

PLAT. NO. S/D 81-39 MAP NO. 5843

NAME B M A C EMPLOYEE ACTIVITY CENTER

LOCATION: Southeast corner of Oliver & 31st St. South.

ENGINEER Delamater, Freund & Associates, P.A.

OWNER Boeing Military Airplane Company Att: E.B. Robrahn
DIVISION Counsel

APPLICATION FILED 4-17-81

SKETCH PLAT FILED _____

PRELIMINARY FILED _____

S/D ACTION _____

FINAL FILED 4-17-81

S/D ACTION 4-30-81 approve

MAPC ACTION 5-7-81 approve

BCC ACTION 6-2-81 Approved

RECORDED 6/11/81

REMARKS _____

S/D 81-39 B M A C EMPLOYEE ACTIVITY CENTER - Southeast corner of Oliver & 31st St. South. By: Delamater, Freund & Assoc. P.A.

^{Assoc. Base}
POSTED
4-30-81

ACTION

~~DATE~~ 4-30-81
S/D COMMITTEE (since) Appointed

M.A.P.C. Appointed 5-2-81

B.C.C./B.G.O.C. Appointed 6-2-81

Map No. 584D
Sec. 12
Twp. 28
Range 1E

Subdivision Report and Progress

S/D No.: 81-39

Name: B M A C EMPLOYEE ACTIVITY CENTER

General Location: Southeast corner of Oliver and 31st St. South

Owner: Boeing Military Airplane Company Attn: E.B. Robrahn, Div. Counsel

Address: 3801 South Oliver

Zip Code: 67221 Phone: 526-3464

Subdivider: Same

Address: _____

Zip Code: _____ Phone: _____

Engineer/Surveyor: Delamater, Freund & Associates, P.A.

Address: 111 W. Douglas, Suite 412

Zip Code: 67202 Phone: 263-6121

Present Zoning: "E" (Lt. Indus.)

Proposed Zoning: _____

Assoc. Zone Case: _____

M.A.P.C. ACTION: 5-7-81 approve

Advisory Letter: _____

APPLICATION RECEIVED: 4-17-81

Closure Data Submitted: _____

Title/Taxes Rec'd. and _____

SKETCH PLAT RECEIVED: _____

Reviewed: _____

Letter of Intent: _____

Final Review: _____

Referral to B.C.C.: _____

PREL. PLAT RECEIVED: _____

S/D Comm. Action: _____

B.C.C. ACTION: 6-2-81 Approved

Advisory Letter: _____

Tracing Received: 5/8/81

FINAL PLAT RECEIVED: 4-17-81

Released for Recording: 6/4/81

S/D Comm. Action: 4-30-81 approve

Plat Recorded: 6/11/81

Advisory Letter: _____

Comments:

Pooling contact: Sheri Benham
3801 S. Oliver Mail Stop K-2055 zip 67210
phone 526-2716

REGISTER OF DEEDS

SEDGWICK COUNTY, KANSAS

BMAC EMPLOYEE ACTIVITY CENTER ADDITION was

filed for record on June 11, 1981

Bruce J. McCall
Register of Deeds

T9-302 (2)

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

X T9-328

AMERICAN TRACUPLANT COMPANY
USA

**SEDGWICK COUNTY
DEPARTMENT OF
PUBLIC WORKS**

MEMO

TO: Building & Zoning FROM: Phil Dietrich *PD*
PROJECT: EMAC Employee Activity Center
ITEM: Building Permit
DATE: June 5, 1981

As of today's date, I have prepared release letter for above plat. Do not release building permit until you have checked with engineering for plat was OK'd subject not releasing permit until drainage pond is completed and existing entrance on 31st St. South is removed.

cc: Claud Shelor, Director of Public Works
Louise Olivarez, MAPD

RECEIVED

JUN 9 1981

METROPOLITAN PLANNING
ROUTE Louise

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 81-39 Name BMAC Employee Activity Center
Application & Sketch Filed: 4-17-81
Preliminary Plat Filed: N/A Approved by S/D: N/A
Final Plat Filed: 4-17-81 Approved by S/D: 4-30-81
Approved by Metropolitan Area Planning Commission: 5-7-81

DESCRIPTION

General Location: southeast corner of Oliver and 31st St. South

Surveyor or Engineer: Delamater, Freund and Associates
Owner: - The Boeing Company
Address: 3801 S. Oliver

- | | | |
|--------------------------------------|-----------------------|-------------------------|
| 1. Gross Acreage of Plat <u>26.8</u> | 6. Access Control | |
| 2. Number of Lots | St. <u>31st</u> | No. Openings <u>One</u> |
| Residential _____ | St. <u>Oliver</u> | No. Openings <u>Two</u> |
| Commercial _____ | St. _____ | No. Openings _____ |
| Industrial <u>1</u> | 7. Req'd Improvements | |
| Other _____ | St. Paving _____ | Water _____ |
| Total Number of Lots: <u>1</u> | Sidewalk _____ | Drainage _____ |
| 3. Minimum Lot Area: <u>26 acres</u> | Sewer <u>X</u> | Other _____ |
| 4. Existing Zoning: <u>E</u> | | |
| 5. Special Problems Discussed: _____ | | |

This property is part of the Boeing Industrial District which is exempt from annexation for a number of years. Since sewer and water are to be provided by the City of Wichita, applications for outside-the-City service have been required, but they have been modified to delete the usual clause requesting annexation. A petition for extension of sanitary sewer has also been submitted along with a certificate confirming the petition. An avigational easement and restrictive noise covenant have been submitted.

