

PLAT NO. S/D 73-123 MAP NO. J-1W-C

NAME SHULTE INDUSTRIAL PARK *Mid Continent
Industrial Park*

LOCATION: At the Northeast corner of Maize Rd. and
MacArthur

ENGINEER Delamater, Freund, & Scherer

OWNER Consolidated Realty, Inc.

APPLICATION FILED 10-3-73

*SKETCH PLAT FILED 10-3-73

PRELIMINARY FILED 8-23-74

S/D ACTION 9-5-74 *App subject to condition*

FINAL FILED 10-25-74 *(partic)*

S/D ACTION 11-7-74 *App.*

MAPC ACTION 11-14-74 *Approved*
3-17-75 *reapproved with payment to Co Standard*

BCC ACTION 2-10-76 *Approved*

RECORDED 3-2-76

REMARKS *see 3/10 73-57-7 for feathers
for original sketch plat comments*

S/D 73-123 - MID-CONTINENT IND.
PARK - NE corner of Maize Rd. &
MacArthur - Consolidated Realty

ACTION

	DATE
S/D COMMITTEE <i>Publin. App. and</i>	<i>9-5-74</i>
<i>to Condition</i>	<i>11-2-74</i>
S/D <i>final app.</i>	<i>11-14-74</i>
M.A.P.C.	<i>Approved</i>
B.C.C./B	11-14-74 <i>Approved</i> <i>2-10-76</i>

Map No. J-1W-C
Sec. No. 8
Twp. No. 28S
Range 1W

Subdivision Report and Progress

S/D No.: 73-123

Name: SHULTE INDUSTRIAL PARK mid. Continent Industrial park

General Location: At the Northeast corner of Maize Rd. & MacArthur

Owner: Mid-Continent Ind Development, Inc
Address: 1028 S. McComas Phone: 838-4279
Subdivider: Same Phone: _____
Address: _____
Engineer/Surveyor: Dalamater, Freund, & Scherer
Address: Century Plaza Bldg. Phone: 262-8293

Application Received 10-3-73 FINAL PLAT RECEIVED 10-25-74 (part)
* Conf. with Applicant none S/D Comm. Action 11-7-74 App.
* Sketch Plat Received 10-3-73 Dept. Report on Final 11-8-74
Present Zoning "R-1" M.A.P.C. ACTION 11-14-74 App.
Proposed Zoning "E" Dept. Report on Final 11-15-74
Letter of Intent 11-26-73 Letter on Trons Received N/A
PREL. PLAT RECEIVED 2-23-74 Title/Taxes Rec'd & Reviewed 1-2-76
S/D Comm. Action 2-5-74 Approval Final Review 2-5-76
subject to conditions Referral to B.C.C. 2-5-76
Dept. Report on Prel. 1-6-74 B.C.C. ACTION 2-10-76 Approved
TRACING PROGRESS: Recorded 3-2-76
Received 1-30-76
Released 2-27-76
Received _____
Released _____

Comments:
* Note see 5/10 73-57 - The Heathers for original sketch plat comments.

MID-CONTINENT INDUST. PARK
USD #265
Waco Township
Sedg. Co. Elect. Coop.

* 3-2-75 - Reapprove with requirements to pave streets to County Standard
2-9-75 - Bd of Co. Com granted extension of time for platting
* 3-10-75 - Notify Ambrose Lauer 524 - 7548 8101 Wm Weather when this goes to BCC
2-27-76 - Called Webster to send to pick up tracing for recording

T9-302 REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS
MID-CONTINENT INDUSTRIAL PARK I ADDITION was
filed for record on March 2, 1976
David J. McCarty
Register of Deeds



SEDGWICK COUNTY COURTHOUSE

COUNTY OF SEDGWICK
DEPARTMENT OF PUBLIC WORKS

1250 S. SENECA
WICHITA, KANSAS 67213

PHONE 268-7901

Claud S. Shelor, P. E.
Director of Public Works

March 16, 1981

RECEIVED

MAR 17 1981

METROPOLITAN PLANNING

ROUTE

RE: Mid-Continent Industrial Park
Wastewater Facility

Dear Mr. Evans:

I am in complete agreement with the Kansas Department of Health and Environment proposed revision of paragraph 4 of the Agreement for Utility Improvements.

Copies of the KDHE letter, containing the proposed revision, the Reiss & Goodness Engineers report, and the Mid-Continent Industrial Development, Inc. - Sedgwick County agreement are attached for your reference.

Very truly yours,

Joe D. Freeman
Joe D. Freeman, P. E.
Deputy Director of Public Works

JDF/bd
enc:

- cc: Claud S. Shelor, P.E., Director of Public Works
- Steve Iness, P. E., KDHE
- Mike Everhart, Wichita/Sedgwick County Health Department
- Maurice Dingler, P.E., Reiss & Goodness
- Wilmer Freund, P.E., Delamater, Freund & Associates
- Robert Lakin, Director M.A.P.D.

*See Mid Continent Ind
Park II file for
more complete
info*

State of Kansas . . . ROBERT F. BENNETT, Governor

DEPARTMENT OF HEALTH AND ENVIRONMENT

DWIGHT F. METZLER, Secretary

Topeka, Kansas 66620



RECEIVED

MAR 9 1981

METROPOLITAN PLANNING
ROUTE

South Central District Office
111 W. Douglas #202
Wichita, KS 67202

March 5, 1981

C John D. Evans, Pres.
Mid-Continent Industrial Development, Inc.
600 S. Florence
Wichita, KS 67209

Re: Mid-Continent Industrial Park
Wastewater Facility

Dear John:

O I have reviewed the information and data recently sent by Reiss & Goodness
Engineers. The lagoons are definitely underloaded hydraulically now with
only IFR, Inc. connected and only Cell 2, the smallest, in use at a depth
of around three feet. The actual seepage rate in this cell is undoubtedly
P much in excess of the design rate (1"/yr) and very likely is more like the
Y 1/8 inch per day found in the smaller lagoons in Sedgwick County where
compaction is not specified.

I propose that paragraph 4 of the Agreement for Utility Improvements be
rewritten to incorporate two changes. First, because of the experienced
capabilities of the Sedgwick County Department of Public Works, the numerical
limitations should be changed to just one figure: the design flow. This would
provide the park with the flexibility needed and still prevent the lagoons
from overloading. Second, the overall design flow should be raised from
36,800 gallons/week to 62,500 gpw, average. This will reflect what the lagoons
will likely accommodate with a more realistic ultimate seepage rate.

Proposed revision of paragraph 4:

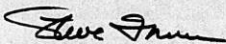
To limit the generation of sewage on both Mid-Continent
Industrial Park I and Mid-Continent Industrial Park II
together to no more than 3,250,000 gallons per year which
would be an average of 62,500 gal per week, and that all
sewage enter into the district sewer system; that the
strength of such sewage discharge shall be similar to and
not exceed the strength of domestic or residential waste
water; that no toxic waste shall be discharged into such
sewer system.

Mid-Continent Industrial Development, Inc.
March 5, 1981
Page 2

If this is satisfactory with you, I suggest that you contact Andy Barkness and Mike Everhart for their concurrence. Since the Agreement was filed of record with the plat, the Metro Area Planning Dept should be apprised of any changes.

Sincerely,

DIVISION OF ENVIRONMENT



Steve Innes, P.E.
South Central District Engineer

SI:ss

cc: Maurice Dangler, Reiss & Goodness
Wilmer Freund, Delamater, Freund & Assoc.
Andy Barkness, Sedgwick Co. Public Works
Mike Everhart, Wichita-Sedgwick Co. Health Dept.
MAPD, 455 N. Main

From: _____ Date: _____

admin.	adv. plans	cur. plans	social
<input checked="" type="checkbox"/> walter	<input type="checkbox"/> stockwell	<input type="checkbox"/> galbraith	<input type="checkbox"/> mitchell
<input type="checkbox"/> subanks	<input type="checkbox"/> lunk	<input type="checkbox"/> lytle	<input type="checkbox"/> lane
<input type="checkbox"/> hanson	<input type="checkbox"/> shen	<input type="checkbox"/> young	<input type="checkbox"/> kohl
<input type="checkbox"/> welson, v	<input type="checkbox"/> losew	<input type="checkbox"/> meek	<input type="checkbox"/> hart
<input type="checkbox"/> lakin, e	<input type="checkbox"/> apodaca	<input type="checkbox"/> shirkey	<input type="checkbox"/> covert
<input type="checkbox"/> henderson	<input type="checkbox"/> curiman	<input type="checkbox"/> newby	<input type="checkbox"/> cappel
<input type="checkbox"/> brothers	<input type="checkbox"/> reed	<input type="checkbox"/> jobson	<input type="checkbox"/> beebe
<input type="checkbox"/> peters	<input type="checkbox"/> schafel	<input checked="" type="checkbox"/> olvarez	<input type="checkbox"/> syal
<input type="checkbox"/> craig	<input type="checkbox"/> brown	<input type="checkbox"/> butler	<input type="checkbox"/> davis
<input type="checkbox"/> barnes	<input type="checkbox"/> huggins	<input type="checkbox"/> nagley	<input type="checkbox"/> lueters
graphics	<input type="checkbox"/> lickteig	<input type="checkbox"/> forinash	<input type="checkbox"/> sharpe
<input type="checkbox"/> pierce	<input type="checkbox"/> chambers	<input type="checkbox"/> bechtel	<input type="checkbox"/> harvey
<input type="checkbox"/> stafford	<input type="checkbox"/> mccladden	<input type="checkbox"/> swander	<input type="checkbox"/> smith
<input type="checkbox"/> garland	<input type="checkbox"/> swander		<input type="checkbox"/> carlson
<input type="checkbox"/> pate			<input type="checkbox"/> crawford
<input type="checkbox"/> crook			<input type="checkbox"/> phelps
<input type="checkbox"/> commer			<input type="checkbox"/> jones
<input type="checkbox"/> vinson			<input type="checkbox"/> martinez

<input type="checkbox"/> note & return	<input type="checkbox"/> signature
<input type="checkbox"/> handle	<input type="checkbox"/> library
<input type="checkbox"/> all staff	<input type="checkbox"/> information
<input type="checkbox"/> comment	<input type="checkbox"/> files

Handwritten: *FW*

Handwritten: *That's my cut.*

remarks: *The problem as presented to me was that the Water Dept wanted to extend a 16" water line all at once expense.*

19-106

THE CITY OF WICHITA



WATER DEPARTMENT
OFFICE OF THE DIRECTOR
CITY HALL - EIGHTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

John D. Evans
Evans Building Co., Inc.
1030 South McComas
Wichita, Kansas 67277

Dear Mr. Evans:

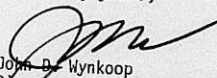
We have received a letter from the City of Goddard regarding your request to them for the extension of water to serve Mid-Continent Industrial Park.

The cities of Goddard and Wichita have an agreement as to what areas each will serve with municipal utilities. Your area falls within the Wichita service area.

The estimate of cost for water main extension to serve your property that we prepared in September of 1978 will require an update due to inflation. Please contact Mr. Bill Otten, Chief Engineer, at 268-4217, if you wish to pursue this further.

It is my understanding that you requested water from Goddard because you did not agree with the City of Wichita outside-of-the-City policy which requires that you request the annexation of your property in order to obtain water service. I do not consider this reason enough to make an exception to the service agreement between the two cities.

Very truly yours,


John D. Wynkoop
Director of Water and
Water Pollution Control

JDW:jb

cc: Robert G. Finch, Deputy City Manager
Howard D. Partington, Goddard City Administrator
Robert A. Lakin, Director of Planning ✓
Don E. Anderson, Director of Housing and Economic Development

Box 16
RECEIVED

OCT 23 1979

METROPOLITAN PLANNING

ROUTE

22 October 1979
Return to JB File

GREENE & KENNEDY

ATTORNEYS AT LAW
216 NORTH WACO
WICHITA, KANSAS 67202

JACK H. GREENE
DAVID W. KENNEDY
PAUL HESS

January 16, 1978

TELEPHONE 264-6263
AREA CODE 316

Curtis L. Newby
Junior Planner
Metropolitan Area Planning Commission
City Hall - Tenth Floor
455 North Main
Wichita, Kansas 67202

In re: Mid-Continent Industrial Park I

Dear Curtis:

Enclosed please find copy of sewer easement which this office expects to file with the Register of Deeds later this week. This easement is necessary because after the plat for Mid-Continent Park I was filed of record and before the plans for a sanitary sewer were drawn by Wilmer Freund, the County Engineer, Grover McClure, requested that the sewer easement be moved off the street right of way. This easement meets his request.

Please acknowledge receipt and give me your approval of this easement at an early date.

Very truly yours,

Jack H. Greene
Jack H. Greene

JHG/lw
Enclosure
cc: Wilmer Freund

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 73-123 Name MID-CONTINENT INDUSTRIAL ADDITION
Application & Sketch Filed: 10-3-73
Preliminary Plat Filed: 8-23-74 Approved by S/D: 9-5-74
Final Plat Filed: 10-25-74 Approved by S/D: 11-7-74
Approved by Metropolitan Area Planning Commission: 11-14-74

DESCRIPTION

General Location: Northeast corner of Maize
Road and MacArthur

Surveyor or Engineer: Delamater, Freund & Scherer
Owner: Mid-Continent Industrial Development, Inc.
Address: 1028 South 4th Comas 67213

- | | | | |
|---|-----------------------|-----------------------|--|
| 1. Gross Acreage of Plat <u>121.5</u> | 6. Access Control | | |
| 2. Number of Lots: | St. Maize Road | No. Openings <u>1</u> | |
| Residential _____ | St. MacArthur Rd. | No. Openings <u>1</u> | |
| Commercial _____ | St. _____ | No. Openings _____ | |
| Industrial <u>14</u> | 7. Req'd Improvements | | |
| Other _____ | St. Paving <u>X</u> | Water _____ | |
| Total Number of Lots: <u>14</u> | Sidewalk _____ | Drainage <u>X</u> | |
| 3. Minimum Lot Area: <u>1.6</u> Acres | Sewer <u>X</u> | Other _____ | |
| 4. Existing Zoning <u>"R-1"</u> | | | |
| 5. Special Problems Discussed <u>None</u> | | | |

Valid petitions for sanitary sewer, street pavement and drainage improvements have been submitted to and accepted by the Board of County Commissioners. The Environmental Health Division has approved the use of private water supply systems on subject property.

Planning Commission Recommendation:

That this plat be approved subject to:

- A. The applicant shall submit an avigational easement covering all of subject property; and a covenant assuring adequate construction standards will be utilized to minimize the effects of noise pollution ~~with any structures to be built on the site.~~
- B. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Rising moved, Hill seconded and it carried unanimously. Arnhol#, Gardenhire and Hennessy were absent.

NOTE: Associated County zone Case SCZ-0317, "R-1" to "E", has been approved by the Board of County Commissioners subject to platting.

ACTION: Accept the easement and covenant and instruct the City Clerk to file the easement and covenant with the Register of Deeds, the filing cost of which shall be billed to the applicant, and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

MICROFILMED
FROM THE BEST
AVAILABLE COPY

AVIGATIONAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That for a good and valuable consideration, the receipt of which is hereby acknowledged, that Mid-Continent Industrial Development, Inc.

_____ does hereby grant a permanent Avigational Easement to the public authority authorized by law to own and operate public-owned airports in Sedgwick County, Kansas, for the use of "Navigable Airspace" as defined by the Federal Aviation Act of 1958, over all of the following described real estate, to-wit: Lots 1, 2, 3, 4 and 5 in Block A; Lot 1 in Block B; Lots 1, 2, 3, 4, 5 and 6 in Block C; and Lots 1 and 2 in Block D, all in Mid-Continent Industrial Park I, Sedgwick County, Kansas

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

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

To have and to hold said easement forever.

IN WITNESS WHEREOF: The grantor _____ has _____ signed these presents the day and year first written.

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.

By

John D. Evans
John D. Evans, President

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid John D. Evans, President of

Mid-Continent Industrial Development, Inc.

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

Dated at Wichita, Kansas, this 19th day of November, 19 74.



Laura West
Laura West Notary Public

Commission expires 11/28/74)

RESTRICTIVE COVENANT

MID-CONTINENT INDUSTRIAL
RESTRICTIVE COVENANT AFFECTING PARK I ADDITION

THIS DECLARATION made this _____ day of _____ by
Mid-Continent Industrial, hereinafter called the Grantor.
Development, Inc.

WITNESSETH

WHEREAS, Grantor is owner of Mid-Continent Industrial
Park I Addition to Sedgwick County, 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 Mid-Continent
Industrial Park I
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.

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.

By John D. Evans
John D. Evans, President

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the
County and State aforesaid John D. Evans, President of Mid-
Continent Industrial Development, Inc.

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

Dated at Wichita, Kansas, this 19th day of November, 19 74.

