

PLAT NO. S/D 73-87 MAP NO. 5543

NAME EAST ROBBINS ADDITION

LOCATION On the South side of 31st St. S. in an area  
between Broadway & the Arkansas River

ENGINEER Baughman Co.

OWNER Dolese Brothers, Inc.

APPLICATION FILED 6-25-73

SKETCH PLAT FILED \_\_\_\_\_

PRELIMINARY FILED 6-25-73

S/D ACTION 7-5-73 ~~7-5-73~~ *defers 8-2-73 deferred*

FINAL FILED 7-25-74 *10-18-73 approved subj to conds.*

S/D ACTION 3-7-74 *Approved*

MAPC ACTION 3-14-74 *deferred*

BCC ACTION 3-28-74 *Approved*

RECORDED August 13, 1974

REMARKS \_\_\_\_\_

S/D 73-87 EAST ROBBINS ADDITION -  
On the SS of 31st St. S. in an area  
between Broadway & the Arkansas Rv.  
Dolese Brothers, Inc. Baughman Co

# ACTION

	DATE
* SID COMMITTEE (prelim) <i>deferred</i>	7.5.73
(prelim) <i>deferred</i>	<del>8.2.73</del>
(prelim) _____	<del>9.6.73</del>
* M.A.P.C. _____	_____
B.C.C./B.C.C. <i>Approved</i>	<del>7.27.74</del>
* SID Comm. <i>Approved, subj. to cond.</i>	10.18.73
S/D Comm final <i>approve</i>	3-7-74
* M.A.P.C. <i>deferred</i>	3-14-74
* M.A.P.C. <i>Approve</i>	3-28-74

Map No. 5543  
Sec. No. 9  
Twp. No. 28  
Range 1E

Subdivision Report and Progress  
S/D No.: 73-87

Name: EAST ROBBINS ADDITION

General Location: On the South side of 31st St. S. in an area between Broadway and the Arkansas River

Owner: Dolese Brothers, Inc.  
Address: 218 W. 2nd Phone: 262-1428  
Subdivider: % Don Bottenberg  
Address: 1st National Bank Bldg. Phone: 264-5031  
Engineer/Surveyor: Baughman Co.  
Address: 330 Laura Phone: 262-7271

Application Received 6-25-73  
Conf. with Applicant none  
Sketch Plat Received none submitted  
Present Zoning "E"  
Proposed Zoning E  
Letter of Intent none

FINAL PLAT RECEIVED 2-25-74  
S/D Comm. Action 3-7-74 approved

Dept. Report on Final 3-8-74  
M.A.P.C. ACTION 3-14-74 deferred  
Dept. Report on Final 3-28-74 approved  
~~Letter on Irons Received N/A~~  
Title/Taxes Rec'd & Reviewed 4-3-74  
Final Review 6-26-74  
Referral to B.C.C. 6-27-74

PREL. PLAT RECEIVED 6-25-73  
S/D Comm. Action 7-5-73 defer  
8-2-73 Deferred 9-6-73 \*  
Dept. Report on Prel. 10-19-73

B.C.C. ACTION 7-30-74 approved

TRACING PROGRESS:  
Received 6-19-74  
Released \_\_\_\_\_  
Received \_\_\_\_\_  
Released \_\_\_\_\_

Recorded \_\_\_\_\_

Comments:  
\* 10-18-73 Approved subj. to conditions  
4/13/74 print for M.F.C.  
8/2/74 called Mark (Baughman Co.)  
To pick up tracing for recording.

REGISTER OF DEEDS  
SEDGWICK COUNTY, KANSAS

8-15-74  
B

EAST ROBBINS ADDITION was  
filed for record on AUGUST 13, 1974

John Hall  
Register Of Deeds

T9-328

*Curt*  
IMPORTANT MESSAGE

FOR Jack  
DATE 9/13 TIME 11:15 ~~P.M.~~ A.M.

WHILE YOU WERE AWAY  
MR. Harold Malone  
OF Wisting Plaza  
PHONE No. 263-0259

TELEPHONED	PLEASE CALL HIM
CALLER TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	RETURNED YOUR CALL

MESSAGE Keep this man  
advised when the  
Deloria Plot is filed  
or scheduled again  
South of Arkansas River and  
SIGNED Suby  
East of Broadway

FORM 000-017

LAW OFFICES

GOTT, HOPE, GOTT & YOUNG, P. A.

923 FIRST NATIONAL BANK BUILDING

TELEPHONE (316) 283-8218

WICHITA, KANSAS 67202

August 26, 1974

HENRY V. GOTT  
RALPH M. HOPE  
RONALD M. GOTT  
GLENN D. YOUNG, JR.  
JERRY D. BOGLE  
WILLIAM A. WELLS  
J. MICHAEL PETERS  
PHILLIP R. FIELDS

STANLEY & VERMLION ..... 1886-1897  
STANLEY, VERMLION  
& EVANS ..... 1897-1909  
STANLEY, VERMLION,  
EVANS & CAREY ..... 1909-1913  
VERMLION, EVANS,  
CAREY & LILLESTON ..... 1913-1946  
CAREY, LILLESTON,  
SPRADLING & GOTT ..... 1946-1950  
LILLESTON, SPRADLING,  
GOTT & STALLWITZ ..... 1950-1958  
LILLESTON, SPRADLING,  
GOTT, STALLWITZ &  
HOPE ..... 1958-1974

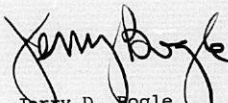
Mr. Curtis L. Newby  
Junior Planner  
Metropolitan Area Planning  
Department  
City Building Annex  
104 S. Main  
Wichita, Kansas 67202

RE: S/D 73-87 - East Robbins  
Addition (contingent street dedication)

Dear Mr. Newby:

Pursuant to your request of August 8, 1974,  
enclosed is original Contingent Street Dedication  
with acknowledgement completed.

Very truly yours,



Jerry D. Bogle  
Of GOTT, HOPE, GOTT & YOUNG, P. A.

JDB:va  
Enc.



August 8, 1974

Mr. Jerry D. Bogle  
Attorney at Law  
923 1st National Bank Building  
Wichita, Kansas 67202

Re: S/D 73-87 - EAST ROBBINS  
ADDITION (contingent street  
dedication).

Dear Mr. Bogle:

Enclosed herewith is the original contingent street dedication which was submitted in connection with the above referred to plat. We are returning this instrument to you for attachment of an acknowledgment by a notary for the signature of the Company officer who signed the instrument. We have been advised by the Register of Deeds that the instrument will not be filed of record until the appropriate acknowledgment is attached.

We would appreciate your returning the corrected instrument to the Planning Department office so that we can clear this matter up and close our case file. Thank you for your assistance in this matter and if you have any questions, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

August 8, 1974

Mr. Jerry D. Bogle  
Attorney at Law  
923 1st National Bank Building  
Wichita, Kansas 67202

Re: S/D 73-87 - EAST ROBBINS  
ADDITION (contingent street  
dedication).

Dear Mr. Bogle:

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We would appreciate your returning the corrected instrument to the Planning Department office so that we can clear this matter up and close our case file. Thank you for your assistance in this matter and if you have any questions, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

THE CITY OF WICHITA  
OFFICE OF City Clerk

DATE August 7, 1974



TO Jack Galbraith, Chief Planner  
FROM Don Gistic, Deputy City Clerk

SUBJECT Contingent Street Dedication  
by Dolese Bros. Co. for  
East Robbins Addition

The Register of Deeds returned the attached as it does not have an acknowledgment by a notary for the signature of the Company officer who signed the instrument.

