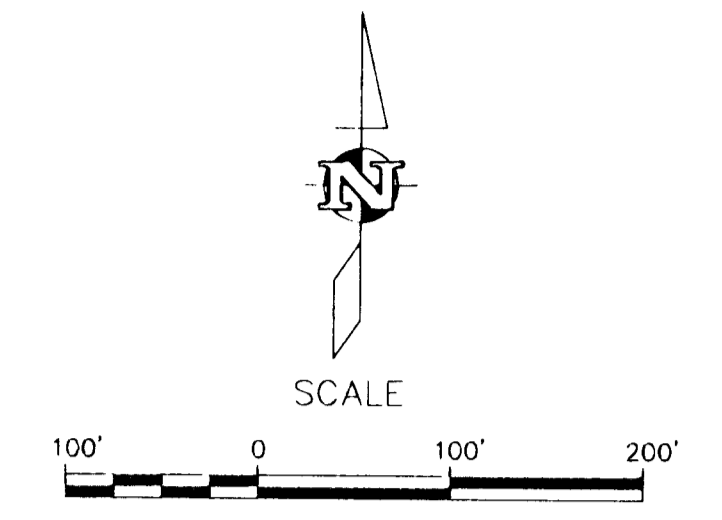
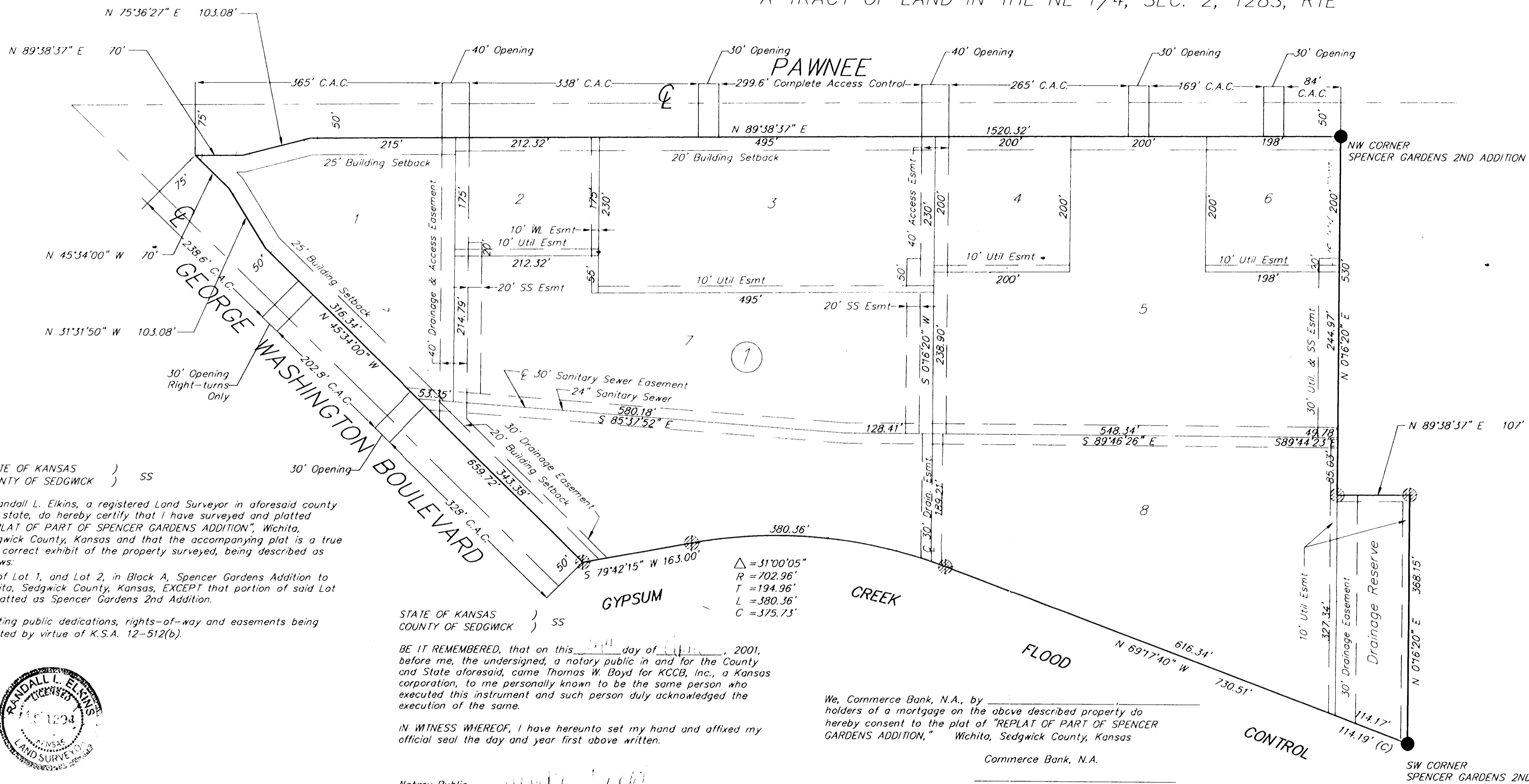


