

Contingent street dedication

PLAT NO. 73-147 MAP NO. 5343

NAME SILVER SPUR 4TH ADDITION

LOCATION: At the Northwest corner of Clarence Avenue
and MacArthur Road

ENGINEER Baughman Co.

OWNER C. J. Mendenhall

APPLICATION FILED 12-21-73

SKETCH PLAT FILED 12-21-73

PRELIMINARY FILED N/A

S/D ACTION N/A

FINAL FILED 12-21-73

S/D ACTION 1-3-74 *Deferred 1-17-74* *Approved*

MAPC ACTION 1-24-74 *Approved* *July 76*
conds

BCC ACTION 2-26-74 *Approved*

RECORDED March 15, 1974

REMARKS _____

73-147 - SILVER SPUR 4TH ADDTN
At the NW corner of Clarence Av.
& MacArthur - C. J. Mendenhall by
Baudt - O.

ACTION

	DATE
SD COMMITTEE (kind)	1.3.74
Sub Comm. Appud. sub. cond.	1.17.74
M.A.P.C.	1.24.74
B.C.C./B. CO. C.	2.26.74

Map No. 5343
Sec. No. 7
Twp. No. 28S
Range 1E

Subdivision Report and Progress

S/D No.: 73-147

Name: SILVER SPUR 4TH ADDITION

General Location: At the Northwest corner of Clarence Avenue and MacArthur

Owner: C. J. Mendenhall

Address: 1913 S. Elizabeth 67213 Phone: 264-6945

Subdivider: _____ Phone: _____

Address: _____ Phone: _____

Engineer/Surveyor: Baughman Co.

Address: 330 Laura Phone: 262-7271

Application Received 12-21-73

Conf. with Applicant _____

Sketch Plat Received 12-21-73

Present Zoning _____

Proposed Zoning _____

Letter of Intent _____

PREL. PLAT RECEIVED _____

S/D Comm. Action _____

Dept. Report on Prel. _____

TRACING PROGRESS:

Received 2-13-74

Released _____

Received _____

Released _____

FINAL PLAT RECEIVED 12-21-73

S/D Comm. Action 1-3-74

Deferred 1-17-74 Appr'd subj' to
cond's

Dept. Report on Final _____

M.A.P.C. ACTION 1-24-74 Approved

Dept. Report on Final _____

Letter on Irons Received _____

Title/Taxes Rec'd & Reviewed _____

Final Review _____

Referral to B.C.C. _____

B.C.C. ACTION 2-26-74 Approved

Recorded 3-15-74

Comments:

PLEASE SEND CORRESPONDENCE ALSO TO:

LIN BLANKINSHIP
1820 W. MACARTHUR

2/25/74 print for #1-FL

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

J
3-21-74

SILVER SPUR FOURTH _____ ADDITION was
filed for record on March 15, 1974.

John Hale
Register Of Deeds

T9-328

February 13, 1976

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

S/D 73-147 - Silver Spur 4th Addition -
Irrevocable Letter of Credit

As a condition of approval of the above captioned plat, approved by the Metropolitan Area Planning Commission on January 24, 1974 and by the Board of City Commissioners on February 26, 1974, the applicant was to guarantee the extension of a sanitary sewer line on subject property. The applicant, C. J. Mendenhall, submitted an irrevocable letter of credit in the amount of \$1,600 from the Southwest National Bank (letter of credit number 21374) guaranteeing the extension of the sewer on or before February 13, 1976.

Our office has been advised by the City Engineers Office that said sewer extension has been completed, inspected and approved and, therefore, the letter of credit may be released. Your office is holding said letter of credit in the amount of \$1,600 and it may now be released at request of the applicant. If you have any questions concerning this matter, please call.

Jack H. Galbraith
Chief Planner

JHG:CLN:el

cc: Southwest National Bank, 400 E. Douglas, 67202
C. J. Mendenhall, 1913 S. Elizabeth, 67213

THE CITY OF WICHITA
OFFICE OF ENGINEERING

DATE FEBRUARY 11, 1976

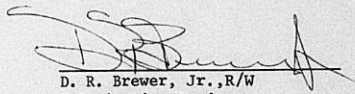
TO Curtis Newby, Metropolitan Area Planning Commission

FROM D. R. Brewer, Jr., R/W & Estimating Engineer

SUBJECT Sanitary Sewer Construction
Silver Spur 4th Addition

On this date I have checked the sewer record books on K-101 and find that 45.5 lineal feet of 8" sanitary sewer was booked in May of 1974. The sewer was constructed by Pearson Excavating by private contract.

