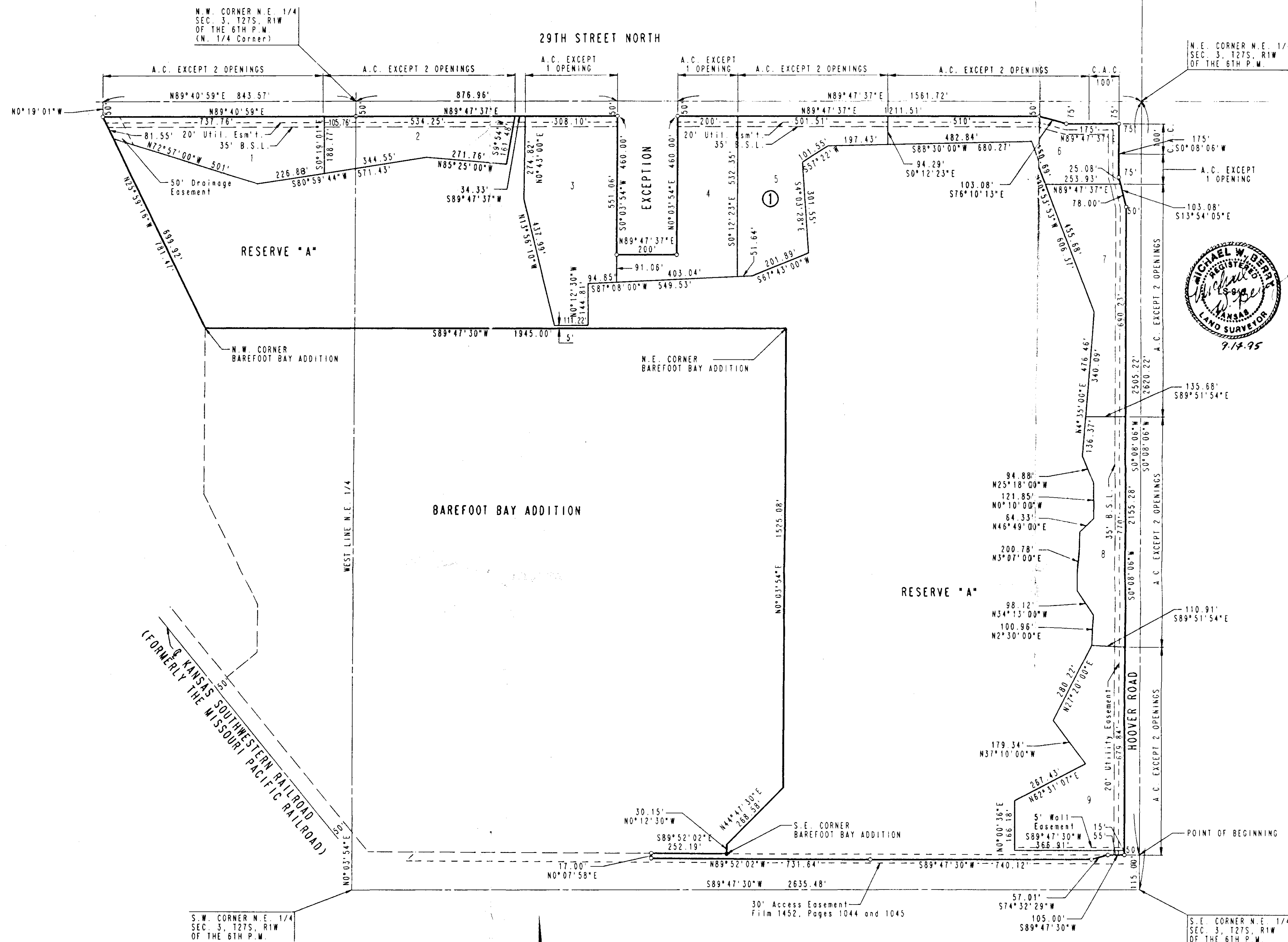


Copy from Tracing
10/11/95

BAREFOOT BAY 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



STATE OF KANSAS }
COUNTY OF SEDGWICK } SS

I, MICHAEL W. BERRY, A REGISTERED LAND SURVEYOR IN AFORESAID STATE AND COUNTY, DO HEREBY CERTIFY THAT ON THIS 14th DAY OF SEPTEMBER, 1995, I HAVE CAUSED TO BE SURVEYED AND PLATTED BAREFOOT BAY 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, INTO LOTS, A BLOCK, STREETS, AND A RESERVE, THE SAME BEING A TRACT OF LAND IN THE NORTH ONE-HALF OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M.; THENCE NORTH 00 DEGREES 08 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 115.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 47 MINUTES 30 SECONDS WEST A DISTANCE OF 105.00 FEET; THENCE SOUTH 74 DEGREES 32 MINUTES 29 SECONDS WEST A DISTANCE OF 57.01 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 30 SECONDS WEST A DISTANCE OF 740.12 FEET; THENCE NORTH 89 DEGREES 52 MINUTES 02 SECONDS WEST A DISTANCE OF 731.64 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 58 SECONDS EAST A DISTANCE OF 12.00 FEET TO A POINT ON THE SOUTH LINE OF BAREFOOT BAY AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 89 DEGREES 52 MINUTES 02 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 252.19 FEET TO THE SOUTHEAST CORNER OF SAID ADDITION; THENCE NORTH 00 DEGREES 12 MINUTES 30 SECONDS WEST ALONG THE EAST LINE OF SAID ADDITION A DISTANCE OF 30.15 FEET; THENCE NORTH 44 DEGREES 47 MINUTES 30 SECONDS EAST A DISTANCE OF 268.58 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 54 SECONDS EAST A DISTANCE OF 1525.08 FEET TO THE NORTHEAST CORNER OF SAID ADDITION; THENCE SOUTH 89 DEGREES 47 MINUTES 30 SECONDS WEST A DISTANCE OF 1945.00 FEET TO THE NORTHWEST CORNER OF SAID ADDITION; THENCE NORTH 25 DEGREES 59 MINUTES 16 SECONDS WEST A DISTANCE OF 781.47 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 01 SECONDS WEST A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 89 DEGREES 40 MINUTES 59 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 843.57 FEET TO THE NORTH ONE QUARTER CORNER OF SAID SECTION 3; THENCE NORTH 89 DEGREES 47 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 3, A DISTANCE OF 876.96 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 54 SECONDS WEST A DISTANCE OF 510.00 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 37 SECONDS EAST A DISTANCE OF 200.00 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 54 SECONDS EAST A DISTANCE OF 510.