

PLAT NO. S/D 79-9 MAP NO. 5640 & 5641
NAME Bo-Mar First
SOUTHWIND ADDITION

LOCATION: on both sides of 55th St. South, on the
east side of Hydraulic

ENGINEER P.E.C., P.A. (Gary Wiley)

OWNER James A. Catron

APPLICATION FILED 1-24-79

SKETCH PLAT FILED 1-24-79

PRELIMINARY FILED 3-26-79 Rev. prelim. 8-16-79

S/D ACTION 4-5-79 approve

Revised prelim. 8-23-79 approve

FINAL FILED 7-11-80

S/D ACTION 1-24-80 approve

MAPC ACTION 1-31-80 approve

BCC ACTION 2-26-80 Deferral 1 mb.

3-4-80 approved

RECORDED 4/2/80

REMARKS (Z-2219)

ACTION

Posted
1-29-77

	DATE
S/D COMMITTEE (Pulaski) approve	4-5-79
S/D (fund) approve	1-27-80
M.A.P.C. approve	1-31-80
B.C.C./B-00.C. Refused Lease	2-26-80
Approved out to Government.	3-4-80
S/D Com. revised Prelim on N ¹ / ₂	approve 8-23-79

S/D 79-9B0-MAR FIRST ADDITION
both sides of 55th St. South east
of Hydraulic. P.E.C.

Map No. 5640 & 5641
Sec. 27 22
Twp. 28S 28S
Range 1E 1E

Subdivision Report and Progress
S/D No.: 79-9

Name: SOUTHWIND ADDITION Bo-Mar First
General Location: Both sides of 55th Street South, on the East side of Hydraulic
Owner: James A. Carron
Address: 3246 N. Clarence, 67204 Zip Code: 67204 Phone: 838-7567
Subdivider: Same Zip Code: _____ Phone: _____
Address: _____
Engineer/Surveyor: Professional Engineering Consultants, P.A. (Gary Wiley) Zip Code: _____ Phone: _____
Address: 1440 E. English Zip Code: 67211 Phone: 262-2691

Present Zoning: "AA"
Proposed Zoning: "AA"
Assoc. Zone Case: _____

M.A.P.C. ACTION: 1-31-80 approve
Advisory Letter: 2-1-80

APPLICATION RECEIVED: 1-24-79

Closure Data Submitted: _____

SKETCH PLAT RECEIVED: 1-24-79
Letter of Intent: _____

Title/Taxes Rec'd. and Reviewed: 2-14-80
Final Review: 2-18-80
Referral to B.C.C.: 2-19-80

PREL. PLAT RECEIVED: 3-26-79

B.C.C. ACTION: 2-26-80 Referred 1st

S/D Comm. Action: 4-5-79 approve

Rev. prelim. S/D Comm. 8-23-79 approve

Advisory Letter: 4-5-79 8-27-79

Tracing Received: 2-14-80

FINAL PLAT RECEIVED: 1-11-80

Released for Recording: 4/1/80

S/D Comm. Action: 1-24-80

Plat Recorded: 4/2/80

Advisory Letter: 1-25-80 approve

Comments:

2-7-79 Sketched plat to McKinley, Lindeloh, Greene
2-21-79 Sketch plat to Bill Otten
3-24-79 Agenda sent to Nathan McDonald of Riverside Drainage District. Also copy of plat and plat sheet sent 3-30.

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

S/D 79-9
Map 5640 & 5641

(2-2219) n
to be republished

T9-302 (2)

BO-MAR FIRST ADDITION was
(2 sheets)
filed for record on 4-2-80

Barbara J. McArthur
Register of Deeds

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

T9-328

Louis

MEMO



TO: Max Greene	PROJECT NO. 30-78416-561
Director of Landfill & Flood Control - City Hall-7th Floor	PROJECT: Bo-Mar Addition
455 North Main	Drainage Plan
Wichita, Kansas 67202	DATE: December 7, 1979

COPIES TO:

R. W. Bruggeman
 Dean Sellers
 John Wynkoop
 Robert Lakin

FROM: Chris Brennenstuhl
 REFERENCE: Final Drainage Plan

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Enclosed are the calculations for the sizing of the 2-42" RCP through the Flood Control Levee at the north line of Bo-Mar Addition; these were inadvertently omitted from the information sent to you earlier this week.

Should you require any more information, please let me know.

RECEIVED

DEC 10 1979

METROPOLITAN PLANNING

ROUTE AS

Louis



Date DEC 7, 1979 Page 1 of 2

Project BO MAR DEVELOPMENT PLAN

Item STRUCTURE TRUNK LINES

PEAK FLOW TO STRUCTURE

MAIN STORM SEWER SYSTEM (62.5 AC, 2-YR) 66.2 CFS

BACK-LOT FLOW ALONG EAST SIDE

$DA = 6.44$
 $C = 0.50$
 $t_r = 15 \text{ MIN}$
 $q_{ps} = 8.98 \text{ IN/HR}$ 26.9 CFS

EXCESS OVERLAND ($Q_{100} - Q_2$)

$DA = 16.2 \text{ AC}$
 $C = 0.50$
 $t_r = 53.0 \text{ MIN}$
 $q_{100} = 4.35$
 $Q_{100} = 55.2 \text{ CFS}$
 $Q_2 = \frac{16.2}{62.5}(66.2) = 17.2 \text{ CFS}$ 18.0 CFS

Q TOTAL 111.1 CFS

USING 2-42" x 60' RCP USFE 68.40
DSFE 68.00

$$USAW = DSAW + h_{c10} + h_s + h_g$$

$$DSAW = DSFE + D \\ = 68.00 + 3.50 \\ = 71.50$$

$$h_{c10} = 1.15 \frac{V^2}{g} \quad V = \frac{Q}{A} = 5.77$$

$$= 1.15 \frac{(5.77)^2}{2(32.2)} \quad C_{PIPE} = \frac{Q_{TOTAL}}{C} = 55.55$$

$$= 0.60 \text{ FT} \quad A = \frac{\pi D^2}{4} = 4.62$$



Date _____ Page 2 of 2

Project _____

Item _____

$$\begin{aligned}h_2 &= 56 \\ &= (0.0002)(60) \\ &= 0.01 \text{ FT}\end{aligned}$$
$$\begin{aligned}S &= \left[\frac{Q_{\text{PIPE}}}{1.486 K R^{4/3}} \right]^2 \\ &= \frac{(55.55)(0.02)}{(1.486)(9.62)(0.88)} \\ &= 0.0002 \\ L &= \frac{A}{D} = \left(\frac{\pi D^2}{4} \right) \left(\frac{L}{\pi D} \right) \\ &= \frac{D}{4} = 0.88'\end{aligned}$$

$$h_g = 0.19 \text{ FT (HEMCO MANUAL)}$$

$$\begin{aligned}\text{USAW} &= \text{DSAW} + h_{e0} + h_2 + h_g \\ &= 71.50 + 0.60 + 0.01 + 0.19\end{aligned}$$

$$\text{USAW} = 72.30$$

$$\text{TOP OF CURB} = 76.01$$

$$\text{FREEBOARD} = 3.69 \text{ FT}$$

NOTE: h_{e0} = LOSSES AT ENTRANCE AND OUTLET
 h_2 = FRICTION LOSSES
 h_g = LOSSES DUE TO FLAP GATE



MEMO

TO: Dean Sellers, P. E.
Acting City Engineer
City Hall - 7th Floor
455 North Main Street
Wichita, Kansas 67202

PROJECT NO. 30-78416-561

PROJECT: Bo-Mar Addition

COPIES TO:

Max Greene

R. W. Bruggeman

John Wynkoop

Robert Lakin

ATTN:

DATE: December 4, 1979

FROM: Chris Brennenstuhl

REFERENCE: Drainage Plan - Final Plat

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Transmitted to you with this Memo are the Final Drainage Plan and supportive calculations for Bo-Mar Addition. Also enclosed is a copy of the letter of transmittal to Mr. John Wynkoop which gives some of the background on this site as far as the difficulties encountered in developing the Drainage Plan.

As shown on the Drainage Plan, all street grades, top of curb elevations, and storm sewer grades and flowline elevations have been calculated. The criteria used was that street grades would be no less than 0.32%, the 100-Year storm could be routed within the Public right-of-way, the outside wall of storm sewer pipes would be at least 2 1/2 feet below top of curb elevations (preferably 3 feet below), and storm sewer grades would be such that flows less than the Two-Year design values velocities would be two (2) feet per second or greater (See Attached Charts).

Should any additional information be required, please contact me as soon as possible. The Final Plat of Bo-Mar is presently scheduled for the December 13th Meeting of the MAPC-Subdivision Committee.

DIRECTORS

C. O. KNOP, P.E.
R. B. PEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTNER, P.E.
R. D. FLETCHER, P.E.
F. D. MIDDLETON, JR., P.E.
K. R. HORNER, P.E.
D. E. MALTBIE, P.E.
M. D. SCHOMAKER, P.E.

December 3, 1979

Mr. John Wynkoop, P. E.
Director of Water and
Water Pollution Control
City Hall - 8th Floor
455 North Main
Wichita, Kansas 67202

Re: Bo-Mar Addition
PEC File 30-78416-561

Dear Mr. Wynkoop:

Transmitted with this letter are the plans and calculations prepared by Professional Engineering Consultants, P.A., for the storm sewers in Bo-Mar Addition. This site is located on South Hydraulic approximately a half mile north of the City of Wichita's treatment plant and contains within its eastern portion the transmission pipeline which conveys partially treated wastes from Plant 1 to Plant 2.

In developing the drainage concept for this site, it was proposed that all storm sewers drain easterly to the Riverside Levee along the Arkansas River. This was considered the most desirable route as the river is both the closest and the most direct natural waterway. However, as the Final Drainage Plan was prepared it was found that the transmission line had been installed at such a depth as to prohibit crossing by any future storm sewer system without necessitating at least a brief interruption of flow through the transmission line and also requiring extensive and costly construction of a special junction device.

Through discussions with members of your staff, it was learned that a siphon had been constructed during the installation of the transmission pipeline in an area adjacent to the north line of the proposed Bo-Mar Addition. It was also agreed that crossing of this siphon by the Bo-Mar storm sewer system would be acceptable if the crossing could be constructed without damage to or interference with operation of the transmission pipeline.