This letter is written at your request for your convenience and for your files.


D. R. Brewer, Jr., R/W
& Estimating Engineer

DRB/mrc

on 2-11-76
Engineering Division
of Dept Public Works
advised that san
sewer extension was
completed and approve.
It is now ok to release
letter of credit.

Carl Hendy

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

S/D Number 73-147 Name SILVER SPUR 4TH ADDITION
 Application & Sketch Filed: 12-21-73
 Preliminary Plat Filed: N/A Approved by S/D: N/A
 Final Plat Filed: 12-21-73 Approved by S/D: 1-17-74
 Approved by Metropolitan Area Planning Commission: 1-24-74

DESCRIPTION

General Location: Northwest corner of Clarence Avenue and MacArthur Road

Surveyor or Engineer: Baughman Company
 Owner: C. J. Mendenhall
 Address: 1913 South Elizabeth 67213

- | | | |
|---|--------------------------|-----------------------|
| 1. Gross Acreage of Plat <u>2.29</u> | 6. Access Control | |
| 2. Number of Lots: | St. <u>MacArthur Rd.</u> | No. Openings <u>2</u> |
| Residential _____ | St. _____ | No. Openings _____ |
| Commercial <u>2</u> | St. _____ | No. Openings _____ |
| Industrial _____ | 7. Req'd Improvements | |
| Other _____ | St. Paving _____ | Water _____ |
| Total Number of Lots: <u>2</u> | Sidewalk <u>y</u> | Drainage _____ |
| 3. Minimum Lot Area: <u>1.0</u> Acres | Sewer <u>y</u> | Other _____ |
| 4. Existing Zoning <u>"rc" & "ap"</u> | | |
| 5. Special Problems Discussed <u>None</u> | | |

Valid petitions have been submitted guaranteeing the installation of sidewalk adjacent to the north side of MacArthur Road and the west side of Clarence Avenue. A contingent dedication has been submitted dedicating Clarence Avenue from the center line of 38th Street South to the north line of Carey Lane and a utility easement by separate instrument has also been submitted. A certificate has been submitted certifying the petitions.

Planning Commission Recommendation:

That this plat be approved subject to:

- A. Certification by an attorney that fee title is vested in the platlor.
- B. Certification that all taxes due and payable for 1973 and prior years have been paid.
- C. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Hennesy moved, Kamen seconded and it carried unanimously.
 (Arnholz, Gardenhire and Hill absent.)

ACTION: Receive and file the irrevocable letter of credit, accept the easement and contingent dedication, approve the petitions and instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the certificate, easement and contingent dedication with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant, approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign, and instruct the Planning Department to withhold releasing the plat tracing for recording until the title and tax opinion have been submitted.

MARTIN, COOPER, CHURCHILL & FRIEDEL
ATTORNEYS AT LAW
458 NORTH MARKET STREET
P. O. BOX 334
WICHITA, KANSAS 67202

MARVIN J. MARTIN
DALE H. COOPER
W. STANLEY CHURCHILL
KARL W. FRIEDEL
—
ROBERT D. OVERMAN

316 265-5237

March 6, 1974

The Wichita-Sedgwick County Metropolitan
Area Planning Commission
City Hall Annex
104 South Main
Wichita, Kansas 67202

Attention: Curtis Newby

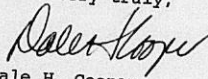
Re: Silver Spur Fourth Addition

Dear Mr. Newby:

Enclosed are two opinions concerning the title to the property which comprises the captioned addition which we are forwarding to you at the request of the owner of this property.

If anything else is needed from this office to complete the platting of this addition, please let us know.

Yours very truly,



Dale H. Cooper

DHC:rc
enc.



