

Preliminary plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No. 84-22 Name Waterford North Third Addition
Date Application Rec'd. 2-17-84 Preliminary Approval _____
Scheduled S/D Meeting 3-1-84

DESCRIPTION

General Location West of Gouverneur in an area south of 29th St. North

Owner Wichita Development Company, c/o Elton Parsons
Surveyor/Engineer Bill G. Yung Design
Address 8225 E. 35th North, Wichita, Ks. Zip Code 67226 Phone 683-5567

- | | | | |
|--|---|-------------------------------------|-------------------------------|
| 1. Gross Acreage of Plat | <u>51.0 acres</u> | 7. Lineal Feet of New Street | |
| 2. Number of Lots : | | a. <u>64'</u> R/W <u>1,670</u> ft. | |
| Residential | <u>91</u> | b. <u>58'</u> R/W <u>3,150</u> ft. | |
| Commercial | _____ | c. _____ R/W _____ ft. | |
| Industrial | _____ | d. _____ R/W _____ ft. | |
| Other | _____ | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>91</u> | TOTAL <u>4,820</u> ft. | |
| 3. Minimum Lot Frontage | <u>60 ft.</u> | 8. Sidewalk adjacent to all streets | <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area | <u>9,000 sq. ft.</u> | | |
| 5. Existing Zoning | <u>AA under C.U.P.</u> | | |
| 6. Proposed Zoning | <u>AA</u> | | |
| | | | (DP-73) |
| 9. Is public water available | <u>X</u> Yes _____ No, Name <u>City of Wichita</u> | | |
| 10. Is sanitary sewer available | <u>X</u> Yes _____ No, Name <u>City of Wichita</u> | | |
| 11. Has Health Dept. approval been obtained (where applicable) | _____ Yes _____ No | | |
| 12. City of Wichita | <u>X</u> <u>3-Mile Area</u> _____ <u>Outside of 3-Mile Area</u> | | |

STAFF COMMENTS:

NOTE: The plat is subject to the provisions of the Comotara Residential Community Unit Plan (DP-73).

- A. 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.
- B. The applicant shall guarantee the construction of any drainage improvements required by the platting of this property.
- C. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector street).
- D. The applicant shall guarantee the extension of municipal water to serve each lot.
- E. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The applicant shall submit a covenant which assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street.
- H. If the installation of street pavement over K.G. & E's 100-foot wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant.
- I. The final plat shall specify in the plattor's text who is to own and maintain the proposed Reserves. The purpose of the reserves shall also be stated in the plattor's text.
- J. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form

a homeowners' 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 these responsibilities.

- K. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- L. On the final plat, the platator's text shall reference that building setbacks are per the provisions of the Comotara Residential Community Unit Plan (DP-73). This notation shall also appear on the face of the plat.
- M. On the final plat, the recording information for the 100-foot wide K.G. and E. easement and KANEB pipeline easement shall be indicated.
- N. Since the platting of this property does not conform to the parcel boundaries shown on the associated Community Unit Plan, the applicant shall file a request for an administrative adjustment in order to redefine parcel boundaries to agree with this replat.
- O. 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.
- P. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Final plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No.: 84-22

Name: Waterford North Third Addition

Preliminary Approved: 3-1-84

Scheduled S/D Meeting: 6-21-84

DESCRIPTION

General Location: West of Gouverneur in an area south of 29th St. North.

Owner: Wichita Development Company

Surveyor/Engineer: Bill G. Yung Design

1. Gross Acreage of Plat: 51.0 acres
 2. Number of Lots:
 - Residential: 91
 - Office:
 - Commercial:
 - Industrial:
 - Total: 91
 3. Minimum Lot Area: 9,000 sq. ft.
 4. Existing Zoning: AA under C.U.P. (DP-73)
 5. Proposed Zoning: AA
-

STAFF COMMENTS:

- A. The applicant shall guarantee the construction of any drainage improvements required by the platting of this property.
- B. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector).
- C. The applicant shall guarantee the extension of municipal water to serve each lot.
- D. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- 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 assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street right-of-way.
- G. If the installation of street pavement over K.G. and E.'s 100-foot-wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant. Any change of grade or installation of utilities within Reserve C should be coordinated with K.G. and E.
- H. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- I. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- J. The final plat tracing shall indicate the street name of Gouverneur for the street right-of-way being platted adjacent to the east line of this property.

(Over)

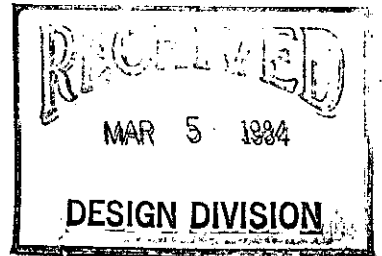
- K. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan for this property. Specifically, are any drainage improvements required to be constructed with this plat.
- L. On the final plat tracing, the wording in the plat's text shall be amended to reference the dedication of streets to the public and the fact that easements are granted for the construction and maintenance of public utilities.
- M. Closure computations shall be submitted with the final plat tracing.
- N. 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



March 2, 1984

Mr. Bill G. Yung
Bill G. Yung Design
8225 E. 35th St. North
Wichita, Ks. 67226

Re: S/D 84-22 - Preliminary plat of Waterford North Third Addition

Dear Mr. Yung:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 1, 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, a drainage plan shall be submitted to the City Engineer's office for review and approval.
- B. The applicant shall guarantee the construction of any drainage improvements required by the platting of this property.
- C. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector street).
- D. The applicant shall guarantee the extension of municipal water to serve each lot.
- E. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The applicant shall submit a covenant which assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street.
- H. If the installation of street pavement over K.G. & E's 100-foot wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant.

