

PLAT NO. S/D 64-73 MAP NO. E-9

NAME Woodlawn Village (East)

LOCATION At the NW corner of Rock Road
and Central

ENGINEER: Harmon & O'Donnell

OWNER Byers Construction Co., Inc.

APPLICATION FILED 11-18-64

SKETCH PLAT FILED 11-18-64

PRELIMINARY FILED 1-18-65

S/D ACTION 1-28-65 Forward to PC for
policy decision * 3-11-65 App. Subm.

FINAL FILED 3-1-65

S/D ACTION 3-11-65 Approve

MAPC ACTION 3-18-65 Approve

BCC ACTION 4-6-65 Approved

RECORDED 5-3-65

REMARKS * 2-4-65 Maps did not
require street on E side of Drainage Canal

Closed 4-6-65
5-13-65 S/D App amendment to Condition #3
5-20-65 Maps App amendment
Closed

S/D COMMITTEE (Belmont) Emergency 1-28-65
to PC for policy decision
M.A.P.C. Sid. rate require 2-4-65
that

D. B. C. C.

S/D Comm. (Belmont) Approved 2-11-65
S/D Comm. (Belmont) Approved 3-11-65
Maps Approved 3-18-65
Rec Approved 4-6-65

Closed 4-6-65

S/D Comm. Amendment to 5-13-65
Condition #3 of approval Approved
Maps Approved amendment 5-20-65
to Condition No. 3

Closed

RECORDED ON 5-3-65

S/D Comm. signed 2 weeks 4-14-66
S/D Comm. Approve waiver of 4-28-66
Condition #3 subject
to conditions
Maps Approved amendments 5-5-66

S/D 64-73 - Woodlawn Village (East)
located at the NW corner of Rock
Road & Central

SUBDIVISION REPORT AND PROGRESS

MAP No. B-9
SEC. No. 18
TWP. No. 27
RANGE 2E

S/D No.: 64-73

NAME: Woodlawn Village (East)

GENERAL LOCATION: At the NW corner of Rock Road & Central

OWNER: Byers Construction Co., Inc.
ADDRESS: 1006 Grand Ave., Ks. City, Missouri PHONE: VI 2-0297
SUBDIVIDER: Same
ADDRESS: K.O. Taylor PHONE: _____
ENGINEER/SURVEYOR: Harmon & O'Donnell
ADDRESS: 2nd & Detroit, Denver, Colorado PHONE: Area 303-388-4228

APPLICATION RECEIVED 11-18-64
CONF. WITH APPLICANT none
SKETCH PLAT RECEIVED 11-18-64
POSTED TO ATLAS 12-8-64
PRESENT ZONING "LC" & "AA"
PROPOSED ZONING "LC", "AA" & "B"
SKETCH PLAT _____
LETTER OF INTENT 11-18-64

FINAL PLAT RECEIVED 3-1-65
TRACING RECEIVED _____
FINAL PLAT REVIEWED 3-2-65
S/D REPORT #2 PREPARED 3-4-65

PREL. PLAT RECEIVED 1-18-65
PREL. PLAT REVIEWED 1-19-65
S/D REPORT #1 PREPARED 1-19-65

S/D COMM. ACTION 3-11-65 (Approved)
S/D REPORT #2 MARKED 3-15-65
DEPT. REPORT ON FINAL 3-15-65
MARKED COPY SENT TO ENG. 3-15-65

S/D COMM. ACTION 1-28-65 * forward to FC 2-11-65 Approval & Union.
S/D REPORT #1 MARKED 2-11-65
DEPT. REPORT ON PREL. 2-24-65
MARKED COPY SENT TO ENG. 2-24-65

M.A.P.C. ACTION 3-18-65 (Approved)
S/D REPORT #2 MARKED 3-19-65
DEPT. REPORT ON FINAL 3-19-65

LETTER ON IRONS RECEIVED 3-21-65
TITLE OPINION RECEIVED 3-29-65
TAXES OPINION RECEIVED 3-29-65
TITLE & TAXES REVIEWED 3-29-65
FINAL REVIEW 4-1-65

* 3-24-65 Maps (Policy decision) did not require street.

LETTER TO B.C.C. 4-1-65

B.C.C. ACTION 4-6-65 (Approved) *

RECORDED 5-3-65
ANNEXED _____

COMMENTS: Zone Case 2-0229 MAP recommended approval 3-18-65
REC 4-6-65

* 5-15-65 S/D reconsidered & approved amendment to Condition #3

5-30-65 Maps Approved amendment to Condition #10 & 3.

REGISTER OF DEEDS

SEDGWICK COUNTY, KANSAS

WOODLAWN EAST

ADDITION WAS

FILED FOR RECORD ON May 3, 1965

5-3-65
Jo

Rufus E. Deering

REGISTER OF DEEDS

May 6, 1966

Mr. George W. Byers
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Subject: S/D 64-73 - Woodlawn East Addition

Dear Mr. Byers:

At its regular meeting on May 5, 1966, the Metropolitan Area Planning Commission reconsidered a condition of approval as follows:

"Removal of the oil storage tanks and the proper sealing of the oil wells prior to the issuance of any building permit for Lots 29 and 30, Block 3."

The action of the Planning Commission was to waive the original condition subject to:

1. The existing oil well pump on Lot 29, Block 3, being replaced by a submersible pump.
2. The relocation of the oil storage tanks being approved by the Planning Commission.
3. The installation of said relocated storage tanks conforming to Chapter 25.04 of the Code of the City of Wichita, Kansas.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs
cc: Mr. Robert Danneberg
Byers Construction Company

April 29, 1966

Mr. Robert Danneberg
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Subject: S/D 64-73 - Woodlawn East Addition

Dear Mr. Danneberg:

At its regular meeting on April 28, 1966, the Subdivision Committee of the Metropolitan Area Planning Commission considered your request to waive the following condition of approval of the above-captioned plat:

"Removal of the oil storage tanks and the proper sealing of the oil wells prior to the issuance of any building permit for Lots 29 and 30, Block 3".

The action of the Subdivision Committee was to recommend that this request be approved subject to:

1. The existing oil well pump being replaced by a submersible pump.
2. The existing storage tanks being relocated to within a closer vicinity of the proposed "LC" development in the southeast corner of Block 3. The exact relocation position shall be approved by the Planning Commission.
3. The installation of said relocated storage tanks conforming to Chapter 25.04 of the Code of the City of Wichita, Kansas.

April 29, 1966

This matter will be forwarded to the Metropolitan Area Planning Commission for its consideration on May 5, 1966.

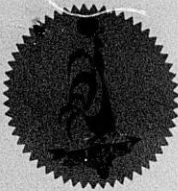
If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

cc: Mr. George W. Byers
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri 67106



Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

BYERS BROS. REAL ESTATE & INSURANCE AGENCY, INC. • BYERS CONSTRUCTION CO., INC. • CITY HOMES, INC.

1006 Grand Ave. • VI. 2-0297 • Kansas City, Mo. 64106

816

March 23, 1966



Mr. Jack Galbraith
Mr. Robert Lakin
Metropolitan Area Planning Dept.
City Annex Building
104 S. Main St.
Wichita, Kansas, 67202

Re: S/D 64-73
Lots 29 & 30, Block 3
Woodlawn East Addn.

Gentlemen:

Regarding a zoning requirement on Lots 29 & 30, Block 3, Woodlawn East Addition, that involves the following condition:

"Removal of the oil storage tanks and the proper sealing of the oil wells prior to the issuance of any building permit for Lots 29 & 30, Block 3."

We herewith request your consideration to waive the requirement and to allow the issuance of building permits on Lots 29 & 30, subject to certain conditions that we shall present as a part of this request.

At the initial stages of land planning, zoning and platting of the 80 acre tract known as Woodlawn East, it was our intention to seal and remove all oil production at such time as actual construction was commenced on Lots 29 & 30. The oil production, including 2 wells, 1 disposal well and storage tanks are located on these two lots. These lots will be developed for multifamily and commercial use.

Since the original zoning was granted a more comprehensive study of the multiple family and commercial development has been made and we have found that because of the general location of the wells and equipment, that the possibility of continued production might very well be incorporated into the overall commercial and multifamily complex, if proper regard for the general character of the area can be guaranteed.

There are several points to consider in order to test the feasibility of continued production, namely:

Members: Home Builders Association of Kansas City • National Association of Real Estate Boards • National Association of Home Builders



Mr. Jack Galbraith
Mr. Robert Lakin

-2-

March 23, 1966

1. What physical properties will be adjacent to the equipment and what effect, if any, might the presence of the equipment have on these properties?
2. Will any fire or safety hazards be created?
3. Will the general appearance and compatibility within the area be affected?

In regard to this test of feasibility, we feel that a workable arrangement involving the oil production and commercial and multifamily development can be properly achieved. This will mean moving the oil storage tanks to another location, removing & sealing the West well, installing a submersible pump on the remaining North well, and the proper screening, design and protective fencing necessary to house any visible equipment.

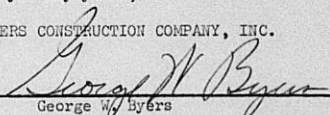
Without covering the necessary details in this letter, we hereby request a hearing before the City Planning Commission to present the justification of our request.

Your consideration of this will be most appreciated.

Very truly yours,

BYERS CONSTRUCTION COMPANY, INC.

By


George W. Byers

GWB/dd



Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

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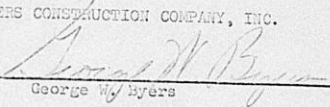
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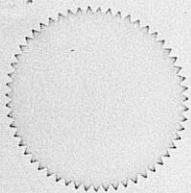
Very truly yours,

MYERS CONSTRUCTION COMPANY, INC.

by


George W. Myers

GWB/dd



Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

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March 23, 1966



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Mr. Robert Lakin
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City Annex Building
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Mr. Jack Galbraith
Mr. Robert Lukin

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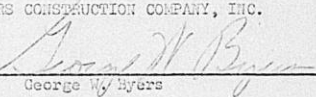
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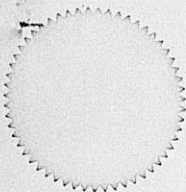
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Very truly yours,

BYERS CONSTRUCTION COMPANY, INC.

By 
George W. Byers

GWB/gd



Reed P. Byers • George W. Byers, Robert F. Dannenberg

byers built homes

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816

March 23, 1966



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Mr. Robert Lakin
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City Annex Building
104 S. Main St.
Wichita, Kansas, 67202

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Mr. Jack Galbraith
Mr. Robert Lukin

-2-

March 23, 1966

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Without covering the necessary details in this letter, we hereby request a hearing before the City Planning Commission to present the justification of our request.

Your consideration of this will be most appreciated.

Very truly yours,

BYERS CONSTRUCTION COMPANY, INC.

By George W. Byers
George W. Byers

GWB/cd

*File this
in Woodburn East
Addition File*

January 3, 1966

Robert F. Danneberg
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri 64106

Dear Bob:

I have checked with the City Attorney on your request, and we both feel that in order to "properly" change the condition of approval on the plat, the request should be submitted to both the Planning Commission and the City Commission. It was felt that such a change is substantial enough as to change the original intent on the plat approval, and therefore, should have the same legislative approval as was given the original plat.

If you will submit a request to us at your earliest convenience, together with such technical data as you may have, we will place it on the Subdivision Committee agenda for consideration. This procedure should, if immediately initiated, allow you to be through the City Commission not later than the middle of February. This would still put construction in that part of the area in mid-June, which I hope is not too late.

If you have any other questions, please give me a call.

Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:jmm



Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

BYERS BROS. REAL ESTATE & INSURANCE AGENCY, INC. • BYERS CONSTRUCTION CO., INC. • CITY HOMES, INC.

1006 Grand Ave. • VI. 2-0297 • Kansas City, Mo. 64106



December 21, 1965

Mr. Robert Lakin
Metropolitan Area Planning Dept
City Building Annex
104 S. Main
Wichita, Kansas, 67202

Re: Woodlawn East Addn.
Lots 29 & 30, Block 3
Wichita, Kansas

Dear Mr. Lakin:

Please accept this letter as our request for consideration of the following:
On May 20th the subdivision committee approved our request to amend a requirement to remove the oil wells prior to the issuance of building permits for Lots 1 - 18, Block 3. This was amended to cover only Lots 29 and 30, Block 3.

