

Please call if you have any questions.

Sincerely,



R. Timothy Bickhaus
Associate Planner

RTB:sm

cc: Immanuel Baptist Church, 1415 Emporia, Wichita, KS 67211
Don Folger, 234 S. Topeka, Wichita, KS 67202
Harold A. Coon, Norma Lee Coon, c/o Norma L. Showman
1149 Greenwood, Wichita, KS 67211
Bryson E. Mills, 1359 S. Broadway, Wichita, KS 67211
Xon Lowell Melvin Fesler, Virginia L. Fesler, 1352 S.
Market, Wichita, KS 67211
Paul E. Jamison, 1359 S. Emporia, Wichita, KS 67211
Unified School Dist. No. 259, 217 N. Water, Wichita, KS
67202
Leonard R. Frederick, c/o Iris Koehn, 401 University,
Wichita, KS 67213-6702
Jack McDermott, 7050 Milton Ct., Derby, KS 67037 6702
Leroy Ensign, c/o Julio Vaila, 1240 S. Topeka, Wichita, KS
67211 6702
Hazel J. Jewell, 521 E. Zimmerly, Wichita, KS 67211 6702
Mike Lindebak, City Engineer
Jerry Blain, Sewer Maintenance
Les Staudacher, 1429 S. Emporia, Wichita, KS 67211
Lucille & Robert Berry, 1417 S. Emporia, Wichita, KS 67211



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4561

April 14, 1989

Baughman Co., P.A.
315 Ellis
Wichita, KS 67211

FILE COPY

Re: S/D 89-7 - IMMANUEL BAPTIST CHURCH ADDITION (and vacation of
Zimmerly Street between Broadway and Topeka.)

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on April 13, 1989, the above captioned plat was considered. The action of the Committee was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of April 7, 1989 and the following condition:

Before scheduling this plat for City Council review, the applicant shall submit, by separate instrument, a temporary street easement for the section of Zimmerly proposed for vacation by this plat. This easement shall indicate that Zimmerly will remain open for public use until such time as the street is needed for this site's development and the street is physically closed. This temporary street easement should indicate that upon such closing the easement will terminate. This document shall be submitted to the Planning Department for review and will be recorded with the plat.

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

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
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 real estate taxes for the first half of 1988 and all prior years have been paid.

IMMANUEL BAPTIST CHURCH ADDITION

FINAL PLAT

WICHITA, KANSAS

THIS PLAT APPROVED BY THE SUBDIVISION COMMITTEE ON 7/6/89 SUBJECT TO THE CONDITIONS OF APPROVAL OUTLINED IN OUR LETTER DATED 4/7/89

State of Kansas, Sedgwick County, s.s. We, Baughman Company P.A., Surveyors in aforesaid county and state do hereby certify that we have surveyed and platted, "IMMANUEL BAPTIST CHURCH ADDITION," Wichita, Kansas, and that the accompanying plat is a true and correct exhibit of the property surveyed described as and being a replat of Lots 1, 2, 3 and 4, Zimmerly's Addition in Sedgwick County, Kansas, and Lots 1 through 22, odd and even inclusive, and Reserve A, in A. Klein's Addition to the City of Wichita, Sedgwick County, Kansas, and together with that part of Zimmerly Street lying between the above described lots and reserve. That part of the above described Zimmerly Street and any previous easements are hereby vacated by virtue of K.S.A. 12-512 (b).

This plat of IMMANUEL BAPTIST CHURCH ADDITION, Wichita, Kansas, has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas. Dated this _____ day of _____ 19__.

Wichita-Sedgwick County Metropolitan Area Planning Commission

Sue Crockett Chairman

Marvin S. Krout Secretary

OFFICE COPY
DO NOT REMOVE

Date _____ Baughman Company P.A.

Gregory F. Severns Surveyor

This plat approved and all dedications shown hereon accepted by the City Council of Wichita, Kansas this _____ day of _____ 19__.

Sheldon Kamen Mayor

John Moir City Clerk

Entered on transfer record this _____ day of _____ 19__.

Don Wright County Clerk

Know all men by these presents that we, the undersigned, have caused the land described in the surveyors certificate to be platted into a lot and streets to be known as "IMMANUEL BAPTIST CHURCH ADDITION," Wichita, Kansas. The utility easements are hereby granted as indicated for the construction and maintenance of all public utilities. The streets are hereby dedicated to and for the use of the public. All abutters rights of access to or from Broadway over and across the west line of Lot 1, and to or from Topeka over and across the east line of Lot 1, are hereby granted to the City of Wichita; provided however that Lot 1 shall have 4 points of access to both Broadway and Topeka, as shall be determined by the City Engineer of Wichita, Kansas. The contingent street dedications as indicated, will take effect at each such location upon removal of the involved structure, and this contingent dedication shall not be construed to require such removal.