REPLAT OF PART OF SPENCER GARDENS ADDITION WICHITA, SEDGWICK COUNTY, KANSAS

A TRACT OF LAND IN THE NE 1/4, SEC. 2, T28S, R1E

find tracing
5-14-01

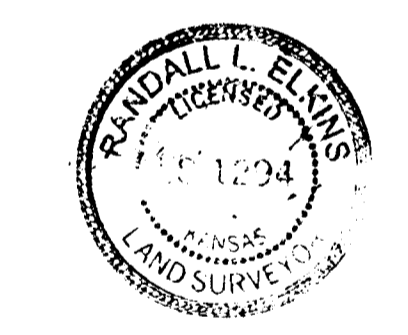


- LEGEND**
- 3/4" Iron Pipe (found)
 - 5/8" Rebar (found)
 - 5/8" Rebar (set) AMPA CLS #104
 - C.A.C. Complete Access Control

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

I, Randall L. Elkins, a registered Land Surveyor in aforesaid county and state, do hereby certify that I have surveyed and platted "REPLAT OF PART OF SPENCER GARDENS ADDITION", Wichita, Sedgwick County, Kansas and that the accompanying plat is a true and correct exhibit of the property surveyed, being described as follows:
All of Lot 1, and Lot 2, in Block A, Spencer Gardens Addition to Wichita, Sedgwick County, Kansas, EXCEPT that portion of said Lot 2 platted as Spencer Gardens 2nd Addition.

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



Randall L. Elkins, LS #1294

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

Know all men by these presents, that we, the undersigned, have caused the land described in the surveyor's certificate to be platted into a Lots and a Block, to be known as "REPLAT OF PART OF SPENCER GARDENS ADDITION", Wichita, Sedgwick County, Kansas. The access controls are hereby granted to the appropriate governing body as shown hereon. Drainage easements and sanitary sewer easements are hereby dedicated to the public for the purpose of operating, maintaining, constructing and repairing public improvements. The land contained herein is held and shall be conveyed subject to any restrictions, reservations, and covenants on file or hereafter filed in the office of the Register of Deeds of Sedgwick County, Kansas.

A drainage plan has been developed for the plat. 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.

Date 4/24/2001

Thomas W. Boyd
Thomas W. Boyd, President
KCCB, Inc., a Kansas corporation

Michael J. Boyd
Michael J. Boyd, Treasurer/Secretary
KCCB, Inc., a Kansas corporation

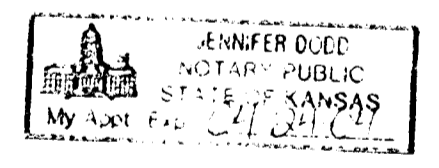
STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

BE IT REMEMBERED, that on this 21st day of April, 2001, before me, the undersigned, a notary public in and for the County and State aforesaid, came Thomas W. Boyd for KCCB, Inc., a Kansas corporation, to me personally known to be the same person who executed this instrument and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public Jennifer Dued

My appointment expires: 04-21-04



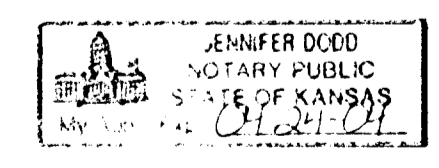
STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

BE IT REMEMBERED, that on this 21st day of April, 2001, before me, the undersigned, a notary public in and for the County and State aforesaid, came Commerce Bank, N.A., for and on behalf of said company, to me personally known to be the same person who executed this instrument and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public Jennifer Dued

My appointment expires: 04-21-04



Reviewed in accordance with K.S.A. 58-2005 on this _____

day of _____, 2001.

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

We, Commerce Bank, N.A., by holders of a mortgage on the above described property do hereby consent to the plat of "REPLAT OF PART OF SPENCER GARDENS ADDITION", Wichita, Sedgwick County, Kansas

Commerce Bank, N.A.