The accompanying plans and calculations detail the proposed crossing of the transmission pipeline with the Bo-Mar storm sewer system. The storm sewer system provides adequate capacity for the runoff of the two-year frequency storm with routing shown for the 100-year frequency event. The crossing is made at the siphon with sufficient clearance of the pipeline so as to protect its function.



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
PROFESSIONAL ASSOCIATION

RECEIVED

DEC 5 1979

**METROPOLITAN PLANNING
ROUTE** _____

1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691


Mr. John Wynkoop
December 3, 1979
Page two

We would appreciate your review and comments of this design. Any questions you may have should be directed to Chris Brennenstuhl, Bill Keltner, or myself. Should you wish to arrange a meeting of those departments also concerned with review and approval of this proposal, we would welcome the opportunity to attend and further explain or clarify any portion of our design.

At this time the final plat of Bo-Mar has been filed with the Metropolitan Area Planning Department to be scheduled for hearing by the MAPC-Subdivision Committee on Thursday, December 13, 1979.

Very truly yours,

PROFESSIONAL ENGINEERING CONSULTANTS, P. A.


R. W. Lynn, P. E.
Manager-Land Development

RWL:lo
Enclosures

cc: R. W. Bruggeman
Dean Sellers
Max Greene
Robert Lakin ✓
James Catron.

A G R E E M E N T

THIS AGREEMENT made this 25TH day of MARCH, 1980,

BY AND BETWEEN:

CATRON HOMES, INC.,
Party of the First Part,
hereinafter referred to as
"CATRON"

and

THE CITY OF WICHITA, KANSAS,
Party of the Second Part,
hereinafter referred to as
"CITY"

WITNESSETH:

WHEREAS, CATRON is the owner of certain land in the South Half, Southwest Quarter, Section 22, Township 28 South, Range 1 East, Sedgwick County, Kansas, which CATRON is in the process of platting as BC-MAR FIRST ADDITION and which is legally described as:

(See attached Exhibit "A");

and

WHEREAS, CATRON is the owner of certain land adjacent to and contiguous with said land described above, which adjacent and contiguous land is legally described as:

(See attached Exhibit "B");

and

WHEREAS, CATRON is desirous of selling and the CITY is desirous of purchasing said land adjacent to and contiguous with the proposed Bo-Mar First Addition; and

*I took the original document
to Register of Deeds for recording
3-31-80 4 PM. Registrar will
bill Clerk who will bill Catron. J.L.*

WHEREAS, the CITY, if it purchases said land, may, in the future, develop the same for use in connection with the CITY'S wastewater treatment facilities; and

WHEREAS, CATRON intends to further develop said Bo-Mar First Addition and in the course of said development, CATRON will convey the various platted lots therein to third-parties for residential use.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises herein contained, the parties agree as follows:

1. The CITY agrees to execute the Real Estate Purchase Contract concerning the sale and purchase of the real property legally described in Exhibit "B" and dated the 25 day of MARCH, 1980, a copy of which is attached hereto and marked as Exhibit "C".
2. CATRON acknowledges that the CITY has fully disclosed to it the CITY'S intention that said real property may, in the future, be used in connection with the CITY'S wastewater treatment facility and CATRON hereby acknowledges the CITY'S right to so use said real property.
3. CATRON, as the owner of the real property described in Exhibit "A", consents to the CITY'S said future use of the real

property described in Exhibit "B" and hereby waives any objection to the CITY'S future use of said real property in connection with the CITY'S wastewater treatment facilities.

4. The parties agree that CATRON'S consent and waiver of objection to the CITY'S intended future use of the real property described in Exhibit "B" shall be a restriction and burden upon the real property owned by CATRON, referred to herein as Bo-Mar First Addition and legally described in Exhibit "A", which restriction and burden shall run with all the land in said Bo-Mar First Addition.

5. The parties agree that CATRON'S consent and waiver of objection to the CITY'S intended future use of the real property described in Exhibit "B" is a material inducement to the CITY in purchasing this said real property from CATRON.

6. The parties agree that this Agreement shall inure to the benefit of and be binding upon the heirs, assigns and successors in interest of the parties hereto.

7. The parties agree that an executed copy of this Agreement, with attached Exhibits, shall be filed of record with the Register of Deeds, Sedgwick County, Kansas.

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

CATRON HOMES, INC.

By: James H. Catron
President

ATTEST:

Helena J. Catron

THE CITY OF WICHITA, KANSAS

By: Tony Casado
TONY CASADO Mayor

ATTEST:

Donald C. Gisick
Donald C. Gisick, City Clerk

Approved as to Form:

John Benker
John Benker, Director of Law

EXHIBIT "A"

Beginning at the Southwest corner of the Southwest Quarter of Section 22, Township 28 South, Range 1 East of the 6th P.M.; thence bearing North $0^{\circ}07'40''$ West along the West line of said Southwest Quarter a distance of 1206.11 feet; thence bearing South $89^{\circ}56'54''$ East along the South line of Mona Kay Matlock Addition, Sedgwick County, Kansas, a distance of 2361.54 feet to a point in the West right-of-way of the Wichita-Valley Center Riverside Levee; thence bearing South $16^{\circ}18'20''$ East along said levee a distance of 76.10 feet; thence bearing South $20^{\circ}49'20''$ East along said levee a distance of 499.91 feet; thence bearing South $23^{\circ}53'20''$ East along said levee a distance of 119.31 feet; thence bearing South $24^{\circ}29'24''$ East along said levee a distance of 262.39 feet; thence bearing South $89^{\circ}40'00''$ West a distance of 192.45 feet; thence bearing South $0^{\circ}20'00''$ East a distance of 247.32 feet; thence bearing South $83^{\circ}03'06''$ West a distance of 155.27 feet; thence bearing South $6^{\circ}56'54''$ East a distance of 35.03 feet to a point in the South line of the Southwest Quarter of said Section 22; thence bearing South $89^{\circ}40'00''$ West along said South line a distance of 2374.15 feet to the point of beginning. Said property also described as: The South half of the Southwest Quarter of Section 22, Township 28 South, Range 1 East, except the North $7 \frac{13}{40}$ acres, and except that portion condemned for levee in District Court Case #A-48670 and except a portion of the condemned sewer plant in District Court Case #A-54498.

EXHIBIT "B"

Beginning at a point in the North line and 689.34 feet East of the Northwest Corner of the Northwest Quarter of Section 27, Township 28 South, Range 1 East of the 6th P.M.; thence along said North line extended bearing North $89^{\circ}40'00''$ East a distance of 2162.01 to a point in the West right-of-way of the Wichita-Valley Center Riverside levee; thence along said levee the following bearing and distances, South $23^{\circ}25'04''$ East a distance of 266.11; South $17^{\circ}44'47''$ East a distance of 499.60 feet; South $10^{\circ}08'47''$ East a distance 499.60 feet and South $2^{\circ}31'17''$ East a distance of 115.16 feet to a point in the South line extended of the North One-half of the said Northwest Quarter; thence along said South line extended, bearing North $89^{\circ}42'10''$ West a distance of 2505.40 feet; thence bearing North $0^{\circ}20'00''$ West a distance of 1327.29 feet to the point of beginning. Containing 72.42 acres more or less.

Approved by Board of Commissioners

this MAR 25 1980

REAL ESTATE PURCHASE CONTRACT

PARTIES: The parties hereto are: The Seller, to-wit: CATRON HOMES, INC. and the Buyer, to-wit: City of Wichita, Kansas. and they agree that:

PROPERTY SOLD: Seller shall sell and convey to Buyer by a general warranty deed the following described real property in Sedgwick County State of Kansas, to-wit:

Described in addendum attached hereto.

CONSIDERATION AND PAYMENT: Buyer shall purchase and pay to Seller consideration for the above described real property, in amount and manner as follows, to-wit:

Sales Price: \$160,000.00

Earnest Money: \$16,000 to be applied to sales price at time of closing.

Balance of \$144,000 cash at time of closing.

Seller reserves the right to have surface drainage from No-Mar 1st Addition across the above described property according to the approved drainage plan for No-Mar 1st Addition.

Seller to pay 1979 property taxes.

TITLE EVIDENCE: Seller agrees to furnish to Buyer Title Evidence covering the above described real property, certified to date by a licensed abstractor, showing merchantable title vested in Seller, subject to unencroached easements, standard restrictive covenants and the outstanding lien(s) shown above. Seller shall elect which form of title evidence shall be used and it shall be sent to Buyer for examination as expeditiously as possible and Seller shall have a reasonable time thereafter in which to correct any title defects.

\$ 16,000.00 EARNEST MONEY: Buyer hereby deposits with the undersigned Broker earnest money as a guarantee that the terms and conditions of this contract shall be fulfilled by Buyer, said deposit to be applied on the purchase price upon closing. If the Buyer fails to fulfill his obligations hereunder, the aforementioned deposit shall become the property of the Seller and his agent, not as a penalty but as liquidated damages; Provided, however, that if Seller is unable to furnish merchantable title, the earnest money deposited shall be returned to the Buyer, and this Agreement shall be null and void.

PRORATIONS: All rentals, insurance (if policies acceptable to Buyer) and interest, if any, shall be adjusted and prorated as of the date of the closing of this transaction. Taxes, including any specials, shall be prorated for calendar year on the basis of taxes levied, or for prior year.

POSSESSION AND CLOSING: Possession shall be given upon closing April 15, 1980. This contract shall be closed on or before

OTHER CONDITIONS OF CONTRACT: Seller to pay 100% of Title Insurance.

EXECUTED February 14, 1980. Copy of this contract received.

CATRON HOMES, INC.

CITY OF WICHITA

James A. Catron, President, Catron

Tony Casado, Mayor Tony Casado

ATTEST: Cheryl J. Smith, City Clerk

REAL ESTATE BROKER: Thunderbird Realty Service, Inc.

Phone: 943-2308

By Randall J. Voth, Agent

Exhibit "C"

Always specify GUARANTEE TITLE CO., INC. for title evidence and closings.

