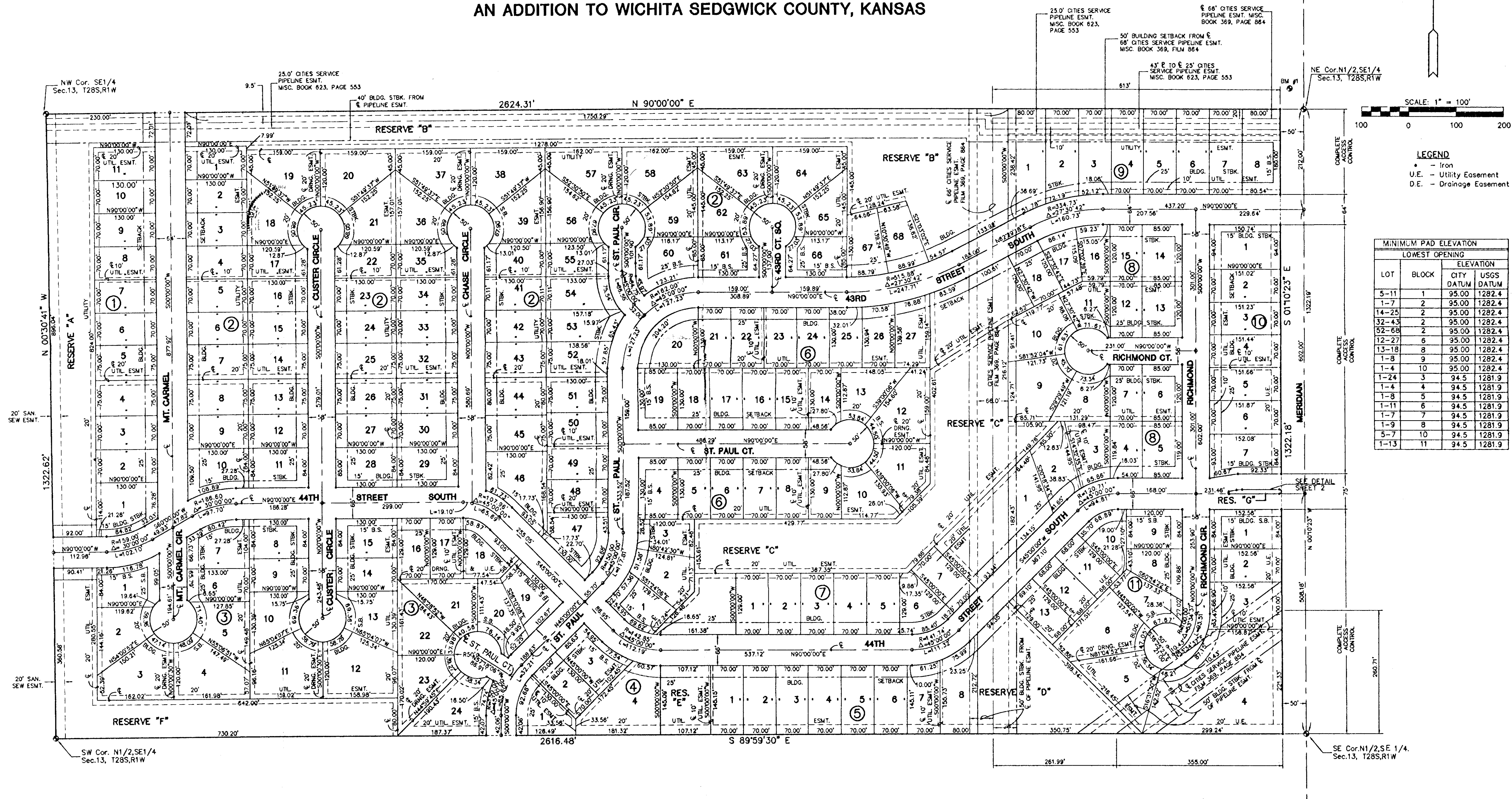


Final Plat
received 8-13-98

FINAL PLAT
THE LEGACY ADDITION
AN ADDITION TO WICHITA SEDGWICK COUNTY, KANSAS



FINAL PLAT

THE LEGACY ADDITION

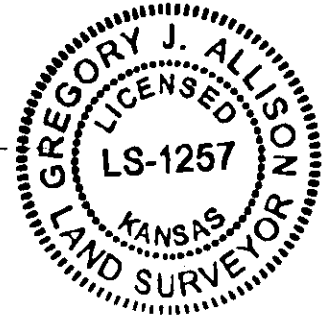
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

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 "THE LEGACY 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 replat of South Park Second Addition, an addition to Wichita, Sedgwick County, Kansas.

