

# ACTION

COMMITTEE	DATE
M.A.P.C. <i>Approved subject to conditions</i>	<i>5-6-82</i>
B.C.C./B.C.C. <i>Approved as recommended</i>	<i>6-1-82</i>

APPROVED FILE  
located on the north side of Mill Lane,  
between Webb Road & Bonnie Brae.

Map No. 6047B  
Sec. \_\_\_\_\_  
Twp. \_\_\_\_\_  
Range \_\_\_\_\_

DATA SHEET  
COMMUNITY UNIT PLAN

AMENDED FILE #2  
DP - 15  
Filed 3-25-82

Associated Case: \_\_\_\_\_

APPLICATION REQUEST: Approval of proposed Amendment to the  
K-MART COMMERCIAL C.U.P.  
~~(Residential)~~ (Commercial) Community Unit Plan.

1. Applicant Kelway, Inc., % Daniel M. Carney, Pres., et al  
Address 6572 E. Central, 67206 Phone 686-7314
2. Agent William L. Korber  
Address 330 Laura, 67211 Phone 262-7271
3. General Location: North side of Kellogg, between Webb Road & Bonnie Brae.
4. Proposed Use: \_\_\_\_\_

AREA DATA:  
1. Acres: 14.9 ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)  
2. Existing Zoning "LC" Proposed Zoning \_\_\_\_\_  
3. Area (is) (is not) platted. \_\_\_\_\_ Addition \_\_\_\_\_

HISTORY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCEDURE DATA

1. MAPC Meeting:  
Date 5-6-82 Action Approved sub to conditions
2. Governing Body  
Date 6-1-82 Action Approved as amended

NOTES:

SYMOUD  
No. 2153C  
HASTINGS, MINN.  
LOS ANGELES-CHICAGO-LOGAN, OH  
MCKESSON TX, LCCUST GROVE, GA  
U.S.A.

Map No. 6047B  
Sec. \_\_\_\_\_  
Twp. \_\_\_\_\_  
Range \_\_\_\_\_

DATA SHEET  
COMMUNITY UNIT PLAN

AMENDED FILE #2  
DP - 15  
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Associated  
Case: \_\_\_\_\_

APPLICATION REQUEST: Approval of proposed Amendment to the  
K-MART COMMERCIAL C.U.P.  
(~~Residential Commercial~~) Community Unit Plan.

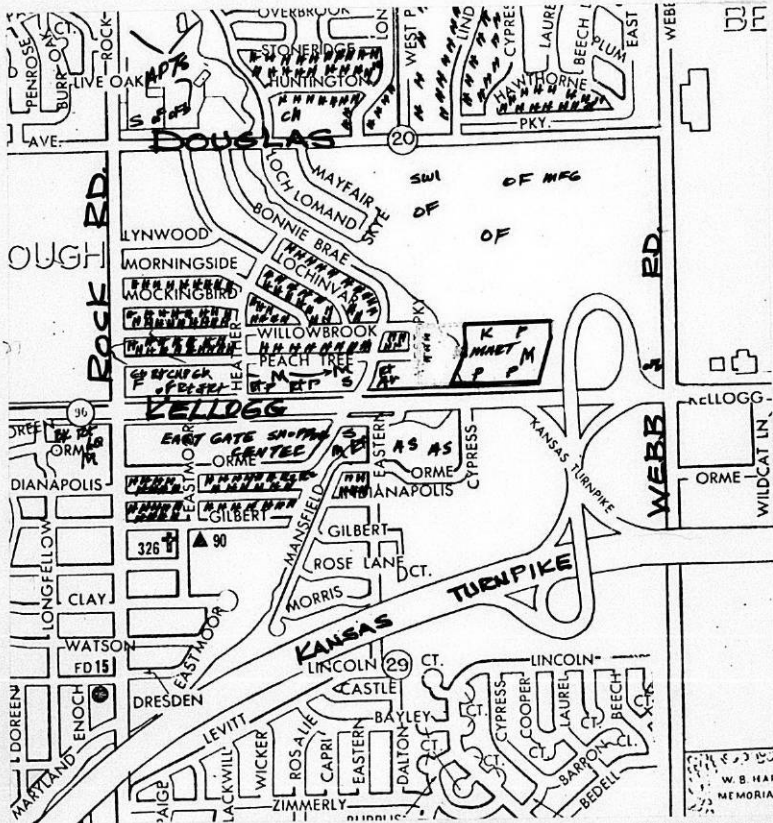
1. Applicant Kelway, Inc., & Daniel M. Carney, Pres., et al  
Address 6572 E. Central, 67206 Phone 686-7314
2. Agent William L. Korber  
Address 330 Laura, 67211 Phone 262-7271
3. General Location: North side of Kellogg, between Webb Road & Bonnie Brae.
4. Proposed Use: \_\_\_\_\_

AREA DATA:

1. Acres: 14.9 ( 600 (IRREGULAR) ft. by 27080 ft.)
2. Existing Zoning: "LC"
3. Land Use: East TURNPIKE South AUTO DEALER  
West AUTO PARTS - SINGLE FAM North UNDEVELOPED
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: K-MART + METEL
6. Area (is) (is not) platted. DP-15

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



PICTURE SHEET

WICHITA - SEDGWICK

Date:  
May 11, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Donald C. Gisick, City Clerk  
FROM: Forrest L. Nagley, Junior Planner  
SUBJECT: Release of letter of credit associated with K-Mart  
Commercial C.U.P. (DP-15) - Lot 1, Wiedeman  
Addition (Credit #29056)

The above-referenced letter of credit may be released. The original letter of credit should be returned to the bank with their copy of this memorandum.

Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Continental Bank, International Department, P.O. Box 8410,  
Philadelphia, Pennsylvania, 19101  
International Property Consultants, Inc., c/o Commercial  
Properties, 1822 Spruce Street, Philadelphia, Pennsylvania,  
19103

**BLANK, ROME, COMISKY & McCAULEY**

PHILIP F. NEWMAN  
 COUNSEL TO THE FIRM  
 LEWIN H. ROME  
 DANIEL J. McCAULEY JR.  
 M. PALMAN GUTNER  
 REUBEN MILLER  
 PAUL D. GUTER  
 MORTON NEWMAN  
 DANIEL H. HAHNOWITZ  
 MORRIS J. DEAN  
 EDWARD H. WATSON  
 HARRIS OHMSKY  
 RICHARD W. ROSENBLUTH  
 JEROME B. APPEL  
 SANDERS O. NEWMAN  
 FRED BLUM  
 JEROME R. RICHER  
 PETER M. STERN  
 NORMAN L. HOLMES  
 HARRY F. GOLDBERG  
 EDWARD G. FITZGERALD JR.  
 WILLIAM E. TAYLOR III  
 G. CRAIG LONG  
 ROBERT F. COY  
 STEPHEN E. LUOGDO  
 RICHARD L. NEWMAN  
 NEAL STEINMAN  
 LAWRENCE J. BEASER  
 C. GARY WYKFOOT  
 MICHAEL POLLACK  
 LESTER J. SCHAFER  
 THOMAS F. DEVINE  
 IRVING W. COLMAN  
 EDWARD M. McVINDRY  
 SAMUEL A. BLECHER  
 OF COUNSEL

LAW OFFICES  
 FOUR PENN CENTER PLAZA  
 PHILADELPHIA, PENNSYLVANIA 19103-2599  
 215-569-3700

CABLE BLARCOM TWX 710-670-1073  
 TELECOPIER 215-564-8399

FLORIDA OFFICE  
 305-898-8100

WASHINGTON, D. C. OFFICE  
 202-778-1870

NORRISTOWN OFFICE  
 215-872-2111

SHELDON L. ALBERT  
 PHILIP C. PATTERSON  
 VICTOR A. YOUNG  
 ANDREA B. WAPNER  
 JACQUES I. PALMAN  
 MATTHEW J. STEWART  
 JON G. WILLSBERG  
 J. ARNOLD KELLER  
 MITCHELL S. COHEN  
 BARRY A. BEASER  
 STEPHEN M. ORLOFFSKY  
 KENNETH A. TREADWELL  
 RICHARD L. KREPNICK  
 ALEXANDER D. BOND  
 LAWRENCE R. WISEMAN  
 NANCY K. BARDON-BEER  
 JOHN J. BERNER  
 G. MICHAEL STRAIKAS  
 EDWARD M. HERVES  
 JOHN S. BRUBER  
 FREDERICK J. BOSCH  
 GREGORY G. COFFIELD  
 JAMES R. PARRIN  
 JAMES R. PARRIN  
 GREGORY E. DAVIS  
 SOL S. SCHNEIDER  
 JAMES P. GOLDEN  
 BONNIE G. OSTROFFSKY  
 HOWARD S. KRITZER  
 CATHERINE W. CROFFLEY  
 DANA M. SCHEER  
 KEVIN J. CAREY  
 DEBORAH L. ZELL  
 ARIEN S. HURST  
 ELLEN WEISMAN VASS

CARPENTER DEWEY  
 ROBERT D. PAPLAN  
 JEANNEC WIEBLESKY  
 LAWRENCE FINKELSTEIN  
 PAULINE HANSLON-JENSON  
 ROBERT M. BRIDGER  
 JOHN H. STERN  
 ARTHUR WERDOL LARVIN  
 NORMAN E. GREENSPAN  
 ARTHUR SHAWMAN  
 IAN H. KOHISKY  
 GLENN S. GUTNER  
 LARRY HAF  
 PETER J. BOYER  
 BRUCE A. LEISENBERG  
 ABRAHAM M. UDEA  
 SAMUEL H. BECKER  
 DONNA F. UDEA  
 VANAN H. GUREGHIAN  
 GEORGE H. HAJIANIAN  
 LAWRENCE A. GROSS  
 BARRY FRIEDMAN  
 PETER A. GOLD  
 RICHARD L. CANEL JR.  
 ANDREW D. BERSHAD  
 VIRGINIA W. DUFFY  
 BENJAMIN S. STONELAKE JR.  
 REGINALD A. KRASNETZ  
 CATHERINE KALITA BELMANN  
 THOMAS A. MASTERSON JR.  
 DAVID J. MACEE  
 BRUCE J. ACOBSON  
 MARION M. WELF  
 \*NOT ADMITTED IN PA

October 21, 1982

Mr. Art Chambers  
 W-SC MAPD  
 City Hall - 10th Floor  
 455 North Main  
 Wichita, Kansas 67202

Dear Mr. Chambers:

This is to confirm our telephone conversation of October 19, 1982, pertaining to the East Wichita, Kansas K-Mart Commercial Community Unit Plan ("CUP") dated April 27, 1982, which was prepared by Baughman Company, P.A. and designated as Job 80332, File COM-2903-80 (a copy of which is enclosed herein).

From our conversation I understand that:

1. The CUP has been approved by all required governmental agencies, including the Office of Central Inspection and the Metropolitan Planning Department.
2. The CUP, as amended up to and including April 27, 1982, was filed with the Office of Central Inspection on June 1, 1982.
3. As of April 27, 1982, Parcel #1 and Parcel #2, as depicted on the CUP, were in compliance with the General Requirements specified on the CUP.
4. The seven specifications listed on the CUP for each of Parcel #1 and Parcel #2 are true and correct statements.
5. As of April 27, 1982, Parcel #1 and Parcel #2 are in compliance with local ordinances governing required parking area.

Mr. Art Chambers

October 21, 1982  
Page Two

I would appreciate your ratifying the foregoing by signing and returning to me the enclosed.

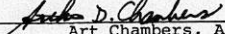
Thanks for your courtesy in this matter.

Very truly yours,

  
NEIL FAGGEN

NF:bsf  
Enclosure

WICHITA METROPOLITAN PLANNING DEPARTMENT

By:   
Art Chambers, AICP

The C.U.P. (DP-15 - K-Mart Commercial C.U.P.) was approved by the Planning Commission on 5-6-82 and was approved by the City Commission on 6-1-82. A copy of the approved C.U.P. was forwarded to Central Inspection on 6-2-82. *noc*

July 21, 1982

Donald C. Gisick, City Clerk  
Forrest L. Nagley, Junior Planner

Forwarding of revised letter of credit associated with K-Mart  
Commercial C.U.P. (DF-15) - Lot 1, Wiedeman Addition.

Attached please find the above referenced document for your files.  
This letter of credit replaces the original guarantee "received  
and filed" by the Board of City Commissioners on June 1, 1982  
(credit #195, Boulevard State Bank).

The original guarantee is being returned to Dan Carney with his copy  
of this memorandum.

