

MAP NO S/D 65-89 MAP NO E-OW

NAME TYLER ACRES 2ND ADDITION

LOCATION Northeast corner of Tyler Road
and Central

ENGINEER: Baughman Company

OWNER E. L. Neville

APPLICATION FILED 10-4-65

SKETCH PLAT FILED None

PRELIMINARY FILED 10-4-65

S/D ACTION 10-14-65 Approve Prelim,

FINAL FILED 2-28-66 Revised Recd 3-4-66

S/D ACTION 3-10-66 Approve Final

MAPC ACTION 3-17-66 Approve

BCC ACTION 5-17-66 Approved

RECORDED 5-26-66

REMARKS Closed 5-17-66

11-26-68, BCC approved sidewalk plat,
for portion yet to be constructed
on Central, in lieu of original
warranty.

M.A.P.C. Approved 5-17-66

B.C.C. ~~COPE~~ Approved 5-17-66

Closed 5-17-66

11-26-68 BCC Approved sidewalk
petition in lieu of original
guarantee (see memo dated 11-20-68)

S/D 65-89 - TYLER ACRES 2ND ADDI-
TION, Northeast corner of Tyler
Road and Central - Baughman Co.

SUBDIVISION REPORT AND PROGRESS

MAP No. E-0W
Sec. No. 16
TWP. No. 27S
RANGE 1W

S/D No.: 65-89

NAME: TYLER ACRES 2ND ADDITION

GENERAL LOCATION: Northeast corner of Tyler Road and Central

OWNER: E. L. Neville PHONE: FO 3-5986
ADDRESS: 127 South Fern
SUBDIVIDER: Same Jim Smith (Ray Realty) PHONE: _____
ADDRESS: P.O. Box 1515
ENGINEER/SURVEYOR: Baughman Company PHONE: MU 3-7431
ADDRESS: 2522 East Kellogg

APPLICATION RECEIVED 10-4-65 *Revised Final Rec'd 3-4-66*
CONF. WITH APPLICANT None FINAL PLAT RECEIVED 2-28-66
SKETCH PLAT RECEIVED None TRACING RECEIVED 5-9-66
POSTED TO ATLAS 10-5-65 FINAL PLAT REVIEWED 2-28-66
PRESENT ZONING "IC" S/D REPORT #2 PREPARED 3-2-66
PROPOSED ZONING _____ S/D COMM. ACTION 3-10-66 Approve
SKETCH PLAT _____
LETTER OF INTENT None S/D REPORT #2 MARKED 3-11-66
DEPT. REPORT ON FINAL 3-11-66
MARKED COPY SENT TO ENG. 3-11-66

PREL. PLAT RECEIVED 10-4-65 M.A.P.C. ACTION 3-17-66 Approve
PREL. PLAT REVIEWED 11-5-65
S/D REPORT #1 PREPARED 10-7-65

S/D COMM. ACTION 10-14-65 Approved S/D REPORT #2 MARKED 3-18-66
DEPT. REPORT ON FINAL 3-18-66

S/D REPORT #1 MARKED 10-15-65 LETTER ON IRONS RECEIVED 5-2-66
DEPT. REPORT ON PREL. 10-15-65 TITLE OPINION RECEIVED 4-22-66
MARKED COPY SENT TO ENG. 11-15-65 TAXES OPINION RECEIVED 4-22-66
TITLE & TAXES REVIEWED 4-27-66
FINAL REVIEW 5-12-66

LETTER TO B.C.C. 5-12-66

* B.C.C. ACTION 5-17-66 Approved

RECORDED 5-26-66
ANNEXED _____

COMMENTS:

* 11-26-65, BCC approved sidewalk, setline in lieu of original quarter (see memo dated 11-20-65)

REGISTER OF DEEDS

SEDGWICK COUNTY, KANSAS

TYLER ACRES SECOND ADDITION WAS

FILED FOR RECORD ON May 26, 1966
Drawer H-1 4-9

5-26-66
jo

Robert E. Deering

REGISTER OF DEEDS

November 20, 1968

Ralph C. Eberly, City Clerk

Jack H. Galbraith, Senior Planner

S/D 65-89 - Tyler Acres 2nd Addition (Sidewalk Guarantee)

The above captioned plat was approved by the Metropolitan Area Planning Commission on March 17, 1966, and by the Board of City Commissioners on May 17, 1966. One of the conditions of approval was that the applicant guarantee the construction of sidewalks on the north side of Central and on the east side of Tyler Road, in the amount of \$900, within two years. Our file indicates that an "Irrevocable Letter of Credit" from the Colwich State Bank was submitted guaranteeing that the sidewalks would be constructed in accordance with City specifications.

A sidewalk has been installed on Central adjacent to Lot 2 and sidewalks are being constructed on Tyler Road in conjunction with the improvement of said street. Since the two year guarantee has now expired, the applicant has submitted a sidewalk petition for that portion yet to be constructed on Central, in lieu of the Letter of Credit. Said petition is being forwarded to the City Manager's Office with a copy of this memorandum, and should be placed on the City Manager's agenda for formal approval by the Board of City Commissioners at their regular meeting on November 26, 1968. The cost of the publication of the sidewalk resolution should be billed to the applicant.