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 3; THENCE NORTH 89 DEGREES 47 MINUTES 37 SECONDS EAST A DISTANCE OF 1561.72 FEET TO THE NORTHEAST CORNER OF SAID SECTION 3; THENCE NORTH 00 DEGREES 08 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 3 A DISTANCE OF 2505.22 FEET TO THE POINT OF BEGINNING EXCEPT THE NORTH 30 FEET AND THE EAST 30 FEET OF ABOVE DESCRIBED TRACT FOR EXISTING RIGHT-OF-WAY. THAT PART OF RIGHT OF WAY AGREEMENT AS PER FILM 1100 PAGE 621 AND TEMPORARY CONSTRUCTION EASEMENT AS PER FILM 1100, PAGE 623, WITHIN THE ABOVE DESCRIBED TRACT OF LAND ARE HEREBY VACATED AND REPLATTED BY VIRTUE OF K.S.A. 12-512(b) AMENDED.

Michael W. Berry
MICHAEL W. BERRY, R.L.S. NO. 946
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED PROPERTY OWNERS OF THE LAND, AS ABOVE SET FORTH IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO LOTS, A BLOCK, STREETS, AND A RESERVE, THE SAME TO BE KNOWN AS BAREFOOT BAY 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

EASEMENTS AS INDICATED FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE ARE HEREBY GRANTED. THE STREETS ARE HEREBY DEDICATED TO AND FOR THE USE OF THE PUBLIC.

THE 5 FOOT WALL EASEMENT ALONG THE SOUTH LINE OF LOT 9, BLOCK 1, IS HEREBY PLATTED FOR THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE WALL. UTILITIES MAY CROSS THE WALL EASEMENT.

LOWEST FLOOR ELEVATION FOR ALL LOTS SHALL BE 1326.0 M.S.L. OR 138.8 CITY DATUM.

RESERVE "A" IS HEREBY PLATTED FOR FLOODWAY, LAKE, OPEN SPACE, ACCESS EASEMENT, RECREATIONAL FACILITIES, AND LANDSCAPING. RESERVE "A" SHALL BE SUBJECT TO THE RESTRICTIVE COVENANTS ESTABLISHED BY THE DECLARATION OF LANDOWNERS' ASSOCIATION AGREEMENTS AND SHALL BE OWNED AND MAINTAINED BY A LANDOWNERS' ASSOCIATION TO BE FORMED WITHIN BAREFOOT BAY 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

THE FLOODWAY WITHIN RESERVE "A" SHALL BE THE RESPONSIBILITY OF THE LANDOWNERS' ASSOCIATION UNTIL SUCH TIME AS THE GOVERNING BODY EXERCISING JURISDICTION ELECTS TO ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE AND IMPROVEMENT OF THE FLOODWAY, PROVIDED FURTHER THAT NO STRUCTURE SHALL BE CONSTRUCTED ON OR WITHIN SAID FLOODWAY, NOR SHALL ANY FILL, CHANGE OF GRADE, CREATION OF CHANNEL OR ANY OTHER WORK BE CARRIED ON WITHOUT THE PERMISSION OF THE CITY ENGINEER.

