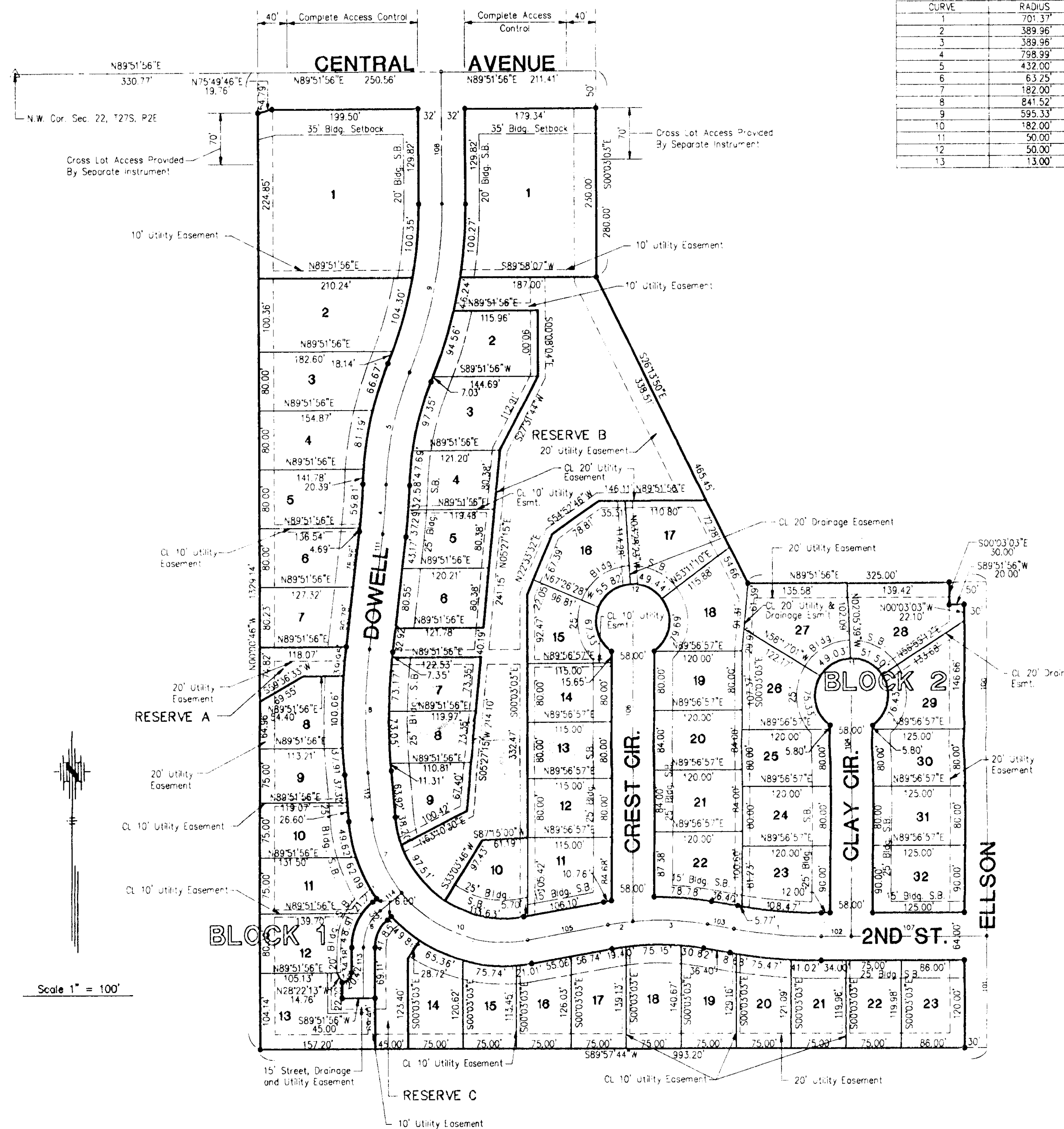




CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	701.37	119.71	60.00	119.56	S85°09'40"E	09°46'45"
2	389.96	34.22	17.12	34.20	S82°10'26"W	05°01'38"
3	389.96	102.37	51.48	102.08	N87°47'51"W	15°02'27"
4	798.99	67.91	33.61	67.17	N04°09'28"E	04°49'05"
5	432.00	156.65	79.20	155.79	N12°08'13"E	20°46'35"
6	63.25	56.02	30.00	54.21	S22°19'27"W	50°45'00"
7	182.00	108.63	55.99	107.02	S22°12'08"E	34°11'51"
8	841.52	171.40	86.00	171.11	S00°43'54"W	11°40'13"
9	595.33	235.14	119.28	233.91	N11°11'43"E	22°39'34"
10	182.00	193.89	107.29	184.85	S89°49'13"E	61°02'20"
11	50.00	252.29	35.60	58.00	S89°56'57"W	289°05'56"
12	50.00	252.29	35.60	58.00	S89°56'57"W	289°05'56"
13	13.00	20.42	13.00	18.38	N44°56'57"W	90°00'00"

LINE	DIRECTION	DISTANCE
100	S00°03'03"E	480.80
101	S00°03'03"E	152.01
102	N89°56'57"E	41.00
103	S80°16'18"E	36.40
104	S00°03'03"E	328.53
105	N79°39'37"E	111.80
106	S00°03'03"E	409.70
107	N89°56'57"E	184.00
108	N00°08'04"W	179.82
111	S06°34'00"W	156.64
112	S05°06'13"E	63.92
113	S00°03'03"E	69.14
114	S50°41'57"W	38.00

Benchmarks (M.S.L. Datum)

- Top of iron in thimble at intersection of Central & Greenwich Elev. 1376.44
- Railroad spike in PP 462± E. of NW. Cor. Lot 1, Block 1. Elev. 1379.42
- 3-40d nails in base of 10' elm tree 1330± S. and 462± E. of the NW. Cor. of Lot 1, Block 1. Elev. 1379.17

This is to certify that this instrument was filed for record in the Register of Deeds Office at _____ A.M.-P.M. on the _____ day of _____, 1996.

