

guarantee

PLAT NO. S/D74-35 MAP NO. 4947

NAME HIGGINS-ANDEEL ADDITION

LOCATION: In an area south of Central and east of
Tyler Road

ENGINEER Moehring & Assos.

OWNER W. P. Higgins, et.al.

APPLICATION FILED 3-25-74

SKETCH PLAT FILED 3-25-74

PRELIMINARY FILED _____

S/D ACTION _____

FINAL FILED 3-25-74

S/D ACTION 4-4-74 *Approved*

MAPC ACTION 4-11-74 *Approved*

" 8-28-75 - *re-approved - deleted street guarantee*

BCC ACTION 3-1-77 *Approved*

RECORDED _____

REMARKS _____

7057ED
3-27-74

ACTION

DATE

4-4-74

Approved

S/D COMMITTEE

4-11-74
P-2875

Approved
see attached
delete street name

M.A.P.C.

3-1-77

B.C.C./B. CO. C. Approved

S/D 74-35 - HIGGINS-ANDEEL ADD.
In an area south of Central and
east of Tyler Rd. Moehring

*S/D 74-35
no year case
3-17-77
211*

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

HIGGINS-ANDEEL ADDITION was
filed for record on March 14, 1977

Boyd J. McIntosh
Register Of Deeds

T9-328

March 6, 1979

Donald Gisick, City Clerk

Louise Olivarez, Junior Planner

Release of performance bond for S/D 74-35
Higgins-Andeel Addition

We have received notification from the Water Department that the water line has been extended along the south side of Higgins-Andeel Addition as guaranteed by Kansas Developers, Inc., with a \$2,500 performance bond issued by Universal Surety Company. The performance bond is on file in your office and may be released at the request of the principal, Lindy Andeel of Kansas Developers, Inc., or Paul G. Starr of Universal Surety Company.

It is our understanding that release of this bond requires no action by the Board of City Commissioners.

Louise Olivarez
Junior Planner

LO:bh

cc: Mr. Lindy Andeel, President
Kansas Developers, Inc.
5900 E. Central, Suite 201
Wichita, Ks. 67208

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE March 8, 1979



TO Louise Olivarez, Junior Planner
FROM Benny Gegen, Civil Engineer II

SUBJECT Higgins Andeel Addition,
Water Performance Bond

Jylee
The 8" water main to serve the Higgins Andeel Addition at Central and Rock Rd. has been installed and placed in service on January 12, 1979, therefore, the performance bond submitted by Kansas Developers, Inc. in the amount of \$2,500.00 can be released.

Benny Gegen
Benny Gegen
Civil Engineer II

BG:sd

cc: Mr. Andeel
Kansas Developers, Inc.
5900 E. Central, Suite 201

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 74-35 Name HIGGINS-ANDEEL ADDITION
Application & Sketch Filed: 3-25-74
Preliminary Plat Filed: N/A Approved by S/D: N/A
Final Plat Filed: 3-25-74 Approved by S/D: 4-4-74
Approved by Metropolitan Area Planning Commission: 8-28-75

DESCRIPTION

General Location: In an area south of Central and east of Tyler Road.

Surveyor or Engineer: Moehring & Associates
Owner: W. P. Higgins, et al
Address: Penthouse, Sutton Place

- | | | |
|---|-----------------------|--------------------|
| 1. Gross Acreage of Plat <u>1.52</u> | 6. Access Control | |
| 2. Number of Lots: | St. _____ | No. Openings _____ |
| Residential _____ | St. _____ | No. Openings _____ |
| Commercial <u>1</u> | St. _____ | No. Openings _____ |
| Industrial _____ | 7. Req'd Improvements | |
| Other _____ | St. Paving _____ | Water <u>X</u> |
| Total Number of Lots: <u>1</u> | Sidewalk <u>X</u> | Drainage _____ |
| 3. Minimum Lot Area: <u>1.2</u> Acres | Sewer _____ | Other _____ |
| 4. Existing Zoning <u>LC</u> | | |
| 5. Special Problems Discussed <u>None</u> | | |

A performance bond in the amount of \$2,500 has been submitted guaranteeing the extension of water service to the plat. A valid petition has been submitted guaranteeing construction of a sidewalk on the west side of Robin Road. A certificate has also been submitted certifying the petition.