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

Bayouth moved, Gardner seconded and it carried unanimously. Goebel, Jones and Shook were absent. One vacancy.

ACTION: Approve the petition for sanitary sewer extension and instruct the Director of Law to prepare the necessary resolution; accept the applications for sanitary sewer service and water service and authorize the Mayor to sign for the City; accept the avigational easement and restrictive covenant; instruct the City Clerk to file the sewer and water applications, the avigational easement and covenant, and the certificate of petitions with the Register of Deeds, the recording costs of which shall be billed to the applicant; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

THE CITY OF WICHITA
OFFICE OF SEWER MAINTENANCE

DATE May 22, 1981

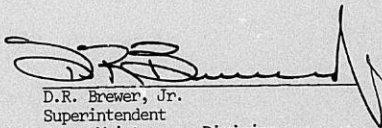
TO Louise Olivarez, Senior Planner
FROM D.R. Brewer, Jr., Sewer Maintenance Superintendent

SUBJECT Application for Water and Sewer Service
Outside Corporate Limits in Conjunction
With EMAC Employees Activity Center Addn.

Attached are the original and two (2) copies each of subject applications
in connection with subject plat.

The Director of Planning, Director of Engineering, Director of Water and
Water Pollution Control and the Director of Law have approved the applications.

Please place on the agenda with the plat for signatures by the Mayor in behalf
of the City of Wichita and return (2) two copies each to the Director of Water
and Water Pollution Control.



D.R. Brewer, Jr.
Superintendent
Sewer Maintenance Division

DRB:te

cc: Ralph Hull, Civil Engineer II Water Department
File

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

*applications with
sent with referral
to BCC
for planning
agenda*
DATE May 22, 1981

TO Donald C. Gisick, City Clerk
FROM John D. Wynkoop, Director of Water and Water Pollution Control
SUBJECT Application for Water Service
Outside the Corporate Limits


Attached is Application for Water Service outside the corporate limits to serve the property described as follows:

Lot 1, Block A, BMAC Employee Activity Center, Sedgwick County, Kansas

This property is located south of 31st St. South and east of Oliver.

An existing water main in Oliver serves the above property.

ACTION: Approve the Application for Water Service and authorize the Mayor to sign for the City.



John D. Wynkoop
Director of Water and
Water Pollution Control

JDW/b

cc: Bill H. Otten, Chief Engineer-Water Engineering

APPLICATION FOR WATER SERVICE
OUTSIDE THE CORPORATE LIMITS OF
THE CITY OF WICHITA
~~AND RELATED PETITION AND CONSENT TO ANNEXATION;~~
AGREEMENTS AND COVENANTS

The Governing Body of the City of Wichita, Kansas, this ____ day of _____, 19____, approves and files the application of

THE BOEING COMPANY for water service to the following property:

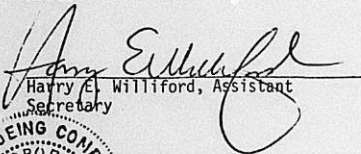
Lot 1, Block A, BMAC Employee Activity Center, Sedgwick County, Kansas.

The applicant agrees to abide by the established rules and regulations of the Wichita Water Department now in force, or which may hereafter be enacted or adopted by said Department of the City of Wichita, Kansas, and to pay for service at the established rate, all in accordance with Section 17 of Code of the City of Wichita, or as amended. The applicant further agrees to acquire a plumbing permit from the City of Wichita; to have the service line installed by a plumber licensed by the City using City approved materials and installation methods.

The undersigned agrees not to transfer title to the above premises or any portion thereof without notifying the purchaser of the existence of this application, but failures of purchasers of above property or any portion thereof to have actual notice of this application shall in no way diminish or enlarge the rights or obligations imposed hereunder.

The undersigned agrees that upon failure to comply with the terms of this agreement and permit, the covered service may be denied to the property above described and said service may be terminated without notice, all in accordance with the ordinance and regulations of the City. This remedy is in addition to all other legal remedies available to the City to assure full compliance with this agreement and permit.

ATTEST


Harry E. Williford, Assistant
Secretary

THE BOEING COMPANY

By: 
E. B. Robrahn, Attorney



If a corporation, attested by the Secretary. See acknowledgment attached.

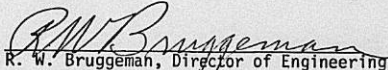
APPROVED AS TO FORM:


John Dekker, Director of Law

APPROVED BY:


John D. Wynkoop, Director of Water
and Water Pollution Control


Robert A. Lakin, Director of Planning


R. W. Bruggeman, Director of Engineering

ATTEST:

Donald C. Gisick, City Clerk

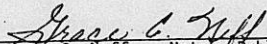
AUTHORIZED BY:

Mayor

STATE OF KANSAS, SEDGWICK COUNTY, SS:

BE IT REMEMBERED, that on this 5th day of May, 1981, personally appeared before me, a Notary Public in and for the County and State aforesaid, E. B. Robrahn, Attorney for The Boeing Company, and Harry E. Williford, Assistant Secretary of The Boeing Company, to me personally known to be the same person(s) who executed the foregoing instrument of writing and duly acknowledged the execution of the same for and on behalf, and as the act and deed of said company.