Bill G. Yung
March 2, 1984
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Any change of grade of installation of utilities within Reserve C should be coordinated with K.G. and E.

- I. The final plat shall specify in the plattor's text who is to own and maintain the proposed Reserves. The purpose of the reserves shall also be stated in the plattor's text.
- J. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- K. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- L. On the final plat, the plattor's text shall reference that building setbacks are per the provisions of the Comotara Residential Community Unit Plan (DP-73). This notation shall also appear on the face of the plat.
- M. On the final plat, the recording information for the 100-foot wide K.G. and E. easement and KANEB pipeline easement shall be indicated.
- N. The final plat shall indicate the side lot line utility easements requested by K.G. and E. and which are shown on the enclosed "marked copy" of the preliminary plat.
- O. 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.
- P. 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,



Forrest L. Nagley
Junior Planner

FLN:bh

cc: Wichita Dev. Co., c/o Elton Parsons, 3500 N. Rock Rd, #100, 67226
Mike Lindebak, City Engineer

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4581

June 22, 1984

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

Re: S/D 84-22 WATERFORD NORTH THIRD ADDITION

Dear Bill:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, June 21, 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 guarantee those drainage improvements required by this plat. In addition, the final plat tracing shall indicate all drainage easements required by the approved drainage plan for this property. Prior to this plat being scheduled for City Commission review, the applicant shall submit a copy of the final plat tracing to City Engineering for review and approval. This is necessary in order to be sure all easements required have been indicated on the final plat. A copy of this print, with City Engineering "sign-off", shall be submitted to the Planning Department for the plat file.
- B. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector).
- C. The applicant shall guarantee the extension of municipal water to serve each lot.
- D. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.



JR

- F. The applicant shall submit a covenant which assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street right-of-way.
- G. If the installation of street pavement over K.G. & E.'s 100-foot-wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant. Any change of grade or installation of utilities within Reserve C should be coordinated with K.G. & E.
- H. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- I. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- J. The final plat tracing shall indicate the street name of Gouverneur for the street right-of-way being platted adjacent to the east line of this property.
- K. On the final plat tracing, the wording in the plat's text shall be amended to reference the dedication of streets to the public and the fact that easements are granted for the construction and maintenance of public utilities.
- L. As requested by K.G.& E., the final plat tracing, shall indicate a 20-foot utility easement adjacent to the east line of Block 4. If K.G.& E. decides it does not need this easement, the applicant shall be responsible for seeing that K.G.&E. so advises the Planning Department.
- M. Closure computations shall be submitted with the final plat tracing.
- 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. 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, June 28, 1984, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,


Forrest L. Nagley
Senior Planner

FLN:blw

cc: Mike Lindebak, City Engineer
Wichita Development Company, 3500 N. Rock Rd., Suite #100, Wichita, 67226
Landmark Communities, Inc., 3500 N. Rock Rd., Suite #100, Wichita, 67226
Mid-Kansas Engineering Consultants, P.A., 240 N. Rock Road,
Suite 130, Wichita, KS. 67206

THE CITY OF WICHITA

OFFICE OF MAPD
Design Division

DATE July 18, 1984

TO Forrest Nagley, Senior Planner

FROM Larry D. Henry, Program Development Engineer

SUBJECT Waterford North 3rd Addition

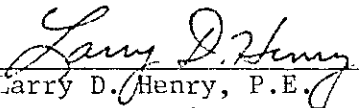
We have reviewed the subject addition plat and found the following utility easements and drainage easements missing:

1. 10' utility easement adjacent to the south line of Lot 14, Block 1.
2. The utility easement at the southwest corner of Lot 10, Block 1, should be marked better with dimension shown.
3. 15'x15' triangular drainage easements should be granted on the northeast corner of Lot 1, Block 2, the southwest corner of Lot 1, Block 4 and the northwest corner of Lot 7, Block 4 to cover proposed storm water sewer.

In addition, the dimension of the south line of Lot 29, Block 1 appears to be in error.

With copy of this memo to MKEC, we request that they make the appropriate changes prior to being scheduled for City Commission review.

The attached "marked" copy is for your information.



Larry D. Henry, P.E.
Program Development Engineer

LDH:VH:gf

Attachment

cc: Mid Kansas Engineering Consultants, Ken Bengtson

Preliminary Plat
SUBDIVISION REPORT

S/D No.: 84-22

Name: Waterford North Third Addition

Preliminary Approved:

Scheduled S/D Meeting: 10/11/84

DESCRIPTION

General Location: West of Gouverneur in an area south of 29th Street North.
Owner: Wichita Development Company
Surveyor/Engineer: Bill G. Yung Design

1. Gross Acreage of Plat: 50.9+ Acres
 2. Number of Lots:
 - Residential: 121
 - Office:
 - Commercial:
 - Industrial:
 - Total: 121
 3. Minimum Lot Area: 5,000 Sq. Ft.
 4. Existing Zoning: AA under CUP DP-73
 5. Proposed Zoning: AA
-

STAFF COMMENTS:

NOTE: On June 21, 1984, the Subdivision Committee approved a final plat for this property. This revised preliminary plat has 30 more lots, among other changes, and therefore supersedes the previous plat.

- A. The representative from the City Engineer's office should be prepared to comment on the drainage concept for this property.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector).
- D. The applicant shall guarantee the extension of municipal water to serve each lot.
- E. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The applicant shall submit a covenant which assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street right-of-way. This requirement also applies to the lots adjacent to the narrow 32-foot street right-of-way.
- H. If the installation of street pavement over KG&E's 100-foot-wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant. Any change of grade or installation of utilities within Reserve C should be coordinated with KG&E.
- I. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- J. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.

