FINAL PLAT OF

WINDEMERE

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

I, Michael D. Harding, a Civil Engineer in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "WINDEMERE", an addition to Wichita, Sedgwick County, Kansas into Lots, Blocks, Reserves, and a Floodway, the same being accurately set forth in the accompanying plat and described as follows:

A tract of land in the west half of Section 5, Township 27 South, Range 2 East of the 6th P.M., described as follows:

Commencing at the northwest corner of the southwest quarter of said Section 5; thence N 89° 05' 57" E, 615.99 feet along the north line of said quarter section to the point of beginning; said point also being the intersection of the easterly line of Silverleaf, an addition to Wichita, Sedgwick County, Kansas and the north line of Reserve "A" of said Silverleaf thence N 89° 05' 57" E, 140.00 feet along the north line of said quarter section to the beginning of a curve to the left having a central angle of 45° 00' 00", a radius of 80.00 feet, a length of 62.83 feet and a long chord of 61.23 feet bearing N 66° 35' 57" E; thence N 44° 05' 57" E, 44.50 feet; thence S 45° 54' 03" E, 70.57 feet; thence N 89° 05' 57" E, 815.00 feet; thence S 0° 54' 03" E, 100.00 feet; thence S 44° 05' 57" W, 158.00 feet; thence S 1° 05' 57" W, 480.00 feet; thence N 78° 54' 03" W, 134.53 feet; thence N 65° 54' 03" W, 81.00 feet; thence S 89° 05' 57" W, 63.65 feet; thence S 50° 05' 57" W, 105.00 feet; thence N 45° 54' 03" W, 92.37 feet; thence N 28° 20' 00" W, 131.60 feet; thence S 45° 13' 57" W, 112.18 feet; thence S 6° 46' 03" E, 182.59 feet to the beginning of a curve to the right having a central angle of 112° 52' 00", a radius of 72.18 feet, a length of 142.04 feet, and a long chord of 120.16 feet bearing S 49° 39' 57" W; thence N 73° 54' 03" W, 115.03 feet; thence S 89° 05' 57" W, 55.00 feet; thence S 59° 05' 57" W, 63.51 feet; thence S 89° 05' 57" W, 55.00 feet; thence S 59° 46' 00" W, 53.34 feet; thence N 57° 15' 00" W, 88.00 feet; thence N 22° 45' 00" E, 866.00 feet; thence N 45° 54' 03" W, 31.00 feet to a point on a curve to the right having a central angle of 40° 28' 56", a radius of 146.00 feet, a length of 103.16 feet, and a long chord of 101.02 feet bearing S 68° 51' 29" W, thence S 89° 05' 57" W, 140.00 feet to the intersection of the easterly line of said Silverleaf and the south line of Reserve "A" of said Silverleaf; thence N 0° 54' 03" W, 66.00 feet to the point of beginning; containing 14.84 acres, more or less.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this _____ day of _____, 1985.

Michael D. Harding 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 above set forth in the Civil Engineers Certificate, have caused the same to be surveyed and platted into Lots, Blocks, Reserves, and a Floodway, the same to be known as "WINDEMERE" 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 5.0 foot maintenance easements are granted for access by the adjoining property owner for maintenance of their structures and a 2.0 foot roof overhang. Sideyard setbacks are per the requirements of the Tallgrass Community Unit Plan (DP-96) on file with the Wichita-Sedgwick County Metropolitan Area Planning Department.

Reserves "A" through "L" inclusive, are platted for construction and maintenance of public utilities, and drainage. Reserves "A" and "C" are also platted for landscaping, irrigation, and entry monuments. Reserve "D" is also platted for lakes, landscaping, irrigation, and recreation structures. Reserves "E", "I" and "J" are platted for a Floodway , landstaping and irrigation. Reserve "G" is platted for a private drive to serve Lots 1 through 4 inclusive Block 1. Reserve "H" is platted for a private drive to serve Lots 10 through 12 inclusive Block 1. Reserve "K" is platted for a private drive to serve Lots 16 through 19 inclusive Block 1. Reserve "L" is platted for a private drive to serve Lots 21 through 24 inclusive Block 1. Reserves shall be owned and maintained by the Windemere Homeowners Association.

The Floodway located on Lots 12 through 23 inclusive, Block 1 shall be the responsibility of the owner(s) of same; the Floodway located within Reserves "E" and "I" shall be the responsibility of the Windemere Homeowners Association. The Tallgrass Club shall also be permitted to maintain the Floodway, until such time as the governing body exercising jurisdiction elects to assume the responsibility for the maintenance and improvement of the drainage, provided further, that no structure shall be constructed on or within said floodway, nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of the City Engineer.