BEGINNING AT A POINT IN THE NORTH LINE AND 689.34 FEET EAST OF THE NORTHWEST CORNER OF THE NW $\frac{1}{4}$ OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 1 EAST OF THE 6TH P.M. THENCE ALONG SAID NORTH LINE EXTENDED BEARING N 89° 40' 00" E A DISTANCE 2162.01 TO A POINT IN THE WEST RIGHT-OF-WAY OF THE WICHITA-VALLEY CENTER RIVERSIDE LEVEE; THENCE ALONG SAID LEVEE THE FOLLOWING BEARING AND DISTANCES S 23° 25' 04" E A DISTANCE OF 266.11; S 17° 44' 47" E A DISTANCE OF 499.60 FEET; S 10° 08' 47" E A DISTANCE OF 499.60 FEET AND S 2° 31' 17" E A DISTANCE OF 115.16 FEET TO A POINT IN THE SOUTH LINE EXTENDED OF THE NORTH $\frac{1}{2}$ OF THE SAID NW $\frac{1}{4}$; THENCE ALONG SAID SOUTH LINE EXTENDED, BEARING N 89° 42' 10" W A DISTANCE OF 2505.40 FEET; THENCE BEARING N 0° 20' 00" W A DISTANCE OF 1327.29 FEET TO THE POINT OF BEGINNING. CONTAINING 72.42 ACRES MORE OR LESS.

Holl.

City Manager's Agenda

Item # 3

08
09
10 Page

130
12
551

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

Santa, Sewer, Public

S/D Number 79-9 Name Bo-Mar First Addition
Application & Sketch Filed: 1-24-79
Preliminary Plat Filed: 3-26-79 Approved by S/D: 4-5-79 & 8-23-79
Final Plat Filed: 1-11-80 Approved by S/D: 1-24-80
Approved by Metropolitan Area Planning Commission: 1-31-80

DESCRIPTION

General Location: north of 55th Street South between Hydraulic and Arkansas River

Surveyor or Engineer: Professional Engineering Consultants, P.A.
Owner: James A. Catron (Catron Homes, Inc.)
Address: 3246 N. Clarence, 67204

- 1. Gross Acreage of Plat 69.32
- 2. Number of Lots
Residential 246
Commercial _____
Industrial _____
Other _____
Total Number of Lots: 246
- 3. Minimum Lot Area: .16 acres
- 4. Existing Zoning: AA and LC
- 5. Special Problems Discussed: Close proximity to Sewage Treatment Plant #2.
- 6. Access Control
St. Hydraulic No. Openings 0
St. _____ No. Openings _____
St. _____ No. Openings _____
- 7. Req'd Improvements
St. Paving X Water X
Sidewalk X Drainage X
Sewer X Other _____

A zone change request from "LC" to "AA" has been filed and will be considered by the Metropolitan Planning Commission on February 28, 1980.

Since a sketch plat was first filed on this property a year ago, the owner has been advised of the potential hazards of odors and filter flies due to this land's close proximity to the sewage treatment plant. Residential development was discouraged. The Department of Water and Water Pollution Control took its concerns to the City Commission last spring and was authorized to have the land appraised to determine if the City should attempt to acquire the property to avoid residential encroachment into the immediate sewer plant vicinity. The appraisal came in at \$478,500.00 (for approximately 130 acres). John Wynkoop felt that the Sewer Utility Fund could not support an expenditure of that magnitude and recommended that the City take no further action.

Due to drainage problems, only the north half of Mr. Catron's property is now being platted. Petitions have been submitted for water, sanitary sewers, storm sewers, street paving, and sidewalks on one side of Lockwood and Campus. All petitions are 100% except for a 92% sanitary sewer petition. Notices have been sent to property owners within this sewer benefit district. A certificate confirming the petitions has been submitted. A restrictive covenant requiring four off-street parking spaces per dwelling unit on a 58-foot street has also been submitted.

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

Bayouth moved, Hennessy seconded and it carried unanimously. Jones and Lofton were absent.

5-0 plus Holl release of plat

ACTION: Receive and file the water engineering feasibility report, *plus* adopt the resolution of finding and the resolution ordering and directing the water system improvement; approve the petitions and instruct the City Attorney to prepare the necessary resolutions; instruct the City Clerk to file the certificate and restrictive covenant with the Register of Deeds, the recording costs of which shall be billed to the applicant; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

Approved by J. Hennessy

9270

TAX RECEIPT

THIS IS YOUR RECEIPT FOR TAXES PAID AS INDICATED BELOW

1. INFORMATION ON ITEMS TAXED

VALUATION	MILL LEVY	GENERAL TAX	OTHER TAX	TOTAL TAX	AMOUNT PAID			
5,440	105.287	572.76	210.16	782.92	795.28			
STATE 1.0	COUNTY 6.9	COUNTY FIRE DISTRICT	SCHOOL 40	OLD SCHOOL BOND 2.07	CITY 20	TOWNSHIP	OTHER LEVIES 17.30	BREAK DOWN

TAXED ITEMS

1979 REAL ESTATE
S 1/2 SW 1/4 EXC 7 13-40A & EXC 6.72 A LEVVE C A 48670 & EXC 2.23A
CCA 54498 SEC 22-2B-1E

2. RECEIPT VALIDATION 2104 EMA C339 C356825 3K 03-26-80 782.92 12.36

087
79-0- -C -00137-00UP- 6707
CATRON HOMES INC.

THE CITY OF WICHITA

OFFICE OF DEPARTMENT OF LAW

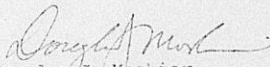
DATE March 7, 1980

TO John Wynkoop, Director of Water & Water Pollution Control
FROM Douglas J. Moshier, Assistant City Attorney

SUBJECT Proposed Purchase Contract
for Land North of Wastewater
Treatment Plant No. 2

Attached is an agreement which we have prepared between Catron Homes, Inc., and the City of Wichita setting forth Catron's consent to the City's possible, future use of the subject property for wastewater treatment purposes. This Agreement also waives any objection, on the part of Catron or future landowners in Bomar First Addition, to such future use of the property by the City.

This Agreement should be executed just prior to the execution of the Real Estate Purchase Contract covering the subject property. A copy of the unexecuted Purchase Contract should be attached to this Agreement and marked as Exhibit "C". After this Agreement is executed, it should be filed with the Register of Deeds of Sedgwick County, Kansas.


Douglas J. Moshier
Assistant City Attorney

DJM:cdh

Attachment

cc: John Dekker, Director of Law
✓ Robert A. Lakin, Director of Planning

RECEIVED

MAR 10 1980

METROPOLITAN PLANNING
ROUTE

Harise
Fill in Bomar
Add Plat.

A G R E E M E N T

THIS AGREEMENT made this _____ day of _____, 1980,
BY AND BETWEEN:

CATRON HOMES, INC.,
Party of the First Part,
hereinafter referred to as
"CATRON"

and

THE CITY OF WICHITA, KANSAS,
Party of the Second Part,
hereinafter referred to as
"CITY"

WITNESSETH:

WHEREAS, CATRON is the owner of certain land in the South Half,
Southwest Quarter, Section 22, Township 28 South, Range 1 East, Sedg-
wick County, Kansas, which CATRON is in the process of platting as
BO-MAR FIRST ADDITION and which is legally described as:

(See attached Exhibit "A");

and

WHEREAS, CATRON is the owner of certain land adjacent to and con-
tiguous with said land described above, which adjacent and contiguous
land is legally described as:

(See attached Exhibit "B");

and

WHEREAS, CATRON is desirous of selling and the CITY is desirous
of purchasing said land adjacent to and contiguous with the proposed
Bo-Mar First Addition; and

WHEREAS, the CITY, if it purchases said land, may, in the future, develop the same for use in connection with the CITY'S wastewater treatment facilities; and

WHEREAS, CATRON intends to further develop said Bo-Mar First Addition and in the course of said development, CATRON will convey the various platted lots therein to third-parties for residential use.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises herein contained, the parties agree as follows:

1. The CITY agrees to execute the Real Estate Purchase Contract concerning the sale and purchase of the real property legally described in Exhibit "B" and dated the _____ day of _____, 1980, a copy of which is attached hereto and marked as Exhibit "C".
2. CATRON acknowledges that the CITY has fully disclosed to it the CITY'S intention that said real property may, in the future, be used in connection with the CITY'S wastewater treatment facility and CATRON hereby acknowledges the CITY'S right to so use said real property.
3. CATRON, as the owner of the real property described in Exhibit "A", consents to the CITY'S said future use of the real

property described in Exhibit "B" and hereby waives any objection to the CITY'S future use of said real property in connection with the CITY'S wastewater treatment facilities.

4. The parties agree that CATRON'S consent and waiver of objection to the CITY'S intended future use of the real property described in Exhibit "B" shall be a restriction and burden upon the real property owned by CATRON, referred to herein as Bo-Mar First Addition and legally described in Exhibit "A", which restriction and burden shall run with all the land in said Bo-Mar First Addition.

5. The parties agree that CATRON'S consent and waiver of objection to the CITY'S intended future use of the real property described in Exhibit "B" is a material inducement to the CITY in purchasing this said real property from CATRON.

6. The parties agree that this Agreement shall inure to the benefit of and be binding upon the heirs, assigns and successors in interest of the parties hereto.

7. The parties agree that an executed copy of this Agreement, with attached Exhibits, shall be filed of record with the Register of Deeds, Sedgwick County, Kansas.

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

CATRON HOMES, INC.

By: _____

ATTEST:

THE CITY OF WICHITA, KANSAS

By: _____
Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to Form:

John Dekker, Director of Law

EXHIBIT "A"

Beginning at the Southwest corner of the Southwest Quarter of Section 22, Township 28 South, Range 1 East of the 6th P.M.; thence bearing North $0^{\circ}07'40''$ West along the West line of said Southwest Quarter a distance of 1206.11 feet; thence bearing South $89^{\circ}56'54''$ East along the South line of Mona Kay Matlock Addition, Sedgwick County, Kansas, a distance of 2361.54 feet to a point in the West right-of-way of the Wichita-Valley Center Riverside Levee; thence bearing South $16^{\circ}18'20''$ East along said levee a distance of 76.10 feet; thence bearing South $20^{\circ}49'20''$ East along said levee a distance of 499.91 feet; thence bearing South $23^{\circ}53'20''$ East along said levee a distance of 119.31 feet; thence bearing South $24^{\circ}29'24''$ East along said levee a distance of 262.39 feet; thence bearing South $89^{\circ}40'00''$ West a distance of 192.45 feet; thence bearing South $0^{\circ}20'00''$ East a distance of 247.32 feet; thence bearing South $83^{\circ}03'06''$ West a distance of 155.27 feet; thence bearing South $6^{\circ}56'54''$ East a distance of 35.03 feet to a point in the South line of the Southwest Quarter of said Section 22; thence bearing South $89^{\circ}40'00''$ West along said South line a distance of 2374.15 feet to the point of beginning. Said property also described as: The South half of the Southwest Quarter of Section 22, Township 28 South, Range 1 East, except the North $7 \frac{13}{40}$ acres, and except that portion condemned for levee in District Court Case #A-48670 and except a portion of the condemned sewer plant in District Court Case #A-54498.