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


Grace C. Neff - Notary Public

My Appointment Expires: Oct. 25, 1984



THIS DECLARATION made this 5th day of May, 19 81, by THE BOEING COMPANY hereinafter called the Grantor.

WITNESSETH

WHEREAS, Grantor is owner of:

Lot 1, Block A, BMAC Employee Activity Center, Sedgwick County, Kansas

and

WHEREAS, the undersigned wishes to obtain water service from the City of Wichita, and whereas it is recognized that at some time in the future there will be a need to replace individual sewerage treatment systems with adequate public sewerage treatment facilities:

NOW, THEREFORE, Grantor hereby declares and covenants to provide sewer service to land described above when and in the manner required by the Wichita-Sedgwick County Department of Community Health (or their successor in interest), when it is determined feasible, necessary or desirable, and is in accord with an adopted sewer plan for the area in which the above land is located.

This covenant is binding on the owner, their heirs or successors or assigns, and is a covenant running with the land and is binding until fulfilled on all successors in title to the above described property when recorded with the Register of Deeds in the County in which the land is located.

EXECUTED the day and year first above written.

THE BOEING COMPANY

MICROFILMED OF RECORD

STATE OF KANSAS SEDGWICK COUNTY FILED FOR RECORD MAY 8 1981

State of Kansas) Sedgwick County)

NO. 5 37221 BETTE F. McCART SS REGISTER OF DEEDS

By: E. B. Robrahn E. B. Robrahn, Attorney

Sat Kettler Deputy

Personally appeared before me a Notary Public in and for the County and State aforesaid E. B. Robrahn

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

Dated at Wichita, Kansas, this 5th day of May, 19 81.

Grace C. Neff Notary Public - Grace C. Neff



Ralph Zell Water Department, City Hall

CITY OF WICHITA, KANSAS

APPLICATION

FOR OUT-OF-CITY SERVICE BY
CITY OF WICHITA

, AGREEMENTS AND COVENANTS

AND RELATED PETITION:

Application is hereby made to the City of Wichita for sewerage service to serve the following described property:

Lot 1, Block A, BMAC Employee Activity Center, Sedgwick County, Kansas

Owner: _____

The primary use of the above described property is of the type or types indicated below:

- Residential property (buildings used as dwellings only)
Number of families living in above residential property ()
- Commercial property (non-residential buildings used for other than the manufacturing of salable products)
- Industrial property (buildings used for the manufacture and processing of salable products)
- Other property (explain): Recreational

The undersigned covenants and agrees as follows:

1. To connect to the sewer system of the City at a point or points designated by the City in accordance with plans and specifications approved by the Director of Engineering and the current sewer ordinances of the City, and subject to inspection by the Superintendent of Central Inspection.
2. To discharge into the City sanitary sewer system only ordinary sanitary wastes and to discharge no toxic or hazardous pollutants, radioactive materials, corrosive, or abrasive matter, air conditioning water, surface or building drainage, any sewage prohibited by current sewer ordinances, or any sewage other than that being discharged at the time of this application, without the written consent of the City.
3. It is further stipulated and agreed that all sewer lines on said land and all connections to the sanitary sewer system of the City shall be maintained in good repair during the time this agreement and permit is in force and effect and that, if the City does not have ownership of these sewer facilities, the City will not be responsible for maintaining

said sewer facilities serving the above described property. However, should the services of the City be desired and the City consents to perform such services, it is agreed that the applicant will pay all actual costs incurred by the City in performing such services.

4. The undersigned hereby releases, indemnifies, and agrees to hold harmless the said City and all its agents and employees from any claim for damages to persons or property of every kind of character arising or claimed to arise by reason of this application and permit.
5. The undersigned agrees not to transfer title to the above premises or any portion thereof without notifying the purchaser of the existence of this application and permit, but failures of purchasers of above-described property or any portion thereof to have actual notice of this application and permit shall in no way diminish or enlarge the rights or obligations imposed hereunder.
6. The undersigned agrees that upon failure to comply with the terms of this agreement and permit, the covered service may be denied to the property above described and said service may be terminated without notice, all in accordance with the ordinance and regulations of the City. This remedy is in addition to all other legal remedies available to the City to assure full compliance with this agreement and permit.
7. The foregoing petition and covenants are hereby made binding on all heirs, successors and assigns and constitute covenants to run with the land and shall not be withdrawn without the consent of the City of Wichita; and in the event such consent is given, said services above may be terminated at the option of the City of Wichita.

Executed at Wichita, Kansas, this 18th day of May, 19 81 .

