

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 79-12 Name South Park Addition
Date Application Rec'd. 1-29-79 Preliminary Approval 3-22-79
Scheduled S/D Meeting 10-30-80

DESCRIPTION

General Location West of Meridian, 1/3 mile north of 47th St. South

Owner Global Resources, Inc. (James W. Garvey, President)
Surveyor/Engineer Professional Engineering Consultants, P.A.
Address 355 Ellis, 67211 Phone 263-1107

- 1. Gross Acreage of Plat 74+
- 2. Number of Lots:
 - Residential 224
 - Commercial _____
 - Industrial _____
 - Other _____
 - Total Number of Lots 224
- 3. Minimum Lot Frontage 43.64 ft.
- 4. Minimum Lot Area 7760 Sq. ft.
- 5. Existing Zoning AA
- 6. Proposed Zoning AA
- 7. Lineal Feet of New Streets:
 - a. 66 R/W 2770 ft.
 - b. 64 R/W 4400 ft.
 - c. 58 R/W 5250 ft.
 - d. 50 R/W 1320 ft.
 - e. _____ R/W _____ ft.
 - TOTAL 13,740 ft.
- 8. Sidewalk adjacent to all streets? yes no
- 9. Public Water Supply Yes(Yes-No), Name City of Wichita
- 10. Public Sanitary Sewers Yes(Yes-No), Name City of Wichita
- 11. Health Department Approval (where applicable) N/A (Yes-No)
- 12. City of Wichita X : Three-Mile Area _____

STAFF COMMENTS:

- A. The applicant shall obtain approval from Cities Service for the crossing of their pipelines with streets, drainage improvements and utilities and for the building setbacks from the pipelines as shown on the final plat. A letter of approval from Cities Service or a copy of the easement agreements addressing these matters shall be submitted to the Planning Department. Any raising, lowering, relocating or encasing of the pipelines necessitated by this plat will be without cost to the City.
- B. The applicant shall guarantee the extension of sanitary sewer to serve all lots.
- C. The applicant shall guarantee the extension of City water to serve all lots.
- D. The applicant shall guarantee the paving of all interior streets including the temporary cul-de-sac at the north end of Custer.
- E. The temporary cul-de-sac shall be granted by separate instrument OR may be referenced appropriately in the plat's text.
- F. Sidewalks shall be guaranteed on both sides of Prairieview and on one side of 45th-Chase.
- G. The applicant shall submit for recording a parking covenant which requires each dwelling unit located on a 58-foot street to provide 4 off-street parking spaces.
- H. The street name "Prairie View" shall be written as one word ("Prairieview") as platted in Cottonwood Grove Addition to the west.
- I. The applicant shall guarantee all drainage improvements required by the platting of this land, including storm sewers and storm drains.

- J. The applicant shall submit for recording a covenant which provides for the perpetual ownership and maintenance of the floodway (reserve). The plat's text references this as a "reserve" yet the face of the plat indicates "floodway and open space." The two references to this same area shall agree. If it is to be "floodway", the standard language regarding structures within the floodway shall be added to the plat's text.
- K. There shall be added to the face of the plat a 15-foot side yard building setback from Meridian on Lot 12, Block 6.
- L. Complete access control to Meridian from Blocks 6, 7, and 8 shall be added to the face of the plat.
- M. The 20-foot sanitary sewer easement on the west line of the plat shall be continued north through Block 1.
- N. If improvements are guaranteed by petition, a notarized petition listing the petitions shall be submitted to the Planning Department for recording.
- O. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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Owner Global Resources, Inc. (James W. Garvey, President)
 Surveyor/Engineer Professional Engineering Consultants, P.A.
 Address 355 Ellis, 67211 Phone 263-1107

- | | | | |
|---|--|--|-------------------|
| 1. Gross Acreage of Plat | <u>74+</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>66</u> R/W <u>2770</u> | ft. |
| Residential | <u>224</u> | b. <u>64</u> R/W <u>4400</u> | ft. |
| Commercial | | c. <u>58</u> R/W <u>5250</u> | ft. |
| Industrial | | d. <u>50</u> R/W <u>1320</u> | ft. |
| Other | | e. <u> </u> R/W <u> </u> | ft. |
| Total Number of Lots | <u>224</u> | TOTAL | <u>13,740</u> ft. |
| 3. Minimum Lot Frontage | <u>43.64</u> | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>7760 Sq. ft.</u> | streets? <u> </u> yes <u>X</u> no | |
| 5. Existing Zoning | <u>AA</u> | | |
| 6. Proposed Zoning | <u>AA</u> | | |
| 9. Public Water Supply | <u>Yes(Yes-No)</u> , Name <u>City of Wichita</u> | | |
| 10. Public Sanitary Sewers | <u>Yes(Yes-No)</u> , Name <u>City of Wichita</u> | | |
| 11. Health Department Approval (where applicable) | <u>N/A</u> (Yes-No) | | |
| 12. City of Wichita | <u>X</u> : Three-Mile Area <u> </u> | | |

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METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 79-12 Name South Park Addition
Date Application Rec'd. 1-29-79 Preliminary Approval _____
Scheduled S/D Meeting 3-22-79

DESCRIPTION

General Location West side of Meridian at 45th St. South

Owner Global Resources, Inc. (James W. Garvey, Pres).
Surveyor/Engineer Professional Engineering Consultants, P.A.
Address 1440 E. English 67211 Phone 262-2691

