

S/D No.: 84-90

Name: First Mennonite Brethren Addition

Preliminary Approved:

Scheduled S/D Meeting: 9-13-84

DESCRIPTION

General Location: 1/2 mile west of Ridge Road on the north side of 21st Street North

Owner: Angela Bundy

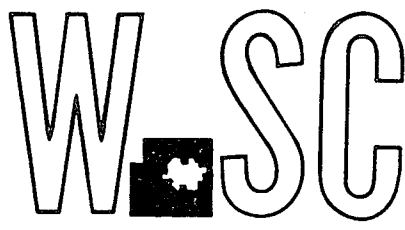
Surveyor/Engineer: Van Doren-Hazrd-Stallings

1. Gross Acreage of Plat: 15±
  2. Number of Lots:
    - Residential: 1
    - Office:
    - Commercial:
    - Industrial:
    - Total: 1
  3. Minimum Lot Area: 15 ac.
  4. Existing Zoning: R-1
  5. Proposed Zoning: R-1
- 

STAFF COMMENTS:

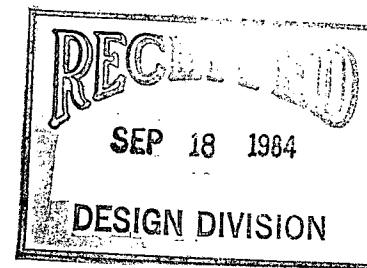
- A. The representatives from the Water Department and the City Engineer's office should be prepared to comment on the availability of water and sanitary sewer to serve this one-lot plat. If it is determined that municipal water and sanitary sewer extensions are not economically feasible, the applicant shall contact the Environmental Health Division of the Health Department to find out what standards are to be met and what tests may be required for approval of on-site sewage facilities and a water well. A memorandum shall be obtained specifying approval.
- B. If the applicant is required to extend municipal water to serve this site, an outside-the-City water service application shall be submitted.
- C. The representative from the County Engineer's office should be prepared to comment on the status of the applicant's drainage concept and on the need to guarantee any medial improvements for 21st Street North.
- D. Since this property will be developed for church purposes, the final plat shall indicate 30-foot sideyard setbacks from the west to east lot lines. (Section 4, A-3 of the County Zoning Text).
- E. 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.
- F. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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



September 14, 1984

Van Doren-Hazard-Stallings  
250 North Rock Road, #250  
Wichita, KS 67206

Re: S/D 84-90 - Preliminary Plat of First Mennonite Brethren Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, September 13, 1984, 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. Prior to or at the time of submitting a final plat, the applicant shall submit a drainage plan to the County Engineer's office for review and approval.
- B. The applicant shall petition for the extension of municipal water and sanitary sewer to serve this property. These petitions will be held until additional development and platting occurs in this area which also needs required urban services.
- C. The applicant shall submit an outside-the-city water service application along with the water extension guarantee.
- D. Until municipal water and sanitary sewer is available, it will be necessary for this 15-acre lot to utilize a private well and a temporary on-site sewage system. The applicant shall contact the Environmental Health Division of the Health Department to find out what standards are to be met and what tests may be required for approval of temporary on-site sewage facilities and a water well. A memorandum shall be obtained specifying approval.
- E. The applicant shall guarantee the improvement of the adjacent medial in 21st Street North.
- F. Since this property will be developed for church purposes, the final plat shall indicate 30-foot sideyard setbacks from the west to east lot lines. (Section 4, A-3 of the County Zoning Text).

Van Doren-Hazard-Stallings  
September 14, 1984  
Page 2

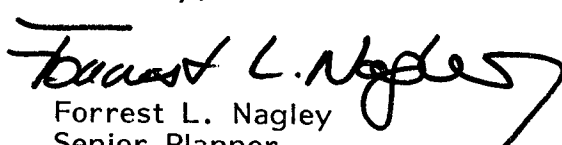
- G. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- H. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Regarding the petition required for the extension of municipal water to serve this property, it may not be possible for the Water Department to prepare a petition which only your client's signature will make valid. If this is the case, an alternate means for guaranteeing the main extension will be required. An alternate to a petition would be a Letter of Credit for the amount of the church's share of the main extension cost. Prior to the Subdivision Committee considering your final plat, it would be very helpful if you would discuss this alternative with the Water Department and your client. The Letter of Credit would be released once the church has signed a valid petition for the necessary water main extension.

