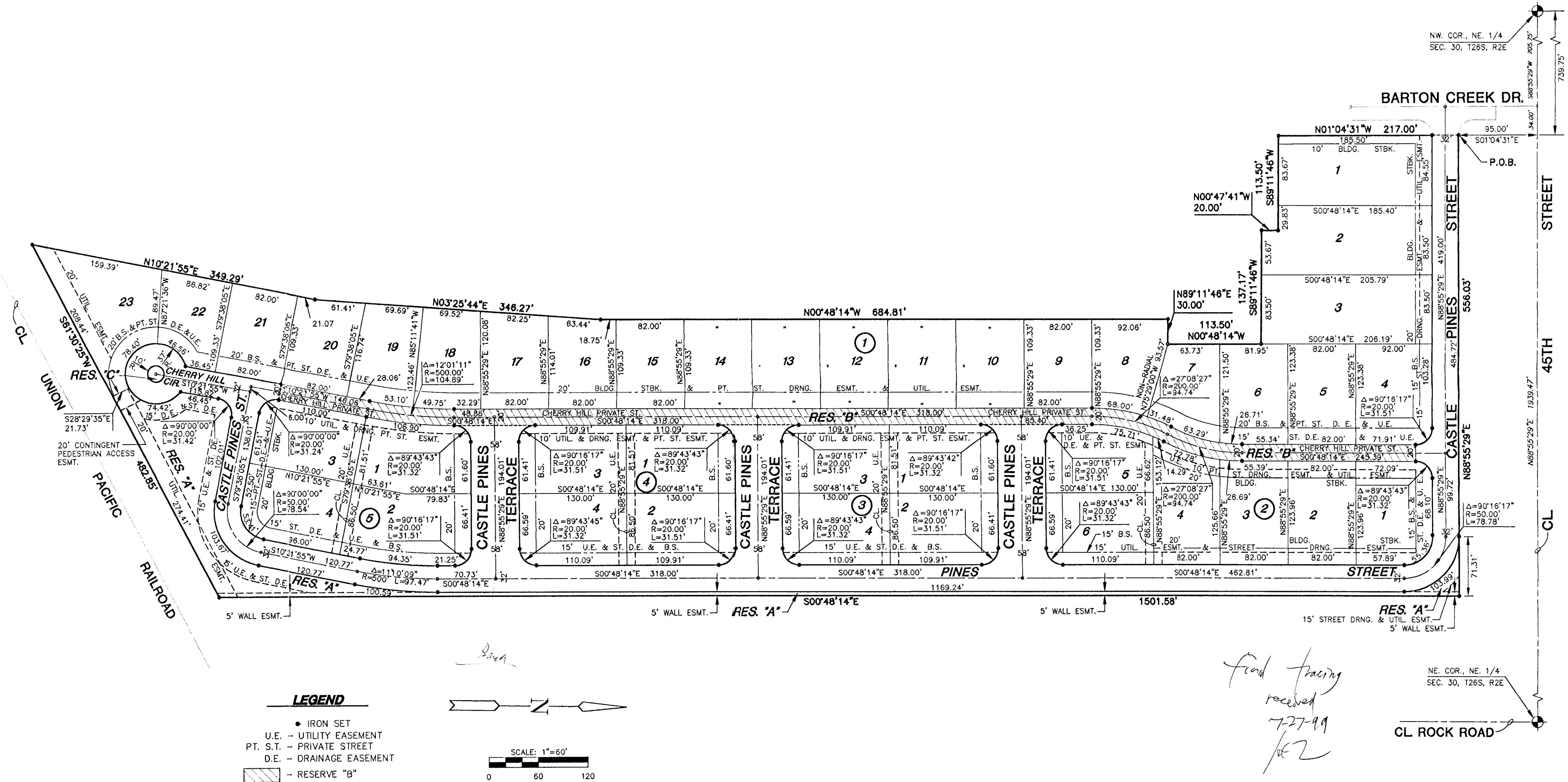


FINAL PLAT OF
WILLOWBEND NORTH ESTATES ADDITION
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



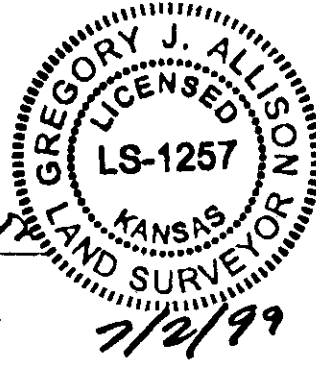
FINAL PLAT OF
WILLOWBEND NORTH ESTATES ADDITION
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