Pat Kettler, Register of Deeds

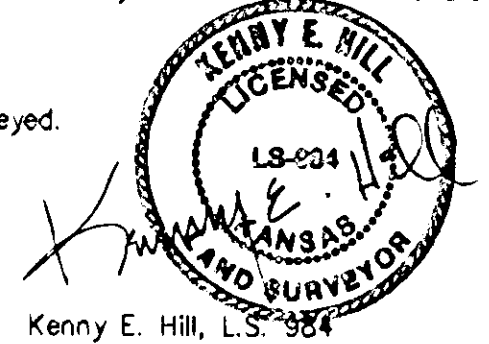
Ed Resa, Chief Deputy

STATE OF KANSAS, COUNTY OF SEDGWICK: SS.

I, Kenny E. Hill, being a duly licensed Land Surveyor in said County and State, do hereby certify that I have been in responsible charge of surveying and plotting "THE FOUNTAINS 2ND ADDITION" to Sedgwick County, Kansas, being a replat of "The Fountains" and being described as follows:

Commencing at the Northwest corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 22, Township 27 South, Range 2 East of the Sixth Principal Meridian Sedgwick County, Kansas, thence bearing N 89° 51' 56" E along the North line of said Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) a distance of 330.77 feet to the point of beginning; thence continuing on a bearing of N 89° 51' 56" E along said North line a distance of 461.97 feet; thence bearing S 00° 03' 03" E a distance of 280.00 feet; thence bearing S 26° 13' 50" E a distance of 465.45 feet; thence bearing N 89° 51' 56" E a distance of 325.00 feet to a point on the East line of said Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4); thence bearing S 00° 03' 03" E a distance of 632.81 feet to a point on the South line of said Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4); thence bearing S 89° 57' 44" W along said South line a distance of 993.20 feet; thence bearing N 00° 00' 46" W a distance of 1329.14 feet to the point of beginning. Previously dedicated easements are hereby vacated by virtue of KSA 512-b.

