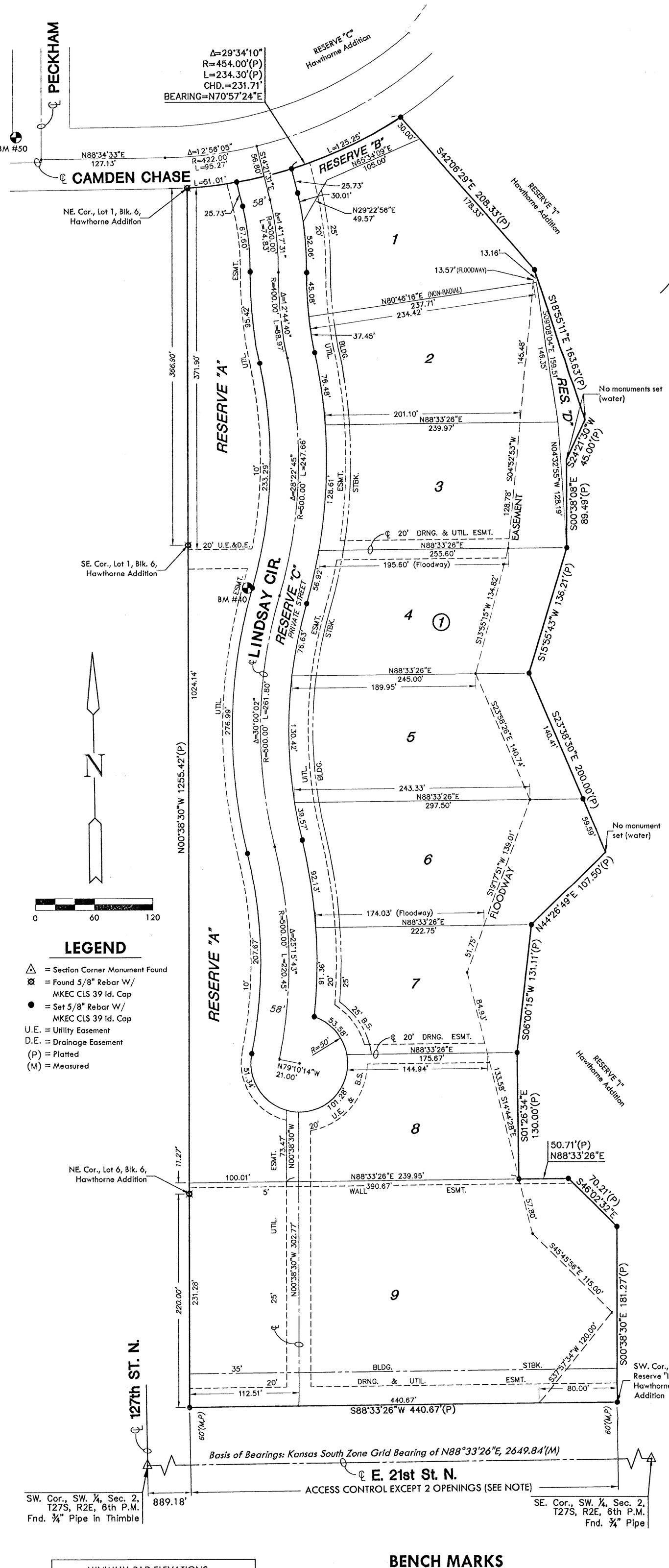
Revised Final Drawing Paper Copy FILE COPY

FINAL PLAT

HAWTHORNE FOURTH ADDITION

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



LEGEND

- △ = Section Corner Monument Found
- ⊠ = Found 5/8" Rebar W/ MKEC CLS 39 Id. Cap
- ● = Set 5/8" Rebar W/ MKEC CLS 39 Id. Cap
- U.E. = Utility Easement
- D.E. = Drainage Easement
- (P) = Platted
- (M) = Measured

