K. The applicant shall make satisfactory arrangements with Southwestern Bell and K.G.&E. regarding future abandonment of existing utility lines in street right-of-way being vacated. Once arrangements have been made, a letter from the utility companies shall be obtained for the plat file.

L. 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.

M. 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.

N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).

O. Recording of the plat within 30 days after approval by the City Council.

P. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING
COMMISSION

AGENDA ITEM #____

MAY 19, 1988

STAFF REPORT
(Final Plat; Preliminary Approved 5/5/88)

CASE NUMBER: S/D 88-37 - NEW WESTERN 3RD ADDITION

OWNER/APPLICANT: Lindy Andeel, 350 N. Rock Road, Wichita, KS 67206

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: South side of Kellogg and west of Beverly Drive.

SITE SIZE: 2.70 Acres

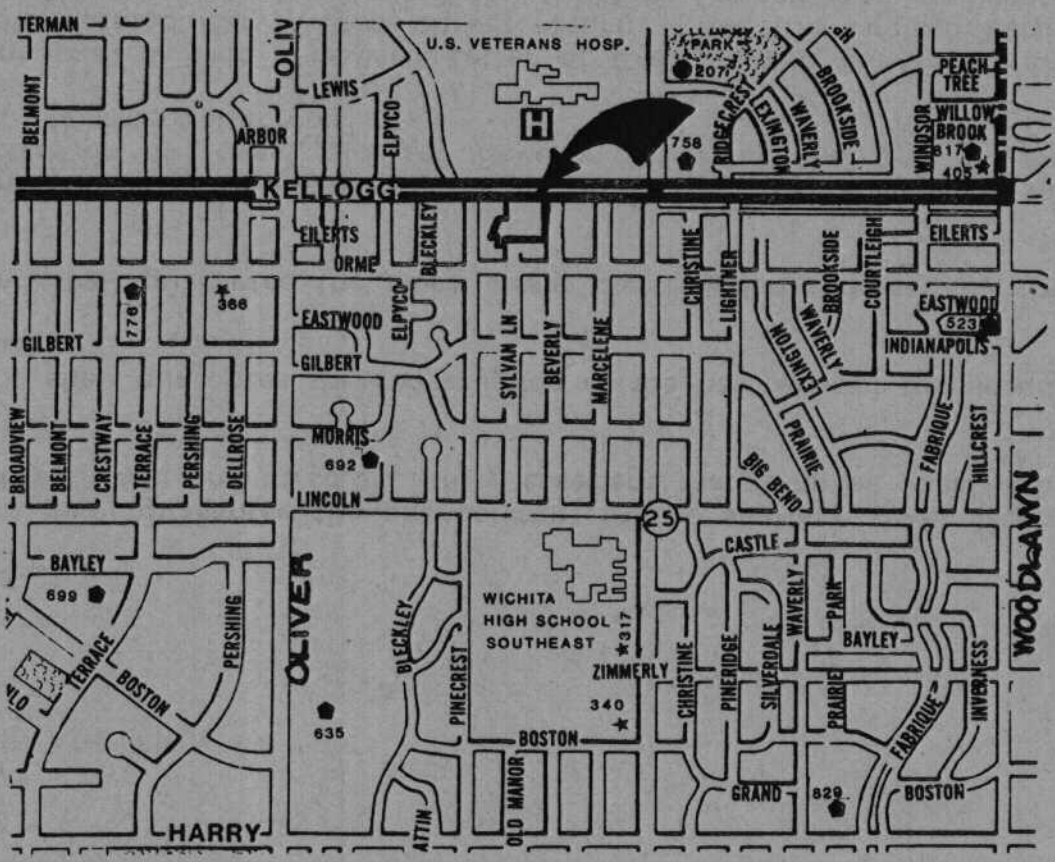
NUMBER OF LOTS:
Residential:
Office:
Commercial: 1
Industrial:
Total: 1

MINIMUM LOT AREA: 2.70 Acres

CURRENT ZONING: "LC" and "RB"

PROPOSED ZONING: "LC" (Z-2902)

VICINITY MAP:



STAFF COMMENTS:

A. The applicant shall guarantee the abandonment of the sanitary sewer lateral existing in the 20-foot, north/south utility easement that is to be vacated by this replat.

B. The applicant shall guarantee the construction of the hammerhead turnaround for Sylvan Lane.

C. The applicant shall guarantee the storm sewer construction required by this plat.

D. The applicant shall submit a sidewalk certificate stating that a sidewalk will be constructed on the west side of Beverly Drive at the time of site development. (commercial zoning)

E. The applicant shall submit a revised Letter of Credit which guarantees the closure of the vacated Marvin Place Street return. After this revised Letter of Credit has been "received and filed" by the City Council, the applicant's existing Letter of Credit #87-29 from Union National Bank of Wichita will be released. This earlier Letter of Credit was obtained with the platting of New Western 2nd Addition.