Planning Commission Recommendation:

That this plat be approved subject to recording of the plat within 30 days after approval by the Board of City Commissioners.

RISING moved, HOPPER seconded and it carried unanimously. HENNESSY was absent.

ACTION: Receive and file the performance bond, approve the petition and instruct the Director of Law to prepare the necessary resolution, instruct the City Clerk to file the certificate 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 M.A.P.C. and authorize the Mayor to sign.

UNIVERSAL SURETY COMPANY
LINCOLN, NEBRASKA
POWER OF ATTORNEY

Know All Men By These Presents:

That the UNIVERSAL SURETY COMPANY, a corporation of the State of Nebraska, having its principal offices in the City of Lincoln, Nebraska, does hereby make, constitute and appoint
W. C. Cohen or Paul G. Starr or W. C. Cohen, Jr. or R.B. Matassarin or
Roberta I. Heorman or Joe E. Moddrell, Jr. or Joe E. Moddrell, Sr. or
Paul C. Yankey, Jr. or Joseph C. Lukens, II or Linda A. Farrier, Wichita, KS
its true and lawful Attorney-in-Fact, with power and authority hereby conferred, to sign, execute, acknowl-
edge and deliver for and on its behalf, as surety: Any and all undertakings of suretyship./

And the execution of such bonds or undertakings, in pursuance of these presents, without the seal of the corporation being attached to said bonds or undertakings, shall be as binding upon the said corporation, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the said corporation at its office in Lincoln, Nebraska, in their own proper persons.

The UNIVERSAL SURETY COMPANY represents that the execution of this Power-of-Attorney and the granting of the powers herein to said Attorney-in-Fact are authorized by its by-laws.

All authority hereby conferred shall expire and terminate without notice at midnight of January 9, 1979

In witness whereof, UNIVERSAL SURETY COMPANY has caused its corporate seal to be hereunto affixed and these presents to be duly executed by its proper officers this.....9th.....day of.....January....., 19.....76
Attest: UNIVERSAL SURETY COMPANY

(Seal) Celia Tomaszewski, (Signed) By.....W. H. Bennett.....(Signed).....
Celia Tomaszewski, Vice President W. H. Bennett, Vice President
STATE OF NEBRASKA }
Lancaster County } ss:

On this day, before the undersigned, a Notary Public in and for said County and State, personally came the above-named officer of the UNIVERSAL SURETY COMPANY, to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged the execution of said instrument to be the voluntary act and deed of the UNIVERSAL SURETY COMPANY and his voluntary act and deed as an officer of said corporation, and that the seal of said corporation was affixed to said instrument by the authority and direction of said corporation.

Witness my hand and my Notarial Seal at Lincoln, Lancaster County, Nebraska, this.....9th.....day of
January....., 19.....76

(Seal) Carolyn A. Jones, (Signed)
Carolyn A. Jones, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of UNIVERSAL SURETY COMPANY, do hereby certify that the original Power-of-Attorney, of which the foregoing is a full, true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the corporation, this.....10th.....day of.....February....., 1977.

(Seal) _____
Assistant Secretary

CERTIFICATE

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

Kansas Developers, Inc.
I, by Lindy Andeel, President, owner of

(give name of proposed plat, if appropriate) _____
HIGGINS-ANDEEL ADDITION to Wichita, Sedgwick County,
Kansas

do hereby certify that petitions for the following improvements
have been submitted to the Board of Commissioners of the City of
Wichita, Kansas:

1. Sidewalk on West side of Robin Road - from S.L. of Higgins-Andeel Add. to N.L. of Higgins-Andeel Add.
2. N.A.
3. N.A.
4. N.A.
5. N.A.
6. N.A.
7. N.A.

As a result of the above-mentioned petitions for
improvements, lots or portions thereof within _____
Higgins-Andeel Addition may be subject to special
assessments assessed thereto for the cost of constructing the
above-described improvements.

