

Box 78-2

PLAT NO. S/D 77-24 MAP NO. 5146

NAME TOWNE WEST SQUARE ADDITION

LOCATION: Between Maple and Kellogg (US 54) and
I-235 and Tracy

ENGINEER James R. Schaefer-Campbell & Castle

OWNER Towne West Mall Co., et al

APPLICATION FILED 2-25-77

SKETCH PLAT FILED _____

PRELIMINARY FILED 2-25-77

S/D ACTION 3-10-77 *Approved*

FINAL FILED 4-25-77

S/D ACTION 5-5-77 *Approved*

MAPC ACTION 5-12-77 *Approved + added conditions*

ECC ACTION 12-13-77

RECORDED April 20, 1978

REMARKS _____

S/D 77-24 - TOWNE WEST SQUARE ADD.
Between Maple & Kellogg (US 54) &
I-235 and Tracy Street, by James
L. Schaefer-Campbell & Castle.

Map No. 5146
Sec. No. 26
Twp. No. 27
Range 1W

Subdivision Report and Progress
S/D No.: 77-24

Name: TOWNE WEST SQUARE ADDITION

General Location: Between Maple and Kellogg (US 54) and I-235 and Tracy St.

Owner: Towne West Mall Co., and Myrtle A. Rogers
Address: 1712 N Meridian, Indianapolis, Ind 46202 Phone: 317-926-6021
Subdivider: Towne West Mall Co., an Indiana Ltd. Partnership
Address: 1712 N Meridian, Indianapolis, Ind. 46202 Phone: 317-926-6021
Engineer/Surveyor: James R. Schaefer/Campbell & Castle P.O. Box 1835 942-814
Address: 800 Brown Bldg., Wichita 67202 Phone: 262-4403

Application Received 2-25-77
Conf. with Applicant none
Sketch Plat Received none submitted
Present Zoning AA SE
* Proposed Zoning LC
Letter of Intent none

FINAL PLAT RECEIVED 4-25-77
S/D Comm. Action 5-5-77 approved

Dept. Report on Final 5-9-77
M.A.P.C. ACTION 5-12-77 approved + additional conditions
Dept. Report on Final advised conditions

PREL. PLAT RECEIVED 2-25-77
S/D Comm. Action 3-10-77 approve

Letter on Irons Received
Title/Taxes Rec'd & Reviewed 12-5-77
Final Review
Referral to B.C.C.

Dept. Report on Prel. 3-15-77

B.C.C. ACTION 12-13-77 approve

TRACING PROGRESS:

Received 12-14-77

Recorded 4-20-78

Released

Received

* Released 4-13, 1978

Comments:

* Assoc. zone case 7-1700 AA & E to LC

* 4-13-78 plat released to Jim Schaefer for recording.

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

4-25-78

TOWNE WEST SQUARE

ADDITION was

filed for record on April 20, 1978

T9-302 (2)

James F. McCall
Register of Deeds

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

TheFourth

TV

IRREVOCABLE LETTER OF CREDIT

No. 523

December 7, 1977.

City of Wichita
c/o Mr. Donald C. Gisick
City Clerk
City Hall
455 North Main
Wichita, Kansas 67202

Gentlemen:

We hereby establish our "Irrevocable Letter of Credit" in your favor for the account of Towne West Mall Company, an Indiana Limited Partnership, for the sum of Nine Hundred Thirty-four Thousand Dollars (\$934,000.00) or such other amount as hereinafter determined, available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below, provided however, this Letter of Credit shall not exceed in any event, One Million Dollars.

The terms upon which this Letter of Credit is granted are as follows:

(a) Towne West Mall Company, an Indiana Limited Partnership, authorized to do business in the State of Kansas, has requested the City of Wichita to make certain street improvements to Tracy, Taft, Maple, West and Kellogg (U. S. 54) streets in the City of Wichita, and Towne West Mall Company has agreed to finance a portion of said improvements to the maximum extent of One Million Four Hundred Thousand Dollars (\$1,400,000.00).

(b) Towne West Mall Company has, contemporaneously with the delivery of this Letter of Credit, filed with the City of Wichita valid Paving Petitions pursuant to the provisions of KSA 12-6a01, et seq., petitioning for improvements to Taft and Tracy Streets, the estimated final costs of such improvements to Towne West Mall Company is Four Hundred Sixty-six Thousand Dollars (\$466,000.00); the exact cost of such improvements to be determined at such time as final assessments are made for such improvements pursuant to KSA 12-6a01 et seq.

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316-261-4444

The Fourth **IV**


(c) In the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets exceed \$466,000, this Letter of Credit shall be diminished by the amount such final assessments exceed \$466,000. Likewise, in the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets are less than \$466,000 this Letter of Credit shall increase by the amount such final assessments are less than \$466,000. The intent of the parties (Towne West Mall Company and City of Wichita) being that the total cost to Towne West Mall Company for the improvements to Tracy, Taft, Maple, West and Kellogg streets shall not exceed \$1,400,000.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth, specifically, the failure of Towne West Mall Company to pay the amount, as finally determined, it has agreed to pay for such improvements.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 7, 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No.523 Dated December 7, 1977".

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY
WICHITA, Wichita, Kansas

By 
Peter Redman, Vice President

December 21, 1979

Donald C. Gisick, City Clerk

Forrest L. Nagley, Junior Planner

Release of Letter of Credit associated with Towne West Square Addition, located between Maple and Kellogg (U.S. 54) and I-235 and Tracy. (No. 523).

We have been advised by City Engineering that the letter of credit submitted as a guarantee for certain improvements to Maple, West and Kellogg Streets can be released. City Engineering advises that these improvements are now either initiated projects or included as part of accepted petitions.

On December 13, 1977, the Board of City Commissioners "received and filed" a letter of credit in the amount of \$934,000 from Fourth National Bank and Trust Company for the account of Towne West Mall Company, and Indiana Limited Partnership, as guarantee that this work would be performed. Letter of credit Number 523 may now be released at the request of either the bank or an authorized agent of Towne West Mall Company.

Forrest L. Nagley
Junior Planner

FLN:bh

cc: Mike Lindebak, Project Development Coordinator,
City Engineering
Fourth National Bank and Trust Company, P.O. Box
1090, 67201
Towne West Mall Company and Myrtle A. Rogers,
1712 N. Meridian, Indianapolis, Indiana 46202

April 25, 1978

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

Z-1700 - Zone Change from "AA" and "E" to "LC"; and
S/D 77-24 - Towne West Square Addition

At the regular meeting of the Board of City Commissioners on July 15, 1975, the above captioned request for zone change was considered and approved, 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 December 13, 1977.

This is to advise you that the final plat of Towne West Square Addition was recorded with the Register of Deeds on April 20, 1978, and, therefore, the ordinance effectuating the zone change may now be published.

Jack H. Galbraith
Chief Planner

JHG:CLN:et

WICHITA-SEDGWICK COUNTY

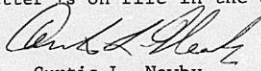
DATE

April 18, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO "The Files"
FROM Curtis L. Newby, Junior Planner
SUBJECT S/D 77-24 - Towne West Square Addition Agreement Letter

On April ¹⁴13, 1978, the letter of agreement required of the Developer by the City Commission in their approval of the revised C.U.P. DP-71, was recorded by the Register of Deeds, and the plat was released for recording. The original of the recorded agreement letter is on file in the City Clerk's Office.



Curtis L. Newby
Junior Planner



Melvin Simon & Associates, Inc.
1712 North Meridian Street
P. O. Box 44230
Indianapolis, Indiana 46244
Phone: (317) 926-6021

March 31, 1978

The Honorable Board of City Commissioners
City Hall - First Floor
455 North Main
Wichita, Kansas 67202

Re: DP-71

Ms. Peters and Gentlemen:

Towne West Mall Company or other real estate included in Community Unit Plan described as Towne West Square Addition, hereby agrees that in the event U. S. 54 (Kellogg) is changed from "Expressway/Arterial" standards to "Freeway" standards, neither it nor its successors in interest or title to said real estate shall object to said change nor request damages as a result thereof.

It is further understood that said agreement by the undersigned shall constitute a covenant of the Community Unit Plan and shall be binding upon all subsequent owners of the real estate described in the Towne West Square Community Unit Plan.

Sincerely,

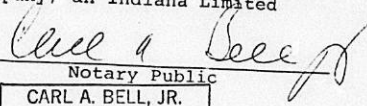
TOWNE WEST MALL COMPANY


Melvin Simon
General Partner

MS:mp

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 31st day of March, 1978, by Melvin Simon, partner on behalf of Towne West Mall Company, an Indiana Limited Partnership.


Notary Public

CARL A. BELL, JR.
NOTARY PUBLIC
SEDGWICK COUNTY, KANSAS
MY APPT. EXP. AUG. 18, 1979

My Appointment Expires:

January 2, 1980

Donald C. Gisick, City Clerk
Forrest L. Nagley, Junior Planner

Release of letter of credit associated with
Towne West Square Addition, located between
Maple and Kellogg (U.S. 54)
and I-235 and Tracy. (No. 524)

We have been advised by City Engineering that the letter of credit submitted as a guarantee for certain sanitary sewer improvements associated with the above referenced plat can be released. City Engineering advises that the guaranteed improvements have been completed.

On December 13, 1977, the Board of City Commissioners "received and filed" a letter of credit in the amount of \$286,810.00 from Fourth National Bank and Trust Company for the account of Towne West Mall Company, an Indiana Limited Partnership, as guarantee that this work would be performed. Letter of Credit Number 524 may now be released at the request of either the bank or an authorized agent of Towne West Mall Company.

Forrest L. Nagley
Junior Planner

FLN:bh

cc: Mike Lindebak, Project Development Coordinator, City Engineering
Fourth National Bank and Trust Company, P.O. Box 1090, 67201
Towne West Mall Company and Myrtle A. Rogers, 1712 N. Meridian,
Indianapolis, Indiana, 46202



Melvin Simon & Associates, Inc.
 1712 North Marston Street
 P. O. Box 44230
 Indianapolis, Indiana 46244
 Phone: (317) 926-6021

FORM 299 (REV. 11-15-61)

March 31, 1978

STATE OF KANSAS
 SEDGWICK COUNTY
 FILED FOR RECORD AT

APR 14 1978

3 79663

CARL A. BELL, JR.
 Notary Public

Carl A. Bell, Jr.
Notary

The Honorable Board of City Commissioners
 City Hall - First Floor
 455 North Main
 Wichita, Kansas 67202

Re: DP-71

Ms. Peters and Gentlemen:

Towne West Mall Company or other real estate included in Community Unit Plan described as Towne West Square Addition, hereby agrees that in the event U. S. 54 (Kellogg) is changed from "Expressway/Arterial" standards to "Freeway" standards, neither it nor its successors in interest or title to said real estate shall object to said change nor request damage as a result thereof.

It is further understood that said agreement by the undersigned shall constitute a covenant of the Community Unit Plan and shall be binding upon all subsequent owners of the real estate described in the Towne West Square Community Unit Plan.

Sincerely,

TOWNE WEST MALL COMPANY

Melvin Simon
 Melvin Simon
 General Partner

MS:rp

STATE OF KANSAS)
) ss:
 SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 31st day of March, 1978, by Melvin Simon, partner on behalf of Towne West Mall Company, an Indiana Limited Partnership.

Notary Public

CARL A. BELL, JR.
 NOTARY PUBLIC
 SEDGWICK COUNTY, KANSAS
 MY APPT. EXP. AUG. 14, 1979

My Appointment Expires: _____
City Clerk
City Clerk

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

April 3, 1978

Donald C. Gisick, City Clerk
Curtis L. Newby, Junior Planner

S/D 77-24 Towne West Square Addition, Agreement Letter

On May 10, 1977, the Board of City Commissioners approved amendments to the Town West Square Commercial Community Unit Plan subject to several conditions as recommended by the Planning Commission and, in addition, the following condition:

"The legal instrument shall be submitted agreeing that the owner and subsequent owners in title will not object and request damages by virtue of changing U.S. 54 (Kellogg) from expressway-arterial standards to freeway standards."

This instrument was to be submitted prior to releasing of the Towne West Square plat for recording.

Attached herewith is a copy of said instrument which should be placed on the Clerk's agenda with the recommended action by the governing body being to receive and file and instruct the Director of Planning to record the original instrument with the Register of Deeds.

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

Curtis L. Newby
Junior Planner

CLN:et
cc:
John Dekker, Director of Law

Rec'd memo of 4-18-78



Melvin Simon & Associates, Inc.
1712 North Meridian Street
P. O. Box 44230
Indianapolis, Indiana 46244
*Phone: (317) 926-6021

March 31, 1978

The Honorable Board of City Commissioners
City Hall - First Floor
455 North Main
Wichita, Kansas 67202

Re: DP-71

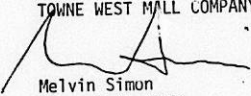
Ms. Peters and Gentlemen:

Towne West Mall Company or other real estate included in Community Unit Plan described as Towne West Square Addition, hereby agrees that in the event U. S. 54 (Kellogg) is changed from "Expressway/Arterial" standards to "Freeway" standards, neither it nor its successors in interest or title to said real estate shall object to said change nor request damages as a result thereof.

It is further understood that said agreement by the undersigned shall constitute a covenant of the Community Unit Plan and shall be binding upon all subsequent owners of the real estate described in the Towne West Square Community Unit Plan.

Sincerely,

TOWNE WEST MALL COMPANY


Melvin Simon
General Partner

MS:mp

WICHITA-SEDGWICK COUNTY

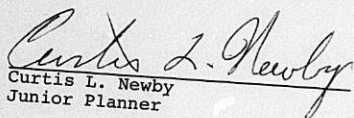
METROPOLITAN AREA PLANNING DEPARTMENT

DATE

April 4, 1978

TO The File
FROM Curtis L. Newby, Junior Planner
SUBJECT S/D 77-24 Towne West Square Addition water line guarantee

One of the conditions of the approval of the Towne West Square plat was that the applicants make satisfactory arrangements with the Water Department for the capping and relocation of an existing water line on the site. Benny Gegan of the Water Department called on April 4, 1978, to state that the applicants have submitted a check for \$400 to the Water Department for capping and relocation of the water line which satisfies their requirements.


Curtis L. Newby
Junior Planner

CLN:et

WICHITA-SEDGWICK COUNTY

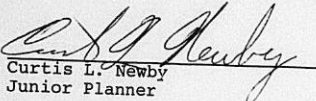
METROPOLITAN AREA PLANNING DEPARTMENT

DATE

April 4, 1978

TO The File
FROM Curtis L. Newby, Junior Planner
SUBJECT S/D 77-24 Towne West Square Addition street paving petition

On March 14, 1978, the Board of City Commissioners approved the street paving petitions for Tracy and Taft streets. The paving petitions for the other streets were approved by the City Commission together with the plat on December 13, 1977.

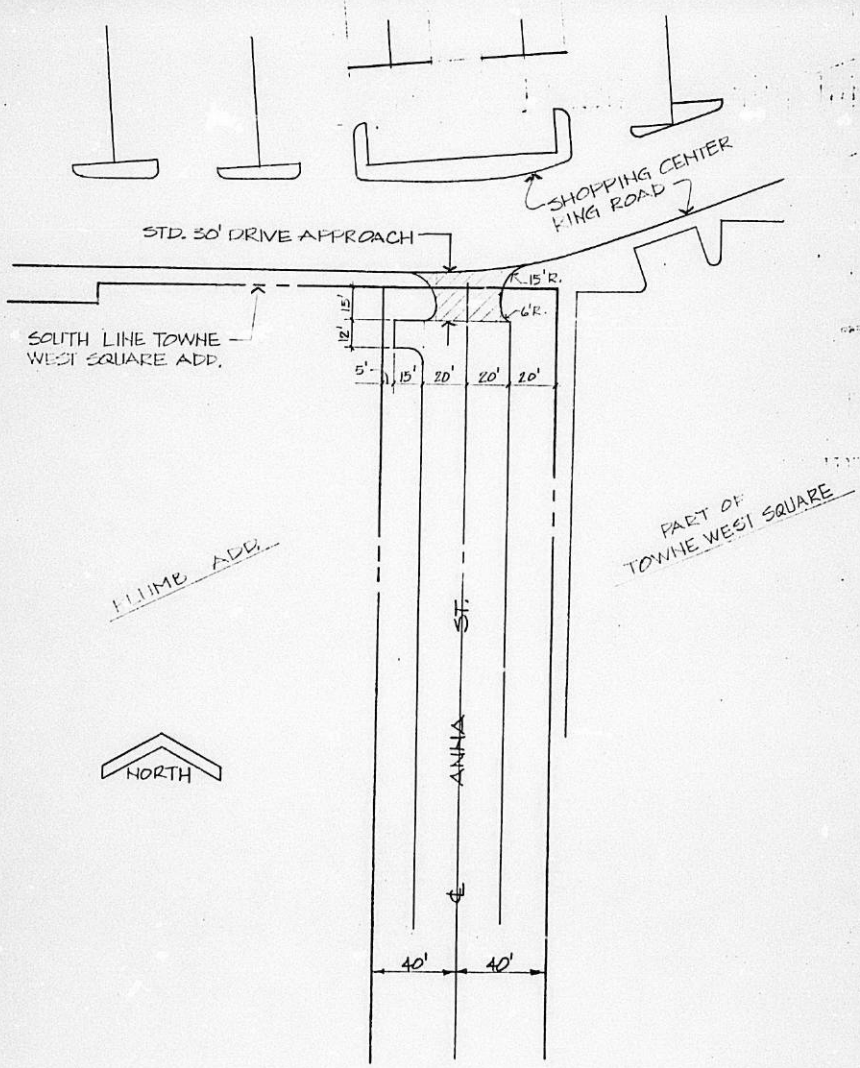

Curtis L. Newby
Junior Planner

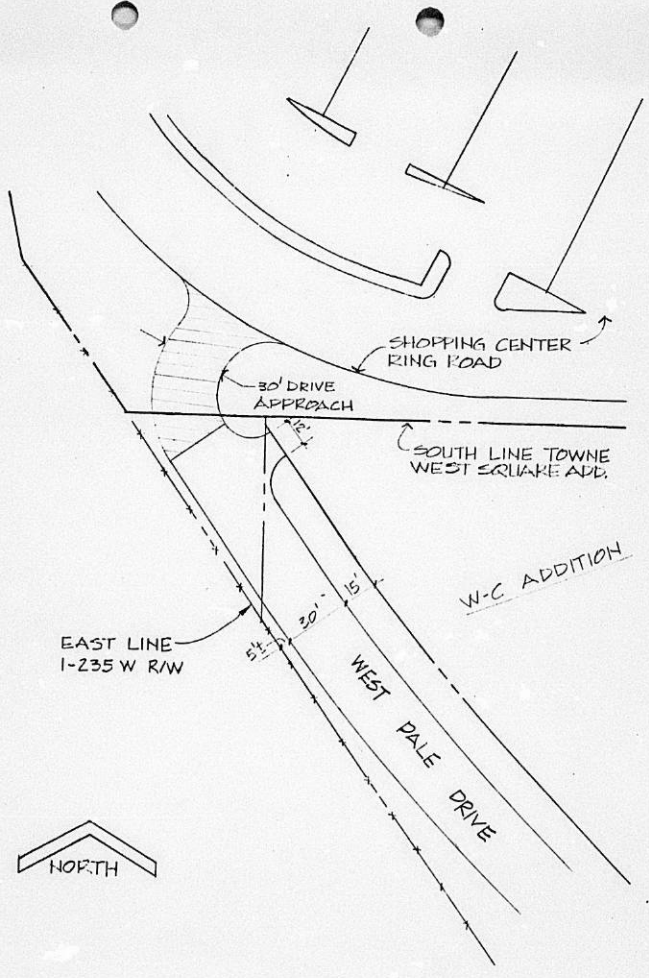
CLN:et

Towne West

2-13-78-

1. Cross leasable areas vs. brown floor areas -
Asks for letter from Shaefer for purpose of
Adm'n determination
2. Off street parking -
Xtra to be located on lot 6/7 Jenkins ^{4th} Adm'n
(Mr. Seaks area - to west). The areas not included
w/ CUP or Plat. Can it be used to retransfer
General conditions #7 of C.U.P.
Includes problems in letter.
3. ~~Brought in Prints~~
2 petition to lines ~~for~~; to be set as per notice
& convenience of public works.
4. Need ltr \$⁵1,400 = to release for publication.





NORTH

1. W. 58. Estimated total assess-
ment

Tracy	-	\$200,000
Tracy	-	169,000
Taft	-	30,000
Taft	-	67,000
		<hr/>
		\$466,000

$\$1,400,000 - 466,000 = \$934,000$

Letter of credit to be adjusted when final ~~assessments~~
assessments on other strata made -

ASPHALTIC CONCERN

PAVING PETITION

To the Board of Commissioners,
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

Lots 1 through 6 inclusive, Towne West Square Addition, also Lots 1 through 4 inclusive, Star Lumber Company 4th Addition; also an unplatted tract in the Northeast Quarter, Section 26, Township 27 South, Range One West of the 6th PM more fully described as beginning eight hundred seventy (870) ft. West and three hundred thirty (330) ft. South of the Northeast Corner of Northeast Quarter, Section 26, Township 27 S, Range One West; thence South parallel to the East Line of said Northeast Quarter to the North Line of Taft; thence West along said North Line to the East Line Tracy; thence North along said East Line to the Southwest Corner, Star Lumber Company 4th Addition; thence East along said South Line to the point of beginning.

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a0 et seq, as follows:

Tracy
Street Paving

- (a) That there be constructed pavement on Tracy from the South Line of Taft to the South Line of Maple. That the general character of the improvement is to include medians, channelization where necessary and said pavement shall be constructed a width of 62 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 66 feet; that said pavement shall consist of an asphalt base 7 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer. Drainage to be installed where necessary.
- (b) That the estimated and probable cost of the foregoing improvement being \$210,000.00 payable by the improvement district and \$5,000.00 payable by the City of Wichita at large for intersections. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvements for which the improvement district is liable.
- (d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis; Lots 1, 2, 3, Star Lumber Company 4th Addition shall each pay 22/2100 of the total cost payable by the improvement district; Lot 4, Star Lumber Company 4th Addition shall pay 26/2100 of the total cost payable by the improvement district. The unplatted tract in the Northeast Quarter, Section 26, Township 27 South, Range One West of the 6th PM more fully described as beginning eight hundred seventy (870) ft. West and three hundred thirty (330) ft. South of the Northeast Corner of Northeast Quarter, Section 26, Township 27 S, Range One West; thence South parallel to the East Line of said Northeast Quarter to the North Line of Taft; thence West along said North Line to the East Line Tracy; thence North along said East Line to the Southwest Corner, Star Lumber Company 4th Addition; thence East along said South Line to the point of beginning shall pay 318/2100 of the total cost payable by the improvement district; Lot 1, Towne West Square Addition shall pay 1599/2100 of the total cost payable by the improvement district; Lot 2, Towne West Square Addition shall pay 18/2100 of the total cost payable by the improvement district; Lot 3, Towne West Square Addition shall pay 22/2100 of the total cost payable by the improvement district; Lot 4, Towne West Square Addition shall pay 14/2100 of the total cost payable by the improvement district; Lot 5, Towne West Square Addition shall pay 16/2100 of the total cost payable by the improvement district; Lot 6, Towne West Square Addition shall pay 21/2100 of the total cost payable by the improvement district,

except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
<u>TOWNE WEST SQUARE ADDITION</u>		
Lots 1 through 6 inclusive		Nov 29/77
<u>STAR LUMBER COMPANY 4TH ADDITION</u>		
Lot 1	Star Lumber & Supply Co Inc William J. Schell	By Paul

LEGAL DESCRIPTION

SIGNATURE

DATE

STAR LUMBER COMPANY 4TH ADDITION

Lot 2
Lot 3
Lot 4.

Star Lumber & Supply Co inc 1974
William J. Heibel Pres

Jan. 29/77

an unplatted tract in the Northeast Quarter, Section 26, Township 27 South, Range One West of 6th PM more fully described as beginning eight hundred seventy (870) ft. West and three hundred thirty (330) ft. South of the Northeast Corner of Northeast Quarter, Section 26, Township 27 S, Range One West; thence South parallel to the East Line of said Northeast Quarter to the North Line of Taft Lumber Company West along said North Line to the East Line of said Northeast Quarter; thence North along said East Line to the Northwest Corner, Star Lumber Company 4th Addition; thence East along said South Line to the point of beginning.

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

ASPHALTIC CONCRETE
PAVING PETITION

To the Board of Commissioners,
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

Part of Lot 1, Towne West Square Addition, more fully described as beginning at the Northwest Corner Lot 6, Jenkins 4th Addition; thence North along the East Line of Anna a distance of three hundred seventy-seven and ninety-three hundredths (377.93) ft., thence East at right angles to a point on the West Line of Homer R. Mosley Addition, said point being three hundred seventy-seven and ninety-three hundredths (377.93) ft. North of the Northeast Corner, Lot 7, Jenkins 4th Addition; thence South along the West Line of Homer R. Mosley Addition to the Northeast Corner, Lot 7, Jenkins 4th Addition; thence West along the North Line of said Lot 7 and the North Line of Lot 6 in said Addition to the point of beginning. Also the South one hundred (100) ft. Lot 2, and all of Lots 3 and 4 in Plumb Addition, also Lot 6, Jenkins 4th Addition.

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a0 et seq, as follows:

Anna -

(a) That there be constructed pavement on Anna
from the North line of Kellogg Drive
to the North line of the South 100 ft., Lot 2, Plumb Addition ;

that said pavement between aforesaid limits be constructed for a width of 36 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 40 feet; that said pavement shall consist of an asphalt base 7 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer. ~~Drainage to be installed where necessary.~~

(b) That the estimated and probable cost of the foregoing improvement being \$46,000.00 payable by the improvement district and \$5,000.00 payable by the City of Wichita at large for Intersection

Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.

(c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvements for which the improvement district is liable.

(d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be by the square foot,

except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K. S. A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION SIGNATURE DATE

Part of Lot 1, Towne West Square Addition, more fully described as beginning at the Northwest Corner Lot 6, Jenkins 4th Addition; thence North along the East Line of Anna a distance of three hundred seventy-seven and ninety-three hundredths (377.93) ft.

LEGAL DESCRIPTION

SIGNATURE

DATE

cont.

thence East at right angles to a point on the West Line of Homer R. Mosley Addition, said point being three hundred seventy-seven and ninety-three hundredths (377.93) ft. North of the Northeast Corner, Lot 7, Jenkins 4th Addition; thence South along the West Line of Homer R. Mosley Addition to the Northeast Corner, Lot 7, Jenkins 4th Addition; thence West along the North Line of said Lot 7 and the North Line of Lot 6 in said Addition to the point of beginning.

PLUMB ADDITION

South one hundred (100) ft., Lot 2

Lot 3

Lot 4

Oren Lawrence Smith 11/29/77
Deleg. M. Smith 11/29/77
Anna Development Inc By James R. Loyd - Pres.

11-29-77

JENKINS 4TH ADDITION

Lot 6

ASPHALTIC CONCRETE

PAVING PETITION

To the Board of Commissioners,
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

Lots 1 through 6 inc., Towne West Square Addition

Tracy - Part.

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a01 et seq, as follows:

- (a) That there be constructed pavement on Tracy from the north line of Kellogg Drive to the south line of Tart. That the general character of the improvement to be made on the aforementioned street is to remove existing pavement, driveways, approaches, etc., and construct pavement, accel-decel lane, medians, channelization where necessary for a width of 62 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 66 feet; that said pavement shall consist of an asphalt base 7 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer.
- (b) That the estimated and probable cost of the foregoing improvement being \$200,000.00 payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvements for which the improvement district is liable.
- (d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis; Lot 1, Towne West Square Addition shall pay 95/100 of the total cost payable by the improvement district. Lots 2 through 6 inclusive, Towne West Square Addition shall each pay 1/100 of the total cost payable by the improvement district.