THE UNDERSIGNED: (Fill in lines applicable)

(Name-Typed)

(Name-Typed)

(If an individual, application must be signed by husband and wife, if there be such) (See acknowledgment attached)

A PARTNERSHIP

By _____
(Name-Typed)

(If a partnership, all partners must sign or if only one partner signs, proof of partnership authority by other partners must be attached) (See form of acknowledgment on attached sheet)

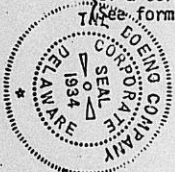
THE BOEING COMPANY
A CORPORATION

By E. B. Robrahn
(Name-Typed)
E. B. Robrahn, Attorney

ATTEST:

John E. Williford
(Name-Typed)
Harry E. Williford, Assistant Secretary

(If a corporation it must be signed by the President and attested by the Secretary)
(See form of acknowledgment on attached sheet)



APPROVED BY:

John B. Wynkoop
John B. Wynkoop, Director of Water
and Water Pollution Control

Robert A. Lakin
Robert A. Lakin, Director of Planning

R. W. Bruggeman
R. W. Bruggeman, Director of Engineering

In consideration of the above and foregoing application, and pursuant to the terms of such application and by virtue of the authority granted by ordinances of the City of Wichita, Kansas, the applicant is hereby granted a revocable permit to discharge sewage into the sanitary sewer system of the City of Wichita, and the fee shall be as provided in Section 16.04.040 of the Code of the City of Wichita, Kansas.

EXECUTED AT WICHITA, KANSAS, this _____ day of _____, 1980, by authority of the Board of Commissioners of the City of Wichita.

CITY OF WICHITA, KANSAS

Mayor

STATE OF KANSAS, SEDGWICK COUNTY, SS:

BE IT REMEMBERED, that on this _____ day of _____, 19____, personally appeared before me, a Notary Public in and for the County and State aforesaid, _____, husband and wife, to me personally known to be the same person(s) who executed the foregoing instrument of writing and duly acknowledged the execution thereof.

Notary Public

My Appointment Expires: _____

STATE OF KANSAS, SEDGWICK COUNTY, SS:

BE IT REMEMBERED, that on this _____ day of _____, 19____, personally appeared before me, a Notary Public in and for the County and State aforesaid, _____, being all of the partners of _____, a Co-partnership, to be personally known to be the same person(s) who executed the foregoing instrument of writing and duly acknowledged the execution thereof.

Notary Public

My Appointment Expires: _____

STATE OF KANSAS, SEDGWICK COUNTY, SS:

BE IT REMEMBERED, that on this 18th day of May, 1981, personally appeared before me, a Notary Public in and for the County and State aforesaid, E. B. Robrahn, Attorney for The Boeing Company, and Harry F. Williford, Assistant Secretary of The Boeing Company, to me personally known to be the same person(s) who executed the foregoing instrument of writing and duly acknowledged the execution of the same, for and on behalf and as the act and deed of said company.

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

Grace C. Neff
Grace C. Neff Notary Public

My Appointment Expires: Oct. 25, 1984



RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING BMAC EMPLOYEE
ACTIVITY CENTER ADDITION

THIS DECLARATION made this 5th day of May, 1981 by
THE BOEING COMPANY, hereinafter called the Grantor.

WITNESSETH

WHEREAS, Grantor is owner of Lot 1, Block A, BMAC Employee Activity
Center Addition to Sedgwick County, Kansas, which property
is located near McCConnell Air Force Base and is accordingly
subject to considerable noise from the operation of aircraft, and
is exposed at times to aircraft noise which may infringe upon a
resident's enjoyment of property and may, depending upon the degree
of accoustical treatment of the dwelling, affect his health and/or
well being, and

WHEREAS, the City of Wichita in connection with approval of
the plat of said addition considers it to be in the public interest
to require any buildings constructed on said addition to be designed
and constructed giving proper consideration to noise pollution in
the area:

NOW THEREFORE, Grantor, hereby declares that BMAC Employee
Addition, shall be and the same is subjected to the following re-
strictive covenant, to-wit:

Any building constructed on the premises
shall be so designed and constructed as
to minimize noise pollution in any such
structure, giving due consideration to
the use for which such structure is de-
signed and built. This covenant is for
the benefit of said property and shall
run with the land and shall inure to the
benefit of and pass with said property
and shall apply to and bind the successors
in interest and any owner thereof.

EXECUTED the date and year first above written.

THE BOEING COMPANY

By: E. B. Robrahn

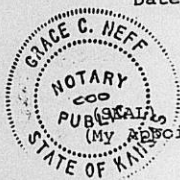
E. B. Robrahn, Attorney

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the
County and State aforesaid E. B. Robrahn

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

Dated at Wichita, Kansas, this 5th day of May, 1981.



Grace C. Neff
Notary Public
Grace C. Neff

(My Appointment expires Oct. 25, 1984)

CERTIFICATE

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

I, The Boeing Company, owner of
(give name of proposed plat, if appropriate) _____
BMAC Employee Activity Center, Sedgwick County, Kansas

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

- 1. Sanitary Sewer
- 2. ----0-----
- 3. ----0-----
- 4. ----0-----
- 5. ----0-----
- 6. ----0-----
- 7. ----0-----

As a result of the above-mentioned petitions for
improvements, lots or portions thereof within BMAC Employee
Activity Center Addition may be subject to special
assessments assessed thereto for the cost of constructing the
above-described improvements.

Signed this 5th day of May, 19 81.

THE BOEING COMPANY

By: E. B. Robrahn

E. B. Robrahn, Attorney

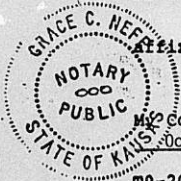
City of Wichita)
Sedgwick County) ss
State of Kansas)

Be it remembered that on this 5th day of May,
19 81, before me, a notary public in and for said County and State,
came E. B. Robrahn, to me personally
known to be the same person who executed the foregoing instrument
of writing and duly acknowledged the execution of same.

