

6-2-81  
TCR

### DEVELOPED RUNOFF

SOIL TYPE Ca - HYDROLOGIC GROUP B

LAND USE:

RESIDENTIAL (1/8 AC./UNIT) - USE CN 85

USING TECH. RELEASE NO. 55 METHOD:

100-YR, 6-HR STORM = 5.9"

RUNOFF DEPTH = 4.22" (FROM TABLE 2-2)

AREA = 15.6 AC.

RUNOFF VOLUME =  $\frac{15.6 \times 4.22}{12} = 5.46$  AC. FT.

### UNDEVELOPED RUNOFF

LAND USE:

AGRICULTURAL (CULTIVATED) - USE CN 76

RUNOFF DEPTH = 3.3"

AREA = 15.6 AC.

RUNOFF VOLUME =  $\frac{15.6 \times 3.3}{12} = 4.29$  AC. FT.

EXCESS RUNOFF DETENTION REQ'D. =  $\frac{5.46}{4.29}$

1.17 AC. FT.

AVAILABLE AREA = 2.1 AC.

STORAGE DEPTH = 0.56'

STORAGE DEPTH FOR TOTAL DEVEL. RUNOFF = 2.6'

S/D No. 81-60 Name Camelot Addition  
Date Application Rec'd. June 5, 1981 Preliminary Approval  
Scheduled S/D Meeting June 25, 1981

DESCRIPTION

General Location East side of Hydraulic in an area south of MacArthur Road

Owner Albert P. Guerra  
Surveyor/Engineer Moehring and Associates  
Address 433 S. Hydraulic, Wichita Zip Code 67211 Phone 263-8291

- |                          |                        |                                     |                               |
|--------------------------|------------------------|-------------------------------------|-------------------------------|
| 1. Gross Acreage of Plat | <u>15.6</u>            | 7. Lineal Feet of New Street        |                               |
| 2. Number of Lots :      |                        | a. _____ R/W _____ ft.              |                               |
| Residential              | <u>1</u>               | b. _____ R/W _____ ft.              |                               |
| Commercial               | _____                  | c. _____ R/W _____ ft.              |                               |
| Industrial               | _____                  | d. _____ R/W _____ ft.              |                               |
| Other                    | _____                  | e. _____ R/W _____ ft.              |                               |
| Total Number of Lots     | <u>1</u>               | TOTAL                               | <u>0</u> ft.                  |
| 3. Minimum Lot Frontage  | <u>442.12</u>          | 8. Sidewalk adjacent to all streets | <u>yes</u> <u>x</u> <u>no</u> |
| 4. Minimum Lot Area      | <u>656,880 sq. ft.</u> |                                     |                               |
| 5. Existing Zoning       | <u>AA</u>              |                                     |                               |
| 6. Proposed Zoning       | <u>R-5 (Z-2205)</u>    |                                     |                               |
9. Is public water available x Yes \_\_\_\_\_ No, Name City of Wichita
10. Is sanitary sewer available X Yes \_\_\_\_\_ No, Name City of Wichita
11. Has Health Dept. approval been obtained (where applicable) \_\_\_\_\_ Yes \_\_\_\_\_ No
12. City of Wichita X 3-Mile Area \_\_\_\_\_ Outside of 3-Mile Area \_\_\_\_\_

STAFF COMMENTS:

NOTE: Associated zone case Z-2205 "AA" to "R-5" has been approved subject to platting.

