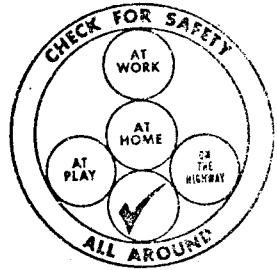


THE CITY OF WICHITA
OFFICE OF LAW DEPARTMENT

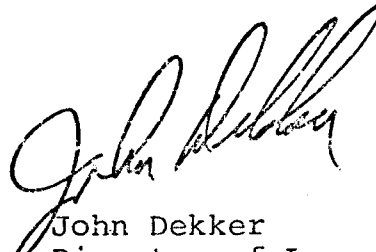
DATE April 29, 1982



TO Jack H. Galbraith, Chief Planner
FROM John Dekker, Director of Law

SUBJECT Request to Change Streets in
Country Place Estates from
Public to Private Streets

In reply to your memo of April 28, 1982, this is to advise that the streets should not be vacated unless funds are deposited sufficient to meet all bond payments plus interest when they become due. In the event payments would not be made, then the public at large must make the payments, and this, in my opinion, would preclude a vacation proceeding.


John Dekker
Director of Law

JD:cr

cc: E. H. Denton, City Manager
Russell L. Brenner, Director of Administration
Robert A. Lakin, Director of Planning

RECEIVED

MAY 3 1982

METROPOLITAN PLANNING
ROUTE 3

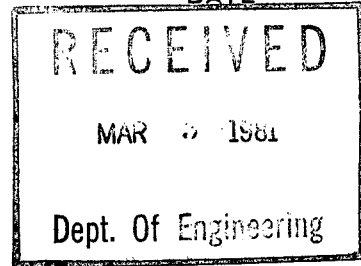
msf

WICHITA-SEDGWICK COUNTY

March 2, 1981

DATE

METROPOLITAN AREA PLANNING DEPARTMENT



Donald C. Gisick, City Clerk

TO Forrest L. Nagley, Junior Planner

FROM

SUBJECT

Forwarding of amendment to letter of credit guaranteeing the construction of a temporary deceleration lane at Gate-wood and 13th Streets (Credit Number C-763) Country Place Estates

Attached please find an amendment for the above-referenced letter of credit. The amendment should be filed with the original guarantee until such time as a release is authorized or the City Engineer acts to collect.

Should you have any questions about this matter, please call.

Forrest L. Nagley
Forrest L. Nagley
Junior Planner

FLN:bh

COPY

cc: Country Place Estates, a partnership, c/o Nestor Weigand, Jr.,
150 N. Market, 67202
C. A. Whitney, Jr., Vice President, 1st National Bank, Box One,
67201
Mike Lindebak, City Engineering

*Dollar amount increased from \$2,000.00
to \$3,000.00 .*

*Default date is now August 1, 1981
rather than February 1, 1981*

file

WICHITA-SEDGWICK COUNTY

February 17, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

Donald C. Gisick, City Clerk

TO Forrest L. Nagley, Junior Planner

FROM

SUBJECT Release of letter of credit associated with Country Place Estates (Credit Number C-764)

We have been advised by the Engineering Department that the removal of a structure in the dedicated right-of-way for Gatewood, just north of 13th Street, has been completed. On February 27, 1979, the Board of City Commissioners "received and filed" a letter of credit in the amount of \$1,000.00 from First National Bank for the account of Country Place Estates, a partnership, as guarantee that this work would be performed. The letter of credit may now be released at the request of either the bank or an authorized agent of the Country Place Estates partnership.

