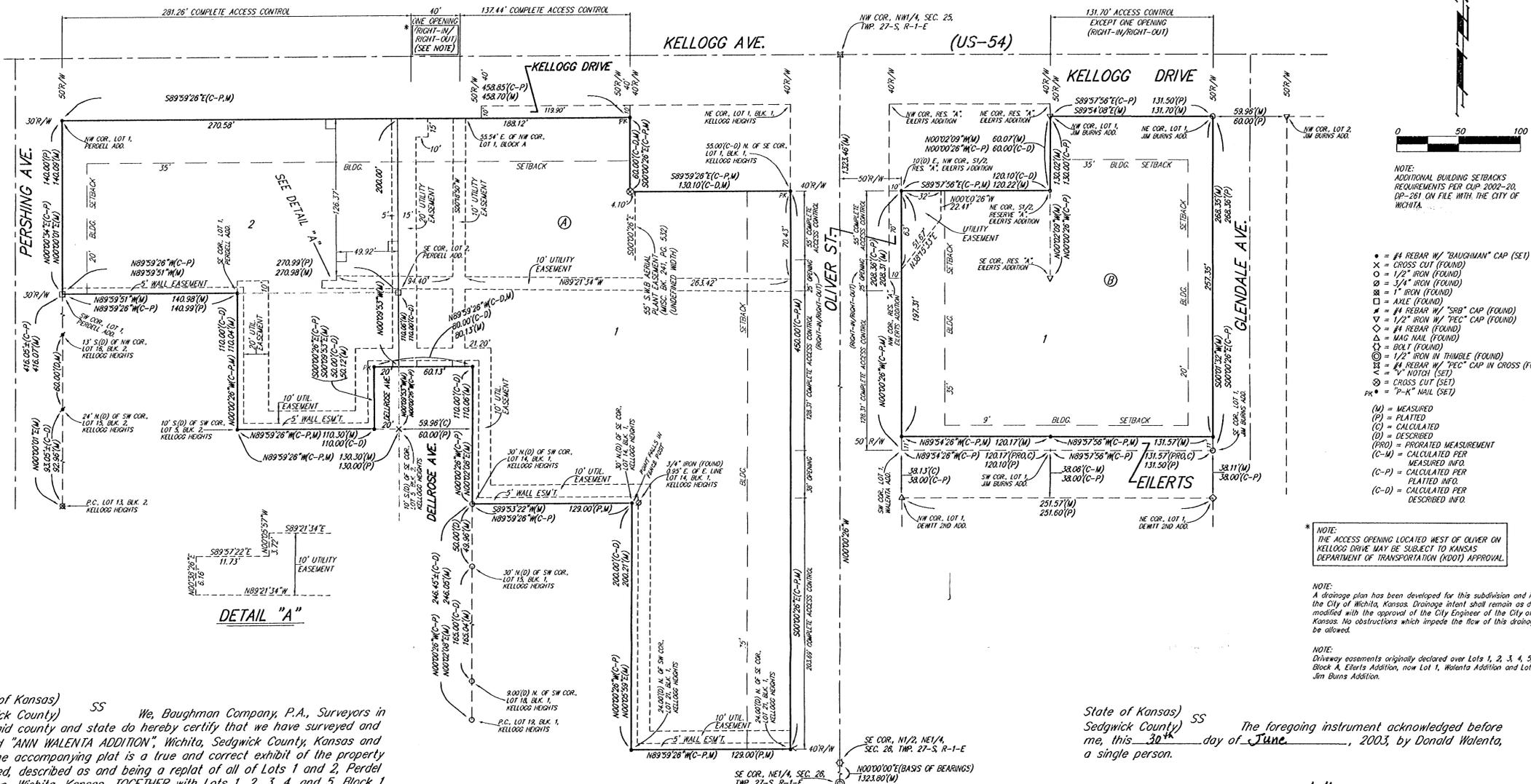


ANN WALENTA ADDITION WICHITA, SEDGWICK COUNTY, KANSAS

Final tracing received 7-7-03



DETAIL "A"

We the undersigned holders of mortgages on the above described property, do hereby consent to this plat of "ANN WALENTA ADDITION", Wichita, Sedgwick County, Kansas.
Emprise Bank
Randy S. Brubaker, S.V.P.
Randy S. Brubaker

State of Kansas) SS The foregoing instrument acknowledged before me, this 30th day of June, 2003, by Randy S. Brubaker, Sr. Vice President of Emprise Bank, on behalf of the bank.