Laura West
Laura West Notary Public



Commission expires 11/28/74

THE CITY OF WICHITA

OFFICE OF Ass't Supt of Public Works Mtce. DATE February 26, 1976



TO Jack Galbraith, Chief Planner, MAPD
FROM M.S. Mitchell

SUBJECT Mid-Continent Industrial Park I
Addition

Reference is made to my letter to Wilmer Freund of January 12 in which I detail our review of his Surface Drainage Plan. On February 3, Mr. Phillip Dietrich, Office Engineer for the County Department of Public Works, wrote to Mr. Freund outlining 8 specific revisions which he recommended be made to the plans we reviewed. The following day Mr. Freund assured me, in writing, that the revisions were forthcoming and I so advised you by memo of that date.

I have now been handed a set of revised sheets as follows:

- Sheet 1. Surface Drainage Plan.
- Sheet 2. Plan & Profile - York Street.
- Sheet 3. Street Grades - Maize Road, MacArthur Road, Midco Street, Norman Street, York Street.
- Sheet 4. Drainage Ditch.

With the benefit of water surface elevation computations by the County DPW, I am now able to approve the building pad elevations shown on the "Surface Drainage Plan" and the balance of the plans and sections.

I trust this information is sufficient to permit release of the final plat tracing. If, however, further information or discussion is desired, please advise.

M. S. Mitchell
Assistant Superintendent
Public Works Maintenance

MSM:wmk

CC: G. H. Wilton
G. C. McLure
Wilmer Freund
Mid-Continent Industrial Park I Addn.

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public
Works Maint.

DATE Feb. 4, 1976



TO Jack Galbraith, Chief Planner, MAPD

FROM M. S. Mitchell

SUBJECT Mid-Continent Industrial Park I
Addn.

Reference is made to my letter to Wilmer Freund of January 12, 1976 recommending certain changes in the drainage plan for subject plat. Since that time Mr. Freund has worked with the County Department of Public Works to coordinate the changes I recommended with revised street plans. The result of those conferences is summarized in a letter dated February 3 from the Assistant County Engineer to Mr. Freund.

Last evening Mr. Freund called to advise that he would comply with the recommendations for revised street and drainage facilities but that he would be unable to complete the paper work for those revisions in time to make the Commission Agenda this week. I agreed to accept, and he has handed me, a letter stating that he will make the necessary revisions of the street and drainage plans for filing with this office and the County Engineer within the next few days. In order to expedite processing of the final plat, please accept my recommendation to place the final plat on the Agenda at the next City Commission meeting with the understanding that the necessary revisions will be received and approved prior to the release of the tracing. If these arrangements are not satisfactory, please advise at once.

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

MSM/glm

cc: G. H. Wilton
G. C. McLure
Wilmer Freund
Mid-Continent Industrial Park I Addn.

Attach. Copy 1/12/76 letter



DELAMATER, FREUND & SCHERER, P.A.

ENGINEERS & ARCHITECTS

(316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

R. S. DELAMATER, P. E.
WILMER FREUND, P. E.
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAR, P. E.
NORMAN L. RUELF, P. E.
RONALD L. MADLEY, ARCHITECT

February 4, 1976

M.S. Mitchell
Assistant Superintendent
of Public Works Maintenance
455 North Main
Wichita, Kansas 67202

RE: Mid-Continent Industrial Park I
Drainage and Street Plans

Dear Mr. Mitchell:

We have received the set of previously approved drainage and street plans revised per your letter of January 12, 1976, with accompanying letter over Phil Dietrich's signature attendant thereto.

This letter is to confirm, per our telecon last evening, that we will make the revisions as indicated in red on the previously approved plans, and submit revised prints of same to yours and Mr. McLure's office for filing within the next few days.

We will appreciate your advising the MAPD staff by letter, this date, that all requirements pertaining to drainage have now been met. This is necessary in order that this subdivision plat can be placed on the City Commission Agenda for Tuesday, February 10, 1976.

We greatly appreciate your cooperation regarding this matter.

Very truly yours,

DELAMATER, FREUND & SCHERER


Wilmer Freund, P.E.

WF/sh
230-J

cc: G. C. McLure Jr.
John Evans, Owner
Jack Greene, Attorney
Jack Galbraith, MAPD

Received

FEB 4 1976

February 5, 1976

Mr. Ambrose Lauer
8101 West MacArthur Road
Wichita, Kansas 67215

Re: S/D 73-123 - Mid-Continent
Industrial Park, generally
located at the northeast
corner of Maize Road and
MacArthur.

Dear Mr. Lauer:

As you may recall, you contacted our office some months ago and requested that you be notified when the above captioned plat was to be considered by the Board of City Commissioners. This is to advise you that said plat will be heard by the City Commission at their regular meeting of February 10, 1976. You can contact me on Monday, February 9, when the meeting agendas will be available, if you wish to know the approximate time during the meeting this plat will be discussed. If you have any questions concerning this matter, please do not hesitate to call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

January 20, 1976

Mr. John Hale, Chairman
Board of County Commissioners
320 Sedgwick County Courthouse
Wichita, Kansas 67203

Re: Request for extension of platting time on zone Case SCZ-0317, "R-1" to "E", and S/D 73-123, MID-CONTINENT INDUSTRIAL PARK

Dear Chairman Hale:

We are in receipt of a copy of a letter from Mr. Jack Greene attorney, addressed to Commissioner Rush, requesting an extension of 60 days in which to complete the platting requirements on the above referred to zone case.

This is to advise you that our records reflect that the final plat of MID-CONTINENT INDUSTRIAL PARK is nearing completion and we would therefore concur in the requested 60-days extension. In addition, since the final plat covers only a portion of the area approved in the zone change, we would recommend to you a one year extension of the platting time on the balance of the area.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:CLN:ber

cc: Jack Greene, Attorney, 209 North Broadway 67202
Clay Cox, Asst. County Attorney, 320 Sedgwick County Courthouse 67203
Wilmer Freund, Delamater, Freund & Scherer, 512 Century Plaza Building 67202

Approved Extension Bdy Co Com -60 days for sub-plot
1/21/76 (month 21, 1976)
1 year for remaining area (1/21/77)

LAW OFFICES OF
JACK H. GREENE
COLLEGE BUILDING
209 N. BROADWAY
WICHITA, KANSAS 67202

JACK H. GREENE
DAVID W. KENNEDY

January 12, 1976

TELEPHONE 264-6363
AREA CODE 316

Commissioner Earl Rush, Chairman
Board of County Commissioners
Sedgwick County Courthouse
Wichita, Kansas 67203

In re: S/D 73-123 - Final Plat of
Mid-Continent Industrial Park

Dear Commissioner Rush:

Please grant a sixty (60) days extension of
time for submitting the final plat on the above
Industrial Park.

Wilmer Freund and I have met all of the
requirements except one which is presently under
discussion with Metropolitan Area Planning Department.

Your consideration will be greatly appreciated.

Very truly yours,

Jack H. Greene
Jack H. Greene

JHG/lw

cc: Clay Cox
Bob Lakin
Wilmer Freund
John Evans



January 19, 1976

Clay Cox, Assistant County Counselor
Jack H. Galbraith, Chief Planner

County petitions associated with S/D 73-123,
Mid-Continent Industrial Park.

Attached herewith are petitions for a joint sewer district, street lighting, and street and drainage improvements. These petitions fulfill the requirement for the guaranteeing of various improvements on the plat as required by the Metropolitan Area Planning Commission. As per your phone conversation with Mr. Newby of our office, we would request that you place these petitions on the County Commission agenda for their meeting of January 28, 1976 with the recommended action being that the petitions be approved. As you are aware the plat of Mid-Continent Industrial Park will be forwarded to the City Commission for approval at such time as the attached petitions have been accepted and approved by the County.

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

Jack H. Galbraith
Chief Planner

JHG:rme
Attachment

cc: Jack H. Greene, Attorney
College Building
209 North Broadway
Wichita, Kansas 67202

*Bdy Co Com approved Resolution for
Petition this date.*

PROTECTIVE COVENANTS

Conditions, Covenants, Restrictions, Reservations and Easements affecting property of Mid-Continent Industrial Development, Inc.

THIS DECLARATION, made this 5th day of December, 1975, by Mid-Continent Industrial Development, Inc., hereinafter called the Grantor or Corporation.

WITNESSETH

WHEREAS, Grantor is the owner of the real property described in Clause I of this declaration, and is desirous of subjecting the real property described in Clause I to the conditions, covenants, restrictions, reservations and easements hereinafter set forth, each and all of which is and are for the benefit of said property and for each owner thereof, and shall inure to the benefit of and pass with said property, and each and every parcel thereof, and shall apply to and bind the successors in interest, and any owner thereof:

NOW, THEREFORE, Mid-Continent Industrial Development, Inc. hereby declares that the real property described in and referred to in Clause I hereof is, and shall be, held, transferred, sold, conveyed and occupied subject to the conditions, covenants, restrictions reservations and easements hereinafter set forth.

CLAUSE I

DEFINITION OF TERMS

"Building Site" shall mean any lot, or portion thereof, or two or more contiguous lots or portions thereof, or a parcel of land upon which a commercial or light industrial building or buildings and appurtenant structures may be erected in conformance with the requirements of these covenants.

"Corporation" or "Grantor" shall mean Mid-Continent Industrial Development, Inc., its successors and assigns unless the context indicates otherwise.

"Improvements" shall mean and include a commercial or light industrial building or buildings, outbuildings appurtenant thereto, parking areas, loading areas, fences, masonry walls, hedges, lawns, mass plantings and any structures of any type or kind located above ground.

"Building line or lines" shall mean the minimum distance which commercial or light industrial buildings and outbuildings or any structures of any type or kind located above ground shall be set back from the property or street lines, and reference is hereby made to the recorded plat of the addition in which is located real property hereby subjected to these covenants for the location of such building lines.

"Side Building site line" shall mean the boundary or property line dividing two adjoining building sites.

PROPERTY SUBJECT TO THIS DECLARATION

The real property which is, and shall be, conveyed, transferred, occupied and sold subject to the conditions, covenants, restrictions, reservations and easements set forth herein is located in the County of Sedgwick, State of Kansas, and is more particularly described as follows, to-wit:

Lots 1, 2, 3, 4, 5 and 6, Block A; Lot 1,
Block B; Lots 1, 2, 3, 4 and 5, Block C; and
Lots 1 and 2, Block D

in

Mid-Continent Industrial Park I, Sedgwick County,
Kansas, plat of which is of record in the Office
of the Register of Deeds of Sedgwick County, Kansas.

CLAUSE II

GENERAL PURPOSES OF CONDITIONS

The real property described in Clause I hereof is subjected to the conditions, covenants, restrictions, reservations and easements hereby declared to insure proper use and appropriate development and improvement of each building site thereof; to protect the owners of building sites against such improper use of surrounding building sites as will depreciate the value of their property; to guard against the erection thereof of structures built of improper or unsuitable materials; to insure adequate and reasonable development of said property; to encourage the erection of attractive improvements thereon, with appropriate locations thereof on building sites; to prevent haphazard and inharmonious improvement of building sites; to secure and maintain proper set-backs from streets, and adequate free spaces between structures; and in general to provide adequately for a high type and quality of improvement in said property.

CLAUSE III

GENERAL RESTRICTIONS

A. No noxious or offensive trade or activity shall be carried on, nor shall anything be done thereon which may be or become an annoyance or nuisance to the said Mid-Continent Industrial Park I hereby restricted by reason of unsightliness or the excessive emission of odors, dust, fumes, smoke or noise.

B. Without otherwise limiting the provisions of Paragraph A of this Clause III, or any of the other terms and conditions of these restrictions, the buildings or premises, except as otherwise provided in these restrictive covenants, may be used for any use permitted under Paragraph B of Section 28 entitled "'E' Light Industrial District Regulations" of the Revised Zoning Ordinance of the City of Wichita, Kansas, No. 04.120, approved by the Board of Commissioners of the City of Wichita, Kansas, as the same now exists or as the same has been or may hereafter be amended, except the following uses shall not be permitted:

1. Auto wrecking, salvage yards, used material yards, or baling of waste or scrap paper, rags, scrap metals, bottles or junk;
2. Bag cleaning;
3. Boiler and tank works;
4. Central mixing plant for asphalt, mortar, plaster or concrete;
5. Any heavy industrial activity.

C. Improvements erected on property subject to this declaration as described in Clause I hereof, shall not violate the "navigable airspace" granted by Grantor to the public authority authorized by

law to operate public owned airports in Sedgwick County, Kansas, and the same shall not exceed forty-five (45) feet in height, provided, however, that water towers or tanks, standpipes, penthouses or structures for housing elevators or elevator equipment, stairways, ventilating fans or similar equipment required to operate and maintain the buildings, fire or parapet walls, skylights, tanks, cooling or other towers, wireless, radio or television masts, roof signs, flagpoles, chimneys, smoke-stacks, gravity flow storage and/or mixing towers or similar structures may exceed this height with the written approval of the Grantor.

Grantee shall bear the cost of material and installation of entrance culverts in accordance with plans as approved and on file with the Sedgwick County Engineer's Office.

D. These covenants shall and so hereby provide that no improvements as herein defined shall be erected, placed or altered on any building site in said development until the building or other improvement plans, specifications, and plot plan showing the location of such improvements on the particular building site have been submitted to and approved in writing as to conformity and harmony of external design with existing structures in the development, and as to location of the improvements on the building site, giving due regard to the anticipated use thereof as same may effect adjoining structures, uses and operations, and as to location of the improvements with respect to topography, grade and finished ground elevation, by Mid-Continent Industrial Development, Inc., unless and until such right has been expressly assigned, and then such right will pass to such assignee; provided, however, that the Grantor, its successors or assigns, shall not be liable in damages to any one so submitting plans for approval or to any owner or owners of land covered by this instrument by reason of mistake in judgment, negligence, or non-feasance of itself, its agents or employees, arising out of or in connection with the approval or disapproval, or failure to approve any such plans, likewise any one so submitting plans to the Grantor for approval, by the submitting of such plans and any owner by so acquiring title to any of the property covered hereby, agrees that he or it will not bring any action or suit to recover for any such damages against the Grantor. In the event Grantor fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, this covenant will be deemed to have been fully complied with. If the construction or alteration of improvements or extension of trackage is begun in violation of the terms and conditions of this Section D or without the written approval required in other sections hereof and no suit to enjoin the erection, establishment or alteration of such improvements or extension of trackage has been commenced prior to the completion hereof, this covenant will be deemed to have been fully complied with.

E. No structures or buildings shall be located closer than ten (10) feet to any side building site line or rear property line, it being the intent that an open area of at least twenty (20) feet shall exist between all adjacent but separately owned improvements, both at sides and rear; provided, however, that where a rear property line adjoins a dedicated alley, this provision regarding the rear property line shall not apply. Where a right-of-way easement has been granted to a Railway Company, its successors or assigns, either at the rear or side of any building site, no structures or buildings shall be constructed on said right-of-way or any part thereof except with the written consent of Grantor and said Railway Company, its successors or assigns.

F. No building or structures above ground shall extend beyond the building lines, and it is hereby declared that said area between the building lines and the property lines is to be used either for

open landscaped and green areas or for off street surfaced parking areas. If said area is to be landscaped, it shall be done attractively with lawn, trees, shrubs, etc., according to plans first approved in writing by the Grantor. If said area is to be used for off street parking, the parking arrangement and surfacing must likewise be approved in writing by the Grantor. Any landscaped areas shall be properly maintained thereafter in a sightly and well kept condition. Parking areas shall likewise be maintained in good condition.

G. It is contemplated that maneuvering of trucks and trailers be confined in as far as possible to the premises of each establishment. To that end, it is hereby provided that no loading dock extend beyond the sixty (60) foot or the thirty (30) foot building lines. Whenever a loading dock is to be located facing a street where the building line is thirty (30) feet, and it appears that the nature of the business of the particular establishment using the premises contemplates the use of trucks exceeding twenty-five (25) feet in length, the end of any loading dock shall be located up to thirty (30) feet within the building or up to thirty (30) feet back of the building line to the end that, in general, such loading dock and every part thereof may be up to sixty (60) feet from the nearest right-of-way of the street on which said loading dock fronts. The actual depth of such loading dock within the building or structures shall be determined in connection with the building plans or improvements plans to be approved as provided in Section D of Clause III.

H. Power used in or developed or obtained for the operation of any establishment within the confines of the area subjected to these restrictions shall be confined to electrical or substantially equivalent type of power using only oil, gasoline, gas or liquid petroleum products or similar combustible materials in its production, or other products which do not produce excessive smoke, odors or fumes.

I. For each light manufacturing, jobbing, warehousing, wholesaling or other use permitted in the area subject to these covenants, there shall be provided off street automobile parking facilities, such facilities to be approved in writing by Grantor but to be based generally, but not specifically, at the minimum rate of one parking space for each three employees to be employed on the premises by the original occupant thereof.