- K. The final plat shall specify, in the plat's text, who is to own and maintain the proposed reserves. The purpose of the reserves shall also be stated in the plat's text.
- L. On the final plat, the plat's text shall reference that building setbacks are per the provisions of the Comotara Residential Community Unit Plan (DP-73). This notation shall also appear on the face of the plat.
- M. On the final plat, the recording information for the 100-foot wide KG&E easement and KANEB pipeline easement shall be indicated.
- N. On the final plat, the street name Mainsgate Drive shall be changed. The east/west segment of the street shall be labeled 25th Street North and the north/south segment shall be labeled Cameron.
- O. This preliminary plat, as proposed, will make Lot 18 of the adjacent plat of Comotara Second addition a double frontage lot. Also, the 32-foot narrow street right-of-way proposed in this portion of the plat (adjacent to Block 4) is without benefit of the required 15-foot street, drainage and utility easement that is needed on each side of the narrow street right-of-way. On the final plat, Block 4 and the Reserves on the south and east sides of the street (25th/Cameron) shall be redesigned to provide for the required 15-foot street, drainage and utility easements adjacent to each side of the narrow street.
- P. The plat's text, on the final plat, shall make appropriate reference to the platting of the required "15-foot street, drainage and utility easement."
- Q. Since a narrow 32-foot wide street right-of-way is being platted, with an adjacent "15-foot street, drainage and utility easement," the applicant shall submit a restrictive covenant which calls out restrictions for lot-owner use of the easement. Retaining walls and drainage of grade shall be prohibited within the easement as well as fences, earth berms and mass plantings. Any planting proposed within this easement shall be reviewed by the City Forestry Division prior to installation.
- R. On the final plat, the face of the plat shall be more clearly drawn to reflect that the 100-foot wide KG&E easement south of Mainsgate is part of Reserve "C".
- S. The Community Unit Plan provides for construction of zero-lot line homes in the southeast corner of this plat. The final plat shall indicate the necessary "5-foot maintenance easements and required 12-foot side-yards."
- T. On the final plat, the plat's text shall reference the platting of the required "5-foot maintenance easements" for the zero-lot line development. The text shall state that the maintenance easements are platted "for access by the adjoining property owner for maintenance of their structure."
- U. If the style of zero lot-line homes to be constructed requires a roof overhang on an adjacent lot, the final plat shall provide for the overhang within the 5-foot maintenance easement.
- V. The final plat shall label the centerlines of utility easements being platted.

- W. The final plat shall indicate a 20-foot front yard setback from the narrow street right-of-way for the lots in Block 4. 15-foot side-yards shall be platted on the two corner lots.
- X. 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.
- Y. Requirements for a final plat (see pages 20-24, Part 4, Article 5 of the MAPC Subdivision Regulations).

S/D No.: 84-22 Name: WATERFORD NORTH THIRD ADDITION

Preliminary Approved: 10/11/84
Scheduled S/D Meeting: 11/19/84

DESCRIPTION

General Location: West of Gouverneur in an area south of 29th Street North
Owner: Wichita Development Company
Surveyor/Engineer: Mid-Kansas Engineering Consultants

1. Cross Acreage of Plat: 50.9 + acres
 2. Number of Lots:
 - Residential: 121
 - Office:
 - Commercial:
 - Industrial:
 - Total: 121
 3. Minimum Lot Area: 5,000 sq. ft.
 4. Existing Zoning: AA with C.U.P. DP-73
 5. Proposed Zoning: AA with C.U.P. DP-73
-

STAFF COMMENTS:

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector).
- C. The applicant shall guarantee the extension of municipal water to serve each lot.
- D. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- 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 assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street right-of-way. This requirement also applies to the lots adjacent to the narrow 32-foot street right-of-way.
- G. If the installation of street pavement over K.G. & E.'s 100-foot wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant. Any change of grade or installation of utilities within Reserve "C" should be coordinated with K.G. & E.
- H. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- I. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- J. On the final plat tracing, the five-foot maintenance easement, labeled adjacent to the west line of Lot 7, Block 4, shall be indicated
- K. On the final plat tracing, the wording in the notary's acknowledgement for the platator's signature shall be amended to reference that the signature is "on behalf of the corporation."

Final Plat
SUBDIVISION REPORT

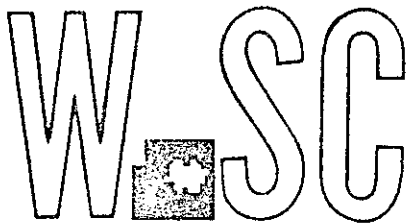
WATERFORD NORTH THIRD ADDITION

S/D 84-22

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- L. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, do any drainage improvements need to be guaranteed with this plat and does a restrictive covenant need to be submitted which calls out restrictions for lot owner use of the "20-foot utility, drainage and private street easement" being platted as part of Block 4? Typically, this type of restrictive covenant prohibits the construction of retaining walls and change of grade within the easement. It also prevents fences, earth berms and mass plantings, and states that any planting proposed within the easement shall be reviewed by the City Forestry Division prior to installation.
- M. Closure computations shall be submitted with the final plat tracing.
- N. 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

October 12, 1984



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

Re: S/D 84-22 - Preliminary Plat of Waterford North Third 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 approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector).
- C. The applicant shall guarantee the extension of municipal water to serve each lot.
- D. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- 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 assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street right-of-way. This requirement also applies to the lots adjacent to the narrow 32-foot street right-of-way.

