

May 7, 1987

Professional Engineering Consultants, P.A.
1440 E. English
Wichita, KS 67211

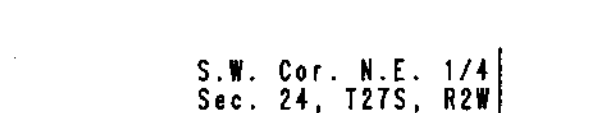
Re: Final Plat S/D 87-18 - BAY COUNTRY

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, May 7, 1987, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- 100 % A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- 100 % B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- 100 % C. The applicant shall guarantee construction of the storm sewers and storm drains required by this plat.
- 100 % D. The applicant shall guarantee the paving of the proposed interior streets.
- ~~E.~~ The applicant shall attempt to obtain a valid paving petition for Wheatland Street adjacent to the west line of Lots 84 through 102, Block 3. If this petition is not valid, it should be noted that 19 lots will be created without street pavement. *See May 22, 1987 letter from Linn to Lindelake - final*
- 100 % F. The applicant shall guarantee the paving of Central Avenue to a two lane section from the west line of Bay Country Street to the west line of 119th Street West.
- ~~G.~~ The applicant shall submit a Letter of Credit as guarantee that all structures will be removed from right-of-way being dedicated by this plat. *\$6,000.00*

COUNTY, KANSAS
w/ attl. Exam't request
by S.W. Ball + KGE



RESERVE
(TYPICAL)

BAY COUNTRY
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

I, R.W. LINN, A PROFESSIONAL ENGINEER IN AFORESAID STATE AND COUNTY, DO HEREBY CERTIFY THAT ON THIS _____ DAY OF _____, 1987, I HAVE CAUSED TO BE SURVEYED AND PLATTED, BAY COUNTRY, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, INTO LOTS, BLOCKS, STREETS AND RESERVES THE SAME BEING DESCRIBED AS: THE NE 1/4 OF SECTION 24, TOWNSHIP 27 SOUTH, RANGE 2 WEST OF THE 6TH P.M. EXCEPT THAT PORTION PLATTED AS ST. ELIZABETH ANN SETON ADDITION.

R.W. LINN, P.E. NO. 3684

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED PROPERTY OWNERS OF THE LAND, AS ABOVE SET FORTH IN THE ENGINEER'S CERTIFICATE, HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO LOTS, BLOCKS, STREETS, AND RESERVES. THE SAME TO BE KNOWN AS BAY COUNTRY, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS. EASEMENTS AS INDICATED FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE ARE HEREBY GRANTED. STREETS ARE HEREBY DEDICATED TO AND FOR THE USE OF THE PUBLIC. THE 5.0 FOOT WALL EASEMENT, AS SHOWN IN BLOCKS 1, 3, 5 AND 6, IS RESERVED FOR THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE WALL, UTILITY OR THE WALL EASEMENT. RESERVES "A," "B," "C," AND "D" ARE HEREBY RESERVED FOR DRAINAGE, LANDSCAPING, IRRIGATION SYSTEMS, PEDESTRIAN IMPROVEMENTS, AND UTILITIES CONFINED WITHIN EASEMENTS.

RESERVE "E," "F," "G," "H" AND "I" ARE HEREBY RESERVED FOR ENTRY FEATURES, LANDSCAPING AND IRRIGATION SYSTEMS.

ALL RESERVES SHALL BE SUBJECT TO THE RESTRICTIVE COVENANTS ESTABLISHED BY THE DECLARATION OF LANDOWNERS' ASSOCIATION AGREEMENTS AND SHALL BE OWNED AND MAINTAINED BY THE ONE OR MORE HOMEOWNERS' ASSOCIATIONS TO BE FORMED WITHIN BAY COUNTRY.

ALL ABUTTERS RIGHT OF ACCESS TO AND FROM CENTRAL AND 119TH STREET WEST OVER AND ACROSS THE NORTH LINE OF BLOCKS 1 AND 3 AND THE EAST LINE OF BLOCKS 1, 5 AND 6 ARE HEREBY GRANTED TO THE CITY OF WICHITA, PROVIDED, HOWEVER, THAT LOT 9, BLOCK 1, SHALL HAVE ACCESS TO CENTRAL AT TWO (2) LOCATIONS, AND SHALL HAVE ACCESS TO 119TH STREET WEST AT TWO (2) LOCATIONS, AS SHOWN; SAID LOCATIONS SHALL BE DETERMINED BY THE CITY ENGINEER OF THE CITY OF WICHITA, KANSAS.

OWNERS:
ALAN JAAK AND SMITH DEVELOPMENT CORP.

ALAN JAAK

THURMAN W. SMITH,
PRESIDENT SMITH DEVELOPMENT CORP.

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 1987, BEFORE ME, A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME ALAN JAAK, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF SAME AS HIS VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

_____, NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 1987, BEFORE ME, A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME THURMAN W. SMITH, PRESIDENT OF SMITH DEVELOPMENT CORP., 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.

_____, NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

THIS PLAT HAS BEEN SUBMITTED TO AND APPROVED BY THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, WICHITA, KANSAS. DATED THIS _____ DAY OF _____, 1987.

_____, CHAIRMAN
JOHN TERRY MOORE
_____, SECRETARY
MARVIN S. KROUT

THIS PLAT APPROVED AND ALL DEDICATIONS SHOWN HEREON ARE ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WICHITA, KANSAS. DATED THIS _____ DAY OF _____, 1987.

