

Book 14 2

PLAT NO. S/D 77-11 MAP NO. 6045

NAME HEDGECLIFF ADDITION

LOCATION: N.W. Corner of Pawnee and Webb Rd.

ENGINEER Baughman Company

OWNER Fidelity Investment & Kessler Bros. Inc. et al

APPLICATION FILED 1-17-77

SKETCH PLAT FILED none

PRELIMINARY FILED 1-17-77

S/D ACTION 1-27-77 approved

FINAL FILED 2-28-77

S/D ACTION 3-10-77 approve

MAPC ACTION 3-17-77 Approved

MAPC " 10-12-78 Approved

ECC ACTION 10-24-78 Approved

RECORDED November 8, 1978

REMARKS Assoc. 7-1806 and DP-77

S/D 77-11 - HEDGECLIFF ADDITION  
N.W. Corner of Pawnee and Webb  
Rd., by Baughman Company

Post 100  
1-24-77

# ACTION

	DATE
S/D COMMITTEE (Prelim.) Approved	1-27-77
S/D (final) approved	3-10-77
M.A.P.C. Approved	3-17-77
M.A.P.C. Approved	10-12-78
B.C.C./B.C.C.C. Approved	10-24-78

Map No. 6045  
Sec. No. 32  
Twp. No. 27  
Range 2E

Subdivision Report and Progress  
S/D No.: 77-11

Name: HEDGECLIFF ADDITION

General Location: N.W. Corner of Pawnee and Webb Road

Owner: Fidelity Investment and Kessler Bros., Inc.  
Address: Marvin Bastian, 229 S. Market, 67202 Phone: 265-2261  
Subdivider: Frank Kessler  
Address: 1904 S.W. Blvd., 67213 Phone: 943-2103  
Engineer/Surveyor: Baughman Company  
Address: 330 Laura, 67211 Phone: 262-7271

Application Received 1-17-77  
Conf. with Applicant \_\_\_\_\_  
Sketch Plat Received \_\_\_\_\_  
Present Zoning "AA" & "LC"  
Proposed Zoning R-5, BB, LC(2-1806)  
Letter of Intent \_\_\_\_\_

FINAL PLAT RECEIVED 2-24-77  
S/D Comm. Action 3-10-77 *approve*  
Dept. Report on Final 3-14-77  
M.A.P.C. ACTION 3-17-77 *Approved*  
Dept. Report on Final 3-17-77 *10-12-78*  
Letter on Irons Received N/A  
Title/Taxes Rec'd & Reviewed 9-24-78  
Final Review 10-16-78  
Referral to B.C.C. 10-16-78

PREL. PLAT RECEIVED 1-17-77  
S/D Comm. Action 1-27-77 *approved*  
Dept. Report on Prel. 1-31-77

B.C.C. ACTION 10-24-78 *Approved*  
Recorded November 8, 1978  
MAPC 10-12-78 *Approved*

TRACING PROGRESS:  
Received \_\_\_\_\_  
Released \_\_\_\_\_  
Received \_\_\_\_\_  
Released \_\_\_\_\_

REGISTER OF DEEDS  
SEDGWICK COUNTY, KANSAS

*S/D 77-11  
(Assoc 2-1806)  
B  
11-30-78*

HEDGECLIFF ADDITION was

filed for record on November 8, 1978

*Robert J. McCall*  
Register of Deeds

Return to: Wichita-Sedgwick County  
Metropolitan Area Planning Department  
(Inter-Office Mail)

T9-328

REGISTER OF DEEDS

*S/D 77-167*

SEDGWICK COUNTY, KANSAS

GLENEAGLE ADDITION was

RE filed for record on August 31, 1978

*Robert J. McCall*  
Register of Deeds

Return to: Wichita-Sedgwick County  
Metropolitan Area Planning Department  
(Inter-Office Mail)

T9-328

*street name changes*

HASTINGS, MN - LOS ANGELES  
LOGAN, OH - MEMPHIS, TN - U.S.A.

FORM 20-21

**PAYMENT NOTICE**

City of Wichita

**PAY AT TREASURER'S OFFICE - SECOND 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>7-17-77</i>	

Name \_\_\_\_\_

Address \_\_\_\_\_

Type \_\_\_\_\_ Due Date *1-17-77*

Comments: \_\_\_\_\_  
\_\_\_\_\_

Date *1-17-77* By \_\_\_\_\_

July 16, 1979

Donald C. Gisick, City Clerk

Louise Olivarez, Senior Planner

Release of letter of credit associated with  
Hedgecliff Addition

Attached is a letter from Fidelity Investment Company requesting the release of their letter of credit which guaranteed the construction of drainage channel improvements in Hedgecliff Addition. This letter of credit was "received and filed" by the Board of City Commissioners on October 24, 1978, when the plat of Hedgecliff Addition was approved. The Flood Control Office has informed us that these drainage improvements have been satisfactorily completed.

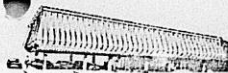
Please return the \$63,500.00 letter of credit to Ivan Salyer, Fidelity Investment Company, 229 South Market, 67202. If you have any questions about this matter, please call.

Louise Olivarez  
Senior Planner

LO:bh

cc: Mr. Ivan Salyer, Fidelity Investment Company, 229 S. Market, 67202  
Max Greene, Flood Control and Landfill Director

FIDELITY INVESTMENT COMPANY  
AN AFFILIATE OF FIDELITY SAVINGS



229 SOUTH MARKET ■ WICHITA, KANSAS 67202 Incorporated 1905  
Branch Office — 3100 Gage, Topeka, Kansas 66614, (913) 273-2667

July 12, 1979

Mr. Max Greene  
Flood Control Engineer  
Sedgwick County Flood Control  
455 No. Main  
Wichita, Kansas 67202

Re: Hedgecliff Addition

Dear Mr. Greene:

Enclosed you will find a paid receipt for the construction of the drainage channel in captioned addition. Please cancel our Letter of Credit dated September 25, 1978 in the amount of \$63,500.00, copy enclosed, and return to our office at your early convenience.

Yours very truly,

Ivan P. Salyer  
President

IPS:sm  
Enclosures

H. MARVIN BASTIAN  
Chairman of the Board  
IVAN P. SALYER  
President  
FRED MUENCHRATH  
Senior Vice President  
FRANK L. SCOTT  
Vice President  
DONALD L. DAY  
Comptroller and Treasurer  
HUGH M. McCLURE  
Secretary



FHA, GI, CONVENTIONAL, COMMERCIAL, FARM LOANS AND PROPERTY MANAGEMENT

Received

JUL 13 1979

FIDELITY INVESTMENT COMPANY  
AN AFFILIATE OF FIDELITY SAVINGS



229 SOUTH MARKET ■ WICHITA, KANSAS 67202 ■ Incorporated 1905  
Branch Office — 3100 Gage, Topeka, Kansas 66614, (913) 273-2667

June 6, 1979

RECEIVED

1979

FIDELITY INVESTMENT CO.

Mr. Fred Lange  
Lange Bros., Inc.  
1631 S. Hoover Ct.  
Wichita, Kansas 67209

Re: Hedgecliff Addition

Dear Fred:

Enclosed you will find our check in the amount of \$29,712.00 covering your work at the Hedgecliff Subdivision. Also, enclosed is a copy of the acceptance by Flood Control. Please acknowledge receipt of payment on the attached copy of this letter and return in the self-addressed envelope at your early convenience.

Yours very truly,

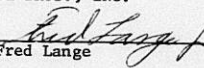
Ivan P. Salyer  
President

IPS:sm  
Enclosures

Received \$29,712.00 from Fidelity Investment Company this 7th day of June, 1979.

H. MARVIN BASTIAN  
Chairman of the Board  
IVAN P. SALYER  
President  
FRED MUENCHRATH  
Senior Vice President  
FRANK L. SCOTT  
Vice President  
DONALD L. DAY  
Comptroller and Treasurer  
HUGH M. McCLURE  
Secretary

LANGE BROS., INC.

BY:   
Fred Lange



FHA, GI, CONVENTIONAL, COMMERCIAL, FARM LOANS AND PROPERTY MANAGEMENT

IRREVOCABLE LETTER OF CREDIT

FIDELITY INVESTMENT COMPANY  
(Name of bank)

Date: September 25, 1978

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 63,500.00 for the account of Kessler Bros., Inc. and Fidelity Investment Company (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before September 25, 1980 (Insert date two years from MAPC approval of plat)

1. Drainage channel improvements on the east side of said addition.
- 2.
- 3.

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

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

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

All drafts drawn hereunder must be marked: "Drawn under Fidelity

Investment Company, Credit No. 114, dated September 25, 1978  
(Name of bank)

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

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

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before November 25, 1980.