The Immanuel Baptist Church of Wichita

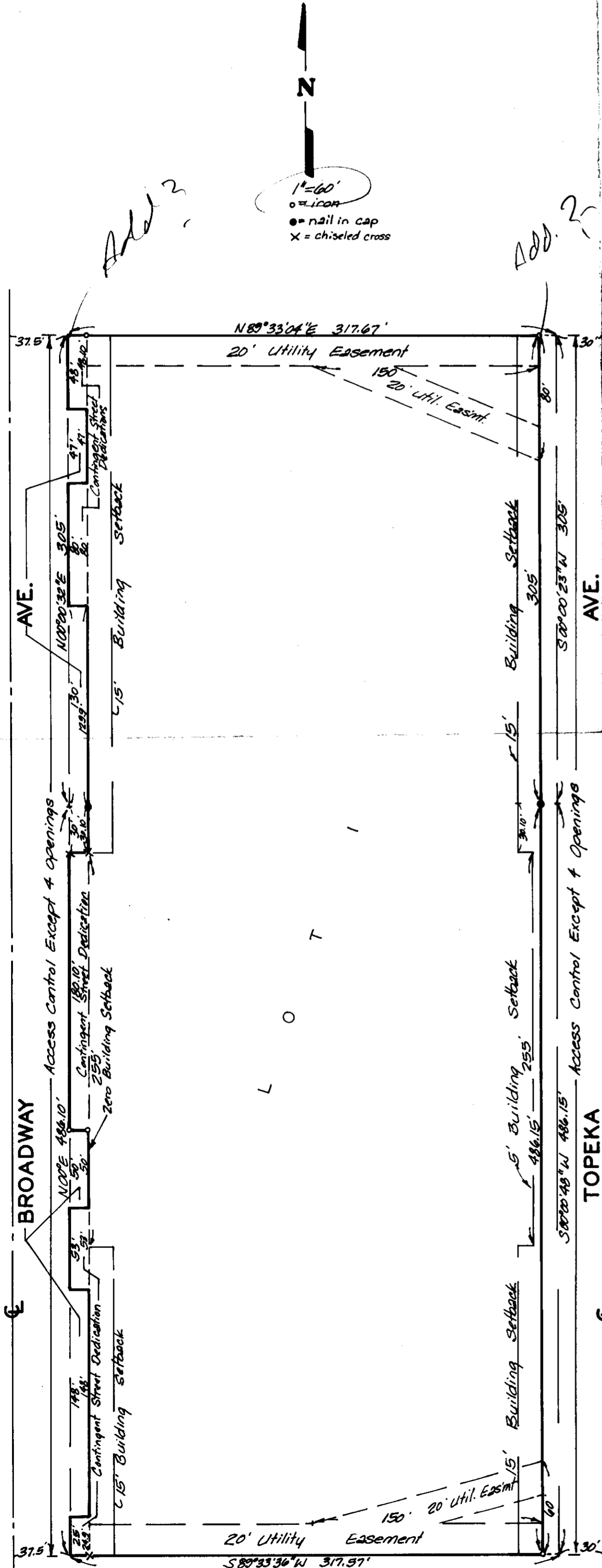
State of Kansas, Sedgwick County, s.s. This is to certify that this plat has been filed for record in the office of the Register of Deeds this _____ day of _____ 19__, at _____ o'clock _____ M; and is duly recorded.

Pat Kettler Register of Deeds

Ed Resa Deputy

State of Kansas, Sedgwick County, s.s. The foregoing instrument was acknowledged before me this _____ day of _____ 19__ by _____ of the Immanuel Baptist Church of Wichita.

My Appt. Exp. _____ Notary Public



- F. The applicant shall either dedicate utility easements to cover those utilities located both within the site (including the area of the alley) and along the section of Zimmerly being vacated or make arrangements for the relocation of these utilities. For water lines, the applicant shall guarantee their relocation and abandonment if easements are not provided. If these water lines are not to be abandoned prior to completion of this plat, temporary easement's shall be provided by separate instrument. These easements shall terminate upon relocation of the involved water lines. This dedication shall be approved by City Engineering and provided, for recording, to the Planning Department with the final plat tracing. For all other utilities, arrangements shall be made with the respective utility companies (K.G. & E., Southwestern Bell, KPL and ARKLA) and letters submitted for the plat file indicating that satisfactory arrangements have been made to relocate any involved utilities.
- G. The final plat tracing shall indicate the amount of additional half-street right-of-way on Broadway and Topeka Avenue being dedicated by this plat.
- H. On the final plat tracing a 5-foot utility easement shall be indicated along the east line of the plat.
- I. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- J. 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.
- K. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- L. Recording of the plat within 30 days after approval by the City Council.