If this has previously been acceptable then possibly the Legal Department should approve it as to form so there will be no question. If it is not acceptable then an acknowledgment should be incorporated and returned to this office for refiling.



*Stewby*



ON SAFETY  
PHASE II

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public  
Works Maint.

DATE

July 19, 1974

TO Jack Galbraith, Chief Planner, MAPD

FROM M. S. Mitchell

SUBJECT - East Robbins Addition  
SD 73-87

Reference is made to my request before the Subdivision Committee for a covenant to guarantee construction of a loop levee, the right of adjacent support for the 36-inch sanitary sewer and Arkansas River Levees and access for maintenance purposes. I am enclosing the original Covenant with Exhibits which provide for the above.

I trust this information is sufficient to permit final processing of the plat; however, if further information or discussion is desired, please advise.

M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm

cc: G. H. Wilton  
East Robbins Addition Plat File  
Jerry Bogle  
Sand Pit Correspondence File



C O V E N A N T

WHEREAS, the undersigned, as owner of the property hereinafter described, has made application to the Metropolitan Planning Commission of the City of Wichita and County of Sedgwick for permission to use said property as a borrow or sand pit together with such other uses as may be necessary to carry on a borrow or sand pit operation on said land; and

WHEREAS, the lands adjacent to said tract are and will be developed for urban purposes and the operation of a borrow or a sand pit at such location may endanger the health, welfare and property of residents who may live in such areas, unless certain protective measures are taken; and

WHEREAS, the undersigned desires to obligate itself and successors in title to protect the public welfare by agreeing to construct and maintain a loop levee upon said property and to subject and burden fee title thereto so that such obligation is a covenant running with the land;

NOW, THEREFORE, in consideration of the premises, the undersigned hereby covenants to and with the Metropolitan Planning Commission, the Board of County Commissioners of Sedgwick County and the City of Wichita, Kansas, on its behalf and successors in title to said land to construct a loop levee along the south line of said property, in the event conditions occur making it reasonably appear said adjoining property will be endangered unless it is constructed, to be constructed or caused to be constructed and maintained without cost or expense to the County of Sedgwick or the City of Wichita, along the south line of said property described as follows:

Lot 1, East Robbins Addition, Wichita,  
Sedgwick County, Kansas;

all in accordance with the plans and specifications prepared by the City and County Engineers attached hereto marked Exhibit "A" and made a part hereof;

To secure and guarantee the above obligation, the undersigned hereby subjects and encumbers said property with the covenant and obligation to construct and maintain said loop levee as above described as a covenant running with and burdening the land and, in the event of the failure by the undersigned or its successors in title within sixty (60) days after receipt of written notice from the County or City to fulfill the obligation above set forth, then and in such event the Board of County Commissioners of Sedgwick County or the governing body of the City of Wichita may order such work done and thereafter maintain and charge the entire cost of said construction and maintenance as a first lien against said land to be collected and foreclosed in the same manner as a mortgage is foreclosed.

The undersigned further covenants and agrees in consideration of the premises not to excavate any closer to the thirty-six inch sewer line indicated on the plat than three times the depth of excavation at the point nearest the line. An example of this covenant is that excavation to within seventy-five feet of said line would require a depth of no more than twenty-five feet at the point nearest the line.

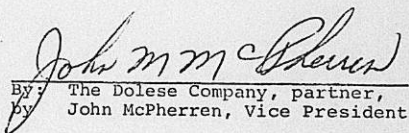
The undersigned further covenants and agrees not to excavate any closer to any boundary line than is indicated on operational and redevelopment sketch plan for: Dolese Bros. Co., copy of which is attached and marked Exhibit "B".

The undersigned warrants that it is the owner of the fee title to said tract of land and that the obligation and covenant above set forth constitutes a first and prior lien against and encumbering said land.

This instrument shall be recorded in the Office of the Register of Deeds, Sedgwick County, Kansas, so as to appear in the chain of title of said land.

EXECUTED IN TRIPPLICATE this 22<sup>nd</sup> day of March, 1974.

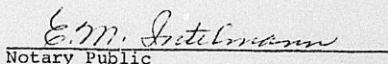
DOLESE BROS. CO., A Partnership

  
By: The Dolese Company, partner,  
by John McPherrren, Vice President

~~City of Oklahoma City~~ )  
~~Oklahoma County~~ ) ss  
~~State of Oklahoma~~ )  
City of Wichita )  
Sedgwick County ) ss  
State of Kansas )

Be it remembered that on this 22 day of March, 1974, before me, a notary public in and for said County and State, came John McPherrren, Vice President of The Dolese Co., a Partner of Dolese Bros. Co., who is personally known to me and known to me to be the Vice President of the Dolese Co.; a corporation, Partner of Dolese Bros. Co. and the same person who executed the foregoing instrument and duly acknowledged the execution of the same for and on behalf of and as the act and deed of said Dolese Bros. Co., a partnership.

In Witness Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

  
Notary Public

My Commission Expires:

March 14, 1975

8/22-07/74

EXHIBIT "A"  
TO COVENANT OF DOLESE BROS. CO. DATED MARCH 22, 1974  
CONSTRUCTION SPECIFICATIONS

SECTION I - CLEARING AND GRUBBING

1-01. ORDER OF WORK:

All clearing and grubbing as specified below will be done in advance of sub-grade preparation and levee embankment.

1-02. CLEARING: Operations shall consist of removal and disposal of trees, fallen timber, brush, logs, bushes, vines, stumps, drift wood, fences, heavy growth of crops, weeds and grass and other obstructions existing above ground level. Clearing will be done on the area beneath the levee embankment together with strips 10 feet wide beyond the embankment toe.

1-03. GRUBBING: Operations shall consist of thoroughly cleaning the area outlined in sub-paragraph 1-02 of all stumps, roots, buried logs and other matter which would be objectionable in the foundation of the levee.

SECTION II - EXCAVATION

An inspection trench 4 feet deep and 4 feet wide shall be excavated along the approximate center of the levee base.

SECTION III - EMBANKMENT

3-01. EMBANKMENT FOUNDATION PREPARATION: After clearing and grubbing of the embankment foundation and the excavation of the inspection trench has been completed, and immediately prior to the placement of embankment material, the entire earth surface on or against which fill is to be placed shall be thoroughly broken to a depth of six inches and the area to be occupied by the levee proper shall be compacted in accordance with the provisions of sub-paragraph 3-03. If for any cause this broken surface becomes compacted in such a manner that a plane of seepage or weakness might be induced, it shall again be thoroughly broken before the depositing of material thereon.

a. Drainage - The foundation receiving fill and the inspection ditch hereinbefore specified, and all partially completed fill shall be kept thoroughly drained.

b. Frozen Ground - No fill shall be placed upon frozen ground.

3-02. EMBANKMENT MATERIALS: The levee embankment shall be constructed of the most nearly impervious materials available from the construction site. Under no circumstances shall frozen earth, snow, or ice be placed in the levee. Embankment materials should be as homogeneous as possible and contain no foreign matter or pockets of soft unstable material.