EXHIBIT "B"

Beginning at a point in the North line and 689.34 feet East of the Northwest Corner of the Northwest Quarter of Section 27, Township 28 South, Range 1 East of the 6th P.M.; thence along said North line extended bearing North 89°40'00" East a distance of 2162.01 to a point in the West right-of-way of the Wichita-Valley Center Riverside levee; thence along said levee the following bearing and distances, South 23°25'04" East a distance of 266.11; South 17°44'47" East a distance of 499.60 feet; South 10°08'47" East a distance 499.60 feet and South 2°31'17" East a distance of 115.16 feet to a point in the South line extended of the North One-half of the said Northwest Quarter; thence along said South line extended, bearing North 89°42'10" West a distance of 2505.40 feet; thence bearing North 0°20'00" West a distance of 1327.29 feet to the point of beginning. Containing 72.42 acres more or less.

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 79-9 Name Bo-Mar First Addition
Application & Sketch Filed: 1-24-79
Preliminary Plat Filed: 3-26-79 Approved by S/D: 4-5-79 & 8-23-79
Final Plat Filed: 1-11-80 Approved by S/D: 1-24-80
Approved by Metropolitan Area Planning Commission: 1-31-80

DESCRIPTION

General Location: north of 55th Street South between Hydraulic and
Arkansas River
Surveyor or Engineer: Professional Engineering Consultants, P.A.
Owner: James A. Catron (Catron Homes, Inc.)
Address: 3246 N. Clarence, 67204

1. Gross Acreage of Plat <u>59.32</u>	6. Access Control
2. Number of Lots	St. <u>Hydraulic</u> No. Openings <u>0</u>
Residential <u>246</u>	St. _____ No. Openings _____
Commercial _____	St. _____ No. Openings _____
Industrial _____	7. Req'd Improvements
Other _____	St. Paving <u>X</u> Water <u>X</u>
Total Number of Lots: <u>246</u>	Sidewalk <u>X</u> Drainage <u>X</u>
3.. Minimum Lot Area: <u>16 acres</u>	Sewer <u>X</u> Other _____
4. Existing Zoning: <u>AA and LC</u>	
5. Special Problems Discussed: _____	Close proximity to Sewage
Treatment Plant #2.	

A zone change request from "LC" to "AA" has been filed and will be considered by the Metropolitan Planning Commission on February 28, 1980.

Since a sketch plat was first filed on this property a year ago, the owner has been advised of the potential hazards of odors and filter flies due to this land's close proximity to the sewage treatment plant. Residential development was discouraged. The Department of Water and Water Pollution Control took its concerns to the City Commission last spring and was authorized to have the land appraised to determine if the City should attempt to acquire the property to avoid residential encroachment into the immediate sewer plant vicinity. The appraisal came in at \$478,500.00 (for approximately 130 acres). John Wynkoop felt that the Sewer Utility Fund could not support an expenditure of that magnitude and recommended that the City take no further action.

Due to drainage problems, only the north half of Mr. Catron's property is now being platted. Petitions have been submitted for water, sanitary sewers, storm sewers, street paving, and sidewalks on one side of Lockwood and Campus. All petitions are 100% except for a 92% sanitary sewer petition. Notices have been sent to property owners within this sewer benefit district. A certificate confirming the petitions has been submitted. A restrictive covenant requiring four off-street parking spaces per dwelling unit on a 58-foot street has also been submitted.

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

Bayouth moved, Hennessy seconded and it carried unanimously. Jones and Lofton were absent.

ACTION: Receive and file the water engineering feasibility report, adopt the resolution of finding and the resolution ordering and directing the water system improvement; approve the petitions and instruct the City Attorney to prepare the necessary resolutions; instruct the City Clerk to file the certificate and restrictive covenant with the Register of Deeds, the recording costs of which shall be billed to the applicant; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

RESTRICTIVE COVENANT

THIS DECLARATION made this 14th day of February, 1980,
by Catron Homes, Inc., hereinafter called Declarant,

WITNESSETH

WHEREAS, Declarant is owner of:
Bo-Mar First Addition to Wichita, Kansas

and

WHEREAS, the undersigned wishes to plat said property as Bo-Mar
First Addition to Wichita, Kansas and whereas it is required in
connection therewith that restrictions involving parking be placed
of record:

NOW, THEREFORE, Declarant hereby declares and covenants that each
of the following lots as platted by the plat of Bo-Mar First Addition
to Wichita, Kansas will provide four (4) off-street parking spaces.

Lots 7, 8, 9, and 10, Block 9

and it is further declared and covenanted that parking will be allowed
only on one side of Spruce Court.

This covenant is binding on the owner, their heirs or successors
or assigns and is a covenant running with the land and is binding on
all successors in title to the above described property.

EXECUTED the day and year first above written.

Catron Homes, Inc. _____

James A. Catron
James A. Catron, President

State of Kansas)
Sedgwick County)

Personally appeared before me a Notary Public in and for the County
and State aforesaid, James A. Catron, President Catron Homes, Inc. to
me personally known to be the same person who executed the foregoing
instrument of writing and said person duly acknowledged the execution
thereof:

Dated at Wichita, Kansas this 14th day of February, 1980.



Patricia A. Nelson
Notary Public

My Commission Expires:

January 28, 1984

CERTIFICATE

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

We, Catron Homes, Inc., owner of
(give name of proposed plat, if appropriate) _____
Bo-Mar First 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. Asphaltic street paving with some sidewalks
2. Sanitary Sewers
3. Storm Water Sewers
4. Water
- 5.
- 6.
- 7.

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

Signed this 14th day of February, 1980.
Catron Homes, Inc.

James A. Catron
James A. Catron, President

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

Be it remembered that on this 14th day of February,
1980, before me, a notary public in and for said County and State,
came Catron Homes, Inc. By James A. Catron, Pres., 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.

Patricia A. Nelson
Notary Public

My Commission Expires:
January 30, 1984

T9-207



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

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

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

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

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

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) 267-8371

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:

Chester C. McCullough
Secretary.

Frank B. [Signature]
Authorized Signatory



SCHEDULE B

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

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): 1979 Taxes \$782.92 + not paid. Key #C-137-UP.
9. Consequences of the change of location of the Big Arkansas River which forms the Easterly boundary of the premises in question.
10. This policy is subject to the rights of the United States of America, State of Kansas, the municipality and the Public, in and to that part of the premises in question falling in the bed of the Big Arkansas River; also to the rights of the riparian owners in and to the free and unobstructed flow of the water of said river.
11. Roadway easement over the West 40 feet of subject property as established in Book Misc. 280, Page 183.
12. Easement granted to Kansas Gas and Electric Company over the East 3 feet of the West 43 feet of subject property in Book Misc. 271, Page 349.
13. Easement to The City of Wichita for purpose of laying, installing, maintaining, and operating sewage and gas pipes, lines, mains, valves, manholes, valve structures, electrical transmission control and communication circuits, and other appurtenances, together with access roadways necessary for the construction, extension and improvements of the Sewage Disposal Works as condemned in District Court Case #A-70253 over a portion of subject property.
14. Easement to The City of Wichita for the purpose of construction, maintaining and repairing sewer pipes and sewer system as condemned in District Court Case #C-17685 over a portion of subject property.

(See Added Page)

(see title binder of 12-28-78 for exact locations)

(Schedule B continued)

Policy Number _____
Owners

Policy Number _____
Loan

15. Easement to The City of Wichita for installation, maintenance and operation of a settled sewage transmission pipeline and control cable and manhole and right-of-way for extension and improvement of the sewage disposal works and right-of-way for a water line, as condemned in District Court Case #77C-425 over a portion of subject property.

16. Condemnation to provide right-of-way for sewer main or mains, in District Court Case #A-54498 over a portion of subject property.

17. Affidavit of Publication - City of Wichita Ordinance No. 31-611 providing for delay in payment of special assessments pertaining to the construction of Submain 1, Southwest Interceptor Sewer for a period of 15 years unless the property is platted, zoned for other than residential or agricultural purposes, has a population of more than one family per acre, or any parcel is connected to the sewer, as evidenced by instrument filed October 3, 1974, on Film 121, Page 825.

and be cleared prior to plat

18. Mortgage dated August 8, 1978, executed by Johnny B. Hermes, a/k/a John B. Hermes, and Peggy Ann Hermes, a/k/a Peggy A. Hermes, husband and wife, as joint tenants, to the Administrator of the Small Business Administration, an agency of the Government of the United States of America, filed on August 9, 1978, on Film 320, Page 353, which states that it secures a debt in the principal sum of \$22,300.00, which covers additional property.

see release attached

19. Mortgage dated January 5, 1979, executed by Catron Homes, Inc., a Kansas corporation, to The Fourth National Bank & Trust Company, Wichita, filed on January 5, 1979, on Film 345, Page 184, which states that it secures a debt in the principal sum of \$375,000.00, which covers additional property.

ENDORSEMENT

Attached to and forming a part of
Commitment _____ No. 285045 _____

Issued by
CHICAGO TITLE INSURANCE COMPANY

Item 18 of Schedule B is hereby deleted.

This endorsement is made a part of the policy or commitment and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy or commitment and prior endorsements, if any, nor does it extend the effective date of the policy or commitment and prior endorsements or increase the face amount thereof.

DATED: March 31, 1980

CHICAGO TITLE INSURANCE COMPANY



Alvin W. Long
President.

ATTEST:

Chester C. McCullough
Secretary.