Very truly yours,

FIDELITY INVESTMENT COMPANY  
(Name of bank)

By: [Signature]  
(Authorized signature)

(CORPORATE SEAL)

THE CITY OF WICHITA

OFFICE OF Industrial Development

DATE October 26, 1978

John Wynkoop, Director of Water & Water Pollution Control  
Ray Bruggeman, Director of Public Works  
TO Robert Lakin, Director of Planning  
Russell Brenner, Director of Administration



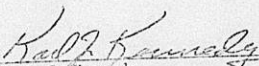
FROM Karl J. Kennedy, Industrial Analyst

SUBJECT Petitions for Waiver  
Development Policy

Two petitions for the waiver of assurances required by the City of Wichita Development Policy under Administrative Regulation - 31, Revised, has been received by the Industrial Development office. One petition has been submitted by Kessler Bros., Inc. and Fidelity Investment Co. for the Hedgecliff Addition and one by Edythe Flynn for the Cedar Lakes Village Fourth Addition.

You are requested to review these petitions for feasibility concerning installation of public improvements requested in the petitions for which your department is responsible. Provide any comments you deem appropriate on the form provided. An approval page has been provided for your signature should you determine that granting the waivers would not adversely affect the City's credit rating and would be in the public interest.

These petition's for waiver of the assurances required by the development policy are the first two such petitions to be processed under the revised development policy. I request that when you complete your reviews, you notify the undersigned. The reason is to be able to discuss with you the mechanics of the policy regarding the processing of requests for waiver. Your opinions for changes that would facilitate the processing such petitions would be appreciated. I will then hand carry the petitions to the next step of the review process.

  
Karl J. Kennedy  
Industrial Analyst

KJK/t

cc: Elton Parsons, Economic/Industrial Development Director  
Don Wood, Industrial Development Officer

4436

PETITION FOR WAIVER OF DEVELOPMENT POLICY

INTRODUCTION

The Development Policy of the City requires that after property has been platted and the necessary petition filed with the City for the installation of streets, sewers, water mains, and drainage systems, the City will install these facilities using City credit on a special assessment basis whenever reasonable assurances have been provided by the developer that the City's credit will not be adversely affected by installing and financing such improvements.

This petition for waiver procedure, approved by the Board of City Commissioners, will be used in evaluating any requests from developers that public improvements be installed by the City in advance of 35% development and without the assurances that the City's credit will not be adversely affected whenever it is determined that such action is overwhelmingly in the public interest, such a criteria to include a review by the Department of Water, Department of Public Works, Planning Department, and Department of Administration.

PETITION

The Honorable Mayor and City Commissioners  
Wichita, Kansas

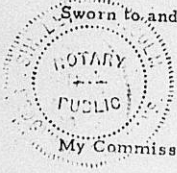
The undersigned hereby petition and request that the following public improve-  
ments be installed in the Hedgecliff (Subdivision)  
heretofore platted and recorded and that the assurances normally supplied by  
developer(s) under the City of Wichita Development Policy for public improve-  
ments be waived:

Description	Project No.	Estimated Cost
Part of Block 3, Cedar Lakes Village 4th Addition	Project #5 - DBKL574110 Main 21 of War Industry Sewer	\$11,000.00
<del>XXXXXXXXXX</del>		

Kessler Bros. Inc. and  
Applicant Fidelity Investment Company - By: Ivan P. Salyer  
Address 229 So. Marker, Wichita, Ks. 67202 Ivan P. Salyer, President  
Telephone 265-2261

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this 20th day of September, 1978.



Shirley R. McColm  
Notary Public Shirley R. McColm

PETITION SUPPORT INFORMATION

The undersigned hereby represents:

1. That the public improvements are in the public interest for the following reasons:  
An extension of the lateral sewer through a part of Block 3, Cedar Lakes Village 4th Addition is required for lateral sewer service to the Hedgecliff Subdivision which is in the process of being platted.

2. That Fidelity Investment Company - 265-2261 (Telephone \_\_\_\_\_) is the owner(s) of record of the subdivision, and that Baughman Company (Telephone 262-7271) is authorized to represent the owner(s).

3. That it is intended that the subdivision will be developed in accordance with the following schedule and manner:  
Final platting of Hedgecliff Subdivision has been approved and we are ready to file the approved plat. The subdivision will be developed into 76 residential lots.

(type of construction, i.e., residential, commercial, industrial) units having a total estimated construction (sales) cost of \$ 4,180,000.00 are to be constructed in accordance with the following timetable:  
Spring of 1979 and 1980

I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief:

Fidelity Investment Company - By: Ivan P. Salvey, President  
Applicant and Kessler Bros. Inc. [Signature]  
Owner of Record Fidelity Investment Company and Kessler Bros. Inc.  
Developer Fidelity Investment Company and Kessler Bros. Inc.

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this 20th day of September, 1978.



[Signature]  
Notary Public Shirley R. McCole

My Commission expires: October 17, 1981

DEPARTMENTAL REVIEW FOR FEASIBILITY

WATER MAIN EXTENSION FEASIBILITY

ENGINEERING FEASIBILITY

Original extension of public improvements. No technical or engineering problems.

*M. J. Linn*  
City Engineer

PLANNING FEASIBILITY

Lots 3 & 4, Blk 1, Hedgecliff Addition are quite unusual in size & shape. Depending on how the lot is divided & structured; & how valuations in subdivision, especially on lots could go up or down. See attached plat. Development in Cherry Hills, 3<sup>rd</sup> located on Lots 27-30 Blk 4 & Lots 1-4, Blk 6 until drainage in Hedgecliff is built. *M. J. Linn*

FINANCIAL FEASIBILITY

This extension would cost \$1,000 ÷ 76 lots for an estimated cost of approx. 145<sup>00</sup> per lot. Streets and water are not available at this time. It is my understanding that this extension is necessary for later lake discharge with additional culverts for streets, water and is under consideration for approx. 50% of 81 lots. The Combined Project should be approximately 30% complete.

*M. J. Linn*

DEPARTMENT APPROVAL

APPROVED BY:

DATE:

*James D. Johnson* 10/27/78  
Director of Water & Water Pollution Control

*RWB Bruggeman* 10-30-78  
Director of Public Works

*Robert G. Suber* 10-31-78  
Director of Planning

*R. D. ...* 11/7/78  
Director of Administration

NOTE: If not approved, please direct memo of explanation to the Office of the City Manager with a copy to the Director of Economic Development



PETITION FOR WAIVER OF DEVELOPMENT POLICY

INTRODUCTION

The Development Policy of the City requires that after property has been platted and the necessary petition filed with the City for the installation of streets, sewers, water mains, and drainage systems, the City will install these facilities using City credit on a special assessment basis whenever reasonable assurances have been provided by the developer that the City's credit will not be adversely affected by installing and financing such improvements.

This petition for waiver procedure, approved by the Board of City Commissioners, will be used in evaluating any requests from developers that public improvements be installed by the City in advance of 35% development and without the assurances that the City's credit will not be adversely affected whenever it is determined that such action is overwhelmingly in the public interest, such a criteria to include a review by the Department of Water, Department of Public Works, Planning Department, and Department of Administration.

PETITION

The Honorable Mayor and City Commissioners  
Wichita, Kansas

The undersigned hereby petition and request that the following public improve-  
ments be installed in the CEDAR LAKE VILLAGE TOWNSHIP (Subdivision)  
heretofore platted and recorded and that the assurances normally supplied by  
developer(s) under the City of Wichita Development Policy for public improve-  
ments be waived:

Description	Project No.	Estimated Cost
PART OF BLOCK 3 - Project #5 - W DEEL 574110 MAIN 21 N.I. SEWER		\$ 11,000.00
PART OF BLOCK 4 - Project #6 - # 469-76-245-20181-000-000-001		\$ 21,000.00

*Edythe S. Flynn*  
EDYTHE S. FLYNN

Applicant \_\_\_\_\_  
Address 2920 E. ST MARY, WICHITA, KANSAS 67207  
Telephone 686 - 0699

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this 19th day of September, 1978.

MARGARET E. SIMMONS  
STATE NOTARY PUBLIC  
Sedgwick County, Kansas  
My Appl. Exp. Sept. 15, 1982  
My Commission expires \_\_\_\_\_

*Margaret E. Simmons*  
Notary Public

PETITION SUPPORT INFORMATION

The undersigned hereby represents:

1. That the public improvements are in the public interest for the following reasons: Submain sewer stopped at NE corner L.81, R.3, Cedar Lakes 4th addition. It is necessary to install a lateral sewer line from this point S. approx. 400 ft. approx. 1200 ft. to serve both CHERRY CREEK ADDITION and CEDAR LAKE VILLAGE THIRD ADDITION. Both of these plats have been approved by this and are recommended for final approval of city commissioners. All residential lots in both CHERRY CREEK HILLS FIRST & SECOND ADDITIONS have been sold and development either completed or in process. At the present time I do not believe there are any residential building sites available to builders in this area which serves CEDAR LAKE - BEECH - FERGUSON & LONIC where there is a critical shortage in housing.

2. That EDWIN S. LEVITT, UNDERSIGNED, is owner of record of CHERRY CREEK HILLS THIRD ADDITION (Telephone 666-6699) is the owner(s) of record of the subdivision, and that EDWIN S. LEVITT (Telephone 666-6699) is authorized to represent the owner(s).