_____, MAYOR
ROBERT G. KNIGHT
_____, DEPUTY CITY CLERK
DALE E. REA

ENTERED ON TRANSFER RECORD, THIS _____ DAY OF _____, 1987.

_____, COUNTY CLERK
DON WRIGHT

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE AT _____ M., ON THIS _____ DAY OF _____, 1987.

_____, REGISTER OF DEEDS
PAT KETTLER
_____, DEPUTY
ED RESA

OFFICE COPY
DO NOT REMOVE

FINAL PLAT

THIS PLAT APPROVED BY THE SUBDIVISION
COMMITTEE ON _____ 5/7/87
TO THE CONDITIONS OF APPROVAL OUTLINE
ED IN OUR LETTER DATED _____ 5/7/87

SUBDIVISION REPORT

Final Plat S/D 87-18 - BAY COUNTRY

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- BB.** 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.
- CC.** Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- DD.** Recording of the plat within 30 days after approval by the City Council.
- EE.** The representative from City Engineering should be prepared to comment on the following items:
1. the acceptability of the sanitary sewer layout plan;
 2. what arrangements have been made for the removal of structures which encroach street rights-of-way being dedicated by this plat;
 3. the acceptability of the paving layout plans for the intersections proposing reserves for entry markers and landscaping;
 4. the status of the applicant's drainage plan.

**Final Plat
SUBDIVISION REPORT**

**SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION**

S/D No.: 87-18 Name: BAY COUNTRY

**Preliminary Approved: 3/26/87
Scheduled S/D Meeting: 5/7/87**

DESCRIPTION

General Location: Southwest corner of Central and 119th Street.
Owner: Thurman Smith, 11216 W. Maple, Wichita, KS 67209
Surveyor/Engineer: Professional Engineering Consultants, P.A., 1440 E. English
Wichita, KS 67211

1. **Gross Acreage of Plat:** 143±
2. **Number of Lots:**
 - Residential:** 304
 - Office:**
 - Commercial:** 1
 - Industrial:**
 - Total:** 305
3. **Minimum Lot Area:** 9,000 Sq. Ft.
4. **Existing Zoning:** "R-1"
5. **Proposed Zoning:** "AA" & "LC"

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee construction of the storm sewers and storm drains required by this plat.
- D. The applicant shall guarantee the paving of the proposed interior streets.
- E. The applicant shall attempt to obtain a valid paving petition for Wheatland Street adjacent to the west line of Lots 84 through 102, Block 3. If this petition is not valid, it will be held for additional signatures in the future.
- F. The applicant shall guarantee the paving of Central Avenue to a two lane section from the west line of Bay Country Street to the west line of 119th Street West.
- G. The applicant shall obtain, by separate instrument, the off-site drainage easements required on the property to the south of this plat.
- H. The street paving petition for Bay Country shall provide for the construction of a sidewalk on one side of this street (greater than 48 dwelling units). The paving petition for Hardtner Street, adjacent to the north line of Block 5, shall provide for a sidewalk on one side of this street.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. On the final plat tracing, the street serving Lots 5 through 8, Block 5 shall be indicated as Rolling Hills Circle and not as a Court.
- K. The applicant shall submit a copy of the instrument which establishes the Phillips Pipeline easement on this property.
- L. The applicant shall provide proof, by letter from Phillips Pipeline Company or by copy of the pipeline easement agreement, that the dedication of street right-of-way over a portion of the pipeline easement is acceptable and that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement.
- M. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.

- N. If the platting of minimum building pad elevations are required by this plat, they shall be referenced in both Mean Sea Level as well as City Datum and shall be noted in both the plat's text and on the face of the final tracing.
- O. 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.
- P. 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.
- Q. 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.
- R. Since this property is adjacent to the City of Wichita, the applicant shall request annexation into the City. Upon annexation, the property will be zoned "AA", and thereby permit the lot sizes being proposed. The final plat shall not be scheduled for B.C.C. review until annexation has occurred.
- S. Approval of this plat, depicting the commercially sized and orientated Lot 9, Block 1 at the southwest corner of Central Avenue and 119th Street West, is subject to the applicant obtaining approval for commercial zoning at this major street intersection. This property is currently zoned R-1 (suburban residential).
- T. The applicant shall obtain, by separate instrument, the off-site street dedication needed from the plat of St. Elizabeth Ann Seton Addition to the north of Block 5.
- U. The final plat tracing shall depict Wheatland Street adjacent to the west line of Lots 84 through 102, Block 3. The centerline of this street shall be labeled along with a dimension for existing half-street right-of-way.
- V. The final plat tracing shall indicate the Film and Page numbers for the easement located at the northwest corner of Hardtner and 119th Street West.
- W. The legend on the final plat tracing shall indicate what the abbreviation s.s. easement stands for.
- X. On the final plat tracing, the following utility easements shall be labeled:
 - 1. The 10-foot easement centered on the lot line common to Lots 33 and 34, Block 1.
 - 2. The 20-foot easement on the west line of Lots 18, 19 and 20, Block 4.
- Y. On the final plat tracing, dimensions shall be indicated for the utility easements, crossing the reserves at the following locations:
 - 1. South of Lots 62 and 63, Block 3 within Reserve C.
 - 2. South of Lots 21 and 22, Block 1 within Reserve A.
- Z. On the final plat tracing, the five-foot easement adjacent to the east lot line of Lot 1, Block 5, shall be labeled.
- AA. 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.