All existing driveways shall be reconstructed to the same width as existed as part of the estimated and probable cost payable by the improvement district. No other driveway construction shall be allowed.

- 2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.
- 3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.
- 4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

Lots 1 through 6 inc.,
Towne West Square Addition

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

ASPHALTIC CONCRETE

PAVING PETITION

To the Board of Commissioners,
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

Lot 1, Towne West Square Addition; Lot 1 and the north eighty-nine and two tenths (89.2) ft. Lot 2, also all of Lots 3 through 9 inclusive and the north fifty-one and four tenths (51.4) ft. Lot 10, all in G.M.C. Addition.

Also an unplatted tract in the Northeast Quarter, Section 26, Township 27 South, Range 1 West of the 6th P.M., more fully described as follows: - beginning at a point thirty-five (35) ft. east and forty (40) ft. north of the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 26, Township 27 South, Range 1 West; thence east parallel to and forty (40) ft. north of the south line of the Northeast Quarter of said Northeast Quarter to the west line Florence extended north; thence north along said extended west line a distance of three hundred (300) ft.; thence west parallel to and three hundred (300) ft. north of the south line of the Northeast Quarter of the Northeast Quarter said Section 26 to the east line Tracy; thence south along said east line to the point of beginning.

Tapft
*Not a good petition may need in alt order in light of Home Rule
City Warder prepare Resolution*

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a0
of 504, as follows:

- (a) That there be constructed pavement on Taft from the east line of Tracy to the west line of Florence; that said pavement between aforesaid limits be constructed for a width of 44 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 48 feet; that said pavement shall consist of an asphalt base 7 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer.
- (b) That the estimated and probable cost of the foregoing improvement being \$71,000.00 payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvements for which the improvement district is liable.
- (d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis; Lot 1, Towne West Square Addition shall pay 300/710 of the total cost payable by the improvement district; Lot 1, G.M.C. Addition shall pay 157/710 of the total cost payable by the improvement district; the north eighty-nine and two tenths (89.2) ft. Lot 2, G.M.C. Addition shall pay 34/710 of the total cost payable by the improvement district; Lots 3 through 9 inclusive, G.M.C. Addition shall each pay 8/710 of the total cost payable by the improvement district. The north fifty-one and four tenths (51.4) ft. of Lot 10, G.M.C. Addition shall pay 7/710 of the total cost payable by the improvement district; The unplatted tract in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., more fully described as follows:- beginning at a point thirty-five (35) ft. east and forty (40) ft. north of the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 26, Township 27 South, Range 1 West; thence east parallel to and forty (40) ft. north of the south line of the Northeast Quarter of said Northeast Quarter to the west line Florence extended north; thence north along said extended west line a distance of three hundred (300) ft.; thence west parallel to and three hundred (300) ft. north of the south line of the Northeast Quarter of the Northeast Quarter said Section 26 to the east line Tracy; thence south along said east line to the point of beginning shall pay 156/710 of the total cost payable by the improvement district, except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
Lot 1, Towne West Square Addition		
Lot 1, G.M.C. Addition		
The north eighty-nine and two tenths (89.2) ft. Lot 2, G.M.C. Addition		

LEGAL DESCRIPTION SIGNATURE DATE

E.M.C. ADDITION (con't.)

- Lot 3
- Lot 4
- Lot 5
- Lot 6
- Lot 7
- Lot 8
- Lot 9

The north fifty-one and four tenths (51.4) ft. Lot 10

Also an unplatted tract in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M. more fully described as follows:- beginning at a point thirty-five (35) ft. east and forty (40) ft. north of the Southwest Corner of the Northeast Quarter of the Northeast Quarter, Section 26, Township 27 South, Range 1 West; thence east parallel to and forty (40) ft. north of the south line of the Northeast Quarter of said Northeast Quarter to the west line Florence extended north; thence north along said extended west line a distance of three hundred (300) ft.; thence west parallel to and three hundred (300) ft. north of the south line of the Northeast Quarter of the Northeast Quarter said Section 26 to the east line Tracy; thence south along said east line to the point of beginning.

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

CONCRETE

PAVING PETITION

To the Board of Commissioners,
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property described as follows:

Lots 1 through 6 inclusive, Towne West Square Addition

Tract - Petition to be connected.

do hereby petition, pursuant to the provisions of K. S. A. 1974 Supp. 12-6a01 et. seq. as
follows:

- (a) That there be reconstructed pavement on Taft from West Line Florence to West Line West, that the general character of the improvement and reimprovement to be made on the aforementioned street is to remove a portion of the existing pavement, all driveway approaches and etc., and to widen the existing pavement to a width of 48 feet from curb line to curb line and 7 inches in thickness; that concrete curb be constructed integral with and on each side of said pavement; and that all necessary grading, driveways be constructed.

All existing driveways shall be reconstructed to the same width as existed as part of the estimated and probable cost payable by the improvement district. No other driveway construction shall be allowed.

- (b) That the estimated and probable cost of the foregoing improvement being \$67,000.00 payable by the improvement district and \$5,000.00 payable by the City of Wichita at large for intersection. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvements for which the improvement district is liable.
- (d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis; Lot 1, Towne West Square Addition shall pay 95/100 of the total cost payable by the improvement district; Lots 2 through 6 inclusive, Towne West Square Addition shall each pay 1/100 of the total cost payable by the improvement district.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That the names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
Lots 1 through 6 inclusive, Towne West Square Addition		

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

WICHITA-SEDGWICK COUNTY

DATE

January 23, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO ✓ The File
FROM Robert A. Lakin, Director of Planning
SUBJECT ✓ S/D 77-24 - Z-1700 - Towne West

A meeting was held with officials from the J. C. Penney Company, Mel Simon & Associates and City staff along with Law Kingdom Company, to discuss traffic improvements to Towne West. Discussion largely centered around the procedures, timing and design for Maple Street Interchange at I-235 and the proposed Kellogg freeway improvements from West Street to I-235.

James Hoffheins, a site design man from the J. C. Penney Company, basically outlined several changes they wished the City of Wichita and the State to consider when designing the projects. First of all, they would like to see an on and off ramp from U. S. 54 to the service road system between West Street and I-235. To accomplish this, they are suggesting some changes in the interchange design which would reduce the depth of the bridge structure which sets the height in grade differentials in that area. They also wanted construction of the Texas U-turns underneath to include physical barrier separations of traffic lanes. Consideration was asked for straight through movements on the on/off ramps at West Street so that a westbound off ramp movement on 54 would proceed across West Street onto the service road and into the Towne West center. Consideration was also asked for the provision of a slip from the shopping center site onto the northbound on ramp, U.S. 54 to I-235.

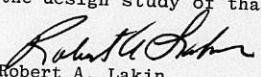
The City Manager and myself both stated that it would be the City's position that if a way can be found under accepted engineering design principals to provide an on or off slip ramp to the service road for better access to Towne West from 54, that the City would support that position and would support that activity before and with the State Highway design people. It was also the feeling that whatever could be done to prove better direct access from 54 would relieve some of the pressures on West Street. McKinley and Graves specifically raised questions about capacity and need for additional turn movements at Taft and West Street. It was the general feeling of the Manager and myself that additional right-of-way of any major proportions or major changes in the West Street designs which increase cost would result in a negative political response from the governing bodies relative to that improvement as well as the shopping center itself and any attempt to make

The File
January 23, 1978
Page 2

changes might require reapproval to the entire project. Except for a minor spreading of the right-of-way to accommodate specific additional lane under reasonable right-of-way costs, the project on West Street would have to be built on a five lane basis as originally agreed to in the first C.U.P. of Towne West.

Discussion was also had relative to the timing of improvements for West Street, Maple and other streets in the project.

Discussion of timing and possible funding alternatives for the Maple Street interchange was discussed. It was suggested that one alternative would be interim construction with local monies being used for two ramps only. Linn indicated that phasing would be looked at in the design study of that project.


Robert A. Lakin
Director of Planning

RAL:rme

Neely
Tournefort

Tourne West

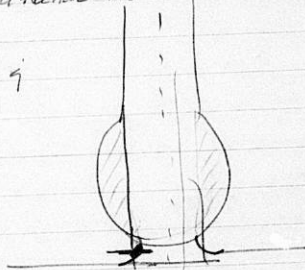
2/13/77

Mr. Jo Shaffer

1. West entrance on Kellogg north Tournefort boundary
2. Public or Part Rte Nucleus of group similar to Kellogg should be public.
 - a. E-W Rd between Tracy-Young questionable.
2. Annex - West Dale Ave.

c. Lane as curb-drive no access to Perry

- Shaffer wants to tie to Perry
- a. Tie to regional ring rd.
 - b. Rte 90° to stop



3. Lateral reference parallel to be in a reflect.
Lots if w/p access to be only to documentation in favor of public guaranteeing access to public streets public parking intended access re development plan.



4. Ent on State transfers to be recanted by
separate proceeding

5. Submit Revised CUP. to clear prior to final plat recording.
a. Inform Revised #.
b. pick up any errors / ones -
c. correct highway area boundary
d. Provide remainder on Parcel 5 assumption -
Design of Jay handles Young.
e. provide alt sketch for future parcel bound
in event of Precision Pattern trade"

6. Need St/W / Fed approval on ② design 54
concept.
⑥ money

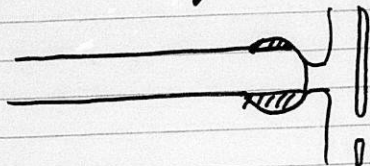
7. Ltr of Credit includes provision for loan down.
at UCE's request.

8. ^{next step} ~~to~~ Preliminary plat.
submit

2/3/77

State Highway wants access to street (either public or private) to the north. Generally agreed that drive should not be a public street.

Anna - John doesn't agree to terminate in a cul-de-sac. Would like to see a stop sign at the end of Anna to stop traffic ^{going} into a private drive.



West Dale Drive - fence as Cul de sac - no access to ring road.

Encumbrances on tract sold to State to be vacated by separate instrument.

- CUP must be amended to 1,000,000 +
- Submit revised CUP to conform to revised zoning
 - Take out highway property - correct area -
 - Provide map for remainder of Parcel 5 which is mostly street ROW

Provide for insert on CUP to provide that in the event the State or Permin Patten are acquired - provide an alternate sketch in the corner of the CUP for future use.

Revised CUP prior to final plot recording -

State Highway - Fed approval of design concept of 5-4 - need this before we can determine final plat. Financing of all street improvements needs to be worked out.

Agreed to work directly with firm on assigning appraisers, purchase of all additional street ROW, State Drain by US 5-4 -

Status of our TownWest -

Separate Letter of Credit - Different Form that enables us to draw down when money is needed.

Submission of Prelimin - is the next step. -

Towne West

1/19/78

Monday Feb

On this date the people on the attached attendance list met with the City Engineer to discuss the scheduling of the various projects associated with the Towne West Project. Several items that should be noted are as follows:

Interchange Plan needs to be amended to place an interchange on I 235 at Single

CIP Jan 31, 1978 - Approval of ramps in the budget

Public Works - 60 days to get a project back to them for April or May time for consultant to begin to work.

1,800,000 did not assume any modification of pump station, Relocation of KV Electric fence. Park ramp 200,000 - 2 to 2 1/2 million

Single Segment complete 1975
5-lane widening.

Storm Water 1978

West, Tracy, Taft, Anna, Tracyway improved to US 5-4 1978

West Original Plan 1979

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE
January 18, 1978

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Case No. Z-1700, "AA" and "E" to "LC"
(Towne West Zone Change)

Office of The City	
<input type="checkbox"/> Encl	
<input checked="" type="checkbox"/> Rec'd	
<input type="checkbox"/> RT	
JAN 19 1978	
<input type="checkbox"/> Copied To	
<input type="checkbox"/> Sent To	
<input type="checkbox"/> File	

At their regular meeting on July 15, 1975, the Board of City Commissioners considered and approved the above captioned case by a vote of 3 in favor (Stevens, Peters and Shanahan) and 2 opposed (Casado and Donnell). Approval was subject to the conditions of platting with instructions to the Planning Department to forward the ordinance for first reading when the plat was forwarded to the City Commission.

Subsequent to the foregoing action, an amendment to the Towne West Square Community Unit Plan (DP-71) covering subject property was considered by the City Commission at their regular meeting on May 10, 1977. Action of the Commission was to approve the amended C.U.P. by a vote of 2 in favor (Peters and Donnell) and 1 opposed (Porter).

At their regular meeting on December 13, 1977, the associated plat (S/D 74-24, Towne West Square) was considered by the City Commission. Action of the Commission was to approve the plat by a vote of 3 in favor (Casado, Donnell and Peters) and 2 opposed (Porter and Shanahan). The appropriate ordinance for the change of zoning was placed on first reading on the City Clerk's agenda at the meeting of the City Commission on December 20, 1977, with publication of the ordinance being withheld until such time as the plat was recorded with the Register of Deeds.

On December 27, 1977, subject ordinance appeared on the City Clerk's agenda for adoption and resulted in a moot vote 2-2 (Porter absent) on January 3, 1978. Subject matter was considered by the Commission again on January 10, 1978. Motion again was moot 2 to 2 (Shanahan absent). At the last consideration of this ordinance for adoption, the motion was moot 2 to 2. Carried forward from December 27, 1977. Donnell, Casado "No" (Porter absent).

1-24-78
Porter 2nd time
Peters
3
4-1
Porter

REFERENCE ITEM #4-CM
AGENDA FOR: JAN 24 1978

Page Two
E. H. Denton, City Manager
January 18, 1978

Please place this matter on the City Manager's agenda for January 24, 1978 and, if adopted, the ordinance effectuating the zone change will not be published until the associated plat Towne West Square has been recorded with the Register of Deeds.



Robert A. Lakin
Director of Planning

RAL:GLS:el

cc: Donald C. Gisick, City Clerk

ATTENDANCE RECORD

Date: 1-19-78
 Time: 9:30 AM
 Place: MAPD Conf Room
 Meeting Arranged By: LAKIA
 Purpose: Towne West St Design

Name	Organization	Address
<u>RA Lakin</u> Phone:	<u>MAPD</u>	
<u>Jim Schaefer</u> Phone: <u>262-4403</u>	<u>Lawyer</u>	
<u>Art Roberts</u> Phone: <u>203-227-8461</u>	<u>consultant</u> <u>M. Simon</u>	<u>WESTPORT, CT.</u>
<u>Don Faust</u> Phone: <u>317/926-6021</u>	<u>Melvin Simon & Assoc.</u>	<u>Indianapolis, Indiana</u>
<u>Martin Miller</u> Phone: <u>(212) 957-4419</u>	<u>J.C. Penney Co.</u>	<u>New York, N.Y.</u>
<u>James Hoffheins</u> Phone: <u>(404) 897-5680</u>	<u>J.C. Penney Co.</u>	<u>Atlanta, Ga.</u>
<u>Raymond RUBULS</u> Phone: <u>317-926-6021</u>	<u>MELVIN SIMON & ASSOC.</u>	<u>INDIANAPOLIS, IND.</u>
<u>Mike Lindebak</u> Phone:	<u>MAPD</u>	
<u>Dick Linn</u> Phone:	<u>Engr. Div, Pub. Wks.</u>	<u>City</u>
<u>H.L. BERGER</u> Phone: <u>265-8584</u>	<u>LAW/KINGDOW</u>	<u>WICHITA</u>
<u>Bob Friesen</u> Phone: <u>265-8584</u>	<u>Law/Kingdon</u>	<u>Wichita</u>

Name	Organization	Address
Phone:		
PAUL GRAVES	CITY OF WICHITA TRAFFIC ENGR.	
Phone:		
Bill McKinley	City of Wichita Ass't Traffic Engr.	
Phone:		
B. J. KINGDON	LAW/KINGDON, P.A.	
Phone:		
Jack Galbraith	MAPD	
Phone:		
E. H. Stanton	CNOO	W
Phone:		
W. L. Stockwell	MAPD	
Phone:		
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WICHITA-SEDGWICK COUNTY

DATE

December 29, 1977

METROPOLITAN AREA PLANNING DEPARTMENT

TO Ray Bruggeman, Director,
Department of Public Works

FROM Robert A. Lakin, Director of Planning

SUBJECT Towne West

At the request of Melvin Simon and Associates, and the J. C. Penney Company, I have scheduled a meeting for January 19, Thursday, at 9:30 a.m., in our 10th Floor Conference Room to discuss Towne West traffic improvements. All those receiving copies of this memorandum are requested to attend the session. It may be appropriate that we ask Bill Terry from the State also to join with us. Our people will take care of this.

Just before Christmas, Art Roberts called me from New York where he was meeting with officials of the J. C. Penney Company and with people from Melvin Simon and Associates. Art Roberts, as I understand, is acting as Traffic Engineer on behalf of J. C. Penney Company. He indicated that he has some concerns which are shared with the J. C. Penney Company relative to the operation of traffic with the freeway proposal being suggested. Specifically, he indicated some concerns relative to access for K-Mart, Sauder-Lygrisse and others, and the impact of traffic on West Street as it relates to Kellogg freeway operation. He went to some pains to express their support for freeway operation for Kellogg, both from the J. C. Penney standpoint and from his personal standpoint as a Traffic Engineer. Then, however, he places the caveats and this is apparently what he wants to talk to us about before much else proceeds in the way of design studies. I told him that there would be design studies required and undertaken and that the sketches that he had (which are apparently Traffic Engineer's delineation of the urban interchange and the service road configuration laid out on aerial photographs) are preliminary geometrics and are not tied down in any way. The tone suggested for the meeting by Roberts and by Faust of Simon and Associates seems quite friendly and does not appear to be threatening, at least at face value, in terms of the freeway project.

I advised him that we would be pleased to meet them and to receive whatever ideas that they had which might be used to improve the traffic situation in the area.

Ray Bruggeman, Director
Department of Public Works
December 29, 1977
Page 2

I asked Art Roberts that any of ideas that he was able to reduce to paper, which he could send us a copy of prior to the meeting, would be greatly appreciated. He indicated that he would try to get us something the week prior.



Robert A. Lakin
Director of Planning

RAL:rme

cc: E. H. Denton, City Manager
Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Willard L. Stockwell, Chief Planner, Advance Plans Division
✓ Jack H. Galbraith, Chief Planner, Current Plans Division

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

November 2, 1977

TO Jack H. Galbraith, Chief Planner
FROM Curtis L. Newby, Junior Planner
SUBJECT S/D 77-24 Towne West Square Addition

As per your request to me as to what plat approval requirements were yet to be complied with on the Towne West Square plat, please note the following:

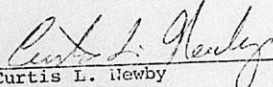
- Anna & Westdale* →
- A. The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plat's text.
 - B. The rights-of-way being dedicated by this plat for Maple, Tracy and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
 - C. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.
 - D. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
 - E. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
 - F. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.

Jack H. Galbraith
Re: S/D 77-24 Towne West Square Addition
November 2, 1977
Page Two

- G. The applicant shall guarantee all the drainage improvements associated with the plat.
- H. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- I. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- J. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- K. 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.
- L. Certification that all taxes due and payable for 1977 and prior years have been paid.

Also, it should be noted that in addition to the above plat requirements, the applicant was required to guarantee the construction of sidewalks adjacent to Maple, Tracy, Kellogg Drive and Westdale Drive. However, under the new sidewalk policy, no sidewalk guarantees are required because all the aforementioned streets are existing streets.

At such time as the applicant has fulfilled all these requirements, we will be able to schedule the plat for final consideration and approval by the City Commission after which the plat can be recorded and building permits issued. If you have any questions, please advise.


Curtis L. Newby
Junior Planner

CLN:et

Attachment No. 1

The two major areas of concern when the original Towne West Square C.U.P. was considered were drainage and street improvements. Both items have been considered by the Board of City Commissioners and cost allocations made as follows:

- a) Drainage - On February 10, 1976, the Board of City Commissioners approved the following cost allocations for drainage "area A" of the Southwest Industrial Storm Drainage Improvement Project. Drainage "area A" is an approximate 150 net acre tract bounded by I-235, Maple, West, and Kellogg.

Total cost of drainage improvement	2,250,000
Pump station (City-at-Large)	985,550
Total for "area A" to pay	1,264,450
Federal Funds (EDA grant)	466,050
Total Assessment	788,400
Towne West Assessment	413,400
Additional payment by Towne West	125,000
Total Towne West Payment	538,400

Other properties in drainage area assessed at approximately \$3,500/net acre; Towne West Area drainage improvement costs approximately \$5,900/net acre.

- b) Street improvements - Based on approved design and geometrics, the street improvements in the area will be as follows:

U. S. 54 (Kellogg)	1,092,483
Maple Street	570,826
West Street	301,134
Tracy Street	340,542
Taft Street	105,359
Construction Costs	2,410,344
Right-of-way Costs	83,617
Total Cost Estimates	2,493,961

On June 29, 1976, the Board of City Commissioners allocated these cost estimates as follows:

City-at-large	583,617
Special Assessments	98,907
Towne West Developer	1,368,437
State	443,000
Total	2,493,961

On July 27, 1976, the developers of Towne West again appeared before the City Commission and requested that to satisfy their financial lenders that a maximum developer participation of \$1,400,000 be established for street improvements. The Board of City Commissioners approved that proposal subject to State funding participation in the amount of \$443,000 and further subject to the accuracy of the street improvement cost estimates as prepared by the developer with the stipulation that in the event cost estimates and/or state participation are not as estimated that the scope of the intended improvements be resubmitted to the City Commission for further review.

A G R E E M E N T

THIS AGREEMENT, made and entered into this day
of 1977,

BY AND BETWEEN

CITY OF WICHITA, a municipal
corporation, hereinafter
called

"WICHITA"

AND

TOWNE WEST MALL COMPANY, an
Indiana Limited Partnership,
hereinafter called

"TOWNE WEST"

WHEREAS, Towne West has filed for approval a proposed plat of
Towne West Square Addition to Wichita, covering the real estate
described on the attached Exhibit "A"; and

WHEREAS, as a condition to the approval of said plat, Towne
West is required to submit to Wichita, a drainage plan for the site
which shall indicate location and size of required drainage ease-
ments and ponding area to be provided by Towne West; and

WHEREAS, it is not feasible or possible at this time to submit
for approval such a plan or exactly locate such ponding area or areas;
and

WHEREAS, Towne West desires to submit for approval the said
plat to Towne West Square Addition prior to approval of a drainage
plan.

NOW, THEREFORE, it is agreed by and between the parties hereto
as follows:

1. In the event the plat to Towne West Square Addition is
approved by the City Commission upon submission thereof, no building
permits shall be issued by the Central Inspection Division of the
Department of Public Works of Wichita for the construction of improve-
ments upon the above described real estate until such time as the

required drainage plan, including the ponding area or areas are submitted and approved by Wichita.

2. Such plan shall be submitted to the Department of Public Works of Wichita for their approval, and upon written approval thereof, building permits shall issue in due course.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

Attest:

City Clerk

CITY OF WICHITA

By _____ Mayor

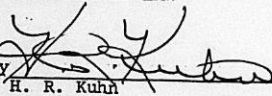
"WICHITA"

TOWNE WEST MALL COMPANY

By _____

APPROVED AS TO FORM:

DEPARTMENT OF LAW

By 
H. R. Kuhn
Assistant City Attorney

The platted property is a tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian; including a replat of L & S Addition, Wichita, Sedgwick County, Kansas; a replat of Lots 1 and 2 of Westwind Addition to Wichita, Kansas; a replat of Lots 1 thru 5 of Jenkins Fourth Addition to Wichita, Kansas; a replat of Lot 1 and the north 136 feet of Lot 2 of Plumb Addition to Wichita, Kansas; a replat of W-C Second Addition, Wichita, Kansas; and a replat of Lot 5 of W-C Addition, Wichita, Kansas; said platted property is further described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.48 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the north line of said Northeast Quarter;

thence 630.00 feet on a bearing of South 00 degrees 02 minutes 20 seconds East;
 thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 160.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds East;
 thence 150.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 470.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
 thence 242.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 1304.15 feet on a bearing of South 00 degrees 02 minutes 23 seconds East;
 thence 40.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 787.51 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
 thence 170.89 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
 thence 250.00 feet on a bearing of North 00 degrees 04 minutes 05 seconds West;
 thence 190.00 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
 thence 530.73 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
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 thence 289.61 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
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 thence 204.85 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
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 thence 215.96 feet on a bearing of North 89 degrees 45 minutes 40 seconds West;
 thence 111.60 feet on a bearing of North 75 degrees 05 minutes 35 seconds West;
 thence 335.40 feet on a bearing of South 89 degrees 42 minutes 00 seconds West;
 thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East

to a point on the easterly right of way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said easterly right of way line; thence 931.00 feet on a curve to the left along said easterly right of way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right of way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right of way line to the north line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said north line to the point of beginning.

EXHIBIT "A"

COMMISSIONERS PROCEEDINGS

5486

December 13, 1977

- Dedication Contingent Street Dedication from Maudie M. Long, dated December 2, 1977, (Extension of Kessler), presented.
- Petition 100% paving petition for Kessler, from SL Pawnee to and including cul-de-sac, presented.
- Petition 100% petition for sanitary sewer lateral to serve Lots 1 through 3 inc., Westport Industrial Park 4th Addition/South of Pawnee on Kessler, presented.
- Motion-- Donnell moved that the contingent street dedication be accepted, the petitions be approved and the Director of Law be instructed to prepare the necessary resolutions and the City Clerk be instructed to file the contingent dedication and certificates with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.
- carried
- S/D 77-24 PLAT OF TOWNE WEST SQUARE ADDITION S/D 77-24 - Plat of Towne West Square Addition located between Maple and Kellogg and I-235 and Tracy Street, presented.
- A six-lot, commercial plat containing 90 acres. The Planning Commission recommends approval subject to conditions as outlined in information provided to the Commissioners.
- NOTE: All petitions being submitted are 100% except those involving Tracy and Taft. These two petitions have to be acted upon at a subsequent meeting after appropriate notice has been given.
- The associated cases DP-71, Commercial C.U.P. and Z-1700, "AA" and "E" to "LC" have been approved by the Commission subject to platting.
- Paving 100% paving petition for Anna, from NL Kellogg Drive to the NL of the south 100 feet, Lot 2, Plumb Addition, presented.
- Paving 100% paving petition for Tracy, from NL Kellogg Drive to St. Taft, presented.
- Paving 100% paving petition for Westdale, from WL Anna to NL Lot 4, W-C Addition, presented.
- Paving 100% paving petition for Taft Street, from WL Florence to WL West Street, presented.
- Bob Lakin Director of Planning, reviewed the proposed plat, the access necessary to serve the development, and noted that it is anticipated that approval will be granted for an interchange at Maple. He reviewed the highway design changes and the interim improvements on Highway 54 to avoid extra construction costs, estimates and financing of the construction, and answered questions by the Commission.
- Dick Linn City Engineer, answered questions by the Commission concerning drainage.
- Discussion Discussion was had regarding dollar commitments for City improvements and the City Engineer stated that the change in design does not change the \$1.4 Million commitment made by the developer and if there is any benefit in the change, it should accrue to the GO financing of these projects.
- Dick Linn
- James Schaefer James Schaefer, Attorney for the developer, reviewed the history of the Towne West project and agreements reached between the developer and the Commission, and stated that the developer is willing to take a risk and go along with the changes outlined for the freeway development now planned and the Maple interchange does not destroy the Towne West site for development as a shopping center by loss of access. He stated that there are valid, binding letters of credit to do what the developer agreed to do, and if there is going to be some changes made, then the City and developer should talk about those changes and work them out.
- Motion-- Donnell moved that the drainage improvement be accepted and the Mayor be authorized to sign, the irrevocable letters of credit be received and filed, the petitions be approved and the Director of Law be instructed to prepare the necessary resolutions, the City Clerk be instructed to file the agreement and certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission, and the Mayor be authorized to sign and the Planning Department be instructed to withhold release of the plat for recording until all conditions of the plat approval have been completed. (Motion later amended).