Forrest L. Nagley  
Junior Planner

FLN:el

cc: William Korber, Baughman Co., P.A., 330 Laura, 67211  
Kelway, Inc. & Daniel H. Carney, 6572 E. Central, 67206  
Boulevard State Bank, 2300 E. Lincoln, 67211



**CONTINENTAL BANK**  
International Department  
P.O. Box 8410  
Philadelphia, PA 19101 - 8410

Cable Address  
"CONTIBANK"

Telex No.  
834593

~~XXXXXXXXXX~~ STAND-BY

**IRREVOCABLE LETTER OF CREDIT**

Date **June 9, 1982**

Issuing Bank's Credit No.

29056

ADVISING BANK'S REF. NO.

This Credit is forwarded to the advising bank by airmail.

This refers to our cable of today through the advising bank.

ALL BANK CHARGES OTHER THAN ISSUING BANK CHARGES ARE FOR

BENEFICIARY'S ACCOUNT

NEGOTIATING BANK MUST FORWARD ALL DOCUMENTS IN ONE AIRMAIL

ADVISING BANK

ACCOUNT PARTY

International Property Consultants Inc.  
c/o Commercial Properties  
1822 Spruce Street  
Philadelphia, PA 19103

BENEFICIARY

City of Wichita  
455 North Main Street  
Wichita, Kansas 67202

AMOUNT \$18,000.00

(Eighteen Thousand & 00/100 Dollars)

~~XXXXXXXXXX~~

EXPIRATION:

July 15, 1984

This credit is subject to the Uniform Customs and Practices for Documentary Credits (1974 Revision) International Chamber of Commerce Publication 200

GENTLEMEN:

We hereby issue this letter of credit in your favor available by your draft(s) drawn on Continental Bank at sight .

bearing the clause: Drawn under Continental Bank Letter of Credit. No. 29056 accompanied by the following documents:

Beneficiary's signed statement by The City Engineer stating the following: "International Property Consultants Inc. has failed to perform in accordance with the construction of screening wall along the West 670 feet of the North Line of Lot 1 Wiedemann Addition, Wichita, Sedgwick County, Kansas in Wiedemann addition, a subdivision of the City of Wichita, Kansas.

Original Letter of Credit instrument.

THE REQUEST FOR PAYMENT UNDER THIS LETTER OF CREDIT SHALL BE FINAL AND CONCLUSIVE FOR ALL PURPOSES WITHOUT VERIFICATION BY CONTINENTAL BANK AND SHALL NOT BE SUBJECT TO REFUTATION, DENIAL, OR CONTEST.

DRAFTS MUST BE PRESENTED AND NEGOTIATED AT OUR COUNTERS NOT LATER THAN JULY 15, 1984.

/ma

We hereby agree with the Drawers, Endorsers, and bona fide holders of all drafts drawn under and in compliance with the terms of this Credit, that such drafts will be duly honored upon presentation to the Drawee.

Very truly yours,

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE



**CONTINENTAL BANK**  
 International Department  
 P.O. Box 8410  
 Philadelphia, PA 19101 - 8410

Cable Address  
 "CONTIBANK"

Telex No.  
 834593

~~COMMERCIAL~~ STAND-BY

**AMENDMENT TO IRREVOCABLE LETTER OF CREDIT**

Date July 12, 1982  
 Issuing Bank's Credit No. 29056

ADVISING BANK'S REF. NO.

This Amendment is forwarded to the advising bank by airmail.  
 This refers to our cable of today through the advising bank.

ADVISING BANK

ACCOUNT PARTY

International Property Consultants Inc.  
 c/o Commercial Properties  
 1822 Spruce Street  
 Philadelphia, PA 19103

BENEFICIARY

City of Wichita  
 455 North Main Street  
 Wichita, Kansas 67202

This Amendment is to be considered as part of the above Letter of Credit and must be attached thereto.

Gentlemen:

The above Letter of Credit is amended as follows:

**DELETE:** "Beneficiary's signed statement by The City Engineer stating the following:  
 'International Property Consultants Inc. has failed to perform in accordance with the construction of screening wall along the West 670 feet of the North Line of Lot 1 Wiedemann Addition, Wichita, Sedgwick County, Kansas in Wiedemann Addition, a subdivision of the City of Wichita, Kansas.' "

**INSERT:** "Beneficiary's signed statement by The City Engineer stating the following:  
 'International Property Consultants Inc. has failed to perform in accordance with the construction of screening wall along the West 670 feet of the North Line of Lot 1 Wiedemann Addition, Wichita, Sedgwick County, Kansas in Wiedemann Addition, a subdivision of the City of Wichita, Kansas on or before May 15, 1984.' "

/ma

All other terms and conditions remain unchanged

Instructions to the Advising Bank:

The Advising Bank is requested to forward the attached Original Amendment to the Beneficiary

*Neil McLynn*  
 AUTHORIZED SIGNATURE

Very truly yours,

*Therese Marie McHenry*  
 AUTHORIZED SIGNATURE

June 2, 1982

Robert B. Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-15 - K-MART Commercial C.U.P. Generally located on the north side of Kellogg, in an area between Webb Road and Bonnie Brae.

The Board of City Commissioners on June 1, 1982, considered the above captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. A financial guarantee, satisfactory to the Central Inspection Division, shall be submitted prior to this case being scheduled for consideration by the City Commission.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Attached for your information and files are two approved copies of the C.U.P. If you have any questions concerning this matter, please contact our office.

Jack H. Galbraith  
Chief Planner

JHG:ADC:el  
Attachments

Paul Brehanon

K-Mart East

Picked up CVP  
application to amend  
reinforcing requirement

10/11/74 JJS

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERS

REQUEST FOR AMENDMENT TO  
COMMERCIAL COMMUNITY UNIT PLAN

---

CASE NO. DP-15

CONSIDERED BY MAPC: 5-6-82

REQUEST FOR: Amendment to the K-Mart Commercial C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

None

GENERAL LOCATION: On the north side of Kellogg, in an area between  
Webb Road and Bonnie Brae.

LEGAL DESCRIPTION:

Lot 1, Wiedeman Addition, Sedgwick County, Kansas.

APPLICANT: Kelway, Inc., 6572 E. Central.

AGENT FOR APPLICANT: Bill Korber, Baughman Company, 330 Laura.

PROTESTORS ( LIST AGENT ) IF ANY: None.

SURROUNDING ZONING: North and West, "AA"; East, N/A; South, "LC" & "C".

LAND USE: Existing, Motel & K-Mart Store; North, Undeveloped; East,  
Turnpike; South, Automobile sales; West, Drainage and Single-family.

