

PLAT NO. S/D 78-145 MAP NO. 5651

NAME NORTH UNIVERSITY ADDITION

LOCATION: west side of Hillside, 1/4 mile south
of 33rd St. North

ENGINEER Moehring & Associates

OWNER Dale Frey, et al

APPLICATION FILED 12-29-78

SKETCH PLAT FILED _____

PRELIMINARY FILED 12-29-78

S/D ACTION 1-11-79 Approve ^{Revised} 7-26-79; Approve

FINAL FILED 3-20-81

S/D ACTION 4-2-81 - approve

MAPC ACTION 4-9-81 approve

ECC ACTION 7-28-81 Approved

RECORDED 8/6/81

REMARKS Recd. Z-2135

S/D 78-145 - NORTH UNIVERSITY ADD:
West side of Hillside, 1/4 mile
south of 33rd St. North, by
Moehring & Associates.

*POSTED
1-5-79*

ACTION

	DATE
S/D COMMITTEE (Prelim) <u>approve</u>	<u>1-11-79</u>
S/D (final) <u>approve</u>	<u>4-2-81</u>
M.A.P.C. <u>approve</u>	<u>4-2-81</u>
B.C.C./B-60-C <u>Approved</u>	<u>7-28-81</u>
S/D (Revised Prelim.) <u>approve</u>	<u>7-26-79</u>

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

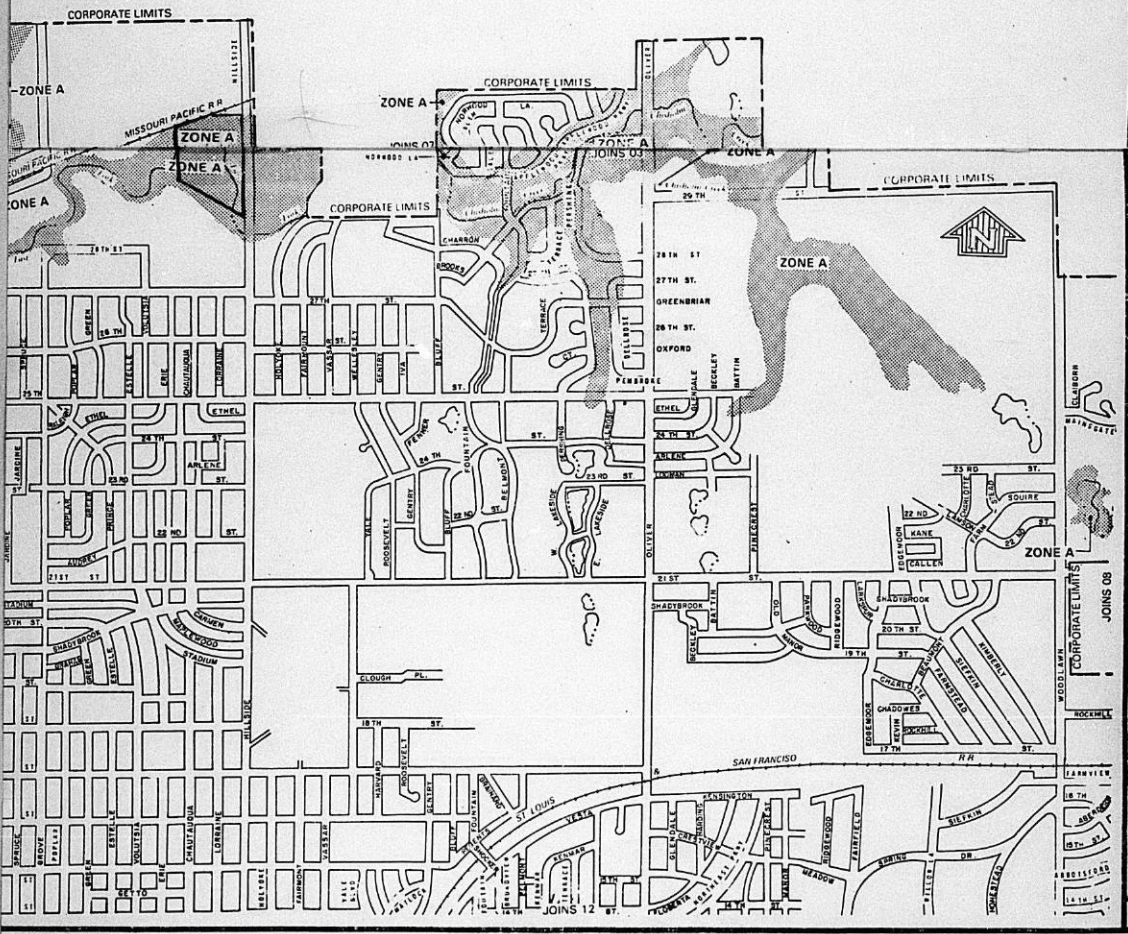
SID 78-145
map. 5651
2-2135

NORTH UNIVERSITY ADDITION was
filed for record on 8-6-81

Bruce J. McCall
Register of Deeds

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

T9-328



APPROXIMATE SCALE

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

APPROXIMATE SCALE

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(19. Cont'd)

Construction of Storm Water Sewer #167 (Between Harmony & 1020 ft. North of 2nd St. from Woodchuck to 989 ft. East of Woodchuck)
(City Commission approved 7/3/79)

ACTION: Adopt the resolutions.

20. A RESOLUTION DECLARING IT TO BE A PUBLIC NECESSITY TO CREATE AND DEFINE:

Lateral 9, Main 13, War Industries Sewer (Brundige & Kellogg)
(City Commission approved 7/10/79)

ACTION: Adopt the resolutions.

21. AN ORDINANCE REOPENING McLEAN BOULEVARD FROM 31ST STREET SOUTH TO 35TH STREET SOUTH AND REPEALING ORDINANCE NO. 36-032.
(Commissioners Peters and Porter "No")

ACTION: Place the ordinance upon its passage and adopt.

22. AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF:

Lateral 7, Main 18, Sanitary Sewer No. 22 (Between Hadden Ave. and Savannah Avenue from Richmond Avenue to Meridian Avenue)

Lateral 11, Main 18, Sanitary Sewer No. 22 (Between Savannah and Hadden from St. Paul to Richmond)

Lateral 13, Main 18, Sanitary Sewer No. 22 (Between St. Paul and Richmond from Dallas to Crawford)

ACTION: Place the ordinances upon their passage and adopt.

23. FIRST READING ORDINANCES:

An Ordinance providing for the acquisition by Eminent Domain of certain private property, easements and right-of-way therein, for the purpose of opening and widening Tracy Street from the NL Kellogg Drive to the SL Taft in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken; providing for payment of the cost thereof.

Ordinances changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, The Code of the City of Wichita, Kansas.

Z-2117 Zone change from the "AA" One Family Dwelling District to the "A" Two Family Dwelling District generally located in an area East of Tyler Road, between Central and Second Street.

Z-2129 Zone Change from the "AA" One Family Dwelling District to the "C" Commercial District generally located on the East side of Broadway in an area North of 47th Street South. (Item #12 Planning Agenda)

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT


DATE

September 10, 1979

TO Jack H. Galbraith, Chief Planner
FROM Robert A. Lakin, Director of Planning
SUBJECT Chisholm Creek

Have somebody check on the minutes of the Planning Commission and also the City Commission, if we can find it, and determine what the adopted policy is On Middle Branch Chisholm Creek. As I remember, it was a policy that said Middle Branch Chisholm Creek should remain within its existing boundaries and should not be channelized. I interpret this to mean that its flood should also be left natural. The question has been raised as to whether or not the policy, when adopted, was applicable only to Chisholm Estates and no other plat. I do not remember it that way, but we need to document it one way or the other. This is in relation to Moehring/Shirkey's plat over on Hillside that's being platted for industrial. You may want to also check and see what Flood Control's file have on policy and/or dates that action was taken as a starting point for checking. The drainage master plan may also have some reference to that policy and the date that it was adopted.

RAL:rme


Robert A. Lakin
Director of Planning

WICHITA-SEDGWICK COUNTY

DATE

September 12, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert A. Lakin, Director of Planning
FROM Jack H. Galbraith, Chief Planner
SUBJECT Chisholm Creek

In your memo to me dated September 10, 1979, concerning the Chisholm Creek drainage policy, you requested a check of the MAPC minutes, BCC minutes and drainage master plan, to determine what the adopted policy is. I have had Curt Newby review the minutes, the Chisholm Park Estates plat file and the Flood Control files concerning the matter. The conclusion, from the review, is that the Planning Commission adopted a drainage policy in April, 1959, for what was then referred to as the East Fork of Chisholm Creek, which set a minimum channel width of 250 feet and a building pad elevation of the flood of record plus three feet. There was nothing in the policy with regard to leaving the Chisholm Creek area in its natural state. Also, the City Commission minutes on the Chisholm Park plat are in the salt mines storage and have not been reviewed.

Following is a summary of the minutes reviewed:


1. 12-9-58 - Sketch plat of Chisholm Creek Estates (later changed to Chisholm Park Estates) filed.
2. 2-5-59 - Sketch plat submitted to MAPC for policy decisions on treatment of drainage and other factors. Motion made and carried unanimously to defer plat until an interim drainage report could be made on the East Fork of Chisholm Creek and property owners notified.
3. 2-19-59 - MAPC deferred sketch plat and drainage policy consideration until drainage report complete.
4. 4-2-59 - MAPC reviewed drainage report for East Fork of Chisholm Creek - Maps presented covering approximately 13 square mile drainage area - staff indicated a decision needed to be made if Chisholm Creek should be left in its natural state or not - MAPC adopts policy on East Fork of Chisholm Creek of "the flood of record, plus three feet of free board with a minimum channel width of 250 feet."
5. 4-29-59 - S/D Committee considers and approves preliminary plat of Chisholm Creek Estates - Statement made by staff that "the Planning Commission has

Robert A. Lakin - Page 2
9-12-79

determined that the drainage way should be retained in its natural characteristics and that only land located higher than the flood of record plus three feet shall be subdivided." The S/D Committee approval made no reference to the staff statement.

6. 7-9-59 - S/D Committee reviewed final plat and deferred it until Planning staff, City Engineer, and Flood Control could meet to discuss various drainage problems with the plat. Note: Letter in plat file from Little dated 7-10-59, states S/D Committee approved final plat subject to conditions and that the drainage problems had been resolved.
7. 7-16-59 - MAPC approved final plat subject to the conditions, nothing on retaining creek in natural state included.
8. 8-4-59 - BCC approved the final plat.

Copies of the minutes of the various meetings described in the summary are herewith attached. Please advise if you need to discuss this matter in more detail.


Mack M. Galbraich
Chief Planner

JHG:CLN:bb

Attach.

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20. Sketch Plan of Chisholm Creek Estates, an area at the northwest corner of Oliver and 27th Street North.

This is submitted to the Planning Commission for policy decisions concerning several factors, including 29th Street extension through the area inasmuch as it is a section line; the treatment of the drainage channel; adequacy of lot size.

In considering the extension of 29th Street, it was pointed out that if extended it would necessitate several bridges over the drainage channel, which would mean the expenditure of considerable money.

MOTION: It was moved, seconded and carried unanimously that the extension of 29th Street North not be required through proposed platted area, but approved as presently laid out on this plan.

