

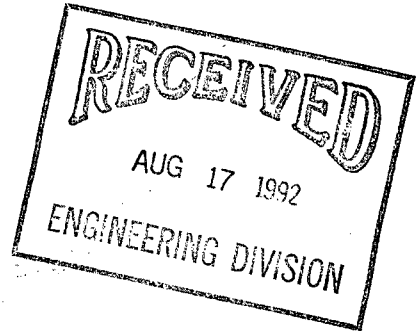
SLAWSON INVESTMENT CORPORATION

104 S. BROADWAY • SUITE 200 • WICHITA, KANSAS 67202-4165

316 / 263-3201

August 13, 1992

Mr. Michael E. Lindebak, P.E.  
City Engineer  
City Hall - Seventh Floor  
455 North Main  
Wichita, KS 67202



Re: Briarwood Estates 6th Addition

Dear Mr. Lindebak:

Attached are Letters of Credit and Affidavits for the following projects in Briarwood Estates 6th Addition:

1. Sanitary Sewer Lateral 35, Main 12, S.W.I.  
468-82214
2. Water Distribution System  
448-88608
3. Paving Alderny and Alderny Courts  
472-82243

We request that the City proceed with the construction of these projects at the earliest possible date. We also request that a 10-day start be utilized in the contracts for the sanitary sewer and water line projects.

We also request that the City enter into a two-party contract with Professional Engineering Consultants, P.A., to perform the design engineering services.

If additional information is necessary, please contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Larry A. Chambers".

Larry A. Chambers  
President

LAC:lg  
Enclosures

cc: Ronald Pletcher, PEC  
Charlie Brown, PEC

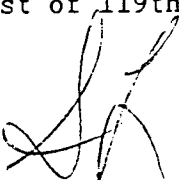
CITY OF WICHITA  
CITY COUNCIL MEETING

June 23, 1992

Agenda Report No. \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Agreement to Respread Special Assessments in Briarwood Estates (South of 13th, East of 119th St. West) District V

**INITIATED BY:** Department of Public Works 

**AGENDA:** Consent

-----

**Recommendation:** Approve the Agreement.

**Background:** The developer, Slawson Investment Corp., has submitted an agreement to respread special assessments in Briarwood Estates.

**Analysis:** The purpose of the agreement is to respread special assessments on an equal share basis for each lot. Without the agreement the assessments will be spread on a square foot basis.

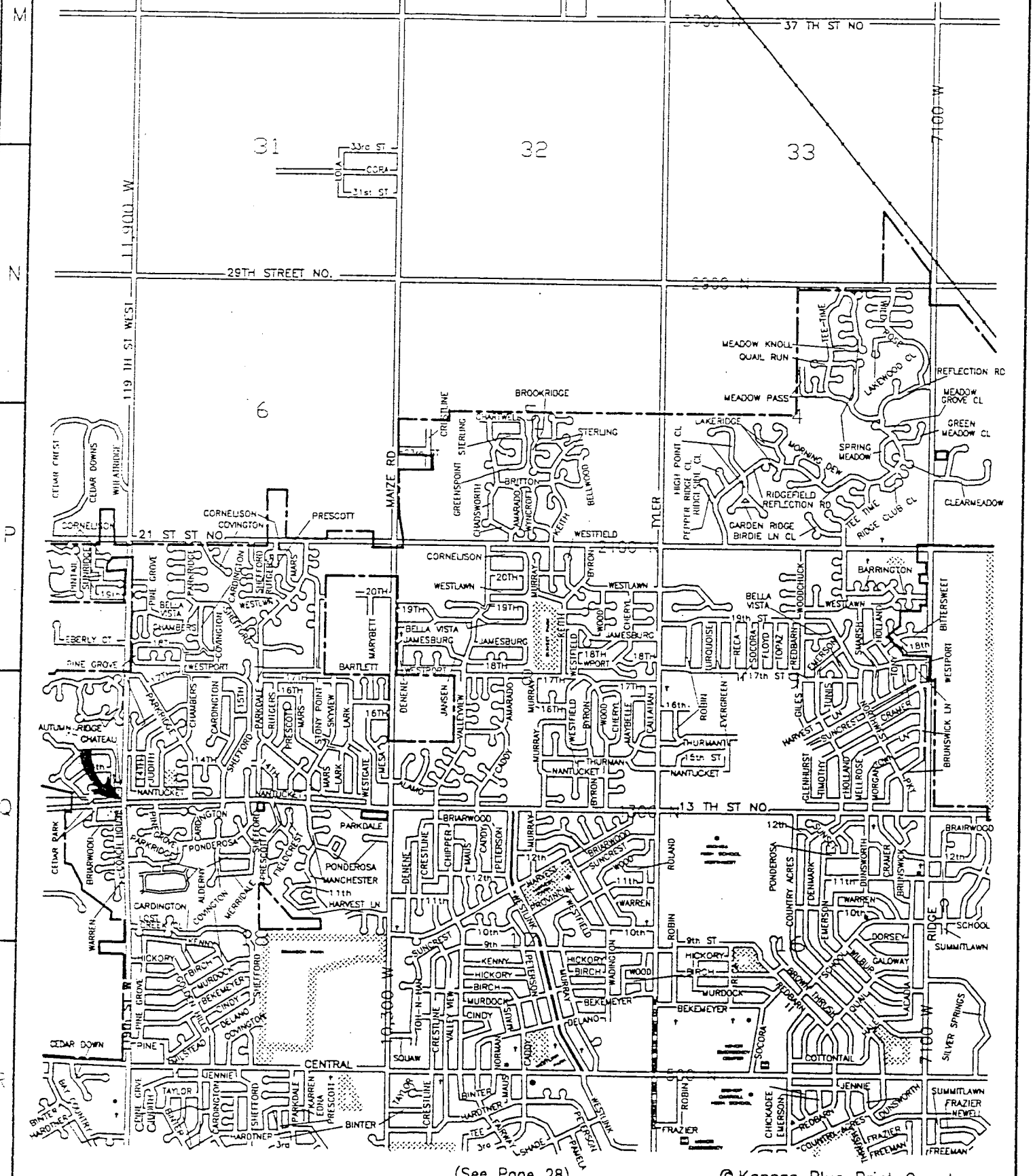
**Financial Considerations:** There is no cost to the City.