At the time we originally discussed the removal of the oil wells we were not familiar with the possibilities of continued production thru different methods and by using modern techniques. Since we purchased the property including the wells, the production has increased and is a profitable factor with production now estimated to be good for fifteen to twenty years.

Assuming thru petroleum engineering and architectural screening and concealment we can eliminate the objections to the visual and sound aspects and satisfy the City and Mortgagee regarding the safety factor we would like then to proceed in such a manner as to make the production an integral part of the multi-family-commercial development.

As I indicated to you, by telephone, this type of thing has been accomplished in many parts of the Country and has worked satisfactorily.

Presently there are 2 producing wells, 1 disposal well and 3 storage tanks on the property. The West well would be plugged and the storage tanks would be moved near the disposal well on Lot 30, Block 3. This would leave only the one producing well (North well) on the North end of Lot 29, Block 3.

I will not attempt to cover the method of handling the production now, but will forward this information when our oil people can gather the necessary technical data.

Members Home Builders Association of Kansas City • National Association of Real Estate Boards • National Association of Home Builders



Mr. Robert Lakin

-2-

December 21, 1965

Right now we need to determine two things. First, what are the closing and hearing dates of the subdivision committee, and also, should our request be presented to the fire department before the hearing?

Secondly, can this be heard "finally" at the subdivision committee level. If you recall our last request concerning the oil was finally approved May 20, 1965 by the committee. It would help us a great deal as far as "timing" is concerned to determine the approval at one level. Since our apartment construction is planned for early summer, it leaves very little time to find out if our request is possible.

Your early consideration of this would be most appreciated and we will proceed at your direction.

Very truly yours

BYERS CONSTRUCTION COMPANY OF KANSAS, INC.

By

Robert F. Danneberg
Robert F. Danneberg

RFD/dd

Bob,
we have to give 120 days notice to remove and plug the wells. You can understand that if we build in early summer we have little time for the determination of the oil question. This is our main reason for requesting a final decision at the one level.

RFD

May 21, 1965

Mr. K. O. Taylor
307 1/2 Laura
Room 203
Wichita, Kansas

Subject: S/D 64-73 - Final Plat of
Woodlawn East

Dear Mr. Taylor:

At its regular meeting on May 20, 1965, the Metropolitan Area Planning Commission considered Condition No. 3 of a letter to you dated March 19, 1965 and recommended that Condition No. 3 be amended as follows:

3. "Removal of the oil storage tanks and the removal and proper sealing of the oil wells prior to the issuance of any building permit for Lots 29 and 30, Block 3." (This condition originally provided that no building permits would be issued until the oil storage tanks were removed and all oil wells were sealed for Lots 1-18, Block 3.)

If you have any questions concerning this matter, please feel free to call.

Sincerely yours,

Jack H. Galbraith
Senior Planner

JHG:mb

Mr. K. O. Taylor

May 21, 1965

CC: George Byers
Robert Danneberg
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Ron Hoisington
Harman, O'Donnell and Henninger
Second and Detroit
Denver 6, Colorado

Glen Lytle
Central Inspection

May 14, 1965

Mr. K. O. Taylor
307 1/2 Laura
Room 203
Wichita, Kansas

Subject: S/D 64-73 - Final Plat of Woodlawn East

Dear Mr. Taylor:

This is to advise you that at its regular meeting on May 13, 1965, the Subdivision Committee of the Metropolitan Area Planning Commission considered Condition No. 3 in a letter to you dated March 19, 1965. The action of the Subdivision Committee was to recommend that Condition No. 3 be amended as follows:

3. "Removal of the oil storage tanks and the removal and proper sealing of the oil wells prior to the issuance of any building permit for Lots 29 and 30, Block 3." (This condition originally provided that no building permits would be issued until the oil storage tanks were removed and all oil wells were sealed for Lots 1-18, Block 3.)

The recommendation of the Subdivision Committee that Condition #3 be amended as stated above will be forwarded to the Planning Commission for their consideration at their next regular meeting on May 20, 1965.

If you have any questions concerning this matter, please feel free to call.

Sincerely yours,

Jack H. Galbraith
Senior Planner

JHG:JWH:mb

Mr. K. O. Taylor

May 14, 1965

CC: George Byers
Robert Danneberg
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Ron Hoisington
Harman, O'Donnell and Henninger
Second and Detroit
Denver 6, Colorado

JG

KENNETH O. TAYLOR
Consulting Engineer
307 $\frac{1}{2}$ Laura, Rm 203
WICHITA 5, KANSAS

May 12, 1965

Wichita-Sedgwick County MAPC
104 South Main
Wichita, Kansas

Gentlemen:

I have located certain oil storage tanks in the NW corner of Lot 30 and the SW corner of Lot 29, Block 3, Woodlawn East, Wichita, Sedgwick County, Kansas. I do hereby certify that said oil storage tanks are in the clear of the north-south utility easements at the rear lot lines of Lots 9, 10, 29 and 30 in said Block 3. Said storage tanks encroach on the east-west utility easement common to Lots 29 and 30 in said Block 3.

The attached plat shows the location of said oil storage tanks.

K. O. Taylor
K. O. TAYLOR



May 5, 1965

Mr. Robert F. Danneburg
1006 Grand Avenue
Kansas City, Missouri

Subject: S/D 64-73 - Woodlawn East Addition

Dear Mr. Danneburg:

In answer to your letter of May 4, 1965, we have scheduled, for reconsideration, the matter of removal of the oil storage tanks and proper sealing of the oil wells prior to the issuance of building permits on Lots 1 through 18 and Lots 30 and 31, Block 3.

This will be reconsidered by the Subdivision Committee at their regular meeting of May 13, 1965, and should be forwarded to the Planning Commission for their regular meeting of May 20, 1965.

Prior to the May 13 meeting, we will need one copy of the plat showing the exact locations of the oil wells and storage tanks. The onsite inspection is insufficient for presentation purposes.

I have discussed this matter with Glen Lytle, Superintendent of Central Inspection, and he has indicated that if the wells and tanks are not in the easement and are located in Lots 30 and 31, he sees no reason why this condition should not be removed from Lots 1 through 18.

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

Sincerely,

Jack H. Galbraith
Senior Planner

cc: K. O. Taylor
307½ Laura, Room 203

City Manager's Report

Recommendation from the Metropolitan Area Planning Commission to
BOARD OF CITY COMMISSIONERS
for Subdivision Approval

S/D Number: 64-73 Name: Woodlawn East
Application Filed: 11-18-64 Sketch Filed: 11-18-64
Preliminary Plat Filed: 1-18-65 Approved by S/D: 2-11-65
Final Plat Filed: 3-1-65 Approved by S/D: 3-11-65
Approved by Metropolitan Area Planning Commission: 3-18-65

DESCRIPTION

General Location: Northwest corner of Rock Road and Central

Owner: Byers Construction Co., Inc.
Surveyor or Engineer: Harmon & Donnell
Address: Second & Detroit, Denver 6, Colorado

- | | | |
|----------------------------------|----------------|--------------------------------|
| 1. Gross Acreage of Plat | 80 | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | | (a) 1170 R/W 60 ft. |
| Residential | 60 | (b) 1760 R/W 50 ft. |
| Commercial | 1 (10 A) | (c) 1300 R/W 107 ft. |
| Industrial | | (d) Total 4230 ft. |
| Other Multi-residential-1 (10 A) | | 8. Total Area of New Streets: |
| Total | 62 | R/W 370,165 sq. ft. |
| 3. Average Lot Frontage | 120 ft. | 9. Existing Zoning AA & LC |
| 4. Minimum Lot Frontage | 100 ft. | 10. Lot Area Required by |
| 5. Average Lot Area | 12,000 sq. ft. | Zoning _____ sq. ft. |
| 6. Minimum Lot Area | 9,500 sq. ft. | |

Associated Zone Case - Z-0629

Planning Commission Recommendation:

LAW moved, and KRATZER seconded that the Planning Commission recommend to the City Commission that this plat be approved, subject to the following:

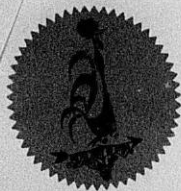
1. Filing covenants establishing a home association which guarantees the landscaping and maintenance of the islands located in the center of each cul-de-sac (Lots A, B, C, D, E, F, G). The covenants are to be approved as to content by the Director of Public Works and Director of Planning, and approved as to form by the Legal Department of the City of Wichita.
2. Recording within 30 days after approval by the City Commission.

Vote of Planning Commission: Unanimous

Respectfully submitted,

_____, Secretary

City Manager's Recommendation: Approve the plat as recommended by the Metropolitan Area Planning Commission and authorize the Mayor to sign.



Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

BYERS BROS. REAL ESTATE & INSURANCE AGENCY, INC. • BYERS CONSTRUCTION CO., INC. • CITY HOMES, INC.

1006 Grand Ave. • VI. 2-0297 • Kansas City, Mo. 64106

May 4, 1965

Mr. Jack Galbraith
Mr. Robert Lakin
Metropolitan Area Planning Commission
City Building Annex
104 S. Main
Wichita, Kansas

Re: Case S/D 64-73
Woodlawn East Adn.

Gentlemen:

It is hereby requested that the Planning Commission review one of the requirements on the zoning and platting of the above described property; namely, the removal of the oil storage tanks and proper sealing of wells prior to the issuance of building permits on Lots 1 through 18, and Lots 30 and 31 of Block 3. This requirement was made because the Utility Companies felt that the North-South utility easement could not be utilized because of the presence of the oil storage tanks which at the time were thought to be right on the easement line.

Since the approval of the plat and our guarantee letter concerning the removal of the wells, we have found that the oil storage tanks are 15 feet to the East of the easement in question. This was determined by an on-site inspection by K. O. Taylor, Engineer.

Since the time involved in selling Lots 1 through 18 is of an undeterminable nature, at least for the present time, it would seem highly unnecessary to remove producing wells until it is absolutely necessary. The location of the tanks and wells, as determined by survey, are not interfering with Lots 1 to 18. We request that the building permit restrictions relating to the oil storage tanks be removed not only for this reason but also because the construction on only one lot would automatically require that the production stop and equipment be removed.

As verified previously, we have complete ownership and control over the wells and can have them removed at any time after July 1, 1965. Certainly in order to enhance our overall development program, we will have to discontinue production sometime in the future.



Members: Home Builders Association of Kansas City • National Association of Real Estate Boards • National Association of Home Builders

Mr. Jack Galbraith
Mr. Robert Lakin

-2-


May 4, 1965

We would appreciate you considering this request and forwarding it to the next Planning Commission hearing June 3, 1965, by meeting the closing date of May 5, 1965.

Very truly yours

CITY HOMES, INC.

By


Robert F. Danneberg

RFD/dd

April 13, 1965

Ralph Wulz, Director of Public Works

Robert A. Lakin, Assistant Planning Director

Woodlawn East Addition - Restrictive Covenants

Attached is a copy of the Restrictive Covenants for Woodlawn East Addition. Will you please review these Covenants as to the development and maintenance of the cul-de-sac areas.

RAL:bgs

Attachment

*OK w/ Lakin
in per telephone
4-16-65*

*OK
w/ Wulz
in per conversation
4-21-65*

April 7, 1965

Mr. John Dekker
Suite 600
Jayhawk Hotel
Topeka, Kansas

Dear Mr. Dekker:

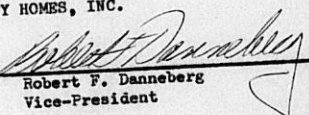
Enclosed you will find revised copies of proposed Homes Association Agreement for Woodlawn East Addition in Wichita, Kansas.

Mr. Bob Lakin has suggested a few changes which we have incorporated and he thought a copy should be forwarded to you for your consideration.

Very truly yours

CITY HOMES, INC.

By


Robert F. Danneberg
Vice-President

RFD/dd

✓ cc: Mr. Bob Lakin



HOMES ASSOCIATION DECLARATION

THIS DECLARATION, made on this 5th day of April, 1965, by City Homes, Inc., a corporation of Kansas City, Jackson County, Missouri,

WITNESSETH: That

WHEREAS, City Homes, Inc., is the owner of all of the lots shown on the plat of Woodlawn East, a subdivision of land in the City of Wichita, in Sedgwick County, Kansas, filed for record on _____, in the office of the Register of Deeds of Sedgwick County, Kansas, and recorded in _____, except Lots 29 and 30, Block 3, of Woodlawn East.