In considering the northeast circumferential route which is presently proposed would traverse this area in the northeast portion, the Director of Planning suggested that the Commission recommend that the State Highway Department study the intra city location of K-96 as generally described by the State Highway Commission and 235 requesting that a feasibility study of intra-city routing of the new highway be conducted as soon as feasible.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the City Commission that the following resolution be adopted:

RESOLUTION

WHEREAS, on February 5, 1959, at its regular meeting the Wichita-Sedgewick County Metropolitan Area Planning Commission considered the new relocation of Highway K-96 as generally described by the State Highway Commission and

WHEREAS, the said Commission requested a feasibility study of intra-city routing of the new highway be conducted as soon as possible; and

WHEREAS, The Board of Commissioners of the City of Wichita concurs in this request; therefore

BE IT RESOLVED that the Board of Commissioners of the City of Wichita request the State Highway Commission of the State of Kansas to conduct a feasibility study of intra-city routing of the new Highway K-96 as soon as possible.

ADOPTED at Wichita, Kansas this 10th day of February, 1959.

ATTEST

City Clerk

Mayor

In discussing highway problems further, it appeared that more study should be made and more definite information obtained prior to any action on this plat in respect to the highway.

MOTION: It was moved, seconded and carried unanimously that the State Highway Commission be invited to meet with the Planning Commission in the very near future in relation to K-96 both east and west.

The drainage treatment proposed and that provided for in the Subdivision Rules and Regulations was discussed. Frank Smith, representing the subdivider in this case discussed this matter with the Commission. It was noted that the handling of the drainage in this case would affect adjoining property which is not being proposed for platting at this time, and it was decided adjoining owners should be apprised of the consideration of subject plat and allowed to discuss it with the Planning Commission.

RAY TATE, 2710 North Fountain, said he was interested in having the drainage in subject area handled in such a way that it would not increase the bad situation on Fountain Street in the Cedar Village Addition to the south - that he does not know the solution, but is only anxious that the area to the south be considered and protected in the best possible manner. ROBERT J. LAWRENCE, owner of 60 acres in adjacent said that his land has already been engineered as to drainage but that he is not ready to plat it at this time.

It was the concensus of the Commission that the staff should notify all adjoining property owners any time consideration of this proposed plat is before the Commission.

The drainage of this entire general area was discussed by Mr. M. S. Mitchell of the Flood Control Office, it being his opinion that an overall study would have to be made before it can be known what is the best way for handling the drainage, and consideration given, among other things, of re-aligning the drainage channel of the East Fork of Chisholm Creek. It was felt this would tend to increase downstream flow to the extent that existing provisions for drainage would not be sufficient. Frank Smith felt it would be better to acquire the area along the stream for a park than to destory the natural beauty of the area.

MITCHELL said his office has the necessary topo for a study of the drainage but did not know that they have the necessary time and money to figure what water is going to do to go around all the bends in this channel, but if given a little time they would know more about the requirements for proper drainage.

MOTION: It was moved, seconded and carried unanimously that further consideration of this plat be deferred until February 19, 1959, and that at that time an interim report be submitted by the Flood Control and Stream Maintenance office, and that other interested or adjacent property owners be notified of this consideration.

21. Consideration of Drainage Study Report.

The Director of Planning discussed the Drainage Study which is in progress, stressing the need for knowing just how to handle similar plats to the one just discussed. He pointed out that the overall analysis of all drainage areas in the county will take approximately 2 years, and it was the concensus of the Commission that a subdivider could not be expected to delay platting that long.

MOTION: It was moved, seconded and carried unanimously that as a policy the Planning Commission put the public on notice that it will approve no plats until it has had an interim report concerning the East Fork of Chisholm Creek, the Big Slough, and Cow Skin Creek, which report is to be presented no later than 60 days, and at that time a redetermination of the policy will be made.

22. Consideration of Subdivision Activity Report.

This report was previously submitted to the Commission and at that time it was received and filed.

MOTION: It was moved, seconded and carried unanimously that this report be made available to the public.

23. Trailer Park Study - Progress Report.

The Director of Planning reported that several meetings have been held with the trailer parks owner and operator association and that a final meeting will be held prior to February 19, and on February 19, the Commission will be asked to consider a proposed trailer park ordinance.

24. Local Governmental Services - Progress Report.

The Director of Planning reported that meetings have been held with representatives of improvement districts and that proposed legislation is being drafted which would clarify the improvement district situation.

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~~12. D-0091 - Dedication from William E. and Ruth N. Bales for West half of Florence Avenue from north line of U.S. 54 to south line of CMC Addition, more specifically described as the east 30 feet of the following described tract: Beginning 40 rods west of the southeast corner of the northeast quarter of Section 26, Township 27 South, Range 1 West; thence west 40 rods; thence north 28 rods; thence east 40 rods; thence south 28 rods to beginning, except railroad right-of-way and highway right-of-way.~~

~~MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the Board of City Commissioners that this dedication be approved.~~

13. Sketch Plat of Chishom Creek Estates, an area on the west side of Oliver and both sides of the extension of 29th Street North.

This plat was previously deferred for a study of the drainage conditions in this general area. The Director of Planning stated that on March 5, 1959, a written report will be submitted which explains the scope of the problem in detail.

WARREN OBLINGER, representing the developers, pointed out that the width proposed was determined by about what the channel below this area would handle. He felt that people living in this area would probably prefer to have a park like type of development along the stream rather than a straight channel. He stated also that the developers are anxious for an answer in view of the delay which has already occurred on this plat.

RAYMOND TATE, living in Cedar Village area just to the south, indicated that he and his neighbors are interested in seeing the proposed plat developed in such a manner that the drainage condition in their area will not be made any more critical than it already is. He evidenced a preference also that subject area be platted with lots facing the stream, the same as in his area, rather than lots backing up to the stream, resulting in a view of rear yards from the front of their lots to the south.

The question of the northeast circumferential road through this area was discussed and the Director of Planning indicated that it is expected an answer will be available soon.

MOTION: It was moved, seconded and carried unanimously that this plat be deferred until the meeting of March 5, 1959.

~~14. Trailer Code and amendments to the Zoning Regulations.~~

(4)

of Section 18, Township 28 South, Range 1 East described as beginning at a point 300 feet south and 250 feet east of the northwest corner of the northeast quarter of said Section 18; thence South 800 feet; thence east 400 feet; thence north 800 feet; thence west 400 feet to beginning.

MR. DAVIS was present and explained the use contemplated for this area, stressing the need for immediate action to permit installation of the proposed facility this spring.

There was discussion of the possibility of the proposed use being acceptable as a privately owned park, playground or other outdoor recreational area, as shown as a Conditional Use in the "R-1" Suburban Residential District.

~~MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the Board of County Commissioners that the above petition as originally submitted for "C" zoning be denied, and that it be recommended to the Board of County Commissioners that a Conditional Use be approved for the stated use for the area as amended and described above.~~

ITEM 24

Adopt the Sketch Plan of Land Use as the interim guide for future land development in the Metropolitan Area.

The Director suggested that Items 24 and through 37 should all be considered simultaneously as this series of steps should be taken to give specific consideration to Items 28 and 30 on the agenda. Accordingly, the Director presented a series of statements concerning:

- A. The adoption of the Sketch Plan of Land Use
- B. Consideration and adoption of the Departmental report entitled "Drainage"
- C. Consideration and adoption of a policy statement concerning drainage problems, and
- D. Presentation and consideration of suggested changes in the Subdivision Rules and Regulations concerning drainage.

The Director suggested that the conclusions of the Sketch Plan for Land Use should be assumed as the interim guide for future land development in the Metropolitan Area as a first step. The conclusions drawn with respect to two plats, Chisholm Creek Estates and Country Acres 6th Addition would then have validity. Assumption of these conclusions would establish the amount of land use, the type of land use, its coverage and density for these two drainage areas. These criteria, in turn, would prescribe the amount of runoff that could be assumed to come from these drainage areas for given storms.

The Director noted further that on December 18, 1958, the Departmental report entitled "Drainage" was presented to the Commission and discussed in some detail. This report presented a generalized view of drainage problems and attempted to establish relationships between drainage and subdivision activity. It was noted that after presentation to the Commission, the study was presented to various other departments and agencies. It was suggested that of all the items facing the Commission concerning the growth of the Metropolitan Area, the one most compelling one is the drainage problem.

A suggested drainage policy statement was presented to the Planning Commission, consisting of a statement of the problems. It was suggested that the local governing bodies are responsible for determining the degree of risk that can be taken consistent with the protection of the health, safety and welfare of the people and public investments. The suggested policy statement presented for adoption by the Metropolitan Area Planning Commission contained the following basic points:

1. Planning Commission recognition that risk is involved in the use of land which has in the past or could in the future be subject to flooding.
2. Recognition by the Planning Commission that this risk is of personal safety and damage to private and public property investments.
3. Planning Commission recognition that a specific degree of risk must be established for land development in drainage areas.
4. Commission intention to establish limits of flooding in drainage areas.
5. The development of land in drainage areas should be subject to general policies:
 - (a) The solution of drainage problems should be based on the particular conditions found in each drainage area.
 - (b) Limits of flooding for the purpose of regulating land use development in drainage areas should be
 - (1) The maximum water elevation resulting from the operation of the Wichita-Valley Center Flood Control Project; or
 - (2) At least the flood of record in all other drainage areas.

The Director requested the Planning Commission to authorize the Department to prepare, circularize and review with public and private agencies and other affected groups suggested amendments to the Subdivision Rules and Regulations concerning drainage. The amendments presumably would be based on a decision of the Planning Commission to accept as policy the statement that a solution of drainage problems will be based on the particular conditions found in each drainage area.

On the basis of the previous discussion, the Director then presented a report of the Chisholm Creek Estates Sketch Plat. The Inter-Departmental report suggested major policy decisions were required as follows:

1. The effect of the prepared location of the Northeast Circumferential.
2. The necessity of extending 29th Street North - West from Oliver.
3. The method of treating the drainage problem.

The director also presented a brief outline of the history of the processing of the Chisholm Creek Estates Sketch Plat. He noted specifically that it was received by the Planning Department on November 18, 1958; that it was sent from the Subdivision Committee to the Planning Commission without recommendation; that the Planning Commission had deferred action until April 2, 1959, to permit the development of Inter-Departmental studies of the several problems associated with the tract.

The Director noted that the present generalized alignment of the Northeast Circumferential is controlled primarily by the proposed Interchange 4-16 on Interstate 35W, and that no specific location has been engineered for any portion of the route. He noted further that 29th Street would lie on a Section Line, but that between Oliver and Hydraulic it is not included as a major street in the Pattern for Thorofares, 1955.

The Director then presented to the Planning Commission a proposed resolution which recounted the history of the Northeast Circumferential Route, and which again requested that the City Commission decide whether or not this route should be constructed as a wholly city financed project in the event the State of Kansas, and/or the United States Government declines to participate in its construction. The resolution finally requested that engineering studies be undertaken to determine the most feasible, precise location of the route.

The Chairman discussed the proposed resolution with respect to the effect which its adoption would have on the proposed Chisholm Creek Estates Plat. In this discussion it was noted that the State Highway Commission had been contacted with respect to this route, but that as of April 2, 1959, no answer had been obtained from that Commission. It was specifically pointed out further that the resolution did not recommend to the City Commission that the route should be constructed as a wholly city financed project under certain circumstances, but was merely an attempt to determine the intention of the City Commission in this regard.

MOTION: It was moved and seconded that the resolution be adopted and that the Chairman be authorized to sign it on behalf of the Planning Commission.