**Legal Considerations:** The Law Department has approved the agreement as to legal form.

**Recommendations/Actions:** It is recommended the City Council approve the Agreement and authorize the Mayor to sign.

BM:cls

(See Page 14)

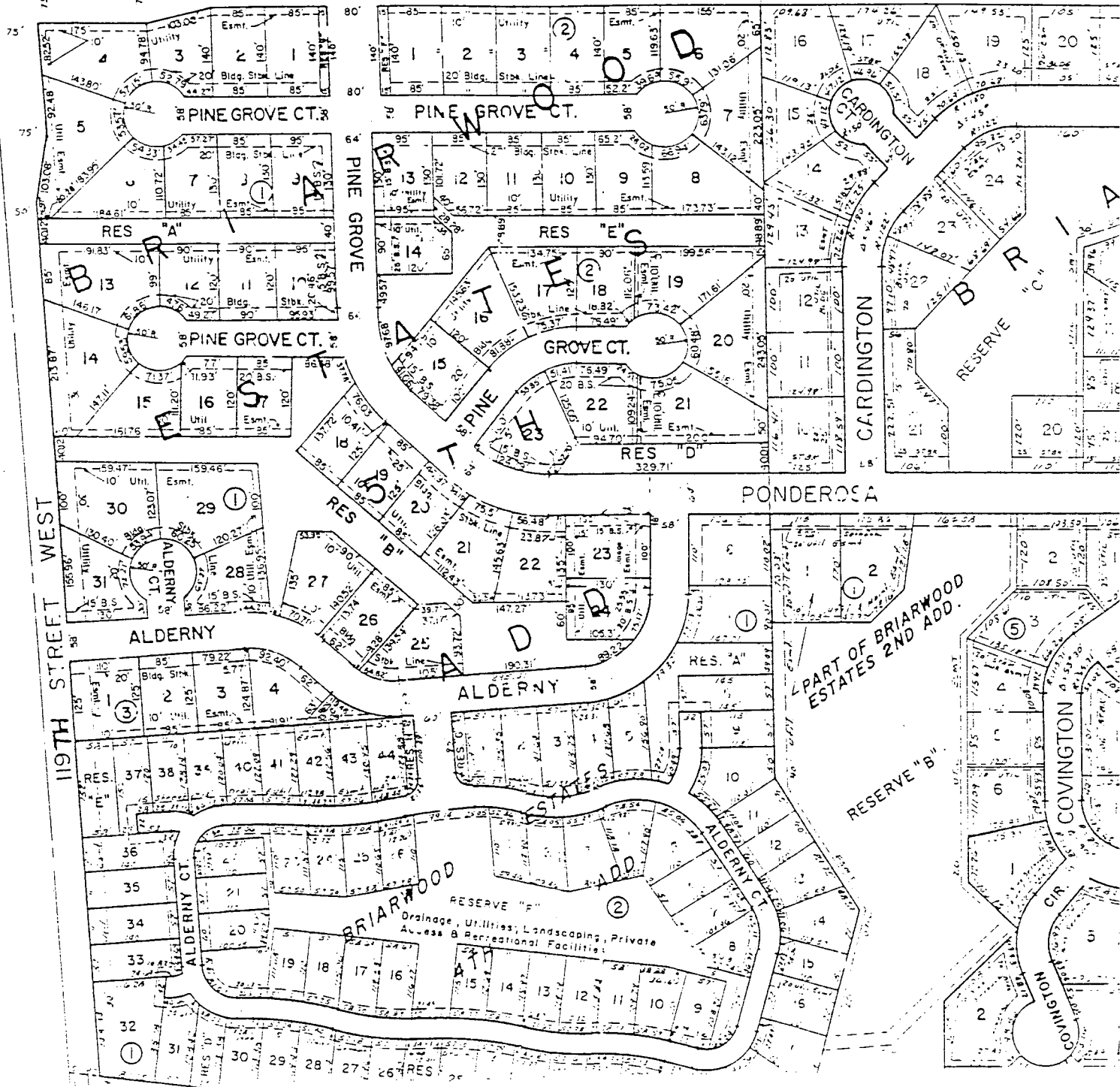


(See Page 28)