CPO RECOMMENDATION: CPO Council Area "H" voted 9-0 to recommend that  
the amendment be approved.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown  
in the excerpt from Planning Commission minutes of May 6, 1982.  
Bayouth moved, Jones seconded and it carried unanimously. Chisholm  
and Martens were absent.

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ACTION: 1. Concur with the findings of fact of the Metropolitan Area  
Planning Commission and approve the Community Unit Plan subject to the  
recommended conditions, and receive and file the letters of credit; or  
2. Return the application to the Metropolitan Area Planning  
Commission for its reconsideration. The City Commission states the  
following reasons for its action.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 6, 1982

6. Case No. DP-15 - Kelway, Inc. request amendment to Commercial Community Unit Plan for Lot 1, Wiedeman Addition, Sedgwick County, Kansas. Generally located on the north side of Kellogg, between Webb Road and Bonnie Brae.

CHAMBERS pointed out land use, zoning, and showed slides of the general area. He reviewed the following staff report:

COMMENTS:

1. The following should be considered by the Planning Commission in making findings of fact:

In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the K-Mart Commercial C.U.P., located on the north side of Kellogg, in an area between Webb Road and Bonnie Brae. The proposed amendment involves the relocation of the boundary between Parcels 1 and 2, 130 feet to the west. Permitted uses for Parcel 1 would remain retail business and restaurant. The permitted use for Parcel 2 is a motel with associated uses such as restaurant, private club, barber shop, etc. Setback lines, floor area, and other information relating to future development is shown on the plan.
2. The proposed amendment does not significantly change the existing C.U.P. in regard to permitted uses, floor area, setbacks within parcels, etc. On the original C.U.P. in 1966 a \$6,000 guarantee for the masonry wall on the north boundary was submitted to the City. That guarantee is now insufficient to construct the wall. In recognition of the activity taking place on the property to the north, staff concurs in the wording of General Provision No. 4, provided that an updated guarantee is submitted.
3. Should the Planning Commission determine that the proposed amendments are appropriate, the following are recommended conditions of approval:
  - a. A financial guarantee, satisfactory to the Central Inspection Division, shall be submitted prior to this case being scheduled for consideration by the City Commission.
  - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
  - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
  - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

CHAMBERS stated that the need for this amendment was to move the parcel boundary between parcels 1 and 2, 130 feet to the west. He said that the current C.U.P. had provisions that allowed a restaurant closer to Kellogg. The amended C.U.P. would just move the parcel boundary to the west and adjust the setback lines. CPO Council Area "H" voted 9-0 to recommend that the amendment be approved.

BILL KORBER, surveyor, representing the applicant, was present.

There was no one present in opposition to the application.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the commercial character of the general area; the commercial zoning and uses to the south; the turnpike interchange to the east; the suitability of the site for development with light commercial uses, and the recommendation of approval by staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. A financial guarantee, satisfactory to the Central Inspection Division, shall be submitted prior to this case being scheduled for consideration by the City Commission.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Bayouth moved, Jones seconded and it carried unanimously. Chisholm and Martens were absent.

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IRREVOCABLE LETTER OF CREDIT

BOULEVARD STATE BANK  
2300 East Lincoln  
Wichita, Kansas 67211

(Name and address of bank)

DATE: May 18, 1982

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 12,000.00 for the account of Daniel M. Carney (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before May 15, 1984 (6)

1. Construct screening wall along the north line of Lot 1, except the west 670 feet thereof, Wiedemann Addition, Wichita, Sedgwick County, Kansas.
- 2.
- 3.

in Wiedemann Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under \_\_\_\_\_"

BOULEVARD STATE BANK, Credit No. 194, dated May 18, 1982.  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before July 15, 1984

(insert a date at least 60 days from the date on line 6)

(CORPORATE SEAL)

ATTEST:

E. R. Foster  
E. R. Foster, Vice President & Cashier

Very truly yours,

BOULEVARD STATE BANK  
(Name of bank)

By Robert V. McGrath  
(Authorized signature)  
(Also type or print name below)  
Robert V. McGrath, President

DP-15 Kmart Corp.

DP-15 K-MART CUP

IRREVOCABLE LETTER OF CREDIT

BOULEVARD STATE BANK  
2300 East Lincoln  
Wichita, Kansas 67211

(Name and address of bank)

DATE: May 18, 1982

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 18,000.00 for the account of Daniel M. Carney (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before May 15, 1984 (6)

1. Construct screening wall along the west 670 feet of the north line of Lot 1, Wiedemann Addition, Wichita, Sedgwick County, Kansas.
- 2.
- 3.

in Wiedemann Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under \_\_\_\_\_"

Boulevard State Bank, Credit No. 195, dated May 18, 1982.  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before July 15, 1984.  
(insert a date at least 60 days from the date on line 6)

Very truly yours,

BOULEVARD STATE BANK  
(Name of bank)

By Robert V. McGrath  
(Authorized signature)  
(Also/type or print name below)  
Robert V. McGrath, President

(CORPORATE SEAL)

ATTEST:

E. R. Foster  
E. R. Foster, Vice President & Cashier

May 7, 1982

William L. Korber  
330 Laura  
Wichita, Ks. 67211

Re: DP-15 - Amendment to K-Mart  
Commercial C.U.P. - North side  
of Kellogg in an area between  
Webb Road and Bonnie Brae

Dear Mr. Korber:

At its regular meeting on May 6, 1982, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. A financial guarantee, satisfactory to the Central Inspection Division, shall be submitted prior to this case being scheduled for consideration by the City Commission.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

It is necessary that we receive the financial guarantee for condition "a" above as well as 10 copies of the C.U.P. by May 21, 1982 so that subject case can be scheduled for consideration by the Board of City Commissioners at their regular meeting on June 1, 1982. This meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:sad

cc: Kelway, Inc., % Daniel M. Carney, President, 6572 East Central,  
Wichita 67206  
East Wichita Partners, % Commercial Property Group, Inc., Attn:  
Leslie Knott, 1822 Spruce Street, Philadelphia, Pa. 19103

**THE CITY OF WICHITA**

**OFFICE OF** CITIZEN PARTICIPATION

**DATE** May 5, 1982



**TO** Jack Galbraith, Chief Planner, Current Plans

**FROM** Clemencia L. Prieto, Administrative Aide III

**SUBJECT** DP-15: North side of Kellogg  
between Webb Road and Bonnie Brae

On Monday, May 3rd, CPO Neighborhood Council Area "H" considered the captioned application for amendment to the K-Mart Commercial Community Unit Plan. The amendment proposes to enlarge Parcel 2 by moving the Parcel line between Parcels 1 and 2 130 feet to the west.