In discussing this motion, the opinion was expressed that the developers of the Chisholm Creek Estates area should not be further delayed as a result of the request to the City Commission. It was stated that while the Planning Commission could not proceed without direction from the elected officials, it would be unreasonable to delay the developer further while awaiting an answer to the requests from the City Commission.

Before the motion was put, MR. WALTER CUNNINGHAM spoke to the Commission concerning 29th Street. Mr. Cunningham indicated that he was opposed to extension of 29th Street because of the excessive number of bridges which would be required and he felt that the plat should not be delayed because of considerations of the Northeast Circumferential Route.

The Chairman then presented the motion and the motion carried without opposition.

The question to the extension of 29th Street was again presented to the Commission.

MOTION: It was moved, seconded and carried unanimously that as a matter of policy, 29th Street not be considered to be placed in the Master Plan of Thorofares, and not be considered for extension across the area in this plat.

The drainage question regarding Chisholm Creek Estates was again presented to the Planning Commission. The Chairman suggested that the Commission should assume some risk standard for the east fork of the Chisholm Creek (affecting Chisholm Creek Estates) and the Big Slough (affecting County Acres 6th Addition). The Director suggested:

1. That at least the flood of record be considered the minimum risk.

(a) because it has actually occurred; and

(b) it is a limit which can be supported by known engineering data, and

(c) it can be shown on maps and plats;

2. That greater flooding can occur because of either a greater storm with the same development; the same storm with increased development; or a smaller storm with increased development.

3. That greater flooding will occur if there is either a greater storm or increased development. The extent of the greater flooding cannot be determined at this time.

X The Director then explained to the Commission two maps indicating the approximately thirteen square miles in the drainage area of the East Fork of Chisholm Creek. The maps showed, in small scale, the 1944 Flood of record; and in addition indicated the extent of that flood or record plus three feet of freeboard. At this time the Director also presented to the Commission a map showing the 1955 flood of record and the extent of the flood of record plus three feet of free-board for the Big Slough drainage area. The latter map also noted the extent of backwater that would occur from the Big Ditch.

The Director suggested that, following the assumptions of a specific factor of risk, it would be necessary to determine the method of treatment of the drainage way required. Alternatives suggested were:

1. Entire width to be dedicated to the public to be abutted by lots and/or streets or access; fee in public.
2. Entire width to be provided as an easement to be abutted by lots and/or street or access; feet in developer.
3. Entire width of easement to be dedicated, but included, as a part of the lots with access provided; fee in lot owners.
4. Entire width to remain in private ownership to be abutted by lots or street, fee in developer.
5. Entire width to be private ownership and included in the lots with no access provided; fee in lots owners.

X It was further suggested that in making its determination as to the most appropriate of the above suggestions, the Commission should first determine whether the drainage way should be left in its natural state or whether it should be an improved channel.

The Commission discussed the presentation concerning the Chisholm Creek drainage problems. It was noted by the Director that the flood of record plus three feet was not to imply a safety factor nor was it suggested as an appropriate degree of risk to be assumed by the Planning Commission.

MR. WARREN OBLINGER and MR. FRANK SMITH, Land Planners, representing the developer, discussed the drainage problems and Inter-Departmental review at considerable length.

They described to the Commission certain maps which indicated the area below the flood of record, that area proposed for dedication for drainage purposes and the boundaries of property ownership. In addition, the total drainage area of the East Fork of Chisholm Creek was indicated on these maps.

The maps also indicated an area which had been removed from the total Chisholm Creek drainage area by construction of the Chisholm Creek diversion channel as a part of the flood control project. Specifically it was noted that all of Chisholm Creek drainage area has been diverted to the flood control project except for the East Fork. This was noted in connection with the statement that the record flood (1944) occurred at a time when the Big River was not in flood and the flood control project was not then constructed.

MR. FRANK SMITH used a diagrammatic sketch, previously prepared by the Planning Department, suggesting several ways in which a drainage area may be treated. He indicated that in the Chisholm Creek Estates it was their hope to preserve the natural characteristics of the area to every extent possible. He suggested that a portion of the area to be platted would be covered with approximately 18 inches of fill and that all of the proposed houses in the area would have first-floor elevations three feet above the flood of record. He indicated their willingness to provide an adequate right-of-way width and

and elevation as might be prescribed by the flood control office or the office of the City Engineer.

At this point the Chairman relinquished the chair to Mr. Harris, the Vice-Chairman. He indicated that, in his opinion, it is necessary to arrange a policy meeting among the Planning Commission, County Commission and City Commission relative to some authority for going up stream in the various drainage areas, condemning land and creating pending areas to provide solutions to some of the problems. He further indicated that a piece-meal approach was not adequate.

At this point Mr. Smith discussed further the proposed dedication for drainage purposes, indicating that it would vary from in excess of 300 feet to approximately a 200 foot minimum.

The Commission suggested that plats should contain specific notation of the limits of the flood of record so that it would become a matter of legal record. Mr. Smith indicated that, in his opinion, such a notation would not be appropriate on the final plat but he would have no objection to establishing it on the preliminary plats.

The Commission raised the question of the effect of the flood control project on the flood of record of the East Fork of Chisholm Creek. It was suggested by the Planning Department that each of the drainage areas would be differently affected and that it was not possible to say precisely in what way they would be affected at this time.

It was further noted that the construction of the flood control project does not change the basic characteristics of the flood of record of East Fork of Chisholm Creek inasmuch as it in no way decreases that drainage area. The Commission continued to discuss at some length the possible effects of the flood control project on the East Fork of Chisholm Creek and various considerations of the type and degree of development which can be anticipated within the drainage area.

Additional discussion was also had concerning the method of treatment of this particular drainage channel and the relative advantages and disadvantages of a natural drainage way treatment as opposed to construction of some flood way facility.

Mr. WALTER CUNNINGHAM again appeared before the Commission to note that he has been a long time resident of this area and has not seen floods so high as to make Oliver Street impassable, Oliver being the east boundary of the proposed subdivision.

MR. RUTLEDGE indicated that, in his opinion, a plat should contain notations to the effect that "drainage for the area has been seriously considered and there is evidence that some areas may be subject to flooding or ponding. Approval of the plat in no way assures property owners that there is no danger of flooding of their property."

Mr. Smith Indicated again that the plat under consideration is only a sketch plat and that it is his wish to proceed with the preparation

of a preliminary plat and to indicate on the preliminary plat the high water line and provide cross section data so that the amount of water to be anticipated can be related to the drainage provisions proposed. He indicated that his firm would provide as much information as was necessary to allow a proper determination to be made in this matter.

MR. KENNETH TAYLOR, consulting engineer, representing the developer of the Chisholm Creek Estates plat, discussed with the Commission the general cross section of typical drainageways. He suggested that the drainageway could be improved with dikes and that the wide right-of-way offered for dedication would permit ultimate development with the drainage structure should it become necessary in the future.

The Vice Chairman asked the engineer as to suggest a standard for this area. He indicated to the engineer that the standard suggested might not prove acceptable to the Commission. Mr. Taylor answered that in his opinion the flood of record plus three feet would be appropriate in this drainage area.

X (MOTION: It was moved, seconded and carried unanimously that the Planning Commission adopt as a policy on the East Fork of the Chisholm Creek the suggestion of the flood of record plus three feet of free board, with a minimum channel width of 250 feet.) X

The Director then submitted the Country Acres 6th Addition sketch plat. He noted that a portion of the plat would be concerned with flooding whereas another portion of the plat would be affected by ponding. The Director also briefly noted the problem of the effect on this plat of the proposed runway to be constructed at the municipal airport. He indicated that the extent of the "R" zoning district if the same criteria were used at the end of the future runway as are now used at the ends of the existing runways. He also indicated the extent of the 10,000 clear zone which the Federal Authority Administration would recommend at the ends of each runway.

MR. LESTER MATLOCK, the developer, spoke briefly, suggesting that, in his opinion, the hazards from future runway were so minor as to be inconsiderable. He indicated that he would agree to refrain from platting that portion of the subdivision which lies to the 10,000 foot FAA clear zone. He further indicated that he could not accept the extent of the "R" zoning district and agree to refrain from platting any of the property which would fall within that area. Finally, he indicated that he would accept for drainage purposes for this plat the flood of record plus three feet.

The Commission discussed the proposal to adopt as a policy on the Big Slough the suggestion of the flood of record plus three feet of free-board. It was generally agreed that the characteristics of the Big Slough are very different from those of the east Fork of the Chisholm Creek and that different criteria should be established in the Big Slough Area.

MOTION: It was moved, seconded and carried unanimously that for the purpose of this plat (Country Acres 6th Addition Sketch Plat), the northern extent of 10,000 FAA approach zone and the flood of record plus three feet be acceptable.

Mr. RUTLEDGE indicated that, in his opinion, the Director of the Park Board should appear before the Planning Commission to discuss Park Board plans for development of the airport and explain the views of the Park Board with respect to uses to be permitted in approach zones.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission request the Director of Parks, Mr. Emory Cox, to appear before the Planning Commission at its next regular meeting and at that time give the Commission that information and views that he has pertaining to this proposed runway; and such other matters as may affect land development in the vicinity of the municipal airport.

Meeting adjourned at approximately 6:30 P.M.

L. L. Little
Secretary

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confusion with Old Lawrence Road which is located south of town. It was also brought out in the discussion that there is also an Old Lawrence Road located north.

It was suggested that Old Lawrence Road south of town be changed to Main Street to line up with the existing Main Street and also that Old Lawrence Road north be changed to Broadway Drive as it is actually a service Road.

It was decided by the Committee that the property owners should be notified on Old South Lawrence Road of a suggested change to South Main and the property owners on Old Lawrence Road located north be notified of a possible change to Broadway Drive. Also, that a recommendation be sent to the Planning Commission that a public hearing be held and notices sent before people are notified on the street name changes.

MOTION: It was the decision of the Subdivision Committee to recommend that this plat be approved subject to the following:

1. Side lot easements should be provided as follows:
 - A. between Lots 21 and 22, Block 1.
 - B. Anchor easements in Lots 18 and 8, Block 1 should be deleted.
 - C. The lot lines for Lots 21, 22, 23, and 24, Block 1, should be re-arranged as necessary to eliminate the anchor easement in the center of Lot 22 and re-located in such a way that it will be situated in lot lines.
 - D. Side lot easements should be provided between Lots 4 and 5, Block 2.
 - E. Side lot easements should be provided between Lots 8 and 9, 13 and 14, 21 and 22 of Block 4.
2. The Subdivision Committee has recommended that the Subdivision Rules and Regulations be suspended as they regard the establishment of major traffic-ways along half-section lines by reason of the drainage problem to the north and that this plat be approved without such dedication for a major traffic way on such section line.
3. The note providing a 10x10 easement for an entrance marker should be removed from the plat.

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24. Preliminary plat of Chisholm Creek Estates, an irregular area north of 21st Street and between Prince and Estelle Avenues.

The Planning Commission has determined that the minimum channel should be 250 feet and that the drainage way should be retained in its natural characteristics and that only land located higher than the flood of record plus three feet shall be subdivided.

RUFUS KIRK showed a map of this area outlining the flood of record. OBLINGER also showed a cross section map indicating the flood of record plus three feet, the existing grade and the levee shown in

two different ways in which it could be done. He indicated that the street would be on public property and the levy would be either at one end or the other. The minimum dikes for drainage would be 300 feet at two points and the channel would be 250 feet as indicated by the Planning Commission. He went on to say that as long as the houses are built above the flood of record plus three feet, the street could be below it. The houses at the present time are a foot above the flood of record.