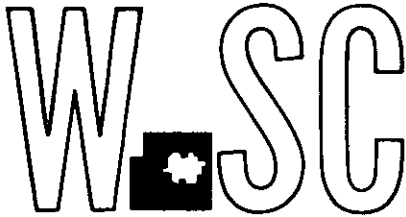
- 1. Gross Acreage of Plat 80+
- 2. Number of Lots:
 - Residential 236
 - Commercial _____
 - Industrial _____
 - Other _____
 - Total Number of Lots 236
- 3. Minimum Lot Frontage 50 ft.
- 4. Minimum Lot Area 7820 sq. ft.
- 5. Existing Zoning R-1
- 6. Proposed Zoning AA
- 7. Lineal Feet of New Streets:
 - a. 66 R/W 2770 ft.
 - b. 64 R/W 4400 ft.
 - c. 58 R/W 5250 ft.
 - d. 50 R/W 1320 ft.
 - e. _____ R/W _____ ft.
 - TOTAL 13,740 ft.
- 8. Sidewalk adjacent to all streets? yes no
- 9. Public Water Supply Yes (Yes-No), Name City of Wichita
- 10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
- 11. Health Department Approval (where applicable) N/A (Yes-No)
- 12. City of Wichita _____: Three-Mile Area _____
Proposed to be annexed to the City of Wichita.

STAFF COMMENTS:

- A. The applicant's engineer has submitted a drainage concept plan to the City Engineer for review. Approval of the preliminary plat shall be subject to the approval of said plan by the City Engineer.
- B. The applicant shall contact the Cities Service Gas Company relative to the 66 foot easements shown on the plat for the company's existing pipelines and the proposal to construct the drainage ditches and a street over the pipelines. A letter obtained from said company approving the easements for their lines and approving the crossing of their lines with drainage ditches and streets, shall be submitted to the Planning Department.
- C. Any raising, lowering, relocation or encasement of the pipelines necessitated by this plat shall be at the sole expense of the applicant.
- D. The floodway and open space indicated on Block 8, will require the submission of restrictive covenants and/or a homeowners' association agreement which will provide for the maintenance of said area.
- E. The applicant shall at the time of submission of a final plat, request by letter, the annexation of subject property. The annexation shall become effective prior to recording the plat.
- F. The applicant shall guarantee the paving of all streets.
- G. The applicant shall submit a covenant to be recorded with the plat which shall provide for 4 off-street parking spaces on each lot which adjoins a 58 foot street and which shall stipulate that parking will be permitted on only one side of the 58 foot streets.

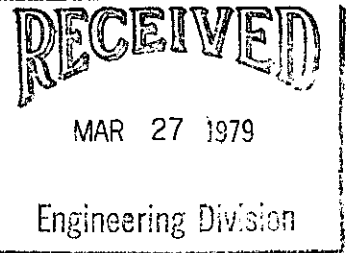
- H. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- I. The applicant shall guarantee the extension of City water to serve each lot.
- J. Sidewalks are required adjacent to both sides of all streets except Meridian Avenue. The applicant shall submit an instrument acknowledging that the sidewalk construction will be a requirement of each building permit.
- K. 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantees, etc.
- L. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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



March 26, 1979

Professional Engineering Consultants
1440 E. English
Wichita, Ks. 67211

Re: S/D 79-12 - Preliminary plat of South Park Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 22, 1979, 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:

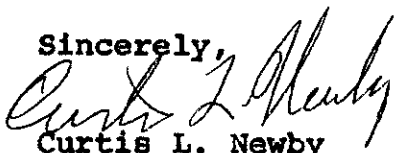
- A. The 20 foot wide easement indicated along the west line of the plat shall be increased to 25 feet in width.
- B. A 20-foot wide utility easement shall be indicated adjacent to the west line of Sheridan on Block 13.
- C. The 10 foot easements in Blocks 4 and 5 adjacent to the drainage dedications shall be increased to 20 feet in width.
- D. The applicant and/or his engineer shall contact the Department of Public Works relative to a new name for the collector street to be indicated on the final plat.
- E. Additional easements as shown on the "marked" engineer's copy of the preliminary plat, shall be indicated on the final plat.
- F. The County Public Works Department shall be contacted regarding the drainage plans for subject property.
- G. The applicant shall contact the Cities Service Company relative to the 66 foot easement shown on the plat for the company's existing pipeles and the proposal to construct the drainage ditches and a street over the pipelines. A letter obtained from said company approving the easements for their lines and approving the crossing of their lines with drainage ditches and streets, shall be submitted to the Planning Department.

- H. Any raising, lowering, relocation or encasement of the pipelines necessitated by this plat shall be at the sole expense of the applicant.
- I. The floodway and open space indicated on Block 8, will require the submission of restrictive covenants and/or a homeowners' association agreement which will provide for the maintenance of said area.
- J. The applicant shall at the time of submission of a final plat, request by letter, the annexation of subject property. The annexation shall become effective prior to recording the plat.
- K. The applicant shall guarantee the paving of all streets.
- L. The applicant shall submit a covenant to be recorded with the plat which shall provide for 4 off-street parking spaces on each lot which adjoins a 58 foot street and which shall stipulate that parking will be permitted on only one side of the 58 foot streets.
- M. The applicant shall guarantee the extension of sanitary sewer to serve each lot.
- N. The applicant shall guarantee the extension of City water to serve each lot.
- O. Sidewalks are required adjacent to both sides of all streets except Meridian Avenue. The applicant shall submit an instrument acknowledging that the sidewalk construction will be a requirement of each building permit.
- 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,