J. The storage of bulk commodities shall be confined to locations and screening thereof as approved in writing by the Grantor.

K. Railroad right-of-way easements may be granted by the Grantor on any property hereby restricted so long as it is the owner in fee simple of said property. The same right is reserved to any subsequent owner in fee simple of property covered by these covenants.

L. No billboards or advertising signs other than those identifying the name, business and products of the person or firm occupying the premises shall be permitted, except that a sign not to exceed ten (10) feet by twenty (20) feet in size offering the premises for sale or lease may be permitted.

M. No fence, masonry wall, hedge or mass planting shall be permitted to extend beyond the building lines established herein except upon approval in writing by the Grantor.

N. No oil drilling, oil development operations, refining, mining operations of any kind or quarrying shall be permitted upon or in any of the building sites subject to these covenants nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any of the building sites covered by these covenants. Fuel oil storage tanks as a part of the heating equipment of any establishment shall be permitted only if located underground and

in full compliance with rules and regulations of any governmental agency or agencies having jurisdiction over such matters, and at a depth and in a location as approved by Grantor in writing. Bulk storage of all liquids including gasoline or petroleum products on the outside of buildings shall be permitted only upon written consent of Grantor in locations as approved by Grantor in writing and if same be underground at a depth as approved by Grantor in writing, and subject to compliance with rules and regulations of any governmental agency or agencies having jurisdiction over such matters.

O. Whenever the written approval of the Grantor is required in connection with any improvements to be installed, erected or altered, or is otherwise required by the provisions of these covenants, same shall be governed by the conditions set forth in Section D, Clause III hereof.

P. Each of the conditions, covenants, restrictions and reservations set forth above shall continue and be binding upon the Grantor and upon its successors and assigns and upon each of them and all parties and all persons claiming under them for a period of thirty (30) years from the 1st day of January, 1976, and automatically shall be continued thereafter for successive periods of 25 years each; provided, however, that the owners of 75% of the fee simple of the property subjected to these restrictive covenants, based on the number of square feet owned as compared to the total area restricted, may release all or any part of the land so restricted from any one or more of said restrictions or may change or modify any one or more of said restrictions at the end of this first thirty-year period or any successive 25-year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same for record in the Office of the Register of Deeds of Sedgwick County, Kansas, at least five (5) years prior to the expiration of this first thirty (30) year period or of any successive 25-year period thereafter, provided, however, that within ten (10) years from date hereof these covenants, or any part thereof, may be changed in whole or in part upon written approval of the owners of 90% of the fee simple of the property subjected to these covenants, based on the number of square feet owned as compared to the total area restricted, such written instrument to be properly recorded in the Office of the Register of Deeds of Sedgwick County, Kansas, before same becomes binding and in force and effect. A recordable certificate by an abstractor doing business in Sedgwick County, Kansas, as to the record ownership of the property hereby restricted and a recordable certificate by a registered or certified surveyor or engineer authority to practice in the State of Kansas as to the square footage owned by the record owners as shown by said abstractor's certificate shall be deemed conclusive evidence of ownership of property and square footage thereof so owned and hereby restricted with regards to compliance with the provisions of this section.

Q. The covenants herein set forth shall run with the land and bind the present owner, its successors and assigns, and all parties claiming by, through or under it, shall be taken to hold, agree and covenant with the owner of said building sites, its successors and assigns, and with each of them, to conform to and observe said restrictions as to the use of building sites, and the construction of improvements thereon, but no restrictions herein set forth, shall be personally binding on any corporation, person or persons, except in respect to breaches committed during its, his or their seisin of, or title to said land, and Grantor or the owner or owners of any of the above land shall have the right to sue for and obtain an injunction prohibitive or mandatory, to prevent the breach of or to enforce the observance of the restrictions above set forth, in addition to ordinary legal action for damages, and the failure of Grantor and the owner of any other lot or lots or building sites

hereby restricted to enforce any of the restrictions herein set forth at the time of its violation, shall in no event be deemed to be a waiver of the right to do so as to any subsequent violation. The violation of these restrictions shall not defeat nor render invalid the lien or any mortgage (or deed of trust) made in good faith and for value.

R. Invalidation of any one of these covenants or any part thereof by judgments or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

RE: PLAT FOR MID-CONTINENT INDUSTRIAL
PARK I, Sedgwick County, Kansas

RESOLUTION

WHEREAS, on the 28th day of January, 1976, upon the application of Mid-Continent Industrial Development, Inc. came on for hearing before the Board of County Commissioners of Sedgwick County, Kansas for approval of certain improvements in connection with a plat for the following described real property:

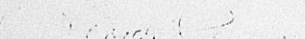
Beginning at the southwest corner of the southwest quarter of Section 8, Township 28 South, Range 1 West of the Sixth P.M., thence north on the west line of said southwest quarter brg. N 1° 02' 49" E a distance of 1,011.10 feet to a first point; thence east at right angle brg. S 88° 57' 11" E a distance of 60 feet to a second point; thence southeasterly brg. S 70° 49' 48" E a distance of 735.40 feet to a third point, which point is on an arc of a curve to the right; thence northeasterly on said curve having a radius of 596.62 feet with a chord brg. N 29° 38' 08" E and a chord length of 216.74 feet a distance of 217.95 feet to a fourth point on said curve; thence southeasterly brg. S 49° 53' 58" E a distance of 248.06 feet to a fifth point, which point is on a radial to said curve; thence east-northeasterly brg. N 72° 58' 49" E a distance of 1,035.34 feet to a sixth point; thence south brg. S 0° 00' E a distance of 240 feet to a seventh point; thence east brg. N 90° 00' E a distance of 579.94 feet to an eighth point, which point is on the east line and 860 feet north of the south line of said southwest quarter; thence southerly brg. S 0° 04' 59" E a distance of 860 feet to the southeast corner of the said southwest quarter of Section 8; thence west on the south line of said southwest quarter brg. S 90° 00' W a distance of 2,641.22 feet to the point of beginning, Sedgwick County, Kansas.

WHEREAS, the Board of County Commissioners considered said petitions for sewer, streets and drainage, and lights, and oral statements of the representatives of the petitioner and all persons who appeared and found that such petitions for improvements as presented should be accepted and approved.

THEREFORE, IT IS BY THE BOARD OF COUNTY COMMISSIONERS ORDERED that the petitions submitted to it for the above described real property be and the same are hereby approved and that after the execution of the signatures of each County Commissioner to this resolution that it be forwarded to the Board of Commissioners of the City of Wichita for its consideration and approval, all in accordance with law.

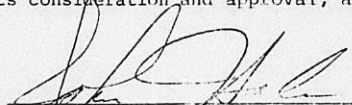
Dated January 28, 1976

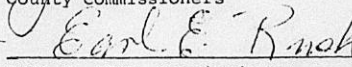
ATTEST:



GEORGE PIERCE, County Clerk

APPROVED AS TO FORM ONLY:


ASS'T COUNTY COUNSELOR


JOHN HALE, Chairman of Board of
County Commissioners


EARL E. RUSH, Commissioner


TOM SCOTT, Commissioner

TO THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

PETITION FOR STREET IMPROVEMENTS IN
CERTAIN PLATTED LANDS IN THE COUNTY
AND OUTSIDE OF ANY INCORPORATED CITY

We, the undersigned, respectfully petition the Board of County Commissioners of Sedgwick County, Kansas, to provide for the construction and paving or macadamizing, including drainage, of all of the streets, roads and avenues which abut upon and are contained within the following described real property, to-wit:

Mid-Continent Industrial Park I
Sedgwick County, Kansas

This petition is submitted in conformity with K.S.A. 1972 Supp. 68-728 et seq.

Your petitioners further state that the realty aforesaid lies within Sedgwick County, Kansas, and outside of the limits of any incorporated city.

WHEREFORE, your petitioners pray that the Board of County Commissioners by resolution declare such work or improvements necessary to be done and cause such resolution to be published for three (3) consecutive weeks in the official paper of Sedgwick County, Kansas and if the owners of more than one-half of the property liable for taxation for the paving, macadamizing, or draining or repaving, re-macadamizing, or redraining of such roads shall not within twenty (20) days from the date of such last publication filed with the County Clerk their protest against such improvements, then that the Board of County Commissioners cause such work to be done and contract therefore and levy taxes as provided by law.

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.

By John D. Evans
John D. Evans, President

TO THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

IN RE: PETITION TO FORM A JOINT SEWER DISTRICT

The undersigned are the owners of more than fifty-one percent (51%) of the following legally described real property, located in Sedgwick County, Kansas and being in one tract, to-wit:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 8, T28S, R1W OF THE SIXTH P.M., THENCE NORTH ON THE WEST LINE OF SAID SOUTHWEST QUARTER BRG. N 1° 02' 49" E A DISTANCE OF 1,011.10 FEET TO A FIRST POINT; THENCE EAST AT RIGHT ANGLE BRG. S 88° 57' 11" E A DISTANCE OF 60 FEET TO A SECOND POINT; THENCE SOUTHEASTERLY BRG. S 70° 49' 48" E A DISTANCE OF 735.40 FEET TO A THIRD POINT, WHICH POINT IS ON AN ARC OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ON SAID CURVE HAVING A RADIUS OF 596.62 FEET WITH A CHORD BRG. N 29° 38' 08" E AND A CHORD LENGTH OF 216.74 FEET A DISTANCE OF 217.95 FEET TO A FOURTH POINT ON SAID CURVE; THENCE SOUTHEASTERLY BRG. S 49° 53' 58" E A DISTANCE OF 248.06 FEET TO A FIFTH POINT, WHICH POINT IS ON A RADIAL TO SAID CURVE; THENCE EAST-NORTHEASTERLY BRG. N 72° 58' 49" E A DISTANCE OF 1,035.34 FEET TO A SIXTH POINT; THENCE SOUTH BRG. S 0° 00' E A DISTANCE OF 240 FEET TO A SEVENTH POINT; THENCE EAST BRG. N 90° 00' E A DISTANCE OF 579.94 FEET TO AN EIGHTH POINT, WHICH POINT IS ON THE EAST LINE AND 860 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY BRG. S 0° 04' 59" E A DISTANCE OF 860 FEET TO THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF SECTION 8; THENCE WEST ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER BRG. S 90° 00' W A DISTANCE OF 2,641.22 FEET TO THE POINT OF BEGINNING, CONTAINING 54.78 ACRES, MORE OR LESS, SEDGWICK COUNTY, KANSAS,
(to be known as MID-CONTINENT INDUSTRIAL PARK I)

and do hereby petition for the formation of a joint sewer district to serve the above described area.

Your petitioners state and say that unsanitary conditions exist and are expected and that such conditions will be remedied and prevented by the formation of such a district and the construction of a sewage disposal plant, sewer mains and sewer laterals.

This petition is filed in conformity with the 1969 Session Laws of Kansas, Chapter 155, Section 1, et seq., K.S.A. 1968 Supp., 19-2704 (a) as amended, et seq.

Your petitioners respectfully request that this petition be set for hearing on a day certain, that notice of the time, place and nature of such hearing be given as provided by the appropriate statute and that a joint sewer district be formed.

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.

By _____
John D. Evans, President

TO THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

**PETITION FOR STREET IMPROVEMENTS IN
CERTAIN PLATTED LANDS IN THE COUNTY
AND OUTSIDE OF ANY INCORPORATED CITY**

We, the undersigned, respectfully petition the Board of County Commissioners of Sedgwick County, Kansas, to provide for the construction and paving or macadamizing, including drainage, of all of the streets, roads and avenues which abut upon and are contained within the following described real property, to-wit:

Mid-Continent Industrial Park I
Sedgwick County, Kansas

This petition is submitted in conformity with K.S.A. 1972 Supp. 68-723 et seq.

Your petitioners further state that the realty aforesaid lies within Sedgwick County, Kansas, and outside of the limits of any incorporated city.

WHEREFORE, your petitioners pray that the Board of County Commissioners by resolution declare such work or improvements necessary to be done and cause such resolution to be published for three (3) consecutive weeks in the official paper of Sedgwick County, Kansas and if the owners of more than one-half of the property liable for taxation for the paving, macadamizing, or draining or repaving, re-macadamizing, or re-draining of such roads shall not within twenty (20) days from the date of such last publication filed with the County Clerk their protest against such improvements, then that the Board of County Commissioners cause such work to be done and contract therefore and levy taxes as provided by law.

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.

By John D. Evans
John D. Evans, President

TO THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

IN RE: STREET LIGHTING FOR MID-CONTINENT INDUSTRIAL
PARK I, SEDGWICK COUNTY, KANSAS

The undersigned, being the owners of a majority of the front feet of land abutting on the streets within Mid-Continent Industrial Park I, Sedgwick County, Kansas, hereby respectfully petition the Board of County Commissioners of Sedgwick County, Kansas, to enter into a contract with the Kansas Gas and Electric Company for the construction and operation of street lights on all of the streets within Mid-Continent Industrial Park I, Sedgwick County, Kansas.

The undersigned further respectfully request that a date for a public hearing of this petition be set and that notice of such hearing be given to the proper parties in conformity with K.S.A. 19-2724, K.S.A. 19-2725.

Respectfully submitted this 20TH day of NOVEMBER,
1975.

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.

By John D. Evans
John D. Evans, President



268-4591
City Hall - 7th Floor
555 No. Main

Jan. 12, 1976

Mr. Wilmer Freund
Delamater, Freund & Scherer
512 Century Plaza
Wichita, Kansas 67202

Subject: Mid Continent Industrial Park I

Dear Mr. Freund:

Reference is made to your letter of December 17 transmitting a Surface Drainage Plan, an untitled plan and profile of York Street, Sheets 230-J-501 and 601. We have reviewed the data furnished and comment as follows:

- 1) The surface grading plan does not make any provision for the 20 acre drainage area entering the addition on Lot 2, Block C (Preliminary Plat designation) and crossing both Lots 1 and 2 before being intercepted by York Street. A drainage easement or floodway would be appropriate. The York Street cross-road culvert should be re-sized.
- 2) The ditch on the 40 foot back-lot drainage easement is apparently designed to handle only runoff from the east one-half of Lots 10 thru 14 in Block C and a strip approximately 500 feet east of the site. The balance of the sub-division is designed to concentrate part of Lots 2 and 3, all of Lots 4 thru 8 in Block C and Lots 6 thru 9 in Block B as well as the frontage on York and Norman in the ditches on Norman. A better plan would divert Midco Street (approximately 40 acres) from Norman to the east and into the backlot ditch; thereby eliminating the conflict with entrance and street crossings. The backlot ditch should then be redesigned and sufficient easement dedicated.
- 3) There is basic disagreement between your methods of estimating peak discharge and culvert waterway openings and ours. We generally adopted recommendations contained in "A Storm Drainage Study" prepared by your firm in 1972. Criteria from that report which are applicable to this subdivision are:

Wilmer Freund

-2-

Jan. 12, 1976

Design Frequency - Initial Storm (Entrance and street
culverts, roadside ditches) - 10 years
- Major Storm (Drainage ditches,
entire street r/w) - 100 years

Rainfall-Runoff Relationship - Rational formula $Q=CIA$
Runoff Coefficient - 0.50 to 0.80

- 4) Diversion of Midco and use of these criteria for the drainage area along Norman would make it practical to size the entrance and cross-road culverts to discharge the 10-year storm at top of pipe and carry the 100-year runoff in street right-of-way. The elevation of the 100-year discharge would then establish the building pad elevations.
- 5) Capacity of the existing cross-road culverts under Maize Road south of York and MacArthur Road east and west of Norman Street will need to be increased to carry at least the 10-year discharge - and it may be good policy to provide even greater culvert capacity if overflow of the road is not acceptable. Arrangements for increased capacity should be a part of the requirement for drainage of this sub-division.

I have discussed these comments with personnel of the County Department of Public Works and am furnishing a copy of this letter to them.

Yours truly,

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

MSM/glm

cc: G. H. Wilton
Jack Galbraith
G. C. McLure
Phil Dietrich
Mid Continent Industrial Park I Addn. Plat File

12-23-75 Mid Con Industrial Park

Jim Diken

Wilmer Freund

Jack Green

John Evans

To satisfy sanitary sewer & water requirements Diken requested following:

- A. Approval by County of a San. Sewer District
- B. Guarantee for cost of sewer & water improvement including cost of lines & laterals as well as cost of treatment facilities.
- C. All subject to concurrence by M.A.P.D.

Jack Green indicated that he had discussed with Turner the idea of the applicant, John Evans putting up a personal bond and in addition Evans Co putting up a bond as assurance that all the improvements, streets, sewers, drainage, etc. would be done.

I pointed out to Green that the Subdivision Regulations provide for guarantee improvement guarantees to be in the form of a performance bond, or a letter of credit or a stipulation and that the guarantee amount is to be adequate to cover the actual cost of the improvements.

(over)

Green indicated that performance bonds were now very difficult to obtain.