KESSLER asked the question that assuming that the Committee accepts a plat which requires a dike or a certain amount of fill and the plat goes on record, what type of assurance is given that the dike would be built before the building permit is issued? EPPERSON answered his question by stating that ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ this would be done before the plat was recorded.

KESSLER felt that there should be some indication on the plat that the area is subjected to flooding and the houses are built below a certain elevation.

OBLINGER suggested that the number of the lot and block be included in the note, and that approval of the plat does not indicate that the property would be free from flooding.

KESSLER questioned whether or not the person selling the property would look at the plat. He suggested that some recorded instrument be placed along with the abstract so that the person buying the property would be sure and see it.

RUTLEDGE brought up the question of what would happen to the property located between the dike and the existing creek bed. OBLINGER pointed out that he has shown it on the plat as reserve for drainage.

There was some discussion as to whether this property would be in private ownership or just who would be responsible for maintaining it. KESSLER felt that the Park Department would profit from it because it is a wide enough area and they could possibly use it to some good advantage.

DOUGLAS brought up the problem of street names and said that he would work this problem out with Mr. Oblinger.

MOTION: It was the decision of the Subdivision Committee to recommend that this plat be approved subject to the following:

1. The notes concerning easements should read:
"Back of each lot eight feet, side of each lot, five feet."
2. Easements should be provided as indicated on the copy of the marked plat, listed as follows:
 1. Side lot easements between 5 and 6, 11 and 12, Block A.
 2. Side lot easements bet. Lots 3 and 4, Block B.

3. Side lot easements on the east side of Lot 4, Blk. D.
 4. Side lot easements on the east side of Lots 1 and 5, Blk. E.
 5. Side lot easements on the east side of Lot 1, Block F.
 6. Side lot easement on the south side of Lot 3 and on the south side of Lot 6, Block C.
 7. Side lot easements between Lots 4 and 5, Lots 6 and 7, Block G. Add an anchor easement continuing the line between Lots 7 and 8, Block C.
 8. Add an anchor easement parallel to the continuation of the rear line of Lot 2, Block H. Add anchor easement parallel to a continuation of the west side lot line of Lot 1, Block H. Add an anchor easement appaallel to a continuation of a rear lot line of Lot 1, Block H.
 9. Add an east-west easement and north-south easement with associated anchor easements as indicated in Lot 4, Block I.
 10. Add side lot easements between Lots 3 and 4, 4 and 5, 7 and 8, 12 and 13, 16 and 17, 19 and 20 in Block J. Add an anchor easement in Lot 8 of Block J, which is a continuation of the rear lot easements between Lots land 7, Block J.
 11. Add side lot easements between Lots 1 and 2, 4 and 5, 7 and 8, 10 and 11, 12 and 13, 15 and 16, 17 and 18, 20 and 21, 25 and 26.
 12. Add side lot easements between Lots 3 and 4, 8 and 9, 12 and 13, Block L. Add an anchor easement along the rear portion of the lot line between Lots 5 and 6. Add an easement across Lot 10, Block L, connecting the rear of the easement Lots 8 and 9 and the anchor easement between Lots 5 and 6.
 13. Add side lot easements between Lots 3 and 4, 7 and 8, and 9 and 10, 19 and 20, 23 and 24, 25 and 26, 28 and 29, Block N. Add an anchor easement as indicated between Lots 8 and 9, Block N.
 14. Add side lot easements between 3 and 4, 7 and 8, 11 and 12, 17 and 18, Block O.
 15. Add side lot easements between 1 and 2, 5 and 6, Block P. Add a side lot easement along the north side of Lot 8, Block P.
3. Street name changes should be made as indicated by Mr. Ralph Douglas, land records clerk of the Dpt. of Public Works.
 4. Prior to the submission of the final plat, the Planning Dpt. will meet with the owners of subject property in conjunction with owners of subject property on conjunction with owners of adjacent properties to discuss this plat, as approved in preliminary form by the Sub-division Committee.
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SUBDIVISION COMMITTEE

MEETING

JULY 9, 1959

The regular meeting of the Subdivision Committee with representatives of the utility companies and City and County representatives was held on Thursday, July 9, 1959, at 1:45 PM in Room 401, City Bldg. Annex, 104 South Main. The following were present: W. B. Roush, Max Hoefgen, Harold Davis, L. E. Wilbur, John Epperson, Captain George Smith, Karl Svaty, and Ralph Douglas, Simpson of the Fire Department. Frank Kessler and W. W. Rutledge of the Subdivision Committee were present.

1. Chamberlain's 2nd Subdivision in Vandale - in an area between Arkansas and Minnie Avenue and on both sides of 57th St. South.

The staff stated that the Attorney for this matter had contacted the Planning Department and asked that this matter be deferred for two weeks.

MOTION: It was the unanimous decision of the Subdivision Committee to defer this matter until the next meeting, July 30, 1959, at the request of the Attorney.

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2. Final plat of Chisholm Park Estates - an irregular area on both sides of 29th Street, if extended west from Oliver, and between Bluff and Oliver.

MR. EDMONDS stated that the original plat was approved as Chisholm Creek Estates. There are a few minor easement ownerships which can be corrected. The major considerations given to this area concerned the drainage in the lower portion of the plat. The preliminary plat was approved by the Planning Commission subject to the understanding that certain things would be undertaken to provide for the Flood of Record plus three feet. The staff has been advised that M.S. Mitchell of the Flood Control Department, City of Wichita, is present to make comments on this drainage problem.

EPPERSON stated that there is an existing sanitary sewer easement between Brookside and Oliver, 20 feet in size, and a sanitary sewer easement on south 20 feet which could be labeled as a public utility easement. On the west edge of the plat on the section line there is an existing 20 foot easement on record and the sanitary sewer is already built in there. Also, south south along east line of lower portion there is an existing 16 foot sanitary easement down to the south edge. Going west there is an existing 8 foot sanitary sewer easement

over to 8 feet beyond Sharon Lane. In Lot 15 the plat shows 5 feet for the easement which should be 8 feet. Lot 20 and Lot 6 are creek beds.'

K. O. TAYLOR, Engineer, stated that they do not want tract numbers in the description as being dedications for drainage, but rather just indicated as street right-of-way.

EPPERSON felt that Lot 6 should be a part of the adjoining street, and on Lot 20, it cannot be called right-of-way because there is no street touching it.

KESSLER suggested that Lot 20 be deleted from the plat and that it be labeled an "Exception".

HAROLD DAVIS left his plat for the Planning Department which shows the easements required by Kansas Gas & Electric Company.

MITCHELL of the Flood Control Office appeared before the Committee and stated that they have certain questions regarding a memorandum dated July 7, 1959 to E. N. Smith from G. H. Wilton covering the previous discussions and correspondence regarding subject plat.

Copy of this memo follows this page

MOTION: It was the decision of the Subdivision Committee to defer this plat until the staff of of the Planning Department, the City Engineer, the Flood Control Office, and the engineer on the plat could have a conference to discuss the various problems involved in this plat.

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3. ~~V-0094~~ - Request from Henry B. Amsden and William T. Cross to vacate the east one-half of the north-south 12.5 foot alley and the east-west 15 foot alley abutting Lots 34, 36, 38, 40, 42, and 44 on Central Avenue and Lots 2, 4, and 6 all on Pershing Avenue, all in Central Avenue Subdivision of Prospect Place Addition to the City of Wichita, Sedgwick County, Kansas - in an area south of Central and between Pershing Avenue and Terrace Drive.

EDMONDS stated that this request was considered two weeks ago and action was deferred to permit the applicant or his attorney to contact owners in the vicinity of the balance of the north-south and east-west alleys to determine the practicability of vacating the entire alley rather than only that portion requested. There was also at that time the question about drainage from the alley to the west. There was some question as to whether notices should be sent to the adjacent property owners. He further explained that new notices were then sent to everyone in the block suggesting that the entire portion of the alleys be vacated.

THE CITY OF WICHITA

OFFICE OF Public Works Maintenance **DATE** July 7, 1959

TO E. N. Smith, Director of Public Works

FROM G. H. Milton, Supt. Public Works Maintenance

SUBJECT: Final Plat of Chisholm Park
Estates (Formerly Chisholm
Creek Estates)

Reference is made to previous discussions and correspondence regarding subject plat.

We are advised by the County Engineering staff that final approval of subject plat has been placed on the agenda for the Subdivision Committee meeting of July 9, 1959.

On the attached copy of the proposed final plat, we have again marked the limits of the 1944 flood of record and the 3 foot free-board line. We experienced some difficulty in matching topography and lot lines between the 1" = 200' base map, the preliminary plat and subject plat; however, minor discrepancies in plotting should not invalidate the overall flood plain limits.

There has been a great deal of misunderstanding concerning the amount, location and future ownership of the drainageway provided for the East Fork of Chisholm Creek through this plat, and before final approval is made, I wish to review the background of this plat and to present our views, since the method of handling drainage for this plat will undoubtedly become the pattern for the rest of the East Fork of Chisholm Creek:

1. In late November 1955 you asked for our comments on the sketch plat for subject area and asked us to confine our remarks to those contained in Mr. Mitchell's memorandum of 1 December 1955.

2. On February 5, 1958, at the request of the Planning Director, Mr. Mitchell appeared before the Metropolitan Planning Commission and made the following comments which are quoted from the written minutes of the February 5, 1959 meeting.

"The drainage of this entire general area was discussed by Mr. M. S. Mitchell of the Flood Control Office, it being his opinion that an overall study would have to be made before it can be known what is the best way for handling the drainage, and consideration given, among other things, of re-aligning the drainage channel of the East Fork of Chisholm Creek. It was felt this would tend to increase downstream flow to the extent that existing

provisions for drainage would not be sufficient. Frank Smith felt it would be better to acquire the area along the stream for a park than to destroy the natural beauty of the area.

MITCHELL said his office has the necessary topo for a study of the drainage but did not know that they have the necessary time and money to figure what water is going to do to go around all the bends in this channel, but that if given a little time they would know more about the requirements for proper drainage.

MOTION: It was moved, seconded and carried unanimously that further consideration of this plat be deferred until February 19, 1959, and that at that time an interim report be submitted by the Flood Control and Stream Maintenance office, and that other interested or adjacent property owners be notified of this consideration."

3. On February 27, 1959 you wrote a memorandum to the Planning Director in which you outlined the procedure for handling requests by the Planning body for future drainage studies as they related to the sub-division of land inside the City.

4. On March 19, 1959, I wrote a memorandum to you in which I outlined specific recommendations for handling the drainage through subject plat. Along with this memorandum I forwarded an exhibit on which we had marked the limits of the flood plain for the apparent flood of record, and the line which would provide 3' of freeboard above the record flood. In this memorandum we set out 2 methods of providing a drainage-way through subject reach and made it clear that we recommended channel improvement over the restricted use of the flood plain.

5. On April 2, 1959, the Metropolitan Planning Commission again considered the sketch plat of Chisholm Creek Estates and after lengthy discussions, the following remarks were made:

"Mr. Rutledge indicated that, in his opinion, a plat should contain notations to the effect that drainage for the area has been seriously considered and there is evidence that some area may be subject to flooding or ponding. Approval of the plat in no way assures property owners that there is no danger of flooding of their property."