MINIMUM PAD ELEVATIONS (LOWEST OPENINGS)			
LOT	BLOCK	ELEVATION (CITY DATUM)	ELEVATION (NGVD)
1	1	171.3	1358.7
2	1	171.2	1358.6
3	1	171.2	1358.6
4	1	171.2	1358.6
5	1	171.2	1358.6
6	1	171.2	1358.6
7	1	171.2	1358.6
8	1	171.2	1358.6
9	1	167.7	1355.1

BENCH MARKS

BM #40 ⊕ "T" post 5' +/- W. of PC iron on West side of Lindsay Cir. in Reserve "A" and lying South of Camden Chase 450' +/-.
Elev. = 166.86' City Datum
174.108' NGVD

BM #50 ⊕ Brass disc in W. return of top-of-curb at NW. corner of Peckham Street and Camden Chase.
Elev. = 173.92' City Datum
1361.32' NGVD

ACCESS CONTROL NOTE

East 21st Street North - Two access points for Lot 9, Block 1 shall be placed accordingly: The minimum distance between a full movement opening and a right-in/right-out drive shall be 200 feet. The minimum distance between a right-in/right-out drive and another right-in/right-out drive shall be 200 feet. Said access points shall be in accordance with the Access Management Standards to both sides of 21st Street.

We, MKEC Engineering Consultants, Inc., a Registered Corporate Land Surveyor in Kansas, do hereby certify that we have been in responsible charge of surveying and platting of "HAWTHORNE FOURTH ADDITION" an addition to Wichita, Sedgwick County, Kansas, into Lots, a Block, and a Private Street, the same being accurately set forth in the accompanying plat and described herein:

A replat of a portion of Hawthorne Addition, an addition to Wichita, Sedgwick County, Kansas, said portion being more particularly described as follows:

All of Reserves "G" and "H", said addition,
TOGETHER WITH;
All of Lots 7-15 inclusive, Block 6, said addition.

All reserves, streets, utility easements, building setbacks, access control, together with any and all established public rights-of-way within the above described property are hereby vacated and replatted by virtue of K.S.A. 12-512(b).

I hereby certify that the details shown are correct to the best of my knowledge and belief this 15 day of July, 2004.

GREGORY J. ALLISON LICENSED LS-1257 KANSAS LAND SURVEYOR

7/15/04

Gregory J. Allison, PE, LS #1257
MKEC Engineering Consultants, Inc.
411 North Webb Road
Wichita, Kansas 67206

Know all men by these presents that we the undersigned property owners of the land above set forth in the Registered Land Surveyor's Certificate, have caused the same to be surveyed and platted into Lots, a Block, and a Private Street the same to be known as "HAWTHORNE FOURTH ADDITION," an addition to Wichita, Sedgwick County, Kansas. Easements for the construction and maintenance of public utilities and drainage, as indicated on the accompanying plat are hereby granted to the public. Reserves "A", and "B", are platted for drainage, utilities in designated locations, irrigation, landscaping, berming, monuments, and open space. Reserve "C" is platted for a private street, an entry gate, monuments, landscaping, irrigation, drainage, and utilities. Reserve "D" is platted for drainage and a floodway. Reserves shall be owned and maintained by the homeowner's association, provided, however, that the undersigned, or the homeowners association, as the undersigned's successor in interest, may, in their discretion, deed a parcel of the Reserves to an owner or owners of an adjacent lot, subject to the obligation to maintain such deeded parcel of the Reserve in compliance with the provisions hereof and in compliance with the maintenance covenants of any applicable restrictive covenant. A drainage plan has been developed for this plat and all drainage easements, right-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of storm water. The floodway, as indicated, shall be the responsibility of the owners until such time as the appropriate governing body exercising jurisdiction elects to assume the responsibility for the maintenance and improvements of the drainage, provided further, that no structure shall be constructed on or within said floodway, nor shall any fill, change of grade, creation of a channel or any other work on be carried out without the permission of the City Engineer. Lots 1-9 inclusive, Block 1, are required to adhere to the minimum pad elevation as shown on the "Minimum Pad Elevations". All abutters right of access to or from 21st Street North over and across the South line of "HAWTHORNE FOURTH ADDITION," are hereby granted to the appropriate governing body, provided however Lot 9 shall have access to 21st Street North as shown hereon, (see access control note). The wall easement is platted for the construction and maintenance of a private wall. Utilities may cross the wall easement, however, a non-masonry wall with a removable gate is required for the portion of the wall easement that crosses the 25 foot utility easement.