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

BE IT REMEMBERED, that on this _____ day of _____, 2000, before me, the undersigned, a notary public in and for the County and State aforesaid, came _____, Commerce Bank, N.A., for and on behalf of said company, to me personally known to be the same person who executed this instrument and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public _____

My appointment expires: _____

STATE OF KANSAS)
CITY OF WICHITA) SS

This plat of "REPLAT OF PART OF SPENCER GARDENS 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 _____, 2001.
Wichita-Sedgwick County Metropolitan Area Planning Commission

Jerry Michaels
Jerry Michaels, Acting Chair

Marvin S. Krout
Marvin S. Krout, Secretary

STATE OF KANSAS)
CITY OF WICHITA) SS

This plat approved and all dedication shown hereon accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 2001. At the Direction of the City Council.

Chris Cherches, City Manager

Pat Burnett, City Clerk

Entered on transfer record this _____ day of _____, 2001.

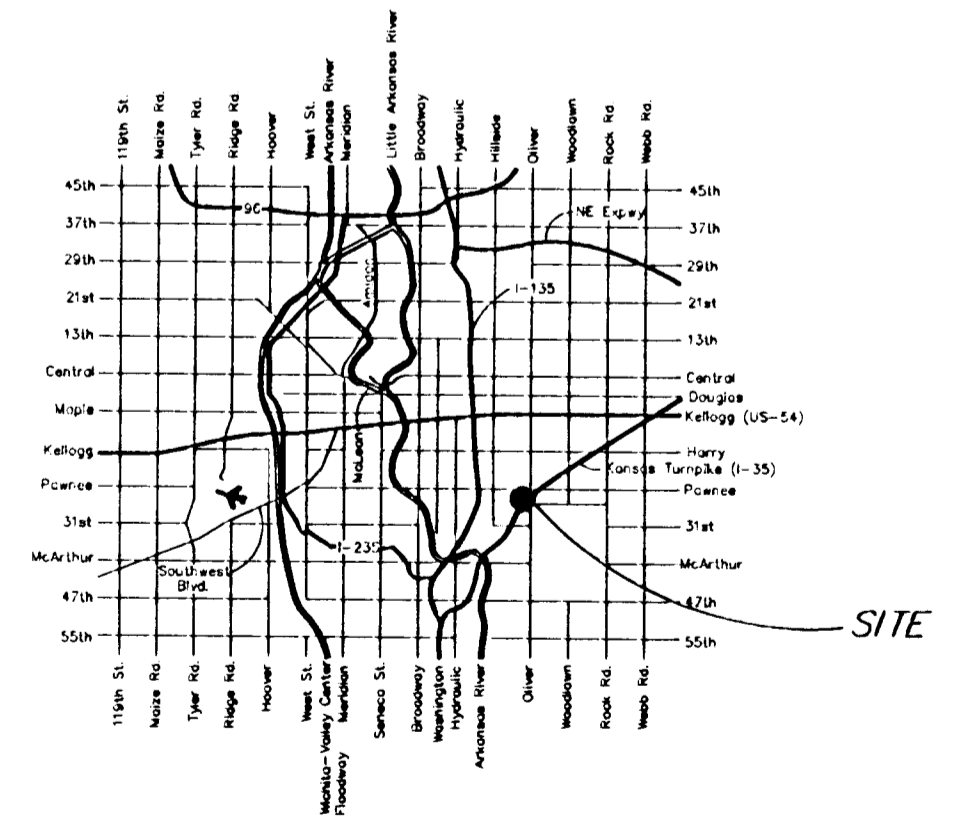
Don Brace, County Clerk

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

This is to certify that this instrument was filed for record in the Register of Deeds Office, at _____ on the _____ day of _____, 2001, and is duly recorded.

Bill Meek, Register of Deeds

Linda Kizzire, Deputy



LOCATION MAP

NOTE:
1. This property is subject to the restrictions of Community Unit Plan D.P.-93, on file with the Metropolitan Area Planning Dept.