WICHITA—SEDGWICK COUNTY

Bill G. Yung Design

Re: S/D 84-22 - Preliminary Plat of Waterford North Third Addition

October 12, 1984

Page 2

- G. If the installation of street pavement over KG&E's 100-foot-wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant. Any change of grade or installation of utilities within Reserve C should be coordinated with K.G.& E.
- H. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- I. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- J. The final plat shall specify, in the plat's text, who is to own and maintain the proposed reserves. The purpose of the reserves shall also be stated in the plat's text.
- K. On the final plat, the plat's text shall reference that building setbacks are per the provisions of the Comotara Residential Community Unit Plan (DP-73). This notation shall also appear on the face of the plat.
- L. On the final plat, the recording information for the 100-foot wide K.G.& E. easement and KANEB pipeline easement shall be indicated.
- M. On the final plat, the street name Mainsgate Drive shall be changed. The east/west segment of the street shall be labeled 25th Street North and the north/south segment shall be labeled Cameron.
- N. This preliminary plat, as proposed, will make Lot 18 of the adjacent plat of Comotara Second addition a double frontage lot. Also, the 32-foot narrow street right-of-way proposed in this portion of the plat (adjacent to Block 4) is without benefit of the required 15-foot street, drainage and utility easement that is needed on each side of the narrow street right-of-way. On the final plat, Block 4 and the Reserves on the south and east sides of the street (25th/Cameron) shall be redesigned to provide for the required 15-foot street, drainage and utility easements adjacent to each side of the narrow street.
- O. The plat's text, on the final plat, shall make appropriate reference to the platting of the required "15-foot street, drainage and utility easement."

WICHITA—SEDGWICK COUNTY

Bill G. Yung Design

Re: S/D 84-22 - Preliminary Plat of Waterford North Third Addition

October 12, 1984

Page 3

- P. Since a narrow 32-foot wide street right-of-way is being platted, with an adjacent "15-foot street, drainage and utility easement," the applicant shall submit a restrictive covenant which calls out restrictions for lot owner use of the easement. Retaining walls and drainage of grade shall be prohibited within the easement as well as fences, earth berms and mass plantings. Any planting proposed within this easement shall be reviewed by the City Forestry Division prior to installation.
- Q. On the final plat, the face of the plat shall be more clearly drawn to reflect that the 100-foot wide KG&E easement south of Mainsgate is part of Reserve "C".
- R. The Community Unit Plan provides for construction of zero-lot line homes in the southeast corner of this plat. The final plat shall indicate the necessary "5-foot maintenance easements and required 12-foot side-yards."
- S. On the final plat, the platator's text shall reference the platting of the required "5-foot maintenance easements" for the zero-lot line development. The text shall state that the maintenance easements are platted "for access by the adjoining property owner for maintenance of their structure."
- T. If the style of zero lot-line homes to be constructed requires a roof overhang on an adjacent lot, the final plat shall provide for the overhang within the 5-foot maintenance easement.
- U. The final plat shall label the centerlines of utility easements being platted.
- V. The final plat shall indicate a 20-foot front yard setback from the narrow street right-of-way for the lots in Block 4. 15-foot side-yards shall be platted on the two corner lots.
- W. The final plat shall indicate the utility easements requested by K.G. & E. which are indicated on the engineer's copy of this plat.
- X. 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.
- Y. Requirements for a final plat (see pages 20-24, Part 4, Article 5 of the MAPC Subdivision Regulations).

The enclosed "marked" copy of the plat is for your information and files.

WICHITA—SEDCWICK COUNTY

Bill G. Yung Design

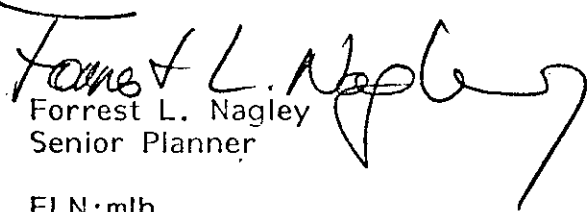
Re: S/D 84-22 - Preliminary Plat of Waterford North Third Addition

October 12, 1984

Page 4

If you should have any questions, please call.

Sincerely,


Forrest L. Nagley
Senior Planner

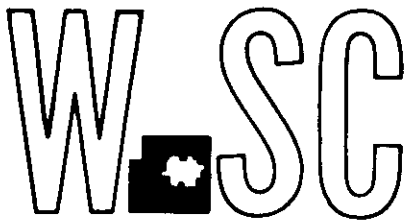
FLN:mlh

cc: Wichita Development Company, 3500 North Rock Road, #100, Wichita,
Kansas, 67226

Landmark Communities, Inc., 3500 North Rock Road, #100, Wichita,
Kansas, 67226

Mike Lindebak, City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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



November 20, 1984

Mid-Kansas Engineering Consultants
240 North Rock Road, Suite 130
Wichita, KS 67206

Re: S/D 84-22 - Final Plat of Waterford North Third Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Monday, November 19, 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 guarantee the drainage improvements required by the platting of this property, including storm sewers and required channel work.
- B. The applicant shall guarantee the paving of the proposed streets including a sidewalk on both sides of Mainsgate/Gouverneur (collector).
- C. The applicant shall guarantee the extension of municipal water to serve each lot.
- D. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- 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 assures that four off-street parking spaces will be provided for each dwelling unit constructed adjacent to a 58-foot street right-of-way. This requirement also applies to the lots adjacent to the narrow 32-foot street right-of-way. The required covenant shall inventory the affected lots according to lot and block numbers.