Minimum pad elevation for Block 1 shall be as follows:

Lot Numbers	City of Wichita datum	MSL
15 through 23 inclusive	1385.0	1392.4
14	1386.0	1391.4
13	1387.0	1390.4
12	1388.0	1389.4
11	1391.0	1388.4

Tallgrass Company, a partnership

By: _____
Jack D. Ritchie, partner

STATE OF KANSAS
SS:
COUNTY OF SEDGWICK

Be it remembered that on this _____ day of _____, 1985, before me, a Notary Public in and for said State and County, came Jack D. Ritchie, partner on behalf of Tallgrass Company, a partnership 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: _____

The Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas has received and approved this plat of

Dated this _____ day of _____, 1985.

Wichita-Sedgwick County Metropolitan Area Planning Commission

James E. Wilson _____, Chairman

Robert A. Lakin _____, Secretary

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas, this _____ day of _____, 1985.

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas, this _____ day of _____, 1985.

Robert G. Brown _____, Mayor

Donald E. Gisler _____, City Clerk

Entered on transfer record this _____ day of _____, 1985.

Don Wright _____, County Clerk

STATE OF KANSAS
SS:
COUNTY OF SEDGWICK

This is to certify that this instrument was filed for record in the Register of Deeds Office at _____ this _____ day of _____, 1985.