- A. Thirty-three feet for the west half of Minnesota Avenue shall be dedicated on the east side of this plat to provide for a continuation of the street as platted in New Hope Addition.
- B. A 25-foot setback from Minnesota shall be indicated on the final plat.
- C. The final plat tracing shall grant access control except for two openings to Hydraulic.
- D. The City Engineer's representative shall be prepared to comment on the applicant's lot grading plan and state if any drainage guarantees are needed. *Detention reservoir → Reserve →*
- E. Although no sewer or water lines are shown on this preliminary plat, both utilities are located in Hydraulic. The Engineering and Water Departments shall be prepared to state whether direct tie-ins to the existing lines are allowed. *Concept approved* *Home Owners Assoc*  
*Applicant must extend sewer to lot.*
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

*Temp decel not necessary*  
*Recommend divided entrance*

S/D No. 81-60 Name Camelot Addition  
Date Application Rec'd. 6-5-81 Preliminary Approval 6-25-81  
Scheduled S/D Meeting 10-1-81

DESCRIPTION

General Location East side of Hydraulic in an area south of MacArthur Rd.  
Owner Albert P. Guerra  
Surveyor/Engineer Moehring and Associates  
Address 433 S. Hydraulic, Wichita Zip Code 67211 Phone 263-8291

1. Gross Acreage of Plat 15.6  
2. Number of Lots :  
Residential 1  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
Other \_\_\_\_\_  
Total Number of Lots 1  
3. Minimum Lot Frontage 442.12  
4. Minimum Lot Area 656.880 sq. ft.  
5. Existing Zoning AA  
6. Proposed Zoning R-5 (Z-2205)

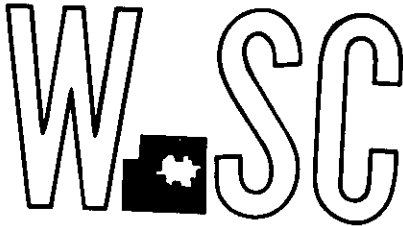
7. Lineal Feet of New Street  
a. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
b. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.  
TOTAL 0 ft.  
8. Sidewalk adjacent to all streets yes X no

9. Is public water available x Yes \_\_\_\_\_ No, Name City of Wichita  
10. Is sanitary sewer available x Yes \_\_\_\_\_ No, Name City of Wichita  
11. Has Health Dept. approval been obtained (where applicable) Yes No  
12. City of Wichita x 3-Mile Area \_\_\_\_\_ Outside of 3-Mile Area \_\_\_\_\_

STAFF COMMENTS:

- A. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan and state what drainage guarantees are required. The applicant shall guarantee the necessary drainage improvements.
- B. The applicant shall guarantee the extension of sanitary sewer to the lot and shall show an easement for the manhole adjacent to Hydraulic.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. It is recommended that the drainage reserve be relabeled as a drainage easement with the boundary being a dashed line so that it is clearly a part of Lot 1.
- E. The applicant shall submit a covenant for recording which gives the City the authority to maintain the storm water facilities within the drainage easement and assess the costs to the lot owner if the owner fails to adequately maintain the facilities.
- F. Closure computations shall be submitted with the final plat tracing.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

RECEIVED

JUN 26 1981

Dept. Of Engineering

June 25, 1981

Moehring and Associates  
433 S. Hydraulic  
Wichita, Ks. 67211

Re: S/D 81-60 Preliminary plat of Camelot Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission June 25, 1981, 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. Thirty-three feet for the west half of Minnesota Avenue shall be dedicated on the east side of this plat to provide for a continuation of the street as platted in New Hope Addition.
- B. A 25-foot setback from Minnesota shall be indicated on the final plat.
- C. The final plat tracing shall grant access control except for two openings to Hydraulic.
- D. The drainage concept has been approved subject to a reserve for storm water detention being shown on the final plat. The plat's text shall state the purpose of the reserve and that it will be owned and maintained by the owner of Lot 1.
- E. The applicant shall guarantee the extension of sanitary sewer to the lot and shall show an easement for the manhole adjacent to Hydraulic.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

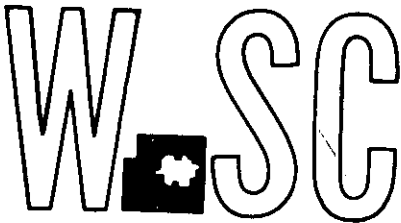
If you should have any questions concerning this matter, please call.