F. The applicant shall guarantee the closure of one curb cut to Kellogg and one curb cut to Beverly Drive. These guarantees are needed in order to assure that the curb cuts, in excess of the access control being platted, will be closed.

After this guarantee has been "received and filed" by the City Council, the applicant's existing Letter of Credit #85-12B from Union National Bank will be released. This previous guarantee provides for the closure of a curb cut to Kellogg and was submitted in 1985 with the original New Western Addition.

G. The applicant shall guarantee the abandonment of the water line existing in the street right-of-way being vacated by this plat.

H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

I. Unlike the plat of New Western 2nd Addition, this replat does not necessitate the removal of dwelling units from a 64-foot wide drainage and utility easement. Since this is the case, upon the recording of this new plat, staff will be able to release the applicant's existing Letter of Credit #5/87 from City Bank and Trust Company. The existing Letter of Credit guarantees the removal of two dwelling units from the 64-foot drainage and utility easement platted as part of New Western 2nd Addition. This new plat is relocating the subject easement to an area not encroached on by existing structures.

J. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).

OFFICE COPY
DO NOT REMOVE

NEW WESTERN 3RD ADDITION

FINAL PLAT

WICHITA, KANSAS

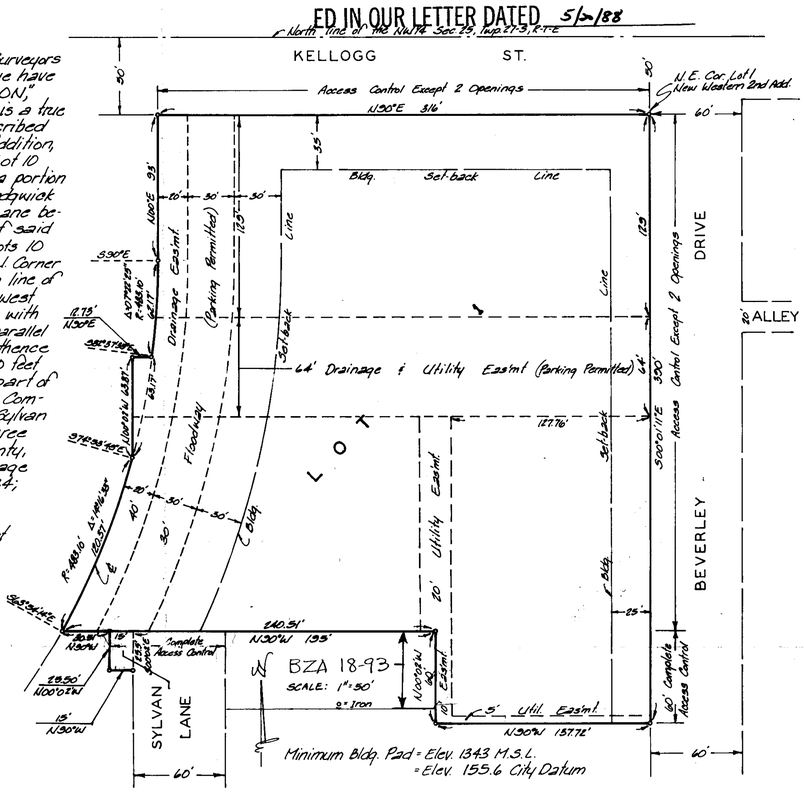
THIS PLAT APPROVED BY THE SUBDIVISION COMMITTEE ON 5/19/88 SUBJECT TO THE CONDITIONS OF APPROVAL OUTLINED IN OUR LETTER DATED 5/20/88

State of Kansas } S.S.
Sedgwick County }

We, Baughman Company, P.A. Surveyors in aforesaid county and state do hereby certify that we have surveyed and platted "NEW WESTERN 3RD 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 Lot 1, New Western 2nd Addition, Wichita, Kansas, together with the north 6 feet of Lot 10 and Lot 11, except the north 25 feet thereof; Replat of a portion of Block Three of Beverley Manor an Addition in Sedgwick County, Kansas, together with that part of Sylvan Lane beginning at a point 6 feet south of the N.W. Corner of said Lot 10; thence north along the west line of said Lots 10 and 11, 50 feet to a point 25 feet south of the N.W. Corner of said Lot 11; thence west parallel with the south line of said Lot 11, 75 feet; thence south parallel with the west line of said Lot 11, 25.5 feet; thence east parallel with the south line of said Lot 11, 13 feet; thence south parallel with the west line of said Lots 11 and 10, 24.5 feet; thence east parallel with the south line of said Lot 11, 60 feet to the place of beginning, and together with that part of Block 3, Beverley Manor, Sedgwick County, Kansas, Commencing at the intersection of the west line of Sylvan Lane as platted in Replat of a portion of Block Three of Beverley Manor an Addition in Sedgwick County, Kansas, and the center-line of a 40 foot drainage easement as recorded in Misc. Bk. 167, at Page 134; thence south along the west line of said Sylvan Lane, 112.13 feet to a point 18.5 feet north of the south line of said Lot 11, extended west to the west line of said Sylvan Lane for a place of beginning; thence continuing south, along the west line of said Sylvan Lane, 24.5 feet to a point 6 feet south of the south line of said Lot 11, extended west to the west line of said Sylvan Lane; thence west parallel with the south line of said Sylvan Lane, 45.51 feet to the center-line of said drainage easement; thence northeasterly along said center-line, being a curve to the left, having a radius of 483.10 feet, 27.68 feet to a point 18.5 feet north of the south line of said Lot 11, extended west; thence east parallel with the south line of said Lot 11, 32.61 feet to the place of beginning.