April 13, 1989

STAFF REPORT

(Final Plat Approved 4/6/89; Preliminary Plat Approved 2/23/89)

CASE NUMBER: S/D 89-7 - IMMANUEL BAPTIST CHURCH ADDITION

OWNER/APPLICANT: Immanuel Baptist Church, 1415 S. Emporia,
Wichita, KS 67211

SURVEYOR/ENGINEER: Baughman Co., P.A.

LOCATION: East of Broadway and north of Boston

SITE SIZE: 5.77 Acres

NUMBER OF LOTS

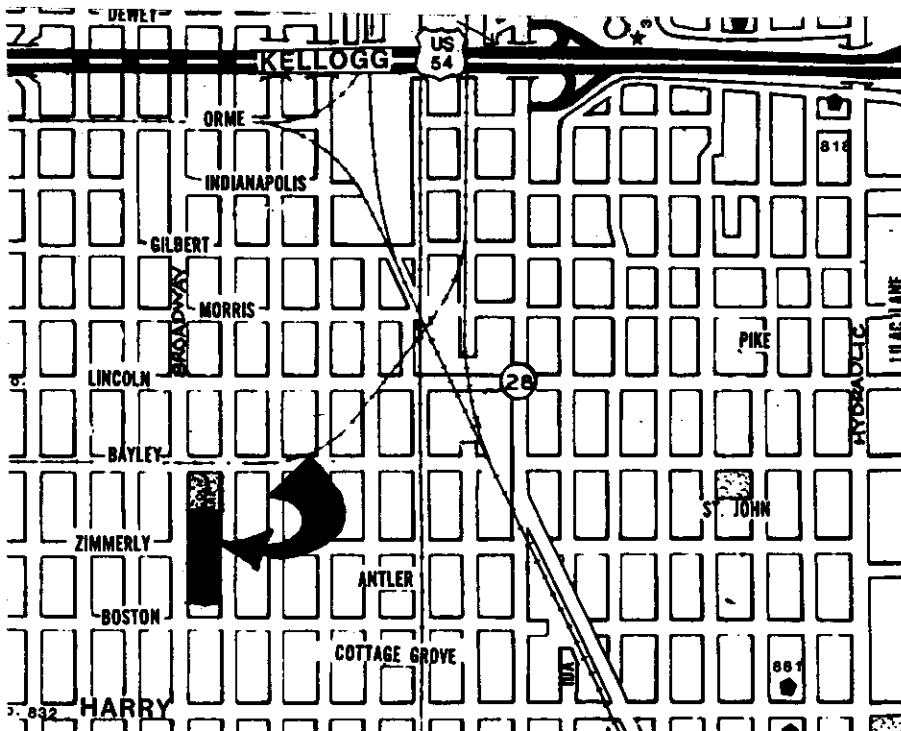
Residential/Commercial: 1
Office:
Industrial:
Total: 1

MINIMUM LOT AREA: 5.77 Acres

CURRENT ZONING: "LC" (west half) and "RB" (east half)



VICINITY MAP:



STAFF COMMENTS:

NOTE: This plat is proposing the vacation of Zimmerly between Broadway and Topeka. Property owners either side of this street one block to the east and west are being notified of this proposal. Numerous homes presently occupy the area of this plat, but these structures are expected to be removed before or shortly after completion of the plat. Zoning for this site is split, with "LC" (light-commercial) for the portion of the site along Broadway and "RB" (four-family) for the other half of the site along Topeka. No request has been made or is being required, however, for a change in this zoning.

- A. The applicant shall guarantee the abandonment and relocation of the sanitary sewer lateral which is not being covered by a utility easement. The final plat shall also indicate any needed utility easements required for this relocation. A temporary easement shall also be provided by separate instrument covering the existing sewer line and indicating that this easement will expire upon relocation of the involved sewer. The applicant shall also contact Sewer Maintenance to enact a hold harmless agreement that would be in affect for as long as the sewer line remains active. A copy of the signed agreement shall be provided for the plat file.
- B. As this plat is proposing the vacation of Zimmerly from Broadway to Topeka, the closure of this street, any associated drainage improvements and the construction of sidewalk across this vacated street, at both the Broadway and Topeka intersections, shall be guaranteed.
- C. The applicant shall guarantee the closure of those driveways in excess of the access control being platted.
- D. Prior to scheduling this case before the City Council, the structure(s) which encroaches into the utility easements being granted must be removed. Once the structure(s) has been removed, a letter so stating shall be submitted from the platting engineer. If these structures are not to be removed prior to completing this plat, the Sewer Maintenance Division shall be contacted to determine if a hold harmless agreement can be enacted to allow these structures to remain in the easements being granted until such time as these easements are needed. If such an agreement is acceptable to Sewer Maintenance a copy of the signed agreement shall be provided to Planning for the file.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.