D. Naranjo
(Authorized signature) ✓ Vice President



RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING Ridge Plaza 5th ADDITION

THIS DECLARATION made this _____ day of _____ by
Dale F. Hecox etal, hereinafter called the Grantor.

WITNESSETH

WHEREAS, Grantor is owner of Ridge Plaza 5th
Addition to Wichita, which property
is located near Wichita Mid-Continent 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 5th
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 struc-
ture, 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.

Rouven J. Brady
Norma J. Brady
Dale F. Hecox
Norma J. Hecox

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the
County and State aforesaid ROUVEN J. BRADY, NORMA E. BRADY,

DALE F. HECOX AND NORMA J. HECOX

to me personally known to be the same person S who executed the
foregoing instrument of writing and said person S duly acknowledged
the execution thereof.

Dated at Wichita, Kansas, this 19th day of SEPTEMBER, 1979.

John E. Buchanan
Notary Public

(My Commission expires JANUARY 1, 1983)

CERTIFICATE

City of Wichita)
Sedgwick County) ss
State of Kansas)

I, DALE F. HECOX, owner of
(give name of proposed plat, if appropriate) _____
RIDGE PLAZA 5TH ADDITION, WICHITA, KANSAS

do hereby certify that petitions for the following improvements
have been submitted to the Board of Commissioners of the City of
Wichita, Kansas:

1. BOX CULVERT
2. SANITARY SEWER
3. STORM WATER SEWER
4. STREET PAVING
- 5.
- 6.
- 7.

As a result of the above-mentioned petitions for
improvements, lots or portions thereof within RIDGE PLAZA 5TH
Addition may be subject to special
assessments assessed thereto for the cost of constructing the
above-described improvements.

Signed this 19th day of September, 1979.

DALE F. HECOX
DALE F. HECOX

City of Wichita)
Sedgwick County) ss
State of Kansas)

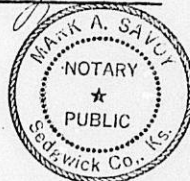
Be it remembered that on this 19th day of September,
1979, before me, a notary public in and for said County and State,
came DALE F. HECOX, to me personally
known to be the same person who executed the foregoing instrument
of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and
affixed my notarial seal the day and year above written.

Mark A. Savoy
Notary Public

My Commission Expires:
4/14/80

T9-207



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, 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 six 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.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) 267-8371

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President

ATTEST:

Chester C. McLaughlin
Secretary

Frank B. Henderson
Authorized Signatory



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, the Exclusion from Coverage 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.

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the deeds and/or mortgages, the form and execution of which is satisfactory to the Company, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. if an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. 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.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): Year 1978 Taxes \$9.26 Paid. Key #D-294-D-1UP.
Year 1978 Taxes \$2,396.85 + Not Paid. Key #'s D-294-L-1UP; D-294-N-UP;
#D-294-M-1UP; and #D-294-UP. Assessed with other property.
9. Rights of the public, if any, over the North 30 feet of captioned property for road purposes.
10. It is noted for informational purposes only and not as an exception to title which will appear in our policy, that captioned property may become subject to special assessments for various capital improvements as evidenced by numerous governmental filings of notice in the form of Ordinance and Resolution, filed in Book Misc. 693, Page 29; Film 68, Page 51; Film 88, Page 1360; and Film 377, Page 133.
11. Mortgage dated July 1, 1976, executed by Bowen H. Brady and Mary E. Brady, husband and wife, and Dale F. Hecox and Norma J. Hecox, husband and wife, to First National Bank in Wichita, Wichita, Kansas, filed July 2, 1976, on Film 198, Page 760, in the original amount of \$259,000.00. (Covers additional property)

SOCD-COHS-5 (Rev 11/77)
 RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND

DATE: August 23, 1979

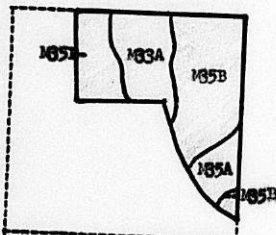
PROPERTY NAME: Ridge Plaza 5th Addition

LOCATION: S. W. Corner Ridge and Maple.

MAILED TO: Brughman Company
 330 Laura
 Wichita, Kansas 67211

PREPARED BY: Larry L. Henry
 District Conservationist
 USDA-Soil Conservation Service
 4100 Maple, Wichita, Kansas
 942-8422 67209

REQUESTED BY: Wichita-Sedgwick County
 Metropolitan Area Planning
 Commission



Scale: 4" equals 1 mile
 NE 1/4 28-27-1W

Situation and/or Problems:

<u>Symbols</u>	<u>CLASS</u>	<u>Soil</u>	<u>SOILS LEGEND</u>	<u>HYDRO-GROUP</u>
M33A	I-1	Blanket silt loam, 0 to 1½ slopes.	<u>Brief Description</u> Deep, nearly level and gently sloping, well drained soils on bottomlands and terraces. These soils have slow runoff and moderate to high available water capacity. Permeability is moderate to moderately rapid. <u>Prime Agricultural Land.</u>	C
M35A	I-2	Farnum loam, 0 to 1½ slopes.	Deep, nearly level, moderately well drained and well drained soils on uplands. These soils have slow runoff and high available water capacity. Permeability is slow to moderate. <u>Prime Agricultural Land.</u>	B
M35B	Ite-1	Milan loam, 1 to 3½ slopes.	Deep, gently sloping, well drained soils on terraces and uplands. These soils have medium runoff and high available water capacity. Permeability is moderate and moderately slow. <u>Prime Agricultural Land.</u>	B

SCCD-CONS-5 (con't)
 RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND

SOIL INTERPRETATIONS					
<u>Symbol</u>	<u>CLASS</u>	<u>Soil</u>	<u>TYPE</u>	<u>LIMITATIONS</u>	<u>REASON</u>
M33A	I-1	Blanket silt loam, 0 to 1% slopes.	Dwellings	Moderate	Shrink-Swell Low strength Low strength
			Local Roads & Streets	Severe	
			Small Commercial Buildings	Moderate	Shrink-Swell Low Strength
M35A	I-2	Farmum loam, 0 to 1% slopes.	Parks & Playgrounds	Moderate	Too Clayey
			Dwellings	Moderate	Low Strength Shrink-Swell Low Strength
			Local Roads & Streets	Severe	
M35B	Ile-1	Milan Loam, 1 to 3% Slopes.	Small Commercial Buildings	Moderate	Low Strength Shrink-Swell
			Parks & Playgrounds	Moderate	Percs Slowly
			Dwellings	Moderate	Shrink-Swell Low Strength Low Strength
			Local Roads & Streets	Severe	
			Small Commercial Buildings	Moderate	Shrink-Swell Low Strength
			Parks & Playgrounds	Moderate	Percs Slowly

RECOMMENDATIONS:

1. Disturb only the area needed for construction.
 2. Remove only those trees, shrubs, and grasses that must be removed for construction; protect the rest to preserve their esthetic and erosion-control values.
 3. Disturbing as small an area as possible, install streets, curbs, water mains, electric and telephone cables, storm drains, and sewers in advance of home or other building construction.
 4. Temporarily stabilize each segment of graded or otherwise disturbed land by seeding and mulching or by mulching alone. Permanently stabilize these areas as work on the land is completed. Both temporary and permanent stabilization practices are to be installed according to the Sedgwick County Conservation District Standards and specifications.
 5. Stabilize each lot within 60 days after work starts on home or other building construction.
 6. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
 7. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: (316) 942-0422.
- If you have any questions or if we can be of additional assistance, don't hesitate to call on us.

August 31, 1979

Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 79-119 - Final plat - Ridge Plaza 5th Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, August 30, 1979, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of August 23, 1979.

In addition to complying with those conditions, it is necessary that you meet the following requirements before the plat can be forwarded to the Board of City Commissioners for consideration:

- 9-19 1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 9-19 2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all taxes due and payable for 1978 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Louise Olivarez
Senior Planner

LO:bh

cc: Dale Hecox and Bowen Brady, 3202 W. 13th, 67204

August 23, 1979

Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 79-119, Final plat - Ridge Plaza 5th Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, August 23, 1979, 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 guarantee the extension of City sewer and water to serve all lots.
- B. The applicant shall guarantee the paving of Holland ^{petition} and University. ^{letter of credit} *already petitioned (Woodchuck Villas 2nd)*
- C. Sidewalks will be required in accordance with the regulations in effect when this plat is scheduled for City Commission review.
- D. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be utilized to minimize effects of noise pollution within any habitable structures to be built on the site.
- E. 10-foot utility easements as requested by KG&E shall be shown between Lots 2 and 3, 4 and 5, 7 and 8. *7-20*
- F. Complete access control to Maple from Lot 1 shall be shown on the final plat tracing and referenced in the platlor's text. *9-20*
- G. The applicant shall contact the City Engineer's Office regarding the inclusion of the plat in the benefit district for the box culvert which will be constructed where University Avenue crosses the drainage dedication. *OK* *petition for box culvert*

storm water sewer petition 7-19-79

Baughman Company
8-23-79
Page 2

H. 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, August 30, 1979 at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Louise Olivarez
Senior Planner

LO:bh

cc: Dale Hecck and Bowen Brady, 3202 W. 13th, 67204
Dean Seilers, Assistant City Engineer

Revised final plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-119 Name Ridge Plaza 5th Addition
Date Application Rec'd. 8-13-79 Preliminary Approval _____
Scheduled S/D Meeting 8-23-79

DESCRIPTION

General Location South side of Maple St. west of Holland Lane

Owner Dale Hecox and Bowen Brady
Surveyor/Engineer Bauchman Company
Address 330 Laura, 67211 Phone 262-7271

- | | |
|--|----------------------------------|
| 1. Gross Acreage of Plat <u>8.9 acres</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>50</u> R/W <u>253</u> ft. |
| Residential <u>4</u> | b. <u>70</u> R/W <u>1004</u> ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other <u>Office</u> <u>4</u> | e. _____ R/W _____ ft. |
| Total Number of Lots <u>8</u> | TOTAL _____ ft. |
| 3. Minimum Lot Frontage <u>115.6</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>21,286.5 sq</u> ft. | streets? <u>yes</u> <u>X</u> no |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>B and BB</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City sewer and water to serve all lot.
- B. The applicant shall guarantee the paving of Holland and University.
- C. Sidewalks will be required in accordance with the regulations in effect when this plat is scheduled for City Commission review.
- D. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be utilized to minimize effects of noise pollution within any habitable structures to be built on the site.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.