The accompanying plat is a true and correct exhibit of property surveyed.
Dated this 17th day of May, 1996.



KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, have caused the land described in the Surveyor's Certificate to be platted into lots, blocks, streets and reserves. The streets are hereby dedicated to and for the use of the public. Easements are hereby granted as indicated for the construction and maintenance of drainage and utilities. Reserves A, B and C shall permit drainage, sidewalks, utilities, landscaping and playground equipment or recreational improvements. The reserves shall be owned and maintained by a property owners association its successors and assigns. The minimum low opening elevation for the homes built on lots adjacent to Reserve "A", "B", or "C" is 1370.5 M.S.L. Datum (183.1 City of Wichita Datum). All abutters' rights of access to or from Central Avenue over and across the North line of Lot 1, Block 1, except the West 40 feet, and Lot 1 Block 2, except the East 40', are hereby granted to the City of Wichita.

Klepper Industries, Inc.

Donald T. Bales
Donald T. Bales, President

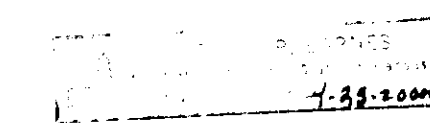
Karl Solomon
Karl Solomon

Barbara J. Solomon
Barbara J. Solomon

STATE OF KANSAS, COUNTY OF SEDGWICK: SS.

This instrument was acknowledged before me on this 17th day of May, 1996, by Karl Solomon and Barbara J. Solomon husband and wife.

My Appointment Expires: _____

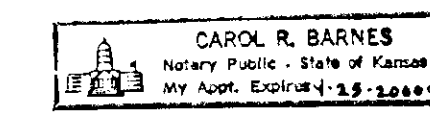


Carol R. Barnes
Notary Public
CAROL R. BARNES

STATE OF KANSAS, COUNTY OF SEDGWICK: SS.

This instrument was acknowledged before me on this 17th day of May, 1996, by Donald L. Bales, President of Klepper Industries, Inc.

My Appointment Expires: _____



Carol R. Barnes
Notary Public
CAROL R. BARNES

This plat of THE FOUNTAINS 2ND ADDITION to Wichita, Kansas has been submitted to and approved by this WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, Wichita, Kansas.

Dated this 14th day of April, 1996.



Susan Osborne-Hawes
Susan Osborne-Hawes, 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, this _____ day of _____, 1996.

Bob Knight, Mayor

Pat Burnett, Deputy City Clerk

Entered a transfer record this _____ day of _____, 1996.

Don Wright, County Clerk

THE FOUNTAINS 2ND ADDITION

TO WICHITA, SEDGWICK COUNTY, KANSAS

Copied From the Tracing
5/31/96

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 11, 1996

Poe Associates of Kansas, Inc.
434 N. Oliver,
Wichita, KS 67208

RE: S/D 94-85 - Revised Final Plat of THE FOUNTAINS SECOND ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on April 11, 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 April 4, 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
Senior Planner

DL:rh

cc: Karl Solomon Investments, 1831 North Rock Rd. Ct., Wichita, KS 67206
Mike Lindebak, City Engineer

SEDGWICK COUNTY



April 4, 1996

METROPOLITAN AREA PLANNING
DEPARTMENT

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

Poe Associates of Kansas, Inc.
434 N. Oliver,
Wichita, KS 67208

*Has been annexed
as of 3/96!*

RE: S/D 94-85 - Revised Final Plat of THE FOUNTAINS SECOND ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 4, 1996, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. As required by the approved zone change (SCZ-705) for this site, the applicant shall submit for review, approval and recording a voluntary development plan agreement. However, while the applicant noted his desire to retain a conditional use (CU-232) which allowed apartment-type uses in the area of this plat now being shown for single-family development, the MAPC's motion to approve does not indicate any action being taken in that regard. No indication is also apparent that the County Commission supported retention of this conditional use.