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

Grace C. Neff
Notary Public - Grace C. Neff

My Commission Expires:
Oct. 25, 1984



BOEING MILITARY AIRPLANE COMPANY
A Division of The Boeing Company Wichita, Kansas 67210

RECEIVED

MAY 22 1981

METROPOLITAN PLANNING
ROUTE Louise

May 20, 1981
3-1052-7-98

Ms. Louise Oliveras
Metropolitan Area Planning Dept.
City of Wichita
455 N. Main
Wichita, Kansas 67202

SUBJECT: PLATT BMAC ACTIVITY CENTER

Dear Ms. Oliveras:

Please find enclosed a copy of The Boeing Company Delegation of Authority, which has been extended to June 30, 1981. The other documentation you have is still in effect, since there has been no rescison or update by the Board of Directors.

If you have any questions, please advise.

Very truly yours,

BOEING MILITARY AIRPLANE COMPANY
A Division of The Boeing Company


Rob Sweatt
Attorney

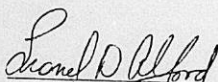
Enc. (1 w/orig.)
Delegation of Authority

BOEING COMPANY
DELEGATION OF AUTHORITY

L. D. Alford and W. H. Albrecht, acting pursuant to the resolution adopted by the Board of Directors of The Boeing Company at a meeting duly held on 5 May 1980, do hereby delegate to the person named below the authority to commit The Boeing Company acting through the Boeing Military Airplane Company, A Division of The Boeing Company, to the purchase, sale or lease, as lessor or lessee, or as a participant in any such transaction, of real or personal property, tangible or intangible, of products or services, to extend credit or guarantee obligations of customers in connection with any such sale or lease to execute contracts, leases, deeds, bills of sale, easements, trust agreements, bonds, guarantees, indemnities, releases, licenses, permits, and applications for patents, copyrights, trade marks and trade names, and other instruments with respect to any of the foregoing: E. B. Robrahn.

The authority herein delegated shall be effective as of 12 May 1981 and remain in full force and effect through 30 June 1981, unless earlier revoked in writing in whole or in part by any one of the individuals named in the aforesaid resolution of the Board of Directors.

Dated this 12th day of May 1981


L. D. Alford


W. H. Albrecht

5-12-81 Contracts:cw
Orig: Contracts File
cc: E. B. Robrahn - K11-60
L. D. Alford - K15-15
B. N. Lancaster - K15-30
H. E. Williford - K15-25
W. H. Albrecht - K11-53
F. B. Wallace - K11-53
DET 21 - Chief of Contract Adm. Div. - K15-20 (3)

BOEING MILITARY AIRPLANE COMPANY

A Division of The Boeing Company Wichita, Kansas 67210

May 15, 1981
3-1052-7-97

RECEIVED

MAY 18 1981
METROPOLITAN PLANNING
ROUTE Louise

Mr. Don Schneider
City Engineering Department
7th Floor - City Hall
Wichita, Kansas 67202

SUBJECT: BMAC EMPLOYEE ACTIVITY CENTER

Dear Mr. Schneider:

Enclosed is the copy of the written permission from the Gas Service Company concerning crossing their easement with a Sanitary Sewer Service line in connection with the BMAC Employees Activity Center plat.

Very truly yours,

BOEING MILITARY AIRPLANE COMPANY
A Division of The Boeing Company


Rob Sweatt
Attorney

Enc. (1 w/orig.)

cc: Ms. Louise Olivarez
Senior Planner
Metropolitan Area Planning Department
10th Floor - City Hall
Wichita, Kansas 67202

Mr. Wilmer Freund
412 Century Plaza
Wichita, Kansas 67202



ADDRESSES REPLY TO
WICHITA, KANSAS DIVI
12 NORTH MARKET
P.O. BOX 2101
WICHITA, KANSAS 67281

May 13, 1981

Mr. E.B. Robrahn, Attorney
The Boeing Company
3801 S. Oliver
Wichita, Kansas 67221

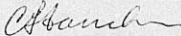
Re: BMAC Employee Activity Cent

Dear Sir:

This is to advise that THE GAS SERVICE COMPANY has no objection to the installation of a private 6" Sanitary Sewer service across our easement adjacent to Oliver St. as shown on the plat of the BMAC Employee Activity Center.

We desire that a minimum of 12" clearance be maintained between our gas main and this proposed sewer. If less clearance is desired please coordinate with Gas Service before installation of the sewer.

Very truly yours,
THE GAS SERVICE COMPANY


C.L. Fauchier
Division Superintendent

EW/cr

Distributor

LAW OFFICES

FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER
BROADWAY AT DOUGLAS

WICHITA, KANSAS 67202
(316) 267-6371

May 12, 1981

TITLE OPINION

GEORGE B. POWERS
JOHN F. EBERHARDT
ROBERT C. FOULSTON
MALCOLM MILLER
ROBERT H. PARTRIDGE
ROBERT M. SIEFKIN
RICHARD C. HARRIS
GERALD SAWATSKY
ROBERT L. HOWARD
CHARLES J. WOODIN
MICHEL L. STOUT
BENJAMIN C. LANGEL
JERRY G. ELLIOTT
WILLIAM H. OYE
PHILIP B. FRICK
STANLEY G. ANDEEL
FREDERICK L. HAAG
RICHARD D. EWY
DARNELL L. WARTA