August 27, 1979

Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 79-119 - Preliminary plat - Ridge Plaza 5th Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, August 23, 1979, 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 applicant shall guarantee the extension of City sewer and water to serve all lots.
- B. The applicant shall guarantee the paving of all interior streets.
- C. Sidewalks will be required in accordance with the regulations in effect when final plats are scheduled for City Commission review.
- D. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be utilized to minimize effects of noise pollution within any habitable structures to be built on the site.
- E. The applicant is hereby advised that the north half of Lot 6, Block 2 has been approved for "BB" zoning, while the south half has been approved for "LC" zoning.
- F. Since the original C.U.P. was approved in 1970, a number of changes have been made with regard to road alignments, parcel boundaries, etc. The applicant may wish to begin proceedings to bring the C.U.P. up to date. This may be a requirement for any final plats east of the drainage dedication.

Raughman Company
8-27-79
Page 2

- G. Ten-foot utility easements shall be added between Lots 2 and 3, 4 and 5, and 7 and 8 in Block 1.
- H. 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.
- I. 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,

Louise Olivarez
Senior Planner

LO:bh

Encl.

cc: Dale Hecox and Bowen Brady, 3202 W. 13th, 67204
Dean Sellers, Assistant City Engineer

Revised preliminary plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-119 Name Ridge Plaza 5th Addition
Date Application Rec'd. 9-13-73 Preliminary Approval _____
Scheduled S/D Meeting 8-23-79

DESCRIPTION

General Location S.W. corner Ridge and Maple

Owner Dale Hecox and Bowen Brady
Surveyor/Engineer Baughman Company
Address 330 Laura, 67211 Phone 262-7271

- | | | | |
|---|---|--------------------------------|-----------------|
| 1. Gross Acreage of Plat | <u>48.7</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>70'</u> R/W | <u>1735</u> ft. |
| Residential | <u>4</u> | b. _____ R/W | _____ ft. |
| Commercial | <u>10 1/2</u> | c. _____ R/W | _____ ft. |
| Industrial | <u>0</u> | d. _____ R/W | _____ ft. |
| Other | <u>8 1/2</u> | e. _____ R/W | _____ ft. |
| Total Number of Lots | <u>23</u> | TOTAL | <u>1735</u> ft. |
| 3. Minimum Lot Frontage | <u>115</u> ft. | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>21,286.5</u> sq. ft. | streets? _____ yes _____ no | |
| 5. Existing Zoning | <u>AA</u> | | |
| 6. Proposed Zoning | <u>B, BB and LC</u> | | |
| 9. Public Water Supply | <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u> | | |
| 10. Public Sanitary Sewers | <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u> | | |
| 11. Health Department Approval (where applicable) | _____ (Yes-No) | | |
| 12. City of Wichita X _____ | Three-Mile Area _____ | | |

STAFF COMMENTS:

The original preliminary plat of this area was approved in 1972 as part of the Ridge Plaza 3rd Addition preliminary plat. In 1973, a final plat called Ridge Plaza 5th was submitted on the portion north of University and west of Holland. In 1974, an expanded final plat of Ridge Plaza 5th was submitted which included also the property between Holland and Ridge Road. Because of the pending acquisition of right-of-way for the realignment of Ridge Road, the plat was never completed. Now a revised overall preliminary plat has been submitted for all the unplatted area which is a part of the 1970 Ridge Plaza C.U.P.

- A. The applicant shall guarantee the extension of City sewer and water to serve all lots.
- B. The applicant shall guarantee the paving of all interior streets.
- C. Sidewalks will be required in accordance with the regulations in effect when final plats are scheduled for City Commission review.
- D. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be utilized to minimize effects of noise pollution within any habitable structures to be built on the site.
- E. The applicant is hereby advised that the north half of Lot 6, Block 2 has been approved for "BB" zoning, while the south half has been approved for "LC" zoning.
- F. Since the original C.U.P. was approved in 1970, a number of changes have been made with regard to road alignments, parcel boundaries, etc. The applicant may wish to begin proceedings to bring the C.U.P. up to date. This may be a requirement for any final plats east of the drainage dedication.

T9-303

(Over)

- G. Representatives of the City Engineer and the Traffic Engineer shall be prepared to comment on the proposed access points to Maple on Lot 2, Block 3 and to Ridge on Lot 4, Block 3.
- H. 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.
- I. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 4946
Section No.: NE 1/4 28
Twp. No.: 27-S
Range: 1-W

S/D No. 73-119

APPLICATION FOR SUBDIVISION APPROVAL

(REVISED)
Name of Subdivision: RIDGE PLAZA 5TH ADDITION
General Location: SOUTH SIDE OF MAPLE ST. WEST OF
RIDGE ROAD HOLLAND LANE
Name of Property Owner: DALE HECOX & BOWEN BRADY
Address: 3202 W. 13TH ST. NO. Phone: 267-3891
Name of Subdivider: _____ Phone: _____
Address: _____
Name of Agent/Surveyor: BALGHMAN COMPANY
Address: 330 LAURA Phone: 262-7271
Date of Application: JUNE 22, 1979 8-13-79

SUBDIVISION INFORMATION:

- Gross Acreage of Plat 8.9 Acres
- Number of Lots:
 - Residential 4
 - Commercial 3
 - Industrial _____
 - Other OFFICE 4
 - Total Number of Lots 8
- Minimum Lot Frontage 115.6 ft.
- Minimum Lot Area 21,286.5 sq. ft.
- Existing Zoning C.U.P.
- Proposed Zoning _____
- Lineal Feet of New Streets:
 - a. 50 R/W 253 ft.
 - b. 70 R/W 1004 ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL _____ 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 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: Dale Hecox

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by FCW
Date July 2, 1979
Fee Submitted \$71.00

August 13, 1979

T9-301B
(2-71)

REVISED FINAL
INFO.

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

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Ridge Plaza 5th Addition

General Location: S.W. Corner Ridge & Maple

Name of Property Owner: Dale Hecox and Bowen Brady

Address: 3202 W. 13th St. No. Zip Code: _____ Phone: 267-3891

Name of Subdivider: _____ Zip Code: _____ Phone: _____

Address: _____ Zip Code: _____ Phone: _____

Name of Engineer/Surveyor: Baughman Company, P.A.

Address: 330 Laura, Wichita, Kansas Zip Code: 67211 Phone: 262-7271

Date of Application: August 2, 1979

13

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 48.7
2. Number of Lots:
 - Residential _____
 - Commercial 10
 - Industrial _____
 - Other "BB" = 7, "B" = 6Total Number of Lots 23
3. Minimum Lot Frontage 115 ft.
4. Minimum Lot Area 21,300
5. Existing Zoning As per C.U.P.
6. Proposed Zoning _____
7. Lineal Feet of New Streets:
 - a. 70' R/W 1735 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 1735 ft.
8. Are Sidewalks existing?
Yes No
9. Is a public water supply available? Yes No, Name City of Wichita
10. Is a sanitary sewer available? Yes No, Name City of Wichita
11. Has Health Department approval been obtained (where applicable) Yes No
12. City of Wichita Three Mile Area _____ Outside of Wichita _____

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 for by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Dale Hecox Bowen A. Brady

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202

Received by L.O.
Date 8-13-79
Fee Submitted 4500 additional
fee

T9-301B
(7-79)

REVISED PRELIM.
INFO.

FORM 29-1

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION

AMOUNT

#7100
Ridge Plaza 5th (Additional
lots)

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY

July 2, 1977 F.W.

FORM 29-1

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION

AMOUNT

45°
Ridge Plaza 5th (Additional
lots)

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY

July 2, 1977 F.W.

LAW OFFICES
OF
WILLIAM P. HIGGINS

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

April 21, 1975

Mr. Jack H. Galbraith
Chief Planner
Metropolitan Area Planning Department
104 South Main
Wichita, Kansas 67202



Re: S/D 73-119 Brady/Hecox Plat of
Ridge Plaza 5th Addition

Dear Mr. Galbraith:

In reply to your letter of April 16 and my subsequent telephone call with you, I am writing this letter to advise that as far as the above-referred-to plat is concerned, which was before the City Commission and which has been continued for some months to allow for early acquisition, it is my opinion that in the event early acquisition is not accomplished, the hearing on the plat should proceed before the City Commission. Of course, if early acquisition is accomplished it will be necessary for us to plat our remaining property and amend the CUP in order to conform to the land available for our use after the taking.

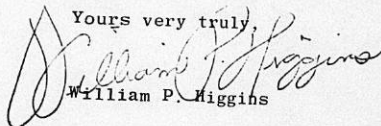
I am writing this letter to eliminate any potential re-hearings or further delays before the Planning Commission in the event early acquisition is not completed for any reason. This is in an effort to generally outline what we discussed in our telephone conversation.

I would assume that we need do nothing further at this moment since the appraisers are being appointed and nothing further would be proper on this matter until they have rendered their appraisal and the formalities of an offer of purchase have been completed by the City.

Page II
Mr. Jack H. Galbraith
April 21, 1975

Thank you for your attention to this matter.

Yours very truly,



William P. Higgs

WPH:cl

cc: Bowen Brady
Baughman Company
Dean Sellers
Ralph Wulz

April 16, 1975

William P. Higgins
Attorney at Law
313 1st National Bank Building
Wichita, Kansas 67202

Re: S/D 73-119 - Plat of Ridge
Plaza 5th Addition, located
at the southwest corner of
Maple and Ridge Road.