AUSTIN MILLER P.A.
ENGINEERING SERVICES
355 N. Wood, Suite 200 Wichita, KS 67202
316/262-1281 fax: 316/262-5773



Wichita-Sedgwick County Metropolitan Area Planning Department

February 22, 2001

Austin Miller, P.A.
255 N. Waco, Ste. 200
Wichita, KS 67202

RE: SUB 2000-122 -- One-Step Final Plat of the REPLAT OF PART OF SPENCER GARDENS
ADDITION

At the regular meeting of the Metropolitan Area Planning Commission on February 22, 2001, 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 February 16, 2001.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council and/or County Commission for consideration:

1. Submission of the fully completed and signed tracing of the subdivision, along with four (4) copies, to the Metropolitan Area Planning Department.
2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.
3. Subdivision regulations now require a detailed Lot Grading Plan be submitted to Engineering prior to the tracing being released. This applies to all multi-lot, residential developments.
4. Submission of a disk to the Planning Department detailing the final plat in digital format in Autocad. This will be used by the City and County GIS Departments.

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

A handwritten signature in cursive script that reads 'Neil Evan Strahl'.

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

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

T 316.268.4421 F 316.268.4390

www.wichitagov.org



Wichita-Sedgwick County Metropolitan Area Planning Department

February 16, 2001

Austin Miller, P.A.
255 N. Waco, Ste. 200
Wichita, KS 67202

RE: SUB 2000-122 -- One-Step Final Plat of the REPLAT OF PART OF SPENCER GARDENS
ADDITION

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, February 15, 2001, the above captioned plat was considered. The action of the Committee was to approve the final plat, subject to the following:

STAFF COMMENTS:

- A. City Engineering needs to comment on the need for any guarantees or easements. *A petition for the extension of sanitary sewer and municipal water services is required.*
- 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. A drainage guarantee is required. A minimum pad needs to be denoted for Lot 8.*
- D. City Engineering requires a temporary easement to cover the stormwater sewer line located on Lot 1 in addition to a guarantee for relocation.
- E. The plat conforms with the CUP approval which permitted five access openings on Pawnee. Along George Washington Boulevard, the plat indicates two openings in accordance with the CUP; however the plat shall denote that the northern opening is limited to right-turns only. Distances should be shown for all segments of access control.
- F. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.

- G. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the appropriate governing body, 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.
- H. 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.
- I. A cross-lot circulation agreement should be provided to assure access between the lots.
- J. The access easements between Lots 1 and 2 and between Lots 3 and 4 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.
- K. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- L. In accordance with the CUP, the following street improvements are required: a) The Applicant shall guarantee one-half the cost of adding a continuous center left-turn lane on Pawnee from George Washington Boulevard to the existing five-lane section west of Oliver, b) The Applicant shall provide a continuous accel/decel lane along the south side of Pawnee.
- M. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP (referenced as DP-93, Amendment #1) and its special conditions for development on this property.
- N. The following lot dimensions are needed: a) west line of Lot 8, b) southwest corner of Lot 8, c) east and south lines of Lot 7, and d) east line of Lot 5.
- O. Lot 8 exceeds the maximum lot width to lot depth ratio of 3 to 1. A modification will need to be approved.
- P. County Surveying advises that the basis of bearings needs to be shown.
- Q. The plattor'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.
- R. 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.)
- S. 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.


- T. 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. 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.
- V. 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.
- 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. *KGE has requested additional utility easements.*
- Z. 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 methods which have been adopted as being acceptable is available through the Planning Department. Certificates, which are required if petitions are submitted, and forms for the bond and Irrevocable Letter of Credit are also available from this office.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, February 22, 2001, at 12:00 p.m.

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



Neil Evan Strahl, Senior Planner
Current Plans Division

STAFF REPORT

(Revised One-Step Final Plat Approved 2/15/01; Deferred 1/11/01)

CASE NUMBER: SUB 2000-122 -- REPLAT OF PART OF SPENCER GARDENS ADDITION

OWNER/APPLICANT: KCBB, Inc., 128 S. Dellrose, Wichita, KS 67218

SURVEYOR/ENGINEER: Austin Miller, P.A., 355 N. Waco, Suite 200, Wichita, KS 67202