3. That it is intended that the subdivision will be developed in accordance with the following schedule and manner: As soon as lateral sewer is installed in Part of Block Three (Project #5) and Part of Block Four (Project #6) in CEDAR LAKE VILLAGE THIRD ADDITION, construction will commence on Lots 10 - 34 & 35, S. 2, CHERRY CREEK HILLS SECOND ADDITION and Lots 1-2-3-4-5-6-7-8 & 9, Block 3 & Lots 13-14-15 & 16, Block 5, in CHERRY CREEK HILLS. Sewer, water and gas lines have already been installed that will service these lots. Construction will commence on balance of lots as soon as utilities are installed.

(type of construction, i. e., residential, commercial, industrial) units having a total estimated construction (sales) cost of \$4,000,000.00 are to be constructed in accordance with the following timetable: THIRD ADDITION TO CHERRY CREEK HILLS consists of 61 building sites - (69 single family & 12 two family) Price range varies on single family from \$5,000.00 to \$65,000.00 and two family approximately \$10,000.00 to \$15,000.00. Additional land to the south of this addition is owned by Estate of Mr. Levitt and has Preliminary plat approval for development. This consists of 63 building sites.

I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief:

Applicant Edwin S. Levitt EDWIN S. LEVITT  
Owner of Record ROBERTA BRIDGEMAN & LEO E. LEVITT, CO-EXECUTORS OF ESTATE OF WILLIAM LEVITT, DECEASED.  
Developer EDWIN S. LEVITT

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this 19th day of September, 1978.

MARGARET E. SIMMONS  
STATE NOTARY PUBLIC  
Sedgwick County, Kansas  
My Appt. Exp. Sept. 15, 1982

Margaret E. Simmons  
Notary Public

My Commission expires \_\_\_\_\_



DEPARTMENTAL REVIEW FOR FEASIBILITY

WATER MAIN EXTENSION FEASIBILITY

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ENGINEERING FEASIBILITY

Logical extension of public improvements. No unusual technical or engineering problems.

*W. J. [unclear]*  
City Engineer

PLANNING FEASIBILITY

Lots 3 & 4, sec 1 Hedgcliff addn are quite unusual in size & shape. Depending on how the layout district is structured, & how regulations in determination, especially on these lots could go on or not. See attached plat. Development in Cherry Hills 3<sup>rd</sup> limited on lots 27-30 sch. 4 & lots 1-4 sch. 6 until drainage in Hedgcliff is built.

*[Signature]*

FINANCIAL FEASIBILITY

Streets and water have been completed in this area. In addition approximately 50% of the lots have some construction. ~~with~~ The cost of the project \$24,000 ÷ 81 lots computed to approximately \$2600 per lot.

*[Signature]*

DEPARTMENT APPROVAL

APPROVED BY:

DATE:

*James D. Wagner* 11/27/78  
Director of Water & Water Pollution Control

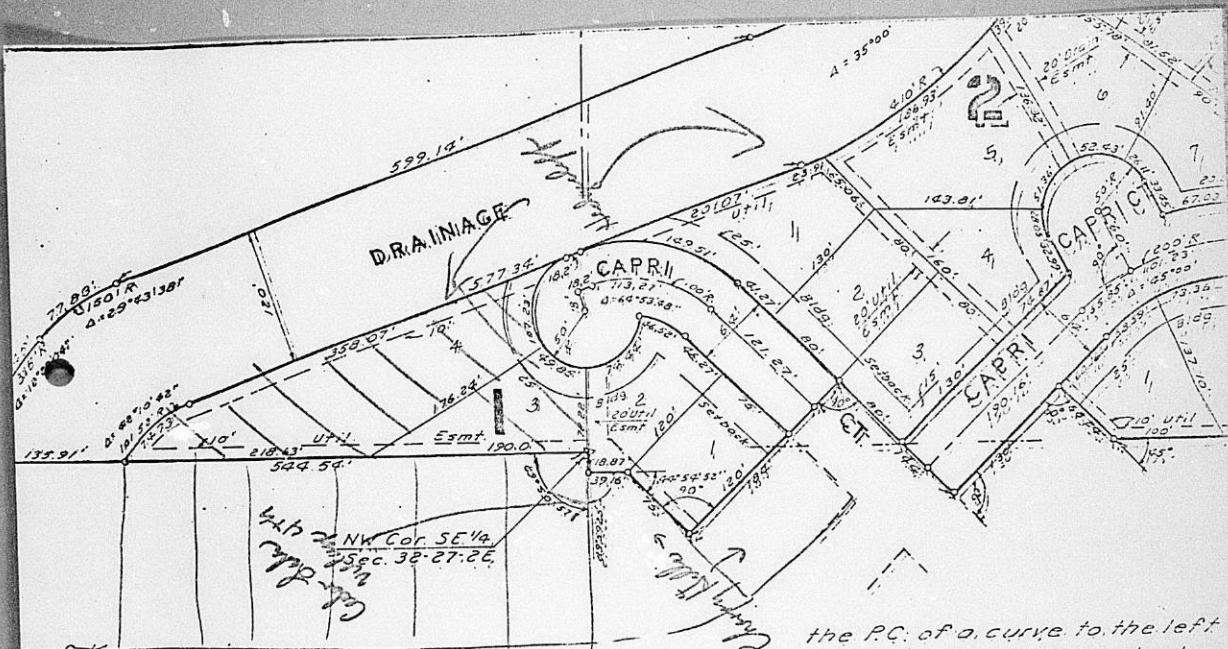
*RW Bruggeman* 10-30-78  
Director of Public Works

*Ralph G. Smith* 10-31-78  
Director of Planning

*L. S. [unclear]* 11/7/78  
Director of Administration

NOTE: If not approved, please direct memo of explanation to the Office of the City Manager with a copy to the Director of Economic Development





e of Kansas } S.S. We, Baughman Company, Surveyors,  
 w. County } presaid county, and state, do hereby certify that  
 ave surveyed and plotted "HEDGECLIFF ADDITION,"  
 to, Kansas, and that the accompanying plat is a  
 and correct exhibit of the property surveyed  
 1/4, the SE 1/4 and the NE 1/4  
 section 32, T 27 S, R 2 E, Wichita, Sedgwick County,  
 as, beginning at the southeast corner of  
 southeast quarter of said Section 32  
 S, R 2 E; thence northerly, along said west line,  
 0 feet; thence northeasterly, with a deflection  
 to the right of 57°54'59", 36.40 feet; thence north-  
 easterly, with a deflection angle to the left of 91°

the P.C. of a curve to the left  
 290.00 feet and a central angle  
 southeasterly, along said curve  
 P.T. of said curve; thence sou-  
 to said curve, 351.91 feet to  
 the right having a radius of 25  
 angle of 54°53'48"; thence south-  
 curve, 249.11 feet to the P.T. of  
 southerly, along the tangent  
 feet to the P.C. of a curve to  
 radius of 190.00 feet and a c  
 45°00'; thence southeasterly  
 149.23 feet to the P.T. of said  
 easterly, along the tangent

November 30, 1978

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

✓ Z-1806 - Zone change from "AA"&"LC" to "R-5","BB"&"LC"; and  
S/D 77-11 - Hedgecliff Addition

At the regular meeting of the Board of City Commissioners on June 29, 1976, the above captioned request for zone change was considered and approved, subject to platting, and the City Clerk was instructed to withhold publication of the ordinance effectuating the zone change until such time as the plat had been recorded. The associated plat was approved by the Board of City Commissioners on October 24, 1978.

This is to advise you that the final plat of Hedgecliff Addition was recorded with the Register of Deeds on November 8, 1978 and, therefore, the ordinance effectuating the zone change may now be published.

Jack H. Galbraith  
Chief Planner

JHG:e1

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 77-11                      Name HEDGECLIFF ADDITION  
Application & Sketch Filed: 1-17-77  
Preliminary Plat Filed: 1-17-77    Approved by S/D: 1-27-77  
Final Plat Filed: 2-28-77    Approved by S/D: 3-10-77  
Approved by Metropolitan Area Planning Commission: 10-12-78

DESCRIPTION

General Location: Northwest corner of Pawnee and Webb Road.