COMMISSIONERS PROCEEDING

5487

December 13, 1977

Shanahan Commissioner Shanahan stated he did not feel the City had a binding commitment by the developer for funding of drainage or for street improvements as it is conditioned upon that interchange at Maps and I-235.

Porter Commissioner Porter indicated he was not satisfied with the agreement at this point.

Dekker City Attorney, after reviewing the Letters of Credit submitted for the \$1.4 Million for street improvements, stated that they were not conditioned as to what streets the commitment would apply to.

Lakin Director of Planning, suggested the Irrevocable Letters of Credit in the amount of \$286,000 for sanitary sewer be approved as part of the motion.

ion as amended-- Donnell, with consent of the second, included in his motion that an Irrevocable Letter of Credit in the amount of \$286,000, for sanitary sewers, be approved and filed. Motion as amended carried 3 to 2. Porter, Shanahan, "No".

--carried

77-36 PLAT OF FACESATTER ADDON. S/D 77-36 - Plat of Facesatter Addition located north of Mac Arthur Road between Riverside Drainage Ditch and Mc Lean Boulevard, presented.

A one-lot plat containing 27.7 acres. The Planning Commission recommends approval subject to recording within 30 days after approval.

NOTE: Associated zone case "AA" to "G" has been approved by the Commission subject to platting.

100% paving petition for Exchange Place, from SL Lot 1, Block A, Facesatter Addition to and including cul-de-sac, presented.

Donnell moved that the petition be approved and the Director of Law be instructed to prepare the necessary resolution and the City Clerk be instructed to file the certificate with the Register of Deeds, the filing and publication costs of which shall be billed to the applicant and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

S/D 77-91 - Plat of Sherwood Industrial Park located on the east side of Hydraulic in an area south of 33rd Street North, presented.

A one-lot, industrial plat containing 4.56 acres. The Planning Commission recommended approval subject to recording within 30 days.

NOTE: The sanitary sewer petition is a 26% petition and appropriate notices have been sent to affected property owners.

26% petition for Sanitary Sewer to serve the area between Hydraulic and the C.R.I. and P.R.R. from the NE Southwest Quarter, Section 34, Township 26 South, Range 1 East (33rd Street North) to the C.R.I. and P.R.R., presented.

Donnell moved that the petition be approved and the Director of Law be instructed to prepare the necessary resolution, the City Clerk be instructed to file the certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

S/D 77-130 - Plat of Edgington Addition located on the west side of West Street in an area south of Second Street, presented.

A one-lot, commercial plat containing .58 acres. The Planning Commission recommended approval subject to recording within 30 days after approval.

NOTE: Associated zone case 2-1951, "AA" to "LC" has been approved subject to platting.

Acknowledgement of sidewalk policy from Clifford E. and Carmond M. Edgington, dated November 17, 1977, presented.

Donnell moved that the City Clerk be instructed to file the sidewalk acknowledgement with the Registrar of Deeds, the filing cost of which shall be billed to the applicant and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

WICHITA-SEDGWICK COUNTY

DATE

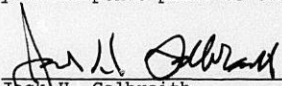
METROPOLITAN AREA PLANNING DEPARTMENT

December 7, 1977

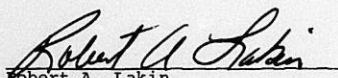
TO John Dekker, Director of Law
FROM Jack H. Galbraith, Chief Planner
SUBJECT S/D 77-24 Towne West Square Addition - Letters of Credit Guarantees and Drainage Agreement

As conditions of approval of the above referred to plat, the applicants were required to guarantee portions of the improvements to several of the streets surrounding the development, guarantee the relocation of a sanitary sewer and guarantee certain drainage improvements which involved approval of a drainage plan and the reserving of a "ponding" area for storm water on the subject plat.

Attached herewith are two irrevocable letters of credit guarantees for the street improvements and sewer relocation and an "agreement" whereby the applicant agrees to provide the drainage plan and to construct the stormwater ponding area at the time building plans are reviewed and prior to issuance of building permits. Since these three documents are not the "standard form" type of guarantees normally accepted with plats, I would appreciate your review of the documents and advising me if they are acceptable. The Towne West plat is being considered by the City Commission on December 13, 1977, and I would appreciate your response prior to that time.



Jack H. Galbraith
Chief Planner



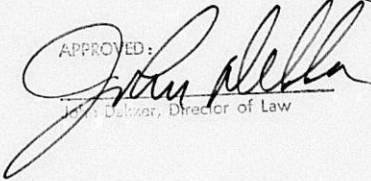
Robert A. Lakin
Director of Planning

CLN:JHG:et

cc: E. H. Denton, City Manager



APPROVED:



John Dekker, Director of Law

TheFourth



LETTER OF CREDIT
NO. 524

December 1977.

We hereby establish our Irrevocable Letter of Credit in favor of and for the account of Towne West Mall Company, an Indiana Limited Partnership, up to the aggregate of Two Hundred Eighty-six Thousand Eight Hundred Ten Dollars (\$286,810.00) available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth nonpayment for certain sanitary sewer improvements as shown on the attached Exhibit "A" which Towne West Mall Company has agreed to install.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No. 524 Dated _____".

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY,
WICHITA, Wichita, Kansas

By _____

*Sanitary
Improvements - Sewer*

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
Telephone 316-261-4444

John Dekker
John Dekker, Director of Law

TOWN: WEST
 SANITARY SEWER RELOCATION

DESIGNED BY RDE DATE 10-27-77
 rev 11-28-77

Item	Quantity	Unit Price	Extension	Total
A. Relocation of Submain 5, SS #22 (Sh 3+1)				
30" RCP, PVC lined	1530 LF	105	160650	
Reinf. Conc. Manhole	3 Ea	6000	18000	
Struct-Tec Manhole	3 Ea	6000	18000	
Demolish Manhole	6 Ea	200	1200	
Masonry Plug	2 Ea	50	100	
				197950
B. Relocation & Ext. of lat 106, Sub 5, SS #22 (sh 5)				
8" ABS Truss pipe	303 LF	16	4848	
Type "A" Std. Manhole	3 Ea	1600	4800	
Tap Exist. Manhole	2 Ea	150	300	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
Remove Conc. Pmnt.	12 SY	5	60	
				10508
C. Extension of Line 2, Sub 5, SS #22 (sh. 5)				
8" ABS Truss Pipe	29 LF	16	464	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
Rem & Rep. Conc. Pmnt.	2 SY	25	50	
				2264
D. Extension of lat. 16, Sub 5, SS #22 (sh. 6)				
8" ABS Truss Pipe	387 LF	16	6192	
Type "A" Std. Manhole	3 Ea	1600	4800	
Rem & Rep. Conc. Pmnt.	53 SY	25	1325	
				12317
E. Extension of lat. from Sub 5, SS #22 (sh 6)				
8" ABS Truss Pipe	74 LF	16	1184	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
				2934
F. Interceptor from lat 20 to lat 194, Sub 5, SS #22 (sh 7)				
8" D.I. Siphon	43 LF	43	1849	
10" D.I. Pipe	74 LF	43	3182	
10" ABS Truss Pipe	918 LF	35	32130	
8" ABS Truss Pipe	161 LF	16	2576	
Type "A" Std. Manhole	6 Ea	1600	9600	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
				49837
Subtotal				\$275,810
City Inspection				11,000
TOTAL				\$286,810

TheFourth

IV

IRREVOCABLE LETTER OF CREDIT

NO. 523

December 1977.

City of Wichita
c/o Mr. Donald C. Gisick
City Clerk
City Hall
455 North Main
Wichita, Kansas 67202

Gentlemen:

We hereby establish our "Irrevocable Letter of Credit" in your favor for the account of Towne West Mall Company, an Indiana Limited Partnership, for the sum of Nine Hundred Thirty-four Thousand Dollars (\$934,000.00) or such other amount as hereinafter determined, available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below, provided however, this Letter of Credit shall not exceed in any event, One Million Dollars.

The terms upon which this Letter of Credit is granted are as follows:

(a) Towne West Mall Company, an Indiana Limited Partnership, authorized to do business in the State of Kansas, has requested the City of Wichita to make certain street improvements to Tracy, Taft, Maple, West and Kellogg (U. S. 54) streets in the City of Wichita, and Towne West Mall Company has agreed to finance a portion of said improvements to the maximum extent of One Million Four Hundred Thousand Dollars (\$1,400,000.00).

(b) Towne West Mall Company has, contemporaneously with the delivery of this Letter of Credit, filed with the City of Wichita valid Paving Petitions pursuant to the provisions of KSA 12-6a01, et seq., petitioning for improvements to Taft and Tracy Streets, the estimated final costs of such improvements to Towne West Mall Company is Four Hundred Sixty-six Thousand Dollars (\$466,000.00); the exact cost of such improvements to be determined at such time as final assessments are made for such improvements pursuant to KSA 12-6a01 et seq.

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316-261-4444

John M. ...
Director of Law

*Don Gisick
Stamps*

(c) In the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets exceed \$466,000, this Letter of Credit shall be diminished by the amount such final assessments exceed \$466,000. Likewise, in the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets are less than \$466,000 this Letter of Credit shall increase by the amount such final assessments are less than \$466,000. The intent of the parties (Towne West Mall Company and City of Wichita) being that the total cost to Towne West Mall Company for the improvements to Tracy, Taft, Maple, West and Kellogg streets shall not exceed \$1,400,000.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth, specifically, the failure of Towne West Mall Company to pay the amount, as finally determined, it has agreed to pay for such improvements.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No.523 Dated

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY
WICHITA, Wichita, Kansas

By _____

required drainage plan, including the ponding area or areas are submitted and approved by Wichita.

2. Such plan shall be submitted to the Department of Public Works of Wichita for their approval, and upon written approval thereof, building permits shall issue in due course.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY OF WICHITA

Attest:

By _____ Mayor

City Clerk

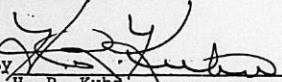
"WICHITA"

TOWNE WEST MALL COMPANY

By _____

APPROVED AS TO FORM:

DEPARTMENT OF LAW

By 
H. R. Kuhn
Assistant City Attorney

The platted property is a tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian; including a replat of L & S Addition, Wichita, Sedgwick County, Kansas; a replat of Lots 1 and 2 of Westwind Addition to Wichita, Kansas; a replat of Lots 1 thru 5 of Jenkins Fourth Addition to Wichita, Kansas; a replat of Lot 1 and the north 136 feet of Lot 2 of Plumb Addition to Wichita, Kansas; a replat of W-C Second Addition, Wichita, Kansas; and a replat of Lot 5 of W-C Addition, Wichita, Kansas; said platted property is further described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.48 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the north line of said Northeast Quarter;

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 thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
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 thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East;

to a point on the easterly right of way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said easterly right of way line; thence 931.00 feet on a curve to the left along said easterly right of way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right of way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right of way line to the north line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said north line to the point of beginning.

EXHIBIT "A"

TheFourth



IRREVOCABLE LETTER OF CREDIT

NO. 523

December 7, 1977.

City of Wichita
c/o Mr. Donald C. Gisick
City Clerk
City Hall
455 North Main
Wichita, Kansas 67202

Gentlemen:

We hereby establish our "Irrevocable Letter of Credit" in your favor for the account of Towne West Mall Company, an Indiana Limited Partnership, for the sum of Nine Hundred Thirty-four Thousand Dollars (\$934,000.00) or such other amount as hereinafter determined, available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below, provided however, this Letter of Credit shall not exceed in any event, One Million Dollars.

The terms upon which this Letter of Credit is granted are as follows:

(a) Towne West Mall Company, an Indiana Limited Partnership, authorized to do business in the State of Kansas, has requested the City of Wichita to make certain street improvements to Tracy, Taft, Maple, West and Kellogg (U. S. 54) streets in the City of Wichita, and Towne West Mall Company has agreed to finance a portion of said improvements to the maximum extent of One Million Four Hundred Thousand Dollars (\$1,400,000.00).

(b) Towne West Mall Company has, contemporaneously with the delivery of this Letter of Credit, filed with the City of Wichita valid Paving Petitions pursuant to the provisions of KSA 12-6a01, et seq., petitioning for improvements to Taft and Tracy Streets, the estimated final costs of such improvements to Towne West Mall Company is Four Hundred Sixty-six Thousand Dollars (\$466,000.00); the exact cost of such improvements to be determined at such time as final assessments are made for such improvements pursuant to KSA 12-6a01 et seq.

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316-261-4444


(c) In the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets exceed \$466,000, this Letter of Credit shall be diminished by the amount such final assessments exceed \$466,000. Likewise, in the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets are less than \$466,000 this Letter of Credit shall increase by the amount such final assessments are less than \$466,000. The intent of the parties (Towne West Mall Company and City of Wichita) being that the total cost to Towne West Mall Company for the improvements to Tracy, Taft, Maple, West and Kellogg streets shall not exceed \$1,400,000.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth, specifically, the failure of Towne West Mall Company to pay the amount, as finally determined, it has agreed to pay for such improvements.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 7, 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No.523 Dated December 7, 1977".

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY
WICHITA, Wichita, Kansas

By 
Peter Redman, Vice President

December 8, 1977

TO WHOM IT MAY CONCERN:

Subject: Towne West Square

Please be advised that the final plat of Towne West Square will be considered by the Board of City Commissioners on Tuesday, December 13, 1977. The City Commission meeting begins at 9:30 a.m. in the City Commission meeting room, first floor, City Hall, 455 North Main.

This case, however, as well as other Planning items, normally will not be taken up for discussion until later in the day. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:et

cc:

Mr. Gary Quick, Westport Drive In Theater, 401 S. West St., Wichita, Kansas 67213

Mr. Al McClure, P. O. Box 16026, Wichita, Kansas 67216

Mr. Ferd Evans, Jr., Attorney at Law, 200 W. Douglas, Wichita, Ka

GENE L. DRESSIE

GARY DRESSIE

MANAGER, K-MART WEST

December 7, 1977

John Dekker, Director of Law
Jack H. Galbraith, Chief Planner

S/D 77-24 Towne West Square Addition - Letters of Credit
Guarantees and Drainage Agreement

As conditions of approval of the above referred to plat, the applicants were required to guarantee portions of the improvements to several of the streets surrounding the development, guarantee the relocation of a sanitary sewer and guarantee certain drainage improvements which involved approval of a drainage plan and the reserving of a "ponding" area for storm water on the subject plat.

Attached herewith are two irrevocable letters of credit guarantees for the street improvements and sewer relocation and an "agreement" whereby the applicant agrees to provide the drainage plan and to construct the stormwater ponding area at the time building plans are reviewed and prior to issuance of building permits. Since these three documents are not the "standard form" type of guarantees normally accepted with plats, I would appreciate your review of the documents and advising me if they are acceptable. The Towne West plat is being considered by the City Commission on December 13, 1977, and I would appreciate your response prior to that time.

Jack H. Galbraith
Chief Planner

Robert A. Lakin
Director of Planning

CLN:JHG:et

cc: E. H. Denton, City Manager

TheFourth



IRREVOCABLE LETTER OF CREDIT
No. 524

December 7, 1977

City of Wichita
c/o Mr. Donald C. Gisick
City Clerk - City Hall
455 N. Main St.
Wichita, Kansas 67202

Gentlemen:


We hereby establish our Irrevocable Letter of Credit in your favor for the account of Towne West Mall Company, an Indiana Limited Partnership, up to the aggregate of Two Hundred Eighty Six Thousand Eight Hundred Ten Dollars (\$286,810.00) available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth nonpayment for certain sanitary sewer improvements as shown on the attached Exhibit "A" which Towne West Mall Company has agreed to install.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 7, 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No. 524 dated December 7, 1977.

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY, WICHITA
WICHITA, KANSAS

By: 
Peter Redman, Vice President

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316-261-4444

TOWN: WEST
SANITARY SEWER RELOCATION

RDF 10-27-77
rev 11-28-77

Item	Quantity	Unit Price	Extension	Total
A. Relocation of Submain 5, SS #22 (Sh 3+4)				
30" RCP, PVC lined	1530 LF	105	160650	
Reinf. Conc. Manhole	3 Ea	6000	18000	
Struct-Tec Manhole	3 Ea	6000	18000	
Demolish Manhole	6 Ea	200	1200	
Masonry Plug	2 Ea	50	100	
				197950
B. Relocation & Ext. of hat 106, Sub 5, SS #22 (Sh 5)				
8" ABS Truss pipe	303 LF	16	4848	
Type "A" Std. Manhole	3 Ea	1600	4800	
Tap Exist. Manhole	2 Ea	150	300	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
Remove Conc. Pmnt.	12 SY	5	60	
				10508
C. Extension of line 2, Sub 5, SS #22 (Sh 5)				
8" ABS Truss Pipe	29 LF	16	464	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
Rem & Rep. Conc. Pmnt.	2 SY	25	50	
				2264
D. Extension of hat. 16, Sub 5, SS #22 (Sh 6)				
8" ABS Truss Pipe	387 LF	16	6192	
Type "A" Std. Manhole	3 Ea	1600	4800	
Rem & Rep. Conc. Pmnt.	53 SY	25	1325	
				12317
E. Extension of hat. from Sub 5, SS #22 (Sh 6)				
8" ABS Truss Pipe	74 LF	16	1184	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
				2934
F. Interceptor from hat 20 at hat 194, Sub 5, SS #22 (Sh 7)				
8" D.I. Siphon	43 LF	43	1849	
10" D.I. Pipe	74 LF	43	3182	
10" ABS Truss Pipe	918 LF	35	32130	
8" ABS Truss Pipe	161 LF	16	2576	
Type "A" Std. Manhole	6 Ea	1600	9600	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
				49837
Subtotal				\$275,810
City Inspection				11,000
TOTAL				\$286,810

Exhibit "A"

Attachment No. 1

The two major areas of concern when the original Towne West Square C.U.P. was considered were drainage and street improvements. Both items have been considered by the Board of City Commissioners and cost allocations made as follows:

- a) Drainage - On February 10, 1976, the Board of City Commissioners approved the following cost allocations for drainage "area A" of the Southwest Industrial Storm Drainage Improvement Project. Drainage "area A" is an approximate 150 net acre tract bounded by I-235, Maple, West, and Kellogg.

Total cost of drainage improvement	2,250,000
Pump station (City-at-Large)	985,550
Total for "area A" to pay	1,264,450
Federal Funds (EDA grant)	466,050
Total Assessment	788,400
Towne West Assessment	413,400
Additional payment by Towne West	125,000
Total Towne West Payment	538,400

Other properties in drainage area assessed at approximately \$3,500/net acre; Towne West Area drainage improvement costs approximately \$5,900/net acre.

- b) Street improvements - Based on approved design and geometrics, the street improvements in the area will be as follows:

U. S. 54 (Kellogg)	1,092,483
Maple Street	570,826
West Street	301,134
Tracy Street	340,542
Taft Street	105,359
Construction Costs	2,410,344
Right-of-way Costs	83,617
Total Cost Estimates	2,493,961

On June 29, 1976, the Board of City Commissioners allocated these cost estimates as follows:

City-at-large	583,617
Special Assessments	98,907
Towne West Developer	1,368,437
State	443,000
Total	2,493,961

On July 27, 1976, the developers of Towne West again appeared before the City Commission and requested that to satisfy their financial lenders that a maximum developer participation of \$1,400,000 be established for street improvements. The Board of City Commissioners approved that proposal subject to State funding participation in the amount of \$443,000 and further subject to the accuracy of the street improvement cost estimates as prepared by the developer with the stipulation that in the event cost estimates and/or state participation are not as estimated that the scope of the intended improvements be resubmitted to the City Commission for further review.

ATTACHMENT II (1)

TheFourth

IV

LETTER OF CREDIT
NO. 524

December 1977.

We hereby establish our Irrevocable Letter of Credit in favor of and for the account of Towne West Mall Company, an Indiana Limited Partnership, up to the aggregate of Two Hundred Eighty-six Thousand Eight Hundred Ten Dollars (\$286,810.00) available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth nonpayment for certain sanitary sewer improvements as shown on the attached Exhibit "A" which Towne West Mall Company has agreed to install.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No. 524 Dated _____".

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY,
WICHITA, Wichita, Kansas

By _____

*Sanitary
Ltr/Wichita - Sewer*

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316 - 261-4444

TOWN OF WEST
SANITARY SEWER RELOCATION

RDF 10-27-77
rev 11-28-77

Item	Quantity	Unit Price	Extension	Total
A. Relocation of Submain 5, SS #22 (Sh 311)				
30" RCP, PVC lined	1530 LF	105	160650	
Reinf. Conc. Manhole	3 Ea	6000	18000	
Struct-Tec Manhole	3 Ea	6000	18000	
Demolish Manhole	6 Ea	200	1200	
Masonry Plug	2 Ea	50	100	
				197950
B. Relocation & Ext. of lat 106, Sub 5, SS #22 (Sh 5)				
8" ABS Truss pipe	303 LF	16	4848	
Type "A" Std. Manhole	3 Ea	1600	4800	
Tap Exist. Manhole	2 Ea	150	300	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
Remove Conc. Pmnt.	12 SY	5	60	
				10508
C. Extension of line 2, Sub 5, SS #22 (Sh 5)				
8" ABS Truss Pipe	29 LF	16	464	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
Rem & Rep. Conc. Pmnt.	2 SY	25	50	
				2264
D. Extension of lat. 16, Sub 5, SS #22 (Sh 6)				
8" ABS Truss Pipe	387 LF	16	6192	
Type "A" Std. Manhole	3 Ea	1600	4800	
Rem & Rep. Conc. Pmnt.	53 SY	25	1325	
				12317
E. Extension of lat. from Sub 5, SS #22 (Sh 6)				
8" ABS Truss Pipe	74 LF	16	1184	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
				2934
F. Interceptor from lat 207 to lat 194, Sub 5, SS #22 (Sh 7)				
8" D.I. Siphon	43 LF	43	1849	
10" D.I. Pipe	74 LF	43	3182	
10" ABS Truss Pipe	918 LF	35	32130	
8" ABS Truss Pipe	161 LF	16	2576	
Type "A" Std. Manhole	6 Ea	1600	9600	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
				49837
Subtotal				\$275,810
City Inspection				11,000
TOTAL				\$286,810

TheFourth



IRREVOCABLE LETTER OF CREDIT

NO. 523

December 1977.

City of Wichita
c/o Mr. Donald C. Gisick
City Clerk
City Hall
455 North Main
Wichita, Kansas 67202

Gentlemen:

We hereby establish our "Irrevocable Letter of Credit" in your favor for the account of Towne West Mall Company, an Indiana Limited Partnership, for the sum of Nine Hundred Thirty-four Thousand Dollars (\$934,000.00) or such other amount as hereinafter determined, available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below, provided however, this Letter of Credit shall not exceed in any event, One Million Dollars.

The terms upon which this Letter of Credit is granted are as follows:

(a) Towne West Mall Company, an Indiana Limited Partnership, authorized to do business in the State of Kansas, has requested the City of Wichita to make certain street improvements to Tracy, Taft, Maple, West and Kellogg (U. S. 54) streets in the City of Wichita, and Towne West Mall Company has agreed to finance a portion of said improvements to the maximum extent of One Million Four Hundred Thousand Dollars (\$1,400,000.00).

(b) Towne West Mall Company has, contemporaneously with the delivery of this Letter of Credit, filed with the City of Wichita valid Paving Petitions pursuant to the provisions of KSA 12-6a01, et seq., petitioning for improvements to Taft and Tracy Streets, the estimated final costs of such improvements to Towne West Mall Company is Four Hundred Sixty-six Thousand Dollars (\$466,000.00); the exact cost of such improvements to be determined at such time as final assessments are made for such improvements pursuant to KSA 12-6a01 et seq.

*City Clerk
Stamp*

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316-261-4444

(c) In the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets exceed \$466,000, this Letter of Credit shall be diminished by the amount such final assessments exceed \$466,000. Likewise, in the event the final assessments to Towne West Mall Company for the improvements to Taft and Tracy streets are less than \$466,000 this Letter of Credit shall increase by the amount such final assessments are less than \$466,000. The intent of the parties (Towne West Mall Company and City of Wichita) being that the total cost to Towne West Mall Company for the improvements to Tracy, Taft, Maple, West and Kellogg streets shall not exceed \$1,400,000.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth, specifically, the failure of Towne West Mall Company to pay the amount, as finally determined, it has agreed to pay for such improvements.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No.523 Dated

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY
WICHITA, Wichita, Kansas

By _____

ATTACHMENT II (3)

AGREEMENT

THIS AGREEMENT, made and entered into this day
of 1977,

BY AND BETWEEN

CITY OF WICHITA, a municipal
corporation, hereinafter
called

"WICHITA"

AND

TOWNE WEST MALL COMPANY, an
Indiana Limited Partnership,
hereinafter called

"TOWNE WEST"

WHEREAS, Towne West has filed for approval a proposed plat of
Towne West Square Addition to Wichita, covering the real estate
described on the attached Exhibit "A"; and

WHEREAS, as a condition to the approval of said plat, Towne
West is required to submit to Wichita, a drainage plan for the site
which shall indicate location and size of required drainage ease-
ments and ponding area to be provided by Towne West; and

WHEREAS, it is not feasible or possible at this time to submit
for approval such a plan or exactly locate such ponding area or areas;
and

WHEREAS, Towne West desires to submit for approval the said
plat to Towne West Square Addition prior to approval of a drainage
plan.

NOW, THEREFORE, it is agreed by and between the parties hereto
as follows:

1. In the event the plat to Towne West Square Addition is
approved by the City Commission upon submission thereof, no building
permits shall be issued by the Central Inspection Division of the
Department of Public Works of Wichita for the construction of improve-
ments upon the above described real estate until such time as the

required drainage plan, including the ponding area or areas are submitted and approved by Wichita.

2. Such plan shall be submitted to the Department of Public Works of Wichita for their approval, and upon written approval thereof, building permits shall issue in due course.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY OF WICHITA

Attest:

By _____ Mayor

City Clerk

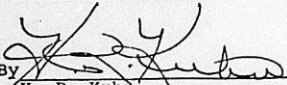
"WICHITA"

TOWNE WEST MALL COMPANY

By _____

APPROVED AS TO FORM:

DEPARTMENT OF LAW

By 
H. R. Kuhn
Assistant City Attorney

The platted property is a tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian; including a replat of L & S Addition, Wichita, Sedgwick County, Kansas; a replat of Lots 1 and 2 of Westwind Addition to Wichita, Kansas; a replat of Lots 1 thru 5 of Jenkins Fourth Addition to Wichita, Kansas; a replat of Lot 1 and the north 136 feet of Lot 2 of Plumb Addition to Wichita, Kansas; a replat of W-C Second Addition, Wichita, Kansas; and a replat of Lot 5 of W-C Addition, Wichita, Kansas; said platted property is further described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.48 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the north line of said Northeast Quarter;

thence 630.00 feet on a bearing of South 00 degrees 02 minutes 20 seconds East;
 thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 160.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
 thence 150.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 470.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
 thence 242.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 1304.15 feet on a bearing of South 00 degrees 02 minutes 23 seconds East;
 thence 40.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 787.51 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
 thence 170.89 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
 thence 250.00 feet on a bearing of North 00 degrees 04 minutes 05 seconds West;
 thence 190.00 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
 thence 530.73 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
 thence 256.40 feet on a bearing of South 88 degrees 27 minutes 20 seconds West;
 thence 185.00 feet on a bearing of North 00 degrees 08 minutes 07 seconds West;
 thence 100.48 feet on a bearing of North 88 degrees 27 minutes 20 seconds East;
 thence 591.99 feet on a bearing of North 00 degrees 16 minutes 03 seconds West;
 thence 100.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 21.70 feet on a bearing of South 00 degrees 00 minutes 57 seconds East;
 thence 169.12 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 489.95 feet on a bearing of South 00 degrees 08 minutes 07 seconds East;
 thence 289.61 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
 thence 377.93 feet on a bearing of North 00 degrees 08 minutes 30 seconds West;
 thence 204.85 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
 thence 8.90 feet on a bearing of South 00 degrees 08 minutes 30 seconds East;
 thence 215.96 feet on a bearing of North 89 degrees 45 minutes 40 seconds West;
 thence 111.60 feet on a bearing of North 75 degrees 05 minutes 35 seconds West;
 thence 335.40 feet on a bearing of South 89 degrees 42 minutes 00 seconds West;
 thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East

to a point on the easterly right of way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said easterly right of way line; thence 931.00 feet on a curve to the left along said easterly right of way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right of way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right of way line to the north line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said north line to the point of beginning.

