

PLAT NO. S/D 74-3 MAP NO. 5546

NAME DILLON 5TH ADDITION

LOCATION: On the South side of Lincoln between
Greenwood and Hydraulic

ENGINEER Baughman Co.

OWNER Dillon Real Estate Co., Inc. by Mr. Lee Kelly

APPLICATION FILED 1-14-74

SKETCH PLAT FILED 1-14-74

PRELIMINARY FILED none submitted

S/D ACTION N/A

FINAL FILED 4-22-74

S/D ACTION 5-2-74 deferred 5-16-74 App.

MAPC ACTION 5-23-74 approved

BCC ACTION 10-15-74 approved

RECORDED 10/31/74

REMARKS OUTDATED PERFORMANCE BOND.

S/D 74-3 DILLON 5TH ADDITION - On
the SS of Lincoln between Green-
wood and Hydraulic - Dillon Real
Estate Lee Kelly Gene Coombs
Baughman Co.

1-24-74
C-H

ACTION

DATE

S/D COMMITTEE (final) Agreed 5-22-74
S/D Comm (final) approved 5-16-74
M.A.P.C. Approved 5-23-74

B.C.C./~~FOSS~~ Approved 10-15-74

Map No. 5546
Sec. No. 28
Twp. No. 27S
Range 1E

Subdivision Report and Progress

S/D No.: 74-3

Name: DILLON 5TH ADDITION

General Location: On the South side of Lincoln between Greenwood and Hydraulic

Owner: Dillon Real Estate Co., Inc. Attention Mr. Lee Kelly

Address: 2700 E. 4th St. Hutchinson, Ks. 67501 Phone: _____

Subdivider: Same % Eugene G. Coombs

Address: 421 E. 3rd, P.O. Box 405, Wichita 6720 Phone: 263-2261

Engineer/Surveyor: Bauchman Co.

Address: 330 Laura Phone: 262-7271

Application Received 1-14-74

Conf. with Applicant none

Sketch Plat Received 1-14-74

Present Zoning A-2-C

* Proposed Zoning LC

Letter of Intent F-30-74

PREL. PLAT RECEIVED none submitted

S/D Comm. Action N/A

Dept. Report on Prel. N/A

TRACING PROGRESS:

Received 10-1-74

Released _____

Received _____

Released _____

FINAL PLAT RECEIVED 4-22-74

S/D Comm. Action 5-2-74 deferred

5-16-74 Approved

Dept. Report on Final 5-3-74

M.A.P.C. ACTION 5-23-74 Approved

Dept. Report on Final 5-24-74

Letter on Irons Received N/A

Title/Taxes Rec'd & Reviewed 9-3-74

Final Review 10-10-74

Referral to B.C.C. 10-10-74

B.C.C. ACTION 10-15-74 Approved

Recorded 10/21/74

Comments:

* Assoc. zone case 2-1574, "A" & "LC" to "LC"

10/1/74 print for M-FC

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

Ⓟ
11-11-74
SH

DILLON'S 5th ADDITION was
filed for record on 10-31-74

John H. Hols

Register Of Deeds

T9-328



Southwestern Bell

P.O. Box 2579
Wichita, Kansas 67201
October 9, 1974


Mr. Curtis Newby
MAPC
104 South Main
Wichita, Kansas 67202

Re: Dillon Fifth Addition Plat

Dear Mr. Newby:

This letter is to advise the MAPC that the applicant has made satisfactory arrangements with our Company, and we now have no objection to subject plat.

Yours truly,


Alfred A. Snider
District Engineer



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number **74-3** Name **DILLON 5TH ADDITION**
 Application & Sketch Filed: **1-4-74** Approved by S/D: **--**
 Preliminary Plat Filed: **--** Approved by S/D: **5-16-74**
 Final Plat Filed: **4-22-74** Approved by S/D: **5-23-74**
 Approved by Metropolitan Area Planning Commission: **5-23-74**

DESCRIPTION

General Location: **South side of Lincoln between
Greenwood and Hydraulic**

Surveyor or Engineer: **Baughman Company**
 Owner: **Dillon Real Estate Co., Inc.**
 Address: **2700 E. 4th St., Hutchinson, Kansas 67501**

