

Boy 1979-2

PLAT NO. S/D 77-136 MAP NO. 6346

NAME LAKES
SPRINGDALE ~~WEST~~ ADDITION

LOCATION: Southwest corner of Kellogg and Springdale
Road (143rd ST. EAST)

ENGINEER Baughman Company

OWNER Don E. Satterthwaite

APPLICATION FILED 10-6-77

SKETCH PLAT FILED 10-6-77

PRELIMINARY FILED 5-8-78

S/D ACTION 5-18-78 approve

FINAL FILED 8-14-78

S/D ACTION 8-24-78 app. process and hold

MAPC ACTION 9/29/78 Referred 2 weeks

ECC ACTION 10/12/78 approved
6-19-79 approved

RECORDED 7-5-79

REMARKS 562-0396

S/D 77-136 - SPRINGDALE ~~ADD.~~ ADD.
at the southwest corner of ^{LAKES} Kellogg
and Springdale Road, Baughman Co

POSTED
10-10-77

ACTION

S/D COMMITTEE (Prelim) <i>approve</i>	DATE
<i>final</i>	<i>5-18-78</i>
M.A.P.C.	<i>8-24-78</i>
YAPC	<i>9-25-78</i>
B.C.C./B.C.C.	<i>10-12-78</i>
	<i>6-19-79</i>

(First Published in The Daily Reporter, Dec. 1, 1982)
Res. 304-1982

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, SITTING AS THE GOVERNING BODY OF SEDGWICK COUNTY SEWER DISTRICT KNOWN AS SPRINGDALE LAKES ADDITION, PHASE I, SEDGWICK COUNTY, KANSAS, AND APPORTIONING THE COSTS OF CERTAIN SEWER IMPROVEMENTS WITHIN SAID COUNTY SEWER DISTRICT AND PROVIDING FOR THE GIVING OF A NOTICE OF A HEARING ON SAID ASSESSMENTS.

NOW, On this 24 day of November, 1982, the Board of County Commissioners of Sedgwick County, Kansas, sitting as the Governing Body of Sedgwick County Sewer Districts known as Springdale Lakes Addition Phase I, met in regular session in the hearing room at the Courthouse in Wichita, Kansas, with the following members present and participating, to-wit: Jack Spratt, Chairman, Tom Scott, and Donald E. Gragg, Commissioners.

The matter of approving the completion of construction of certain sewers in said sewer district known as Springdale Lakes Addition Phase I, and fixing and determining the costs to the various lots and pieces of land within said sewer district, came on for hearing and determination:

The Board finds that the construction of said sewer project has been completed according to the plans and specifications on file.

The Board further finds that said sewer improvements have been constructed and completed in accordance with the contract and in the manner prescribed by law and are hereby approved and accepted.

Thereupon, the Board proceeds to determine the total cost of said project and finds that such costs, including legal and engineering costs, are a total of \$535,300.13, and within the engineer's estimates and that the same shall be apportioned to the various lots and parcels of land within said sewer district in the manner provided by law, Section 19-2705, K.S.A., and any amendments thereto. The Board proceeds to compute such apportionment and finds that all lots and pieces of land to be taxed within said benefit district have benefited by said improvements, and that each lot and piece of land in said district shall be assessed an equal, proportionate amount of the total cost of the sewer improvements necessary in said district. The method of assessment being on a per lot basis as per the size of the lot in the area and the benefit received.

Thereupon, the Board, having carefully considered the above matters, and being well and fully advised, upon motion duly made and seconded unanimously adopted the following resolution:

RESOLUTION

WHEREAS, The construction of sanitary sewage system within Sedgwick County Sewer District known as Springdale Lakes Addition Phase I, have been completed according to the plans and specifications, and said project has been accepted by the engineer for said sewer district and by this Board as the Governing Body of said sewer district; and

WHEREAS, Said Board of County Commissioners has determined the costs of such improvements and have determined the apportionment to be made to the various lots and pieces of land within said sewer districts, all as provided by law, Sections 19-2704, 19-2704a, and 19-2705, et seq., K.S.A. and any amendments thereto.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY said Board of County Commissioners as the Governing Body that the costs of the improvements in said sewer district shall be apportioned to the various lots and parcels of land within the boundaries of said sewer district as said boundaries have been heretofore determined by said Governing Body, which boundaries are hereby confirmed.

BE IT FURTHER RESOLVED AND ORDERED That the full cost of said improvements be and the same is hereby determined and fixed at a total of \$535,300.13 and that said costs be and the same are hereby apportioned on all lots or parcels of land contained within the boundaries of said sewer district, and that each lot and piece of land in said sewer district shall be and hereby are assessed a proportionate amount of the total cost of the sewer improvements in said area in said district according to the benefits received. The assessments in said district shall be as follows:

SPRINGDALE LAKES ADDITION		OUTFALL		TOTAL
PHASE I		LATERALS		
SANITARY SEWERS				
TOTAL ASSESSMENTS				
\$535,300.13				
SPRINGDALE LAKES				
SANITARY SEWER				
NAME & ADDRESS	PROPERTY OWNER	OUTFALL (PHII)	LATERALS	TOTAL
Block 1 Lot 1	15849 Stratford Row Wichita, KS 67230	\$ 785.81	-0-	\$ 785.81
2	"	"	-0-	"
3	"	"	-0-	"
4	"	"	-0-	"
5	"	"	-0-	"
6	"	"	-0-	"
7	"	"	-0-	"
8	"	"	-0-	"
9	"	"	-0-	"
10	"	"	-0-	"
11	"	"	-0-	"
12	"	"	-0-	"
13	"	"	-0-	"
14	"	"	-0-	"
15	"	"	-0-	"
16	"	"	-0-	"
17	"	"	-0-	"
18	"	785.81	-0-	785.81
Block 2 Lot 1	"	1,234.84	\$7,613.19	8,848.03
2	"	"	"	"
3	"	"	"	"

Legal Publicat

a rate not exceeding the maximum stated rate, determined as sold, and shall not exceed the 20 bond index of tax assessed by the Weekly Bond Buyer in New York, New York preceding the day on which the bonds are sold, plus 2% semiannually.

IT IS FURTHER RESOLVED AND ORDERED That said publish this resolution, which shall serve as a notice in newspaper for two (2) consecutive weeks for the purpose of concerned that such apportionment has been made; that file with her and may be examined at her office. In addition notice, this Governing Body shall cause to be notified each within the sewer district as to the apportionment and assess property by mailing this resolution and notice to each prop known address at least ten (10) days prior to the date of th

The following notice is hereby given as provided by law: TO SEWER DISTRICT KNOWN AS: SPRINGDALE LAKES ADDITION PHA NOTICE OF ASSESSMENTS AND PUBLIC H Notice is hereby given to the owners of the described real persons concerned: That the cost and expense of construct system in the above-described sewer district:

SPRINGDALE LAKES ADDITION PHA have been apportioned by the Governing Body of said sewer assessed on the following lots and parcels of land, as set out i this resolution.

Such assessments have been apportioned in accordance benefits conferred upon the various lots or parcels of land w said sewer district, as provided above in this resolution.

Notice is further given that a public hearing will be held o on the 15 day of December, 1982, at the regular me Commissioners in the hearing room of the County Co Courthouse at Wichita, Kansas.

Notice is further given that any of the said assessments m be paid in full without interest on or before the 15 day of Ja any such assessments are not paid in full within said time, t on the tax rolls in fifteen (15) annual assessments to incl deferred payments at a rate not exceeding the m determined on the date the bonds are sold, and shall not exee tax exempt municipal bonds published by the Weekly Bon New York, on the Monday next preceding the day on which t 2% per annum payable semiannually.

Should any persons concerned determine the inaccura ment above specified, the County Clerk should be notified January, 1983.

This resolution, including the notice contained therein, sh official county newspaper having general circulation in s consecutive weeks and shall also be mailed to each prop The above resolution and notice contained therein is he Board of County Commissioners of Sedgwick County, Ka Body of said Sedgwick County Sewer District.

BOARD OF COUNTY C
SEDGWICK COUNTY
GOVERNING BODY OF
SEWER DISTRICT
DALE LAKES

(SEAL)
ATTEST:
/s/ Dorothy K. White
County Clerk
(Dec. 1, 81)

(First Published in The Daily Reporter, Nov. 24, 1982)
SEDGWICK COUNTY, KANSAS
DEPARTMENT OF PUBLIC WORKS
NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN that sealed proposals for construction work in SEDGWICK COUNTY, State of Kansas, said work known as Tapir Pool Drain at the Sedgwick County Zoo will be received at the Sedgwick County Purchasing Office, Room 343, Sedgwick County Courthouse, Wichita, Kansas until 9:45 o'clock A.M. December 16, 1982, and then publicly opened at the Board of Bids and Contracts Meeting, briefly described as follows:
Concrete Pool, Mud Trap and Sewer Line Connecting to Existing Line
Proposal must be accompanied by a certified or cashier's check, or bid bond acceptable to the County Clerk in an amount to at least five percent (5%) of

(First Published in The Daily Reporter, Nov. 24, 1982)
SEDGWICK COUNTY
DEPARTMENT OF PUBLIC WORKS
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Pre-Engineered Structure with Roof, Two Electrical or I
Proposal must be certified or cashi



SEDGWICK COUNTY COURTHOUSE

COUNTY OF SEDGWICK
DEPARTMENT OF PUBLIC WORKS

1015 STILLWELL
WICHITA, KANSAS 67213

PHONE 258-7901

JOE D. FREEMAN, P.E.
ACTING COUNTY ENGINEER

DATE: February 7, 1980
TO: Dorothy K. White, County Clerk
ATTENTION: Dorothy Peil, Deputy
FROM: Phillip Dietrich *PD*
SUBJECT: Letter of Credit Guaranteeing Construction of Sidewalks
in Springdale Lakes Addition (L/C#C-1011)

Due to a recent change in sidewalk policy, the Metropolitan Area Planning Department has determined that sidewalks will not be needed for Springdale Lakes Addition.

Therefore, you may release the Irrevocable Letter of Credit (L/C#C-1011) in the amount of Thirty-Five Thousand Six Hundred and Fifty Six Dollars and Fifty Cents (\$35,650.50).

Enc:
cc: Forrest Nagley, M.A.P.D.

November 5, 1979

Mr. W. E. Lusk, Jr.
The Lusk Company
207 S. Broadway
Wichita, Kansas 67202

Re: Sidewalk guarantee for Springdale Lakes Addition,
S/D 77-136

Dear Mr. Lusk:

Since our telephone conversation of November 2, 1979, we have reviewed the above referenced recorded plat relative to the recently adopted sidewalk ordinance for the City of Wichita and its three-mile ring.

Based on our review of the revised preliminary plat for this addition and land to the south (submitted 8-15-78), we find that no sidewalks are required in the portion finalized out under the name of Springdale Lakes (S/D 77-136). This is the case because of large lot frontages along Lakeview Drive and the fact that no streets in this first addition are platted with 48 or more dwelling units. Please be advised although, that when final platting the remaining land shown in the revised preliminary plat, sidewalks will be required on both sides of Lincoln Street since it is being platted as a collector.

Since your guarantee for the sidewalks was made to Sedgwick County, please contact the Department of Public Works regarding the timing of its release.

Sincerely,

Forrest L. Nagley
Junior Planner

FLN:bh

cc: Joe Freeman, Assistant County Engineer, Sedgwick County
Department of Public Works
Dorothy K. White, County Clerk



COUNTY OF SEDGWICK
DEPARTMENT OF PUBLIC WORKS

1018 STILLWELL
WICHITA, KANSAS 67213

PHONE 268-7901

SEDGWICK COUNTY COURTHOUSE

G. C. MCLURE, JR., P. E.
COUNTY ENGINEER/DIRECTOR OF PUBLIC WORKS

DATE: June 4, 1979
TO: Dorothy K. White, County Clerk
ATTENTION: Dorothy Peil
FROM: Brent E. Remsberg, Chief Engineer *BER*
SUBJECT: Letter of Credit guaranteeing the construction of sidewalks in
SPRINGDALE LAKES ADDITION

Enclosed please find an Irrevocable Letter of Credit in the amount of \$35,656.50 guaranteeing the construction of sidewalks in Springdale Lakes Addition.

We will notify you in writing when this letter may be released.