Dear Mr. Higgins:

As you are aware, the above matter has been deferred from time to time by the City Commission since their meeting of July 16, 1974, pending a determination from the State Highway Commission as to the right-of-way requirements for U. S. 54 and the Ridge Road interchange. The State Highway Commission has previously authorized early acquisition of the highway right-of-way at this point and as of April 8, 1975 provided the City with a legal description of the land required. Procedure for appointment of appraisers for acquisition is now in progress.

On this date, the action of the City Commission was to return the plat to the Planning Commission for review and that it be further referred to the applicant for redesign of the plat to reflect the land proposed to be taken for highway right-of-way purposes. Based on this action, we would encourage your client to have his surveyor redesign the plat in accordance with proposed highway plans. He should also consider plans for extending Taft to the new right-of-way line for Ridge Road and he should redesign University Avenue to intersect with the intersection of Ridge Road and Taft.

Inasmuch as your client to the south, Max Cole, has submitted a new proposal which necessitates amending the previously approved C.U.P., it would be desirable for Mr. Brady and Mr. Cole to consider amending their parts of the C.U.P. jointly to reflect any new changes that they both are considering.

William P. Higgins
April 16, 1975
Page 2

We are anxious to assist both your clients in this matter of updating the C.U.P. so that they can complete their respective plats and proceed with development. At such time as Mr. Brady has an opportunity to have Ridge Plaza 5th redesigned, please provide an amended plat application and the required number of copies of the preliminary plat for distribution and scheduling before the Subdivision Committee.

If you have any questions concerning this procedure, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rme

cc: Bowen Brady, 6405 East Kellogg, 67207
Baughman Company, 330 Laura, 67211
Dean Sellers, Assistant City Engineer

Ridge Plaza 5th

February 19, 1975

Dear Sellers, Assistant City Engineer

Jack H. Galbraith, Chief Planner

Regulations activity in NE $\frac{1}{4}$, Sec. 28, Twp. 27-S, R1-W.
Generally located at the northwest corner of Ridge Road and
U.S. 54

At your request, we have searched the various files we have that
have been processed on the above captioned area. The following
is a list of those plats, dates considered and action taken.

RIDGE PLAZA ADDITION

- 3-20-69 - Application and sketch plat filed for Ridge Plaza
Addition. Owners listed as Bowen Brady and Dale
F. Hecox; Baughman Co. as agent.
- 6-5-69 - Subdivision Committee of MAPC approves final plat of
Ridge Plaza Addition.
- 6-12-69 - MAPC approves final plat.
- 9-16-69 - BCC approves final plat.
- 9-30-69 - Final plat of Ridge Plaza Addition recorded; owners
same as on application.

RIDGE PLAZA SECOND ADDITION

Z-1118 "AA" to "LC"

- 6-4-69 - Application filed for Ridge Plaza Second Addition and
associated zone case Z-1118 "AA" to "LC". Owners listed
on application as Bowen Brady and Dale Hecox with
Baughman Co. as agent.
- 7-10-69 - MAPC approves Z-1118 but attaches statement to motion
that no further applications in this $\frac{1}{4}$ section would be
accepted until a development plan for the 160 acres was
submitted.

Memo to Dean Sellers
February 19, 1975
Page Two

- 7-17-69 - Subdivision Committee of MAPC approves final plat of Ridge Plaza Second Addition.
- 7-24-69 - MAPC approves final plat of Ridge Plaza Second Addition.
- 8-12-69 - BCC approves final plat of Ridge Plaza Second Addition.
- 8-15-69 - Final plat of Ridge Plaza Second Addition recorded; owners same as on application.

DP-37 RIDGE PLAZA THIRD C.U.P.

Z-1192 "AA" to "A", "B", "BB" and "CC"

- 3-31-70 - Community Unit Plan and associated zone case filed on entire $\frac{1}{4}$ section except for school site and area covered by Ridge Plaza and Ridge Plaza Second Additions. Owners listed as Bob Feagins, Bob Kirsch, Dale Hecox, Bowen Brady, and Don Satterthwaite; Bob Feagins listed as agent.
- 6-25-70 - MAPC approves DP-37 and Z-1192.
- 7-14-70 - BCC defers cases.
- 8-22-70 - MAPC reapproves cases with provisional setback line from intersection of Ridge Road and U.S. 54 Highway for possible future interchange
- 9-1-70 - BCC approves DP-37 and Z-1192 subject to provisional setback line having a three-year time limit.

RIDGE PLAZA THIRD ADDITION

- 4-10-72 - Application filed for Ridge Plaza Third Addition. Max Cole, Bowen Brady, and Dale Hecox listed as owners with Baughman Co. as agent.
- 4-20-72 - Subdivision Committee of MAPC approves preliminary plat of Ridge Plaza Third Addition.
- 6-11-73 - Final plat filed.
- 6-21-73 - Subdivision Committee of MAPC approves final plat of Ridge Plaza Third Addition with provisional setback agreement from the new proposed interchange right-of-way line to expire in two years.

Memo to Dean Sellers
February 19, 1975
Page Three

- 6-28-75 - MAPC defers case after objections by Bill Higgins, representing new owners, about the suggested provisional setback line. Item deferred for meeting with State Highway Department about right-of-way acquisition for U.S. 54.
- 7-12-73 - MAPC approves final plat with six month provision for temporary setback line. Jay Samara representing applicants because Higgins out of town.
- 7-31-73 - BCC approves final plat of Ridge Plaza Third Addition for 120 day recording time allowed. Bill Higgins representing applicants.
- 1-11-74 - Final plat recorded. Owners listed: Lot 1 - Max Cole, Alfred Caro, Terry Duggins, Steven E. Wickliff, Bruce Buehler, David Cohen; Lots 2 and 3 - Max Cole and Daniel M. Carney; Lot 4 - Max Cole. Bill Higgins listed as agent for all owners.

Guarantees for Ridge Plaza Third Addition - street, sidewalks and sanitary sewer petitions filed. water - \$10,000 Surety Bond and drainage - \$100,000 Surety Bond, expires September 12, 1975.

RIDGE PLAZA FOURTH ADDITION

- 3-26-73 - Application filed for Ridge Plaza Fourth Addition. Terra Plaza Limited listed as owner with Bob Feagins as agent.
- 4-5-73 - Subdivision Committee approves preliminary plat.
- 5-17-73 - Subdivision Committee approves final plat with contingent right-of-way dedication for two years for State Highway purposes.
- 5-24-73 - MAPC approves final plat and two year contingent right-of-way dedication. James R. Schaefer representing the applicant.
- 7-3-73 - BCC approves final plat.
- 7-23-73 - Final plat of Ridge Plaza Fourth Addition recorded. Jay Samara listed as president of Terra Plaza Ltd. with Fred H. Corner listed as secretary.

Memo to Dean Sellers
February 19, 1975
Page Four

RIDGE PLAZA FIFTH ADDITION

- 9-13-73 - Application filed for sketch plat of Ridge Plaza Fifth Addition. Bowen H. Brady listed as owner and Baughman Co. as agent.
- 9-20-73 - Subdivision Committee approves subject to conditions.
- 9-27-73 - MAPC approves subject to conditions.
- 7-16-74 - BCC defer 3 weeks.
- 8-6-74 - BCC defer 2 weeks.
- 9-2-74 - BCC defer 4 weeks.
- 9-17-74 - BCC defer 4 weeks.
- 10-15-74 - BCC defer 4 weeks.
- 11-12-74 - BCC defer 4 weeks.
- 12-10-74 - BCC defer 4 weeks.
- 1-7-75 - BCC defer 4 weeks.
- 2-4-75 - BCC defer 4 weeks.

If we can furnish you additional information, please call.

Jack H. Galbraith
Chief Planner

JHG:MM:js

November 12, 1974

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

Subject: S/D 73-119 -
Ridge Plaza 5th Add.

Dear Mr. Higgins:

On November 12, 1974 the Board of City Commissioners considered the above captioned plat. As agreed prior to the meeting, the action of the Commission was to defer this case again for four weeks. This matter will therefore be rescheduled for consideration by the Board of City Commissioners at their regular meeting on December 10, 1974, the meeting to begin at 9:00 a.m., Room 201 City Building, 204 South Main.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js

cc: Bown H. Brady
6405 East Kellogg
Wichita, Kansas 67207

October 10, 1974

Ralph Wulz, City Manager

Jack H. Galbraith, Chief Planner

S/D 73-119 - Final Plat of
RIDGE PLAZA 5TH ADDITION

As you are aware, the Board of City Commissioners has deferred on four previous occasions the above-captioned plat in an attempt to work out with the developer's attorney, William P. Higgins, and John D. McNeal of the State, an early acquisition of the needed highway right-of-way for Ridge Road. The last deferral was for four weeks on September 17, 1974.

In attempting to determine the status yesterday, Mr. Higgins called the State and was advised that they were still working on the matter. Higgins called and was agreeable to another 30 day deferral as long as it was in the record that the purpose of the deferral was that the State was still requesting that the Bureau of Public Roads authorize early acquisition of the right-of-way as related to this plat.

JHG:ber

cc: William P. Higgins, Attorney
First National Bank Building 67202

State Highway Commission of Kansas

July 29, 1974

Urref: S/D Final Plat of RIDGE PLAZA 5TH ADDITION

Mr. Ralph Wulz
City Manager
City of Wichita
City Building
204 S. Main St.
Wichita, Kansas 67202

Dear Mr. Wulz:

We regret that we cannot give you a definite answer with respect to early acquisition of the needed highway rights-of-way for Ridge Road within the area being planned as Ridge Plaza 5th Addition.

We have temporarily suspended all early acquisition not already in progress, pending approval by the Federal Highway Administration of our policies and procedures for such acquisitions. We have made submission to the Federal Highway Administration but have not yet had approval.