I Gregory J. Allison, a Registered Land Surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of WILLOWBEND NORTH ESTATES ADDITION, an addition to Wichita, Sedgwick County, Kansas, into lots, blocks, streets, and reserves the same being accurately set forth in the accompanying plat and described herein:

A tract of land lying in the Northeast Quarter, Section 30, Township 26 South, Range 2 East of the 6TH P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at Northeast corner of said Northeast Quarter; thence Bearing along the North line of said Northeast Quarter 739.75 feet; thence S01°04'31"E 95.00 feet to the point of beginning, said point being the Southwest corner of Reserve "H" Willowbend North, an Addition to Wichita, Sedgwick County, Kansas; thence N88°55'29"E, 556.03 feet parallel to the North line of said Northeast Quarter to the East line of the West half of said Northeast Quarter; thence S00°48'14"E, 1501.58 feet along said East line to a point on the Northwestern right-of-way line of Union Pacific Railroad; thence S61°30'25"W, 482.85 feet along the Northwestern right-of-way line of Union Pacific Railroad; thence N10°21'55"E, 349.29 feet; thence N03°25'44"E, 346.27 feet; thence N00°48'14"E, 684.81 feet; thence N89°11'46"E, 30.00 feet; thence N00°48'14"W, 113.50 feet; thence S89°11'46"W, 137.17 feet; thence N00°47'41"W, 20.00 feet, thence S89°11'46"W, 113.50 feet; thence N01°04'31"W, 217.00 feet to the point of beginning.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this 2nd day of July, 1999.


Gregory J. Allison, P.E., R.L.S. #1257
Mid-Kansas Engineering Consultants, Inc.
411 North Webb Road
Wichita, KS 67206

Know all men by these presents that we the undersigned property owners of the land as above set forth in the Civil Engineer's and Registered Land Surveyor's Certificate, have caused the same to be surveyed and platted into lots, blocks, streets and reserves the same to be known as "WILLOWBEND NORTH ESTATES ADDITION", an addition to Wichita, Sedgwick County, Kansas. The streets are hereby dedicated to and for the use of the public. Easements for the construction and maintenance of streets, utilities and drainage, are hereby granted to the public. The streets are hereby dedicated to the public.

Reserve "A" is platted for walls, open space, landscaping, lighting, irrigation, and mounuments. Reserve "B" is platted for private streets, driveways, emergency vehicle access, utilities, and drainage. Reserve "C" is platted for landscaping, irrigation, lighting, and monuments. The reserves shall be owned and maintained by the homeowners association. The pedestrian access easement is hereby dedicated, contingent upon public access being obtained from the Union Pacific Railroad right-of-way. A drainage plan has been developed for the 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 stormwater.

The wall easement is platted for the construction and maintenance of a private wall, utilities may cross the wall easement.

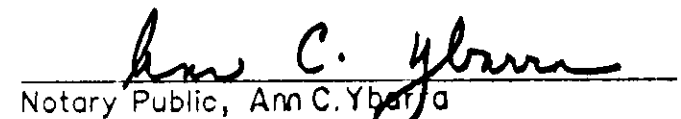
J.M.C., INC.


Jerry D. Michaelis, President

STATE OF KANSAS }
 }ss.
SEDGWICK COUNTY }

BE IT REMEMBERED, that on this 13TH day of July, 1999, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Jerry D. Michaelis, President, J.M.C., Inc., to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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


Notary Public, Ann C. Ybarra

My appointment expires: 9-15-2001



We, State Bank of Colwich, holders of a mortgage on the above described property, do hereby consent to the plat of "WILLOWBEND NORTH ESTATES ADDITION".

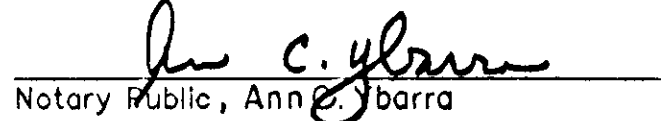
State Bank of Colwich


Brad E. Yaege, S.V.P.