C
O
P
Y

Mid-Kansas Engineering Consultants

November 20, 1984

Re: S/D 84-22 - Final Plat of Waterford North Third Addition

Page 2

- G. If the installation of street pavement over K.G. & E.'s 100-foot wide easement causes the need for relocation or repair of lines, the cost of such line relocation or repair will be at the sole expense of the applicant. Any change of grade or installation of utilities within Reserve "C" should be coordinated with K.G. & E.
- H. Provisions shall be made for ownership and maintenance of all common areas. The applicant shall either form a homeowners' 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 these responsibilities.
- I. Any raising or lowering of the KANEB pipeline shall be at the sole expense of the applicant.
- J. On the final plat tracing, the five-foot maintenance easement, labeled adjacent to the west line of Lot 7, Block 4, shall be indicated.
- K. On the final plat tracing, the wording in the notary's acknowledgement for the plat's signature shall be amended to reference that the signature is "on behalf of the corporation."
- L. The applicant shall submit a restrictive covenant for recording with the plat which calls out restrictions for lot owner use of the "20-foot utility, drainage and private street easement" being platted as part of Block 4. This restrictive covenant shall prohibit the construction of retaining walls and change of grade within the easement. It shall also prevent fences, earth berms and mass plantings and state that any planting proposed within the easement shall be reviewed by the City Forestry Division prior to installation.
- M. The final plat tracing shall indicate all easements required by the drainage and sanitary sewer layout plan for this property. Prior to scheduling this plat for City Commission review, the applicant shall be certain all needed easements are shown and properly labeled on the final plat tracing.
- N. The final plat tracing shall indicate the 10-foot utility easements requested by K.G.&E. which are marked on the engineer's copy of this plat.

Mid-Kansas Engineering Consultants

November 20, 1984

Re: S/D 84-22 - Final Plat of Waterford North Third Addition

Page 3

- O. The final plat tracing shall indicate solid lines from the private street (Reserve "E") to Mainsgate.
- P. Closure computations shall be submitted with the final plat tracing.
- Q. 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, November 29, 1984, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

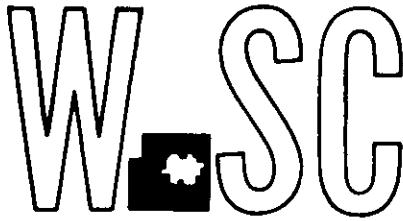


Forrest L. Nagely
Senior Planner

FLN:mlh

cc: Wichita Development Company, 3500 North Rock Road, #100,
Wichita, KS, 67226
Landmark Communities, Inc., 3500 North Rock Road, #100,
Wichita, KS 67226
✓ Mike Lindebak, City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

November 29, 1984



Mid-Kansas Engineering Consultants
240 North Rock Road, Suite 130
Wichita, KS 67206

Re.: S/D 84-22 - Final Plat of Waterford North Third Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on November 29, 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 November 20, 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 R. Bonanni
Planning Analyst

BRB:mlh

cc: Wichita Development Co., 3500 N. Rock Road, #100, Wichita, KS 67226
Landmark Communities, Inc., 3500 N. Rock Road, #100, Wichita, KS 67226
x Mike Lindebak, City Engineer

C
O
P
Y

W I C H I T A - S E D G W I C K C O U N T Y
M E T R O P O L I T A N A R E A P L A N N I N G D E P A R T M E N T

To: Mike Lindebak, City Engineer

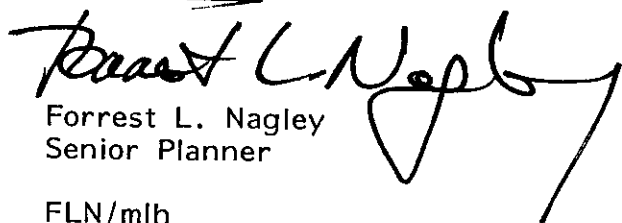
Date: January 28, 1985

From: Forrest L. Nagley, Senior Planner

Subject: Review of the final plat of Waterford North Third Addition -
S/D 84-22.

On November 19, 1985, the Subdivision Committee approved the final plat of the above-referenced addition subject to a requirement of the City Engineer's Office for the final plat tracing to indicate all easements required by the drainage and sanitary sewer layout plan for this property. This requirement was stated in our follow-up letter dated November 20, 1984. Attached is a copy of the final plat tracing for your review.

Please review this print and advise if it satisfies your requirements for this plat.


Forrest L. Nagley
Senior Planner

FLN/mlh

Attachment

cc: Mid-Kansas Engineering Consultants, 3500 North Rock Road, No. 800,
Wichita, KS 67206



mlh



CONFIRMATION MEMO

PROJECT: Waterford North Third DATE: 1/29/85

Pavement Guarantee, Lot 4 PROJ. NO.: _____

TO: Elton Parsons

Landmark Communities, Inc.

3500 North Rock Road # 100

Wichita, KS 67226

MID-KANSAS ENGINEERING CONSULTANTS
3500 N. ROCK ROAD #800
WICHITA, KANSAS 67226

Based on meeting City of Wichita pavement standards and based on previous bids on similar projects and conversations with paving contractors, the following estimate is prepared for your use:

$$892.2 \text{ L.F.} \times 24' \times \frac{1}{9} \times \$29.00 = \$68,996.80$$

Kenneth H. Bengtson
Kenneth H. Bengtson, P.E.

Jue B.

[Handwritten signature]

THE CITY OF WICHITA

OFFICE OF MAPD-DESIGN

DATE October 1, 1985

TO Barbara Bonanni, Junior Planner

FROM Steve Palmer, Civil Engineer III

SUBJECT Letter of Credit for Private Street
in Waterford North Third

Please request a letter of credit be renewed for the private sewer in Waterford North Third Addition for the amount of \$81,500.00. This amount can be used for a one year extension for a 29 foot back to back street in a 32 foot right-of-way.


