

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

March 3, 1988

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road #800
Wichita, KS 67226

Re: Final Plat S/D 87-121 - KILLARNEY PLAZA 2ND ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on March 3, 1988, 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 25, 1988.

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 for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
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 platfor.
3. Certification that all real estate taxes for 1987 and all prior years have been paid.

Please call if you have any questions.

Sincerely, .

Donald Losew
Junior Planner

DL:dlk

cc: Killarney Investments/Devlin Joint Venture,
575 Fourth Financial Center, Wichita, KS 67202
Bill Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220

FILE COPY

KILLARNEY PLAZA SECOND ADDITION

FINAL PLAT

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

THIS PLAT APPROVED BY THE SUBDIVISION
COMMITTEE ON 2/25/88 SUBJECT
TO THE CONDITIONS OF APPROVAL OUTLIN-
ED IN OUR LETTER DATED 2/25/88

OFFICE COPY
DO NOT REMOVE

I, Kenneth H. Bengtson, a Civil Engineer in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "KILLANEY PLAZA SECOND ADDITION" an addition to Wichita, Sedgwick County, Kansas, into a Lots, Blocks, and Streets, the same being accurately set forth in the accompanying plat and described herein:

A tract of land lying in the Northeast Quarter, Section 31, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter; thence S 89° 03' 14" N, 115.00 feet along the South line of said Northeast Quarter to the point of beginning; thence continuing along the said South line S 89° 03' 14" N, 188.11 feet; thence N 85° 57' 56" W, 806.86 feet; thence N 80° 02' 29" W, 1062.08 feet; thence N 80° 58' 20" W, 203.56 feet to a point on a curve to the right; thence along said curve 105.18 feet, said curve having a central angle of 17° 09' 54", a radius of 351.00 feet, and a long chord of 184.76 feet, bearing S 80° 26' 43" W; thence S 89° 01' 40" W, 421.41 feet; thence N 00° 58' 20" W, 66.00 feet; thence N 89° 01' 40" E, 421.41 feet to a point on a curve to the left; thence along said curve 223.68 feet, said curve having a central angle of 44° 58' 03", a radius of 286.00 feet, and a long chord of 217.98 feet, bearing N 66° 32' 39" E; thence N 44° 03' 37" E, 269.61 feet to a point on a curve to the left; thence along said curve 223.84 feet, said curve having a central angle of 45° 00' 00", a radius of 286.00 feet, and a long chord of 218.13 feet, bearing N 21° 33' 37" E; thence N 00° 56' 23" W, 315.00 feet to a point on a curve to the right; thence along said curve 251.02 feet, said curve having a central angle of 49° 56' 23", a radius of 286.00 feet, and a long chord of 243.15 feet, bearing N 24 01' 49" E; thence N 49° 00' 00" E, 280.00 feet to a point on the West line of Inwood (street) as platted in 37TH ROCK ADDITION, an addition to Wichita, Sedgewick County, Kansas; thence S 21° 00' 00" E, 280.00 feet along the said West line to a point on the South line of 36th Street North as platted in said 37TH ROCK ADDITION said point also being the Southern most point in said 37TH ROCK ADDITION; thence N 49° 00' 00" E, 176.00 feet along the South line of said 36th Street North to a point on a curve to the right; thence along said South line of 36th Street North and said curve 145.26 feet, said curve having a central angle of 40° 18' 12", a radius of 206.50 feet, and a long chord of 142.28 feet, bearing N 69° 09' 06" E; thence N 89° 18' 12" E, 475.45 feet along South line of 36th Street North to the Southeast corner of said 37TH ROCK ADDITION; thence S 01° 05' 20" E, 2.00 feet to the Northwest corner of Lot 3, Block 2 of COMOTARA OFFICE CENTER, an addition to Wichita, Sedgewick County, Kansas, said point also lying on the South line of 36th Street North as platted in said COMOTARA OFFICE CENTER; thence N 89° 18' 12" E, 610.01 feet along said South line of 36th Street North to a point lying 60.00 feet West of the East line of said Northeast Quarter said point also being the Northeast corner of said Lot 3, Block 2; thence S 01° 05' 20" E, 1445.47 feet along the East line of said COMOTARA OFFICE CENTER; thence continuing along the said East line of said addition, S 01° 46' 25" W, 100.12 feet; thence continuing along the said East line of said addition, S 01° 05' 20" E, 225.00 feet; thence S 43° 58' 57" W, 70.62 feet to the point of beginning.