Sincerely,

Loise Olivarez  
Senior Planner

cc: Albert P. Guerra, 706 N. Main,  
67203  
Mike Lindebak, City Engineering

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

October 2, 1981

Moehring and Associates  
433 S. Hydraulic  
Wichita, Ks. 67211

RECEIVED

OCT 5 1981

Dept. Of Engineering

Re: S/D 81-60 - Final plat of Camelot Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on October 1, 1981, 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 meet with the Gas Service Company regarding the possibility of an existing gas line easement on the southern portion of this property.
- B. The applicant shall guarantee the extension of sanitary sewer to the lot and shall show an easement for the manhole adjacent to Hydraulic.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. It is recommended that the drainage reserve be relabeled as a drainage easement with the boundary being a dashed line so that it is clearly a part of Lot 1.
- E. The applicant shall submit a covenant for recording which gives the City the authority to maintain the storm water facilities within the drainage easement and assess the costs to the lot owner if the owner fails to adequately maintain the facilities. This covenant shall also give the City the right of access into the lot if it becomes necessary for the City to maintain the drainage facilities.
- F. Closure computations shall be submitted with the final plat tracing.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

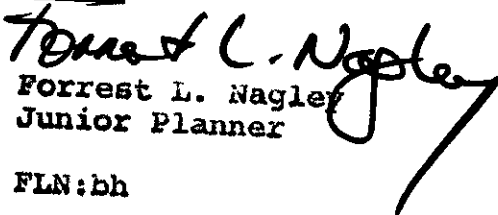
Moehring and Associates  
10-2-81  
Page 2

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 October 8, 1981, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

  
Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Albert P. Guerra, 706 N. Main, 67203  
X Mike Lindebak, City Engineering  
Paul Johnston, Operations & Maintenance

Sept. 17 Sub-division

(2 PLAN SHEETS)

9-3-81

TCR

P.1

## CAMELOT ADDITION - DRAINAGE PLAN

DETERMINE REQUIRED STORAGE FOR DESIGN STORM  
(100-YR, 6 HOUR) WITH TOTAL RETENTION

### I. DETERMINE RUNOFF VOLUME (DEVELOPED CONDITIONS)

DRAINAGE AREA = 15.6 ACRES

SOIL TYPE - Ca (HYDROLOGIC SOIL GROUP B)

LAND USE (DEVELOPED) - MULTI-FAMILY RESIDENTIAL

1/8 ACRE PER UNIT - USE CN 85

USING TECH. RELEASE NO. 55 METHOD:

100-YR, 6-HOUR RAINFALL = 5.9"

RUNOFF DEPTH (FROM TABLE 2-2) = 4.22"

RUNOFF VOLUME =  $\frac{15.6 \text{ AC.} \times 4.22 \text{ "}}{12 \text{ IN/FT.}}$  = 5.46 AC. FT.

### II. PROVE STORAGE VOLUME IN POND

MIN. TOP OF CURB ON SITE = ELEV. 83.30

ASSUMING 1.0' FROM MAX. WATER SURFACE TO TOP OF CURB,  
MAX. WATER SURFACE ELEV. IN POND = 82.30

TO STORE 5.46 ACREE-FEET:

POND BOTTOM ELEV. = 77.5 (MAXIMUM)

TOP OF BANK ELEV. = 83.0

### III. EMERGENCY OUTLET

A. PROVIDE EMERGENCY OUTLET TO E. DITCH OF  
HYDRAULIC AVE. @ ELEV. 82.3

OUTLET THRU 12" CMP W/ FLAP GATE TO PREVENT  
FLOW FROM HYDRAULIC AVE. ONTO SITE.

0.7' DEPTH ABOVE MAX. STORAGE ELEV. PROVIDES AN  
ADDITIONAL 1.5 AC. FT. STORAGE ABOVE 100-YR. ELEV.

B. IMPROVE HYDRAULIC AVE. DITCH FOR POSITIVE OUTLET.  
REGRADE AND INSTALL OR LOWER CULVERTS PER PLAN.

IV. PROVE RESTORATION OF STORAGE VOLUME

A. STORAGE BELOW OUTLET ELEV. (82.3) MUST BE RESTORED BY PERCOLATION.

POND BOTTOM ELEV. = 77.5

POND VOLUME = 5.46 AC. FT.