3-03. EMBANKMENT CONSTRUCTION: Materials shall be placed or spread in layers not to exceed 12 inches in thickness prior to compaction. Layers shall be started full out to the toe of the embankment and shall be carried substantially horizontal with sufficient crown or slope to provide satisfactory drainage during construction. When the surface of any compacted layer is too smooth to bond properly with the succeeding layer, it shall be scarified before the succeeding layer is placed on it.

a. Moisture Control - It is the intent of these specifications to secure an embankment having the maximum density obtainable with natural moisture content of the embankment materials. However, if the material is too wet or too dry for proper compaction steps shall be taken to bring the moisture content back to near the optimum range. Wetting may be accomplished by wetting the borrow pit from which the embankment material is obtained or by distribution of sufficient moisture in each layer before rolling.

b. Rolling Operations - When moisture content and conditions of the spread layers are satisfactory, each layer shall be compacted by not less than four (4) complete passes of a tamper-type roller conforming to the requirements of sub-paragraph 3-03c.1, or by not less than two complete passes of a rubber-tired roller conforming to the requirements of sub-paragraph 3-03c.2. Portions of the embankment which the roller cannot reach for any reason must be compacted by other approved means to the density of the surrounding embankment.

c. Compaction Equipment -

1. Tamping Rollers - Tamping rollers shall consist of one or more units. Each unit shall consist of a cylindrical drum not less than 48 inches in length and not less than 48 inches in diameter. The drums shall be water or sand and water ballasted. Each drum shall have staggered feet uniformly spaced over the cylindrical surface such as to provide approximately three tamping feet for each two square feet of drum surface. The tamping feet shall be seven to nine inches in clear projection from the cylindrical surface of the roller and shall have a face area of not less than five nor more than seven square inches. The units shall be equipped with a suitable device for cleaning the feet. The rolling units of multiple-type tamping rollers shall be pivoted on the main frame in a manner which will permit the units to adapt themselves to uneven ground surfaces and to rotate independently. The weight of the roller shall be not less than 1,500 pounds per linear foot of drum length weighted, and shall be not more than 750 pounds per foot of drum length empty. The design and operation of the tamping roller shall be subject to the approval of the contracting officer who shall have the right at any time during the prosecution of the work to direct such

repairs to the tamping feet, minor alterations in the roller, and variations in the weight as may be found necessary to secure optimum compaction of the earth-fill materials. The roller shall be pulled by a crawler-type tractor of sufficient power to operate the roller at a speed of approximately 3-1/2 miles per hour.

2. Rubber-Tired Rollers - Rubber-tired rollers shall have a minimum of four wheels equipped with pneumatic tires. The tires shall be of such size and ply as to be capable of being operated at tire pressures between 80 and 100 pounds per square inch at a 25,000-pound wheel load. The roller wheels shall be located abreast and so designed that each wheel will carry approximately equal load in traversing uneven ground. The spacing of the wheels will be such that the distance between the nearest edges of adjacent tires will not be greater than 50 percent of the rated tire width of a single tire at the operating pressure for a 25,000-pound wheel load. The roller shall have a rigid steel frame provided with a body suitable for ballast loading such that the load per wheel may be varied, as directed by the contracting officer, from 18,000 to 25,000 pounds. The entire assembly (roller plus motivating equipment) must be capable of executing a 180-degree turn on a 15-foot radius. The roller shall be towed at speeds not to exceed ten miles per hour by pneumatic-tired equipment. The character and efficiency of this equipment shall be subject to the approval of the contracting officer.

d. Cross-Section of Levee Embankment - The levee embankment shall be constructed to conform with the requirements of typical standard levee section shown on Figure 1. Shrinkage and settlement allowances shall be allowed for by constructing the standard levee section plus a 5% addition in crest height.

#### SECTION IV - TURFING

4-01. SCOPE: It is the intent of these specifications to obtain a good firm stand of native grass or grass which will insure the stability of the levee embankment. Good vegetative cover is of prime importance to the maintenance and operation of the levee embankment. The top, slopes and a 5 foot wide strip at the base of the levee on each side shall be turfed.

#### 4-02. MULCHING:

a. Soil Preparation - If necessary the soil shall be loosened to a depth of 2 inches before application of the mulch material.

b. Materials - Hay shall be native prairie hay and a minimum of 50 percent by weight shall be 10 inches or more in length.

c. Application of Mulch - Mulch material shall be spread uniformly in a continuous blanket over the area to be mulched at the rate of approximately  $3\frac{1}{2}$  tons per acre. Mulch may be spread by hand or by mechanical means which do not break up the hay. Immediately following the spreading of the mulch material, it shall be anchored to the soil by pressing into the ground a minimum depth of  $1\frac{1}{2}$  inches, leaving enough material sticking upright to accomplish its primary purpose of temporary dust and erosion control. Anchoring shall be accomplished by using a mulch anchoring machine equipped with straight rolling Coulter-type discs that are spaced not more than 10 inches or less than 7 inches apart. The rolling discs shall be sufficiently dull to prevent cutting the mulch material. If anchoring machinery is not used, the mulch material shall be anchored with a spade at 6 inch intervals.

4-03. FERTILIZING AND SEEDING:

a. Materials -

1. Fertilizer shall be dry, free-flowing materials which can be distributed uniformly, and shall be commercial grade 10-10-0 or the equivalent.

2. Seed - Seed of mixed bluestem, switch grass, blue grama grass, side oats grama, sand dropseed grass, sand lovegrass, weeping lovegrass, or native bermuda grass, or a mixture of any or all of the above may be used.

b. Application - Fertilizer shall be applied uniformly at the approximate rate of 400 lbs per acre. Seed should be applied uniformly at the rate of approximately 30 lbs per acre.

## MAINTENANCE SPECIFICATIONS

### SECTION I - GENERAL

In general maintenance should provide for those things which will insure the serviceability of the levee in time of high water. Measures should be taken to promote the growth of sod, exterminate burrowing animals, provide for routine mowing, removal of wild growth and repair the damage caused by erosion. Another important maintenance responsibility is to insure the integrity of the loop levee at all times.

### SECTION II - INSPECTION

Periodic inspections should be made to insure that the above measures are being effectively carried out and to be certain that:

- a. No unusual settlement, sloughing, or material loss of grade or levee cross section has taken place.
- b. No caving has occurred on either the land side or the water side of the levee which might affect the stability of the levee section.
- c. No seepage, saturated areas or sand boils are occurring.
- d. No action is being taken, such as burning grass and weeds during inappropriate seasons, which will retard or destroy the growth of sod.
- e. Access roads to and on the levee are being properly maintained.
- f. Cattle guards and gates are in good condition.
- g. Crown of levee is shaped so as to drain readily, and roadway thereon, if any, is well shaped and maintained.
- h. There is no damaging grazing or vehicular traffic on the levees.
- i. Encroachments are not being made on the levee right-of-way which might endanger the structure or hinder its proper and efficient functioning during times of emergency.



July 11, 1974

Mr. Jerry D. Bogle  
Lilleston, Spradling, Gott, Stallwitz  
& Hope  
923 First National Bank Bldg.  
Wichita, Kansas 67202

Subject: East Robbins Addition  
SD 73-87

Dear Mr. Bogle:

We have reviewed the Covenant for subject Addition and find that it is satisfactory except for the following items:

- 1) The original documents do not have "plans and specifications prepared by City and County Engineers" attached and marked "Exhibit A". These documents are available through this office and we will supply them again if necessary.
- 2) The Operational and Redevelopment Sketch Plan is referred to in the Covenant as "Exhibit 'A'" and should be relabeled "Exhibit 'B'" and the drawing clearly marked with that designation. You will have to furnish copies of that document.

I am returning the original and retaining a copy of the Covenant and Redevelopment Plan.

If further information or discussion is desired, please advise.

