

S/D No.: 85-3      Name: TOBEN THIRD ADDITION

Preliminary Approved:  
Scheduled S/D Meeting: 1/31/85

DESCRIPTION

General Location: Northwest corner of 39th Street North and Webb Road.  
Owner: Woodlawn Development Company, 3500 N. Rock Road, Bldg. #100,  
Wichita, KS 67226  
Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

1. Gross Acreage of Plat: 12.4 Acres
  2. Number of Lots:
    - Residential:
    - Office:
    - Commercial:
    - Industrial: 2
    - Total: 2
  3. Minimum Lot Area: 4 Acres ±
  4. Existing Zoning: "AA"
  5. Proposed Zoning: "E" - Light Industrial (SCZ-0513)
- 

**STAFF COMMENTS:**

**NOTE:** This is the second final plat of a revised preliminary plat (Toben Second) which was approved by the Subdivision Committee on March 30, 1984.

- A. The applicant shall guarantee the extension of sanitary sewer to serve each of the two lots.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted for recording with the plat.
- D. On the final plat tracing, the conflict between the access control indicated on the face of the plat (Lot 1 - two openings to 39th and Lot 2 - one opening to 39th) and the plat's text (Lot 1 - one opening to 39th and Lot 2 - two openings to 39th) shall be corrected.
- E. On the final plat tracing, the access control labeling shall be based on lot lines rather than irons (i.e., the lot line common to lots 1 and 2).
- F. The final plat tracing shall indicate the order of the County Commissioners as follows:
  1. DONALD E. GRAGG
  2. BERNARD A. HENTZEN
  3. TOM SCOTT
- G. The final plat tracing shall indicate ED RESA as the Deputy to the Register of Deeds.
- H. The applicant shall submit an avigational easement and restrictive noise covenant for this property.
- I. Closure computations shall be submitted with the final plat tracing.
- J. Recording of the plat within 30 days after approval by the City Commission.

February 7, 1985

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

Re.: S/D 85-3 - Final Plat of Toben Third Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, February 7, 1985, 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 1, 1985.

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:

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 plattor.
3. Certification that all real estate taxes for 1984 (both first and second halves) and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Barbara R. Bonanni  
Junior Planner

BRB:mlh

cc: Woodlawn Development Co., 3500 N. Rock Rd., #100, Wichita, KS 67226  
Mike Lindebak, City Engineer

February 1, 1985

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

Re: S/D 85-3 - Final Plat of Toben Third Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, January 31, 1985, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- PETITION*  
*1/0*
- A. The applicant shall repetition the extension of sanitary sewer to serve each of the two lots.
  - ~~B.~~ The applicant shall guarantee any drainage improvements required by the platting of this property. *Vickie advised on 2/15/85 that no drainage improvements are required with this plat.*
  - ~~C.~~ If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted for recording with the plat.
  - D. On the final plat tracing, the conflict between the access control indicated on the face of the plat (Lot 1 - ~~two~~ openings to 39th and Lot 2 - one opening to 39th) and the plat's text (Lot 1 - one opening to 39th and Lot 2 - two openings to 39th) shall be corrected.
  - ~~E.~~ On the final plat tracing, the access control labeling shall be based on lot lines rather than irons (i.e., the lot line common to lots 1 and 2).
  - ~~F.~~ The final plat tracing shall indicate the order of the County Commissioners as follows:
    1. DONALD E. GRAGG
    2. BERNARD A. HENTZEN
    3. TOM SCOTT

*Not  
Needed  
See  
Memo  
2-1-85*

- ~~X~~ The final plat tracing shall indicate ED RESA as the Deputy to the Register of Deeds.
- ~~X~~ The final plat tracing shall indicate a 20-foot utility easement adjacent to the north line of Lot 1 and the northerly portion of the east line of Lot 2. *Vickie advised 2/7/85 that this easement is not necessary.*
- I. The applicant shall obtain, by separate instrument, the necessary off-site drainage agreement which allows this plat to drain onto property to the north. Provision shall also be made for Lot 1 to drain across Lot 2. *Vickie advised 2/7/85 that a 20' drainage esmt is needed on the NE corner of Lot 2.*
- ~~X~~ The applicant shall obtain, by separate instrument, the necessary off-site sanitary sewer easement. *Vickie advised 2/7/85 that a 20' sanitary sewer easement is not necessary.*
- ~~X~~ The applicant shall submit an avigational easement and restrictive noise covenant for this property.
- ~~X~~ Closure computations shall be submitted with the final plat tracing.
- M. Recording of the plat within 30 days after approval by the City Commission.