EXHIBIT "A"

CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last Deed of record in the Office of the Register of Deeds of Sedgwick County, Kansas, of the following described property, viz:

LEGAL

See Exhibit A Attached. Said property to be known as TOWNE WEST SQUARE ADDITION

OWNER

Towne West Mall Company, an Indiana Limited Partnership, with the exception of that part platted out of Lots 1 through 5 JENKINS 4th ADDITION which is owned by Myrtle A. Rogers

Taxes for the said described ^{property} are as follows; 1977 unpaid, 1976 and prior years paid

GUARANTEE TITLE CO., INC.


President

Ownership list in error.

EXHIBIT A

A tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.48 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the North line of said Northeast Quarter;

thence 630.00 feet on a bearing of South 00 degrees 02 minutes 20 seconds East;
 thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 160.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
 thence 150.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 470.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
 thence 242.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
 thence 1304.15 feet on a bearing of South 00 degrees 02 minutes 23 seconds East;
 thence 40.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 787.51 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
 thence 170.89 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
 thence 250.00 feet on a bearing of North 00 degrees 04 minutes 05 seconds West;
 thence 190.00 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
 thence 530.73 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
 thence 256.40 feet on a bearing of South 88 degrees 27 minutes 20 seconds West;
 thence 185.00 feet on a bearing of North 00 degrees 08 minutes 07 seconds West;
 thence 100.48 feet on a bearing of North 88 degrees 27 minutes 20 seconds East;
 thence 591.99 feet on a bearing of North 00 degrees 16 minutes 03 seconds West;
 thence 100.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 21.70 feet on a bearing of South 00 degrees 00 minutes 57 seconds East;
 thence 169.12 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
 thence 489.95 feet on a bearing of South 00 degrees 08 minutes 07 seconds East;
 thence 289.61 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
 thence 377.93 feet on a bearing of North 00 degrees 08 minutes 30 seconds West;
 thence 204.85 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
 thence 8.90 feet on a bearing of South 00 degrees 03 minutes 30 seconds East;
 thence 215.96 feet on a bearing of North 89 degrees 45 minutes 40 seconds West;
 thence 111.60 feet on a bearing of North 75 degrees 05 minutes 35 seconds West;
 thence 335.40 feet on a bearing of South 89 degrees 42 minutes 00 seconds West;
 thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East;

to a point on the easterly right-of-way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said Easterly right-of-way line; thence 931.00 feet on a curve to the left along said easterly right-of-way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right-of-way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right-of-way line to the North line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said North line to the point of beginning. Said Tract contains 90.096 acres.

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 77-24 Name Towne West Square Addition
Application & Sketch Filed: 2-25-77
Preliminary Plat Filed: 2-25-77 Approved by S/D: 3-10-77
Final Plat Filed: 4-25-77 Approved by S/D: 5-5-77
Approved by Metropolitan Area Planning Commission: 5-12-77

DESCRIPTION

General Location: Between Maple and Kellogg and I-235 and Stracy St.

Surveyor or Engineer: Campbell & Castle
Owner: Town West Mall Co., et al.
Address: 1712 N. Meridian, Indianapolis, Indiana 46202

1. Gross Acreage of Plat <u>90</u>	6. Access Control	
2. Number of Lots:	St. <u>Maple</u>	No. Openings <u>4</u>
Residential _____	St. <u>Tracy</u>	No. Openings <u>6</u>
Commercial _____	St. _____	No. Openings _____
Industrial <u>6</u>	7. Req'd Improvements	
Other _____	St. Paving <u>rdg</u>	Water <u>not rdg</u>
Total Number of Lots: <u>6</u>	Sidewalk <u>not rdg</u>	Drainage <u>rdg</u>
3. Minimum Lot Area: <u>0.71</u> Acres	Sewer <u>not rdg</u>	Other <u>agreement</u>
4. Existing Zoning <u>AA & E</u>		<u>on drainage im-</u>
5. Special Problems Discussed _____		<u>provement</u>

Petitions have been submitted for the paving of Anna, Westdale, Taft and Tracy and irrevocable letters of credit for the paving of portions of Maple, Tracy, Taft, West Street and Kellogg. An Agreement to submit an approved drainage plan and to provide for storage of drainage water on site prior to issuance of building permits has been submitted. A certificate has been submitted certifying the petitions.

Planning Commission Recommendation:

See the attached sheet for conditions of approval. Also attached are copies of instrument which have been submitted by the applicant meeting some of the requirements. These instruments are different from the standard instruments submitted for guarantees on plats. All agreements and letters of credit have been submitted to the Department of Law for review.

approve Mar 14, 1978
NOTE: All petitions being submitted are 100% except those involving Tracy and Taft. These two petitions have to be acted upon at a subsequent meeting after appropriate notice has been given.

The associated cases DP-71, Commercial C.U.P. and Z-1700, "AA" & "E" to "LC" have been approved by the Board of City Commissioners subject to platting.

ACTION: Accept the drainage improvement and authorize the Mayor to sign, receive and file the irrevocable letter of credit, approve the petitions and instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the agreement and 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 Metropolitan Area Planning Commission, authorize the Mayor to sign and instruct the Planning Department to withhold release of the plat for recording until all conditions of the plat approval have been completed.

PLANNING COMMISSION RECOMMENDED CONDITIONS OF APPROVAL

TOWNE WEST SQUARE ADDITION

That the Towne West Square Addition plat be approved subject to the following:

- sk 4-27-72*
- The legal instrument shall be submitted as required on the C.U.P., agreeing that the owner and subsequent owners in title will not object and request damages by virtue of changing of US 54 (Kellogg) from expressway-arterial standards to freeway standards.
- Has been done. B. The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plat's text.
- Has been done. C. The rights-of-way being dedicated by this plat for Maple, Tracy and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
- Has been done. D. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.
- sk 4-4-79*
see memo to file
- ~~E.~~ The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
- See attachment F. #2 The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- See attachment G. #2 As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.
- Included in Petition H. The applicant shall guarantee all the drainage improvements associated with the plat.
- See attachment I. #1 Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- Will be done at building permit stage*
- J. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- received 12-14-77*
- K. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- received 12-5-77*
- L. Submission of a title report by an abstract or title insurance company, or an attorney's opinion that fee title is vested in the plat.
- M. Certification that all taxes due and payable for 1977 and prior years have been paid.

CERTIFICATE

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

I, James P. Schaefer, attorney for the, owner of
(give name of proposed plat, if appropriate) Towne West
Square 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. Taft Street from the West line of Florence to the West line of West Street.
2. Tracy from the North line of Kellogg Drive to the South line of Taft.
3. Tracy from the South line of Taft to the South line of Maple.
4. Anna Street from the North line of Kellogg Drive to the North line of the South 100 feet, Lot 2, Plumb Addition.
5. Taft from the West line of Florence to the West line of West Street.
- 6.
- 7.

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

Signed this 8th day of December, 1977.
TOWNE WEST MALL COMPANY, an
Indiana Limited Partnership

By James P. Schaefer, Attorney

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

Be it remembered that on this 8th day of December,
1977, before me, a notary public in and for said County and State,
came James R. Schaefer, 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.

Wicki Messmer
Notary Public

My Commission Expires:

9-29-78

T9-207



HOLMES, MELLOR, SCHAEFER & COMPTON
ATTORNEYS AT LAW

800 BROWN BUILDING

WICHITA, KANSAS 67202

TELEPHONE (316) 262-4403

R. L. HOLMES (1880-1926)
W. E. HOLMES (1887-1956)
JOHN J. DARRAH (1910-1973)
GEORGE R. COMPTON (1941-1974)

RICHARD W. HOLMES
PHILIP MELLOR
JAMES R. SCHAEFER
ARDEN P. MILLER

WILBUR H. JONES
COUNSEL

December 8, 1977

City of Wichita
c/o Wichita-Sedgwick County
Metropolitan Area Planning
Department
455 North Main
Wichita, Kansas 67202

Gentlemen:

This is to certify that we have examined the title evidence relative to the real estate which is described on the attached Exhibit "A", which is being platted into an Addition to be known as TOWNE WEST SQUARE ADDITION, an Addition to Wichita, Sedgwick County, Kansas.

Title to said real estate is vested in

TOWNE WEST MALL COMPANY, an Indiana
Limited Partnership, and MYRTLE A.
ROGERS

Mrs. Rogers has a fee title to that portion of Lot 1, Towne West Square Addition which is platted from Lots 1 to 5, inclusive, Jenkin's Fourth Addition, subject to the hereinafter mentioned leases:

A portion of the addition is subject to a mortgage in favor of the Fourth National Bank & Trust Co., Wichita, Wichita, Kansas, in the original amount of \$210,000, said mortgage having been recorded on May 24, 1974, and filed in Film 102, page 1353.

There are certain easements and rights-of-way as shown on the plat to the Addition.

Said portion of Lot 1, Towne West Square Addition, platted from Lots 1 to 5, inclusive, Jenkin's Fourth Addition, are subject to the terms and conditions of a lease dated April 1, 1956, by and between Myrtle A. Rogers and Bekemeyer Construction Co., Inc., filed July 5, 1967, recorded in Miscellaneous Book 602, page 374; assigned to

HOLMES, MELLOR, SCHAEFER & COMPTON

#2
December 8, 1977

W. E. Lusk, Jr., by Trustee, assignment filed October 26, 1971, in Miscellaneous Book 700, page 425; assignment from W. E. Lusk, Jr. and Nancy D. Lusk, his wife, to Westwoods Mall Associates, Inc., filed December 12, 1975, in Film 168, page 1265; and subsequent amendments to said lease, filed March 10, 1977, in Film 180, page 1473, and March 24, 1977, in Film 235, page 1059, and further, subject to the terms and conditions of Memorandum of Lease dated August 1, 1977, by and between Westwoods Mall Associates, Inc. and Towne West Mall Associates, filed August 8, 1977, in Film 259, page 1000.

Taxes for the year 1976 and prior years have been paid, as well as taxes for the year 1977, as shown by the attached receipts.

Very truly yours,

James R. Schaefer
James R. Schaefer, of
MELLOR, SCHAEFER & MILLER, P.A.

jrs/f

HOLMES, MELLOR, SCHAEFER & COMPTON
ATTORNEYS AT LAW

800 BROWN BUILDING
WICHITA, KANSAS 67202
TELEPHONE (316) 262-4403

R. L. HOLMES (1880-1928)
W. E. HOLMES (1887-1928)
JOHN J. DARRAH (1910-1972)
GEORGE R. COMPTON (1841-1876)

RICHARD W. HOLMES
PHILIP MELLOR
JAMES R. SCHAEFER
ARDEN P. MILLER

WILLIAM H. JONES
COUNSEL

December 8, 1977

Mr. Robert Lakin, Director
Wichita-Sedgwick County Metropolitan
Area Planning Department
455 North Main
Wichita, Kansas

Re: Towne West Plat Requirements

Dear Mr. Lakin:

I hand you herewith the following:

1. Paving petition for Taft Street from the West line of Florence to the West line of West Street.
2. Paving petition for Tracy Street from the North line of Kellogg Drive to the South line of Taft.
3. Paving petition for Tracy from the South line of Taft to the South line of Maple.
4. Paving petition for Anna Street from the North line of Kellogg Drive to the North line of the South 100 feet, Lot 2, Plumb Addition.
5. Paving petition for Taft from the West line of Florence to the West line of West Street.
6. Paving petition for Westdale Drive from the West line of Anna to the North line of Lot 4, W-C Addition.
7. Certificate as to the filing of certain of the above petitions.
8. Letter of Credit in favor of the City of Wichita, in a sum not to exceed \$1,000,000.00, to guarantee the developer's share of improvements to West Street, Maple Street and Kellogg (U. S. 54).
9. Letter of Credit in favor of the City of Wichita, in the sum of \$286,810.00, to guarantee payment for sanitary sewer improvements to be made by developer.

Mr. Robert Lakin
December 8, 1977
Page 2.

10. Agreement between Towne West Mall Company and the City of Wichita relative to on-site drainage of the Towne West site and ponding requirements.

11. Title and tax opinion of James R. Schaefer.

12. Plat of Addition (two pages) and closure data.

13. Certified check in the sum of \$400.00 to guarantee relocation of Anna Street water line and fire hydrant.

With the exception of guaranteeing the improvement of Taft Street from the East line of Tracy to the West line of Florence, and the execution and delivery to you of an agreement waving objection and/or a request for damages by virtue of changing U.S. 54 from expressway-arterial standards to freeway standards, which will be submitted to you shortly, these documents should complete all requirements for platting Towne West Square Addition. I am, however, delivering herewith, a copy of the proposed petition to improve that portion of Taft Street above mentioned which has not yet been executed by other parties.

It is our understanding that the storm water drainage project will be initiated by the City by Resolution. It is expressly understood that these documents are being submitted to comply with the conditions of platting as outlined in the inter-office memo to Jack H. Galbraith, Chief Planner, from Curtis L. Newby, Junior Planner, dated November 2, 1977.

They (the documents) are further submitted with the understanding that the various agreements heretofore entered into by and between the City, acting by and through the City Commission, and the developer of Towne West with regard street improvements and drainage will remain intact.

We full well realize that there is a distinct possibility that some design standards with regard the major streets in the area (principally West, Maple and Kellogg) (U.S. 54) may change from the previously agreed upon plans. Any changes in such plans could seriously jeopardise the development of the shopping center and therefore the submitted documents are so submitted, based upon current design standards. Any changes will have to be with the concurrence of the developer as they relate to and effect the shopping center site, notwithstanding the provisions of K.S.A. 12-6a04 and the paving petitions submitted thereunder. In other words, put rather simply,

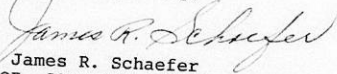
Mr. Robert Lakin
December 8, 1977
Page 3.

the developer doesn't wish to find itself in a position of agreeing to the installation of many thousands of dollars of improvements to serve a tract of land that is no longer usable for development of a regional shopping center of approximately one million square feet because of design changes. We certainly aren't taking any arbitrary stand with regard this, and I would wish to discuss this matter with the City Commission at the time of the plat submittal to the Commission, on December 13, so that we all have a thorough understanding of our respective positions.

As we both know, the current status of Kellogg and Maple Streets, and principally as they relate to the inter-section of West and Kellogg and the inter-section of 1-235 and Maple, are presently being looked at for considerable revision from the current plans. At this writing it would appear that the proposals are satisfactory to the developer, however, since there is no definite plan available, we'll just have to play this by ear knowing that there is a certain amount of attendant risk to us.

If you have any questions concerning this please contact me.

Yours very truly,



James R. Schaefer
MELLOR, SCHAEFER & MILLER, P.A.

JRS/mr
Encis.

A Tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.48 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the north line of said Northeast Quarter;

thence 630.00 feet on a bearing of South 00 degrees 02 minutes 20 seconds East;
thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 160.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
thence 150.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 470.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
thence 242.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 1304.15 feet on a bearing of South 00 degrees 02 minutes 23 seconds East;
thence 40 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 787.51 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
thence 170.89 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
thence 250.00 feet on a bearing of North 00 degrees 04 minutes 05 seconds East;
thence 190.00 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
thence 530.73 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
thence 256.40 feet on a bearing of South 88 degrees 27 minutes 20 seconds West;
thence 185.00 feet on a bearing of North 00 degrees 08 minutes 07 seconds West;
thence 100.48 feet on a bearing of North 88 degrees 27 minutes 20 seconds East;
thence 591.99 feet on a bearing of North 00 degrees 16 minutes 03 seconds West;
thence 100.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 21.70 feet on a bearing of South 00 degrees, 00 minutes 57 seconds East;
thence 169.12 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 489.95 feet on a bearing of South 00 degrees 08 minutes 07 seconds East;
thence 289.61 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
thence 377.93 feet on a bearing of North 00 degrees 08 minutes 30 seconds West;
thence 204.85 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
thence 8.90 feet on a bearing of South 00 degrees 05 minutes 30 seconds East;
thence 215.96 feet on a bearing of North 89 degrees 45 minutes 40 seconds West;
thence 111.60 feet on a bearing of North 75 degrees 05 minutes 35 seconds West;
thence 335.40 feet on a bearing of South 89 degrees 42 minutes 00 seconds West;
thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East;

to a point on the easterly right of way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said easterly right of way line; thence 931.00 feet on a curve to the left along said easterly right of way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right of way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right of way line to the north line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said north line to the point of beginning. Generally located on the south side of Maple between Tracy and I-235.

EXHIBIT "A" |

PLEASE DO NOT FOLD OR MUTILATE

TWO

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION
 BEG 329 FT W. NE COR SE 1/4 NW 1/4 SEC 26 N 305.4 FT S 389.62 FT E 334.6 FT N 389.62 FT TO BEG SEC 26-27-10 EXC S 164.54 FT N 154.54 FT E 139 FT

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0524-07-7
 -D-06122-041E 67-02
 TORNE WEST PALL (MELVIN SIMON & ASSOC 1712 N MERIDIAN INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

DATE: 08 77
 INTEREST: 37.85
 PAID: .00
 RECEIPT NO.: 4023049933

MAKE CHECKS PAYABLE TO
 SEDGWICK COUNTY TREASURER
 WICHITA, KANSAS 67203 PH. (316) 268-7651

SECTION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
360	105.150	37.85		37.85	18.92	18.93	1577 REAL ESTATE TAX

PLEASE DO NOT FOLD OR MUTILATE

TWO

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION
 LOT 5 W-C ADDITION

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-13-0381-08-4
 -D-29393 67-02
 TORNE WEST PALL CO. 1712 N MERIDIAN INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

DATE: 08 77
 INTEREST: 42.06
 PAID: .00
 RECEIPT NO.: 4023049936

MAKE CHECKS PAYABLE TO
 SEDGWICK COUNTY TREASURER
 WICHITA, KANSAS 67203 PH. (316) 268-7651

SECTION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
400	105.150	42.06		42.06	21.03	21.03	1977 REAL ESTATE TAX

PLEASE DO NOT FOLD OR MUTILATE

TWO

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION
 LOT 1 W-C SECOND ADDITION

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-13-0447-05-2
 -D-30225 67-02
 TORNE WEST PALL CO. 1712 N MERIDIAN INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

DATE: 08 77
 INTEREST: 164.66
 PAID: .00
 RECEIPT NO.: 4023049938

MAKE CHECKS PAYABLE TO
 SEDGWICK COUNTY TREASURER
 WICHITA, KANSAS 67203 PH. (316) 268-7651

SECTION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
770	105.150	60.57	33.69	164.66	82.33	82.33	1977 REAL ESTATE TAX

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 FROM THE BEST
 AVAILABLE COPY

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IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

N 300 FT E 5A W 20A SW 1/4 NE 1/4
EAC W 41 FT N 133 FT & EAC E 60 FT
N 145 FT & 172 VAC TAFT ST ON S
SEC 26-27-1W

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0530-09-4
-0-00122-45K2 67-02
TOWNE WEST MALL CC
1712 N MERIDIAN
INDIANAPOLIS IN 46202

MAKE CHECKS PAYABLE TO
SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST
CA
CK

PLEASE INDICATE ANY CHANGE OF ADDRESS

DATE INTEREST PAID RECEIPT NO.

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	REMARKS
1,500	105.150	157.73		157.73	78.86	78.87	1977 REAL ESTATE TAX
				DATE: 4A DEC 08 77	INTEREST: 157.73	PAID: .00	RECEIPT NO: 4023049940

INTEREST TOTAL PAID RECEIPT NO.

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IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

BEG 324 FT W & 30 FT S NE COR
SE 1/4 NW 1/4 SEC 26 W 134 FT S
104.50 FT E 134 FT W TO BEG SEC
26-27-1W

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0524-08-9
-0-00122-047 67-02
TOWNE WEST MALL CC
1712 N MERIDIAN
INDIANAPOLIS IN 46202

MAKE CHECKS PAYABLE TO
SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST
CA
CK

PLEASE INDICATE ANY CHANGE OF ADDRESS

DATE INTEREST PAID RECEIPT NO.

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	REMARKS
490	105.150	46.21	10.50	56.71	28.38	28.33	1977 REAL ESTATE TAX
				DATE: 4A DEC 08 77	INTEREST: 56.77	PAID: .00	RECEIPT NO: 4023049942

INTEREST TOTAL PAID RECEIPT NO.

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IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

BEG 661 FT W OF NE COR SW 1/4
NE 1/4 TH W 60 FT S 145.2 FT E 60
FT N 145.2 FT TO BEG SEC 26-27-1W

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0523-01-3
-0-05122-045K 67-02
TOWNE WEST MALL CC
1712 N MERIDIAN
INDIANAPOLIS IN

MAKE CHECKS PAYABLE TO
SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST
CA
CK

PLEASE INDICATE ANY CHANGE OF ADDRESS

DATE INTEREST PAID RECEIPT NO.

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	REMARKS
360	105.150	37.85		37.85	18.92	18.93	1977 REAL ESTATE TAX
				DATE: 4A DEC 08 77	INTEREST: 37.85	PAID: .00	RECEIPT NO: 4023049943

INTEREST TOTAL PAID RECEIPT NO.

MICROFILMED
FROM THE BEST
AVAILABLE COPY

INTEREST TOTAL PAID RECEIPT NO

TWO

PLEASE DO NOT FOLD OR MUTILATE

<p>IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.</p> <p>PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION</p>	<p>LEGAL DESCRIPTION</p> <p>LOT 1 EXC W 159.4 FT WESTWIND AC</p>						
<p>PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM</p> <p>77-RE-13-0291-02-1 -D -28183 67-02 TOWNE WEST MALL CO 1712 N MERIDIAN INDIANAPOLIS IN 46202</p> <p>PLEASE INDICATE ANY CHANGE OF ADDRESS</p>	<p>MAKE CHECKS PAYABLE TO SEDGWICK COUNTY TREASURER WICHITA, KANSAS 67203 PH. (316) 268-7851</p> <p>INTEREST CA CK</p>	<p>DATE INTEREST PAID RECEIPT NO</p> <p>4A DEC 08 77 39.96 .00 39.96 4623049921</p>					
VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
630	105.150	39.96		39.96	19.98	19.98	

INTEREST TOTAL PAID RECEIPT NO

INTEREST TOTAL PAID RECEIPT NO

70

PLEASE DO NOT FOLD OR MUTILATE

<p>IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.</p> <p>PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION</p>	<p>LEGAL DESCRIPTION</p> <p>LOT 2 EXC W 159.4 FT WESTWIND AC</p>						
<p>PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM</p> <p>77-RE-13-0291-04-5 -D -28184 67-02 TOWNE WEST MALL CO 1712 N MERIDIAN INDIANAPOLIS IN 46202</p> <p>PLEASE INDICATE ANY CHANGE OF ADDRESS</p>	<p>MAKE CHECKS PAYABLE TO SEDGWICK COUNTY TREASURER WICHITA, KANSAS 67203 PH. (316) 268-7851</p> <p>INTEREST CA CK</p>	<p>DATE INTEREST PAID RECEIPT NO</p> <p>6A DEC 08 77 66.24 .00 66.24 4623049922</p>					
VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
630	105.150	66.24		66.24	33.12	33.12	

INTEREST TOTAL PAID RECEIPT NO

INTEREST TOTAL PAID RECEIPT NO

TWO

PLEASE DO NOT FOLD OR MUTILATE

<p>IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.</p> <p>PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION</p>	<p>LEGAL DESCRIPTION</p> <p>BEG 1323 FT W N 12.5 FT W SE COR N 1/2 NE 1/4 T4 W 660 FT N 673.7 FT E 268 FT S CG FT E 392 FT S 616.1 FT TO BEG EXC E 35 FT FOR ST BEG 26-27-1W</p>						
<p>PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM</p> <p>77-RE-10-0523-10-2 -D -00122-045V-0001 67-02 TOWNE WEST MALL CO 1712 N MERIDIAN INDIANAPOLIS IN 46202</p> <p>PLEASE INDICATE ANY CHANGE OF ADDRESS</p>	<p>MAKE CHECKS PAYABLE TO SEDGWICK COUNTY TREASURER WICHITA, KANSAS 67203 PH. (316) 268-7851</p> <p>INTEREST CA CK</p>	<p>DATE INTEREST PAID RECEIPT NO</p> <p>4A DEC 08 77 126.18 .00 126.18 4623049925</p>					
VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
1,200	105.150	126.18		126.18	63.09	63.09	

INTEREST TOTAL PAID RECEIPT NO

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IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

77-RE-10-0522-13-B
 -D -06122-045V-0005 67-02
 MELLIN SIMON E ASSOC
 1712 N MERIDIAN
 INDIANAPOLIS IN

PLEASE INDICATE ANY CHANGE OF ADDRESS

LEGAL DESCRIPTION

REG NW COR 1/4 S 1302.301 E 662.7
 FT W 675.751 W 5581.4 630FT W
 203FT TO REG SEC 26-27-10

MAKE CHECKS PAYABLE TO
 SEDGWICK COUNTY TREASURER
 WICHITA, KANSAS 67203 PH. (316) 268-7651

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	RECEIPT NO.
2,330	105.150	245.00	296.81	501.81	250.90	250.91	4023049927

DATE: 4A DEC 08 77

INTEREST: .00

PAID: 501.81

1977 REAL ESTATE TAX

TWO

PLEASE DO NOT FOLD OR MUTILATE

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

77-RE-10-0524-10-4
 -D -06122-045V 67-02
 MELLIN SIMON E ASSOC
 1712 N MERIDIAN
 INDIANAPOLIS IN

PLEASE INDICATE ANY CHANGE OF ADDRESS

LEGAL DESCRIPTION

REG SE COR N 1/2 NW 1/4 W 659.4 FT
 S 480.93 FT N-E TO 1-235 ROW NLY
 ALG ROW TO N 1/2 NW 1/4 E TO NE COR
 NW 1/4 S 10 REG SEC 26-27-10

MAKE CHECKS PAYABLE TO
 SEDGWICK COUNTY TREASURER
 WICHITA, KANSAS 67203 PH. (316) 268-7651

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	RECEIPT NO.
7,350	105.150	777.75	1698.51	2,471.36	1,235.68	1,235.68	4023049930

DATE: 4A DEC 08 77

INTEREST: .00

PAID: 2,471.36

1977 REAL ESTATE TAX

TWO

PLEASE DO NOT FOLD OR MUTILATE

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

77-RE-13-0309-01-B
 -D -28384 67-02
 TOWNE WEST HALL CO
 1712 N MERIDIAN
 INDIANAPOLIS IN

PLEASE INDICATE ANY CHANGE OF ADDRESS

LEGAL DESCRIPTION

LOT 1 PLUPE ADDITION

MAKE CHECKS PAYABLE TO
 SEDGWICK COUNTY TREASURER
 WICHITA, KANSAS 67203 PH. (316) 268-7651

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	RECEIPT NO.
2,210	105.150	232.38	270.72	503.10	251.55	251.55	4023049947

DATE: 4A DEC 08 77

INTEREST: .00

PAID: 503.10

1977 REAL ESTATE TAX

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TWO

PLEASE DO NOT FOLD OR MUTILATE

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

LCT 2 EXC S 100 FT PLUMB ADD

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-13-0309-02-0
-D-20285
TOWNE WEST MALL CO
1712 N MERIDIAN
INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

MAKE CHECKS PAYABLE TO

SEDGWICK COUNTY TREASURER

WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST

CA

CK

RECEIPT NO.