WHEREAS, City Homes, Inc., is now developing said Woodlawn East for high-class residence purposes, and it is its desire to continue the development of certain parts of such land and other land in this vicinity for such purposes, and to create and maintain a residential neighborhood possessing features of more than ordinary value to a residential community.

NOW, THEREFORE, in order to assist it and its grantees in providing the means necessary to bring this about, City Homes, Inc., does now and hereby subjects all residential lots in Blocks 1, 2, 3, 4, and 5, Woodlawn East, as shown on the recorded plat thereof, to the covenants, charges and assessments set forth and contained in this Declaration.

DEFINITIONS OF TERMS USED,

The term "district" as used in this Declaration shall mean, unless and until extended as hereinafter provided, all of the lots enumerated above and shown on said plat of Woodlawn East. If or when other land shall, in the manner hereinafter provided, be added to that described above then the term "district" shall thereafter mean all land which shall from time to time be subjected to the terms of this Declaration, including any future modification thereof. The term "improved property", as used herein, shall be deemed to mean a single tract under a single ownership and use, and on which tract a residence has been erected or is in the process of erection, or on which any other building not in violation of the restrictions then of record thereon is erected or is in the process of erection. Any such tract may consist of one or more contiguous lots or part of parts thereof. Any other land covered by this Declaration shall be deemed to be vacant and unimproved. The term "public place" as used herein shall be deemed to mean all streets, all parks at street intersections or elsewhere, and all similar places the use of which is dedicated to or set aside for the use of the general public, or for

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the general use of all of the owners within the district, or which may, with appropriate consent, be used by all of the owners of the district. The term "owners" as used herein shall mean those persons or corporations who may from time to time own the land within the district.

SECTION 1. MEMBERSHIP IN ASSOCIATION.

The owners of all of residential lots in Blocks 1, 2, 3, 4, and 5, Woodlawn East, as shown on the recorded plat thereof, together with the owners of any other land that may from time to time be made subject to all of the terms and provisions of this Declaration in the manner hereinafter provided for, shall be the members of an Association, which is hereby created and established, to be known as WOODLAWN EAST HOMES ASSOCIATION. The Association shall be incorporated under the laws of the State of Kansas as a corporation not for profit. Membership in the Association shall be limited to the owners of land within the boundaries of the district as it exists from time to time. The Association shall be the sole Judge of the qualifications of its members and of their rights to participate in its meetings and proceedings.

SECTION 2. LAND ENTITLED TO BENEFITS.

No land shall be entitled to any of the benefits, improvements or services provided by this Association unless the owner or owners thereof shall have subjected their land to the terms of this Declaration and to the assessments herein provided for.

SECTION 3. POWERS AND DUTIES OF THE ASSOCIATION.

The Association shall have the following powers and duties which it may exercise and perform whenever in its discretion it may deem them necessary or desirable, and shall pledge itself to pursue its powers and duties with due diligence, to wit:

(1) To enforce, either in its own name or in the name of any owner within the district, any or all building restrictions which may have been heretofore or may hereafter be imposed upon any of the land in such district, either in the form as originally placed thereon or as modified subsequently thereto; provided, however, that this right of enforcement shall not serve to prevent such changes, releases or modifications of restrictions or reservations being made by the parties having the right to make such changes, releases or modifications as are permissible in the deeds, declarations, contracts or plats in which such restrictions and reservations are set forth, nor shall it serve

to prevent the assignment of those rights by the proper parties, wherever and whenever such rights of assignment exist. The expenses and costs of any enforcement proceedings shall be paid out of the general fund of the Association as herein provided for. Nothing herein contained shall be deemed or construed to prevent any owner having the contractual right to do so from enforcing in his own name any such restrictions.

(2) To manage and control as trustee for its members all public improvements upon and to the land in the district, or improvements in public places, provided that such management and control of said improvements shall at all times be subject to that had and exercised by any City, Township, County and State, or any of them in which the land within the district is located.

(3) To care for, spray, trim, protect and replant trees on all streets and in other public places where trees have once been planted, when such services are not available from any public source; and to care for, protect and replant shrubbery, and rescue grass and replace sod in the parks which are in the streets and in any parks set aside for the general use of the owners in the district, or to which such owners have access and the use thereof.

(4) To mow, care for, maintain and remove rubbish from vacant and unimproved property and to do any other things necessary or desirable in the judgment of the officers of the Association to keep any vacant and unimproved property and the parking in front of any property in the district neat in appearance and in good order.

(5) To provide for the maintenance of any gateways, entrances, fountains, statuary, and ornamental features now existing or which may hereafter be erected in said district in any public street or reserve, or on any land set aside for the general use of the owners in the district, or to which all of such owners have access and the use thereof; and also to provide for the maintenance of any streams and natural water-courses within the district. This is more specifically meant to cover reserves A, B, C, D, E, F, G, H, I, J, K, L, and M in accordance with the plat of Woodlawn East.

(6) To exercise control over such easements as it may acquire from time to time.

(7) To acquire and own the title to such real estate as may be reasonably necessary in order to carry out the purposes of the Association, and to pay taxes on such real estate as may be owned by it; and to pay such taxes as may be assessed against land in public or semi-public places within the district.

(8) To levy and collect the assessments which are provided for in this declaration.

SECTION 4. METHOD OF PROVIDING GENERAL FUNDS.

(1) For the purpose of providing a general fund to enable the Association to exercise the powers, and maintain the improvements and render the services herein provided for, all land within the boundaries of the district shall be subject to an annual assessment which may be levied by the Association from year to year and shall be paid to the Association annually in advance by the respective owners of the assessable land subject thereto, which assessable land shall be deemed to be all of the above enumerated lots in the aforesaid plat of Woodlawn East, except as herein provided, together with such other land as may from time to time be added to the said district as herein provided. The Association may from year to year fix and determine the total amount required in this general fund and may levy and collect an annual assessment not exceeding \$20.00 for each lot within the district as now or hereafter established; provided, however, that if in the sale of land within the district any lot or lots be divided into one or more building sites, each of which building sites shall be for a single residence and may consist of a part or parts of one or more lots as platted, then for the purpose of levying this assessment each of such building sites shall constitute one assessment unit and shall be liable for each annual assessment in the same way and manner as one platted lot under a single ownership. All building sites, consisting of either platted or unplatted land, which are now or may hereafter become a part of the district as herein provided for, shall be at least of such size as will under the restrictions of record, if any there be, permit the erection of a residence thereon. For the purpose of levying this assessment, the Association shall be the sole judge as to what may from time to time constitute a building site under the provisions of this paragraph.

(2) The annual assessment upon each lot or building site as aforesaid may be increased by an amount not exceeding one hundred per cent of the \$20.00 maximum annual assessment which the Association may levy and collect from year to year, provided that at a meeting of the members specially called for that purpose, prior

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to the date on which the assessment is levied for the year for which such increase is proposed, a majority of the members present at such meeting authorize such an increase by an affirmative vote therefor; and provided, further, that the annual assessment upon each lot or building site as aforesaid may be increased by an amount not exceeding one hundred fifty per cent of the said \$25.00 maximum annual assessment; provided that at a meeting of the members specially called for that purpose, prior to the date on which the assessment is levied for the year for which such increase is proposed, three fourths of the members present at such meeting authorize such an increase by an affirmative vote therefor. Whenever the Association may deem it advisable to submit to the members a proposal for increasing the amount of the annual assessment for a particular year, it shall notify the members of the Association by mailing to such members at the last known address, with United States postage thereon prepaid, a notice of such meeting, giving the time and place at which it is to be held and the fact that an increase in the amount of the annual assessment is to be voted upon at such meeting. No increase in the amount of the annual assessment may be made for more than one year at a time.

(3) The first assessment shall be for the calendar year beginning January 1, 1966, and it is hereby fixed at \$20.00 and shall be payable on the 2nd day of January, 1966, and thereafter it shall be due and payable on the 2nd day of each succeeding year. It will be the duty of the Association to notify all owners whose address is listed with the Association on or before that date, giving the amount of the assessment on each tract of land owned by them, and the date when such assessment is due. Failure of the Association to levy the assessment prior to January 1st of each year for the next succeeding calendar year beginning on January 1st shall not invalidate any such assessment made for that particular year; nor shall failure to levy an assessment for any one year affect the right of the Association to do so for any subsequent year. When the assessment is made subsequent to January 1st of any year, then it shall become due and payable not later than thirty days from the date of levying the assessment.

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thereon.

(3) Such liens shall continue for a period of five years from the date of delinquency and no longer, unless within such time suit shall have been instituted for the collection of the assessment, in which case the lien shall continue until the termination of the suit and until the sale of the property under execution of the judgment establishing same.

SECTION 6. EXPENDITURES LIMITED TO ASSESSMENTS FOR CURRENT YEAR.

The Association shall at no time expend more money within any one year than the total amount of the assessment for that particular year, or any surplus which it may have on hand from previous assessments; nor shall said Association enter into any contract whatsoever binding the assessment of any future year to pay for any such obligation, and no such contract shall be valid or enforceable against the Association except for contracts for utilities; it being the intention that the assessment for each year shall be applied as far as practicable toward payment of the obligations of that year, and that the Association shall have no power to make a contract affecting the assessment of any future or subsequent year except for utilities.

SECTION 7. ASSOCIATION TO NOTIFY MEMBERS OF ADDRESS.

The Association shall notify all owners of land in the district as it may exist from time to time, insofar as the addresses of such owners are listed with said Association, of the official address of said Association, the place and time of the regular meetings of the Association, and the place where payments shall be made and any other business in connection with said Association may be transacted, and in the case of any change of such address the Association shall notify all the owners of the land in the district, insofar as their addresses are listed with the Association, of the new address.

SECTION 8. TEMPORARY TRUSTEE.

Prior to the actual organization or incorporation of the Association contemplated by the terms of this Declaration, City Homes, Inc., shall have the right at its option to perform the duties, assume the obligations, levy and collect the assessments, and otherwise exercise the powers herein given to the Association, in the same way and manner as though all of such powers and duties were herein given directly to City Homes, Inc. The Association contemplated by the terms of this Declaration shall not assume any of the rights herein provided for without the consent of City Homes, Inc., and its relinquishment of its rights as temporary trustee.

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SECTION 9. TO OBSERVE ALL LAWS.

Said Association shall at all times observe all State, County, City and other laws, and if at any time any of the provisions of this Declaration shall be found to be in conflict therewith then such parts of this Declaration as are in conflict with such laws shall become null and void, but no other part of this Declaration not in conflict therewith shall be affected thereby. The Association shall have the right to make such reasonable rules and regulations, and provide such means and employ such agents as will enable it to adequately and properly carry out the provisions of this Declaration, subject, however, to the limitations of its rights to contract as are herein provided for.

SECTION 10. AMENDMENT.

By written consent of the owners of two-thirds of the area of the land within the district as then constituted, evidenced by a Declaration duly executed and acknowledged by such owners and recorded in the office of the Register of Deeds of Sedgwick County, Kansas, this instrument may be modified and amended, provided, however, that no right to exceed the maximum annual assessment herein provided for may be given.

SECTION 11. GENERAL PROVISIONS.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 15 years from the date these covenants are recorded, after which time shall be automatically extended for successive periods of years unless an instrument signed by a two-thirds majority of the then property owners has been recorded agreeing to change these covenants in whole or in part.

SECTION 12. COVENANTS RUNNING WITH THE LAND.

All of the provisions of this Declaration shall be deemed to be covenants running with the land, and shall be binding upon City Homes, Inc., and upon its successors and assigns.

IN WITNESS WHEREOF, City Homes, Inc., by authority of its Board of Directors, has caused this instrument to be executed by its President, and its corporate seal to be hereto affixed, the day and year first above written.

CITY HOMES, INC.

By _____
President

Secretary

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED, that on this 6th day of April, 1955, before, the undersigned, a Notary Public, in and for the County and State aforesaid, came Reed P. Myers, President of City Homes, Inc., a corporation, duly organized, incorporated and existing under and by virtue of the laws of Missouri, who is personally known to me to be such officer, and who is personally known to me to be the same person who executed, as such officer, the within instrument of writing on behalf of said corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

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

Notary Public within and for said
County and State.



