

S/D No.: 86-101 Name: PENSTEMON FOURTH ADDITION

Preliminary Approved:
Scheduled S/D Meeting: 11/20/86

DESCRIPTION

General Location: Rock Road and Greenbriar.
Owner: Slawson Investments, Inc., 8100 E. 22nd No., Bldg. 1900,
Wichita, KS 67226
Surveyor/Engineer: Bill G. Yung Design, 4912 E. 29th N., Suite One,
Wichita, KS 67220

1. Gross Acreage of Plat: 8.2
2. Number of Lots:
 - Residential: 24
 - Office:
 - Commercial:
 - Industrial:
 - Total: 24
3. Minimum Lot Area: 8,000 Sq. Ft.
4. Existing Zoning: "AA" under DP-96
5. Proposed Zoning: "AA" under DP-96

STAFF COMMENTS:

NOTE: This property is subject to the provisions of the Tallgrass Community Unit Plan (DP-96). This property was originally platted for development of townhouses. The replat proposes development of traditional single-family homes.

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- 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 an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- G. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- H. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' 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 those responsibilities.
- I. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- J. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings. Any planting within the easement shall be reviewed by the City Forestry Division prior to installation.

SUBDIVISION REPORT

Preliminary Plat S/D 86-101 - PENSTEMON FOURTH ADDITION

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- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot wide street pavement. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. The final plat shall indicate the recording information for the 33-foot KANEB Pipeline easement on this property.
- M. The applicant shall submit a copy of the instrument which establishes the KANEB Pipeline easement on this property.
- N. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement. Proof shall also be submitted that the dedication of street right-of-way over the pipeline easement is acceptable to the pipeline company.
- O. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- P. The final plat shall indicate the amount of half-street right-of-way existing for Rock Road, Greenbriar and Oxford Streets adjacent to this property. The centerlines of these adjacent streets shall also be labeled.
- Q. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the Community Unit Plan requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes single-family homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of the plat for scheduling before the Board of City Commissioners.
- R. On the final plat, a 20-foot wide building setback shall be indicated from Greenbriar Court on Lot 11. The platting of this building setback will provide a 5-foot wide strip of ground for landscaping between a future dwelling unit and the "15-foot street, drainage and utility easement".
- S. The final plat shall label the centerline of the utility easements.
- T. On the final plat, the recording information for the K.G.&E. easement, adjacent to Rock Road, shall be indicated.
- U. On the final plat, Oxford Street shall be labeled as a "private street".
- V. On the final plat, a "wall easement" shall be platted to cover the existing masonry wall adjacent to Rock Road. Proper reference to this easement shall be made in the plat's text.
- W. The applicant shall obtain, by separate instrument, the off-site utility easement needed to the east of this plat.
- X. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- Y. 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.
- Z. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- AA. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

S/D No.: 86-101 Name: PENSTEMON FOURTH ADDITION

Preliminary Approved: 11/20/86
Scheduled S/D Meeting: 12/4/86

DESCRIPTION

General Location: On the east side of Rock Road between Oxford and Greenbriar.

Owner: Slawson Investments, Inc., 8100 E. 22nd No., Bldg. 1900, Wichita, KS 67226

Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A., 3500 N. Rock Road #800, Wichita, KS 67226

1. Gross Acreage of Plat: 8.2
2. Number of Lots:
 - Residential: 24
 - Office:
 - Commercial:
 - Industrial:
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3. Minimum Lot Area: 8,000 Sq. Ft.
4. Existing Zoning: "AA" under DP-96
5. Proposed Zoning: "AA" under DP-96

STAFF COMMENTS:

NOTE: This property is subject to the provisions of the Tallgrass Community Unit Plan (DP-96). This property was originally platted for development of townhouses. The replat proposes development of traditional single-family homes.

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- 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 an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- G. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' 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 those responsibilities.
- H. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- I. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings. Any planting within the easement shall be reviewed by the City Forestry Division prior to installation.