Consequently, as indicated in both this plat's (revised) review, the previous plat's (original final) review and stated in Comment B below, removal of the conditional use is a requirement due to the development now actually indicated by this plat.

- B. While this site is in the County and zoned "AA" One-family, a conditional use (CU-232) had established this area for development as a multi-family site. This plat, however, is depicting standard, one-family lots. Since the majority of this site is still being planned for one-family uses, the applicant shall submit a request to the Planning Department for the County to enact a resolution removing conditional use, CU-232. If this site is annexed to the City prior to removal of the conditional use, the applicant is also advised that a zone change (from City zoning) may instead be needed. However, the applicant is advised that under the new zoning ordinance, the annexation of property, with a conditional use, may involve a situation in which the annexed property may have an existing conditional use removed in a more simplified manner, than a zone change. The applicant should contact the Zoning Staff of the Planning Department to discuss any such procedures.
- C. The applicant shall guarantee the extension of municipal water to serve the lots being

platted. Since this property will utilize a City of Wichita water supply line in Greenwich Road, the applicant shall submit an outside-the-City water service application and associated restrictive covenant. Again, this agreement is subject to whether the site has been annexed to the City prior to the plat's approval by the City Council. This guarantee will be with the City and shall include any needed lift pump station improvements.

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

As noted by County Engineering, additional easements (30 feet wide) are required at certain locations on this plat in order to accommodate both City and County sewer lines. Also, as noted by County Engineering regardless of which system serves this site, the site will still be subject to a per lot assessment for the County's Four Mile Creek sewer improvements.

- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also as required by the zone change provide for sidewalk along both Central and Dowell/2nd Streets.

- F. The applicant shall guarantee any drainage improvements required by the platting of this property, including the possibility of a detention pond. The final plat tracing shall also indicate minimum building pad elevations for lots adjacent to drainage ponds, as was required by County Engineering. Both on-site and off-site benchmarks shall also be indicated.

- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As necessary both a City and County Certificate shall be submitted.

- H. As required by the zone change, the applicant shall submit with the final plat tracing for recording, an agreement assuring that the properties east and west of the two "LC" lots will be allowed cross-lot access to/from Central by means of the access openings allowed for these two (2) lots. This agreement shall also note that both the initial access openings to Central and any subsequent relocations of these openings so as to become shared openings with the adjacent properties, will be installed, altered, etc. at the expense of the owners of the involved properties (as required by the zone change). This agreement may be separate from or included within the voluntary development plan agreement noted above.

- I. With or prior to submittal of the final plat tracing, the applicant shall provide an updated plat binder. The present binder in the plat file is dated January 9, 1995 and can no longer be considered acceptable. This plat will be subject to review of a current plat binder and any relevant conditions.

- J. In the plat's text reference is made to utilities being confined to easements within Reserves, including Reserve B. However, Reserve shows no platted easements. Either the

plattor's text needs to be revised appropriately to not reference such easements for Reserve B or easements need to be platted within this Reserve.

- K. On the final plat tracing, the County Commission's signature block shall be properly depicted. Melody C. Miller should be shown as Chair Pro Tem and either located just below the Chairman's signature line or directly across from it.
- L. 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.
- M. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the appropriate governing body, 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.
- 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 58-foot or 32-foot narrower 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. Since this plat involves the platting of narrow street right-of-way (32-foot) 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.
- P. The final plat tracing shall indicate all of the easements requested by KG&E and Southwestern Bell including those indicated on a marked copy of the final plat submitted to the applicant's agent following approval of the final plat.
- Q. 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.
- R. 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.
- S. 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.

