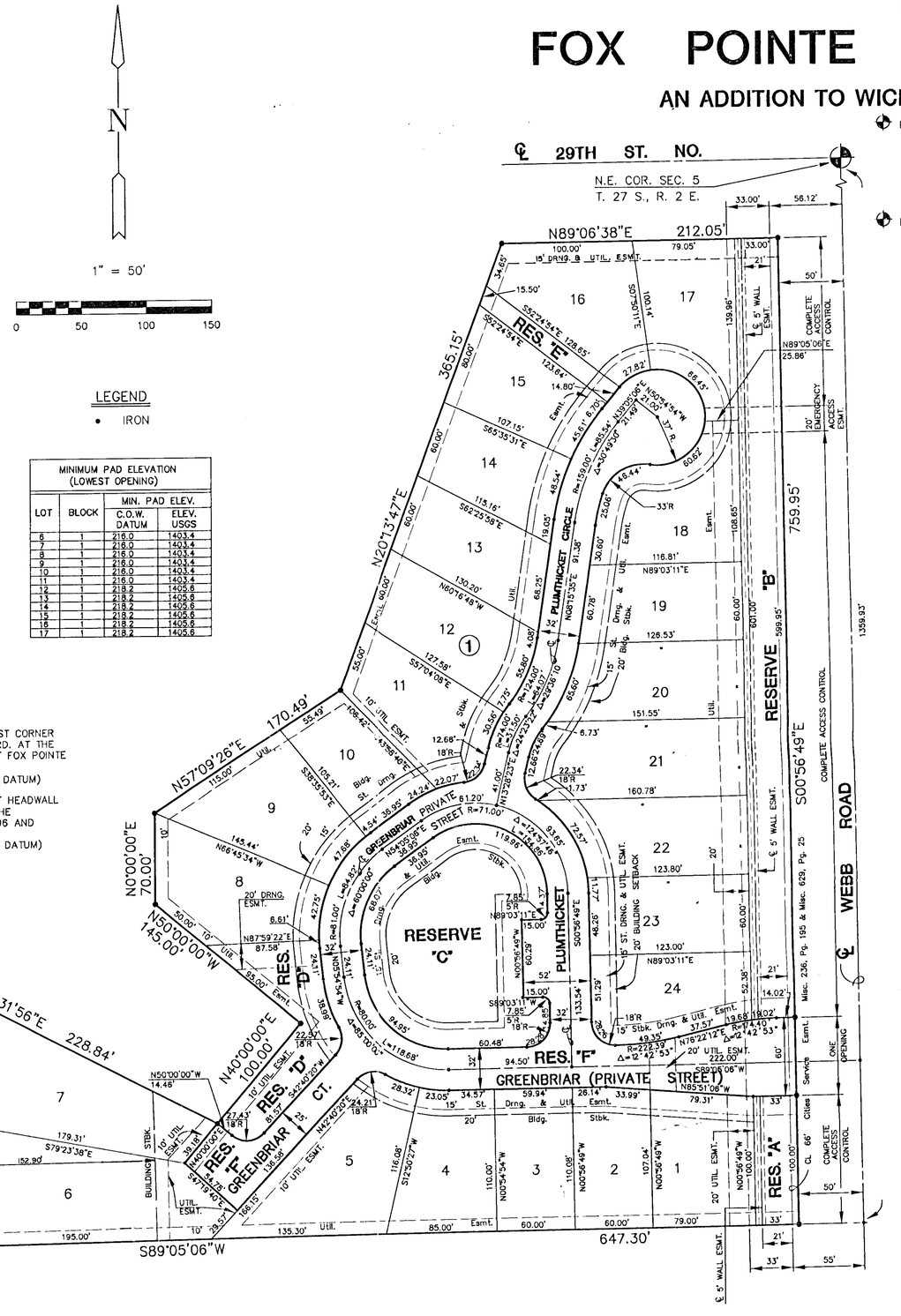
PC64 - 6

FINAL PLAT

FOX POINTE SECOND ADDITION

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

LIBRARY COPY
SEDGWICK COUNTY, KANSAS
REGISTER OF DEEDS
LARRY CONSOLVER



LEGEND

- • IRON

MINIMUM PAD ELEVATION (LOWEST OPENING)			
LOT	BLOCK	MIN. PAD ELEV. C.O.W. DATUM	MIN. PAD ELEV. USGS
6	1	216.0	1403.4
7	1	216.0	1403.4
8	1	216.0	1403.4
9	1	216.0	1403.4
10	1	216.0	1403.4
11	1	216.0	1403.4
12	1	218.2	1405.6
13	1	218.2	1405.6
14	1	218.2	1405.6
15	1	218.2	1405.6
16	1	218.2	1405.6
17	1	218.2	1405.6

BENCH MARKS

BM #1 "□" CUT ON SOUTHEAST CORNER OF RCB UNDER WEBB RD. AT THE NORTHEAST CORNER OF FOX POINTE SECOND
ELEV. = 219.65 (CITY DATUM)

BM #2 "□" CUT WEST END OF HEADWALL OF RCB LOCATED AT THE NORTHEAST CORNER K96 AND WEBB RD.
ELEV. = 222.08 (CITY DATUM)

I, Kenneth H. Bengtson, a Civil Engineer and Registered Land Surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "FOX POINTE SECOND ADDITION", an addition to Wichita, Sedgwick County, Kansas, into lots, a block, and reserves the same being acurately set forth in the accompanying plat and described herein:

A replat of Lot 24, Block 1, FOX POINTE, an addition to Wichita, Sedgwick County, Kansas.

All lots, blocks, easements, building setbacks including the Drainage Easement on Film 1131, Page 292 within the above described property are hereby vacated and replated by virtue of K.S.A. 12-512(b).

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this 21st day of February, 1996.

Kenneth H. Bengtson

Kenneth H. Bengtson, P.E., R.L.S. #922
Mid-Kansas Engineering Consultants, Inc.
411 North Webb Road
Wichita, KS 67206

KENNETH H. BENGTSON LICENSED 7238 PROFESSIONAL ENGINEER KANSAS

KENNETH H. BENGTSON REGISTERED LS-922 KANSAS LAND SURVEYOR