STATE OF KANSAS }
 }ss:
SEDGWICK COUNTY }

BE IT REMEMBERED, that on this 13TH day of July, 1999, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Brad E. Yaege, Senior Vice President, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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


Notary Public, Ann C. Ybarra

My appointment expires: 9-15-2001



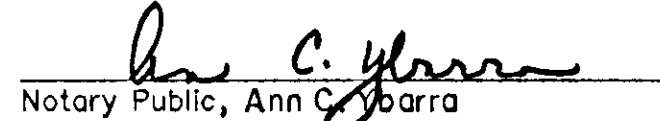
I, Jerry D. Hoggat, holder of a mortgage on the above described property, do hereby consent to the plat of "WILLOWBEND NORTH ESTATES ADDITION".


Jerry D. Hoggat

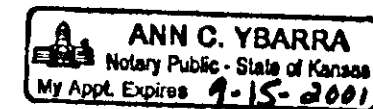
STATE OF KANSAS }
 }ss:
SEDGWICK COUNTY }

BE IT REMEMBERED, that on this 13TH day of July, 1999, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Jerry D. Hoggat, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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


Notary Public, Ann C. Ybarra

My appointment expires: 9-15-2001



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

Dated this _____ day of _____, 1999.

WICHITA-SEDGWICK COUNTY METROPOLITAN PLANNING COMMISSION

_____, Chairman
William M. Johnson

_____, Secretary
Marvin S. Krout

This plat approved and all dedications shown thereon, if any, accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 1999.

_____, Mayor
Bob Knight

_____, City Clerk
Pat Burnett

Entered on transfer record this _____ day of _____, 1999.

_____, County Clerk
James Alford

STATE OF KANSAS }
 }ss:
SEDGWICK COUNTY }

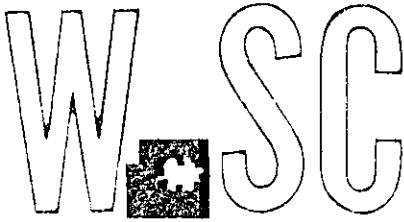
This is to certify that this instrument was filed for record in the Register of Deeds office this _____ day of _____, 1999.

_____, Register of Deeds
Bill Meek

_____, Deputy
Linda Kizzire

Final tracing
received 7-27-99
2 of 2

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
315 238-4421
FAX 315 238-4390

May 27, 1999

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

RE: S/D 99-34 – Final Plat of Willowbend North Estates Addition

At the regular meeting of the Metropolitan Area Planning Commission on May 27, 1999, 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 May 21, 1999.

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

1. Submission of the fully completed and signed tracing of the subdivision, along with four (4) copies, to the Metropolitan Area Planning Department.
2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.
3. Subdivision regulations now require a detailed Lot Grading Plan be submitted to Engineering prior to the tracing being released. This applies to all multi-lot and residential developments.
4. Submission of a disk to the Planning Department detailing the final plat in digital format in Release 13 Version of Autocad. This will be used by the City and County GIS Departments.

S/D 99-34 – Final Plat of Willowbend North Estates Addition
May 27, 1999
Page 2

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

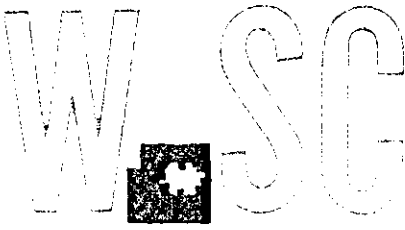
Sincerely,

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Copies to: JMC, Inc., 3500 N. Rock Road, Building 400, Wichita, KS 67226
Mike Lindebak, City Engineering, Mail Stop (1-71)
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau of Public Services, 1144 So. Seneca, Wichita, KS 67213

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1588
315-268-4421
FAX 315-268-4390

May 21, 1999

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

RE: S/D 99-34 — Final Plat of Willowbend North Estates Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, May 20, 1999, the above captioned plat was considered. The action of the Committee was to approve the final plat, subject to:

STAFF COMMENTS:

- A. The Applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan. *The drainage plan is approved. A guarantee is required. The southeastern portion of the site is in a floodplain and minimum building elevations are needed; otherwise a Letter of FEMA Map Revision will be required.*
- D. The applicant shall guarantee the paving of the proposed interior streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard. For the Reserves being platted for private streets, improvements shall be guaranteed for construction to a public street standard; however as private improvements, guarantees cannot be provided through the use of petitions.
- E. 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.