April 4, 1996

Page 4

- T. 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.
- U. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- V. 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 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 11, 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: Karl Solomon Investments, 1831 North Rock Rd. Ct., Wichita, KS 67206
Mike Lindebak, City Engineer

April 11, 1996

STAFF REPORT

(Final Plat Approved 4/4/96)

(Revised Preliminary Plat Approved 3/7/96)

(Final Plat Approved 2/2/95, Preliminary Plat Approved 1/5/95)

CASE NUMBER: S/D 94-85 THE FOUNTAINS SECOND ADDITION

OWNER/APPLICANT: Karl Solomon Investments, 1831 North Rock Rd. Ct. - Suite 101, Wichita, KS 67206

SURVEYOR/ENGINEER: Poe Associates of Kansas, Inc., 434 N. Oliver, Wichita, KS 67208

LOCATION: South side of Central in an area west of Ellson (east of Greenwich Road)

SITE SIZE: 22.3 Acres

NUMBER OF LOTS

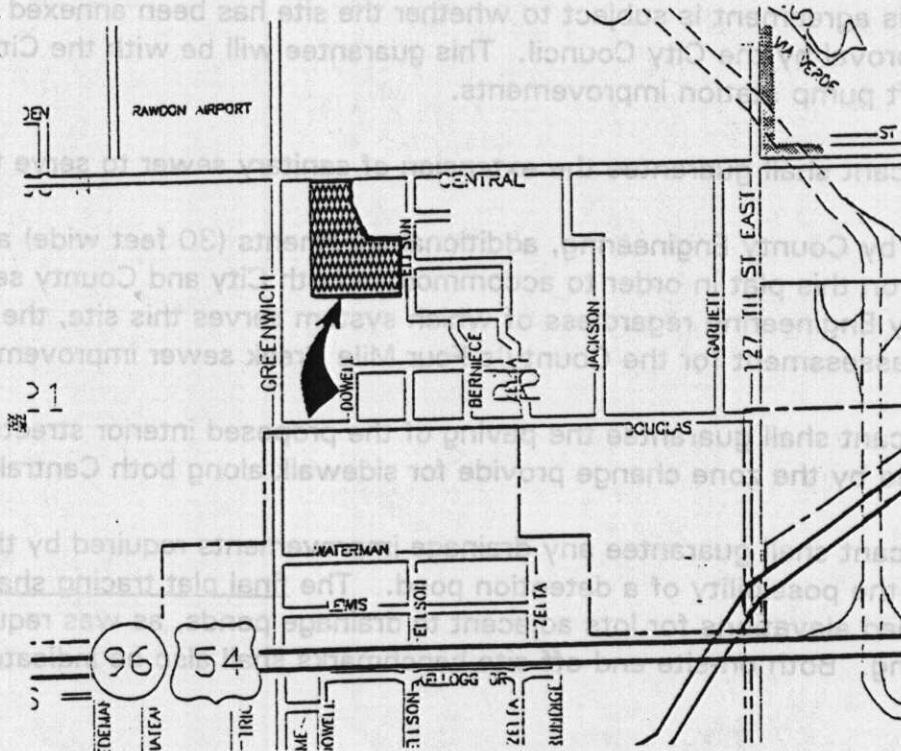
Residential:	52
Office:	
Commercial:	2
Industrial:	
Total:	54

MINIMUM LOT AREA: 8,000 square feet

CURRENT ZONING: "AA" (County) with CU-232 (328 dwelling units/15 per Acre)

PROPOSED ZONING: "AA" and "LC" (SCZ-705)

VICINITY MAP:



STAFF COMMENTS:

will include w/SCZ ord.

- A. As required by the approved zone change (SCZ-705) for this site, the applicant shall submit for review, approval and recording a voluntary development plan agreement. However, while the applicant noted his desire to retain a conditional use (CU-232) which allowed apartment-type uses in the area of this plat now being shown for single-family development, the MAPC's motion to approve does not indicate any action being taken in that regard. No indication is also apparent that the County Commission supported retention of this conditional use.