Surveyor or Engineer: Baughman Company  
Owner: Fidelity Investment, et al  
Address: 229 S. Market, Wichita, Ks. 67202

- |   |                                      |
|---|--------------------------------------|
| 1. Gross Acreage of Plat <u>60</u>  | 6. Access Control Not required       |
| 2. Number of Lots:  | St. _____ No. Openings _____         |
| Residential <u>76</u>   | St. _____ No. Openings _____         |
| Commercial _____  | St. _____ No. Openings _____         |
| Industrial _____  | 7. Req'd Improvements                |
| Other _____   | St. Paving Req'd.      Water Req'd.  |
| Total Number of Lots: <u>76</u>   | Sidewalk Req'd.      Drainage Req'd. |
| 3. Minimum Lot Area: <u>0.20</u> Acres  | Sewer Req'd.      Other <u>NONE</u>  |
| 4. Existing Zoning <u>"AA"</u>  |                                      |
| 5. Special Problems Discussed <u>A Valid water petition was approved by the City Commission on November 11, 1977.</u> |                                      |

Valid petitions have been submitted guaranteeing the extension of sanitary sewer to serve each lot, paving of all streets and installation of storm water sewer. An irrevocable letter of credit has been submitted guaranteeing drainage channel improvements. A certificate has been submitted certifying the petitions. A sidewalk acknowledgement has been submitted acknowledging that sidewalks are required on all streets.

Planning Commission Recommendation:

That this plat be approved subject to:

- A. The applicant shall obtain by separate instrument the dedication of the additional drainage channel right-of-way from the landowner to the west
- B. The applicant shall submit an avigational easement and construction easement covering subject property.
- C. Recording of the plat within 30 days after approval by the Board of City Commissioners. Savina moved and Bell seconded and it carried unanimously.

NOTE: The associated cases Z-1806, "AA"&"LC" to "R-5", "BB"&"LC" and DP-77, Residential and Commercial C.U.P. have been approved by the Board of City Commissioners subject to platting.

ACTION: Receive and file the irrevocable letter of credit, accept the drainage channel dedication, avigational easement, construction covenant and sidewalk acknowledgement, and approve the petitions and instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the certificate, easement, covenant, acknowledgement and dedication 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.

CERTIFICATE

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

I, Fidelity Investment Company & Kessler Bros., Inc., owner of  
(give name of proposed plat, if appropriate) \_\_\_\_\_

\_\_\_\_\_ HEDGECLIFF ADDITION \_\_\_\_\_

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

1. water
2. sanitary sewers
3. street paving
4. storm sewers
- 5.
- 6.
- 7.

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

Signed this 21st day of September, 1978.

FIDELITY INVESTMENT COMPANY

By: Ivan P. Salver

Ivan P. Salver, President  
KESSELER BROS., INC.

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

BY: Frank M. Kessler  
Frank M. Kessler, President

Be it remembered that on this 21st day of September,  
1978, before me, a notary public in and for said County and State,  
came Ivan P. Salver and Frank M. Kessler, 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.

Shirley R. McColm  
Notary Public Shirley R. McColm

My Commission Expires:  
October 17, 1981

T9-207

ACKNOWLEDGEMENT

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

I, Fidelity Investment Company & Kessler Bros., Inc., owner of  
(give name of proposed plat, if appropriate) \_\_\_\_\_

HEDGECLIFF ADDITION

do hereby acknowledge that in accordance with the sidewalk policy of the City of Wichita, construction of sidewalks is required on the following streets within the addition:

1. Both sides of all streets
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

This is to place on notice all owners of lots and subsequent owners thereof within said addition that as a result of the above cited policy, said owners and subsequent owners thereof are responsible for seeing that sidewalks are installed or guaranteed by cash or other acceptable financial means as a precondition of the issuance of a building permit for all development occurring on lots or portions there of within \_\_\_\_\_

Hedgecliff Addition.

Signed this 21st day of September, 1978.

FIDELITY INVESTMENT COMPANY

By: Ivan P. Salver  
Ivan P. Salver, President  
KESSLER-BROS., INC.

By: Frank M. Kessler  
Frank M. Kessler, President

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

Be it remembered that on this 21st day of September, 1978, before me, a notary public in and for said County and State, came Ivan P. Salver & Frank M. Kessler, 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.

Shirley R. McCole  
Notary Public Shirley R. McCole

My Commission Expires: 10-17-81

IRREVOCABLE LETTER OF CREDIT

FIDELITY INVESTMENT COMPANY

(Name of bank)

Date: September 25, 1978

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 63,500.00 for the account of Kessler Bros., Inc. and Fidelity Investment Company (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before September 25, 1980  
(Insert date two years from MAPC approval of plat)

1. Drainage channel improvements on the east side of said addition.
- 2.
- 3.

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

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

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

All drafts drawn hereunder must be marked: "Drawn under Fidelity Investment Company, Credit No. 114, dated September 25, 1978  
(Name of bank)

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

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

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before November 25, 1980.

Very truly yours,

FIDELITY INVESTMENT COMPANY  
(Name of bank)

By: Ivan P. Salver  
(Authorized signature)  
Ivan P. Salver, President



RESTRICTIVE COVENANT

RESTRICTIVE COVENANT AFFECTING Hedgecliff ADDITION

THIS DECLARATION made this 21st day of September by Fidelity Investment Company & Kessler Bros., Inc, hereinafter called the Grantor.

WITNESSETH

WHEREAS, Grantor is owner of Hedgecliff Addition to Wichita, Kansas, which property is located near McConnell Air Force Base and is accordingly subject to considerable noise from the operation of aircraft, and

WHEREAS, the City of Wichita in connection with approval of the plat of said addition considers it to be in the public interest to require any buildings constructed on said addition to be designed and constructed giving proper consideration to noise pollution in the area:

NOW THEREFORE, Grantor, hereby declares that Hedgecliff Addition, shall be and the same is subjected to the following restrictive covenant, to-wit:

Any building constructed on the premises shall be so designed and constructed as to minimize noise pollution in any such structure, giving due consideration to the use for which such structure is designed and built. This covenant is for the benefit of said property and shall run with the land and shall inure to the benefit of and pass with said property and shall apply to and bind the successors in interest and any owner thereof.

EXECUTED the day and year first above written.

FIDELITY INVESTMENT COMPANY

By: Ivan P. Salyer

Ivan P. Salyer, President

KESSLER BROS., INC.

BY: Frank M. Kessler

Frank M. Kessler, President

STATE OF KANSAS)  
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid Ivan P. Salyer and Frank M. Kessler

to me personally known to be the same persons who executed the foregoing instrument of writing and said persons duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this 21st day of September, 1978.

Shirley R. McColm  
Notary Public  
Shirley R. McColm

(My Commission expires 10-17-81)

AVIGATIONAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That for a good and valuable consideration, the receipt of which is hereby acknowledged, that Fidelity Investment Company and Kessler Bros., Inc.

\_\_\_\_\_ does hereby grant a permanent Avigational Easement to the public authority authorized by law to own and operate public-owned airports in Sedgwick County, Kansas, for the use of "Navigable Airspace" as defined by the Federal Aviation Act of 1958, over all of the following described real estate, to-wit:

Hedgecliff Subdivision

By virtue of this easement, the grantor, for and on behalf of himself and all successors in interest to any and all of the real property above described, waives as to the public authority only any and all claims for damage of any kind whatsoever incurred as a result of aircraft using the "Navigable Airspace" granted herein. This easement does not grant or convey any surface use rights, nor is it to be construed to grant any right to private persons or corporations.

"Navigable Airspace" means air space above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, Section 101 (24) 49 U. S. Code 1301, and shall include air space needed to insure safety in take-off and landing of aircraft.

To have and to hold said easement forever.

IN WITNESS WHEREOF: The grantor \_\_\_\_\_ has \_\_\_\_\_ signed these presents the day and year first written.

FIDELITY INVESTMENT COMPANY

By: Ivan P. Salver  
Ivan P. Salver, President  
KESSLER BROS., INC.

By: Frank M. Kessler  
Frank M. Kessler, President

STATE OF KANSAS)  
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid Ivan P. Salver and Frank M. Kessler

to me personally known to be the same persons \_\_\_\_\_ who executed the foregoing instrument of writing and said persons \_\_\_\_\_ duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this 21st day of September, 1978.

Shirley R. McColm  
Notary Public  
Shirley R. McColm

(My Commission expires 10-17-81)

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby

acknowledged, the undersigned, Rosalie Kreitzer, Co-Executor and

David W. Goldschmidt, Co-Executor of the Estate of William Levitt, Deceased

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

Beginning at the S.E. Corner of the SW $\frac{1}{4}$  of Sec. 32, Twp. 27-S, R-2-E, Sedgwick County, Kansas; thence westerly, along the south line of said SW $\frac{1}{4}$ , 90 feet; thence northerly, parallel with the east line of said SW $\frac{1}{4}$ , 576.96 feet; thence north-easterly, with a deflection angle to the right of 57° 54' 59", 107.95 feet to the east line of said SW $\frac{1}{4}$ ; thence southerly, along said east line, 637 feet to the point of beginning.

do hereby dedicate the above described real estate to the public for

Drainage purposes.

Executed this 12th day of October 1978.