LOCATION: South of Pawnee, west of Oliver

SITE SIZE: 22.6 Acres

NUMBER OF LOTS

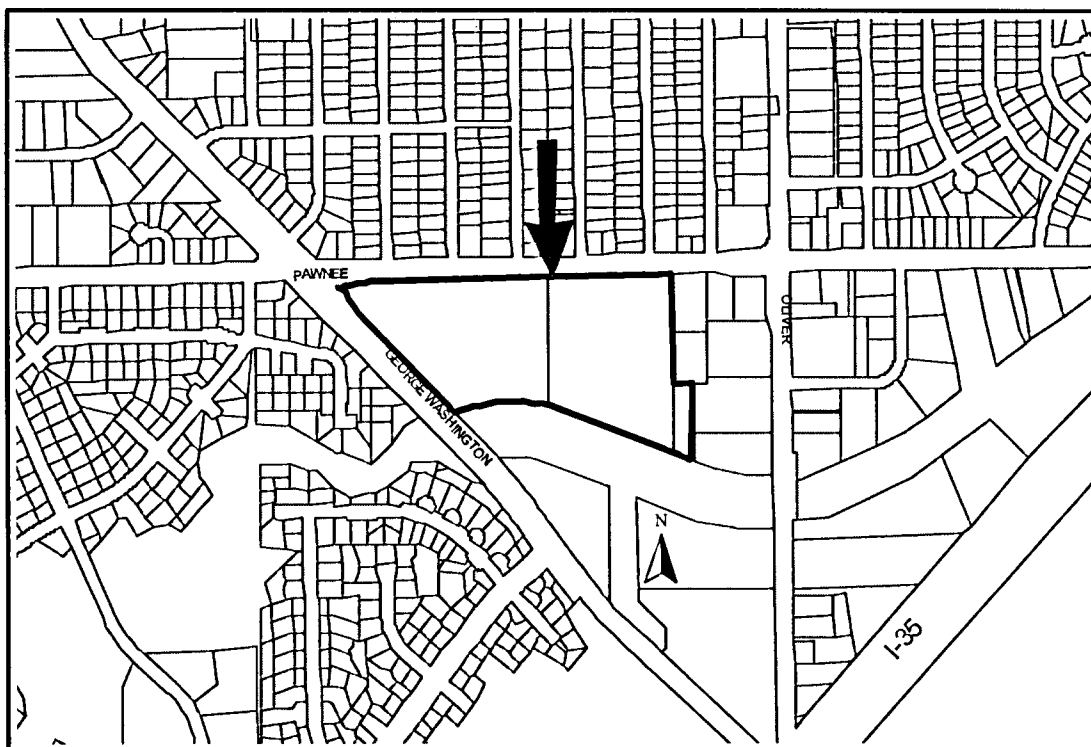
Residential:	
Office:	
Commercial:	7
Industrial:	1
Total:	8

MINIMUM LOT AREA: 37,156 Sq. Ft.

CURRENT ZONING: LC, Limited Commercial; GC, General Commercial; LI, Limited Industrial

PROPOSED ZONING: Same

VICINITY MAP



Note: This is a replat of a portion of Spencer Gardens Addition. This site has been approved for a zone change (ZON 2000-60) from MF-29, Multi-Family Residential to LC, Limited Commercial, GC, General Commercial, and LI, Limited Industrial. An amendment to the Spencer Gardens Residential CUP (CUP 2000-50, DP-93, Amendment #1) was also approved.

STAFF COMMENTS:

- A. **City Engineering** needs to comment on the need for any guarantees or easements. *A petition for the extension of sanitary sewer and municipal water services is required.*
- 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. A drainage guarantee is required. A minimum pad needs to be denoted for Lot 8.*
- D. **City Engineering** requires a temporary easement to cover the stormwater sewer line located on Lot 1 in addition to a guarantee for relocation.
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- G. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the appropriate governing body, 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.
- H. 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.
- I. A cross-lot circulation agreement should be provided to assure access between the lots.
- J. The access easements between Lots 1 and 2 and between Lots 3 and 4 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.
- K. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

- L. In accordance with the CUP, the following street improvements are required: a) The Applicant shall guarantee one-half the cost of adding a continuous center left-turn lane on Pawnee from George Washington Boulevard to the existing five-lane section west of Oliver, b) The Applicant shall provide a continuous accel/decel lane along the south side of Pawnee.
- M. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP (referenced as DP-93, Amendment #1) and its special conditions for development on this property.
- N. The following lot dimensions are needed: a) west line of Lot 8, b) southwest corner of Lot 8, c) east and south lines of Lot 7, and d) east line of Lot 5.
- O. Lot 8 exceeds the maximum lot width to lot depth ratio of 3 to 1. A modification will need to be approved.
- P. County Surveying advises that the basis of bearings needs to be shown.
- Q. The plat'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.
- R. 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.)
- S. 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.
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- V. 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.
- 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.

**SUB 2000-122 – Revised One Step Final Plat of REPLAT OF PART OF SPENCER GARDENS ADDITION
February 22, 2001 - Page 4**

- 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. *KGE has requested additional utility easements.*

- Z. 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.