SUSAN K. MONETTE, Notary Public - State of Kansas
My App'l. Exp. 11-9-03
Susan K. Monette, Notary Public

This plat of "ANN WALENTA 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 _____, 2003.
Wichita-Sedgwick County Metropolitan Area Planning Commission

Bernard A. Hentzen, Chair
Dale Miller, Secretary

This plat approved and all dedications shown hereon accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 2003.

Carlos Mayans, Mayor
Pat Graves, City Clerk

State of Kansas) SS We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we have surveyed and platted "ANN WALENTA ADDITION", Wichita, Sedgwick County, Kansas and that the accompanying plat is a true and correct exhibit of the property surveyed, described as and being a replat of all of Lots 1 and 2, Perdel Addition, Wichita, Kansas, TOGETHER with Lots 1, 2, 3, 4, and 5, Block 1, Kellogg Heights Addition to Wichita, Kansas, except the north 70.00 feet thereof, TOGETHER with Lot 6 in said Block 1, except the east 5.10 feet of the north 70.00 feet thereof, TOGETHER with all of Lots 7, 8, 9, 10, 11, 12, 13, and the north 20.00 feet of Lot 14, together with the north 23.00 feet of Lot 21, and all of Lots 22, 23, 24, 25, 26, 27, and 28, all in Block 1, Kellogg Heights Addition to Wichita, Kansas, TOGETHER with all of Lot 4, Lot 5, except the east 20.00 feet of the south 40.00 feet thereof, and the north 10.00 feet of Lot 6, except the east 20.00 feet thereof, all in Block 2, in said Kellogg Heights Addition, TOGETHER with that part of Highland Lane as dedicated in said Kellogg Heights Addition lying west of the west right-of-way line of Oliver Ave. as dedicated in said Kellogg Heights Addition and lying east of the east right-of-way line of Delrose Ave. as dedicated in said Kellogg Heights Addition, TOGETHER with that part of Delrose Ave. as dedicated in said Kellogg Heights Addition lying north of the following described line: Commencing at the NE corner of Lot 5, Block 2, in said Kellogg Heights Addition; thence southerly along the east line of said Lot 5, 10.00 feet for a point of beginning; thence easterly parallel with the extended north line of said Lot 5, 60.00 feet, to a point on the east right-of-way line of said Delrose Ave., and there ending, TOGETHER with all of Lot 1, Jim Burns Addition to Wichita, Kansas, TOGETHER with all of Lot 1, Walenta Addition, Wichita, Sedgwick County, Kansas, TOGETHER the south half of Reserve "A", Eilers Addition to Wichita, Sedgwick County, Kansas, except the west 10.00 feet thereof.

Existing public easements and dedications being vacated by virtue of K.S.A. 12-512(b). All being situated in the NW1/4 of Sec. 25 and in the NE1/4 of Sec. 26, Twp. 27-S, R-1-E of the 6th P.M., Sedgwick County, Kansas.
Baughman Company, P.A.

Know all men by these presents that we, the undersigned, have caused the land in the surveyors certificate to be platted into Lots, Blocks, and Streets, to be known as "ANN WALENTA ADDITION", Wichita, Sedgwick County, Kansas. The utility easements are hereby granted as indicated 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 streets are hereby dedicated to and for the use of the public. Access controls shall be as depicted on the face of the plat and are hereby granted to the City of Wichita, Kansas, except that part, as noted, that may require Kansas Department of Transportation approval. The permitted opening location to Kellogg Drive over and across the north line of Lot 1, Block B, shall be as determined by the City Engineer of the City of Wichita, Kansas.

Donald Walenta
Donald Walenta, Member
S.J. RAM, LC, a Kansas limited liability company
Donald Walenta, Member
City of Wichita, Kansas, a municipal corporation
Carlos Mayans, Mayor
Pat Graves, City Clerk

State of Kansas) SS The foregoing instrument acknowledged before me, this 30th day of June, 2003, by Donald Walenta, a single person.