First National Bank in Wichita
(NAME OF BANK)

DATE: May 23, 1979

COUNTY OF SEDGWICK
STATE OF KANSAS

L/C #C-1011

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 35,656.50 for the account of W. E. Tusk, Jr., 207 South Broadway, Wichita, KS 67202 (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before May 23, 1981 (6)
(INSERT DATE TWO YEARS FROM MAPC APPROVAL OF PLAT)

1. 6483 lineal feet of sidewalk in the general vicinity of the southwest corner of 143rd Street and Kellogg.
- 2.
- 3.

in Springdale Lakes Addition a subdivision located in County of Sedgwick, State of Kansas.

Acting through the County Engineer/Director of Public Works, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The PURCHASER has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under First National Bank

In Wichita, Credit NO. C-1011, dated May 23, 1979.
(Name of Bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before July 23, 1981.
(insert a date at least 60 days after the date on line 6)

Very truly yours,

First National Bank in Wichita
(Name of Bank)

BY: John W. Long
(Authorized signature)
John W. Long, Vice Pres. & Cashier



THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE May 29, 1979

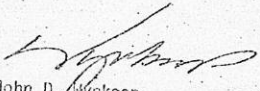
TO Donald C. Gisick, City Clerk
FROM John D. Wynkoop, Director of Water & Water Pollution Control

SUBJECT Application for Water Service
Outside the Corporate Limits

Attached is an application for water service outside the corporate limits for the proposed Springdale Lakes Addition in the NE $\frac{1}{4}$ of Sec. 26, Twp. 27 S., Range 2 E. of the 6th P.M., located south of Kellogg Ave. and west of 143rd St. East.

This property will be served by the proposed mains in Lakeview Dr., Spring Creek Dr., Springhollow Dr., Gilbert St., Gilbert Cir. and Clear Creek Cir.

ACTION: Approve the application for water service and authorize the Mayor to sign for the City.


John D. Wynkoop
Director of Water and
Water Pollution Control

JDW:sd

attachment

cc: Bill H. Otten, Chief Engineer
Water Engineering Division

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSSUBDIVISION APPROVAL61-31
32 Sketch
33 Gen'l.
34 H₂O
35 "

S/D Number 77-136 Name Springdale Lakes Addition
 Application & Sketch Filed: 10-6-77
 Preliminary Plat Filed: 5-8-78 Approved by S/D: 5-18-78
 Final Plat Filed: 8-14-78 Approved by S/D 8-24-78
 Approved by Metropolitan Area Planning Commission: 10-12-78

DESCRIPTION

General Location: South of Kellogg in an area west of 143rd Street East.

Surveyor or Engineer: Baughman Company, P.A.
 Owner: Springdale Lakes, Inc., c/o W. E. Lusk, Jr.
 Address: 207 S. Broadway, Wichita, Ks. 67202

- | | | |
|--------------------------------------|-----------------------|-----------------------|
| 1. Gross Acreage of Plat <u>66.4</u> | 6. Access Control | |
| 2. Number of Lots: | St. <u>Kellogg</u> | No. Openings <u>0</u> |
| Residential <u>97</u> | St. <u>143rd</u> | No. Openings <u>3</u> |
| Commercial _____ | St. _____ | No. Openings _____ |
| Industrial _____ | 7. Req'd Improvements | |
| Other _____ | St. Paving <u>Yes</u> | Water <u>Yes</u> |
| Total Number of Lots: <u>97</u> | Sidewalk <u>Yes</u> | Drainage <u>Yes</u> |
| 3. Minimum Lot Area: <u>25</u> Acres | Sewer <u>Yes</u> | Other _____ |
| 4. Existing Zoning <u>R-1</u> | | |
| 5. Special Problems Discussed _____ | | |

Petitions for street paving and drainage and sanitary sewers have been submitted to and approved by the County. A letter of credit guaranteeing installation of sidewalks on both sides of all streets has been submitted to the County. A valid petition for City water has been submitted.

PLANNING COMMISSION RECOMMENDATION:

That this plat be approved subject to:

- A. Submitting a covenant stating that four off-street parking spaces per dwelling unit will be provided on each lot which adjoins a 58-foot street.
- B. Recording of the plat within 30 days after approval by the Board of City Commissioners.

MAPC Action: Bell moved, Savina seconded and it carried unanimously.

(Associated county zone case SCZ-0396: "R-1" to "AA" has been approved subject to platting).

2-1 Punter
 ACTION: Receive and file the water engineering feasibility report, adopt the resolution of finding and the resolution ordering and directing the water system improvement; approve the petition; instruct the City Clerk to file the covenant with the Register of Deeds, the filing cost of which shall be billed to the applicant; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

*Add approval of retaining H₂O agreement +
 Record w/ Reg of Deeds*

*Check w/ City
 All the necessary
 with the transfer there*

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 77-136 Name Springdale Lakes Addition
Application & Sketch Filed: 10-6-77
Preliminary Plat Filed: 5-8-78 Approved by S/D: 5-18-78
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2. Number of Lots:	St. <u>Kellogg</u>	No. Openings <u>0</u>	
Residential <u>97</u>	St. <u>143rd</u>	No. Openings <u>3</u>	
Commercial _____	St. _____	No. Openings _____	
Industrial _____	7. Req'd Improvements		
Other _____	St. Paving <u>Yes</u>	Water <u>Yes</u>	
Total Number of Lots: <u>97</u>	Sidewalk <u>Yes</u>	Drainage <u>Yes</u>	
3. Minimum Lot Area: <u>25</u> Acres	Sewer <u>Yes</u>	Other _____	
4. Existing Zoning <u>R-1</u>			
5. Special Problems Discussed _____			

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(Associated county zone case SCZ-0396: "R-1" to "AA" has been approved subject to platting).

ACTION: Receive and file the water engineering feasibility report, adopt the resolution of finding and the resolution ordering and directing the water system improvement; approve the petition; instruct the City Clerk to file the covenant with the Register of Deeds, the filing cost of which shall be billed to the applicant; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

The LUSK COMPANY

207 South Broadway • Wichita, Kansas 67202 • AC (316) Off.267-2858 Res.683-4415

June 11, 1979

Ms. Louise Olivarez
Planning Department
City of Wichita
Wichita, Kansas 67202

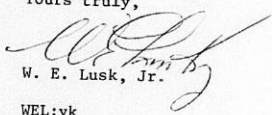
Dear Louise:

Please find enclosed an executed and acknowledged copy of
the Restrictive covenants for Springdale Lakes, Inc.

It is my understanding that these covenants will be recorded
subsequent to the filing of the plat.

If there are any other matters which need to be cleared up,
please call.

Yours truly,


W. E. Lusk, Jr.

WEL:yk
encs.

*received
6-13-79
1:30 P.M.*

DECLARATION OF COVENANTS

Film 372 p 750-758

recorded 6-27-79

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, SPRINGDALE LAKES, INC., a Kansas Corporation, being the owner of all the following described real estate, to-wit:

Lots 1-18, Block 1	Lots 1-4, Block 2	Lots 1-20, Block 3
Lots 1-12, Block 4	Lots 1-20, Block 5	Lots 1-8, Block 6
Lots 1-2, Block 7	Lot 12, Block 8	Lot 1, Block 9

Springdale Lakes Addition, Sedgwick County, Kansas.

do hereby impose the following protective restrictions and covenants upon the above described real estate and they shall be filed for record in the office of the Register of Deeds of Sedgwick County, Kansas; and each and every one of these covenants, conditions, reservations, and restrictions is and all are for the benefit of each owner of land, or any interest therein, and shall inure to and pass with each and every building lot, and shall bind the respective successors in interest of the present owners thereof. These covenants, conditions, reservations and restrictions are and each thereof is imposed upon the lots and blocks above described, and all are to be construed as restrictive covenants running with the title to such lots.

1. Definition of Terms: (a) "Residential building lot", or "building lot" shall mean any lot, or two or more contiguous lots, upon which a dwelling unit, with appurtenances, may be erected in conformance with these covenants.

(b). "Detached single family dwelling unit", or "dwelling unit", shall mean and include one integral unit, with appurtenant structures, designed and constructed for use as a residence for one family.

(c). "Accessory structure" shall mean any enclosed, covered structure not directly attached to a dwelling unit to which it is appurtenant. Such shall not be defined to mean a carport, which structures are expressly prohibited.

(d). "Improvements" shall mean and include a new dwelling unit as herein defined, accessory structures, fences, walls, hedges, and other usual appurtenances now common to dwelling usage.

(e). "Front and side street building set-back line or lines", shall mean the minimum distance which a dwelling unit must be set back from the front and/or side street lines, respectively.

(f). "Side lot building line", shall mean the boundary or property line dividing two adjoining lots.

(g). "Side lot building set-back line", shall mean the minimum distance which a dwelling unit must be set back from the side building lot line.

(h). "Common area", shall mean and include all Reserves A and B, SPRINGDALE LAKES Addition to Sedgwick County, Kansas.

(i). "Homeowners Association", shall refer to Springdale Lakes Homeowners' Association, a Kansas non-profit corporation and the By-Laws thereof and all rules and regulations promulgated pursuant to said Articles and By-Laws.

2. All lots are for residential purposes only. It is hereby provided that no retail, wholesale, manufacturing or repair business of any kind, nor so-called home occupations, nor any other business or profession shall be maintained, practiced or permitted on any building lot or in any detached single-family dwelling or appurtenant structure erected on any lot, nor in any other out-building, even though it does not include the employment of any additional persons in the performance of such business, trade or profession. No activity which may be or become an annoyance or nuisance to the neighborhood shall be carried on upon any building lot or in any dwelling unit or appurtenant structure or accessory structure erected therein.

3. No garage or accessory structure may be converted into apartments or living quarters.

4. No previously constructed building, dwelling unit or accessory structure may be moved onto a building lot. No dwelling unit, or any part thereof, nor any appurtenant structure to be used in conjunction with a dwelling unit may be occupied in any manner while in the course of construction, nor at any time prior to its being fully completed. No temporary house, temporary dwelling, temporary garage, temporary out-building, trailer home, or other temporary structure shall be placed or erected upon any lot, provided however, temporary construction sheds or the like may be utilized during the period of construction of a dwelling unit or units upon any lot or lots.

5. Set-Backs. (a) Front and side street set-back lines are shown on the plat of Springdale Lakes Addition and the minimum front and side street set-backs shall be the same as the distances shown on said plat.

(b). There shall be a six foot (6') side yard building set-back line from each side lot building line.

(c). Accessory structures shall be located in compliance with the side yard requirements for each building lot, however, an accessory structure shall not be required to be set back more than three feet (3') from a side lot building line when all parts of the accessory structure are located more than one-half of the depth of the lot behind the front set-back line, provided, however, no accessory structure shall be located on any platted or recorded easement, or over any known utility.

6. Tanks. No elevated tanks of any kind shall be erected, placed or permitted on any part of any building lot subject to these covenants. Fuel oil storage tanks shall be permitted only if located underground.

7. Livestock and Pets. No livestock, chickens, fowls, or other animals, except the usual and ordinary number of family pets, shall be kept by the occupants of any dwelling unit constructed upon a building lot.

8. Utility Lines and Cable Television. All electrical service, telephone lines and cable television service shall be placed under ground and no overhead outside service to any dwelling unit shall be permitted, provided however, overhead electric lines may be permitted to serve lighting of the streets and common area. Any part or all of this restriction may be waived by the undersigned.

9. Parking. Parking shall be permitted on only one side of St. Andrew's Drive, Spring Creek Drive and Spring Hollow Drive and on each lot adjoining said streets a minimum of 4 off-street parking spaces will be provided.

10. Signs, etc. No signs, advertisements, billboards or advertising structures of any kind may be erected or maintained on any of the building lots herein restricted, provided, however, permission is hereby granted for the erection and maintenance of not more than one signboard on each building lot, which signboard shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease the building lot upon which it is erected.

11. Nuisance. No lot or any of the common area shall be used in whole or in part for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause such lot or common area to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any lot or common area that will emit foul or obnoxious odors, or that will cause any noise that will or might disturb the peace, quiet, comfort or serenity of the occupants of the surrounding property.

12. Mining. No derrick or other structure designed for use on boring for oil or natural gas shall be erected, placed, or permitted upon any part of such premises, nor shall any oil, natural gas, petroleum, asphaltum or other hydrocarbon products or minerals of any kind be produced or extracted therefrom.

13. Construction. All dwelling units or structures upon any of the lots subject to these restrictions must be constructed by a licensed contractor, and no used building materials may be incorporated in any improvement. No evaporative-type cooler shall be used in conjunction with any improvements.