MARTIN, COOPER, CHURCHILL & FRIEDEL
ATTORNEYS AT LAW
458 NORTH MARKET STREET
P. O. BOX 334
WICHITA, KANSAS 67202

MARVIN J. MARTIN
DALE H. COOPER
W. STANLEY CHURCHILL
KARL W. FRIEDEL
ROBERT D. OVERMAN

316 265-5237

March 5, 1974

The Wichita-Sedgwick County Metropolitan
Area Planning Commission
City Hall Annex
104 South Main
Wichita, Kansas 67202

Re: Silver Spur Addition to Wichita,
Sedgwick County, Kansas

Gentlemen:

This is to certify that we have examined the abstract of
title to the following described real property, to-wit:

Beginning at a point 195 feet West of the Southeast
corner of Lot 1, Silver Spur Addition to Wichita,
Sedgwick County, Kansas; thence West along the South
line of said Lot, 213.85 feet to the Southwest corner
of said Lot; thence North along the West line of said
Lot, 244 feet; thence East parallel with the South
line of said Lot, 213.85 feet; thence South 244 feet
to beginning;

and the fee title to said described real property stands of record
in:

Bonnie Dell Mendenhall,

free and clear of all encumbrances, except as follows:

1. Taxes for the year 1973 and prior years have been paid.

Yours very truly,

Dale H. Cooper
Dale H. Cooper

DHC:rc



MARTIN, COOPER, CHURCHILL & FRIEDEL
ATTORNEYS AT LAW
458 NORTH MARKET STREET
P. O. BOX 334
WICHITA, KANSAS 67202

MARVIN J. MARTIN
DALE H. COOPER
W. STANLEY CHURCHILL
KARL W. FRIEDEL
—
ROBERT D. OVERMAN

316 265-5237

March 5, 1974

The Wichita-Sedgwick County Metropolitan
Area Planning Commission
City Hall Annex
104 South Main
Wichita, Kansas 67202

Re: Silver Spur Addition to Wichita,
Sedgwick County, Kansas

Gentlemen:

This is to certify that we have examined the abstract of
title to the following described real property, to-wit:

Beginning at a point 35 feet West of the Southeast corner
of Lot 1, Silver Spur Addition to Wichita, Sedgwick
County, Kansas; thence West along the South line of said
Lot 1, 160 feet; thence North parallel with the East line
of said Lot, 244 feet; thence East parallel with the South
line of said Lot, 160 feet; thence South 244 feet to
beginning;

and the fee title to said described real property stands of record
in:

Bonnie Dell Mendenhall,

free and clear of all encumbrances, except as follows:

1. Taxes for the year 1973 and prior years have been paid.
2. Easement on the East 30 feet for the construction and
maintenance of public utilities.

Yours very truly,


Dale H. Cooper

DHC:rc



IRREVOCABLE LETTER OF CREDIT

Southwest National Bank

(Name of bank)

Date: February 13, 1974

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 1,600.00 for the account of C. J. Mendenhall and Bonnie D. Mendenhall

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before January 18, 1976
(Insert date two years from MAPC approval of plat)

1. Installation of 40-foot Sewer
- 2.
- 3.

in the Silver Spur Fourth Addition, a subdivision of the City of Wichita, Kansas.

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

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

All drafts drawn hereunder must be marked: "Drawn under _____

Southwest National Bank, Credit No. 21374, dated Feb. 13, 1974
(Name of bank)

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

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

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before February 13, 1976

Very truly yours,

Southwest National Bank
(Name of bank)

By: [Signature]
(Authorized Signature) M. A. [Signature]
President



CONTINGENT STREET DEDICATION

WHEREAS, Bonnie D. Mendenhall and C. J. Mendenhall are the owners of Silver Spur Addition, a part of which real estate is now in the process of being replatted as Silver Spur Fourth Addition to Wichita, Sedgwick County, Kansas; and,

WHEREAS, the City of Wichita, as a condition of the replatting, requires a contingent street dedication for street right-of-way; and

WHEREAS, the Wichita Sedgwick County Metropolitan Area Planning Commission has approved the replat of the Silver Spur Fourth Addition subject to and conditioned upon its approval of the dedication hereinafter described:

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES and contingent upon the approval of the replat by the Board of City Commissioners of Wichita, Kansas, Bonnie D. Mendenhall and C. J. Mendenhall, husband and wife, do hereby dedicate to the public for street purposes the following described real estate to-wit:

The East 35 Feet of the North 891.61 Feet of
the South 1268.3 Feet of Lot 1, Silver Spur
Addition to Wichita.