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13TH STREET NORTH



THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT

DATE: June 5, 1992

TO: Michael E. Lindebak, P.E., City Engineer

FROM: Douglas J. Moshier, Senior Attorney

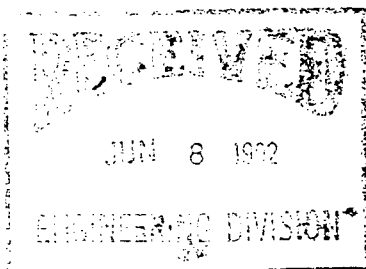
SUBJECT: Agreement for Respread  
Assessments

The attached Agreement for respreading assessments in Briarwood Estates is approved as to form.

Douglas J. Moshier  
Senior Attorney

DJM:cdh

Attachment



AGREEMENT  
BY AND BETWEEN  
THE CITY OF WICHITA, KANSAS,  
Party of the First Part  
and  
SLAWSON INVESTMENT CORPORATION  
Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal improvements in the area of Briarwood Estates within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part is the landowner of all or part of the improvement district; and

WHEREAS, portion of the improvement district of said improvements has been platted and/or replatted; and

WHEREAS, Party of the Second Part desires that a reassessment be made to reflect the changes in platting; and

WHEREAS, the Party of the First Part and Party of the Second Part are both desirous of accomplishing such a reassessment.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties agree as follows:

1. Lots 25 through 27, Block 1 and Lots 1 through 4, Block 3, Briarwood Estates 5th Addition; Lots 26 through 44, Block 1 and Lots 16 through 26, Block 2, Briarwood Estates 4th Addition (D-40766 through D-40768, D-40797 through D-40800, D-39425 through D-39443 and D-39459 through D-39469) were part of the improvement district for the following City project(s):

Paving A39475  
Submain Sewer J20295  
Lateral Sewer K39953  
Water M30805  
Water M39389  
Lateral Sewer K39432  
Storm Sewer L39233

Said property was replatted as Lots 1 through 3, Block 1 and Lots 1 through 23, Block 2, Briarwood Estates 6th Addition.

2. The Parties agree to make a reassessment for said project in the following manner:

Paving A39475. The assessment to Lot 25, Block 1, Briarwood Estates 5th Addition (D-40766) is to be assessed to Lot 3, Block 1, Briarwood Estates 6th Addition (\$770.78 annual).

Water M39389. The assessment to Lot 25, Block 1, Briarwood Estates 5th Addition (D-40766) is to be assessed to Lot 3, Block 1, Briarwood Estates 6th Addition (\$248.96 annual).

Lateral Sewer K39953. The assessment to Lots 25, 26 and 27, Block 1, Briarwood Estates 5th Addition (D-40766, D-40767 and D-40768) is to be assessed to Lots 1, 2, and 3, Block 1, Briarwood Estates 6th Addition on an equal fraction basis (1/3 each).

Lateral Sewer K39432. The assessment to Lots 37 through 44, Block 1, Briarwood Estates 4th Addition (D-39436 through D-39443) is to be assessed on an equal fraction basis to Lot 1 and Lots 13 through 16, Block 2, Briarwood Estates 6th Addition (1/5 each).

Submain Sewer J20295. The assessments to Lots 25 through 31, Block 1, Lots 1 through 4, Block 3, Briarwood Estates 5th Addition; and Lots 26 through 44, Block 1; Lots 16 through 26, Block 2, Briarwood Estates 4th Addition (D-40766 through D-40772, D-40797 through D-40800, D-39425 through D-39443, and D-39459 through D-39469) is to be assessed on an equal fraction basis to Lots 28 through 31, Block 1, Briarwood Estates 5th Addition and Lots 1, 2, and 3, Block 1; and Lots 1 through 15, Block 2, Briarwood Estates 6th Addition (1/22 each).

Water M30805. The assessment to Lots 25 through 31, Block 1 and Lots 1 through 4, Block 3, Briarwood Estates 5th Addition; Lots 26 through 44, Block 1; and Lots 16 through 26 Block 2, Briarwood Estates 4th Addition (D-40766 through D-40772, D-40797 through D-40800, D-39425 through D-39443 and D-39459 through D-39469 is to be assessed on an equal fraction basis to Lots 28 through 31, Block 1, Briarwood Estates 5th Addition, and Lots 1, 2, and 3, Block 1 and Lots 1 through 15, Block 2, Briarwood Estates 6th Addition (1/22 each).

Storm Sewer L39233. The assessment to Lots 26 through 44, Block 1, and Lots 16 through 26, Block 2, Briarwood Estates 4th Addition (D-39425 through D-39443 and D-39459 through D-39469) is to be assessed on a fractional basis as follows:

Briarwood Estates 5th Addition, Block 1  
Lots 28 through 31 = \$1,589.60 each (principal)

Briarwood Estates 6th Addition, Block 1  
Lots 1 and 2 = \$2,255.00 each (principal)  
Lot 3 = \$1,454.65 (principal)

Briarwood Estates 6th Addition - Block 2  
Lot 1 = \$1,044.35 each (principal)  
Lots 2 through 12 = \$ 905.70 each (principal)  
Lots 13, 14 and 15 = \$1,044.35 each (principal)  
Lot 16 = \$2,301.25 each (principal)  
Lots 17 through 23 = \$2,171.85 each (principal)

3. The Party of the Second Part is the owner of the property described in section one above and said Party of the Second Part hereby waives the notice and hearing requirements of K.S.A. 12-6a12(b) with respect to the reassessment herein described.