Yours truly,

M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm

cc: G. H. Wilton, Supt. of Public Works Maint.  
Jack Galbraith, MARD  
East Robbins Addn. Plat File

Attach.

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 73-87 Name EAST ROBBINS ADDITION  
 Application & Sketch Filed: 6-25-73  
 Preliminary Plat Filed: 6-25-73 Approved by S/D: 10-18-73  
 Final Plat Filed: 2-25-74 Approved by S/D: 3-7-74  
 Approved by Metropolitan Area Planning Commission: 3-28-74

DESCRIPTION

General Location:

South side of 31st Street South in an area between Broadway and the Arkansas River

Surveyor or Engineer:

Baughman Company  
Dolese Brothers, Inc.  
218 West 2nd 67202

Owner:  
Address:

- |                               |             |                       |              |
|-------------------------------|-------------|-----------------------|--------------|
| 1. Gross Acreage of Plat      | 91.19       | 6. Access Control     |              |
| 2. Number of Lots:            |             | St.                   | No. Openings |
| Residential                   |             | St.                   | No. Openings |
| Commercial                    |             | St.                   | No. Openings |
| Industrial                    |             | 7. Req'd Improvements |              |
| Other                         | 1           | St. Paving            | Water        |
| Total Number of Lots:         | 1           | Sidewalk              | Drainage     |
| 3. Minimum Lot Area:          | 91.19 Acres | Sewer                 | Other        |
| 4. Existing Zoning            | "R"         |                       |              |
| 5. Special Problems Discussed | None        |                       |              |

Planning Commission Recommendation:

That this plat be approved subject to:

- A. An east-west contingent street dedication shall be submitted and be contingent upon subject property being developed for other uses than the sand excavation operation.
  - B. The applicant shall submit a maintenance access easement by separate instrument which coincides with the contingent street dedication.
  - C. The applicant shall submit a covenant to the Planning Department describing the excavation limits for subject property.
  - D. Any abandonment or relocation of utilities necessitated by this plat shall be at the sole expense of the applicant without cost to the City, County or any utility company.
  - E. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- Gragert moved, Hopper seconded and it carried unanimously as to those voting. Hennessy abstained and Blakey and Hill were absent.

ACTION: Accept the contingent dedication, easement and covenant, instruct the City Clerk to file the contingent dedication, easement and covenant with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant, and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

EASEMENT

THIS EASEMENT made this 12 day of June, 1974,  
by and between Dolese Bros. Co., a partnership, of the first  
part and the City of Wichita, of the second part.

WITNESSETH: That the said first party in consideration  
of the sum of One Dollar (\$1.00) and other valuable consideration,  
the receipt whereof is hereby acknowledged, do hereby grant and  
convey unto the said second party a right-of-way and access  
easement over the following described real estate situated in  
Sedgwick County, Kansas, to-wit:

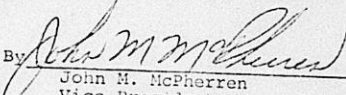
A 70 foot street right-of-way, lying  
35 feet on both sides of the following  
described line: Beginning at a point  
on the west line of Lot 1, East Robbins  
Addition, Wichita, Kansas, and 700 feet  
northerly measured along said line from  
the S.W. Corner of said Lot 1; thence  
east parallel with the south line of  
said Lot 1, 135 feet to the P.C. of a  
curve to the right having a radius of  
135 feet; thence along said curve and  
through a central angle of 90° a distance  
of 157.08 to the P.T. of said curve;  
thence along tangent to said curve 374.53  
feet to the P.C. of a curve to the left  
having a radius of 135 feet; thence along  
said curve and through a central angle of  
90° a distance of 157.08 feet to a point  
35 feet north of the south line of said  
Lot and the P.T. of said curve; thence  
east along tangent to said curve and  
parallel with the south line of said Lot,  
812.21 feet to the east line of said Lot.

And said second party is hereby granted access over  
said premises at any time for flood control purposes.

IN WITNESS WHEREOF: The said first party has signed  
these presents the day and year first written.

DOLESE BROS. CO., a partnership

By: The Dolese Company, Partner

By:   
John M. McPherrren  
Vice President

STATE OF OKLAHOMA )  
                          ) ss:  
COUNTY OF OKLAHOMA)

Be it remembered that on this 12 day of June, 1974, before me a notary public in aforesaid county and state came Dolese Bros. Co. a partnership by the Dolese Co., partner, by John McPherran, Vice President, to me known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Marie C. Baker  
Notary Public

My Commission Expires:  
23 Feb 1975

CONTINGENT STREET DEDICATION

WHEREAS, Dolese Bros. Co., a partnership, is the owner of the following described real property, to-wit:

East Robbins Addition to the City  
of Wichita, Kansas,

which real estate is now in process of being platted as East Robbins Addition, Wichita, Sedgwick County, Kansas; and

WHEREAS, the City of Wichita may in the future require the "Contingent Street Dedication" hereinafter described for a street right-of-way; and

WHEREAS, the Wichita-Sedgwick County Metropolitan Area Planning Commission has approved the plat of East Robbins Addition subject to and conditioned upon its approval of the dedication hereinafter described;

NOW, THEREFORE, in consideration of the premises and contingent upon the approval of its plat by the Board of City Commissioners of Wichita, Kansas, Dolese Bros. Co. does hereby dedicate to the public for street purposes, the following described real estate, to-wit:

A 70 foot street right-of-way, lying 35 feet on both sides of the following described line: Beginning at a point on the west line of Lot 1, East Robbins Addition, Wichita, Kansas and 700 feet northerly measured along said line from the S.W. Corner of said Lot 1; thence east parallel with the south line of said Lot 1, 135 feet to the P.C. of a curve to the right having a radius of 135 feet; thence along said curve and through a central angle of 90° a distance of 157.08 to the P.T. of said curve; thence along tangent to said curve 374.53 feet to the P.C. of a curve to the left having a radius of 135 feet; thence along said curve and through a central angle of 90° a distance of 157.08 feet to a point 35 feet north of the south line of said Lot and the P.T. of said curve; thence east along tangent to said curve and parallel with the south line of said Lot, 812.21 feet to the east line of said Lot.

PROVIDED, HOWEVER, that neither the public nor the City of Wichita shall be entitled to the use of said area for street purposes, installation of utilities or other similar street use, nor shall the possession of said area designated as "Contingent Street Dedication" by Dolese Bros. Co., its successors and assigns, be disturbed or interfered with unless and until such time as East Robbins Addition is developed for other uses than a sand and gravel excavation operation.

The recording of this instrument shall constitute a covenant running with the land and shall bind the grantor hereof, its successors and assigns.

This dedication, conditioned as aforesaid, shall be accepted by the City of Wichita upon the recording of this instrument and such acceptance by the City of Wichita, as aforesaid, shall constitute acquiescence in and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Dolese Bros. Co. has executed this instrument on this 12 day of June, 1974.

DOLESE BROS. CO., a partnership  
By: The Dolese Company, Partner

By: John M. McPherran  
John M. McPherran  
Vice President

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public  
Works Maint.

DATE April 24, 1974



ON SAFETY  
PHASE II

TO Jack Galbraith, Chief Planner, MAPD

FROM M. S. Mitchell

SUBJECT - Proposed Covenant for SD 73-87  
Preliminary Plat of East Robbins  
Addition

The attached Covenant has been submitted to the Law  
Department and has been approved as to form.