- | | | |
|---|-----------------------------|--|
| 1. Gross Acreage of Plat <u>2.6</u> | 6. Access Control | |
| 2. Number of Lots: | St. <u>Lincoln</u> | No. Openings <u>1</u> |
| Residential _____ | St. <u>Hydraulic</u> | No. Openings <u>2</u> |
| Commercial _____ | St. _____ | No. Openings _____ |
| Industrial <u>1</u> | 7. Req'd Improvements | |
| Other _____ | St. Paving <u>X (alley)</u> | |
| Total Number of Lots: <u>1</u> | Sidewalk _____ | Drainage _____ |
| 3. Minimum Lot Area: <u>2.1</u> Acres | Sewer _____ | Other <u>close all</u> |
| 4. Existing Zoning <u>"A" & "IC"</u> | | <u>driveway and alley</u> |
| 5. Special Problems Discussed <u>None</u> | | <u>curb returns not to be used; and</u> |
| | | <u>abandon a portion of an existing</u> |
| | | <u>sanitary sewer and construct a man-</u> |
| | | <u>hole.</u> |

A performance bond in the amount of \$13,200 has been submitted guaranteeing the installation of a sidewalk on the south side of Lincoln, the paving of the alley, the closing of all driveway and alley curb returns not to be retained, and the abandoning of a portion of the existing sanitary sewer, together with the construction of a manhole to terminate said sewer line.

Planning Commission Recommendation:

That this plat be approved subject to recording of the plat within 30 days after approval by the Board of City Commissioners. Kamen moved, Hill seconded and it carried unanimously. (Blakey, Gragert and Hopper absent.)

NOTE: The associated zone case Z-1574 from "A" and "LC" to "IC" was approved by the Board of City Commissioners on November 20, 1973 subject to replatting.

ACTION: Receive and file the performance bond, approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.



KANSAS GAS AND ELECTRIC COMPANY

October 7, 1974

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Subject: Dillon 5th Addition. S/D 74-3

Dear Mr. Newby:

This is to advise that satisfactory relocation arrangements have been made with K&E The Electric Company regarding this plat.

K&E has no further objections to recording of this plat.

Sincerely yours,

Robert L. Blevins

Robert L. Blevins
Senior Estimator

RLB:pw



October 2, 1974

Eugene G. Coombs
225 Sutton Place
Wichita, Kansas 67202

Re: Z-1574 - Zone change from
"A" & "LC" to "LC", and the
associated plat S/D 74-3 -
Dillon 5th Addition. Gen-
erally located on the south
side of Lincoln between
Greenwood & Hydraulic.

Dear Mr. Coombs:

As you will recall, the above captioned zone case was approved by the Metropolitan Area Planning Commission on October 11, 1973, and by the Board of City Commissioners on November 20, 1973. The action of the governing body was to approve the request subject to the application area being replatted within one year from the date of approval by the Board of City 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 November 20, 1974, 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 comply with the condition of platting.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:JR:rme

Eugene G. Coombs
October 2, 1974
Page 2

cc: Dillon Real Estate Co., Inc., et. al.
c/o Mr. Lee Kelly
2700 East 4th Street
Hutchinson, Kansas 67501

Baughman Company
330 Laura, 67211


THE GAS SERVICE COMPANY
General Office • 700 SCARRITT BLDG., KANSAS CITY, MISSOURI 64142

ADDRESS REPLY TO
WICHITA, KANSAS DIVISION
127 NORTH MARKET
WICHITA, KANSAS 67201

September 17, 1974

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Attention: Mr. Robert Lakin

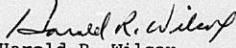
Re: Plat of Dillon
5th Addition

Dear Mr. Lakin:

Please be advised that the developers of Dillon
5th Addition have made satisfactory arrangements
for the relocation of our facilities in that Ad-
dition.

Yours very truly,

THE GAS SERVICE COMPANY


Harold R. Wilcox
Division Superintendent

CWE:dm



Distributor of Natural Gas in the Heart of the Nation.

DILLON REAL ESTATE CO, INC.