Steve Palmer, Civil Engineer III

SP:gf

0086Gpg61



Landmark

October 31, 1985

Ms. Barbara Bonanni
Metropolitan Area Planning Department
City Hall - 10th Floor
455 North Main Street
Wichita, Kansas 67202-1688

Re: Letter of Credit guaranteeing private street construction to public street standards, on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate, required with the platting of Waterford North Third Addition.
S/D. 84-22 (Credit No. 1533)

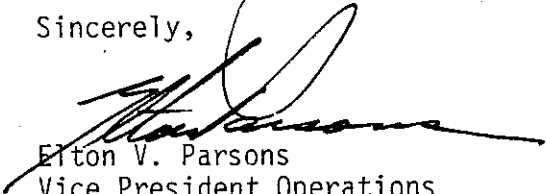
Dear Ms. Bonanni:

I am in receipt of your letter dated October 3, 1985 regarding the above referenced letter of credit.

The letter of credit which was posted in November 1984 in the amount of \$68,997 was posted at the approval of the City Engineer based on the cost estimates of a private engineering firm calculation. Since that time, I have received bids and estimates from contractors to prosecute the work in late Spring 1986. Those bids range from a low of \$50,665 to a high of \$53,591. Therefore, I do not believe that the \$81,500 letter of credit is necessary or accurate based on the bids which have been received by me.

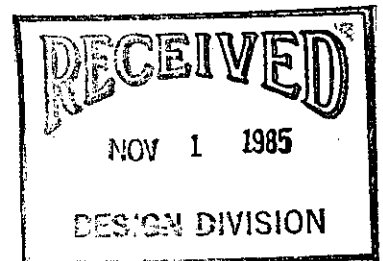
Construction of this street is planned for late Spring 1986. I will instruct the bank to issue a new letter of credit to guarantee the installation but I intend to post a letter of credit in an amount considerably less than the \$81,500 requested by your office. I believe we need to discuss the amount and come to an agreement.

Sincerely,


Elton V. Parsons
Vice President Operations

EVP/dlw

cc: Anna Anderson
Bob Fox
Mike Lindebak ✓



Landmark Communities, Inc.

3500 N. Rock Road, #100 / Wichita, Kansas 67226 / (316) 686-7451

4-3-86

LARRY HENRY

WATERFORD N.
PAVING PLANS

Request subgrade evaluation
recommendation. One set of plans
attached.

Dean Sellers

LETTER OF TRANSMITTAL



MID-KANSAS ENGINEERING
CONSULTANTS, P.A.
3500 N. Rock Road, #800
Wichita, KS 67226

PROJECT: Waterford N. 3rd
Paving - Phase 2

PROJECT #: _____ DATE: 4/21/86

TO: Mr. Carl Gibson
Engineering Department
455 N. Main, 7th Floor
Wichita, Kansas 67202

We are sending you the following items: Attached
 Under separate cover via _____
 Prints Specifications Legal Descriptions
 Tracings Petitions Correspondence Other

COMMENTS: Submitted herewith are the final plans for the above refer-
enced project.

These are transmitted as checked below:

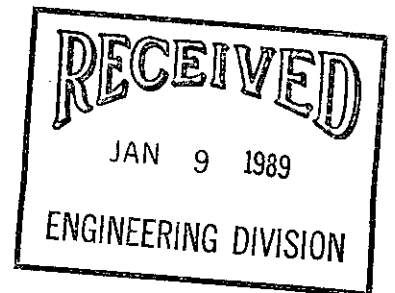
For Your Approval As Requested
 For Your Use For Your Files
 Approved as Noted For Review and Comment

REMARKS:

Signed: *Arsalan M. Shaghaghli*
Arsalan M. Shaghaghli

AMS/jlk

Enclosures



THE CITY OF WICHITA
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: January 5, 1989

TO: Mike Lindebak, City Engineer
FROM: *RTB* R. Timothy Bickhaus, Junior Planner
SUBJECT: Letter of Credit guaranteeing pavement of a private street to public standards on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate required with the platting of Waterford North Third Addition (S/D 84-22/ Credit No. 1553).

When Waterford North Third Addition was reviewed by the Subdivision Committee, City Engineering required the above listed improvement be guaranteed by Letter-of-Credit. Vicki Huang, City Engineering, has advised me that these improvements have not been completed. I have asked the applicant, as advised by City Engineering, to submit an amended letter-of-credit (see my copies to you dated November 30, 1988 and December 13, 1988) before December 30, 1988. The applicant has not been in contact with our office about this matter. Since this letter-of-credit is nearing its expiration date of January 30, 1989, we need to prepare to collect on this guarantee.

Should you have any questions, please call.

RTB:svm

cc: Elton Parsons, Landmark Communities, Inc., 3500 N. Rock Road
#100, Wichita, KS 67226
Anna Anderson, Asst. Vice-Pres. Bank IV, 100 N. Broadway,
Wichita, KS 67202
Mike Lindebak, City Engineer
Vicki Huang, City Engineering

THE CITY OF WICHITA
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: January 10, 1989

TO: Mike Lindebak, City Engineer
FROM: Marvin Krout, Director of Planning *McCrout*
SUBJECT: Letter of Credit guaranteeing pavement of a private street to public standards on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate required with the platting of Waterford North Third Addition (S/D 84-22/Credit No. 1553)

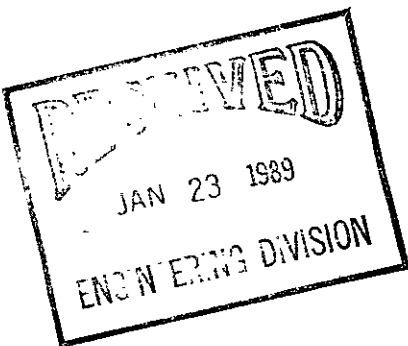
It is my understanding that the applicant is in contact with your office and is making satisfactory arrangements in resolving the above described guarantee.