Frank A. [Signature]
Authorized Signatory jwp

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

February 1, 1980

Professional Engineering Consultants
1440 E. English
Wichita, Ks. 67211

Re: S/D 79-9 - Final plat of Bo-Mar First Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on January 31, 1980, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of January 25, 1980, except that item H was changed to read:

Check plat working (circles) with Paul
H. Adjacent to the 20-foot drainage and sanitary sewer easement along the east side of Block 9, there shall be added a 15-foot maintenance easement on Lots 1-4 and an 8-foot maintenance easement on Lots 7-9. West of this maintenance easement shall be added a 5-foot utility easement.

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:

- 2-14*
1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
 - 2-14*
2. 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.
 3. Certification that all taxes due and payable for 1979 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Louise Olivarez
Senior Planner

cc: James A. Catron, 3246 N.
Clarence, 67204

1979
NOT
PAID

1-25-80 Wiley called to say
Dick Linn had met this
AM. with Blevins of K.G.P.E.
and Paul Johnston
regarding the easements
on east side of Blk 9.
All have agreed to 8 feet
of access easement and
5 feet of utility easement.
in addition to the 70' drain right.
Bruggeman agreed to
accept dedication of the
north triangular part
of Lot 1.

INFO concurred in by Blevins
1-31-80

January 25, 1980

Professional Engineering Consultants
1440 E. English
Wichita, Kansas 67211

Re: S/D 79-9 - Final plat of Bo-Mar First Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 24, 1980, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant's drainage plan has been approved subject to:
1. Providing a 15-foot access easement on the east side of Lots 1 thru 4, Block 9 and a 7-foot access easement on the east side of Lots 7 and 8, Block 9.
 2. Extending the length of the proposed structures through the levee;
 3. Working out the correct placement of the ditch at the new structure site;
 4. Indicating on the drainage plans that the proposed ditches will have 4:1 slopes;
 5. Securing necessary approvals for drainage work adjacent to and through the levee;
 6. Providing sufficient guarantees for drainage and protection requirements plus seeding and mulching the proposed channel. *(enough money in petition to cover all drainage improvements)*
- B. The applicant shall file a zone change request from "LC" to a residential classification on the southwest corner of the plat prior to recording this plat.

for MAPC
2-28

P. E. C.
January 25, 1980
Page 2

- 2-14*
petition
petition
petition
- See letter of 2-1-80*
- C.* A covenant which provides for four off-street parking spaces per dwelling unit will be required for Lots 7, 8, 9 and 10, Block 9.
 - D.* The applicant shall guarantee the extension of City water to serve all lots.
 - E.* The applicant shall guarantee the extension of sanitary sewer to serve all lots.
 - F.* The applicant shall guarantee the paving of all interior streets to City of Wichita standards.
 - G.* Sidewalks are required on one side of Lockwood and one side of Campus. These streets are continuous streets with more than 48 dwelling units abutting both sides and they each intersect with an arterial (Hydraulic).
 - H.* Prior to the Planning Commission meeting of January 31, 1980, the applicant's engineer shall meet with the Public Works Department, Water & Water Pollution Control Department, and K.G. & E. to determine the location of easements on the north end of Lot 1, Block 9 as well as along the east side of Block 9.
 - I.* A 10-foot utility easement shall be added between Lots 6 and 7, Block 3.
 - J.* Fifteen foot side yard setbacks shall be platted adjacent to Hydraulic on Lot 1, Block 1 and Lot 1, Block 12.
 - K.* The 15-foot building setbacks on the following lots shall be labeled on the final plat tracing: ~~Lot 10, Block 3; Lot 1, Block 6; Lots 10 and 11, Block 8; Lots 20 and 21, Block 10; and Lot 19, Block 13.~~
 - L.* Recording of the plat within 30 days after approval by the Board of City Commissioners.

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

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

This matter will be forwarded to the Planning Commission for its consideration on January 31, 1980, at 1:30 p.m. If you have any questions regarding this matter, please call.

Sincerely,

Louise Olivarez
Senior Planner

P.E.C.
January 25, 1980
Page 3

cc: James A. Catron, 3246 N. Clarence, 67204
Dean Sellers, Acting City Engineer

Final Plat

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

SUBDIVISION REPORT

S/D NO. 79-9 Name Bo-Mar First Addition
Date Application Rec'd. 1-24-79 Preliminary Approval 4-5-79
Scheduled S/D Meeting 1-24-80

DESCRIPTION

General Location Both sides of 55th St. South on the east side of Hydraulic

Owner James A. Catron
Surveyor/Engineer Professional Engineering Consultants, P.A. (Gary Wiley)
Address 1440 E. English, Wichita, Ks. 67211 Phone 262-2691

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>69.32</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. _____ R/W _____ ft. |
| Residential <u>246</u> | b. <u>64</u> R/W <u>10.581</u> ft. |
| Commercial _____ | c. <u>58</u> R/W <u>960</u> ft. |
| Industrial _____ | d. <u>60</u> R/W <u>232</u> ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>246</u> | TOTAL <u>11.773</u> ft. |
| 3. Minimum Lot Frontage <u>60</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>no</u> |
| 4. Minimum Lot Area <u>7280</u> ft. | |
| 5. Existing Zoning <u>"AA" and "LC"</u> | |
| 6. Proposed Zoning <u>"AA"</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. The representatives of City Engineering and Flood Control shall be prepared to comment on the drainage plan for this plat and state what drainage improvement guarantees are needed.
- B. A zone change from "LC" to a residential classification on the southwest corner of this plat (600 feet x 600 feet) will be required to be processed through the Planning Commission before this plat can be scheduled for City Commission approval.
- C. A covenant which provides for four off-street parking spaces per dwelling unit will be required for Lots 7, 8, 9 and 10, Block 9.
- D. The applicant shall guarantee the extension of City water to serve all lots.
- E. The applicant shall guarantee the extension of sanitary sewer to serve all lots.
- F. The applicant shall guarantee the paving of all interior streets to City of Wichita standards.
- G. Sidewalks are required on one side of Lockwood and one side of Campus. These streets are continuous streets with more than 48 dwelling units abutting both sides and they each intersect with an arterial (Hydraulic).
- H. It should be noted that approximately the north half of Lot 1, Block 9 is a drainage easement and about half of the balance of the lot is taken up by other easements. This leaves very little buildable area on Lot 1 even though the lot is about 33,000 square feet in size. It is recommended that the extent of the large drainage easement on Lot 1 be more clearly defined on the face of the plat.

T9-303

(Over)

- I. Fifteen foot side yard setbacks shall be platted adjacent to Hydraulic on Lot 1, Block 1 and Lot 1, Block 12.
- J. The 15-foot building setbacks on the following lots shall be labeled on the final plat tracing: Lot 10, Block 3; Lot 1, Block 6; Lots 10 and 11, Block 8; Lots 20 and 21, Block 10; and Lot 19, Block 13.
- K. Recording of the plat within 30 days after approval by the Board of City Commissioners.

DIRECTORS

C. O. KNOP, P.E.
R. B. PEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTYNER, P.E.
R. D. FLETCHER, P.E.
F. D. MIDDLETON, JR., P.E.
K. R. HORNER, P.E.
D. E. MALTBY, P.E.
M. D. SCHOMAKER, P.E.



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
PROFESSIONAL ASSOCIATION



January 2, 1980

Mr. Paul Johnston
Flood Control Engineer
Flood Control and Landfill Division
City Hall - 7th Floor
455 North Man
Wichita, Kansas 67202

Re: Bo-Mar Addition
Final Drainage Plan
PEC File 30-78416-561

Dear Paul:

With reference to your letter to this firm dated December 17, 1979, addressing the Drainage Plan for Bo-Mar Addition which had been submitted for review on December 5, 1979, we have made the following changes and have comments as also follow:

1. The proposed ditch along the east line of the plat does now maintain at least 15 feet between the toe of the levee and the top of ditch slope; note that the cross-section at Sta. 4+25 has been revised to achieve this minimum clearance.
2. The topography of that area lying between the Flood Control Levee and the edge of the Arkansas River is shown on Sheet 1 of the Drainage Plan with the profile of the proposed outfall ditch shown on Sheet 2. A typical cross-section has been added to Sheet 2 for further clarification.
3. Those of your comments which detail the Corps of Engineers and Flood Control requirements for approval and construction of the structure through the levee should be directed toward the City of Wichita Engineering Department which will be responsible for the design of said structure as a portion of the petitioned improvements.

1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691

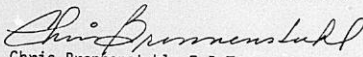
Paul Johnston
Jan. 2, 1980
Page two

4. As shown on Sheet 1 of the Drainage Plan, the routing of the 100-year storm runoff does not allow the entire plat to overland drain to the structure through the levee. The total 2-year flow and only a portion of the 100-year reaches this structure.
5. The additional details on the realignment and replacement of the 10" sanitary sewer, the 8" sludge line, and the 4" water line are now shown on Sheet 2 as per the request of the Water Department.

Should you have any additional questions, please contact me.

Cordially,

PROFESSIONAL ENGINEERING CONSULTANTS, P. A.



Chris Brennenstuhl, E.I.T.
Project Manager
Land Development Section

cc: Louise Olivarez
Dean Sellers
John Wynkoop
James Catron

W.H.D.

XXXXX 268-4591

December 17, 1979

Professional Engineering Consultants
1440 East English
Wichita, Kansas 67211

Attn: Chris Brennenstuhl

Subject: Bo-Mar Addn. S/D 79-9

Dear Chris:

Reference is made to the Revised Drainage Plan submitted to this office Dec. 5, 1979 for subject Addition for review. In reviewing subject drainage plan, I submit the following comments.

- 1) Addressing the proposed ditch to be constructed along the east edge within Flood Control right-of-way, a minimum distance of 15' must be maintained between the toe of the levee and any cut area. The cross sections submitted in the Revised Drainage Plan received 12-5-79 indicates that the ditch may have to be moved west approximately 3.5 - 4'. Necessary changes and appropriate foot notes should be added to address same.
- 2) Request topo and cross section information on the proposed outfall ditch from the flap gates to the edge of the Arkansas River.
- 3) Approval by the Corps of Engineers is required on the proposed sluice and flap gates prior to installation.
- 4) The Flood Control Office is to be contacted at least three working days prior to commencing any work within the Flood Control right-of-way.
- 5) Specifications, as may be required by the Corps of Engineers, should be obtained from the Flood Control Office prior to doing any work within the right-of-way belonging to Flood Control.
- 6) Inspection of the project within Flood Control right-of-way is to be in conjunction with authorized Flood Control representatives to help insure that specifications as may be required by the Corps of Engineers are complied with.