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

cc: Van Doren-Hazard-Stallings, 250 North Rock Road, Wichita, KS 67206  
Angela Bundy, 149 South Illinois, Wichita, KS 67213  
First Mennonite Brethren Church, 1750 North Gow, Wichita, KS 67203  
Mike Lindebak, City Engineer  
Claud Shelor, County Engineer



Date 10/10/84 Job No. \_\_\_\_\_  
 Sheet 1 of 2  
 Project Drainage Plan - 1st Mt. Church By CEA  
 Subject \_\_\_\_\_ Ck'd. \_\_\_\_\_

| Area | Impervious Area | "C"  | Open Space Area | "C"* | Tidal Area | Conc'd |
|------|-----------------|------|-----------------|------|------------|--------|
| W    | 2.2             | 0.85 | 7.4             | 0.25 | 9.8        | 0.38   |
| E    | 2.5             | 0.95 | 5.9             | 0.25 | 8.4        | 0.43   |

\* SCS soil group "B"

Notes:

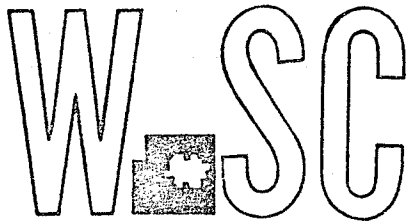
1. SCS soil group for open space based on Sedgewick Co. Soils report
2. Drainage areas from field survey and from record drawings of 21st St W / paving plans from Co. Public works.
3. Overland flow time for open space from Kirby Manograph
4. Intensive from
5. Methodology = rational method.
6. Storm Frequency: 2 yr initial, 100 yr major

Site Development assumptions (may be subject to future revisions)

1. 50% building and parking areas to be constructed immediately (Phase I)
2. Remaining 50% to be constructed in 5+10 yrs (Phase II)
3. Estimated 0.6 acre parking and building to be constructed after Phase II.



WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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



October 12, 1984

Van Doren-Hazard-Stallings  
250 North Rock Road, #250  
Wichita, KS 67206

Re: S/D 84-90 - Final Plat of First Mennonite Brethren Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, October 11, 1984, 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 petition for the extension of sanitary sewer to serve this property. The petition will be held until additional development and platting occurs in this area which also needs sanitary sewer service.
- B. The applicant shall submit outside-the-City water and sewer service applications along with the water and sewer extension guarantees.
- C. Until municipal water and sanitary sewer is available, it will be necessary for this 15-acre lot to utilize a private well and a temporary on-site sewage system. The applicant shall contact the Environmental Health Division of the Health Department to find out what standards are to be met and what tests may be required for approval of temporary on-site sewage facilities and a water well. A memorandum shall be obtained specifying approval.
- D. The applicant shall guarantee the improvement of the adjacent medial in 21st Street North.
- E. The applicant shall guarantee the extension of municipal water to serve this property.
- F. The final plat tracing shall indicate "complete access control" to 21st Street except one opening within the east 100 feet of the lot and one opening within the west 100 feet of the lot.

WICHITA—SEDGWICK COUNTY

Van Doren-Hazard-Stallings  
Re: S/D 84-90 - Final Plat of First Mennonite Brethren Addition  
October 12, 1984  
Page 2

- G. The final plat tracing shall indicate the recording information for the 80 feet of half-street right-of-way existing for 21st Street adjacent to this plat.
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted.
- I. On the final plat tracing, the MAPC signature block shall be corrected to read: "JAMES C. WILSON, CHAIRMAN."
- J. 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, October 18, 1984, at 1:30 p.m. If you have any questions concerning this matter, please call.

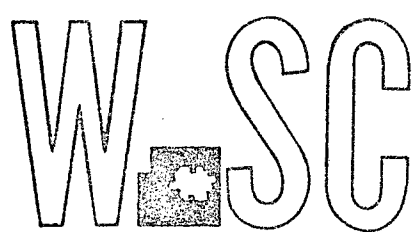
Sincerely,

  
Forrest L. Nagely  
Senior Planner

FLN:mlh

cc: Angela Bundy, 149 South Illinois, Wichita, KS 67213  
First Mennonite Brethren Church, 1750 North Gow, Wichita, KS 67203  
✓ Mike Lindebak, City Engineer  
Claud Shelor, County Engineer

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

October 18, 1984

Van Doren-Hazard-Stallings  
250 North Rock Road, #250  
Wichita, KS 67206

Re.: S/D 84-90 - Final Plat of First Mennonite Brethren Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on October 18, 1984, 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 12, 1984.