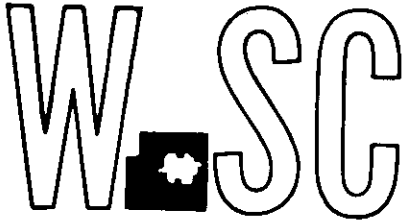
SUBDIVISION REPORT

Preliminary Plat S/D 86-101 - PENSTEMON FOURTH ADDITION

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- J. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot wide street pavement. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- K. The applicant shall submit a copy of the instrument which establishes the KANEB Pipeline easement on this property.
- L. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement. Proof shall also be submitted that the dedication of street right-of-way over the pipeline easement is acceptable to the pipeline company.
- M. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- N. The final plat shall indicate the amount of half-street right-of-way existing for Rock Road, Greenbriar and Oxford Streets adjacent to this property. The centerline of Oxford Street shall also be indicated and labeled.
- O. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the Community Unit Plan requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes single-family homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of the plat for scheduling before the Board of City Commissioners.
- P. On the final plat, a 20-foot wide building setback shall be indicated from Greenbriar Court on Lot 11. The platting of this building setback will provide a 5-foot wide strip of ground for landscaping between a future dwelling unit and the "15-foot street, drainage and utility easement".
- Q. The final plat shall label the centerline of the utility easements.
- R. On the final plat, the recording information for the K.G.&E. easement, adjacent to Rock Road, shall be indicated.
- S. On the final plat, Oxford Street shall be labeled as a "private street".
- T. The applicant shall obtain, by separate instrument, the off-site utility easement needed to the east of this plat.
- U. As requested by K.G.&E., when the preliminary plat was approved, a 10-foot wide utility easement centered on the lot line common to Lots 20 and 21 shall be platted.
- V. As discussed when the preliminary plat was approved, the street name of Greenbriar Court cannot be used. This name cannot be used because it conflicts with Central Inspection's ability to assign address numbers according to the City Ordinance establishing the address numbering system. When the preliminary plat was discussed, three street name alternates were offered. These were:
- 1) White Oak Circle
 - 2) Dublin Circle
 - 3) Paige Circle
- The final plat tracing shall indicate one of these street names for the interior streets being platted.
- W. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- X. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Y. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- Z. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any drainage guarantees required?

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

November 20, 1986



Bill G. Yung Design
4912 E. 29th No., Suite One
Wichita, KS 67220

Re: Preliminary Plat S/D 86-101 - PENSTEMON FOURTH ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, November 20, 1986, 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 the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- 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 an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- G. The final plat shall state in the platlor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- H. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' 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 those responsibilities.

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- I. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- J. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings. Any planting within the easement shall be reviewed by the City Forestry Division prior to installation.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot wide street pavement. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. The final plat shall indicate the recording information for the 33-foot KANEB Pipeline easement on this property.
- M. The applicant shall submit a copy of the instrument which establishes the KANEB Pipeline easement on this property.
- N. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement. Proof shall also be submitted that the dedication of street right-of-way over the pipeline easement is acceptable to the pipeline company.
- O. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- P. The final plat shall indicate the amount of half-street right-of-way existing for Rock Road, Greenbriar and Oxford Streets adjacent to this property. The centerlines of these adjacent streets shall also be labeled.
- Q. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the Community Unit Plan requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes single-family homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of the plat for scheduling before the Board of City Commissioners.
- R. On the final plat, a 20-foot wide building setback shall be indicated from Greenbriar Court on Lot 11. The platting of this building setback will provide a 5-foot wide strip of ground for landscaping between a future dwelling unit and the "15-foot street, drainage and utility easement".

- S. The final plat shall label the centerline of the utility easements.
- T. On the final plat, the recording information for the K.G.&E. easement, adjacent to Rock Road, shall be indicated.
- U. On the final plat, Oxford Street shall be labeled as a "private street".
- V. The final plat tracing shall indicate a 10-foot wide utility easement centered on the lot line common to Lots 20 and 21.
- W. The applicant shall obtain, by separate instrument, the off-site utility easement needed to the east of this plat.
- X. In order to insure that address numbers for the lots proposed by this plat can be properly assigned, the final plat shall indicate the platting of a circle rather than Greenbriar Court. The following street name alternates are offered:
 - 1) White Oak Circle
 - 2) Dublin Circle
 - 3) Paige Circle
- Y. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- Z. 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.
- AA. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

The enclosed "marked" copy of the plat is for your information and files. If you should have any questions, please call.

Sincerely,

FLN

Forrest L. Nagley
Senior Planner

FLN:dik

Enclosure

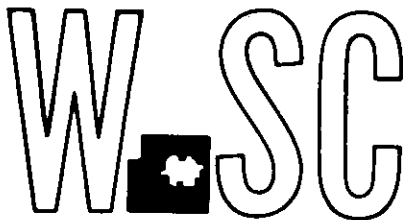
cc: Slawson Investments, Inc., 8100 E. 22nd No., Bldg. 1900,
Wichita, KS 67226
Mid-Kansas Engineering Consultants, 3500 N. Rock Road #800,
Wichita, KS 67226
 Mike Lindebak, City Engineer

Pre-Sub 11-20-86

1. Andeel and Andeel Company. Vacation of Building Setback. No water problem.
2. Woodcrest Addition. Final Plat. Existing main in 13th Street to be tapped, mains to be extended, item B. No water problem.
3. Tallgrass East Addition. Final Plat. Item B, mains to be extended. No water problem.
4. Woodbridge 4th Addition. Preliminary Plat. Area now served by existing 12" main in 119th W. and in 21st St N. No water problem.
5. Penstemon Fourth Addition. Preliminary Plat. Item B, mains to be extended. Suggest tying project to Oxford to provide second feed, as Greenbriar Court is adjacent to Oxford.
6. L. N. Lies Addition. Final Plat. Existing main in Young. Area now served. No water problem.
7. Lot Split Appeal. Lot split is to E. & W., both halves adjacent to Anna. No water problem.
8. Gene Miles. Grant Utility Esmt. No water problem.
9. Michael J. Sterling. Grant Utility Esmt. No water problem.
10. Other matters.