Rosalie Kreitzer, Co-Executor and David W. Goldschmidt, Co-Executor of the Estate of William Levitt, Deceased

Rosalie Kreitzer  
Rosalie Kreitzer, Co-Executor

David W. Goldschmidt  
David W. Goldschmidt, Co-Executor

STATE OF KANSAS )  
SEDGWICK COUNTY ) ss

BE IT REMEMBERED, that on this 12th day of October 1978,

came Rosalie Kreitzer, Co-Executor and David W. Goldschmidt, Co-Executor

to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

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

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,

this \_\_\_\_\_,

\_\_\_\_\_  
City Clerk

Edythe F. Flynn

Notary Public

Edythe F. Flynn

My Commission Expires: \_\_\_\_\_  
March 24, 1979



ACCEPTED BY B.C.C. 10-24-78

MICROFILMED

FROM THE BEST

AVAILABLE COPY

October 12, 1978

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 77-11 Final plat of Hedgecliff Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on October 12, 1978, the above-captioned plat was re-considered in order to obtain more current approval dates and signatures. The action of the Planning Commission was to approve the plat as recommended by the Subdivision Committee on March 10, 1977, except for items "A" and "L". Item "A" regarding sidewalks was revised as follows:

A. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.

Item "L" was added to the conditions of approval as follows:

L. The applicant shall obtain by separate instrument the balance of the drainage dedication.

This plat will be forwarded to the Board of City Commissioners for their consideration as soon as all conditions of plat approval have been completed.

Please call if you have any questions.

Sincerely yours,

Jack H. Galbraith  
Chief Planner  
JHG:LO:bh

cc: Fidelity Investment, c/o Marvin Bastian, 229 S. Market 67  
Kessler Bros., Inc., c/o Frank Kessler, 1904 Southwest B  
67213

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.

*Rob 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.

Copyright, 1966 - American Land Title Association

SCHEDULE A

Number

269239

Effective Date

September 26, 1978 @ 7:00 A.M.

1. Owners Policy to be issued:

ALTA Form B - 1970  
(Amended 10-17-70)

Amount: Unknown

Proposed Insured:

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:

See added page attached hereto (A-1)

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

See added page attached hereto (A-2)

ADDED PAGE

(Schedule A-1 continued)

FORM 3147R-4-67

Policy Number \_\_\_\_\_  
Owners

Policy Number \_\_\_\_\_  
Loan

Rosalie Kreitzer and David W. Goldschmidt, Co-Executors of the Estate of William Levitt, Deceased, as to that portion of captioned property lying in the Northeast Quarter and the Southwest Quarter of Section 32, Township 27 South, Range 2 East.

The Fidelity Investment Co. & Kessler Bros., Inc. each with an undivided half interest, as to that portion of captioned property lying in the Southeast Quarter of Section 32, Township 27 South, Range 2 East.

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

(Schedule A-2 continued)

Policy Number \_\_\_\_\_ Owners \_\_\_\_\_

Policy Number \_\_\_\_\_ Loan \_\_\_\_\_

Part of the Southwest Quarter, the Southeast Quarter and the Northeast Quarter of Section 32, Township 27 South, Range 2 East of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas, beginning at the Southeast corner of the Southeast Quarter of said Section 32, Township 27 South, Range 2 East; thence Northerly along said west line, 637.00 feet; thence Northeasterly with a deflection angle to the right of  $57^{\circ}54'59''$ , 36.40 feet; thence Northwesterly with a deflection angle to the left of  $91^{\circ}24'11''$ , 154.86 feet; thence Northeasterly with a deflection angle to the right of  $90^{\circ}00'$ , 135.98 feet; thence Northwesterly with a deflection angle to the left of  $90^{\circ}00'$ , 184.00 feet; thence Northeasterly with a deflection angle to the right of  $90^{\circ}00'$ , 51.21 feet to a point on the west line of said Southeast Quarter; thence Northerly along said West line, 1152.03 feet; thence Northeasterly with a deflection angle to the right of  $45^{\circ}00'$ , 68.24 feet; thence Northwesterly with a deflection angle to the left of  $90^{\circ}00'$ , 130.00 feet; thence Northeasterly with a deflection angle to the right of  $90^{\circ}00'$ , 144.00 feet; thence Northwesterly with a deflection angle to the left of  $90^{\circ}00'$ , 184.00 feet; thence Northeasterly with a deflection angle to the right of  $90^{\circ}00'$ , 75.00 feet; thence Northerly with a deflection angle to the left of  $44^{\circ}54'52''$ , 39.16 feet to a point on the North line of said Southwest Quarter; thence Easterly, along said North line 18.87 feet to the Northeast corner of said Southwest Quarter; thence Northerly along the West line of said Northeast Quarter, 544.54 feet; thence Southeasterly with a deflection angle to the right of  $118^{\circ}00'$ , 60.09 feet; thence along a curve to the right with a radius of 315 feet, a central angle of  $15^{\circ}01'58''$ , an arc distance of 82.65 feet and a long chord of 82.41 feet deflecting  $7^{\circ}30'59''$  to the right, thence along a curve to the right with a radius of 214.10 feet, a central angle of  $20^{\circ}03'04''$ , an arc distance of 74.93 feet and a long chord of 74.54 feet deflecting  $10^{\circ}01'32''$  to the right; thence Southeasterly, tangent to said curve, 587.64 feet to P.C. of a curve to the left having a radius of 290.00 feet and a central angle of  $35^{\circ}00'$ ; thence Southeasterly along said curve, 177.15 feet to the P.T. of said curve; thence Southeasterly, tangent to said curve, 351.91 feet to the P.C. of a curve to the right having a radius of 260.00 feet and a central angle of  $54^{\circ}53'48''$ ; thence Southeasterly along said curve, 249.11 feet to the P.T. of said curve; thence Southerly along the tangent of said curve 527.57 feet to the P.C. of a curve to the left having a radius of 190.00 feet and a central angle of  $45^{\circ}00'$ ; thence Southeasterly along said curve, 149.23 feet to the P.T. of said curve; thence Southeasterly along the tangent of said curve, 220.73 feet; thence Southwesterly with a deflection angle to the right of  $102^{\circ}54'59''$ , 1175.64 feet to the P.C. of a curve to the left having a radius of 131.51 feet and a central angle of  $57^{\circ}54'59''$ ; thence Southwesterly along said curve, 132.93 feet to the P.T. of said curve; thence Southerly parallel with the West line of said Southeast Quarter, 402.50 feet to the South line of said Southeast Quarter; thence Westerly along said South line, 15 feet to the point of beginning.

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the deeds and/or mortgages, the form and execution of which is satisfactory to the Company, 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): Year 1977 taxes \$10,138.31 paid. Key #C-157-UP, C-190-UP & C-197-UP (assessed with other property)
9. Right of Way Easement to Kansas Gas & Electric Company for transmission line over the SW $\frac{1}{4}$  of 32-27-2E - center of pole line to be located not more than 5 feet South of North property line, as created by instrument filed February 4, 1942, in Book Misc. 160, Page 514.
10. Easement to The City of Wichita for sewer over the North 20 feet of the East 1260 feet of the SW $\frac{1}{4}$  of 32-27-2E, as created by instrument filed December 23, 1974, on Film 126, Page 977.
11. Temporary Turnaround Easement to the City of Wichita, Beg at the SE/cor Lot 35, Block 3, Second Addition to Cherry Creek Hills, thence SEly along the Easterly line of said Addition, 64 feet; thence Easterly, Northerly and Westerly along a curve to the left having a radius of 50 feet to beg, as created by instrument filed July 25, 1975, on Film 150, Page 1586.
12. Easement to Kansas Gas & Electric Company for transmission lines along the North line of the SE $\frac{1}{4}$  of 32-27-2E to be centered not more than 5 feet South of the North property line, as created by instrument filed January 27, 1942, in Book Misc. 160, Page 484.
13. Easement to W. G. Rule for a pipeline over the SE $\frac{1}{4}$  of 32-27-2E, as created by instrument filed July 11, 1927, in Book Misc. 42, Page 92, and assigned to Cities Service Gas Company. Said pipeline was confined to a strip 66 feet in width the center line is described as beginning at a point on the West line approximately 637 feet North of the SW/cor SE $\frac{1}{4}$ , thence Northeasterly to a point on the East line SE $\frac{1}{4}$  approximately 3,008 feet South of the NE/cor of Sec. 32, as disclosed by Agreement filed May 4, 1967, in Book Misc. 599, Page 178.

ADDED PAGE

(Schedule B continued)

FORM 3147R-4-67

Policy Number \_\_\_\_\_  
Owners

Policy Number \_\_\_\_\_  
Loan

14. Rights of the public over the South 40 feet of captioned property for road, as disclosed by instrument filed August 24, 1953, in Book Misc. 308, Page 475.
15. It is noted for informational purposes only, and not as an exception to title which will appear in our policy, that captioned property may become subject to special assessments for various capital improvements as evidenced by numerous governmental filings of notice in the form of Certificates, Resolutions, Amended Resolutions and Ordinances.

MICROFILMED  
FROM THE BEST

July 7, 1978

E. H. Denton, City Manager

Jack H. Galbraith, Chief Planner

Zone Case Z-1806, "AA" and "LC" to "R-5", "BB" and "LC" and associated plat S/D 77-11, Hedgecliff Addition. Request for extension of platting time.