14. Drainage. Drainage ways shall conform to the requirements of all lawful public authorities.

15. Commercial vehicles. No commercial vehicles, construction vehicles or like equipment or mobile or stationary trailers of any kind shall be permitted on any lot unless the same is stored in a completely enclosed garage which otherwise complies with these covenants.

16. Homeowners' Association. For the purpose of maintaining the common area and any community facilities, of every kind and nature required or desired within the area, for the general use and benefit of all the building lot owners whose building lots are subject to these covenants, each and every building lot owner, in accepting a deed or contract for any building lot, agrees to and shall be a member of and be subject to the obligations and duly enacted By-Laws and rules of Springdale Lakes Homeowners' Association, a Kansas non-profit corporation. The Articles of Incorporation and By-Laws of such corporation shall be filed for record and the same are specifically incorporated herein by reference.

17. Reserve "A". The land legally described as Reserve "A", Springdale Lakes Addition to Sedgwick County, Kansas, which was dedicated to the Springdale Lakes Homeowners' Association in the Platters Text shall be the responsibility of the Homeowners' Association and said responsibilities shall continue until such time as the governing body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of the drainage, provided further that no building 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 Wichita-Sedgwick County Flood Control Office or their successors of office.

18. Fences, screening, and television antennas. No fences or other screening shall be allowed in the front set-backs of any of the lots and no television antennas shall be attached to the exterior of any dwelling unit. No vehicles, vehicles being herein defined to include automobiles, motor homes, trailers, motorcycles, boats, tractors, or other means of conveyance, shall be parked or stored in either the front, side street or side yard set-backs except on driveways leading directly from the public street to an attached garage or other accessory structure.

19. Garage Doors. Those garage doors which are allowed to face on a street shall be kept closed at all times when not necessary for the purpose of ingress or maintenance, and shall be equipped with automatic closing devices.

20. Joy Riding. Motor scooters, mini-trail bikes, or similar vehicles shall be operated for transportation only and no joy riding on the street or lot premises or common areas shall be allowed.

21. Architectural Control. In lieu of restrictions heretofore commonly used governing minimum cost or square foot area of dwelling units, both of which have proven inadequate in protecting existing or future property owners because of the fluctuating value of the dollar and the changing designs, customs and trends in home building, these covenants shall and do hereby provide that no dwelling unit or other improvements, including fences, outbuilding and plantings, as herein defined, shall be erected, placed or altered on any building lot in said Addition until the building or other improvements plans, specifications, and plot plat showing the location of such improvements on the particular building lot have been submitted to and approved in writing as to conformity and harmony for external design, including the height of said improvements, with existing structures in the addition, and as to location of the improvements with respect to topography, grade and finished ground elevation by the Architectural Control Committee as hereinafter provided. The Architectural Control Committee, its successors or assigns, shall not be liable in damages to anyone so submitting plans for approval, or to any other owner or owners of building lots covered by this instrument by reason of mistaken judgment, negligence or non-feasance of themselves arising out of or in connection with the approval or disapproval, or failure to approve any such plans. In the event the Architectural Control Committee fails to approve or disapprove such design, height and location within thirty (30) days after said plans and specifications have been submitted, this covenant will be deemed to have been fully complied with. If construction or alteration of original improvements or any subsequent additional improvements are begun in violation of the terms and conditions of this paragraph or without the written approval required, and no suit to enjoin the erection, establishment or alteration of such improvements has been commenced prior to the completion thereof, this covenant will be deemed to have been fully complied with.

The Architectural Control Committee is composed of the following persons,
to-wit:

W. E. Lusk, Jr.
W. E. Lusk
Nancy D. Lusk

A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, a majority of the remaining members shall have full authority to designate a successor. Neither the members of the Committee nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

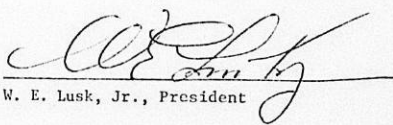
22. Term of Restriction. These restrictive covenants shall run with the land and be binding upon all persons using, occupying or owning such property and their respective heirs, successors and assigns thereof until the 1st day of January, 2000, at which time these restrictive covenants shall be automatically extended for successive periods of ten (10) years each unless by a vote of a majority in number of the then owners of the building lots subject to these restrictions, as shown by the records in the office of the Register of Deeds of Sedgwick County, Kansas, it is agreed to change said restrictions or covenants in whole or in part. If any building lot is owned by more than one person, the owners of such a building lot shall be collectively entitled to one vote.

23. Violations. If any person shall violate or attempt to violate any of the restrictions herein set forth it shall be lawful for any other person or persons holding any building lot in said Addition to prosecute in any court of competent jurisdiction, any proceeding at law or in equity against the person or persons so violating or attempting to violate any such restriction, either for the purposes of preventing him or them from doing so, or to recover damages for such violation. Any waiver of the enforcement of any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter nor shall such waiver be deemed to be a waiver of any future or successive violation.

24. Invalidity. In the event any one or more of the foregoing covenants, conditions, reservations or restrictions shall be declared for any reason, by a court of competent jurisdiction, to be null and void, such judgment or decree shall not in any manner whatsoever affect, modify, change, abrogate, or nullify any of the covenants, conditions, reservations, and restrictions not so declared to be void, but all of the remaining covenants, conditions, reservations and restrictions not so expressly held to be void shall continue unimpaired and in full force and effect.

IN WITNESS WHEREOF, we, the undersigned, have caused this instrument to be executed this 12 day of June, 1979.

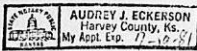
SPRINGDALE LAKES, INC.


W. E. Lusk, Jr., President

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

Be it remember, that on this 12th day of June, 1979, before me,
the undersigned, a Notary Public in and for the County and State aforesaid, came
D.E. Luck, Jr., personally known to me to be the same person
who executed the within instrument of writing and such person duly acknowledged the
execution of the same for and on behalf of SPRINGDALE LAKES, INC., a Kansas Corporation.

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



Audrey J. Eckerson
Notary Public

My appointment expires:

7-19-81

THE CITY OF WICHITA

OFFICE OF Flood Control and Landfill Div. **DATE**

June 1, 1979

Loise

TO Jack Galbraith, Chief Planner, MAPD

FROM Max Greene, Director

SUBJECT - Springdale Lakes Addition to
Sedgwick County, Kansas

In compliance with the request from this office that an attempt be made to obtain a Permit from the Kansas State Division of Water Resources for the dam on subject Addition, an earnest effort has been made by the consultant. It appears, however, that considerable delay will be experienced before a Permit may be granted (see attached letter).

Minimum pad elevations set on property abutting the lake have been set by a hydrology study of the 100-year flow over the dam by the consultant and flow quantities and elevations used are compatible with the Preliminary Flood Insurance Rate Map Study. This puts the plat in compliance with the Subdivision Regulations. Therefore, all of the requirements have been met. I recommend release of the plat for recording.

Max Greene

Max Greene,
Director
Flood Control and Landfill Division

MG/glm

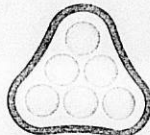
cc: Bill Keltner/PEC
Springdale Lakes Addn. Plat File

Attach. - copy of 5-29-79 PEC letter



DIRECTORS

C. O. KNIP, P.E.
R. D. FEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTNER, P.E.
P. D. FLETCHER, P.E.
P. D. MIDDLETON, JR., P.E.
K. R. HORNER, P.E.
D. E. HALTBIE, P.E.
M. D. SCHOMAKER, P.E.



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
PROFESSIONAL ASSOCIATION

May 29, 1979

Mr. Max Green, P.E.
Flood Control & Land Fill Director
Wichita/Sedgwick County
455 N. Main
Wichita, Kansas 67202

Re: Existing Dam and Pond
Proposed Springdale Lakes Addition
Sedgwick County, Kansas
PEC File No. 30-78:14-291

Dear Max:

This letter is to advise you of our attempt to get a permit for the subject dam from the Division of Water Resources, Department of Agriculture, State of Kansas.

We have contacted the Division to determine the items they need in order to issue a permit for the dam. As you are aware, there is no data available regarding design plans or construction inspection certifications for the existing structure. In addition, design plans for embankment and spillway improvements to the existing dam will not be available until after (a) the plat is filed (b) design contracts are signed by the County, and (c) the plans are prepared for construction as part of the plat benefit district improvements package. It is our understanding that all of the above are required to be sent to the Division before they can consider the request for a dam permit. The result is that it appears the Division will not issue such a permit at this time. We are asking that your office notify the M.A.P.D. of these facts and see if it is possible that the plat be cleared for presentation to the Board of City Commissioners at their June 19, 1979 meeting.

As the result of our hydrology and plat drainage analysis several small detention ponds have been sized to be constructed as part of the storm drainage system. These will insure that no additional storm run off will pass over the dam (full plat development as opposed to the presently undeveloped condition). So long as we are employed on this job, we will see that design plans prepared for the plat improvements will be consistent with the recommendations of our report, and the requirements and requests of your office. Minimum pad elevations as determined by the Flood Hazard Insurance studies are, to the best of our knowledge, compatible with the analysis data prepared by our office and will be shown on the face of the Plat. At this time, the plans, specifications, and estimates, and

-continued-

Received

MAY 30 1979

1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691

Mr. Max Green, P.E.
May 29, 1979
Page 2

the construction of all plat improvements are scheduled to be by Sedgwick County Benefit District for which we have been named design engineer. This additional control over extent and location of drainage improvements will thus be available to the public, through the Sedgwick County Department of Public Works. We will continue to submit data to the City Engineer, your office, and the Division of Water Resources so that all parties are kept informed and can comment on improvements proposed for construction.

If you need additional information or if we can arrange for any other assurances you feel necessary at this time, please contact the undersigned.

Very truly yours,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

W. H. Keltner

William H. Keltner, P.E.
Vice President

WHK:csr

cc: Mr. Bill Lusk, Jr.



Luise

The LUSK COMPANY

207 South Broadway • Wichita, Kansas 67202 • AC (316) Off. 267-2858 Res. 683-4415

May 24, 1979

Ms. Louis Olivarez, Junior Planner
Wichita-Sedgwick County Metropolitan Area Planning Dept.
City Hall, 10th Floor
455 N. Main Street
Wichita, Kansas 67202

Dear Ms. Olivarez:

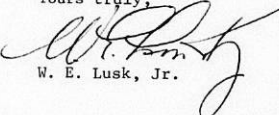
Enclosed please find a copy of the restrictive covenants which I propose to use for the Springdale Lakes Addition to be platted on the southwest corner of 143rd St., East and Kellogg.

These covenants are being submitted to you to fulfill requirements "F" and "O", which you made in your letter of August 25, 1978, to the Baughman Co., who is assisting me in platting the land. Please note that requirements "F" and "O" are covered in the restrictive covenants in Paragraph 17 on page 4 and Paragraph 9 on page 3.

Concurrently with mailing this letter, I have also mailed to the Sedgwick County Department of Public Works a letter of credit, guaranteeing the construction of sidewalks in the area. With these two items completed, I believe that all of the requirements have been met.

If you have any further questions, please call.

Yours truly,



W. E. Lusk, Jr.

WEL:yk
enc.

DECLARATION OF COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, SPRINGDALE LAKES, INC., a Kansas corporation, being the owner of all the following described real estate, to-wit:

Lots 1-18, Block 1; Lots 1-4, Block 2;
Lots 1-20, Block 3; Lots 1-12, Block 4;
Lots 1-20, Block 5; Lots 1-8, Block 6;
Lots 1-2, Block 7; Lots 1-2, Block 8;
Lot 1, Block 9, All in Springdale Lakes
Addition to Sedgwick County, Kansas;

do hereby impose the following protective restrictions and covenants upon the above described real estate and they shall be filed for record in the office of the Register of Deeds of Sedgwick County, Kansas; and each and every one of these covenants, conditions, reservations and restrictions is and all are for the benefit of each owner of land, or any interest therein, and shall inure to and pass with each and every building lot, and shall bind the respective successors in interest of the present owners thereof. These covenants, conditions, reservations and restrictions are and each thereof is imposed upon the lots and blocks above described, and all are to be construed as restrictive covenants running with the title to such lots.

1. Definition of Terms: (a) "Residential building lot", or "building lot" shall mean any lot, or two or more contiguous lots, upon which a dwelling unit, with appurtenances, may be erected in conformance with these covenants.