At such time as the Commission takes action on the petition, the original Letter of Credit in the amount of \$900, which is being held by your office, may be cancelled upon request from the applicant.

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

JHG:JDG:js

cc: Ralph Wuls,
City Manager

Mr. Edward Neville
9625 W. Maple
Wichita, Kansas 67209

4-15-68

*sent sidewalk petition to Eng. Div. for processing
which covers sidewalks on just Central &
for lot 1 only. (Received from Edward T. Neville
@ 9625 W. Maple, 67209)*

March 20, 1968

Mr. E. L. Neville
127 South Fern
Wichita, Kansas 67213

Subject: S/D 65-89 - Tyler Acres
2nd Addition (Letter of Credit No. 101)

Dear Mr. Neville:

As you will recall, the above-captioned plat was approved by the Metropolitan Area Planning Commission on March 17, 1966, and by the Board of City Commissioners on May 17, 1966. One of the conditions of approval was that the applicant guarantee the construction of sidewalks on the north side of Central and on the east side of Tyler Road, in the amount of \$900, within two years. Our file indicates that an "Irrevocable Commercial Credit" from the Colwich State Bank was submitted guaranteeing that the sidewalks would be constructed in accordance with City specifications.

Since the two-year guarantee has now expired, we would appreciate your advising our office as to the status of the sidewalk construction. If the sidewalks are not installed, please advise us as to your intent to fulfill this requirement of platting.

We are anxious to assist you in any way we can to expedite the fulfillment of this requirement and the closing of this file. Please contact our office if you have any questions concerning this matter.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:js

SUBDIVISION REPORT

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

Subdivision Approval

S/D Number: 65-89 Name: **Tyler Acres 2nd Addition**
 Application Filed: 10-4-65 Sketch Filed: N/A
 Preliminary Plat Filed: 10-4-65 Approved by S/D: 10-14-65
 Final Plat Filed: 2-28-66 Approved by S/D: 3-10-66
 Approved by Metropolitan Area Planning Commission: 3-17-66

DESCRIPTION

General Location: **Northeast corner of Tyler Road and Central**

Owner: **E. L. Neville**
 Surveyor or Engineer: **Baughman Company**
 Address: **2522 East Kellogg**

- | | |
|--|----------------------------------|
| 1. Gross Acreage of Plat <u>1.5</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | (a) <u>50</u> R/W <u>500</u> ft. |
| Residential _____ | (b) _____ R/W _____ ft. |
| Commercial <u>2</u> | (c) _____ R/W _____ ft. |
| Industrial _____ | (d) Total <u>500</u> ft. |
| Other _____ | 8. Total Area of New Streets: |
| Total <u>2</u> | R/W <u>25,000</u> sq. ft. |
| 3. Average Lot Frontage <u>156</u> ft. | 9. Existing Zoning <u>"LC"</u> |
| 4. Minimum Lot Frontage <u>135</u> ft. | 10. Lot Area Required by |
| 5. Average Lot Area <u>32,383</u> sq.ft. | Zoning _____ sq. ft. |
| 6. Minimum Lot Area <u>18,225</u> sq.ft. | |

~~Sidewalks required adjacent to the east side of Tyler Road and the north side of Central.~~
~~Associated Community Unit Plan - DP-11~~

Planning Commission Recommendation:

MOONEY moved and HILL seconded that the Planning Commission recommend to the City Commission that this plat be approved, subject to being recorded within 30 days after approval by the City Commission.

Vote of Planning Commission: Unanimous

Respectfully submitted,

_____, Secretary

Action: Receive and file the ^{performance bond} ~~performance bond~~ ^{credit} ~~credit~~ guaranteeing construction of the sidewalks, instruct the City Clerk to file the contingent dedication with the Register of Deeds and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

CONTINGENT DEDICATION

WHEREAS, Edward T. Neville and Rita Ann Neville, husband and wife, are the owners of the property as hereinafter described, to-wit:

Beginning at the SW corner of the SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence North 185 feet, thence East 185 feet, thence South 185 feet, thence West 185 feet to the place of beginning, except the South 50 feet and the West 50 feet dedicated for road purposes, and

The South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 16, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, except Tracts numbered 2, 3, 4, 5 and 6,

and

WHEREAS, said property has been platted, and

WHEREAS, the said owners are desirous of making a contingent dedication for street right-of-way covering the South 25 feet of Lots 1 and 2 except the East 15 feet thereof and the West 25 feet of Lot 1, and

WHEREAS, at the present time and at the time of the platting a building, gas pumps and driveways are now occupying the said portion of the property covered by this contingent dedication, and

WHEREAS, it is the intention of the owners to dedicate to the public the said above described property, but the effective date of the right-of-way of dedication of the said South 25 feet of Lots 1 and 2 except the East 15 feet thereof and the West 25 feet of Lot 1 shall occur only in the event of certain contingencies.