ALL ABUTTERS' RIGHTS OF ACCESS TO AND FROM 29TH STREET NORTH AND HOOVER, AS SHOWN, ARE HEREBY GRANTED TO THE CITY OF WICHITA.

OWNER: BAREFOOT BAY DEVELOPMENT, INC.

BY: Jack D. Ritchie
JACK D. RITCHIE, VICE-PRESIDENT

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS

BE IT REMEMBERED ON THIS 14th DAY OF September, 1995, BEFORE ME A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME JACK D. RITCHIE, VICE-PRESIDENT OF BAREFOOT BAY DEVELOPMENT, INC. TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME FOR AND ON BEHALF AND AS THE ACT AND DEED OF SAID CORPORATION, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley
GARY L. WILEY
MY COMMISSION EXPIRES Jan 15, 1997

THIS PLAT HAS BEEN SUBMITTED TO AND APPROVED BY THE WICHITA SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, WICHITA, KANSAS, DATED THIS 27th DAY OF April, 1995.

JOHN W. MCKAY, JR., CHAIRMAN

MARVIN S. KROUT, SECRETARY

THIS PLAT APPROVED AND ALL DEDICATIONS SHOWN HEREON ARE ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WICHITA, KANSAS, DATED THIS DAY OF , 1995.

BOB KNIGHT, MAYOR

PAT BURNETT, DEPUTY CITY CLERK

ENTERED ON TRANSFER RECORD THIS DAY OF , 1995.

SUSAN E. CROCKETT-SPOON, COUNTY CLERK

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE AT A.M., ON THIS DAY OF , 1995.

PAT KETTLER, REGISTER OF DEEDS

ED RESA, DEPUTY

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

April 27, 1995

P.E.C., P.A.
c/o Gary Wiley
303 South Topeka
Wichita, KS 67202

Re: S/D 94-80 BAREFOOT BAY 2ND ADDITION (Final Plat)

Dear Mr. Wiley:

At the regular meeting of the Metropolitan Area Planning Commission on April 27, 1995, 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 April 20, 1995.

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 for consideration:

1. Submission of the fully completed and signed tracing of the subdivision 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.

Please call if you have any questions.

Sincerely,

Don Losew
Senior Planner

DL:rh

cc: Grandview, Inc., 8100 E. 22nd Street North - Building 1000, Wichita, KS 67226
William R. Pracht, Trustee, Delano Township, 10121 W. 29th Street North, Wichita,
KS 67205
Mike Lindebak, City Engineer

SEDGWICK COUNTY



April 20, 1995

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
TEL: (316) 268-4421
FAX: (316) 268-4090

P.E.C., P.A.
c/o Gary Wiley
303 South Topeka
Wichita, KS 67202

Re: S/D 94-80 BAREFOOT BAY 2ND ADDITION (Final Plat)

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 20, 1995, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. - all app. sub. to platting*
- A. Prior to this plat being scheduled for City Council review, the applicant was to request a zone change to residential zoning for the area in the northeast corner of this site presently zoned "LC" and the area in the northwest corner presently zoned "E". Such a zone change (Z-3162) has been filed and approved subject to platting.
 - B. Although this site is not anticipated to initially use municipal facilities (sanitary sewer and water), it was adjacent to the City [abuts recently annexed Barefoot Bay (1st) Addition] and should be expected to eventually use City services. Consequently, the site was required to request annexation to the City prior to the plat being scheduled for City Council review. Such annexation has been completed for this site.
 - C. As requested by City Engineering, the applicant shall submit petitions for the future extension of water and sanitary sewer to serve this site. For both the future use of sanitary sewer and for other utilities, 20-foot utility easements shall be indicated in the front of all lots along both Hoover and 29th Street North.
 - D. Since neither municipal water nor sanitary sewer is available to serve this property, the applicant shall contact the Environmental Health Division of the Health Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities and water wells. A memorandum shall be obtained specifying approval. Based on the size of lots being platted, approval for septic systems will be required.

The applicant is advised that certain separation requirements both in terms of distances from the water body and from ground water may limit possible locations for on-site sewer

and water on several of the lots. As determined by the Health Department, the applicant shall provide a covenant pertaining to and/or indicate on the final plat tracing the locations for septic facilities.