2700 East 4th St., Hutchinson, Kans. 67501

Area Code 316
665-5511

September 10, 1974

Mr. Curtis L. Newby
Junior Planner
City Building Annex
Metropolitan Area Planning Commission
104 South Main
Wichita, KS 67202

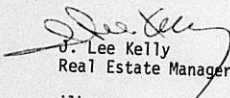
Re: S/D 74-3 - Final plat of
DILLON 5th ADDITION

Dear Mr. Newby:

Enclosed you will find two copies of a performance bond issued to insure completion of items C, E, G, & H mentioned in your letter of May 17, 1974, on the proposed construction at the Dillon 5th Addition. These items will be included in our total construction contract and will be completed when the building is constructed.

If you should have any questions regarding this performance bond please let us know.

Sincerely,


J. Lee Kelly
Real Estate Manager

jlk:sw
enc.



PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That, we DILLON REAL ESTATE CO., INC. as Principal, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND as Surety, are held and firmly bound unto the City of Wichita, County of Sedgwick and State of Kansas, in the sum of Thirteen Thousand Two Hundred-----(\$ 13,200.00) Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the City of Wichita for the development and improvement in S/D 74-3-Final Plat of Dillon 5th Addition (name of subdivision) Plat located in Section 28 Township 27S Range 1E Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal Dillon Real Estate Co., Inc. shall perform the following obligations and conditions:

1. C. The applicant shall install or guarantee the installation of sidewalks adjacent to the south side of Lincoln Street.
2. E. The applicant shall guarantee and make satisfactory arrangements for the abandonment of a portion of the existing sanitary sewer on subject property and the construction of a manhole to terminate the remainder of said sewer line.
3. G. The applicant shall guarantee the paving of the alley being dedicated on the plat.
4. H. The applicant shall guarantee the closing of all driveway and alley curb openings not to be retained or utilized with this plat.

which obligations and conditions shall be performed and accomplished in accordance with presently established standards and specifications of the Department of Public Works of the City of Wichita.

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

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

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this 3rd day of September 1974 DILLON REAL ESTATE CO., INC.

By: Ray E. Dillon, Jr. Principal
Ray E. Dillon, Jr., President
FIDELITY AND DEPOSIT COMPANY OF MARYLAND Surety

By: Norman N. Kline, Jr.
Norman N. Kline, Jr.
Attorney-in-fact

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

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

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 6th day of September, 1974, before me, a Notary Public in and for said County and State, came Ray E. Dillon, Jr. President Dillon and Norman N. Kline, Jr. attorney in fact (Principal) Dillon Real Estate Co. Inc. Fidelity and Deposit Company of Maryland to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.



Norma Myers Notary Public

My Commission Expires:

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by JOHN C. GARDNER, Vice-President, and C. M. PECOT, JR., Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any decrees, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, bonds, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

does hereby nominate, constitute and appoint William L. Kline, Norval N. Kline, Jr., John R. Kline, W. Michael Kline and Stephen K. Kline, all of Hutchinson, Kansas, EACH

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of N. N. Kline, et al, dated March 16, 1973.

The said Assistant Secretary does hereby certify that the foregoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 24th day of May, A.D. 1974.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

(SIGNED)

C. M. PECOT, JR.
Assistant Secretary

By.....

JOHN C. GARDNER
Vice-President

(SEAL)

STATE OF MARYLAND }
CITY OF BALTIMORE } ss:

On this 24th day of May, A.D. 1974, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn severally and each for himself deposed and said, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

(SIGNED)

(SEAL)

MELINDA T. HAUS

Notary Public Commission Expires July 1, 1974

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 3rd day of September, 1974.



DILLON REAL ESTATE CO., INC.

2700 East 4th St., Hutchinson, Kans. 67501

Area Code 316
665-5911

August 28, 1974

Mr. Curtis L. Newby
Junior Planner
Metropolitan Area Planning Commission
City Building Annex, 104 South Main
Wichita, Ks. 67202

Re: Plat requirements S-D74-3
Final Plat of Dillon 5th Addition

Dear Mr. Newby:


All structures previously existing on this property have been removed and the site has been cleared and ready for construction. This should satisfy requirement "I" in your letter of May 17, 1974.

In addition we are making necessary arrangements for a letter of credit or a surety bond to clear requirements C, E, G, and H pertaining to site improvements mentioned in your letter of the same date.

Mr. Dick Phillips of Guarantee Title will forward to you a title binder which should satisfy requirements pertaining to certificate of fee title and payment of taxes required in Mr. Galbraith's letter of May 24, 1974. We will keep you informed of the completion of other requirements in the next few weeks.

