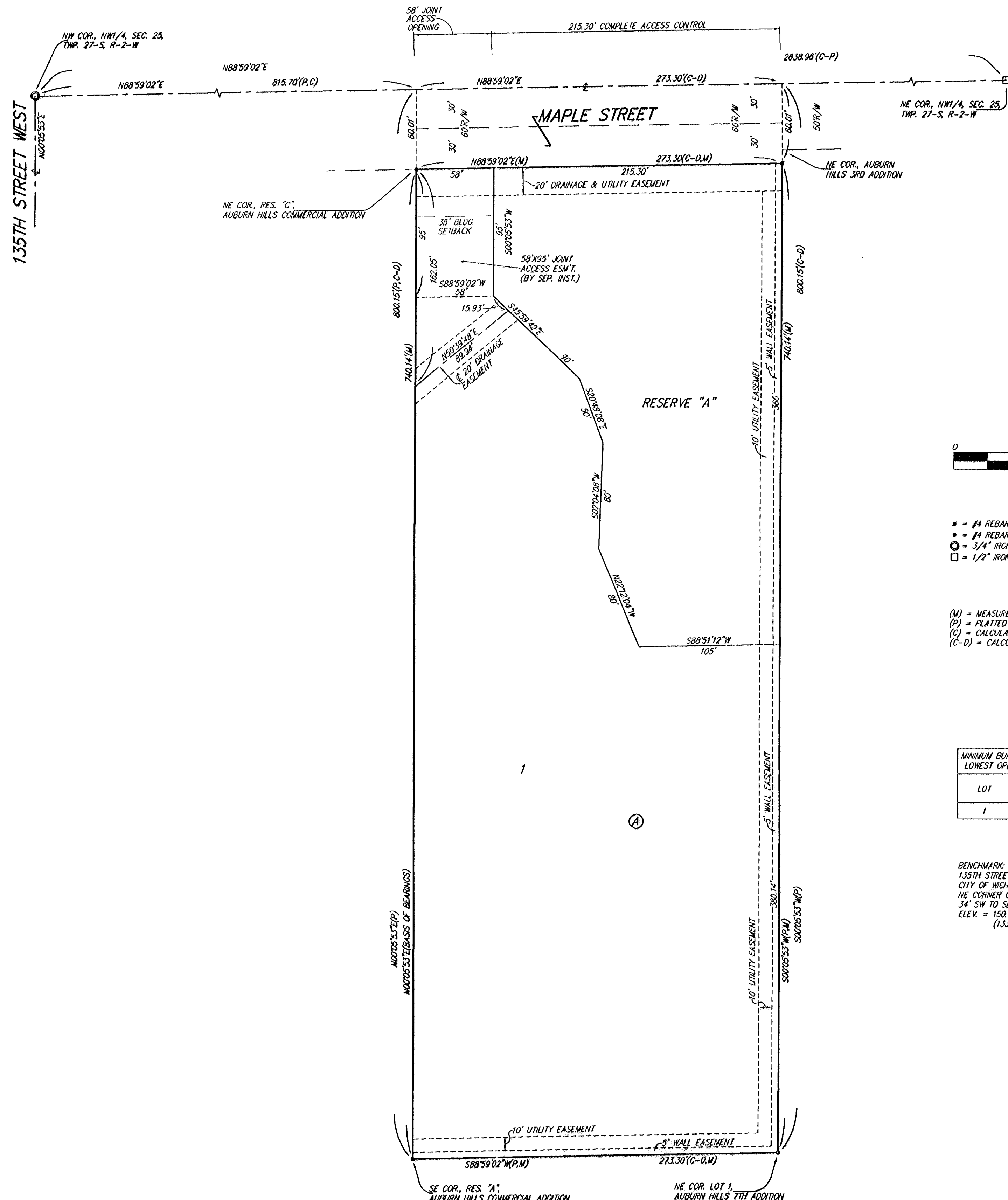


FILE COPY
Received 9-6-30-04

AUBURN HILLS COMMERCIAL 3RD ADDITION

WICHITA, SEDGWICK COUNTY, KANSAS



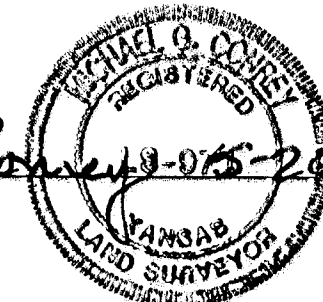
NOTE:
A drainage plan has been developed for this subdivision and is on file with the City of Wichita, Kansas. Drainage intent shall remain as depicted or as modified with the approval of the City Engineer of the City of Wichita, Kansas. No obstructions which impede the flow of this drainage plan shall be allowed.