OK done MAPC 5/14/98 - no protest
C. Consequently, as indicated in both this plat's (revised) review, the previous plat's (original final) review and stated in Comment B below, removal of the conditional use is a requirement due to the development now actually indicated by this plat.

- B. While this site is in the County and zoned "AA" One-family, a conditional use (CU-232) had established this area for development as a multi-family site. This plat, however, is depicting standard, one-family lots. Since the majority of this site is still being planned for one-family uses, the applicant shall submit a request to the Planning Department for the County to enact a resolution removing conditional use, CU-232. If this site is annexed to the City prior to removal of the conditional use, the applicant is also advised that a zone change (from City zoning) may instead be needed. However, the applicant is advised that under the new zoning ordinance, the annexation of property, with a conditional use, may involve a situation in which the annexed property may have an existing conditional use removed in a more simplified manner, than a zone change. The applicant should contact the Zoning Staff of the Planning Department to discuss any such procedures.

- Annex to Wichita - no agree. needed*
C. The applicant shall guarantee the extension of municipal water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in Greenwich Road, the applicant shall submit an outside-the-City water service application and associated restrictive covenant. Again, this agreement is subject to whether the site has been annexed to the City prior to the plat's approval by the City Council. This guarantee will be with the City and shall include any needed lift pump station improvements.

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

As noted by County Engineering, additional easements (30 feet wide) are required at certain locations on this plat in order to accommodate both City and County sewer lines. Also, as noted by County Engineering regardless of which system serves this site, the site will still be subject to a per lot assessment for the County's Four Mile Creek sewer improvements.

- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also as required by the zone change provide for sidewalk along both Central and Dowell/2nd Streets.

- F. The applicant shall guarantee any drainage improvements required by the platting of this property, including the possibility of a detention pond. The final plat tracing shall also indicate minimum building pad elevations for lots adjacent to drainage ponds, as was required by County Engineering. Both on-site and off-site benchmarks shall also be indicated.

- 3. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As necessary both a City and County Certificate shall be submitted.
- 4. As required by the zone change, the applicant shall submit with the final plat tracing for recording an agreement assuring that the properties east and west of the two "LC" lots will be allowed cross-lot access to/from Central by means of the access openings allowed for these two (2) lots. This agreement shall also note that both the initial access openings to Central and any subsequent relocations of these openings so as to become shared openings with the adjacent properties, will be installed, altered, etc. at the expense of the owners of the involved properties (as required by the zone change). This agreement may be separate from or included within the voluntary development plan agreement noted above.
- 5. With or prior to submittal of the final plat tracing, the applicant shall provide an updated plat binder. The present binder in the plat file is dated January 9, 1995 and can no longer be considered acceptable. This plat will be subject to review of a current plat binder and any relevant conditions.
- 6. In the platlor's text reference is made to ^Butilities being confined to easements within Reserves, including Reserve B. However, Reserve shows no platted easements. Either the platlor's text needs to be revised appropriately to not reference such easements for Reserve B or easements need to be platted within this Reserve.
- 7. *Not needed since annexed*
On the final plat tracing, the County Commission's signature block shall be properly depicted. Melody C. Miller should be shown as Chair Pro Tem and either located just below the Chairman's signature line or directly across from it.
- 8. 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.
- 9. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the appropriate governing body, 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.
- 10. 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 or 32-foot narrower 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.
- 11. Since this plat involves the platting of narrow street right-of-way (32-foot) 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

11 COPY

prohibited within these easements as well as fences, earth berms and mass plantings.

- P. The final plat tracing shall indicate all of the easements requested by KG&E and Southwestern Bell including those indicated on a marked copy of the final plat submitted to the applicant's agent following approval of the final plat.
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- S. 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.
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- U. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- V. Recording of the plat within 30 days after approval by the City Council.