Thank you very much for your cooperation.

Sincerely,


J. Lee Kelly
Real Estate Manager

jlk:sw



Lawyers Title Insurance Corporation

A Stock Company
Home Office ~ Richmond, Virginia
INTERIM TITLE INSURANCE BINDER

Case No. W 14380

TO WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING
COMMISSION

No.

LAWYERS TITLE INSURANCE CORPORATION, herein called the Company, hereby insures:
That the title to the land described in Schedule A hereof, was on August 27, 1974,
at 7:00 o'clock A. M., vested in fee simple in

DILLON REAL-ESTATE CO., INC.

subject only to the defects, objections, liens and encumbrances, as shown in Schedule B hereof.

That upon compliance with and/or satisfaction of the requirements set forth under Section 1 of Schedule B of this Binder, and upon payment of its premium for title insurance, this Company will issue to you, as the insured, its policy of title insurance, on the usual form, in the sum of \$ to be determined, showing under Schedule B thereof only such exceptions as appear in Section 2, of Schedule B of this Binder and such liens, encumbrances or objections attaching to the title subsequent to the date hereof and prior to the issuance of the policy which are not satisfied and/or removed.

This Binder is delivered and accepted upon the understanding that you have no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting said premises other than those shown under Schedule B hereof, and your failure to disclose any such personal information shall render this Binder and any policy issued based thereon, null and void as to such defect, objection, lien or encumbrance.

Nothing herein contained shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental "police power" over the property described herein.

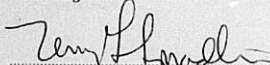
This Company shall be liable under this Interim Title Insurance Binder only for actual loss or damage incurred by reliance upon the insuring provisions hereof.

This Interim Title Insurance Binder is subject to the terms, provisions and Conditions and Stipulations of the form of policy applied for.

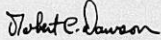
This Binder is preliminary to the issuance of the policy of title insurance and shall become null and void, unless policy is issued, and the premium therefor paid, within six (6) months from the date hereof, and shall not be binding until it shall have been countersigned by an authorized Officer or Agent of the Company.


IN WITNESS WHEREOF the Company has caused this binder to be executed pursuant to its by-laws
at Wichita, Kansas on August 28, 1974.

Countersigned:


.....
Authorized Officer or Agent

Lawyers Title Insurance Corporation


President.


Secretary.

Schedule A

Legal description of the land referred to in this Binder.

Odd Lots 1 through 29, both inclusive, and Even Lots 2 through 36,
both inclusive, in SCHWEITERS LINCOLN STREET ADDITION to Wichita
Sedgwick County, Kansas.

Title Insurance \$ 25.00.

Lawyers Title Insurance Corporation

A Stock Company
Home Office - Richmond, Virginia
INTERIM TITLE INSURANCE BINDER

Case No. W 14380

TO WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING
COMMISSION

No.

LAWYERS TITLE INSURANCE CORPORATION, herein called the Company, hereby insures:
That the title to the land described in Schedule A hereof, was on August 27, 1974
at 7:00 o'clock A. M., vested in fee simple in

DILLON REAL ESTATE CO., INC.

subject only to the defects, objections, liens and encumbrances, as shown in Schedule B hereof.

That upon compliance with and/or satisfaction of the requirements set forth under Section 1 of Schedule B of this Binder, and upon payment of its premium for title insurance, this Company will issue to you, as the insured, its policy of title insurance, on the usual form, in the sum of \$ to be determined, showing under Schedule B thereof only such exceptions as appear in Section 2, of Schedule B of this Binder and such liens, encumbrances or objections attaching to the title subsequent to the date hereof and prior to the issuance of the policy which are not satisfied and/or removed.

This Binder is delivered and accepted upon the understanding that you have no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting said premises other than those shown under Schedule B hereof, and your failure to disclose any such personal information shall render this Binder and any policy issued based thereon null and void as to such defect, objection, lien or encumbrance.

Nothing herein contained shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental "police power" over the property described herein.

This Company shall be liable under this Interim Title Insurance Binder only for actual loss or damage incurred by reliance upon the insuring provisions hereof.