Mr. Smith indicated again that the plat under consideration is only a sketch plat and that it is his wish to proceed with the preparation of a preliminary plat and to indicate on the preliminary plat the high water line and provide cross section

data so that the amount of water to be anticipated can be related to the drainage provisions proposed. He indicated that his firm would provide as much information as was necessary to allow a proper determination to be made in this matter.

Mr. Kenneth Taylor, consulting engineer, representing the developer of the Chisholm Creek Estates plat, discussed with the Commission the general cross section of typical drainageways. He suggested that the drainageway could be improved with dikes and that the wide right-of-way offered for dedication would permit ultimate development with the drainage structure should it become necessary in the future.

The Vice Chairman asked the engineer as to suggest a standard for this area. He indicated to the engineer that the standard suggested might not prove acceptable to the Commission. Mr. Taylor answered that in his opinion, the flood of record plus three feet would be appropriate in this drainage area.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission adopt as a policy on the East Fork of the Chisholm Creek, the suggestion of the flood of record plus three feet of freeboard, with a minimum channel width of 250 feet."

6. On April 29, 1959 the preliminary plat of Chisholm Creek Estates was approved by the Sub-Division Committee after the following discussion:

"The Planning Commission has determined that the minimum channel should be 250 feet and that the drainageway should be retained in its natural characteristics and that only land located higher than the flood of record plus three feet shall be subdivided.

RUFUS KIRK showed a map of this area outlining the flood of record plus three feet, the existing grade and the levee shown in two different ways in which it could be done. He indicated that the street would be on public property and the levee would be either at one end or the other. The minimum dikes for drainage would be 300 feet at two points and the channel would be 250 feet as indicated by the Planning Commission. He went on to say that as long as the houses are built above the flood of record plus three feet, the street could be below it. The houses at the present time are a foot above the flood of record.

KESSLER asked the question that assuming that the Committee accept a plat which requires a dike or a certain amount of

fill and the plat goes on record, what type of assurance is given that the dike would be built before the building permit is issued? EPPERSON answered his question by stating that this would be done before the plat was recorded.

KESSLER felt that there should be some indication on the plat that the area is subjected to flooding and the houses are built below a certain elevation.

OBLINGER suggested that the number of the lot and block be included in the note, and that approval of the plat does not indicate that the property would be free from flooding.

KESSLER questioned whether or not the person selling the property would look at the plat. He suggested that some recorded instrument be placed along with the abstract so that the person buying the property would be sure and see it.

RUTLEDGE brought up the question of what would happen to the property located between the dike and the existing creek bed. OBLINGER pointed out that he has shown it on the plat as reserve for drainage.

There was some discussion as to whether this property would be in private ownership or just who would be responsible for maintaining it. KESSLER felt that the Park Department would profit from it because it is a wide enough area and they could possibly use it to some good advantage."

The final plat has since been submitted to the staff of the Metropolitan Planning Commission and will go before the Sub-division Committee for approval on July 9, 1959. A close inspection of the final plat show that the following items need clarification:

1. Certain areas in the flood plain and within the freeboard lines are shown as lots, therefore, we assume that they will be built upon.

2. We assume from 1 above that levees will be built along the sides of the drainage easement (or fill will be placed on the lots) which will provide for the flood of record elevation plus 3' of freeboard. If this is the plan, several items should be considered:

A. A typical cross-section of the levees should be presented by the developer for approval by the Planning Commission.

B. The alignment of these levees should be marked on a plan which also should be approved by the Commission. The levee alignment should be carefully checked to be certain that no gaps occur in areas not included in this plat which are below freeboard elevation. In other words, levee or fill protection should be continuous throughout the limits of this plat.

C. Detailed specifications for the construction of the levee should also be furnished by the developer for approval by the Commission.

D. If levees are used, the developer should also present a plan for interior drainage which should include the location, size and specifications for the construction of adequate interior drainage facilities.

3. It also appears that before final approval of the plat is granted that a decision should be reached as to what rights, if any, the developer intends to exercise within the areas designated "dedicated to and for the use of the public" during the period of construction of the levees or fill. If the builders intend using this "public" area as a source of material to construct the levees (or fill), then the City should have the right of inspection and approval of the manner in which the "public" area is left.

4. The proposed final plat makes no provision for the note which would refer to the fact that "approval of the plat does not indicate that the property would be free from flooding" as was discussed in the approval of the preliminary plat.

5. We have also marked the following locations where major bridges or culverts will have to be constructed. We feel that a decision should be made at this time as to whether these structures will be constructed by the developer or by the city-at-large. A list of these structures is tabulated below:

- A. Fountain Avenue - across the East Fork of Chisholm Creek
- B. Brooks Avenue across Fountain channel
- C. Brooks Avenue across the back lot channel in Greenbriar Manor.

6. Several discrepancies between street locations as shown on subject plat and those shown on Greenbriar Manor preliminary plat are also noted on the attached copy of the proposed final plat.

We request that either the Public Works representative on the Subdivision Committee be apprised of these problems prior to the July 9 meeting, or that a representative of the Maintenance Division be authorized to attend the Subdivision Committee Meeting.

G. H. Wilton, Supt.
Public Works Maintenance

GHW:jag
Enc.
cc: Stream Maintenance File

(7)

character of the cemetery as proposed and suggested that it will be an asset to Wichita and the surrounding area.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the Board of County Commissioners that this conditional use permit be granted.

HARRIS abstained from discussion or voting.

28. Z-0180 - Charles T. Schoenhofer requests change in zoning from "A" to "LC" for the west half of Lots 129 and 131 on Chautauqua Avenue, in Resurvey Buck's Second Addition - east side of Chautauqua between Central and Elm.

JACK GREENE appeared for the applicant and described the proposed use of the property as an expansion area of a Drive In Restaurant. He noted that vacation proceedings for the intervening alley are pending.

No one appeared in opposition.

MOTION: It was moved, seconded and carried unanimously that this application be deferred until August 6 when it will be reheard with the request for vacation of the alley.

29. Request from Herbert L. Berger for approval of proposed screening for Eastgate Plaza at southeast corner of Kellogg and Rock Road.

HERBERT L. BERGER, Associate Architect, explained that the original fence was designed without actual design of the shopping center put down on print. The Center is being built now and the wooden fence as originally proposed does not conform to the present design. They are, therefore, requesting approval of the different type of fence which they wish to construct to conform to the buildings being built in the Shopping Center.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the City Commission that the revised screening plan for Eastgate Plaza Community Unit Plan be approved.

30. Final plat of Chisholm Park Estates, an irregular area on both sides of 29th Street, if extended west from Oliver, and between Blair and Oliver.

RUTLEDGE stated that the Subdivision Committee would like to have a statement on the face of the plat to the effect that approval of this subdivision doesn't guarantee that it will be free from flooding and ponding.

It was pointed out by the staff that the Department of Law has indicated that there is no provision for affixing such a statement on a plat and such approval would likely not be upheld by the courts.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the City Commission that this plat be approved subject to the following conditions:

1. Easements to be provided as marked on the copy of the plat.
2. The drainage areas designated as Tract 4, Tract 7, and Tract 14 are to be included as a part of right-of-way of the adjacent streets.
3. Lot 6, Block 9 is to be designated as part of the adjacent street.
4. Lot 20, Block 10 is to be dedicated to the public for drainage and street purposes.
5. No borrow will be taken from dedicated area without approval and supervision of the Department of Public Works.

31. V-0094 - Request from Henry B. Amsden and William T. Cross to vacate the east one-half of the north-south 12.5 foot alley and the east-west 15 foot alley abutting Lots 34, 36, 38, 40, 42, and 44 on Central Avenue and Lots 2, 4, and 6 all on Pershing Avenue, all in Central Avenue Subdivision of Prospect Place addition to the City of Wichita, Sedgewick County, Kansas - in an area south of Central and between Pershing and Terrace Drive.

MERLE MASON, attorney, represented the applicant and asked for the granting of the request.

It was pointed out by the staff that the Subdivision Committee determined that all of the north-south and east-west alleys should be vacated. Accordingly, notices were sent and it was suggested to the abutting property owners that the entire length of both alleys be vacated, subject to the dedication back of an easement the width of the original alleys.

No one appeared in opposition.

MOTION: It was moved, seconded and carried unanimously that the Planning Commission recommend to the City Commission that this application be approved and also the balance of both alleys to be vacated subject to the following conditions:

1. Easements will be re-dedicated for the entire length of both alleys at a width equal to the present alley width.
 2. All proceedings shall be without cost to the city or County.
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BCC app
8-4-59

July 30, 1959

Board of City Commissioners
City Building
Wichita, Kansas

Gentlemen:

Re: Final plat of Chisholm
Park Estates

At the regular meeting of the Metropolitan Area Planning Commission held on July 16, 1959, the above final plat, being an irregular area between Bluff and Oliver and on both sides of 29th Street North, was considered and the following action taken:

It was moved, seconded and carried unani-
mously that the Planning Commission
recommend to the Board of City Commissioners
that this plat be approved.

Respectfully submitted,

L. L. Little
Director of Planning

LLL:LRE:ber

from: Stanley M. M. date: 9-13-79

admin	adv. plans	cur. plans	social
<input checked="" type="checkbox"/> lakin	<input checked="" type="checkbox"/> stockwell	<input checked="" type="checkbox"/> lytle	<input type="checkbox"/> mitchell
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<input type="checkbox"/> oobanks	<input type="checkbox"/> shoe	<input type="checkbox"/> young	<input type="checkbox"/> kohl
<input type="checkbox"/> hanson	<input type="checkbox"/> leesaw	<input type="checkbox"/> meek	<input type="checkbox"/> hart
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graphics	<input type="checkbox"/> hickel	<input type="checkbox"/> harvey	<input type="checkbox"/> gamron
<input type="checkbox"/> pierce	<input type="checkbox"/> chambers	<input type="checkbox"/> smith	<input type="checkbox"/> carlson
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<input type="checkbox"/> note & return	<input checked="" 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

remarks: Memo to Lakin re his request for Chickadee Park drainage revision (JLT)

Bill:

1. The 1973 Drainage Problems and Protection makes no reference to maintaining the Chisholm Creek area in its natural state. (Plan did note a minor (Priority 5) drainage problem at Minnesota and 25th Nord. Problem was ranked 128 of 161 problems identified.)
2. The Park and Open Space Plan recommends a scenic easement along Chisholm Creek or full acquisition of land to provide an expanded open space system, especially to the north and northeast of Chisholm Creek Park.

Joel Pollock

2637209

77 '91 11:50

88 '11:30 pm

from: Stanley M. date: 9-13-79

admin	adv. plans	cur. plans	social
<input checked="" type="checkbox"/> martin	<input checked="" type="checkbox"/> stockwell	<input checked="" type="checkbox"/> palomares	<input type="checkbox"/> mitchell
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graphics	<input type="checkbox"/> chambers	<input type="checkbox"/> smith	<input type="checkbox"/> carlson
<input type="checkbox"/> pierce	<input type="checkbox"/> bechtel	<input type="checkbox"/> crawford	<input type="checkbox"/> whitlock
<input type="checkbox"/> stafford	<input type="checkbox"/> mccladden	<input type="checkbox"/> gregg	<input type="checkbox"/> brown b.
<input type="checkbox"/> garland	<input type="checkbox"/> swander	<input type="checkbox"/> gregg	<input type="checkbox"/> garmon
<input type="checkbox"/> pate		<input type="checkbox"/> gregg	<input type="checkbox"/> carlson
<input type="checkbox"/>		<input type="checkbox"/> gregg	
<input type="checkbox"/> crook		<input type="checkbox"/> gregg	
<input type="checkbox"/> commer		<input type="checkbox"/> gregg	
<input type="checkbox"/> vinson		<input type="checkbox"/> gregg	
<input type="checkbox"/>		<input type="checkbox"/> gregg	

Handwritten notes: "Handwritten signatures and scribbles over the form, including 'Stanley M.' and '9-13-79' written vertically and horizontally across the middle section. A box at the bottom right contains a legend for the checkboxes.