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 1982 (both first and second halves) and prior years have been paid.

Please call if you have any questions.

Very truly yours,

*Barbara Bonanni*

Barbara Bonanni  
Planning Analyst

BB:mlh

cc: Angela Bundy, 149 South Illinois, Wichita, KS 67213  
First Mennonite Brethren Church, 1750 North Gow, Wichita, KS 67203  
✓ Mike Lindebak, City Engineer  
Claud Shelor, County Engineer



S/D No.: 84-90

Name: First Mennonite Brethren Addition

Preliminary Approved: September 13, 1984  
Scheduled S/D Meeting: October 11, 1984

DESCRIPTION

General Location: 1/2-mile west of Ridge Road on the north side of  
21st Street North

Owner: Angela Bundy

Surveyor/Engineer: Van Doren-Hazard-Stallings

1. Gross Acreage of Plat: 15+
  2. Number of Lots:
    - Residential: 1
    - Office:
    - Commercial:
    - Industrial:
    - Total: 1
  3. Minimum Lot Area: 15 Acres
  4. Existing Zoning: R-1
  5. Proposed Zoning: R-1
- 

STAFF COMMENTS:

- A. The County Engineer's representative shall be prepared to comment on the final drainage plan for this property.
- B. The applicant shall petition for the extension of municipal water and sanitary sewer to serve this property. These petitions will be held until additional development and platting occurs in this area which also needs required urban services.
- C. The applicant shall submit outside-the-city water and sewer service applications along with the water and sewer extension guarantees.
- D. Until municipal water and sanitary sewer is available, it will be necessary for this 15-acre lot to utilize a private well and a temporary on-site sewage system. The applicant shall contact the Environmental Health Division of the Health Department to find out what standards are to be met and what tests may be required for approval of temporary on-site sewage facilities and a water well. A memorandum shall be obtained specifying approval.
- E. The applicant shall guarantee the improvement of the adjacent medial in 21st Street North. The representative from the County Engineer's office should be prepared to state what improvement is required.
- F. The final plat tracing shall indicate the recording information for the 80 feet of half-street right-of-way existing for 21st Street adjacent to this plat.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted.
- H. On the final plat tracing, the MAPC signature block shall be corrected to read: "JAMES C. WILSON, CHAIRMAN."
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.



250 Rockborough Building  
260 North Rock Road  
Wichita, Kansas 67206  
316/686-7303

DATE 1-15-85 JOB NO. 84-200-A16-WO  
PROJECT First Mennonite Brethren Church  
TO Steve Palmer, P.E.  
FROM Steve Anderson  
REFERENCE Sanitary Sewer Lateral

COPIES TO: **memo**  
Chris Breitenstein  
Reg Boothe, Treas. First M.B. Church

File

Steve:

Please prepare a petition for the above plat, for use as the guarantee for installation of sanitary sewer lateral required by MAPD.

I have shown the 8" lateral location along the east line of the plat and extending the north south length of the plat. Chris has advised me that the sanitary sewer main serving the area may be routed along the east line; this is the reason for the alignment I am transmitting. The church has indicated a willingness to sign the sanitary sewer main petition, and they may wish to review both the main project and the lateral petition prior to returning the signed lateral petition.

When would the lateral petition be released, assuming that the church would sign the main petition and assuming that the main would eliminate the need for laterals?

SEA/erd  
Attachment



250 Rockborough Building  
260 North Rock Road  
Wichita, Kansas 67206  
316/686-7303

Cost Estimate for Waterline Guarantee  
First Mennonite Brethren Addition

NOTE: See attached map for waterline plan

| Item               | Amount | Unit | *Unit Cost | Extension    |
|--------------------|--------|------|------------|--------------|
| 1. 8" AC waterline | 660    | LF   | 20.00      | 13,200.00    |
| 2. Fire hydrants   | 2      | EA   | 1,500.00   | 3,000.00     |
| 3. 8" Cap          | 1      | EA   | 50.00      | <u>50.00</u> |
|                    |        |      |            | \$16,250.00  |

Half of \$16,250 against First Mennonite Brethren Addition = \$8,125

\*1% per month inflation for 2 years = 24%(no compounding)

+24% of \$8,125    8,125  
                          1,950

\$10,075 amount for Letter of Credit

\* from Wichita Water Department.