(b) "Detached single family dwelling unit", or "dwelling unit", shall mean and include one integral unit, with appurtenant structures, designed and constructed for use as a residence for one family.

(c) "Accessory structure" shall mean any enclosed covered structure not directly attached to a dwelling unit to which it is appurtenant. Such shall not be defined to mean a carport, which structures are expressly prohibited.

(d) "Improvements" shall mean and include a new dwelling unit as herein defined, accessory structures, fences, walls, hedges, and other usual appurtenances now common to dwelling usage.

signed covenants received 6-13-79

(e) "Front and side street building set-back line or lines", shall mean the minimum distance which a dwelling unit must be set back from the front and/or side street lines, respectively.

(f) "Side lot building line", shall mean the boundary or property line dividing two adjoining lots.

(g) "Side lot building set-back line", shall mean the minimum distance which a dwelling unit must be set back from the side building lot line.

(h) "Common area", shall mean and include all Reserves A and B, Springdale Lakes Addition to Sedgwick County, Kansas.

(i) "Homeowners Association", shall refer to Springdale Lakes Homeowners' Association, a Kansas non-profit corporation and the By-Laws thereof and all rules and regulations promulgated pursuant to said Articles and By-Laws.

2. All lots are for residential purposes only. It is hereby provided that no retail, wholesale, manufacturing or repair business of any kind, nor so-called home occupations, nor any other business or profession shall be maintained, practiced or permitted on any building lot or in any detached single-family dwelling or appurtenant structure erected on any lot, nor in any other out-building, even though it does not include the employment of any additional persons in the performance of such business, trade or profession. No activity which may be or become an annoyance or nuisance to the neighborhood shall be carried on upon any building lot or in any dwelling unit or appurtenant structure or accessory structure erected therein.

3. No garage or accessory structure may be converted into apartments or living quarters.

4. No previously constructed building, dwelling unit or accessory structure may be moved onto a building lot. No dwelling unit, or any part thereof, nor any appurtenant structure to be used in conjunction with a dwelling unit may be occupied in any manner while in the course of construction, nor at any time prior to its being fully completed. No temporary house, temporary dwelling, temporary garage, temporary out-building, trailer home, or other temporary structure shall be placed or erected upon any lot, provided, however, temporary construction sheds or the like may be utilized during the period of construction of a dwelling unit or units upon any lot or lots.

5. Set-backs. (a) Front and side street set-back lines are shown on the plat of Springdale Lakes Addition and the minimum front and side street set-backs shall be the same as the distances shown on said plat.

(b) There shall be a six foot (6') side yard building set-back line from each side lot building line.

(c) Accessory structures shall be located in compliance with the side yard requirements for each building lot, however, an accessory structure shall not be required to be set back more than three feet (3') from a side lot building line when all parts of the accessory structure are located more than one-half of the depth of the lot behind the front set-back line, provided, however, no accessory structure shall be located on any platted or recorded easement, or over any known utility.

6. Tanks. No elevated tanks of any kind shall be erected, placed or permitted on any part of any building lot subject to these covenants. Fuel oil storage tanks shall be permitted only if located underground.

7. Livestock and Pets. No livestock, chickens, fowls, or other animals, except the usual and ordinary number of family pets, shall be kept by the occupants of any dwelling unit constructed upon a building lot.

8. Utility Lines and Cable Television. All electrical service, telephone lines and cable television service shall be placed under ground and no overhead outside service to any dwelling unit shall be permitted, provided however, overhead electric lines may be permitted to serve lighting of the streets and common area. Any part or all of this restriction may be waived by the undersigned.

9. Parking. Parking shall be permitted on only one side of St. Andrew's Drive, Spring Creek Drive and Spring Hollow Drive and Spring Hollow Drive, and on each lot adjoining said streets a minimum of 4 off-street parking spaces will be provided.

10. Signs, etc. No signs, advertisements, billboards or advertising structures of any kind may be erected or maintained on any of the building lots herein restricted, provided, however, permission is hereby granted for the erection and maintenance of not more than one signboard on each building lot, which signboard shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease the building lot upon which it is erected.

11. Nuisance. No lot or any of the common area shall be used in whole or in part for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause such lot or common area to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any lot or common area that will emit foul or obnoxious odors, or that will cause any noise that will or might disturb the peace, quiet, comfort, or serenity of the occupants of the surrounding property.

12. Mining. No derrick or other structure designed for use on boring for oil or natural gas shall be erected, placed, or permitted upon any part of such premises, nor shall any oil, natural gas, petroleum, asphaltum or other hydrocarbon products or minerals of any kind be produced or extracted therefrom.

13. Construction. All dwelling units or structures upon any of the lots subject to these restrictions must be constructed by a licensed contractor, and no used building materials may be incorporated in any improvement. No evaporative-type cooler shall be used in conjunction with any improvements.

14. Drainage. Drainage ways shall conform to the requirements of all lawful public authorities.

15. Commercial vehicles. No commercial vehicles, construction vehicles or like equipment or mobile or stationary trailers of any kind shall be permitted on any lot unless the same is stored in a completely enclosed garage which otherwise complies with these covenants.

16. Homeowners' Association. For the purpose of maintaining the common area and any community facilities, of every kind and nature required or desired within the area, for the general use and benefit of all the building lot owners whose building lots are subject to these covenants, each and every building lot owner, in accepting a deed or contract for any building lot, agrees to and shall be a member of and be subject to the obligations and duly enacted By-Laws and rules of Springdale Lakes Homeowners' Association, a Kansas non-profit corporation. The Articles of Incorporation and By-Laws of such corporation shall be filed for record and the same are specifically incorporated herein by reference.

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Association, and said responsibilities shall continue until such time as the governing body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of the drainage, provided further that no building 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 Wichita-Sedgwick County Flood Control Office or their successors of office.

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21. Architectural Control. In lieu of restrictions heretofore commonly used governing minimum cost or square foot area of dwelling units, both of which have proven inadequate in protecting existing or future property owners because of the fluctuating value on the dollar and the changing designs, customs and trends in home building, these covenants shall and do hereby provide that no dwelling unit or other improvements, including fences, outbuilding and planting as herein defined, shall be erected, placed or altered on any building lot in said Addition until the building or other improvements plans, specifications and plot plat showing the location of such improvements on the particular building lot have been submitted to and approved in writing as to conformity and harmony for external design, including the height of said improvements, with existing structures in the addition, and as to location of the improvements with respect to topography, grade and finished ground elevation by the Architectural Control Committee as hereinafter provided. The Architectural Control Committee, its successors or assigns, shall not be liable in damages to anyone so submitting plans for approval, or to any

other owner or owners of building lots covered by this instrument by reason of mistaken judgment, negligence or non-feasance of themselves arising out of or in connection with the approval or disapproval, or failure to approve any such plans. In the event the Architectural Control Committee fails to approve or disapprove such design, height and location within thirty (30) days after said plans and specifications have been submitted, this covenant will be deemed to have been fully complied with. If construction or alteration of original improvements or any subsequent additional improvements are begun in violation of the terms and conditions of this paragraph or without the written approval required, and no suit to enjoin the erection, establishment or alteration of such improvements has been commenced prior to the completion thereof, this covenant will be deemed to have been fully complied with.

The Architectural Control Committee is composed of the following persons, to-wit:

W. E. Lusk, Jr.

W. E. Lusk

Nancy D. Lusk

A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, a majority of the remaining members shall have full authority to designate a successor. Neither the members of the Committee nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

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23. Violations. If any person shall violate or attempt to violate any of the restrictions herein set forth it shall be lawful for any other person or persons holding any building lot in said Addition to prosecute in any court of competent jurisdiction, any proceeding at law or in equity against the person or

persons so violating or attempting to violate any such restriction, either for the purposes of preventing him or them from doing so, or to recover damages for such violation. Any waiver of the enforcement of any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter nor shall such waiver be deemed to be a waiver of any future or successive violation.

24. Invalidity. In the event any one or more of the foregoing covenants, conditions, reservations or restrictions shall be declared for any reason, by a court of competent jurisdiction, to be null and void, such judgment or decree shall not in any manner whatsoever affect, modify, change, abrogate, or nullify any of the covenants, conditions, reservations and restrictions not so declared to be void, but all of the remaining covenants, conditions, reservations and restrictions not so expressly held to be void shall continue unimpaired and in full force and effect.

IN WITNESS WHEREOF, we, the undersigned, have caused this instrument to be executed this ____ day of _____, 1979.

SPRINGDALE LAKES, INC.
a Kansas Corporation

ATTEST:

_____ By _____

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 1979,
before me, the undersigned, a Notary Public in and for the County and State
aforesaid, came _____, personally known to me to be the
same person who executed the within instrument of writing and such person duly
acknowledged the execution of the same for and on behalf of SPRINGDALE LAKES,
INC., a Kansas corporation.

In Witness Whereof, I have hereunto set my hand and affixed my official
seal, the day and year last above written.

My appointment expires: _____.

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

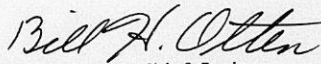
DATE May 14, 1979

TO Jack H. Galbraith, Chief Planner-Current Plans

FROM Bill H. Otten, Chief Engineer-Water Engineering

SUBJECT Springdale Lakes Addition

The plattors of Springdale Lakes Addition have submitted valid 100% petitions for water benefit districts to serve this plat. Therefore, our requirements for water service to this area have been fulfilled. The petitions and resolutions will be placed on the City Commission Agenda for approval at your discretion.



Bill H. Otten, Chief Engineer
Water Engineering Division

BH0:sd

CLC

LAW OFFICES
RICHARD B. CLAUSING
HERITAGE PLACE
421 EAST THIRD STREET
WICHITA, KANSAS 67202

AREA CODE 316 262-0473

May 3, 1979

Mr. Curtis L. Newby
Metropolitan Area Planning Department
City Hall
455 North Main Street
Wichita, Kansas 67202

Re: Springdale Lakes Addition to
Sedgwick County, Kansas

Dear Mr. Newby:

Enclosed herewith please find copies of street and sewer resolutions of the Board of County Commissioners of Sedgwick County, Kansas, which are submitted on behalf of the owner for the purpose of satisfying the final platting requirements with respect to street and sewer guarantees.

Very truly yours,

Richard B. Clausing
Richard B. Clausing

RBC:cc
cc: Mr. W. E. Lusk, Jr.



R# 101-1779

Richard Clauson
1121

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE APPLICATION OF
PETITIONER FOR THE IMPROVEMENT OF STREETS
WITHIN SPRINGDALE LAKES ADDITION TO
SEDGWICK COUNTY, KANSAS

RESOLUTION

ON THIS 25 day of April, 1977, the
petition of Springdale Lakes, Inc. for the construction of
curbing, guttering, grading, paving, macadamizing and drainage
of the streets, roads and avenues within the following
described land is considered by the Board, which finds as
follows:

1. Petitioner is the owner of all lots fronting
on the streets, roads and avenues within the following
described land:

Springdale Lakes Addition to Sedgwick County,
Kansas, the same being described as follows:

Beginning at the NE corner of the NE/4 of Section 26,
Township 27 South, Range 2 East, of the 6th P.M.,
Sedgwick County, Kansas; thence southerly, along
the east line of said NE/4, 1615 feet; thence
westerly, parallel with the south line of said
NE/4, 365 feet; thence northwesterly, with a
deflection angle to the right of 27° 00', 1208.69
feet; thence westerly, parallel with the south
line of said NE/4, 145.50 feet to the P.C. of a
curve to the right; thence northwesterly, along
said curve whose tangent deflects 66° 49' 08" to
the right with a radius of 218 feet, a central
angle of 10° 06' 08" and a distance of 38.44 feet
to the P.T. of said curve; thence northwesterly,
along a curve to the right with a radius of 468
feet, a central angle of 2° 01' 07" and a distance
of 16.49 feet to the P.T. of said curve; thence
southwesterly, with a deflection angle to the left
of 90° from the tangent of said curve, 274.20
feet; thence westerly, parallel with the south
line of said NE/4, 744.96 feet to the west line of
said NE/4; thence northerly, along said west line,
589.53 feet to a point 475 feet south of the NW
corner of said NE/4; thence easterly, parallel
with the north line of said NE/4, 430 feet; thence
northerly, parallel with the west line of said
NE/4, 475 feet to the north line of said NE/4;
thence easterly, along said north line, 2209.23
feet to the point of beginning, except that part
taken for U.S. 54 Highway.