TWENTY-FIRST GROWTH, L.L.C., a Kansas limited liability company

Tim Buchanan, Managing Member

Tim Buchanan, Managing Member

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This instrument was acknowledged before me on 15th day of July, 2004, by Tim Buchanan, Managing Member, Twenty-First Growth, L.L.C., a Kansas Limited Liability Company.

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

ANN C. YBARRA Notary Public - State of Kansas My Appt. Expires

Notary Public: Ann C. Ybarra, Notary Public

My Term Expires: 9-15-05

We Bank of America, N.A., holders of a mortgage on the above described property, do hereby consent to the plat of "HAWTHORNE FOURTH ADDITION."

BANK OF AMERICA, N.A.

Terry L. Carpenter, Senior Vice President

Terry L. Carpenter

This instrument was acknowledged before me on 16th day of July, 2004, by Terry L. Carpenter, Senior Vice President, Bank of America, N.A..

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

VICKIE SCROGGIN NOTARY PUBLIC STATE OF KANSAS My Appt. Exp. 8-29-04

Notary Public: Vickie Scroggin, Notary Public

My Term Expires: 8-29-04

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

Dated this 8th day of July, 2004

WICHITA-SEDGWICK COUNTY METROPOLITAN PLANNING COMMISSION

Ronald L. Marnell, Chair

John L. Schlegel, Secretary

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION SEAL KANSAS

At the direction of the City Council.

Carlos Mayans, Mayor

Karen Sublett, City Clerk

Entered on transfer record this ____ day of _____, 2004

Don Brace, County Clerk

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This is to certify that this instrument was filed for record in the Register of Deeds office this ____ day of _____, 2004, at _____ o'clock _M; and is duly recorded.

Bill Meek, Register of Deeds

Linda Kizzire, Deputy

Reviewed in accordance with K.S.A. 58-2005 on this 21st day of July, 2004.

TRICIA L. ROBELLO LICENSED LS-1246 KANSAS LAND SURVEYOR

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

DOCUMENT NO.

MKEC ENGINEERING CONSULTANTS
411 N. WEBB ROAD
WICHITA, KS. 67206
316 - 684 - 9600

H:\CIVIL\0216\14th Add\Prop\02176H4a.dwg 6/14/2004 10:17:44 AM CDT

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 8, 2004

MKEC Engineering Consultants, Inc.
411 N. Webb Road
Wichita, KS 67206

RE: SUB 2004-76 -- One-Step Final Plat of Hawthorne Fourth Addition

At the regular meeting of the Metropolitan Area Planning Commission on July 8, 2004, the above captioned plat was considered. The action of the Planning Commission was to approve the plat as recommended by the Subdivision Committee, subject to the conditions stated in our letter dated July 2, 2004, with the deletion of Item E, as per Traffic Engineering.

The following items must be submitted to the Metropolitan Area Planning Department before the plat is scheduled for the City Council and/or County Commission's consideration:

1. A completed and signed tracing of the subdivision, along with five (5) copies. Also, if a change is required on the tracing after submittal, five (5) revised copies must be submitted;

2. A check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting ($8.00 for the first page; $4.00 for each additional page), **if the site is located within the City of Wichita's city limits, OR, in the County within three miles of Wichita's city limits; and,**

3. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in Autocad. If a disc is not provided, please send via e'mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

If you have any questions regarding this plat, please call.