1-27-85

May 3, 1985



Mr. Larry Henry, P.E.  
Right of Way & Estimating Engr.  
Engineering Dept. 7th Floor, City Hall  
455 North Main  
Wichita, Kansas 67202

Re: First Mennonite Brethren Addition

Dear Larry:

It is my understanding that the out of city service applications required as a condition of plat approval do not commit the church to paying for 100% of the cost of main extensions. The Church will benefit from City Commission policies if the land is annexed prior to the passing of the assessment ordinance for sewer or water main extension. The particular policy I am referring to is the 50% contribution the City at large makes toward the cost of main extensions for land within the City limits.

Please advise me if there has been any misunderstanding regarding the above.

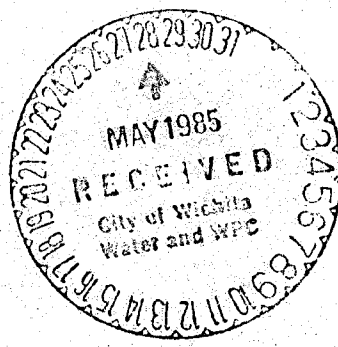
Sincerely,

*S. E. Anderson*  
S. E. Anderson, P.E.

cc: Reg Boothe  
First Mennonite Brethren Church

SEA/mph

WICHITA - SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT



To: Larry Henry, Project Development Engr. Date: May 22, 1985

From: Forrest L. Nagley, Senior Planner

Subject: Forwarding of "Applications for Out-of-City Water and Sanitary Sewer Service" and associated restrictive covenant regarding use of future sanitary sewer. First Mennonite Brethren Church Addition - S/D 84-90.

The above-referenced documents were delivered to our office on May 22, 1985 by Steve Anderson of Van Doren, Hazard and Stallings. They are platting requirements for the proposed plat of First Mennonite Brethren Church Addition.

As per instructions from Mike Lindebak, I am forwarding these documents to you for proper processing through the various City departments. They need to be returned to me by May 29th in order to accompany the First Mennonite Brethren Church plat to the Board of City Commissioners. I have tentatively scheduled the plat for City Commission review on June 11, 1985.

Should you have any questions, please call.

*Forrest L. Nagley*  
Forrest L. Nagley  
Senior Planner

FLN:mlh

cc: Steve Anderson, RR #1, Box 196, Whitewater, Kansas 67154

5/29/85

Forrest:

Returned per your instruction.

*Larry*

CITY OF WICHITA, KANSAS

APPLICATION AND PERMIT

FOR OUT-OF-CITY SERVICE BY

CITY OF WICHITA

AND RELATED PETITION AND CONSENT TO ANNEXATION, AGREEMENTS AND COVENANTS

Application is hereby made to the City of Wichita for sewerage service to serve the following described property:

First Mennonite Brethren Addition, an addition to  
Sedgwick County, Kansas.

Owner: First Mennonite Brethren Church, Wichita, Kansas

The primary use of the above described property is of the type or types indicated below:

- ( ) Residential property (buildings used as dwellings only)  
Number of families living in above residential property ( )
- ( ) Commercial property (non-residential buildings used for other than the manufacturing of salable products)
- ( ) Industrial property (buildings used for the manufacture and processing of salable products)
- (x) Other property (explain): Church use.

The undersigned covenants and agrees as follows:

1. To connect to the sewer system of the City at a point or points designated by the City in accordance with plans and specifications approved by the Director of Engineering and the current sewer ordinances of the City, and subject to inspection by the Superintendent of Central Inspection.
2. To discharge into the City sanitary sewer system only ordinary sanitary wastes and to discharge no toxic or hazardous pollutants, radioactive materials, corrosive, or abrasive matter, air conditioning water, surface or building drainage, any sewage prohibited by current sewer ordinances, or any sewage other than that being discharged at the time of this application, without the written consent of the City.
3. It is further stipulated and agreed that all sewer lines on said land and all connections to the sanitary sewer system of the City shall be maintained in good repair during the time this agreement and permit is in force and effect and that, if the City does not have ownership of these sewer facilities, the City will not be responsible for maintaining

said sewer facilities serving the above described property. However, should the services of the City be desired and the City consents to perform such services, it is agreed that the applicant will pay all actual costs incurred by the City in performing such services.