No area residents attended the meeting concerning the case. No one was present representing the applicant.

The Council voted 9-0 to recommend that the amendment be approved subject to conditions recommended by MAPC staff.

Please provide copies of this memorandum to members of the MAPC and City Commission when this case is considered by them. Thank you.

*Clemencia L. Prieto*  
Clemencia L. Prieto  
Administrative Aide III

CLP:dm

Noted:

*Sarah Gilbert*  
Sarah Gilbert  
CP Coordinator

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 5-06-82

Case No. DP-15 Request: Approval of an amendment to  
the K-Mart Commercial C.U.P.

Location: On the north side of Kellogg, in an area between Webb  
Road and Bonnie Brae.

Acres: 14.9 Size: 600' x 1080' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Motel and K-Mart Store	"LC"
North	Undeveloped	"AA"
East	Turnpike	N/A
South	Automobile sales	"LC" & "C"
West	Drainage and Single-family	"AA"

Street right-of-way is adequate.

Platted: Yes

History:

Zoning and C.U.P. were approved in March 1966.  
Last amendment to C.U.P. MAPC approved 5-21-81  
BCC approved 6-16-81

COMMENTS:

1. The following should be considered by the Planning Commission in making findings of fact:  
  
In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the K-Mart Commercial C.U.P., located on the north side of Kellogg, in an area between Webb Road and Bonnie Brae. The proposed amendment involves the relocation of the boundary between Parcels 1 and 2, 130 feet to the west. Permitted uses for Parcel 1 would remain retail business and restaurant. The permitted use for Parcel 2 is a motel with associated uses such as restaurant, private club, barber shop, etc. Setback lines, floor area, and other information relating to future development is shown on the plan.
2. The proposed amendment does not significantly change the existing C.U.P. in regard to permitted uses, floor area, setbacks within parcels, etc. On the original C.U.P. in 1966 a \$6,000 guarantee for the masonry wall on the north boundary was submitted to the City. That guarantee is now insufficient to construct the wall. In recognition of the activity taking place on the property to the north, staff concurs in the wording of General Provision No. 4, provided that an updated guarantee is submitted.
3. Should the Planning Commission determine that the proposed amendments are appropriate, the following are recommended conditions of approval:

- a. A financial guarantee, satisfactory to the Central Inspection Division, shall be submitted prior to this case being scheduled for consideration by the City Commission.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

DP-15 - 74 "Notice to Adjoining Property Owners" mailed 4-22-82 for the  
MAPC meeting for 5-6-82.

1 Including map - to CPO Office  
1 " " " "NEIGHBORS"

76 TOTAL

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 672021688

April 22, 1982

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, May 6, 1982, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment to the K-MART COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-15

Lot 1, Wiedeman Addition, Sedgwick County, Kansas.  
Generally located on the north side of Kellogg, between Webb Road  
and Bonnie Brae.

The Development Plan of this area, originally approved on April 19, 1966 and amended on June 16, 1981, has been resubmitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes to enlarge Parcel 2 by moving the parcel line between Parcels 1 and 2, 130 feet to the west. Permitted uses for Parcel 1 would remain retail business and restaurant. Proposed uses for Parcel 2 include a motel with associated uses such as restaurant, private club, barber shop, gift shop, etc. Setback lines, floor area and other information relating to future development is shown on the plan.

The hearing for the proposed amendments to this Development Plan, as provided in Section 28.04.190 of the City Zoning Ordinance of the City of Wichita, is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin  
Secretary

March 29, 1982

Robert B. Feldner, Superintendent of Central Inspection  
Paul Graves, Chief Engineer  
Mike Lindebak, Program Development Engineer

Arthur D. Chambers, Senior Planner

DP-15 - K-MART Commercial C.U.P. Generally located on the north side of Kellogg, between Webb Road and Bonnie Brae.

I have attached a copy of a proposed amendment to the above captioned C.U.P. The primary change is moving the Parcel boundary between Parcels 1 and 2, 130 feet to the west. Set-back lines, access, and other information relating to future development is shown on the plan. We would appreciate receiving any comments you might have regarding the proposed amendment by Friday, April 2, 1982.

If you have any questions, please call.

Arthur D. Chambers  
Senior Planner

ADC:el

Attachment

*Graves - no comment 4/1/82  
Debra Mat - no comment 4/5/82*

*amended file #2*  
*K-Mart Council*  
*DP-15*  
*MAPC*  
*May 6, 1982*  
*map*  
*6047 B*

APPLICATION FOR COMMUNITY UNIT PLAN  
(PLANNED RESIDENTIAL OR COMMERCIAL DEVELOPMENT)  
FOR PROPERTY LOCATED WITHIN THE LIMITS OF THE  
CITY OF WICHITA, KANSAS

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.

a. Applicant Kelway, Inc., c/o Daniel M. Carney, Pres.

Address 6572 E. Central, Wichita, KS. 67206 Phone 686-7314

Agent  William L. Korber

Address 330 Laura, Wichita, KS. 67211 Phone 262-7271

b. Applicant East Wichita Partners c/o Commercial Property Group, Inc.

Attn: Leslie Knott

Address 1822 Spruce St., Philadelphia, PA 19103 Phone \_\_\_\_\_

Agent William L. Korber

*D* Address 330 Laura, Wichita, KS. 67211 Phone 262-7271

c. Applicant \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Agent \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants).

2. a. The applicant hereby requests Community Unit Plan approval on property

zoned L.C. and legally described as Lot(s) \_\_\_\_\_

1, Block(s) \_\_\_\_\_

Widemann Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet.)

*OK for Agall*

*N AA*  
*S LC #C*  
*E KANSAS TURNPIKE*  
*W AA*

2. b. There are 14.9 acres (round to nearest tenth) in the above described property.

3. The general location is (use appropriate section)

a. at the \_\_\_\_\_ corner of \_\_\_\_\_  
and \_\_\_\_\_; or

b. on the north side of Kellogg (Avenue,  
Street) between Webb Rd (Avenue, Street) and  
Bonnie Brae (Avenue, Street).

4. I (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (we) realize that this application cannot be processed unless it is completely filled in and accompanied by a current abstractor's certificate as required in the instruction sheet.