We are also facing a heavy financial demand for right-of-way acquisitions, both regular and early acquisition. We are currently reviewing the total financial requirements to determine how far we can proceed with early right-of-way acquisition. Although we may receive FHWA approval prior to the 6th of August, our financial review probably will not be complete by that time.

Should we have definitive answers by that date, we shall advise you by telephone.

We, of course, hope to resolve all questions within the reasonably near future.

Very truly yours,

John D. McNeal
JOHN D. McNEAL
STATE HIGHWAY ENGINEER

JDMc:gv

cc: Mr. William P. Higgins, 313 First National Bank Building
Professional Engineering Consultants, 1440 E. English
Jack Galbraith, Chief Planner
Mr. Harry G. Wiles, Chief, Right-of-Way
Mr. Glenn Anschuts, Eng. of Design



THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
PHONE (AC 316) 262-0611
CITY BUILDING — 204 S. MAIN ST.
WICHITA, KANSAS 67202

July 18, 1974

Mr. John McNeal
State Highway Department
State Office Building
Topeka, Kansas 66612

RE: S/D Final Plat of RIDGE PLAZA 5TH ADDITION

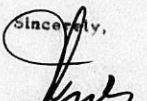
Dear Mr. McNeal:

On Tuesday, Mr. William Higgins, Attorney, representing the owners of the land proposed to be platted as Ridge Plaza 5th Addition, generally located south of Maple and west of Ridge Road, appeared before the City Commission to discuss right-of-way acquisition. I am aware that the Planning Department has written your office and the City Commission did have the response furnished by Mr. J. O. Adams of your department concerning the proposed setback line and taking.

The City Commission specifically requested that the State and the appropriate Federal review agencies consider and authorize early acquisition for the needed highway rights-of-way for Ridge Road within the area being platted as Ridge Plaza 5th Addition. The City Commission deferred action on this matter until the meeting of August 6, 1974. It would be most helpful if we could have the response to the City Commission's request by July 31 so that it may be made available to them in advance of the meeting.

If there are any questions concerning this matter, please call.

Sincerely,


Ralph Wulz
City Manager

RW:sc
cc: William F. Higgins, 313 First National Bank Building
Professional Engineering Consultants, 1440 E. English
Jack Galbraith, Chief Planner ✓



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSSUBDIVISION APPROVAL

S/D Number 73-119 Name RIDGE PLAZA 5TH ADDITION
 Application & Sketch Filed: 9-13-73; Revised 5-24-74
 Preliminary Plat Filed: N/A Approved by S/D: N/A
 Final Plat Filed: 6-13-73; Revised 5-24-74 Approved by S/D: 6-6-74
 Approved by Metropolitan Area Planning Commission: 6-13-74

DESCRIPTION

General Location: Southwest corner of
Maple & Ridge Road

Surveyor or Engineer: Baughman Company
 Owner: Bowen H. Brady
 Address: 6405 East Kellogg 67207

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>50</u> | 6. Access Control |
| 2. Number of Lots: | St. <u>Ridge Rd.</u> No. Openings <u>11</u> |
| Residential _____ | St. <u>Maple St.</u> No. Openings <u>9</u> |
| Commercial <u>1</u> | St. _____ No. Openings _____ |
| Industrial _____ | 7. Req'd Improvements |
| Other <u>1</u> | St. Paving <u>X</u> Water <u>X</u> |
| Total Number of Lots: <u>2</u> | Sidewalk <u>X</u> Drainage <u>X</u> |
| 3. Minimum Lot Area: <u>17.9</u> Acres | Sewer <u>X</u> Other _____ |
| 4. Existing Zoning <u>"AA"</u> | |
| 5. Special Problems Discussed <u>right-of-way requirements for realigned Ridge Road in connection with the planned highway interchange.</u> | |

NOTE: Minutes of the Planning Commission meeting are attached.

Planning Commission Recommendation:

That this plat be approved subject to the following conditions:
(See attached sheet.)

Hill moved, Gragert seconded and it carried by a vote of 5 in favor (Hill, Gragert, Rising, Kamen and Gardenhire) and 1 opposed (Hennessy). (Arnholz, Blakey, Taylor and Hopper absent.)

NOTE: Associated Cases Z-1192, "AA" to "A", "B", "BB" and "LC" and Community Unit Plan DP-37, have been approved by the Board of City Commissioners subject to platting.

ACTION: 1. Approve the plat as approved by the Metropolitan Area Planning Commission, authorize the Mayor to sign and instruct the Planning Department to withhold release of the plat tracing until all conditions of the plat approval have been complied with; or
 2.. Take such action as the Commission deems advisable.

9-17-74 Defered 4 weeks.
 10-15-74 Defer 4 weeks
 11-12-74 Defered to Dec 10

Refer to Dept 17, 74
 12/10/74 Defered to Jan 7, 1975
 1/7/75 Defer to Feb 4, 1975
 2/4/75 Defer to March 4

PLANNING COMMISSION CONDITIONS OF APPROVAL

At the regular meeting of the Metropolitan Area Planning Commission on June 13, 1974, the above-captioned plat was considered. It was the action of the Commission to approve the plat, subject to the following conditions:

- A. The plat shall be redesigned and expanded to include the property to the west which was included in the original final plat.
 - X B. Block 1 shall be redesigned to reflect lots that correspond with the parcels approved on the Ridge Plaza CUP; or the CUP shall be redesigned and amended.
 - X C. Street right-of-way shall be dedicated on the plat across Lot 2 for the extension of University to connect with Taft Avenue at Ridge Road.
 - D. Access controls indicated on the plat along Maple shall be changed to reflect two openings to Maple from Lot 1 and three openings to Maple from Lot 2.
 - E. A 35-foot building setback from both sides of University shall be indicated on Lot 2.
 - X F. The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.
- Should Change G.* The applicant shall guarantee the paving of the interior streets being dedicated on the plat and the proposed accel-decel lane along the west side of Ridge Road.
- H. The applicant shall install or guarantee the construction of sidewalks adjacent to the south side of Maple, the west side of Ridge Road, the east side of Woodchuck and both sides of all interior streets.
 - I. The applicant shall guarantee the extension of sanitary sewer and City water to serve all lots being platted.
 - J. Compliance with the requirements of the Metropolitan Area Planning Commission.
 - K. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
 - L. Certification by an attorney that fee title is vested in the platlor.
 - M. Certification that all taxes due and payable for 1973 and prior years have been paid.
 - N. Recording of the plat within 30 days after approval by the Board of City Commissioners.
-

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 13, 1974:

14. S/D 73-119 - Revised Final Plat of RIDGE PLAZA 5TH ADDITION,
generally located south of Maple and east of Woodchuck Lane.

GALBRAITH pointed out that a CUP was previously approved for this area with some "LC", "B" and "BB" zoning granted. Also, the Board of Education proposes to expand its school site at Woodchuck and Maple. He pointed out that recently right-of-way was purchased by the State Highway Commission for an interchange in this area, and that ultimately there will be future condemnations by the State for Ridge Road improvements and relocation.

GALBRAITH said that one of the conditions of approval as recommended by the Subdivision Committee was as follows:

The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.

WILLIAM P. HIGGINS, attorney for the applicant, said that he was appearing at this time because when forwarded on to the City Commission with the provisional setback, that Commission might send the plat back for reconsideration by the Planning Commission and thus delay matters.

HIGGINS pointed out that this same thing happened on Ridge Plaza 3rd Addition. In this case, when a provisional setback was requested by the Subdivision Committee, he asked that such setback be defined, otherwise the entire platting process in this case is a sham. He commented that this has happened before, where the City tries to retain property for future condemnation. He considered this practice illegal and the taking of property without compensation, and in subject case they are forced to plat and have the property chopped up with a provisional setback, and he did not consider it proper.

HIGGINS stated that it is well known that a portion of subject property will be needed for the highway interchange at Ridge Road, but that his clients have payments to make the same as other property owners. He said that in a previous similar situation, the Planning Commission had requested that a representative of the State Highway Commission explain the situation, and efforts were made to work together for early acquisition of whatever was required. HIGGINS said he has talked with Mr. Gray of the State Highway Commission on this problem, and as of this time, HIGGINS said he objects to most of the provisions of plat approval and did so in the meeting with the State Highway Department. He pointed out that a plat cannot be processed when there is nothing definite as to the location of the right-of-way line needed for highway improvements, and at this time no one knows what it is.

GARDENHIRE arrived and Hopper was excused from the meeting.

HIGGINS requested that, if the Commission accepts the conditions suggested by the Subdivision Committee, the applicant be allowed to meet such requirements after consideration by the City Commission.

HIGGINS pointed out also that they do not agree with the re-alignment of University leading into Taft.

HIGGINS said he was not claiming an unfair hearing, but only that it is unfair to require a provisional setback and hold up use of the land for a year until the Highway Department makes a determination. He suggested that after ten years of study, it would seem a decision would have been made.

HIGGINS said that the Subdivision Committee wanted to defer this plat, but it was his desire that it continue to go forward, hoping that there could be early acquisition of whatever is needed.

As for the possibility of the School Board acquiring property in this area, HIGGINS said there is no written contract, and that a contract cannot be entered into at this time which would affect the appraisal value of the property involved. He said informal arrangements have been made; however, nothing has been agreed to in writing.

HILL said that he was informed that the line shown on the plat was the westernmost line of right-of-way that was going to be required, and the Subdivision Committee appreciated the problem, but the Committee is to look after the public interest and not just the applicant's. He said that it is known by everyone that improvement of U. S. 54 is necessary and the Commission would be remiss in its responsibilities if the public interest was not protected.

HILL pointed out also that it would be detrimental to the subdivider or developer if allowed to develop the property and then be condemned six months later. With respect to Taft Street, HILL said it is known now that both Taft and University will be commercial streets and that they should be tied together in some manner. HIGGINS said there would be a question of how it would affect appraisals in any acquisition of right-of-way.