M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm

cc: G. H. Wilton  
East Robbins Addn. Plat File

Attached - 1



C O V E N A N T

WHEREAS, the undersigned, as owner of the property hereinafter described, has made application to the Metropolitan Planning Commission of the City of Wichita and County of Sedgwick for permission to use said property as a borrow or sand pit together with such other uses as may be necessary to carry on a borrow or sand pit operation on said land; and

WHEREAS, the lands adjacent to said tract are and will be developed for urban purposes and the operation of a borrow or a sand pit at such location may endanger the health, welfare and property of residents who may live in such areas, unless certain protective measures are taken; and

WHEREAS, the undersigned desires to obligate itself and successors <sup>in title</sup> ~~entitled~~ to protect the public welfare by agreeing to construct and maintain a loop levee upon said property and to subject and burden fee title thereto so that such obligation is a covenant running with the land;

NOW, THEREFORE, in consideration of the premises, the undersigned hereby covenants to and with the Metropolitan Planning Commission, the Board of County Commissioners of Sedgwick County and the City of Wichita, Kansas, on its behalf and successors <sup>in title</sup> ~~entitled~~ to said land to construct a loop levee along the south line of said property, in the event conditions occur making it reasonably appear said adjoining property will be endangered unless it is constructed, to be constructed or caused to be constructed and maintained without cost or expense to the County of Sedgwick or the City of Wichita, along the south line of said property described as follows:

Rec'd MAPC  
2-26-31

Lot 1, East Robbins [redacted] Addition,  
Wichita, Sedgwick County, Kansas;

all in accordance with the plans and specifications prepared by the City and County Engineers attached hereto marked Exhibit "A" and made a part hereof;

To secure and guarantee the above obligation, the undersigned hereby subjects and encumbers said property with the covenant and obligation to construct and maintain said loop levee as above described as a covenant running with and burdening the land and, in the event of the failure by the undersigned or its successors <sup>in title</sup> ~~entitled~~ within sixty (60) days after receipt of written notice from the County or City to fulfill the obligation above set forth, then and in such event the Board of County Commissioners of Sedgwick County or the governing body of the City of Wichita may order such work done and thereafter maintain and charge the entire cost of said construction and maintenance as a first lien against said land to be collected and foreclosed in the same manner as a mortgage is foreclosed.

The undersigned further covenants and agrees in consideration of the premises not to excavate any closer to the thirty-six inch sewer line indicated on the plat than three times the depth of excavation at the point nearest the line. An example of this covenant is that excavation to within seventy-five feet of said line would require a depth of no more than twenty-five feet at the point nearest the line.

The undersigned warrants that it is the owner of the fee title to said tract of land and that the obligation and covenant above set forth constitutes a first and prior lien against and encumbering said land.

This instrument shall be recorded in the Office of the Register of Deeds, Sedgwick County, Kansas, so as to appear in the chain of title of said land.

EXECUTED IN TRIPLICATE this \_\_\_ day of January, 1974.

DOLESE BROS. CO., A Partnership

By: The Dolese Company, partner,  
by John McPherren, Vice President

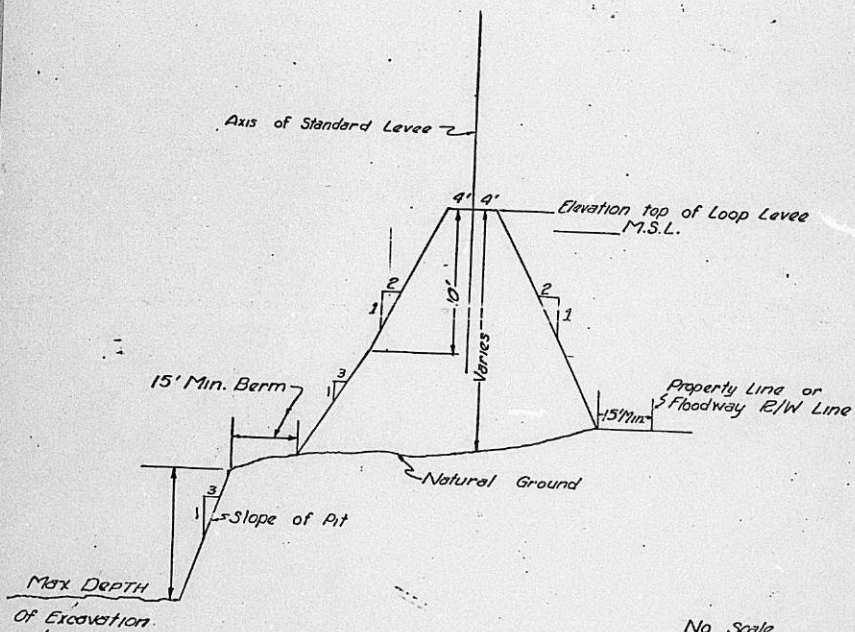
City of Oklahoma City) )  
Oklahoma County ) ss  
State of Oklahoma ) )

Be it remembered that on this \_\_\_ day of January, 1974, before me, a notary public in and for said County and State, came John McPherren, Vice President of The Dolese Co., a Partner of Dolese Bros. Co., who is personally known to me and known to me to be the Vice President of the Dolese Co., a corporation, Partner of Dolese Bros. Co. and the same person who executed the foregoing instrument and duly acknowledged the execution of the same for and on behalf of and as the act and deed of said Dolese Bros. Co., a partnership.

In Witness Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public



No Scale

TYPICAL SECTION OF STANDARD LEVEE

(Revised 1-31-74)

LAW OFFICES

LILLESTON, SPRADLING, GOTT, STALLWITZ & HOPE

923 FIRST NATIONAL BANK BUILDING

TELEPHONE (316) 263-8218

WICHITA, KANSAS 67202

April 1, 1974

HENRY V. GOTT  
RALPH M. HOPE  
RONALD M. GOTT  
GLENN D. YOUNG, JR.  
JERRY D. BOGLE  
WILLIAM A. WELLS  
HENRY J. SCHULTEIS  
J. MICHAEL PETERS

STANLEY & VERMILION . . . 1886-1897  
STANLEY, VERMILION  
& EVANS . . . . . 1897-1909  
STANLEY, VERMILION,  
EVANS & CAREY . . . . 1909-1913  
VERMILION, EVANS,  
CAREY & LILLESTON . 1913-1946  
CAREY, LILLESTON,  
SPRADLING & GOTT . 1946-1950  
LILLESTON, SPRADLING,  
GOTT & STALLWITZ . 1950-1958

Wichita-Sedgwick County Metropolitan  
Area Planning Commission  
104 South Main Street  
Wichita, Kansas 67202

ATTENTION: Jack H. Galbraith, Chief Planner

RE: East Robbins Addition

Gentlemen:

I have examined record of title on the following  
described real estate situated in the County of Sedgwick,  
State of Kansas:

East Robbins Addition to the City  
of Wichita

and am of the opinion fee simple title to said real estate  
is vested in Dolese Bros. Co., a partnership. Taxes due  
for the year 1973 on said property have been paid.

Very truly yours,



Jerry D. Bogle  
OF LILLESTON SPRADLING GOTT  
STALLWITZ & HOPE

JDB:va



March 29, 1974

Mr. Jerry Bogle, Attorney  
First National Bank Building  
Wichita, Kansas 67202

Re: S/D 73-87 - Final Plat of  
EAST ROBBINS ADDITION

Dear Mr. Bogle:

At the regular meeting of the Metropolitan Area Planning Commission on March 28, 1974, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee, subject to the conditions stated in our letter of March 22, 1974, EXCEPT that conditions A. and B. were amended to read as follows:

- ✓ A contingent dedication shall be indicated on the plat tracing as is indicated on the engineer's copy of the final plat. The dedication shall be contingent upon the subject property being developed for other uses than the sand excavation operation.
- ✓ The applicant shall submit a maintenance access easement by separate instrument which coincides with the contingent street dedication.