Know all men by these presents that we the undersigned property owners of the lands as above set forth in the Civil Engineer's and Registered Land Surveyor's Certificate, have caused the same surveyed and platted into lots, a block, and reserves the same to be known as "FOX POINTE SECOND 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. The 5.00 wall easement is granted for the construction and maintenance of a privacy wall, public utilities are allowed to cross the wall easement. Reserves A, B, C, D, E, and F shall be platted for landscaping irrigation, lighting, and sidewalks. Reserve F is also platted for entry monuments and entry gate, streets, and parking. The Reserves shall be owned and maintained by the homeowners association. All abutters right of access to or from Webb Road over and across the East lines Reserve A and B of FOX POINTE SECOND ADDITION, are hereby granted to the City of Wichita. Minimum pad elevations are as indicated on the face of the plat. The 20' Emergency Access Esement is granted for emergency vehicles.

LEEWOOD HOMES, INC.

Joe H. Lee, President

STATE OF KANSAS)
) ss.
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 21st day of February, 1996, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Joe H. Lee, President of Leewood Homes, Inc., to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledgedthe 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.

Katheryn S. Bauman
Notary Public
My appointment expires: 1-24-99

KATHERYN S. BAUMAN NOTARY PUBLIC STATE OF KANSAS APPT. EXPIRES

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

Dated this 25th day of January, 1996.

WICHITA-SEDGWICK COUNTY METROPOLITAN PLANNING COMMISSION

Susan Osbone-Howes, Chairman

Marvin S. Krout, Secretary

SEAL

This plat approved and all dedications shown thereon, if any, accepted by the City Council of the City of Wichita, Kansas, this 26th day of MARCH, 1996.