HILL said that the applicant is being granted the right to develop his property in a manner that the ordinary public does not have and as a result, the value of the property has been enhanced. In the discussion, the question was asked if the road improvement will actually occur as planned at this time, in view of possible changes because of political factors which could develop. Also, there are other factors which have not been resolved in the way of environmental impact.

RISING said he understood the problem and sympathized with the applicant; however, there is nothing new in that the Commission has heard the arguments before and should vote on the issue and move ahead.

When the question of deferral by the Subdivision Committee was brought up again, HILL said that the Committee did want to defer the plat for two weeks, but that Mr. Higgins wanted it heard and to know the recommendation and requirements. He said the Committee did not have a right to defer unless the applicant agreed. GRAGERT commented that apparently the purpose is to have the City Commission make a policy decision and clarification of the right-of-way requirements and provisional setback line.

MOTION: That the Planning Commission accept the Subdivision Committee recommendation. Gragert moved and Hill seconded.

HILL commented that the applicant can appeal the decision to the City Commission or would have a right to appeal to the district court.

LAKIN noted that in the CUP there were designated uses and road system which do not appear to have been considered in the layout of the plat. He said that the City Commission may bring this point up, and asked how the Subdivision Committee rationalized platting in nonconformance with the CUP. HILL said they did not like it, but were not aware they could ask for a change. LAKIN said they would have the right to require platting in conformance with the CUP, or the CUP would have to be amended. He said he could foresee a number of problems in the way of replatting, and as shown, would be contrary to earlier approval of the CUP.

KAMEN said it was required that the proposed school board property be included, but it is not shown.

HILL said he would amend the above motion because it was his understanding the western portion of this plat was to be expanded and be platted according to the CUP.

MOTION: That the Planning Commission recommend to the City Commission that this plat be approved, subject to the following conditions as recommended by the Subdivision Committee, and in addition, a further condition that Block 1 be redesigned to reflect lots that correspond with the parcels approved on the Ridge Plaza CUP; or the CUP be redesigned and amended; such conditions to be as follows:

- A. The plat shall be redesigned and expanded to include the property to the west which was included in the original final plat.
- B. Block 1 shall be redesigned to reflect lots that correspond with the parcels approved on the Ridge Plaza CUP; or the CUP shall be redesigned and amended.
- C. Street right-of-way shall be dedicated on the plat across Lot 2 for the extension of University to connect with Taft Avenue at Ridge Road.

- D. Access controls indicated on the plat along Maple shall be changed to reflect two openings to Maple from Lot 1 and three openings to Maple from Lot 2.
- E. A 35-foot building setback from both sides of University shall be indicated on Lot 2.
- F. The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.
- G. The applicant shall guarantee the paving of the interior streets being dedicated on the plat and the proposed accel-decel lane along the west-side of Ridge Road.
- H. The applicant shall install or guarantee the construction of sidewalks adjacent to the south side of Maple, the west side of Ridge Road, the east side of Woodchuck and both sides of all interior streets.
- I. The applicant shall guarantee the extension of sanitary sewer and City water to serve all lots being platted.
- J. Compliance with the requirements of the Metropolitan Area Planning Commission.
- K. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- L. Certification by an attorney that fee title is vested in the platlor.
- M. Certification that all taxes due and payable for 1973 and prior years have been paid.
- N. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Hill moved and Gragert seconded.

CURTIS NEWBY, Junior Planner, said the Subdivision Committee was not in disagreement with the idea of one large lot, but was concerned about various zoning classifications within the lot. At that time, HIGGINS pointed out that development would have to conform to the zoning districts, and that if possible, he would like to avoid having to amend the CUP.

HIGGINS agreed that there are several zoning classifications in the one lot and that development would have to conform to such zoning regardless of lot lines and that it is not unusual to have different zoning classifications on one lot. He maintained that there would be absolute control of development as now zoned.

LAKIN said he would agree, except that the CUP shows a street dividing what is now platted as one lot and he wanted to be able to explain such to the City Commission, and that he would expect there to be a lot split or replatting, and in order to put Higgins on notice, he said he did not construe that lot splits would be granted under the circumstances.

HIGGINS thought the CUP was probably no longer valid because of the alignment of University and Taft as required by the Sub-division Committee. HILL said to plat as originally planned in the CUP would not be feasible because of changes made in the platting of Ridge Plaza 3rd Addition and the provisional setback required at that time. HILL said if it is not a viable CUP at this time, then it should be amended.

HIGGINS suggested that an amendment would not be possible until the right-of-way for highway improvements is definite.

LAKIN said the alignment as shown is the best line available and that it is reasonably firm.

HENNESSY asked Lakin if he could state definitely that the right-of-way for highway improvement will be as shown. LAKIN said he could not say at this time because he had not checked in the last two or three days, but as shown is the information he has been provided. He suggested that by the time this plat is forwarded to the City Commission, he would attempt to have that information, and if it is the action of the Planning Commission that the CUP be amended later, then he can tell the City Commission.

VOTE ON ABOVE MOTION: Carried by a vote of 5 in favor (Hill, Gragert, Rising, Kamen and Gardenhire) and 1 opposed (Hennessy). (Arnholz, Blakey, Taylor and Hopper absent.)

NOTE: Subsequent to the Planning Commission meeting, the State Highway Department was contacted concerning the temporary building setback required in Condition F. Attached is a copy of their reply.

The plat has not been revised nor have the conditions of approval by the Planning Commission been complied with.

July 2, 1974

Mr. William P. Higgins, Attorney
1st National Bank Building
Wichita, Kansas 67202

Subject: Ridge Plaza Fifth
Addition

Dear Bill,

Attached is a copy of the letter which we received from the State Highway Commission. I think this is about the same thing they talked to me about in that (1) they are not in a position to advance highway acquisition, (2) they should have plans for right-of-way (the legal descriptions) available in a few weeks and (3) the land acquisition should occur within the time period that the Planning Commission has generally established for this plat.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:df

Attachment

State Highway Commission of Kansas

ROBERT B. DOCKING, Governor

A. J. "ANDY" GRAY, Director of Highways
JOHN IVAN, Assistant State Highway Director
JOHN D. McNEAL, State Highway Engineer

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

STATE HIGHWAY COMMISSIONERS

KEN PHELPS, Manhattan
CLARENCE L. KING, JR., Salina
RICHARD M. DRISCOLL, Russell
KARL A. BRUECK, Paola
NESTOR R. WEIGAND, JR., Wichita
LOUIS KAMPSCHROEDER, Garden City

June 24, 1974

(BC) 54-87 U 038-3(35)
Seville to Hoover Road
Sedgwick County

Mr. Robert A. Lakin
Director of Planning
Wichita-Sedgwick County Metropolitan Area
Planning Department
City Building Annex
Wichita, Kansas 67202

Dear Mr. Lakin:

This is in reference to your letter and attached plat of the Ridge Plaza 5th Addition on the west side of Ridge Road, in the northwest quadrant of the US-54 Ridge Road interchange area.

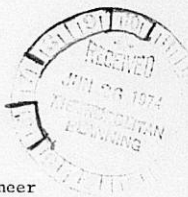
As indicated in our telephone discussion of this area last week, we have reviewed the matter with Mr. Higgins. We are not in a position to go to advanced right of way acquisition as the filing of a plat does not justify a hardship case. We do plan to have the project right of way plans available in a few weeks, and should be advancing toward right of way appraisal and acquisition of the total project within the time limits you have placed on your approval of the plat.

Ridge Road is a city street at this point, and as such the required setback does not appear to be any more restrictive than other building setbacks and street dedications required for this plat.

Very truly yours,

John D. McNeal, P.E.
State Highway Engineer

J. O. Adams
J. O. Adams, P.E.
Assistant State Highway Engineer



JDM:JOA:lmh

cc: Carl Knop, Professional Engineering Consultants, Wichita
Glenn Anschutz, Engineer of Design

3. Plat note part of previous proceedings
1. Legal's available.
3. Treat same as 3rd line then line
2. E-W dedication normal

State Highway Commission of Kansas

ROBERT B. DOCKING, Governor

A. J. "ANDY" GRAY, Director of Highways
JOHN IVAN, Assistant State Highway Director
JOHN D. McNEAL, State Highway Engineer

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June 24, 1974

(BC) 54-87 U 038-3(35)
Seville to Hoover Road
Sedgwick County

Mr. Robert A. Lakin
Director of Planning
Wichita-Sedgwick County Metropolitan Area
Planning Department
City Building Annex
Wichita, Kansas 67202

Dear Mr. Lakin:

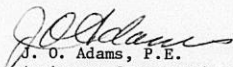
This is in reference to your letter and attached plat of the Ridge Plaza 5th Addition on the west side of Ridge Road, in the northwest quadrant of the US-54 Ridge Road interchange area.

As indicated in our telephone discussion of this area last week, we have reviewed the matter with Mr. Higgins. We are not in a position to go to advanced right of way acquisition as the filing of a plat does not justify a hardship case. We do plan to have the project right of way plans available in a few weeks, and should be advancing toward right of way appraisal and acquisition of the total project within the time limits you have placed on your approval of the plat.

Ridge Road is a city street at this point, and as such the required setback does not appear to be any more restrictive than other building setbacks and street dedications required for this plat.

Very truly yours,

John D. McNeal, P.E.
State Highway Engineer


J. O. Adams, P.E.
Assistant State Highway Engineer



JDM:JOA:lmh

cc: Carl Knop, Professional Engineering Consultants, Wichita
Glenn Anschutz, Engineer of Design

June 18, 1974

John D. McNeal
State Highway Department
State Office Building
Topeka, Kansas 66612

Re: Ridge Plaza 5th Addition.
Generally located on the
west side of Ridge Road
in an area north of U. S.
54 Highway (Kellogg).

Dear Mr. McNeal:

The above captioned plat was approved by our Planning Commission at their July 10, 1974 meeting, subject to several conditions. One of the conditions was that the applicant preserve, by separate instrument, a temporary building setback to coincide with the western most line of the proposed right-of-way for realigned Ridge Road at the Ridge Road-West U. S. 54 interchange. This building setback is to remain in effect for one year from the date of approval of the plat by the Wichita Board of City Commissioners. The purpose would be so that the right-of-way can be purchased by the State within that year's time.