State of Kansas) SS
Sedgwick County) We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we have surveyed and platted "AUBURN HILLS COMMERCIAL 3RD ADDITION", Wichita, Sedgwick County, Kansas and that the accompanying plat is a true and correct exhibit of the property surveyed, described as the east 273.25 feet of the west 1088.79 feet of the north 800.00 feet of the NW1/4 of Sec. 25, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County Kansas, all being subject to road rights-of-way of record.

Existing public easements and dedications being vacated by virtue of K.S.A. 12-512(b).

Baughman Company, P.A.

Michael A. Conrey
Michael G. Conrey



Know all men by these presents that we, the undersigned, have caused the land in the surveyors certificate to be platted into a Lot, a Block, a Reserve, and a Street, to be known as "AUBURN HILLS COMMERCIAL 3RD ADDITION", Wichita, Sedgwick County, Kansas. The utility easements are hereby granted as indicated for the construction and maintenance of all public utilities. The drainage easement is hereby granted as indicated for drainage purposes. The drainage and utility easement is hereby granted as indicated for drainage purposes and for the construction and maintenance of all public utilities. The wall easements are hereby granted as indicated for the construction and maintenance of a private screening wall and utility main lines and service lines shall be allowed to cross these easements. The street is hereby dedicated to and for the use of the public. Reserve "A" is hereby reserved for screening walls as confined to easement, landscaping, open space, lakes, berms, drainage purposes, and utilities as confined to easements. Reserve "A" shall be owned and maintained by the owner of Lot 1, Block A. Access controls shall be as depicted on the face of the plat and are hereby granted to the City of Wichita, Kansas. The permitted opening locations shall be as determined by the City Engineer of the City of Wichita, Kansas. The Minimum Building Pad Elevations for the lowest opening to the structures shall be as indicated on the face of the plat.

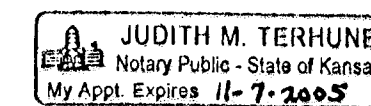
Neville Family Trust III dated September 10, 1996

Rita A. Neville
Rita A. Neville, Trustee

Gregory A. Neville
Gregory A. Neville, Trustee

Alvin L. Neville
Alvin L. Neville, Trustee

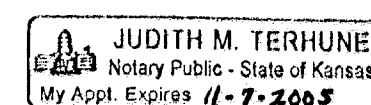
State of Kansas) SS
Sedgwick County) The foregoing instrument acknowledged before me, this 28th day of JUNE, 2004, by Rita A. Neville, Trustee of the Neville Family Trust III, on behalf of the trust.



Judith M. Terhune
JUDITH M. TERHUNE, Notary Public

My App't. Exp. 12-7-2005

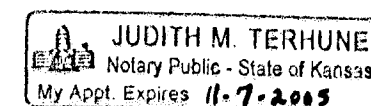
State of Kansas) SS
Sedgwick County) The foregoing instrument acknowledged before me, this 28th day of JUNE, 2004, by Gregory A. Neville, Trustee of the Neville Family Trust III, on behalf of the trust.



Judith M. Terhune
JUDITH M. TERHUNE, Notary Public

My App't. Exp. 12-7-2005

State of Kansas) SS
Sedgwick County) The foregoing instrument acknowledged before me, this 28th day of JUNE, 2004, by Alvin L. Neville, Trustee of the Neville Family Trust III, on behalf of the trust.



Judith M. Terhune
JUDITH M. TERHUNE, Notary Public

My App't. Exp. 12-7-2005

This plat of "AUBURN HILLS COMMERCIAL 3RD ADDITION", Wichita, Sedgwick County, Kansas has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this _____ day of _____, 2004.
Wichita-Sedgwick County Metropolitan Area Planning Commission

Ronald L. Marnell, Chair

John L. Schlegel, Secretary

This plat approved and all dedications shown hereon accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 2004.

Carlos Mayans, Mayor

Karen Sublett, City Clerk

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2004.

Tricia L. Robello, L.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas

Entered on transfer record this _____ day of _____, 2004.