4. The Party of the Second Part further waives his right to appeal the special assessments for the above mentioned projects (including this described reassessment) and agrees that no suit to set aside said assessment shall be brought by him nor shall he in any other way bring an action to question the validity of the proceedings taken by the Party of the First Part in constructing this project and levying the special assessments therefor.

5. The Party of the Second Part further agrees that he will indemnify the Party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Part is held responsible or which are entered against the Party of the first Part arising out of or as a result of the reassessment herein described.

6. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the \_\_\_\_\_ of \_\_\_\_\_, 1992.

THE CITY OF WICHITA, KANSAS

Approved as to form:

By: \_\_\_\_\_  
Mayor  
Party of the First Part

\_\_\_\_\_  
Director of Law

Attest:

\_\_\_\_\_  
City Clerk

SLAWSON INVESTMENT CORPORATION

By: Larry A. Chambers  
Larry Chambers, President  
Party of the Second Part

STATE OF KANSAS )  
                          ) SS  
SEDGWICK COUNTY )

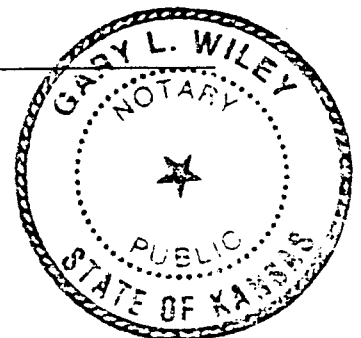
BE IT REMEMBERED, That on this 10th day of April, 1992, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Larry A. Chambers, President, Slawson Investment Corporation, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the 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.

Gary L. Wiley  
Notary Public

My Appointment Expires:

Jan. 5, 1995



STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
10:00 A.M.

FILM 0866 PAGE 1174

FEB 12 1987  
NO. 8 63043

MICROFILMED  
OF RECORD

RESTRICTIVE COVENANT

NO. PAT. KETTLER  
REGISTERED FOR DECEASED  
DECLARATION made this 9th day of February, 1987, by Slawson Investment Corporation, hereinafter called Declarant.

*Ed Reed  
Deputy*

WITNESSETH

WHEREAS, Declarant is the owner of certain land platted as Briarwood Estates 5th Addition to Wichita, Sedgwick County, Kansas; and

WHEREAS, it is required that restrictions involving the maintenance of the landscaped entry medial thereof be placed of record:

NOW, THEREFORE, Declarant hereby declares and covenants the following:

1. At such time as said property shall become developed by erection of improvements thereon Declarant agrees to cause an association to be formed to provide for the care, maintenance and upkeep of the landscaped entry medial as platted by the plat of Briarwood Estates 5th Addition to Wichita, Sedgwick County, Kansas. Such maintenance and upkeep shall include trimming and/or removal of trees, mowing, and clean-up of trash or other debris.
2. In the event the undersigned, their successors or assigns, shall fail at any time to maintain and care for the medial strip described above, the City of Wichita may serve a written notice of delinquency upon the undersigned, their successors or assigns, setting forth the manner in which the undersigned has failed to maintain and care for said medial strip. Such notice shall include a statement describing the obligations that have not been fulfilled and shall grant five (5) days within which the undersigned may fulfill the obligation. If said obligation is not fulfilled within the time specified, the City of Wichita may enter upon said medial strip and perform the obligations listed in the notice of delinquency.
3. All costs incurred by the City of Wichita in carrying out the obligations of the undersigned, their successors or assigns, may be assessed against all lots within Briarwood Estates 5th Addition in the same manner as provided by law for such assessments and said assessments may be established as liens upon said lots within Briarwood Estates 5th Addition. Should the undersigned, their successors or assigns, upon receipt of said notice of delinquency believe that the obligations described in said notice are not proper for any reason, it may, within the five-day period to be provided in said notice, apply for a hearing before the Board of City Commissioners to appeal said assessments and any further proceedings with respect to said appeal.
4. If the medial strip is not maintained and cared for by the undersigned, their successors or assigns, the City shall have the option, in lieu of trimming and maintaining said trees, to remove said trees and assess the cost of such removal as provided for herein.

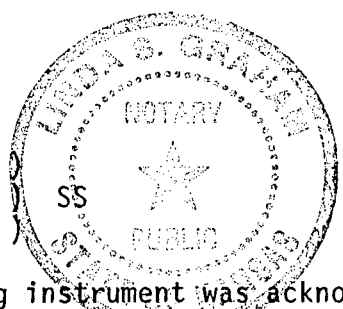
The covenant is binding on the Declarant, its heirs, successors or assigns and is a covenant running with the land and is binding on all successors in title to the above described property.

EXECUTED the day and year first above written.