December 17, 1979

- 7) Questions exist as to whether the structures through the levee is adequately sized to pass the 100 year storm. On the calculation sheets, figures were provided for the 2 year storm, 6 acre back lot drainage for Q100, then excess overland flow (Q100-Q2). The latter addresses only 16.2 acre versus 62.5-6 or 56.5 acre. An explanation or justification is requested.
- 8) At the location of the siphon on the 66" transmission line, the proposed storm sewer will interfere with an existing 8" pvc sludge line and a small water line going to Plant 2. These should be indicated on the plans along with the proposed method and manner or realignment.
- 9) A portion of the sanitary sewer easement for the existing 10" Jayhawk line is still required at the north edge of the abandoned Jayhawk Treatment Plant located at the southeast corner of Bo-Mar Addition.
- 10) Encasement will be necessary between the proposed storm water sewer and the existing 10" sanitary sewer and 66" transmission line.

If there are any questions or if discussion is desired, please advise.

Yours truly,

Faul Johnston,
Flood Control Engineer
Flood Control and Landfill Division

PJ/glm

cc: Bo-Mar Addn. Plat File
Louise Olivarez/MAPD ✓
Yash Desai/City Engineering
Darrell Brewer/Sewer Maint./Water Dept.

11-19-79

4 PM

Chris Brennertuhl
called to say they
had not gotten their
drainage plan submitted
yet for Bo-Man 50
it should not be
scheduled for 11-29-79
Tentatively schedule for
12-13-79.

12-5-79 Drainage plan
still not submitted.
Plot tentatively scheduled
for 12-27-79

*received
8-16-79*

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

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

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

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

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

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

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:

Chester C. McLaughlin
Secretary.

Donald B. Adams
Authorized Signatory



received 8-16-79

SCHEDULE A

Number
272368

Effective Date
December 28, 1978 @ 7:00 A. M.

1. Owners Policy to be issued: ALTA Form B - 1970 Amount: \$313,280.00
(Amended 10-17-70)

Proposed Insured:

James A. Catron and Helen J. Catron, husband and wife

Loan Policy to be issued: ALTA Form 1970 Amount: \$375,000.00
(Amended 10-17-70)

Proposed Insured:

The Fourth National Bank and Trust Company, Wichita

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

Johnny B. Hermes and Peggy Ann Hermes, husband and wife

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

The South Half of the Southwest Quarter of Section 22, Township 28 South, Range 1 East, except the North 7-13/40 acres, and except that portion condemned for levee in District Court Case A-48670 and except that portion condemned for sewer plant in District Court Case A-54498, and also Government Lot 5 and the North Half of the Northwest Quarter of Section 27, Township 28 South, Range 1 East, except 21 acres off the west end of said North half of the Northwest Quarter, and except that portion condemned for levee in District Court Case A-48670. Said property being also described as: A tract of land beginning at Section corner common to Sections 21, 22, 27, and 28, in Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, thence North 18 chains and 27 links; thence East 40 chains and 88 links to Right bank of Arkansas River; thence Southeasterly following the meanderings of said River to a point where the South line extended Easterly of the North Half of the Northwest Quarter of Section 27 intersects said River; thence West 52 chains and 50 links to Section line between Sections 27 and 28; thence North 19 chains and 89 links to place of beginning, except 21 acres off the West end of the North Half of the Northwest Quarter of Section 27, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, and except parts thereof taken by condemnation.

SCHEDULE B

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

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): Year 1978 Taxes \$840.80+ not paid. Key #C-137-UP; Year 1978 Taxes \$404.91+ not paid. Key #C-139-UP.
- X 9. All mineral interests of record.
10. Consequences of the change of location of the Big Arkansas River which forms the Easterly boundary of the premises in question.
11. This policy is subject to the rights of the United States of America, State of Kansas, the municipality and the Public, in and to that part of the premises in question falling in the bed of the Big Arkansas River; also to the rights of the riparian owners in and to the free and unobstructed flow of the water of said river.
12. Right of Way Agreement for road to Sedgwick County, Kansas over the West 40 feet of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, except the North 7 and 13/40 Acres, of Section 22, Township 28 South, Range 1 East, as created by instrument dated February 16, 1951, filed September 17, 1951, in Book Misc. 280, Page 183.
13. Easement to Kansas Gas and Electric Company, for transmission lines to consist of a 3 foot strip, 1.5 feet right and left of a line which is 41.5 feet East of and parallel to the West line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, except the North 7-13/40 Acres of Section 22, Township 28 South, Range 1 East; as created by instrument dated March 7, 1951, filed March 21, 1951, in Book Misc. 271, Page 349.

(See Added Page)

(Schedule B continued)

Policy Number _____ Owners _____

Policy Number _____ Loan _____

3187 w. d.

14) Easement to The City of Wichita for purpose of laying, installing, maintaining and operating sewage and gas pipes, lines, mains, valves, manholes, valve structures, electrical transmission control and communication circuits and other appurtenances, together with access roadways necessary for the construction, extension and improvements of the Sewage Disposal Works as condemned in District Court Case A-70253 over the following: A strip of land lying with the boundaries of a tract of land lying west of the Arkansas River in the S $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 22, T28S, R1E, and the N $\frac{1}{2}$, NW $\frac{1}{4}$, Sec. 27, T28S, R1E of the 6th P.M., Sedgwick County, Kansas. Said strip of land for permanent R/W to be 15 feet on each side of the following described centerline: Begin at a point on the north property line of said tract, said point being 1205.82 feet north of the SW corner of Sec. 22, T28S, R1E, measured along the west line of said Sec. 22 and 2330.09 feet east of the west line of said Sec. 22 at a counterclockwise angle of 89 degrees and 51 minutes with said west line of Sec. 22, thence southeast at a counterclockwise angle of 106 degrees and 19 minutes with the north line of said tract and parallel and 30 feet west of the west R/W line of Tract No. 7 of the Wichita-Valley Center Flood Control Project, a distance of 86.59 feet, more or less, to a point, thence southeast at an angle of 8 degrees and 28 minutes right from the above described centerline, for a distance of 1117.3 feet, more or less, to a point on the south line of Sec. 22, T28S, R1E, thence continuing for a distance of 1339.47 feet, more or less, on the same line, to a point on the south property line of said tract, said point also being the north property line of the City of Wichita property and 2682.81 feet east of and at a clockwise angle of 89 degrees and 52 minutes with the west line of the NW $\frac{1}{4}$, Sec. 27, T28S, R1E. In addition, for temporary R/W and for construction purposes only, strips of land 30 feet wide, adjacent to and on each side of the above described strip of land.

15) Easement to The City of Wichita for the purpose of construction, maintaining, and repairing sewer pipes and sewer system as condemned in District Court Case C-17685 over the following: A permanent easement described as the ten (10) feet adjacent to and on either side of the following described line; Beginning at a point on the south line of the north half of the north half of Section 27, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, said point being 2,657.52 feet east of the west line of said Section 27; thence Northerly parallel with, adjacent to, and twenty-five (25) feet west of the center line of an existing thirty (30) foot easement and with an angle of eight-two degrees (82) twenty-five (25) minutes from the south line of the north half of the north half of said Section 27, for a distance of 1,592.31 feet; thence with an angle to the right of eighty-six (86) degrees forty-two (42) minutes to the west right-of-way line of the Wichita-Sedgwick County Flood Control Tract No. 7. Also a seventy-five (75) foot temporary construction easement described as the seventy-five (75) feet adjacent to and on the west and north sides of the above described permanent easement.

(See Added Page)

(Schedule B continued)

Policy Number _____
Owners _____Policy Number _____
Loan _____

- 15-25
M. C. H.
16. Easement to The City of Wichita for installation, maintenance and operation of a settled sewage transmission pipeline and control cable and manhole and right of way for extension and improvement of the sewage disposal works and right of way for a water line, as condemned in District Court Case 77C-425 over the following: A strip of land lying within the boundaries of a tract of land lying west of the Arkansas River in the S $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 22, T28S, R1E, and the N $\frac{1}{2}$, NW $\frac{1}{4}$, Sec. 27, T28S, R1E of the 6th P.M., Sedgwick County, Kansas. Said strip of land for a Utility Easement to be 15 feet west and 25 feet east of the following described centerline: Begin at a point on the north property line of said tract, said point being 1205.82 feet north of the SW corner of Sec. 22, T28S, R1E, measured along the west line of said Sec. 22 and 2330.09 feet east of the west line of said Sec. 22 at a counter-clockwise angle of 89 degrees and 51 minutes with said west line of Sec. 22, thence southeast at a counterclockwise angle of 106 degrees and 19 minutes with the north line of said tract and parallel and 30 feet west of the west R/W line of Tract No. 7 of the Wichita-Valley Center Flood Control Project, a distance of 86.59 feet, more or less, to a point, thence southeast at an angle of 8 degrees and 28 minutes right from the above described centerline, for a distance of 1117.3 feet, more or less to a point on the south line of Sec. 22, T28S, R1E, thence continuing for a distance of 1339.47 feet, more or less, on the same line, to a point on the south property line of said tract, said point also being the north property line of the City of Wichita property and 2682.81 feet east of and at a clockwise angle of 89 degrees and 52 minutes with the west line of the NW $\frac{1}{4}$, Sec. 27, T28S, R1E. In addition, for temporary R/W and for construction purposes only, two strips of land, one 30 feet wide adjacent to and on the west side of the above described strip of land, and a second 20 feet wide adjacent to and on the east side of the same said strip of land.
17. Affidavit of Publication - City of Wichita Ordinance No. 31-611 providing for delay in payment of special assessments pertaining to the construction of Submain 1, Southwest Interceptor Sewer for a period of 15 years unless the property is platted, zoned for other than residential or agricultural purposes, has a population of more than one family per acre, or any parcel is connected to the sewer, as evidenced by instrument filed October 3, 1974, on Film 121, Page 825.
18. Pay and file release of mortgage dated July 7, 1977, executed by Johnny B. Hermes and Peggy Ann Hermes, husband and wife, to Garden Plain State Bank, filed July 8, 1977, on Film 254, Page 315, in the original amount of \$275,000.00.
19. Pay and file release of mortgage dated August 8, 1978, executed by Johnny B. aka John B. Hermes and Peggy Ann aka Peggy A. Hermes, husband and wife, as joint tenants, to the Administrator of the Small Business Administration, an agency of the Government of the United States of America, filed August 9, 1978, on Film 320, Page 353, in the original amount of \$22,300.00.