You will recall that last year a similar plat called Ridge Plaza 3rd Addition was also involved with the Ridge Road-54 Highway interchange right-of-way acquisition. At that time, the early acquisition of interchange right-of-way was accomplished on that property. The property involved in this present plat lies adjacent to and immediate north of the Ridge Plaza 3rd property and is owned by Bowen H. Brady. His attorney, William P. Higgins stated to the Planning Commission that he has contacted the State who had advised that they could not furnish a description of the right-of-way needed for Ridge Road relocation nor could they give any assurance as to when the right-of-way could be acquired.

John D. McNeal
June 18, 1974
Page 2

We were under the impression that the right-of-way furnished to us recently by Professional Engineering Consultants was what was to be used and a legal description could be provided. Mr. Higgins stated, however, that the alignment furnished to us had not been agreed to by either the State or Federal. Mr. Higgins has asked that I write to you and state that his client is desirous of having early acquisition of right-of-way occur on his property as was accomplished on Ridge Plaza 3rd Addition so that they can proceed with the platting and development of their property.

I would appreciate your consideration of this matter of early acquisition and also your advising me as to the status of the right-of-way alignment and right-of-way acquisition concerning this property. If a meeting between your staff, Professional Engineering Consultants and us would be helpful, please advise.

Enclosed, for your information, is a copy of the submitted plat with what we assumed to be the proposed right-of-way for Ridge Road marked in red as furnished by Professional Engineering Consultants. Also enclosed is a copy of our letter to Mr. Higgins outlining the conditions of approval of the plat.

Would appreciate hearing from you at your earliest convenience.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:JHG:rme
Enclosures

cc: Professional Engineering Consultants
Attn: Charles Freund and Ron Pletcher
1440 East English, 67211

William P. Higgins, Attorney
313 First National Bank Building, 67202

LAW OFFICES
OF
WILLIAM P. HIGGINS

June 13, 1974

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

Mr. Curtis L. Newby
Wichita-Sedgwick County
Metropolitan Area Planning Commission
104 South Main Street
Wichita, Kansas 67202

Re: S/D 73-119 - Revised Final Plat
of Ridge Plaza 5th Addition

Dear Curtis:

This letter is to verify that this matter will be on the
City Commission agenda for July 2, 1974, as I forgot to
determine the date at the meeting today.

Yours truly,

William P. Higgins
WILLIAM P. HIGGINS

WPH/jsp



June 17, 1974

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

Re: S/D 73-119 - Revised Final
Plat of RIDGE PLAZA 5TH
ADDITION

Dear Mr. Higgins:

At the regular meeting of the Metropolitan Area Planning Commission on June 13, 1974, the above-captioned plat was considered. It was the action of the Commission to approve the plat, subject to the following conditions:

- A. The plat shall be redesigned and expanded to include the property to the west which was included in the original final plat.
- B. Block 1 shall be redesigned to reflect lots that correspond with the parcels approved on the Ridge Plaza CUP; or the CUP shall be redesigned and amended.
- C. Street right-of-way shall be dedicated on the plat across Lot 2 for the extension of University to connect with Taft Avenue at Ridge Road.
- D. Access controls indicated on the plat along Maple shall be changed to reflect two openings to Maple from Lot 1 and three openings to Maple from Lot 2.
- E. A 35-foot building setback from both sides of University shall be indicated on Lot 2.
- F. The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.

Page 2 - Mr. William P. Higgins
June 17, 1974

- G. The applicant shall guarantee the paving of the interior streets being dedicated on the plat and the proposed accel-decel lane along the west side of Ridge Road.
- H. The applicant shall install or guarantee the construction of sidewalks adjacent to the south side of Maple, the west side of Ridge Road, the east side of Woodchuck and both sides of all interior streets.
- I. The applicant shall guarantee the extension of sanitary sewer and City water to serve all lots being platted.
- J. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Regarding Conditions A. B. and C., the final plat should first be revised reflecting these conditions and 15 copies submitted to our office prior to forwarding the plat to the Board of City Commissioners. In addition to the above conditions, it is necessary that the following conditions also be complied with prior to forwarding the plat to the City Commission; however, you have expressed an interest that the plat be forwarded without your complying with these conditions:

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 plattor.
4. Certification that all taxes due and payable for 1973 and prior years have been paid.

As we discussed Friday, I have advised Bob Lakin of your interest in having the State and Federal agencies made aware of your interest in early acquisition of the land necessary for re-locating Ridge Road. In this regard, we are writing the State of your interest. Also, as we left our discussion, you are going to discuss your interest further with Bob Lakin. Since Bob is often in meetings, I would urge that you call him for an appointment.

Once the final plat is approved by the City Commission, it will be necessary that, prior to its recording, the various utility companies have a final opportunity to approve the location of

Page 3 - Mr. William P. Higgins
June 17, 1974

utility easements. I am sure your client will not object to their final review inasmuch as they have not had the opportunity of reviewing the plat after it will be redesigned. We will advise you later as to the number of copies needed.

If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Bowen Brady, 6405 East Kellogg 57207
Baughman Company, 330 Laura 67211
Dean Sellers, Assistant City Engineer

June 7, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 73-119 - Revised Final Plat
of RIDGE PLAZA 5TH ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, June 6, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The plat shall be redesigned and expanded to include the property to the west which was included in the original final plat.
- B. Street right-of-way shall be dedicated on the plat across Lot 2 for the extension of University to connect with Taft Avenue at Ridge Road.
- C. Access controls indicated on the plat along Maple shall be changed to reflect two openings to Maple from Lot 1 and three openings to Maple from Lot 2.
- D. A 35-foot building setback from both sides of University shall be indicated on Lot 2.
- E. The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.
- F. The applicant shall guarantee the paving of the interior streets being dedicated on the plat and the proposed accel-decel lane along the west side of Ridge Road.

June 7, 1974
Page 2

- G. The applicant shall install or guarantee the construction of sidewalks adjacent to the south side of Maple, the west side of Ridge Road, the east side of Woodchuck and both sides of all interior streets.
- H. The applicant shall guarantee the extension of sanitary sewer and City water to serve all lots being platted.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

In addition to the above comments, the applicant shall be advised that the construction of the sidewalk will be required at the time of final building inspection when said sidewalk is required as a condition of plat approval.

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 13, 1974, 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: Bowen H. Brady
6405 East Kellogg, 67207

William P. Higgins, Attorney
313 First National Bank Building, 67202

Dean Sellers, Assistant City Engineer

REVISED FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-119 Name RIDGE PLAZA 5TH ADDITION
Date Application Rec'd. 9-13-73 Preliminary Approval _____
Scheduled S/D Meeting 6-6-74

DESCRIPTION

General Location South of Maple and east of Woodchuck Lane
Owner Bowen H. Brady
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>50</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u> </u> R/W <u> </u> ft. |
| Residential <u> </u> | b. <u> </u> R/W <u> </u> ft. |
| Commercial <u> </u> 1 | c. <u> </u> R/W <u> </u> ft. |
| Industrial <u> </u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u> </u> 1 | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u> </u> 2 | TOTAL <u> </u> ft. |
| 3. Minimum Lot Frontage <u>752</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>N/A</u> ft. | streets? <u> </u> yes <u>X</u> no |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>B, BB & LC</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), 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 this plat is a revised and expanded final plat. The original final plat was considered by the Subdivision Committee on September 20, 1973 and by the Planning Commission on September 27, 1973.
- B. This revised final plat does not reflect the appropriate right-of-way dedication from Lot 2 for the right-of-way for relocated Ridge Road.
- C. Proposed Lot 1 has not taken into account the three different zone changes approved for said area. Lot 1, therefore needs to be redesigned into several lots as on the original final plat or appropriate zone changes need to be applied for on Lot 1.
- D. The distance (815 feet) indicated along the centerline of University Avenue does not correspond to the same distance (818 feet) indicated on Ridge Plaza 3rd Addition.
- E. It is recommended that this plat be deferred for redesign to provide appropriate rights-of-way, lots corresponding to approved zone changes, etc.

September 28, 1973

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 73-119 - Final Plat of
RIDGE PLAZA 5TH ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on September 27, 1973, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee, subject to the conditions stated in our letter of September 21, 1973.

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 plat.
4. Certification that all taxes due and payable for 1972 and prior years have been paid.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Bowen H. Brady, 6405 East Kellogg 67207
Dean Sellers, Assistant City Engineer

September 21, 1973

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 73-119 - Final Plat
of RIDGE PLAZA 5TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, September 20, 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's surveyor shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to some of the dimensions on the plat.
- B. "Access control except for one opening" shall be indicated adjacent to the north line of Lot 1 on Maple Street and with the appropriate wording in the plat's text.
- C. The applicant shall install or guarantee the extension of City water to serve all lots being platted.
- D. The applicant shall guarantee the paving of Holland, University and Woodchuck Lane.
- E. The applicant shall install or guarantee the installation of sidewalks adjacent to all streets shown on this plat; the total estimated cost to be in the amount of \$7,660.
- F. The maximum building height restrictions as approved on the associated CUP shall be indicated on the plat tracing.

