

THIS EASEMENT made this 13th day of April, 1982, by and between Stanley D. Brown and Eloise B. Brown of the first part and the City of Wichita, of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing sewer and all other public utilities, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

Beginning at a point 960.06 feet north and 60 feet west of the SE cor. of the NE $\frac{1}{4}$, Section 19, Twp.-27-S, R-1-W from the 6th P.M.; Thence N89 $^{\circ}$ 56'30"W parallel to the south line of said NE $\frac{1}{4}$, 15 feet; thence N45 $^{\circ}$ 01'45"E, 21.20 feet to a point 60 feet west of the east line of said NE $\frac{1}{4}$; thence S00 $^{\circ}$ 00'00"E parallel to the east line of said NE $\frac{1}{4}$, 15 feet to the point of beginning.

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
11:30 P.M.
APR 13 1982
NO. 5 78911
BETTE F. McCART
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Sat Kettles
Deputy

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

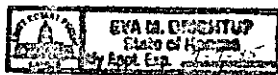
IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

Stanley D. Brown
Eloise B. Brown

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Be it remembered that on this 13th day of April, 1982, before me, a notary public in and for said County and State, came Stanley D. Brown and Eloise B. Brown to me personally known to be the same person(s) who executed the foregoing instrument of 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



Eva M. Brightup
Notary Public

My Commission expires: 7-7-85

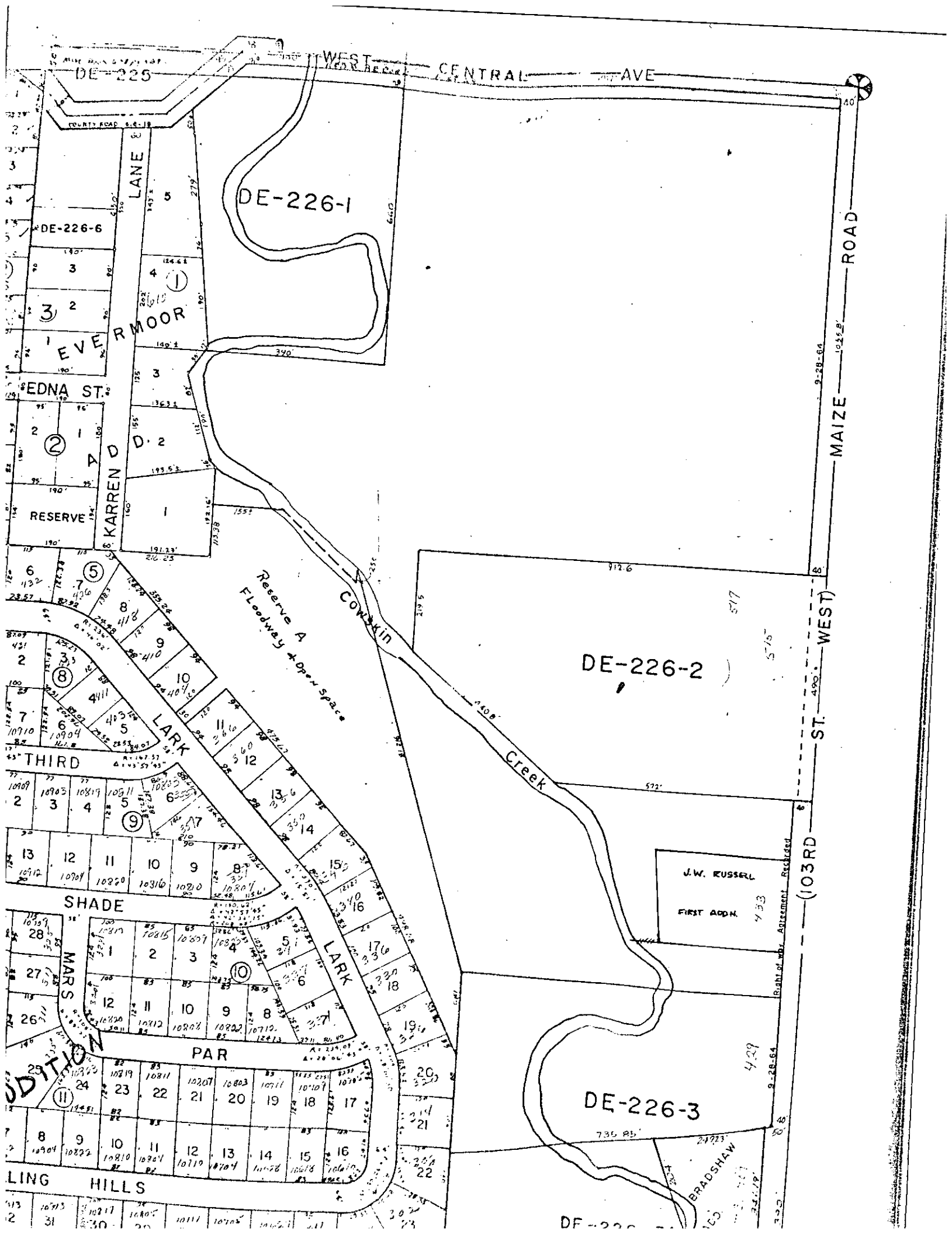
Assoc. with J.W. Russell Addition. Is this off-site easement for sanitary sewer acceptable.