DATE

INTEREST

PAID

4A DEC 08 77 296.10 .00 296.10 4023049950

VARIATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	
1.270	105.150	133.54	162.56	296.10	148.05	148.05	1977 REAL ESTATE TAX

INTEREST TOTAL PAID RECEIPT NO.

TWO

PLEASE DO NOT FOLD OR MUTILATE

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

W 392 FT E 1715 FT N 650 FT NE 1/4
EXC W 150 FT N 470 FT EXC N 50 FT
FORST & EXC E 35 FT & N 20 FT FOR
ST SEC 26-27-1W

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0523-14-0
-D-06122-049V-002A 67-02
TOWNE WEST MALL CO
(SIMON DEVEL CO.)
INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

MAKE CHECKS PAYABLE TO

SEDGWICK COUNTY TREASURER

WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST

CA

CK

RECEIPT NO.

DATE

INTEREST

PAID

Indiapolis, Ind. 46202 08 77 1,165.43 .00 1,165.43 4023049953

VARIATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	
2.590	105.150	272.34	893.09	1,165.43	582.71	582.72	1977 REAL ESTATE TAX

INTEREST TOTAL PAID RECEIPT NO.

TWO

PLEASE DO NOT FOLD OR MUTILATE

IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.

PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

1 = W&E BEG NE COR W 150 SW 1/4 NE
1/4 SEC 26 TH S 137 FT E 40.94 FT N
133 FT W 40.94 FT TH BEG SEC
26-27-1W

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0530-08-2
-D-06122-4581 67-02
TOWNE WEST MALL CO.
1712 N MERIDIAN
INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

MAKE CHECKS PAYABLE TO

SEDGWICK COUNTY TREASURER

WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST

CA

CK

RECEIPT NO.

DATE

INTEREST

PAID

4A DEC 08 77 11.57 .00 11.57 4023049951

VARIATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	
1.10	105.150	11.57		11.57	5.78	5.79	1977 REAL ESTATE TAX

INTEREST TOTAL PAID RECEIPT NO.



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TWO

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PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

50 185 FT X 290.82 FT E 600 FT SW 1/4 NE1/4 LY 6 US HWY 54 RDW G 1/2 AC YOUNG ST DR W 6 1/2 AC ALLEY DR N SEC 26-77-1W

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-10-0055-09-6
-D -01389-01UP 67-02
10-N WEST HALL COMPANY
1712 N MERIDIAN
INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

MAKE CHECKS PAYABLE TO

SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST

CA

CK

DATE INTEREST PAID RECEIPT NO.

4A DEC 08 77 615.13 .00 615.13 4023049954

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
5,850	105.150	615.13		615.13	307.56	307.57	

INTEREST TOTAL PAID RECEIPT NO.

INTEREST TOTAL PAID RECEIPT NO.

PLEASE DO NOT FOLD OR MUTILATE

TWO

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PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

LOT 1 JENKINS FOURTH ADD

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-13-0110-13-6
-D -28404 67-02
MYRILE A ROGERS Westwoods Hall
Associates, Inc.
1712 N MERIDIAN
INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

MAKE CHECKS PAYABLE TO

SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST

CA

CK

DATE INTEREST PAID RECEIPT NO.

4A DEC 08 77 539.82 .00 539.82 4023049493

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
4,000	105.150	426.91	112.91	539.82	269.91	269.91	

INTEREST TOTAL PAID RECEIPT NO.

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TWO

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PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

LOT 2 JENKINS FOURTH ADD

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-13-0311-01-3
-D -28405 67-02
MYRILE A ROGERS Westwoods Hall
Associates, Inc.
1712 N MERIDIAN
INDIANAPOLIS IN 46202

PLEASE INDICATE ANY CHANGE OF ADDRESS

MAKE CHECKS PAYABLE TO

SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7651

INTEREST

CA

CK

DATE INTEREST PAID RECEIPT NO.

4A DEC 08 77 480.45 .00 480.45 4023049496

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
2,250	105.150	241.74	138.71	480.45	240.22	240.23	

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PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

LOT 3 JENKINS FOURTH ADD

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77-RE-13-0311-02-5
-D-28406 07-02
MYRTLE A ROGERS
~~1712 N MERIDIAN~~ Westwoods Mall
Associates, Inc.
1712 N MERIDIAN
INDIANAPOLIS IN 46202

MAKE CHECKS PAYABLE TO
SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7851

INTEREST

CA

CK

RECEIPT NO.

DATE 08 DEC 08 77 479.25 .00 479.25 6023043928

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	
3,250	105.150	341.74	137.51	619.25	239.62	239.63	1977 REAL ESTATE TAX

INTEREST TOTAL PAID RECEIPT NO.

TWO

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PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION

LEGAL DESCRIPTION

LOT 4 JENKINS FOURTH ADD

PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM

77-RE-13-0311-03-7
-D-28407 07-02
MYRTLE A ROGERS
~~1712 N MERIDIAN~~ Westwoods Mall
Associates, Inc.
1712 N MERIDIAN
INDIANAPOLIS IN 46202

MAKE CHECKS PAYABLE TO
SEDGWICK COUNTY TREASURER
WICHITA, KANSAS 67203 PH. (316) 268-7851

INTEREST

CA

CK

RECEIPT NO.

DATE 08 DEC 08 77 479.25 .00 479.25 6023043908

VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	
3,250	105.150	341.74	137.51	619.25	239.62	239.63	1977 REAL ESTATE TAX

INTEREST TOTAL PAID RECEIPT NO.

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<p>IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.</p> <p>PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM</p>	<p>PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION</p> <p>77-RL-13-0311-04-9 -D - 28400 07-02 MYRILL A ROGERS 1712 N MERIDIAN INDIANAPOLIS IN 46202</p> <p>PLEASE INDICATE ANY CHANGE OF ADDRESS</p>	<p>LEGAL DESCRIPTION</p> <p>LOT 5 JENNINS FURTH ADD</p> <p style="text-align: center;">MAKE CHECKS PAYABLE TO SEDGWICK COUNTY TREASURER WICHITA, KANSAS 67203 PH. (316) 288-7651</p> <p>INTEREST CA CK</p>					
<p>DATE: 08 DEC 08 77 479.25</p> <p>INTEREST: .00 PAID: 479.25 RECEIPT NO: 4023049902</p>							
VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
3,250	105.150	341.74	137.51	479.25	239.62	239.63	1977 REAL ESTATE TAX

TWO

PLEASE DO NOT FOLD OR MUTILATE

<p>IMPORTANT - IF THIS STATEMENT IS \$10.00 OR LESS, IT MUST BE PAID IN FULL.</p> <p>PLEASE RETURN ALL COPIES OF THIS STATEMENT. DUE NOV. 1, FIRST HALF DELINQUENT DEC. 21, SECOND HALF DELINQUENT JUNE 21, WITH INTEREST AT 10% PER ANNUM</p>	<p>PLEASE CONTACT COUNTY ASSESSOR ON QUESTIONS ABOUT ASSESSED VALUATION</p> <p>77-RL-13-0304-03-0 -D - 25412 07-02 LOAN WEST BATH CO 1712 N MERIDIAN INDIANAPOLIS IN 46202</p> <p>PLEASE INDICATE ANY CHANGE OF ADDRESS</p>	<p>LEGAL DESCRIPTION</p> <p>LOT 1 EXC PFC DE COR LOT 1 WENTWIND ADD N 227.66 FT X 150.4 FT X 115 FT X 150 FT X 150 FT E 150 FT X 115 FT 150 FT ADD.</p> <p style="text-align: center;">MAKE CHECKS PAYABLE TO SEDGWICK COUNTY TREASURER WICHITA, KANSAS 67203 PH. (316) 288-7651</p> <p>INTEREST CA CK</p>					
<p>DATE: 08 DEC 08 77 6,294.28</p> <p>INTEREST: .00 PAID: 6,294.28 RECEIPT NO: 4023049910</p>							
VALUATION	MILL LEVY	GENERAL TAX	SPECIAL TAX	TOTAL TAX	FIRST HALF	SECOND HALF	1977 REAL ESTATE TAX
59,860	105.150	6294.28		6,294.28	3,147.14	3,147.14	1977 REAL ESTATE TAX

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CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last Deed of record in the Office of the Register of Deeds of Sedwick County, Kansas, of the following described property, viz:

LEGAL Lot 1, TOWNE WEST SQUARE ADDITION, except that part platted from Lots 1 through 5, Jenkins 4th Addition

OWNER Towne West Mall Company, an Indiana Limited Partnership

LEGAL That part of Lot 1, TOWNE WEST SQUARE ADDITION platted from Lots 1 through 5, Jenkins 4th Addition

OWNER Mrytle A. Rogers

LEGAL Lots 1, 3, 4, 5, 6, 7, 8, and the North Half of Lot 9, GMC ADDITION

OWNER Julia Francis Lygrisse

LEGAL All of Lots 2 and 10, and the South Half of Lot 9, GMC ADDITION

OWNER William E. Bales and Ruth N. Bales

LEGAL A tract in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., Sedwick County, Kansas, more fully described as follows: Beginning at a point 35' East and 40' North of the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 26, Township 27 South, Range 1 West; thence East parallel to and 40' North of the South line of the Northeast Quarter of said Northeast Quarter to the West line of Florence extended North; thence North along said extended West line a distance of 300'; thence West parallel to and 300' North of the South line of the Northeast Quarter of the Northeast Quarter of said Section 26 to the East line of Tracy; thence South along said East line to the point of beginning.

OWNER Westport Theaters, Inc.

GUARANTEE TITLE CO., INC.

Frank B. Hancock

Vice President

Dated this 28th day of November, 1977.

Petition 3 Left (east line Tracy to west line
of Filburne).

total cost \$ 71,000.00

Truce west = \$ 29,999.99

Lot 1, 4710. - 15,699.99

71,89.2' Lot 2 = 3,399.99

Site 3-9 inc = 799.99 each

71,514' Lot 10 = 699.99

unplatted = 15,599.99

PAVING PETITION

To the Board of Commissioners,
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots parcels, and tracts of real property described as follows:

Lot 1, Towne West Square Addition; Lot 1 and the north eighty-nine and two tenths (89.2) ft. Lot 2, also all of Lots 3 through 9 inclusive and the north fifty-one and four tenths (51.4) ft. Lot 10, all in G.M.C. Addition.

Also an unplatted tract in the Northeast Quarter, Section 26, Township 27 South, Range 1 West of the 6th P.M., more fully described as follows: - beginning at a point thirty-five (35) ft. east and forty (40) ft. north of the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 26, Township 27 South, Range 1 West; thence east parallel to and forty (40) ft. north of the south line of the Northeast Quarter of said Northeast Quarter to the west line Florence extended north; thence north along said extended west line a distance of three hundred (300) ft.; thence west parallel to and three hundred (300) ft. north of the south line of the Northeast Quarter of the Northeast Quarter said Section 26 to the east line Tracy; thence south along said east line to the point of beginning.

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a0 et seq, as follows:

- (a) That there be constructed pavement on Taft from the east line of Tracy to the west line of Florence; that said pavement between aforesaid limits be constructed for a width of 4 1/2 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 48 feet; that said pavement shall consist of an asphalt base 7 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer.
- (b) That the estimated and probable cost of the foregoing improvement being \$71,000.00 payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvements for which the improvement district is liable.
- (d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis; Lot 1. Towne West Square Addition shall pay 300/710 of the total cost payable by the improvement district; Lot 1, G.M.C. Addition shall pay 157/710 of the total cost payable by the improvement district; the north eighty-nine and two tenths (89.2) ft. Lot 2, G.M.C. Addition shall pay 34/710 of the total cost payable by the improvement district; Lots 3 through 9 inclusive, G.M.C. Addition shall each pay 8/710 of the total cost payable by the improvement district. The north fifty-one and four tenths (51.4) ft. of Lot 10, G.M.C. Addition shall pay 7/710 of the total cost payable by the improvement district; The unplatted tract in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., more fully described as follows:- beginning at a point thirty-five (35) ft. east and forty (40) ft. north of the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 26, Township 27 South, Range 1 West; thence east parallel to and forty (40) ft. north of the south line of the Northeast Quarter of said Northeast Quarter to the west line Florence extended north; thence north along said extended west line a distance of three hundred (300) ft.; thence west parallel to and three hundred (300) ft. north of the south line of the Northeast Quarter of the Northeast Quarter said Section 26 to the east line Tracy; thence south along said east line to the point of beginning shall pay 156/710 of the total cost payable by the improvement district, except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvement may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
Lot 1, Towne West Square Addition	<i>Maryle A Rogers</i>	12 2 77
Lot 1, G.M.C. Addition	TOWNE WEST MALL COMPANY, an By: <i>James A. DeBruin</i> Attorney	Partner- ship 12-5-77
The north eighty-nine and two tenths (89.2) ft. Lot 2, G.M.C. Addition		

LEGAL DESCRIPTION

SIGNATURE

DATE

G.M.C. ADDITION (con't.)

Lot 3

Lot 4

Lot 5

Lot 6

Lot 7

Lot 8

Lot 9

The north fifty-one and four tenths
(51.4) ft. Lot 10

Also an unplatted tract in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M. more fully described as follows:- beginning at a point thirty-five (35) ft. east and forty (40) ft. north of the Southwest Corner of the Northeast Quarter of the Northeast Quarter, Section 26, Township 27 South, Range 1 West; thence east parallel to and forty (40) ft. north of the south line of the Northeast Quarter of said Northeast Quarter to the west line Florence extended north; thence north along said extended west line a distance of three hundred (300) ft.; thence west parallel to and three hundred (300) ft. north of the south line of the Northeast Quarter of the Northeast Quarter said Section 26 to the east line Tracy; thence south along said east line to the point of beginning.

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

Irrevocable Letters of Credit for
Sanitary Sewers -
Engineer will come up with estimated
amounts.
Developer will decide who will do
the engineering.

Storm Sewer - Cheney Petition
Engineering will set up a project.

All streets will be by petition

Sevin has a question about Tracy and
Taft where widening occurs, was
there to be a benefit district

Wich. - W.

RECAP OF "OFF-SITE" IMPROVEMENTS						
	DEVELOPER'S COSTS	"OTHER'S" COSTS	CITY OF WICHITA COSTS	R.O.W. COSTS BY CITY OF WICHITA	STATES COSTS	TOTAL COSTS
1. KELLOGG STREET -	\$435339		(1) 214144		413000	1072183
2. MAPLE STREET -	443574		122252	20085		570911
3. WEST STREET -	152551		143577	48621		344755
4. TRACY STREET -	280895	44620	15027	5561		346103
5. TAFT STREET -	51072	54287		9350		114709
SUB TOTALS	\$1368431	\$98907	\$500000	\$83617	\$413000	\$2493351
6. FINAL OWNERS OFFER	+ 31563				< 31263 >	
TOTALS - (2)	\$1400000	\$98907	\$500000	\$83617	\$411437	\$2493351

NOTES:

(1) ADJUSTED FIGURE: \$220,176⁰⁰ - \$6082⁰⁰ = \$214,144⁰⁰
 (2) TOTAL DEVELOPER'S COST OF \$1,400,000⁰⁰ BREAKDOWN AS FOLLOWS:

A. KELLOGG STREET	\$445374	214,144
B. MAPLE STREET	458917	122,252
C. WEST STREET	156077	143,577
D. TRACY STREET	287375	15,027
E. TAFT STREET	52250	
TOTALS	\$1,400,000 ⁰⁰	

(3) OWNER MUST ADD IN COLUMN LINE #2, HIS ADDITIONAL SITE COSTS, I.E.

- A. PYLON SIGNS
- B. SITE LANDSCAPING
- C. SITE TESTING
- D. CONSULTANTS FEES
- E. ETC.

ESTIMATE OF OFF-SITE STREET IMPROVEMENTS

TOWNE WEST SQUARE
WICHITA, KANSAS

APRIL 16, 1976

Items	Towne West	City	State	"Others"	Subtotal	R.O.W.	Total
Kellogg Avenue (Highway 54): ¹							
Transition east of West Street	\$ -0-	\$ 17,896	\$ 41,758	\$ -0-	\$ 59,654	\$ -0-	\$ 59,654
Kellogg & West Intersection	-0-	94,711	220,392	-0-	315,703	-0-	315,703
Kellogg - West to Tracy Street	30,576	30,577	142,590	-0-	203,843	-0-	203,843
Kellogg & Tracy Intersection	13,152	13,152	61,377	-0-	87,681	-0-	87,681
Kellogg - from Tracy to I-235	63,840	63,840	297,922	-0-	425,602	-0-	425,602
Subtotal	107,568	220,176	764,739	-0-	1,092,483	-0-	1,692,483
Maple Street:							
Transition east of West Street	\$ 31,972	\$ -0-	\$ -0-	\$ -0-	\$ 31,972	\$ 9,319	\$ 41,291
Maple & West Street Intersection	9,528	69,528*	-0-	-0-	79,056	-0-	79,056
Maple - from West Street to Tracy Street	110,912	-0-	-0-	-0-	110,912	1,350	112,262
Maple & Tracy Intersection	-0-	52,724**	-0-	-0-	52,724	-0-	52,724
Maple - from Tracy Street to I-235	296,162	-0-	-0-	-0-	296,162	9,416	305,578
Subtotal	448,574	122,252	-0-	-0-	570,826	20,085	590,911
West Street:							
Transition north of Maple Street	\$ 13,481	\$ 13,481	\$ -0-	\$ -0-	\$ 26,962	\$ 9,610	\$ 36,572
West Street - from Maple to Taft Street	60,006	60,006	-0-	-0-	120,012	-0-	120,012
West & Taft Intersection	778	2,777***	-0-	-0-	3,555	-0-	3,555
West Street - from Taft Street to Kellogg Ave.	67,828	67,829	-0-	-0-	135,651	33,882	169,539
Transition south of Kellogg Avenue	-0-	4,484	10,464	-0-	14,948	5,129	20,077
Subtotal	142,093	148,577	10,464	-0-	301,134	48,621	349,755
Tracy Street:							
Tracy Street from Maple to Taft St. (67 ft.)	\$ 116,008	\$ -0-	\$ -0-	\$ 44,620	\$ 160,628	\$ -0-	\$ 160,628
Note: Tracy Street from Maple to Taft St. - 40 ft. wide: \$89,241							
Tracy & Taft Street Intersection	40,000	15,027	-0-	-0-	55,027	-0-	55,027
Tracy Street - from Taft St. to Kellogg Ave.	124,887	-0-	-0-	-0-	124,887	5,561	130,448
Subtotal	280,895	15,027	-0-	44,620	340,542	5,561	346,103
Taft Street:							
Taft Street - from West St. to Florence St.	\$ 41,288	\$ -0-	\$ -0-	\$ -0-	\$ 41,288	\$ -0-	\$ 41,288
Taft & Florence Street Intersection	2,283	-0-	-0-	-0-	2,283	-0-	2,283
Taft Street - from Florence Street to Tracy Street (49 ft.)	7,501	-0-	-0-	54,287	61,788	9,350	71,138
Note: Taft Street - from Florence St. to Tracy St. - 40 ft. wide: \$54,287							
Subtotal	51,072	-0-	-0-	54,287	105,359	9,350	112,709
GRAND TOTAL	\$1,030,202	\$ 506,052	\$ 775,203	\$ 98,907	\$2,410,344	\$ 83,617	\$2,493,961

¹ 15% by Towne West
15% by City
70% by State

* - 1/2 intersection & signal
** - including signal
*** - 1/2 intersection & signal

ESTIMATE OF OFF-SITE STREET IMPROVEMENTS

TOWNE WEST SQUARE (% OF TRAFFIC) - 1985 Traffic Estimate

	CONSTRUCTION COSTS	RIGHT-OF-WAY	TOTAL COST	TOWNE WEST	CITY	STATE	*OTHERS*
KELLOGG & WEST INTERSECTION							
SUBTOTAL	487,382	5,129	492,511	-0-	49,251	443,260	-0-
KELLOGG AVENUE				24%	76%		
WEST - TRACY	156,959	-0-	156,959	37,670	119,289		
KELLOGG & TRACY INTERSECTION	87,681	-0-	87,681	21,043	66,638		
TRACY - I 235	425,602	-0-	425,602	102,144	323,458		
SUBTOTAL	670,242	-0-	670,242	160,857	509,385		
MAPLE STREET				?	?		
TRANSITION EAST of WEST STREET	31,972	9,319	41,291	41,291	-0-		
MAPLE & WEST INTERSECTION	79,056	-0-	79,056	9,528	69,528		
WEST - TRACY	110,912	1,350	112,262	112,262	-0-		
MAPLE & TRACY INTERSECTION	92,724	-0-	92,724	-0-	92,724		
TRACY - I 235	296,162	9,416	305,578	305,578	-0-		
SUBTOTAL	570,826	20,085	590,911	468,659	122,252		
WEST STREET				8%	92%		
TRANSITION NORTH of MAPLE STREET	26,962	9,610	36,572	2,925	33,647		
MAPLE - TAFT	120,012	-0-	120,012	9,601	110,411		
WEST & TAFT INTERSECTION	3,555	-0-	3,555	284	3,271		
TAFT - KELLOGG	85,464	53,882	139,346	9,548	129,798		
SUBTOTAL	235,993	43,492	279,485	22,358	257,127		
TRACY STREET							
MAPLE - TAFT (61 FT) (40 FT WIDE PAVEMENT - \$89,241)	160,628	-0-	160,628	116,008	-0-	-0-	44,620
TRACY & TAFT INTERSECTION	55,027	-0-	55,027	40,000	15,027	-0-	-0-
TAFT - KELLOGG	124,887	5,561	130,448	130,448	-0-	-0-	-0-
SUBTOTAL	340,542	5,561	346,103	286,456	15,027	-0-	44,620
TAFT STREET							
WEST - FLORENCE	41,288	-0-	41,288	41,288	-0-	-0-	-0-
TAFT & FLORENCE INTERSECTION	2,283	-0-	2,283	2,283	-0-	-0-	-0-
FLORENCE - TRACY (49 FT) (40 FT WIDE PAVEMENT - \$54,287)	61,788	9,389	71,177	16,861	54,316		54,287
SUBTOTAL	105,359	9,389	114,748	60,432			54,287
GRAND TOTAL	2,410,344	83,617	2,493,961	998,152	953,042	443,260	98,907

4/28/78

ESTIMATE OF OFF-SITE STREET IMPROVEMENTS

	CONSTRUCTION COSTS	RIGHT-OF-WAY	TOTAL COST	TOWNE WEST	CITY	STATE	*OTHERS*
KELLOGG & WEST INTERSECTION				-0-	49,251	443,260	-0-
SUBTOTAL <i>Cable, Transformer, Etc. 5</i>	487,382	5,129	492,511				
KELLOGG AVENUE				78,480	78,479	-0-	-0-
WEST - TRACY	156,959	-0-	156,959	-0-	81,681	-0-	-0-
KELLOGG & TRACY INTERSECTION	87,681	-0-	87,681	212,801	212,801	-0-	-0-
TRACY - I235	425,602	-0-	425,602	291,281	378,961	-0-	-0-
SUBTOTAL	670,242	-0-	670,242				
MAPLE STREET				-0-	41,291	-0-	-0-
TRANSITION EAST OF WEST STREET	31,972	9,319	41,291	-0-	79,056	-0-	-0-
MAPLE & WEST INTERSECTION	-0-	-0-	-0-	112,262	110,912	1,350	-0-
WEST - TRACY	79,056	1,350	80,406	-0-	52,724	-0-	-0-
MAPLE & TRACY INTERSECTION	110,912	-0-	110,912	-0-	2,416	-0-	-0-
TRACY - I235	52,724	9,416	62,140	296,162	407,074	-0-	-0-
SUBTOTAL	296,162	20,085	316,247				
WEST STREET				-0-	36,572	-0-	-0-
TRANSITION NORTH OF MAPLE STREET	76,962	9,610	86,572	-0-	60,006	-0-	-0-
MAPLE - TAFT	120,012	-0-	120,012	-0-	3,555	-0-	-0-
WEST & TAFT INTERSECTION	3,555	-0-	3,555	42,732	76,614	-0-	-0-
TAFT - KELLOGG	85,464	33,882	119,346	102,738	176,747	-0-	-0-
SUBTOTAL	235,993	43,492	279,485				
TRACY STREET				116,008	-0-	-0-	44,620
MAPLE - TAFT (6 FT)	160,628	-0-	160,628	-0-	55,027	-0-	-0-
(40 FT WIDE PAVEMENT - 80,241)				-0-	-0-	-0-	-0-
TRACY & TAFT INTERSECTION	55,027	-0-	55,027	130,448	246,456	55,027	-0-
TAFT - KELLOGG	124,887	5,561	130,448				44,620
SUBTOTAL	340,542	5,561	346,103				
TAFT STREET				41,288	-0-	-0-	-0-
WEST - FLORENCE	41,288	-0-	41,288	-0-	2,283	-0-	-0-
TAFT & FLORENCE INTERSECTION	2,283	-0-	2,283	7,601	-0-	-0-	63,637
FLORENCE - TRACY (40 FT)	61,788	9,350	71,138	114,709	48,789	2,283	-0-
(40 FT WIDE PAVEMENT - 64,287)							63,637
SUBTOTAL	105,359	9,350	114,709				
GRAND TOTAL	2410,344	83,617	2493,961	1096,338	846,106	443,260	108,257

6/28/8



KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING - TOPEKA, KANSAS 66612

O.D. TURNER, Secretary of Transportation

ROBERT F. BENNETT, Governor

June 24, 1976



Mr. Robert A. Lakin, Director
Wichita-Sedgwick County Metropolitan
Area Planning Department
City Hall, 10th Floor
455 North Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

We recently have discussed with you the over-all plan for improvements to the street and highway system in the vicinity of the proposed Towne West shopping center. It also has been brought to our attention that a meeting is to be held this coming Tuesday at which details of the improvements are to be discussed.

Previous items discussed with the Department of Transportation included the intersection of Kellogg and West Street, and in particular, the funding of the total street improvements. It has been our position that as the improvements do not benefit the highway system, our participation would be limited. It was also our position that the intersection of Kellogg and West Street would develop capacity and safety problems unless some specific improvements were made.

Since our earlier discussions, it has tentatively been determined that the work proposed would qualify for funding through the Highway Safety Program. Specifically, based upon FHWA approval, we will plan to make available to the City Federal funds in an amount equal to 90% of the cost of the intersection improvements. Based upon the estimates available to us, this would amount to approximately \$285,000.00.

If you have further questions on this matter, please don't hesitate to call upon me.