DEPTH =  $82.3 - 77.5 = 4.8$  FT. = 57.6 IN.

\* PERMEABILITY RATE = 2.0 "/HOUR

∴ PERCOLATION TIME =  $\frac{57.6}{2.0} = 28.8$  HOURS

B. SUPPORTING INFORMATION

A REPORT ON THIS SITE, DATED JUNE 25, 1981, FROM USDA SOIL CONSERVATION SERVICE CLASSIFIES THE SOIL AS CANADIAN FINE SANDY LOAM (Ca), HYDROLOGIC SOIL GROUP "B", AND DESCRIBES IT IS "HAVING SLOW RUNOFF AND MODERATE TO HIGH AVAILABLE WATER CAPACITY. PERMEABILITY IS MODERATE TO MODERATELY RAPID."

IN ADDITION, THE SOIL SURVEY OF SEDGWICK COUNTY, KANSAS, APRIL 1979, LISTS THE FOLLOWING CHARACTERISTICS FOR THIS SOIL:

TABLE II - WATER MANAGEMENT

POND RESERVOIR AREAS - SEEPAGE

DRAINAGE - NOT NEEDED

TERRACES AND DIVERSIONS - NOT NEEDED

TABLE 15 - PHYSICAL AND CHEMICAL PROPERTIES

PERMEABILITY (0-20" DEPTH) - 2.0" - 6.0" / HR.

\* PERMEABILITY (20"-60" DEPTH) - 2.0" - 20" / HR.

TABLE 16 - SOIL AND WATER FEATURES

HYDROLOGIC SOIL GROUP - B

FLOODING FREQUENCY - RARE

FLOODING DURATION - NOT A CONCERN

THE ABOVE DATA INDICATE THAT THE VERY LOWEST PERMEABILITY RATE IN THE RANGE GIVEN WOULD RESTORE STORAGE VOLUME IN APPROXIMATELY 29 HOURS, CONSIDERABLY LESS THAN THE ALLOWABLE 4 DAYS.

FURTHERMORE, THE SUITABILITY OF THE SOIL FOR LAWNS, GARDENS, ETC. PRECLUDES THE NECESSITY FOR IMPORTING TOPSOIL CONTAINING MORE FINE PARTICLES WHICH MIGHT EVENTUALLY REDUCE PERMEABILITY.

#### IV. MAINTENANCE

THE PROPOSED DEVELOPMENT AS A ONE-LOT PLAT WILL PROVIDE FOR SINGLE OWNERSHIP AND MAINTENANCE RESPONSIBILITY, AND WILL ALLOW THE DRAINAGE RESERVE TO BE FREE FROM FENCES OR OTHER OBSTRUCTIONS.

METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

October 9, 1981

268-4561  
4421

Moehring and Associates  
433 S. Hydraulic  
Wichita, Kansas 67211

Re: S/D 81-60 - Final plat of Camelot Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, October 8, 1981, 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 October 2, 1981.

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 plator.
3. Certification that all taxes due and payable for 1981 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

*Louise Olivarez*  
Louise Olivarez  
Senior Planner

LO:bh

cc: Albert P. Guerra, 706 N. Main, 67203

ENGINEERING DEPT.  
268-4235 CARIS BETTINGER

a drainage easement with the boundary being a dashed line so that it is clearly a part of Lot 1.

E. The applicant shall submit a covenant for recording which gives the City the authority to maintain the storm water facilities within the drainage easement and assess the costs to the lot owner if the owner fails to adequately maintain the facilities.