NOW, THEREFORE, Edward T. Neville and Rita Ann Neville, being the legal owners of the above described property do hereby dedicate to the public for street purposes the South 25 feet of Lots 1 and 2 except the East 15 feet thereof and the West 25 feet of Lot 1, but the right of the public and the City of Wichita to use, maintain, excavate or fill, pave, install utilities and make similar street uses shall not occur so long as the present structures and facilities located in said above described property shall be used

in the manner in which same is now being used, to-wit: for filling station and kindred purposes in use by the grantors, its lessees and assigns. In the event of substantial destruction, total destruction or damage to or removal of the said improvements, this dedication shall take full force and effect. It is understood that this dedication shall not occur until the said grantors, their heirs, successors and assigns shall cease to use the said property for the purpose of operation of a filling station and kindred items.

It is the intent of the grantors and owners, Edward T. Neville and Rita Ann Neville, that this shall be a covenant running with the land and shall be binding upon their heirs, assigns and successors and upon all subsequent owners of any part or parcel of property covered by said dedication.

This instrument executed at Wichita, Kansas, this 10th day of May, 1966.

Edward T. Neville
Edward T. Neville

Rita Ann Neville
Rita Ann Neville

STATE OF KANSAS)
SEDGWICK COUNTY) SS.

BE IT REMEMBERED, that on this 10th day of May, 1966, before me, a Notary Public in and for the County and State aforesaid, came Edward T. Neville and Rita Ann Neville, husband and wife, personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same for themselves and for the purposes therein set forth.

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

James D. Smith
Notary Public

My commission expires:

Sept. 15, 1967

May 3, 1966

Mr. Robert H. Nelson, Attorney
816 Union Center Building
Wichita, Kansas

Dear Mr. Nelson:

I reviewed the proposed contingent dedication from the Nevilles and feel that part of the language setting forth the contingencies should be reworked. More specifically, I believe the dedication should become effective at anytime the service station operation is removed. This would be either through voluntary removal or destruction or loss due to fire, windstorm or flooding. In line with this, I would like for your clients to consider making the following changes:

Page 1 - third line from the bottom following the word "present", add "structures and"

Page 2 - third line from the top, change to read as follows:
"to or removal of the said improvements,"

Fourth line from the top - delete,

Fifth line from the top, change to read: "this dedication shall take full force and"

Sixth line from the top, delete all but the word "effect"

Seventh line from the top, - delete,

Eighth line from the top - Delete the first part thereof so that it reads "It is understood".

If you will let Jack or Ren know the feelings of your client as to

Mr. Robert H. Nelson, Attorney
May 3, 1966

this matter, we will be able to place this item on the City
Commission agenda. We would like to know sometime prior to
Thursday noon.

Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:ber

KAHRS, NELSON, FANNING & HITE

ATTORNEYS AT LAW

UNION CENTER BUILDING

WICHITA, KANSAS 67202

TELEPHONE
AMHERST 2-3777

AUSTIN M. COWAN (1885-1849)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN

Metropolitan Area Planning Commission
City Building Annex
Wichita, Kansas

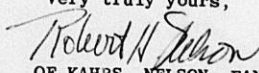
Attn: Mr. Jack Galbraith

Re: Edward T. Neville

Dear Jack:

Enclosed herewith is Contingent Dedication on behalf
of Mr. and Mrs. Edward T. Neville pursuant to your letter
of March 18, 1966.

Very truly yours,



OF KAHRS, NELSON, FANNING & HITE

RHN:dr
Enclosure

JOHN T. (JACK) REEVES

FRED J. DOANE

OFFICE OF
BAUGHMAN CO.
Surveyors

2522 EAST KELLOGG
WICHITA, KANSAS 67211
MURRAY 3-7431

April 29, 1966

Planning Office
City Building Annex
Wichita, Kansas

Gentlemen:

This is to inform you that the irons have been set in Tyler Acres Second Addition to Wichita, Kansas, according to the plat of file in your office.

John T. Reeves
Surveyor



KAHRS, NELSON, FANNING & HITE

ATTORNEYS AT LAW

UNION CENTER BUILDING

WICHITA, KANSAS 67202

April 21, 1966

TELEPHONE
AMHERST 2-3777

AUSTIN M. COWAN (1888-1949)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN



Metropolitan Area Planning Commission
and
Board of Commissioners of the City of Wichita,
Wichita, Kansas

Gentlemen:

This is to certify that I have examined the title to the following described real property, to-wit:

The South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 16, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, except Tracts numbered 2, 3, 4, 5 and 6, as more particularly described in Exhibit "A" attached to the abstract,

as shown by the accompanying abstract of title in two parts -

- (a) Base abstract containing 57 entries, together with proceedings had in the Probate Court of Sedgwick County, Kansas, in