Yours very truly,

W. H. OGAN
State Transportation Engineer

WHO/us



(Over)

TRAFFIC & STREET IMPROVEMENT PROGRAM FOR WEST WICHITA

PREPARED BY

DATE

	Grant's PRICING	BCB PRICING	Use -
Kellogg Street	452932	512196	480000 -
Maple Street	261609	336562	300000 -
Taft Street	133727	193958	160000 -
Tracy Street	172762	258373	210000 -
Kellogg West Intersection	48825	68105	57000 -
TOTALS Proposed 6.5.77	1,069,858	1,364,194	1,207,000
CONSERVATIVE IMPROVEMENT ESTIMATE -			1,207,000 -
ROW ACQUISITION - (11 SEPARATE PARCELS -			78,850
ROW AND IMPROVEMENTS TOTAL			# 1,285,850

TOWNE WEST SQUARE
WICHITA, KS

PREPARED BY DATE
LAW/KINGDON, PA
JUNE 4, 1975

	¹ 6-4-75 CURRENT ESTIMATE	² ESCAL. FACTOR	³ 6-4-77 PROJECTED ESTIMATE	⁴
A. KELLOGG STREET	\$ 420,000	1.25	\$ 525,000	
B. MAPLE STREET	275,000	1.25	343,750	
C. TAFT STREET	160,000	1.25	200,000	
D. TRACY STREET	210,000	1.25	262,500	
E. KELLOGG & WEST ST. INTERSECTION	58,000	1.25	65,000	
TOTALS	\$ 1,117,000		\$ 1,396,250	

NOTE: ESTIMATES INCLUDE ENGINEERING & DESIGN FEES.

11 PARCELS NEED LAND ACQUISITION
FOR NEEDED R.O.W. TOTAL COST FOR
LAND

\$ 78,850⁰⁰

TOWNE WEST SQUARE
WICHITA, KANSAS

PREPARED BY
E.O.S.

DATE
6/4/75

PREPARED BY:
LAW/KINGDON, P.A.

PROPOSED STREET IMPROVEMENTS (To Inc.)	6/5/75 CURRENT ESTIMATED COSTS	PROJECTED 6/5/76 ESTIMATED INCREASES	PROJECTED 6/5/77 ESTIMATED INCREASES	PROJECTED CONSTRUCTION COSTS IN 2 YEARS
A. KELLOGG STREET - 6/5/1976 - 6/5/1977 PROJECTED COST IN 2 YRS.	#374324 (+10%) =	37432.- (+10%) =	41176.-	#452932.-
B. MAPLE STREET - 6/5/76 6/5/77 PROJECTED COST IN 2 YRS.	216205.- (+10%) =	21621.- (+10%) =	23783.-	261609.-
C. TAFT STREET - 6/5/76 6/5/77 PROJECTED COST IN 2 YRS.	110518.- (+10%) =	11052.- (+10%) =	12157.-	133727.-
D. TRACY STREET - 6/5/76 6/5/77 PROJECTED COST IN 2 YRS.	142718.- (+10%) =	14278.- (+10%) =	15706.-	172762.-
E. KELLOGG & WEST ST. INTERSECTION - 6/5/76 6/5/77 PROJECTED COST IN 2 YRS.	40354.- (+10%) =	4035.- (+10%) =	4439.-	48828.-
TOTALS: (To Inc.) CURRENT ESTIMATED CONSTR. COSTS - #	884,179.-		TOTAL PROJECTED EST. COSTS TO BUILD IN 2 YRS #	1,069,858.-

SUMMARY BY: 1000 B EXTENDED BY: 1000 B CHECKED BY: 1000 B THE LAW COMPANY DATE 6-2-75 SHEET NO. 1 OF 5

PROJECT TOWNE WEST SQUARE PROPOSED STREET CHANGES SHEET 1 OF 1

ITEM NO. 1 KELLOGG STREET CONSTRUCTION ESTIMATE

BALANCE BROUGHT FORWARD

ITEM NO.	DESCRIPTION OF WORK ITEMS	QUANTITY	DISTRIBUTION OF ITEMIZED COSTS			TOTAL COSTS	CHECK	CORRECTIONS
			DIRECT MATERIAL	DIRECT LABOR	SUB-CONTRACTS			
			AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	
			UNIT	UNIT	UNIT	UNIT	UNIT	
	REMOVE EXISTING 7" CONC. PAVING	16180 SF			0.18	29112.		
	" " 8" " "							
	" " 9" " "	3750 SF			0.18	675.		
	" CURBS & GUTTERING							
	RELOCATE POWER LINE (BY K&E)							
	" EXISTING TRAFFIC LIGHTS							
	" STREET LIGHT POLES	16 EA.						
	NEW CONCRETE CITY PAVING - 7"	37400 SF			500.00	8000.		
	" " " " - 8"	27010 SF			0.81	31416.		
	" " " " - 9"	96760 SF			0.81	24039.		
	" INTEGRAL " CURBS	91140 LF			1.50	152881.		
	" CURBS INLETS & GUTTERS	30 EA.			1.00	9140.		
	NEW CURBS & GUTTERS PINNED TO EXISTING				363.00	10890.		
	CONC. PAVING							
	UNDERPIN. NEW CONC. PAVING TO EXIST. PAVING	5875 LF			7.15	42006.		
	" " " " " "	4615 LF			2.49	11220.		
	NEW HWY. STORM SEWER LINES	1000 LF			8.55	8550.		
	" " " " MANHOLES	3 EA.			500.00	1500.		
	" TRAFFIC LIGHTS	2 EA.			20000.00	40000.		
	" STREET LIGHT POLES & BASES	16 EA.			1000.00	16000.		
	* 4" GRANULAR SUB-BASE (PER OLD HWY SPECS)	116112 SF			0.13	15095.		
	BALANCE FORWARD					374324.		374324.

SUMMARY BY: CONDIS EXTENDED BY: CONDIS CHECKED BY: CONDIS THE LAW COMPANY DATE 6-2-75 SHEET NO. 2 OF 5

PROJECT: YOUNG & WEST SQUARE SHEET 1 OF 1 PROPOSED STREET CHANGES

ITEM NO. MAPLE STREET CONSTRUCTION ESTIMATE

ITEM NO.	DESCRIPTION OF WORK ITEMS	QUANTITY	DIRECT MATERIAL			DIRECT LABOR			SUB-CONTRACTS	TOTAL COSTS	CORRECTIONS
			UNIT	AMOUNT	UNIT	AMOUNT	UNIT	AMOUNT			
	BALANCE BROUGHT FORWARD										
	REMOVE EXISTING 7" CONC. PAVING	91625	SF				0.8	116493.			
	" " 8" " "										
	" " 9" " "										
	RELOCATE POWER LINE (BY BELL TELEPHONE)	3650	LF				1.0	3650.			
	" EXISTING TRAFFIC LIGHTS	8425	LF				7.0	23975.			
	NEW CONCRETE CITY PAVING - 7"										
	" " - 6"	91608	SF				0.8	86159.			
	" " - 9"										
	" INTEGRAL CURBS	8295	LF				1.0	8295.			
	" CURBS IN SETS										
	NEW CURBS & GUTTER-PAVED TO EXISTING										
	CONC. PAVING	1820	LF				7.5	13013.			
	UNDER-PIN NEW CONC. PAVING TO EXIST. PAVING	1925	LF				7.4	4620.			
	NEW HWY. STORM SEWER LINES										
	" " MANHOLE										
	" TRAFFIC LIGHTS	3 EA.									
	BALANCE FORWARD							60000.	60000.		
									216205.	216205.	

SUMMARY BY: LEON B. EXTENDED BY: WALD. CHECKED BY: WLD. PROJECT: LOUISIANA WEST SQUARE THE LAW COMPANY DATE: 6-2-75 SHEET NO. 3 OF 5

PROPOSED STREET CHANGES SHEET 1 OF 1

CONSTRUCTION ESTIMATE

'TAFT STREET

DESCRIPTION OF WORK ITEMS

BALANCE BROUGHT FORWARD

DISTRIBUTION OF ITEMIZED COSTS

DIRECT MATERIAL

DIRECT LABOR

SUB-CONTRACTS

TOTAL COSTS

CORRECTIONS

QUANTITY

UNIT

AMOUNT

UNIT

AMOUNT

UNIT

AMOUNT

UNIT

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UNIT

AMOUNT

REMOVE EXISTING 7" CONC. PAVING

" " 8" " "

" " 9" " "

RELOCATE POWER LINE (BY K&E)

" EXISTING TRAFFIC LIGHTS

NEW CONCRETE CITY PAVING - 7"

" " - 6"

" " - 9"

" INTEGRAL CURBS

" CURBS INLETS

NEW CURBS & GUTTERS PAVED TO EXISTING

CONC. PAVING

UNDERPIN NEW CONC. PAVING TO EXIST. PAVING

NEW HWY. STORM SEWER LINES

" " MANHOLES

" TRAFFIC LIGHTS

BALANCE FORWARD

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SUMMARY BY: ROLLS EXTENDED BY: LAN B CHECKED BY: LAN B
 PROJECT: TRACY WEST SQUARE
 SEC: PROPOSED STREET CHANGES

DATE: 6-2-75 SHEET NO. 4 OF 5

THE LAW COMPANY

ITEM NO.	DESCRIPTION OF WORK ITEMS	QUANTITY	DISTRIBUTION OF ITEMIZED COSTS						TOTAL COSTS	CHECK	CORRECTIONS
			DIRECT MATERIAL		DIRECT LABOR		SUB-CONTRACTS				
			UNIT	AMOUNT	UNIT	AMOUNT	UNIT	AMOUNT			
	BALANCE BROUGHT FORWARD										
	REMOVE EXISTING 7" CONC. PAVING	30000 SF									
	" " 8" " "										
	" " 9" " "										
	" " CURBS & GUTTERINGS										
	RELOCATE POWER LINE (BY K&E)	1088 LF									
	" " EXISTING TRAFFIC LIGHTS										
	NEW CONCRETE CURB PAVING - 7"										
	" " " " - 8"	18608 SF									
	" " " " - 9"										
	" " INTEGRAL CURBS	912 LF									
	" " CURBS INLETS										
	NEW CURBS & GUTTERS PAVED TO EXISTING CONC. PAVING										
	FIN NEW CONC. PAVING TO EXIST. PAVING										
	NEW HWY. STORM SEWER LINES										
	" " " " MANHOLES										
	" " TRAFFIC LIGHTS										
	BALANCE FORWARD										

BALANCE FORWARD

142778 - 142778

PROJECT: TOUANE WEST SQUARE SHEET 1 OF 1
PROPOSED STREET CHANGES

CONSTRUCTION ESTIMATE
KELLOGG & WEST INTERSECTION
 DESCRIPTION OF WORK ITEMS

ITEM NO.	QUANTITY	DISTRIBUTION OF ITEMIZED COSTS				TOTAL COSTS	CORRECTIONS
		DIRECT MATERIAL	DIRECT LABOR	SUB-CONTRACTS	AMOUNT		
BALANCE BROUGHT FORWARD							
REMOVE EXISTING 7" CONC. PAVING	9250 SF				1665.	1665.	
" " 8" " "							
" " 9" " "	1175 LF				1775.	1775.	
RELOCATE POWER LINE (BY K&E)							
" EXISTING TRAFFIC LIGHTS (2)	EA.				500.	500.	
BALANCE BROUGHT FORWARD							
NEW CONCRETE CITY PAVING - 7"	16205 SF				14178.	14178.	
" " 8" " "	890 SF				1404.	1404.	
" " 9" " "	2113 LF				2113.	2113.	
* " INTEGRAL " CURB							
" CURB INLETS & GUTTERS PAVED TO EXISTING	50 LF				358.	358.	
NEW CURB & GUTTERS	1483 LF				3559.	3559.	
UNDERPIN NEW CONC. PAVING TO EXIST. PAVING							
NEW HWY. STORM SEWER LINES							
" " " MANHOLES							
" TRAFFIC LIGHTS							
* 4" GRANULAR FILL @ STATE HWY 9" PAVING (+20')	10788 SF				1402.	1402.	
BALANCE FORWARD							
					40354.	40354.	

Nov 7, 1977

On Nov 4, 1977, the people on the attached attendance list met and discussed who was responsible to submit various items yet needed to complete the plat of S/D 77-24 Towne West Square Addition. We reviewed the items on the memo to JHG from Curt Grewly dated Nov 2, 1977.

A-B Bob Coath stated that he would take care of items A and B.

C Berger will meet with Finn to work out the guarantee for the construction of hammerhead type culverts at north end of Anna St and Westdale Driv.

Berger to present to Draves on the techniques to indicate where public responsibility ends with private projects. 11-10-77

D. Schaefer - Letter of Credit 11-10-77

E. Petition for Tap, Tray, Anna Westdale
466,000 worth of petitions
Letter of credit \$34,000
Schaefer is responsible

F Guarantee to impound a certain amount of water

Agreement "That prior to the issuance of Building Permit, a set of plans shall be submitted to the Dept of Pub Work and a set of easements by separate instrument agreeing to provide a

certain amount of water or rate

Scheper is responsible for drafting the agreement to be approved by Belber.
~~Both~~ Between City of Wichita and Paulger.
Must be approved

G Public Works Fund - 1st Party
Debarber.

Requested all items by Nov 28 to
be heard by BCC on Dec 13, 1977

Firm needs to advise on guarantee for
relocating Sanitary Sewers

Construction to begin 90 days
after plat recorded.

Completion Fall 1979

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 2, 1977

TO Jack H. Galbraith, Chief Planner
FROM Curtis L. Newby, Junior Planner
SUBJECT S/D 77-24 Towne West Square Addition

As per your request to me as to what plat approval requirements were yet to be complied with on the Towne West Square plat, please note the following:

Talk to me about
The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plat's text.

Will be done on plat
The rights-of-way being dedicated by this plat for Maple, Macy and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.

Berger and join meet with join for sign off sketches for
c. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.

Division entrance to Anna on Westdale Dr

Berger to give to Sears 11-9-77

D. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate. *Estimate given to Sator. - letter of Credit 11-14-77*

E. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P. *466,000 Petition for Test Plan, Admin, 11/14/77*

F. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.

Jack H. Galbraith
Re: S/D 77-24 Towne West Square Addition
November 2, 1977
Page Two

- G. The applicant shall guarantee all the drainage improvements associated with the plat.
- H. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- I. The applicant shall submit an interior site circulation plan for Review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.

J. Campbell
K. Sawyer

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

Submission of a title report by an abstract or title insurance company, or an attorney's opinion that fee title is vested in the plat.

- L. Certification that all taxes due and payable for 1977 and prior years have been paid.

Also, it should be noted that in addition to the above plat requirements, the applicant was required to guarantee the construction of sidewalks adjacent to Maple, Tracy, Kellogg Drive and Westdale Drive. However, under the new sidewalk policy, no sidewalk guarantees are required because all the aforementioned streets are existing streets.

At such time as the applicant has fulfilled all these requirements, we will be able to schedule the plat for final consideration and approval by the City Commission after which the plat can be recorded and building permits issued. If you have any questions, please advise.

Curtis L. Newby
Curtis L. Newby
Junior Planner

CLN:et

May 11, 1977

Mr. James R. Schaefer
800 Brown Building
Wichita, Kansas 67202

Re: DP-71 - Amendment of Commercial
Community Unit Plan for Towne
West Square - South side of Maple
in an area between I-235 and
Tracy

Dear Mr. Schaefer:

The Board of City Commission at its regular meeting of May 10, 1977, considered the above captioned case. Their action was to approve the amendments to the CUP, subject to the conditions as recommended by the Planning Commission and, in addition, the following condition.

- Schaefer*
- j. The legal instrument shall be submitted agreeing that the owner and subsequent owners in title will not object and request damages by virtue of changing U.S. 54 (Kellogg) from expressway-arterial standards to freeway standards.

It is necessary that this instrument be submitted prior to the associated plat being forwarded to the City Commission.

If you have any questions on this condition of approval, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Myrtle A. Rogers, % Towne West Mall Co.
1712 N. Meridian, Indianapolis, Indiana 46202

B. J. Kingdom, Law Company, 313 S. Market, 67202

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR AMENDMENT TO CUP

CASE NO. CP-71

CONSIDERED BY MAPC: 4-14-77

REQUEST FOR: Amendment to Towne West Square Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

GENERAL LOCATION: South side of Maple in an area between I-235
and Tracy

LEGAL DESCRIPTION: See attached excerpt of Planning Commission minutes

APPLICANT: Towne West Mall Company, 1712 N. Meridian, Indianapolis,
Ind. 46202

COUNSEL FOR APPLICANT: James R. Schaefer, 800 Brown Building 67202

PROTESTORS (LIST COUNSEL) IF ANY:

SURROUNDING ZONING: North, "AA" & "LC"; East, "E"; South, "AA", "B",
"LC" & "E"; West, "AA", "E"

LAND USE: Subject land, manufacturing, vacant residential, undeveloped;
North, school, church, single family, mobile homes; East, office, discount
store, drive-in theater; South, offices, motel, U.S. 54 (Kellogg); West,
CPO RECOMMENDATION: I-235 Highway R.O.W., offices.

PLANNING COMMISSION RECOMMENDATION:

That this amended C.U.P. be approved subject to the conditions
as noted on the attached excerpt of the Planning Commission minutes
of 4-14-77. Kamen moved, Greider seconded, and it carried
unanimously. Savina was absent, Porter resigned.

-
- ACTION 1. Approve the CUP as recommended by the Metropolitan Area
Planning Commission, subject to the recommended conditions; or
2. Take such action as the City Commission deems appropriate.

EXCERPT FROM PLANNING COMMISSION MINUTES OF 4-14-77

28. Case No. DP-71 - Towne West Mall Company requests amendment to Towne West Square Community Unit Plan, legally described as:

A Tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.43 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the north line of said Northeast Quarter;

thence 630.00 feet on a bearing of South 00 degrees 02 minutes 20 seconds East;
thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 160.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
thence 150.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 470.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
thence 242.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 1304.15 feet on a bearing of South 00 degrees 02 minutes 23 seconds East;
thence 40 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 787.51 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
thence 170.89 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
thence 250.00 feet on a bearing of North 00 degrees 04 minutes 05 seconds West;
thence 190.00 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
thence 530.73 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
thence 256.40 feet on a bearing of South 88 degrees 27 minutes 20 seconds West;
thence 185.00 feet on a bearing of North 00 degrees 08 minutes 07 seconds West;
thence 100.43 feet on a bearing of North 88 degrees 27 minutes 20 seconds East;
thence 591.99 feet on a bearing of North 00 degrees 16 minutes 03 seconds West;
thence 100.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 21.70 feet on a bearing of South 00 degrees, 00 minutes 57 seconds East;
thence 169.12 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 489.95 feet on a bearing of South 00 degrees 08 minutes 07 seconds East;
thence 289.61 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
thence 377.93 feet on a bearing of North 00 degrees 08 minutes 30 seconds West;
thence 204.85 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
thence 8.90 feet on a bearing of South 00 degrees 08 minutes 50 seconds East;
thence 215.96 feet on a bearing of North 89 degrees 45 minutes 40 seconds West;
thence 111.60 feet on a bearing of North 75 degrees 05 minutes 35 seconds West;
thence 335.40 feet on a bearing of South 89 degrees 42 minutes 00 seconds West;
thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East;

to a point on the easterly right of way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said easterly right of way line; thence 931.00 feet on a curve to the left along said easterly right of way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right of way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right of way line to the north line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said north line to the point of beginning. Generally located on the south side of Maple between Tracy and I-235.

GALBRAITH showed slides of the subject area and reviewed the following staff report:

Comments:

1. On July 15, 1975, a Commercial Community Unit Plan, Towne West Square, was considered and approved by the Board of City Commissioners. The applicants have now submitted a revised development plan proposing the following general amendments to the plan:
 - a) A reduction in the number of parcels from seven to six and subsequent changes in parcel configuration and location.
 - b) A reduction in total gross floor area permitted on the C.U.P. from 1,202,034 square feet down to a revised maximum of 1,000,000 square feet.

- c) Changes in access controls as follows:
 - 1) reduction in the number of access points to Kellogg drive from three to one.
 - 2) reduction in the number of access points to Tracy Street from eight to six.
 - 3) no change in the number of access points to Maple.
 - 4) addition of one access point to Westdale Drive.
 - 5) reduction of the number of access points to Anna Street from two to one.
- d) A reduction in total site size from 92.7 acres to 83.48 acres.
- e) Changes in permitted uses as follows:
 - 1) the addition of "hotel and motel" as permitted uses on parcel one.
 - 2) the addition of "restaurant, theaters, and service station" as permitted uses on the site of parcel 3 (formerly the location of parcel 7) and the deletion of "flower shops and branch library" as permitted uses at that location.
 - 3) the addition of "restaurant" as a permitted use on the site of parcel 4 (formerly the location of parcel 3) and the deletion of "service station" as a permitted use at that location.
- f) The addition of a Reserve A on the southern portion of the site proposed for a pylon sign and landscaping.

- 2. The applicant has proposed an alternate design for the southeast portion of the site to provide for possible future land acquisitions without formal amendment of the C.U.P. However, even though that property is included within the confines of the present approved C.U.P., such was not included in the legal description provided in conjunction with the proposed amendments and has not been advertised for public hearing. In order to conform to State Statutes requiring notice and advertisement of C.U.P. and zone changes, the proposed alternate would either have to be included in a revised legal description and consideration of the amended plan deferred until it is advertised, or deleted from the amended plan and becoming a separate formal C.U.P. amendment at some future date.
- 3. It should be noted that parcels two (2) and three (3) do not have direct access to a public street and, as such, there should be some public record of internal circulation patterns proposed for the property.
- 4. The two major areas of concern when the original Towne West Square C.U.P. was considered were drainage and street improvements. Both items have been considered by the Board of City Commissioners and cost allocations made as follows:

- a) Drainage - On February 10, 1976, the Board of City Commissioners approved the following cost allocations for drainage "area A" of the Southwest Industrial Storm Drainage Improvement Project. Drainage "area A" is an approximate 150 net acre tract bounded by I-235, Maple, West, and Kellogg.

Total cost of drainage improvement	2,250,000
Pump station (City-at-Large)	985,550
Total for "area A" to pay	1,264,450
Federal Funds (EDA grant)	466,050
Total Assessment	788,400
Towne West Assessment	413,400
Additional payment by Towne West	125,000
Total Towne West Payment	538,400

Other properties in drainage area assessed at approximately \$3,500/net acre; Towne West Area Drainage improvement costs approximately \$5,900/net acre.

- b) Street improvements - Based on approved design and geometrics, the street improvements in the area will be as follows:

U. S. 54 (Kellogg)	1,092,483
Maple Street	570,826
West Street	301,134
Tracy Street	340,542
Taft Street	105,359
Construction Costs	<u>2,410,344</u>
Right-of-way Costs	83,617
Total Cost Estimates	<u>2,493,961</u>

On June 29, 1976, the Board of City Commissioners allocated these cost estimates as follows:

City-at-large	583,617
Special Assessments	98,907
Towne West Developer	1,368,437
State	<u>443,000</u>
Total	<u>2,493,961</u>

On July 27, 1976, the developers of Towne West again appeared before the City Commission and requested that to satisfy their financial lenders that a maximum developer participation of \$1,400,000 be established for street improvements. The Board of City Commissioners approved that proposal subject to State funding participation in the amount of \$443,000 and further subject to the accuracy of the street improvement cost estimates as prepared by the developer with the stipulation that in the event cost estimates and/or state participation are not as estimated that the scope of the intended improvements be resubmitted to the City Commission for further review.

5. Should the Planning Commission recommend approval of the amended C.U.P., the following are suggested conditions of approval:
- Approval of these proposed C.U.P. amendments shall in no way be construed as altering the financial agreements regarding drainage and street improvement which have previously been made by the City Commission and Towne West Developers.
 - Recording of the associated plat of Towne West Square within one year of the date of C.U.P. approval by the Board of City Commissioners.
 - The deletion of the proposed alternate design for the southeast portion of the site and the deletion of general provision #13.
 - Submission of an internal circulation site plan prior to the issuance of building permits.
 - The proposed half street right-of-way on Maple adjacent to parcel four (4) shall be increased to 60 feet rather than the proposed 50 feet.
 - The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

- g. The development of this property proceeding in accordance with the development plan as approved by the Planning 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.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

GALBRAITH stated that the amendment basically is to reduce the total site size and the gross square footage of floor area. He said that the applicant had promised the City Commission to reduce the gross square footage from 1,200,000 plus/minus to 1,000,000 square feet. He also pointed out that the amendment included some rearrangement of parcel descriptions and some changes in proposed uses, as well as reducing the number of curb openings. He further commented that the staff had outlined in Comment #4 all the fiscal responsibilities, and said that the staff supported all the amendments but had listed a number of conditions of approval under Condition #5.

LAKIN pointed out that there had been some proposed acquisition and possible land trade with the State Highway Department which had not been included in the description for advertising purposes. GALBRAITH, referring to the slides, stated that the State Highway Department was not a party to the application and their legal description had not been incorporated in the legal advertisement. He felt since it had not been included, the alternate proposal should be eliminated from the site plan.

LAKIN stated that during the break this afternoon the representative of the Westport Theater had asked about a condition which had appeared in the original 1975 recommendation to the City Commission insuring that the lights on the shopping center and parking lot should be reflected away from the drive-in theater area. He said that somewhere that seemed to have been dropped out of the approved documents of the C.U.P. when it went forward to the City Commission. LAKIN further remarked that he had spoken with Mr. Schaefer about it and he was generally in agreement with that condition and had no objections that the same condition be reinserted. LAKIN recommended that it be placed back in the approved conditions and said that staff would see that it gets onto the C.U.P.

JAMES R. SCHAEFER, agent for the applicant, said that the name of the Department of Transportation does not appear on the application for the approved C.U.P., but that the applicant had an agreement with DOT in Topeka. He said that essentially what the agreement says is that in the event that Towne West should ever acquire additional property, there would be a trade with the Highway Department. He pointed out on the map where the trade would be made.

SCHAEFER stated that the agreement was a valid binding agreement on both DOT and the applicant and should be left in the approved C.U.P. and, if the trade is made, incorporated as a secondary design into the C.U.P. without having to come back through the amendment process again.

TAYLOR stated that she concurred with staff comments and since this was not included in the advertising she suggested that for today the Commission proceed on the portions that were advertised and another hearing be held for that portion not included.

SCHAEFER said that if that was the position of the majority of the Planning Commission he would suggest that that portion be deleted at this stage as the trade might never take place.

RUSSELL BOMHOFF, 607 South Tracy, said that this was the first time he had seen this and questioned where the property trades to the state was located.

SCHAEFER pointed out the land in question.

No one appeared in opposition.

MOTION: That the Planning Commission recommend to the City Commission that this amended C.U.P. be approved subject to:

- a. Approval of these proposed C.U.P. amendments shall in no way be construed as altering the financial agreements regarding drainage and street improvement which have previously been made by the City Commission and Towne West developers.
- b. Recording of the associated plat of Towne West Square within one year of the date of C.U.P. approval by the Board of City Commissioners.
- c. The deletion of the proposed alternate design for the southeast portion of the site and the deletion of general provision #13.
- # d. Submission of an internal circulation site plan prior to the issuance of building permits.
- e. The proposed half street right-of-way on Maple adjacent to parcel four (4) shall be increased to 60 feet rather than the proposed 50 feet.
- f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- g. The development of this property proceeding in accordance with the development plan as approved by the Planning 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.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
- i. All lights shall be shielded to reflect or direct light away from the drive-in theater to the east.

Kamen moved, Greider seconded, and it carried unanimously. Savina was absent, Porter resigned.