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

G. Recording of the plat within 30 days after

29 October 1981

Mike Lindebak  
City of Wichita  
Department of Engineering  
455 N. Main  
Wichita, Kansas

Re: Camelot Addition  
Improvement Guarantees

Dear Mike:

After conversations with Gene Rath and Bob Loveland of the City of Wichita, Street Maintenance Department, we have agreed that the owner of the above referenced property would guarantee drainage improvements within Hydraulic Street right-of-way with the exception of setting or re-setting of culverts. All work is to be done in accordance with the approved drainage plan. The owner proposes to guarantee the following work:

892 L.F. of ditch grading x *3/ft \$400 + 50/ft*  
24 L.F. of 18" C.M.P. with flap gate

*Tom advised to use  
MLD 11.2-81  
+ 20% = \$5131*

For a total guarantee amount of \$1700.00

For the required sanitary sewer extension from the existing line approximately 10.5 East of the centerline of Hydraulic, East to the new right-of-way line, the owner proposes to guarantee the following:

45 L.F. of 8" sanitary sewer  
2 standard manholes

For a total guarantee amount of \$6350.00

*f permit removed & replaced*

Also attached is a copy of the proposed Maintenance Covenant as required for the drainage easement on Lot 1.

If these guarantees and covenants are acceptable, please advise so that the owner may proceed with the completion of the platting process.

Very truly yours,

MOEHRING & ASSOCIATES  
CONSULTING ENGINEERS

*Thomas C. Ruggles*

Thomas C. Ruggles

IRREVOCABLE LETTER OF CREDIT  
Fourth National Bank & Trust Co., Wichita  
P. O. Box 1090  
Wichita, Kansas 67201

(Name and address of bank)

DATE: May 14, 1982

THE CITY OF WICHITA  
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 5,250.00 for the account of Albert P. Guerra and Reva Guerra

(PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before June 1, 1983 (6)

- Installation of 24 L/Ft. of 18" corrugated metal pipe with flap gate for surface water drainage from the on-site pond to the east drainage ditch of Hydraulic Ave. Also 892 L/Ft. of ditch grading along the east side of Hydraulic Ave. Total cost in the amount of \$5,250.00.
- 1.
  - 2.
  - 3.

in Lot 1, Block A, Camelot Addition, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under Fourth National Bank & Trust Co., Wichita, Credit No. 920, dated May 14, 1982."  
(Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before August 1, 1983  
(insert a date at least 60 days from the date on line 6)

Very truly yours,

(CORPORATE SEAL)

Fourth National Bank & Tr. Co., Wichita  
(Name of bank)

By Keith Gravel  
(Authorized signature)

(Also type or print name below)  
Keith Gravel, Vice President

MAINTENANCE COVENANT

KNOW ALL MEN BY THESE PRESENTS: That

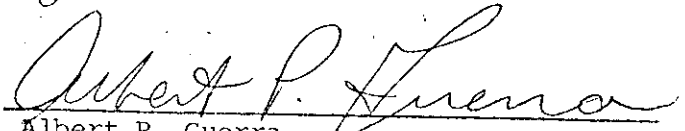
WHEREAS, Lot 1, in Block A, Camelot Addition, Wichita, Sedgwick County, Kansas, has been reserved for the construction and maintenance of a storm water retention facility, said reservation existing in favor of the City of Wichita, and

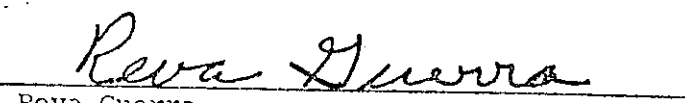
WHEREAS, as a condition of approving the plat of Lot 1, Block A Camelot Addition, the City of Wichita has requested that provision be made for the upkeep, care and maintenance of the storm water retention facility to be located on said Camelot Addition.