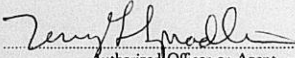
This Interim Title Insurance Binder is subject to the terms, provisions and Conditions and Stipulations of the form of policy applied for.

This Binder is preliminary to the issuance of the policy of title insurance and shall become null and void, unless policy is issued, and the premium therefor paid, within six (6) months from the date hereof, and shall not be binding until it shall have been countersigned by an authorized Officer or Agent of the Company.


IN WITNESS WHEREOF the Company has caused this binder to be executed pursuant to its by-laws at Wichita, Kansas on August 28, 1974.

Countersigned:

Lawyers Title Insurance Corporation


Authorized Officer or Agent


President.


Secretary.

Schedule A

Legal description of the land referred to in this Binder.

Odd Lots 1 through 29, both inclusive, and Even Lots 2 through 36, both inclusive, in SCHWEITERS LINCOLN STREET ADDITION to Wichita Sedgwick County, Kansas.

Title Insurance \$ 25.00.

Lawyers Title Insurance Corporation

A Stock Company
Home Office - Richmond, Virginia
INTERIM TITLE INSURANCE BINDER

Case No. W 14380

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING
COMMISSION

No.

LAWYERS TITLE INSURANCE CORPORATION, herein called the Company, hereby insures:

That the title to the land described in Schedule A hereof, was on August 27, 1974, at 7:00 o'clock A. M., vested in fee simple in

DILLON REAL ESTATE CO., INC.

subject only to the defects, objections, liens and encumbrances, as shown in Schedule B hereof.

That upon compliance with and/or satisfaction of the requirements set forth under Section 1 of Schedule B of this Binder, and upon payment of its premium for title insurance, this Company will issue to you, as the insured, its policy of title insurance, on the usual form, in the sum of \$ to be determined, showing under Schedule B thereof only such exceptions as appear in Section 2, of Schedule B of this Binder and such liens, encumbrances or objections attaching to the title subsequent to the date hereof and prior to the issuance of the policy which are not satisfied and/or removed.

This Binder is delivered and accepted upon the understanding that you have no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting said premises other than those shown under Schedule B hereof, and your failure to disclose any such personal information shall render this Binder and any policy issued based thereon, null and void as to such defect, objection, lien or encumbrance.

Nothing herein contained shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental "police power" over the property described herein.

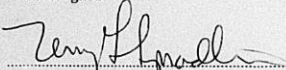
This Company shall be liable under this Interim Title Insurance Binder only for actual loss or damage incurred by reliance upon the insuring provisions hereof.

This Interim Title Insurance Binder is subject to the terms, provisions and Conditions and Stipulations of the form of policy applied for.

This Binder is preliminary to the issuance of the policy of title insurance and shall become null and void, unless policy is issued, and the premium therefor paid, within six (6) months from the date hereof, and shall not be binding until it shall have been countersigned by an authorized Officer or Agent of the Company.


IN WITNESS WHEREOF the Company has caused this binder to be executed pursuant to its by-laws at Wichita, Kansas on August 28, 1974.

Countersigned:


.....
Authorized Officer or Agent

Lawyers Title Insurance Corporation


Violet E. Dawson
President.


Clifford B. Stout
Secretary.

Schedule A

Legal description of the land referred to in this Binder.

Odd Lots 1 through 29, both inclusive, and Even Lots 2 through 36, both inclusive, in SCHWEITERS LINCOLN STREET ADDITION to Wichita Sedgwick County, Kansas.

Title Insurance \$ 25.00.

**Schedule B—Section 1
Requirements**

Showing requirements to be complied with; defects and objections to be removed or eliminated, and liens and encumbrances to be satisfied and discharged of record before policy of title insurance will be issued without exception thereto.

Item (a) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

Item (b) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

NOTE: 1973 taxes and prior years paid on all Lots.

**Schedule B—Section 2
Exceptions**

Showing defects, objections, liens and encumbrances, if any, to be shown as exceptions under Schedule B of the policy (such as easements, restrictive covenants, leases, unpaid taxes and assessments maturing subsequent to date hereof, prior lien or liens assumed).

