

December 11, 1986

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road #800
Wichita, KS 67226

Re: Final Plat S/D 86-101 - PENSTEMON FOURTH ADDITION

Dear Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on December 11, 1986, 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 December 5, 1986.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the platfor.
3. Certification that all real estate taxes for the first half of 1986 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

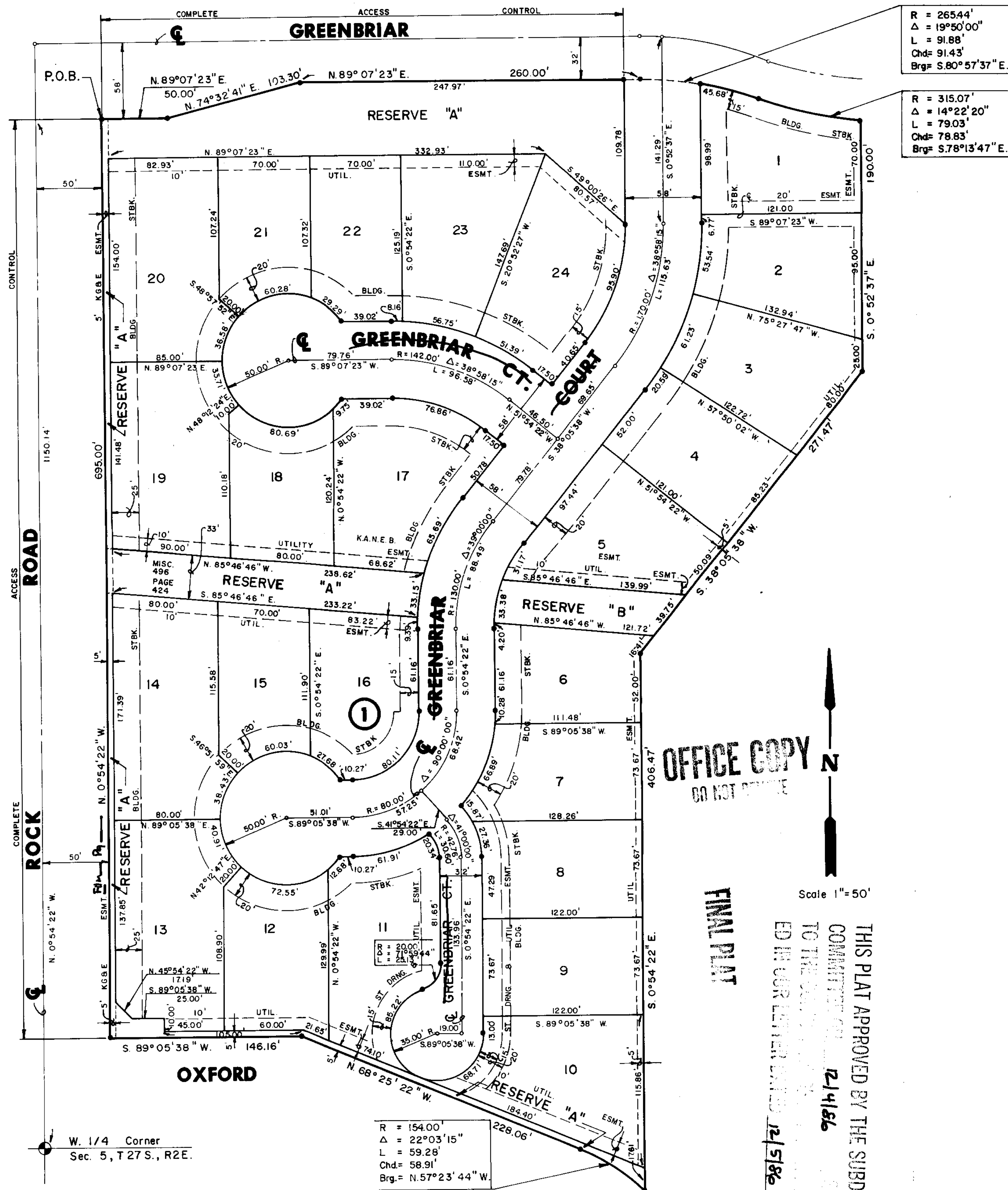
Forrest L. Nagley
Senior Planner

FLN:dlk

cc: Slawson Investments, Inc., 8100 E. 22nd N., Bldg. 1900,
Wichita, KS 67226

PENSTEMON 4TH. ADDITION

AN ADDITION TO WICHITA, SEDGWICK, COUNTY, KANSAS



I, Kenneth H. Bengtson, a Civil Engineer in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "PENSTEMON 4TH ADDITION" an addition to Wichita, Sedgwick County, Kansas, into Lots, a Block, Reserves, and Streets, the same being accurately set forth in the accompanying plat and described herein:

A tract of land lying in the Northwest Quarter, Section 5, Township 27 South, Range 2 East from the 6th P.M., more particularly described as follows:

A replat of all that part of Lot 1, Block 1, Silverleaf, an addition to Wichita, Sedgwick County, Kansas, more particularly described as follows:

Beginning at the Northwest corner of said Lot 1; thence Easterly along the South line of Greenbriar bearing N 89° 07' 23" E, 50.00 feet; thence N 74° 32' 41" E, 103.30 feet; thence N 89° 07' 23" E, 260.00 feet to a point on a curve to the right having a radius of 265.44 feet, a central angle of 19° 50' 00", a long chord bearing S 80° 57' 37" E, 91.42 feet; thence along said curve 91.88 feet to a point on a curve to the left having a radius of 315.07 feet, a central angle of 14° 22' 20", a long chord bearing S 78° 13' 47" E, 78.83 feet; thence along said curve 79.03 feet; thence S 00° 52' 37" E, 190.00 feet; thence S 38° 05' 38" W, 271.47 feet; thence S 00° 54' 22" E, 406.47 feet to a point on the Northwest line of Reserve "A" of said addition, said point being on a curve to the left having a radius of 154.00 feet, a central angle of 22° 03' 15", a long chord bearing N 57° 23' 44" W; thence along said curve 59.28 feet; thence N 68° 25' 22" W, 228.06 feet; thence S 89° 05' 38" W, 146.16 feet to a point lying 50 feet East of the West line of said Northwest Quarter; thence N 00° 54' 22" W, 695.00 feet parallel with said West line to the point of beginning.