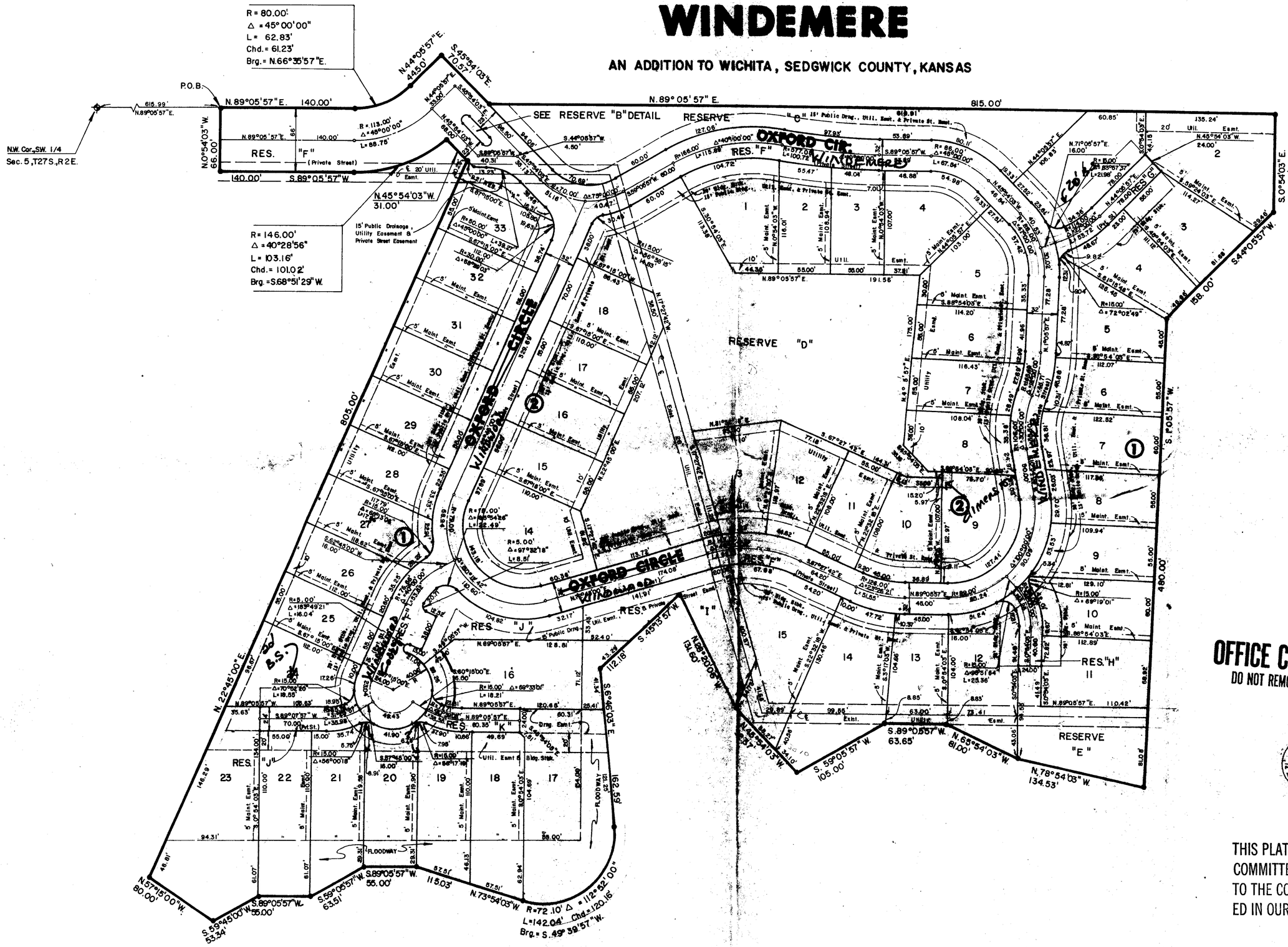
Pat Kettler _____, Register of Deeds

Ed Resa _____, Deputy

FINAL PLAT OF

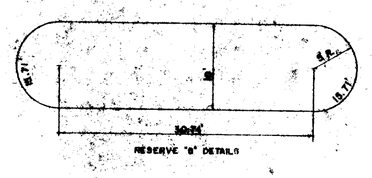
WINDEMERE

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



OFFICE COPY
DO NOT REMOVE

FINAL PLAT



THIS PLAT APPROVED BY THE SUBDIVISION COMMITTEE ON 6/20/85 SUBJECT TO THE CONDITIONS OF APPROVAL OUTLINED IN OUR LETTER DATED 6/21/85

June 27, 1985

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

Re: S/D 85-41 - Final Plat of Windemere Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on June 27, 1985, 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 June 21, 1985.

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 plattor.

3. Certification that all real estate taxes for 1984 (both first and second halves) and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Barbara R. Bonanni
Junior Planner

BRB:mlh

cc: Tallgrass Company, 8100 East 22nd Street North, Bldg. 1900, Wichita, Kansas, 67226
Bill Yung Design, 8225 East 35th Street North, Wichita, KS 67226
Mike Lindebak, City Engineer

June 21, 1985

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

Re: S/D 85-41 - Final Plat of Windemere Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, June 21, 1985, 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 extension of sanitary sewer to serve all lots being platted.

% 100 B. The applicant shall guarantee extension of municipal water to serve all the lots being platted.

letter of Credit C. The applicant shall guarantee the paving of the private street system (Oxford Circle and Oxford). Oxford Circle shall be guaranteed to the 29-foot back-of-curb to back-of-curb standard. Oxford shall be guaranteed to the standard established when Silverleaf was platted to the west. #299,000 Letter of Credit - okid by Steve Palmer

% 100 D. The applicant shall guarantee all drainage improvements required by the platting of this property. storm water sewer petitions

E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

Submitted F. The applicant shall submit an avigational easement and restrictive noise covenant for this property.

Submitted G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. It shall be specified that this covenant is binding on all future owners and is a covenant running with the land.

H. On the final plat tracing, Oxford Street shall be labeled in the northwest corner of the plat.

I. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the C.U.P. 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 zero lot line 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. Approved as required

J. The applicant shall grant, by separate instrument, the 10-foot off-site utility easement indicated on the preliminary plat adjacent to the west line of this plat. legal appr by Vickie

K. The applicant shall grant, by separate instrument, the 20-foot off-site utility easement indicated on the preliminary plat adjacent to the east line of this plat. legal appr by Vickie

L. The final plat tracing shall indicate the minimum building pad (required by the applicant's drainage plan) on the lots surrounding Reserve "D". Vickie okd 7/11/85 FCN

M. 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. The covenant shall contain a provision which gives the City the authority to maintain the reserves and charge the costs to the owner(s) in the event the owner(s) fail to maintain the reserves. Preliminary discussions with the Law Department indicate that the covenant will need to provide for the reversionary rights of Reserves G, H, J and K to adjacent lot owners in the event the Homeowners' Association should cease to exist. Wording regarding the reversionary rights will need to be reviewed and approved by the City Legal Department. The wording issues, regarding Reserves G thru K, shall be resolved prior to submitting this plat for scheduling before the Board of City Commissioners. Submitted

N. 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. It shall be specified that this covenant is binding on all future owners and is a covenant running with the land. Submitted

O. The final plat tracing shall label the 20-foot building setback on Lots 1 and 24, Block 1.

P. The final plat tracing shall indicate a 20-foot building setback on Lot 16, Block 1.

Q. The final plat tracing shall dimension the utility easement in the northwest corner of Lot 9, Block 2.

R. The final plat tracing shall dimension the utility easement and building setback being platted on the front of Lot 20, Block 1.

S. The final plat tracing shall indicate the recording information for the existing 20-foot utility easement that crosses this property.

T. On the final plat tracing, the plattor's text shall be amended to reference that Reserve "F" is being platted for private street purposes.