Don Brace, County Clerk

Bill Meek, Register of Deeds

Linda Kizzire, Deputy



Wichita-Sedgwick County Metropolitan Area Planning Department

April 2, 2004

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

RE: SUB 2004-29 -- One-Step Final Plat of Auburn Hills Commercial Third Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 1, 2004, the above captioned plat was considered. The action of the Committee was to approve the one-step final plat, subject to the following staff comments:

- A. Municipal services are available to serve the site.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan. The drainage plan is approved.
- D. The plat proposes one access opening along the west property line. The access controls are approved. A joint access agreement with the property to the west is needed. An off-site dedication of complete access control is needed from the property to the west.
- E. Traffic Engineering has requested a petition for traffic improvements to Maple including a modification to the central medial and accel/decel lanes.
- F. The joint access opening shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- G. Provisions shall be made for ownership and maintenance of the proposed reserves. A covenant shall be submitted regarding ownership and maintenance responsibilities.
- H. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.

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- I. The building setback line should be deleted from the Reserve.
- J. The dimension along the front property line should be verified as it does not correspond with City of Wichita information.
- K. A Protective Overlay Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved Protective Overlay and its special conditions for development on this property.
- L. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations. The Subdivision Regulations state that the maximum depth of all non-residential lots shall not exceed three times the width.
- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- N. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- O. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- P. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- Q. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- R. The applicant is advised that various State and Federal requirements specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- S. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.

- T. Perimeter closure computations shall be submitted with the final plat tracing.
- U. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- V. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- W. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.

If this plat requires the guaranteeing of improvements, a list of the five (5) methods that have been adopted as being acceptable is available in the Planning Department. Also available, are Certificates that are required if petitions are submitted, bond forms and Irrevocable Letter of Credit forms.

This case will be forwarded to the Planning Commission for consideration on Thursday, April 8, 2004. The meeting will begin at 12:30 p.m., in the Metropolitan Area Planning Conference Room - 10th Floor, 455 N. Main Street, Wichita, KS.

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

If you have any questions regarding this plat, please call.



Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Enclosure

Copies to: Rita Neville, Neville Family Trust III, 9625 W. Maple, Wichita, KS 67209
William Berens, 381 Limuel Ct., Wichita, KS 67235
Kevin Holman, Sedgwick County Fire Department
Jim Armour, Acting City Engineer, Department of Engineering
Jim Weber, Deputy Director, Sedgwick County Department, Bureau of Public Works



Wichita-Sedgwick County Metropolitan Area Planning Department

April 8, 2004

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

RE: SUB 2004-29 -- One-Step Final Plat of Auburn Hills Commercial Third Addition

At the regular meeting of the Metropolitan Area Planning Commission on April 8, 2004, the above captioned plat was considered. The action of the Planning Commission was to approve the plat as recommended by the Subdivision Committee, subject to the conditions stated in our letter dated April 2, 2004.

The following items must be submitted to the Metropolitan Area Planning Department before the plat is scheduled for the City Council and/or County Commission's consideration:

1. A completed and signed tracing of the subdivision, along with five (5) copies. Also, if a change is required on the tracing after submittal, five (5) revised copies must be submitted;
2. A check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting (\$8.00 for the first page; \$4.00 for each additional page), if the site is located within the City of Wichita's city limits, OR, in the County within three miles of Wichita's city limits; and,
3. A disk, which will be used by the City and County GIS Departments, detailing the final plat in digital format in Autocad.

If you have any questions regarding this plat, please call.

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Copies to: Rita Neville, Neville Family Trust III, 9625 W. Maple, Wichita, KS 67209
William Berens, 381 Limuel Ct., Wichita, KS 67235
Kevin Holman, Sedgwick County Fire Department
Jim Armour, Acting City Engineer, Department of Engineering
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STAFF REPORT
(One-Step Final Plat Approved 4/1/04)

CASE NUMBER: SUB 2004-29 -- AUBURN HILLS COMMERCIAL THIRD ADDITION

OWNER/APPLICANT: Neville Family Trust III, Attn: Rita Neville, 9625 W. Maple, Wichita, KS 67209

SURVEYOR/ENGINEER: Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: East of 135th St. West, South side of Maple Street