4. The undersigned hereby releases, indemnifies, and agrees to hold harmless the said City and all its agents and employees from any claim for damages to persons or property of every kind of character arising or claimed to arise by reason of this application and permit.
5. The undersigned agrees not to transfer title to the above premises or any portion thereof without notifying the purchaser of the existence of this application and permit, but failures of purchasers of above-described property or any portion thereof to have actual notice of this application and permit shall in no way diminish or enlarge the rights or obligations imposed hereunder.
6. The undersigned agrees that upon failure to comply with the terms of this agreement and permit, the covered service may be denied to the property above described and said service may be terminated without notice, all in accordance with the ordinance and regulations of the City. This remedy is in addition to all other legal remedies available to the City to assure full compliance with this agreement and permit.
7. The owners of land covered hereunder do hereby petition and consent to the annexation of such lands by the City at such time as it determines appropriate (as contemplated in K.S.A. 12-519 et. seq.). Until such time as the annexation occurs, the owners covenant and agree they will not seek incorporation as a separate city nor annexation to any other city of the land, or any part thereof.
8. The foregoing petition and consent to annexation and covenants are hereby made binding on all heirs, successors and assigns and constitute covenants to run with the land and shall not be withdrawn without the consent of the City of Wichita; and in the event such consent is given, said services above may be terminated at the option of the City of Wichita.

Executed at Wichita, Kansas, this 18<sup>th</sup> day of April, 1985.

THE UNDERSIGNED: (Fill in lines applicable)

Reginald V. Boothe  
Reginald V. Boothe

William C. Loewen  
(Name-typed) William C. Loewen

Judith A. Boothe  
Judith A. Boothe

Joyce A. Loewen  
(Name-typed) Joyce A. Loewen

(If an individual, application must be signed by husband and wife, if there be such) (See acknowledgment attached)

A PARTNERSHIP

By \_\_\_\_\_  
(Name-typed)

(If a partnership, all partners must sign or if only one partner signs, proof of partnership authority by other partners must be attached) (See form of acknowledgment on attached sheet)

First Mennonite Brethren Church

By Kenneth Reising  
(Name-typed) Kenneth Reising, Chairman  
Board of Trustees

(If a corporation it must be signed by the President and attested by the Secretary) (See form of acknowledgment on attached sheet)

APPROVED BY:

APPROVED AS TO FORM  
Thomas R. Powell  
THOMAS R. POWELL  
Assistant City Attorney  
5/29/85 Date

Jenn D. Wynkoop  
Jenn D. Wynkoop, Director of Water  
and Water Pollution Control

Robert A. Lakin  
Robert A. Lakin, Director of Planning

Mike Lindbak  
Mike Lindbak, City Engineer

In consideration of the above and foregoing application, and pursuant to the terms of such application and by virtue of the authority granted by ordinances of the City of Wichita, Kansas, the applicant is hereby granted a revocable permit to discharge sewage into the sanitary sewer system of the City of Wichita, and the fee shall be as provided in Section 16.04.040 of the Code of the City of Wichita, Kansas.

EXECUTED AT WICHITA, KANSAS, this \_\_\_\_\_ day of \_\_\_\_\_, 1980, by authority of the Board of Commissioners of the City of Wichita.

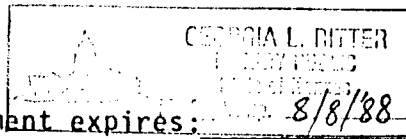
CITY OF WICHITA, KANSAS

\_\_\_\_\_  
Mayor

State of Kansas )  
 ) SS  
County of Sedgwick)

Be it remembered that on this 18<sup>th</sup> day of April, 1985, before me a notary public in and for said County and State, came Reginald V. Boothe and Judith A. Boothe to me personally known to be the same persons who executed the foregoing instrument in writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL)



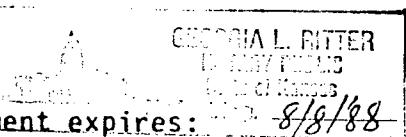
Georgia L. Ritter, Notary Public

My Appointment expires: 8/8/88

State of Kansas )  
 ) SS  
County of Sedgwick)

Be it remembered that on this 18<sup>th</sup> day of April, 1985, before me a notary public in and for said County and State, came William C. Loewen and Joyce A. Loewen to me personally known to be the same persons who executed the foregoing instrument in writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL)



Georgia L. Ritter, Notary Public

My Appointment expires: 8/8/88

State of Kansas )  
 ) SS  
County of Sedgwick)

Be it remembered that on this 18<sup>th</sup> day of April, 1985, before me a notary public in and for said County and State, came "First Mennonite Brethren Church, by Kenneth Reiswig, Chairman of the Board of Trustees," to me personally known to be the same person who executed the foregoing instrument in writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set by my hand and affixed my notarial seal the day and year above written.