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 2, 2004

MKEC Engineering Consultants, Inc.
411 N. Webb Road
Wichita, KS 67206

RE: SUB 2004-76 -- One-Step Final Plat of Hawthorne Fourth Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, July 1, 2004, the above captioned plat was considered. The action of the Committee was to approve the one-step final plat, subject to the following staff comments:

A. Petitions have been provided with Hawthorne Addition for sewer, water, drainage and paving improvements. ***New petitions are needed for future improvements.***

B. **Debt Management** has requested the submission of a respread agreement for special assessments due to the lot reconfiguration.

C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

D. **City Engineering** needs to comment on the status of the applicant's drainage plan. ***The drainage plan is approved.***

E. **Traffic Engineering** has requested a petition for turn lanes

F. Lot 9 is bi-zoned with the east 319.73 feet zoned GO, General Office. Either a zone change shall be submitted for the remainder of the lot or a restrictive covenant shall be submitted limiting the uses on the western portion to those permitted in the SF-5 zoning district.

G. The plat proposes two openings to 21st St. North. ***Traffic Engineering has approved the two openings. A note on the plat shall specify that the two access points shall be placed in accordance with Access Management Standards pertaining to both sides of 21st Street.***

H. **GIS** has requested the street name by labeled Lindsay.

I. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the

association and who is to own and maintain the reserves prior to the association taking over those responsibilities.

J. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves for that Addition, but not being replatted by this Addition, the above covenants and/or other legal documents shall be provided which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.

K. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.

L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.

M. A covenant shall be submitted regarding Reserve C, platted for private street purposes, which sets forth ownership and maintenance of the private street, and future reversionary rights of the reserve to the lots benefiting from the reserve.

N. A restrictive covenant was recorded with the Hawthorne Addition guaranteeing the paving of the private street to a public street pavement standard. A new covenant needs to be submitted for this Addition.

O. A non-masonry wall with a removable gate is required for the portion of the wall easement that crosses the 25-ft utility easement. The wall easement shall be referenced in the plattor's text.

P. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.

Q. The plattor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.

R. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

S. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

T. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.

U. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.

W. Perimeter closure computations shall be submitted with the final plat tracing.

X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.

Y. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.

Z. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.

If this plat requires the guaranteeing of improvements, a list of the five (5) methods that have been adopted as being acceptable is available in the Planning Department. Also available, are Certificates that are required if petitions are submitted, bond forms and Irrevocable Letter of Credit forms.

This case will be forwarded to the Planning Commission for consideration on Thursday, July 8, 2004. The meeting will begin at 1:30 p.m., in the Metropolitan Area Planning Conference Room - 10th Floor, 455 N. Main Street, Wichita, KS.

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

If you have any questions regarding this plat, please call.

Neil Evan Strahl

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5-5
JULY 8, 2004

STAFF REPORT
(One-Step Final Plat Approved 7/1/04)

CASE NUMBER: SUB 2004-76 -- HAWTHORNE FOURTH ADDITION

OWNER/APPLICANT: Twenty-First Growth LLC, 345 N. Riverview Street, Suite 610, Wichita, KS 67202

SURVEYOR/ENGINEER: MKEC Engineering Consultants, 411 N. Webb Road, Wichita, KS 67206