The lot, block, and utility easements within the above described property are being vacated and replatted 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 ____ day of _____, 1987.

Kenneth H. Bengtson, P.E.
Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, Bldg. 800
Wichita, KS 67226

Know all men by these presents that we, the undersigned property owners of the land as set forth in the Civil Engineer's Certificate, have caused the same to be surveyed and platted into lots, a block, reserves and streets, the same to be known as "PENSTEMON 4TH 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 to the City of Wichita. The streets are hereby dedicated to and for the use of the public. Reserve A is platted for construction and maintenance of public utilities, and drainage except that portion of Reserve A under Misc. Book 496, page 424 used by KANE B pipeline. Reserve A and B are platted for earth berms, walks and landscaping. Reserve A is also platted for walls and entry monuments. All reserves shall be owned and maintained by the "PENSTEMON 4TH ADDITION" Homeowners Association. All abutters rights of access to or from Rock Road, over and across the West line of Reserve A hereby granted to the City of Wichita, Kansas.

SLAWSON INVESTMENT CORPORATION

By: _____
Larry A. Chambers, Vice President

STATE OF KANSAS)
ss:
SEDGWICK COUNTY)

Be it remembered that on this ____ day of _____, 1987, before me a Notary Public in and for said State and County, came Slawson Investment Corporation, by Larry A. Chambers, Vice President, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____, Notary Public
My Appointment Expires: _____

This plat of "PENSTEMON 4TH ADDITION" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this ____ day of _____, 1987.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

_____, Chairman
John Terry Moore

_____, Secretary
Michael E. Lindebak

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas, this ____ day of _____, 1987.

_____, Mayor
Tony Casado

_____, City Clerk
Donald C. Gistick

Entered on transfer record this ____ day of _____, 1987.

_____, County Clerk
Don Wright

STATE OF KANSAS)
ss:
SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the Register of Deeds office this ____ day of _____, 1987.