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. The certificate will be required if petitions are submitted. 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 Thursday, February 7, 1985 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

Forrest L. Nagely  
Senior Planner

FLN:mlh

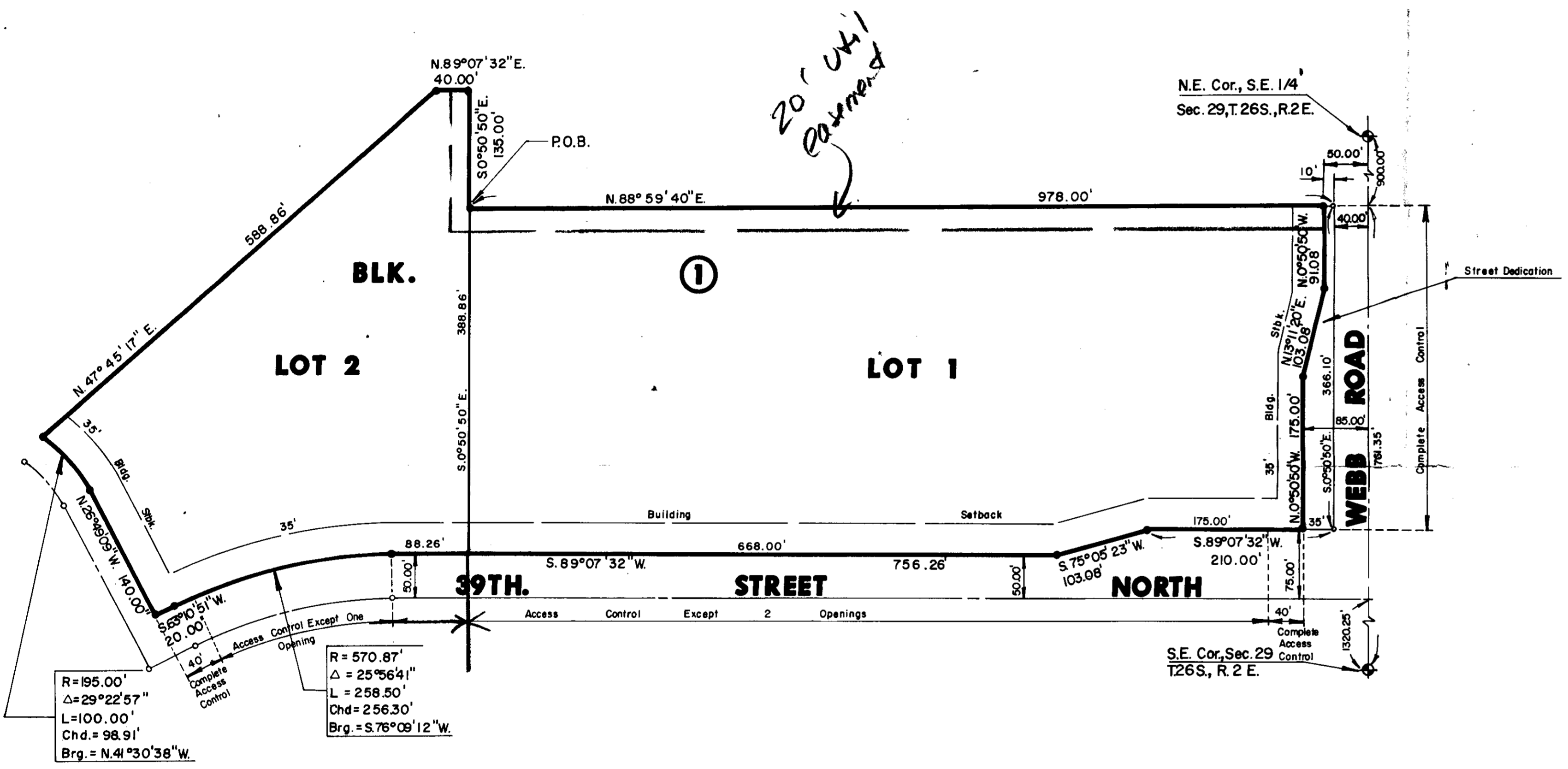
cc: Woodlawn Development Co., 3500 N. Rock Rd., Bldg. 100,  
Wichita, KS 67226  
Mike Lindebak, City Engineer