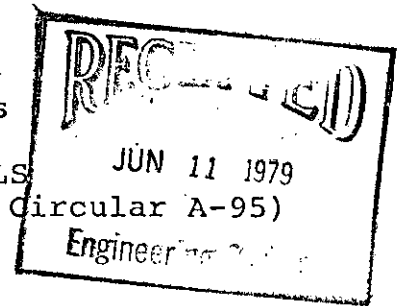

Curtis L. Newby
Junior Planner

CLN:bh

cc: Global Resources, Inc., (James W. Garvey, President) 300 W.
Douglas, Suite 442, 67202
Dean Sellers, Assistant City Engineer

Metropolitan Clearinghouse
Wichita-Sedgwick County, Kansas

REQUEST FOR COMMENT ON PROPOSALS
(under Federal Office of Management and Budget Circular A-95)



Agency Name

Dick Linn, City Engineer, Dept. of Engineering

Clearinghouse file

A-95-705

Applicant Agency

Global Resources Inc.

Expected Filing Date

Project Title

South Park Addition (FHA File #2828)

RETURN NO LATER THAN

6/14/79

Return to: Wichita-Sedgwick County Metro-
politan Area Planning Department
455 North Main
Wichita, Kansas 67202

The Metropolitan Area Planning Department has received the enclosed request for project notification and review as required by Federal Office of Management and Budget Circular A-95. Your comments on this proposal as it affects regional or local interest will be appreciated. Additional details pertaining to this application are on file in the MAPD office and are available for public inspection. Any comments that you may have concerning the proposal should be submitted to the Planning Department by the date indicated above. The Planning Commission desires to receive comments of support as well as those that may indicate concerns or questions. In the event you have no comments to offer, you are requested to so indicate and return to the MAPD in order that we may have a record of your acknowledgement of opportunity to comment on the project.

Please indicate your interest:

- No Comments
- Request for Additional Information
- Request for a Conference
- I have comments in the following areas:

(Please elaborate on items checked)

- a. the extent to which the project is consistent with or contributes to the fulfillment of comprehensive planning for the State, area, or locality.

Received

JUN 8 1979

- b. the extent to which the proposed project duplicates, runs counter to, needs to be coordinated with other area activities, or might be revised to increase its effectiveness.

- c. the extent to which the project contributes to the achievement of State, areawide, or local objectives relating to human and natural resources.

- d. the extent to which the project significantly affects the environment.

- e. the extent to which the project complies with the Civil Rights Act of 1964.

SPECIFIC COMMENTS:

Signature

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION

Sponsor's Name: Global Resources, Inc.
Street Address: 300 West Douglas, Suite 442
Wichita Kansas 67202
City or County State Zip Code
Phone: 316 261-5242
Area Code

FHA File # 282A
Subdivision Name: South Park Addition
Tract Number: N 1/2 of the SE 1/4, Sec. 13, T28S,
RW of the G.H.P.M. (80 acres+)
Location: East side of Meridian, 1/2 mile
south of MacArthur Road.

APPLICATION FOR SUBDIVISION FEASIBILITY ANALYSIS

A feasibility analysis of this proposal is requested and the following exhibits are enclosed:

- Location Map
- Preliminary Subdivision Plan
- Signed FHA Form 2010

Optional information submitted

- Soils Report Topographic Data
- Preliminary Grading Plan
- Other _____

GENERAL INFORMATION:

1. Sponsor is Land Owner + Option Holder (See remarks)
2. Size of this Parcel: 80 acres 22.16
3. Number of Lots: 255 235
4. Typical Lot Size: 70' x 115'
5. Adjacent Land Under Sponsor's Control:
Zero Acres
6. Other Land Uses: Some Agricultural
and some residential
7. Sponsor will:
 - development land and build homes; initial plan is to start 4000 homes in 4000 to 5000 price range.
 - develop land and sell improved lots.
 - produce finished typical building sites at a price of \$7000 - 11500.
 - limit site grading to minor redistribution with house foundations in natural soil.
 - construct house foundations on soils engineered cuts and fills.
8. Any Special Assessments? Yes No If yes, describe under Remarks.
9. Any Mineral Reservations? Yes No If yes, describe under Remarks.
10. Is Tentative Map approved by Local Authorities? Yes No
11. Is Plot recorded? Yes No
12. Covenants recorded? Yes No
 - Will be identical to previous unit.
 - Will conform with FHA Data Sheet 40.
13. a. Water System: Central (Public or Community) Individual
- b. Sewerage System: Central (Public or Community) Individual
14. Proposed Street Improvements:
Pavement Base 6" asphaltic concrete.
Wearing Surface 2" asphaltic concrete.
 Curb and Gutter Sidewalks
15. Underground electric and telephone? Yes No (Explain under Remarks)
16. Gas Yes No
17. Will development include common area? Yes No (Describe facilities and maintenance under Remarks)
18. Sponsor has has not previously dealt with this FHA office. has dealt with other FHA offices (Explain under Remarks).

REMARKS: 1. Global Resources, Inc. is the sole landowner of the entire 80 acres indicated on the attached plat with the exception of a 200' x 400' piece of ground on the east edge of the property outlined in red. This piece of ground is in a life estate which will revert to Global Resources, Inc. at the owner's passing on. Our preliminary plat shows the entire 80 acres being platted. Our final plat will delete lots 1-8, block 3 and lots 14-25, block 5 since these can not feasibly be developed until the life estate reverts to Global Resources, Inc.