<input type="checkbox"/> hole & return	<input checked="" 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

remarks: Memo to taken re his request for Chisholm Park drainage review (only)

Have the drawings made plan
reviewed + see what if any thing
we said on the East branch of
Chickohoc Creek

August 7, 1981

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

Z-2135 - Zone change "AA"&"E" to "E"; and
S/D 78-145 - North University Addition

At the regular meeting of the Board of City Commissioners on June 19, 1979, the above captioned request for zone change was considered and approved, subject to platting the entire area, and the City Clerk was instructed to withhold publication of the ordinance establishing the zone change until such time as the plat has been recorded. The associated plat was approved by the Board of City Commissioners on July 28, 1981.

This is to advise you that the final plat of North University Addition was recorded with the Register of Deeds on August 6, 1981 and, therefore, the ordinance establishing the zone change may now be published.

Jack H. Galbraith
Chief Planner

JHG:al

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 78-145 Name North University Addition
Application & Sketch Filed: 12-29-78
Preliminary Plat Filed: 12-29-78 Approved by S/D: 1-11-79 & 7-26-79
Final Plat Filed: 3-20-81 Approved by S/D: 4-2-81
Approved by Metropolitan Area Planning Commission: 4-9-81

DESCRIPTION

General Location: west side of Hillside, 1/4 mile south of 33rd St. North

Surveyor or Engineer: Moehring and Associates
Owner: Dale Fry, et. al.
Address: Route 1, Augusta, Ks. 67010

- | | | |
|---------------------------------------|-----------------------|-----------------------|
| 1. Gross Acreage of Plat <u>12</u> | 6. Access Control | No. Openings <u>3</u> |
| 2. Number of Lots | St. <u>Hillside</u> | No. Openings _____ |
| Residential _____ | St. _____ | No. Openings _____ |
| Commercial _____ | 7. Req'd Improvements | |
| Industrial <u>3</u> | St. Paving _____ | Water _____ |
| Other _____ | Sidewalk _____ | Drainage _____ |
| Total Number of Lots: <u>3</u> | Sewer _____ | Other _____ |
| 3. Minimum Lot Area: <u>1.9 acres</u> | | |
| 4. Existing Zoning: <u>AA and E</u> | | |
| 5. Special Problems Discussed: _____ | | |

Associated zone case Z-2135 "AA" and "E" to "E" has been approved subject to platting. Sewer and water exist to serve the site and the street is paved. A "floodway" and "drainage dedication" have been indicated on the plat to cover existing drainageways. A contingent dedication for a small portion of the drainage dedication now occupied by a building has been submitted. The dedication will become effective upon removal or substantial destruction of the building or upon authorization for construction of a formal drainage channel.

PLANNING COMMISSION RECOMMENDATION: Approve the plat subject to recording within 30 days after approval by the Board of City Commissioners.

Bayouth moved, Garnder seconded and it carried unanimously. Wright was absent. One vacancy.

ACTION: Accept the contingent drainage dedication and instruct the City Clerk to file it with the Register of Deeds, the recording cost 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.

RELEASE OF EASEMENT OF RIGHT OF WAY AGREEMENTS

FILM 486 PAGE 1090

In consideration of One Dollar (\$1.00) and other good and valuable considerations, SOUTHWESTERN BELL TELEPHONE COMPANY, A Missouri Corporation, authorized to transact business in the State of Kansas, releases and quitclaims to the owner and/or owners of record, and terminates forever certain easement rights of interests it may have in the following described properties:

See Attached Exhibit "A"

This document releases only the rights of interest obtained to the above described properties by virtue of the original agreements dated and recorded as set out in said attached Exhibit "A".

Termination of such rights or interest is acknowledged and the same are released and discharged.

Dated this 29th day of June 19 81

MICROFILMED OF RECORD

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD
JUL 16 1981

SOUTHWESTERN BELL TELEPHONE COMPANY

Attorney's Approval as to form

NO. 5 46852
BETTE F. McCART
REGISTER OF DEEDS

By: M. L. Kopf
Vice President-Kansas 6-29-81
M. L. Kopf

State of Kansas Shawnee County,

The foregoing instrument was acknowledged before me this 29th day of June, 1981, By M. L. Kopf, Vice President-Kansas of Southwestern Bell Telephone Company, a Missouri Corporation, on behalf of the corporation.



Notary Public Reta C. Decker

Appointment expires Jan. 22, 1983

6.00

SW Bell Tele Co.
c/o Robert L. Nicholas
154 W. Adams 67202

EXHIBIT "A"

1. The SE $\frac{1}{4}$ of Section Thirty-Four (34), Township Twenty-six (26) South, Range One (1) East.

The above property was covered by easement dated the 30th day of July, 1930, and recorded in Miscellaneous Book 93, Page 112 of the records of the Sedgwick County Register of Deeds.

2. The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section Thirty-Four (34), Township Twenty-six (26) South, Range One (1) East.

This property was covered by easement dated the 19th day of June, 1931, and recorded in Miscellaneous Book 99, Page 422 of the records of the Sedgwick County Register of Deeds.

3. Those tracts of land lying south of the Railroad right of way in S $\frac{1}{2}$ of the SE $\frac{1}{4}$ & NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 26 South, Range 1 East.

Said tracts were covered by easement dated the 17th day of July, 1931, and recorded in Miscellaneous Book 100, Page 49 of the records of the Sedgwick County Register of Deeds.

Please return to S.W. Bell Tel. Co.
Robert L. Nicholas
Nick. Svcs. Supv. -OSP Eng. (ROW)
154 N. Broadway

North Univ. Act

AMERICAN LAND TITLE ASSOCIATION COMMITMENT - 1966

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

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

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

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

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

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

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:
Chester C. McCallough
Secretary.

Ruth H. Lewis
Authorized Signatory



CONDITIONS AND STIPULATIONS

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

SCHEDULE A

Number

Effective Date

297284

March 25, 1981 @ 7:00 A.M.

1. Owners Policy to be issued: ALTA Form B - 1970 Amount: **Platting**
Proposed Insured: (Amended 10-17-70)

Metropolitan Area Planning Department

Loan Policy to be issued: ALTA Form 1970 Amount:
Proposed Insured: (Amended 10-17-70)

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

320
Frey, Inc.

3. The land referred to in this Commitment is described as follows:

Morley Plat
Beginning at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 34, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence South 00°00'00" West along the East line of said Southeast Quarter, a distance of 1,052.00'; thence North 90°00'00" West, a distance of 260.00' to the P.C. of a curve to the left having a radius of 67.00'; thence Northwesterly along said curve to the left and through a central angle of 51°22'00", a distance of 60.07' to the P.T. of said curve, having a chord bearing North 25°41'00" West, a distance of 58.08'; thence North 51°22'00" West, a distance of 575.84'; thence North 00°00'00" East, a distance of 504.08' to a point in the South line of the Missouri Pacific Railroad right-of-way; thence North 71°43'12" East along said right-of-way, a distance of 439.16' to a point in the North line of the Southeast Quarter of the Southeast Quarter of said Section 34; thence South 89°41'45" East, a distance of 318.00' to the point of beginning.

SCHEDULE B

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

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs) - 1980 Taxes \$811.55+ Not Paid - Key #C-31411-F;
1980 Taxes \$26.03 Paid - Key #C-31411-F2, and 1980 Taxes \$20.61 Paid -
Key #C-31411-F3.
9. Any interest outstanding of record in and to all the oil, gas and other minerals in and under and that may be produced from said premises, together with all rights incident to or growing out of said outstanding minerals, including buy not limited to outstanding oil and gas leases, and easements. This commitment (policy) should not be construed as insuring against any damage to the surface of the land or any improvements thereon caused by surface entry or by the removal of the minerals lying thereunder.
10. *Multiple* Roadway easement over the East 60 feet of subject property, as established in Book Misc. 267, Page 65 and on Film 170, Page 672.
11. *see file* Easement granted to Kansas Telephone and Telegraph Company over the South Half of the Southeast Quarter of Section 34, Township 26 South, Range 1 East, in Book Misc. 99, Page 422. *(needs to be released)*
12. *ok signed* Rights of Eli Schrouck over a tract of land in the Southeast Quarter of the Southeast Quarter of Section 34, Township 26, Range 1 East, described as beginning at a point 40.00 feet West and 140.00 feet South of the Northeast corner of the Southeast Quarter, of said Southeast Quarter, thence South parallel with the East line of said Southeast Quarter, a distance of 260.00 feet; thence West parallel with the North line of the Southeast Quarter of said Southeast Quarter, a distance of 350.00 feet; thence North parallel with the East line of said Southeast Quarter, a distance of 260.00 feet; thence East 350.00 feet to the point of beginning; by virtue of unrecorded Escrow Contract by and between Frey, Inc., and Eli Schrouck.

(SEE ADDED PAGE)

(Schedule B continued)

FORM 3147R-4-67

Policy Number _____ Owners _____

Policy Number _____ Loan _____

Wichita Dispatch Center, Inc.

see endorsement

13. Rights of Bob Willit over a tract of land in the Southeast Quarter of the Southeast Quarter of Section 34, Township 26, Range 1 East, described as beginning at a point on the North line and 40.00 feet West of the Northeast corner of the Southeast Quarter of said Southeast Quarter; thence South parallel with the East line of said Southeast Quarter, a distance of 140.00 feet; thence West parallel with the North line of the Southeast Quarter of said Southeast Quarter, a distance of 350.0 feet; thence North parallel with the East line of said Southeast Quarter, a distance of 116.06 feet to a point in the Southerly r.o.w. line of the Mo.-Pac. R.R.; thence Northeasterly along said Southerly r.o.w. line, a distance of 75.07 feet to a point in the North line of the Southeast Quarter of said Southeast Quarter, thence East a distance of 278.72 feet to point of beginning,

AND

A tract of land in the Southeast Quarter of the Southeast Quarter of Section 34, Township 26, Range 1 East, described as beginning at a point 140.00 feet South and 390.00 feet West of the Northeast corner of the Southeast Quarter of said Southeast Quarter; thence West parallel with the North line of the Southeast Quarter of said Southeast Quarter, a distance of 345.00 feet; thence North parallel with the East line of said Southeast Quarter, a distance of 0.19 feet to a point in the Southerly r.o.w. line of the Mo.-Pac. R.R.; thence Northeasterly along said Southerly r.o.w. line, a distance of 363.36 feet to a point 390.00 feet West of the East line of said Southeast Quarter; thence South 116.06 feet to the point of beginning; by virtue of unrecorded Escrow Contract by and between Frey, Inc. and Bob Willit.

14. Mortgage dated October 14, 1980, executed by Frey, Inc., to The Prairie State Bank, filed October 16, 1980, on Film 444, Page 811, which states that it secures a debt in the principal sum of \$50,000.00.