- F. 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.
- G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-foot or private 20-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.
- H. Since this plat proposes the platting of narrow street right-of-way with adjacent 15-foot street, drainage and utility easements, a restrictive covenant shall be submitted which calls out restrictions for lot owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- I. City Fire shall comment on the street names. Castle Pines Drive shall be revised to a "Street". Castle Pines Court shall be revised to a "Branch".
- J. A bearing and distance for Lot 2, Block 1 needs to be added to the legal description. The bearings along the west line of the plat need to be revised to be consistent with the legal description.
- K. The Parks and Pathways Plan has indicated that a recreation corridor should be provided along the southern portion of this plat. The Applicant should contact the Planning Department's Land Use staff to discuss issues involving the dedication of public access easements. The applicant shall include a note in the plat's text that a use of Reserve D shall include public access if the adjoining railroad is included in the Park and Pathways project.
- L. 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.
- M. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- N. 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.)

- O. 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.
- P. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Q. 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.
- R. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- S. Perimeter closure computations shall be submitted with the final plat tracing.
- T. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- U. 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.
- V. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in Release 13 version of AutoCAD. This will be used by the City and County GIS Department.

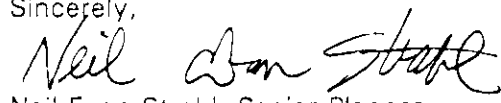
If this plat requires the guaranteeing of improvements a list of the five methods which have been adopted as being acceptable is available through the Planning Department. Also, certificates which are required if petitions are submitted and forms for the bond and irrevocable Letter of Credit are also available from this office.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, May 27, 1999, at 1:15 p.m.

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

Sincerely,


Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Enclosure: Marked Copy of Plat

STAFF REPORT

(Final Plat 5/20/99, Overall Preliminary Plat Approved 3/6/97)

CASE NUMBER: S/D 99-34 - WILLOWBEND NORTH ESTATES ADDITION

OWNER/APPLICANT: J.M.C. Inc., 3500 N. Rock Road, Building 400, Wichita, KS 67226

SURVEYOR/ENGINEER: Mid Kansas Engineering Consultants, Inc., 411 North Webb Road, Wichita, KS 67206