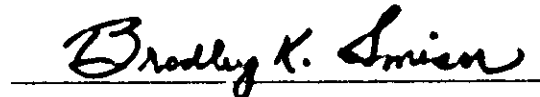
I hereby certify that the details of this plat are correct to the best of my knowledge and belief this 27th day of July, 1998.


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 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 "THE LEGACY 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 public of public utilities and drainage, are hereby granted to the public. Reserves A, B, C, D, E, and F are platted for open space, landscaping irrigation, public drainage, and walks. Reserve G is platted for entry monuments, landscaping and irrigation. The Reserves shall be owned and maintained by the homeowners association. All abutters rights of access to or from Meridian over and across the East line of THE LEGACY ADDITION, are hereby granted to the City of Wichita.

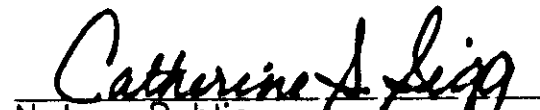
BUILDERS DEVELOPMENT, INC.

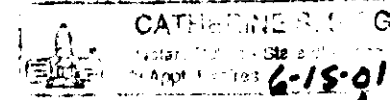

Bradley K. Smisor Executive Vice President
Builders Development, Inc.

STATE OF KANSAS)
) ss.
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 29th day of July, 1998, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Bradley K. Smisor Executive Vice President, Builders Development, Inc. to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged he 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


My appointment expires: 6-15-01

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

Dated this _____ day of _____, 1998.

WICHITA-SEDGWICK COUNTY METROPOLITAN PLANNING COMMISSION

_____, Chairman
Richard Lopez

_____, 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 _____, 1998.

_____, Mayor
Bob Knight

_____, City Clerk
Pat Burnett

Entered on transfer record this _____ day of _____, 1998.