PROVIDED, HOWEVER, that neither the public nor the city of Wichita shall be entitled to the use of that area for street purposes, installation of utilities or other similar street use nor shall the possession of said area, designated as the contingent street dedication, be disturbed or interfered with unless and until such time as there is dedicated a right-of-way for a north-south street to be known as Clarence Avenue immediately east and adjacent to the area designated as the contingent street dedication. This dedication shall become null and void and shall be automatically vacated in the event the property immediately lying adjacent to but on the east side of the "contingent street dedication" or any portion thereof is not dedicated for the purpose of a street right-of-way.

The recording of this instrument shall constitute a covenant running

with the land and shall bind the grantors hereof, their successors and assigns.

This dedication, conditioned as aforesaid, shall be accepted by the City of Wichita upon the recording of this instrument and such acceptance by the City of Wichita as aforesaid, shall constitute acquiescence in and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, we, the undersigned, do set our hands this 19 day of February, 1974.

Bonnie D. Mendenhall
Bonnie D. Mendenhall

C. J. Mendenhall
C. J. Mendenhall

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BE IT REMEMBERED THAT on this 19 day of February, 1974, before me, a Notary Public in and for said county and state came Bonnie D. Mendenhall and C. J. Mendenhall, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

Mary Lou Crawford
Notary Public

My Commission Expires:

October 11, 1976



CERTIFICATE

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

I, C.J. Mendenhall, owner and plat-
tor of Silver Spur Fourth Addition Addition, do hereby
certify that petitions for the following improvements have been
submitted to the Board of Commissioners of the City of Wichita,
Kansas:

1. Sidewalk - NORTH SIDE MACARTHUR & WEST SIDE CLARENCE
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

As a result of the above-mentioned petitions for im-
provements, lots within Silver Spur Fourth Addition Addition
may be subject to special assessments assessed thereto for the
cost of constructing the above-described improvements.

Signed this 19 day of February, 1974.

Bernard D. Mendenhall
C.J. Mendenhall

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

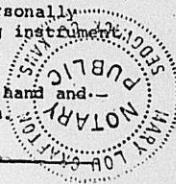
Be it remembered that on this 19 day of February,
1974, before me, a notary public in and for said County and State,
came Bernard D. and C.J. Mendenhall, to me personally
known to be the same person who executed the fore-going instrument
of writing and duly acknowledged the execution of same.

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

Mary Lou Croft
Notary Public

My Commission Expires:

October 11, 1976



EASEMENT

THIS EASEMENT MADE THIS 19 DAY OF Feb, 1974,
BY AND BETWEEN C.S. & Bonnie D. Mendenhall
OF THE FIRST PART AND THE CITY OF WICHITA, OF THE SECOND PART.

WITNESSETH: THAT THE SAID FIRST PART, IN CONSIDERATION OF THE SUM OF ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, DO HEREBY GRANT AND CONVEY UNTO THE SAID SECOND PARTY A PERPETUAL RIGHT-OF-WAY AND EASEMENT FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND REPAIRING SEWER AND ALL OTHER PUBLIC UTILITIES, OVER, ALONG AND UNDER THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN SEDGWICK COUNTY, KANSAS, TOWIT:

The west 16 feet of the east 178 feet of Lot 1, except the south 244 feet thereof, Silver Spur Addition to Wichita, Kansas, together with beginning at a point 244 feet north and 178 feet west of the S.E. Corner of said Lot 1; thence west parallel with the south line of said Lot, 25 feet; thence northeast to a point 269 feet north and 178 feet west of the S.E. Corner of said Lot; thence south 25 feet to beginning.

AND SAID SECOND PARTY IS HEREBY GRANTED THE RIGHT TO ENTER UPON SAID PREMISES AT ANY TIME FOR THE PURPOSE OF CONSTRUCTING, OPERATING, MAINTAINING, AND REPAIRING SUCH SEWER AND ALL OTHER PUBLIC UTILITIES.

IN WITNESS WHEREOF: THE SAID FIRST PART HAVE SIGNED THESE PRESENTS THE DAY AND YEAR FIRST WRITTEN.