8. Special assessments will encumber the property in the approximate amount of \$7,500.00 per lot to cover the cost of the installation of storm and sanitary sewer, streets, and water lines. The assessments are to be paid out over a 15-year period at an interest rate not to exceed 8% (per the current city regulations). The assessments may be prepaid. *Amount open does not exceed 8% of total cost of the assessments.*

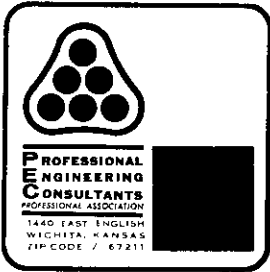
17. The floodway and open space area surrounded by block 8 will be maintained by a homeowners association made up of homeowners in the area. There are no planned recreation facilities for this area.

CERTIFICATE

By submitting this request for site eligibility and signing this certification, builder, developer, seller or other signatory agrees with the Federal Housing Administration that pursuant to the requirements of the FHA Regulations, (a) neither it nor anyone authorized to act for it will decline to sell, rent or otherwise make available any of the properties or housing in the subdivision to a prospective purchaser or tenant because of his race, color, creed or national origin, (b) it will comply with state and local laws and ordinances prohibiting discrimination, and (c) failure or refusal to comply with the requirements of either (a) or (b) shall be a proper basis for the Commissioner to reject requests for future business with which the sponsor is identified or to take any other corrective action he may deem necessary to carry out the requirements of the Regulations.

The undersigned further agrees, in consideration of the review of this proposal by the FHA, that any deposit or downpayment received by the undersigned or an agent of the undersigned in connection with the purchase of a home within the subdivision described above shall, in all events, be deposited in a trust or in a special account which is not subject to the claims of any creditors and where it will be maintained until it has been disbursed for the benefit of the purchaser or otherwise disposed of in accordance with the terms of the contract of sale.

Signed: James W. Garvey President Global Resources, Inc.
(Sponsor) *(Title)* *(Name of Development Company)*
Date: April 30, 1979



MEMO

TO: Dean Sellers
Acting City Engineer
City Hall - 7th Floor
455 N. Main
Wichita, Kansas 67218

PROJECT NO. 30-78310-1023

PROJECT: South Park Addition

COPIES TO:

ATTN: Steve Lackey

DATE: July 10, 1980

Paul Johnston

FROM: Chris Brennenstuhl

Phil Dietrich

REFERENCE: Final Drainage Plan

Louise Olivarez

Dick Linn

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Transmitted herewith is the Drainage Plan for South Park Addition which is located West of Meridian Avenue in an area North of 47th Street South. Included with the information submitted today are the supportive calculations for preliminary design of the proposed storm sewer systems and of the detention-retention facility along with details of off-site drainage improvements required to facilitate discharge from the detention-retention structure.

The Drainage Concept for South Park was submitted on February 26, 1979 and approved subject to coordinating with the Sedgwick County Department of Public Works any off-site improvements needed to accommodate drainage from the plat. The Drainage Concept approved at the time of Preliminary Plat review proposed two detention-retention systems:

1. A linear detention-retention system lying within the two drainage dedications shown on the Final Plat as well as within another drainage dedication which extended to the south line of the plat east of and adjacent to the 66-foot pipeline easement. It was planned at that time that this system serve as a temporary detention facility adaptable for use as an open channel at such time as it became possible to construct downstream improvements.
2. A detention-retention pond located within the west half of what is now shown as "Floodway and Open Space."

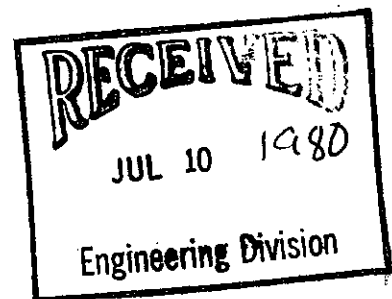
The western portion of the plat drained westward in keeping with the system shown on the Drainage Plan to the existing open drainage system in the adjacent property now being platted as Cottonwood Grove. This portion of the South Park Drainage Plan was included in the information submitted and reviewed at the time the Cottonwood Grove Drainage Plan was approved.

Due to difficulties encountered during preparation of the South Park Drainage Plan with regards to existing downstream drainage capacity, it became necessary to revise the linear detention-retention facility and incorporate the remaining portion into one detention-retention system with a detention channel and an expanded detention-retention pond.

Page 2
Memo 7-10-80
Dean Sellers

To permit discharge of the detention portion of the pond without requiring a pumping system, it is necessary to improve the existing waterway downstream of South Park. Our client is currently negotiating with the downstream property owner for permission to construct these improvements.

At this time we plan to file the Final Plat of South Park Addition with MAPD on July 25 for hearing by the MAPC-Subdivision Committee on August 7, 1980. Also submitted with this memo is a map showing the proposed petition districts along with the estimated storm sewer and drainage costs for each petition district. Please contact Chris Brennenstuhl or Dick Linn should you require any additional information or clarification.



THE CITY OF WICHITA

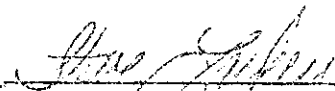
OFFICE OF PUBLIC WORKS ENGINEERING DATE August 1, 1980

TO Jack Galbraith, Chief Planner

FROM Steve Lackey, Design Chief Engineer

SUBJECT South Park Addition
Drainage Plan

Professional Engineering Consultants has submitted an acceptable drainage plan for the above referenced plat.