○ ATTENDENCE RECORD ○

Date: 11-4-77

Time: 1:30 PM

Place: City Hall

Meeting Arranged By: MAPD

Purpose: Towne West Review

Name	Organization	Address
<u>PA LAKIN</u> Phone:	<u>MAPD</u>	
<u>RICHARD D. ERVIN</u> Phone: 317-926-6021	<u>MELVIN SIMON & ASSOC</u>	<u>1712 N. MERIDIAN ST INDIANAPOLIS, IN 46202</u>
<u>Mike Weigand</u> Phone: 262-6404	<u>J.P. Weigand + Sons</u>	<u>150 N. MARKET 67202</u>
<u>Don Boeike</u> Phone:	<u>MELVIN SIMON + ASSOC.</u>	<u>1712 N. MERIDIAN ST INDPLS, IN 46202</u>
<u>Don Foost</u> Phone:	<u>Melvin Simon + Assoc</u>	<u>1712 N. Meridian St. Indpls, In. 46202</u>
<u>Joe BAKER</u> Phone: 265-8584	<u>THE LAW CO. INC.</u>	<u>313 So. MARKET WICHITA KNS.</u>
<u>Benny Geyen</u> Phone: 468-4555	<u>water Dept.</u>	<u>City Bldg.</u>
<u>PAUL GRAVES</u> Phone: 268-4571	<u>TRAFFIC ENGR P. W. DEPT</u>	<u>"</u>
<u>M.S. MITCHELL</u> Phone:	<u>FLOOD CONTROL</u>	<u>"</u>
<u>James R. Schauden</u> Phone: 262-4403	<u>atly.</u>	<u>800 Brown Bldg. Wichita, Kan 67202</u>
<u>Carl Newby</u> Phone:	<u>MAPD</u>	

Name	Organization	Address
Jack H. Galbraith Phone:	MAPD	
Max Greene Phone: 268-4591	Flood Control	City Hall
Leanne Olivarez Phone:	MAPD	
Dick Lion Phone:	Engr. Div. - P.W.	City Hall
Bob Friesen Phone:	Law/Kingdon PA	
H. L. BERGER Phone:	LAW/KINGDON, PA	
Robert L. Castle Phone:	Campbell & Castle, P.A.	
RAY TRAIL Phone:	CITY MGR'S OFFICE	CITY HALL
E. H. DENTON Phone:	" "	" "
B. J. KINGDON Phone:	LAW/KINGDON, P.A.	WICHITA, KS.
Phone:		
Phone:		
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Phone:		

ATTENDANCE RECORD

Date: 11-4-77
 Time: 1:30 PM
 Place: City Hall
 Meeting Arranged By: MAPD
 Purpose: Towne West Review

Name	Organization	Address
<u>RALPH LAKIN</u> Phone:	<u>MAPD</u>	
<u>RICHARD D. ERVIN</u> Phone: <u>317-926-6021</u>	<u>MELVIN SIMON & ASSOC</u>	<u>1712 N. MERIDIAN ST INDIANAPOLIS, IN 46202</u>
<u>Mike Weigand</u> Phone: <u>262-6404</u>	<u>J.P. Weigand + Sons</u>	<u>150 N. MARKET 67202</u>
<u>Don Boelke</u> Phone:	<u>MELVIN SIMON + ASSOC.</u>	<u>1712 N. MERIDIAN ST INDPLS, INP 46202</u>
<u>Don Foost</u> Phone:	<u>Melvin Simon + Assoc</u>	<u>1712 N. Meridian St. Indpls., In. 46202</u>
<u>Joe BAKER</u> Phone: <u>265-8584</u>	<u>THE LAW CO. INC.</u>	<u>313 SO. MARKET WICHITA KNS.</u>
<u>Benny Gegen</u> Phone: <u>268-4555</u>	<u>water Dept.</u>	<u>City Bldg.</u>
<u>PAUL GRAVES</u> Phone: <u>268-4591</u>	<u>TRAFFIC ENGR P.U. DEPT</u>	<u>"</u>
<u>M.S. MITCHELL</u> Phone:	<u>FLOOD CONTROL</u>	<u>"</u>
<u>James R. Schaefer</u> Phone: <u>262-4403</u>	<u>city.</u>	<u>800 Brown Bldg. Columbia, Ky 41202</u>
<u>Carl Newby</u> Phone:	<u>MAPD</u>	

Name	Organization	Address
Jack H. Galbraith Phone:	MAPD	
Max Greene Phone: 268-4591	Flood Control	City Hall
Ronnie Olivares Phone:	MAPD	
Dick Linn Phone:	Engr. Div. - P.W.	City Hall
Bob Friesen Phone:	Law/Kingdon PA	
H. L. BERGER Phone:	LAW/KINGDON, P.A.	
Robert L. Castle Phone:	Campbell & Castle, P.A.	
RAY TRAIL Phone:	CITY MGR'S OFFICE	CITY HALL
E. H. DENTON Phone:	" "	" "
B. J. KINGDON Phone:	LAW/KINGDON, P.A.	WICHITA, Ks.
Phone:		
Phone:		
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 1398750 \\
 \hline
 5,595,000
 \end{array}$$

1. W. Jg. Estimated total assess-
ment

Tracy - \$200,000

Tracy - 169,000

Taft - 30,000

Taft 67,000

\$466,000

\$1,400,000 - 466,000 = \$934,000

Letter of credit to be adjusted when final ~~state~~
assessments on other struts made -

11/4/77

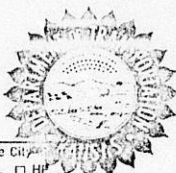
* Check w/ McNeil

↳ Path of NGD/WMPA.

~~2,000,000~~
001

KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612



O. D. TURNER, Secretary of Transportation

ROBERT F. BENNETT, Governor

November 18, 1977

Mr. E. H. Denton
City Manager
455 North Main Street
Wichita, Kansas 67202

Office Of The City	
<input checked="" type="checkbox"/> EHD	<input type="checkbox"/> HP
<input type="checkbox"/> RC	<input type="checkbox"/> MS
<input type="checkbox"/> RT	<input type="checkbox"/> SH
NOV 21 1977	
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<input type="checkbox"/> File	

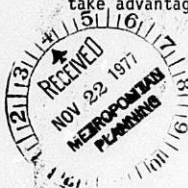
Dear Mr. Denton:

We have received your letter of November 3, 1977, concerning the need for additional consideration of a means to handle the Towne West shopping center traffic at such time that Kellogg Avenue is reconstructed to freeway standards. Provision of a new interchange at I-235 and Maple Street would have to be considered as an alternate route.

Since our recent meeting on the subject, we have been assembling the information needed to justify the approval of such an interchange by the Federal Highway Administration, and the request was forwarded to them earlier this week.

As you know, we considered the effect that local funding might have upon the time of developing the project to letting. It seems that regulations concerning approval of new access openings require that an environmental impact statement be prepared. Perhaps it will be possible to satisfy the regulations with a negative declaration, which would require less time than a full E.I.S. In any event, it would appear that we will not be able to short cut the red tape in any substantial amount.

It would seem now that timing of construction of an interchange would be dependent upon plan development and financing. There is a possibility that some change in Interstate apportionment may be made in the 1978 Highway Act, i.e. that states which have projects ready for letting may be advanced funds which had been apportioned to states who were not prepared to use them. Therefore, any state which had plans on the shelf, right of way acquired, and matching funds available could receive Interstate funds several years ahead of their normal apportionment schedule. By now, you may have perceived the idea which I have been contemplating. It is my understanding that both the City and the developer have earmarked funds for improvements to Kellogg Avenue which now will not be needed. If this is the case, the City could use those funds to provide the interchange design, purchase the right of way and provide the matching funds, or whatever the amount those funds would cover. These things could probably be accomplished in less time by the City than by our Department, and we would be able then to immediately take advantage of any additional Federal funds which might become available.



Mr. E. H. Denton

2

November 18, 1977

Hopefully, we will have FHWA approval of the interchange within a week or two. If approval is granted and you feel that my idea has merit, we can discuss it in further detail.

Yours very truly,



W. H. Ogan, P.E.
State Transportation Engineer

WHO:1mh

THE CITY OF WICHITA
OFFICE OF ENGINEERING

DATE November 16, 1977

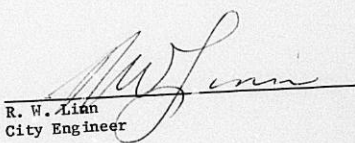
TO Curtis Newby, Planning Department - Current Plans

FROM R. W. Linn, City Engineer

SUBJECT TOWNE WEST SQUARE -
ENTRANCES AND CUL-DE-SACS ON
ANNA STREET AND WESTDALE DRIVE

The Engineering Division has approved the preliminary design concepts for the "hammerhead" cul-de-sac treatment for the termination of Westdale Drive and Anna Street at the south line of Towne West Square Addition.

Final details of design will be accomplished during preparation of construction plans for the street projects.

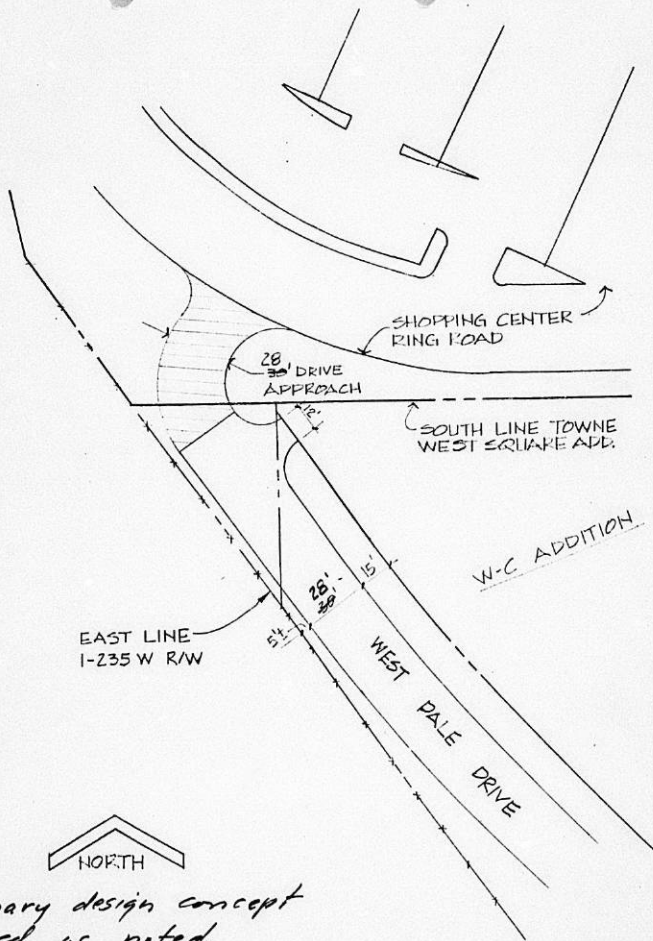

R. W. Linn
City Engineer

KWL/dla

Attachments

cc: Paul Graves, Traffic Engineer
James R. Schaefer, Attorney

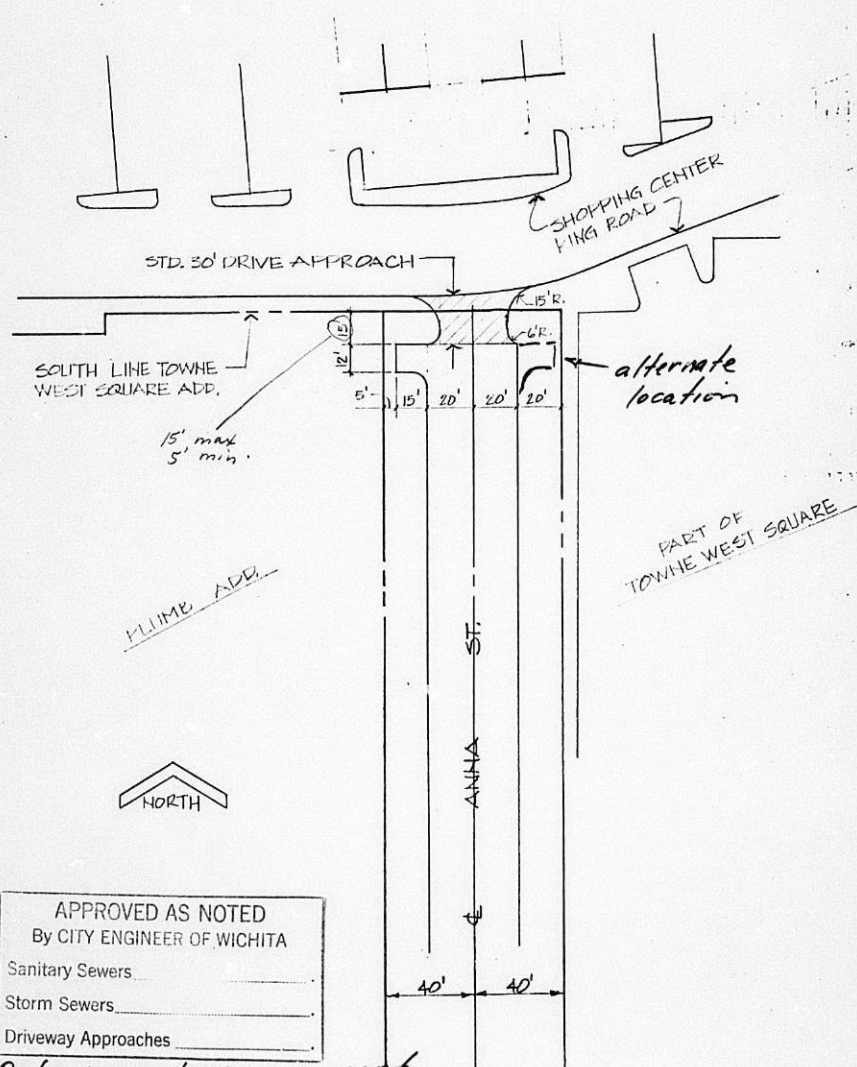




Preliminary design concept
 approved as noted.

M. J. Linn 11/16/77

APPROVED AS NOTED	
By CITY ENGINEER OF WICHITA	
Sanitary Sewers	_____.
Storm Sewers	_____.
Driveway Approaches	_____.



APPROVED AS NOTED
 By CITY ENGINEER OF WICHITA

Sanitary Sewers _____

Storm Sewers _____

Driveway Approaches _____

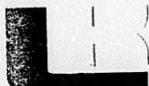
Preliminary design concept of drive & "hammer head" approved as noted. M. J. Min 11/16/77

ATTENDANCE RECORD

Date: 11-4-77
 Time: 1:30 PM
 Place: City Hall
 Meeting Arranged By: MAPD
 Purpose: Towne West Review

Name	Organization	Address
<u>RA LAKIN</u> Phone:	<u>MAPD</u>	
<u>RICHARD D. ERVIN</u> Phone: <u>317-926-6021</u>	<u>MELVIN SIMON & ASSOC</u>	<u>1712 N. MERIDIAN ST</u> <u>INDIANAPOLIS, IN 46202</u>
<u>Mike Weigand</u> Phone: <u>262-6404</u>	<u>J.P. Weigand & Sons</u>	<u>150 N. MARKET</u> <u>67202</u>
<u>Don Boelke</u> Phone:	<u>MELVIN SIMON & ASSOC.</u>	<u>1712 N. MERIDIAN ST</u> <u>INDPLS, INP 46202</u>
<u>Don Foost</u> Phone:	<u>Melvin Simon & Assoc</u>	<u>1712 N. Meridian St.</u> <u>Indpls., In. 46202</u>
<u>Joe BAKER</u> Phone: <u>265-8584</u>	<u>THE LAW CO. INC.</u>	<u>313 So. MARKET</u> <u>WICHITA KNS.</u>
<u>Benny Gegen</u> Phone: <u>268-4555</u>	<u>water Dept.</u>	<u>City Bldg.</u>
<u>PAUL GRAVES</u> Phone: <u>268-4591</u>	<u>TRAFFIC ENGR</u> <u>P.U. DEPT</u>	<u>"</u>
<u>M.S. MITCHELL</u> Phone:	<u>FLOOD CONTROL</u>	<u>"</u>
<u>James R. Schaefer</u> Phone: <u>262-4403</u>	<u>city.</u>	<u>800 Brown Bldg.</u> <u>Wichita, Kas 67202</u>
<u>Cont Newby</u> Phone:	<u>MAPD</u>	

Name	Organization	Address
Jack H. Galbraith Phone:	MAPD	
Max Greene Phone: 268-4591	Flood Control	City Hall
Rosine Olivarez Phone:	MAPD	
Dick Linn Phone:	Engr. Div. - P.W.	City Hall
Bob Friesen Phone:	Law/Kingdon PA	
H. L. BERGER Phone:	LAW/KINGDON, P.A.	
Robert L. Castle Phone:	Campbell & Castle, P.A.	
RAY TRAIL Phone:	CITY MGR'S OFFICE	CITY HALL
E. H. DENTON Phone:	" "	" "
B. J. KINGDON Phone:	LAW/KINGDON, P.A.	WICHITA, KS.
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		



Law / Kingdon, P.A.

Architects / Engineers / Planners
Construction Managers / Consultants

July 21, 1977

Jim Schaefer, Attorney at Law
Brown Building
Wichita, Kansas 67202

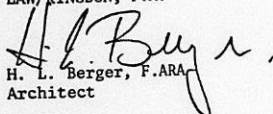
Re: Towne West Square
Wichita, Kansas

Dear Jim:

Enclosed is a copy of a letter that KG&E sent to the Metropolitan Area Planning Commission regarding the negotiations on removing the KG&E lines, which at the present time cross the site.

Very truly yours,

LAW/KINGDON, P.A.


H. L. Berger, F.A.R.A.
Architect

kw 4/13

Enclosure

cc: Mr. Joe Bauer

Weaks but probably acceptable.

KG&E

July 13, 1977

By MLB

Rec'd JUL 21 1977

COPY TO J.C.

FAUST

SCHIFFKA

Metropolitan Area Planning Commission
455 North Main
Wichita, Kansas 67202

Dear Mr. Newby:

This is to advise that negotiations are under way with the developer of Town West regarding relocation of KC&E facilities.

KC&E has no further objections to the Town West Plat.

Sincerely yours,

Robert L. Blevins

Robert L. Blevins
Senior Estimator

RLB:pw



Law / Kingdon, P.A.

Architects / Engineers / Planners
Construction Managers / Consultants

July 15, 1977

Mr. Jim Schaefer
Attorney at Law
Brown Building
Wichita, Kansas 67202

Re: Towne West Square
Wichita, Kansas

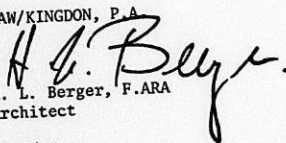
Dear Jim:

Enclosed is a copy of a letter that the Telephone Company sent to the Metropolitan Area Planning Commission.

We have also contacted KG&E, and they will send to Bob Lakin a similar letter regarding their lines.

Very truly yours,

LAW/KINGDON, P.A.


H. L. Berger, F.A.R.A.
Architect

kw 5/13

Enclosure

cc: Mr. Joe Bauer

Bill Telephone.

CORPORATE OFFICES: 313 South Market / Wichita, Kansas / P.O. Box 1139, 67201 / (316) 265-8574



*Herb
Berger*

Southwestern Bell

Engineering Operations
626 N. Broadway
Wichita, Kansas 67214
July 12, 1977

Bob Lakin, Director
Metropolitan Area Planning Commission
455 N. Main
Wichita, Kansas 67202

Dear Mr. Lakin:

This letter is to notify the MAPC that Southwestern Bell Telephone Company has been contacted by the Law Company in regards to relocating cables for Towne West Square Addition. Details of rearrangements and charges are now being negotiated.

Yours truly,

Dennis J. Dexter
Engineering Project Supv.

cc: The Law Co.
% Jim Carlisye
313 S. Market
Wichita, KS 67202

By *J. Carlisye*

Rec'd JUL 14 1977

COPY TO *Herb Berger*

Joe Brewer

Wasson Jbara



newly

Southwestern Bell



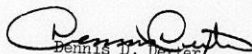
Engineering Operations
626 N. Broadway
Wichita, Kansas 67214
July 12, 1977

Bob Lakin, Director
Metropolitan Area Planning Commission
455 N. Main
Wichita, Kansas 67202

Dear Mr. Lakin:

This letter is to notify the MAPC that Southwestern Bell Telephone Company has been contacted by the Law Company in regards to relocating cables for Towne West Square Addition. Details of rearrangements and charges are now being negotiated.

Yours truly,


Dennis D. Dexter
Engineering Project Supv.

cc: The Law Co.
% Jim Carlisye
313 S. Market
Wichita, KS 67202



KANSAS GAS AND ELECTRIC COMPANY

Newby

July 13, 1977



Metropolitan Area Planning Commission
455 North Main
Wichita, Kansas 67202

Dear Mr. Newby:

This is to advise that negotiations are under way with the developer of Town West regarding relocation of K&E facilities.

K&E has no further objections to the Town West Plat.

Sincerely yours,

Robert L. Blevins

Robert L. Blevins
Senior Estimator

RLB:pw

July 11, 1977

E. H. Denton, City Manager

Jack H. Galbraith, Chief Planner

Z-1700, "AA" & "E" to "LC", DP-71 Towne West Square
Community Unit Plan; and S/D 77-24 - Towne West
Square Addition.

We are in receipt of a copy of a letter to you from James R. Schaefer, attorney, requesting a 6-month extension of the two year platting time limit required on the above referred to zone case and C.U.P.

Our records indicate that the associated final plat, Towne West Square Addition has been approved by the Planning Commission subject to several conditions, mostly concerned with guarantees for various physical improvements, i.e., street and drainage improvements, abandonment of unneeded utility lines, etc. We would therefore concur in the requested 6-month extension with the new completion date for the plat to be January 15, 1978.

Since this is a first request for platting time limit extension in accordance with Planning Commission Policy Statement #5, the City Manager may grant the request without formal action by the governing body. If you have any questions concerning this matter, please call.

Jack H. Galbraith
Chief Planner

APPROVED BY:

Robert A. Iakin
Director of Planning

JHG:CLN:rme

cc: James R. Schaefer, Attorney, 800 Brown Bldg., 67202

*7-12-77 City Manager granted 6 mo. platting time extension
to 7-15-78. See letter in zone case file (Z-1700)*

June 29, 1977

Mr. James R. Schaefer
Attorney at Law
800 Brown Building
Wichita, Kansas 67202

Re: Z-1700 - "AA" & "B" to "LC";
DP-71 Towne West Square
community unit plans and
S/D 77-24 Towne West Square
Addition.

Dear Mr. Schaefer:

As you will recall, the above referenced zone case and community unit plan were approved by the Board of City Commissioners on July 15, 1975 subject to the platting of the property within two years or the cases be considered denied and closed. The deadline for recording the plat of Towne West Square Addition is July 15, 1977. Since many of the conditions of plat approval are still incomplete, it will be impossible to record the plat by that date.

If you wish to request an extension of time to complete the plat, please address your letter to Mr. E. B. Denton, City Manager, and send a copy to Jack Galbraith of this office. If we can be of assistance to you in this matter, please call.

Sincerely,

Louise Olivarez
Planning Analyst

LO:rme

cc: Towne West Mall Co., and Myrtle A. Rogers
1712 N. Meridian
Indianapolis, Indiana 46202

Campbell and Castle Engineers
P. O. Box 1835 67201

THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
CITY HALL—THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 258-4351

November 3, 1977

Mr. W. H. Ogan
State Transportation Engineer
State Highway Commission
State Office Building
Topeka, Kansas 66612

Subject: I-235 and Maple

Dear Mr. Ogan:

In our discussion on the improvement to freeway standards of U. S. 54 between West Street and I-235 and it's relation to the proposed Towne West Shopping Center, it became apparent such changes will have a major impact on the adjacent street system. More specifically nearly all of the Shopping Center traffic which would have used U. S. 54 prior to freeway standard would be required to use a West Street-Taft Street entrance. We believe management of traffic in this general area would be improved by the provision of new access through the development of an interchange at I-235 and Maple.

Although we recognize that many items including financing will need to be discussed, we would like to take the necessary steps to have such an interchange identified as a project and to clear the way with FHWA to authorize an interchange at Maple and I-235. Accordingly, will you initiate whatever action that is necessary to obtain permission from FHWA to break access on I-235 at Maple by means of an interchange or direct access to the Shopping Center.

If we can be any assistance, please advise.

Sincerely,

A handwritten signature in dark ink, appearing to read "E. H. Denton", written over a light-colored background.

E. H. Denton
City Manager

EHD:mp

cc: Robert A. Lakin, Director of Planning ✓

November 2, 1977

Jack H. Galbraith, Chief Planner
Curtis L. Newby, Junior Planner

S/D 77-24 Towne West Square Addition

As per your request to me as to what plat approval requirements were yet to be complied with on the Towne West Square plat, please note the following:

- A. The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the platter's text.
- B. The rights-of-way being dedicated by this plat for Maple, Tracy and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
- C. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department. *delete word driveway type entrance*
- D. *estimate has been given to applicant*
The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
- E. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- F. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.

*Before to draft agreement for review approval by town Dept
sub-drainage work agreements will be done prior to building permits*

Fa. *guaranteed relocation of sanitary sewer - Need memo from div to verify that this has been done.*

Jack H. Galbraith
Re: S/D 77-24 Towne West Square Addition
November 2, 1977
Page Two

- G. *Levin* The applicant shall guarantee all the drainage improvements associated with the plat.
- H. *See plat or agenda with plat* Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- I. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- J. *will be submitted in 7-10 days* Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- K. 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.
- L. Certification that all taxes due and payable for 1977 and prior years have been paid.

Also, it should be noted that in addition to the above plat requirements, the applicant was required to guarantee the construction of sidewalks adjacent to Maple, Tracy, Kellogg Drive and Westdale Drive. However, under the new sidewalk policy, no sidewalk guarantees are required because all the aforementioned streets are existing streets.

At such time as the applicant has fulfilled all these requirements, we will be able to schedule the plat for final consideration and approval by the City Commission after which the plat can be recorded and building permits issued. If you have any questions, please advise.

Curtis L. Newby
Junior Planner

CLN:et

96

November 1, 1977

Mr. W. H. Ogan
State Transportation Engineer
State Highway Commission
State Office Building
Topeka, Kansas 66612

Subject: I-235 and Maple

Dear Mr. Ogan:

In our discussion on the improvement to freeway standards of U. S. 54 between West Street and I-235 and it's relation to the proposed Towne West Shopping Center, it became apparent such changes will have a major impact on the adjacent street system. More specifically nearly all of the Shopping Center traffic which would have used U. S. 54 prior to freeway standard would be required to use a West Street-Taft Street entrance. We believe management of traffic in this general area would be improved by the provision of new access through the development of an interchange at I-235 and Maple.

Although we recognize that many items including financing will need to be discussed, we would like to take the necessary steps to have such an interchange identified as a project and to clear the way with FHWA to authorize an interchange at Maple and I-235. Accordingly, will you initiate whatever action that is necessary to obtain permission from FHWA to break access on I-235 at Maple by means of an interchange or direct access to the Shopping Center.

DRAFT

Given to Denton 11-1-77

FROM: JLO DATE: _____

- HEEK
- SHIRKEY
- NEWBY

- File in Towne
- West Plat file
- _____
- _____
- _____

Mr. W. H. Ogan
November 1, 1977
Page 2

If we can be any assistance, please advise.

Sincerely,

E. H. Denton
City Manager

May 16, 1977

Campbell and Castle Engineers
P.O. Box 1835
Wichita, Kansas 67201

Re: S/D 77-24 - Final plat of
Towne West Square Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on May 12, 1977, 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 May 9, 1977, and in addition, the following condition:

A legal instrument shall be submitted agreeing that the owner and subsequent owners in title will not object and request damages by virtue of changing U.S. 54 (Kellogg) from expressway/arterial standards to freeway standards.

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.
- 12-1472. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- ✓ 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.
- ✓ Certification that all taxes due and payable for 1976 and prior years have been paid.

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:bh

Campbell and Castle Engineers
May 16, 1977

cc: Towne West Mall Co., and Myrtle A. Rogers
1712 N. Meridian, Indianapolis, Indiana, 46202

James R. Schaffer, Atty, 800 Borwn Building, 67202

Dean Sellers, Assistant City Engineer

Al McClure, P.O. Box 16025, 67216

Gary Quick, Westport Drive-In 401 S. West Street, 62213

May 9, 1977

Campbell & Castle Engineers
P. O. Box 1835
Wichita, Kansas 67201

Re: S/D 77-24 - Final plat of
TOWNE WEST SQUARE ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 5, 1977, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. Approval of the final plat will be subject to the approval of the revised C.U.P.
- B. The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plat's text.
- C. The rights-of-way being dedicated by this plat for Maple, Tracy, and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
- D. ^{OK} The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends ^{JK} of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.
- E. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.