LOCATION: West of Rock Road, South of 45th St. North

SITE SIZE: 13.78 acres

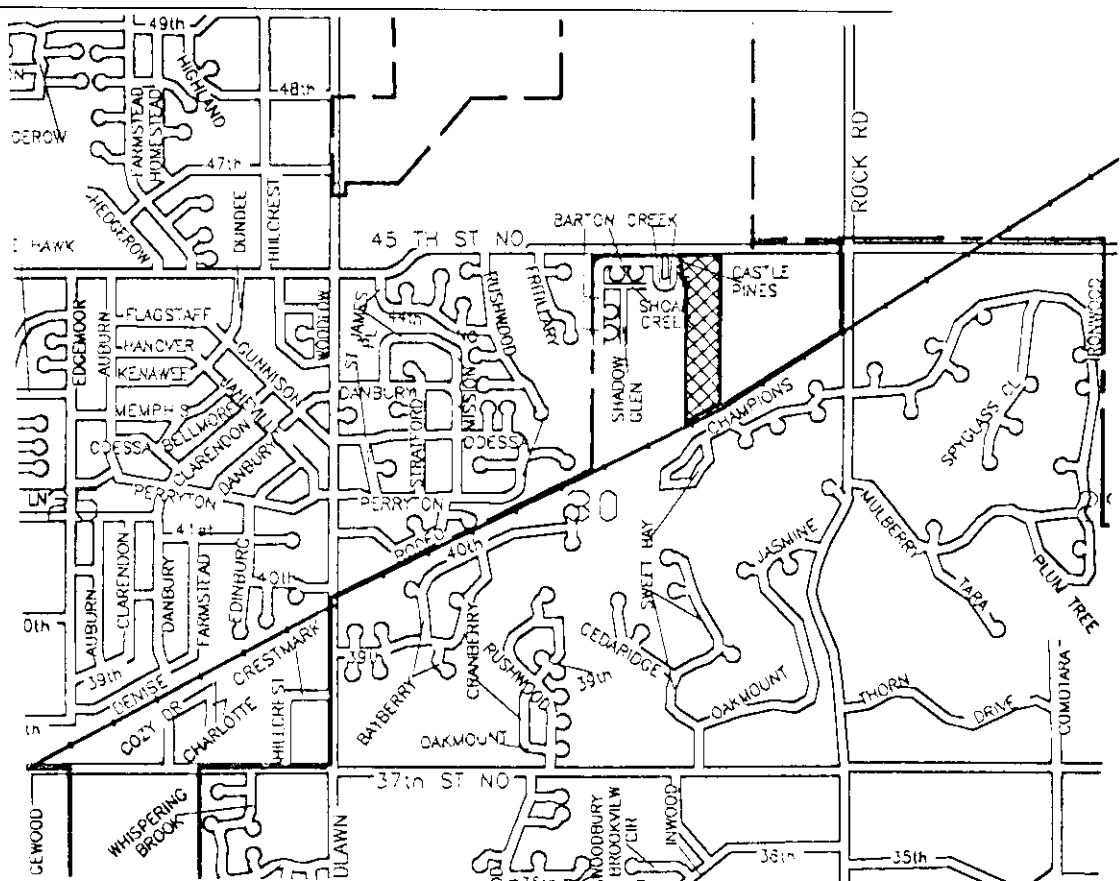
NUMBER OF LOTS

Residential:	41
Office:	
Commercial:	
Industrial:	
Total:	<u>41</u>

MINIMUM LOT AREA: 8,463 sq. ft.

CURRENT ZONING: SF-6, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP

Note: An overall preliminary plat - Willowbend North Addition - was approved for this site on March 6, 1997. The final plats for the first and second phases have previously been approved. This third phase is similar to the overall preliminary plat in regards to street layout; as access to the lots is by a narrow 32-foot public street, in addition to narrow driveway-type reserves. This phase includes 21 less lots than the overall preliminary plat indicated for this phase. In addition, the lots for this plat are 8,000 sq. ft., larger than the 6,000 sq. ft. lots denoted in the preliminary plat.

STAFF COMMENTS:

- A. The Applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan. *The drainage plan is approved. A guarantee is required. The southeastern portion of the site is in a floodplain and minimum building elevations are needed; otherwise a Letter of FEMA Map Revision will be required.*
- D. The applicant shall guarantee the paving of the proposed interior streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard. For the Reserves being platted for private streets, improvements shall be guaranteed for construction to a public street standard; however as private improvements, guarantees cannot be provided through the use of petitions.
- E. 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.
- F. 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.
- G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-foot or private 20-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.
- H. Since this plat proposes the platting of narrow street right-of-way with adjacent 15-foot street, drainage and utility easements, a restrictive covenant shall be submitted which

- I. calls out restrictions for lot owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- I. City Fire shall comment on the street names. Castle Pines Drive shall be revised to a "Street". Castle Pines Court shall be revised to a "Branch".
- J. A bearing and distance for Lot 2, Block 1 needs to be added to the legal description. The bearings along the west line of the plat need to be revised to be consistent with the legal description.
- K. The Parks and Pathways Plan has indicated that a recreation corridor should be provided along the southern portion of this plat. The Applicant should contact the Planning Department's Land Use staff to discuss issues involving the dedication of public access easements. The applicant shall include a note in the plat's text that a use of Reserve D shall include public access if the adjoining railroad is included in the Park and Pathways project.
- L. 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.
- M. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- N. 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.)
- O. 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.
- P. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Q. 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.

S/D 99-34 -- One-Step Final Plat of WILLOWBEND NORTH ESTATES ADDITION

May 27, 1999

Page 4

- R. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- S. Perimeter closure computations shall be submitted with the final plat tracing.
- T. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- U. 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.
- V. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in Release 13 version of AutoCAD. This will be used by the City and County GIS Department.