My commission expires April 26, 1967

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KENNETH O. TAYLOR
SEDGWICK COUNTY ENGINEER
HOBBART 4-4072
WICHITA 5, KANSAS

March 31, 1965

Wichita-Sedgwick County MAFC
City Building Annex
Wichita, Kansas

Gentlemen:

City Homes, Inc., by Reed Byers, President does hereby agree to complete the drainage channel adjacent to WOODLAWN EAST, Wichita, Sedgwick County, Kansas in accordance with plans prepared by Kenneth O. Taylor, P.E. and submitted to the Flood Control Department of the City of Wichita.

City Homes, Inc.

By _____, President



KENNETH O. TAYLOR
REGISTERED PROFESSIONAL ENGINEER
HOBERT 414072
WICHITA 9, KANSAS

March 31, 1965

Wichita-Sedgwick County MAPC
City Building Annex
Wichita, Kansas

Gentlemen:

City Homes, Inc., by Reed Byers, President, does hereby agree to drain Lots 29 and 30, Block 3, WOODLAWN EAST, Wichita, Sedgwick County, Kansas, in accordance with a general plan prepared by Kenneth O. Taylor, P.E. The objective of the drainage plan is to prepare a drainage swale at the west end of said Lots 29 and 30 to intercept water coming from the east and draining it to the south to prevent the influx of water on the platted lots immediately to the west.

CITY HOMES, INC.

By _____, President



THE CITY OF WICHITA

OFFICE OF Asst. Supt.
Public Works Maintenance

DATE March 31, 1965

TO Jack Galbraith, Senior Planner

FROM M. S. Mitchell, Asst. Supt. Public Works Maint.

SUBJECT S/D 64-73 - Woodlawn
East Addition

Reference is made to your letter of March 19, 1965, directed to K. O. Taylor, engineer for subject subdivision. Condition Number 6, a, b, and c pertain to assurances that the drainage channel along the west side of plat will be constructed in accordance with a plan submitted to and approved by the Department of Public Works. The letter has been received, and the plans submitted and approved. The original of this letter is forwarded for your files.

Condition Number 13 requests a letter of assurance that the developer will provide for drainage from Lots 30 and 31, Block 3, in conformance with a plan submitted to and approved by the Flood Control Section of the Department of Public Works. We have received and approved the plan, and received the letter of assurance. The original of this letter is also forwarded for your files.

This completes the conditions for which approval from this office was required. If further information is desired, please advise.

M. S. Mitchell

M. S. Mitchell, Asst. Supt.
Public Works Maintenance

MSM/cb

cc: Wilton
Wulz
Woodlawn East Addition Plat File

*lots 30 and 31, Block 3
are indicated on the final plat
as lots 29 and 30 Block 3
J.H.S.*



March 31, 1965

Wichita-Sedgwick County MAPC
City Building Annex
Wichita, Kansas

Gentlemen:

City Homes, Inc., by Reed Byers, President, does hereby agree to drain Lots 29 and 30, Block 3, WOODLAWN EAST, Wichita, Sedgwick County, Kansas, in accordance with a general plan prepared by Kenneth O. Taylor, P.E. The objective of the drainage plan is to prepare a drainage swale at the west end of said Lots 29 and 30 to intercept water coming from the east and draining it to the south to prevent the influx of water on the platted lots immediately to the west.

CITY HOMES, INC.

By Reed Byers President



March 31, 1965

Wichita-Sedgwick County MAPC
City Building Annex
Wichita, Kansas

Gentlemen:

City Homes, Inc., by Reed Byers, President does hereby agree to complete the drainage channel adjacent to WOODLAWN EAST, Wichita, Sedgwick County, Kansas in accordance with plans prepared by Kenneth O. Taylor, P.E. and submitted to the Flood Control Department of the City of Wichita.

City Homes, Inc.

By Reed P. Byers President



March 19, 1965

Mr. K. O. Taylor
307½ Laura, Room 203
Wichita, Kansas

Subject: S/D 64-73 - Final Plat of
Woodlawn East Addition

Dear Mr. Taylor:

At its regular meeting on March 18, 1965, the Metropolitan Area Planning Commission considered the Final Plat of Woodlawn East Addition. The action of the Planning Commission was to recommend that this plat be approved subject to:

1. Access control being indicated in the plat's text.
2. All streets and cul-de-sacs being named.
3. Removal of the oil storage tanks and the removal and proper sealing of oil wells prior to the issuance of any building permit for Lots 1 through 18, and Lots 30 and 31, of Block 3, or unless the utility companies request removal of such tanks to utilize the north-south utility easement. A letter has been received from the applicant agreeing to this condition.
4. Indicating the roadway as a "20-foot fire lane easement" on Lot 30, Block 3.
5. The applicant may have the option of either:

March 19, 1965

- a. Designating the unlotted areas in the center of the cul-de-sacs as reserves. The applicant should provide for an established homes association to guarantee that these areas will be properly landscaped and maintained (The Planning Commission felt this to be the preferred method); or
 - b. Dedicating the entire cul-de-sac to the public and enter into an agreement with Ralph Wulz, Director of Public Works, at the time of paving to provide that these areas will be landscaped and maintained.
- OK 6. The applicants furnishing a letter of assurance that they will complete construction of the drainage channel along the west side of the plat in accordance with a plan to be submitted to and approved by the Department of Public Works. Major features of the channel to be shown on the plan are:
- a. Bottom of channel grade same as submitted October 12, 1962.
 - b. Typical Section of channel same as submitted October 12, 1962, except top of slope should be a minimum of 3 feet above the channel bottom.
 - c. Paving grades for the east pavement of Broadmoor will control top of slope elevation through part of the channel on this plat. Paving grades should be obtained from the City Engineer and shown on the plan.
- RW. 7. Indicating a 16-foot utility easement on the east side of Lots 1, 2, 3, 4, 5 and 6, Block 2, and Lot 29, Block 3.
- JB. 8. Providing additional angles as indicated on the Engineer's copy of the Final Plat.
- th. 9. Providing 10x25-foot guy and anchor easements between Lots 20 and 21; 14 and 15; and 10 and 11, Block 2.

March 19, 1965

- M20. Delete the 10-foot utility easement between Lots 27 and 28, Block 3.
- R21. Lengthen the reversed curve on Dublin Street.
- R22. The Engineer providing more specific information at the corner of Lot 1, Block 3.
- OK 13. The applicant furnishing a letter of assurance that they will provide for drainage from Lots 30 and 31, Block 3, to Broadmoor Court in conformance with a plan as approved by the Flood Control Division of the Department of Public Works.
14. Recording within 30 days after approval by the Board of City Commissioners.

This plat will be forwarded to the Board of City Commissioners for their consideration as soon as the following requirements have been met:

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
- R2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Certification by an attorney that fee title is vested in the platlor.
- R4. Certification that all taxes due and payable have been paid.
- R5. Certification that the irons have been set as required by the Subdivision Rules and Regulations of the Metropolitan Area Planning Commission.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:JWH:bjg

WICHITA-SEDGWICK COUNTY 4

March 19, 1965

cc: Mr. George Byers
Byers Construction Co.
1006 Grand Avenue
Kansas City, Missouri

Mr. Ron Hoisington
Harman, O'Donnell & Henninger
Second and Detroit
Denver 6, Colorado

Dr. Henry J. Biermann
425 East Murdock
Wichita, Kansas

Mrs. Bill Unruh
514 North Broadmoor
Wichita, Kansas

Mr. T. A. Aboussie
1539 East Central
Wichita, Kansas

Mr. Ralph Wulz, Director
Department of Public Works

KENNETH O. TAYLOR

Consulting Engineer

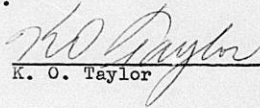
WICHITA 5, KANSAS

March 31, 1965

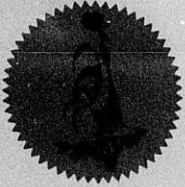
Wichita-Sedgwick County MAPC
City Building Annex
Wichita, Kansas

Gentlemen:

This is to certify that irons have been set at all block corners and changes of street alignment in WOODLAWN EAST, Wichita, Sedgwick County, Kansas.


K. O. Taylor





Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

BYERS BROS. REAL ESTATE & INSURANCE AGENCY, INC. • BYERS CONSTRUCTION CO., INC. • CITY HOMES, INC.

1006 Grand Ave. • VI. 2-0297 • Kansas City, Mo. 64106

March 16, 1965



Metropolitan Area Planning Commission
Wichita, Sedgwick County, Kansas

Re: Woodlawn East Addition
Case S/D 64 - 73
Wichita, Kansas

Gentlemen:

At the request of the Subdivision Committee in the meeting of March 11, 1965, it was recommended that a letter be written in connection with the removal of oil wells and oil storage tanks on the Woodlawn East property, located at the Northwest corner of Rock Road and Central.

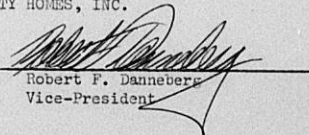
The following is directed to Metropolitan Area Planning Commission:

City Homes, Inc., the present owner of the proposed Woodlawn East Addition, will guarantee the removal of the oil storage tanks and the removal and proper sealing of oil wells prior to the issuance of building permits for Lots 1 thru 18, and Lots 30 and 31, of Block 3. City Homes, Inc., will also remove said tanks at the request of the utility companies in order to utilize the North-South Utility Easement.

Very truly yours

CITY HOMES, INC.

By


Robert F. Danneberg
Vice-President

RFD/dd

Members: Home Builders Association of Kansas City • National Association of Real Estate Boards • National Association of Home Builders



March 15, 1965

Mr. K. O. Taylor
307½ Laura, Room 203
Wichita, Kansas

Subject: S/D 64-73 - Final Plat of Wood-
lawn East Addition

Dear Mr. Taylor:

At its regular meeting on March 11, 1965, the Subdivision Committee of the Metropolitan Area Planning Commission considered the Final Plat of Woodlawn East Addition. The Subdivision Committee recommended that this plat be approved subject to:

1. Access control being indicated in the plat's text.
2. All streets and cul-de-sacs being named.
3. Removal of the oil storage tanks and the removal and proper sealing of oil wells prior to the issuance of any building permit for Lots 1 through 18, and Lots 30 and 31, of Block 3, or unless the utility companies request removal of such tanks to utilize the north-south utility easement. It will be necessary that the applicant submit a letter to the Planning Commission agreeing to this condition.
4. Indicating the roadway as a "20-foot fire lane easement" on Lot 30, Block 3.
5. The applicant may have the option of either:
 - a. Designating the unlotted areas in the center of the cul-de-sac as reserves. The applicant should provide for an established home association to guarantee that these areas will be properly landscaped and maintained; or

March 15, 1965

- b. Dedicating the entire cul-de-sac to the public and entering into an agreement with Ralph Wulz, Director of Public Works, at the time of paving to provide that these areas will be landscaped and maintained.
6. The applicants furnishing assurances that they will complete construction of the drainage channel along the west side of the plat in accordance with a plan to be submitted to and approved by the Department of Public Works. Major features of the channel to be shown on the plan are:
 - a. Bottom of channel grade same as submitted October 12, 1962.
 - b. Typical Section of channel same as submitted October 12, 1962, except top of slope should be a minimum of 8 feet above the channel bottom.
 - c. Paving grades for the east pavement of Broadmoor will control top of slope elevation through part of the channel on this plat. Paving grades should be obtained from the City Engineer and shown on the plan.
7. Indicating a 16-foot utility easement on the east side of Lots 1, 2, 3, 4, 5, and 6, Block 2, and Lot 29, Block 3.
8. Providing additional angles as indicated on the Engineer's copy of the Final Plat.
9. Providing 10x25 foot guy and anchor easements between Lots 20 and 21; 14 and 15; and 10 and 11, Block 2.
10. Delete the 10-foot utility easement between Lots 27 and 28, Block 3.
11. Lengthen the reversed curve on Dublin Street.
12. The Engineer providing more specific information at the corner of Lot 1, Block 3.
13. The applicant contacting the Flood Control Division of the Department of Public Works concerning drainage solutions from Lots 30 and 31, Block 3, to Broadmoor Court.