15. Legal Effects and Consequences of Case #79-1572-C J. W. Burge vs- Dale Frey, Frey, Inc., et al, filed October 25, 1979, Pending.

ENDORSEMENT

(FREY, INC.)

Attached to and forming a part of

Commitment to Insure No. 297284

E-No. 1

Issued by
CHICAGO TITLE INSURANCE COMPANY

Said Commitment to Insure is hereby amended as follows:

1. Item 13 Schedule B is hereby deleted and the following substituted therefor:

Rights of Wichita Central Dispatch, Inc., a Kansas corporation over the following:

Beginning at a point 40 feet West of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 34, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence south 140 feet; thence west 350 feet; thence north 116.06 feet to the Missouri Pacific Railroad Right-of-Way; thence northeasterly along said Railroad Right-of-Way a distance of 75.07 feet; thence east 278.72 feet to beginning;

AND

Beginning at a point 140 feet South and 390 feet West of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 34, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence west 345 feet to the Missouri Pacific Railroad Right-of-Way; thence northeasterly along said Railroad Right-of-Way a distance of 363.36 feet; thence south 116.06 feet to beginning, by virtue of unrecorded Escrow Contracts by and between Frey, Inc., and Wichita Central Dispatch, Inc., a Kansas corporation.

This endorsement is made a part of the policy or commitment and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy or commitment and prior endorsements, if any, nor does it extend the effective date of the policy or commitment and prior endorsements or increase the face amount thereof.

DATED: JULY 22 1981

CHICAGO TITLE INSURANCE COMPANY



Alvin W. Long
President.

ATTEST:

Chester C. McCallough

Secretary.

Lucretia U. Lewis
Authorized Signatory

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

CONTINGENT DEDICATION

WHEREAS, Frey, Inc., by Dale Frey, President, and Eli Schrouch, a single man, are the owners of real property which is being platted part of as "NORTH UNIVERSITY ADDITION", to Wichita, Sedgwick County, Kansas; and

WHEREAS, said owners are desirous of making a contingent dedication to the public for drainage right of way covering the following described property, to wit:

From the NE Corner of the SE 1/4 of the SE 1/4 of Section 34, T26S, R1E of the 6th P.M., Sedgwick County, Kansas, South 214.20'; thence West at an included angle of 90°, a distance of 119.60' to the point of beginning; thence South at an included angle of 90°, a distance of 15.0'; thence West at an included angle of 90°, a distance of 21.0'; thence North at an included angle of 90°, a distance of 7.51' to a point on a curve to the right having a radius of 612.0'; thence Northeasterly along said curve and through a central angle of 2°05'15", a distance of 22.30' to the point of beginning;

and

WHEREAS, Prairie State Bank, a corporation, Mortgagee, consents to the making of said contingent dedication; and

WHEREAS, at the present time, a portion of an existing building is presently located on said property herein being dedicated; and

WHEREAS, it is the intention of the owners to dedicate to the public the above described property, but effective only in the event of certain contingencies hereinafter specified.

NOW, THEREFORE, Frey, Inc., by Dale Frey, President, and Eli Schrouch, a single man, being the legal owners of the above described properties, do hereby dedicate to the public for drainage purposes the property hereinabove set forth; but the right of the public and the City of Wichita and the Board of County Commissioners of Sedgwick County, Kansas, to make use thereof for public purposes, including drainage, excavation, fill, drainage structures, erosion control and other similar drainage purposes, shall not occur so long as the presently

existing portion of a building located on said above described property being dedicated shall remain thereon. It is further understood that this dedication shall come into being in the event of substantial or total destruction of the existing building by fire or other casualty or in the event the existing building is substantially torn down or destroyed, and upon the happening of such an event this dedication shall be and become, without further notice or act, in full force and effect. It is further understood that this dedication shall come into being in the event the Governing Body of the City of Wichita shall determine it necessary to authorize the construction of a formal drainage channel and appurtenances, and upon the happening of such an event this dedication shall be and become, without further notice or act, in full force and effect.

It is the intent of the grantors and owners that this contingent dedication shall be a covenant running with the land and shall be binding upon their heirs, executors, assigns and successors and all subsequent owners of any part or parcel of said property covered by said dedication.

EXECUTED this 9th day of July, 1981.

Frey, Inc.

Dale Frey
Dale Frey President

Eli Schrouck
Eli Schrouck

ACKNOWLEDGMENT

STATE OF KANSAS) SS.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this 9th day of July, 1981, before me, a Notary Public in and for said County and State, came Frey, Inc., by Dale Frey, President, and Eli Schrouck, a single man, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

MILDRED J. MYERS
NOTARY PUBLIC
SEDDWICK COUNTY, KANSAS
MY APPT. EXPIRES 2-10-85

Mildred J. Myers
Notary Public

My Commission Expires: 2-10-85

C O N S E N T

COMES NOW Prairie State Bank, a corporation, Mortgagee, and does hereby consent to the execution, granting and delivery of the foregoing Contingent Dedication, according to its terms and conditions.

EXECUTED this 10 day of July, 1981.

ATTEST:

PRAIRIE STATE BANK

(Seal)

By

James F. Bunck
Cashier

James F Bunck, Cashier

ACKNOWLEDGMENT

STATE OF KANSAS }
COUNTY OF } ss.

BE IT REMEMBERED, That on this 10th day of July, 1981, before me, a Notary Public in and for said County and State, came James F. Bunck, Cashier President of Prairie State Bank, a corporation, to me personally known to be the same person who executed the foregoing Consent, and duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

COLLEEN K. MAHANNAH
NOTARY PUBLIC
Butler County, Kansas
My Appt. Expires _____

Colleen K Mahannah
Colleen K. Mahannah Notary Public

My Commission Expires:
Sept 7, 1983

Note: University Addition

Southwestern Bell

Engineering Operations
626 N. Broadway
Wichita, Kansas 67214
June 9, 1981

Mr. Don C. Moehring
Consulting Engineer
433 S. Hydraulic
Wichita, Kansas 67211

Dear Mr. Moehring:

Southwestern Bell Telephone Company shall release all easement granted to Kansas Telephone and Telegraph Company over the south half of the Southeast Quarter of Section 34, Township 26 South, Range 1 East, in Book misc. 99, page 422.

Sincerely,

Rick E. Jones

Rick E. Jones
Ntwk. Svcs. Supv.-OSP Engr.
Wichita East

cc: Bob Nicholas, Right-of-way

RECEIVED

JUL 14 1981

**METROPOLITAN PLANNING
ROUTE** *for* *for*

April 10, 1981

Moehring and Associates
433 S. Hydraulic
Wichita, Ks. 67211

Re: S/D 78-145 - Final plat of North University Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, April 9, 1981, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of April 3, 1981.

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:

- 7-9 1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 7-9 2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all taxes due and payable for 1980 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Louise Olivarez
Senior Planner

LO:bh

cc: Dale Frey, Route 1, Augusta, Ks. 67010
Don Shirkey, 5711 E. 45th St. North, 67220

April 3, 1981

Moehring and Associates
433 S. Hydraulic
Wichita, Ks. 67211

Re: S/D 78-145 - Final Plat of North University Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission April 2, 1981, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- OK A. The floodway at the south end of the plat shall be referenced in the plat's text as being dedicated to the public for drainage purposes. The text shall include the statement that no obstruction or change of grade can be made within this floodway without the permission of the Wichita-Valley Center Flood Control office or their successors in office. The northern floodway shall be re-labeled as a "drainage dedication" and referenced in the plat's text as being dedicated to the public for drainage purposes. The reason for the difference in labeling is due to the fact that the creek area is shown on the FEMA maps as a floodway whereas the other drainage area is not part of a designated floodway, but is needed for conveyance of drainage waters. "City Engineer's office"
- B. The small contingent drainage dedication south of Lot 2 just west of Hillside shall be dedicated by separate instrument and shall be contingent upon removal of the existing structure or improvement of the channel. *shown on plat*
- C. On the final plat tracing, the access control on Lot 1 to Hillside shall be modified to show "complete access control" except for the south 30 feet. All access control referenced in the plat's text shall be labeled on the face of the plat.
- D. The final plat tracing shall indicate a 10-foot utility easement adjacent to Hillside.
- E. A 35-foot building setback from Hillside shall be indicated on all three lots.

OK F. The applicant shall contact City Engineering regarding the platting of a drainage easement at the west end of Lot 1. *Chris and Mike said OK. Easmt. as shown follows existing swale. When lot 2 develops, additional easmt. may be needed from property to west*

7-20

Moehring and Associates
4-3-81
Page 2

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

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 April 9, 1981, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

Forrest L. Nagley
Junior Planner

FLM:bb

cc: Dale Frey, Route 1, Augusta, Ks. 67010
Don Shirkey, 5711 E. 45th St. North, 67220
Mike Lindebak, City Engineering

Final plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 78-145 Name North University Addition
Date Application Rec'd. 7-17-79 Preliminary Approval 6-26-79
Scheduled S/D Meeting _____

DESCRIPTION

General Location West side of Hillside, in an area north of 29th St. North

Owner Dale Frev
Surveyor/Engineer Moehring and Associates Phone _____
Address 433 S. Hydraulic, 67211

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>12+</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. _____ R/W _____ ft. |
| Residential _____ | b. _____ R/W _____ ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial <u>3</u> | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>3</u> | TOTAL <u>0</u> ft. |
| 3. Minimum Lot Frontage <u>69.52</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>X</u> no |
| 4. Minimum Lot Area <u>E and AA</u> ft. | |
| 5. Existing Zoning <u>E (Z-2135)</u> | |
| 6. Proposed Zoning _____ | |
| 9. Public Water Supply <u>yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u>N.A.</u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area | |

STAFF COMMENTS:

NOTE: The preliminary plat of North University Addition was approved in July, 1979. The south line of the preliminary plat was the centerline of the creek whereas the south line of the final plat has now been moved south and west to include all of the floodway. The area east of the centerline of the creek has been approved for "E" zoning subject to platting.

- A. The floodway at the south end of the plat shall be referenced in the plat's text as being dedicated to the public for drainage purposes. The text shall include the statement that no obstruction or change of grade can be made within this floodway without the permission of the Wichita-Valley Center Flood Control office or their successors in office. The northern floodway shall be re-labeled as a "drainage dedication" and referenced in the plat's text as being dedicated to the public for drainage purposes. The reason for the difference in labeling is due to the fact that the creek area is shown on the FEMA maps as a floodway whereas the other drainage area is not part of a designated floodway, but is needed for conveyance of drainage waters. The City Engineer's representative and the Flood Control representative shall be prepared to comment on this matter and state whether any drainage improvement guarantees or minimum pads are required.
- B. The small contingent drainage dedication south of Lot 2 just west of Hillside shall be dedicated by separate instrument and shall be contingent upon removal of the existing structure.
- C. The access controls referenced in the plat's text shall also be labeled on the face of the plat.
- D. A 35-foot building setback from Hillside shall be indicated on all three lots.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.

North University Addition — Drainage

On 3-24-81 I discussed the North University plat with Chris Breitenstein. Since the plat showed the floodways outside the boundaries of the lots, we assumed the owner intended to dedicate the floodways.

Chris agreed the south one should be dedicated for drainage purposes but the north one could be a "drainage easement" ^{if there are no drainage improvements and anticipated} if it should not be labeled as a floodway because the FEMA maps do not show it as a floodway. Chris said it was not necessary to show the \pm of the creek on the plat as it was in the middle of the floodway. Chris said the minimum pad should be 151 city datum.