State of Kansas
County of Sedgwick
I, County Clerk of said County, do hereby
certify this to be a true and correct copy of the
original instrument which is on file or of record
in my office.

Done this 25 day of April, 1977
DOROTHY K. WHITE, County Clerk
By [Signature], Deputy

2. The above described land is within Sedgwick County, Kansas, and outside the limits of any incorporated city.

3. That it is necessary to provide for the curbing, guttering, grading, paving, macadamizing and drainage of the streets within the above described land.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sedgwick County, Kansas, on this 25 day of April, 1972, that construction of curbing, guttering, grading, and paving or macadamizing, including drainage, is necessary for all of the streets, roads and avenues which are within Springdale Lakes Addition to Sedgwick County, Kansas.

BE IT FURTHER RESOLVED, that this resolution be published for three (3) consecutive weeks in the official paper of the county; and if the owners of more than one-half of the property liable to taxation for said work shall not within twenty (20) days from the date of such last publication file with the County Clerk of Sedgwick County, Kansas, their protest against such improvements, that the Board of County Commissioners shall, thereupon, cause such streets, roads and avenues to be improved, constructed or built as aforesaid, and to contract therefor and to levy taxes as provided by law, and now, therefore, all owners of said property liable for taxation therefor take notice hereof.

BY THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

By Tom Lead
Chairman

Donald B. Gregg
County Commissioner

[Signature]
County Commissioner



Norothy K. White
County Clerk of Sedgwick
County, Kansas

R# 100 - 1207

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF EXTENSION OF SEWERS WITHIN THE
TIMBER LAKES-SPRINGDALE JOINT SEWER DISTRICT OF
SEDGWICK COUNTY, KANSAS

ORDER

On this 25 day of April, 1974, the same being the regularly scheduled date for the meeting of the Board of County Commissioners of Sedgwick County, Kansas, the petition to build sewers to serve land within the Timber Lakes-Springdale Joint Sewer District of Sedgwick County, Kansas, comes on for hearing. All Commissioners are present. (As per 19-2705 K.S.A.)

THEREUPON, the Commissioners, after hearing the statements of all interested persons and being fully advised in the premises, finds as follows:

1. That the petition is properly before the Commission.
2. That all of the following described real property lies within the Timber Lakes-Springdale Joint Sewer District of Sedgwick County, Kansas:

Springdale Lakes Addition to Sedgwick County, Kansas, the same being described as follows:

Beginning at the NE corner of the NE/4 of Section 26, Township 27 South, Range 2 East, of the 6th P.M., Sedgwick County, Kansas; thence southerly, along the east line of said NE/4, 1615 feet; thence westerly, parallel with the south line of said NE/4, 365 feet; thence northwesterly, with a deflection angle to the right of 27° 00', 1208.69 feet; thence westerly, parallel with the south line of said NE/4, 145.50 feet to the P.C. of a curve to the right; thence northwesterly, along said curve whose tangent deflects 66° 49' 08" to the right with a radius of 218 feet, a central angle of 10° 06' 08" and a distance of 38.44 feet to the P.T. of said curve; thence northwesterly, along a curve to the right with a radius of 468 feet, a central angle of 2° 01' 07" and a distance of 16.49 feet to the P.T. of said curve; thence southwesterly, with a deflection angle to the

left of 90° from the tangent of said curve, 274.20 feet; thence westerly, parallel with the south line of said NE/4, 744.96 feet to the west line of said NE/4; thence northerly, along said west line, 589.53 feet to a point 475 feet south of the NW corner of said NE/4; thence easterly, parallel with the north line of said NE/4, 430 feet; thence northerly, parallel with the west line of said NE/4, 475 feet to the north line of said NE/4; thence easterly, along said north line, 2209.23 feet to the point of beginning, except that part taken for U.S. 54 Highway.

3. The petition is signed by the owner of the above described land who requests sanitary and storm sewers be extended to said land and that the treatment facilities be enlarged as may be made necessary by such extension of sewers.

4. That the extension of sanitary and storm sewers to said land will promote the health and welfare of the residents of Sedgwick County, Kansas.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY AS FOLLOWS:

1. That sanitary and storm sewers be built to serve the above described real property.
2. That the treatment facilities of Timber Lakes-Springdale Joint Sewer District of Sedgwick County, Kansas, be enlarged as necessary to accommodate such new sewers.
3. That the Public Works Department of Sedgwick County, Kansas, proceed to design, plan and build such sewers and enlarged treatment facilities as may be necessary and to that end, be empowered to negotiate a contract for employment of engineers or other skilled employees for the purpose of assisting in planning and superintending the construction thereof, subject to the final approval and acceptance of such contract by this Board.

4. That all costs be apportioned and assessed as provided by K.S.A. 19-2705.

THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

By *Tom Scott*
Tom Scott, Chairman

Everett Patrick
Everett Patrick,
County Commissioner

Don Gragg
Don Gragg,
County Commissioner



Dorothy K. White
County Clerk of Sedgwick
County, Kansas

State of Kansas
County of Sedgwick

I, County Clerk of said County, do hereby certify this to be a true and correct copy of the original instrument which is on file or of record in my office.

Done this 25 day of April, 1972
DOROTHY K. WHITE, County Clerk

By *Dorothy East*, Deputy

Legal Publication

(First Published In The Daily Reporter, Tuesday, May 1st, 1979)
R#101-1979

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS
IN THE MATTER OF THE APPLICATION OF PETITIONER FOR THE IMPROVEMENT OF ~~STREETS~~ WITHIN SPRINGDALE LAKES ADDITION TO SEDGWICK COUNTY, KANSAS

RESOLUTION

ON THIS 25 day of April, 1979, the petition of Springdale Lakes, Inc. for the construction of curbing, guttering, grading, paving, macadamizing and drainage of the streets, roads and avenues within the following described land is considered by the Board, which finds as follows:

1. Petitioner is the owner of all lots fronting on the streets, roads and avenues within the following described land:

Springdale Lakes Addition to Sedgwick County, Kansas, the same being described as follows:

Beginning at the NE corner of the NE 1/4 of Section 26, Township 27 South, Range 2 East, of the 6th P.M., Sedgwick County, Kansas; thence southerly, along the east line of said NE 1/4, 1615 feet; thence westerly, parallel with the south line of said NE 1/4, 365 feet; thence northwesterly, with a deflection angle to the right of 27 degrees 00', 1208.69 feet; thence westerly, parallel with the south line of said NE 1/4, 163.50 feet to the P.C. of a curve to the right; thence northwesterly, along said curve whose tangent defects 66 degrees 49' 08" to the right with a radius of 218 feet, central angle of 10 degrees 06' 08" and a distance of 38.44 feet to the P.T. of said curve; thence northwesterly, along a curve to the right with a radius of 468 feet, a central angle of 2 degrees 01' 07" and a distance of 16.49 feet to the P.T. of said curve; thence southwestwesterly, with a deflection angle to the left of 90 degrees from the tangent of said curve, 274.20 feet; thence westerly, parallel with the south line of said NE 1/4, 744.96 feet to the west line of said NE 1/4; thence northerly, along said west line, 589.53 feet to a point 475 feet south of the NW corner of said NE 1/4; thence easterly, parallel with the north line of said NE 1/4, 450 feet; thence northerly, parallel with the west line of said NE 1/4, 475 feet to the north line of said NE 1/4; thence easterly, along said north line, 2209.23 feet to the point of beginning, except that part taken for U.S. 54 Highway.

2. The above described land is within Sedgwick County, Kansas, and outside the limits of any incorporated city.

3. That it is necessary to provide for the curbing, guttering, grading, paving, macadamizing and drainage of the streets within the above described land.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sedgwick County, Kansas, on this 25 day of April, 1979, that construction of curbing, guttering, grading, and paving or macadamizing, including drainage, is necessary for all of the streets, roads and avenues which are within Springdale Lakes Addition to Sedgwick County, Kansas.

BE IT FURTHER RESOLVED, that this resolution be published for three (3) consecutive weeks in the official paper of the county; and if the owners of more than one-half of the property liable to taxation for said work shall not within twenty (20) days from the date of such last publication file with the County Clerk of Sedgwick County, Kansas, their protest against such improvements, that the Board of County Commissioners shall,

thereupon, cause such streets, roads and avenues to be improved, constructed or built as aforesaid, and to contract therefor and to levy taxes as provided by law, and now, therefore, all owners of said property liable for taxation therefor take notice hereof.

BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

By /s/ Tom Scott
Chairman

/s/ Donald E. Gragg
County Commissioner
/s/ Everett Patrick
County Commissioner

ATTEST:

(SEAL)

/s/ Dorothy K. White
County Clerk of Sedgwick
County, Kansas
(May 1-8-15)

Newby

LAW OFFICES
RICHARD B. CLAUSING
HERITAGE PLACE
421 EAST THIRD STREET
WICHITA, KANSAS 67202

AREA CODE 316 262-0473

April 26, 1979



Mr. Curtis L. Newby
Metropolitan Area Planning
Department
City Hall
455 North Main Street
Wichita, Kansas 67202

Re: Springdale Lakes Addition

Dear Mr. Newby:

Enclosed is a copy of the title binder which satisfies one of the requirements prior to submitting the final plat to the Wichita City Commission. Yesterday, April 25th, the Board of County Commissioners passed sanitary and storm sewer resolutions and street resolutions covering this subdivision, which take care of these requirements.

Very truly yours,

Richard B. Clausing
Richard B. Clausing

RBC:cc
Enclosure
cc: Mr. W. E. Lusk, Jr.



AMERICAN LAND TITLE ASSOCIATION COMMITMENT - 1966

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) AM 7-8371

CHICAGO TITLE INSURANCE COMPANY

Alvin W. Long
President.

ATTEST:
Chester C. McCullough
Secretary.

Alvin W. Long
Authorized Signatory



CONDITIONS AND STIPULATION

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusion from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

SCHEDULE B

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the deeds and/or mortgages, the form and execution of which is satisfactory to the Company, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs): Year 1978 Taxes \$533.11 Paid. Key #MI-164-1A & 165-1.
9. Rights of the public over the East 40 feet of captioned property, for road purposes, created by an instrument filed in Misc. Book 477, Page 32.
10. Right-of-Way to Cities Service Gas Company, over the West Half of the Northeast Quarter of Sec. 26, Township 27 South, Range 2 East, as created by instrument filed May 10, 1928, in Book Misc. 47, Page 70 and confined to a 66 foot strip the center line of which is described as: Beginning at a point on the West line of the NE $\frac{1}{4}$ of Section 26, Township 27 South, Range 2 East, 670.6 feet South of the Northwest corner of said NE $\frac{1}{4}$; thence N 53°28' E. 211.9 feet; thence N 57°13' E, 385.8 feet; thence N 48°22' E., 182 feet; thence N 59°31' E., 259.2 feet; thence N 56°14' E. to a point on the North line of said NE $\frac{1}{4}$, 1611 feet West of the Northeast corner of said NE $\frac{1}{4}$, by an agreement filed on Film 336, Page 705, which agreement also provides that the building line for permanent installation shall not be less than 50 feet from the center of said pipeline.
(where pipeline within 66 feet)
11. Guy and Anchor Easement to Kansas Gas and Electric Company, being approximately 15 feet South and 70 feet West of the Northeast Corner of said Sec. 26, as created by instrument dated November 11, 1946, filed September 17, 1947, in Deed Book 665, Page 379.
12. Mortgage dated May 12, 1978, executed by Springdale Lakes, Inc., to The First National Bank in Wichita, of Wichita, Kansas, filed May 12, 1978, on Film 304, Page 1342, in the original amount of \$260,000.00.

(See Added Page)

Policy Number _____
Owners

Policy Number _____
Loan

13. Lack of direct access to Highway #54 from the premises in question, except at two places on said highway, such right of access having been condemned by the State of Kansas by condemnation suit Case No. A-54089.
Note: For places of access see exhibit A attached hereto,

Exhibit A

Condemnation Case No. A-54089

- 27 -

Walter R. Durdge and Howard T. Fleeson, Co-Trustees, 120 S. Market, Wichita, Kansas; subject to the tenancy of Wayne Tjaden, R.R. 3, Wichita, Kansas.