1. General taxes for the year 1974 and subsequent years together with special assessments due and payable therewith.
2. Easements to Kansas Gas and Electric Company over the South 5 feet of the North 15 feet of the West 34 feet of Lot, as shown in Miscellaneous 369, Page 278.
3. No liability is assumed for possible unfiled mechanic's and materialmen's liens.
4. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, deficiency in quantity of ground, or any matters not of record which would be disclosed by an accurate survey and inspection of the premises.

NOTE: "This interim binder (commitment) is subject to the insuring provisions and the Conditions and Stipulations and the Exclusions from Coverage of the Company's Policy Form 85, a specimen copy of which will be furnished upon request."

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

August 13, 1974

Mr. J. Lee Kelly
Real Estate Manager
Dillon Real Estate Company, Inc.
2700 East 4th Street
Hutchinson, Kansas 67501

Re: Dillon 5th Addition

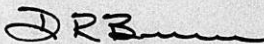
Dear Mr. Kelly:

Please refer to your letter of August 12, 1974 requesting guarantees for the completion of those improvements in connection with subject plat.

Please be advised that an Irrevocable Letter of Credit in the aggregate amount of \$13,200.00 will suffice for Items C, E, G and H.

If additional information is necessary, please advise.

Very truly yours,



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

DRB:gd
CC: C. Newby - Planning Dept. ✓



DILLON REAL ESTATE CO., INC.

2700 East 4th St., Hutchinson, Kans. 67501

August 12, 1974

Mr. Dean Sellers
Assistant City Engineer, City of Wichita
City Building Annex
104 South Main
Wichita, Kansas 67202

Re: S/D 74-3 Final plat of Dillon 5th Addition

Dear Mr. Sellers:

In a letter dated May 17, 1974, from Mr. Curtis L. Newby of the Metropolitan Area Planning Commission several requirements were made pertaining to site improvements needing our company's guarantee of completion. We have listed these requirements below in the order they appear in Mr. Newby's letter:

C. The applicant shall install or guarantee the installation of sidewalks adjacent to the south side of Lincoln Street.

\$1,400.00

E. The applicant shall guarantee and make satisfactory arrangements for the abandonment of a portion of the existing sanitary sewer on subject property and the construction of a manhole to terminate the remainder of said sewer line.

\$1,500.00

G. The applicant shall guarantee the paving of the alley being dedicated on the plat.

8,000.00


H. The applicant shall guarantee the closing of all driveway and alley curb openings not to be retained or utilized with this plat.

2,300.00

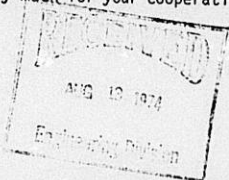
\$13,200.00

In order that we may provide the City of Wichita with an irrevocable letter of credit which guarantees the completion of these improvements we need to know the amounts required by the city for each item. Would you please compute these amounts on each item and let us know by return mail so we can proceed with obtaining our letter of credit. If you should need further information please let us know. Thank you very much for your cooperation.

Sincerely,


J. Lee Kelly
Real Estate Manager

jlk:sw



May 24, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 74-3 - Final Plat of
DILLON 5TH ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on May 23, 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 May 17, 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.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Dillon Real Estate Company, Inc., Attn: Lee Kelly
2700 East 4th Street, Hutchinson, Kansas 67501
Eugene G. Coombs, Attorney, P. O. Box 405 67201
Dean Sellers, Assistant City Engineer

May 17, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 74-3 - Final Plat of
DILLON 5TH ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 16, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. Lincoln Street is a designated arterial street, therefore requiring 50 feet of half-street right-of-way rather than 40 feet. The appropriate correction shall be made on the plat tracing.
- B. "Complete access control" shall be indicated for a distance 40 feet west and south from the intersection of Lincoln Street and Hydraulic. The appropriate wording shall appear in the plat's text.
- C. ^{bond} The applicant shall install or guarantee the installation of sidewalks adjacent to the south side of Lincoln Street.
- D. The applicant shall make satisfactory arrangements with the Gas Service Company, Kansas Gas and Electric Company, and Southwestern Bell Telephone Company for the relocation of each company's respective facilities on subject property. An appropriate easement for such facilities shall then be indicated on the plat if necessary. gas Service OK
K&E - OK
SW Bell
vest OK
- E. ^{bond} The applicant shall guarantee and make satisfactory arrangements for the abandonment of a portion of the existing sanitary sewer on subject property and the construction of a manhole to terminate the remainder of said sewer line.
- F. The proposed vacation of the east 5 feet of Greenwood shall be deleted from the plat.