Paul Johnston agreed the south floodway should be labeled as floodway and dedicated for drainage purposes. He also wants the usual wording about no construction within the floodway without prior approval. The north "floodway" could be "drainage dedication" or "drainage easement" but Paul prefers dedication so he can be sure no fences, shrubs, etc will be placed there. Paul wants minimum pad of 152. He said the flood of record (in 1960) was to 150.1.

cont

Don Mackling said the owner did not mind dedicating the south floodway but wanted to be able to take fill out of the north floodway. Therefore he would probably prefer to label the north one as drainage easement. He said he would have owner grant the contingent drainage easement based on removal of the house or the City's need for the full easement for drainage purposes.

On 3-25-81, Chris called to say Don Shirley (owner's agent) had been in to discuss this with him and they both think the floodways should be part of the lots. (Chris still thinks the north one should be "drainage easement") I told him our comments had already been written and Engineering would just have to make their comments at the subdivision meeting.

Lewis Oliver,
3-25-81

THE CITY OF WICHITA



DEPARTMENT OF ENGINEERING
CITY HALL - SEVENTH FLOOR
433 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4501

RECEIVED

MAR 10 1981
METROPOLITAN PLANNING
ROUTE 1000

March 10, 1981

Don C. Moehring, II, PE
Moehring & Associates
433 S. Hydraulic
Wichita, KS 67211

Dear Mr. Moehring:

The Floodway locations and sizes are approved as shown. The drainage from the proposed building and low parking lot should be limited to one or two locations to eliminate sheet flow and erosion to either channel.

Sincerely,

Chris Breitenstein
Acting Engineer
Drainage & Flood Control

CB:ms

cc: Jack Galbraith ✓
Louise Olivarez ✓
Mike Lindebak ✓
File - North University Addition

July 27, 1979

Moehring and Associates
433 S. Hydraulic
Wichita, Ks. 67211

Re: S/D 78-145 - Preliminary plat - North University Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 26, 1979, the above-captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat subject to the following:

- A. Subject property is located entirely within the flood plain of the east branch of Chisholm Creek. The applicant's engineer shall submit a drainage plan to the Flood Control office for review and approval. No final plat shall be submitted until the drainage plan has been approved.
- B. Based on an approved drainage plan, minimum pad elevations for each lot shall be shown on the final plat.
- C. Complete access control shall be shown along Hillside except for one opening on each of Lots 1 and 2 and 2 openings on Lot 3. Since Lot 1 is located close to a railroad crossing, it is recommended that this lot's access to Hillside be located within the south 50 feet of the lot.
- D. A 35 foot building setback from Hillside shall be indicated on the plat.
- E. 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.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Mohring and Associates
July 27, 1979
Page 2

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

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

Sincerely,

Louise Olivarez
Senior Planner

LO:bh

Encl.

cc: Dale Frey, Route 1, Augusta, Ks. 67010
Don Shirkey, 5711 E. 45th St., North, 67220
Paul Johnston, Flood Control Office
Dean Sellers, Assistant City Engineer

Revised Preliminary Plat

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

SUBDIVISION REPORT

S/D NO. 78-145 Name North University Addition
Date Application Rec'd. 7-17-79 Preliminary Approval _____
Scheduled S/D Meeting 7-26-79

DESCRIPTION

General Location West side of Hillside, 1/4 mile south of 33rd St. North

Owner Dale Frey
Surveyor/Engineer Moehring and Associates
Address 433 S. Hydraulic, 67211 Phone 262-8291

- | | | | |
|--------------------------------|--|--|---------------|
| 1. Gross Acreage of Plat | <u>11.2</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. _____ | R/W _____ ft. |
| Residential | _____ | b. _____ | R/W _____ ft. |
| Commercial | _____ | c. _____ | R/W _____ ft. |
| Industrial | <u>3</u> | d. _____ | R/W _____ ft. |
| Other | _____ | e. _____ | R/W _____ ft. |
| Total Number of Lots | <u>3</u> | TOTAL | _____ ft. |
| 3. Minimum Lot Frontage | <u>125 Lin.</u> | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>84,664 square</u> | streets? <u>yes</u> <u>x</u> <u>no</u> | |
| 5. Existing Zoning | <u>E and AA</u> | | |
| 6. Proposed Zoning | <u>E (Z-2135)</u> | | |
| 9. Public Water Supply | <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | | |
| 10. Public Sanitary Sewers | <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | | |
| 11. Health Department Approval | (where applicable) <u>N.A.</u> (Yes-No) | | |
| 12. City of Wichita | <u>X</u> : Three-Mile Area _____ | | |

STAFF COMMENTS:

Note: The applicant's associated zone case (Z-2135) requesting "AA" and "E" to "E" has been approved subject to platting.

- A. Subject property is located entirely within the flood plain of the east branch of Chisholm Creek. This major water-course forms the southern boundary of the property. The representative from Flood Control should be prepared to comment on the status of the applicant's drainage plan. No final plat shall be submitted until the drainage plan has been approved.
- B. Based on an approved drainage plan, minimum pad elevations for each lot shall be shown on the final plat.
- C. Complete access control shall be shown along Hillside except for one opening per lot. Since Lot 1 is located close to a railroad crossing, it is recommended that this lot's access to Hillside be located within the south 50 feet of the lot.
- D. A 35 foot building setback from Hillside shall be indicated on the plat.
- E. 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.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: _____ S/D No. _____
Section No.: _____
Twp. No.: _____
Range: _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: North University Addition

General Location: West side of Hillside, 1/4 mile South of 33rd Street North

Name of Property Owner: Dale Frey

Address: Route 1, Augusta, Kansas Phone: 733-2310

Name of Subdivider: Don Shirkey

Address: 5711 E. 45th St., North 67220 Phone: 744-1989

Name of Agent/Surveyor: MOHRING & ASSOCIATES

Address: 433 Hydraulic Phone: 262-8291

Date of Application: 12-29-79 (Revised 7-17-79)

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 11.2
2. Number of Lots:
 - Residential _____
 - Commercial _____
 - Industrial 3
 - Other _____Total Number of Lots 3
3. Minimum Lot Frontage 125 Lin. ft.
4. Minimum Lot Area 84,664 sq. ft.
5. Existing Zoning E-Lt-Industrial & AA
6. Proposed Zoning Same E (2-2125)
7. Lineal Feet of New Streets:
 - a. 60' R/W 1000 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 1000 ft.
8. Sidewalk adjacent to all streets? yes X no
9. Public Water Supply Yes (Yes-XX), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-XX), Name City of Wichita
11. Health Department Approval (where applicable) N A (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: _____
see original application for signature

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

Received by LO
Date 7-17-79
Fee Submitted as additional fee

FORM 29-7

PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION AMOUNT

additional subscription fee
North University Addition

NAME Mechanics & Plumbers

ADDRESS 432 S. Harrison

FUND 11 407 10000 DUE DATE 7 17 79

COMMENTS

DATE 7 17 79 BY AL

January 12, 1979

Mohring and Associates
433 S. Hydraulic
Wichita, Kansas 67211

Re: S/D 78-145 - Preliminary plat of North Univ. Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 11, 1979, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- P.C.C. approved
6-19-79*
- A. It is noted that approximately the west 250 feet of the subject property is zoned AA Single Family. Therefore, approval of the plat is subject to the applicant filing for and receiving approval of a zone change to E Light Industrial on said portion of subject property. This zone change shall be filed and approved by the Planning Commission prior to the submission of the final plat. 2-2/35
 - B. Since subject property is located close to a railroad crossing, it is recommended that complete access control be indicated adjacent to Hillside except for the south 50 feet of subject property.
 - ✓ C. Sixty feet of half-street right-of-way already exists on Hillside and shall be shown on the final plat.
 - D. A 35 foot building setback from Hillside shall be indicated on the plat.
 - E. The applicant's engineer shall submit a drainage plan to the City Engineer's Office and Flood Control Office and shall obtain approval of said plan prior to the submission of a final plat.
 - F. The applicant shall contact K. G. and E. about the possible need for a utility easement on the south line of the plat.

Moshring and Associates
1-12-79
Page 2

- 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.
- 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,

Louise Olivares
Junior Planner

LO:hh

cc: Dale Frey, R 1, Augusta, Ms. 67010
Don Shirkey, 5711 E. 45th St. North, 67220
Dean Sellers, Assistant City Engineer

Preliminary Plat

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

SUBDIVISION REPORT

S/D NO. 78-145 Name North University Addition
Date Application Rec'd. 12-29-78 Preliminary Approval _____
Scheduled S/D Meeting 1-11-79

DESCRIPTION

General Location West side of Hillside, 1/4 mile south of 33rd St. North

Owner Dale Frey
Surveyor/Engineer Moehring and Associates
Address 433 S. Hydraulic, 67211 Phone 263-8291

1. Gross Acreage of Plat 2.09
2. Number of Lots:
Residential _____
Commercial _____
Industrial _____
Other _____
Total Number of Lots _____
3. Minimum Lot Frontage 125 lin. ft.
4. Minimum Lot Area 84,664 square ft.
5. Existing Zoning E-lt., Industrial & AA
6. Proposed Zoning Same
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 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) N.A (Yes-No)
12. City of Wichita x: Three-Mile Area _____

SUPERSEDED

STAFF COMMENTS:

- A. It is noted that approximately the west 250 feet of the subject property is zoned AA Single Family. Therefore, approval of the plat is subject to the applicant filing for and receiving approval of a zone change to E Light Industrial on said portion of subject property.
- B. Since subject property is located close to a railroad crossing, it is recommended that complete access control be indicated adjacent to Hillside except on the south 30 feet of subject property.
- C. A 35 foot building setback from Hillside shall be indicated on the plat.
- D. The applicant and/or his engineer shall contact the City Engineer regarding the submission and approval of a lot grading plan and indicating on the plat an appropriate drainage easement or dedication along the west line of the plat.
- E. 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.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 5651
Section No.: 34
Twp. No.: 26
Range: 1E

S/D No. 78-145

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: North University Addition

General Location: West side of Hillside, 1/4 mile South of 33rd Street North

Name of Property Owner: Dale Frey

Address: Route 1, Augusta, Ks. Phone: 733-2310

Name of Subdivider: Don Shirkey

Address: 5711 E. 45th St., North 67220 Phone: 744-1989

Name of Agent/Surveyor: MOHRING & ASSOCIATES

Address: 433 S. Hydraulic Phone: 263-8291

Date of Application: 12-29-78

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 2.09 7. Lineal Feet of New Streets:
2. Number of Lots: a. 50 R/W 125 ft.
Residential _____ b. _____ R/W _____ ft.
Commercial _____ c. _____ R/W _____ ft.
Industrial 1 d. _____ R/W _____ ft.
Other _____ e. _____ R/W _____ ft.
Total Number of Lots 51 TOTAL 50 ft.
3. Minimum Lot Frontage 125 Lin. ft. 8. Sidewalk adjacent to all streets? yes no
4. Minimum Lot Area 84,664 sq. ft.
5. Existing Zoning F-1 Industrial § AA
6. Proposed Zoning Same
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) N.A. (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: Dale Frey

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

Received by LO
Date 12-29-78
Fee Submitted 50.00

FORM 29-

PAYMENT NOTICE
City of Wichita

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

DESCRIPTION		AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	