LOCATION: North side of 21st Street North, east of 127th Street East

SITE SIZE: 11.1 Acres

NUMBER OF LOTS

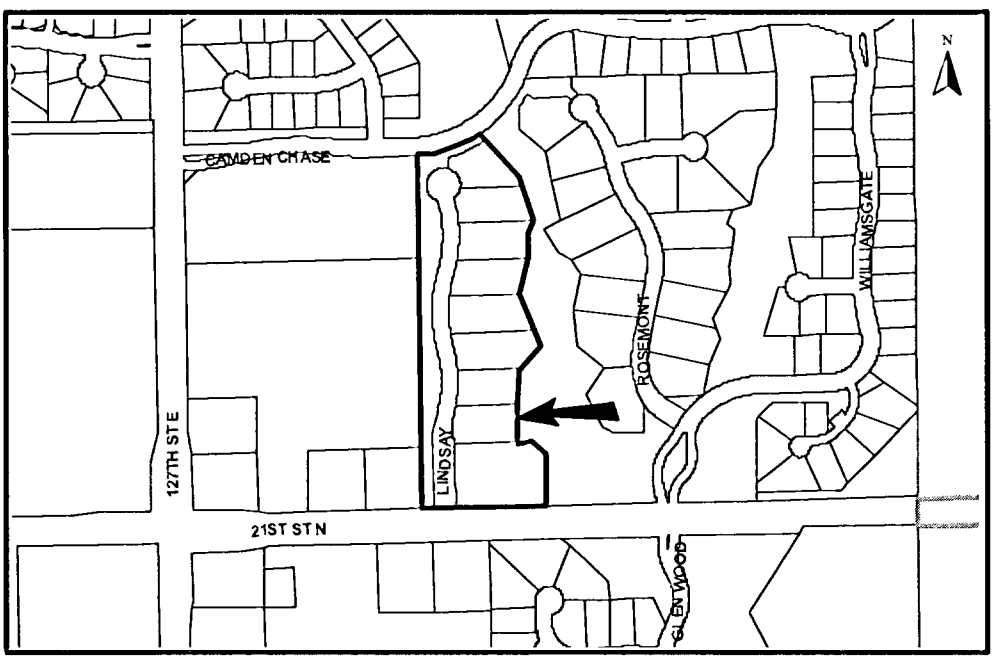
Residential:	8
Office:	
Commercial:	1
Industrial:	
Total:	9

MINIMUM LOT AREA: 27,108 Sq. Ft.

CURRENT ZONING: SF-5, Single-Family Residential District; GO, General Office District

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This is a replat of a portion of the Hawthorne Addition. Linsay Circle - the platted street extending from 21st Street North - has been reoriented to extend from Camden Chase.

STAFF COMMENTS:

A. Petitions have been provided with Hawthorne Addition for sewer, water, drainage and paving improvements. ***New petitions are needed for future improvements.***

B. **Debt Management** has requested the submission of a respread agreement for special assessments due to the lot reconfiguration.

C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

D. **City Engineering** needs to comment on the status of the applicant's drainage plan. ***The drainage plan is approved.***

E. **Traffic Engineering** has requested a petition for turn lanes

F. Lot 9 is bi-zoned with the east 319.73 feet zoned GO, General Office. Either a zone change shall be submitted for the remainder of the lot or a restrictive covenant shall be submitted limiting the uses on the western portion to those permitted in the SF-5 zoning district.

G. The plat proposes two openings to 21st St. North. ***Traffic Engineering has approved the two openings. A note on the plat shall specify that the two access points shall be placed in accordance with Access Management Standards pertaining to both sides of 21st Street.***

H. **GIS** has requested the street name by labeled Lindsay.

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J. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves for that Addition, but not being replatted by this Addition, the above covenants and/or other legal documents shall be provided which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.

K. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.

L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.

M. A covenant shall be submitted regarding Reserve C, platted for private street purposes, which sets forth ownership and maintenance of the private street, and future reversionary rights of the reserve to the lots benefiting from the reserve.

N. A restrictive covenant was recorded with the Hawthorne Addition guaranteeing the paving of the private street to a public street pavement standard. A new covenant needs to be submitted for this Addition.

O. A non-masonry wall with a removable gate is required for the portion of the wall easement that crosses the 25-ft utility easement. The wall easement shall be referenced in the plattor's text.

P. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.

Q. The plattor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.

R. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

S. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

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U. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.

W. Perimeter closure computations shall be submitted with the final plat tracing.

X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.

Y. The representatives from the **utility companies** should be prepared to comment on the need for any additional utility easements to be platted on this property.

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