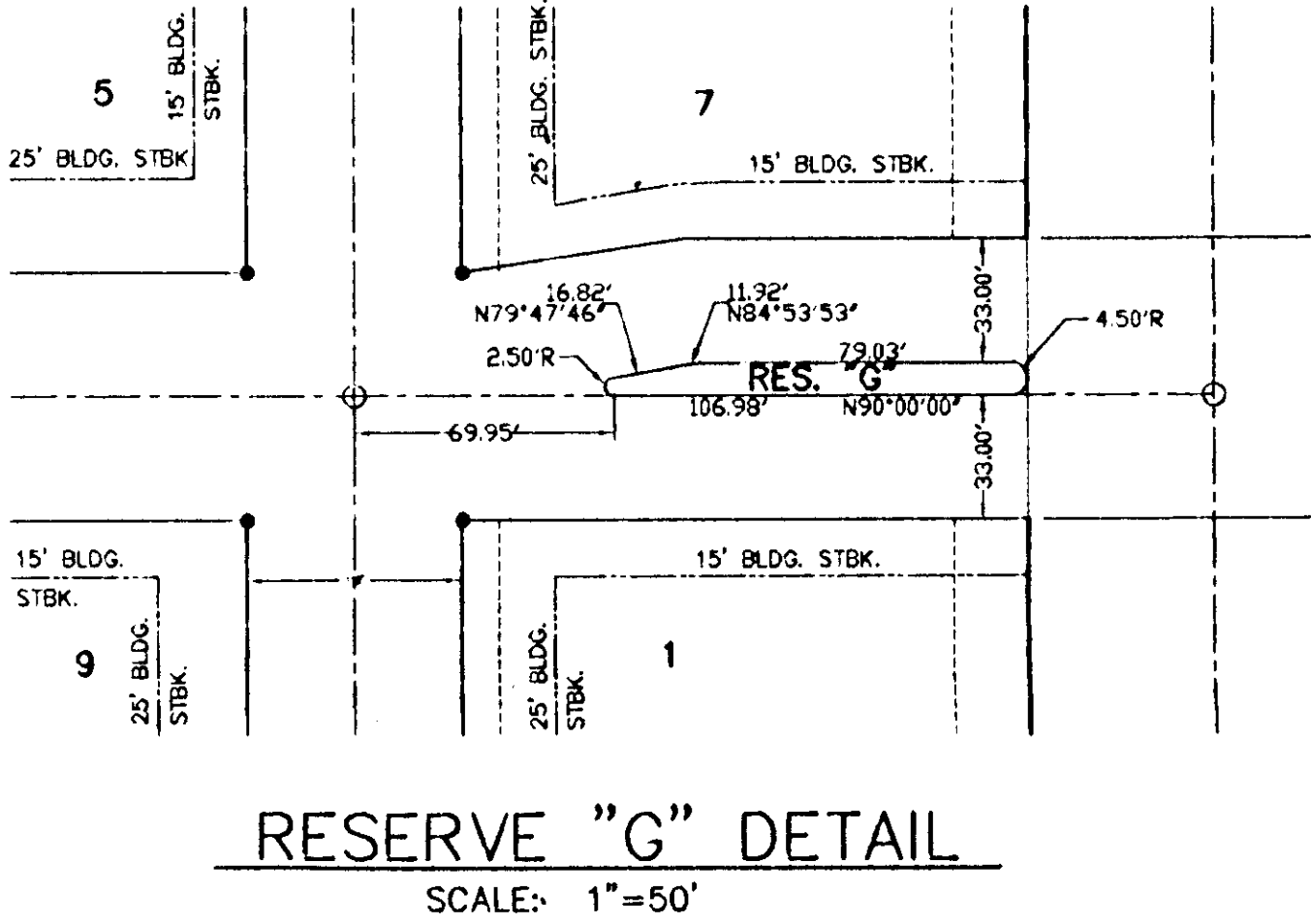
_____, County Clerk
James Alford

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 _____, 1998.

_____, Register of Deeds
Bill Meek

_____, Deputy
Linda Kizzire





METROPOLITAN AREA PLANNING
DEPARTMENT

July 17, 1998

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

FAX (316) 268-4390
Mid Kansas Engineering Consultants, Inc.

411 N. Webb Road
Wichita, KS 67206

Re: S/D 98-55 -- Final Plat of THE LEGACY ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on July 16, 1998, 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 July 10, 1998.

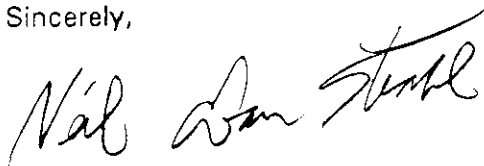
In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council and/or County Commission for consideration:

1. Submission of the fully completed and signed tracing of the subdivision, along with five (5) 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 this plat. This will be used by the City and County GIS Departments.

S/D 98-55 -- Final Plat of THE LEGACY ADDITION
July 17, 1998 -- Page 2

Please call if you have any questions.

Sincerely,

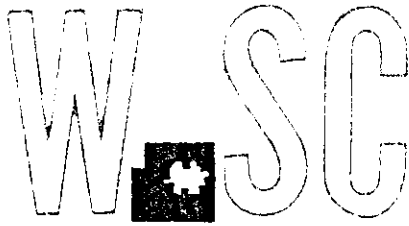
A handwritten signature in black ink, appearing to read "Neil Evan Strahl". The signature is fluid and cursive, with the first name "Neil" being the most prominent.