NOW THEREFORE, in consideration of the premises, and for other valuable considerations, the receipt of which is herewith acknowledged, Albert P. Guerra & Reva Guerra, hereby covenants with the City of Wichita as follows:

1. Albert P. & Reva Guerra, herewith assumes full responsibility for the upkeep, care and maintenance of the retention pond located upon Lot 1, Block A, Camelot Addition, Wichita, Sedgwick County, Kansas. Such obligation for upkeep, care and maintenance shall include, but not be limited to, keeping the banks and any ditches and swales mowed and free from debris, as well as any other upkeep, care and maintenance required in order to maintain the retention pond in a first class condition.
2. In the event that Albert P. & Reva Guerra, should fail to fulfill its obligation hereunder, the City of Wichita may serve written notice upon Albert P. & Reva Guerra, setting forth the manner in which it has failed to fulfill its obligation. Such notice shall include a statement describing the obligation that has not been fulfilled and shall grant thirty (30) days within which said obligation must be fulfilled. If said obligation is not fulfilled within the time specified, the City of Wichita, in order to preserve the taxable values of the properties within said addition, and to prevent the storm water retention pond from becoming a nuisance, may enter thereon and perform the obligations listed in the notice. All costs incurred by the City of Wichita in carrying out the obligations of Albert P. & Reva Guerra, shall be assessed on Lot 1, Block A, Camelot Addition, Wichita, Sedgwick County, Kansas, and may be established as liens thereon in the same manner as special assessments. Should Albert P. & Reva Guerra, upon receipt of said notice, feel that the obligations listed therein are not proper for any reason, they may, within thirty (30) days from the date of said notice, apply for a hearing before the Board of City Commissioners of the City of Wichita to appeal said notice and any further proceedings under the notice shall be delayed pending the outcome of any proceedings on appeal.
3. In the event storm sewers or other means of handling storm water runoff are provided in said area, and the City of Wichita shall release the use restriction existing in its favor as to said Camelot Addition, this maintenance covenant shall become null and void.
4. This covenant shall be binding upon the successors and assigns of Albert P. & Reva Guerra.

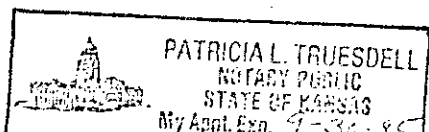
Executed this 12<sup>th</sup> day of May, 1982

  
Albert P. Guerra

  
Reva Guerra

STATE OF KANSAS, SEDGWICK COUNTY, ss:

The foregoing instrument was executed before me this 12<sup>th</sup> day of May, 1982, by Albert P. Guerra & Reva Guerra, for and on behalf of and as the act and deed of said persons.



  
Notary Public

MAINTENANCE COVENANT

THIS DECLARATION made this \_\_\_\_\_ day of \_\_\_\_\_, 1981, by Albert P. Guerra and Reva Guerra, his wife, hereinafter called Declarants,

WITNESSETH

WHEREAS, Declarants are owners of property being platted as Camelot Addition to Wichita, Sedgwick County, Kansas, and whereas it is required in connection therewith that provisions be made for the perpetual maintenance of the drainage easement within Lot 1 of said Addition;

NOW, THEREFORE, Declarants hereby declare and covenant that Declarants, their successors, assigns, and grantees will provide for the maintenance of said easement, and it is further declared and covenanted that in the event Declarant, its successors, assigns, or grantee fails or refuses for any reason to maintain said easement, then the City of Wichita or other proper authority shall have the right to maintain such and assess the costs thereof to the owners of Lot 1. Declarants further declare and covenant that access to said property will be provided to the City of Wichita or other proper authority in the event that such maintenance should become necessary.

This declaration and covenant is binding on the Declarants, their successors and assigns and is a covenant running with the land and is binding on all successors in title to the above described property, until such time as the City of Wichita or other proper authority elects to assume maintenance of said easement.

EXECUTED the day and year first above written.

\_\_\_\_\_  
Albert P. Guerra

\_\_\_\_\_  
Reva Guerra

STATE OF KANSAS)  
SEDGWICK COUNTY)

Personally appeared before me, a Notary Public in and for the County and State aforesaid, Albert P. Guerra and Reva Guerra, to me personally known to be the same persons who executed the foregoing instrument of writing and said persons duly acknowledge the execution thereof.

Dated at Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 1981.

\_\_\_\_\_  
Notary

My Commission expires: \_\_\_\_\_