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

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
- ✓ Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- ✓ Certification by an attorney that fee title is vested in the plat.
- ✓ Certification that all taxes due and payable for 1973 and prior years have been paid.

Page 2 - Mr. Jerry Bogle  
March 29, 1974

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

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber

cc: Dolese Brothers, Inc., 218 West 2nd Street 67202  
Don Bottenberg, 1st National Bank Building 67202  
Harold Malone, Bitting Building 67202  
Baughman Company, 330 Laura  
Dean Sellers, Assistant City Engineer

March 15, 1974

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 73-87 - Final Plat of  
EAST ROBBINS ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on March 14, 1974, the above-captioned plat was considered. Inasmuch as you had requested a deferral of this matter to the meeting of March 28, 1974, it was the action of the Commission to grant such deferral.

This matter will be rescheduled for the agenda of March 28, 1974, the meeting to start at 1:30 p.m. in Room 401 City Building Annex, 104 South Main.

If you have any questions, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:ber

cc: Dolese Brothers, Inc., 218 West 2nd Street 67202  
Don Bottenberg, 1st National Bank Building 67202  
Harold Malone, Bitting Building 67202  
Jerry D. Bogle, 1st National Bank Building 67202  
Dean Sellers, Assistant City Engineer

March 11, 1974

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Subject: S/D 73-87 - Final Plat  
of EAST ROBBINS ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 7, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A street dedication shall be indicated on the plat tracing as is indicated on the engineer's "marked" copy of the final plat.
- <sup>not required</sup> The applicant shall petition for the paving of said street.
- C. The applicant shall submit a covenant to the Planning Department describing the excavation limits for subject property to be approved by M. S. Mitchell of the Maintenance-Flood Control Office and the Department of Law.
- D. The applicant shall guarantee the installation of a loop levee along the south line of subject property.
- Any abandonment or relocation of utilities necessitated by this plat, shall be at the sole expense of the applicant without cost to the City, County or any utility company.
- The labeling of the 60-foot sewer and access easement shall be changed to read "60-foot sanitary sewer easement".
- Recording of the plat within 30 days after approval by the Board of City Commissioners.

Final Plat of EAST ROBBINS ADDITION  
March 11, 1974  
Page 2

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 14, 1974, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

cc: Dolese Brothers, Inc.  
218 West 2nd Street, 67202

Mr. Don Bottenberg  
1st National Bank Building, 67202

Mr. Harold Malone  
Bitting Building, 67202

Jerry D. Bogle, Attorney  
1st National Bank Building, 67202

Dean Sellers, Assistant City Engineer

March 11, 1974

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Subject: S/D 73-87 - Final Plat  
of EAST ROBBINS ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 7, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. A street dedication shall be indicated on the plat tracing as is indicated on the engineer's "marked" copy of the final plat.
- B. The applicant shall petition for the paving of said street.
- C. The applicant shall submit a covenant to the Planning Department describing the excavation limits for subject property to be approved by M. S. Mitchell of the Maintenance-Flood Control Office and the Department of Law.
- D. The applicant shall guarantee the installation of a loop levee along the south line of subject property.
- E. Any abandonment or relocation of utilities necessitated by this plat, shall be at the sole expense of the applicant without cost to the City, County or any utility company.
- F. The labeling of the 60-foot sewer and access easement shall be changed to read "60-foot sanitary sewer easement".
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Final Plat of EAST ROBBINS ADDITION  
March 11, 1974  
Page 2

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 14, 1974, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

cc: Dolese Brothers, Inc.  
218 West 2nd Street, 67202

Don Bottenberg  
1st National Bank Building, 67202

Harold Malone  
Bitting Building, 67202

Dean Sellers, Assistant City Engineer

FINAL PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 73-87 Name EAST ROBBINS ADDITION  
Date Application Rec'd. 6-25-73 Preliminary Approval 10-18-73  
Scheduled S/D Meeting 3-7-74

DESCRIPTION

General Location On the south side of 31st Street South in an area  
between Broadway and the Arkansas River  
Owner Dolese Brothers, Inc.  
Surveyor/Engineer Baughman Company  
Address 330 Laura Phone 262-7271

- |   |  |
|---|--|
| 1. Gross Acreage of Plat <u>91.19</u>                                       | 7. Lineal Feet of New Streets:                 |
| 2. Number of Lots:  | a. <u>        </u> R/W <u>        </u> ft.     |
| Residential <u>        </u>   | b. <u>        </u> R/W <u>        </u> ft.     |
| Commercial <u>        </u>  | c. <u>        </u> R/W <u>        </u> ft.     |
| Industrial <u>        </u> 1  | d. <u>        </u> R/W <u>        </u> ft.     |
| Other <u>        </u>   | e. <u>        </u> R/W <u>        </u> ft.     |
| Total Number of Lots <u>1</u>   | TOTAL <u>        </u> None <u>        </u> ft. |
| 3. Minimum Lot Frontage <u>N/A</u> ft.                                      | 8. Sidewalk adjacent to all                    |
| 4. Minimum Lot Area <u>N/A</u> ft.  | streets? <u>        </u> yes <u>X</u> no       |
| 5. Existing Zoning <u>E</u>   |  |
| 6. Proposed Zoning <u>E</u>   |  |
| 9. Public Water Supply <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u>    |  |
| 10. Public Sanitary Sewers <u>Yes(Yes-No)</u> , Name <u>City of Wichita</u> |  |
| 11. Health Department Approval (where applicable) <u>No</u> (Yes-No)        |  |
| 12. City of Wichita <u>X</u> ; Three-Mile Area <u>        </u>              |  |

STAFF COMMENTS:

- A. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to problems associated with the redevelopment plan. A letter from Mr. Mitchell setting forth his approval for said plan shall be submitted to the Planning Department.
- B. The applicant shall guarantee the installation of a loop levee along the south line of subject property.
- C. The applicant shall submit a covenant which will assure that none of subject property north of the north excavation limit line will be pumped out or excavated.
- D. Any abandonment or relocation of utilities necessitated by this plat, shall be at the sole expense of the applicant without cost to the City, County or any utility company.
- E. A maintenance access easement shall be indicated adjacent to the west line of the plat from the existing railroad crossing serving subject property to the 60 foot access and sanitary sewer easement indicated on the plat.
- F. The labeling of the 60 foot sewer and access easement shall be expanded to read "60 foot sanitary sewer and access easement".
- G. The limits of excavation as approved on the applicants operational plan shall be indicated on the plat with a dash line and appropriately labeled.
- H. Recording of the plat within 30 days after approval by the Board of City Commissioners.

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public  
Works Maint.

DATE Feb. 26, 1974



TO Jack Galbraith, Chief Planner, MAPD  
FROM M. S. Mitchell

SUBJECT - Proposed Covenant for SD 73-87  
Preliminary Plat of East Robbins  
Addn.

Reference is made to my request before the Subdivision Committee for a Covenant which would guarantee construction and maintenance for a levee which would cross the loop across subject plat. In addition to the levee I made certain other requests on which the applicant's attorney, Mr. Jerry Bogle, and I reached agreement on December 26th after which a draft of the Covenant was prepared and forwarded to the City Attorney on January 30th asking for review. A copy of that memorandum is enclosed. I have received no reply from the City Attorney as of this date.