Bob Knight, Mayor

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Pat Burnett, Deputy City Clerk

Entered on transfer record this 9th day of April, 1996.

Susan E. Crockett-Spoon, County Clerk

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the Register of Deeds office this 10th day of April, 1996.

Pat Kettler, Register of Deeds

Ed Ress Phyllis Hernandez, Deputy

#1518716

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

20.00 ck

PC64-6

SEDGWICK CO. .Y

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

January 25, 1996

MID KANSAS ENGINEERING CONSULTANTS
411 N WEBB ROAD
WICHITA KS 67206

Re: S/D 95-74 - FOX POINTE SECOND ADDITION (Final Plat)

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on January 25, 1996, 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 January 18, 1996.

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

Don Losew
Senior Planner

DL:rh

cc: Richard and Juanita Hattrup, 2810 Bent Tree, ~~2959 N. Webb Road~~, Wichita, KS 67226
Leewood Homes, 3500 N. Rock Road - #2200, Wichita, KS 67226
Yung Design Group, 4912 E 29TH ST N, WICHITA KS 67220
Mike Lindebak, City Engineer

SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-3774

January 18, 1996

MID KANSAS ENGINEERING CONSULTANTS
411 N WEBB ROAD
WICHITA KS 67206

Re: S/D 95-74 - FOX POINTE SECOND ADDITION (Final Plat)

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, January 18, 1996, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

Also sent to MAPC

A. Based upon the existing zoning for this site, improvements, particularly for streets would be based on standards for office uses (70-foot rights-of-way with 41-foot paving). However, based upon the now proposed platting, a zone change to an appropriate residential classification ("AA") shall be obtained. Prior to this plat being scheduled for City Council review, such a zone change shall have been applied for.

Stay pending ZC

B. The applicant shall guarantee the paving of the proposed private interior streets to the 29-foot public street standard.

C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.

D. The applicant shall guarantee the extension of City water to serve the lots being platted.

E. The applicant shall guarantee any drainage improvements required by the platting of this property.

F. The applicant shall guarantee construction of the storm sewers required by this plat.

G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As requested by City Engineering, an agreement or square footages for the lots being platted shall be submitted to Engineering to redistribute existing specials.

H. will/should be in the paving L.I.D. item B above
The applicant shall be responsible for the installation of an appropriate driving surface, gates, etc. as determined appropriate by the City's Fire Department, for the emergency access easement shown between Lots 17 and 18.

As requested by Traffic Engineering, the installation of any gate at this site's entrance from Webb Road shall be placed at least 60 feet back from Webb Road (pavement).

J. Still need site plan for swimming pool (— or remove from list?)
The applicant is advised that in order to allow for a swimming pool and associated uses in a Reserve, as specified in the Subdivision Regulations, a site plan shall be submitted to Planning for review and approval. Such a plan needs to be submitted with or before submittal of the final plat tracing.

Dropped Pool from plat 1/8 N.A.

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. This covenant shall also provide for the homeowners' association to maintain the "parking strip" between this plat's east line and the driving surface for Webb Road.

L. Regarding Reserve F (and others, if necessary), which are being platted for private drive purposes, discussion with the Law Department indicate a need for language in the covenant, which sets forth ownership and maintenance responsibilities of the reserves, to establish future reversionary rights of the reserves to the lots benefiting from the reserves.

M. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.

N. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a narrow (private) 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.

O. Orig. A. says has been released — need recorded copy?
Based upon the previous platting of this site, a pipeline and rural water line are or were located along this plat's eastern property line or in the areas platted as Reserves adjacent to Webb Road. If these facilities and associated easements still existed, the final plat was to properly indicate, label, and show the appropriate recording information for these facilities and easements. While the pipeline is now being shown, the rural water district (25-foot) easement is not shown and instead is being overlaid with a 20-foot public utility easement. The applicant needs to provide proof that either the 25-foot Rural Water District #1 easement has or can be deleted (released) or that the general public utility easement is acceptable for purposes of the Water District and KG&E who requested the easement along the eastern line of these lots.

P. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.

Q. As this property is establishing minimum building pad elevations, the face of the final plat tracing shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).

R. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

S. The final plat tracing shall indicate the street names determined appropriate for this site by Central Inspection and/or the City Fire Department.

T. 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.)

U. On the final plat tracing, the surveyor's text shall be corrected to note that the drainage easement being vacated appears to have been recorded on Film 1131 not 131.

V. For the Register of Deeds signature block, the final plat tracing should continue to indicate Ed Resa as Deputy.

W. On the final plat tracing, the text in the plattor's text concerning the wall easement shall be corrected. The word "The" needs to be capitalized at the beginning of the sentence and the word "the" inserted toward the end of the sentence between...to cross the wall easement.

X. 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.

Y. 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.

Z. 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 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. 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.

AA. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).

BB. Recording of the plat within 30 days after approval by the City Council.

CC. The final plat shall indicate the utility easements requested by K.G.& E.-Gas and K.G.& E.-Electric which are indicated on the enclosed "marked" copy of the plat.

DD. As indicated by City Engineering, the final plat tracing shall indicate an enlarged drainage easement along the plat's northern line. Further, an off-site drainage easement will be required and needs to be provided by separate instrument. This easement shall be submitted to Engineering for review, then to Planning for recording with the plat.

Also as noted by Engineering, the utility easement along the west line of this plat shall, as appropriate, be enlarged depending on the situation of the adjoining plat. That is, if easements and/or a Reserve on the adjoining plat allow for utilities then it appears that only the easement at the rear of Lots 8,9, and 10 may need to be enlarged or in the area of an adjacent lake. If the adjoining plat does not provide additional utility easement, then other lots will also need to increase the size of easement to be platted.

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, January 25, 1996 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

Don Losew
Senior Planner

DL:rh
Enclosure: Marked Copy of plat
cc: Richard and Juanita Hattrup, 2810 Bent Tree, ~~2959 N. Webb Road~~, Wichita, KS 67226
Leewood Homes, 3500 N. Rock Road - #2200, Wichita, KS 67226
Yung Design Group, 4912 E 29TH ST N, WICHITA KS 67220
Mike Lindebak, City Engineer

AGENDA ITEM NO. 2-4

METROPOLITAN AREA PLANNING COMMISSION

January 25, 1996

STAFF REPORT

(Final Plat Approved 1/18/96, Preliminary Plat Approved 11/9/95)

CASE NUMBER: S/D 95-74 FOX POINTE SECOND ADDITION

OWNER/APPLICANT: Richard and Juanita Hattrup, 2810 Bent Tree, ~~2959 N. Webb Road,~~ Wichita, KS 67226

and Leewood Homes, 3500 N. Rock Road - #2200, Wichita, KS 67226

SURVEYOR/ENGINEER: Yung Design Group, 4912 E. 29th Street North, Wichita, KS 67220