Wilmar Freund indicated that the applicant is going to phase his development and will only be developing the first 3 or 4 lots of the final plat to begin with. He suggested that the applicant could put up a guarantee for the improvements of the first phase and then later put up guarantees for each successive phase.

I pointed out that the final plat should then be revised so that only the portions to be developed be finalized and recorded at this time with each successive phase being finalized and recorded as the development progressed.

Allen also indicated that the guarantee for the sewage facilities should be for the total system to serve every all the lots shown on the overall platting, plat and not just the portion being finished.

Green indicated he would discuss the retention method of guarantee with the Co. Counselor since the applicant cannot provide possibly a performance bond or letter of credit to cover improvements for the entire project at this time.

The meeting was then adjourned.

LAW OFFICES OF
JACK H. GREENE
COLLEGE BUILDING
209 N. BROADWAY
WICHITA, KANSAS 67202

JACK H. GREENE
—
DAVID W. KENNEDY

TELEPHONE 264-6363
AREA CODE 316

December 18, 1975

Metropolitan Area Planning Department
City Building
455 North Main
Wichita, Kansas 67202

Attention: Jack H. Galbraith
Chief Planner

In re: S/D 73-123 - Final Plat of
MID-CONTINENT INDUSTRIAL PARK

Gentlemen:

In accordance with your requirements, I have carefully examined the Chicago Title Insurance Company policy issued to Mid-Continent Industrial Development, Inc. dated December 16, 1975 and find title to the following described real property:

That part of the Southwest Quarter of Section 8, Township 28 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, lying South of the South line of the Atchison, Topeka and Santa Fe Railroad right-of-way,

is vested in

MID-CONTINENT INDUSTRIAL DEVELOPMENT, INC.,
a Kansas corporation,

subject, however, to the following:

1. There is a mortgage dated May 15, 1974, executed by Mid-Continent Industrial Development, Inc. to Reserve Savings and Loan Association filed May 20, 1974, as Document No. 193470 in Book 102, page 271, in the original amount of \$200,000.00.

Metropolitan Area Planning Department
December 18, 1975
Page 2

2. Taxes for the year 1974 and prior years are shown paid.
3. There is a right-of-way for highway over the South 40 feet of captioned property.
4. Rights of the public, if any, over the West 30 feet of captioned property for road purposes.
5. Easement to the Kansas Gas and Electric Company for transmission lines over the North 10 feet of the South 50 feet of captioned property. Pole line to be located approximately 41 feet North of and parallel to the South line of said Section 8. One anchor with guy wire attached to be located 4 feet North of a pole located approximately 480 feet East and 41 feet North of the Southwest corner of said Section 8, as shown in instrument filed May 3, 1966, in Book Misc. 578, page 449.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and now shown by the public records.

Respectfully submitted,

Jack H. Greene

Jack H. Greene

JHG/lw
cc: John D. Evans

December 2, 1975

Jack H. Green
Attorney at Law
209 North Broadway
Wichita, Kansas 67202

Re: SCZ-0317 - Zone change from
"R-1" to "P", and the asso-
ciated plat S/D 73-123 - Mid
Continent Industrial Park.
Generally located at the NE
corner of Maise Rd. & MacArthur.

Dear Mr. Green:

As you will recall, the above captioned zone case was approved by the Metropolitan Area Planning Commission on January 10, 1974, and by the Board of County Commissioners on January 24, 1974. The action of the governing body was to approve the request subject to the application area being platted within one year from the date of approval by the Board of County Commissioners and that in the event the plat is not recorded with the Register of Deeds within one year from the date of approval by the governing body, this case is considered denied and closed. Since that time two six month extensions have been granted to the allotted platting time.

This is to advise you that the time limit will now expire on January 24, 1976, and in the event the plat has not been recorded by the expiration date, or another extension granted, based on the action of the governing body, these case files will be marked "denied and closed".

We would appreciate your contacting our office at your earliest convenience and advising us as to your intent to complete the platting requirement.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:JR:rme

Jack H. Green
December 2, 1975

cc: Delamater, Freund & Scherer, 512 Century Plaza Bldg., 67202
John D. Evans, President, Mid Continent Industrial Dev., Inc.,
1028 South McComas, 67213



SEDGWICK COUNTY COURTHOUSE

COUNTY OF SEDGWICK

HIGHWAY DEPARTMENT

1018 STILLWELL
WICHITA, KANSAS 67213

OFFICE OF
COUNTY ENGINEER

PHONE 268-7201

November 25, 1975

Delamater, Freund & Scherer, P.A.
512 Century Plaza
Wichita, Kansas 67202

RE: Street Plans Mid Continent
Industrial Park

ATTENTION: Wilmer Freund, P.E.

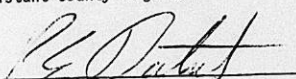
Gentlemen:

This is to confirm that street plans and a lot drainage plan for above mentioned addition has been approved, dated 10-9-75, by this Department and are on file at same.

Sincerely,

Donald L. Yelton, P.E.
Assistant County Engineer

BY


P. E. Dietrich
Office Engineer

DLY/PED/lt

230-J

RECEIVED

NOV 28 1975

DELAMATER, FREUND
& SCHERER, P. A.
Engineers & Architects



SEDGWICK COUNTY COURTHOUSE

COUNTY OF SEDGWICK

HIGHWAY DEPARTMENT

1015 STILLWELL
WICHITA, KANSAS 67213
OFFICE OF
COUNTY ENGINEER

PHONE 268-7201

November 25, 1975

Delamater, Freund & Scherer, P.A.
512 Century Plaza
Wichita, Kansas 67202

RE: Street Plans Mid Continent
Industrial Park

ATTENTION: Wilmer Freund, P.E.

Gentlemen:

This is to confirm that street plans and a lot drainage plan for above mentioned addition has been approved, dated 10-9-75, by this Department and are on file at same.

Sincerely,

Donald L. Yelton, P.E.
Assistant County Engineer

BY


P. E. Dietrich
Office Engineer

DLY/PED/lt

230-J

RECEIVED

NOV 28 1975
DELAMATER, FREUND
& SCHERER, P. A.
Engineers & Architects

R. L. DELAMATER, CONSULTING ENGINEER
 TRAVERSE COMPUTATION SHEET (COMPUTER)
 TRAVERSE:

PROJECT: Mid-Continent Industrial Pl.

Sheet 01 of 230-J
 Date 11/25/74 by CPS
 Ck'd 11/25/74 by D.S.

STA.	DEFLECTION INTERIOR ANGLE	UNADJUSTED BEARING	MEASURED DISTANCE	POSITION		ADJUSTED BEARING	ADJUSTED DISTANCE	
				LATITUDE NORTH	LONGITUDE EAST			
1								1
2	SW Cor. S.W. 1/4 8-28-1W 88° 57' 11"	N 90° 00' 00" W		5,000.00'	1,000.00			2
3	90° 00' 00"	N 1° 02' 49" E	1011.10'	6010.93'	1018.47			3
4	161° 52' 37"	S 88° 57' 11" E	60.00'	6009.83	1078.46			4
5	259° 32' 04"	S 70° 49' 48" E	735.40'	5768.35	1773.09			5
6	79° 32' 06"	N 29° 38' 08" E	216.74'	5956.74	1880.26			6
7	237° 07' 13"	S 49° 53' 53" E	248.06'	5796.95	2070.00			7
8	72° 58' 49"	N 72° 58' 49" E	1035.34'	6100.00	3060.00			8
9	270° 00' 00"	S 0° 00' 00" E	240.00'	5860.00	3060.00			9
10	90° 04' 59"	N 90° 00' 00" E	579.94'	5860.00	3639.94			10
11	89° 55' 01"	S 0° 04' 59" E	860.00'	5000.00	3641.19			11
12	SW Cor. S.W. 1/4 8-28-1W	N 90° 00' 00" W	2641.22'	5000.00	999.97			12
13			Totals = 7727.80'	7727.80	999.97			13
				0.03 = 1:257,593 error				

R. L. DELAMATER, CONSULTING ENGINEER
 TRAVERSE COMPUTATION SHEET (COMPUTER)
 TRAVERSE:

CLIP

PROJECT: Mid-Continent Industrial Pl.

Sheet 230-T
 Date 11/25/74 by CPS
 Ck'd 11/25/74 by D.S.

STA.	DEFLECTION INTERIOR ANGLE	UNADJUSTED BEARING	MEASURED DISTANCE	POSITION		ADJUSTED BEARING	ADJUSTED DISTANCE	
				LATITUDE NORTH	LONGITUDE EAST			
1	SW Cor. SW 1/4 8-28-1W	N 90° 00' 00" W						1
2	88° 57' 11"	N 1° 02' 49" E	1011.10'	5000.00'	1000.00			2
3	90° 00' 00"	S 88° 57' 11" E	60.00'	6010.93'	1018.47			3
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5	259° 32' 04"	N 29° 38' 08" E	216.74'	5768.35	1773.09			5
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7	237° 07' 13"	N 72° 58' 49" E	1035.34'	5796.95	2070.00			7
8	72° 58' 49"	S 0° 00' 00" E	240.00'	6100.00	3060.00			8
9	270° 00' 00"	N 90° 00' 00" E	579.94'	5860.00	3060.00			9
10	90° 04' 59"	S 0° 04' 59" E	860.00'	5860.00	3639.94			10
11	89° 55' 01"	N 90° 00' 00" W	2641.22'	5000.00	3641.19			11
12	SW Cor. SW 1/4 8-28-1W		Total = 7727.80'	5000.00	999.97			12
13				7727.80 0.03 = 1:257,593 error				13

SHEET OF
 DATE BY
 CKD
 PROJECT
 CLIENT
 COMPUTATIONS FOR

ASSIGNMENTS

C.D. LAND
 TR. PLAN
 PREL. PLANS FOR SEWAGE
 COLLECTION SYS (LAGOON)
 ENCL. COST EST'S.
 DESIGN PREL. PLANS FOR
 STREETS INCL. COST EST'S.
 METHODS OF GUARANTEES
 FOR IMPROVEMENTS
 LOT GRADING PLAN
 LETTER OF APPROVAL
 PREPARE AVIGATIONAL
 EASEMENT
 COMPLETE ITEMS G.H.I.J
 REF. LETTER 11-8-74
 SET CONTROL IRONS
 IN FIELD
 REVISE TRACING TO
 INCORPORATE ALL REVISIONS
 SECURE TITLE
 OPINION
 DEED RESTRICTIONS,
 LANDSCAPING, H₂O, ETC.
 GOOD w/ LAUER
 TAX Pa RECPT
 TRACING + DOCUMENTS
 TO MAPD
 PRINTS TO CO.
 ENGR. CO. CLERK
 RECORD
 PLAT

RESPONSIBLE PARTY	4-1 To	4-7 To	4-14 To	4-21 To	4-28 To	5-5 To	5-12 To	5-19 To	5-26 To	6-2 To	6-9 To	6-16 To	6-23 To	JULY 1 1975
DFS	[Solid Bar]													
DFS	[Solid Bar]													
(RAMSEY)	[Solid Bar]													
DFS	[Solid Bar]													
(SPEARS)	[Solid Bar]													
GREENE			[Solid Bar]											
DFS	[Dashed Bar]													
MITCHELL	[Solid Bar]													
GREENE														
DFS														
(ROELFS)														
DFS														
(ROELFS)														
DFS														
GREENE														
GREENE														
EVANS														
EVANS														
DFS														
DFS														
EVANS														

Notify MWA via Reg + Ltr to publish Zoning Ordinance



**COUNTY OF SEDGWICK
FIRE DEPARTMENT**

CHIEF
GARY L. NICHOLS

4343 N. WOODLAWN, WICHITA, KANSAS, 67220

ASST. CHIEF
ELMER C. NOORDHOEK

TELEPHONE 744-0471

ASST. CHIEF
HARRY L. PRICE, JR

November 15, 1975


Wilmur Freund
Delamater, Freund & Scherer
512 Century Plaza Building
Wichita, Kansas

SUBJECT: Mid Continent Industrial Park
Maize Road & McArthur
Sedgwick County, Kansas

Dear Sir:

As per our meeting of November 15, 1974, satisfactory arrangements can be made through the use of private wells or the lagoon system for adequate water supply for fire protection.

Sincerely,


Gary L. Nichols, Chief
SEDGWICK COUNTY FIRE DEPT.

GLN/bj
cc: AChief Price

230-1



DELAMATER, FREUND & SCHERER, P.C.

ENGINEERS & ARCHITECTS

(316) 262-0293

512 CENTRAL AVENUE

WICHITA, KANSAS 67202

R. S. DELAMATER, P. E.
WILHELM FREUND, P. E.
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAF, P. E.
HOWARD E. MOSELEY, P. E.
RONALD L. HADLEY, ARCHITECT

October 13, 1975

Mr. John Evans
Evans Steel Building Co., Inc.
P.O. Box 12086
Wichita, Kansas 67212

Re: Mid-Continent Industrial Park I
Street and San. Sewer Cost Estimates

Dear Mr. Evans:

Following are cost estimates based on street plans for the final plat of Mid-Continent Industrial Park I approved by the County Engineer on October 9, 1975, and for the non-discharging sewage lagoon and the collection system to serve Mid-Continent Industrial Park I only:

1. For the street system as per summary on approved plans including resident inspection, \$84,000.00
2. For the sewage lagoon and collection system including design and resident inspection, \$77,000.00

Total - \$84,000 + \$77,000 = \$161,000.00

These estimates are based on today's construction costs and present engineering fee curves. The plans for street improvement include grading, ditch-lining, lime treated subgrade, bituminous surface course, and the necessary cross road pipes as shown on the approved plans.

You will recall, the water supply system by private wells has been approved previously by the Health Department and Fire Department. Entrance culverts to the individual lots, sized as shown on the approved plans, are to be furnished and installed by the purchasers of the lots. These requirements should be included in the covenants for subject property.

Vertical stamp on the right edge of the page: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

July 11, 1975

Jack Greene, Attorney
209 North Broadway
Wichita, Kansas 67203

Subject: SCZ-0317 - Zone change from
"R-1" to "E" and associated
plat S/D 73-123 - Mid-Continent
Industrial Park - Northeast
corner MacArthur and Maize

Dear Mr. Greene:

This is to advise you that the Board of County Commissioners at their regular meeting on July 9, 1975, considered your request for an extension of time to complete the plat associated with the above captioned zoning request. Their action was to grant your request for an extension to January 24, 1976. If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js

July 2, 1975

Mr. Earl E. Rush, Chairman
Board of County Commissioners
320 Sedgwick County Courthouse
Wichita, Kansas 67203

Re: SCZ-0137 - Zone change from
"R-1" to "E" and associated
plat S/D 73-123, MID-CONTINENT
INDUSTRIAL PARK - Northeast
corner of MacArthur and Maize

Dear Mr. Rush:

We are in receipt of a copy of a letter to you from Jack H. Greene, attorney, requesting a 6-month extension of the platting time limit associated with the above-referred to zone case.

Our records indicate that County zone Case SCZ-0137, "R-1" to "E" was approved by the Board of County Commissioners on January 24, 1974, subject to platting of the subject property within one year from the date of approval of the zone case. In December of 1974, a 6-month extension of the one year platting time limit was granted by the Chairman of the Board of County Commissioners, with the new completion date to be July 24, 1975. As this is a second request for extension of the platting time limit, in accordance with the provisions of Planning Commission Policy Statement #5, the request for extension must be considered by the Board of County Commissioners.

The final plat of subject property has been approved by the Planning Commission, subject to several conditions, one of which was that the applicant work out with the County Counselor appropriate methods of guaranteeing the street pavement and other improvements required on the plat. Since a final plat has been approved and Mr. Greene is working with the County Counselor on the improvement guarantees, we would concur in the requested 6-month extension of the platting time, with the new completion date to be January 24, 1976.

*Bdy Co Com granted extension to Jan 24, 1976.
action taken on 7/9/75 JH G*

Page 2 - Mr. Earl E. Rush
July 2, 1975

Please be advised that by copy of this letter to Charmaine McDonald in the County Clerk's Office, we are requesting that this request be placed on the July 9, 1975 Commission meeting agenda and that we would appreciate being advised as to the action taken on this matter so that our records can be kept up-to-date.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:CLN:ber

cc: Jack Turner, County Counselor
Syd Werbin, County Zoning Administrator
Charmaine McDonald, County Clerk's Office
Jack H. Greene, Attorney
David W. Kennedy, Attorney

June 3, 1975

John D. Evans, President
Mid Continent Industrial
Development, Inc.
1028 South McComas
Wichita, Kansas 67213

Re: SCZ-0317 - Zone change from
"R-1" to "E", and the asso-
ciated plat S/D 73-123 - Mid
Continent Industrial Park.
Generally located at the NE
corner of Maize Rd. & MacArthur.