WICHITA-SEDGWICK COUNTY 3

March 15, 1965

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

This plat will be forwarded to the Planning Commission for its consideration on March 18, 1965.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:JWH:bgs

cc: Mr. George Byers
Byers Construction Co.
1006 Grand Avenue
Kansas City, Missouri

Mr. Ron Holsington
Harman, O'Donnell & Henninger
Second and Detroit
Denver 6, Colorado

Dr. Henry J. Biermann
425 East Murdock
Wichita, Kansas

Mrs. Bill Unruh
514 North Broadmoor
Wichita, Kansas

Mr. T. A. Aboussie
1539 East Central
Wichita, Kansas

Mr. Ralph Wulz, Director
Department of Public Works

March 11, 1965

Mr. W. Harold Mooney, Chairman
Subdivision Committee
Metropolitan Area Planning Commission

Mr. John Trout, Jr., Chairman
Metropolitan Area Planning Commission

Subject: Street Names for Cul-de-sacs in New Additions

In the Subdivision Committee meeting of February 11, 1965, the preliminary plat of Woodlawn East Addition (S/D 64-73) was approved with certain modifications. One of these changes was to require the developer to contact the Public Works Department and change the names of the nine cul-de-sacs so that each one would have an individual name.

The present street naming policy, as approved by the Planning Commission, covers this situation as follows: "Cul-de-sacs and dead-end streets shall be designated as Courts and shall bear the name of the street from which they emanate." This policy has been in effect for a number of years and presents the best workable solution to the problem. There have been a few rare cases in the past where cul-de-sacs have been given individual names. This has resulted in considerable confusion in determining the location at these streets.

Even though there is more than one Court carrying the same name, the present method of assigning consecutive block and lot addresses facilitates the locating of any particular building site. This is extremely important to those organizations supplying emergency services; such as: Fire, Police, and Ambulance. It is also important to other organizations serving the public; such as: Post Office, Public Utilities and any companies providing delivery service.

The following advisory members of the Subdivision Committee strongly recommends the present method of naming cul-de-sacs be retained:

[Signature]
Wichita Fire Department

Harold B. Davis
Kansas Gas and Electric Company

[Signature]
Wichita Police Department

[Signature]
Wichita Post Office

[Signature]
Southwestern Bell Telephone Company

[Signature]
Gas Service Company

Mark Milton
Arkla Gas Company

Bill H. Cotton
Wichita Water Department

[Signature]
Department of Public Works



WICHITA CITY PLANNING COMMISSION

CITY BUILDING

PHONE AMherst 2-6441

WICHITA, KANSAS

December 19, 1957

TO WHOM IT MAY CONCERN:

Subject: Street Name Policy

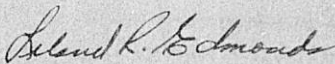
On December 17, 1957, the City Planning Commission took action to reaffirm the following six points as the existing street name policy.

1. Section line road streets shall be designated as roads.
2. Service roads shall be designated as drives.
3. Cul de sacs and dead end streets shall be designated as courts and shall bear the name of the street from which they emanate.
4. Streets in newly platted areas shall be named in conformity with existing streets and adjacent platted areas.
5. In naming curvilinear streets each segment of that street shall bear the name of the street in adjacent platted areas with which it is most nearly in alignment. The point at which the street name changes from one name to another shall be at the center of the curve or at such other appropriate location as may be determined by the Real Estate Clerk.
6. In those instances in which a street emanates from an existing street and is complete within a short distance and is not likely to include any extension in any direction at any future date, a unique name should be assigned and it should be designated as a lane, place or way.

TO WHOM IT MAY CONCERN:
Page 2
December 19, 1957

This information is being sent to you in the belief that it will be of assistance to you in any subdivision work with which you may be concerned. The planning staff wishes to call to your attention the fact that the Planning Commission has directed a study of the street name policy for the purpose of making any changes in it which may be considered appropriate. The planning staff would appreciate any comments or suggestions which you may have concerning such policy revision. If you wish to make comments or suggestions would you please do so in writing on or before January 15, 1958.

Very truly yours,



Leland R. Edmonds,
Senior Planner

LRE/f

HOMES ASSOCIATION DECLARATION

THIS DECLARATION, made on this 8th day of March, 1965, by City Homes, Inc., a corporation of Wichita, Sedgwick County, Kansas,

WITNESSETH: That

WHEREAS, City Homes, Inc., is the owner of all of the lots shown on the plat of Woodlawn East, a subdivision of land in the City of Wichita, in Sedgwick County, Kansas, filed for record on _____, in the office of the Register of Deeds of Sedgwick County, Kansas, and recorded in _____, except _____ of Woodlawn East.

WHEREAS, City Homes, Inc., is now developing said Woodlawn East for high-class residence purposes, and it is its desire to continue the development of certain parts of such land and other land in this vicinity for such purposes, and to create and maintain a residential neighborhood possessing features of more than ordinary value to a residential community.

NOW, THEREFORE, in order to assist it and its grantees in providing the means necessary to bring this about, City Homes, Inc., does now and hereby subjects all Lots in Block 1, 2, 3 & 4, as shown on the recorded plat thereof, to the covenants, charges and assessments set forth and contained in this Declaration.

DEFINITIONS OF TERMS USED.

The term "district" as used in this Declaration shall mean, unless and until extended as hereinafter provided, all of the lots enumerated above and shown on said plat of Woodlawn East. If or when other land shall, in the manner hereinafter provided, be added to that described above then the term "district" shall thereafter mean all land which shall from time to time be subjected to the terms of this Declaration, including any future modification thereof. The term "improved property", as used herein, shall be deemed to mean a single tract under a single ownership and use, and on which tract a residence has been erected or is in the process of erection, or on which any other building not in violation of the restrictions then of record thereon is erected or is in the process of erection. Any such tract may consist of one or more contiguous lots or part of parts thereof. Any other land covered by this Declaration shall be deemed to be vacant and unimproved. The term "public place" as used herein shall be deemed to mean all streets, all parks at street intersections or elsewhere, and all similar places the use of which is dedicated to or set aside for the use of the general public, or for the general use of all of the owners within the district, or which may, with appropriate consent, be used by all of the owners of the district. The term

*Boundary
with
Plat*

"owners" as used herein shall mean those persons or corporations who may from time to time own the land within the district.

SECTION 1. MEMBERSHIP IN ASSOCIATION.

The owners of all of Lots in Blocks 1, 2, 3, and 4, Woodlawn East, as shown on the recorded plat thereof, together with the owners of any other land that may from time to time be made subject to all of the terms and provisions of this Declaration in the manner hereinafter provided for, shall be the members of an Association, which is hereby created and established, to be known as WOODLAWN EAST HOMES ASSOCIATION. The Association shall be incorporated under the laws of the State of Kansas as a corporation not for profit. Membership in the Association shall be limited to the owners of land within the boundaries of the district as it exists from time to time. The Association shall be the sole judge of the qualifications of its members and of their rights to participate in its meetings and proceedings.

SECTION 2. LAND ENTITLED TO BENEFITS.

No land shall be entitled to any of the benefits, improvements or services provided by this Association unless the owner or owners thereof shall have subjected their land to the terms of this Declaration and to the assessments herein provided for.

SECTION 3. POWERS AND DUTIES OF THE ASSOCIATION.

The Association shall have the following powers and duties which it may exercise and perform whenever in its discretion it may deem them necessary or desirable, to-wit:

(1) To enforce, either in its own name or in the name of any owner within the district, any or all building restrictions which may have been heretofore or may hereafter be imposed upon any of the land in such district, either in the form as originally placed thereon or as modified subsequently thereto; provided, however, that this right of enforcement shall not serve to

prevent such changes, releases or modifications of restrictions or reservations being made by the parties having the right to make such changes, releases or modifications as are permissible in the deeds, declarations, contracts or plats in which such restrictions and reservations are set forth, nor shall it serve to prevent the assignment of those rights by the proper parties, wherever and whenever such rights of assignment exist. The expenses and costs of any enforcement proceedings shall be paid out of the general fund of the Association as herein provided for. Nothing herein contained shall be deemed or construed to prevent any owner having the contractual right to do so from enforcing in his own name any such restrictions.

(2) To manage and control as trustee for its members all public improvements upon and to the land in the district, or improvements in public places, provided that such management and control of said improvements shall at all times be subject to that had and exercised by any City, Township, County and State, or any of them in which the land within the district is located.

(3) To provide for the collection and disposal of rubbish and garbage, when adequate services of that type are not available from any public source.

Wesley
(4) To care for, spray, trim, protect and replant trees on all streets and in other public places where trees have once been planted, when such services are not available from any public source; and to care for, protect and replant shrubbery, and resow grass and replace sod in the parks which are in the streets and in any parks ^{known as Reserves} set aside for the general use of the owners in the district, or to which such owners have access and the use thereof.

(5) To mow, care for, maintain and remove rubbish from vacant and unimproved property and to do any other things necessary or desirable in the judgment of the officers of the Association to keep any vacant and unimproved property and the parking in front of any property in the district neat in appearance and in good order.

(6) To provide for the maintenance of any pedestrian ways, gateways, entrances, fountains, and ornamental features now existing or which may hereafter be erected in said district in any public street or park, or on any land set aside for the general use of the owners in the district, or to which all of such owners have access and the use thereof; and also to provide for the maintenance of any streams and natural water-courses within the district.

(7) To provide such lights as the Association may deem advisable on streets, parks, parkings, pedestrian ways, gateways, entrances or other features, and in other public or semi-public places, when such facilities are not available from any public source.

(8) To erect and maintain signs for the marking of streets, and safety signs for the protection of children and other persons, when such signs are not available from any public source.

(9) To exercise control over such easements as it may acquire from time to time.

whenever such

(10) To acquire and own the title to such real estate as may be reasonably necessary in order to carry out the purposes of the Association, and to pay taxes on such real estate as may be owned by it; and to pay such taxes as may be assessed against land in public or semi-public places within the district.

such as R. Resonance

(11) To levy and collect the assessments which are provided for in this declaration.

SECTION 4. METHOD OF PROVIDING GENERAL FUNDS.

(1) For the purpose of providing a general fund to enable the Association to exercise the powers, and maintain the improvements and render the services herein provided for, all land within the boundaries of the district shall be subject to an annual assessment which may be levied by the Association from year to year and shall be paid to the Association annually in advance by the respective owners of the assessable land subject thereto, which assessable land shall be deemed to be all of the above enumerated lots in the aforesaid plat of Woodlawn East, except as herein provided, together with such other land as may from time to time be added to the said district as herein provided. The Association may from year to year fix and determine the total amount required in this general fund and may levy and collect an annual assessment not exceeding \$25.00 for each lot within the district as now or hereafter established, provided, however, that if in the sale of land within the district any lot or lots be divided into one or more building sites, each of which building sites shall be for a single residence and may consist of a part or parts of one or more lots as platted, then for the purpose of levying this assessments each of such building sites, shall constitute one assessments unit and shall be liable for each annual assessment in the same way and manner as one platted lot under a single ownership. All building sites, consisting of either platted or unplatted land, which are now or may hereafter become a part of the district as herein provided for, shall be at least of such size as will under the restrictions of record, if any there be, permit the erection of a residence thereon. For the purpose of levying this assessment, the Association shall be the sole judge as to what may from time to time constitute a building site under the provisions of this paragraph.

(2) The annual assessment upon each lot or building site as aforesaid may be increased by an amount not exceeding one hundred per cent of the \$25.00

maximum annual assessment which the Association may levy and collect from year to year, provided that at a meeting of the members specially called for that purpose, prior to the date on which the assessment is levied for the year for which such increase is proposed, a majority of the members present at such meeting authorize such an increase by an affirmative vote therefor; and provided, further, that the annual assessment upon each lot or building site as aforesaid may be increased by an amount not exceeding one hundred fifty per cent of the said \$20.00 maximum annual assessment, provided that at a meeting of the members specially called for that purpose, prior to the date on which the assessment is levied for the year for which such increase is proposed, three fourths of the members present at such meeting authorize such an increase by an affirmative vote therefor. Whenever the Association may deem it advisable to submit to the members a proposal for increasing the amount of the annual assessment for a particular year, it shall notify the members of the Association by mailing to such members at the last known address, with United States postage thereon prepaid, a notice of such meeting, giving the time and place at which it is to be held and the fact that an increase in the amount of the annual assessment is to be voted upon at such meeting. No increase in the amount of the annual assessment may be made for more than one year at a time.