_____, Register of Deeds
Pat Kettler

_____, Deputy
Ed Resa

We, Mellon Bank, N.A., Pittsburgh, Pennsylvania, mortgagee on the above described property, do hereby consent to the plat of "PENSTEMON 4TH ADDITION".

MELLON BANK, N.A., Pittsburgh, Pennsylvania

By: _____

STATE OF KANSAS)
ss:
COUNTY OF SEDGWICK)

Be it remembered that on this ____ day of _____, 1987 before me, a Notary Public in and for said State and County, came Mellon Bank, N.A., Pittsburgh, Pennsylvania, by _____, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____, Notary Public

My appointment Expires: _____

SUBDIVISION REPORT

Preliminary Plat S/D 86-101 - PENSTEMON FOURTH ADDITION

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- J. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot wide street pavement. 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.
 - K. The applicant shall submit a copy of the instrument which establishes the KANEB Pipeline easement on this property.
 - L. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement. Proof shall also be submitted that the dedication of street right-of-way over the pipeline easement is acceptable to the pipeline company.
 - M. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
 - N. The final plat shall indicate the amount of half-street right-of-way existing for Rock Road, Greenbriar and Oxford Streets adjacent to this property. The centerline of Oxford Street shall also be indicated and labeled.
 - O. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the Community Unit Plan requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes single-family homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of the plat for scheduling before the Board of City Commissioners.
 - P. On the final plat, a 20-foot wide building setback shall be indicated from Greenbriar Court on Lot 11. The platting of this building setback will provide a 5-foot wide strip of ground for landscaping between a future dwelling unit and the "15-foot street, drainage and utility easement".
 - Q. The final plat shall label the centerline of the utility easements.
 - R. On the final plat, the recording information for the K.G.&E. easement, adjacent to Rock Road, shall be indicated.
 - S. On the final plat, Oxford Street shall be labeled as a "private street".
 - T. The applicant shall obtain, by separate instrument, the off-site utility easement needed to the east of this plat.
 - U. As requested by K.G.&E., when the preliminary plat was approved, a 10-foot wide utility easement centered on the lot line common to Lots 20 and 21 shall be platted.
 - V. As discussed when the preliminary plat was approved, the street name of Greenbriar Court cannot be used. This name cannot be used because it conflicts with Central Inspection's ability to assign address numbers according to the City Ordinance establishing the address numbering system. When the preliminary plat was discussed, three street name alternates were offered. These were:
 - 1) White Oak Circle
 - 2) Dublin Circle
 - 3) Paige Circle
- The final plat tracing shall indicate one of these street names for the interior streets being platted.
- W. 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.
 - X. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
 - Y. Recording of the plat within 30 days after approval by the Board of City Commissioners.
 - Z. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any drainage guarantees required?

Final Plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No.: 86-101 Name: PENSTEMON FOURTH ADDITION

Preliminary Approved: 11/20/86
Scheduled S/D Meeting: 12/4/86

DESCRIPTION

General Location: On the east side of Rock Road between Oxford and Greenbriar.

Owner: Slawson Investments, Inc., 8100 E. 22nd No., Bldg. 1900,
Wichita, KS 67226

Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.,
3500 N. Rock Road #800, Wichita, KS 67226

1. Gross Acreage of Plat: 8.2
 2. Number of Lots:
 - Residential: 24
 - Office:
 - Commercial:
 - Industrial:
 - Total: 24
 3. Minimum Lot Area: 8,000 Sq. Ft.
 4. Existing Zoning: "AA" under DP-96
 5. Proposed Zoning: "AA" under DP-96
-

STAFF COMMENTS:

NOTE: This property is subject to the provisions of the Tallgrass Community Unit Plan (DP-96). This property was originally platted for development of townhouses. The replat proposes development of traditional single-family homes.

- 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 the paving of the proposed interior streets.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. 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 structure constructed on subject property.
- G. 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.
- H. 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.
- I. Since this plat proposes the platting of narrow street right-of-way 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. Any planting within the easement shall be reviewed by the City Forestry Division prior to installation.