SLAWSON INVESTMENT CORPORATION

By *Larry A. Chambers*  
Larry A. Chambers, Vice President

STATE OF KANSAS  
COUNTY OF SEDGWICK



The foregoing instrument was acknowledged before me this 9th day of February, 1987, by Larry A. Chambers, Vice President of Slawson Investment Corporation, for and on behalf of the corporation.

My appointment expires: 2/9/90

*Linda S. Graham*  
Notary Public Linda S. Graham

50¢  
Sec

*Sallogross*  
5000 5000 ST North



# MEMO

TO: Don Gisick, City Clerk

2nd Floor, City Hall

455 N. Main

ATTN: Twila Nelson

PROJECT NO. 36-84652-1120

PROJECT: Briarwood

Estates 5th Addition

DATE: 12-16-85

COPIES TO:

Mike Lindebak

Larry Chambers

FROM: Dick Linn

REFERENCE: Replat of Unplatted Tract -

Briarwood Estates 4th - Paving & Water Line

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

The Final Plat of Briarwood Estates 5th Addition is to be scheduled on the January 2, 1986 Agenda of the Subdivision Committee. This plat is a replat of a portion of Briarwood Estates including the "unplatted tract" area described in the benefit districts for street paving and water lines to serve Briarwood Estates 4th Addition. The assessments against the "unplatted tract" should be prorated to the replatted area on a square foot basis.

Listed below is a breakdown of the "unplatted tract":

## BRIARWOOD ESTATES 4TH ADDITION - SPECIALS

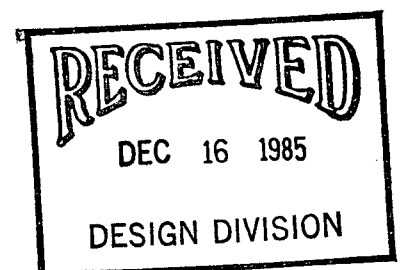
- Water Line: BD - 1056-84  
448-80-925-81699  
7/47 of total cost
- Paving: Ponderosa, Alderny, Alderny Ct.  
7/47 of total cost

Unplatted tract to be replatted as part of Briarwood Estates 5th Addition.  
(45,704 sq. ft.):

Part of Lot 23, Blk 1, = 6,000 sq. ft.  
part of Lot 24, Blk 1, = 9,397 sq. ft.  
Part of Lot 25, Blk 1, = 10,299 sq. ft.  
Total = 25,696 sq. ft.

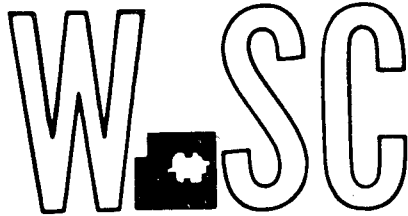
Unplatted tract = 45,704 sq. ft.  
-25,696 sq. ft.  
Balance = 20,008 Sq. Ft.

Part of Reserve 'B', Blk 1 = 20,008 sq. ft.





WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

January 9, 1986

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

Re: S/D 85-71 - Final Plat of Briarwood Estates 5th Addition.

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on January 9, 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 January 3, 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 plattor.
3. Certification that all real estate taxes for the first half of 1985 and all prior years have been paid.

Please call if you have any questions.

Very truly yours;

Barbara R. Bonanni  
Junior Planner

BRB:mlh

cc: Inland Investment Company, Inc., 10300 W. Central, Wichita, KS 67212  
✓ Mike Lindebak, City Engineer

C  
O  
P  
Y



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

January 3, 1986



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

Re: S/D 85-71 - Final Plat of Briarwood Estates 5th Addition.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, January 2, 1986, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee the paving of the proposed interior streets.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of municipal water to serve the lots being platted.
- D. The applicant shall guarantee the construction of storm sewers required by this plat.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. As stated by City Engineering at the time of preliminary plat approval, if the new petitions for this replat are to be "phased," the applicant will need to make arrangements to pay off the costs incurred for the existing petitions that need to be abandoned.
- G. 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.

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Professional Engineering Consultants, P.A.  
Re: S/D 85-71 - Final Plat of Briarwood Estates 5th Addition.  
January 3, 1986  
Page 2

- H. Provisions shall be made for the ownership and maintenance of the proposed reserves. The applicant shall either form a Lot Owner's 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.
- I. The applicant is advised that, if recreational structures (e.g., swimming pools, club houses, etc.) are planned to be constructed within the Reserves being platted, the affected Reserves should not be platted as blanket utility easements.
- J. Since the street layout proposed by this plat does not correspond with the street pattern depicted on the associated Community Unit Plan, building setbacks shall be platted. The final plat tracing shall indicate 25-foot front yard and 15-foot sideyard setbacks from Pine Grove and Ponderosa. 20-foot front yard setbacks may be platted from the 58-foot wide street rights-of-way.
- K. On the final plat tracing, the discrepancy between line 4 of the engineer's text and the missing bearing on the face of the plat for the north line of Lot 3, Block 1 shall be resolved.
- L. Since the legal description for this plat references a tie point to the northwest corner of Block 1, in Briarwood Estates, the final plat tracing shall label this lot corner on the face of this plat.
- M. Since the tie point for this plat is referenced to a previously platted lot corner, the engineer's text shall reference the quarter section in which the plat is located. Section 5-402(D)(3).
- N. The final plat tracing shall indicate a 10-foot wide utility easement centered on the lot line common to Lots 18 and 19, Block 2 and Lots 21 and 22, Block 2.
- O. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- P. Recording of the plat within 30 days after approval by the Board of City Commissioners.