Case No. 3236, In the Matter of the Estate of James Picken, deceased, and

Case No. 12635, In the Matter of the Estate of Thomas Fulton Picken, deceased,

covering a period of time from the patent by the United States Government to the 19th day of March, 1959, at 7:00 o'clock A. M., by The Guarantee Abstract Company, Inc., and

- (b) Supplemental abstract thereto, containing 5 entries from the 19th day of March, 1959, at 7:00 o'clock A. M. to the 12th day of April, 1966, by Callahan-Guarantee Title Co., Inc.,

and from my examination, based upon the correctness of the abstract

submitted, I find a good and merchantable in fee simple to the above described property to be vested in

EDWARD T. NEVILLE,

as shown at Entry #50 of the base abstract, subject, nevertheless, to the following:

1. Mortgages - None
2. At Entry #55 of the base abstract I find a drainage easement in favor of Country Acres Improvement District, a municipal corporation, 20 feet in width across the above described real property, the center line of which is as follows:

Commencing at the SW corner of Section 16, Township 27 South, Range 1 West; thence North 1156 feet for a point of beginning; thence 90° right, a distance of 40 feet; thence 90° left, a distance of 181.7 feet to the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 16.
3. At Entry #56 of the base abstract I also find a drainage easement in favor of Country Acres Improvement District, which is in the NE corner of the S $\frac{1}{2}$ of the said SW $\frac{1}{4}$ of Section 16.
4. At Entry #57 of the base abstract I find a Pipe Line Right of Way Agreement in favor of Consolidated Gas Utilities Corporation, beginning at a point 30 feet East and 50 feet North of the SW corner of the said SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West; thence East 20 feet; thence North on a line parallel to the West line of Section 16, to the South line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West; thence West 20 feet; thence South parallel to the Section line to point of beginning.
5. At Entry #4 of the supplemental abstract, Country Acres Improvement District, a municipal corporation, by an instrument has assigned to the City of Wichita the easements described above, as well as other easements, who is now the owner and holder thereof.
6. At Entry #5 of the supplemental abstract I find a Pole Line Easement in favor of The Kansas Gas and Electric Company, in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West, said easement being a 10 foot strip, 5 feet to the right and 5 feet to the left of the following described line: Beginning at a point 190 feet North and 40 feet East of the SW corner of said SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West; thence East parallel with the South line of said SW $\frac{1}{4}$ a distance of 135 feet.

- 3 -

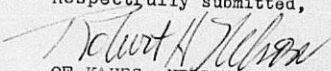
7. Taxes for the year 1965 and prior years are shown paid.

8. Inquiry should be made to ascertain whether or not there have been any unpaid bills for labor performed or material furnished upon the above described property within the past four months, which might become the basis for a lien thereon.

9. Ascertain the rights of parties in possession, if any.

10. Ascertain the correct boundaries of the above described property by survey or otherwise.

Respectfully submitted,


OF KAHR, NELSON, FANNING & HITE

RHN:CEM:sr

KAHRS, NELSON, FANNING & HITE
ATTORNEYS AT LAW

UNION CENTER BUILDING

WICHITA, KANSAS 67202

April 21, 1966

TELEPHONE
AMHERST 2-3777

AUSTIN M. COWAN (1888-1949)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN



Metropolitan Area Planning Commission
and
Board of Commissioners of the City of Wichita
Wichita, Kansas

Gentlemen:

This is to certify that I have examined the title to the following described real property, to-wit:

Beginning at the SW corner of the SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West of the 6th P. M., Sedgwick County, Kansas; thence North 185 feet, thence East 185 feet, thence South 185 feet, thence West 185 feet to the place of beginning, except the South 50 feet and the West 50 feet dedicated for road purposes,

as shown by the accompanying abstract of title, containing 63 entries and proceedings had in the Probate Court of Sedgwick County, Kansas, in

Case No. 3236, In the Matter of the Estate of James Picken, deceased, and

Case No. 12635, In the Matter of the Estate of Thomas Fulton Picken, deceased,

all as last certified to by Callahan-Guarantee Title Co., Inc. on the 12th day of April, 1966, at 7:00 o'clock A. M., and from my examination, based upon the correctness of the abstract submitted, I find a good and merchantable title in fee simple to the above described property to be vested in

EDWARD T. NEVILLE,

as shown at Entry #50, subject, nevertheless, to the following:

1. At Entry #59 I find a mortgage, dated June 24, 1958, between Edward T. Neville, a single man, as mortgagor, and Sinclair Refining Company, a Maine corporation, as mortgagee, to secure the sum of \$25,000.00, which was recorded in the office of the Register

of Deeds of Sedgwick County, Kansas on the 25th day of June, 1958, at 1:55 P.M., in Book 1290 of Mortgages, at Page 488, and is a valid first lien on the above described property.

2. At Entry #61 I find a Pole Line Easement in favor of The Kansas Gas and Electric Company, in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West, said easement being a 10 foot strip, 5 feet to the right and 5 feet to the left of the following described line: Beginning at a point 190 feet North and 40 feet East of the SW corner of said SW $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 West; thence East parallel with the South line of said SW $\frac{1}{4}$ a distance of 135 feet.