Bonnie D. Mendenhall
C.S. Mendenhall

STATE OF KANSAS)
SEDGWICK COUNTY) SS

PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID Bonnie D. Mendenhall & C.S. Mendenhall

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 19 DAY OF February, 1974.

(MY COMMISSION EXPIRES October 11, 1976)

May Lou Craft
NOTARY PUBLIC
MAY LOU CRAFT
NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
1974

IRREVOCABLE LETTER OF CREDIT

Southwest National Bank
(Name of bank)

Date: February 13, 1974

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 1,600.00 for the account of C. J. Mendenhall and Bonnie D. Mendenhall

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before January 18, 1976
(Insert date two years from MAPC approval of plat)

1. Installation of 40-foot Sewer
- 2.
- 3.

in the Silver Spur Fourth Addition, a subdivision of the City of Wichita, Kansas.

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

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

All drafts drawn hereunder must be marked: "Drawn under _____

Southwest National Bank, Credit No. 21374, dated Feb. 13, 1974
(Name of bank)

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

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

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before February 13, 1976



Very truly yours,

Southwest National Bank
(Name of bank)

By: W. A. Pivonka
(Authorized signature) W. A. Pivonka

January 25, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 73-147 - Final Plat of
SILVER SPUR 4TH ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on January 24, 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 January 18, 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 plat.
4. Certification that all taxes due and payable for 1973 and prior years have been paid.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: C. J. Mendenhall, 1913 South Elizabeth 67213
Lin Blankinship, 1820 West MacArthur Road 67217
Dean Sellers, Assistant City Engineer

January 18, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 73-147 - Final Plat of SILVER
SPUR 4TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 17, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. A 35-foot building setback from the west line of Clarence and the north line of MacArthur Road, shall be indicated on the plat.
- B. *not reqd.* "Complete access control" shall be indicated adjacent to MacArthur Road except adjacent to the 40-foot ingress and egress easement. The appropriate wording shall appear in the plat's text.
- C. The applicant shall submit to the Planning Department a copy of the recorded ingress and egress easement. Said easement shall be labeled on the plat as being private, including also the recorded book and page number.
- D. *for petition* The indicated 5-foot utility easement shall be expanded to 10 feet in width.
- E. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of MacArthur Road and the west side of Clarence Avenue; the total estimated construction cost to be in the amount of \$1,850.
- F. Tom Scott shall be indicated as the County Commission Chairman, with Earl E. Rush as a Commissioner.

Final Plat of SILVER SPUR
4TH ADDITION
January 18, 1974
Page 2

- 3* The plat shall be revised to include the dedication of Clarence Avenue to the north line of 38th Street South.
- de* *already petitioned for*
The applicant shall guarantee the paving of Clarence Avenue from the north line of MacArthur Road to the north line of 38th Street South.
- de* The applicant shall by contingent dedication, dedicate Clarence Avenue from the north line of 38th Street South to the north line of Carey Lane.
- J* The applicant shall be advised that sidewalk construction will be required prior to final building inspection for lots where the sidewalk has been previously required as a condition of platting.
- K* The applicant shall submit by separate instrument a dedication for the west 5 feet of Clarence Lane from the north line of this plat to Carey Lane.
- de* *letter of credit*
The applicant shall guarantee the extension of sanitary sewer.
- M* 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, January 24, 1974, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

cc: C. J. Mendenhall
1913 South Elizabeth, 67213

Dean Sellers, Assistant Engineer

January 7, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 73-147 - Final Plat
of SILVER SPUR 4TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 3, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be deferred for two weeks and, recommended approval of a revised final plat, subject to:

- A. A 35 foot building setback from the west line of Clarence and the north line of MacArthur Road, shall be indicated on the plat. The 35 foot building setback may be jogged around the existing building on Lot 2.
- B. The applicant shall submit to the Planning Department a copy of the recorded ingress and egress easement. Said easement shall be labeled on the plat as being private including also the recorded book and page number.
- C. The indicated 5 foot utility easement shall be expanded to 10 feet in width.
- D. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of MacArthur Road and the west side of Clarence Avenue; the total estimated construction cost to be in the amount of \$1850.
- E. The applicant shall contact Bill McKinley relative to appropriate access controls to be indicated on subject plat.
- F. The applicant shall contact Dean Sellers of the Engineering Department relative to the appropriate right-of-way to be indicated for MacArthur Road.