I am concerned that we not find ourselves in a situation of having platted lots without adequate paved street access.

If you are satisfied that these improvements shall be constructed and that an extension of the Letter-of-Credit is not necessary, I would appreciate a memorandum stating this position so I may instruct my staff to close this matter.

Since this Letter-of-Credit has a January 30, 1989, expiration date a reply at your earliest convenience is desired.

MK:RTB/sm



THE CITY OF WICHITA

OFFICE OF PUBLIC WORKS - ENGINEERING

DATE January 24, 1989

TO Marvin Krout, Director of Planning
FROM Mike Lindebak, City Engineer *ML*
SUBJECT Letter of Credit guaranteeing pavement of a private street to public standards on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate required with the platting of Waterford North Third Addition (S/D 84-22/Credit No. 1553)

As of this date, we have not made any satisfactory arrangements with the applicant in resolving the above described guarantee.

I have instructed my staff to prepare to collect on the letter of credit since repeated efforts to contact the applicant urging an extension have been unsuccessful.

Please inform the applicant of our intentions and ask whether he would like us to construct the improvements now, or wait and hold the money in an escrow account.

ML:ta

7207J

THE CITY OF WICHITA

OFFICE OF PUBLIC WORKS - ENGINEERING

DATE January 24, 1989

TO Gene Brown, Deputy City Treasurer.

FROM Mike Lindebak, City Engineer *ML*

SUBJECT Letter of Credit guaranteeing pavement of a private street to public standards on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate required with the platting of Waterford North Third Addition (S/D 84-22/Credit No. 1553).

The attached letter of credit was submitted as a platting guarantee. The developer has failed to perform the work or extend the expiration date. Please proceed with the steps necessary to draw on the letter of credit. Note the January 30, 1989, expiration date.

ML:BM:ta

attachment

cc: Marvin Krout, Director M.A.P.D.

THE CITY OF WICHITA

OFFICE OF PUBLIC WORKS - ENGINEERING

DATE January 24, 1989

TO Dale Rea, Deputy City Clerk

FROM Mike Lindebak, City Engineer *ML*

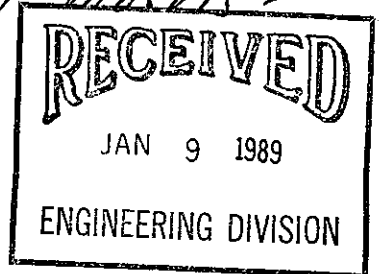
SUBJECT Letter of Credit guaranteeing pavement of a private street to public standards on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate required with the platting of Waterford North Third Addition (S/D 84-22 Credit No. 1553).

Because the developer has failed to perform the required work, steps are beginning to draw on the above referenced Letter of Credit. Please transfer the letter to Bill Morris of this office.

ML:BM:ta

7209J

Bill Maxwell



THE CITY OF WICHITA
METROPOLITAN AREA PLANNING DEPARTMENT

Start process to collect

DATE: January 5, 1989

TO: Mike Lindebak, City Engineer
FROM: *RTB* R. Timothy Bickhaus, Junior Planner
SUBJECT: Letter of Credit guaranteeing pavement of a private street to public standards on 25th Street North and Cameron from the easterly line of Mainsgate to the southerly line of Mainsgate required with the platting of Waterford North Third Addition (S/D 84-22/ Credit No. 1553).

When Waterford North Third Addition was reviewed by the Subdivision Committee, City Engineering required the above listed improvement be guaranteed by Letter-of-Credit. Vicki Huang, City Engineering, has advised me that these improvements have not been completed. I have asked the applicant, as advised by City Engineering, to submit an amended letter-of-credit (see my copies to you dated November 30, 1988 and December 13, 1988) before December 30, 1988. The applicant has not been in contact with our office about this matter. Since this letter-of-credit is nearing its expiration date of January 30, 1989, we need to prepare to collect on this guarantee.

Should you have any questions, please call.

RTB:svm

cc: Elton Parsons, Landmark Communities, Inc., 3500 N. Rock Road
#100, Wichita, KS 67226
Anna Anderson, Asst. Vice-Pres. Bank IV, 100 N. Broadway,
Wichita, KS 67202
Mike Lindebak, City Engineer
Vicki Huang, City Engineering

*after we get the \$'s contact Elton
ask him if he wants us to build the
project now or wait.*

November 2, 1987

Re: Irrevocable Letter of Credit No. 1553

Amendment No. 3

To: City of Wichita
455 N. Main
Wichita, KS 67202In accordance with instructions received from
Landmark Communities, Inc.

3500 N. Rock Road #100

Wichita, KS 67226

We hereby amend the aforementioned credit. Issued in your favor, as follows:

1. The expiration date is extended to January 30, 1989.
2. The default date extended to December 2, 1988.

RECEIVED

NOV 05 1987

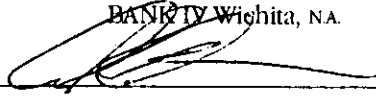
METROPOLITAN PLANNING

ROUTE _____

All other conditions remaining unchanged.

As this letter is to be considered a part of the aforementioned credit instrument, it should be attached thereto.

BANK IV Wichita, NA.