Daniel M. Carney \_\_\_\_\_ East Wichita Partners  
By Daniel M. Carney \_\_\_\_\_ Authorized Agent (if any)  
By Samuel M. Jones \_\_\_\_\_ Authorized Agent (if any)

Commercial Properties Group, Inc.  
Leslie Kingsbury Knott \_\_\_\_\_  
By Leslie Kingsbury Knott \_\_\_\_\_ Authorized Agent (if any)  
Property Manager By \_\_\_\_\_ Authorized Agent (if any)

5. OFFICE USE ONLY

This application was received at the Planning Department at 8:45  
(AM, PM) on March 25, 1982 (Day, Month, Year). It has been  
checked and found to be complete and accompanied by required documents and  
the appropriate fee of \$ 200<sup>06</sup>.

John D. Chambers \_\_\_\_\_ Name  
Sr. Planner \_\_\_\_\_ Title

## STATEMENT OF OWNERSHIP

STATE OF KANSAS     )  
                           ) SS  
 SEDGWICK COUNTY    )

The undersigned duly bonded and qualified abstracter within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 1000 feet of:  
 Lot 1, WIEDEMAN ADDITION, Sedgwick County, Kansas.




And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>DESCRIPTIONS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Beginning at the Southeast Corner of Lot 1; thence Northeasterly 549.21 feet; thence Northerly 72.59 feet; thence West 321.92 feet; thence South 602.5 feet; thence East 177.23 feet to the point of beginning.	WIEDEMAN	✓ Kelway Inc. 1007 East 2nd Wichita, Kansas 67214
Lot 1, except beginning at the Southeast Corner; thence Northeasterly 549.21 feet; thence Northerly 72.59 feet; thence West 321.92 feet; thence South 602.5 feet; thence East 177.23 feet to beginning.	WIEDEMAN	✓ East Wichita Partners %G. Craig Lord Four Penn Center Plaza Philadelphia, PA 19103

**Fidelity**  **Title**  
 COMPANY, INC.

<u>DESCRIPTIONS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lot 5, Block 7,	BONNIE BRAE	Clark V. & Regina J. Britton ✓ 8307 Peach Tree Lane Wichita, Kansas 67207
Lot 6, Block 7,	BONNIE BRAE	✓ E. S. & Phyllis Breckill 8315 Peach Tree Lane Wichita, Kansas 67207
Lot 7, Block 7, 5-10-82 <i>ERNEST CASTRO called to say that he lives at that address + should receive the notice</i>	BONNIE BRAE	Charles B. & Hazel G. Myers ✓ 8321 Peach Tree Lane Wichita, Kansas 67207
Lot 8, Block 7,	BONNIE BRAE	Paul L. & Dorothy Cook ✓ 405 Bonnie Brae Street Wichita, Kansas 67207
Lot 1, Block 8, ✓ <i>Resent 4-29-82 to Union Natl Bank 150 N. Main, 67207</i>	BONNIE BRAE	Union National Bank Trustee D (for Cy L. Finley and Jane P. Finley-7700 E. 137th, 67206) ✓ <del>420 East Bonnie Brae Street Wichita, Kansas 67207</del>
Lot 2, Block 8,	BONNIE BRAE	Steve M. & Ronda S. Longan ✓ 8407 Peach Tree Lane Wichita, Kansas 67207
Lot 3, Block 8,	BONNIE BRAE	Douglas J. & Carolyn S. Moshier ✓ 8415 Peach Tree Lane Wichita, Kansas 67207
Lot 4, Block 8,	BONNIE BRAE	✓ Doyle E. & Jeanne S. Meade 8421 Peach Tree Lane Wichita, Kansas 67207
Lot 1, Block 9,	BONNIE BRAE	✓ John E. & Janice A. Havel 302 Bonnie Brae Street Wichita, Kansas 67207
Lot 2, Block 9,	BONNIE BRAE	✓ Nolan H. & Sylvia L. Jackson 308 Bonnie Brae Street Wichita, Kansas 67207
Lot 3, Block 9,	BONNIE BRAE	✓ Marvin Edward & Mildred Mae Elliott 8404 Peach Tree Lane Wichita, Kansas 67207
Lot 4, Block 9,	BONNIE BRAE	✓ Leo J. & Carolyn K. Johnson 8418 Peach Tree Lane Wichita, Kansas 67207
Lot 5, Block 9,	BONNIE BRAE	✓ Charles & Emma Jean Evenson 315 South West Parkway Wichita, Kansas 67207



<u>DESCRIPTIONS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lot 6, Block 9,	BONNIE BRAE	Leonard R. & Kathleen Dennis ✓ 307 South West Parkway Wichita, Kansas 67207
Lot 7, Block 9,	BONNIE BRAE	Howard G. & Virginia Leikvold ✓ 8417 Willowbrook Wichita, Kansas 67207
Lot 8, Block 10,	BONNIE BRAE	Lavis P. & Lois M. Latimer 8308 Peach Tree Lane ✓ Wichita, Kansas 67207
Lot 9, Block 10,	BONNIE BRAE	Alma E. Hass ✓ 8314 Peach Tree Lane Wichita, Kansas 67207
Lot 10, Block 10,	BONNIE BRAE	Kenneth G. & Betty L. Fuson ✓ 8320 Peach Tree Lane Wichita, Kansas 67207
 Lot 11, Block 10, <i>✓ Recent 4-29: 315 Bonnie Brae, 67207</i>	BONNIE BRAE	Raymond H. & Susan Rutherford ✓ <del>8326 Peach Tree Lane</del> Wichita, Kansas 67207
Lot 12, Block 10,	BONNIE BRAE	Donald F. & Mary J. Scherer ✓ 8327 Willowbrook Road Wichita, Kansas 67207
Lot 13, Block 10,	BONNIE BRAE	Howard A. & Vera V. McFarland ✓ 8321 Willowbrook Road Wichita, Kansas 67207
Lot 14, Block 10,	BONNIE BRAE	H. Lindley & Margaret C. Cox ✓ 8315 Willowbrook Road Wichita, Kansas 67207
Lot 15, Block 10,	BONNIE BRAE	Max J. & Jacqueline M. Herzel ✓ 8307 Willowbrook Road Wichita, Kansas 67207
Lot 8, Block 12,	BONNIE BRAE	Laurence & Velma Thomason ✓ 245 Lochinvar Drive Wichita, Kansas 67207
Lot 9, Block 12,	BONNIE BRAE	George B. & Doris Wills ✓ 239 Lochinvar Drive Wichita, Kansas 67207
Lot 7, Block 13,	BONNIE BRAE	Thomas R. & Margaret Shockey ✓ 238 Lochinvar Drive Wichita, Kansas 67207