We are in receipt of a copy of a letter to you from H. Marvin Bastian, Chairman, Board of Directors of the Fidelity Investment Company, requesting a one year extension of the platting time limit of the above referred to zone case.

Our files indicate that this is a first request for platting extension on the zone case Z-1806, which was approved by the Board of City Commissioners on June 29, 1976, subject to platting within 2 years time. The associated final plat of Hedgecliff Addition has also been approved by the Planning Commission subject to several conditions, most of which have now been complied with. We would, therefore, recommend a 90 day extension of the platting time be granted, which we feel allows more than enough time to complete the plat. The new plat completion date would then be August 28, 1978. As this is a first request for platting time extension, in accordance with MAPC Policy Statement No. 5, the City Manager may grant the extension without formal action by the governing body.

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

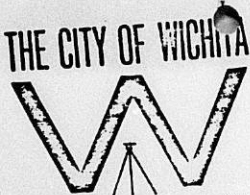
\_\_\_\_\_  
Jack H. Galbraith  
Chief Planner

\_\_\_\_\_  
Robert A. Lakin  
Director of Planning

RAL:JHG:CLN:et

cc:

H. Marvin Bastian, Fidelity Investment Co., 229 South Market,  
Wichita, Kansas 67202



DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY HALL — SEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

April 24, 1978

Dear Citizen:

Subject: Storm Water Sewer to serve part of 2nd Addition to Cherry Creek Hills, 3rd Addition to Cherry Creek Hills & Hedgecliff Addition (north of Pawnee and east of Flynn).

With reference to subject project you were notified that the storm water sewer to serve part of Cherry Creek Hills 2nd Addition, Cherry Creek Hills 3rd Addition and Hedgecliff Addition would be considered by the City Commission on April 25, 1978.

Due to the developers not fulfilling all of the platting requirements, this item will be rescheduled at a later date and you will be renotified at that time.

If there are further questions, please contact this office.

Very truly yours,

D. R. Brewer, Jr.  
R/W & Estimating Engineer

DRB/dla

cc: Curtis Newby, Planning Department



April 25, 1978

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 77-11, Hedgecliff Addition-Storm Sewer Petition

Gentlemen:

This is to advise you that the storm sewer petition associated with the above referred to plat was to be scheduled for consideration by the City Commission on April 25, 1978, and notices were sent to effected property owners advising them of that hearing date.

However, since the plat has not been submitted so that it can be considered with the petition, the storm sewer petition has been removed from the April 25th agenda. At such time as the plat has been submitted, the storm sewer petition will be rescheduled. However, again, 2 weeks advance notice will have to be given the effected property owners. So, please keep this in mind when submitting the plat for scheduling on the City Commission agenda.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:et

cc:

Fidelity Investment Co., Attn: Marvin Bastain, 229 South Market,  
Wichita, Kansas 67202  
Dick Linn, City Engineer  
Bill Otten, Water Department

MICROFILMED

FROM THE BEST

AVAILABLE COPY

THE CITY OF WICHITA  
OFFICE OF WATER DEPARTMENT

DATE October 24, 1977



TO Jack H. Galbraith, Chief Planner  
FROM Bill H. Otten, Chief Engineer-Water Engineering

SUBJECT THE HEDGECLIFF ADDITION

The plattors of The Hedgecliff Addition have submitted a valid 100% petition for a water benefit district to serve this plat. Our requirements for water service to this area have been fulfilled. The petition and resolutions will be placed on the City Commission Agenda for approval on or about November 1, 1977.

*petitions  
were  
approved  
11-1-77*

*Bill H. Otten*

Bill H. Otten  
Chief Engineer-Water Engineering

BHO:sd

cc: John D. Wynkoop, Director of Water

THE CITY OF WICHITA

OFFICE OF ENGINEERING

DATE April 15, 1977

TO Curtis Newby, Planning Dept.  
FROM D. R. Brewer, Jr., R/W & Estimating Engr.

SUBJECT HEDGECLIFF ADDITION

The following information was furnished to the Engineering Division by Mr. M. S. Mitchell, Flood Control, this date.

Channel Excavation - subject plat 31,385  
C.Y.

Loose fill - subject plat for Channel 10,568 C.Y.

The plattor has indicated he will file a letter of credit or bond for the channel improvement. The amount estimated is \$63,500.00.

*D. R. Brewer, Jr.*  
D. R. Brewer, Jr., R/W  
& Estimating Engr.

DRB/mrc

cc: M. S. Mitchell



MICROFILMED  
FROM ELECT

FIDELITY INVESTMENT COMPANY  
AN AFFILIATE OF FIDELITY SAVINGS



229 SOUTH MARKET ■ WICHITA, KANSAS 67202 ■ (316) 267-2881  
Branch Office — 3100 Gage, Topeka, Kansas 66614, (913) 273-2887

April 7, 1977



Mr. Jack H. Galbraith  
Chief Planner  
Metropolitan Area Planning  
Commission  
455 No. Main, 10th Floor  
Wichita, Kansas 67202

Re: S/D 77-11 - Final Plat of  
Hedgecliff Addition

Dear Mr. Galbraith:

Enclosed you will find a letter from Cities Service Gas Company relating to their recommended set-back requirements in connection with the pipeline which transverses this property.

Yours very truly,

Ivan P. Salyer  
President

IPS:sm  
Enclosure

cc: Baughman & Co.  
Mr. Dean Sellers, Assistant City Engineer  
Mr. Frank Kessler

H. MARVIN BASTIAN  
Chairman of the Board  
IVAN P. SALYER  
President  
FRED MUENCHRATH  
Senior Vice President  
DAVID B. OSBURN  
Vice President  
DONALD L. DAY  
Comptroller and Treasurer  
HUGH H. McCLEURE  
Secretary  
CLARENCE J. GAMM  
Asst. Vice President  
RON IVAN AALST  
Asst. Vice President, Topeka Division  
RICHARD B. STRIBLING  
Asst. Secretary  
FRANK L. SCOTT  
Asst. Secretary, Topeka Division



FHA GI CONVENTIONAL COMMERCIAL FARM LOANS AND PROPERTY MANAGEMENT

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY



CITIES SERVICE GAS COMPANY

FIRST NATIONAL CENTER · OKLAHOMA CITY, OKLAHOMA  
PHONE (405) 236-0601

REPLY TO  
POST OFFICE BOX 25120  
OKLAHOMA CITY, 73125

April 5, 1977

RECEIVED

APR-6 1977

FIDELITY INVESTMENT CO.

Mr. Ivan P. Salyer, President  
Fidelity Investment Company  
229 South Market  
Wichita, Kansas 67202

Dear Mr. Salyer:

This letter is in response to your letter of March 21, 1977, regarding a minimum building setback across the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 32, Township 27 South, Range 2 East, Sedgwick County, Kansas.

The easement covering the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section 32, is a Blanket Easement. The Company is willing to limit this easement to allow a minimum building setback of 50-feet from the center of the pipeline on each side of the pipeline. This no-building restriction shall not prohibit the building of necessary streets, alleyways, driveways, sewer lines, and water lines across the 100-foot strip, provided Cities Service Gas Company, its successors and assigns shall not be held liable to the owner, their heirs, successors and assigns for any damage caused to such facilities constructed across the 100-foot strip in exercising the rights granted in the original easement and provided further that, if in the judgment of the Company the construction of such permitted facilities across the 100-foot strip requires that the pipeline be altered, lowered, encased or otherwise protected, the entire cost of such protective measures shall be borne fully by Owner, their heirs, successors and assigns.

In regard to the Cathodic Rectifier Easement which is now located along the north edge of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section 32 and where you propose to construct Mt. Vernon Street, in order for the street to be constructed, it will be necessary that the cathodic rectifier be moved to another location. The Company is willing to move the cathodic rectifier if the Owners of the property are willing to reimburse the Company for whatever expenses are involved in the relocation of the cathodic rectifier and ground bed. It is now estimated at \$6,000.00.

If you have any questions, please call.

Very truly yours,

*Carl J. Coetter*  
Carl J. Coetter  
Manager  
Gas Pipeline Department

CJC:ph

MICROFILMED  
FROM THE BEST

March 18, 1977

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 77-11 - Final plat of  
HEDGECLIFF ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on March 17, 1977, the above-captioned plat was considered. The action of the Planning Commission was to approve Condition A as recommended by the Subdivision Committee and they urged that the Board of City Commissioners determine their sidewalk policy as soon as possible, and that the plat be approved subject to the conditions as listed in our letter of March 14, 1977.

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.
2. <sup>9-20-78</sup> Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Submission of a title report by an abstract or title insurance company, or an attorney's opinion that fee title is vested in the plattor.
4. Certification that all taxes due and payable for 1976 and prior years have been paid.

Please call if you have any questions.