Forrest L. Nagley
Forrest L. Nagley
Junior Planner

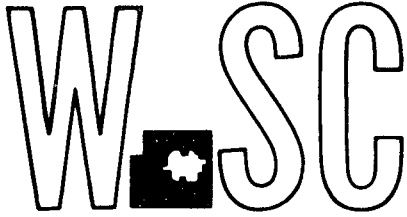
FLN:bh

cc: Country Place Estates, a partnership, c/o Nestor Weigand, Jr., 150 N. Market, 67202
John W. Long, Vice-President and Cashier, 1st National Bank, Box One, 67201
XMike Lindebak, Project Development Engineer, City Engineering

COPY

RECEIVED
FEB 19 1981
Dept. Of Engineering

WICHITA—SEDGWICK COUNTY

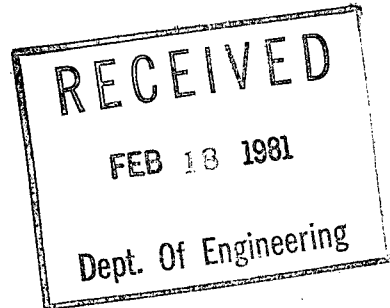


METROPOLITAN AREA PLANNING
DEPARTMENT

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

February 17, 1981

Country Place Estates, a partnership
c/o Nestor Weigand, Jr.
150 N. Market
Wichita, Kansas 67202



Re: Letter of credit guaranteeing the construction of a temporary deceleration lane at Gatewood and 13th Street (letter of Credit No. C-763)

Dear Mr. Weigand:

The letter of credit from First National Bank in the amount of \$2,000 guaranteeing the above referenced improvement is nearing expiration. Our files indicate that you agreed to construct the temporary decel lane by February 1, 1981. This agreement on your part was in response to a condition of approval associated with the platting of Country Place Estates. City Engineering has advised that, as of this date, the improvement has not been completed.

This letter acts to remind you of your obligation to make this required improvement. City Engineering has advised that a 6 month extension of time is possible if an amendment to your existing letter of credit is submitted referencing the following:

- a. a new dollar of \$3,000.00.
- b. a new default date of August 1, 1981.
- c. a new expiration date of October 1, 1981.

Should you have any questions about this matter, please call me at 268-4421. I have attached a copy of your existing letter of credit for your reference and information. Action on this matter is imperative if you wish to avoid default on your existing \$2,000.00 guarantee.

Sincerely,

Forrest L. Nagley
Forrest L. Nagley
Junior Planner

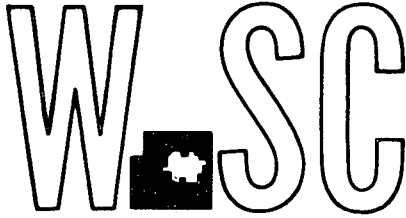
FLN:bh

Attachment

Country Place Estates, a partnership
2-17-81
Page 2

cc: Mike Lindebak, Project Development Engineer, City Engineering
John W. Long, Vice-Pres. & Cashier, 1st Nat'l Bank, Box One, 67201

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

January 26, 1979

Gary Wiley, P.E.C., P.A.
1440 E. English
Wichita, Ks. 67211

Re: S/D 78-11 - Final plat of Country Place Estates

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 25, 1979, 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 all interior streets.
- B. The applicant shall guarantee the construction of a temporary decel lane on 13th Street.
- C. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- D. The applicant shall guarantee the installation of City water to serve each lot.
- E. The applicant shall submit for review a homeowners association agreement which provides for the maintenance of open space areas, fire lanes, and access drives, and parking areas on Lot 48; and for the maintenance of Reserves A and B. The agreement shall also state that 4 off-street parking spaces per dwelling unit shall be provided.
- F. In accordance with the approved sidewalk plan, the applicant shall submit an acknowledgement which states where sidewalks are required on the single-family lots and states that the owner of the lot at the time a building permit is requested will be responsible for guaranteeing the installation of the walk on his property. The applicant shall also submit a financial guarantee which provides for the construction of the sidewalk adjacent to Reserve A (as shown on the current prints) and Lot 48 within 90 days after completion of the paving of Gatewood.