Today I was handed a copy of the Covenant and a print of an Operational and Redevelopment Sketch Plan on which I make comment as follows:

- 1) With exception of minor typographical errors, the Covenant is identical to the one forwarded to the City Attorney for review. The description shown on the second page of the Covenant is incorrect and should be changed to "East Robbins Addition".
- 2) Several dimensions on the Operational and Redevelopment Sketch Plan do not agree with the arrangement I made with Jerry Bogle and I list them below:
  - A) The setback from the Flood Control right-of-way to the excavation limit should be 200 ft. all along the plat both north and south of the sanitary sewer crossing.
  - B) The setback from the south property line to the excavation limit should be 150 ft.
  - C) The setback from the railroad right-of-way line to the excavation limit should be 60 ft.
  - D) The applicant is to provide access rights to the Department of Public Works along the west line of the plat in the 60 ft. setback area.



I trust these discrepancies can be corrected and I would appreciate the chance to review the revised plan.

*M. S. Mitchell*  
M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm  
cc: G. H. Wilton  
Attach. John Dekker

Jerry Bogle, Attny.  
East Robbins Addn. Plat File

Ass't. Supt. of Public  
Works Maint.

Jan. 30, 1974

John Dekker, City Attorney

M. S. Mitchell

- Proposed Covenant for SD 73-87  
- Preliminary Plat of East Robbins  
Addn.

As part of the consideration of subject case we requested, and the Planning Commission required, a covenant running with the land to guarantee the construction and maintenance of a loop levee and to control excavation in the vicinity of a sanitary sewer main. I have received a draft of the covenant prepared by Mr. Jerry D. Bogle of Lilleston, Spradling, Gott, Stallwitz & Hope. I have reviewed the Covenant and am satisfied with the technical content thereof and request that you review it for form.

M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm

cc: G. H. Wilton  
Jerry D. Bogle  
East Robbins Addn. Plat File  
Sand Pit General File

Attach.

October 23, 1973

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Subject: S/D 73-87 - Preliminary  
Plat of EAST ROBBINS ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, October 18, 1973, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall prepare and submit an overall redevelopment plan for subject property at the time of or prior to the submission of a final plat. Said plan shall meet with the approval of the Subdivision Committee.
- B. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the excavation limits on subject property, and an access easement across subject property to the riverbank, all to be indicated on the final plat.
- C. The applicant shall guarantee the installation of a loop levee along the south line of subject property.
- D. A 60 foot sanitary sewer easement centered on the existing 36 inch sewer line shall be indicated on the plat.
- E. The applicant shall submit a covenant which will assure that none of subject property north of the north excavation limit line will be pumped out or excavated.

Page 2  
Preliminary Plat of EAST ROBBINS  
ADDITION  
October 23, 1973

- F. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- G. Any abandonment or relocation of utilities necessitated by this plat, shall be at the sole expense of the applicant without cost to the City, County or any utility company.
- H. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

cc: Dolese Brothers, Inc.  
218 West 2nd Street, 67202  
  
Don Bottenberg  
1st National Bank Bldg., 67202  
  
Dean Sellers, Assistant City Engineer

PRELIMINARY PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 73-87 Name EAST ROBBINS ADDITION  
Date Application Rec'd. 6-25-73 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 10-18-73

DESCRIPTION

General Location On the south side of 31st Street South in an area  
between Broadway and the Arkansas River

Owner Dolese Brothers, Inc.  
Surveyor/Engineer Baughman Company  
Address 330 Laura Phone 262-7271

- |  |  |
|--|--|
| 1. Gross Acreage of Plat <u>91.19</u>  | 7. Lineal Feet of New Streets:                 |
| 2. Number of Lots:   | a. <u>        </u> R/W <u>        </u> ft.     |
| Residential <u>        </u>  | b. <u>        </u> R/W <u>        </u> ft.     |
| Commercial <u>        </u>   | c. <u>        </u> R/W <u>        </u> ft.     |
| Industrial <u>        </u> <u>1</u>  | d. <u>        </u> R/W <u>        </u> ft.     |
| Other <u>        </u>  | e. <u>        </u> R/W <u>        </u> ft.     |
| Total Number of Lots <u>1</u>  | TOTAL <u>        </u> None <u>        </u> ft. |
| 3. Minimum Lot Frontage <u>N/A</u> ft.   | 8. Sidewalk adjacent to all                    |
| 4. Minimum Lot Area <u>N/A</u> ft.   | streets? <u>        </u> yes <u>X</u> no       |
| 5. Existing Zoning <u>E</u>  |  |
| 6. Proposed Zoning <u>E</u>  |  |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>          |  |
| 10. Public Sanitary Sewers <u>        </u> (Yes-No), Name <u>City of Wichita</u> |  |
| 11. Health Department Approval (where applicable) <u>No</u> (Yes-No)             |  |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u>        </u>                   |  |

STAFF COMMENTS:

NOTE: It should be pointed out that the Department has been advised that the intended use is for the excavation of sand.

- A. This is a revised preliminary plat now including additional property to the north of the original preliminary which was deferred by the Subdivision Committee on August 2, 1973.
- B. It should be noted that this plat proposes to vacate several public street rights-of-way and therefore any abandonment or relocation of utilities necessitated by this plat, shall be at the sole expense of the applicant without cost to the City, County or any utility company.
- C. The need for street right-of-way on this plat for an appropriate public street system will be discussed at the Subdivision Committee meeting.
- D. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- E. The applicant shall be prepared to discuss the maximum limits of excavation adjacent to all property lines.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

August 3, 1973

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Subject: S/D 73-87 - Preliminary  
Plat of EAST ROBBINS ADDITION

Gentlemen:

The above referred to plat was considered by the Subdivision Committee of the Metropolitan Area Planning Commission at their regular meeting of August 2, 1973. At the request of the applicant, the action of the Committee was to defer this plat for five weeks to the meeting of September 6, 1973.

Should you have any questions regarding this matter, please call.

Sincerely,

John Richter  
Planning Analyst

JR:rae

cc: Doless Brothers, Inc., 218 West 2nd Street, 67202  
Harold M. Malone, Attorney, Sittig Building, 67202  
Don Bottenberg, First National Bank Building, 67202  
James R. Schaefer, Attorney, Brown Building, 67202  
Jerry D. Bogle, Attorney, First National Bank Building, 67202  
Dean Sellers, City Engineering

July 7, 1973

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Subject: S/D 73-87 - Preliminary  
Plat of EAST ROBBINS ADDITION

Gentlemen:

The above referred to plat was considered by the Subdivision Committee of the Planning Commission at their regular meeting of July 5, 1973. At the request of the applicant, the action of the Committee was to defer this plat until the Committee meeting of August 2, 1973.