Sincerely yours,

JHG:bh

Jack H. Galbraith  
Chief Planner

Baughman Company  
March 18, 1977

cc: Fidelity Investment, c/o Marvin Bastain, 229 S. Market, 67202  
Mr. Frank Kessler, 1904 S.W. Blvd., 67213  
Dean Sellers, Assistant City Engineer

MICROFILMED

FROM THE BEST

March 14, 1977

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 77-11 - Final plat of  
HEDGECLIFF ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 10, 1977, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

*acknowledgment  
filed  
9-25-78*

A. The Subdivision Committee recommends that the guarantee for construction of sidewalks adjacent to all streets not be required on this plat.

*San Brewers memo*  
"An overall drainage plan for both the residential, office and commercial areas shall be submitted to the Flood Control Office."

*petition for  
3-30-78*

The applicant shall guarantee all drainage improvements associated with the plat. *letter of credit for channel improvements*

*50' either side of the G*  
The applicant shall obtain and submit to the Planning Department, a letter from the Cities Service Company indicating that the easement shown for their 18-inch pipeline is acceptable to them and specifying what minimum building setbacks from the line they recommend for any habitable structures.

E. Any raising, lowering, encasement or relocation of the Cities Service pipeline necessitated by this plat shall be at the sole expense of the applicant.

*petition  
3-30-78*

The applicant shall guarantee the paving of all streets.

*petition  
3-30-78*

The applicant shall guarantee the installation of sanitary sewer to serve all lots being platted.

MICROFILMED

FROM THE BEST

AVAILABLE COPY

S/D 77-11  
March 14, 1977  
Page 2

*see memo from Otter*  
H. The applicant shall guarantee the installation of city water to serve all lots being platted.

I. It is recommended that Cherry Creek Drive be designated as a "collector" street.

9-25-78  
J. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in any habitable structures constructed on subject property.

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

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 17, 1977, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Encl.

cc: Fidelity Investment, c/o Marvin Bastain, 229 S. Market, 67202  
Mr. Frank Kessler, 1904 S. W. Blvd., 67213  
Dean Sellers, Assistant City Engineer

FINAL PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 77-11 Name HEDGECLIFF ADDITION  
Date Application Rec'd. 1-17-77 Preliminary Approval 1-27-77  
Scheduled S/D Meeting 3-10-77

DESCRIPTION

General Location Northwest corner of Pawnee and Webb Road

Owner Fidelity Investment & Kessler Bros., Inc.  
Surveyor/Engineer Baughman Company  
Address 330 Laura Phone 262-7271

- |   |                      |                                      |                 |
|---|----------------------|--------------------------------------|-----------------|
| 1. Gross Acreage of Plat                          | <u>60</u>            | 7. Lineal Feet of New Streets:       |                 |
| 2. Number of Lots:                                |                      | a. <u>    </u> R/W <u>    </u> ft.   |                 |
| Residential                                       | <u>76</u>            | b. <u>    </u> R/W <u>    </u> ft.   |                 |
| Commercial  | <u>    </u>          | c. <u>    </u> R/W <u>    </u> ft.   |                 |
| Industrial  | <u>    </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>76</u>            | TOTAL                                | <u>    </u> ft. |
| 3. Minimum Lot Frontage                           | <u>50</u> ft.        | 8. Sidewalk adjacent to all          |                 |
| 4. Minimum Lot Area                               | <u>4,000</u> sq. ft. | streets? <u>X</u> yes <u>    </u> no |                 |
| 5. Existing Zoning                                | <u>AA &amp; LC</u>   |                                      |                 |
| 6. Proposed Zoning                                | <u>R-5, BB, LC</u>   |                                      |                 |
| 9. Public Water Supply Yes (Yes-No), Name         | <u>    </u>          |                                      |                 |
| 10. Public Sanitary Sewers Yes (Yes-No), Name     | <u>    </u>          |                                      |                 |
| 11. Health Department Approval (where applicable) | <u>    </u>          | (Yes-No)                             |                 |
| 12. City of Wichita <u>X</u> : Three-Mile Area    | <u>    </u>          |                                      |                 |

STAFF COMMENTS:

- A. A condition of the approval of the preliminary plat was as follows:
- "An overall drainage plan for both the residential, office and commercial areas shall be submitted to, reviewed and approved by the Flood Control Office prior to submission of any final plats."
- If this has not been accomplished, it is recommended that this final plat be deferred until the drainage plan has been approved.
- B. The applicant shall guarantee all drainage improvements associated with the plat.
- C. The applicant shall obtain and submit to the Planning Department, a letter from the Cities Service Company indicating that the easement shown for their 18-inch pipeline is acceptable to them and specifying what minimum building setbacks from the line they recommend for any habitable structures.
- D. Any raising, lowering, encasement or relocation of the Cities Service pipeline necessitated by this plat shall be at the sole expense of the applicant.
- E. The applicant shall guarantee the paving of all streets.
- F. The applicant shall guarantee the installation of sanitary sewer to serve all lots being platted.
- G. The applicant shall guarantee the installation of city water to serve all lots being platted.
- H. It is recommended that Cherry Creek Drive be designated as a "collector" street.
- I. The applicant shall guarantee the construction of sidewalks adjacent to both sides of all streets including around the cul-de-sacs.

T9-303

(OVER)

- J. The applicant shall be advised that the sidewalk construction will be required with any building permits issued on subject property when the sidewalk requirement is a condition of plat approval.
- K. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in any habitable structures constructed on subject property.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

SCGD-Cons-5 (11/75)

RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND



MAILED TO:

Property Name Hedgecliff Addition

Location NW Corner of Pawnee and

Webb Road

Date 1-26-77

Name \_\_\_\_\_

Daughman Company  
Firm

Phone \_\_\_\_\_

Prepared by Larry L. Henry, District Conservationist  
USDA-Soil Conservation Service,  
4100 Maple, Wichita, Kansas 67209  
Phone: 943 9471

Requested by: Wichita-Sedgwick County Metropolitan  
Area Planning Commission

\*\*\*\*\*

A. SOIL TYPE:	30% Rosehill silty clay, 1 to 3% slopes	Class III
	30% Cline silty clay, 3 to 6% slopes	Class IV
	30% Irwin silty clay loam, 1 to 3% slopes	Class III
	10% Elandco silt loam, frequently flooded	Class V

B. SITUATION: This area has very severe wind and water erosion potential. This area must be protected at all times. These soils are tight, so special pre-cautions need to be taken in building houses and streets.

Conservation Starts When Construction Starts. A Ground Plan Outdoors Is As Important As A Floor Plan Inside.

C. EROSION CONTROL RECOMMENDATIONS: (The recommendations which apply to the above named property will be indicated by a checkmark.)

- 1. Disturb only the area needed for construction.
- 2. Remove only those trees, shrubs, and grasses that must be removed for construction; protect the rest to preserve their esthetic and erosion-control values.
- 3. Stockpile topsoil and protect it with anchored straw mulch or jute mat material.
- 4. Disturbing as small an area as possible, install streets, curbs, water mains, electric and telephone cables, storm drains, and sewers in advance of home or other building construction.
- 5. Install erosion and sediment control practices according to the Sedgwick County Conservation District standards and specifications.

\* CONTINUED \*

- X 6. Temporarily stabilize each segment of graded or otherwise disturbed land, including the sediment-control devices not otherwise stabilized, by seeding and mulching or by mulching alone. Permanently stabilize these areas as work on the land is completed. Both temporary and permanent stabilization practices are to be installed according to the Sedgwick County Conservation District standards and specifications.

The following are adapted perennial grasses and should be seeded at the following rates:

STANDARD RATES:

- Native bluestem mix, 3 pounds per 1,000 square feet
- Tall fescue, 3 pounds per 1,000 square feet
- Bromegrass, 3 pounds per 1,000 square feet

SPECIAL RATES: \_\_\_\_\_

Apply nitrogen fertilizer at the rates listed below or have the soil tested and apply fertilizer accordingly.

STANDARD RATES:

- Tall fescue, 2 pounds per 1,000 square feet
- Bromegrass, 2 pounds per 1,000 square feet

SPECIAL RATES: \_\_\_\_\_

Adapted perennial grasses for sodding are fescue, zoysia, and bluegrass.