Signed this 15th day of February, 19 77.
KANSAS DEVELOPERS, INC.

BY: *Lindy Andeel*
Lindy Andeel, President

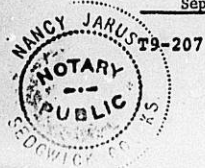
City of Wichita)
Sedgwick County) ss
State of Kansas)

Be it remembered that on this 15th day of February,
19 77, before me, a notary public in and for said County and State,
came Lindy Andeel, to me personally
known to be the same person who executed the foregoing instrument
of writing and duly acknowledged the execution of same.

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

Nancy Jarus
Notary Public Nancy Jarus

My Commission Expires:
Sept. 25, 1978



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) AM 7-8371

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:

Chester C. McCallough
Secretary.

[Signature]
Authorized Signatory



CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusion from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

SCHEDULE A

Number
247241

Effective Date
February 16, 1977, at 7:00 a.m.

1. Owners Policy to be issued: ALTA Form B - 1970
(Amended 10-17-70) Amount:
Proposed Insured:

The City of Wichita

Loan Policy to be issued: ALTA Form 1970
(Amended 10-17-70) Amount:
Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

Kansas Developers, Inc.,

3. The land referred to in this Commitment is described as follows:

The South 225.0 feet of the East 295.00 feet of Lot 1, Block A, West Center Addition to Wichita, Sedgwick County, Kansas

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the necessary deeds and/or mortgages in insurable form, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): **1976 taxes paid in full, in the sum of \$652.87. Key No. D-28582**
9. **Taxes or special assessments which have not been certified to the Office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.**
10. **Building set back lines: 35 feet from the East lot line; 35 feet from the South lot line.**
11. **Easements on the South 8 feet and the East 8 feet of captioned property for the constructions and maintenance of all public utilities.**
12. Conveyance to the City of Wichita for a right-of-way and easement to construct, maintain and operate a water supply pipeline (s) in and to a tract beginning at a point 565 feet South and 50 feet East of the NW corner of Section 21, T27S, R1W; thence East along a line parallel with the Centerline of Central Ave. a distance of 520 feet; thence North along a line parallel with the centerline of Tyler Rd. a distance of 515 feet to the South line of Central Ave., thence East along said South line of Central Ave. a distance of 10 feet; thence South along a line parallel with the centerline of Tyler Rd a distance of 525 feet; thence West along a line parallel with the centerline of Central Ave., a distance of 530 feet to the East line of Tyler Rd; thence North along said East line of Tyler Rd a distance of 10 feet to the point of beginning, as created by Instrument filed January 4, 1967, in Book Misc. 592, Page 33.

LAW OFFICES
OF
WILLIAM P. HIGGINS

November 13, 1975

SUITE 313
FIRST NATIONAL BANK BUILDING
WICHITA, KANSAS 67202
316/263-6148

Mr. Curtis L. Newby
Wichita-Sedgwick County Metropolitan
Area Planning Commission
104 South Main Street
Wichita, Kansas 67202

Re: S/D 74-35

Dear Mr. Newby:

Enclosed herewith Chicago Title Insurance
Company Commitment for Title Insurance
covering the following described property:

The South 225.0 feet of the East 295.0
feet of Lot 1, Block A, West Center
Addition to Wichita, Sedgwick County, Kansas.

Yours truly,

William P. Higgins
WILLIAM P. HIGGINS

WPH/jsp
Enc:
cc/ Mr. Don C. Moehring



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) AM 7-8371

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:

Chester C. McLaughlin
Secretary.