Steve Lackey
Design Chief Engineer

SL:md

cc: Chris Brennenstuhl, P.E.C.

COVENANT

This Declaration made this 8th day of January, 1981 by
Global Resources, Inc., hereinafter called Declarant,

WITNESSETH

Whereas, Declarant is owner of South Park Addition to Wichita, Sedgwick County,
Kansas

and

Whereas, the undersigned wishes to plat said property as South Park Addition
to Wichita, Sedgwick County, Kansas and whereas it is required in connection
therewith that a covenant for maintenance of Reserve A be placed of record,

Now therefore, the undersigned declares that prior to the construction of the
Floodway Detention Reservoir, to be located in Reserve A, there shall be formed
a nonprofit Kansas Corporation to be named "South Park Homeowners Association."

The Association shall own and maintain Reserve A in South Park Addition, including
the Common Area, and the Floodway Detention Reservoir located thereon.

Until such time said Home Owners Association is formed, the ownership and maintenance
of Reserve A shall be the responsibility of the Declarant.

In the event that Global Resources, Inc., its successors or assigns, shall
fail at any time to maintain Reserve A, the City of Wichita may serve a written
Notice of Delinquency upon Global Resources, Inc., setting forth the manner in
which Global Resources, Inc. has failed to fulfill its obligations. Such Notice
shall include a statement describing the obligation that has not been fulfilled
and shall grant twenty (20) days within which Global Resources, Inc. may fulfill
the obligation. If said obligation is not fulfilled within the time specified,
the City of Wichita, in order to preserve the taxable values of the properties
within South Park Addition and to prevent Reserve A from becoming a nuisance, may
enter upon said Reserve A and perform the obligations listed in the Notice of
Deficiency. All costs incurred by the City of Wichita in carrying out these
maintenance obligations of Declarant may be assessed against the platted lots in
the same manner as provided by law for special assessments and shall be assessed
equally among all of the lots herein subjected to these covenants. Said assessments
may be established as liens upon said platted lots. Should the Global Resources,
Inc., its successors, or assigns upon receipt of said Notice of Delinquency believe

that the obligations described in said Notice are not proper for any reason, it may within the twenty-day period to be provided in said Notice, apply for a hearing before the Board of City Commissioners to appeal said assessments, and any further proceedings under said Notice shall be suspended pending the outcome of any proceedings with respect to such appeal.

This covenant is binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title to the above described property.

EXECUTED this day and year first above written.

Global Resources, Inc.

James W. Garvey
James W. Garvey, President

State of Kansas)

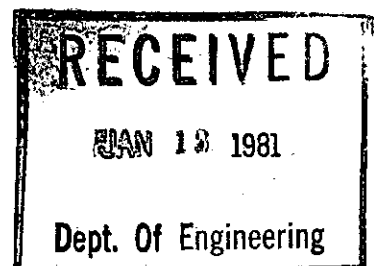
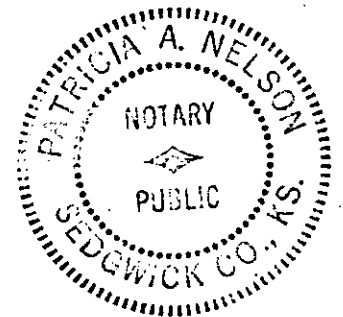
Sedgwick County)

Personally appeared before me, a Notary Public in and for the County and State aforesaid, came Global Resources, Inc., by James W. Garvey to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita, Kansas this 8th day of January, 1981.

Patricia A. Nelson
Notary Public

My Commission Expires: January 28, 1984



February 28, 1985

Ms. Becky Way
Builders Development, Inc.
1530 South Oliver, Suite 200
Wichita, Kansas 67218

Subject: Abandoned Projects in South Park Addition
Payment of Accrued Costs

Dear Ms. Way:

As you requested by phone, I am attaching a list of the projects being abandoned in South Park Addition in connection with the replat of the area. Also listed are the accrued expenses for the projects and the estimated staff and publication costs to abandon the projects, which constitutes the \$500.00 payment that was requested of your company in connection with the replat.

The charges listed are primarily for publication of resolutions initiating the projects in 1981 as well as staff time for preparation of the initiating petitions and resolutions. Formal abandonment of the projects will also require publication of abandoning resolutions.

It has been the City's practice to request reimbursement of charges accrued to projects being abandoned as a result of replatting, and to make the refunding of said costs a condition of the replat.

I hope this answers the questions you had regarding the amount charged.