Formed.

3.00

Dan Armstrong
1318 Laura

27211



DE-225

WEST CENTRAL AVE

DE-226-1

DE-226-6

LANE

EVERMOOR

EDNA ST.

KARREN D

RESERVE

THIRD

LARK

Reserve A
Floodway + Open Space

COWSKIN

Creek

DE-226-2

ST. WEST

MAIZE ROAD

(103RD WEST)

SHADE

LARK

J.W. RUSSELL
FIRST ADDN. 4.53

PAR

DE-226-3

MARS

LING HILLS

BRADSHAW

9-28-64

9-28-64

9-28-64

Right of way. Anticement. Recorded

DE-226

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
316-268-1561

November 2, 1981

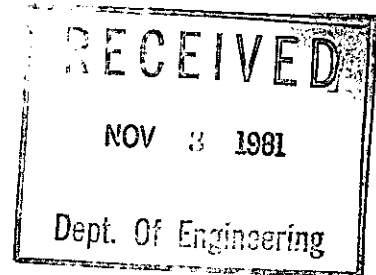
Donald C. Armstrong, R.L.S.
1318 Laura
Wichita, Ks. 67211

Re: S/D 81-111 - Final plat of J. W. Russell First Addition

Dear Mr. Armstrong:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on October 29, 1981, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The 60-foot strip of land shown on this plat for Maize Road right-of-way apparently has never been dedicated for road. This plat shall acquire the ownership of said 60 feet and dedicate it on his plat as public street right-of-way.
- B. The final plat tracing shall indicate a floodway instead of a drainage easement. The plat's text shall be amended to read: "The floodway shall be the responsibility of the lot owner until such time as the governing body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of drainage, provided further that no structures shall be constructed on or within said floodway, nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of the appropriate governing body or its designated agent.
- C. A minimum pad elevation of 137 city datum shall be shown on the final plat tracing and referenced in the plat's text.
- D. The final plat tracing shall indicate overall dimensions for the north and south lines of this plat.
- E. The final plat tracing shall indicate "access control except for 2 openings" across the east line of this plat to Maize Road. Appropriate language shall be added to the plat's text.



Donald C. Armstrong, R. L. S.
November 1, 1981
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- F. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in any habitable structures constructed on subject property.
- G. A lot number shall be shown on the final plat tracing.
- H. Approval of this plat shall be subject to approval of the applicant's associated zone case (Z-2384).
- I. ✓ The applicant shall guarantee extension of a lateral sanitary sewer from the main in Maize Road. An easement for the proposed manhole shall be shown on the final plat tracing.
- J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted for recording.
- K. Closure computations shall be submitted with the final plat tracing.
- L. 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 November 5, 1981, at 1:30 p.m. If you have any questions concerning this matter please call.

Sincerely,



Louise Olivarez
Senior Planner

LO:bh

cc: Mr. and Mrs. Jay W. Russell, 10300 Alamo, 67212
X Mike Lindebak, City Engineering