Neil Evan Strahl, AICP
Senior Planner, Current Plans Division

NES\lfb

cc: Builders, Inc., 1081 S. Glendale, Wichita, KS 67218
Mike Lindebak, City Engineering, Mail Stop (1-71)
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau
of Public Services, 1250 S. Seneca, Wichita, KS 67213
Jeff Bannon, 946 N. West, Wichita, KS 67203

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

July 10, 1998

FILE COPY

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

Re: S/D 98-55 -- Final Plat of THE LEGACY ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, July 9, 1998, the above captioned plat was considered. The action of the Committee was to approve the final plat subject to the following:

- A. The applicant shall guarantee the extension of City water and sanitary sewer to serve the lots being platted. City Engineering needs to indicate if any additional guarantees are required. A respread agreement will need to be submitted for any existing special assessments.
- 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. The lots adjacent to the pond and drainage ditch need minimum building pad elevations.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall include the paving of 44th St. South to a collector status. As a collector street, sidewalks will be required along both sides of 44th St. South. Sidewalks will be required along one side of all 64-ft streets (Mt. Carmel, Chase, St. Paul and 43rd St. South).
- E. The final plat tracing shall contain the appropriate name for the County Clerk, James Alford.
- F. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.



- G. The tie point at the southeast corner of the plat should be revised to reference the "SE 1/4".
- H. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements.
- I. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat.
- J. Lot 1 through 8 of Block 9 exceed the lot depth-to-width standard of 2½ to 1. A waiver from this provision will be needed for approval of the plat.
- K. 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.
- L. 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 a method similar to special assessments.
- M. A guarantee shall be provided for the installation of a temporary cul-de-sac for the termination of Mt. Carmel. The right-of-way dedication shall be provided by the plat or by separate instrument, with the vacation of the temporary cul-de-sac being effective upon the extension of Mt. Carmel northward.
- N. Traffic Engineering needs to comment on the need for improvements to Meridian. Traffic Engineering requests two temporary decel lanes for southbound traffic along Meridian.
- O. Fire Department needs to comment on Mt. Carmel which is 800 feet in length, exceeding the 600-ft standard imposed by the Subdivision Regulations. The length of Mt. Carmel is acceptable since it is a stub street. A temporary turnaround is required.
- P. 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.

- Q. Fire Department needs to comment on the plat's street names. It would appear that St. Paul Circle should be renamed St. Paul Court. *Fire Department has contacted the Applicant regarding revised street names. Chase shall be renamed St. Paul. Chase Court shall be renamed St. Paul Court. 43rd Street South Court shall be renamed 43rd Court South.* \
- 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 316-729-0102) 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 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 located within the City, best management practices be used to reduce pollutant loadings in storm water runoffs.
- 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. *KG&E and Southwestern Bell has requested additional easements which have been denoted on the final plat.*
- Z. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat. This will be used by the City and County GIS Department.

S/D 98-55 -- Final Plat of THE LEGACY ADDITION

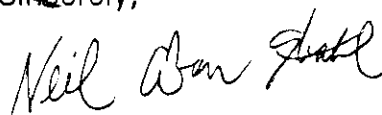
July 10, 1998 - Page 4

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 plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, July 16, 1998, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Evan Strahl". The signature is fluid and cursive, with the first name "Neil" being the most prominent.

Neil Evan Strahl, AICP

Senior Planner, Current Plans Division

NES\lfb

Enclosure

cc: Builders, Inc., 1081 S. Glendale, Wichita, KS 67218

Mike Lindebak, City Engineering, Mail Stop (1-71)

Jim Weber, PE-Director, Sewer Operations & Maintenance Dept., Bureau of Public Services, 1250 S. Seneca,
Wichita, KS 67213

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2-4.

July 16, 1998

STAFF REPORT

(Final Plat-Approved 07/09/98, Preliminary Plat Approved 5/21/98)

CASE NUMBER: S/D 98-55 - THE LEGACY ADDITION (formerly SOUTH PARK 3RD ADDITION)

OWNER/APPLICANT: Builders, Inc., 1081 S. Glendale, Wichita, KS 67218

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

LOCATION: West side of Meridian, North of 47th St. South

SITE SIZE: 79.7 acres

NUMBER OF LOTS

Residential: 195

Office:

Commercial:

Industrial:

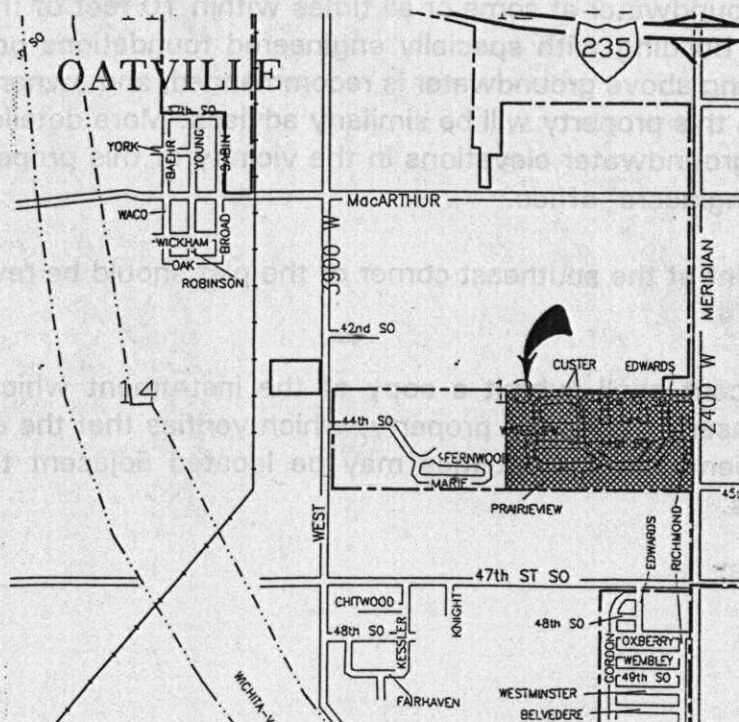
Total: **195**

MINIMUM LOT AREA: 8,400 sq. ft.

CURRENT ZONING: SF-6, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



Note: This site is a replat of the undeveloped South Park 2nd Addition approved in 1985. Subsequent to preliminary plat approval, the Applicant revised the name of the plat from South Park 3rd Addition to The Legacy Addition.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water and sanitary sewer to serve the lots being platted. City Engineering needs to indicate if any additional guarantees are required. A respread agreement will need to be submitted for any existing special assessments.
- 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. The lots adjacent to the pond and drainage ditch need minimum building pad elevations.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall include the paving of 44th St. South to a collector status. As a collector street, sidewalks will be required along both sides of 44th St. South. Sidewalks will be required along one side of all 64-ft streets (Mt. Carmel, Chase, St. Paul and 43rd St. South).
- E. The final plat tracing shall contain the appropriate name for the County Clerk, James Alford.
- F. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.
- G. The tie point at the southeast corner of the plat should be revised to reference the "SE 1/4".
- H. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements.

- I. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat.
- J. Lot 1 through 8 of Block 9 exceed the lot depth-to-width standard of 2½ to 1. A waiver from this provision will be needed for approval of the plat.
- K. 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.
- L. 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 a method similar to special assessments.
- M. A guarantee shall be provided for the installation of a temporary cul-de-sac for the termination of Mt. Carmel. The right-of-way dedication shall be provided by the plat or by separate instrument, with the vacation of the temporary cul-de-sac being effective upon the extension of Mt. Carmel northward.
- N. Traffic Engineering needs to comment on the need for improvements to Meridian. Traffic Engineering requests two temporary decel lanes for southbound traffic along Meridian.
- O. Fire Department needs to comment on Mt. Carmel which is 800 feet in length, exceeding the 600-ft standard imposed by the Subdivision Regulations. The length of Mt. Carmel is acceptable since it is a stub street. A temporary turnaround is required.
- P. 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.

- Q. Fire Department needs to comment on the plat's street names. It would appear that St. Paul Circle should be renamed St. Paul Court. *Fire Department has contacted the Applicant regarding revised street names. Chase shall be renamed St. Paul. Chase Court shall be renamed St. Paul Court. 43rd Street South Court shall be renamed 43rd Court South.*
- 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
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- V. 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 located within the City, best management practices be used to reduce pollutant loadings in storm water runoffs.
- 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

S/D 98-55 -- One-Step Final Plat of THE LEGACY ADDITION

July 16, 1998- Page 5

on the need for any additional utility easements to be platted on this property.
*KG&E and Southwestern Bell has requested additional easements which have
been denoted on the final plat.*

- Z. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat. This will be used by the City and County GIS Department.