3. At Entry #63 I find a lease, dated January 29 1964, involving the above described real property, between Edward T. Neville and Rita A. Neville, his wife, as Lessors, and Sinclair Refining Company, a Maine Corporation, as Lessee, wherein the Lessee has leased the above described property for a period of ten years from January 29, 1964, at a rental of \$475.00 per month, which lease is a valid and subsisting lease on the above described property.

4. Taxes for the year 1965 and prior years are shown paid.

5. Inquiry should be made to ascertain whether or not there have been any unpaid bills for labor performed or material furnished upon the above described property within the past four months, which might become the basis for a lien thereon.

6. Ascertain the rights of parties in possession, if any.

7. Ascertain the correct boundaries of the above described property by survey or otherwise.

Respectfully submitted,

Robert H. Hite
OF KAHRS, NELSON, FANNING & HITE

RHN:CEM:sr

KAHRS, NELSON, FANNING & HITE

ATTORNEYS AT LAW
UNION CENTER BUILDING

WICHITA, KANSAS 67202

TELEPHONE
AMHERST 2-3777

AUSTIN M. COWAN (1885-1949)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN

April 12, 1966

Metropolitan Area Planning Commission
City Building Annex
104 South Main
Wichita, Kansas

Re: CUP Plan - Edward T. Neville

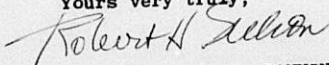
Attn: Mr. Galbraith

Dear Jack:

Enclosed herewith is irrevocable credit in favor of the City of Wichita on the State Bank of Colwich for the sum not exceeding \$900.00 which is being filed on behalf of Edward T. Neville in connection with the platting and approval of his CUP Plan on Central Avenue and Tyler Road in Tyler Acres Second Addition.

Will you please advise the date that the CUP Plan and final plat will be forwarded to the City Commission for approval.

Yours very truly,



OF KAHRS, NELSON, FANNING & HITE

RHN:dr
Enclosure



State Bank of Colwich
(Name of Bank)

DATE March 31, 1966

CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available
by your drafts at sight on State Bank of Colwich for a sum or sums not ex-
(name of bank)
ceeding a total of \$ 900.00 for the account of Edward T.
(name of

Neville to be accepted by beneficiaries' signed statement that
Customer)

drawing is due to default or failure to perform on or before _____
(Insert

March 17, 1968 by Edward T. Neville regarding
date two years from MAPC approval) (name of customer)

improvements to sidewalk construction on Central Avenue and Tyler
(here describe public improvements and legal des-
Road in Tyler Acres Second Addition.
cription of final plat of subdivision)

Beneficiaries will notify bank when above improvements are
completed and upon receipt of such notification, this credit will be
released.

All drafts so drawn must be marked: "Drawn under State Bank of Colwich
(name of bank)
Credit number 101, dated March 31-1966."

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

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

We hereby agree with the drawers, endorsers and bona fide holders of drafts drawn under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before March 17, 1968
(insert date)
plus 60 days
two years plus 60 days from MAPC approval)

Your very truly,

State Bank of Colwich
(Name of Bank)

BY: _____ V.P.
(Authorized Signature)

MICROFILMED
FROM THE BEST
AVAILABLE COPY

April 13, 1966

Mr. Robert H. Nelson
Kahrs, Nelson, Fanning and Hite
Union Center Building
Wichita, Kansas

Dear Mr. Nelson:

In answer to your letter of April 12, 1966, the earliest possible date that the CUP Plan can be forwarded to the Board of City Commissioners for their consideration is May 3, 1966. As we have discussed, the plat and Development Plan should be forwarded together for their consideration. In checking the plat file I find that the only condition which has been complied with as to approval of the plat is the irrevocable letter of credit guaranteeing the installation of sidewalks. The contingent dedication, title opinion, taxes and the signed tracing have not been submitted for our review. It will be necessary that all conditions of the general plat be complied with prior to forwarding either the plat or the Development Plan to the Board of City Commissioners.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:mmt

March 18, 1966

Baughman Company
2522 East Kellogg
Wichita, Kansas

Subject: S/D 65-89 - Final Plat of Tyler
Acres 2nd Addition

Gentlemen:

At its regular meeting on March 17, 1966, the Metropolitan Area Planning Commission considered the Final Plat of Tyler Acres 2nd Addition and recommended approval subject to:

1. Indicating a 5-foot utility easement adjacent to the north line of Lots 1 and 2, and a 5-foot utility easement adjacent to the east line of the plat.

2. The applicant providing sidewalks adjacent to the east side of Tyler Road and the north side of Central Avenue.

OK 3. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the Board of City Commissioners, the total construction cost to be in the amount of \$900.

OK 4. The applicant submitting a contingent dedication for street right-of-way covering the south 25 feet of Lots 1 and 2, except the east 15 feet thereof, and the west 25 feet of Lot 1. The contingent dedication is to be in such a form that in the event the facilities located in said 25 feet are removed or relocated the right-of-way would automatically be dedicated.