(3) The first assessment shall be for the fiscal year beginning June 1, 1961, and it shall be fixed and levied prior to June 1, 1961, and shall be payable on that date, and thereafter it shall be due and payable on June 1st of each year. It will be the duty of the Association to notify all owners whose address is listed with the Association on or before that date, giving the amount of the assessment on each tract of land owned by them, and the date when such assessment is due. Failure of the Association to levy the assessment prior to June 1st of each year for the next succeeding fiscal year beginning on June 1st shall not invalidate any such assessment made for that particular year; nor shall failure to levy an assessment for any one year affect the right of the Association to do so for any subsequent year. When the assessment is made subsequent to June 1st of any year, then it shall become due and payable not later than

thirty days from the date of levying the assessment. Prior to the first assessment hereinabove provided for, if the Trustee shall deem it necessary for the purpose of carrying out the terms of this Declaration, it shall have the right to make a partial assessment within the limits herein provided for and on a pro-rata basis for the period of time ending ~~May 31, 1961~~. Thereafter all assessments shall be made annually as herein provided.

(4) A written or printed notice, deposited in the United States Post Office, with postage thereon prepaid, and addressed to the respective owners at the last address listed with the Association, shall be deemed to be sufficient and proper notice for these purposes, or for any other purpose of this Declaration where notices are required.

SECTION 6. LIEN ON REAL ESTATE.

(1) The assessment shall become a lien on the real estate against which it is levied as soon as it is due and payable as above set forth, provided, however, that such lien shall be inferior and subordinate to the lien of any valid first mortgage now existing or which may hereafter be placed on said real estate securing the payment of a loan which is insured or guaranteed by any agency of the United States government. In the event of the failure of any owner to pay the assessment on or before the first day of July following the making of such assessment, then such assessment shall bear interest at the rate of eight per cent per annum from the first day of June, but if the assessment is paid before July 1st, or within thirty days from the date of the assessment, if the assessment is made subsequent to May 1st for the fiscal year beginning June 1st, then no interest shall be charged.

(2) On or after July 1st of each year, beginning ~~July 1, 1961~~, or within thirty days from the date of levying the assessment for the fiscal year during which and for which the assessment is levied, the assessment shall become delinquent and payment of both principal and interest may be enforced as a lien on said real estate, in proceedings in any court in Sedgwick County, Kansas, having jurisdiction of suits for the enforcement of such liens. It shall be the duty of the Association to bring suits to enforce such liens before the expiration

thereof. The Association may at its discretion file certificates of nonpayment of assessments in the Office of The Register of Deeds whenever any such assessments are delinquent. For each certificate so filed, the Association shall be entitled to collect from the owner or owners of the property described therein a fee of \$2.00, which fee is hereby declared to be a lien upon the real estate so described in said certificate, provided that such lien shall be inferior and subordinate to the lien of any valid first mortgage now existing or which may hereafter be placed on said real estate securing the payment of a loan which is insured or guaranteed by any agency of the United States Government. Such fee shall be collectible in the same manner as the original assessments provided for herein and in addition to the interest and principal due thereon.

(3) Such liens shall continue for a period of five years from the date of delinquency and no longer, unless within such time suit shall have been instituted for the collection of the assessment, in which case the lien shall continue until the termination of the suit and until the sale of the property under execution of the judgment establishing same.

SECTION 7. EXPENDITURES LIMITED TO ASSESSMENTS FOR CURRENT YEAR.

The Association shall at no time expend more money within any one year than the total amount of the assessment for that particular year, or any surplus which it may have on hand from previous assessments; nor shall said Association enter into any contract whatsoever binding the assessment of any future year to pay for any such obligation, and no such contract shall be valid or enforceable against the Association except for contracts for utilities; it being the intention that the assessment for each year shall be applied as far as practicable toward payment of the obligations of that year, and that the Association shall have no power to make a contract affecting the assessment of any future or subsequent year except for utilities.

SECTION 8. ASSOCIATION TO NOTIFY MEMBERS OF ADDRESS.

The Association shall notify all owners of land in the district as it may exist from time to time, insofar as the addresses of such owners are listed with said Association, of the official address of said Association, the place

and time of the regular meetings of the Association, and the place where payments shall be made and any other business in connection with said Association may be transacted, and in the case of any change of such address the Association shall notify all the owners of the land in the district, insofar as their addresses are listed with the Association, of the new address.

SECTION 9. TEMPORARY TRUSTEE.

Prior to the actual organization or incorporation of the Association contemplated by the terms of this Declaration, City Homes, Inc., shall have the right at its option to perform the duties, assume the obligations, levy and collect the assessments, and otherwise exercise the powers herein given to the Association, in the same way and manner as though all of such powers and duties were herein given directly to City Homes, Inc. The Association contemplated by the terms of this Declaration shall not assume any of the rights herein provided for without the consent of City Homes, Inc., and its relinquishment of its rights as temporary trustee.

SECTION 10. TO OBSERVE ALL LAWS.

Said Association shall at all times observe all State, County, City and other laws, and if at any time any of the provisions of this Declaration shall be found to be in conflict therewith then such parts of this Declaration as are in conflict with such laws shall become null and void, but no other part of this Declaration now in conflict therewith shall be affected thereby. The Association shall have the right to make such reasonable rules and regulations, and provide such means and employ such agents as will enable it to adequately and properly carry out the provisions of this Declaration, subject, however, to the limitations of its rights to contract as are herein provided for.

SECTION 11. AMENDMENT.

By written consent of the owners of two-thirds of the area of the land within the district as then constituted, evidenced by a Declaration duly executed and acknowledged by such owners and recorded in the office of the Register of Deeds of Sedgwick County, Kansas, this instrument may be modified and amended, provided, however, that no right to exceed the maximum annual assessment herein provided for may be given.

SECTION 12. HOW TERMINATED.

This Declaration may be terminated and all of the land now or hereafter affected may be released from all the terms and provisions thereof by the owners of two-thirds of the area then subject thereto executing and acknowledging an appropriate agreement or agreements for that purpose and filing the same for record in the office of the Register of Deeds of Sedgwick County, Kansas.

Can be cancelled any time without other.

SECTION 13. COVENANTS RUNNING WITH THE LAND.

All of the provisions of this Declaration shall be deemed to be covenants running with the land, and shall be binding upon City Homes, Inc., and upon its successors and assigns.

IN WITNESS WHEREOF, City Homes, Inc., by authority of its Board of Directors, has caused this instrument to be executed by its President, and its corporate seal to be hereto affixed, the day and year first above written.

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No. 64-73 NAME Woodlawn East
DATE APPLICATION REC'D Nov. 18, 1964 PRELIMINARY APPROVAL Feb. 11, 1965

DESCRIPTION

GENERAL LOCATION In an area at the northwest corner of Rock Road and
Central
OWNER Byers Construction Company
SURVEYOR/ENGINEER K. O. Taylor
ADDRESS _____

1. GROSS ACREAGE OF PLAT	<u>80</u>	7. LINEAL FEET OF NEW STREETS:	
2. NUMBER OF LOTS:		(A) <u>1170</u> R/W <u>60</u>	FT.
RESIDENTIAL	<u>60</u>	(B) <u>1760</u> R/W <u>50</u>	FT.
COMMERCIAL	<u>1 (10 ac.)</u>	(C) <u>1300</u> R/W <u>107</u>	FT.
INDUSTRIAL	_____	(D) TOTAL	<u>4,230</u> FT.
OTHER Multi-residential-1 (10 ac.)	_____	8. TOTAL AREA OF NEW STREET	
TOTAL	<u>62</u>	R/W	<u>370,165</u> 89.FT.
3. AVERAGE LOT FRONTAGE	<u>120</u> FT.	9. EXISTING ZONING	<u>74A-AA; 6A-LC</u>
4. MINIMUM LOT FRONTAGE	<u>100</u> FT.	10. PROPOSED ZONING	<u>10A-TC; 10A-B;</u>
5. AVERAGE LOT AREA	<u>12,000</u> 89.FT.	11. LOT AREA REQUIRED BY	<u>60A-AA</u>
6. MINIMUM LOT AREA	<u>9,500</u> 89.FT.	ZONING	<u>580/DU=B</u> 89.FT.
			<u>6,000=AA</u>

STAFF COMMENTS:

1. Access control should be indicated in the plat or's text.
2. All streets and culdesacs should be named.
3. Removal of the oil storage tanks and the removal and proper sealing of oil wells prior to the issuance of any building permit for Lots 1 through 18, and Lots 30 and 31, of Block 3, or unless the utility companies request removal of such tanks to utilize the north-south utility easement.
4. The applicant presenting an acceptable plan for the Multiple-Family area (Lot 30, Block 3) guaranteeing adequate private circulation and public access for fire and police protection.
5. The applicant may have the option of either:
 - a. Designating the unlotted areas in the center of the culdesacs as reserves. The applicant should provide for an established homes association to guarantee that these areas will be properly landscaped and maintained; or
 - b. Dedicating the entire culdesac to the public and enter into an agreement with Ralph Wulz, Director of the Department of Public Works, at the time of paving to provide that these areas will be landscaped and maintained.
6. The applicants furnishing assurances that they will complete construction of the drainage channel along the west side of the plat in accordance with a plan to be submitted to and approved by the Department of Public Works. Major features of the channel to be shown on the plan are:
 - a. Bottom of channel grade same as submitted October 12, 1962.

(Continued)

Page 2 - Final Plat of Woodlawn East
(Continued)

- b. Typical Section of channel same as submitted October 12, 1962, except top of slope should be a minimum of 8 feet above the channel bottom.
 - c. Paving grades for the east pavement of Broadmoor will control top of slope elevation through part of the channel on this plat. Paving grades should be obtained from the City Engineer and shown on the plan.
- 7. Associate Zone Case Z-0629.
 - 8. Recording within 30 days after approval by the Board of City Commissioners.

SUBDIVISION COMMITTEE ACTION: March 11, 1965 (Date)
The Subdivision Committee Recommends:

M. A. P. C. ACTION: _____ (DATE)
The Metropolitan Area Planning Commission:

February 24, 1965

Mr. K. O. Taylor
307½ Laura, Room 203
Wichita, Kansas

Subject: S/D 64-73 - Preliminary Plat of
Woodlawn East Addition

Dear Mr. Taylor:

At its regular meeting on February 11, 1965, the Subdivision Committee of the Metropolitan Area Planning Commission considered the Preliminary Plat of Woodlawn East Addition. The action of the Subdivision Committee was to approve this plat and authorize preparation of the Final Plat subject to:

1. Removal of the oil storage tanks and the removal and proper sealing of oil wells prior to the issuance of any building permit for Lots 1 through 18, and Lots 30 and 31 of Block 3, or unless the utility companies request removal of such tanks to utilize the north-south utility easement.
2. Access control being designated along Rock Road for that area being requested for "B" Multiple-Family zoning. It is preferred that access not exceed two points.
3. The applicant presenting an acceptable plan for the Multiple-Family area (Lot 30, Block 3) guaranteeing adequate private circulation and public access for fire and police protection.

February 24, 1965

4. There being 50 feet of right of way for both the north and south Doreen Courts and for the two Rutland Courts to the east.
5. Amending the legal description of the zoning application to conform with the description of the plat.
6. The applicant may have the option of either:
 - A. Designating the unlotted areas in the center of the cul-de-sacs as reserves. The applicant should provide for an established homes association to guarantee that these areas will be properly landscaped and maintained; or
 - B. Dedicating the entire cul-de-sac to the public and enter into an agreement with Ralph Walz, Director of the Department of Public Works, at the time of paving to provide that these areas will be landscaped and maintained.
7. *K.O. Taylor* The applicants furnishing assurances that they will complete construction of the drainage channel along the west side of the plat in accordance with a plan to be submitted to and approved by the Department of Public Works. Major features of the channel to be shown on the plan are:
 - A. Bottom of channel grade same as submitted October 12, 1962.
 - B. Typical Section of channel same as submitted October 12, 1962, except top of slope should be a minimum of 3 feet above the channel bottom.
 - C. Paving grades for the east pavement of Broadmoor will control top of slope elevation through part of the channel on this plat. Paving grades should be obtained from the City Engineer and shown on the plan.

February 24, 1965

Any questions concerning channel information should be referred to the Flood Control Office, 4th Floor, City Building Annex.