August 27, 1979

Professional Engineering Consultants
Attention: Gary Wiley
1440 E. English
Wichita, Kansas 67211

Re: S/D 79-9 - Revised preliminary plat - Bo-Mar First
Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, August 23, 1979, the revised preliminary plat of Bo-Mar First Addition was reviewed. This revised plat was approved subject to the conditions outlined in our letter of April 5, 1979, plus the following conditions:

- 1-11-80
man did not
easements on east*
- A. Revised street names and additional utility easements as shown on the engineer's "marked" copy of the revised preliminary plat shall be shown on the final plat.
 - B. The applicant's engineer shall contact Paul Johnston, Flood Control Engineer, regarding the appropriate labeling of several easements along the east side of the plat.

The close proximity of this plat to the sewage treatment plant was again discussed with the Health Department pointing out the potential problem with filter flies as well as odor. It was mentioned that, perhaps, in the final platting of this property, the platator will be asked to file some type of recordable document stating that he and future owners of the property will hold the City harmless of any problems resulting from the flies and odors.

If you have any questions regarding approval of this revised preliminary plat or requirements for submission of a final plat, please call. The enclosed "marked" copy of the revised preliminary plat is for your files.

Sincerely,

Louise Olivarez
Senior Planner

P.E.C., P.A.
8-27-79
Page 2

cc: James A. Catron, 3246 N. Clarence, 67204
Dean Sellers, Assistant City Engineer

SUBDIVISION COMMITTEE AGENDA
August 23, 1979 - Page 4

16. S/D 79-9 - Revised preliminary plat of Bo-Mar First Addition, generally located on the east side of Hydraulic in an area north of 55th Street South.

Engineer:	Professional Engineering Consultants, P.A.
Acreage:	71+
Number of lots:	247

Note: The original preliminary plat was called Southwind Addition and was approved by the Subdivision Committee April 5, 1979. This revised plat is for only the north half of that area. The revisions are mainly within the east portion of the plat. Committee members should be prepared to comment on the suitability of the easements as proposed and state what, if any, additional requirements are necessary for completion of this plat. Previous platting requirements are still effective, including approval of a drainage plan prior to submission of a final plat.

-
17. Discussion of Health Department requirements for septic tank permits.
-

18. Other Matters:



MEMO

TO: Mr. Dick Linn, P. E.
City Engineer
City Hall - Seventh Floor
455 North Main Street
Wichita, Kansas 67202

PROJECT NO. 30-78416-561
PROJECT: Catron-South Hydraulic
(BoMar Addition)

DATE: July 24, 1979

COPIES TO:

Max Greene, P. E.
Louise Olivarez ✓

FROM: Chris Brennenstuhl
REFERENCE: Drainage Plan for Final Plat of
BoMar Addition

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Transmitted herewith are the Drainage Plan and supporting calculations for BoMar First Addition (the north one-half of the Southwind Preliminary Plat).

Please contact us as soon as possible if any additional information is required for your review of this plan.

RECEIVED

JUL 26 1979

METROPOLITAN PLANNING
ROUTE Home

7-11-79 Paul Johnston said this drainage plan submitted 7-24-79 was acceptable

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE May 15, 1979

TO Robert G. Finch, Deputy City Manager

FROM John D. Wynkoop, Director of Water & Water Pollution Control

SUBJECT Appraisal of Property North
of Sewage Treatment Plant # 2

We were recently notified by the Planning Department that a preliminary plat consisting of 130 acres of land located immediately north of Sewage Treatment Plant # 2, and to be used for residential construction, had been submitted for approval.

The Department objected to this development, in view of it's adjacency to the Plant, and we were authorized by the City Commission on March 20, 1979 to have the property appraised, and to determine if the City should attempt to acquire the property.

The Department retained the services of Mr. Paul R. Brown to prepare an appraisal of the property known as the Southwind Addition, and Mr. Brown's appraisal was received today.

Mr. Brown states that the fair market value of the property, as of April 30, 1979, is \$478,500.00.

In my opinion, the Sewer Utility Fund cannot support an expenditure of this magnitude, and I recommend that we take no further action.

John D. Wynkoop
Director of Water and
Water Pollution Control

JDW:sd

cc: Robert A. Lakin, Director of
Planning



April 5, 1979

Professional Engineering Consultants, P.A.
1440 E. English
Wichita, Kansas 67211

Re: S/D 79-9 - Preliminary plat of Southwind Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 5, 1979, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall guarantee the extension of City water to serve all lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve all lots being platted.
- C. The applicant shall guarantee the paving of all interior streets.
- D. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.
- E. "Complete access control" to Hydraulic from all lots shall be indicated on the plat.
- F. The proposed use for the area west of the levee which is not being platted into lots shall be labeled on the final plat.
- G. The right-of-way for Ash and Minnesota north of Green Meadows shall be 60 feet in order to provide correct alignment with these existing streets in the Mona Kay Matlock Addition.

Professional Engineering Consultants, P.A.
Page 2
April 6, 1979

- H. Prior to submission of any final plats, the applicant's engineer shall contact Roberta Mendenhall in the City Public Works Department regarding the appropriate street names to be shown on the final plat.
- I. Prior to submission of any final plat, the applicant's engineer shall meet with representatives of the City Engineer's Office and the Flood Control Office to discuss the drainage problems and solutions for the site. An approved drainage plan will be required prior to approval of any final plat.
- J. Four off-street parking spaces will be required on all lots which abut a 58-foot street.
- K. Several lots have inappropriate width-to-depth ratios (e.g., Lot 38, Block 18) or buildable area within the platted setbacks (e.g., Lot 10, Block 3, and Lot 15, Block 13). The applicant's engineer shall contact the Planning Staff regarding these matters.
- L. A zone change from "LC" to a residential classification will be required prior to any final plat being forwarded to the City Commission.
- M. 10-foot utility easements as requested by Southwestern Bell and shown on the "marked" engineer's copy of the preliminary plat shall be added to the final plat.
- N. ✓ Prior to submission of a final plat, the applicant's engineer shall contact K. G. and E., regarding the location of side-lot utility easements. *info sent 4-11-79 and forwarded to Wiley*
- O. No final plat shall be submitted prior to June 4, 1979. On or after June 4th, a final plat may be submitted on the north half of this property.

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,

Louise Olivarez
Junior Planner

LO:bh

cc: James A. Catron, 3246 N. Clarence, 67204
Dean Sellers, Assistant City Engineer

Preliminary plat

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

SUBDIVISION REPORT

S/D NO. 79-9 Name Southwind Addition
Date Application Rec'd. 1-24-79 Preliminary Approval _____
Scheduled S/D Meeting 4-16-79

115
69
920
410

DESCRIPTION

General Location Both sides of 55th Street South on the east side of Hydraulic.

Owner James A. Catron
Surveyor/Engineer Professional Engineering Consultants, P.A. (Gary Wiley)
Address 1440 E. English, Wichita, Ks. 67211 Phone 262-2691

- | | | | |
|---|--|--------------------------------------|-----------------------|
| 1. Gross Acreage of Plat | <u>142+</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>50</u> R/W <u>1210</u> | ft. |
| Residential | <u>471</u> | b. <u>64</u> R/W <u>14,600</u> | ft. |
| Commercial | _____ | c. <u>58</u> R/W <u>7350</u> | ft. |
| Industrial | _____ | d. _____ R/W _____ | ft. |
| Other | _____ | e. _____ R/W _____ | ft. |
| Total Number of Lots | <u>471</u> | TOTAL | <u>23,160</u> ft. |
| 3. Minimum Lot Frontage | <u>60</u> ft. | 8. Sidewalk adjacent to all streets? | <u>X</u> yes _____ no |
| 4. Minimum Lot Area | <u>7280</u> ft. | | |
| 5. Existing Zoning | <u>"AA" and "IC"</u> | | |
| 6. Proposed Zoning | <u>"AA"</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:

NOTE: This property is located immediately north of the Sewage Treatment Plant No. 2 and, because of this location, is not considered suitable for residential development. The Department of Water and Water Pollution Control has asked the Board of City Commissioners to consider purchasing this property to assure that no further encroachment of the treatment plant facilities will occur. On March 20, 1979, the City Commission authorized that appraisals be obtained for this tract of land. It is recommended that consideration of this preliminary plat be deferred until the appraisal results are in and the City Commission has made a determination as to whether or not this property will be purchased.

However, if the Subdivision Committee wishes to proceed with the review and approval of this plat, the following conditions of approval are recommended:

- A. The applicant shall guarantee the extension of City water to serve all lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve all lots being platted.
- C. The applicant shall guarantee the paving of all interior streets.
- D. Sidewalks will be required adjacent to both sides of all interior streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.

T9-303

(Over)

- E. "Complete access control" to Hydraulic from all lots shall be indicated on the plat.
- F. The applicant's engineer shall be prepared to comment at the Subdivision Committee meeting about the proposed use of the property west of the levee which is not being platted into lots. Appropriate labeling of this area shall be added to the plat.
- G. The right-of-way for Ash and Minnesota north of Green Meadows shall be 60 feet in order to provide correct alignment with these existing streets in the Mona Kay Matlock Addition.
- H. The City Department of Public Works shall be prepared to comment on the appropriateness of the street names.
- I. The applicant's engineer has submitted a drainage concept. The City Engineer's representative shall be prepared to comment on this drainage concept at the Subdivision Committee meeting.
- J. Four off-street parking spaces will be required on all lots which abut a 58-foot street.
- K. Several lots have inappropriate width-to-depth ratios (e.g., Lot 38, Block 18) or buildable area within the platted setbacks (e.g., Lot 10, Block 3 and Lot 15, Block 13). The applicant's engineer shall contact the Planning staff regarding these matters.
- L. The existing "LC" zoning on the 600-foot square site at the northeast corner of Hydraulic and 55th Street should be changed to "AA" zoning if residential development is approved as proposed on this preliminary plat.