FINAL PLAT OF  
**TOBEN THIRD ADDITION**  
 AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

THIS PLAT APPROVED BY THE SUBDIVISION COMMITTEE ON 1/31/85 SUBJECT TO THE CONDITIONS OF APPROVAL OUTLINED IN OUR LETTER DATED 2/1/85

OFFICE COPY  
DO NOT REMOVE

FINAL PLAT



I, Kenneth H. Bengtson, a Civil Engineer in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "TOBEN THIRD ADDITION", an addition to Wichita, Sedgwick County, Kansas into lots, a block and a street, the same being accurately set forth in the accompanying plat and described as follows:

A tract of land lying within the southeast quarter of Section 29, Township 26 south, Range 2 east of the 6th Principle Meridian, Sedgwick County, Kansas, described as beginning at the southwest corner of Toben Addition, an addition to Wichita, Sedgwick County, Kansas; thence along the south line of said addition N 88° 59' 40" E, 978.00 feet to a point 40 feet west of the east line of said quarter; thence S 00° 50' 50" E, 366.10 feet parallel to the east line of said quarter; thence S 89° 07' 32" W, 210.00 feet; thence S 75° 05' 23" W, 103.08 feet; thence S 89° 07' 32" W, 756.26 feet to a point on a curve to the left; thence 258.50 feet along said curve having a radius of 570.87 feet, a central angle of 25° 56' 41", a long chord of 256.30 feet bearing S 76° 09' 12" W; thence S 63° 10' 51" W, 20.00 feet; thence N 26° 49' 09" W, 140.00 feet to a point on a curve to the left; thence 100.00 feet along said curve having a radius of 195.00 feet, a central angle of 29° 22' 57", a long chord of 98.91 feet bearing N 41° 30' 38" W; thence N 47° 45' 17" E, 588.86 feet thence N 89° 07' 32" E, 40.00 feet; to a point on the west line of said Toben Addition; thence S 00° 50' 50" E, 135.00 feet along said line to the point of beginning; containing 12.4 acres, more or less.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Kenneth H. Bengtson  
 Mid-Kansas Engineering Consultants, P.A.  
 3500 N. Rock Road, Bldg. 800  
 Wichita, KS 67226

Know all men by these presents that we the undersigned property owners of the land as above set forth in the Civil Engineers Certificate, have caused the same to be surveyed and platted into lots, a block, and a street, the same to be known as "TOBEN THIRD ADDITION" an addition to Wichita, Sedgwick County, Kansas. All abutters rights of access over and across the north line of 39th Street and the west line of Webb Road are hereby granted to the City of Wichita, provided however, that Lot 1, Block 1 shall have access to 39th Street North at the location and Lot 2, Block 1 shall have access to 39th Street North at the location.

Woodlawn Development Company, a Partnership  
 Mortgage Holders  
 Viola M. Barber, Co-Executor  
 By: Donald J. Ablah, attorney in fact for Woodlawn Development Company  
 Lester L. Toben, Co-Executor  
 Lawrence L. Toben, Co-Executor

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Robert G. Knight, Mayor  
 Donald C. Gisick, City Clerk

This plat approved and all dedications shown hereon, if any, accepted by the Board of County Commissioners of Sedgwick County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Donald E. Gragg, Chairman  
 Tom Scott, Commissioner  
 Bernard A. Hentzen, Commissioner  
 Wichita-Sedgwick County Metropolitan Area Planning Commission  
 James C. Wilson, Chairman  
 Robert A. Lakin, Secretary

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1985.  
 Attest: Don Wright, County Clerk

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Don Wright, County Clerk

STATE OF KANSAS  
 COUNTY OF SEDGWICK  
 This is to certify that this instrument was filed for record in the Register of Deeds Office at \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Pat Kettler, Register of Deeds

STATE OF KANSAS  
 COUNTY OF SEDGWICK  
 SS:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 1985, before me, a Notary Public in and for said State and County, came Donald J. Ablah, attorney in fact for Woodlawn Development Company, on behalf of Woodlawn Development Company, to me personally known 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 by notarial seal the day and year above written.

\_\_\_\_\_, Notary Public

My Appointment Expires: \_\_\_\_\_