<u>DESCRIPTIONS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lot 8, Block 13,	BONNIE BRAE	✓ Howard R. & Maxine Tuttle 244 Lochinvar Drive Wichita, Kansas 67207
Lot 9, Block 13,	BONNIE BRAE	✓ A. W. & Kathryn J. Walker 250 Lochinvar Drive Wichita, Kansas 67207
Lot 10, Block 13,	BONNIE BRAE	✓ Robert C. & Rita L. Schoepfel 256 Lochinvar Drive Wichita, Kansas 67207
Lot 11, Block 13,	BONNIE BRAE	✓ David W. & Catherine H. Boyles 263 Bonnie Brae Street Wichita, Kansas 67207
Lot 12, Block 13,	BONNIE BRAE	✓ Larry G. & Doris E. Bell 257 Bonnie Brae Street Wichita, Kansas 67207
Lot 13, Block 13,	BONNIE BRAE	✓ Richard A. & Marcille Wohlgemuth 251 Bonnie Brae Street Wichita, Kansas 67207
Lot 14, Block 13,	BONNIE BRAE	✓ Robert C. & Marjorie M. Paris 245 Bonnie Brae Street Wichita, Kansas 67207
Lot 15, Block 13,	BONNIE BRAE	✓ William R. & Doris Jean Futo 239 Bonnie Brae Street Wichita, Kansas 67207
Lot 16, Block 15,	BONNIE BRAE	✓ Albert L. & Marguerite E. Gosman 244 Bonnie Brae Street Wichita, Kansas 67207
Lot 17, Block 15,	BONNIE BRAE	✓ Dale E. & Dorothy A. Schoenlefer 250 Bonnie Brae Street Wichita, Kansas 67207
Lot 18, Block 15,	BONNIE BRAE	✓ Norman G. & Betty J. Neugebauer 256 Bonnie Brae Street Wichita, Kansas 67207
Lot 19, Block 15,	BONNIE BRAE	✓ Rick & Cynthia Hill 262 Bonnie Brae Street Wichita, Kansas 67207



<u>DESCRIPTIONS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lot 20, Block 15,	BONNIE BRAE	Leslie Ralph & Carrie Gilstrap 268 Bonnie Brae Street Wichita, Kansas 67207
Lot 21, Block 15,	BONNIE BRAE	Doyle C. & Naida M. Haberly 8416 Willowbrook Road Wichita, Kansas 67207
Lot 1,	DRY	J. R. & Verda S. Dry <i>not in plat</i> and J. R. Dry, Jr. <i>not in plat</i> ADDRESS UNKNOWN <i>not in plat</i>
Lots 1 and 2,	WEAVER-REIMOLD	Executive Inn Inc. 8401 East Kellogg Wichita, Kansas 67207
Lot 1, Block 1,	LANKIN	Arthur Lankin 953 South Greenwich Wichita, Kansas 67207
Lot 1, Block 1,	LANKIN 2ND	Arthur & Kathleen Lankin 953 South Greenwich Wichita, Kansas 67207
Lot 1,	EAST TURNPIKE ENTRANCE	Seldin Development & Management Co. 13057 West Center Road Omaha, Nebraska 68144
Lots 1, 2 and 3,	EAST TURNPIKE ENTRANCE 2ND	University Mall Inc. Resident Agent Wm. P. Higgins 209 East William Wichita, Kansas 67202
Lot 1,	RUTH	United Life & Accident Ins. Co. 2 White Street Concord, N. Hampshire 03301
All of Lot 2, except the East 174.4 feet; and except the North 100 feet,	RUTH	Texaco, Inc. 1515 West 22nd Street Oak Brook, Illinois 60521
Beginning 174.4 feet West and 150 feet North of the Southeast Corner of Lot 2, for a point of beginning; thence West to East line of Bonnie Brae Street, thence Northeasterly along the East line of Bonnie Brae Street to the Northwest Corner of Lot 2; thence East to a point which is 155.4 feet West of the Northeast Corner of said Lot; thence South 92 feet; thence West to point of beginning.	RUTH	C. L. & Jane Finley 7700 East 13th Wichita, Kansas 67206 James N. Sampley and Larry D. Fleming - <i>not in plat</i> Contract Purchasers <i>not in plat</i> ADDRESS UNKNOWN



132 Bonnie Brae 67207



DESCRIPTIONS

ADDITION

RECORD OWNERS

The North 100 feet of Lot 3, except the West 155 feet,

RUTH

Donald R. Dreiske and Arthur H. Bailey  
8300 East Kellogg  
Wichita, Kansas 67207

Lot 3, except the West 155 feet and except the North 100 feet,

RUTH

Gary K. Edminster  
8330 East Kellogg  
Wichita, Kansas 67207

The West 155 feet of the North 100 feet of Lot 3,

RUTH

Pacific Motels  
%Arthur H. Bailey, et al  
8300 East Kellogg  
Wichita, Kansas 67207

Lot 2,

F. N. I. C.

First National Bank in  
Wichita as Trustee of  
Creef Realty Trust Agree-  
ment and Declaration of  
Trust, dated April, 1979  
Main and Douglas  
Wichita, Kansas 67202

Lots 1 and 2,

R. V. C.

Dover East Associates  
%Property Capitol Advisor  
Inc.  
200 Clarendon  
Boston, Mass. 02111

Lot One (1), except beginning on the West line of said Lot 1 at a point 430.43 feet North of the Southwest Corner of said Lot; thence North 0° 10' 04" West on said West line a distance of 300 feet to a corner in said West line; thence North 73° 19' 49" East on the Westerly line of said Lot 1 a distance of 125.63 feet to a corner in said Westerly line; thence North 65° 21' 40" East on the Westerly line of said Lot 1 a distance of 32.62 feet; thence South 23° 05' 55" West a distance of 380.11 feet to the point of beginning, and except beginning at the Northwest Corner of said Lot 1; thence South 0° 09' 01" East on the West line of said Lot 1 a distance of 389.26 feet to a corner in said West line of said Lot; thence North 65° 21' 40" East a distance of 109.88 feet; thence North 0° 09' 01" West a distance of 343.48 feet, more or less, to the North line of said Lot 1; thence South 89° 58' 59" West on said North line a distance of 100 feet to the point of beginning.