- ~~E.~~ Provisions shall be made for ownership and maintenance of the proposed reserve. 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 reserve will be deeded to the association and who is to own and maintain the reserve 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 a method similar to special assessments.
- ~~G.~~ The establishment of minimum building pad elevations for this site shall also be noted on the face of the plat.
- ~~H.~~ 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.
- ~~I.~~ 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.
- ~~J.~~ 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- ~~K.~~ On the final plat tracing, the platlor's text shall also note the dedication of access controls to 29th Street North and Hoover and that the openings are to be approved by City Engineering. The reference in the platlor's text may simply indicate that access controls are being dedicated as indicated on the face of the plat.
- ~~L.~~ The final plat tracing shall be amended to indicate the appropriate Mayor's signature.
- ~~M.~~ Proof shall be provided that all appropriate property taxes have been paid. The platting binder presently indicates outstanding taxes.
- ~~N.~~ Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- ~~O.~~ Recording of the plat within 30 days after approval by the City Council.

If this plat requires the guaranteeing of improvements a list of the five methods which have been

FILED

S/D 94 - 80 - Final Plat of BAREFOOT BAY 2nd ADDITION
April 20, 1995 - Page 3

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, April 27, 1995 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 "Don Losew", with a horizontal line extending to the right.

Don Losew
Senior Planner

DL:rh

Enclosure: Marked Copy of plat

cc: Grandview, Inc., 8100 E. 22nd Street North - Building 1000, Wichita, KS 67226
William R. Pracht, Trustee, Delano Township, 10121 W. 29th Street North, Wichita, KS
67205
Mike Lindebak, City Engineer

METROPOLITAN AREA PLANNING COMMISSION

April 27, 1995

STAFF REPORT

(Final Plat Approved 4/20/95, Preliminary Plat Approved 12/8/94)

CASE NUMBER: S/D 94-80 BAREFOOT BAY 2ND ADDITION

OWNER/APPLICANT: Grandview, Inc., 8100 E. 22nd Street North - Building 1000, Wichita, KS 67226

SURVEYOR/ENGINEER: P.E.C., 303 S. Topeka, Wichita, KS 67202

LOCATION: South of 29th Street North and west of Hoover

SITE SIZE: 96.7 Acres

NUMBER OF LOTS

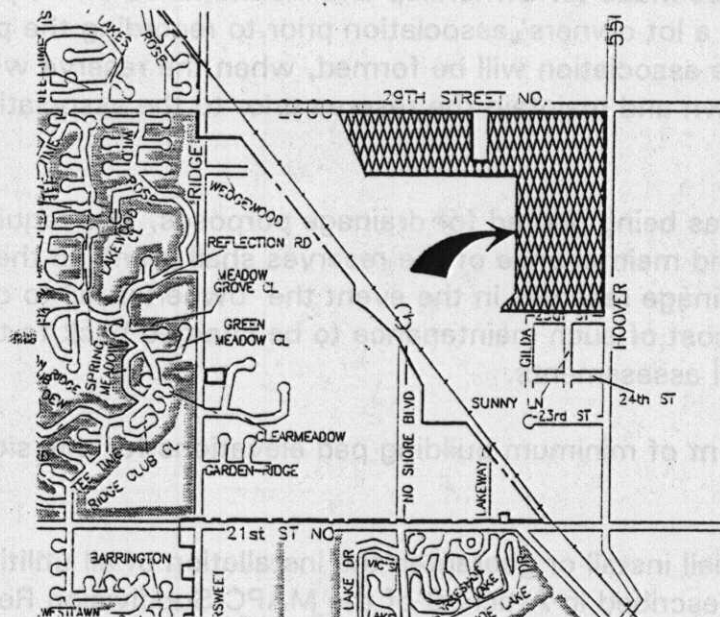
Residential:	9
Office:	
Commercial:	
Industrial:	
Total:	<u>9</u>

MINIMUM LOT AREA: 2 Acres

CURRENT ZONING: "R-1", "LC", and "E"

PROPOSED ZONING: "R-1" ("AA" upon Annexation and Z-3162)

VICINITY MAP:



STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, the applicant was to request a zone change to residential zoning for the area in the northeast corner of this site presently zoned "LC" and the area in the northwest corner presently zoned "E". Such a zone change (Z-3162) has been filed and approved subject to platting.
- B. Although this site is not anticipated to initially use municipal facilities (sanitary sewer and water), it was adjacent to the City [abuts recently annexed Barefoot Bay (1st) Addition] and should be expected to eventually use City services. Consequently, the site was required to request annexation to the City prior to the plat being scheduled for City Council review. Such annexation has been completed for this site.
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- 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 a method similar to special assessments.
- G. The establishment of minimum building pad elevations for this site shall also be noted on the face of the plat.
- H. 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.

- I. 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.
- J. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- K. On the final plat tracing, the platlor's text shall also note the dedication of access controls to 29th Street North and Hoover and that the openings are to be approved by City Engineering. The reference in the platlor's text may simply indicate that access controls are being dedicated as indicated on the face of the plat.
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- M. Proof shall be provided that all appropriate property taxes have been paid. The platting binder presently indicates outstanding taxes.
- N. Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- O. Recording of the plat within 30 days after approval by the City Council.