DILLON 5TH ADDITION
May 17, 1974
Page 2

- g. bond*
g. The applicant shall guarantee the paving of the alley being dedicated on the plat.
- h. bond*
h. The applicant shall guarantee the closing of all driveway and alley curb openings not to be retained or utilized with this plat.
- i. All existing structures extending into the street right-of-way being dedicated with this plat shall be removed prior to release of the plat for recording.
- j. A legal tie to a section or half-section corner or an existing platted lot or block shall appear 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, May 23, 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: Dillon Real Estate Company, Inc.
Attn: Mr. Lee Kelly
2700 East 4th Street
Hutchinson, Kansas 67501

Eugene G. Coombs, Attorney
P. O. Box 405, 67201

Dean Sellers, Assistant City Engineer



ON SAFETY
PHASE II

THE CITY OF WICHITA

OFFICE OF Ass't. Superintendent of DATE May 3, 1974
Public Works Maint.

TO Jack Galbraith, Chief Planner, MAPD

FROM M. S. Mitchell

SUBJECT - Dillon 5th Addition
SD 74-3

Reference is made to my request before the Subdivision Committee for a Lot Grading Plan for subject Addition. Please be advised that a Revised Sketch Plat was furnished this office on April 24, 1974 which states "All Buildings to be removed. Lot shall be graded to drain to streets when developed". This plan is satisfactory.

I trust this information will be sufficient to permit final processing of the plat; however, if further information or discussion is desired, please advise.

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

MSM/glm

cc: G. H. Wilton
John Riddel, Central Inspection
Dillon 5th Addn. Plat File



Baughman Company
330 Laura
Wichita, Kansas 67211

May 6, 1974

Re: S/D 74-3 - Final Plat of
DILLON 5TH ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 2, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be deferred for two weeks in order for the plat to be revised to move the north-south 20 foot utility easement further east and to delete the vacation of the east 5 feet of Greenwood Avenue from the plat and adjust the 10 foot building setback from said street accordingly.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:fme

cc: Dillon Real Estate Company, Inc.
Attn: Mr. Lee Kelly
2700 East 4th Street
Hutchinson, Kansas 67501

Eugene G. Coombs, Attorney
P. O. Box 405, 67201

Dean Sellers, City Engineering

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 74-3 Name DILLON 5TH ADDITION
Date Application Rec'd. 1-14-74 Preliminary Approval N/A
Scheduled S/D Meeting 5-2-74

DESCRIPTION
General Location On the south side of Lincoln between Greenwood and Hydraulic
Owner Dillon Real Estate Company
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

1. Gross Acreage of Plat 2.6
2. Number of Lots:
Residential _____
Commercial 1
Industrial _____
Other _____
Total Number of Lots 1
3. Minimum Lot Frontage _____ ft.
4. Minimum Lot Area 1050 sq. ft.
5. Existing Zoning 90,750 sq. ft.
A & LC
6. Proposed Zoning LC
7. Lineal Feet of New Streets:
a. 10 R/W 675 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 X no
9. Public Water Supply Yes (Yes-No), Name _____ City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name _____ City of Wichita
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita X : Three-Mile Area _____ (Yes-No)

STAFF COMMENTS:

- A. The associated zone case Z-1574 from "A" and "LC" to "LC" has been approved by the Board of City Commissioners subject to replatting.
- B. Lincoln Street is a designated arterial street, therefore requiring 50 feet of half street right-of-way rather than 40 feet. The appropriate correction shall be made on the plat tracing.
- C. "Complete access control" shall be indicated for a distance 40 feet west and south from the intersection of Lincoln Street and Hydraulic. The appropriate wording shall appear in the platting's text.
- D. The applicant shall install or guarantee the installation of sidewalks adjacent to the south side of Lincoln Street, the west side of Hydraulic and the east side of Greenwood Avenue.
- E. The applicant shall be advised that the sidewalk construction will be required at the time of final building inspection when the sidewalk has been required as a condition of plat approval.
- F. The applicant shall guarantee the paving of the alley being dedicated on the plat.
- G. The applicant shall guarantee the closing of all driveway and alley curb openings not be retained or utilized with this plat.
- H. All existing structures extending into the street right-of-way being dedicated with this plat shall be removed prior to release of the plat for recording.
- I. A legal tie to a section or half-section corner or an existing platted lot or block shall appear on the face of the plat.