SUSAN K. MONETTE, Notary Public
My App'l. Exp. 11-9-03

State of Kansas) SS The foregoing instrument acknowledged before me, this 30th day of June, 2003, by Donald Walenta, Member of South Oliver, LLC, on behalf of the limited liability company.

SUSAN K. MONETTE, Notary Public
My App'l. Exp. 11-9-03

State of Kansas) SS The foregoing instrument acknowledged before me, this 30th day of June, 2003, by Donald Walenta, Managing Member of S.J. RAM, LC, a Kansas limited liability company, on behalf of the limited liability company.

SUSAN K. MONETTE, Notary Public
My App'l. Exp. 11-9-03

State of Kansas) SS The foregoing instrument acknowledged before me, this _____ day of _____, 2003, by Carlos Mayans, Mayor of the City of Wichita, Kansas, a municipal corporation, on behalf of the corporation.

Notary Public
My App'l. Exp. _____

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2003.

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

Entered on transfer record this _____ day of _____, 2003.

Don Brace, County Clerk

State of Kansas) SS This is to certify that this plat has been filed for record in the office of the Register of Deeds, this _____ day of _____, 2003 at _____ o'clock _____ M.; and is duly recorded.

Bill Meek, Register of Deeds
Linda Kizzire, Deputy

Michael G. Conroy, Surveyor
Michael G. Conroy



Wichita-Sedgwick County Metropolitan Area Planning Department

March 6, 2003

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

RE: SUB 2002-134 -- Final Plat of Ann Walenta Addition

At the regular meeting of the Metropolitan Area Planning Commission on March 6, 2003, 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 February 28, 2003, in addition, Item "K" shall be revised to read:

"The Applicant shall dedicate 11 feet of additional right-of-way. A decrease in setback shall be platted."

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.

A handwritten signature in black ink, appearing to read 'Neil Evan Strahl'.

Neil Evan Strahl, Senior Planner
Current Plans Division

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

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Wichita-Sedgwick County Metropolitan Area Planning Department

February 28, 2003

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

RE: SUB 2002-134 -- Final Plat of Ann Walenta Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, February 27, 2003, the above captioned plat was considered. The action of the Committee was to approve the final plat, subject to the following staff comments:

- A. Municipal services are available to serve the site.
- B. A temporary easement by separate instrument should be submitted to cover the existing sewer line to be abandoned unless the sewer line is abandoned before the plat is recorded.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage plan. **The drainage plan is approved.**
- E. In accordance with the CUP approval, a guarantee shall be provided for a continuous decel lane on the west side of Oliver from Kellogg off-ramp south to the full movement entrance and a decel lane on east side of Oliver from Eilerts Street to the right-in/right-out access point.
- F. The plat proposes two access openings along the west side of Oliver and one opening along the east side of Oliver in accordance with the CUP approval. A guarantee is required for construction of two channelized rights-in/out openings for the northernmost openings.
- G. **The Subdivision Committee approved both openings along Kellogg Drive, with the easterly opening limited to rights-in/out only. The face of the plat shall include language denoting that the opening along Kellogg Drive west of Oliver is subject to KDOT approval.**
- H. In accordance with the CUP approval, a cross-lot circulation agreement is needed to assure internal vehicular movement between the lots.

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- I. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings.
- J. Since the vacation of Dellrose Ave has created an off-site stub, a guarantee shall be provided for a hammerhead turnaround for the terminus of Dellrose.
- K. **City Engineering** has requested 11 feet of additional right-of-way along Eilerts. **The Subdivision Committee did not approve this additional right-of-way.**
- L. A note shall be placed on the final plat, indicating that this Addition is subject to the conditions of the Oliver Retail Center Community Unit Plan (CUP 2002-20, DP-261).
- M. Based upon the platting binder, property taxes are still outstanding. Before the plat is scheduled for City Council consideration, proof shall be provided indicating that all applicable property taxes have been paid.
- 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 be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- 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 disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. 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, March 6, 2003, at 1:30 p.m.