U. At the time this plat was considered in preliminary form, the street name "Oxford Circle" was suggested by several members of the Utility Advisory Committee. After checking with the Office of Central Inspection, it has been learned that, if all streets within this addition are named Oxford Circle, an address numbering problem will be created. The following street name changes shall be indicated on the final plat tracing:

1. East/west street from Reserve B to Reserve H - WINDEMERE (alternate for 25th Street North).

2. East/west street from Reserve H to north line of Lot 33, Block 1 - WINDWOOD.

3. Cul-de-sac serving Lots 16 thru 26, Block 1 - WINDWOOD COURT.

V. Closure computations shall be submitted with the final plat tracing.

W. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are 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, June 27, 1985 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

Forrest L. Nagley
Senior Planner

FLN:mlh

Enclosure

cc: Bill Yung, 8225 East 35th Street North, Wichita, KS 67226
Tallgrass Company, 8100 East 22nd Street North, Bldg. 1900, Wichita, Kansas, 67226
Mike Lindebak, City Engineer

L. 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. The covenant shall contain a provision which gives the City the authority to maintain the reserves and charge the costs to the owner(s) in the event the owner(s) fail to maintain the reserves. Preliminary discussions with the Law Department indicate that the covenant will need to provide for the reversionary rights of Reserves G, H, J and K to adjacent lot owners in the event the Homeowners' Association should cease to exist. Wording regarding the reversionary rights will need to be reviewed and approved by the City Legal Department. The wording issues, regarding Reserves G thru K, shall be resolved prior to submitting this plat for scheduling before the Board of City Commissioners.

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S. On the final plat tracing, the plattor's text shall be amended to reference that Reserve "F" is being platted for private street purposes.

T. Closure computations shall be submitted with the final plat tracing.

U. Recording of the plat within 30 days after approval by the Board of City Commissioners.

V. 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 improvements required by this plat, are the boundaries of the floodway adequate and are the proposed minimum building pads correct?

W. At the time this plat was considered in preliminary form, the street name "Oxford Circle" was suggested by several members of the Utility Advisory Committee. After checking with the Office of Central Inspection, it has been learned that, if all streets within this addition are named Oxford Circle, an address numbering problem will be created. The following street name changes are suggested:

1. East/west street from Reserve B to Reserve G - WINDEMERE (alternate for 25th Street North).

2. East/west street from Reserve J to Reserve H - WINDWOOD.

3. North/south street from Reserve G to Reserve H - PENSTEMON.

4. North/south street from north line of Lot 33, Block 1 to Reserve J - TARA.

5. Cul-de-sac serving Lots 16 thru 26, Block 1 - TARA CIRCLE or WINDWOOD COURT.

BDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

Final Plat
SUBDIVISION REPORT

S/D No.: 85-41 Name: WINDEMERE ADDITION

Preliminary Approved: 5/9/85
Scheduled S/D Meeting: 6/20/85

DESCRIPTION

General Location: South of Oxford Street in an area east of Rock Road.
Owner: Tallgrass Company, 8100 E. 22nd St. No., Bldg. 1900, Wichita, KS 67226
Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

1. Gross Acreage of Plat: 14.4 Acres
2. Number of Lots:
   - Residential: 51
   - Office:
   - Commercial:
   - Industrial:
   - Total: 51
3. Minimum Lot Area: 6,050 Sq. Ft.
4. Existing Zoning: "AA" with DP-96
5. Proposed Zoning: "AA" with DP-96

STAFF COMMENTS:

NOTE: This plat was deferred for two weeks at the June 6, 1985 Subdivision Committee Meeting.

A. The applicant shall guarantee extension of sanitary sewer to serve all lots being platted.

B. The applicant shall guarantee extension of municipal water to serve all the lots being platted.

C. The applicant shall guarantee the paving of the private street system (Oxford Circle and Oxford). Oxford Circle shall be guaranteed to the 29-foot back-of-curb to back-of-curb standard. Oxford shall be guaranteed to the standard established when Silverleaf was platted to the west.

D. The applicant shall guarantee all 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 and restrictive noise covenant for this property.

G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. It shall be specified that this covenant is binding on all future owners and is a covenant running with the land.

H. On the final plat tracing, Oxford Street shall be labeled in the north-west corner of the plat.

I. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the C.U.P. 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 zero lot line 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.

J. The applicant shall grant, by separate instrument, the 10-foot off-site utility easement indicated on the preliminary plat adjacent to the west line of this plat.

K. The applicant shall grant, by separate instrument, the 20-foot off-site utility easement indicated on the preliminary plat adjacent to the east line of this plat.