Final Plat of SILVER SPUR 4TH ADDITION
January 7, 1974
Page 2

- G. The applicant shall guarantee the extension of sanitary sewer to serve subject property.
- H. The applicant's engineer shall submit a lot grading plan 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.
- I. The applicant shall submit by separate instrument a dedication for the west 5 feet of Clarence Lane from the north line of this plat to Carey Lane.
- J. The applicant shall guarantee the paving of Clarence Avenue from MacArthur to Carey Lane.
- K. Recording of the plat within 30 days after the approval by the Board of City Commissioners.

This final plat will be rescheduled for consideration by the Subdivision Committee at their regular meeting of January 17, 1974. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: C. J. Mendenhall
1913 South Elizabeth, 67213

Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-147 Name SILVER SPUR 4TH ADDITION
Date Application Rec'd. 12-21-73 Preliminary Approval _____
Scheduled S/D Meeting 1-3-74

DESCRIPTION

General Location At the northwest corner of Clarence Avenue and MacArthur
Owner D. J. Mendenhall
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | |
|--|---|
| 1. Gross Acreage of Plat <u>2.29</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>35</u> R/W <u>244</u> ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial <u>2</u> | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>2</u> | TOTAL <u>244</u> ft. |
| 3. Minimum Lot Frontage <u>169.4</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>X</u> no |
| 4. Minimum Lot Area <u>41333.6</u> sq. ft. | |
| 5. Existing Zoning <u>BB & LC</u> | |
| 6. Proposed Zoning <u>BB & LC</u> | |
| 9. Public Water Supply <u>No</u> (Yes-No), Name _____ | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name _____ | |
| 11. Health Department Approval (where applicable) <u>No</u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. A 35 foot building setback from the west line of Clarence and the north line of MacArthur Road, shall be indicated on the plat.
- B. "Complete access control" shall be indicated adjacent to MacArthur Road except adjacent to the 40 foot ingress and egress easement. The appropriate wording shall appear in the plat's text.
- C. The applicant shall submit to the Planning Department a copy of the recorded ingress and egress easement. Said easement shall be labeled on the plat as being private including also the recorded book and page number.
- D. The indicated 5 foot utility easement shall be expanded to 10 feet in width.
- E. The applicant shall install or guarantee the installation of sidewalks adjacent to the north side of MacArthur Road and the west side of Clarence Avenue; the total estimated construction cost to be in the amount of \$1850.
- F. The applicant shall be advised that sidewalk construction will be required prior to final building inspection for lots where the sidewalk has been previously required as a condition of platting.
- G. The applicant shall submit by separate instrument a dedication for the west 5 feet of Clarence Lane from the north line of this plat to Carey Lane.
- H. The applicant shall guarantee the paving of Clarence Avenue.
- I. Recording of the plat within 30 days after the approval by the Board of City Commissioners.

(OVER)

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

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

S/D No. 73-147

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Silver Spur 4th Addition
General Location: ½ mile west of Seneca on the north side of
Mac Arthur Rd.
Name of Property Owner: C.J. Mendenhall
Address: 1913 S. Elizabeth 67213 Phone: 264-6945
Name of Subdivider: _____
Address: _____ Phone: _____
Name of Agent/Surveyor: Baughman Company
Address: 330 Laura Phone: 262-7271
Date of Application: December 20, 1973

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 2.29
2. Number of Lots:
 - Residential _____
 - Commercial _____
 - Industrial _____
 - Other _____Total Number of Lots 22
3. Minimum Lot Frontage 169.4 ft.
4. Minimum Lot Area 41333.6 ft.
5. Existing Zoning _____
6. Proposed Zoning _____
7. Lineal Feet of New Streets
 - a. 35 R/W 244 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL 244 ft.
8. Sidewalk adjacent to all streets? yes X 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 X Three-Mile Area

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

Owner's Signature: _____

C. J. Mendenhall
Chas. C. J. Mendenhall

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

Received by Curt Hendry
Date 12-21-73
Fee Submitted \$52.00

FORM 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

DESCRIPTION	AMOUNT
Silver Spur 4 th add'n	\$53

Name

Ronald G. Wymore

Address

330 Laura

Type

AA 407104

Due Date

Comments:

Date

12/21/73

By

JR.