Dear Mr. Evans:

As you will recall, the above captioned zone case was approved by the Metropolitan Area Planning Commission on January 10, 1974, and by the Board of County Commissioners on January 24, 1974. The action of the governing body was to approve the request subject to the application area being platted within one year from the date of approval by the Board of County Commissioners and that in the event the plat is not recorded with the Register of Deeds within one year from the date of approval by the governing body, this case is considered denied and closed. Since that time an additional six month extension was granted to the allotted platting time.

This is to advise you that the time limit will now expire on July 24, 1975, and in the event the plat has not been recorded by the expiration date, or another extension granted, based on the action of the governing body, these case files will be marked "denied and closed".

We would appreciate your contacting our office at your earliest convenience and advising us as to your intent to complete the platting requirement.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:JR:rme

cc: Delamater, Freund & Scherer, 512 Century Plaza Bldg., 67202
Jack Greene, Attorney, 209 North Broadway, 67202



DELAMATER, FREUND & SCHERER, P.A.
ENGINEERS & ARCHITECTS (316) 262-8293 512 CENTURY PLAZA

WICHITA, KANSAS 67202

R. S. DELAMATER, P. E.
WILMER FREUND, P. E.
RICHARD D. SCHERER, P. E.

CLARENCE P. SCHAAF, P. E.
NORMAN L. ROELFF, P. E.
RONALD L. MADLEY, ARCHITECT

April 4, 1975



Mr. M. S. Mitchell
Assistant Superintendent of
Public Works Maintenance
City Building Annex
Wichita, Kansas 67202

Re: Drainage Plan - Mid-Continent Industrial Park

Dear Mr. Mitchell:

In accordance with your request, we are re-submitting a Surface Drainage Plan for Mid-Continent Industrial Park showing the general drainage plan and minimum pad elevations for all of the lots contained on the preliminary plat for the above referenced subdivision. We are also submitting centerline road profiles and ditch profiles which correlate with the surface drainage plan. Please note that the surface drainage plan shows design and actual discharge values at certain locations which have been computed for a fifty year frequency.

We are also including two sheets from a report which was presented to the Planning Commission last Thursday, March 27, 1975, answering certain questions which staff members had raised concerning the plat. Therein is addressed a paragraph concerning the drainage questions which we believe you had raised and copy of a letter from Mr. McLure concerning pad elevations.

We are submitting this in the hope that these documents will answer your questions. If there is any further information you desire or need, please do not hesitate to call; we are most anxious to obtain a letter from you directed to the Planning Staff so that we can complete the documentation necessary for submission with the final plat in order that the matter can be forwarded to the City Commission for their approval and thence, the final plat recorded so that construction can begin on certain parcels in that portion of the plat which is contained in the final plat only.

Thank you for all of the assistance you have given us in this particular matter. If there is anything further that you desire or wish to discuss, please do not hesitate to call at your earliest convenience, since the applicant is most anxious to meet the recording deadline in order to complete and retain the zone classification.

Sincerely,

DELAMATER, FREUND & SCHERER, P.A.

Wilmer Freund
Wilmer Freund, P.E.

WF/jb

cc: John Evans
Jack Green
Robert A. Lakin ✓

230-J

March 28, 1975

Mr. Wilmer Freund
Delamater, Freund & Scherer
512 Century Plaza Building
Wichita, Kansas 67202

Re: S/D 73-123 - Final Plat of
MID-CONTINENT INDUSTRIAL
PARK

Dear Mr. Freund:

At the regular meeting of the Metropolitan Area Planning Commission on March 27, 1975, the above-captioned final plat was considered. The action OF THE Commission with regard to the requirement for street improvement standards was to recommend that the standard of the street improvement be the design which you have submitted to the County Engineer for his approval. The other conditions of the plat approval remain the same, and at such time as all conditions of plat approval have been complied with, this case will be forwarded to the Board of City Commissioners for their consideration.

I should also point out that the Planning Commission, in discussing the street standards, indicated that it was their desire that the City and County Engineers meet to discuss a set of street improvement standards which would be mutually agreeable to both the City and County.

If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:CLN:ber

cc: Vern Miller, Attorney, Suite 103, 1540 N. Broadway 67214
Jack Greene, Attorney, 209 North Broadway 67202
Grover McLure, County Engineer, 1015 Stillwell 67213
Dick Linn, City Engineer
John D. Evans, President, Mid-Continent Industrial
Development, Inc., 1028 South McComas 67213
Dean Sellers, Assistant City Engineer

RE: AGENCY ITEM NO.
WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 20, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT S/D 73-123 - MID CONTINENT INDUSTRIAL PARK
(Northeast corner of Maize Road and MacArthur)

The above plat has been approved by the Planning Commission on November 14, 1974, subject to Condition D, which provided: "The applicant shall guarantee the paving of all interior streets shown on this plat to an urban industrial standard. The applicant's engineer shall submit appropriate plans and profiles for said street improvements to the City Engineer of the City of Wichita for review and approval."

The cross sections and profiles of such street system has been approved by the County Engineer and is generally acceptable to him. Essentially, the proposal submitted was for a lime treated subgrade and asphalt overlay with shoulders and ditch section. The City Engineer and the Department of Public Works of the City, do not agree that such a design is "an urban standard."

Attached is correspondence from the applicant's attorney to the Department of Public Works and the response from the Department of Public Works. I have reviewed this matter with the Public Works people and, essentially, their position is that such a cross section of design, while it may be desirable in rural areas, should not be considered an urban type design, primarily due to the following points:

1. There is insufficient right-of-way to place traffic control devices and other street appurtenances.
2. There is no place for utility locations except to place them underneath the improved street section, or in the bottom of ditches. It was generally felt that this would be unacceptable to the utilities which would be requested to locate their facilities in those locations.
3. That this design requires a high level of maintenance (thus increased costs), in that culvert crossings on these smaller type lots will tend to clog with debris and will require cleaning on a regular basis. This increased cost and failure to provide a high level of maintenance will result in water standing in ditches, thereby weakening the subgrade under the shoulders, which eventually would lead to deterioration of main line paving.

Page 2 - Metropolitan Area Planning Commission
March 20, 1975

It is my understanding that at the request of the applicant and at the suggestion of the Department of Public Works, the Planning Commission is being asked to make a determination of whether the paving shall, indeed, be urban, with curb and gutter type section, or a suburban standard as recommended by the applicant and concurred in by the County Engineer.



Robert A. Lakin
Director of Planning

RAL:ber

Attachment

cc: Ray Bruggeman, Director of Public Works
John Dekker, Director of Law
Dick Linn, City Engineer
M. S. Mitchell, Supt. Public Works Maintenance
G. C. McLure, County Engineer, 1015 Stillwell 67213
Jack H. Greene, Attorney, 209 North Broadway 67202
Wilmer Freund, 512 Century Plaza 67202
John D. Evans, President, Mid-Continent Industrial
Development, Inc., 1028 South McComas 67213

LAW OFFICES OF
JACK H. GREENE
COLLEGE BUILDING
209 N. BROADWAY
WICHITA, KANSAS 67202

TELEPHONE 264-6263
AREA CODE 316

JACK H. GREENE
DAVID W. KENNEDY

November 22, 1974

Mr. Ray Bruggeman
Director of Public Works
City Annex Building
104 South Main
Wichita, Kansas 67202

In re: S/D 73-123 - Final Plat of
MID-CONTINENT INDUSTRIAL PARK

Dear Mr. Bruggeman:

The plat for the above industrial park has been approved and referred to you for approval of the specifications of the street design and drainage.

We have been advised by Grover McLure, County Engineer, that our design meets with his approval and therefore the County is willing to accept and maintain the streets as designed. We believe that you should also approve our design.

Such streets are covered by 8-101 of the latest addition of the Subdivision Rules and Regulations for Wichita and Sedgwick County which I quote in part:

"8-101. Subdivision Types. For purposes of this Article, Subdivisions shall be classified as follows:

Urban Subdivisions: All subdivisions lying within an incorporated city; and those subdivisions in unincorporated areas having or intended to have a density of more than one dwelling unit per 25,000 square foot lot, and all subdivisions or portions thereof, for commercial, industrial, and public or semi-public purposes (directly related to an urban residential subdivision).



Mr. Ray Bruggeman
November 22, 1974
Page 2

Suburban Subdivisions. All other lands in unincorporated areas required to be platted either by Statute or by the Subdivision Regulations."

Please note that our industrial park is not directly related to an urban residential subdivision as required by 8-101 above and therefore our industrial park should come under "suburban subdivisions" of 8-101 set out above.

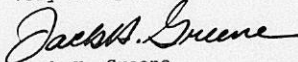
It logically follows that the provisions of 7-201(G) Suburban (7) should be used by us in our design for the reason that it specifically sets out:

"(7) Collector, Industrial or Commercial - 2 moving lanes (17.5') - shoulder, ditches and border areas."

By reason of the foregoing, we submit that it is clear that your department has sufficient justification to approve our street and drainage design.

Time is of the essence and your favorable decision will be appreciated.

Very truly yours,


Jack H. Greene

JHG/lw

cc: Ralph Wulz, City Manager
Robert A. Lakin, Director MAPD
Dick Linn, City Engineer
Jack Turner, County Counselor
Grover McLure, County Engineer
Gene Pirtle, City Attorney

December 3, 1974

Mr. Jack H. Greene
Law Office
209 North Broadway
Wichita, Kansas 67202



Subject: S/D 73-123 - Final Plat of Mid-Continent
Industrial Park

Dear Mr. Greene:

The Subdivision Regulations adopted by the Metropolitan Area Planning Commission and concurred in by the Wichita City Commission and the Sedgwick County Commission provide as follows in part:

Article 8-102. Engineering Jurisdictions. In setting standards and specifications, approving engineering drawings, inspecting improvements, recommending acceptance of improvements preparing petition form and establishing the amount of surety for guaranteeing the installation of such improvements, the following engineers, departments, agencies or personnel shall be designated as the "appropriate engineer" for the type of required improvement listed:

Improvement

Appropriate Engineer

Roadways, alley,
curbs and gutters,
sidewalks and street
drainage facilities

City of Wichita and 3 miles thereof except
those areas that may be excepted under the
provisions of Sec. 3-102

City Engineer of Wichita

Mr. Jack H. Gr...
December 3, 1974

Page 2

Section 7-201 (G) provides in part:

<u>Urban Area</u>	<u>R-O-W for Street in Feet</u>	<u>Roadway Width in Feet*</u>
(1) Collector, or Local-Business, Office, Commercial and Industrial Areas; or Local-Residential rowhouses, Garden Apartments, Multi-Family, High Rise or other similar type of dwelling units; - 2 moving lanes (12') - 2 parking lanes	70	40

* Face of curb to face of curb

In view of the above two sections and Section 8-101, Urban Subdivisions, quoted in your letter of November 22, 1974, it is my opinion that any deviation from the urban standards as required by the City Engineer of Wichita should be by the planning commission based upon the advice of the Department of Law.

Yours truly,

RWB
R. W. Bruggeman
Director of Public Works

RWB:gr

cc: Ralph Wuls, City Manager
Robert A. Lakin, Director of Planning ✓
R. W. Linn, City Engineer
John Dekker, Director of Law
Jack Turner, County Counselor
Grover McLure, County Engineer

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 10, 1975

TO The Files

FROM G. Lynn Shirkey, Jr. Planner

SUBJECT SCZ-0317 - Zone change from "R-1 to "E" and the associated plat S/D 73-123 Mid-Continent Industrial Park - generally located at the northeast corner of Maize Road and MacArthur Rd.

On this date a Mr. Ambrose Lauer, 8101 West MacArthur Road, phone number 524-7548, contacted me in regards to the above captioned cases.

The main concern of Mr. Lauer was the fact that he had heard that the proposed development was planning to utilize a lagoon system for sewerage. In further conversation he pointed out that he had received no notice of the change of zoning and in checking the certified ownership list submitted with the application, his name did not appear. Inasmuch as his ownership is immediately adjacent on the east, his name should have appeared as being a property owner within the notification area. However, the legal description of his property did not appear on the ownership list, due I assume, to an error by the title company. I advised Mr. Lauer that although the zoning change had been approved, it was approved subject to the conditions of platting, and that as of this date the plat had not been forwarded to the Board of City Commissioners inasmuch as the sewage disposal problem had not been resolved. I also advised him that at such time as the plat was scheduled to go to the Board of City Commissioners that I would advise him of the time, date and place of hearing.

Again, his major concern was the proposed lagoon to serve the subdivision and he suggested that the applicant should extend city sewers to serve the property.

G. Lynn Shirkey
Jr. Planner

GLS:js

December 10, 1974

John D. Evans, President
Mid Continent Industrial
Development, Inc.
1028 South McComas
Wichita, Kansas 67213

Re: SCZ-0317 - Zone change from
"R-1" to "E", and the asso-
ciated plat S/D 73-123 - Mid
Continent Industrial Park.
Generally located at the NE
corner of Maise Rd. & MacArthur.

Dear Mr. Evans:

As you will recall, the above captioned zone case was approved by the Metropolitan Area Planning Commission on January 10, 1974, and by the Board of County Commissioners on January 24, 1974. The action of the governing body was to approve the request subject to the application area being platted within one year from the date of approval by the Board of County Commissioners and that in the event the plat is not recorded with the Register of Deeds within one year from the date of approval by the governing body, this case is considered denied and closed.

This is to advise you that the one year time limit will expire on January 24, 1975, and in the event the plat has not been recorded by the expiration date, based on the action of the governing body, these case files will be marked "denied and closed".

We would appreciate your contacting our office at your earliest convenience and advising us as to your intent to complete the platting requirement.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:JR:rme

cc: Delamater, Freund & Scherer, 512 Century Plaza Bldg., 67202
Consolidated Realty, Inc., 2311 A Amidon, 67204
Jack Greene, Attorney, 209 North Broadway, 67202

INVENTORY & EVALUATION

* INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

U.S. DEPARTMENT OF AGRICULTURE

DATE

11/14/74

REFERENCE SLIP

TO JACK GALBRAITH

FROM: LARRY L. HENRY, DC, SCS

REQUESTED BY W-SC Metropolitan Area Planning Commission LOCATION NE corner of Maize Road and 39th

ASSISTED BY Cleveland Grayson, SCS, Wichita DATE 8/29/74

- ACTION
- APPROVAL
- AS REQUESTED
- FOR COMMENT
- FOR INFORMATION
- INITIALS
- NOTE AND FILE
- NOTE AND RETURN
- PER PHONE CALL
- RECOMMENDATION
- REPLY FOR SIGNATURE OF
- RETURNED
- SEE ME
- YOUR SIGNATURE

REMARKS:

Enclosed is your copy of the erosion prevention plan for MID CONTINENT INDUSTRIAL PARK -- copies of which have been forwarded to Delamater, Freund & Scherer. If you have any questions, please call me.

FROM

Larry L. Henry
DC

GPO : 1964 O-742-039

FORM AD-514 (8-64)

SITUATION: Soils and terrain are such that, if large areas are exposed, moderate and severe wind and water erosion would occur.

- SOLUTIONS:
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. ~~Stockpile topsoil and protect it with anchored straw mulch or jute mat material.~~
 4. 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.
 5. Temporarily stabilize each segment of graded or otherwise disturbed land, including the sediment-control devices not otherwise stabilized, 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 Sedgwick County Conservation District standards and specifications. The following are

* Circle appropriate category.

INVENTORY & EVALUATION

Page 2

* { INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

REQUESTED BY _____ LOCATION _____

ASSISTED BY _____ DATE _____

SOLUTIONS CON't:

SITUATION:

adapted perennial grasses and should be seeded at the following rate:

NATIVE BLUESTEM MIX, 2 pounds per 1,000 square feet;

TALL FESCUE, 2 Pounds per 1,000 square feet. Apply nitrogen fertilizer at the rates listed below or have the soil tested and fertilize accordingly.

TALL FESCUE, 1 pound per 1,000 square feet;

BROMEGRASS, 1 poind per 1,000 square feet;

BLUEGRASS, 1 pound per 1,000 square feet. Adapted perennial grasses for sodding are zoysia and bluegrass species.

6. Loose-pile material that is excavated for building construction purposes. Keep it loose-piled until it is

SUGGESTED SOLUTION(S):

used for foundation backfill or until the lot is ready for final grading and permanent vegetation.

7. Stabilize each lot within 90 days after work starts on home or other building construction.

8. Backfill, compact, seed, and mulch trenches within 60 days after they are opened.

9. Discharge water from outlet structures at nonerosive velocities.

* Circle appropriate category.

INVENTORY & EVALUATION

* { INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

REQUESTED BY _____ LOCATION _____

ASSISTED BY _____ DATE _____

SOLUTIONS CON't:
SITUATION: _____

If additional information or on-site assistance is needed
relative to soils, seeding procedures, structure design or
related problems, call this number: 943-9471.

SUGGESTED SOLUTION(S): _____

* Circle appropriate category.