Jack M. Bell
Authorized Signatory



CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusion from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the necessary deeds and/or mortgages in insurable form, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): 1974 Tax \$684.06 paid, 1975 Tax \$662.70 not paid.
Key #D-28582.
9. Taxes or special assessments which have not been certified to the Office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.
10. Building setback lines: 35 feet from the East lot line;
35 feet from the South lot line.
11. Easements on the South 8 feet and the East 8 feet of captioned property for the construction and maintenance of all public utilities.
12. Conveyance to the City of Wichita for a right-of-way and easement to construct, maintain and operate a water supply pipeline(s) in and to a tract beginning at a point 565 feet South and 50 feet East of the NW corner Section 21, T27S, R1W; thence East along a line parallel with the centerline of Central Ave. a distance of 520 feet; thence North along a line parallel with the centerline of Tyler Rd. a distance of 515 feet to the South line of Central Ave.; thence East along said South line of Central Ave. a distance of 10 feet; thence South along a line parallel with the centerline of Tyler Rd. a distance of 525 feet; thence West along a line parallel with the centerline of Central Ave. a distance of 530 feet to the East line of Tyler Rd.; thence North along said East line of Tyler Rd. a distance of 10 feet to the point of beginning, as created by instrument filed January 4, 1967, in Book Misc. 592, Page 33.

*Need
to state
paid*

THE CITY OF WICHITA

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

DATE Oct. 22, 1975

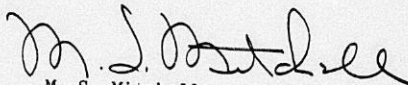
TO Jack Galbraith, Chief Planner, MAPD

FROM M. S. Mitchell

SUBJECT - Higgins-Andeel Adn.
SD 74-35

Reference is made to my request before the Subdivision Committee for a Lot Grading Plan for subject plat. Please be advised that as part of the improvements constructed on First Place West Addition, a flume was extended across a portion of subject plat to serve it also.

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



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

MSM/glm

cc: G. H. Wilton
Don Moehring
Central Insp./John Riddel
First Place West Adn. Plat File
Higgins-Andeel Adn. Plat File

October 13, 1975

Robert Feldnar, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-19 - Request for Administrative Adjustment on the southeast corner of Parcel 1 on West Center CUP

We have reviewed the letter from Lindy Andeel who is the owner of a portion of Parcel 1 on the above-captioned CUP, requesting an adjustment to permit the north-south building setback line to be moved westerly 35 feet. One of the conditions of approval of the CUP was as follows:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

It should be pointed out that the property in question is being replatted as Higgins-Andeel Addition. The plat is dedicating 35 feet of half-street right-of-way on the east, therefore justifying the moving of the previously approved 35-foot setback to the west an equal distance. This same setback adjustment was approved for the area to the north that was platted as First Place West Addition in 1974.

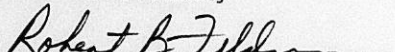
Our concurrence to this request is therefore subject to the recording of the plat with the Register of Deeds.

Upon your review of this memo, your signature of approval will indicate that you concur that this proposal is in keeping with the purpose and intent of the Community Unit Plan provisions, and is not a substantial deviation of the plan.

APPROVED:


Robert A. Lakin
Director of Planning

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

RAL:JHG:ber

cc: Lindy Andeel, President, Kansas Developers, Inc.
5900 East Central, Suite 201 67208

August 29, 1975

Mr. William P. Higgins, Attorney
313 First National Bank Building
Wichita, Kansas 67202

Re: S/D 74-35 - Final Plat of
HIGGINS-ANDEEL ADDITION

Dear Mr. Higgins:

At the regular meeting of the Metropolitan Area Planning Commission on August 28, 1975, at the request of the Department of Public Works, the above plat was reconsidered. The action of the Planning Commission was to re-approve the plat, subject to the conditions listed in our letters to Moehring and Associates, dated April 8, 1974 and April 12, 1974, of which you received copies, with the exception that the applicant is no longer required to guarantee the improvement of Robin Road.

At such time as the conditions of approval are complied with, this plat will be forwarded to the Board of City Commissioners for consideration.