(SEAL)



Georgia L. Ritter, Notary Public

My Appointment expires: 8/8/88

APPLICATION FOR WATER SERVICE  
OUTSIDE THE CORPORATE LIMITS OF  
THE CITY OF WICHITA  
AND RELATED PETITION AND CONSENT TO ANNEXATION,  
AGREEMENTS AND COVENANTS

The Governing Body of the City of Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, approves and files the application of \_\_\_\_\_ for water service to the following property:  
First Mennonite Brethren Addition, an addition to  
Sedgwick County, Kansas.

The applicant agrees to abide by the established rules and regulations of the Wichita Water Department now in force, or which may hereafter be enacted or adopted by said Department of the City of Wichita, Kansas, and to pay for service at the established rate, all in accordance with Section 17 of Code of the City of Wichita, or as amended. The applicant further agrees to acquire a plumbing permit from the City of Wichita; to have the service line installed by a plumber licensed by the City using City approved materials and installation methods.

The owners of land covered hereunder do hereby consent to, petition and request the annexation of such lands by the City of Wichita at such time as it determines appropriate (as contemplated in K.S.A. 12-519 et. seq.). Until such time as the annexation occurs, the owners covenant and agree they will not seek incorporation as a separate city nor annexation to any other city of the land, or any part thereof. The foregoing consent to annexation and covenants are hereby made binding on all heirs, successors and assigns and are made a covenant to run with the land and shall not be withdrawn without the consent of the City of Wichita; and in the event such consent is given, said services above may be terminated at the option of the City of Wichita.

The undersigned agrees not to transfer title to the above premises or any portion thereof without notifying the purchaser of the existence of this application, but

failures of purchasers of above property or any portion thereof to have actual notice of this application shall in no way diminish or enlarge the rights or obligations imposed hereunder.

The undersigned agrees that upon failure to comply with the terms of this agreement and permit, the covered service may be denied to the property above described and said service may be terminated without notice, all in accordance with the ordinance and regulations of the City. This remedy is in addition to all other legal remedies available to the City to assure full compliance with this agreement and permit.

APPLICANT  
(fill in lines applicable)

*Reginald V. Boothe*  
Reginald V. Boothe  
*Judith A. Boothe*  
Judith A. Boothe

*William C. Loewen*  
(Name-Typed) William C. Loewen  
*Joyce A. Loewen*  
(Name-Typed) Joyce A. Loewen

If an individual, application must be signed by husband and wife, if there be such. See acknowledgment attached.

A PARTNERSHIP

By \_\_\_\_\_  
(Name-Typed)  
\_\_\_\_\_  
(Name-Typed)

If a partnership, all partners must sign or if only one partner signs, proof of partnership authority by other partners must be attached. See form of acknowledgment attached.

FIRST MENNONITE BRETHREN CHURCH

By *Kenneth Reisinger*  
(Name-Typed) Kenneth Reisinger, Chairman  
Board of Trustees

If a corporation, it must be signed by the President and attested by the Secretary. See acknowledgment attached.

APPROVED AS TO FORM:

*John Dekker*  
John Dekker, Director of Law

APPROVED BY:

*John D. Wynkoop*  
John D. Wynkoop, Director of Water  
and Water Pollution Control  
*Robert A. Lakin*  
Robert A. Lakin, Director of Planning  
*Mike Lindrak*  
Mike Lindrak, City Engineer

ATTEST:

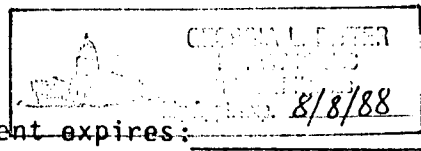
\_\_\_\_\_  
Donald C. Gisick, City Clerk

AUTHORIZED BY: :

\_\_\_\_\_  
Mayor

State of Kansas )  
                  ) SS  
County of Sedgwick)