November 15, 1974

Delamater, Freund, & Scherer
512 Century Plaza Building
Wichita, Kansas 67202

Re: S/D 73-123 - Final Plat of
MID-CONTINENT INDUSTRIAL PARK

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on November 14, 1974, 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 November 8, 1974.

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

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Certification by an attorney that fee title is vested in the platlor.
4. Certification that all taxes due and payable for 1973 and prior years have been paid.

Also the applicant's engineer should be aware that his street cross sectional plans were not acceptable to the City Engineer

Delamater, Freund, & Scherer
November 15, 1974
Page Two

and therefore, the applicant and/or his engineer should contact the City Engineering Division of the Department of Public Works relative to this matter.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js

cc: Consolidated Realty, Inc.
2311 A Amidon 67204

Jack Greene, Attorney
209 N. Broadway 67202

Dean Sellers, Assistant City Engineer

THE CITY OF WICHITA
OFFICE OF ENGINEERING

DATE November 13, 1974



TO Jack Galbraith, Chief Planner
FROM Dean Sellers, Assistant City Engr.

SUBJECT Mid-Continent Industrial Park

Plans submitted for street improvements in the Mid-Continent Industrial Park do not meet the requirements of the subdivision regulations for detail and content nor the standards established for urban streets.

A handwritten signature in cursive script that reads 'Dean Sellers', written over a horizontal line.

DS/mrc



November 8, 1974

Delamater, Freund, & Scherer
512 Century Plaza Building
Wichita, Kansas 67202

Re: S/D 73-123 - Final Plat of
MID-CONTINENT INDUSTRIAL PARK.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, November 7, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- 11-15-74
12/11
- A. The applicant shall contact the Sedgwick County Fire Department and obtain a letter stating that adequate provisions have been made for fire protection of subject property.
 - ~~B.~~ The applicant shall contact Larry L. Henry of the Soil Conservation Service relative to taking proper precautions to prevent soil erosion from wind and water during the development of subject property.
 - C. The applicant shall guarantee the installation of a municipal type sanitary sewer and water supply system to serve the lots being platted. This will involve the design of systems which will be acceptable to the Environmental Health Department and which can be phased into a city or a county system in the future. It is recommended that the guarantee for said systems be in the form of a bond, cash, or letter of credit.
 - D. The applicant shall guarantee the paving of all interior streets shown on this plat to an urban industrial standard. The applicant's engineer shall submit appropriate plans and profiles for said street improvements to the City Engineer of the City of Wichita for review and approval.

November 8, 1974
Page 2

E. The applicant's engineer shall submit a lot grading plan showing natural drainageways to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plans shall be submitted to the Planning Department.

OK The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.

OK A 35-foot building setback shall be labeled adjacent to the north side of MacArthur Road.

OK The 50-foot building setback from Maize Road on Lot 6, Block A, shall be adjusted to parallel the right-of-way line of Maize Road.

OK The platlor's text shall be expanded to read "...platted into lots, blocks and streets..."

OK The platlor's text shall be expanded to appropriately reference the access controls shown on the face of the plat.

K. 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, November 14, 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

November 8, 1974
Page 3

cc: Consolidated Realty, Inc.
2311 A. Amidon, 67204

Jack Greene, Attorney
209 North Broadway, 67202

Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-123 Name MID-CONTINENT INDUSTRIAL PARK I
Date Application Rec'd. 8-23-74 Preliminary Approval 9-5-74
Scheduled S/D Meeting 11-7-74

DESCRIPTION

General Location At the northeast corner of Maize Road and MacArthur.

Owner Consolidated Realty, Inc.
Surveyor/Engineer Delamater, Freund & Scherer
Address 512 Century Plaza Building Phone 262-8293

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>121.5±</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>80</u> R/W <u>3069±</u> ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial <u>30</u> | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>30</u> | TOTAL <u>3069±</u> ft. |
| 3. Minimum Lot Frontage <u>150</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>71,200±</u> sq. ft. | streets? <u>yes</u> <input checked="" type="checkbox"/> <u>no</u> |
| 5. Existing Zoning <u>E</u> | |
| 6. Proposed Zoning <u>E</u> | |
| 9. Public Water Supply No <u>(Yes-No)</u> , Name _____ | |
| 10. Public Sanitary Sewers <u>No</u> (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) <u>Yes</u> (Yes-No) | |
| 12. City of Wichita _____: Three-Mile Area <u>X</u> | |

STAFF COMMENTS:

- A. The applicant shall guarantee the installation of a municipal type sanitary sewer and water supply system to serve the lots being platted. This will involve the design of systems which will be acceptable to the Environmental Health Department and which can be phased into a city or a county system in the future. It is recommended that the guarantee for said systems be in the form of a bond, cash, or letter of credit.
- B. The applicant shall guarantee the paving of all interior streets shown on this plat to an urban industrial standard. The applicant's engineer shall submit appropriate plans and profiles for said street improvements to the City Engineer of the City of Wichita for review and approval.
- C. The applicant's engineer shall submit a lot grading plan showing natural drainage ways to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.
- D. The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.
- E. A 35 foot building setback shall be labeled adjacent to the north side of MacArthur Road.
- F. The 50 foot building setback from Maize Road on Lot 6, Block A, shall be adjusted to parallel the right-of-way line of Maize Road.
- G. The platlor's text shall be expanded to read "... platted into lots, blocks and streets ..."

(OVER)

H. The plat's text shall be expanded to appropriately reference the access controls shown on the face of the plat.

I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

DELAMATER, FREUND & SCHERER, P. A.

CONSULTING ENGINEERS

TELEPHONE (316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

October 25, 1974

Robert A. Lakin, Director
Metropolitan Area Planning Department
City Building Annex
Wichita, Kansas 67202

Attention: Curtis L. Newby,
Junior Planner

Re: S/D 73-123, Final Plat of MID-CONTINENT INDUSTRIAL PARK I

Dear Mr. Newby:

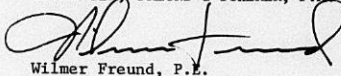
We are handing you herewith 29 prints of the above referenced plat. Note that it has been only partially "finalized" consisting generally of the south 1,000 feet of the preliminary plat.

We have met or talked with all agencies concerned and believe we have resolved all matters contained in your letter concerning same under date September 6, 1974. We are prepared, if necessary, to discuss these items with your staff or any member of the Subdivision Committee prior to the regular scheduled meeting.

We understand this plat will be on the Subdivision Committee agenda for Thursday, November 7, 1974.

Very truly yours,

DELAMATER, FREUND & SCHERER, P.A.



Wilmer Freund, P.E.

WF/psb

cc: John Evans
Jack Greene

230-J



**COUNTY OF SEDGWICK
COMMISSIONERS OFFICE**

JACK N. TURNER - COUNTY COUNSELOR

ROOM 320

COUNTY COURTHOUSE, WICHITA, KANSAS, 67203

TELEPHONE 268-7411

September 30, 1974

Mr. Robert A. Lakin
Director of Planning MAPD
City Annex Building
Wichita, Kansas 67202



RE: MidContinent Industrial Park - Northeast
corner of McArthur and Maize Roads

Dear Bob:

Thank you for your memorandum of September 24, 1974. I have discussed this matter with Grover McLure, our County Engineer, briefly and I certainly concur with the reservations expressed by you in your letter concerning the authorization of sewer and paving bonds without sufficient guarantee by the developers in duly platted areas. You are advised that our office has adopted the policy on this matter and that I have asked my assistant, Rick Dodds, to forward a copy of our proposed contract to you for your consideration. Briefly, this proposed contract requires that the developers personally guarantee payment of the bonds up to the point that the property in question is 50% developed or that it has been developed and built upon or that the appraised evaluation, for purposes of financial institutions involve the financing, be five times the value of the outstanding bonds and obligations which amounted would include interest. Of course, these personal guarantee contracts presuppose that the individuals in question have sufficient strength on their financial statement to respond economically to a default in the bonds. In the event their financial position is not sufficiently strong in this regard then appropriate letter of credit will probably be requested.

I certainly share your concern in this matter, as I am sure you are aware the bonds that are contemplated in this project,


PAGE 2
ROBERT A. LAKIN
September 30, 1974

according to my understanding, and other projects are payable through special assessments against the particular property but are the general obligation of the County. By being a general obligation of the County the developers in question are able to take advantage of a very much reduced interest rate on their financing as far as sewer and streets are concerned and, of course, this is quite advantageous to them in developing the land. In that the developers financially benefit from this matter I think it is absolutely necessary that they share in the costs along with the taxpayers of Sedgwick County in the rest of the venture.

Should you have any further questions about this matter, please do let me hear from you. In any case, I concur with you that a meeting perhaps would be an order with those people named in your memorandum and I will await your word as to a convenient time. Of course, my best time is on Wednesdays.

Thank you again for your interest and concern.

Very truly yours,



Jack N. Turner
County Counselor

JNT/nal

cc: Board of County Commissioners
Jack Green
Wilmer Freund
John Evans
Grover McLure

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

September 25, 1974

TO The File
FROM Curtis L. Newby, Junior Planner *Newby*
SUBJECT Requirements for improvements and method of guarantee
for said improvements.

On September 23, 1974, Wilmer Freund, applicant's engineer; Jack Green, applicant's attorney; John Evans, applicant, met with Jim Aiken, Environmental Health Director; Nancy Graham, County Engineer's office; M. S. Mitchell, Maintenance-Flood Control; Bob Lakin, Director of Planning; Jack Galbraith, Chief Planner and myself to discuss the improvement requirements associated with the plat.

Bob Lakin pointed out two issues which were raised at the preliminary plat hearing by the Subdivision Committee.
1) Paving of all interior streets to a municipal industrial standard and, 2) serving subject property with sewer and water system, and how to guarantee said system.

Lakin pointed out the problems involved with the guarantee for the sewer and water system and as well the street paving. He pointed out that he felt the petition method of guarantee presents problems of finance, capitalization, timing, etc. which the County may not be able to handle. Lakin stated he would write to the County Counselor, Jack Turner and raise the question of petitioning the County for the improvements to see if the County has a definite position regarding this matter.

Jim Aiken questioned the applicant's proposal of use of a private water supply for each lot and stated he would recommend a public centralized water system for the entire plat be utilized. He also indicated that design of the sanitary sewer system was critical in that some way would have to be devised to prohibit potential dumping of industrial wastes into the system and citing a P.E. for each lot to warn future lot owners as to the capacity and limitation of the system. Aiken also advised that in any event the final design approval of the sewer system would require approval of Mel Gray of the State Health Department.

M. S. Mitchell pointed out that there was a drainage area involving the western portion of the plat which will have to be resolved and additional right-of-way from subject property because of the drainage and future plans for the area will be required for Maize Road. He estimated a total of 90 feet of half street right-of-way for the east half of Maize Road would be the minimum requirement. He suggested that this be worked out with the County Engineer.

The File
September 25, 1974
Page 2

Wilmer Freund pointed out that they intend to final out only a portion of the preliminary plat at this time. Galbraith then advised that an extension of the zoning approval-platting time limit by the Board of County Commissioners should be requested by the applicant to allow for phasing of the platting over a longer period than one year.

The meeting ended with everyone aware of the major problems involved with the plat and with the understanding that these problems should be for the most part resolved prior to submission of a final plat.

CLN:rme

Curt

September 24, 1974

Jack Turner, County Counselor

Robert A. Lakin, Director of Planning

McContinent Industrial Park - Northeast
corner of McArthur and Maize Roads

We currently have processing before the Subdivision Committee of the Planning Commission, the above industrial plat. The County Commission has already approved a zone change to light industrial for this tract of land, subject to platting within one year's time. At the time the zoning was discussed, I did point out that this was opening up a new sub-drainage basin in which there are no long range plans to provide municipal type sewer service. At the same time, it was pointed out that septic tanks would not be acceptable for this site, but that there would have to be a collection system and a centralized treatment facility for this industrial park. Because of this being the only industrial plat in this area and further, because it is in a new drainage basin and somewhat in a non-developing area of the community, it seems to me that this is a rather high risk area as to whether or not, indeed, the area will develop.

As the plat proceeds through, and the Planning Commission and its committees make requirements as to providing sewer systems, paved streets and water systems, the question of how these improvements are to be guaranteed must be answered. I have raised this question because of my concern about the County or the City of Wichita issuing special assessment bonds on a project which may or may not be successful. In the event that it is successful, the bonds would most likely in due course of events be paid off on their annual installments. I am concerned, however, that in the event the improvements were made and the land not develop, that the special assessments would become delinquent, with the County at large having to pay those costs. The sums in this instance will be substantial. Although petitions could be used and the County could, through instructing the engineer to withhold improvements, petitions without the maximum cost estimate may become difficult then to carry out in future time. We are currently experiencing this problem with the City of Wichita. Further, if petitions are used, there is a devise where the owner of land can guarantee the payment of special assessments through the use of corporate performance bonds. This practice is acceptable to me. As an alternative to using the petition method which, obviously, is to the platator's advantage, I have suggested to the Subdivision Committee, the County Engineer, and the applicants, that any improvements required as a condition of plat approval, such as streets, sewer and water, be guaranteed by the applicant through one of the cash or letter of credit type of guarantees. In this way, we know the improvement will be made and that the county will not be subject to delinquent special assessments.

Page 2 - Jack Turner, County Counselor
September 24, 1974

I have discussed similar type of problems with you on the sewer districts to the east of the City of Wichita, and understood that you were concerned about the use of special assessment projects on these newly developing and yet unproven projects. So that I may properly advise the Subdivision Committee when the final plat of this subdivision comes before it, and in turn the Planning Commission and City Commission, I would appreciate your views as County Counselor, as to whether or not the petition methods of guarantees should be utilized in this particular platting situation. I recognize that this may be the beginning of setting a precedent, and as such deserves most serious consideration by all parties involved.

I would be pleased to meet with you at your convenience to further discuss the matter. I know the County Engineer also has rather firm views in this area and I am sure he would be pleased to discuss the matter with you also.

RAL:ber

cc: Jack Green, Attorney, 209 North Broadway 67202
Wilmer Freund, 512 Century Plaza Building 67202
John Evans, 1028 South McComas 67213
Grover McLure, County Engineer, 1015 Stillwell 67213

September 6, 1974

Delamater, Freund, & Scherer
512 Century Plaza Building
Wichita, Kansas 67202

Re: S/D 73-123 - Preliminary Plat
of MID-CENTRAL INDUSTRIAL
PARK.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, September 5, 1974, 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 intersection of Midco Street and Norman Street should be redesigned to more nearly reflect a "T" configuration.
- B. The applicant shall guarantee the installation of a municipal type sanitary sewer and water supply system to serve the lots being platted. This will involve the design of systems which will be acceptable to the Environmental Health Department and which can be phased into a city or a county system in the future. It is recommended that the guarantee for said systems be in the form of a bond, cash, or letter of credit. It is further recommended that the applicant contact the Environmental Health Department and Planning Department relative to a meeting to discuss this matter prior to submission of a final plat.
- C. The applicant shall contact the County Engineer relative to additional right-of-way to be indicated for Maize Road on the final plat.
- D. The applicant's engineer shall contact Kansas Gas & Electric and Southwestern Bell Telephone relative to appropriate easements to be indicated on the final plat.

Preliminary Plat of
MID-CONTINENT INDUSTRIAL PARK
September 6, 1974
Page 2

- E. The applicant shall guarantee the paving of all interior streets shown on this plat to an urban industrial standard. The applicant's engineer shall submit appropriate plans and profiles for said street improvements to the City Engineer of the City of Wichita for review and approval.
- F. The applicant's engineer shall submit a lot grading plan showing natural drainage ways to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.
- G. The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.
- H. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

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

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

cc: Consolidated Realty, Inc.
2311 A. Amidon, 67204

Dean Sellers, Assistant City Engineer

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-123 Name MID-CONTINENT INDUSTRIAL PARK
Date Application Rec'd. 8-23-74 Preliminary Approval _____
Scheduled S/D Meeting 9-5-74

DESCRIPTION

General Location At the northeast corner of Maize Road and MacArthur

Owner Consolidated Realty, Inc.
Surveyor/Engineer Delamater, Freund & Scherer
Address 512 Century Plaza Building Phone 262-8293

- | | | | |
|---|----------------------------------|-----------------------------------|------------------|
| 1. Gross Acreage of Plat | <u>121.5±</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>80</u> R/W <u>6200±</u> ft. | |
| Residential | _____ | b. _____ R/W _____ ft. | |
| Commercial | _____ | c. _____ R/W _____ ft. | |
| Industrial | <u>30</u> | d. _____ R/W _____ ft. | |
| Other | _____ | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>30</u> | TOTAL | <u>6200±</u> ft. |
| 3. Minimum Lot Frontage | <u>150</u> ft. | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>71,200±</u> sq.ft. | streets? <u>yes</u> <u>X</u> no | |
| 5. Existing Zoning | <u>E</u> | | |
| 6. Proposed Zoning | <u>E</u> | | |
| 9. Public Water Supply | No (Yes-No), Name _____ | | |
| 10. Public Sanitary Sewers | No (Yes-No), Name _____ | | |
| 11. Health Department Approval (where applicable) | <u>Yes</u> (Yes-No) | | |
| 12. City of Wichita | _____ : Three-Mile Area <u>X</u> | | |

STAFF COMMENTS:

- A. It shall be noted that this plat was previously submitted as a sketch plat entitled Shulte Industrial Park.
- B. The MAPC Subdivision Regulations classify all industrial subdivisions as Urban Subdivisions. Therefore a determination needs to be made if paved streets with curb and gutter should be required on this plat.
- C. The intersection of Midco Street and Norman Street shall be redesigned to reflect a "T" configuration.
- D. The applicant shall guarantee the improvement of all interior streets shown on this plat including the cul-de-sac if required.
- E. The applicant shall contact the Environmental Health Department relative to serving subject property with a municipal sanitary sewer and water system, and the establishment of and participation in a County sewer benefit district. The applicant shall guarantee the installation of said sewer and water systems.
- F. The applicant shall have prepared and shall submit to the Planning Department an avigational easement covering all of subject property; and a covenant which will assure that adequate construction standards will be utilized in the development of subject property as to minimize the effects of noise pollution within any structures to be built on subject property.
- G. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- I. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

DELAMATER, FREUND & SCHERER, P. A.