A tract of land for highway RIGHT OF WAY in the Northeast Quarter of Section 26, Township 27 South, Range 2 East described as follows: BEGINNING at the Northeast corner of said Quarter Section; First Course, thence South along the East line of said Quarter Section 166.7 feet; Second Course, thence West 30.0 feet; THIRD COURSE, THENCE NORTH 65.0 FEET TO A POINT 30.0 FEET WEST AND 101.6 FEET SOUTH OF SAID NORTHEAST CORNER; FOURTH COURSE, THENCE WEST TO A POINT 430.0 FEET EAST AND 92.1 FEET SOUTH OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; Fifth Course, thence North 92.1 feet to the North line of said Quarter Section; Sixth Course, thence East along said North line to the place of beginning. The above contains 0.18 acre, more or less, exclusive of the existing highway. Together with the abutter's right of access appurtenant to the remaining property, in and to said highway hereinabove described, except and reserving, however, unto owners of abutting land, their successors or assigns, the right of access to said highway for the purpose of FARM ENTRANCES over and across the following described course: BEGINNING at a point 1655.9 feet West of the beginning of said 'FOURTH' course and extending West 30.0 feet; Also the West 30.0 feet of said 'FOURTH' course.

THE CITY OF WICHITA

OFFICE OF Flood Control Maintenance

DATE October 12, 1978



TO Jack Galbraith, Chief Planner, MAPD

FROM Max Greene, Flood Control Engineer

SUBJECT - Springdale Lakes Addn.

On October 11th, Professional Engineering Consultants submitted a preliminary drainage plan on subject Addition at a joint meeting of the agencies involved in reviewing the plan. Those attending the meeting were:

Yash Desai, City Engineer's Office
Phil Dietrich, County Engineer's Office
Max Greene, Flood Control Maintenance

The plan as presented was approved subject to the following requirements being met before forwarding to the City Commission:

- 1) The main lake -- review of plans to be sent to the Kansas State Board of Agriculture, Division of Water Resources to attempt to obtain a State permit for the dam.
- 2) Review of the final calculations for the retention ponds.
- 3) Ponds 4 and 5 will be constructed on this plat.
- 4) Pond 2 will be constructed if needed to provide necessary storage for area being platted.
- 5) Review of storm sewer plans and calculations and corresponding street grades.

I trust this is sufficient information for you to proceed with the processing of the plat; however, if you have any further questions, please advise.

Max Greene

Max Greene,
Flood Control Engineer
Flood Control Maintenance

MG/glm

cc: G. H. Wilton
Phil Dietrich
Yash Desai
Bill Keltner, PEC
Springdale Lakes Addn. Plat File

see memo of June 1, 1979

October 12, 1978

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 77-136 - Final plat of Springdale West Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on October 12, 1978, 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 August 25, 1978.

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. Compliance with the requirements of the Metropolitan Area Planning Department.
- 6-5-79 2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 4-27-79 3. 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.
- 4-27-79 4. Certification that all taxes due and payable for 1977 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Jack H. Galbraith
Chief Planner

JHG:bh

cc: Springdale Lakes, Inc., W.E. Lusk, Jr., 207 S. Broadway, 67202
Joe Freeman, County Dept. of Public Works
Dean Sellers, Assistant City Engineer

August 25, 1978

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 77-136 - Final plat of Springdale West Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, August 24, 1978, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- ✓ A. Approval of the plat is subject to the applicant filing for and receiving approval of a county zone change from "R-1" to "AA" on subject property to permit the lot sizes as shown on the plat. The final plat will not be forwarded to the Planning Commission until the appropriate zone change has been approved by the Board of County Commissioners.
- ✓ B. A drainage concept has been approved. Final drainage plans shall be submitted to the City and County Public Works Departments and approved prior to forwarding the plat to the MAPC. The floodway easements which are now part of the lots may need to be included in the Reserve. *B Co.C. approved 8-2-78 SCZ-0396*
- OK C. Lot B, Block 5 shall be deleted from this plat and this area granted as floodway by separate instrument. *MAPC approved 10-4-78* *platted as "Reserve B" which is designated for floodway*
- ✓ D. Lot A shall not be platted as a lot but shall be designated only as part of the floodway.
- OK E. The wording in the plat's text concerning the responsibility of the floodways shall be changed to indicate that the floodway in Block 5 shall be the responsibility of the abutting property owners and that the floodway on Blocks 1 and 2 shall be maintained as a part of the Homeowners Association to be established for Reserve A.
- OK F. A covenant and/or Homeowners Association shall be submitted for review and approval which shall set forth the ownership of "Reserve A" and the maintenance responsibility therefor.

Wording OK.

Need signed covenants

Received 6-13-79

- G. Any raising, lowering, relocation or encasement of the Cities Service pipeline crossing subject property, as a result of requirements for improvements on this plat shall be at the sole expense of the applicant.
- OK* H. The applicant shall obtain a letter from the Cities Service Company indicating that they need no additional easement width for their pipeline and what building setbacks from said line, if any, need to be indicated on the plat.
specified in title binder
- I. The applicant has submitted a check in the amount of \$23,365.10 which has been deposited in the Springdale-Timber Lakes joint sewer district bond and interest fund. Prior to development of the property, the applicant shall submit \$33,200 (\$500/acre) for expansion of the sewage treatment plant. With each building permit issued, a \$600 deposit will be required.
- 6-25-79 Co. Comm. approved petition*
J. The applicant shall guarantee by petition, bond, letter of credit or cash, the installation of the sanitary sewer lateral system to serve each lot being platted.
- OK* K. The applicant shall guarantee the installation of City of Wichita water to serve each lot being platted. *petition*
- 4-25-79 Co. Comm. approved petition*
L. The applicant shall guarantee the paving of all streets indicated on the plat to the standards of the City of Wichita.
- M. Appropriate plans and profiles for the street improvements shall be submitted to the City Engineer for review and approval and an approved copy of said plans and profiles shall be submitted to the County Engineer.
- 6-4-79 OK* N. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets within the subdivision. *Letter of credit to County (according to Brent Remsburg)*
- O. The applicant shall submit a covenant which assures that the 4 off-street parking spaces will be provided on each lot adjoining a 58 foot street and an acknowledgement that parking will be permitted only on one side of each of the 58 foot streets. *see § 9 of covenants Need signed covenants*
- OK* P. "Brook Forest Drive" shall be changed to "Spring Hollow Drive" and "Timber Creek Drive" and Timber Creek Circle" shall be changed to "Gilbert" and "Gilbert Circle."
- OK* Q. The applicant shall obtain a letter of approval for the dam from the State Board of Water Resources. A copy of this letter shall be submitted to the Planning Department. *see memo of 6-1-79 from Flood Control*
- R. A sanitary sewer layout for the overall preliminary plat area shall be submitted to the County Public Works Department.
- Stallard*
S. A 10-foot utility easement shall be indicated on the east 10 feet of Lot 14, Block 2.
K.G.F. said no longer needed as all utilities will be in streets. Also OK to delete rear easement in Blk 2

Baughman Company
August 25,
Page 3

T. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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

This matter will not be forwarded to the Planning Commission until the appropriate zone change has been approved by the Board of County Commissioners.

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

Sincerely,

Louise Olivarez
Junior Planner

LO:bh
Encl.

cc: Springdale Lakes, Inc. W. E. Lusk, Jr., 207 S. Broadway, 67202
Joe Freeman, County Department of Public Works
Dean Sellers, Assistant City Engineer

Buld & Interest Fund - orig. issue
Springdale Timberlake Assoc
Sedgewick district 8/3 1977

NUMBER

40-2
1011

PAY TO THE ORDER OF Sedgewick County Department of Public Works \$23,365.¹⁰
Twenty Three Thousand Three Hundred Sixty Five and 10/100 DOLLARS
FIRST SPRINGDALE LAKES, INC.

First National Bank in Wichita
Wichita, Kansas 67201

MEMO Source 46.38 A

⑆1011⑆0002⑆ 04 6319 ⑆

Office of
COUNTY ENGINEER, SEDGWICK COUNTY, KANSAS No 3565
Wichita, Kansas 8/3 1977

DUPLICATE
TRANSMIT TO COUNTY TREASURER

RECEIVED OF Springdale Lake Assoc \$23,365.¹⁰
Twenty Three Thousand Three Hundred Sixty Five and 10/100 DOLLARS

FOR Acct Interest Fund (Timberlake - Springdale)

Account Amount
23,365.10

J. C. McLeure, Jr.
COUNTY ENGINEER.
BY Vera Spurgin

Final Plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. S/D 77-136 Name Springdale Lakes Addition (formerly Springdale West)
Date Application Rec'd. 10-6-77 Preliminary Approval B-18-78
Scheduled S/D Meeting 8-24-78

DESCRIPTION

General Location Southwest corner of Kellogg and Springdale Road,
143rd Street East
Owner Springdale Lakes, Inc., Atten: W. F. Lusk, Jr.
Surveyor/Engineer Baughman Company
Address 330 Laura, Wichita, Kansas 67211 Phone 262-7271

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>66.4</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>58</u> R/W <u>1575</u> ft. |
| Residential <u>98</u> | b. <u>64</u> R/W <u>5000</u> ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>98</u> | TOTAL <u>6575</u> ft. |
| 3. Minimum Lot Frontage <u>*60</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>10,000</u> square ft. | streets? <u>x</u> <u>yes</u> <u>no</u> |
| 5. Existing Zoning <u>R-1</u> | |
| 6. Proposed Zoning <u>AA</u> | *At building setback |
9. Public Water Supply (Yes-No), Name City of Wichita
10. Public Sanitary Sewers (Yes-No), Name Timber Lakes - Springdale
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita _____: Three-Mile Area x

STAFF COMMENTS:

- A. Approval of the plat is subject to the applicant filing for and receiving approval of a county zone change from "R-1" to "AA" on subject property to permit the lot sizes as shown on the plat.
- B. It is recommended that the final plat not be forwarded to the Planning Commission until the appropriate zone change has been approved.
- C. Lot B, Block 5 shall be deleted from this plat. This area should be platted only as floodway.
- D. Lot A shall also be deleted from the plat since it is totally within the designated floodway and cannot be built upon.
- E. The wording in the plat's text concerning the responsibility of the floodways shall be changed to indicate that the floodway in Block 5 shall be the responsibility of the abutting property owners and that the floodway on Blocks 1 and 2 shall be maintained as a part of the Homeowners Association to be established for Reserve A.
- F. A covenant and/or Homeowners Association shall be submitted for review and approval which shall set forth the ownership of "Reserve A" and the maintenance responsibility therefor.
- G. Any raising, lowering, relocation or encasement of the Cities Service pipeline crossing subject property, as a result of requirements for improvements on this plat shall be at the sole expense of the applicant.
- H. The applicant shall obtain a letter from the Cities Service Company indicating that they need no additional easement width for their pipeline and what building setbacks from said line, if any, need to be indicated on the plat.

T9-303

(Over)

- I. Since subject property is in the Springdale-Timber Lakes sewer district, in accordance with the resolution adopted by the County in 1977, the applicant shall submit \$23,372.14 (\$351.99/acre) for the bond and interest fund, prior to release of the final plat for recording. In addition, prior to development of the property, the applicant shall submit \$33,200 (\$500/acre) for expansion of the sewage treatment plant and, with the issuance of each building permit, \$600.
- J. The applicant shall guarantee by petition, bond, letter of credit or cash, the installation of the sanitary sewer lateral system to serve each lot being platted.
- K. The applicant shall guarantee the installation of City of Wichita water to serve each lot being platted.
- L. The applicant shall guarantee the paving of all streets indicated on the plat to the standards of the City of Wichita.
- M. Appropriate plans and profiles for the street improvements shall be submitted to the City Engineer for review and approval and an approved copy of said plans and profiles shall be submitted to the County Engineer.
- N. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets within the subdivision.
- O. The applicant shall submit a covenant which assures that the 4 off-street parking spaces will be provided on each lot adjoining a 58 foot street and an acknowledgement that parking will be permitted only on one side of each of the 58 foot foot streets.
- P. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Map No.: _____
Section No.: 26
Twp. No.: 27
Range: 2E

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Springdale Lakes Addition (formerly Sprindale West)

General Location: S.W. Corner 143rd St. East and Kellogg

Name of Property Owner: Springdale Lakes, Inc. - W.E. Lusk, Jr.