Page 2
Final Plat of RIDGE PLAZA
5TH ADDITION - September 21, 1973

- G. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that appropriate construction methods will be utilized to minimize the hazards from noise pollution within any habitable structures to be built on said property.
- H. Inasmuch as Lot 4 was approved for two-family development, it should be redesigned as two lots facing Woodchuck Lane.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. 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, September 27, 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: Bowen H. Brady
6405 East Kellogg, 67207
Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-119 Name RIDGE PLAZA 5TH ADDITION
Date Application Rec'd. 9-13-73 Preliminary Approval _____
Scheduled S/D Meeting 9-20-73

DESCRIPTION

General Location South of Maple and east of Woodchuck Lane

Owner Bowen H. Brady
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

1. Gross Acreage of Plat 16.50 acres 7. Lineal Feet of New Streets:
2. Number of Lots:
 Residential _____ ft.
 Commercial 1 _____ ft.
 Industrial _____ ft.
 Other 1 _____ ft.
Total Number of Lots AP TOTAL 2855.17 ft.
3. Minimum Lot Frontage 190-17752 ft. 8. Sidewalk adjacent to all
4. Minimum Lot Area N/A 38,034.0 sq. ft. streets? yes X no
5. Existing Zoning AA
6. Proposed Zoning A, B, & BB BB & LC
9. Public Water Supply Yes (Yes-No), Name _____
10. Public Sanitary Sewers Yes (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita X : Three-Mile Area _____

STAFF COMMENTS:

- A. The associated cases Z-1192, from "AA" to "A", "B", "BB" and "LC" and Community Unit Plan DP-37, have been approved by the Board of City Commissioners subject to platting. Lots 1 and 3 were approved for "BB" Office, Lot 2 for "B" Multiple Family and Lot 4 for "A" Two Family.
- B. In the approval of the associated C.U.P. and the overall preliminary plat, the applicant was to negotiate with the Wichita School Board for the purchase of a portion of the subject property to expand the existing school site adjacent on the west. Therefore, the applicant shall be prepared to discuss this matter at the Subdivision Committee meeting. We have been advised that the Board of Education is interested in both Lots 1 and 2 and that they should be platted as one lot.
- C. "Access control except for 3 openings" shall be indicated adjacent to the north line of Lot 1 on Maple Street with the appropriate wording in the platting's text.
- D. It shall be noted that building setback lines need not be shown on this plat since they are included on the approved C.U.P.
- E. The applicant shall guarantee the paving of Holland, Maple, University and Woodchuck Lane.
- F. The applicant shall install or guarantee the installation of sidewalks adjacent to all streets shown on this plat; the total estimated cost to be in the amount of \$7,660.
- G. The applicant shall be advised that sidewalk construction will be required prior to final building inspection for lots where the sidewalk has been previously required as a condition of platting.
- H. The maximum building height restrictions as approved on the associated C.U.P. shall be indicated on the final plat.

(OVER)

- I. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that appropriate construction methods will be utilized to minimize the hazards from noise pollution within any habitable structures to be built on said property.
- J. Inasmuch as Lot 4 was approved for Two-family development, it should be redesigned as two lots facing Woodchuck Lane.
- K. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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

S/D No. 73-19

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Ridge Plaza 5th Addition
General Location: Southwest of Maple and Woodchuck (lane)
Name of Property Owner: Bown H. Brady
Address: 6405 E. Kellogg Phone: 684-0175
Name of Subdivider: _____ Phone: _____
Address: _____
Name of Agent/Surveyor: Baughman Company
Address: 330 Laura Phone: 262-7271
Date of Application: September 12, 1973

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 16 acres
2. Number of Lots:
 - Residential _____
 - Commercial _____
 - Industrial _____
 - Other _____Total Number of Lots 4
3. Minimum Lot Frontage 190.17 ft.
4. Minimum Lot Area 38,034.0 sq. ft.
5. Existing Zoning AA
6. Proposed Zoning A, B, BB
7. Lineal Feet of New Streets:
 - a. 50 R/W 480 ft.
 - b. 40 R/W 225.17 ft.
 - c. 35 R/W 1176.0 ft.
 - d. 70 R/W 974 ft.
 - e. _____ R/W _____ ft.TOTAL 2855.17 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply (Yes-No), Name _____
10. Public Sanitary Sewers (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita 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: _____

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

Received by Pat Healy
Date 9/13/73
Fee Submitted none req.

POINTS IN HIGGINS LAST PRESENTATION

1. Legal's available
2. E-W street DEDICATION NORMAL.
3. THIS PLAT NOT A PART OF PREVIOUS PLAT.

ISSUE TO WIND UP WITH A PLAT

+ INTERNAL SYSTEM THAT WORKS +

PRESERVE HIGHWAY. CUP NEEDS

REDESIGNED BASED ON TAKINGS PREVIOUS

+ NOW

SEDGWICK COUNTY TREASURER,
COURTHOUSE, WICHITA, KS. 67203

SALE/REDEMPTION NO: **78-05041**

DATE: 8-29-79

PAYER: B. H. Devel
HAS THIS DAY PAID TO COUNTY TREASURER, FOR THE REDEMPTION OF THE REAL ESTATE DESCRIBED BELOW FROM THE SALE OF THE FIRST TUESDAY IN SEPTEMBER, 1979

COUNTY TREASURER J. Shreeff
BY Libby

BRADY BOWEN H ETAL

**E 33 FT N1/2 NW1/4 NW1/4 NE1/4 EXC
N 30 FT FOR STREET
SEC 28-27-14**

**78-RE-10-0042-02-5
D -00294-000L-01UP
FULL 6702
4.87 R453 806161**

<input type="checkbox"/> CA	INT. AFTER SALE	TOTAL
<input checked="" type="checkbox"/> CK	=	4.87
<input type="checkbox"/> TAX		
<input type="checkbox"/> CHG		

GENERAL TAX	MISC. SPECIALS	TAX AMOUNT	INT. & ADV. BEFORE SALE	SALE AMOUNT
2.27	67 1.19	3.46	1.19 1.41	4.87

IF PROPERTY OWNER OR MAILING ADDRESS IS INCORRECT, ADVISE THE COUNTY CLERK'S OFFICE.

SEDGWICK COUNTY TREASURER,
COURTHOUSE, WICHITA, KS. 67203

SALE/REDEMPTION NO: **78-05042**

DATE: 8-29-79

PAYER: B. H. Devel
HAS THIS DAY PAID TO COUNTY TREASURER, FOR THE REDEMPTION OF THE REAL ESTATE DESCRIBED BELOW FROM THE SALE OF THE FIRST TUESDAY IN SEPTEMBER, 1979

COUNTY TREASURER J. Shreeff
BY Libby

**BRADY, BOWEN H ETAL
6405 E KELLOGG
WICHITA KS 67207**

**E 33 FT S1/2 NW1/4 NW1/4 NE1/4
SEC 28-27-14**

**78-RE-10-0042-03-7
D -00294-000M-01UP
FULL 6702
4.62 R453 806162**

<input type="checkbox"/> CA	INT. AFTER SALE	TOTAL
<input checked="" type="checkbox"/> CK	=	4.62
<input type="checkbox"/> TAX		
<input type="checkbox"/> CHG		

GENERAL TAX	MISC. SPECIALS	TAX AMOUNT	INT. & ADV. BEFORE SALE	SALE AMOUNT
2.27	67 1.19	3.46	1.19 1.16	4.62

IF PROPERTY OWNER OR MAILING ADDRESS IS INCORRECT, ADVISE THE COUNTY CLERK'S OFFICE.

SEDGWICK COUNTY TREASURER,
COURTHOUSE, WICHITA, KS. 67203

SALE/REDEMPTION NO: **78-05043**

DATE: 8-29-79

PAYER: B. H. Devel
HAS THIS DAY PAID TO COUNTY TREASURER, FOR THE REDEMPTION OF THE REAL ESTATE DESCRIBED BELOW FROM THE SALE OF THE FIRST TUESDAY IN SEPTEMBER, 1979

COUNTY TREASURER J. Shreeff
BY Libby

**BOWEN H BRADY ETAL
6405 E KELLOGG
WICHITA KS 67207**

**N 1/2 NE 1/4 NW 1/4 NE 1/4 EXC ST
SEC 28-27-14**

**78-RE-10-0042-04-9
D -00294-000M-00UP
FULL 6702
41 R453 806163**

<input type="checkbox"/> CA	INT. AFTER SALE	TOTAL
<input checked="" type="checkbox"/> CK	=	382.41
<input type="checkbox"/> TAX		
<input type="checkbox"/> CHG		

GENERAL TAX	MISC. SPECIALS	TAX AMOUNT	INT. & ADV. BEFORE SALE	SALE AMOUNT
158.72	67 110.34	269.10	12.31 1.00 13.31	282.41

IF PROPERTY OWNER OR MAILING ADDRESS IS INCORRECT, ADVISE THE COUNTY CLERK'S OFFICE.

SEDGWICK COUNTY TREASURER,
COURTHOUSE, WICHITA, KS. 67203
SALE/REDEMPTION NO: 78-05040

DATE: 8-29-79
PAYER: Brady Bowen
HAS THIS DAY PAID TO COUNTY TREASURER
FOR THE REDEMPTION OF THE REAL ESTATE
DESCRIBED BELOW FROM THE SALE OF THE
FIRST TUESDAY IN SEPTEMBER, 1979
COUNTY TREASURER _____
BY _____

BRADY, BOWEN H ETAL
6405 E KELLOGG
WICHITA KS 67209

E 33 FT N1/2 SW1/4 NW1/4 NE1/4
SEC 28-27-1W
9.26 1.42 10.68

78-RE-10-0041-10-0
D -00294-0000-01UP
FULL 6702
R453 806164

GENERAL TAX		MISC. SPECIALS		TAX AMOUNT	INT. & ADV. BEFORE SALE	SALE AMOUNT
3.40		67 5.86		9.26	.42 1.00 <u>1.42</u>	10.68
					INT. AFTER SALE	TOTAL
					=	10.68

IF PROPERTY OWNER OR MAILING ADDRESS IS INCORRECT, ADVISE THE COUNTY CLERK'S OFFICE.