Sincerely,

Larry D. Henry
Larry D. Henry
Program Development Engineer

LDH:gr

Attachment

Rec # 724281 \$500.00
270 40094 001

SOUTH PARK ADDITION
CURRENT PROJECTS TO BE ABANDONED

		<u>Cost</u>
Storm Water Sewer No. 222	468 76 245 81066 000 000 001	\$ 16.70
Storm Water Sewer No. 223	468 76 245 81067 000 000 001	15.76
Storm Water Sewer No. 224	468 76 245 82068 000 000 001	15.01
Lateral 164, Southwest Interceptor	468 76 245 81061 000 000 001	73.80* 84.00
Lateral 165, Southwest Interceptor	468 76 245 81062 000 000 001	13.69
Lateral 166, Southwest Interceptor	468 76 245 81063 000 000 001	13.51 44.21
Lateral 167, Southwest Interceptor	468 76 245 81064 000 000 001	13.51
Lateral 168, Southwest Interceptor	468 76 245 81065 000 000 001	13.13
*Includes staff time for preparation of petitions and resolutions.		
Prairie View; Prairie View Court; Richmond Circle; Richmond; Phase I, South Park Addition and sidewalk	472 76 245 81036 000 000 001	24.01
Prairie View; 45th Street South and Chase; Chase and 43rd Street South; St. Paul; Gordon; and Gordon; Phase II, South Park Addition and sidewalk	472 76 245 81035 000 000 001	33.39
Prairie View; Sheridan; Mt. Carmel; Custer; and Custer; all in Phase III, South Park Addition and sidewalk	472 76 245 81034 000 000 001	30.58
45th Street South; Sheridan; Mt. Carmel; Custer; Custer; all in South Park Addition, Phase IV, and sidewalk	472 76 245 81033 000 000 001	30.75 ^{Typo} 30.95
43rd Street South from the w.l. of Lot 35, Blk. 6, to the w.l. of Meridian, Phase V, South Park Addition	472 76 245 81032 000 000 001	23.76 163.44
Sub-Total		\$317.80
Staff Time and Administration to Prepare and Publish Abandoning Resolutions		170.00
Total		\$487.80
Rounded		\$500.00

16.70+
 15.75+
 15.01+
 13.80+
 13.69+
 44.21+
 13.51+
 13.13+
 24.01+
 33.39+
 30.58+
 30.95+
 163.44+
 488.18T

South Park Addition

Current projects to be abandoned

SWs 222	468	81066	16 ⁷⁰	00/
SWs 223	468	81067	15 ⁷⁶	00/
SWs 224	468	81068	15 ⁰¹	00/

Lat. 164, SW I	468	81061	73 ⁸⁰	00/
Lat. 165, SW I	468	81062	13 ⁶⁹	00/
Lat. 166, SW I	468	81063	44 ²¹	00/
Lat. 167, SW I	468	81064	13 ⁵¹	00/
Lat. 168, SW I	468	81065	13 ¹³	00/

Buildings Inc

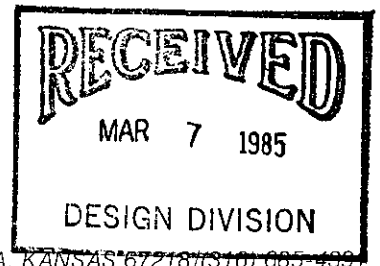
Paving	Phase I	472	81036	24 ⁰¹	00/
	II	472	81035	33 ³⁷	00/
	III	472	81034	30 ⁵⁸	00/
	IV	472	81033	30 ²⁵	00/
	V	472	81032	163 ⁴⁴	00/

enter with this amount

\$500.00



BUILDERS DEVELOPMENT, INC. 1530 SOUTH OLIVER, SUITE 200 WICHITA, KANSAS 67218 (316) 685-4991



March 5, 1985

Mr. Larry Henry
Program Development Engineer
City Engineer's Office
455 N. Main
Wichita, Kansas 67202

Dear Mr. Henry:

We have received your letter dated February 28, 1985 explaining the \$500.00 charge assessed to the owners of South Park Addition for altering the utility petitions on South Park Addition. We have reviewed the charges and do not agree with the total amount assessed.

We do not object to the \$257.49 charged for publication costs (\$317.80 less \$60.11 staff time on lateral 164). However, we do object to the \$230.11 charged for "estimated" staff time and administration and to the \$12.20 rounding. It is our understanding that the City Engineer's Office is supported by the general fund, not through public assessments. Since we pay our property taxes, we feel the City's staff time is a service we should not have to pay for twice. We are therefore requesting a refund of \$242.31.

Once again, we acknowledge our obligation to pay for publication costs incurred but feel we have no obligation for "estimated" staff time incurred in preparing the petitions for this project. We feel a refund in the amount stated above is due us and request that it be paid immediately.

Thank you for your attention to this matter.

Sincerely,

Becky Way
Becky Way
Project Manager

BW/jr



BUILDERS DEVELOPMENT, INC. 1530 SOUTH OLIVER, SUITE 200/WICHITA, KANSAS 67218/(316) 685-4391

March 6, 1985

Mr. Robert Lakin
Director of Planning and Engineering
City of Wichita
455 N. Main
Wichita, Kansas 67202

Dear Bob:

The enclosed is self-explanatory. Could you lend your assistance to getting it resolved?

Thank you.

Sincerely,

Alexander L. Dean
President

ALD/jr

Enclosure

RECEIVED

MAR 07 1985

METROPOLITAN PLANNING
ROUTE _____

March 14, 1985

Mr. Alexander L. Dean, President
Builders Development, Inc.
1530 South Oliver, Suite 200
Wichita, Kansas 67218

Subject: Abandoned Projects in South Park Addition

Dear Alex:

I have reviewed the correspondence between Larry Henry and Becky Way regarding cost reimbursement for the referenced projects. It is my conclusion that the amount that was billed to Builders to offset the costs of setting up the projects in 1981 and abandoning them at this time is reasonable and appropriate in accordance with City practice.

Contrary to the beliefs stated in Ms. Way's letter, the City Engineer's Office is not supported by the General Fund, but is supported completely by projects, either by direct payroll charges or indirectly by overhead applied to payroll charges.