All lots, blocks, streets, access control, platted easements, and building setbacks within the above described property are hereby vacated and replatted by virtue of K.S.A. 12-512(b).

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this _____ day of _____, 1988.

Kenneth W. Bengtson, P.E.
Mid-Kansas Engineering Consultants, P.A.
3500 W. Rock Road, Building #800

Know all men by these presents that we the undersigned property owners of the land as above set forth in the Land Surveyor's Certificate, have caused the same to be surveyed and platted into lots, blocks, streets the same to be known as "KILLARNEY PLAZA SECOND ADDITION" an addition to Wichita, Sedgewick County, Kansas. The streets are hereby dedicated to and for the use of the public. Easements for the construction and maintenance of drainage and public utilities are hereby granted. The 5' wall easement is dedicated for the construction and maintenance of a wall. The floodway shall be the responsibility of the owners until such time as a governing body exercising jurisdiction elects to assume the responsibility for the maintenance and improvement of the drainage, provided further, that no structure shall be constructed on or within said floodway, nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of the City Engineer. Minimum pad for Lots 3, 4, and 6 through 11 are as indicated on the face of the plat. All abutters rights of access to or from the West line of KILLARNEY PLAZA SECOND ADDITION, are hereby dedicated to the City of Wichita, provided however that Lots 5 and 9, Block 1 shall have access to Rock Road at two locations each, Lots 6, 7, and 8, Block 1 and Lots 2 and 3, Block 2 shall have access at one location each. All access locations shall be determined by the City Engineer.

NORTHROCK REALITY PARTNERS

By: James H. Hazelton Jr., Secretary
KILLARNEY INVESTMENTS, INC.
general partner

STATE OF KANSAS

SEDGWICK COUNTY

Be it remembered that on this _____ day of _____, 1988, before me a Notary Public in and for said State and County, came James H. Hazelton, Jr. Secretary of Killarney Investments, Inc. general partner to Northrock Realty Partner, to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My Appointment Expires:

This plat of "KILLARNEY PLAZA SECOND ADDITION" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this day of , 1988.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

Elton S. Parsons, Chairman

_____, Secretary
~~Michael E. Lindelak~~
Marvin S. Krout

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas, this ____ day of ____ 1988.

Robert G. Knight, Mayor

Dale E. Rea Deputy City Clerk

Entered on transfer record this day of , 1988.

_____, County Clerk
Don Wright

STATE OF KANSAS) SS:
SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the
Register of Deeds office this day of , 1988.

Pat Kettler, Register of Deeds

_____, Deputy
Ed Resa

Kenneth W. Bengtson, P.E.
Mid-Kansas Engineering Consultants, P.A.
3500 W. Rock Road, Building #800

- V. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- W. 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.
- X. 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.
- Y. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Z. Recording of the plat within 30 days after approval by the City Council.
- AA. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, are the minimum building pad elevations correct, are the boundaries of the floodway adequate and what drainage guarantees besides storm sewers are required?

STAFF REPORT
(Final Plat; Revised Preliminary Plat 12/17/87;
Original Preliminary Approved 5/21/87)

CASE NUMBER: S/D 87-121 - KILLARNEY PLAZA 2ND ADDITION

OWNER/APPLICANT: Killarney Investments/Devlin Joint Venture,
575 Fourth Financial Center, Wichita, KS 67202

SURVEYOR/ENGINEER: Mid-Kansas Engineering Consultants, P.A.

LOCATION: South of 37th Street North and west of Rock Road.

SITE SIZE: 71.6 Acres

NUMBER OF LOTS:

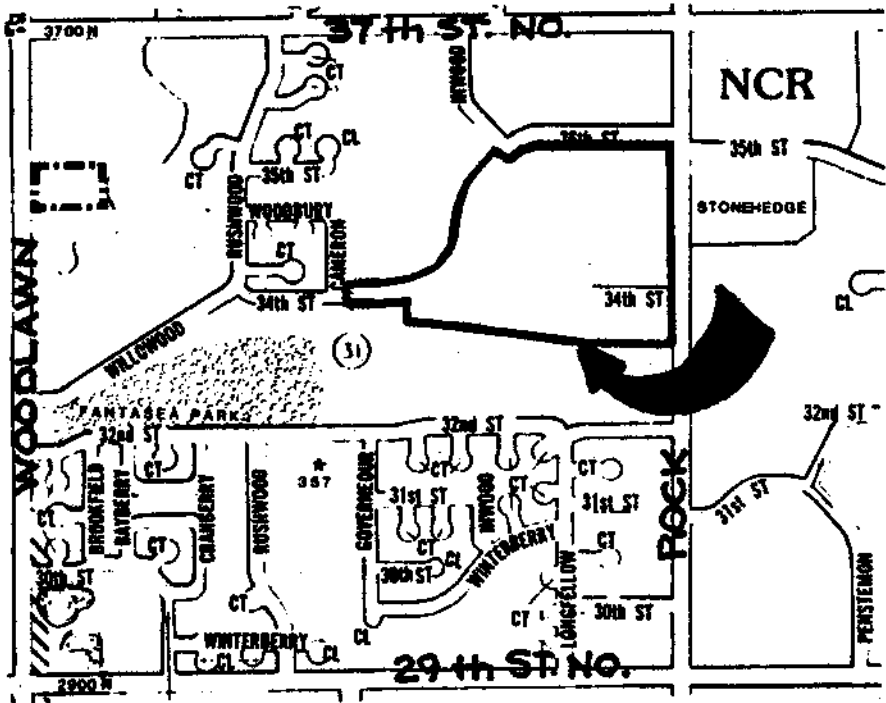
Residential:	3
Office:	9
Commercial:	2
Industrial:	
Total:	14

MINIMUM LOT AREA: 1.5 Acres

CURRENT ZONING: "AA", "BB" and "LC"

PROPOSED ZONING: "R-5", "R-6", "BB" and "LC" (Z-2759, Z-2761 and Z-2762)

VICINITY MAP:



STAFF COMMENTS:

- A. The applicant shall guarantee the paving of the proposed interior streets, including sidewalks on both sides of each street.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The applicant shall submit information necessary to redefine any special assessments that have been spread to areas being replatted.
- H. The applicant shall submit a copy of the instrument which establishes the COOP Refinery easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement.
- I. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement.
- J. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- K. On the final plat tracing, the platlor's text shall be amended to reference the platting of "complete access control" across the south line of the plat.
- L. A condition of approval of associated zone case Z-2759 was the dedication, by separate instrument, of the right-of-way for the Northeast Expressway. Zone case approval specifies that the separate dedication is to occur within 90 days after the alignment is finalized. In order for the final plat to indicate this right-of-way, along with appropriate recording information, the final plat tracing shall not be submitted for review until the required separate dedication has been accepted by the City Council and subsequently recorded with the Register of Deeds. The recording information for the separate instrument shall be reflected on the final plat tracing.

A separate dedication of the right-of-way is consistent with the past dedication for the Expressway to the east (D-1384) and would also allow the applicant to work out with the City's Law Department any contingencies for the dedication. The dedication between Rock Road and Webb Road was dedicated contingent upon the following:

1. Acquire all necessary rights-of-way to construct the proposed Northeast Expressway from Webb Road on the east, westerly to I-135 and 29th Street or Hydraulic Street not later than the 1st day of July, 1989.
 2. Complete and approve final design plans and specifications for the initial phase of the proposed Northeast Expressway from Webb Road on the east, westerly to I-135 at 29th Street or Hydraulic Street not later than the 1st day of December, 1990.
 3. Let a contract to construct the portion of the proposed Northeast Expressway that is to be located on the real property being dedicated herein not later than the 1st day of December, 1989 and a starting date not later than June 1, 1990.
- M. On the final plat tracing, the centerlines of the perimeter streets shall be labeled.
- N. On the final plat tracing, the platting of the minimum building pad elevations shall be referenced in the plat's text. Section 5-402(P)
- O. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N)
- P. The final plat tracing shall correct the M.A.P.C. signature block to reference MARVIN S. KROUT as the M.A.P.C. Secretary.
- Q. On the final plat tracing, the City Council signature block shall be amended to reference Dale E. Rea, Deputy City Clerk.
- R. On the final plat tracing, Elton Parson's middle initial shall be deleted from the MAPC signature block.
- S. On the final plat tracing, the wording in the plat's text, regarding the restriction of uses in the floodway, shall be amended to reference "the City of Wichita" rather than "a governing body exercising jurisdiction".
- T. On the final plat tracing, the plat's text shall be amended to state that changes in the floodway shall not occur "without" the permission of the City Engineer.
- U. On the final plat tracing, the surveyor's text shall be amended to reference that a surveyor has prepared this plat, not a civil engineer. Section 5-402(R)(3)