Gary Wiley, P.E.C., P.A.
1-26-79
Page 2

- G. Since the associated C.U.P. references the two reserves and states their uses, the labeling of these reserves shall be corrected on the final plat tracing so they are the same as on the C.U.P. The street medials should be "Reserve A" and the larger reserve should be "Reserve B." The appropriate changes shall also be made in the plat's text and the text should state that the reserves are "reserved" for specific purposes, not "dedicated".
- H. The 10 ft. utility easement indicated adjacent to Gatewood on Block 1, shall be extended across Lots 25 and 26.
- I. The minimum building pad elevations shown on the plat shall be indicated in the plat's text.
- J. Reference in the plat's text to the floodway being dedicated to the public shall be deleted and substituted with the following wording: "The floodway shall be the responsibility of the owners of the lots on which the floodway is located until such time as the governing body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of the drainage, provided, however,...."
- K. In accordance with the C.U.P. and the zoning ordinance, 25-foot setbacks are required on the north side of Lot 1, and the east side of Lot 16 and 20-foot setbacks are required on the east side of lots 1, 2, 3, and 4.
- L. The structure located in Gatewood right-of-way just north of 13th Street shall be removed prior to release of the plat for recording. A letter from the applicant or his engineer stating that said structure has been removed shall be submitted to the Planning Department.
- M. The applicant shall guarantee any drainage improvements required by the platting of this property.
- N. 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. 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, February 1, 1979, at 1:30 p.m. If

Gary Wiley, PEC., P.A.

1-26-79

Page 3

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

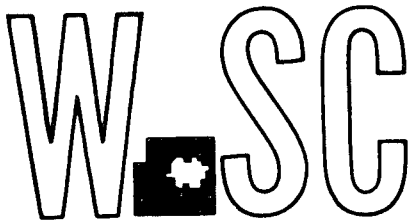
Sincerely yours,


Curtis L. Newby
Junior Planner

CLN:bh

cc: Country Place Estates, (Dave Ritchie) P.O.Box 4048, 67204
Dean Sellers, Assistant City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

November 17, 1978
(316) 268-4561

Professional Engineering Consultants, P.A.
Attention: Gary Wiley
1440 E. English
Wichita, Kansas 67211

Re: S/D 78-11 - Preliminary Plat of Country Place Estates

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, November 16, 1978, 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. Approval of the plat is subject to the approval of the associated Residential Community Unit Plan DP-89.
- B. Prior to the submission of the final plat, the applicant shall submit an overall drainage plan to the City Engineer's Office for review and approval. The applicant shall guarantee all drainage improvements required by the platting of this property.
- C. The applicant shall guarantee the paving of all streets except 13th Street.
- D. The applicant shall guarantee the installation of the temporary decel lane on 13th Street.
- E. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- F. The applicant shall guarantee the installation of City water to serve each lot.
- G. The applicant shall submit for review a homeowners association agreement which provides for the maintenance of open space areas, fire lanes and access drives, and parking areas on Lot 1; and for the maintenance of Reserves A and B. Said homeowners association, when approved, shall be forwarded with the final plat to the City Commission.

- H. The final plat's text shall indicate what Reserve A and B are to be used for and shall contain the appropriate wording concerning the floodway being the responsibility of the owners of the lots on which the floodway is located.
- I. The applicant shall submit a restrictive covenant stating that four off-street parking spaces will be provided on each lot adjacent to the 58 foot streets and that on-street parking shall be permitted on only one side of said streets. The covenant shall be forwarded with the final plat to the City Commissioners. The applicant shall submit three copies of the plat indicating which side of these 58 foot streets will be designated for parking.
- J. The geometrics for the south portion of Gatewood which is to be a divided drive shall be approved by the City Engineer. The applicant's engineer shall contact the City Engineer regarding this matter.
- K. The applicant shall submit 18 copies of his proposed sidewalk plan at the time of submission of the final plat.
- L. The applicant's engineer shall contact Roberta Mendenall in the Public Works Department regarding street name changes prior to submission of the final plat.
- M. Additional utility easements as shown on the engineer's "marked copy" of the preliminary plat shall be shown on the final plat.
- N. The applicant's engineer shall contact the City Engineer's office regarding sewer easement locations.
- O. The applicant's engineer shall contact the Fire Department regarding the possible need for an additional emergency entrance.
- P. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- Q. 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,


Louise Olivarez
Junior Planner

Professional Engineering Consultants, P.A.