Address: 207 S. Broadway Phone: 267-2858

Name of Subdivider: _____ Phone: _____

Address: _____ Phone: _____

Name of Agent/Surveyor: Baughman Company

Address: 330 Laura Phone: 262-7271

Date of Application: August 14, 1978

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 66.4 acres
2. Number of Lots:
 - Residential 98
 - Commercial _____
 - Industrial _____
 - Other _____Total Number of Lots 98
3. Minimum Lot Frontage *60 ft.
4. Minimum Lot Area 10,000 sq. ft.
5. Existing Zoning R-1
6. Proposed Zoning AA
7. Lineal Feet of New Streets:
 - a. 58 R/W 1575 ft.
 - b. 64 R/W 5000 ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL 6575 ft.
8. Sidewalk adjacent to all streets? X yes no
9. Public Water Supply Yes (Yes-No), Name C
10. Public Sanitary Sewers Yes (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita Three-Mile Area X

*At building setback

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Springdale Lakes, Inc. W.E. Lusk, Jr. President

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by L.O.
Date 8-14-78
Fee Submitted _____

DATE: 5-17-78

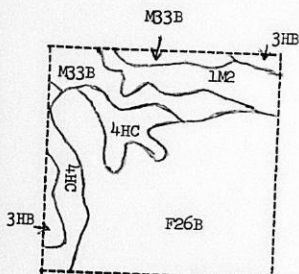
PROPERTY NAME: **SPRINGDALE WEST ADDITION**

LOCATION: **Southwest corner of U.S. 54 and Springdale Road**

MAILED TO: **Baughman Company
330 Laura
Wichita, Kansas 67211**

PREPARED BY: **Larry L. Henry
District Conservationist
USDA-Soil Conservation Service
4100 Maple, Wichita, Kansas
942-8422 67209**

REQUESTED BY: **Wichita-Sedgwick County
Metropolitan Area Planning
Commission**



Situation and/or Problems:

The soils in this area are subject to both wind and water erosion thus special precautions should be taken during construction.

Symbols

1M2

Soil
Elandco silt loam
Frequently flooded
Class Vv-3

Brief Description

Deep and moderately deep, nearly level well drained soils on bottomlands that are frequently flooded. These soils have slow runoff and high available water capacity. Permeability is slow to moderate.

M3B

Blanket silt loam
1-3 percent slopes
Class IIe-2

Deep, gently sloping, well drained soil on uplands. This soil has medium runoff and high available water capacity. Permeability is slow.

F26B

Irvin silty clay loam
1-3 percent slopes
Class IIIc-1

Deep, gently sloping, moderately well and well drained soils on uplands and terraces. These soils have medium runoff and high available water capacity. Permeability is very slow and moderate.

4HC

Gline silty clay
3-6 percent slopes
Class IVe-1

Moderately deep, sloping, well drained soils, on uplands, developed over shales. These soils have rapid runoff and low available water capacity. Permeability is very slow.

SOIL INTERPRETATIONS

<u>Symbol</u>	<u>Soil</u>	<u>Item</u>	<u>Limitations</u>	<u>Reasons</u>
M33B		Septic Tank	Severe	Peres Slowly
		Sewage Lagoon	Slight-	Slope
		Dwellings	Moderate	
F26B		Local roads	Severe	Low Strength
		& Streets		Shrink Swell
		Septic Tank	Severe	Low Strength
		Sewage Lagoon		Shrink Swell
4HC		Dwellings	Severe	Low Strength
		Local roads		Shrink Swell
		& Streets	Severe	Low Strength
		Septic Tank		Peres Slowly
		Sewage Lagoon		Depth to Rock
	Dwellings	Moderate	Low Strength	
	Local roads		Shrink Swell	
	Streets	Severe	Low Strength	

RECOMMENDATIONS:

1. Disturb only the area needed for construction.
2. Remove only those trees, shrubs, and grasses that must be removed for construction; protect the rest to preserve their esthetic and erosion-control values.
3. Disturbing as small an area as possible, install streets, curbs, water mains, electric and telephone cables, storm drains, and sewers in advance of home or other building construction.
4. Temporarily stabilize each segment of graded or otherwise disturbed land, by seeding and mulching or by mulching or by mulching alone. Permanently stabilize these areas as work on the land is completed. Both temporary and permanent stabilization practices are to be installed according to the Sedgwick County Conservation District standards and specifications.
5. Loose-pile material that is excavated for building construction purposes. Keep it loose-piled until it is used for foundation backfill or until the lot is ready for final grading and permanent vegetation.
6. Stabilize each lot within 60 days after work starts on home or other building construction.
7. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
8. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316-942-8422.

If you have any questions or if we can be of additional assistance, don't hesitate to call on us.

May 22, 1978

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 77-136 Preliminary plat of Springdale West Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 18, 1978, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. Approval of the plat is subject to the applicant filing for and receiving approval of a county zone change from "R-1" to "AA" on subject property to permit the lot sizes as shown on the preliminary plat.
- B. Complete access control to 54 Highway shall be indicated on the plat.
- C. Complete access control to Springdale Road shall be indicated on all lots and the Reserve adjacent to said street.
- D. "Springdale Road" shall be changed to read: 143rd Street East.
- E. The applicant shall contact the County Department of Public Works relative to proper street names to be used on the plat.
- F. The applicant shall submit an overall drainage plan to the Flood Control Office for review and approval.
- G. The applicant shall guarantee all drainage improvements associated with the plat.
- H. A state permit from the Division of Water Resources of the State Board of Agriculture will also be required for the control structure and dam on the lake.

- I. Sanitary sewer to serve subject property shall be applied for in the same fashion as is being done in the balance of the 4 mile creek sewer drainage basin area, this being by application and a cash deposit in specified amounts to the County for permission to connect to the existing sewer system and as well deposits for future expansion of the sewage treatment plant in the Timber Lakes area and also deposits at the time of development of the lots for additional expansion of the plant.
- J. The applicant shall guarantee the paving of all streets indicated on the plat to the standards of the City of Wichita.
- K. Appropriate plans and profiles for the street improvements shall be submitted to the City Engineer for review and approval and an approved copy of said plans and profiles shall be submitted to the County Engineer.
- L. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets within the subdivision.
- M. Block 13 should be redesigned and incorporated into Block 10 or Block 12, as there are only 7 lots in said Block 13 which would bear the expense of street improvements for the four surrounding streets.
- N. A covenant and/or Homeowner's Association shall be submitted for review and approval which shall set forth the ownership of the "Reserve" and the maintenance responsibility therefore.
- O. The lot lines of the lots adjacent to "Reserve" shall be adjusted so as to not project into the Reserve as they do on the preliminary plat.
- P. The purpose for which the Reserve is intended shall be indicated in the plat's text on the final plat.
- Q. 25 foot front yard building setbacks and 15 foot, side yard setbacks shall be indicated on all corner lots.
- R. Cloverdale Road and Timber Creek Drive shall be changed from 70 feet of right-of-way to 64 feet of right-of-way and Tall Pines Road shall be changed from 70 feet of right-of-way to 66 feet of right-of way.
- S. Lakeshore Drive shall be extended to the west line of the plat to provide additional access to the land west of the plat.
- T. The applicant shall contact the owner of the out parcel at the northwest corner of the plat relative to any plans for

Page Three

future development of said parcel. The applicant shall discuss this matter with the Planning Department prior to submission of the final plat.

- U. Both telephone and electric service shall be installed underground.
- V. Any raising, lowering relocation or encasement of the Cities Service pipeline crossing subject property, as a result of requirements for improvements on this plat shall be at the sole expense of the applicant.
- W. The applicant shall obtain a letter from the Cities Service Company indicating that they need no additional easement width for their pipeline and what building setback from said line if any needs to be indicated on the plat.
- X. Easements as indicated on the marked engineer's copy of the preliminary plat shall be indicated on the final plat.
- Y. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

In addition to the above conditions, you were furnished a letter from the County Engineer outlining several changes and additions to the conditions of approval. Although these changes and additions were not incorporated in the conditions of approval, they should be taken into account on the final plat with the following exceptions:

- J. The guaranteeing of the paving of all streets is to be to City of Wichita Standards since the plat is in the City Engineer of the City of Wichita jurisdiction as required in Article 8-102 of the Subdivision Regulations.
- K. The plans and profiles for the streets and associated drainage are to be submitted to the City Engineer for approval again, as required by Article 8-102 of the Subdivision Regulations.
- R. Tall Pines Road should be 66 feet of right-of-way as required for the newly adopted collector street standards in the Subdivision regulations.

Also, the County Engineer has requested the usual 75 foot dedication of half street right-of-way for a major intersection at the corner of Kellogg and 143rd Street East, which should be reflected on the final plat.

Enclosed for your information is a marked engineer's copy of the

Page Four

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

Sincerely,

Curtis L. Newby
Junior Planner

CYN:et

cc:
Don E. Satterthwaite, 7701 E. Kellogg, Wichita, Kansas 67207
William E. Lusk, Jr., 207 S. Broadway, Wichita, Kansas 67207
Chris Brennenstuhl, County Public Works
Dean Sellers

SEDGWICK COUNTY
DEPARTMENT OF
PUBLIC WORKS

MAPD

MEMO

TO: Joe Freeman _____ FROM: Chris Brennenstuhl *CMB*
PROJECT: Springdale West Addition _____
ITEM: Comments on Preliminary Plat _____
DATE: 5-18-78 _____

E. To avoid the problem of having completely different street names on either side of 143rd Street, the street names within Springdale Country Club Estates should be used within the Springdale West Addition. Although the streets on the east side of 143rd Street are private, there would be far less confusion created in using those names than in attempting to use names of streets located more than three miles west of this area and which will never connect to these streets as the Turnpike intervenes.

The applicant's engineer shall contact Chris Brennenstuhl of the County Department of Public Works relative to street name changes.

F. The applicant shall submit an overall drainage and grading plan to the County Engineer and the Flood Control Office.

G. no change

H. Any revisions to the dam and lake shall be to the approval of the County Engineer and the Flood Control Office. An attempt shall be made to obtain a permit from the Division of Water Resources for the dam and any revisions to the dam.

I. The proposed sanitary sewer layout shall be approved by the County Engineer prior to the submission of the Final Plat. (rest of I as per pink sheet)

J. The applicant shall guarantee the paving of all streets indicated on the plat to the applicable standards.

K. Appropriate plans and profiles for the street and drainage improvements shall be submitted to the County Engineer for review and approval. An approved copy of said plans and profiles shall be submitted to the City Engineer for his reference.

L. no change

M. no change

N. no change

Springdale West Adtn
Preliminary Plat

O. no change

P. no change

Q. no change

R. The applicant shall be prepared to discuss street rights-of-way widths on the plat at the Subdivision Committee meeting. In addition, Cloverdale Road, Timber Creek Drive, and Tall Pines Road shall be changed from 70 feet of right-of-way to 64 feet of right-of-way.

S. no change

T. no change

U. no change

V. no change

W. no change

X. no change

Y. no change

Z. The applicant's engineers shall meet with the County Department of Public Works and the Flood Control Office to determine the criteria to be used in the hydrologic and hydraulic analysis and design of the dam and lake prior to the submission of the Final Plat.