*Best
Louise*

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE March 21, 1979



TO John Wynkoop, Director of Water and Water Pollution Control

FROM Robert G. Finch, Deputy City Manager

SUBJECT "Southwind Addition"

On March 20, 1979, the City Commission authorized the administrative staff to obtain appraisals for the acquisition of the tract of land known as "Southwind Addition" which is located north of Sewage Treatment Plant No. 2.

Please proceed with the steps necessary for acquisition of the property for the Department of Water and Water Pollution Control.

A handwritten signature in cursive script, appearing to read "R. Finch".

Robert G. Finch
Deputy City Manager

RGF/pd
cc: John Dekker, Director of Law





MEMO

TO: Mr. Dick Linn, P. E.
City Engineer
City Hall - 7th Floor
455 North Main Street
Wichita, Kansas 67202

PROJECT NO. 30-78416-561

PROJECT: Catron - South
Hydraulic Property
(South Wind Addition)

COPIES TO:

ATTN: Yash Desai, P. E.

DATE: March 26, 1979

Max Greene, P. E.

FROM: Chris Brennenstuhl, EIT

Mike Lindebak, P. E.

REFERENCE: Drainage Concept

Louise Olivarez ✓

Brent Rensberg, P. E.

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Transmitted herewith is the Drainage Concept for South Wind Addition which is located on the east side of Hydraulic in an area near 55th Street South. The plan shows that the main body of the land being platted will drain to a detention area located along the east line of the Plat and immediately adjacent to the Flood Control Levee of the Arkansas River. The remainder of the Plat will be drained to Hydraulic and then south along Hydraulic to the Slough.

The Preliminary Plat of South Wind is being filed with MAPD today (3/26/79) and will be heard by the Subdivision Committee of MAPC on Thursday, April 5th.

THE CITY OF WICHITA
OFFICE OF CITY MANAGER


DATE March 14, 1979

TO The Honorable Board of City Commissioners
FROM E. H. Denton, City Manager

SUBJECT Preliminary Plat -- Southwind Addition

In the attached memorandum, Mr. Wynkoop points out a possible problem which may develop due to a residential plat being filed for a tract of land immediately south of Sewage Treatment Plant No. 2 at 2305 East 57th Street South.

An informal briefing on this matter is being arranged for the noon recess in the Executive Dining Room on Tuesday, March 20, 1979. Messrs. Wynkoop and Lakin will present the briefing.


E. H. Denton
City Manager

EHD/fpd
Attachment

cc: John Wynkoop, Director of Water and Water Pollution Control
Robert A. Lakin, Director of Planning



*NOT discussed at
noon recess.*

FORM 29

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Pibg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION AMOUNT

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY

March 13, 1979

Mr. James A. Catron
3246 N. Clarence
Wichita, Kansas 67204

Re: S/D 79-9 - Sketch plat of Southwind Addition

Dear Mr. Catron:

On March 9, 1979, at a meeting in Professional Engineering Consultant's offices, your proposed residential development on south Hydraulic was discussed. Concerns were expressed about the proximity of this site to the sewage treatment plant and the problems which the residents will have with odors. Residential development of this property was discouraged. John Wynkoop, of the Wichita Water Department, indicated that he would ask the City Commission to consider purchasing some or all of this property. The request will probably be on their agenda for next Tuesday, March 20. You may wish to wait until after that meeting before proceeding further with the platting of this property. If or when you do proceed to plat any of this property, the following comments will apply:

- A. A drainage concept plan should be submitted to the Department of Public Works for review and approval prior to or concurrent with the submission of a preliminary plat. If drainage waters are carried to the River, a flap gate and a sluice gate structure thru the levee will be required. If drainage is proposed to be carried to the Big Slough, gradient may present a problem. Corps of Engineers' approval will be required for draining to the River and Riverside Drainage District approval will be required for draining to the Slough. Your engineers should consult with the City Engineer on retention requirements.
- B. A water main will have to be extended south in Hydraulic and east into the subdivision to serve each lot being platted.

James A. Catron
March 13, 1979
Page 2

- not shown on preliminary*
- C. Extension of sanitary sewer to serve each lot and paving of all interior streets will be required.
 - D. "Complete access control" to Hydraulic from all lots shall be indicated on the preliminary plat.
 - E. All proposed street names shall be shown on the preliminary plat.
 - F. Approximately 8 acres at the northeast corner of 55th and Hydraulic is zoned "LC", light commercial. The platting of this area into small residential lots would require a zone change to "AA" single-family residential.
 - G. *not shown on preliminary* The proposed use of the easternmost part of this property not being platted as lots shall be indicated on the preliminary plat.
 - H. Requirements of a preliminary plat (see 5-301 and 5-302 of the Subdivision Regulations).

If you have any questions regarding these sketch plat comments, please call.

Sincerely,

Louise Olivarez
Junior Planner

LO:bh

cc: Gary Wiley, Professional Engineering Consultants, 1440 E. English, 67211

*3F
Having
Paving
done well*

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE
March 13, 1979

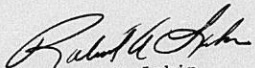
TO File
FROM Robert A. Lakin, Director of Planning
SUBJECT S/D 79-9 - Southwind Addition

This morning, March 9, I attended a meeting at P.E.C. with Gary Wiley and the owner of the land, James A. Catron, John Wynkoop, Vic Pickering, and an additional P.E.C. staff member. The meeting was to generally advise Catron that it was the opinion of Wynkoop and Pickering that development of this addition would impair the future operation of the existing plant, and the ability to expand the plant on that site. We also informed Catron that it was our opinion that this was not a good site for development, even though there was a high demand for smaller lots and medium priced housing. Particular problems mentioned were the fly problems and the odor problems. Specifically, it is intended that the City move its primary plant operations to this site within a five to eight year time period.

Wynkoop asked Catron if he would be willing to sell all or part of the land to the City. Conversation was had concerning this possibility.

I indicated that we would process the plat even though we strongly felt that it was not an appropriate site for housing. Wynkoop indicated that he would take the matter to the City Commission and request permission to acquire Catron's land.

Proceed to process the sketch plat including development of information needed on drainage, and requirements of retention facilities and/or outfall alternates through the dike. Any other problems resulting in normal subdivision review should be addressed.


Robert A. Lakin
Director of Planning

RAL:rme

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

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE March 5, 1979

TO Robert A. Lakin, Director of Planning

FROM John D. Wynkoop, Director of Water & Water Pollution Control


SUBJECT Southwind Addition

We have received from your Department a preliminary sketch of a plat called the Southwind Addition. Southwind, which seems to be appropriately named, abutts the south property line of Sewage Treatment Plant No. 2.

We are opposed to prospect of this property being zoned and developed for residential use.

There has been, in the past, complaints from property owners in the Jayhawk Addition, some distance away, regarding sewage odors and filter flies. The possibility of homes being built immediately adjacent to the plant is disturbing.

It is my understanding that the area is designed for low-income housing. I am sending a copy of this memo to Don Anderson in hopes that the City will not commit any housing bond funds for this project.


John D. Wynkoop
Director of Water and
Water Pollution Control

JDW:sd

cc: E. H. Denton, City Manager
Don Anderson, Director of Economic Development



3-2-79

Vic Pickering (Water Dept.)
said this property definitely
should NOT be developed
residentially. He said

the City might have
trouble obtaining Federal
grants for expansion
or improvements at the
sewage treatment plant
if residential development
encroaches so close.

Even tho the plant has been
in existence prior to the
residential development, they
face problems with neighbor-
hood objections to odor.

THE CITY OF WICHITA

OFFICE OF Flood Control Maintenance DATE February 14, 1979

TO Jack Galbraith, Chief Planner, MAPD

FROM Max Greene

SUBJECT - Review of Sketch Plat -
Southwind Addn.

I have reviewed a Sketch plat of Southwind Addition and comments are as follows:

- 1) Need drainage concept plan. Drainage must go to the Arkansas River or Big Slough, both of which present problems.
 - a. Draining to the river will require a flap gate, sluice gate structure thru the levee and Corps of Engineers' approval.
 - b. Drainage to the Big Slough gradient may present a problem and approval from Riverside Drainage District.
- 2) Need to consult with City Engineer on retention requirements.

The above information should be submitted with the Preliminary Plat.

Max Greene
Max Greene,
Flood Control Engineer
Flood Control Maintenance

MG/glm

cc: D. R. Brewer, Jr.
Yash Desai
Southwind Addn. Plat File



Map No.: 5640 < 5641
Section No.: 27, 22
Twp. No.: 28S
Range: R-1E

S/D No. 79-9

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Southwind Addition

General Location: Both sides of 55th Street South on the East side of Hydraulic

Name of Property Owner: James A. Catron
Address: 3246 N. Clarence Phone: 838-7567
Name of Subdivider: James A. Catron
Address: 3246 N. Clarence Phone: 838-7567
Name of Agent/Surveyor: Professional Engineering Consultants, P. A. (Gary Wiley)
Address: 1440 E. English Phone: 262-2691
Date of Application: January 24, 1979

SUBDIVISION INFORMATION:

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>142±</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>50</u> R/W <u>1210</u> ft. |
| Residential <u>471</u> | b. <u>64</u> R/W <u>14,600</u> ft. |
| Commercial <u>0</u> | c. <u>58</u> R/W <u>7350</u> ft. |
| Industrial <u>0</u> | d. _____ R/W _____ ft. |
| Other <u>0</u> | e. _____ R/W _____ ft. |
| Total Number of Lots <u>471</u> | TOTAL <u>23,160</u> ft. |
| 3. Minimum Lot Frontage <u>60</u> ft. | 8. Sidewalk adjacent to all streets? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |
| 4. Minimum Lot Area <u>7280</u> ft. | |
| 5. Existing Zoning <u>AA & LC</u> | |
| 6. Proposed Zoning <u>AA</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. <u>City of Wichita</u> Three-Mile Area | |

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

Owner's Signature: James A. Catron

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

Received by [Signature]
Date 1/24/79
Fee Submitted none - sketch plat