11-17-78

Page 3

cc: Country Club Estates (c/o Dave Ritchie), 1900 Amidon,
P.O. Box 4048, 67204
Dean Sellers, Assistant City Engineer

SUBDIVISION REPORT

S/D NO. S/D 78-11 Name County Place Estates
Date Application Rec'd. 11-3-78 Preliminary Approval _____
Scheduled S/D Meeting 11-16-78

DESCRIPTION

General Location North side of 13th Street, 1/2 mile east of Rock Road.

Owner County Club Estates, a Partnership (c/o Dave Ritchie)
Surveyor/Engineer Professional Engineering Consultanta, P.A. (Gary Wiley)
Address 1440 E. English, Wichita, Ks. 67211 Phone 262-2691

- 1. Gross Acreage of Plat 80+
- 2. Number of Lots:
 - Residential 63
 - Commercial _____
 - Industrial _____
 - Other _____
- 3. Minimum Lot Frontage 80 ft.
- 4. Minimum Lot Area 26,400 square ft.
- 5. Existing Zoning AA
- 6. Proposed Zoning AA (DP-89)
- 7. Lineal Feet of New Streets:
 - a. 64 R/W 3900 ft.
 - b. 58 R/W 2010 ft.
 - c. _____ R/W _____ ft.
 - d. 80 R/W 760 ft.
 - e. _____ R/W _____ ft.
 - TOTAL 6670 ft.
- 8. Sidewalk adjacent to all streets? yes no
- 9. Public Water Supply yes (Yes-No), Name City of Wichita
- 10. Public Sanitary Sewers yes (Yes-No), Name City of Wichita
- 11. Health Department Approval (where applicable) N/A (Yes-No)
- 12. City of Wichita x: Three-Mile Area _____

STAFF COMMENTS:

- A. Approval of the plat is subject to the approval of the associated Residential Community Unit Plan DP-89.
- ~~B.~~ An east-west street shall be indicated between Quail Ridge and the east line of the plat to provide future street access to the east.
- C. The applicant shall guarantee the paving of all streets except 13th Street.
- D. The applicant shall guarantee the paving of the temporary decel lane on 13th Street.
- E. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- F. The applicant shall guarantee his share of the required main sewer extension.
- G. The applicant shall guarantee the installation of City water to serve each lot.
- H. The applicant shall submit for review a homeowner association agreement which provides for the maintenance of open space areas, fire lanes and access drives, and parking areas on Lot 1; and for the maintenance of Reserves A and B. Said homeowners association, when approved, shall be forwarded with the final plat to the City Commission.
- I. The final plat's text shall indicate what Reserves A and B are to be used for and shall contain the appropriate wording concerning the floodway being the responsibility of the owners of the lots on which the floodway is located.
- J. Prior to submission of the final plat, the applicant shall submit an overall drainage plan to the City Engineer's Office for review and approval. The applicant shall guarantee all drainage improvements required by the platting of this property.

Requested
reduced
sidewalk
plan

The applicant shall submit a restrictive covenant stating that four off-street parking spaces will be provided on each lot adjacent to the 58 foot streets and that on-street parking shall be permitted on only one side of said streets. The covenant shall be forwarded with the final plat to the City Commissioners.