CONSULTING ENGINEERS

TELEPHONE (316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

August 22, 1974

Robert A. Lakin, Director
Metropolitan Area Planning Department
City Annex Building
104 S. Main
Wichita, Kansas 67202

Attention: Curtis Newby, Junior Planner

Re: Mid Continent Industrial Park

Dear Mr. Newby:

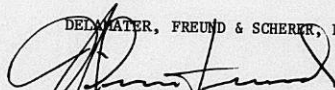
We are transmitting herewith 29 prints of the Preliminary Plat of Mid-Continent Industrial Park, heretofore known as Schulte Industrial Park. We are also enclosing a revised "Application for Subdivision Approval" and a draft in the amount of \$137.00 to cover the filing fee for subject plat.

We have prepared the Preliminary Plat in accordance with the recommendations of the Planning Commission in connection with the associated zone change case.

Should there be any questions with respect to improvements, utilities or any other aspects of the plat development, please do not hesitate to call on us. We would very much appreciate the opportunity to discuss any problems with those effected prior to the regularly scheduled Subdivision Committee meeting at which this Preliminary Plat will formally be acted upon.

Sincerely,

DELAMATER, FREUND & SCHERER, P.A.



Wilmer Freund, P.E.

WF/psb
Enclosure
cc: John Evans

230-J II

Map No.: _____
Section No.: 8
Twp. No.: 28 S
Range: 1W

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Mid-Continent Industrial Park

General Location: North of MacArthur, east of Maize Road

Name of Property Owner: Mid-Continent Ind. Development, Inc.

Address: 1028 S. McComas, Wichita, Kansas Phone: 942-3276

Name of Subdivider: Same as above

Address: _____ Phone: "

Name of Agent/Surveyor: Delamater, Freund & Scherer, P.A.

Address: 512 Century Plaza, Wichita, Kansas Phone: 262-8293

Date of Application: _____

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 121.5+
2. Number of Lots:
 - Residential _____
 - Commercial _____
 - Industrial 30
 - Other _____Total Number of Lots 30
3. Minimum Lot Frontage 150 ft.
4. Minimum Lot Area 71,200+ sq. ft.
5. Existing Zoning E
6. Proposed Zoning E
7. Lineal Feet of New Streets:
 - a. 80' R/W 6200+ ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL 6200+ ft.
8. Sidewalk adjacent to all streets? yes x no
9. Public Water Supply No (Yes-No), Name _____
10. Public Sanitary Sewers No (Yes-No), Name _____
11. Health Department Approval (where applicable) Yes (Yes/No)
12. City of Wichita Three-Mile Area X

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: John D. Evans
John D. Evans, President

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

Received by J. P. Miller
Date 8-23-74
Fee Submitted \$137

T9-301B
(2-71)

230-J-II

\$137⁰⁰ Filing Fee

FORM 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

1.137

DESCRIPTION AMOUNT

M. L. ...

Name

Address

Type

Due Date

Comments:

Date

By

WICHITA - SEDGWICK COUNTY



DEPARTMENT OF COMMUNITY HEALTH
1900 E. 9TH ST.—WICHITA, KAN. 67214

December 27, 1973
9-0066

Mr. Steve Ramsey
Delamater, Freund, and Scherer, P.A.
512 Century Plaza Building
Wichita, Kansas 67202

Re: Schulte Industrial Park

In reviewing the water data supplied in your letter concerning the Schulte Industrial Park, I would say that individual water supplies would be acceptable. All well construction must be inspected and approved by this Department.

I would recommend to each facility that fractional softening be employed through the use of an ion exchange unit with a percent by-pass. Although the initial sample indicated the nitrates to be below the 1973 United States Public Health Drinking Water Standards, I would recommend that each facility maintain an annual surveillance on the nitrate ion concentration.

I would recommend a non-discharging, waste stabilization pond or aerated lagoon for sewage disposal. The aerated lagoon would increase the evaporation rate therefore cutting down on the size of pond needed. It appears that the most feasible location would be in the southeast corner of the industrial site. The developer should be made aware that there will be a \$150 permit fee for either system and that the permit must be renewed every five years.

If you have any questions or if I can be of any help, please feel free to contact me.

Sincerely,

Richard Marney
Richard Marney
Environmental Engineer

fs

RECEIVED

DEC 30 1973

DELAMATER, FREUND
& SCHERER, P.A.
Consulting Engineers

Copy sent to Tom Weir, Consolidated Realty-12-28-73

230J-IB



THE CITY OF WICHITA



WATER DEPARTMENT

263-2141 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN — WICHITA, KAN. 67202



October 31, 1973

William T. Weir
Consolidated Realty, Inc.
2311-A Amidon
Wichita, Kansas

Dear Mr. Weir:

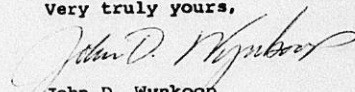
We have reviewed your preliminary plat of the Schulte Industrial Park located at K42 and Maize Road.

It is not feasible at this time to extend a city water main to serve this industrial site. We therefore recommend that the developer install his own private system. If this private system is to consist of internal water distribution mains, we would like to review the design with your engineer. This will help insure that your system will be compatible with the City system at such time in the future that City water service is available to you.

Mr. Bill Otten, Design & Planning Superintendent, is aware of this proposal and when this plat is presented to the Plats Committee for review he will inform the Committee of our findings.

If we can be of any further assistance please contact us.

Very truly yours,


John D. Wynkoop
Director of Water and
Water Pollution Control

JDW:ab
cc: Mr. Wilmer Freund

730-J

WF

RECEIVED

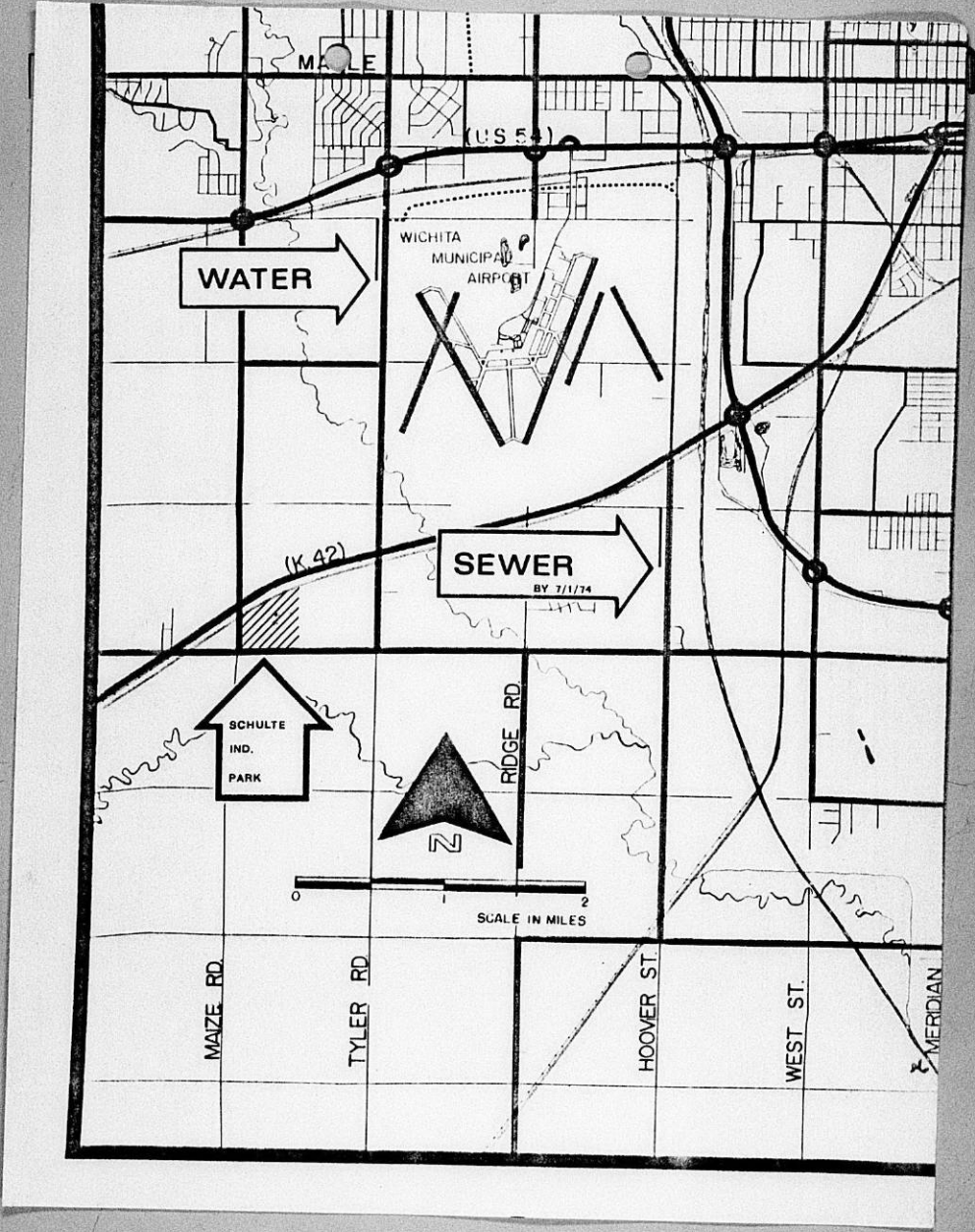
NOV 2 1973
DELAMATER, FREUND
& SCHNEIDER, P. A.
Consulting Engineers

SCHULTE INDUSTRIAL PARK

Service	Existing Facilities	Investigation and Tests Conducted	Our Plan	Remarks
<u>WATER</u>	The city water main is located 2000 feet south of Harry Street on Tyler Road. This main serves Prairie Park Golf Course.	A test well has a pumping rate of 50 gpm. Water analysis indicates high hardness and a possible nitrate ion problem in the future. The County Fire Chief indicated that water for fire fighting purposes will not be a problem.	Provide individual water supplies. Advise individuals of the high hardness. Surveillance of the nitrate ion concentration. Treatment for hardness may be necessary depending on individual usage.	W-SC Health Dept. approves of the water supply. Recommends possible treatment for hardness and surveillance of the nitrate ion concentration.
<u>SANITARY SEWER</u>	By 7/1/74, city sewer service will extend to 1/2 mile south of 31st St. South along Hoover Rd. This extension is to serve the new Davis Manufacturing building.	Percolation tests have been conducted on the site. The average rate was 110 minutes. This is unsatisfactory for soil absorption systems.	A sewage collection system will be designed and constructed to City of Wichita standards so that connection to city sewers can take place in the future. Until that time, sewage disposal will be accomplished by using a non-discharging waste stabilization lagoon.	W-SC Health Dept. approves this plan of sewage disposal. Recommends possible use of aerated lagoon. <i>not so.</i>
<u>SURFACE DRAINAGE</u>	None - County road drainage only.	None	All lots will be graded to drain to the proposed public streets without draining across adjacent lots. Interior streets will be designed to drain at the time of platting. Details will be worked out with the appropriate engineer.	Flood control is aware of this plan and has verbally approved it subject to plan details.

Note: All comments can be verified with the agency noted and can be documented.

DF&S
230-J
1/4/74



THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF ENVIRONMENTAL HEALTH

DATE November 30, 1973
9-0061

TO Curtis Newby, Junior Planner

FROM *R.M.* Richard Marney, Environmental Health Engineer

SUBJECT Schulte Industrial Park

The results of soil percolation tests on November 29, 1973 on approximately 127 acres on the southeast corner of K-42 and Maize Road were not satisfactory with an average rate of 110 minutes.

The use of soil absorption systems for sewage disposal are therefore not approved.

fs

cc: Steve Ramsey
Delamater, Freund and Scherer, P. A.
512 Century Plaza
Wichita, Kansas 67202

Howard B. Scott
Consolidated Realty, Inc.
2311 "A" Amidon
Wichita, Kansas 67204



November 26, 1973

Wilmer Freund
512 Century Plaza
Wichita, Kansas 67202

Re: S/D 73-123 - Sketch Plat of
Shulte Industrial Park

Dear Mr. Freund:

We have completed our review of the revised sketch plat of Shulte Industrial Park. It is necessary that you be aware that Subdivision Regulations require industrially zoned property be served by municipal-type sanitary sewer and City water systems. Due to the expense of extending sewer and water to serve subject property, it would likely be considered infeasible to utilize such systems at the present time. It may well be ten to twenty years before sewer and water are within an accessible distance to subject property. It will be necessary to work with the Engineering Division of the Department of Public Works, the City Water Department and the Wichita-Sedgwick County Environmental Health Department regarding this matter.

It will also be necessary that you work with M. S. Mitchell of the Maintenance-Flood Control Office relative to handling of the associated drainage, necessary drainage easements, guarantees for drainage improvements, etc.

After considering and making satisfactory arrangements for the above mentioned problems, we authorize the preparation of a preliminary plat subject to:

- A. Indicating 60 feet of half-street right-of-way for MacArthur Road and Maize Road.
- B. Indicating 75 feet of half-street right-of-way for a distance of 250 feet from the intersection of the centerlines of Maize Road and MacArthur Road and tapering to 60 feet of half-street right-of-way at a distance of 350 feet from the intersection of the centerlines.

Wilmer Freund
November 26, 1973
Page 2

- C. Indicating 75 feet of half-street right-of-way for a distance of 250 feet south from the centerline of K-42 Highway and tapering to 60 feet of half-street right-of-way at a distance of 350 feet south from the centerline.
- D. Indicating "complete access control" adjacent to all lots on Maize Road and MacArthur Road.
- E. Indicating 25 foot triangular drainage easements on all street corners.
- F. Indicating and labeling all drainage structures on and adjacent to subject property on the preliminary plat.
- G. Requirement for a preliminary plat.

Should you have any questions regarding these comments on your preparation of the preliminary plat, please feel free to call.