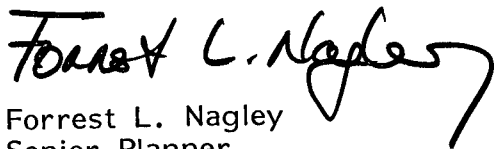
Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are available from this office.

Professional Engineering Consultants, P.A.  
Re: S/D 85-71 - Final Plat of Briarwood Estates 5th Addition.  
January 3, 1986  
Page 3

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 9, 1986 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: ~~Inland Investment Company, Inc., 10300 W. Central, Wichita, KS 67212~~  
~~Mike Lindebak, City Engineer~~

Dre - Sub Jan. 2, '86

1. Diamond Head. Vacation of Access Control at Central & Eisenhower. No water problem.
2. Wilbur Walker. Alley R/W Vacation. Private water line crosses alley. No water problem.
3. Ronald H. Groves. Vacation of access control. No water problem.
4. Ralph Vautravers. Utility Esmt. Vacation. No water problem.
5. Valley Center Pump Station. Final Plat. No city water available. No water problem.
6. Briarwood Estates 5th Addition. Final Plat. Item C, mains to be extended. No water problem.
7. Stockyards Industrial Park Addition. Preliminary plat. Item B, mains to be extended. Existing 8" and 20" mains in 21st St. N. Existing 8" main in 25th St. N. No water problem.
8. Hattrup Addition. Final Plat (Revised). No water problem.
9. Baugher Addition. Final Plat. Item A, mains to be extended. All lots proposed are now adjacent to city water mains in 26th St. N. and in Coolidge.
10. Vulcan-Vest Addition. Preliminary Plat. Item A, wells. No water problem.
11. Fifth Addition to Cedar Ridge. Final Plat. Existing main in Skinner ~~is~~. Services installed before replat. Services to be relocated, abandoned, or added shall be at the expense of the developer. Developers Engineer shall prepare a drawing, showing services that need to be left, relocated, added, etc., for the Water Dept. A cash deposit shall be given to the Water Dept. for the service work.

12. Porcells 10th Addition. Street name changes. Water Dept. to be notified as maps are being updated. No water problems.
13. Land Inventory Case:
  - Site 3 - 8" main in 13th is shown incorrectly. There is now a 6" main, shown and an 8" main. See attached. Part of 6" has been abandoned.
  - Site 4 - No water service at this time.
14. The Pines. Grant Utility Easement. No water problem.
15. Lillian L. Oliver. Grant Utility Esmt. No water problem.
16. USD 259. Dedicate Street R/W. No water problem.  
Note: Lot 19 Robson Heights has given additional St. R/W to total an existing 50 ft.
17. Other Matters.

ASPHALTIC CONCRETE

PAVING PETITION

To the Board of Commissioners  
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

Lots 1 through 25 inclusive, Block 1, Briarwood Estates 4th Addition.

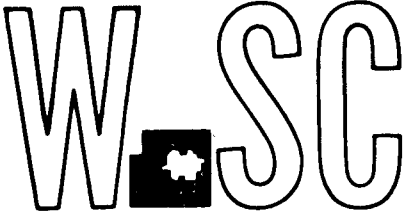
Lots 1 through 15 inclusive, Block 2, Briarwood Estates 4th Addition.

Unplatted tract in the Northwest Quarter of Section 18, Township 27 South, Range 1 West of the 6th P.M. more fully described as follows: Beginning at the point of intersection of the south line of Ponderosa and the west line of Parkridge Streets; thence south, southwesterly and westerly along the west and north line of Parkridge and Alderny Streets to a point on the east line of Lot 44, Block 1, Briarwood Estates 4th Addition, extended from the south; thence north on said line extended a distance of 100 feet; thence east parallel to and 100 feet north of the north line of Alderny to a point 60 feet west of the west line of Parkridge; thence north parallel to and 60 feet west of the west line of Parkridge to a point on the south line of Ponderosa; thence east 60 feet to the point of beginning.

7/47

45,704 sq. ft.

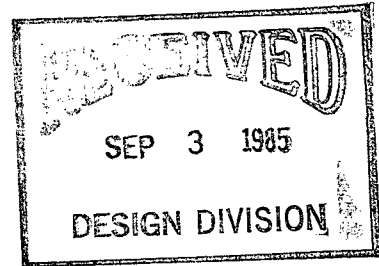
WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

August 30, 1985



Mr. Bill Yung  
Bill G. Yung Design  
8225 East 35th Street North  
Wichita, KS 67226

Re: S/D 85-71 - Preliminary Plat of Briarwood Estates 5th Addition

Dear Mr. Yung:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, August 29, 1985, the above-captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall guarantee the paving of the proposed interior streets.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of municipal water to serve the lots being platted.
- D. The applicant shall guarantee the construction of storm sewers required by this plat.
- 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 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.