- L. Sidewalks will be required on both sides of all interior public streets. The applicant shall submit a document to be recorded with the Register of Deeds, acknowledging that the construction of sidewalks is the responsibility of the owner of each lot when requests are made for building permits.
- M. The geometrics for the south portion of Gatewood which is to be a divided drive shall be approved by the City Engineer. The applicant's engineer shall contact the City Engineer regarding this matter.
- N. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- O. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

S/D NO. 78-11 Name Country Place Estates
Date Application Rec'd. 11-3-78 Preliminary Approval 11-16-78
Scheduled S/D Meeting 1-25-79

DESCRIPTION

General Location North side of 13th St., 1/2 mile east of Rock Road

Owner Country Club Estates, a Partnership (c/o Dave Ritchie)
Surveyor/Engineer Professional Engineering Consultants, P.A. (Gary Wiley)
Address 1440 E. English, Wichita, Ks. 67211 Phone 262-2691

- | | |
|---|----------------------------------|
| 1. Gross Acreage of Plat <u>80+</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>64</u> R/W <u>3900</u> ft. |
| Residential <u>64</u> | b. <u>58</u> R/W <u>2010</u> ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. <u>80</u> R/W <u>760</u> ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>64</u> | TOTAL <u>6670</u> ft. |
| 3. Minimum Lot Frontage <u>80</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>26,400 square</u> ft. | streets? <u>yes</u> no |
| 5. Existing Zoning <u>"AA"</u> | |
| 6. Proposed Zoning <u>"AA" (DP-89)</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u>N/A</u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area _____ | |

STAFF COMMENTS:

- A. The applicant shall guarantee the paving of all interior streets.
- B. The applicant shall guarantee the construction of a temporary decel lane on 13th Street.
- C. The applicant shall guarantee the installation of sanitary sewer to serve each lot.
- D. The applicant shall guarantee the installation of City water to serve each lot.
- E. The applicant shall submit for review a homeowners association agreement which provides for the maintenance of open space areas, fire lanes, and access drives, and parking areas on Lot 48; and for the maintenance of Reserves A and B. The agreement shall also state that 4 off-street parking spaces per dwelling unit shall be provided.
- F. The applicant has submitted a sidewalk plan which proposes sidewalks on the east side of Gatewood, south side of Summerfield, west side of Cypress, and north side of Crestwood. If the Subdivision Committee approves this sidewalk plan, the applicant shall submit an acknowledgement which states where sidewalks are required on the single-family lots and states that the owner of the lot at the time a building permit is requested will be responsible for guaranteeing the installation of the walk on his property. The applicant shall also submit a financial guarantee which provides for the construction of the sidewalk adjacent to Reserve A (as shown on the current prints) and Lot 48 within 90 days after completion of the paving of Gatewood.
- G. Since the associated C.U.P. references the two reserves and states their uses, the labeling of these reserves shall be

corrected on the final plat tracing so they are the same as on the C.U.P. The street medials should be "Reserve A" and the larger reserve should be "Reserve B." The appropriate changes shall also be made in the plat's text and the text should state that the reserves are "reserved" for specific purposes, not "dedicated".

- H. Reference in the plat's text to the floodway being dedicated to the public shall be deleted and substituted with the following wording: "The floodway shall be the responsibility of the owners of the lots on which the floodway is located until such time as the governing body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of the drainage, provided, however,...."
- I. In accordance with the C.U.P. and the zoning ordinance, 25-foot setbacks are required on the north side of Lot 1, and the east side of Lot 16 and 20-foot setbacks are required on the east side of lots 1, 2, 3, and 4.
- J. The applicant or his engineer shall be prepared to state at the Subdivision Committee meeting which side of the 58-foot streets will be designated for parking.
- K. The structure located in Gatewood right-of-way just north of 13th Street shall be removed prior to release of the plat for recording. A letter from the applicant or his engineer stating that said structure has been removed shall be submitted to the Planning Department.
- L. The applicant shall guarantee any drainage improvements required by the platting of this property. The applicant's engineer and the City Engineer's representative shall be prepared to discuss these requirements at the Subdivision Committee meeting.
- M. Recording of the plat within 30 days after approval by the Board of City Commissioners.