WILLIAM R. SAMPSON
HARVEY R. SOREENSEN
CHRISTOPHER P. CHRISTIAN
MICHAEL KIM MOORE
JAMES M. ARMSTRONG
MARY KATHLEEN PARCOCK
CHARLES P. SPFLANDT
JAMES D. OLIVER
M. KAY ROYCE
NICHOLAS S. DAILY
LINDA K. CONSTABLE
LARRY G. PAPP
B. DOUGLAS REAGAN
GLORIA G. FLENTJE
MARK G. AYSEH
JAY F. FOWLER
RICHARD C. MORRIS
E. EUGENE CLARK
NOLA TEDESCO

5-15-81
ROBERT C. FOULSTON (1889-1942)
GEORGE SIEFKIN (1890-1952)

COUNSEL
STUART R. CARTER

WICHITA - SEDGWICK COUNTY METROPOLITAN
AREA PLANNING COMMISSION:

RE: Plat of BMAC Employee Activity Center

This is to certify that we have examined the
referenced instruments covering the following described
property and report upon title herein as follows:

PROPERTY:

All that part of the Northwest Quarter
(NW/4) of Section Twelve (12), Township
Twenty-eight (28) South, Range One (1)
East of the 6th P.M., lying North and West
of the Northerly Right-of-Way line of Defense
Railroad, said Northerly Right-of-Way line
described as: Beginning at a point on the
North line of the said Northwest Quarter of
Section Twelve (12), said point being Twenty-
one Hundred Twenty-two and Ninety-five
Hundredths (2122.95) feet East of the North-
west Corner of said Northwest Quarter, thence
West-Southwest with an angle to the section
line of 14°34'06", a distance of Seven Hundred
Eighty-eight and Twenty Hundredths (788.20)
feet to point of curve; thence on a curve to
the left having delta angle of 36°36'12" and
radius of Six Hundred Sixty-four and Ninety-two
Hundredths (664.92) feet a distance of Four
Hundred Twenty-four and Seventy-eight Hundredths
(424.78) feet to point of tangency; thence
Southwesterly a distance of Eight Hundred Nine
and Twenty-six Hundredths (809.26) feet to point

of curve; thence on a curve to the right having delta angle of 51°21'00" and radius of Five Hundred Forty-two and Five Hundredths (542.05) feet a distance of Four Hundred Eighty-five and Eighty Hundredths (485.80) feet to point of tangency; thence West a distance of Ninety-five and Forty-five Hundredths (95.45) feet to a point on the West line of said Northwest Quarter (NW/4) of Section Twelve (12), said point being Twelve Hundred Fifty-seven and Thirty-five Hundredths (1257.35) feet South of the Northwest Corner of the Northwest Quarter (NW/4) of Section Twelve (12), Township Twenty-eight (28) South, Range One (1) East of the 6th P.M., Sedgwick County, Kansas.

INSTRUMENTS EXAMINED:

- (1) Original abstract of title covering captioned and other land, prepared by various abstracters but last certified by The Security Abstract and Title Co., Inc., and certifying title from inception thereof to December 27, 1979, at 7:00 o'clock a.m.
- (2) Supplemental abstract of title covering captioned and other land, prepared by The Security Abstract and Title Co., Inc., and certifying title from last date to February 1, 1980, at 7:00 o'clock a.m.
- (3) Supplemental abstract of title covering captioned and other land, prepared by The Security Abstract and Title Co., Inc., and certifying title from last date to April 13, 1981, at 7:00 o'clock a.m.

Wichita-Sedgwick County Metropolitan
Area Planning Commission
Page Three

FEE SIMPLE TITLE:

From our examination of the above instruments, we are of the opinion that title to the captioned property is vested in:

THE BOEING COMPANY (as lessee with an option to purchase under Industrial Revenue Bonds) and with legal title in the City of Wichita, a municipal corporation.

LIENS AND ENCUMBRANCES:

None

TAXES:

Taxes for the year 1980 and prior years are paid or exempt.

COMMENT AND REQUIREMENTS:

None

Title is satisfactory for platting by The Boeing Company with consent thereto by the City of Wichita.

Respectfully submitted, .

Richard C. Harris

Richard C. Harris

of FOULSTON, SIEFKIN, POWERS & EBERHARDT

RCH:jc



DELAMATER, FREUND & ASSOCIATES, P.A.

ENGINEERS & ARCHITECTS

received
5-13-81

May 8, 1981

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Department
10th. Floor - City Hall
455 North Main
Wichita, Kansas 67202

Attention: Louise Olivarez, Senior Planner

InRe: BMAC EMPLOYEE ACTIVITY CENTER
S/D 81-39

Dear Ms. Olivarez:

This date we have transmitted to you the signed tracing for BMAC Employee Activity Center along with an executed avigational easement and associated restrictive covenant, and a certificate listing the petitions for sanitary sewer and municipal water which have been filed in connection with this development.

For your information, this date we have filed a ~~petition~~ *no petition filed* *the city service filed* *application for outside-* outside the city limits minus the annexation clause and the associated restrictive covenant with Mr. Ralph Hull with the water department. One copy of the restrictive covenant was also filed with the Register of Deeds at the courthouse, copy which will be returned after filing to Mr. Ralph Hull.