(OVER)

J. Recording of the plat within 30 days after the approval of the City Commission.

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.


THE GAS SERVICE COMPANY
General Office - 700 SCARRITT BLDG., KANSAS CITY, MISSOURI 64108

jt
ADDRESS REPLY TO
WICHITA, KANSAS DIVISION
127 NORTH MARKET
WICHITA, KANSAS 67201

April 29, 1974

Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Attention: Mr. Robert Lakin

Re: Plat of Dillon 5th Addition

Dear Mr. Lakin:

Reference is made to the final plat of Dillon 5th Addition which vacates the existing alley as platted in Schweiter's Lincoln Street Addition and grants an easement that is not at the same location as the existing alley.

The Gas Service Company has a 4" main in the existing alley. The design of the system serving this area is such that it will be necessary to make arrangements for the relocation of the existing main. It will also be necessary to make arrangements for abandonment of our facilities serving the existing customers.

Yours very truly,

THE GAS SERVICE COMPANY

Harold R. Wilcox
Harold R. Wilcox
Division Superintendent

GWE:dm



Distributor of Natural Gas in the Heart of the Nation.

January 30, 1974

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 74-3 - Sketch Plat
of Dillon 5th Addition. Generally
located at the southwest corner
of Lincoln and Hydraulic.

Gentlemen:

We have reviewed the above referred to sketch plat and from said review we hereby authorize the preparation and submission of a preliminary or final plat subject to the following comments and conditions:

- A. As both Lincoln and Hydraulic are major streets, 75 feet of half-street right-of-way for the south half of Lincoln and the west half of Hydraulic for a distance of 350 feet west and south of the intersection of the two streets shall be indicated on the plat as required in the Sub-division Regulations.
- B. Requirements for a preliminary or final plat of the MAPC Subdivision Regulations.

It should also be noted that guaranteeing the reconstruction of sidewalks adjacent to the new property lines will be a requirement of the plat approval.

If you have any questions concerning this matter, please call. Enclosed is a marked "engineers copy" of the sketch plat for your information and files.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

Map No.: 5546
Section No.:
Twp. No.:
Range:

S/D No. 74-3

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: DILLON 5TH ADDITION
General Location: Lincoln & Hydraulic
Name of Property Owner: Dillon Real Estate Co. Inc., Mr. Lee Kelly
Address: 2700 E. 4th St., Hutchinson, Ks. Phone:
Name of Subdivider: same % Eugene G. Coombs
Address: 421 East Third, P.O. Box 405, Wichita, Ks. Phone: 263 2261
Name of Agent/Surveyor: Baughman Company,
Address: 330 Laura Phone: 262-7271
Date of Application: Jan. 14, 1974

SUBDIVISION INFORMATION:

- Gross Acreage of Plat 2.6 Ac.
- Number of Lots:
Residential _____
Commercial 1
Industrial _____
Other _____
Total Number of Lots 1
- Minimum Lot Frontage _____ ft.
- Minimum Lot Area _____ ft.
- Existing Zoning _____
- Proposed Zoning _____
- Lineal Feet of New Street
a. 10 R/W 675 ft.
b. _____ R/W _____ ft.
c. _____ R/W _____ ft.
d. _____ R/W _____ ft.
e. _____ R/W _____ ft.
TOTAL 675 ft.
- Sidewalk adjacent to all streets? yes X no
- Public Water Supply yes (Yes-No), Name _____ City _____
- Public Sanitary Sewers yes (Yes-No), Name _____ City _____
- Health Department Approval (where applicable) _____ (Yes-No)
- City of Wichita X Three-Mile Area

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

Owner's Signature: *Dillon Real Estate Co. Inc. Eugene G. Coombs, Attorney in Fact*

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

Received by *Paul Healy*
Date *1/14/74*
Fee Submitted *None*
50.00
J

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.	Pibz Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		50.00

DESCRIPTION	AMOUNT
plating of sidewalk	

Name _____

Address 330 S. _____

Type 40402113 Due Date _____

Comments: _____

Date 4-22-74 BY [Signature]