March 18, 1966

5. 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.

OK Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.

OK Certification by an attorney that fee title is vested in the platfor.

OK Certification that all taxes due and payable have been paid.

OK 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:bjg

cc: Mr. E. L. Neville
127 South Fern

Mr. Jim Smith
Ray Realty
P. O. Box 1515

Mr. Robert H. Nelson
816 Union Center Bldg.

March 11, 1966

Baughman Company
2522 East Kellogg
Wichita, Kansas

Subject: S/D 65-89 - Final Plat of Tyler
Acres 2nd Addition

Gentlemen:

At its regular meeting on March 10, 1966, the Subdivision Committee of the Metropolitan Area Planning Commission considered the final plat of Tyler Acres 2nd Addition. The action of the Subdivision Committee was to recommend approval of the final plat subject to:

1. Indicating a 5-foot utility easement adjacent to the north line of Lots 1 and 2 and a 5-foot utility easement adjacent to the east line of the plat.
2. The applicant providing sidewalks adjacent to the east side of Tyler Road and the north side of Central Avenue.
3. The applicant complying with one of the five adopted methods of guaranteeing the installation and financing of sidewalks prior to the forwarding of the plat to the Board of City Commissioners, the total construction cost to be in the amount of \$900.
4. Recording within 30 days after approval by the Board of City Commissioners.

NOTE: In view of the Planning Commission's policy of obtaining 75' of half street right-of-way at intersections of major streets, the Subdivision Committee forwarded this plat to the Planning Commission for a determination as to whether the additional 25 feet of half-street right-of-way which could not be provided on this plat because of existing development should be dedicated in the form of a contingent dedication. The contingent dedication being in such a form that in the event the facilities located in said 25 feet are ever removed or relocated the right-of-way would

March 11, 1966
Tyler Acres Addition

automatically be dedicated.

The recommendation of the Subdivision Committee that the final plat be approved will be forwarded to the Metropolitan Area Planning Commission for their consideration at their next regular meeting on March 17, 1966.

Enclosed herewith is the marked Engineer's copy of the final plat for your information and files.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:mtt
Enclosure

cc: E. L. Neville
127 South Fern

Jim Smith
P.O. Box 1515

Robert H. Nelson
816 Union Center Building

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No. 65-89 NAME TYLER ACRES 2ND ADDITION
DATE APPLICATION REC'D 10-4-65 PRELIMINARY APPROVAL 10-14-65

DESCRIPTION

GENERAL LOCATION Northeast corner of Tyler Road and Central

OWNER E. L. Neville
SURVEYOR/ENGINEER Baughman Company
ADDRESS 2522 East Kellogg

1. GROSS ACREAGE OF PLAT	<u>1.5</u>	7. LINEAL FEET OF NEW STREETS:	
2. NUMBER OF LOTS:		(A)	<u>50</u> R/W <u>500</u> FT.
RESIDENTIAL	<u> </u>	(B)	<u> </u> R/W <u> </u> FT.
COMMERCIAL	<u>2</u>	(C)	<u> </u> R/W <u> </u> FT.
INDUSTRIAL	<u> </u>	(D)	TOTAL <u>500</u> FT.
OTHER	<u> </u>	8. TOTAL AREA OF NEW STREET	
TOTAL	<u>2</u>	R/W	<u>25,000</u> SQ.FT.
3. AVERAGE LOT FRONTAGE	<u>156</u> FT.	9. EXISTING ZONING	<u>LC</u>
4. MINIMUM LOT FRONTAGE	<u>135</u> FT.	10. PROPOSED ZONING	<u> </u>
5. AVERAGE LOT AREA	<u>32,383</u> SQ.FT.	11. LOT AREA REQUIRED BY	<u> </u> SQ.FT.
6. MINIMUM LOT AREA	<u>18,225</u> SQ.FT.	ZONING.	<u> </u>

STAFF COMMENTS:

- Prior to the Subdivision Final plat hearing the applicant shall submit a drawing showing location of pumps, paving, signs, etc. so that a determination can be made as to how much, if any, additional right-of-way may be obtained.
- At the preliminary plat hearing utility easements were required adjacent to the north line of Lots 1 and 2 and the east line of Lot 2 and these have not been indicated on the final plat.
- It should be pointed out that this plat is a portion of a Community Unit Plan (DP-11) which was approved on 2-17-66 by the Planning Commission. Two points of access from Lot 1 to Tyler Road, from Lot 1 to Central Avenue, and from Lot 2 to Central Avenue were approved on the Development Plan.
- The applicant shall provide sidewalks adjacent to the east side of Tyler Road and the north side of Central Avenue.
- Prior to the forwarding of the plat to the Board of City Commissioners, the applicant shall comply with one of the five adopted methods of guaranteeing the installation and financing of sidewalks. Total construction cost to be in the amount of \$900.
- Recording within 30 days after approval by the Board of City Commissioners.