Enclosed is a "marked" copy of the Preliminary Plat for your information and files.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs
Enclosure

cc: Mr. George Byers
Byers Construction Co.
1006 Grand Avenue
Kansas City, Missouri

Mr. Ron Hoisington
Harman, O'Donnell & Henninger
Second and Detroit
Denver 6, Colorado

Dr. Henry J. Biermann
425 East Murdock
Wichita, Kansas

Mrs. Bill Unruh
514 North Broadmoor
Wichita, Kansas

Mr. T. A. Aboussie
1539 East Central
Wichita, Kansas

Ralph Wulz, Director
Department of Public Works

THE CITY OF WICHITA
OFFICE OF DIRECTOR OF PUBLIC WORKS DATE February 16, 1965

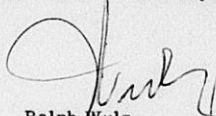
*File
Woodlawn - East*

TO George W. Smith, Captain, Wichita Police Department
FROM Ralph Wulz, Director of Public Works

SUBJECT Woodlawn East Addition

Reference is made to your memorandum of February 12, 1965 regarding the preliminary plat submitted of the Woodlawn East Addition. As you have stated, the plat as submitted contained all of the cul-de-sacs as courts and bearing the name of the street into which they projected. The representative of this department attending the subdivision meeting, being a new man, was unaware of any policy regarding the naming of such streets and upon a member of the committee proposing that each cul-de-sac be named differently and hearing no protest from any of the attending representatives of police, fire or any of the utility companies, concluded all to be in agreement. Since this meeting, all the above noted representatives have called to protest the separate naming.

It would seem that the proper time to have voiced these objections was at the preliminary hearing; however, this office has contacted the Planning Commission regarding this objection and they have agreed that the final plat will be submitted without any street names being designated. It will behoove all who are interested in this matter to be at this meeting to voice their objections to the proposed change. The street names have been omitted so that the final decision can be so noted on the plat and will not require a resubmission.



Ralph Wulz
Director of Public Works

RW:jh

cc: Robert Lakin, Asst. Director
Planning Department



February 5, 1965

Mr. K. O. Taylor
307 1/2 Laura, Room 203
Wichita, Kansas

Subject: S/D 64-73 - Preliminary Plat of
Woodlawn East Addition

Dear Mr. Taylor:

On February 4, 1965, the Metropolitan Area Planning Commission considered the Preliminary Plat of Woodlawn East Addition for a policy decision as to whether or not a street should be required adjacent to the east side of the Drainage Canal. The action of the Planning Commission was to not require a street along the east side of the Drainage Canal.

The Preliminary Plat of Woodlawn East Addition will now be resubmitted to the Subdivision Committee for its consideration on February 11, 1965.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:JWH:bjg

February 5, 1965

cc: Mr. George Byers
Byers Construction Co.
1006 Grand Avenue
Kansas City, Missouri

Mr. Ron Hoisington
Harman, O'Donnell & Henninger
Second and Detroit
Denver 6, Colorado

Mr. E. B. Law
Suite 1-A
Beacon Building
Wichita, Kansas

Dr. Henry J. Biermann
425 East Murdock
Wichita, Kansas

Mr. J. Lawrence
541 North Broadmoor
Wichita, Kansas

Mr. E. G. Fahstok
689 North Broadmoor
Wichita, Kansas

Mrs. Bill Unruh
514 North Broadmoor
Wichita, Kansas

Mr. Robert L. Howard
641 Rutland
Wichita, Kansas

Mr. T. A. Aboussie
1539 E. Central
Wichita, Kansas

January 29, 1965

Mr. K. O. Taylor
307 1/2 Laura
Room 203
Wichita, Kansas

Subject: S/D 64-73 - Preliminary Plat of Woodlawn East

Dear Mr. Taylor:

At its regular meeting on January 28, 1965, the Subdivision Committee of the Metropolitan Area Planning Commission considered the Preliminary Plat of Woodlawn East. The action of the Subdivision Committee was to forward this plat on to the Planning Commission for a policy determination as to whether or not a street should be required adjacent to the east side of the drainage canal. This plat will be considered by the Planning Commission at their regular meeting on February 4, 1965.

If you have any questions, please feel free to call.

Sincerely yours,

Jack H. Galbraith
Senior Planner

JHG:JWH:mb

CC: George Byers, Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Mr. K. O. Taylor

January 29, 1965

CC: Ron Boisington
Harman, O'Donnell & Henninger Associates, Inc.
Second and Detroit Street
Denver 6, Colorado

E. B. Law
Suite 1-A Beacon Building

Dr. Henry J. Biermann
425 East Murdock

J. Lawrence
541 North Broadmoor

E. G. Fahnstock
689 North Broadmoor

Mrs. Bill Unruh
514 North Broadmoor

Robert L. Howard
641 Rutland

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE

S/D No. 64-73 NAME Woodlawn East
DATE APPLICATION REC'D Nov. 18, 1964 S/D COMMITTEE MEETING Jan. 28, 1965

DESCRIPTION

GENERAL LOCATION At the northwest corner of Rock Road and Central

OWNER Byers Construction Company
SURVEYOR/ENGINEER K. O. Taylor
ADDRESS _____ PHONE _____

1. GROSS ACREAGE OF PLAT	<u>80</u>	7. LINEAL FEET OF NEW STREETS:	
2. NUMBER OF LOTS:		(A) <u>4050</u> R/W <u>60</u>	FT.
RESIDENTIAL	<u>104</u>	(B) <u>4550</u> R/W <u>40</u>	FT.*
COMMERCIAL	<u>1 (10 ac.)</u>	(C) _____ R/W _____	FT.
INDUSTRIAL	_____	(D) TOTAL <u>8,600</u>	FT.
OTHER <u>Multi-Residential-1 (10 ac.)</u>		8. TOTAL AREA OF NEW STREET	
TOTAL	<u>106</u>	R/W <u>425,000</u>	SQ.FT.
3. AVERAGE LOT FRONTAGE	<u>120</u> FT.	9. EXISTING ZONING <u>74A-AA; 6A-1C</u>	
4. MINIMUM LOT FRONTAGE	<u>100*</u> FT.	10. PROPOSED ZONING <u>10A-1C; 10A-B;</u>	
5. AVERAGE LOT AREA	<u>12,000</u> SQ.FT.	11. LOT AREA REQUIRED BY <u>60A-AA *</u>	
6. MINIMUM LOT AREA	<u>9,500</u> SQ.FT.	ZONING <u>580/DU=B</u>	SQ.FT.
		<u>6,000 = AA</u>	

This plat superceeds S/D 62-31 Woodlawn East approved in preliminary form

November 8, 1962.

STAFF COMMENTS:

* This information taken from application:

- Lot frontage on culdesac less at property line.
- Street right-of-way is largely 50 feet rather than 40 feet.
- Lots 1-8, Block 4 and 10-17, Block 3 are being proposed for two-family by the developer.

THIS PRELIMINARY PLAT COMPLIES WITH THE SUBDIVISION RULES AND REGULATIONS EXCEPT AS FOLLOWS:

1. Zoning approval for the multi-family and commercial areas should be obtained before Block 3 is approved for filing.
2. Unlotted areas in culdesac should be designated as reserves. The applicant should provide for an established Homes Association to guarantee that the area will be properly landscaped and maintained.
3. All corner lots should have building setback lines established at a minimum of 25 feet on both streets.
4. Access control to Central and Rock Road should be established from Lot 1, Block 4, Lots 1 and 17, Block 3; Lots 1-6, 41, and 42, Block 2, and Lot 1, Block 1. Number of access points should be established on the multi-family area to Rock Road.
5. An 8 foot utility easement should be established on the west and north of the multi-family area and along the west of the commercial area.
6. The need for underground drainage facilities should be determined in Block 4.
7. Lots 13-15, Block 4, need to be regraded to move drainage to the street and south to drainage easement.
8. Doreen Court right-of-way should be established.

(Continued)

9. All rights-of-way less than 60 feet require the granting of a variance from the Subdivision Rules and Regulations. Short culdesacs are acceptable at 50 feet right-of-ways. Rutland Court (west) should be 50 feet around the entire reserve. Probably both Rutland Courts (east and west) should be 50 feet as there is no practical way to keep these to one-way movements.
10. Reserve B, Woodlawn Village Third (west of Lots 13-16, Block 4) should have an acceptable design as it was left unlotted, pending development of this 80 acres. Possibilities (to be discussed and shown at the meeting) include a culdesac from Rutland. Another is a culdesac from Doreen (requires 50 feet of right-of-way) between Lots 14 and 15. Another possibility (which would require a major redesign of Woodlawn East) is to extend the street from the north through Reserve B and extend south parallel and adjacent to the drainage right-of-way. One of the culdesac solutions appears more acceptable. The Planning Commission, however, should accept the responsibility to make sure no dead spots of land occur in this area.
11. The large lots in Block 3 should be numbered. Until there has been presented an acceptable plan for the multi-family area guaranteeing adequate private circulation and public access for fire and police protection, Block 3 should not be approved for final platting. Depending on site plans, method of development and guarantees of access, there may be need for an additional street connecting Rock Road with Doreen and the resulting relotting along Doreen.

ACTION:

The Subdivision Committee Recommends:

January 11, 1965

Mr. K. O. Taylor
307½ Laura, Room 203
Wichita, Kansas

Subject: S/D 64-73 - Sketch Plat of
Woodlawn Village East Addition

Dear Mr. Taylor:

The revised Sketch Plat of Woodlawn Village East Addition has been received in this office. We have reviewed this Sketch Plat with the Flood Control Division of the Department of Public Works. You may now prepare and submit this plat in preliminary plat form subject to the following conditions:

1. The requirements of the Subdivision Rules and Regulations for a Preliminary Plat (see pages 3 and 4).
2. Rear property lines should be kept in line where possible to keep sewerage costs at a minimum.
3. The side property line of Lots 7 and 8 on the west side of the plat should be centered on the center line of the street so as to provide for an adequate drainage easement to the drainage channel on the west. A drainage easement will also have to be provided on the west side of the plat in the vicinity of Lots 13, 14 or 15.

As we expressed in our letter of December 4, 1964, there is little justification, in our opinion, for additional "LC" zoning on this property. In relation to additional "LC" (anything over 6 acres), before it is granted by the Planning Commission (and I assume before a platted commercial lot

January 11, 1965

would be approved), a Community Unit Plan would have to be submitted. A copy of the Community Unit Plan Regulations was forwarded in our letter of December 4, 1964.

The proposed street through the nine acres of future multiple-family, in our opinion, is not in keeping with the characteristics which have been established for the rest of the plat. It seems that there are several superior design solutions which would be in character and would provide compatibility. Before the Planning Department will support this solution, the location of proposed buildings should be indicated and reviewed. In our opinion, this is the major weakness of the plat.

The attached "marked" copy of the Sketch Plat is for your information and files.

Please do not hesitate to call on us if you have any questions.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

cc: Robert F. Danneberg
Byers Construction Co., Inc.
1006 Grand Avenue
Kansas City, Missouri

Harmon & O'Donnell
2nd and Detroit
Denver, Colorado

December 4, 1964

Robert F. Danneberg
Byers Construction Company, Inc.
1006 Grand Avenue
Kansas City, Missouri

Subject: Sketch Plat - Koch Property, northwest corner of
Rock Road and Central Street

Dear Mr. Danneberg:

The application for Subdivision approval of Woodlawn Village, East Addition, together with the two copies of the Sketch Plat, have been received in this office. We have reviewed this Sketch Plat with the Engineering Department, the Traffic Engineer and the Flood Control Division of the Department of Public Works. The following are questions and objections raised in this review:

1. The 40-foot width of Right-of-way for all indicated cul-de-sacs does not meet the 60-foot Right-of-way requirements as specified in the Subdivision rules and regulations.
2. Three of the cul-de-sacs appear not to drain properly and should be redesigned.
3. Drainage easements will have to be provided to handle drainage problems from the West Street to the Drainage Ditch in the vicinity of the existing draws, indicated by the topo. Relocation will be determined by the street grades established by the Engineering Department.