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Moehring & Associates, 314 Brown Building 67202
Kansas Development, Inc., 5900 East Central 67208
Dean Sellers, Assistant City Engineer

August 25, 1975

Metropolitan Area Planning Commission

Jack H. Galbraith, Chief Planner

S/D 74-35 - Higgins-Andeel Addition
(street paving guarantee)

The above referred to plat has been scheduled on your August 28, 1975 agenda for reconsideration of street paving requirement for Robin Road. Robin Road is being dedicated on the plat as only a half street and immediately to the north of the plat is another addition called First Place West Addition on which a half street dedication for Robin Road was also required as part of the platting procedure. Both of these plats, Higgins-Andeel Addition and First Place West Addition were considered about the same time by the Subdivision Committee and the Planning Commission. In considering the First Place West Addition, the Planning Commission considered a recommendation from the Subdivision Committee that Robin Road be dedicated by a contingent dedication. The action of the Planning Commission was to require the outright dedication for the west half of Robin Road but no requirement was made for the guarantee of paving of the half street. A short time later, the Higgins-Andeel Addition was considered by the Planning Commission with the recommendation of an outright dedication of half street right-of-way for the west half of Robin Road and including the requirement that the applicant guarantee the paving of Robin Road.

The City Engineer has now requested that, since a paving guarantee was not required for the half street of Robin Road on First Place West Addition, the Planning Commission not require a guarantee for the paving of Robin Road on the Higgins-Andeel Addition. The City Engineer also points out that in both cases if the applicants were required to guarantee the paving of Robin Road they would be able to only guarantee the improvement of half of the street since the east half of Robin Road has never been dedication.

Although the staff generally concurs with the recommendation of the City Engineer that the requirement for guarantee be eliminated, there is still the major issue of how the street will ever be paved unless appropriate guarantees are now required. It would seem inappropriate to develop subject plat that has no direct access to an improved public street.

Jack H. Galbraith, Chief Planner

JHG:CLN:rme

cc: William P. Higgins, Attorney, 313 First National Bank Bldg.,
67202
Dean Sellers, Assistant City Engineer

Dean Sellers called
on 8-14-75 to request
the guarantee for paving of
Robert Road not be
reversed. I advised
P.C. would have to
rehear case to debate
this requirement. He
asked that this be done.

I advised I would have
case placed on next
D.C. agenda

April 12, 1974

Moehring & Associates
314 Brown Building
Wichita, Kansas 67202

Re: S/D 74-35 - Final Plat of
HIGGINS-ANDEEL ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on April 11, 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 April 8, 1974.

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 plattor.

4. Certification that all taxes due and payable for 1973 and prior years have been paid.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: W. P. Higgins, Attorney, 313 1st Nat'l Bank Bldg. 67202
Kansas Development, Inc., 5900 E. Central 67208
Dean Sellers, Assistant City Engineer

April 8, 1974

Moehring & Associates
314 Brown Building
Wichita, Kansas 67202

Re: S/D 74-35 - Final Plat of
HIGGINS-ANDEEL ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission April 4, 1974, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The name of the plat shall be changed.
- B. A 10-foot utility easement shall be indicated adjacent to the north and south lines of the plat.
- C. The applicant shall be advised that Robin Road cannot be opened and improved until such time as the full right-of-way is dedicated and the associated drainage can be handled.
- D. ~~PERFORMANCE BOND~~
The applicant shall guarantee the extension of City water to serve subject property.
- E. A 10-foot water easement not presently shown on this plat shall be indicated on the plat tracing. The Water Department shall be contacted relative to this matter.
- F. Approval of this plat is subject to amending the building setback on the Community Unit Plan to coincide with the setback shown on this plat. A letter requesting the adjustment is necessary from the applicant.
- G. The applicant shall install or guarantee the installation of a sidewalk adjacent to the west side of Robin Road.
- H. The applicant shall guarantee the paving of Robin Road.

*petition
requirements
deleted*

Final Plat of HIGGINS-ANDEEL
ADDITION
April 8, 1974
Page 2

- E. The applicant shall be advised that Robin Road will not be opened and improved until the full right-of-way has been dedicated and the paving thereof and associated drainage improvements have been guaranteed.
- F. The applicant's engineer shall submit a lot grading plan to M. S. Mitchell of the Maintenance-Flood Control Office. A letter obtained from Mr. Mitchell approving said plan shall be submitted to the Planning Department.
- G. Recording of the plat within 30 days after approval by the City Commission.