February 7, 1966

Baughman Company
2522 East Kellogg
Wichita, Kansas

Subject: S/D 65-89 - Tyler Acres 2nd Addition

Gentlemen:

The applicant has submitted a preliminary development plan under the Community Unit Plan Provisions of the Zoning Ordinance which differs considerably from what has been proposed on the preliminary plat. Therefore, it will now be necessary to submit a revised preliminary plat showing all the normally required information. Since this plat is located at the intersection of two major streets, all existing features such as paving, gas pump, signs, access points, etc., should be shown so that a determination can be made concerning the dedication of additional right-of-way.

As you recall the Planning Commission now has a policy of obtaining additional right-of-way at major street intersections in compliance with Chart 5D of Transportation Study, which indicates that it is necessary to obtain 75 feet of half-street right-of-way at intersections of major streets to provide for medial and channelization.

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

Sincerely yours,

Jack H. Galbraith
Senior Planner

JHG:RAW:smmt

CC: E.L. Neville
127 South Fern
Jim Smith

P.O. Box 1515

Robert H. Nelson

816 Union Center Building

October 18, 1965

Baughman Company
2522 East Kellogg
Wichita, Kansas

Subject: S/D 65-89 - Preliminary Plat of
Tyler Acres 2nd Addition

Gentlemen:

At its regular meeting on October 14, 1965, the Subdivision Committee of the Metropolitan Area Planning Commission considered the Preliminary Plat of Tyler Acres 2nd Addition. The action of the Subdivision Committee was to approve the Preliminary Plat and authorize preparation of the Final Plat subject to:

1. The applicant shall provide sidewalks adjacent to the east side of Tyler Road and the north side of Central Avenue.
2. Prior to the time this plat is forwarded to the City Commission for its consideration, the applicant shall provide for either:
 - a. Construction of the sidewalks in accordance with plans and specifications of the City Engineer; or
 - b. A Corporate Surety Bond guaranteeing construction within 2 years, such bond to be in the amount of \$1,060.
3. Indicating 8-foot utility easements adjacent to the north and east property lines.

October 18, 1965

4. Incorporating Lot 3 into Lot 4 and indicating this area as Lot 3.
5. Indicating a 16-foot utility easement along the south line of Lot 1, 10 feet on the north side and 6 feet on the south side of the east-west lot line.
6. Requirements for a Final Plat (see Pages 4 and 5 of the Subdivision Rules and Regulations).

The enclosed "marked" copy of the Preliminary Plat is for your information and files.

It should be pointed out that the total area of "LC" light commercial zoning at this corner is approximately 7 acres and is held under one ownership. Therefore, it will be necessary that the applicant submit a development plan for the entire "LC" zoned land and have the plan approved by the Metropolitan Area Planning Commission before any building permits can be issued. The development plan requirement is in accordance with Section 28.14.190B of the Zoning Ordinance of the City of Wichita.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:RW:bgs

Enclosure

cc: E. L. Neville
127 South Fern

Jim Smith
Ray Realty
P. O. Box 1515

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE

S/D No. 65-89 NAME Tyler Acres 2nd Addition
DATE APPLICATION REC'D 10-4-65 S/D COMMITTEE MEETING 10-14-65

DESCRIPTION

GENERAL LOCATION Northeast corner of Tyler Road and Central

OWNER E. L. Neville
SURVEYOR/ENGINEER Baughman Company PHONE MU 3-7431
ADDRESS 2522 East Kelloqq

1. GROSS ACREAGE OF PLAT	<u>2.8</u>	7. LINEAL FEET OF NEW STREETS:	
2. NUMBER OF LOTS:		(A) <u>50</u> R/W <u>655</u>	FT.
RESIDENTIAL		(B) _____ R/W _____	FT.
COMMERCIAL	<u>3</u>	(C) _____ R/W _____	FT.
INDUSTRIAL		(D) TOTAL <u>655</u>	FT.
OTHER		8. TOTAL AREA OF NEW STREET	
TOTAL	<u>3</u>	R/W <u>32.750</u>	89.FT.
3. AVERAGE LOT FRONTAGE	<u>156</u>	9. EXISTING ZONING	<u>"LC"</u>
4. MINIMUM LOT FRONTAGE	<u>135</u>	10. PROPOSED ZONING	
5. AVERAGE LOT AREA	<u>32,383</u>	11. LOT AREA REQUIRED BY	
6. MINIMUM LOT AREA	<u>18,225</u>	ZONING	89.FT.