SITE SIZE: 4.82 Acres

NUMBER OF LOTS

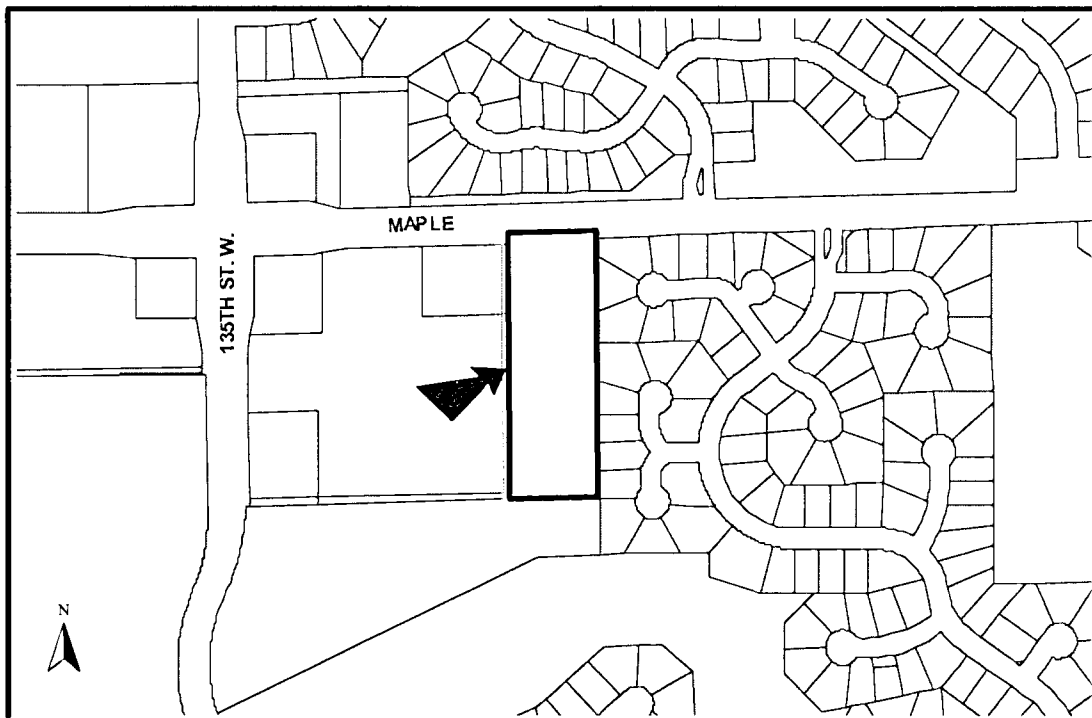
Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	1

MINIMUM LOT AREA: 3.3 Acres

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: NR, Neighborhood Retail

VICINITY MAP



SUB 2004-29 -- One-Step Final Plat of AUBURN HILLS COMMERCIAL THIRD ADDITION
April 8, 2004 - Page 2

NOTE: This is an unplatted site located within the City. The site has been approved for a zone change (ZON 2003-59) from SF-5, Single-Family Residential to NR, Neighborhood Retail. A Protective Overlay (P-O #130) was also approved for this site addressing setbacks, signage, sidewalks, access, lighting, screening, landscaping, permitted uses and architectural design.

STAFF COMMENTS:

- A. Municipal services are available to serve the site.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. **City Engineering** needs to comment on the status of the applicant's drainage plan. *The drainage plan is approved.*
- D. The plat proposes one access opening along the west property line. *The access controls are approved. A joint access agreement with the property to the west is needed. An off-site dedication of complete access control is needed from the property to the west.*
- E. **Traffic Engineering** has requested a petition for traffic improvements to Maple including a modification to the central medial and accel/decel lanes.
- F. The joint access opening shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- G. Provisions shall be made for ownership and maintenance of the proposed reserves. A covenant shall be submitted regarding ownership and maintenance responsibilities.
- H. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- I. The building setback line should be deleted from the Reserve.
- J. The dimension along the front property line should be verified as it does not correspond with City of Wichita information.
- K. A Protective Overlay Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved Protective Overlay and its special conditions for development on this property.
- L. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations. The Subdivision Regulations state that the maximum depth of all non-residential lots shall not exceed three times the width.
- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.

SUB 2004-29 -- One-Step Final Plat of AUBURN HILLS COMMERCIAL THIRD ADDITION
April 8, 2004 - Page 3

- N. The platlor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- O. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- P. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- Q. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- R. The applicant is advised that various State and Federal requirements specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- S. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- U. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- V. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- W. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.

SUB 2003-122 -- One-Step Final Plat of AUBURN HILLS 15TH ADDITION
November 6, 2003 - Page 4

67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

- V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Y. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. **Westar Energy requests additional easements.**
- Z. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.