*75' of half at E-O-W at corner of Hallogg #143**

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 77-136 Name Springdale West Addition
Date Application Rec'd. 5-9-78 Preliminary Approval
Scheduled S/D Meeting 5-18-78

DESCRIPTION

General Location Southwest corner of U.S. 54 and Springdale Road

Owner Don E. Satterthwaite
Surveyor/Engineer Baughman Company
Address 330 Laura (67211) Phone 262-7271

- | | |
|---|--|
| 1. Gross Acreage of Plat <u>151.2</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u> </u> R/W <u> </u> ft. |
| Residential <u>356</u> | b. <u> </u> R/W <u> </u> ft. |
| Commercial <u> </u> | c. <u> </u> R/W <u> </u> ft. |
| Industrial <u> </u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u> </u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>356</u> | TOTAL <u> </u> ft. |
| 3. Minimum Lot Frontage <u>*60</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>9,000</u> ft. | streets? <u>yes</u> <u>no</u> |
| 5. Existing Zoning <u>R-1</u> | |
| 6. Proposed Zoning <u>AA</u> | |
| 9. Public Water Supply <u>yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>yes</u> (Yes-No), Name <u>Sedgwick County</u> | |
| 11. Health Department Approval (where applicable) <u> </u> (Yes-No) | |
| 12. City of Wichita <u> </u> : Three-Mile Area <u>x</u> | |

*At building setback

STAFF COMMENTS:

- A. Approval of the plat is subject to the applicant filing for and receiving approval of a county zone change from "R-1" to "AA" on subject property to permit the lot sizes as shown on the preliminary plat.
- B. Complete access control to 54 Highway shall be indicated on the plat.
- C. Complete access control to Springdale Road shall be indicated on all lots and the Reserve adjacent to said street.
- D. "Springdale Road" shall be changed to read: 143rd Street East.
- E. The applicant shall contact the County Department of Public Works relative to proper street names to be used on the plat. It is noted that all the streets on the east side of Springdale Road, except for Lincoln, indicated on the plat are private streets and, therefore, those street names should not be used on this plat. It should also be noted that Lincoln east of Springdale has been vacated.
- F. The applicant shall submit an overall drainage plan to the Flood Control Office for review and approval.
- G. The applicant shall guarantee all drainage improvements associated with the plat.
- H. A state permit from the Division of Water Resources of the State Board of Agriculture will also be required for the control structure and dam on the lake.
- I. Sanitary sewer to serve subject property shall be applied for in the same fashion as is being done in the balance of the 4 mile creek sewer drainage basin area, this being by application and a cash deposit in specified amounts to the County for permission to connect to the existing sewer system and as well deposits for future expansion of the sewage treatment plant in the Timber Lakes area and also

deposits at the time of development of the lots for additional expansion of the plant.

- J. The applicant shall guarantee the paving of all streets indicated on the plat to the standards of the City of Wichita.
- K. Appropriate plans and profiles for the street improvements shall be submitted to the City Engineer for review and approval and an approved copy of said plans and profiles shall be submitted to the County Engineer.
- L. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets within the subdivision.
- M. Block 13 should be redesigned and incorporated into Block 10 or Block 12, as there are only 7 lots in said Block 13 which would bear the expense of street improvements for the four surrounding streets.
- N. A covenant and/or Homeowner's Association shall be submitted for review and approval which shall set forth the ownership of the "Reserve" and the maintenance responsibility therefore.
- O. The lot lines of the lots adjacent to "Reserve" shall be adjusted so as to not project into the Reserve as they do on the preliminary plat.
- P. The purpose for which the Reserve is intended shall be indicated in the plat's text on the final plat.
- Q. 25 foot front yard building setbacks and 15 foot, side yard setbacks shall be indicated on all corner lots.
- R. The applicant shall be prepared to discuss street rights-of-way widths on the plat at the Subdivision Committee meeting. In addition, Cloverdale Road and Timber Creek Drive shall be changed from 70 feet of right-of-way to 64 feet of right-of-way.
- S. Lakeshore Drive shall be extended to the west line of the plat to provide additional access to the land west of the plat.
- T. The applicant shall be prepared to discuss the future development of the out parcel at the northwest corner of the plat.
- U. Both telephone and electric service shall be installed underground.
- V. Any raising, lowering, relocation or encasement of the Cities Service pipeline crossing subject property, as a result of requirements for improvements on this plat shall be at the sole expense of the applicant.
- W. The applicant shall obtain a letter from the Cities Service Company indicating that they need no additional easement width for their pipeline and what building setback from said line if any needs to be indicated on the plat.
- 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantees, etc.
- Y. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

FORM 200-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

1115.00

DESCRIPTION	AMOUNT
-------------	--------

<i>2. Suburban Apartments</i>	
<i>Springdale Hotel</i>	

Name *Wichita Co*

Address *3301 Lawrence*

Type <i>4-46-000-4 07</i>	Due Date <i>10-30-00</i>
---------------------------	--------------------------

Comments:

Date <i>5/19/74</i>	By <i>Carl H. [Signature]</i>
---------------------	-------------------------------

Map No.: _____
Section No.: 26
Twp. No.: 27-S
Range: 2-E

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Springdale West Addition

General Location: Southwest c orner of US 54 & Springdale Rd.

Name of Property Owner: Don E. Satterthwaite

Address: 7701 E. Kellogg Phone: 685-4309

Name of Subdivider: William E. Lusk, Jr.

Address: 207 S. Broadway Phone: 267-2858

Name of Agent/Surveyor: Baughman Company

Address: 330 Laura Phone: 262-7271

Date of Application: May 8, 1978

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 151.2
2. Number of Lots:
 - Residential 356
 - Commercial _____
 - Industrial _____
 - Other _____
 - Total Number of Lots 356
3. Minimum Lot Frontage *60 ft.
4. Minimum Lot Area 9000 ft.
5. Existing Zoning R-1
6. Proposed Zoning AA * At building setback
7. Lineal Feet of New Streets:
 - a. 50 R/W 2560 ft.
 - b. 64 R/W 14810 ft.
 - c. 70 R/W 6600 ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 23,970 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name Sedgwick County
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita Three-Mile Area X

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Don E. Satterthwaite

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by Curly Hendry
Date 5/9/78
Fee Submitted \$115.00

December 19, 1977

Baughman Company
330 Laura
Wichita, Kansas 67211

Re: S/D 77-136 sketch plat of Springdale West Addition

Gentlemen:

We have reviewed the above referred to sketch plat and we have the following comments to make:

- A. As we have discussed with the applicant and with you, on several occasions, the main problem area with this plat seems to be drainage. In reviewing this sketch plat with the Flood Control Office and the County Engineer's Office, they advise us that all of the lots indicated on the sketch plat lying north of the northern most east/west street are potentially floodable as there are approximately 620 acres of land draining through the lake system from north of Highway 54. Therefore, prior to the submission of the preliminary plat an analysis of the lake system needs to be done and the Flood Control Office should be contacted regarding this matter.
- B. A state permit from the Division of Water Resources of the State Board of Agriculture will also be required for the control structure and dam on the lake.
- C. Any storm sewer outfalls and underground pipe systems proposed or required for the development of the property may be a very expensive item and, therefore, an extensive look at the entire drainage system of the plat should be made prior to or at the time of submission of the preliminary plat.
- D. Sanitary sewer to serve subject property will have to be applied for in the same fashion as is being done in the balance of the 4 mile creek sewer drainage basin area, this being by application and a cash deposit in specified amounts to the County

Baughman Company
December 19, 1977
Page Two

for permission to connect to the existing sewer system and as well deposits for future expansion of the sewage treatment plant in the Timber Lakes area and also deposits at the time of development of the lots for additional expansion of the plant.

- E. The applicant shall guarantee the paving of all streets indicated on the plat to the standards of the City of Wichita.
- F. Appropriate plans and profiles for the street improvements shall be submitted to the City Engineer for review and approval and an approved copy of said plans and profiles shall be submitted to the County Engineer.
- G. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets within the subdivision.
- H. The applicant shall guarantee all drainage improvements associated with the plat.
- I. Complete access control shall be indicated adjacent to the west line of 143rd Street East on all lots adjacent to said street.
- J. The applicant shall guarantee the extension of City water to serve all lots being platted.
- K. A north-south street should tie into a proposed plat which is being developed immediately south of subject property. This has been indicated on the "marked" engineer's copy of the sketch plat.
- L. Requirements for a preliminary plat of the MAPC Subdivision Regulations.

These are all comments we have concerning this sketch plat at this time. Enclosed for your information and files is a "marked" engineer's copy of the sketch plat. If you have any questions concerning this matter please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:et

cc:

Don E. Satterthwaite, 7701 E. Kellogg, Wichita, Ks 67207

Note: also need SA zone change approved.

Map No.: 6346
Section No.: 26
Twp. No.: 27S
Range: 2E

S/D No. 77-136

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Springdale West Addition

General Location: S.W. corner Kellogg and Springdale Road

Name of Property Owner: Don E. Satterthwaite
Address: 7701 E. Kellogg 67207 Phone: 685-4309
Name of Subdivider: William E. Lusk, Jr.
Address: 207 .S. Broadway 67202 Phone: 267-2858
Name of Agent/Surveyor: Baughman Company
Address: 330 Leuss Phone: 262-7371
Date of Application: 10-6-77

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 130
2. Number of Lots:
 - Residential 311
 - Commercial _____
 - Industrial _____
 - Other _____Total Number of Lots 311
3. Minimum Lot Frontage 80 ft.
4. Minimum Lot Area 9000 ft.
5. Existing Zoning R-1
6. Proposed Zoning (AA)
7. Lineal Feet of New Streets:
 - a. 64 R/W 11,300 ft.
 - b. 70 R/W 6600 ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.TOTAL 17,900 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name Sedgwick County
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita Three-Mile Area X

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: Don E. Satterthwaite

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by L.O.
Date 10-6-77
Fee Submitted none

(Sketch)

Final Plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. S/D 77-136 Name Springdale Lakes Addition (formerly Springdale West)
Date Application Rec'd. 10-6-77 Preliminary Approval 5-18-78
Scheduled S/D Meeting 8-24-78

DESCRIPTION

General Location Southwest corner of Kellogg and Springdale Road,
143rd Street East
Owner Springdale Lakes, Inc., Atten: W. F. Lusk, Jr.
Surveyor/Engineer Baughman Company
Address 330 Laura, Wichita, Kansas 67211 Phone 262-7271

- | | |
|--|--------------------------------------|
| 1. Gross Acreage of Plat <u>66.4</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>58</u> R/W <u>1575</u> ft. |
| Residential <u>98</u> | b. <u>64</u> R/W <u>5000</u> ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>98</u> | TOTAL <u>6575</u> ft. |
| 3. Minimum Lot Frontage <u>*60</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>10,000</u> square ft. | streets? <u>x</u> yes _____ no _____ |
| 5. Existing Zoning <u>R-1</u> | |
| 6. Proposed Zoning <u>AA</u> | *At building setback |
| 9. Public Water Supply <u>(Yes-No)</u> , Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>(Yes-No)</u> , Name <u>Timber Lakes - Springdale</u> | |
| 11. Health Department Approval (where applicable) _____ (Yes-No) | |
| 12. City of Wichita _____ : Three-Mile Area <u>x</u> | |

STAFF COMMENTS:

- A. Approval of the plat is subject to the applicant filing for and receiving approval of a county zone change from "R-1" to "AA" on subject property to permit the lot sizes as shown on the plat.
- B. It is recommended that the final plat not be forwarded to the Planning Commission until the appropriate zone change has been approved.
- C. Lot B, Block 5 shall be deleted from this plat. This area should be platted only as floodway.
- D. Lot A shall also be deleted from the plat since it is totally within the designated floodway and cannot be built upon.
- E. The wording in the plat's text concerning the responsibility of the floodways shall be changed to indicate that the floodway in Block 5 shall be the responsibility of the abutting property owners and that the floodway on Blocks 1 and 2 shall be maintained as a part of the Homeowners Association to be established for Reserve A.
- F. A covenant and/or Homeowners Association shall be submitted for review and approval which shall set forth the ownership of "Reserve A" and the maintenance responsibility therefor.
- G. Any raising, lowering, relocation or encasement of the Cities Service pipeline crossing subject property, as a result of requirements for improvements on this plat shall be at the sole expense of the applicant.
- H. The applicant shall obtain a letter from the Cities Service Company indicating that they need no additional easement width for their pipeline and what building setbacks from said line, if any, need to be indicated on the plat.

T9-303

(Over)

- I. Since subject property is in the Springdale-Timber Lakes sewer district, in accordance with the resolution adopted by the County in 1977, the applicant shall submit \$23,372.14 (\$351.99/acre) for the bond and interest fund, prior to release of the final plat for recording. In addition, prior to development of the property, the applicant shall submit \$33,200 (\$500/acre) for expansion of the sewage treatment plant and, with the issuance of each building permit, \$600.
- J. The applicant shall guarantee by petition, bond, letter of credit or cash, the installation of the sanitary sewer lateral system to serve each lot being platted.
- K. The applicant shall guarantee the installation of City of Wichita water to serve each lot being platted.
- L. The applicant shall guarantee the paving of all streets indicated on the plat to the standards of the City of Wichita.
- M. Appropriate plans and profiles for the street improvements shall be submitted to the City Engineer for review and approval and an approved copy of said plans and profiles shall be submitted to the County Engineer.
- N. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all streets within the subdivision.
- O. The applicant shall submit a covenant which assures that the 4 off-street parking spaces will be provided on each lot adjoining a 58 foot street and an acknowledgement that parking will be permitted only on one side of each of the 58 foot foot streets.
- P. Recording of the plat within 30 days after approval by the Board of City Commissioners.