STAFF COMMENTS:

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

1. It should be pointed out that Lot 3, having only 30 feet of width, is substandard as a commercial lot and therefore should be combined with Lot 4 and designated as Lot 3.
2. It should also be pointed out that the total area of "LC" light commercial zoning at this corner is approximately 7 acres and is held under one ownership. Therefore, it will be necessary that the applicant submit a development plan for the entire "LC" zoned land and have the plan approved by the Metropolitan Area Planning Commission before any building permits can be issued. The development plan requirement is in accordance with Section 28.14.190B of the Zoning Ordinance of the City of Wichita.
3. The building located in the 35-foot front setback adjacent to Tyler Road will become a non-conforming structure for that portion located in the setback area and therefore that portion of the structure located in the setback will not be able to be expanded.
4. The applicant shall provide sidewalks adjacent to the east side of Tyler and the north side of Central Avenue.
5. Prior to the time this plat is forwarded to the City Commission for their consideration, the applicant shall provide for either:
 - a. construction of the sidewalks in accordance with plans and specifications of the City Engineer; or
 - b. a corporate surety bond guaranteeing construction within 2 years, such bond to be in the amount of \$1,060.
6. Requirements for a final plat, see pages 4 and 5 of the Subdivision Rules and Regulations.

MAP No.: E-0W
SEC. No.: 16
TWP. No.: R7S
RANGE: 1W

S/D No. 65-89

APPLICATION FOR SUBDIVISION APPROVAL

NAME OF SUBDIVISION: Tyler Acres 2nd Add.

GENERAL LOCATION: NE corner Tyler Road & Central

NAME OF PROPERTY OWNER: E. L. Neville

ADDRESS: 127 S. Fern PHONE: FO 35986

NAME OF SUBDIVIDER: same PHONE: _____

NAME OF AGENT/SURVEYOR: Baughman Co.

ADDRESS: 2522 E. Kellogg PHONE: MU 37431

DATE OF APPLICATION: Oct. 4, 1965

SUBDIVISION INFORMATION:

1. GROSS ACREAGE OF PLAT 2.8
2. NUMBER OF LOTS:
RESIDENTIAL _____
COMMERCIAL _____
INDUSTRIAL _____
OTHER _____
TOTAL NUMBER OF LOTS 4
3. AVERAGE LOT FRONTAGE _____ FT.
4. MINIMUM LOT FRONTAGE _____ FT.
5. AVERAGE LOT AREA _____ SQ.FT.
6. MINIMUM LOT AREA _____ SQ.FT.
7. LINEAL FEET OF NEW STREETS:
A. 50 R/W 655 FT.
B. _____ R/W _____ FT.
C. _____ R/W _____ FT.
D. TOTAL 655 FT.
8. TOTAL AREA OF NEW STREET R/W: 32.750 SQ.FT.
9. EXISTING ZONING LC
10. PROPOSED ZONING _____

11. PUBLIC WATER SUPPLY yes (YES-NO), NAME _____ CITY _____
12. PUBLIC SANITARY SEWERS yes (YES-NO), NAME _____ CITY _____
13. HEALTH DEPARTMENT APPROVAL (WHERE APPLICABLE) _____ (YES-NO)
14. CITY OF WICHITA OR 3 MILE AREA: _____ CITY _____

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: E. L. Neville

BY: William Kothe
AGENT

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

RECEIVED BY Balhouera
DATE 10-4-65



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

T21-301

MAP No.: _____
SEC. No.: _____
TWP. No.: _____
RANGE: _____

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

NAME OF SUBDIVISION: Tyler Acres 2nd Add.

GENERAL LOCATION: Tyler Road & Central

NAME OF PROPERTY OWNER: E. L. Neville PHONE: FO 35986

ADDRESS: 127 S. Fern

NAME OF SUBDIVIDER: same PHONE: _____

ADDRESS: _____

NAME OF ~~AGENT~~/SURVEYOR: Baughman Co. PHONE: MU 37431

ADDRESS: 2522 E. Kellogg

DATE OF APPLICATION: Oct. 4, 1965

SUBDIVISION INFORMATION:

1. GROSS ACREAGE OF PLAT 2.8
2. NUMBER OF LOTS: _____
RESIDENTIAL _____
COMMERCIAL _____
INDUSTRIAL _____
OTHER _____
3. AVERAGE LOT FRONTAGE 4 FT.
4. MINIMUM LOT FRONTAGE _____ FT.
5. AVERAGE LOT AREA _____ SQ. FT.
6. MINIMUM LOT AREA _____ SQ. FT.
7. LINEAL FEET OF NEW STREETS:
A. 50 R/W 655 FT.
B. _____ R/W _____ FT.
C. _____ R/W _____ FT.
D. TOTAL 655 FT.
8. TOTAL AREA OF NEW STREET R/W: 32.750 SQ. FT.
9. EXISTING ZONING _____
10. PROPOSED ZONING _____

11. PUBLIC WATER SUPPLY yes (YES-NO), NAME City
12. PUBLIC SANITARY SEWERS yes (YES-NO), NAME City
13. HEALTH DEPARTMENT APPROVAL (WHERE APPLICABLE) _____ (YES-NO)
14. CITY OF WICHITA OR 3 MILE AREA: City

THE APPLICANT HEREIN AGREES TO COMPLY WITH THE SUBDIVISION RULES AND REGULATIONS FOR THE WICHITA-SEDDGWICK 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: E. L. Neville

BY: _____
AGENT

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

RECEIVED BY _____
DATE _____

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

T21-301