SEDGWICK COUNTY TREASURER,
COURTHOUSE, WICHITA, KS. 67203

SALE/REDEMPTION NO: 78-05039
DATE: 8-29-79
PAYER: Brady Bowen
HAS THIS DAY PAID TO COUNTY TREASURER
FOR THE REDEMPTION OF THE REAL ESTATE
DESCRIBED BELOW FROM THE SALE OF THE
FIRST TUESDAY IN SEPTEMBER, 1979
COUNTY TREASURER _____
BY _____

BRADY, BOWEN H ETAL
6405 E KELLOGG SUITE
WICHITA KS 67207

BEG NE COR NE1/4 W 1320 FT S 330
FT W 660 FT S 657.03 FT W 33 FT
S 100.3 FT W 587 FT S 33 FT E 235
FT NE1/4 SW1/4 NE1/4 NW1/4 NE1/4
1293.75 FT E TO E L I NE1/4 N
658.02 FT W 660 FT N 329.01
FT E 660 FT N 987.04 FT TO BEG
EXC RD EXC TH PT DED FOR ST
SEC 28-27-1W

78-RE-10-0041-02-3
D -00294-00UP-
FULL 6702
R453 806165

GENERAL TAX		MISC. SPECIALS		TAX AMOUNT	INT. & ADV. BEFORE SALE	SALE AMOUNT
1,005.59		67 1,115.24		2,120.83	97.04 2.75 <u>99.79</u>	2,220.62
					INT. AFTER SALE	TOTAL
					=	2220.62

IF PROPERTY OWNER OR MAILING ADDRESS IS INCORRECT, ADVISE THE COUNTY CLERK'S OFFICE.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 13, 1974:

14. S/D 73-119 - Revised Final Plat of RIDGE PLAZA 5TH ADDITION, generally located south of Maple and east of Woodchuck Lane.

GALBRAITH pointed out that a CUP was previously approved for this area with some "LC", "B" and "BB" zoning granted. Also, the Board of Education proposes to expand its school site at Woodchuck and Maple. He pointed out that recently right-of-way was purchased by the State Highway Commission for an interchange in this area, and that ultimately there will be future condemnations by the State for Ridge Road improvements and relocation.

GALBRAITH said that one of the conditions of approval as recommended by the Subdivision Committee was as follows:

- E. The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.

WILLIAM P. HIGGINS, attorney for the applicant, said that he was appearing at this time because when forwarded on to the City Commission with the provisional setback, that Commission might send the plat back for reconsideration by the Planning Commission and thus delay matters.

HIGGINS pointed out that this same thing happened on Ridge Plaza 3rd Addition. In this case, when a provisional setback was requested by the Subdivision Committee, he asked that such setback be defined, otherwise the entire platting process in this case is a sham. He commented that this has happened before, where the City tries to retain property for future condemnation. He considered this practice illegal and the taking of property without compensation, and in subject case they are forced to plat and have the property chopped up with a provisional setback, and he did not consider it proper.

HIGGINS stated that it is well known that a portion of subject property will be needed for the highway interchange at Ridge Road, but that his clients have payments to make the same as other property owners. He said that in a previous similar situation, the Planning Commission had requested that a representative of the State Highway Commission explain the situation, and efforts were made to work together for early acquisition of whatever was required. HIGGINS said he has talked with Mr. Gray of the State Highway Commission on this problem, and as of this time, HIGGINS said he objects to most of the provisions of plat approval and did so in the meeting with the State Highway Department. He pointed out that a plat cannot be processed when there is nothing definite as to the location of the right-of-way line needed for highway improvements, and at this time no one knows what it is.

GARDENHIRE arrived and Hopper was excused from the meeting.

HIGGINS requested that, if the Commission accepts the conditions suggested by the Subdivision Committee, the applicant be allowed to meet such requirements after consideration by the City Commission.

HIGGINS pointed out also that they do not agree with the re-alignment of University leading into Taft.

HIGGINS said he was not claiming an unfair hearing, but only that it is unfair to require a provisional setback and hold up use of the land for a year until the Highway Department makes a determination. He suggested that after ten years of study, it would seem a decision would have been made.

HIGGINS said that the Subdivision Committee wanted to defer this plat, but it was his desire that it continue to go forward, hoping that there could be early acquisition of whatever is needed.

As for the possibility of the School Board acquiring property in this area, HIGGINS said there is no written contract, and that a contract cannot be entered into at this time which would affect the appraisal value of the property involved. He said informal arrangements have been made; however, nothing has been agreed to in writing.

HILL said that he was informed that the line shown on the plat was the westernmost line of right-of-way that was going to be required, and the Subdivision Committee appreciated the problem, but the Committee is to look after the public interest and not just the applicant's. He said that it is known by everyone that improvement of U. S. 54 is necessary and the Commission would be remiss in its responsibilities if the public interest was not protected.

HILL pointed out also that it would be detrimental to the subdivider or developer if allowed to develop the property and then be condemned six months later. With respect to Taft Street, HILL said it is known now that both Taft and University will be commercial streets and that they should be tied together in some manner. HIGGINS said there would be a question of how it would affect appraisals in any acquisition of right-of-way.

HILL said that the applicant is being granted the right to develop his property in a manner that the ordinary public does not have and as a result, the value of the property has been enhanced. In the discussion, the question was asked if the road improvement will actually occur as planned at this time, in view of possible changes because of political factors which could develop. Also, there are other factors which have not been resolved in the way of environmental impact.

RISING said he understood the problem and sympathized with the applicant; however, there is nothing new in that the Commission has heard the arguments before and should vote on the issue and move ahead.

When the question of deferral by the Subdivision Committee was brought up again, HILL said that the Committee did want to defer the plat for two weeks, but that Mr. Higgins wanted it heard and to know the recommendation and requirements. He said the Committee did not have a right to defer unless the applicant agreed. GRAGERT commented that apparently the purpose is to have the City Commission make a policy decision and clarification of the right-of-way requirements and provisional setback line.

MOTION: That the Planning Commission accept the Subdivision Committee recommendation. Gragert moved and Hill seconded.

HILL commented that the applicant can appeal the decision to the City Commission or would have a right to appeal to the district court.

LAKIN noted that in the CUP there were designated uses and road system which does not appear to have been considered in the layout of the plat. He said that the City Commission may bring this point up, and asked how the Subdivision Committee rationalized platting in nonconformance with the CUP. HILL said they did not like it, but were not aware they could ask for a change. LAKIN said they would have the right to require platting in conformance with the CUP, or the CUP would have to be amended. He said he could foresee a number of problems in the way of replatting, and as shown, would be contrary to earlier approval of the CUP.

KAMEN said it was required that the proposed school board property be included, but it is not shown.

HILL said he would amend the above motion because it was his understanding the western portion of this plat was to be expanded and be platted according to the CUP.

MOTION: That the Planning Commission recommend to the City Commission that this plat be approved, subject to the following conditions as recommended by the Subdivision Committee, and in addition, a further condition that Block 1 be redesigned to reflect lots that correspond with the parcels approved on the Ridge Plaza CUP; or the CUP be redesigned and amended.

- A. The plat shall be redesigned and expanded to include the property to the west which was included in the original final plat.
- B. Street right-of-way shall be dedicated on the plat across Lot 2 for the extension of University to connect with Taft Avenue at Ridge Road.
- C. Access controls indicated on the plat along Maple shall be changed to reflect two openings to Maple from Lot 1 and three openings to Maple from Lot 2.

- D. A 35-foot building setback from both sides of University shall be indicated on Lot 2.
- E. The applicant shall submit by separate instrument, a temporary building setback on Lot 2, said setback line to coincide with the westernmost line of the proposed right-of-way for re-aligned Ridge Road, and shall remain in effect for one year from the date of approval of the plat by the Board of City Commissioners.
- F. The applicant shall guarantee the paving of the interior streets being dedicated on the plat and the proposed accel-decel lane along the west side of Ridge Road.
- G. The applicant shall install or guarantee the construction of sidewalks adjacent to the south side of Maple, the west side of Ridge Road, the east side of Woodcuck and both sides of all interior streets.
- H. The applicant shall guarantee the extension of sanitary sewer and City water to serve all lots being platted.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Hill moved and Gragert seconded.

CURTIS NEWBY, Junior Planner, said the Subdivision Committee was not in disagreement with the idea of one large lot, but was concerned about various zoning classifications within the lot. At that time, HIGGINS pointed out that development would have to conform to the zoning districts, and that if possible, he would like to avoid having to amend the CUP.

HIGGINS agreed that there are several zoning classifications in the one lot and that development would have to conform to such zoning regardless of lot lines and that it is not unusual to have different zoning classifications on one lot. He maintained that there would be absolute control of development as now zoned.

LAKIN said he would agree, except that the CUP shows a street dividing what is now platted as one lot and he wanted to be able to explain such to the City Commission, and that he would expect there to be a lot split or replatting, and in order to put Higgins on notice, he said he did not construe that lot splits would be granted under the circumstances.

HIGGINS thought the CUP was probably no longer valid because of the alignment of University and Taft as required by the Subdivision Committee. HILL said to plat as originally planned in the CUP would not be feasible because of changes made in the platt-ing of Ridge Plaza 3rd Addition and the provisional setback re-quired at that time. HILL said if it is not a viable CUP at this time, then it should be amended.

HIGGINS suggested that an amendment would not be possible until the right-of-way for highway improvements is definite.

LAKIN said the alignment as shown is the best line available and that it is reasonably firm.

HENNESSY asked Lakin if he could state definitely that the right-of-way for highway improvement will be as shown. LAKIN said he could not say at this time because he had not checked in the last two or three days, but as shown is the information he has been provided. He suggested that by the time this plat is forwarded to the City Commission, he would attempt to have that information, and if it is the action of the Planning Commission that the CUP be amended later, then he can tell the City Commission.

VOTE ON ABOVE MOTION: Carried by a vote of 5 in favor (Hill, Gragert, Rising, Kamen and Gardenhire) and 1 opposed (Hennessy). (Arnholz, Blakey, Taylor and Hopper absent.)

NOTE: Subsequent to the Planning commission meeting, the State Highway Department was contacted concerning the temporary building setback required in Condition E. Attached is a copy of their reply.

The plat has not been revised nor have the conditions of approval by the Planning Commission been complied with.