December 4, 1964

Robert F. Danneberg

4. The Traffic Engineer has expressed objection to the double access points of the three streets intersecting the Rock Road and Central Streets. His objection is due to the possibility of traffic entering the wrong lane. We do not necessarily share this concern.
5. The street intersecting Rock Road and lying south of Cork does not line up with Dublin as originally indicated on the Sketch Plan for Vickeridge, submitted by Harmon, O'Donnell and Henniger. If Dublin will eventually be platted as indicated, on the Vickeridge Sketch Plat, then this new proposed street should be in alignment.
6. It is our opinion that there is little justification for additional "LC" zoning on this property, and we question the need of any of the "LC" existing on the four corners at these intersecting major streets. This is due to the low density of existing and proposed development in the area, coupled with the existing neighborhood centers (Central and Woodlawn and 13th and Woodlawn) and a proposed "regional" center one quarter mile to the south. If the multiple-family development proceeds on this front (and the one to the southeast), the density is assumed to be at not more than 15-18 Dwelling Units/Acre. Thus, the need for neighborhood commercial, if needed, should be limited probably to one corner.

In relation to any additional "LC" (anything over six acres), before it is granted by the Planning Commission (and I assume before a platted commercial lot would be approved), a Community Unit Plan would need to be submitted. A copy of the regulation on this is attached. Bob O'Donnell is completely familiar with these regulations.

It is felt that this entire area can be developed into quality single families by backing lots up to these major thoroughfares.

If you anticipate requesting multiple-family zoning, it will be necessary to indicate dedicated public right-of-ways through this area. Either a public street thru the area or some definite building layouts with private roadways (with fire and

Robert F. Danneberg

3

December 4, 1964

police access rights) built to city specifications need to be provided. Also in Wichita, water service is not provided except from public streets. If private roads are used, master service meters and private hydrants (with a guarantee of continued rents) would be required. This needs to be discussed further. Also, since quality development is indicated, we would think some form of assurance as to density and continued maintenance of cul-de-sac areas would be helpful.

Since several Departments have raised objections or questions concerning this Sketch Plat, we feel these problems must be resolved before authorizing the preparation of the Preliminary Plat.

As you suggested, we would appreciate the opportunity to discuss the over-all merits of the plan at your convenience.

The attached "marked copy" of the Sketch Plat is for your information and files. Please do not hesitate to call on us if you have any questions.

Very truly yours,

Jack W. Galbraith
Senior Planner

JFG:ma

cc: Harmon & O'Donnell & Henniger
2nd & Detroit
Denver, Colorado

Enclosures: Sketch Plat
Regulations



Reed P. Byers, George W. Byers, Robert F. Danneberg

byers built homes

BYERS BROS. REAL ESTATE & INSURANCE AGENCY, INC. • BYERS CONSTRUCTION CO., INC. • CITY HOMES, INC.

1006 Grand Ave. • VI. 2-0297 • Kansas City, Mo. 64106

November 17, 1964



Mr. Robert Lakin
City Planning Dept.
City Building Annex
Wichita, Kansas

Re: Koch Property
N.W. Corner
Rock Rd & Central Street

Dear Mr. Lakin:

If you will recall, George Byers and myself met with you several weeks ago regarding our proposed development plan for the 80 acre tract at the NW Corner of Rock Rd & Central Street in Wichita. The land was the former Koch property that was purchased by our Company this past summer.

We have just finalized an overall sketch plan for your review and consideration. You will note that along with single family lots, there is also a proposal for a multifamily tract to surround and buffer the commercial area from the single family area.

It is our feeling that a minimum of 10 acres for commercial use is necessary. Our studies indicate 10 acres of commercial to be a minimum if we are to provide adequate parking and not crowd the multifamily area. In some instances commercial can be close to the rear line, but in this instance this is not desirable from the standpoint of providing an adequate buffer. This will necessarily have to be accomplished thru fencing, planting and an abundance of open space.

Because of the general character of the area we would feel a definite need for tight control over the design and architecture for the use of both the commercial and multifamily land.

In order to make this plan and development a success, it would seem to be of utmost importance that the style and quality should lend itself as much as possible to the character that has already been established in the area.

We have commissioned Harmon and O'Donnell of Denver, Colorado to do the overall land planning. This firm, we feel, is one of the best in the business. Certainly its familiarity with Wichita, and particularly the East part of town, is a big asset.

Members: Home Builders Association of Kansas City • National Association of Real Estate Boards • National Association of Home Builders



Mr. Robert Lakin

-2-

November 17, 1964

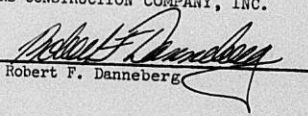
Please let us hear from you regarding the enclosed development plan. If you would like to discuss anything further with us, we can come to Wichita most anytime. As a matter of fact, its our hope that you will be able to study this and then give us an opportunity to sit down and discuss its overall merits. We are anxious to proceed with the perliminary plat and feel a meeting would be very helpful if you so desire.

Thank you for your consideration.

Sincerely

BYERS CONSTRUCTION COMPANY, INC.

By


Robert F. Danneberg

FORM 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE FIRST FLOOR

Bldg & Elev.	Elec.	Elev.	Sp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.		Mech.
Oil Well	Pav. Cuts	Plan.		Plbg. Cert.
Sanitation	Sewer	Signs		Sidewalk
Street	Trailer			

DESCRIPTION	AMOUNT
Woodkwork	179.50

Name

Address

Type

Due Date

Comments:

Date

By

1-18-65

Mate Arrington

MAP No.: E-9
SEC. No.: 18
TWP. No.: 27
RANGE: 2E

S/D No. 64-73

APPLICATION FOR SUBDIVISION APPROVAL

NAME OF SUBDIVISION: Woodlawn Village (East)

GENERAL LOCATION: 80 acres located at the NW corner of Rock Rd & Central - Immediately East of Woodlawn Village.

NAME OF PROPERTY OWNER: Byers Construction Company, Inc.
ADDRESS: 1006 Grand Ave., Kansas City, Missouri
NAME OF SUBDIVIDER: Byers Construction Company, Inc. PHONE: VI 2-0297
ADDRESS: 1006 Grand Ave., Kansas City, Missouri
NAME OF AGENT/SURVEYOR: Harmon & O'Donnell PHONE: VI 2-0297
ADDRESS: 2nd & Detroit, Denver, Colorado K.O. Taylor
DATE OF APPLICATION: _____ PHONE Area 303-388-4228

SUBDIVISION INFORMATION:

1. GROSS ACREAGE OF PLAT 80
2. NUMBER OF LOTS:
- | | |
|-------------|------------------------------|
| RESIDENTIAL | <u>104</u> |
| COMMERCIAL | <u>10 Acres</u> |
| INDUSTRIAL | |
| OTHER | <u>10 Acres Multi-Family</u> |
- TOTAL NUMBER OF LOTS _____
3. AVERAGE LOT FRONTAGE 120 FT.
4. MINIMUM LOT FRONTAGE 100 FT.
5. AVERAGE LOT AREA 12,000 SQ. FT.
6. MINIMUM LOT AREA 9,500 * SQ. FT.
7. LINEAL FEET OF NEW STREETS:
- | | | | | |
|----|-------------|-----|-----------|-----|
| A. | <u>4050</u> | R/W | <u>60</u> | FT. |
| B. | <u>4550</u> | R/W | <u>10</u> | FT. |
| C. | | R/W | | FT. |
| D. | TOTAL | | | FT. |
8. TOTAL AREA OF NEW STREET R/W: 425,000 SQ. FT.
9. EXISTING ZONING 74 Acres = AA
6 Acres = LC
10. PROPOSED ZONING 10 Acres = LC
10 Acres = B
60 Acres = AA
11. PUBLIC WATER SUPPLY Yes (YES-NO), NAME _____
12. PUBLIC SANITARY SEWERS Yes (YES-NO), NAME _____
13. HEALTH DEPARTMENT APPROVAL (WHERE APPLICABLE) _____
14. CITY OF WICHITA OR 3 MILE AREA: City of Wichita (YES-NO)

*Lesser area due to Culdisac.

THE APPLICANT HEREIN AGREES TO COMPLY WITH THE SUBDIVISION RULES AND REGULATIONS FOR THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA, AS AMENDED, AND ALL OTHER PERTINENT ORDINANCES OF THE CITY OF WICHITA AND/OR RESOLUTIONS OF SEDGWICK COUNTY, KANSAS, AND STATUTES OF THE STATE OF KANSAS. THE APPLICANT FURTHER AGREES THAT HE WAIVES THE 60-DAY STATUTORY PERIOD IN WHICH THE PLANNING COMMISSION OR GOVERNING BODY MUST ACT. THE UNDERSIGNED FURTHER STATES THAT HE IS THE OWNER OR IS THE AUTHORIZED AGENT FOR THE OWNER(S).

OWNER'S SIGNATURE: By: George W. Byers
By: Harmon & O'Donnell by K.O. Taylor
AGENT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA
PLANNING COMMISSION, ROOM 402, CITY BUILDING
ANNEX, 104 SOUTH MAIN STREET, WICHITA, KANSAS.

RECEIVED BY Lakin
DATE 11-18-64

MAP No.: E-9
SEC. No.: _____
TWP. No.: _____
RANGE: _____

S/D No. 64-73

APPLICATION FOR SUBDIVISION APPROVAL

NAME OF SUBDIVISION: Woodlawn Village (East)

GENERAL LOCATION: 80 acres located at the NW corner of Rock Rd & Central - Immediately East of Woodlawn Village.

NAME OF PROPERTY OWNER: Byers Construction Company, Inc.
ADDRESS: 1006 Grand Ave., Kansas City, Missouri PHONE: VI 2-0297
NAME OF SUBDIVIDER: Byers Construction Company, Inc.
ADDRESS: 1006 Grand Ave., Kansas City, Missouri PHONE: VI 2-0297
NAME OF AGENT/SURVEYOR: Harmon & O'Donnell
ADDRESS: 2nd & Detroit, Denver, Colorado PHONE AREA 303-388-4228
DATE OF APPLICATION: _____

SUBDIVISION INFORMATION:

1. GROSS ACREAGE OF PLAT 80
2. NUMBER OF LOTS:
RESIDENTIAL 104
COMMERCIAL 10 Acres
INDUSTRIAL _____
OTHER 10 Acres Multi-Family
TOTAL NUMBER OF LOTS _____
3. AVERAGE LOT FRONTAGE 120 FT.
4. MINIMUM LOT FRONTAGE 100 FT.
5. AVERAGE LOT AREA 12,000 SQ.FT.
6. MINIMUM LOT AREA 9,500 * SQ.FT.
7. LINEAL FEET OF NEW STREETS:
A. 4050 R/W 60 FT.
B. 4550 R/W 40 FT.
C. _____ R/W _____ FT.
D. TOTAL _____ FT.
8. TOTAL AREA OF NEW STREET R/W: 425,000 SQ.FT.
9. EXISTING ZONING 74 Acres = AA
6 Acres = LC
10. PROPOSED ZONING 10 Acres = LC
10 Acres = B
60 Acres = AA
*Lesser area due to Culdissac.
11. PUBLIC WATER SUPPLY Yes (YES-NO), NAME _____
12. PUBLIC SANITARY SEWERS Yes (YES-NO), NAME _____
13. HEALTH DEPARTMENT APPROVAL (WHERE APPLICABLE) _____ (YES-NO)
14. CITY OF WICHITA OR 3 MILE AREA: City of Wichita

THE APPLICANT HEREIN AGREES TO COMPLY WITH THE SUBDIVISION RULES AND REGULATIONS FOR THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA, AS AMENDED, AND ALL OTHER PERTINENT ORDINANCES OF THE CITY OF WICHITA AND/OR RESOLUTIONS OF SEDGWICK COUNTY, KANSAS, AND STATUTES OF THE STATE OF KANSAS. THE APPLICANT FURTHER AGREES THAT HE WAIVES THE 60-DAY STATUTORY PERIOD IN WHICH THE PLANNING COMMISSION OR GOVERNING BODY MUST ACT. THE UNDERSIGNED FURTHER STATES THAT HE IS THE OWNER OR IS THE AUTHORIZED AGENT FOR THE OWNER(S).
Byers Construction Company, Inc.

OWNER'S SIGNATURE: By: _____

BY: _____
AGENT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA
PLANNING COMMISSION, ROOM 402, CITY BUILDING
ANNEX, 104 SOUTH MAIN STREET, WICHITA, KANSAS.

RECEIVED BY Lakin
DATE 11-18-64

S/D-1 M.A.P.C. 7-23-58 (REV. 10-62)

T21-301