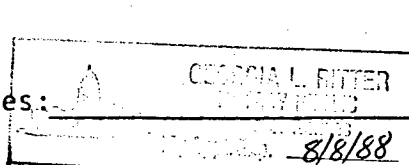
Be it remembered that on this 18<sup>th</sup> day of April, 1985, before me a notary public in and for said County and State, came Reginald V. Boothe and Judith A. Boothe to me personally known to be the same persons who executed the foregoing instrument in writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL)  8/8/88

Georgia L. Ritter, Notary Public

State of Kansas )  
                  ) SS  
County of Sedgwick)

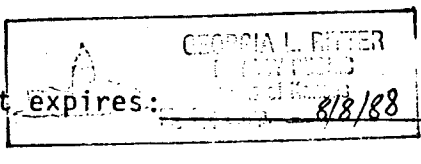
Be it remembered that on this 18<sup>th</sup> day of April, 1985, before me a notary public in and for said County and State, came William C. Loewen and Joyce A. Loewen to me personally known to be the same persons who executed the foregoing instrument in writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL)  8/8/88

Georgia L. Ritter, Notary Public

State of Kansas )  
                  ) SS  
County of Sedgwick)

Be it remembered that on this 18<sup>th</sup> day of April, 1985, before me a notary public in and for said County and State, came "First Mennonite Brethren Church, by Kenneth Reiswig, Chairman of the Board of Trustees," to me personally known to be the same person who executed the foregoing instrument in writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set by my hand and affixed my notarial seal the day and year above written.

(SEAL)  8/8/88

Georgia L. Ritter, Notary Public

RESTRICTIVE COVENANT

THIS DECLARATION made this 18<sup>th</sup> day of April,  
1985, by Reginald V. Boothe, Judith A. Boothe, William C. Loewen,  
hereinafter called the Grantor. Joyce C. Loewen and  
First Mennonite Brethren Church.

WITNESSETH

WHEREAS, Grantor is owner of:

First Mennonite Brethren Addition, an addition  
to Sedgwick County, Kansas.

and

WHEREAS, the undersigned wishes to obtain water service  
from the City of Wichita, and whereas it is recognized that at  
some time in the future there will be a need to replace individual  
sewerage treatment systems with adequate public sewerage treatment  
facilities:

NOW, THEREFORE, Grantor hereby declares and covenants  
to provide sewer service to land described above when and in the  
manner required by the Wichita-Sedgwick County Department of Com-  
munity Health (or their successor in interest), when it is deter-  
mined feasible, necessary or desirable, and is in accord with an  
adopted sewer plan for the area in which the above land is located.

This covenant is binding on the owner, their heirs or  
successors or assigns and is a covenant running with the land and  
is binding until fulfilled on all successors in title to the above  
described property when recorded with the Register of Deeds in the  
County in which the land is located.

EXECUTED the day and year first above written.

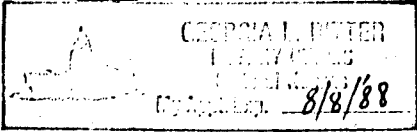
First Mennonite Brethren Church  
BY: Kenneth Reising  
Kenneth Reising, Chairman  
Board of Trustees

Reginald V. Boothe  
Reginald V. Boothe  
Judith A. Boothe  
Judith A. Boothe  
William C. Loewen  
William C. Loewen  
Joyce A. Loewen  
Joyce A. Loewen

State of Kansas)  
Sedgwick County) ss

Personally appeared before me a Notary Public in and for the  
County and State aforesaid Reginald V. Boothe, Judith A. Boothe,  
William C. Loewen, Joyce A. Loewen, and Kenneth Reising  
to me personally known to be the same person\_s who executed the  
foregoing instrument of writing and said person\_s duly acknowledged  
the execution thereof.

Dated at Wichita, Kansas, this 18th day of April,  
1985.



Georgia L. Ritter  
Notary Public

My Commission expires:  
August 8, 1988

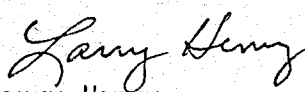
THE CITY OF WICHITA  
OFFICE OF MAPD/DESIGN

DATE July 12, 1985

TO Forrest Nagley, Senior Planner  
FROM Larry Henry, Program Development Engineer

SUBJECT East Hampton Addition  
Walnut Creek 2nd Addition  
First Mennonite Brethren Addn.  
Windmere Addition

The required petitions for the above-referenced additions have been received.

  
Larry Henry  
Program Development Engineer

LH:mgr