Authorized Signature

Anna R. Anderson, Vice President

November 25, 1987

Re: Irrevocable Letter of Credit No. 1553

Amendment No. 4

To: City of Wichita
455 N. Main
Wichita, KS 67202In accordance with instructions received from
Landmark Communities, Inc.
3500 N. Rock Road #100
Wichita, KS 67226

We hereby amend the aforementioned credit. Issued in your favor, as follows:

1. The subdivision name has changed from Waterford North Third Addition to The Village at Waterford.

RECEIVED

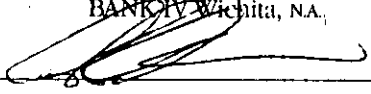
NOV 30 1987

METROPOLITAN PLANNING
ROUTE _____ _____

All other conditions remaining unchanged.

As this letter is to be considered a part of the aforementioned credit instrument, it should be attached thereto.

BANK IV Wichita, NA



Authorized Signature

Anna R. Anderson, Vice President

BANK IV

BANK IV Wichita, N.A.
Post Office Box 4
Wichita, Kansas 67201-0004

January 6,

19 87

Re: Irrevocable Letter of Credit No. 1553

Amendment No. 2

To: City of Wichita
455 N. Main
Wichita, KS 67202

In accordance with instructions received from
Landmark Communities, Inc.
3500 N. Rock Road #100
Wichita, KS 67226

We hereby amend the aforementioned credit. Issued in your favor, as follows:

1. The expiration date is extended to January 30, 1988.
2. The default date extended to December 2, 1987.

----------*

RECEIVED

JAN 14 1987

METROPOLITAN PLANNING
ROUTE _____

All other conditions remaining unchanged.

As this letter is to be considered a part of the aforementioned credit instrument, it should be attached thereto.

BANK IV Wichita, N.A.


Authorized Signature

Anna R. Anderson, Vice President

IRREVOCABLE LETTER OF CREDIT

Approved by Board of Commissioners
this FEB 05 1985

Fourth National Bank and Trust Company, Wichita
(Name and address of bank)

DATE: January 31, 1985

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 \$ 68,997.00 for the account of Landmark Communities, Inc.

(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 December 2, 1985 (6)

1. Pavement of a private street to public street standards on 25th Street North and

WICHITA



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY HALL — SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4501

April 6, 1989

Mr. Max Feaster
Ritchie Paving, Inc.
P. O. Box 8901
Wichita, Kansas 67208

SUBJECT: Paving in "The Village
at Waterfront"

Dear Mr. Feaster:

As you may know, the City of Wichita is holding a letter of credit submitted by Landmark Communities to guarantee the above referenced project. The letter is scheduled to expire May 1, 1989. The amount of the guarantee is \$68,997. By way of this letter, the proceeds of the letter of credit are being assigned to Ritchie Paving, Inc. This will ensure that Ritchie Paving, Inc., will be paid for the work performed in accordance with the terms of your agreement dated March 6, 1989, with Landmark Communities.

Sincerely,


Mike Lindebak, P.E.
City Engineer

:BM:cp
cc: Elton Parsons, Landmark Communities
Anna Anderson, Bank IV

MAR. 17 1989



March 16, 1989

Mr. Elton Parsons
LANDMARK COMMUNITIES
3500 N. Rock Rd, Bldg 100
Wichita, KS 67226

RE: Paving in "The Village at Waterford"

Dear Elton:

Enclosed are three copies of our agreement. Please sign and return all three to my attention. I will sign and return the original copy to you, along with copies of our bonds to the City of Wichita and a certificate of insurance.

Since we have to bond our performance to the City of Wichita, and are responsible for completing the work regardless of whether we are paid or not, we require a letter from your bank guaranteeing payment. Please have them send the letter to my attention.

Looking forward to working with you on this project.

Sincerely,

RITCHIE PAVING, INC.

A handwritten signature in cursive script that reads 'Joe Rothwell'.

Joe Rothwell
Sales Manager

JR:je
Enclosure

2018 North Amidon • Post Office Box 4048
Wichita, Kansas 67204
316-838-9301

AGREEMENT

THIS AGREEMENT, made this 6th day of March, 1989, by and between LANDMARK COMMUNITIES, a corporation hereinafter called "OWNER" and RITCHIE PAVING, INC. doing business as a corporation hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of The Village at Waterford, within 15 Working Days from OWNER submitting agreement to CONTRACTOR.

2. The CONTRACTOR will furnish all of the labor, materials, supplies, tools, equipment, and other services necessary for the construction and completion of the project described herein.

3. The CONTRACTOR agrees to perform all of the work described in the Contract Documents and comply with the terms therein for the sum of Forty-Seven Thousand, One Hundred, Ninety-Nine and 24/100 dollars-----
-----(\$47,199.24).

4. The OWNER agrees to pay the CONTRACTOR one intermediate estimate in the amount of \$25,365.00 less 5% retainage within five (5) business days when the following items are completed and approved by the Engineer: Excavation, Soil Stabilization, First lift of Asphalt, Valley Gutter and Curb & Gutter. The OWNER will pay the contractor the remainder of the contracted amount,

including retainage, within five (5) business days of approval of the completed project by the Engineer.

5. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF: The parties hereto have executed, or caused to be executed by their duly authorized officials, the AGREEMENT in three (3) copies each of which shall be deemed an original on the date first above written.

OWNER:

LANDMARK COMMUNITIES, INC.

By [Signature]

Type Name ELTON PARSONS

Title President

ATTEST:

[Signature]
Director of Residential
Sales

Title

CONTRACTOR:

RITCHIE PAVING, INC.

By [Signature]

Type Name Joe Rothwell

Title Sales Manager

ATTEST:

[Signature]
Jenna Engels
Secretary

Title