S/D 77-24
May 9, 1977
Page 2

- OK*
- The applicant shall contact Southwest Bell Telephone Company relative to removal and/or relocation of some of their existing service lines on the subject property. A letter from said Company stating said arrangements have been made shall be submitted to the Planning Department.
- KGK ok*
- G. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.
- H. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- I. The applicant shall guarantee the construction of sidewalks adjacent to all streets.
- J. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.
- K. The applicant shall guarantee all the drainage improvements associated with the plat.
- L. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- M. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- N. 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.

S/D 77-24
May 9, 1977
Page 2

This matter will be forwarded to the Planning Commission for its consideration on Thursday, May 12, 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: Towne West Mall Co., & Myrtle A. Rogers
1712 N. Meridian
Indianapolis, Indiana 46202

James R. Schaefer, Attorney
800 Brown Building
Wichita, Ks. 67202

Dean Sellers, Assistant City Engineer

Al McClure, P. O. Box 16026, 67216

Gary Quick, Westport Drive-In
401 S. West Street, 67213

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 77-24 Name TOWNE WEST SQUARE ADDITION
Date Application Rec'd. 3-1-77 Preliminary Approval 3-10-77
Scheduled S/D Meeting 5-5-77

DESCRIPTION

General Location Between Maple and Kellogg and I-235 and Tracy Street

Owner Towne West Mall Company, and Myrtle A. Rogers
Surveyor/Engineer Campbell and Castle
Address P. O. Box 1835 Phone ~~263-5044~~ 942-8144

- | | |
|---|----------------------------------|
| 1. Gross Acreage of Plat <u>90±</u> | 7. Linear Feet of New Streets: |
| 2. Number of Lots: | a. <u>15</u> R/W <u>2050</u> ft. |
| Residential _____ | b. <u>30</u> R/W <u>1990</u> ft. |
| Commercial <u>6</u> | c. <u>280</u> R/W <u>156</u> ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>6</u> | TOTAL <u>4196</u> ft. |
| 3. Minimum Lot Frontage <u>150</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>31,050</u> sq. ft. | streets? <u>yes</u> <u>X</u> no |
| 5. Existing Zoning <u>LC</u> | |
| 6. Proposed Zoning <u>LC</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u>N/A</u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. Approval of the final plat will be subject to the approval of the revised C.U.P.
- B. The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plat's text.
- C. The rights-of-way being dedicated by this plat for Maple, Tracy and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
- D. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drives begin, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that said satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.
- E. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
- F. The applicant shall contact Southwest Bell Telephone Company relative to removal and/or relocation of some of their existing service lines on the subject property. A letter from said company stating said arrangements have been made shall be submitted to the Planning Department.
- G. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.

(OVER)

- H. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- I. The applicant shall guarantee the construction of sidewalks adjacent to all streets.
- J. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of required drainage easements and ponding area to be provided on the parking lot.
- K. The applicant shall guarantee all the drainage improvements associated with the plat.
- L. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- M. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- N. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Newby

LAW OFFICES OF
MORRIS, LAING, EVANS, BROCK & KENNEDY
CHARTERED

VERNE M. LAING
FERD E. EVANS, JR.
RALPH R. BROCK
JOSEPH W. KENNEDY
ROBERT I. GUENTHER
DAVID C. ADAMS
KEN M. PETERSON
RICHARD D. GREENE
DAVID R. TROUP

SUITE 430
200 WEST DOUGLAS
WICHITA, KANSAS 67202
(316) 262-2671

LESTER L. MORRIS
1901-1986
OLIVER A. WITTERMAN
OF COUNSEL

March 28, 1977

Wichita-Sedgwick County Metropolitan
Area Planning Commission
City Hall, Tenth Floor
455 North Main Street
Wichita, Kansas 67202



Attention: Mr. Curtis L. Newby

Re: S/D 77-24 - Preliminary Plat of
TOWNE WEST SQUARE ADDITION

Gentlemen:

This office represents Westport Theatres, Inc., to one of the officers of which (Mr. Al McClure) your Mr. Newby sent a copy of the letter he addressed to Campbell & Castle Engineers under date of March 15, 1977. Mr. McClure has passed his copy of that letter to us for attention.

We note that the action of the subdivision committee was to approve the preliminary plat and to authorize preparation of the final plat, subject to (among other things) the approval of a revised C.U.P. being submitted by the applicant.

Your files will show that the original C.U.P. contained provisions appropriate to require masking of the lighting at Towne West in such a way as to eliminate the possibility of glare from the same interfering with the effective projection of motion pictures at the neighboring drive-in movie theatre operated by Westport Theatres, Inc. We ask that care be taken to preserve the same feature in the revised C.U.P.

Further we would appreciate it very much if you would place us on the list of persons to whom notice will be sent of any and all hearings relating to the revised C.U.P. Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ferd E. Evans, Jr.".

Ferd E. Evans, Jr.
For the Firm

FEE:IL

cc: Mr. Al McClure

March 15, 1977

Campbell & Castle Engineers
P. O. Box 1835
Wichita, Kansas 67201

Re: S/D 77-24 - Preliminary
plat of TOWNE WEST SQUARE
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 approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. Approval of the final plat will be subject to the approval of the revised C.U.P. being submitted by the applicant.
- B. 10 feet of additional right-of-way for Maple shall be indicated adjacent to Lot 4.
- C. The street rights-of-way being dedicated by this plat shall be properly indicated on the final plat.
- D. Access controls as approved on the C.U.P. shall be indicated on the plat.
- E. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing change of pavement type, etc. where the public right-of-way ends and the private entrance drives begin, at the main entrance to the shopping center and at Anna and Westdale Drive.

S/D 77-24
March 15, 1977
Page 2

- F. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
- G. The applicant shall contact Southwest Bell Telephone Company relative to removal and/or relocation of some of their existing service lines on the subject property. A letter from said company stating said arrangements have been made shall be submitted to the Planning Department.
- H. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.
- I. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- J. The applicant shall guarantee the construction of sidewalks adjacent to all streets.
- K. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of required drainage easements and ponding area to be provided on the parking lot.
- L. The applicant shall guarantee drainage improvements associated with the plat.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- N. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

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

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Encl.

cc: Towne West Mall Co., & Myrtle A. Rogers, 1712 N. Meridian
Indianapolis, Indiana 46202
James R. Schaefer, Attorney, 800 Brown Bldg., 67202
Mr. Al McClure, P. O. Box 16026, 67216
Dean Sellers, Assistant City Engineer

SOCID-Cons-5 (11/75)

RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND



MAILED TO:

Property Name Towne West Square Addition

James R. Shafer

Name

Location Bet. Maple & Kellogg & I-235

Campbell & Castal

Firm

By-Pass & Tracy Streets

Date 3-11-77

263-5044

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:	60% - Elandco silt loam	CLASS I
	20% - Canadian fine sandy loam	CLASS I
	20% - Haron sandy loam	CLASS I

B. SITUATION: This area has a severe wind erosion problem if not covered at all times. Milch must be maintained at all times during construction.

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 *

- 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.

- 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.
- 8. Stabilize each lot within 60 days after work starts on home or other building construction.
- 9. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
- 10. Discharge water from outlet structures at non-erosive velocities.
- 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.
- 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

WICHITA-SEDGWICK COUNTY

DATE 3/2/77

METROPOLITAN AREA PLANNING DEPARTMENT

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT DP-71 - Towne West Square CUP - Kellogg & West

Attached is a letter from Ogan approving the preliminary design for the changes to Kellogg and West that were indicated as being needed in association with the Towne West development. On August 2, 1976, we requested approval from the State, including a preliminary commitment of \$443,260, under the State Safety Project money.

Ogan has now acknowledged that they are reserving that amount of money and are requesting that the City make a formal request for the consideration of funding together with the traffic and accident data needed to substantiate this as a safety project. Since this is now moving from a planning level project to the actual construction and design phase and application of federal funds under the Safety Act, I would request that you assign this to the Department of Public Works to pursue as an improvement project. There will be considerable work ahead on this and may well necessitate the hiring of a consultant engineer to prepare the preliminary plans and to follow through on this project. However, I would imagine that Bruggeman and Linn will be preparing recommendations for you as to the next steps in proceeding on this project.

The applicant has submitted a preliminary plat on February 25 and will be bringing in an amendment to the Community Unit Plan for modifications which we requested in the original hearing as well as to make some additional modifications on behalf of their client. Based on what I know at this stage, it will not have any direct or indirect benefit on the U. S. 54-Kellogg proposals, design or funding levels.

Robert A. Lakin, Director of Planning

Attachments

Copy ltr Ogan to RAL 2-24-77

Copy ltr RAL to Ogan 8-2-76

cc w/attachments:

Ray Bruggeman, Director of Public Works

Dick Linn, City Engineer

Paul Graves, City Traffic Engineer

Jack Galbraith, Chief Planner

RAL:ew



KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612

O. D. TURNER, Secretary of Transportation

ROBERT F. BENNETT, Governor



February 24, 1977

1776 1976

Mr. Robert A. Lakin
Director of Planning
Metropolitan Area Planning Department
City Hall
455 North Main Street
Wichita, Kansas 67202



Dear Mr. Lakin:

After considerable review of the preliminary design for the improvement of Kellogg (US-54) to accommodate the expected traffic generated by the Towne West development, we are in general agreement with the design as submitted. As your plans are developed to their final stage, we would appreciate the opportunity to review them with you. Please keep us informed of your progress in the development of your plans and schedule for construction.

We are also now in a position to consider the financing of the portion of the project which encompasses the intersection of Kellogg and West Street. High Hazard Location safety funds in the amount of \$443,000.00 are being reserved for use in the improvement based upon the estimate which you forwarded previously. Final allocation of these funds is contingent upon FHWA approval of the improvement based upon the safety benefits to the location.

We would suggest that the traffic and accident data to substantiate the safety project be worked up as soon as possible. This data, plans and a request for consideration of funding under the safety program should be submitted for review by our Urban Highways Department and the FHWA.

We trust that the information provided here will allow you to proceed with finalization of the Towne West subdivision. If you need additional information, please let me know.

Yours very truly,

W. H. Ogan, P.E.
State Transportation Engineer

WHO:lmh

cc: F. J. Reid, Engineer of Urban Highways

August 2, 1976

Mr. W. H. Ogan
State Transportation Engineer
State Office Building
Topeka, Kansas 66612

Re: Towne West Square

Dear Mr. Ogan:

The Board of City Commissioners has approved the zoning for the Towne West Square Shopping Center to be located in the general area between I-235, West Street, U. S. 54 (Kellogg), and Maple. Included in the approval is the proposed improvement of Kellogg and other streets, including West, Tracy, Taft and Maple. The preliminary design and proposed geometrics for all streets are being sent to you under separate cover. For your use in evaluating the designs, copies of the Traffic Study (June 1976), by Paul Graves, is enclosed.

Now that the City Commission has concurred in these geometrics, will you and your staff please review them and forward a set to the FHWA for their concurrence as to general design. At such time as we have your approvals, the City Engineer will initiate the improvements. This will, of course, have to be tied to your approval of the proposed funding for the West-Kellogg intersection project.

In connection with the intersection project, this letter may be considered a formal preliminary request for initiation of the project. This project has been reviewed by our Public Works Department. What we believe should be considered as the limits of the project are outlined in red on the geometric sheets for those streets. The preliminary estimates for this improvement are as follows:

Construction Costs	\$ 487,382.00
Right-of-way	5,129.00
	<hr/>
	\$ 492,511.00

Page 2 - Mr. W. H. Ogan
August 2, 1976

Based on 90-10 financing, this would establish the City share as \$49,251.00, the State at \$443,260.00. The balance of the U. S. 54 improvement, as well as all other streets, is being borne by the City and developer. Any questions you have on project limits or cost estimate, please contact Dick Linn (316) 268-4669. Any additional data needed concerning traffic analysis, please call Paul Graves (316) 268-4446.

If a conference is needed relative to overall design review or the initiation of the intersection project, please advise. As soon as you have a response on design approval, please advise so that we may go ahead with subdivision design and approval with the developer.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber

Attachment

cc: E. H. Denton, City Manager
Ray Bruggeman, Director of Public Works
Dick Linn, City Engineer
Paul Graves, City Traffic Engineer



KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612

O. D. TURNER, Secretary of Transportation

ROBERT F. BENNETT, Governor

February 24, 1977



1776 1976

Mr. Robert A. Lakin
Director of Planning
Metropolitan Area Planning Department
City Hall
455 North Main Street
Wichita, Kansas 67202



Dear Mr. Lakin:

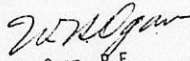
After considerable review of the preliminary design for the improvement of Kellogg (US-54) to accommodate the expected traffic generated by the Towne West development, we are in general agreement with the design as submitted. As your plans are developed to their final stage, we would appreciate the opportunity to review them with you. Please keep us informed of your progress in the development of your plans and schedule for construction.

We are also now in a position to consider the financing of the portion of the project which encompasses the intersection of Kellogg and West Street. High Hazard Location safety funds in the amount of \$443,000.00 are being reserved for use in the improvement based upon the estimate which you forwarded previously. Final allocation of these funds is contingent upon FHWA approval of the improvement based upon the safety benefits to the location.

We would suggest that the traffic and accident data to substantiate the safety project be worked up as soon as possible. This data, plans and a request for consideration of funding under the safety program should be submitted for review by our Urban Highways Department and the FHWA.

We trust that the information provided here will allow you to proceed with finalization of the Towne West subdivision. If you need additional information, please let me know.

Yours very truly,


W. H. Ogan, P.E.
State Transportation Engineer

WHO:Imh

cc: F. J. Reid, Engineer of Urban Highways

X ① landscape plan

② Documents of assurance that lots have rights of access

③ Interchange study for Maple/I-235 & add ROW may be needed.

④ Resubmit guarantees

⑤ setbacks

Call Dick Linn or Maurice Fink
& see about MAPLE/I-235
~~Interchange~~

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 77-24 Name TOWNE WEST SQUARE ADDITION
Date Application Rec'd. 3-1-77 Preliminary Approval _____
Scheduled S/D Meeting 3-10-77

DESCRIPTION

General Location Between Maple and Kellogg and I-235 and Tracy Street.

Owner _____
Surveyor/Engineer Towne West Mall Company, and Myrtle A. Rogers
Address Campbell and Castle
P. O. Box 1835 Phone ~~263-5044~~ 942-8144

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>90±</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>15</u> R/W <u>2050</u> ft. |
| Residential _____ | b. <u>30</u> R/W <u>1990</u> ft. |
| Commercial <u>6</u> | c. <u>280</u> R/W <u>156</u> ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>6</u> | TOTAL <u>4196</u> ft. |
| 3. Minimum Lot Frontage <u>150</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>31,050 sq.</u> ft. | streets? <u>yes</u> <input checked="" type="checkbox"/> <u>no</u> |
| 5. Existing Zoning <u>LC</u> | |
| 6. Proposed Zoning <u>LC</u> | |
| 9. Publi: Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) _____ | |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u>N/A</u> (Yes-No) | |

STAFF COMMENTS:

NOTE: Associated cases Z-1700 - AA, B & E to LC and Commercial Community Unit Plan DP-71 have been approved by the Board of City Commissioners subject to platting.

- A. Approval of the final plat will be subject to the approval of the revised C.U.P. being submitted by the applicant.
- B. It appears that the street rights-of-way indicated on the preliminary plat for Kellogg Drive, Tracy and Maple are as approved with the associated C.U.P. DP-71. However, the applicant and the Department of Public Works shall be prepared to discuss the street right-of-way requirements at the Subdivision Committee meeting.
- C. The street rights-of-way being dedicated by this plat shall be properly indicated on the final plat.
- D. Access controls as approved on the C.U.P. shall be indicated on the plat.
- E. Complete access control to Maple shall be indicated on Lots 2, 3 and 4. Complete access control to Tracy shall be indicated on Lots 4, 5 and 6.
- F. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of required drainage easements.
- G. The applicant shall guarantee drainage improvements associated with the plat.
- H. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.
- I. The applicant shall guarantee the construction of sidewalks adjacent to all streets.

- J. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- K. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- L. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

*enclos.
Hold for plat*

August 11, 1976

Mr. George F. Campbell, P.E.
Campbell & Castle
P. O. Box 1835
Wichita, Kansas 67201

Re: Final Plat - Towne West

Dear George:

Your request to submit the final plat at a scale of 1" = 150' is approved. Think you are correct that a single drawing would be preferable to match lines on this particular plat.

I do assume that as a part of the platting process, certain proposals made by The Law Company of handling part of the drainage through ponding systems in the parking lot, will be involved in the approval of the final plat. If there are some specific questions about the role of drainage in the platting process, I would encourage an early meeting with Dick Linn.

If there are any additional items that we can assist in, please call.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber

CAMPBELL & CASTLE, P.A.
ENGINEERS
PHONE (316) 942-8144 • 4801 WEST IRVING
P. O. BOX 1835
WICHITA, KANSAS 67201

August 10, 1976

Wichita-Sedgwick County Metropolitan
Area Planning Department
455 North Main
Wichita, Kansas 67202

Attention: Robert Lakin

Re: Final Plat
Towne West
Our File No. 7646

Gentlemen:

We have been retained by Melvin Simon & Associates, Inc. to prepare the final plat of the above referenced addition. Our input into this project is limited to establishing the boundaries of the property and utilizing this information together with the necessary easements required to prepare the final plat. We are not involved in drainage design, etc.

The property lines of Towne West are 2380 feet from the most northerly point to the most southerly point and 2933 feet from the most easterly point to the most westerly point.

In accordance with S/D Regulation Section 5-401 we are limited to a 22 x 34 sheet for the plat. A further requirement is that the plat be drawn to a scale of 1" = 100'. We would like to use a scale of 1" = 150' for this plat and by this letter we are formally requesting a variance from the S/D Regulations. We believe that by avoiding match lines, all persons involved will have a clearer concept of the platted area. We examined the plat for Towne East (Kellogg Mall Addition) and find that the easements, etc. incorporated into the plat are minimal. Incidentally this plat is larger than 22 x 34.

Will you please consider our request and advise us if we may utilize the 150 foot scale. We are making this request at this time in order that we might effect a marriage between the final plat and certain documents we are preparing for our client's use prior to filing of the plat.

Very truly yours,

CAMPBELL & CASTLE, P.A.

Geo. F. Campbell
Geo. F. Campbell, P.E.

C/i



Map No.: 5146
Section No.: 26
Twp. No.: 27
Range: 16W

S/D No. 77-2d

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Towne West Square Addition

General Location: Between Maple and Kellogg (U.S. 54) and I-235 and Tracy Street

Name of Property Owner: Towne West Mall Company and Myrtle A. Rogers
Address: 1712 N. Meridian, Indianapolis, Ind. 46202 Phone: 317-926-6021
Name of Subdivider: Towne West Mall Company, an Indiana Limited Partnership
Address: 1712 No. Meridian, Indianapolis, Ind. 46202 Phone: 217-926-6021
Name of Agent/Surveyor: James R. Schaefer/ Campbell and Castle
Address: 800 Brown Building, Wichita, Kansas 67202 Phone: 262-4403
Date of Application: February 25, 1977

SUBDIVISION INFORMATION:

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>90±</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | Tracy a. <u>15' avg R/W</u> <u>2050</u> ft. |
| Residential <u>0</u> | Maple b. <u>30' avg R/W</u> <u>1990</u> ft. |
| Commercial <u>6</u> | Kellogg c. <u>280 R/W</u> <u>156</u> ft. |
| Industrial <u>0</u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u>0</u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>6 + Reserve A</u> | TOTAL <u> </u> ft. |
| 3. Minimum Lot Frontage <u>150</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes x</u> no |
| 4. Minimum Lot Area <u>31,050</u> ft. | |
| 5. Existing Zoning <u>LC, subject to Plat</u> | |
| 6. Proposed Zoning <u>LC</u> | |
| 9. Public Water Supply <u>(Yes-No)</u> , Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>(Yes-No)</u> , Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u>N/A</u> (Yes-No) | |
| 12. City of Wichita Shoecor Mill 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: By: James R. Schaefer
TOWNE WEST MALL COMPANY and MYRTLE A. ROGERS

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

Received by JHG
Date 3/1/77
Fee Submitted 65.00

Map No.: 5146
Section No.: 26
Twp. No.: 27
Range: 1-W

S/D No. 77-24

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Towne West Square Addition

General Location: Between Maple and Kellogg (U.S. 54) and I-235 and Tracy Street

Name of Property Owner: Towne West Mall Company, an Indiana Limited Partnership
Address: 1712 N. Meridian, Indianapolis, Ind. 46202 Phone: 317-926-6021
Name of Subdivider: Towne West Mall Company, an Indiana Limited Partnership
Address: 1712 N. Meridian, Indianapolis, Inc. 46202 Phone: 317-926-6021
Name of Agent/Surveyor: James R. Schaefer/Campbell and Castle
Address: 800 Brown Building, Wichita, Kansas 67202 Phone: 262-4403
Date of Application: February 25, 1977

SUBDIVISION INFORMATION:

- Gross Acreage of Plat 90⁺
- Number of Lots:
 - Residential 0
 - Commercial 6
 - Industrial 0
 - Other 0Total Number of Lots 6 + Reserve A
- Minimum Lot Frontage 150 ft.
- Minimum Lot Area 31,050 ft.
- Existing Zoning LC, subject to Plat
- Proposed Zoning LC
- Lineal Feet of New Streets:
 - Tracy a. 15' avg R/W 2050 ft.
 - Maple b. 30' avg R/W 1990 ft.
 - Kellogg c. 280 R/W 156 ft.
 - d. R/W ft.
 - e. R/W ft.
 - TOTAL ft.
- Sidewalk adjacent to all streets? yes no
- Public Water Supply (Yes-~~Yes~~), Name City of Wichita
- Public Sanitary Sewers (Yes-~~Yes~~), Name City of Wichita
- Health Department Approval (where applicable) N/A (Yes-~~Yes~~)
- City of Wichita ~~XXXXXX~~

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.

TOWNE WEST MALL COMPANY, an Indiana Limited Partnership
Owner's Signature: By: James R. Schaefer

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

Received by Mike Meek
Date 2-25-77
Fee Submitted 65.00

T9-301B
(2-71)

Superseded

Form 227-021

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		65.00

DESCRIPTION AMOUNT

6 Lot Plat - City

Name James Schaefer

Address

Type AA407103 Due Date

Comments:

Date 2-25-77 By Mike Meek

CAMPBELL & CASTLE, P.A.
ENGINEERS
PHONE (316) 942-8144 • 4801 WEST IRVING
P. O. BOX 1835
WICHITA, KANSAS 67201

May 19, 1977

Mr. James R. Schaefer
800 Brown Building
Wichita, Kansas 67202

Re: Towne West Square Addition
Final Plat
File No. 7646

Dear Mr. Schaefer:

Enclosed are the two mylars entitled

TOWNE WEST SQUARE ADDITION
WICHITA, SEDGWICK COUNTY, KANSAS
SHEET 1 OF 2

TOWNE WEST SQUARE ADDITION
WICHITA, SEDGWICK COUNTY, KANSAS
SHEET 2 OF 2

Also, enclosed is a blue line print of our Dwg. File
No. 7646-F-10,121 entitled

TRAVERSE
COORDINATES
TOWNE WEST, WICHITA, KANSAS

and blue line prints of two sheets of the traverse computations that
may be submitted with the final plat as required by the subdivision
regulations.

Very truly yours,

CAMPBELL & CASTLE, P.A.

Raymond M. Hubbell
Raymond M. Hubbell

H/i
Enclosures

LINE	BEARING	DISTANCE	ATTITUDE		DEPARTURE		DMD	DOUBLE AREAS	
			N	S	E	W		N	S
<i>Sh Totals</i>			1046.355	3785.967	1430.991	1641.577			
17-18	N15°05'35"W	111.60	28.709			107.844	2681.470	76,982	
18-19	S89°42'00"W	335.40		1.756		335.395	2238.251		3,930
19-20	S00°09'50"E	91.30		91.300	0.261		1903.097		173,753
20-21	N35°26'50"W	198.07	161.358			114.871	1783.487	288,587	
21-23	N20°53'40"W	927.31	866.329			390.723	1342.893	1,163,387	
23-24	N31°46'51"W	210.60	179.024			110.917	701.253	161,346	
24-25	N33°44'17"W	711.50	591.673			395.165	395.171	233,812	
25-26	N89°48'05"E	1605.26	5.564				1605.25	8,932	
			3879.022	3879.023	3036.492	3036.497		11,713,657	13,607,337
									-11,713,657
									7,893,680
									Sq. Ft 8,946,840
									Acres 90.607
									less Curve - 0.509
									Net Acres 90.098

FILE NO. 7642
 PROJECT Towne West
 CAMPBELL & CASTLE PA
 ENGINEERS
 CLIENT M. Simon Associates
 Contiguous Survey Traverse SH
 DATE 5/16/77
 BY KMI/CHKD
 OF 2

LINE	BEARING	DISTANCE	LATITUDE		DEPARTURE		DMD	DOUBLE AREAS	
			N	S	E	W		N	S
26-27	N89°39'40"E	208.48	1.233		208.476		3418.976	4,216	
27-28	S00°02'20"E	630.00		630.000	0.428		3627.880		2,285,564
28-29	N89°39'40"E	726.00	4.294		725.987		4354.275	18,697	
29-30	N00°02'20"W	160.00	160.000			0.109	5080.173	812,828	
30-31	N89°39'40"E	150.00	0.887		149.997		5230.061	4,639	
31-32a	N00°02'20"W	470.00	470.000			0.319	5379.739	2,528,477	
32a-1a	N89°39'40"E	242.00	1.431		241.996		5621.416	8,044	
1a-2a	S00°02'23"E	1304.15		1304.150	0.904		5864.316		7,647,948
2a-3	S89°42'17"W	40.00		0.206		40.000	5825.220		1,200
3-4	S00°04'05"E	787.51		787.507	0.935		5786.155		4,556,649
4-5a	S89°41'53"W	170.89		0.901		170.888	5616.202		5,060
5a-5b	N00°04'05"W	250.00	250.000			0.297	5445.011	1,361,254	
5b-5c	S89°41'53"W	190.00		1.001		189.997	5254.723		5,260
5c-6a	S00°04'05"E	530.73		530.730	0.630		5065.356		2,688,336
6a-6b	S88°27'20"W	256.40		6.910		256.307	4809.679		33,235
6b-6c	N00°08'07"W	185.00	184.999			0.437	4552.935	842,288	
6c-7	N38°27'20"E	100.48	2.708		100.443		4652.941	12,600	
7-8	N00°16'03"W	591.99	591.984			2.758	4750.626	2,812,295	
8-9	S89°42'17"W	100.00		0.515		99.999	4647.869		2,394
9-10	S00°00'57"E	21.70		21.700	0.006		4547.876		98,689
10-11	S89°42'17"W	169.12		0.872		169.116	4378.764		3,818
11-12	S00°08'07"E	499.95		499.929	1.157		4210.803		2,062,079
12-13	S89°41'45"W	289.61		1.537		289.606	3922.354		6,029
13-14	N0°08'30"W	377.93	377.929			0.939	3631.814	1,372,568	
14-15	S89°41'45"W	204.85		1.087		204.847	3426.033		3,724
15-16	S00°08'30"E	8.90		8.900	0.022		3221.208		28,669
16-17	N89°45'40"W	215.96	0.900		215.958		3005.272	2,705	
Sh Totals			2046.265	3735.967	1430.931	1641.574			

FILE NO 7646
 PROJECT Towne West
 CAMPBELL & CASTLE PA ENGINEERS
 CLIENT M. Simon & Associates
 Contiguous Survey Traverse
 DATE 3/16/77
 BY RWH/CHKD
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