These costs are usually picked up by the project at the time of construction and assessed; however, in some cases where the project will not go to construction, it is appropriate, and has been the City's practice, to recover these costs and the costs to prepare and publish the abandoning resolutions from the developer.

Ms. Way's comment about "paying twice" for these services is certainly unfounded. It is hardly appropriate for the taxpayers at large to pay the costs involved in initiating or closing projects in specific developments. This is one reason the City Engineer's Office is funded wholly from the projects they administer.

In this instance, the costs of actually preparing the petitions was picked up by the City Engineer's overhead budget. Except for publication charges, the only charge to the projects was the \$60.00 in staff time charged when the petitions were reviewed and processed for City Commission approval and project accounts set up. These previously accrued costs plus future costs of \$40.00 for staff time and a

WCF

Mr. Alexander. L. Dean, President
Builders Development, Inc.

Page 2
March 14, 1985

\$10.00 publication charge for each of the abandoning resolutions is the basis of the \$500.00 charge. My staff took the liberty of rounding to \$500.00 because the stated costs of future staff time and publication may vary slightly. Your question of the \$12.20 "rounding" is well taken, but I am sure the City's cost of financing the accrued charges over the past four years exceeds \$12.20.

Again, I believe the charges as stated are reasonable and appropriate. If you wish to discuss this matter further, please advise.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:hgr

cc: Ms. Becky Way, Builders Development, Inc.
Mike Lindebak, City Engineer
Larry Henry, Program Development Engineer

Bcc to Finch w/attachments

THE CITY OF WICHITA

OFFICE OF MAPD/DESIGN

DATE July 31, 1985

TO Don Gisick, City Clerk

FROM Mike E. Lindebak, City Engineer/Acting Director of Planning

SUBJECT Rescinding Resolution -
Paving, Drainage and Sanitary
Sewer Projects in South Park
Addition


On January 13, 1981, the City Commission approved the plat of South Park Addition, and accepted petitions for improvements consisting of 5 paving projects, 3 storm water sewer projects and 5 sanitary sewer projects in connection with said plat. The authorizing resolutions for these projects were adopted by the City Commission on February 10, 1981.

On March 9, 1985, the City Commission approved the plat of South Park 2nd Addition, being a replat of the original 1981 plat. New petitions were received at that time for improvements in the new plat, as the old projects were to be abandoned.

The attached resolution provides for abandonment of the old projects and rescinds the previous project resolutions.

Please place this resolution on your agenda for consideration by the City Commission. The recommended action is to adopt the rescinding resolution.

Upon approval by the City Commission, the projects may be considered to be abandoned, and the files forwarded to this office for placement in our abandoned project files.


Mike E. Lindebak, City Engineer
Acting Director of Planning

MEL:LH:gf

0084Gpg89

8-6-85
JL

RESOLUTION

A RESOLUTION RESCINDING CERTAIN RESOLUTIONS ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS ON FEBRUARY 10, 1981, PERTAINING TO CONSTRUCTION OF PAVING, STORM WATER SEWER AND SANITARY SEWER IMPROVEMENTS IN SOUTH PARK ADDITION TO WICHITA, KANSAS.

SECTION 1. WHEREAS: On February 10, 1981, the Governing Body of the City of Wichita, Kansas, adopted certain resolutions pertaining to construction of certain paving, storm water sewer and sanitary sewer improvements in South Park Addition to Wichita, Kansas, the titles of said resolutions identified as follows:

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF 43RD STREET SOUTH FROM THE WEST LINE OF LOT 5, BLOCK 6, TO THE WEST LINE OF MERIDIAN IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF 45TH STREET SOUTH FROM THE WEST LINE OF SOUTH PARK ADDITION TO THE EAST LINE OF LOT 1, BLOCK 9, SOUTH PARK ADDITION; SHERIDAN FROM THE NORTH LINE OF 45TH STREET SOUTH TO THE NORTH LINE OF LOT 7, BLOCK 13, SOUTH PARK ADDITION; MT. CARMEL FROM THE NORTH LINE OF 45TH STREET SOUTH TO THE NORTH LINE OF LOT 24, BLOCK 11 AND LOT 6, BLOCK 10, SOUTH PARK ADDITION; CUSTER FROM THE NORTH LINE OF 45TH STREET TO NORTH LINE LOT 19, BLOCK 10 AND LOT 5, BLOCK 9, SOUTH PARK ADDITION; CUSTER FROM THE SOUTH LINE SOUTH PARK ADDITION TO THE SOUTH LINE 45TH STREET SOUTH IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF PRAIRIE VIEW FROM THE WEST LINE OF SOUTH PARK ADDITION TO THE EAST LINE OF LOT 4, BLOCK 2 AND THE WEST LINE OF LOT 10, BLOCK 9, SOUTH PARK ADDITION; SHERIDAN FROM THE NORTH LINE OF LOT 7, BLOCK 13, SOUTH PARK ADDITION TO THE SOUTH LINE OF PRAIRIE VIEW; MT. CARMEL FROM THE NORTH LINE OF LOT 24, BLOCK 11 AND THE NORTH LINE OF LOT 6, BLOCK 10, SOUTH PARK ADDITION TO THE SOUTH LINE OF PRAIRIE VIEW; CUSTER FROM THE NORTH LINE OF PRAIRIE VIEW TO THE NORTH LINE OF SOUTH PARK ADDITION; CUSTER FROM THE NORTH LINE OF LOT 19, BLOCK 10 AND THE NORTH LINE OF LOT 5, BLOCK 9, SOUTH PARK ADDITION TO THE SOUTH LINE OF PRAIRIE VIEW IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF PRAIRIE VIEW FROM THE WEST LINE OF LOT 5, BLOCK 2, SOUTH PARK ADDITION AND THE EAST LINE OF CUSTER TO THE WEST LINE OF LOT 21, BLOCK 8, SOUTH PARK ADDITION; 45TH STREET SOUTH--CHASE FROM THE EAST LINE OF LOT 1, BLOCK 9, SOUTH PARK ADDITION TO THE SOUTH LINE OF PRAIRIE VIEW; CHASE--43RD STREET SOUTH FROM THE NORTH LINE OF PRAIRIE VIEW TO THE WEST LINE OF LOT 5, BLOCK 6, SOUTH PARK ADDITION; ST. PAUL FROM NORTH LINE PRAIRIE VIEW TO SOUTH LINE 43RD STREET SOUTH; GORDON FROM NORTH LINE PRAIRIE VIEW TO SOUTH LINE 43RD STREET SOUTH; GORDON FROM NORTH LINE 43RD STREET SOUTH TO NORTH LINE SOUTH PARK ADDITION; IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF PRAIRIE VIEW FROM THE WEST LINE OF LOT 21, BLOCK 8, SOUTH PARK ADDITION TO THE WEST LINE OF MERIDIAN; PRAIRIE VIEW COURT FROM THE SOUTH LINE OF PRAIRIE VIEW TO AND INCLUDING CUL-DE-SAC; RICHMOND CIRCLE FROM SOUTH LINE PRAIRIE VIEW TO AND INCLUDING CUL-DE-SAC; RICHMOND FROM NORTH LINE PRAIRIE VIEW TO NORTH LINE LOT 2, BLOCK 7; IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF STORM WATER SEWER NO. 222 AND FLOODWAY DETENTION RESERVOIR IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF STORM WATER SEWER NO. 223 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF STORM WATER SEWER NO. 224 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 164, SOUTHWEST INTERCEPTOR SEWER IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 165, SOUTHWEST INTERCEPTOR SEWER IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 166, SOUTHWEST INTERCEPTOR SEWER IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 167, SOUTHWEST INTERCEPTOR SEWER IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 168, SOUTHWEST INTERCEPTOR SEWER IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 2. AND WHEREAS: On March 9, 1985, the Governing Body of the City of Wichita, Kansas, approved the plat of South Park 2nd Addition to Wichita, Kansas, said plat being a replat of South Park Addition to Wichita, Kansas.

SECTION 3. AND WHEREAS: Petitions have been accepted and approved by the Governing Body of the City of Wichita, Kansas, for improvement within said South Park 2nd Addition, which petitions supercede and replace those submitted on January 13, 1981, for improvements in South Park Addition.

SECTION 4. AND WHEREAS: It is now reasonable and expedient to rescind the resolutions identified in Section 1 herein, and declare said improvements to be abandoned.

SECTION 5. THEREFORE, Be it resolved by the Governing Body of the City of Wichita, Kansas, that the Resolutions adopted by the Governing body on February 10, 1981, and identified in Section 1 herein be and they are hereby repealed.

SECTION 6. BE IT FURTHER RESOLVED, that the improvements authorized by said resolutions as identified in Section 1 herein are hereby abandoned.

SECTION 7. The City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper, and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, this _____.

ATTEST:

MAYOR

CITY CLERK

(SEAL)

APPROVED AS TO FORM:

John DeM...

CITY ATTORNEY

THE CITY OF WICHITA

OFFICE OF

LAW DEPARTMENT

DATE July 30, 1985

TO Larry D. Henry, Program Development Engineer

FROM Thomas R. Powell, Senior Assistant City Attorney

SUBJECT Rescinding Resolution -
Paving, Drainage and
Sanitary Sewer Projects
in South Park Addition

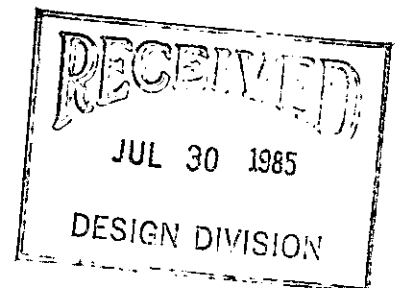
The attached resolution pertaining to the above-referenced matter is approved as to legal form.



Thomas R. Powell
Senior Assistant City Attorney

TRP:cdh

Attachment



THE CITY OF WICHITA

OFFICE OF MAPD/DESIGN

DATE July 26, 1985

TO Tom Powell, Senior Assistant City Attorney

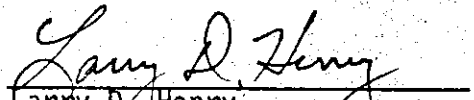
FROM Larry D. Henry, Program Development Engineer

SUBJECT Rescinding Resolution - Improvements
in South Park Addition

Attached is a resolution I have prepared for placement on the Clerk's agenda to repeal 13 previously adopted resolutions for projects which have been replaced by new projects and new resolutions.

Please review as to form and, if satisfactory, please sign off "approved as to form" on the signature page.

If unsatisfactory, please advise of any changes or additional requirements.



Larry D. Henry
Program Development Engineer

LDH:gf

0084Gpg90