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

LOCATION: South of 29th Street North and west of Webb Road

SITE SIZE: 7.14 ± Acres

NUMBER OF LOTS

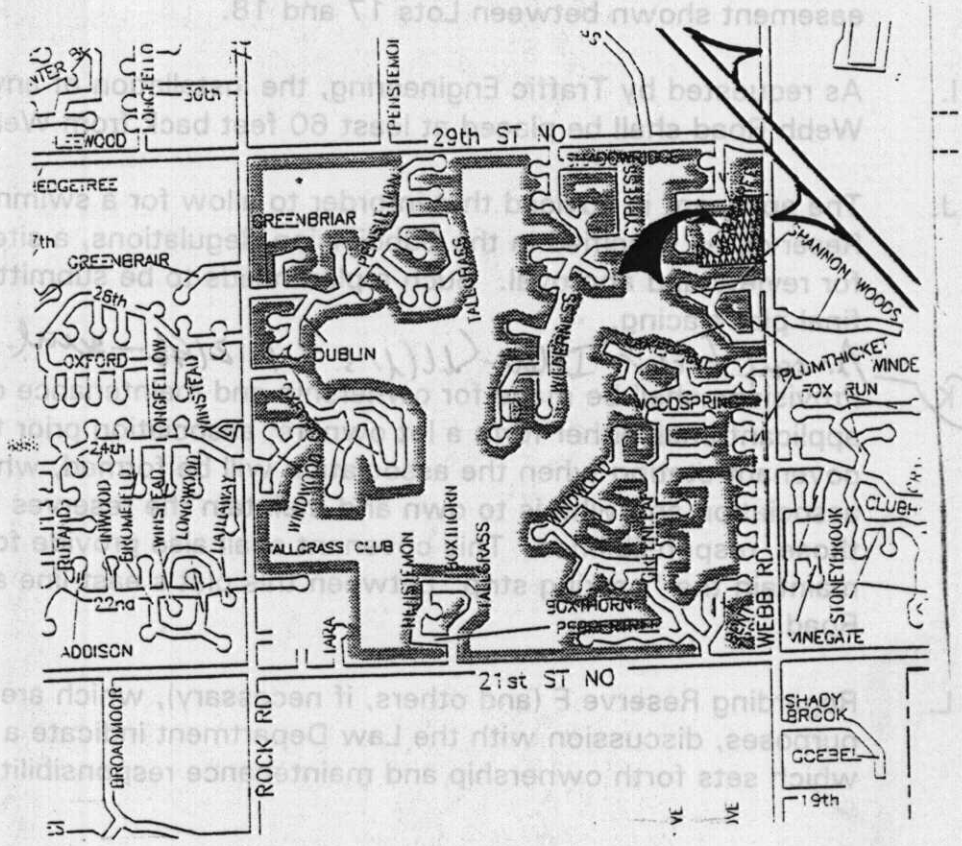
Residential:	24
Office:	
Commercial:	
Industrial:	
Total:	24

MINIMUM LOT AREA: 6,000 ± sq. ft.

CURRENT ZONING: "BB"

PROPOSED ZONING:

VICINITY MAP:



FILE COPY

STAFF COMMENTS:

A. Based upon the existing zoning for this site, improvements, particularly for streets would be based on standards for office uses (70-foot rights-of-way with 41-foot paving). However, based upon the now proposed platting, a zone change to an appropriate residential classification ("AA") shall be obtained. Prior to this plat being scheduled for City Council review, such a zone change shall have been applied for.

B. The applicant shall guarantee the paving of the proposed private interior streets to the 29-foot public street standard.

C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.

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I. As requested by Traffic Engineering, the installation of any gate at this site's entrance from Webb Road shall be placed at least 60 feet back from Webb Road (pavement).

J. The applicant is advised that in order to allow for a swimming pool and associated uses in a Reserve, as specified in the Subdivision Regulations, a site plan shall be submitted to Planning for review and approval. Such a plan needs to be submitted with or before submittal of the final plat tracing.

(K) Per conf from Dana Gillis 2/12/96 — send Res's - may need standard drainage purpose RH

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. This covenant shall also provide for the homeowners' association to maintain the "parking strip" between this plat's east line and the driving surface for Webb Road.

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reversionary rights of the reserves to the lots benefiting from the reserves.

M. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.

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O. Based upon the previous platting of this site, a pipeline and rural water line are or were located along this plat's eastern property line or in the areas platted as Reserves adjacent to Webb Road. If these facilities and associated easements still existed, the final plat was to properly indicate, label, and show the appropriate recording information for these facilities and easements. While the pipeline is now being shown, the rural water district (25-foot) easement is not shown and instead is being overlaid with a 20-foot public utility easement. The applicant needs to provide proof that either the 25-foot Rural Water District #1 easement has or can be deleted (released) or that the general public utility easement is acceptable for purposes of the Water District and KG&E who requested the easement along the eastern line of these lots.

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