A petition for construction of a sanitary sewer to serve the subject plat has been filed with the city clerk and handed to the city engineer's office. The title opinion to accompany the plat and the petition will be forthcoming hopefully by May 12 or 13, one copy each to the Engineering Department to accompany the sewer petition and one copy to your office to accompany the plat tracing.

The application for Permit to construct the sanitary sewer in connection with this development is presently being processed through the Sedgwick County Department of Public Works. This application will be approved by the county commission on Wednesday, May 20.

We understand it is necessary also to file an application for outside-the-city sewer service minus the annexation clause. This matter is being attended to and should be in your office by the 13th. or 14th. of May.

All other items of your letter dated May 1, 1981, with the exception of Items G and H, have been properly handled. Item G, requiring an easement for sanitary sewer is not necessary due to location of the sewer in public

need
Schneider?
OK on
this

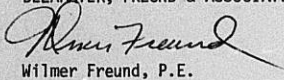
Page 2
Louise Olivarez
May 8, 1981

right-of-way along Oliver Street and across 31st. Street South. A copy of that proposed sanitary sewer layout is attached.

We will appreciate your scheduling this for City Commission approval on June 2 in order that we can have the plat recorded at the Register of Deed's office as soon after that date as possible. We appreciate all of the cooperation and advice you have given to assist us in expediting this development.

Very truly yours,

DELAMATER, FREUND & ASSOCIATES, P.A.



Wilmer Freund, P.E.

415-F

cc: Sherri Benham
Boeing Military Airplane Company

WF:ct

May 7, 1981

Delamater, Freund and Associates, P.A.
Suite 412
111 West Douglas
Wichita, Kansas 67202

Re: S/D 81-39 - Final Plat of B M A C
Employee Activity Center

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, May 7, 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 May 1, 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:

- 5-8 1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 5-15 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 platator.
- 5-15 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

L0:jps

cc: Boeing Military Airplane Company
Attention: F. B. Robrahn, Div. Counsel
3801 South Oliver, 67221

May 1, 1981

Delamater, Freund and Associates, P.A.
Suite 412
111 W. Douglas
Wichita, Ks. 67202

Re: S/D 81-39 - Final plat of B M A C EMPLOYEE ACTIVITY CENTER

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on April 30, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The applicant's drainage plan has been approved. The required drainage improvements will need to be made before a building permit can be obtained.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the proposed lot and submit an application for outside-the-City sewer service, minus the annexation clause. *petition to Reg. 5-8-81 application to Bremer 5-18-81*
- C. The applicant shall submit an application for outside-the-City water service, minus the annexation clause. *application to Hull 5-8-81*
- D. The existing access drive which exits onto 31st Street within an area of complete access control shall be closed prior to the issuance of any building permits on this site.
- E. The dedication of abutter's access rights referenced in the plat's text shall be amended to read that the rights of access are granted to "the appropriate governing body" and that allowed access points are to be determined by "the appropriate engineer."
- F. The applicant shall submit the standard avigational easement and associated restrictive covenant for this property. *5-8*
- OK* G. An easement for the sanitary sewer shall be shown on the final plat tracing. *Because Gas Service Co has given BMAC authority to cross the gas permit with their private sewer line, Don Schneider has said (5-19-81) there is no need for a sewer permit on this plat.*

Delamater, Freund and Associates, P.A.
5-1-81
Page 2

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

Enclosed with the applicant's copy of this letter is a list of the
five methods which have been adopted as being acceptable for guarantee-
ing improvements required in the approval of plats. The certificate
will be required if petitions are submitted. Forms for the bond and
irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information
and files.

This matter will be forwarded to the Planning Commission for its considera-
tion on Thursday, May 7, 1981 at 1:30 p.m. If you should have any
questions concerning this matter, please call.

Sincerely,

Louise Olivarez
Senior Planner

LO:bh

cc: Boeing Military Airplane Company
Attention: E.B. Robrahn, Div. Counsel
3801 S. Oliver, 67221

Andy Harkness, County Dept. of Public Works
Mike Lindebak, City Engineering

Final plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 81-39 Name B M A C Employee Activity Center
Date Application Rec'd. 4-17-81 Preliminary Approval _____
Scheduled S/D Meeting 4-30-81

DESCRIPTION

General Location Southeast corner of Oliver & 31st St. South

Owner Boeing Military Airplane Company
Surveyor/Engineer Delamater, Freund and Associates
Address Suite 412, 111 W. Douglas Phone 263-6121

- | | | | |
|---|--------------------------|--|-----------------|
| 1. Gross Acreage of Plat | <u>26.8</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>75</u> R/W <u>425</u> ft. | |
| Residential | _____ | b. <u>50</u> R/W <u>3040</u> ft. | |
| Commercial | _____ | c. _____ R/W _____ ft. | |
| Industrial | <u>1</u> | d. _____ R/W _____ ft. | |
| Other | _____ | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>1</u> | TOTAL | <u>3465</u> ft. |
| 3. Minimum Lot Frontage | <u>1182</u> ft. | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>993,692.9</u> sq. ft. | streets? <u>yes</u> <u>x</u> <u>no</u> | |
| 5. Existing Zoning | <u>E</u> | | |
| 6. Proposed Zoning | <u>E</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) _____ (Yes-No) | | | |
| 12. City of Wichita _____: Three-Mile Area <u>X</u> | | | |