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, April 11, 1974, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rmc
Enclosure

cc: W. P. Higgins, Attorney
313 1st National Bank Building, 67202

Kansas Development, Inc.
5900 East Central, 67208

Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 74-35 Name HIGGINS-ANDEEL ADDITION
Date Application Rec'd. 3-26-74 Preliminary Approval N/A
Scheduled S/D Meeting 4-4-74

DESCRIPTION

General Location In an area south of Central and east of Tyler Road

Owner W. P. Higgins, et. al.
Surveyor/Engineer Moehring & Associates
Address 314 Brown Building Phone 263-6781

- | | | | |
|---|------------------------|--|----------------|
| 1. Gross Acreage of Plat | <u>1.52</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>35</u> R/W <u>225</u> ft. | |
| Residential | | b. _____ R/W _____ ft. | |
| Commercial | <u>1</u> | c. _____ R/W _____ ft. | |
| Industrial | | d. _____ R/W _____ ft. | |
| Other | | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>1</u> | TOTAL | <u>225</u> ft. |
| 3. Minimum Lot Frontage | <u>225</u> ft. | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>58,500 sq. ft.</u> | streets? <u>yes</u> <u>X</u> <u>no</u> | |
| 5. Existing Zoning | <u>LC</u> | | |
| 6. Proposed Zoning | <u>LC</u> | | |
| 9. Public Water Supply Yes (Yes-No), Name | <u>City of Wichita</u> | | |
| 10. Public Sanitary Sewers Yes (Yes-No), Name | <u>City of Wichita</u> | | |
| 11. Health Department Approval (where applicable) | <u>N/A</u> | | (Yes-No) |
| 12. City of Wichita <u>X</u> : Three-Mile Area | | | |

STAFF COMMENTS:

- A. The associated Community Unit Plan DP-19, a commercial C.U.P. has been approved by the Board of City Commissioners.
- B. Approval of this plat is subject to amending the building setback on the Community Unit Plan to coincide with the setback shown on this plat. A letter requesting the adjustment is necessary from the applicant.
- C. The applicant shall install or guarantee the installation of a sidewalk adjacent to the west side of Robin Road.
- D. The applicant shall guarantee the paving of Robin Road.
- E. There has been some discussion that the owner of subject property is desirous of developing apartments and if so, it is first necessary that the C.U.P. be amended.
- F. Recording of the plat within 30 days after approval by the Board of City Commissioners.

NOTE: This plat has been submitted in final form only, as provided for in Article 4, Part 5, of the MAPC Subdivision Regulations. The Utility Advisory Committee should be prepared to comment on existing utilities and other various improvements, or discuss the feasibility of the applicant extending and/or installing same.

Map No.: 4947
Section No.: 21
Twp. No.: 27S
Range: 1W

S/D No. 24-35

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Higgins-Andeel Addition
General Location: South & East of Tyler Road & Central
Name of Property Owner: Mr. W. P. Higgins & Kansas Development, Inc./
Address: 1st Nat'l Bank Bldg. #5900 E. Central 08 Phone: 263-6148
Name of Subdivider: Same Phone: _____
Address: _____
Name of Agent/Surveyor: Moehring & Associates Phone: 263-6781
Address: 314 Brown Bldg.
Date of Application: 3-25-74

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 1.52
2. Number of Lots:
Residential _____
Commercial 1
Industrial _____
Other _____
Total Number of Lots 1
3. Minimum Lot Frontage 225 ft.
4. Minimum Lot Area 58,500 ft.
5. Existing Zoning L.C.
6. Proposed Zoning L.C.
7. Lineal Feet of New Streets:
a. 35R/W 225 ft.
b. _____ R/W _____ ft.
c. _____ R/W _____ ft.
d. _____ R/W _____ ft.
e. _____ R/W _____ ft.
TOTAL 225 ft.
8. Sidewalk adjacent to all streets? X yes no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) N.A. (Yes-No)
12. City of Wichita X 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: W. P. Higgins

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

Received by Curt Newberg
Date 3/26/74
Fee Submitted \$50.00

Form 223-CB1

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.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
-------------	--------

<i>Handwritten description</i>	
<i>Handwritten description</i>	

Name

Address

Type

Due Date

Comments:

Date

By

Handwritten date and signature