We will reschedule this case for the August 2, 1973 Subdivision Committee meeting and, if you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:ema

cc: Dolese Brothers, Inc.  
218 West 2nd Street, 67202

Harold H. Malone, Attorney  
Sitting Building, 67202

Don Bettenberg  
First National Bank Bldg., 67202

James R. Schaefer, Attorney  
Brown Building, 67202

Jerry D. Bogle, Attorney  
First National Bank Bldg., 67202

Dean Sellers, City Engineering

from: JHS date: \_\_\_\_\_

- | admin.                           | adv. plans                          | com. dev.                           | social                            | graphics                         |
|----------------------------------|-------------------------------------|-------------------------------------|-----------------------------------|----------------------------------|
| <input type="checkbox"/> iakin   | <input type="checkbox"/> stockwell  | <input type="checkbox"/> galbraith  | <input type="checkbox"/> micheli  | <input type="checkbox"/> pierce  |
| <input type="checkbox"/> debson  | <input type="checkbox"/> looney     | <input type="checkbox"/> tylin      | <input type="checkbox"/> forinash | <input type="checkbox"/> barber  |
| <input type="checkbox"/> raibka  | <input type="checkbox"/> young, don | <input type="checkbox"/> young, bob | <input type="checkbox"/> calo     | <input type="checkbox"/> garland |
| <input type="checkbox"/> euhanks | <input type="checkbox"/> shon       | <input type="checkbox"/> shirley    | <input type="checkbox"/> kaliber  | <input type="checkbox"/> king    |
| <input type="checkbox"/> leiker  | <input type="checkbox"/> coleman    | <input type="checkbox"/> newby      | <input type="checkbox"/> gibson   | <input type="checkbox"/> pale    |
| <input type="checkbox"/> wagner  | <input type="checkbox"/> hawbaker   | <input type="checkbox"/> richler    | <input type="checkbox"/> smith    | <input type="checkbox"/> brown   |
| <input type="checkbox"/> azim    | <input type="checkbox"/> darrow     | <input type="checkbox"/> mc murry   | <input type="checkbox"/> flizner  | <input type="checkbox"/> erook   |
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| <input type="checkbox"/>         | <input type="checkbox"/> pates      | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/>         |
| <input type="checkbox"/>         | <input type="checkbox"/> lynch      | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/>         |
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| <input type="checkbox"/> all staff     | <input type="checkbox"/> information |
| <input type="checkbox"/> comment       | <input type="checkbox"/> files       |
| <input type="checkbox"/> note & return | <input type="checkbox"/> signature   |
| <input type="checkbox"/> handle        | <input type="checkbox"/> library     |

remarks: Crut: Make sure  
Attorney Jerry Boyle 1<sup>st</sup> Nat. Bt.  
review agenda and guide  
sheet on the flat that is  
to be a sand pit.

PRELIMINARY PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 73-87 Name EAST ROBBINS ADDITION  
Date Application Rec'd. 6-25-73 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 7-5-73

DESCRIPTION

General Location On the south side of 31st Street South in an area  
between Broadway and the Arkansas River

Owner Dolese Brothers, Inc.  
Surveyor/Engineer Baughman Company Phone 262-7271  
Address 330 Laura

- |   |  |
|---|--|
| 1. Gross Acreage of Plat <u>91.19</u>                                       | 7. Lineal Feet of New Streets:         |
| 2. Number of Lots:  | a. _____ R/W _____ ft.                 |
| Residential _____   | b. _____ R/W _____ ft.                 |
| Commercial _____  | c. _____ R/W _____ ft.                 |
| Industrial _____  | d. _____ R/W _____ ft.                 |
| Other <u>1</u>  | e. _____ R/W _____ ft.                 |
| Total Number of Lots <u>1</u>   | TOTAL <u>None</u> ft.                  |
| 3. Minimum Lot Frontage <u>N/A</u> ft.                                      | 8. Sidewalk adjacent to all            |
| 4. Minimum Lot Area <u>N/A</u> ft.  | streets? <u>yes</u> <u>X</u> <u>no</u> |
| 5. Existing Zoning <u>E</u>   |  |
| 6. Proposed Zoning <u>E</u>   |  |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>     |  |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> |  |
| 11. Health Department Approval (where applicable) <u>No</u> (Yes-No)        |  |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____                        |  |

STAFF COMMENTS:

NOTE: It should be pointed out that the Department has been advised that the intended use is for the excavation of sand.

- A. It should be noted that this plat proposes to vacate several public street rights-of-way and therefore any abandonment or relocation of utilities necessitated by this plat, shall be at the sole expense of the applicant without cost to the City, County or any utility company.
- B. The need for street right-of-way on this plat for a future public street will be discussed at the Subdivision Committee meeting.
- C. The recorded book and page number for the 40 foot access easement shown on the plat, shall be labeled on the face of the plat.
- D. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- E. The applicant shall be prepared to discuss the maximum limits of excavation adjacent to all property lines.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

July 2, 1973

Dolese Brothers, Inc.  
218 West 2nd Street  
Wichita, Kansas 67202

Subject: S/D 73-87 - EAST ROBBINS  
ADDITION - vacation of College Street  
(31st Street South) from the east  
line of the CRI&P RR. to the west  
bank of the Arkansas River.

Gentlemen:

This is to advise you that the plat of East Robbins Addition has been filed which proposes to vacate the above referred to street. Since you are an adjoining property owner of record, you may have counsel represent you.

This matter will be considered by the Subdivision Committee of the Metropolitan Area Planning Commission at a meeting to be held on Thursday, July 5, 1973, at 1:00 p.m., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme

Enclosure

cc: Harold H. Malone, Bitting Building, 67202  
Don Bottenberg, First National Bank Building, 67202

Map No.: \_\_\_\_\_  
Section No.: \_\_\_\_\_  
Twp. No.: \_\_\_\_\_  
Range: \_\_\_\_\_

S/D No. 7387

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: East Robbins Addition  
General Location: 31st St. So. and Broadway

Name of Property Owner: Dolese Bros. Inc.  
Address: 218 W. 2nd Phone: 262-1428  
Name of Subdivider: % Don Bottenberg  
Address: 1st National Bank Bldg. Phone: 264-5031  
Name of Agent/Surveyor: Baughman Company  
Address: 330 Laura Phone: 262-7271  
Date of Application: June 21, 1973

*Pin Green shed to Jerry Bogle 1st National Bank Bldg 2638218*

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 2.15/60<sup>p</sup>
2. Number of Lots:  
Residential \_\_\_\_\_  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
Other 1  
Total Number of Lots 1
3. Minimum Lot Frontage \_\_\_\_\_ ft.
4. Minimum Lot Area \_\_\_\_\_ ft.
5. Existing Zoning \_\_\_\_\_
6. Proposed Zoning \_\_\_\_\_
7. Lineal Feet of New Streets:  
a. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
b. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
TOTAL None ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply \_\_\_\_\_ (Yes-No), Name \_\_\_\_\_
10. Public Sanitary Sewers \_\_\_\_\_ (Yes-No), Name \_\_\_\_\_
11. Health Department Approval (where applicable) \_\_\_\_\_ (Yes-No)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Dolese Bros Inc  
*by Don Bottenberg, Agent*

Wichita-Sedgwick County Metropolitan Area  
Planning Commission, Room 402, City Building  
Annex, 104 South Main Street, Wichita, Kansas

Received by Carl Newby  
Date 6-25-73  
Fee Submitted 30.00

111

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
                  ) SS  
SEDGWICK COUNTY )

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

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

All that part of Lot 4, in Sec. 4, Twp 28, R 1 East, lying between the Chicago, Rock Island & Pacific Railway ROW and the Arkansas River.

  
Fidelity  
Title  
Company,  
inc.

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

All that part of Lot 4, Sec 4, Twp 28, Harold H. Malone,  
R 1 East lying between the CRI & P Rry Biting Bldg. 67202  
ROW and the Arkansas River.

Dated at Wichita, Kansas this 26th day  
of June 1973 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Anita Mason  
Asst. Sec. OEM

# 20253



Form 223-001

**PAYMENT NOTICE**

City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FLOOR**

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

DESCRIPTION AMOUNT

*Handwritten entries in the table*

Name

Address

Type Due Date

Comments:

*Blank lines for comments*

Date By

*Handwritten signature*