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Mr. Bill Yung  
Bill G. Yung Design  
Re: S/D 85-71 - Preliminary Plat of Briarwood Estates 5th Addition  
August 30, 1985  
Page 2

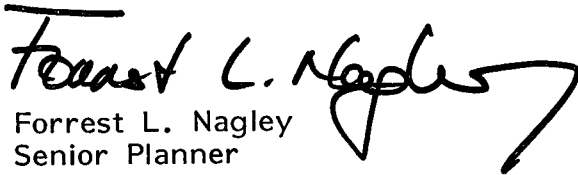
- G. Provisions shall be made for the ownership and maintenance of the proposed reserves. The applicant shall either form a Lot Owners' Association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- H. The final plat shall state, in the plat's text, the purpose of the proposed reserves as well as who is to own and maintain them.
- I. Since Reserve "F" is being platted for "recreation structures and facilities," it shall not be platted as a blanket utility easement. The final plat shall indicate the platting of needed utility easements through this reserve.
- J. On the final plat, the utility easement being platted at the southwest corner of Lot 28, Block 2 shall be dimensioned.
- K.** At the time of submitting a final plat, an intersection design plan for Pine Grove/13th Street North shall be submitted to City Engineering and the Traffic Engineer for review and approval.
- L. Since this replat will create a street pattern which is different than the pattern depicted on the associated Community Unit Plan, the applicant shall submit amended copies of the C.U.P. which depicts the new street alignments. Also, the C.U.P. provides for 65 single-family dwelling units to be constructed within Parcels 1 and 2, whereas 70 units are now proposed. Prior to submitting a final plat, the applicant shall obtain approval for an administrative adjustment to the C.U.P. which permits the five (5) additional dwelling units.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- N. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- O. Prior to, or at the time of submitting a final plat, a drainage plan shall be submitted to the City Engineer's office for review and approval.

Mr. Bill Yung  
Bill G. Yung Design  
Re: S/D 85-71 - Preliminary Plat of Briarwood Estates 5th Addition  
August 30, 1985  
Page 3

- P. As stated by the City Engineer, if the new petitions for this replat are to be "phased," the applicant will need to make arrangements to pay off the costs incurred for the existing petitions to be abandoned. This cost amounts to approximately \$1,800.00.

The enclosed "marked" copy of the plat is for your information and files. If you should have any questions, please call.

Sincerely,

  
Forrest L. Nagley  
Senior Planner

FLN:mlh

Enclosure

cc: Inland Investment Company, Inc., 10300 West Central, Wichita, KS 67212  
Professional Engineering Consultants, P.A., 1440 East English,  
Wichita, KS 67211  
✓ Mike Lindebak, City Engineer  
Bill McKinley, Traffic Engineer

1. Tallgrass Commercial Third. Existing 8" main and fire hydrant in area to be vacated. If main to be removed, developer should be charged all costs. Current Benefit District special assessments shall remain against property.
2. Briarwood Estates 5th. Item C. Existing 8" main in Ponderosa joins E. from Alderny. Existing 12" in 13th. Existing 12" in 119th stops N. of Alderny, coming from 13th. If possible, 12" to be extended along 119th S. to South line of Alderny or to S. line of project. If 119th 12" not possible, existing water will serve the project.
3. Davidson and Frey Addition. ~~See~~ Water main available.
4. Maize Avenue Addition. Existing water (16" in Maize, 12" in Carr) to area. No water problems.
5. Hadijski Addition. Existing 8" water in water easement along E. side of Reserve B. Depending on use of Reserve B, additional easement to serve the property may be necessary to cross Reserve B.
6. Air Park Northeast. Existing rural water district line is in 37th and goes N. & S. in Greenwich. The nearest City of Wichita water line is in Webb Rd. at 39th, or in Webb Rd. at 37th. Either main could be extended to Greenwich. 20" Supply line required. Item
7. Jeff Bruce Addition. Existing 6" water in Cleveland. No water problems.
8. First Dixon Addition. Existing 2" water main in New York. No water problems.
9. West Meadows Addition. Nearest water at 15th and Cedar Park (W. of 119th).

10. Maria Addition. Item B. Existing 6" Main in Lewis. Item C, additional water easement will be necessary in order to move water main out from under proposed pavement.
11. de Paul Addition. Existing water in Central, Kessler, and along the West side of the plat north of the existing hydrant. No water main in Newell.
12. Maxwell Third Addition. Item L. Existing water main shall be abandoned, any cost charged to developer.
13. Pine Bay Estates. Existing 16" main in Hydraulic ends at approximately 200' N. of 55th St. Much interest has been expressed in running city water to the area. If possible would suggest a supply line benefit district be tried. Ground Water is of poor quality, and once wells are allowed, extension of city water becomes more difficult.
14. A.T. & SF RR Street R/W Dedication. No water problems.
15. A.T. & SF RR Street Dedication along Santa Fe. No water problems. Existing 8" along existing R/W on E side 8' W of E.R. Need to verify no prior water easement along R/W.
16. A.T. & SF Street Dedication along Santa Fe, S of 34th. No water problem.
17. Hamel & Rew Land Company. Utility Esmt. No water problem.
18. Woodlawn Development Co. Utility Esmt. No water problem.
19. Other Matters.