PHI

City of Wichita  
455 North Main  
Wichita, Kansas 67202



DESCRIPTIONS

ADDITION

RECORD OWNERS

Southeast Quarter except the Northwest Quarter and except the South Half of the South Half and except the West 23 Acres of the Northeast Quarter and except beginning on the North line of Lot 1, Wiedemann Addition, 120 feet East of the West line of the Southeast Quarter; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to beginning, Section 20, Township 27 South, Range 2 East,

Mary M. Maxwell  
✓ 2381 Algonquin Road  
Schenectady, New York  
12309

Block 2, except beginning at the Northwest Corner; thence Southwesterly 75 feet; thence Easterly to a point 120 feet South of the Northeast Corner; thence North to Northeast Corner; thence West 151.66 feet to beginning,

SUNNY-BROOK

William A. Hayes  
John W. Hill  
✓ Russell C. Knotts  
H & K Food Corp.  
2575 Ferris Road  
Columbus, Ohio 43224



Beginning at the Northwest Corner of Block 2; thence Southwest 75 feet; thence Easterly to a point 120 feet South of the Northeast Corner of Block 2; thence North 120 feet; thence West to beginning,

SUNNY-BROOK

Socony Mobil Oil Co.  
✓ P.O. Box 900  
Dallas, Texas 78421

Beginning 147 feet Northwesterly of the Southeast Corner of Block 18, thence Northeast 101.51 feet; thence East 87 feet; thence North 222 feet; thence West 75 feet; thence Southwest 108.11 feet; thence Southwest to the Southwest Corner, Block 18; thence Southeast to beginning, except Townhouse Unites B-1, B-2, C-1 and C-2,

BONNIE BRAE

Cloister Homeowners Assn.  
✓ Spines Real Estate Dev.  
525 Fourth Financial Center  
Wichita, Kansas 67202

AND

A tract of land located in Block 18, being more particularly described as follows:

Beginning at the Southerly corner of said Block 18, on the Southwesterly line of said Block 18, with an assumed bearing of North 55° 59' 34" West, a distance of 147.00 feet; thence North 19° 46' 15" East, a distance of 101.51 feet; thence North 89° 49' 56" East, a distance of 87.00 feet; thence South 0° 10' 04" East, a distance of 178.00 feet to a point of beginning, except those portions of said tract on which residences A-1 & A-2 are herein described.

Fidelity  Title  
COMPANY, INC.

<u>DESCRIPTIONS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Townhouse Unit A-2 in "The Cloister", a Townhouse Develop- ment,	<i>Resent 4-29-82:</i> 8915 E. Douglas, 67207	Bill B. & Wanda M. Spencer <del>8631 Killarney Place</del> Wichita, Kansas 67206
Townhouse Unit A-1 in "The Cloister", a Townhouse Develop- ment,	<i>Resent 4-29-82:</i> 8917 E. Douglas 67207	H. James & Betty B. Menehan <del>1039 Lawrence Court</del> Wichita, Kansas 67206
The South 198 feet of the North 850.34 feet of the West Half of the East 20 Acres of the North- west Quarter of Section 29, Township 27 South, Range 2 East,	<i>Returned</i>	Executive Inn Inc. P.O. Box 1598 Topeka, Kansas 66601 <u>Property Address:</u> 8401 East Orme Wichita, Kansas 67207
Lots 1, 2, 3 and 4,	REPLAT OF BLOCK 1, SUNNY-BROOK	William Levitt (Lease) General Real Estate Shares 3150 Republic Boulevard Toledo, Ohio 43615 <u>Property Address:</u> 8401 East Kellogg Wichita, Kansas 67207
Beginning 652.34 feet South of the Northeast Corner of the Northwest Quarter; thence South 198 feet; thence West 165 feet; thence North 198 feet; thence East to beginning in the North- west Quarter in Section 29, Township 27 South, Range 2 East,		Executive Inn Inc. P.O. Box 1598 Topeka, Kansas 66601 <u>Property Address:</u> 8401 East Orme Wichita, Kansas 67207
Lot 1 and the North 3 feet of Lot 2, Block 3,	SUNNY-BROOK	Charles W. & Darlene F. Melton 535 Eastern Avenue Wichita, Kansas 67207
Lot 2, except the North 3 feet, Block 3,	SUNNY-BROOK	Charles M. & Diane M. Cline and Kyle M. & Joellen Rhorer and Jimmie J. & Joan Main 8322 Rose Lane Wichita, Kansas 67207
Lots 3 and 5, Block 3,	SUNNY-BROOK	Administrator of Veterans Affairs 901 George Washington Drive Wichita, Kansas 67211
Lot 4, Block 3,	SUNNY-BROOK	Doris L. Miller 8328 East Orme Wichita, Kansas 67207



DESCRIPTIONS

ADDITION

RECORD OWNERS

East 64 feet of Lot 6, Block 3,

SUNNY-BROOK

*not in phase book - not in c.d.*  
Frank Manning and Audie Cupp  
*not in phase book - not in c.d.*  
X ADDRESS UNKNOWN

Lot 4, Block 4,

SUNNY-BROOK

Ronald E. & M. Cecilia Fischer  
✓ 8327 East Orme  
Wichita, Kansas 67207

Lot 5, Block 4,

SUNNY-BROOK

George E. Rathbun  
✓ 8333 East Orme  
Wichita, Kansas 67207

Lot 6, Block 4,

SUNNY-BROOK

James B. & Avis E. Craig  
✓ 8339 East Orme  
Wichita, Kansas 67207  
*not in phase book - not in c.d.*

Lot 1,

MANSON-CUMMINGS

Arthur W. Viner and Thomas G. Davis, Jr., Trustees  
*not in phase book - not in c.d.*  
X of Third I. C. M. Realty  
ADDRESS UNKNOWN



Dated in Wichita, Kansas, this 1st day of March, 1982 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

*C. E. Reed Kelder*

By

Vice President

Tracer No. 57813



FORM 2 21

PAYMENT NOTICE  
City of Wichita

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

DESCRIPTION	AMOUNT
DP 15 amendment	\$200.00

NAME Bill Koerber  
 ADDRESS \_\_\_\_\_

FUND 110 40071 003 DUE DATE \_\_\_\_\_  
 COMMENTS \_\_\_\_\_

DATE 3/25/87 BY [Signature]

\*

This DP File  
Has a Large Drawing  
On 35mm Microfilm.

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