The streets, utility easements, building setback lines and access control, being vacated by virtue of K.S.A. 12-512(b).

All being situated in the N.W.¼ of Sec. 25, Twp. 27-S, R-1-E of the 6th P.M., Sedgwick County, Kansas.



Baughman Company, P.A.

Date

_____ Surveyor

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 street to be known as "NEW WESTERN 3RD ADDITION," Wichita, Kansas. The utility easements are hereby granted as indicated for the construction and maintenance of all public utilities. The drainage easements are hereby granted for drainage purposes. The street is hereby dedicated to and for the use of the public. All abutters rights of access to or from Kellogg Street over and across the north line of Lot 1 and to or from Beverley Drive over and across the east line of Lot 1 and to or from Sylvan Lane over and across the south line of Lot 1 are hereby granted to the City of Wichita, Kansas, provided however that Lot 1 shall have access to Kellogg at two points over the north line of Lot 1 and that Lot 1 shall have access to Beverley Drive at two points over all except the south 60 feet, of the east line of Lot 1, all as shall be determined by the City Engineer of Wichita, Kansas. No new building shall be constructed below a minimum building pad elevation of 1343.0 Mean Sea Level (155.6 City Datum). The floodway shall be the responsibility of the owner of Lot 1, until such time as the appropriate governing body elects to assume the responsibility for the maintenance and improvement of the drainage. No building shall be constructed on or within said floodway; nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of said appropriate governing body; additional improvements and/or activities may be permitted within said floodway, such as landscaping and parking is permitted on said floodway.

_____ Lindy Andeel

This plat of "NEW WESTERN 3RD ADDITION," Wichita, Kansas, has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this _____ day of _____ 198__.

Wichita-Sedgwick County Metropolitan Area Planning Commission.

_____ Chairman
Elton Parsons

_____ Secretary
Marvin S. Krout

This plat approved and all dedications shown hereon accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____ 198__.

_____ Mayor
Sheldon Kamen

_____ Deputy City Clerk
Dale E. Rea

Entered on transfer record this _____ day of _____ 198__.

_____ County Clerk
Don Wright

State of Kansas } S.S.
Sedgwick County }

This is to certify that this plat has been filed for record in the office of the Register of Deeds this _____ day of _____ 198__, at _____ o'clock __ M., and is duly recorded.

_____ Register of Deeds
Pat Kettler

_____ Deputy
Ed Rosa

State of Kansas } S.S.
Sedgwick County }

The foregoing instrument acknowledged before me this _____ day of _____ 198__, by Lindy Andeel, a single person

_____ Notary Public

My Appt. Exp. _____

We, the undersigned, holders of a mortgage on a portion of the above described property, do hereby consent to this plat of "NEW WESTERN 3RD ADDITION," Wichita, Kansas.

Bank IV Wichita, N.A. of Wichita, Kansas

_____, _____

City Bank and Trust Co.

_____, _____

Union Boulevard National Bank

_____, _____

State of Kansas } S.S.
Sedgwick County }

The foregoing instrument acknowledged before me this _____ day of _____ 198__, by _____ of Bank IV Wichita, N.A. of Wichita, Kansas, on behalf of the corporation.

_____ Notary Public

My Appt. Exp. _____

State of Kansas } S.S.
Sedgwick County }

The foregoing instrument acknowledged before me this _____ day of _____ 198__, by _____, _____ of City Bank and Trust Co., on behalf of the bank.

_____ Notary Public

My Appt. Exp. _____

State of Kansas } S.S.
Sedgwick County }

The foregoing instrument acknowledged before me this _____ day of _____ 198__, by _____ of Union Boulevard National Bank, on behalf of the bank.

_____ Notary Public

My Appt. Exp. _____

State of Kansas } S.S.
Sedgwick County }

This is to certify that this plat has been filed for record in the office of the Register of Deeds this _____ day of _____ 198__, at _____ o'clock __ M., and is duly recorded.

_____ Register of Deeds
Pat Kettler

_____ Deputy
Ed Rosa

WICHITA SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

May 26, 1988

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

Re: Final Plat S/D 88-37 - NEW WESTERN 3RD ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on May 26, 1988, 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 20, 1988.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council 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 1987 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

Donald Losew

Donald Losew
Junior Planner

DL:dlk

cc: Lindy Andeel, 350 N. Rock Road, Wichita, KS 67206
Bill G. Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220

FILE COPY