S/D No.: 85-71 Name: BRIARWOOD ESTATES 5TH ADDITION

Preliminary Approved:  
Scheduled S/D Meeting: 8/29/85

DESCRIPTION

General Location: Southeast corner of 13th Street North and 119th Street West.  
Owner: Inland Investment Company, Inc., 10300 W. Central, Wichita, KS 67212  
Surveyor/Engineer: Bill G. Yung Design

1. Gross Acreage of Plat: 26.2 Acres ±
  2. Number of Lots:
    - Residential: 68
    - Office:
    - Commercial:
    - Industrial:
    - Total: 68
  3. Minimum Lot Area: 8,000 Sq. Ft.
  4. Existing Zoning: "AA" under C.U.P.
  5. Proposed Zoning: "AA" under C.U.P.
- 

STAFF COMMENTS:

NOTE: This replat is subject to the provisions of the Briarwood Estates Community Unit Plan (DP-136) and represents the platting of Parcel 1 and part of Parcel 2. The development of single family homes is planned.

- A. The applicant shall guarantee the paving of the proposed interior streets.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of municipal water to serve the lots being platted.
- 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 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.
- G. Provisions shall be made for the 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. The final plat shall state, in the platting text, the purpose of the proposed reserves as well as who is to own and maintain them.
- I. Since Reserve "F" is being platted for "recreation structures and facilities," it shall not be platted as a blanket utility easement. The final plat shall indicate the platting of needed utility easements through this reserve.
- J. On the final plat, the utility easement being platted at the southwest corner of Lot 28, Block 2 shall be dimensioned.

SUBDIVISION REPORT

S/D No. 85-71 - BRIARWOOD ESTATES 5TH ADDITION

Page 2

- K. Since this replat will create a street pattern which is different than the pattern depicted on the associated Community Unit Plan, the applicant shall submit amended copies of the C.U.P. which depicts the new street alignments. Also, the C.U.P. provides for 65 single-family dwelling units to be constructed within Parcels 1 and 2, whereas 70 units are now proposed. Prior to submitting a final plat, the applicant shall obtain approval for an administrative adjustment to the C.U.P. which permits the five (5) additional dwelling units.
- L. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- M. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- N. The representatives from the City Engineer's office and the Traffic Engineer should be prepared to comment on the acceptability of the geometrics of the Pine Grove/13th Street North intersection.
- O. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage concept for this property. Specifically, are any drainage improvements required to be guaranteed with the platting of this property.

S/D No.: 85-71      Name: BRIARWOOD ESTATES 5th ADDITION

Preliminary Approved: 8/29/85  
Scheduled S/D Meeting: 1/2/86

DESCRIPTION

General Location: Southeast corner of 13th Street North and 119th Street West.  
Owner: Inland Investment Company, Inc., 10300 W. Central, Wichita, KS 67212  
Surveyor/Engineer: Professional Engineering Consultants, P.A.

1. Gross Acreage of Plat: 26.2 Acres ±
  2. Number of Lots:
    - Residential: 58
    - Office:
    - Commercial:
    - Industrial:
    - Total: 58
  3. Minimum Lot Area: 8,000 Sq. Ft.
  4. Existing Zoning: "AA" Under C.U.P.
  5. Proposed Zoning: "AA" Under C.U.P.
- 

STAFF COMMENTS:

NOTE: This replat is subject to the provisions of the Briarwood Estates Community Unit Plan (DP-136) and represents the platting of Parcel 1 and part of Parcel 2. The development of single family homes is planned.

- A. The applicant shall guarantee the paving of the proposed interior streets.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of municipal water to serve the lots being platted.
- D. The applicant shall guarantee the construction of storm sewers required by this plat.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. As stated by City Engineering at the time of preliminary plat approval, if the new petitions for this replat are to be "phased," the applicant will need to make arrangements to pay off the costs incurred for the existing petitions that need to be abandoned.
- G. 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.
- H. Provisions shall be made for the ownership and maintenance of the proposed reserves. The applicant shall either form a Lot Owner's 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.
- I. The applicant is advised that, if recreational structures (e.g., swimming pools, club houses, etc.) are planned to be constructed within the Reserves being platted, the affected Reserves should not be platted as blanket utility easements.
- J. Since the street layout proposed by this plat does not correspond with the street pattern depicted on the associated Community Unit Plan, building setbacks shall be platted. The final plat tracing shall indicate 25-foot front yard and 15-foot sideyard setbacks from Pine Grove and Ponderosa. 20-foot front yard setbacks may be platted from the 58-foot wide street rights-of-way.

- K. On the final plat tracing, the discrepancy between line 4 of the engineer's text and the missing bearing on the face of the plat for the north line of Lot 3, Block 1 shall be resolved.
- L. Since the legal description for this plat references a tie point to the northwest corner of Block 1, in Briarwood Estates, the final plat tracing shall label this lot corner on the face of this plat.
- M. Since the tie point for this plat is referenced to a previously platted lot corner, the engineer's text shall reference the quarter section in which the plat is located. Section 5-402(D)(3).
- N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- O. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- P. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.