- x 7. Loose-pile material that is excavated for building construction purposes. Keep it loose-piled until it is used for foundation backfill or until the lot is ready for final grading and permanent vegetation.
- X 8. Stabilize each lot within 60 days after work starts on home or other building construction.
- X 9. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
- \_\_\_\_ 10. Discharge water from outlet structures at non-erosive velocities.
- X 11. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316-943-9471.
- \_\_\_\_ 12. Divert foreign runoff water around area during construction.
- X 13. Remove all debris such as tree stumps, scrap lumber, mortar or concrete, and rocks. Do not bury them; wood will eventually rot and cause settling; rocks, mortar and concrete can cause real difficulties in lawn maintenance and later construction.
- \_\_\_\_ 14. OTHER \_\_\_\_\_

DISTRIBUTION: Original to Developer and/or Owner  
Copy to Metropolitan Area Planning Dept. Staff  
File Copy: Sedgwick County Conservation District

January 31, 1977

Baughman Company  
330 Laura  
Wichita, Kansas 67211

Re: S/D 77-11 - Preliminary plat  
of HEDGECLIFF ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 27, 1977, 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 obtain and submit by separate instrument, the dedication for the north half of Mt. Vernon from the west line of Webb Road to the west line of Cherry Creek Drive.
- B. An overall drainage plan for both the residential, office and commercial areas shall be submitted to, reviewed and approved by the Flood Control Office prior to submission of any final plats.
- C. The applicant shall guarantee all drainage improvements associated with the plat.
- D. As required by the associated C.U.P., the applicant shall guarantee the construction of the accel-decel lanes and major entrances along Pawnee and Webb Road for Lots A, C, D & E.
- E. As indicated on the associated C.U.P. all utilities including telephone and electric service shall be installed underground in the office and commercial areas as well as the residential areas.
- F. The applicant shall obtain and submit to the Planning Department, a letter from the Cities Service Company indicating that the easement shown for their 18-inch pipeline is acceptable to them and specifying what minimum building setbacks from the line they recommend for any habitable structures.

- G. Any raising, lowering, encasement or relocation of the Cities Service pipeline necessitated by this plat shall be at the sole expense of the applicant.
- H. The applicant shall guarantee the paving of all interior streets including Mt. Vernon.
- I. It is recommended that Cherry Creek Drive and Mt. Vernon be designated as "collector" streets.
- J. The applicant shall guarantee the installation of sanitary sewer to serve all lots being platted.
- K. The applicant shall guarantee the installation of city water to serve all lots being platted.
- L. The applicant shall guarantee the construction of sidewalks adjacent to both sides of all interior streets except for those streets in the patio homes area, and adjacent to the north side of Pawnee and the west side of Webb Road.
- M. As indicated on the associated C.U.P., the applicant shall submit a sidewalk plan for approval with the final plat of the patio homes area.
- N. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in any habitable structures constructed on subject property.
- O. As indicated on the associated C.U.P., the applicant shall submit a Homes Association agreement which provides for the construction and continued maintenance of all non-public common open space, park areas recreational facilities, etc., with each final plat on Lot A, Lot B, Lot C, if developed with apartments, and the patio homes area in the event these areas develop with owner occupied type dwelling units.
- P. As required in the approval of the associated zone case and C.U.P., all of the area within the preliminary plat is to be platted within two year's time.
- Q. Easements as indicated on the marked "Engineer's Copy" of the plat shall be shown on the final plat.
- R. The applicant's engineer shall contact M. S. Mitchell of the Flood Control Office relative to the location of the drainage dedication at the northwest corner of the plat. This dedication may need to be moved to the east several feet in order to align with the existing drainage system to the northwest.

S/D 77-11  
January 31, 1977  
Page 3

- S. The 15-foot access easement adjacent to the drainage dedication in the southwest corner of the plat shall continue along the west line of the plat to the southwest corner of the property.
- T. Requirement 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  
Encl.

cc: Fidelity Investment and Kessler Bros., Inc.  
Marvin Bastain  
229 S. Market, 67202

Frank Kessler  
1904 S. W. Blvd., 67213

Dean Sellers, Assistant City Engineer

PRELIMINARY PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 77-11 Name HEDGECLIFF ADDITION  
Date Application Rec'd. 1-17-77 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 1-27-77

DESCRIPTION

General Location Northwest corner of Pawnee and Webb Road

Owner Fidelity Investment & Kessler Bros. Inc.  
Surveyor/Engineer Baughman Company  
Address 330 Laura Phone 262-7271

- |  |                      |   |                   |
|--|----------------------|---|-------------------|
| 1. Gross Acreage of Plat   | <u>161.5</u>         | 7. Lineal Feet of New Streets:                            |                   |
| 2. Number of Lots:   |                      | a. <u>40</u> R/W <u>1850</u> ft.                          |                   |
| Residential  | <u>232</u>           | b. <u>64</u> R/W <u>7730</u> ft.                          |                   |
| Commercial   | <u>3</u>             | c. <u>70</u> R/W <u>4,000</u> ft.                         |                   |
| Industrial   |                      | d. _____ R/W _____ ft.                                    |                   |
| Other  |                      | e. _____ R/W _____ ft.                                    |                   |
| Total Number of Lots   | <u>235</u>           | TOTAL   | <u>13,580</u> ft. |
| 3. Minimum Lot Frontage  | <u>50</u> ft.        | 8. Sidewalk adjacent to all                               |                   |
| 4. Minimum Lot Area  | <u>4,000</u> sq. ft. | streets? <input checked="" type="checkbox"/> yes _____ no |                   |
| 5. Existing Zoning   | <u>AA &amp; LC</u>   |   |                   |
| 6. Proposed Zoning   | <u>R-5, BB, LC</u>   |   |                   |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name _____           |                      |   |                   |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name _____       |                      |   |                   |
| 11. Health Department Approval (where applicable) _____ (Yes-No) |                      |   |                   |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____             |                      |   |                   |

STAFF COMMENTS:

- A. Associated cases Z-1806, zone change from AA & LC to R-5, BB & LC; and DP-77, Commercial and Residential Community Unit Plan have been approved by the Board of City Commissioners subject to platting.
- B. The applicant shall obtain and submit by separate instrument, the dedication for the north half of Mt. Vernon from the west line of Webb Road to the west line of Cherry Creek Drive.
- C. An overall drainage plan for both the residential, office and commercial areas shall be submitted to, reviewed and approved by the Flood Control Office prior to submission of any final plats.
- D. The applicant shall guarantee all drainage improvements associated with the plat.
- E. As required by the associated C.U.P., the applicant shall guarantee the construction of the accel-decel lanes and major entrances along Pawnee and Webb Road for Lots A, C, D & E.
- F. As indicated on the associated C.U.P. all utilities including telephone and electric service shall be installed underground in the office and commercial areas as well as the residential areas.
- G. The applicant shall obtain and submit to the Planning Department, a letter from the Cities Service Company indicating that the easement shown for their 18-inch pipeline is acceptable to them and specifying what minimum building setbacks from the line they recommend for any habitable structures.
- H. Any raising, lowering, encasement or relocation of the Cities Service pipeline necessitated by this plat shall be at the sole expense of the applicant.
- I. The applicant shall guarantee the paving of all interior streets including Mr. Vernon.

- J. It is recommended that Cherry Creek Drive and Mt. Vernon be designated as "collector" streets.
- K. The applicant shall guarantee the installation of sanitary sewer to serve all lots being platted.
- L. The applicant shall guarantee the installation of City water to serve all lots being platted.
- M. The applicant shall guarantee the construction of sidewalks adjacent to both sides of all interior streets except for those streets in the patio homes area, and adjacent to the north side of Pawnee and the west side of Webb Road.
- N. As indicated on the associated C.U.P., the applicant shall submit a sidewalk plan for approval with the final plat of the patio homes area.
- O. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in any habitable structures constructed on subject property.
- P. As indicated on the associated C.U.P., the applicant shall submit a Homes Association agreement which provides for the construction and continued maintenance of all non-public common open space, park areas recreational facilities, etc., with each final plat on Lot A, Lot B, Lot C, if developed with apartments, and the patio homes area in the event these areas develop with owner occupied type dwelling units.
- Q. As required in the approval of the associated zone case and C.U.P., all of the area within the preliminary plat is to be platted within two year's time.
- R. Requirement for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 6045  
Section No.: 32  
Twp. No.: 27  
Range: 2E

S/D No. 77-11

**APPLICATION FOR SUBDIVISION APPROVAL**

Name of Subdivision: Hedgecliff Addition  
General Location: N.W. Corner of Pawnee and Webb Rd.  
Name of Property Owner: Fidelity Investment and Kessler Bros. Inc.  
Address: Marvin Basquin 229 S. Market 67202 Phone: 265-2261  
Name of Subdivider: Frank Kessler  
Address: 1905 S.W. Blva. 67213 Phone: 943-2103  
Name of Agent/Surveyor: Baughman Company  
Address: 330 Laura 67211 Phone: 262-7271  
Date of Application: January 17, 1977

**SUBDIVISION INFORMATION:**

1. Gross Acreage of Plat 161.5 acres
2. Number of Lots:
  - Residential 232
  - Commercial 3
  - Industrial \_\_\_\_\_
  - Other \_\_\_\_\_
3. Minimum Lot Frontage 235 ft.
4. Minimum Lot Area 50 ft.
5. Existing Zoning AA, LLC
6. Proposed Zoning R-5, BB, LC (2-1800)
7. Lineal Feet of New Streets:
  - a. 40 R/W 1850 ft.
  - b. 64 R/W 7730 ft.
  - c. 70 R/W 4,000 ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL 13,580 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: [Signature]

Wichita-Sedgwick County Metropolitan Area  
Planning Commission, 10th Floor, City Hall,  
455 North Main, Wichita, Kansas 67202.

Received by X.O.  
Date 1-17-77  
Fee Submitted 752<sup>00</sup>