STAFF COMMENTS:

- A. The representative from the Department of County Public Works should be prepared to comment on the status of the applicant's drainage plan and state if any drainage guarantees are required by the platting of this property.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the proposed lot and submit an application for outside-the-City sewer service, minus the annexation clause.
- C. The applicant shall submit an application for outside-the-City water service, minus the annexation clause.
- D. The applicant shall guarantee the closing of the existing driveway to 31st Street which exists within an area of "complete access control."
- E. The dedication of abutter's access rights referenced in the platting's text shall be amended to read that the rights of access are granted to "the appropriate governing body" and that allowed access points are to be determined by "the appropriate engineer."
- F. The AICUZ report indicates that this property is subject to a noise exposure of between 75 and 80 Ldn. The report recommends against use of the property for outdoor recreation and recommends that buildings used for indoor recreation be constructed to reduce the noise exposure by 30 decibels. The applicant shall submit the standard avigational easement and associated restrictive covenant for this property.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

NOTE: This plat is submitted in final form only. The Utility Advisory Committee should be prepared to comment on existing utilities and other various improvements, or discuss the feasibility of the applicant extending and/or installing same.

Map No.: 5843
Section No.: 12
Twp. No.: 28
Range: 1E

S/D No. 81-39

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: B M A C EMPLOYEE ACTIVITY CENTER

General Location: NW⁴ Sec 12, 28S, 1E South side of 31st. St. So. and East of Oliver

Name of Property Owner: Boeing Military Airplane Company aka: E.B. Robrahn, Division Counsel
Address: 3801 South Oliver - Wichita, Kansas 67221 Phone: 526-3464

Name of Subdivider: same Phone: _____
Address: _____

Name of Agent/Surveyor: Delamater, Freund & Associates, P.A. Suite 412
Address: 412 Century Plaza - Wichita, KS 111 W. Douglas Phone: 263-6121

Date of Application: 4-17-81

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 26.8
2. Number of Lots:
 - Residential _____
 - Commercial one
 - Industrial me
 - Other _____Total Number of Lots one
3. Minimum Lot Frontage 1182 ft.
4. Minimum Lot Area 993,692.9 sq ft.
5. Existing Zoning Light Ind. E
6. Proposed Zoning E
7. Lineal Feet of New Streets:
 - a. 425 R/W 75 ft.
 - b. 3040 R/W 50 ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL _____ ft.
8. Sidewalk adjacent to streets? yes no
9. Public Water Supply (Yes-No), Name Wichita Water Dept.
10. Public Sanitary Sewers (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) _____ Yes No
12. City of Wichita Three-Mile Area

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

Boeing Military Airplane Company

Owner's Signature: By E.B. Robrahn
E.B. Robrahn, Division Counsel

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

Received by L.O.
Date 4-17-81
Fee Submitted 314⁰⁰

T9-301B
(2-71)

415-F

22.8 Ac



DELAMATER, FREUND & ASSOCIATES, P.A.

ENGINEERS & ARCHITECTS

April 17, 1981

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Department
10th. Floor - City Hall
455 N. Main
Wichita, Kansas 67202

Attention: Mr. Forrest Nagley
Junior Planner

In Re: BMAC Employee Activity Center

Dear Mr. Nagley:

We are submitting herewith twenty-five (25) prints each of the preliminary and final plat for the above referenced subdivision. We are also submitting the application for subdivision approval along with a draft in the amount of \$314 to cover the plat application fee.

The platting of this property was discussed at your offices on Friday, April 10. The reason for submitting the preliminary and final plat concurrently is because of construction schedules. We believe that the plat incorporates everything which we discussed at the meeting on April 10 with one revision, that being the provision for one opening on 31st. South across the north line of the plat.

The drainage concept and plan is being carefully coordinated with the Sedgwick County Department of Public Works. The final drainage plan should be completed the early part of next week and will be submitted to that department for their final review and approval.

Each of the utility companies involved, Kansas Gas and Electric Company, Southwestern Bell Telephone Company and Gas Service Company, have been furnished prints of the preliminary plat for their comments concerning necessary utility easements. Boeing Engineers are also conferring with Wichita Water Department and the City of Wichita concerning municipal water and sanitary sewer service.

We will appreciate this matter being placed on the subdivision committee agenda for Thursday, April 30, to discuss both the preliminary and final plat in order that we may proceed as expeditiously as possible. We

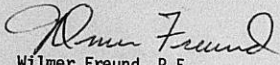
continued -

Page 2
Forrest Nagley
April 17, 1981

appreciate the cooperation you and the staff have given us on this matter. Should any of the subdivision committee members have questions, please ask them to contact us prior to the subdivision committee meeting in order that we may resolve any problems before that time.

Very truly yours,

DELAMATER, FREUND & ASSOCIATES, P.A.


Wilmer Freund, P.E.

cc: Mr. R.D. Scherer, P.E.
BE&C Engineers

Mr. Rob Sweatt
Attorney, BMAC

415-F

WF:ct

FORM 29 1

PAYMENT NOTICE
City of Wichita

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

| DESCRIPTION | AMOUNT |
|-------------|-------------------|
| | 314 ⁰⁰ |

NAME _____

ADDRESS _____

FUND _____ DUE DATE _____

COMMENTS _____

DATE _____ BY _____