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: Marked Copy of Plat

Copies to: Don Walenta, South Oliver, LLC, 4601 E. Kellogg, Wichita, KS 67218
John Philbrick, Property Management, 455 N. Main Street - 13th Floor, Wichita, KS 67202
Kevin Holman, Sedgwick County Fire Department
Neil Cable, City Engineer, Department of Engineering
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau of Public Services

STAFF REPORT

(Final Plat Approved 2/27/03; Preliminary Plat Approved 12/12/02)

CASE NUMBER: SUB 2002-134 -- ANN WALENTA ADDITION

OWNER/APPLICANT: South Oliver LLC, Attn: Don Walenta, 4601 E. Kellogg, Wichita, KS 67218; City of Wichita Property Management, Attn: John Philbrick, 455 N. Main, Wichita, KS 67202

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

LOCATION: Southeast and southwest corner of Kellogg and Oliver

SITE SIZE: 5.5 acres

NUMBER OF LOTS

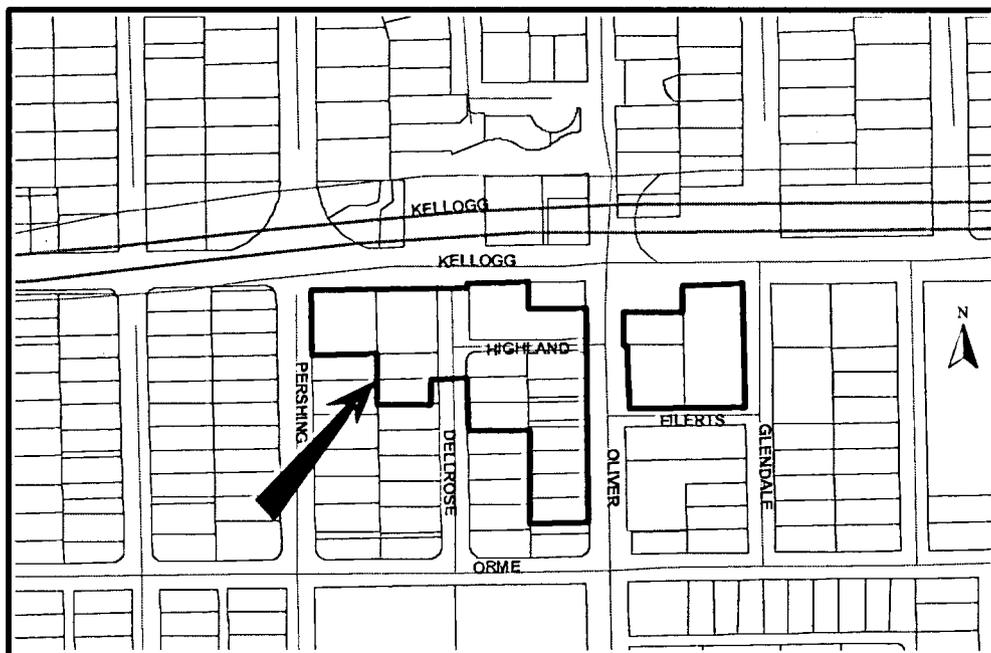
Residential:	
Office:	
Commercial:	3
Industrial:	—
Total:	3

MINIMUM LOT AREA: 1.17 acres

CURRENT ZONING: LC, Limited Commercial; MF-29, Multi-Family Residential

PROPOSED ZONING: LC, Limited Commercial

VICINITY MAP



SUB 2002-134 -- Final Plat of ANN WALENTA ADDITION
March 6, 2003 - Page 2

NOTE: This replat includes the vacation of an east-west alley (Highland Lane), and a north-south street (Dellrose Ave). The site has been approved for a zone change (ZON 2002-26) from LC, Limited Commercial and MF-29, Multi-Family Residential to LC, Limited Commercial. The site is also subject to the Oliver Retail Center Community Unit Plan (CUP 2002-20, DP-261).

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. Municipal services are available to serve the site.
- B. A temporary easement by separate instrument should be submitted to cover the existing sewer line to be abandoned unless the sewer line is abandoned before the plat is recorded.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **City Engineering** needs to comment on the status of the applicant's drainage plan. **The drainage plan is approved.**
- E. In accordance with the CUP approval, a guarantee shall be provided for a continuous decel lane on the west side of Oliver from Kellogg off-ramp south to the full movement entrance and a decel lane on east side of Oliver from Eilerts Street to the right-in/right-out access point.
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- I. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings.
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SUB 2002-134 -- Final Plat of ANN WALENTA ADDITION

March 6, 2003 - Page 3

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