Sincerely,

John Richter
Planning Analyst

JR:rme

cc: Consolidated Realty
c/o H. B. Scott
2311A Amidon, 67204

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

S/D No. 73-123

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Shutte Industrial Park

General Location: NE corner of Maize & Mac Arthur

Name of Property Owner: Consolidated Realty, Inc

Address: 2811 A. Amidon Phone: 8384277

Name of Subdivider: Consolidated Realty, Inc

Address: _____ Phone: _____

Name of Agent/Surveyor: Delameter, Freund, Shen

Address: _____ Phone: _____

Date of Application: 10/3/23

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 127
2. Number of Lots:
 - Residential _____
 - Commercial _____
 - Industrial 25
 - Other _____
3. Minimum Lot Frontage 25 ft.
4. Minimum Lot Area 600' 0000 ft.
5. Existing Zoning R-1
6. Proposed Zoning Lite Industrial (E)
7. Lineal Feet of New Streets:
 - a. _____ R/W _____ ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL _____ 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: Consolidated Realty Inc
[Signature]

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

Received by _____
Date _____
Fee Submitted _____

A REPORT

TO THE

METROPOLITAN AREA PLANNING COMMISSION

CONCERNING

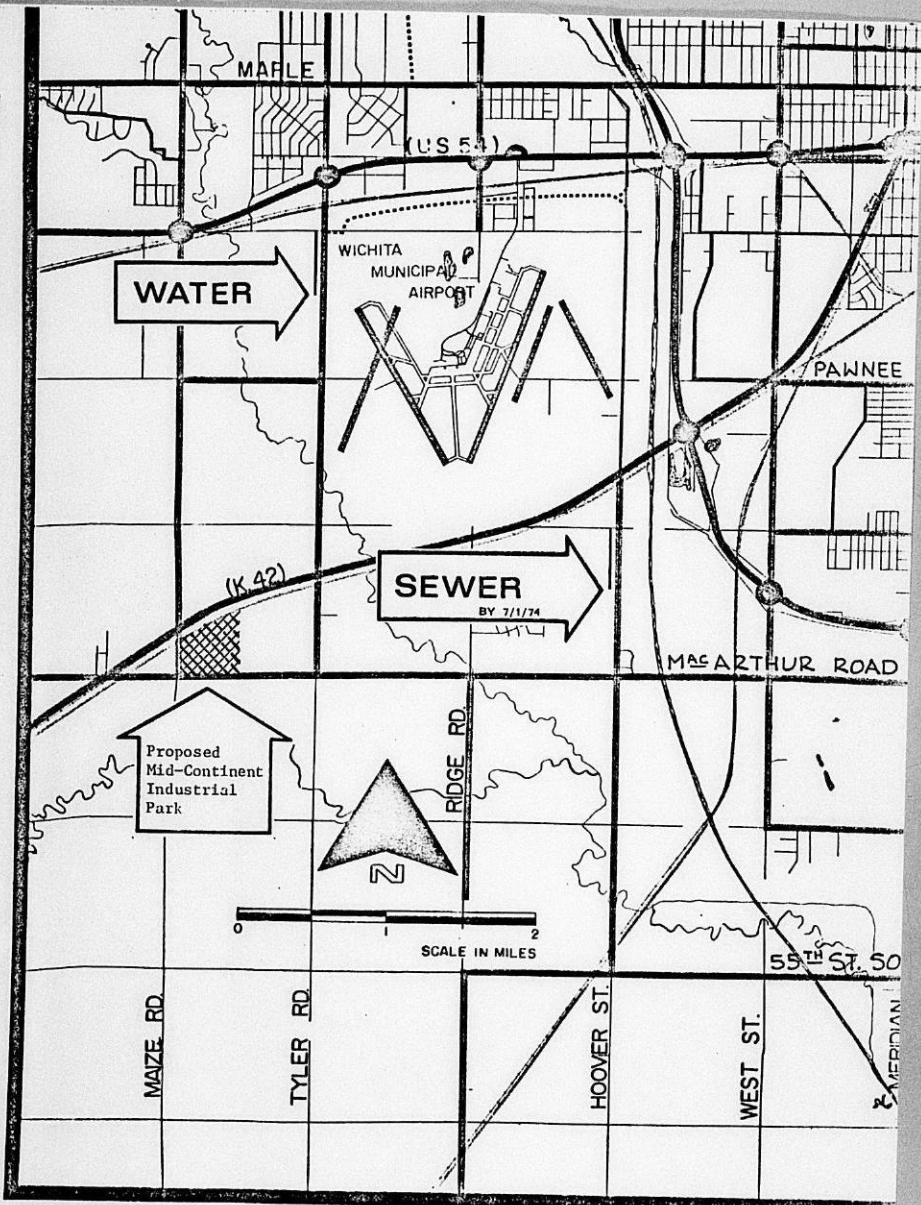
MID-CONTINENT INDUSTRIAL PARK



Delamater, Freund & Scherer, P.A.
March 27, 1975

Table of Contents

	<u>Page</u>
Vicinity Map	1
Foreward	2
Requirements for Zoning and Platting, Letter dated November 26, 1973	3-4
Tabulation of Services, Plan and Remarks	5
Letter from Water Department, October 31, 1973	6
Letter from Wichita-Sedgwick County Department of Community Health, December 27, 1973	7
Letter from Kasas State Department of Health, January 18, 1974	8
Letter from Fire Department, November 15, 1974	9
Letter from County Engineer, March 25, 1975	10
Responses to Mr. Lakin's Letter of March 20, 1975	11
Paving Cost Estimates	12



Foreward

This report presents the results and documentation of a preliminary study and associated responses to platting requirements in connection with services required and existing facilities for the development of Mid-Continent Industrial Park. At the present time, the area is zoned R-1 (Suburban Residential). An application was made and approved through the Metropolitan Area Planning Commission for changing the zoning to E (Light Industrial) subject to platting.

The following report contains the plan for developing the area and furnishing sanitary sewer and water service until these municipal services are available, and estimates of costs for urban design concrete paving versus suburban design flexible pavement.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

November 26, 1973

Wilmer Freund
512 Century Plaza
Wichita, Kansas 67202

Re: S/D 73-123 - Sketch Plat of
Shulte Industrial Park

Dear Mr. Freund:

We have completed our review of the revised sketch plat of Shulte Industrial Park. It is necessary that you be aware that Subdivision Regulations require industrially zoned property be served by municipal-type sanitary sewer and City water systems. Due to the expense of extending sewer and water to serve subject property, it would likely be considered infeasible to utilize such systems at the present time. It may well be ten to twenty years before sewer and water are within an accessible distance to subject property. It will be necessary to work with the Engineering Division of the Department of Public Works, the City Water Department and the Wichita-Sedgwick County Environmental Health Department regarding this matter.

It will also be necessary that you work with M. S. Mitchell of the Maintenance-Flood Control Office relative to handling of the associated drainage, necessary drainage easements, guarantees for drainage improvements, etc.

After considering and making satisfactory arrangements for the above mentioned problems, we authorize the preparation of a preliminary plat subject to:

- A. Indicating 60 feet of half-street right-of-way for MacArthur Road and Maize Road.
- B. Indicating 75 feet of half-street right-of-way for a distance of 250 feet from the intersection of the centerlines of Maize Road and MacArthur Road and tapering to 60 feet of half-street right-of-way at a distance of 350 feet from the intersection of the centerlines.

WICHITA—SEDGWICK COUNTY

Wilmer Freund
November 26, 1973
Page 2

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- F. Indicating and labeling all drainage structures on and adjacent to subject property on the preliminary plat.
- G. Requirement for a preliminary plat.

Should you have any questions regarding these comments on your preparation of the preliminary plat, please feel free to call.

Sincerely,

John Richter
John Richter
Planning Analyst

JR:rme

cc: Consolidated Realty
c/o H. B. Scott
2311A Amidon, 67204

SCHULTE INDUSTRIAL PARK

Service	Existing Facilities	Investigation and Tests Conducted	Our Plan	Remarks
<u>WATER</u>	The city water main is located 2000 feet south of Harry Street on Tyler Road. This main serves Prairie Park Golf Course.	A test well has a pumping rate of 50 gpm. Water analysis indicates high hardness and a possible nitrate ion problem in the future. The County Fire Chief indicated that water for fire fighting purposes will not be a problem.	Provide individual water supplies. Advise individuals of the high hardness. Surveillance of the nitrate ion concentration. Treatment for hardness may be necessary depending on individual usage.	W-SC Health Dept. approves of the water supply. Recommends possible treatment for hardness and surveillance of the nitrate ion concentration. Wichita Water Dept. approve & recommends that distribution system be built to the standards for future city water service.
<u>SANITARY SEWER</u>	By 7/1/74, city sewer service will extend to 1/2 mile south of 31st St. South along Hoover Rd. This extension is to serve the new Davis Manufacturing building.	Percolation tests have been conducted on the site. The average rate was 110 minutes. This is unsatisfactory for soil absorption systems.	A sewage collection system will be designed and constructed to City of Wichita standards so that connection to city sewers can take place in the future. Until that time, sewage disposal will be accomplished by using a non-discharging waste stabilization lagoon.	W-SC Health Dept. approves this plan of sewage disposal. Recommends possible use of aerated lagoon.
<u>SURFACE DRAINAGE</u>	None - County road drainage only.	None	All lots will be graded to drain to the proposed public streets without draining across adjacent lots. Interior streets will be designed to drain at the time of platting. Details will be worked out with the appropriate engineer.	Flood control is aware of this plan and has verbally approved it subject to plan details.

Note: All comments can be verified with the agency noted and can be documented.

DF&S 230-J 1/4/74

THE CITY OF WICHITA



WATER DEPARTMENT
263-2141 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN — WICHITA, KAN. 67202

October 31, 1973

William T. Weir
Consolidated Realty, Inc.
2311-A Amidon
Wichita, Kansas

Dear Mr. Weir:

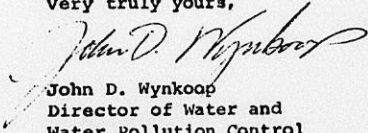
We have reviewed your preliminary plat of the Schulte Industrial Park located at K42 and Maize Road.

It is not feasible at this time to extend a city water main to serve this industrial site. We therefore recommend that the developer install his own private system. If this private system is to consist of internal water distribution mains, we would like to review the design with your engineer. This will help insure that your system will be compatible with the City system at such time in the future that City water service is available to you.

Mr. Bill Otten, Design & Planning Superintendent, is aware of this proposal and when this plat is presented to the Plats Committee for review he will inform the Committee of our findings.

If we can be of any further assistance please contact us.

Very truly yours,


John D. Wynkoop
Director of Water and
Water Pollution Control

JDW:ab
cc: Mr. Wilmer Freund

RECEIVED

NOV 2 1973
DELAGATER, FREUND
& SEEVERS, P.A.
Consulting Engineers

-6-

230-J WF ✓

John

*These are the two letters
that were relied on and
Cohen said he would live
with this old letter of Marnie*

WICHITA -- SEDGWICK COUNTY



DEPARTMENT OF COMMUNITY HEALTH
1900 E. 9TH ST. - WICHITA, KAN. 67214

December 27, 1973
9-0066

Mr. Steve Ramsey
Delamater, Freund, and Scherer, P.A.
512 Century Plaza Building
Wichita, Kansas 67202

Re: Schulte Industrial Park

In reviewing the water data supplied in your letter concerning the Schulte Industrial Park, I would say that individual water supplies would be acceptable. All well construction must be inspected and approved by this Department.

I would recommend to each facility that fractional softening be employed through the use of an ion exchange unit with a percent by-pass. Although the initial sample indicated the nitrates to be below the 1973 United States Public Health Drinking Water Standards, I would recommend that each facility maintain an annual surveillance on the nitrate ion concentration.

I would recommend a non-discharging, waste stabilization pond or aerated lagoon for sewage disposal. The aerated lagoon would increase the evaporation rate therefore cutting down on the size of pond needed. It appears that the most feasible location would be in the southeast corner of the industrial site. The developer should be made aware that there will be a \$150 permit fee for either system and that the permit must be renewed every five years.

If you have any questions or if I can be of any help, please feel free to contact me.

Sincerely,

Richard Marney
Richard Marney
Environmental Engineer

fs

RECEIVED

DEC 28 1973

DELAMATER, FREUND
& SCHERER, P.A.
Consulting Engineers

Copy sent to Tom Weir, Consolidated Realty-12-28-73

230J-IB

-7-

WF ✓

THE KANSAS STATE DEPARTMENT OF HEALTH



TOPEKA
KANSAS

JAMES D. MAHONEY, D.D.S., M.P.H.,
Acting Director of Health

Division of Environmental Health
535 Kansas Avenue
Topeka, Kansas 66603
913 296-3825

January 18, 1974

Mr. Wilmer Freund, P.E.
Delamater, Freund & Scherer, P.A.
512 Century Plaza
Wichita, Kansas 67202

Dear Mr. Freund:

We have reviewed your preliminary engineering report on the proposed Schulte Industrial Park to be located west of the Wichita Municipal Airport. We agree that the use of a non-discharging waste stabilization pond would be a satisfactory method for sewage treatment until connection can be made to the city sewer.

Very truly yours,

Division of Environmental Health

Richard T. Page, P.E.
Water Pollution Control

RTP:11

RECEIVED
JAN 19 1974
DIVISION OF ENVIRONMENTAL HEALTH

KSD
WFL



**COUNTY OF SEDGWICK
FIRE DEPARTMENT**

4343 N. WOODLAWN, WICHITA, KANSAS, 67220

• TELEPHONE 744-0471

CHIEF
RAYMOND A. DAVIS

DEPUTY CHIEF
L. E. MCCABE

ASST. CHIEF
GARY L. NICHOLS

November 15, 1974

Mr. Wilmur Freund
Delamater, Freund & Scherer
512 Century Plaza Building
Wichita, Kansas

SUBJECT: Mid-Continent Industrial Park I
Maize Road & McArthur
Sedgwick County, Kansas

Dear Sir:

As per our meeting of November 15, 1974, it appears that satisfactory arrangements can be made through use of private wells or the lagoon system, for an adequate water supply for fire protection.

Sincerely,

Gary L. Nichols
Gary L. Nichols
Asst. Fire Chief

GLN/bj

-9-

RECEIVED

NOV 16 1974
DELAMATER, FREUND
& SCHERER, P. A.
Consulting Engineers

230-1



SEDGWICK COUNTY COURTHOUSE

COUNTY OF SEDGWICK
HIGHWAY DEPARTMENT

1015 STILLWELL
WICHITA, KANSAS 67213
OFFICE OF
COUNTY ENGINEER

PHONE 266-7201

March 25, 1975

Delamater, Freund & Scherer, P.A.
512 Century Plaza
Wichita, Kansas 67202

RE: Street Design for Mid-Continent
Industrial Park

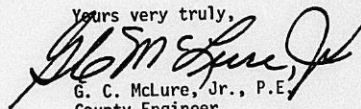
Dear Mr. Freund:

In reply to your letter pertaining to the design of the flexible pavement section, consisting of a lime modified sub-base on a prepared sub-grade with four inches of BM-2 hot mix, hot lay bituminous concrete, it is our opinion from calculations we have made that the section will meet the axle load required for use in this area. Also the drainage plans as submitted on the plat will be adequate. Before building permits will be issued by this department, the pad elevations of the buildings to be constructed within this area will be set in cooperation with the Wichita-Valley Center Flood Control Office.

With regard to the design question pertaining to the necessity of the County Engineer to submit his design for roads on the county road system to the city engineer for his approval, this has never been the requirement and in cases where the city and county have combined efforts to construct roadways, the county has constructed roads in accordance with the plans and specifications and the city has constructed roads in accordance with plans and specifications and neither has asked the approval of the other unless it pertains to federal aid project requiring funding of large amounts.

We hope that this answers your questions.

Yours very truly,



G. C. McLure, Jr., P.E.
County Engineer
Director of Public Works

GCM/lt

DELAMATER, FREUND & SCHERER, P. A.

CONSULTING ENGINEERS

TELEPHONE (316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

REFERENCE:

MEMORANDUM from Robert A. Lakin to:

Wichita-Sedgwick County Metropolitan
Area Planning Commission

DATED: March 20, 1975

1. The memorandum states there is insufficient right-of-way to place traffic control devices and other street appurtenances. If this is a matter of concern, we are prepared to dedicate additional easements for whatever traffic control devices and other street appurtenances may be necessary in this particular plat. We have shown triangular drainage easements at intersections to allow for improved drainage.

2. The statement regarding no place for utility locations except placing them beneath the improved street sections or in the bottom of the ditches is a result of their first recommendation; we had originally shown utility easements at the rear of the lots; at the staff's suggestion we deleted them from the plat. However, if this is a matter of concern, we can either dedicate additional right-of-way along and in front of the lots in the 50 foot set-back or restore the easements which would serve the lots from the rear instead of from the front.

3. The discharge figures which we have computed are for a 50 year frequency. This is a theoretical figure and means that once in 50 years the ditches would run at the discharges which we have computed, which is more than the design for normal sections on township roads. This is unrealistic due to the fact that most of the area in the industrial park will be unsurfaced or unpaved and there will be much vertical drainage, which is not the same as run-off in a residential area. We have computed the discharges for a 100 year frequency, in order that a theoretical "once in a 100 year" water surface elevation can be determined. We have indicated minimum pad elevations on the "Drainage Plan" for the 50 year frequency water flow. We feel that the township is in a much better position to maintain culverts and ditches than they would be to maintain a storm sewer which would be required with an urban type curb and gutter section.

Lot sizes are such that culverts should be 75 to 100 feet apart minimum, which is considerably more than the normal culvert every 50 to 60 feet in the city. In fact, these proposed entrances will serve as grade control structures in the ditch flowlines. The township or County Engineer will exercise his right to determine the entrance culvert sizes.

DELAMATER, FREUND & SCHERER, P. A.

CONSULTING ENGINEERS

TELEPHONE (316) 262-8293

512 CENTURY PLAZA

WICHITA, KANSAS 67202

230-J
3-26-75

PAVEMENT COST ESTIMATES

8" Concrete 41 feet B/B of curb

@ \$71 per L.F. - Approximately 2,580 feet.

2580 x 71 = \$183,180*

*Does not include any monies for storm sewer which could run
as much as another \$90,000 depending on certain requirements.

4" BM-2 on 6" Lime treated Subgrade with open ditches for surface
drainage

\$22.75 x 2580 x 1.1 = \$64,564