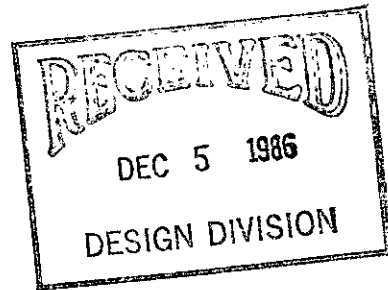
1. Ferdinand Boersg. Location of plotted utility easement. No water problem.
2. Goodlawn Development Co. Location of access control. No water problem.
3. Southlyn Addition. Final Plat. Existing main in 20th St S. Intersect main to be extended as required for development.
4. Amorado Estates Third Addition. Preliminary Plat. Item D, main to be extended. 12" main in Clarkport to be extended to Moize Rd. and extended in North along the plot. Otherwise no water problem.
5. Triple "S" Grove Addition. Final Plat. Action was killed for Harvest Chapel Addition to extend main in SSK to Service. Suggest main in Service to be extended to serve the plot.
6. Penstemon Fourth Addition. Final Plat. Item D, main to be extended. Main in Greenbriar Court should be tied off Greenbriar and also at Oxford to provide second feed to another independent source.
7. Woodland Estates 3rd Addition. Preliminary Plat. Main to be extended in Shannon Day Court. No water problem.
8. Frank & Johnny's Addition. Preliminary Plat. Area now served by existing mains in 27th St N and 80th. No water problem.
9. World Impact Addition. Final Plat. No water problem. Any additional main required shall be extended observing required separation of water lines and sanitary sewers.
10. Daskind 2nd Addition. Item A, main to be extended. Main to be extended from Goodlawn (when available) and in 21st along the plot. Main in Goodlawn to be extended as part of Daskind 12th plat. DDE & Assoc. designing a water line in 19th ending between Boyd & Trace.
11. Miller Heights Addition. Final Plat. Item D, outside the city water service application, etc required. No water problem.
12. Monterey Addition. Final Plat. Plat now served. ~~has~~ No water problem.
13. Kelly Addition. Final Plat. Existing main in Central may be used to serve this property because of the access control to Anapaho.
14. Stanson Investment Corporation. Grant utility easement. No water problem.
15. W.A. Michael's, Jr. et al. Grant utility easement. No water problem.
16. Keith Anderson. Grant utility easement. No water problem.
17. Robert and Mary McComb. Grant utility easement. No water problem.
18. Other Matters.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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



December 5, 1986

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road #800
Wichita, KS 67226

Re: Final Plat S/D 86-101 - PENSTEMON FOURTH ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, December 4, 1986, 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 extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- 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 an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- G. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' 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 those responsibilities.
- H. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.

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- I. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings. Any planting within the easement shall be reviewed by the City Forestry Division prior to installation.
- J. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot wide street pavement. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- K. The applicant shall submit a copy of the instrument which establishes the KANEB Pipeline easement on this property.
- L. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement. Proof shall also be submitted that the dedication of street right-of-way over the pipeline easement is acceptable to the pipeline company.
- M. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- N. The final plat shall indicate the amount of half-street right-of-way existing for Rock Road, Greenbriar and Oxford Streets adjacent to this property. The centerline of Oxford Street shall also be indicated and labeled.
- O. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the Community Unit Plan requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes single-family homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of the plat for scheduling before the Board of City Commissioners.
- P. On the final plat, a 20-foot wide building setback shall be indicated from Greenbriar Court on Lot 11. The platting of this building setback will provide a 5-foot wide strip of ground for landscaping between a future dwelling unit and the "15-foot street, drainage and utility easement".
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- R. On the final plat, the recording information for the K.G.&E. easement, adjacent to Rock Road, shall be indicated.
- S. On the final plat, Oxford Street shall be labeled as a "private street".
- T. The applicant shall obtain, by separate instrument, the off-site utility easement needed to the east of this plat.

U. As requested by K.G.&E., when the preliminary plat was approved, a 10-foot wide utility easement centered on the lot line common to Lots 20 and 21, Lots 4 and 5 and Lots 7 and 8 shall be platted.

V.

As discussed when the preliminary plat was approved, the street name of Greenbriar Court cannot be used. This name cannot be used because it conflicts with Central Inspection's ability to assign address numbers according to the City Ordinance establishing the address numbering system. The final plat tracing shall indicate the street name of White Oak Circle.


- W. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- X. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Y. 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, December 11, 1986 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

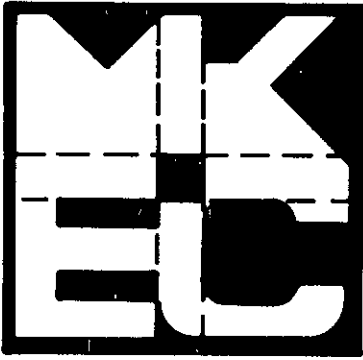


Forrest L. Nagley
Senior Planner

FLN:dik

Enclosure

cc: Slawson Investments, Inc., 8100 E. 22nd N., Bldg. 1900,
Wichita, KS 67226
X Mike Lindebak, City Engineer



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

PROJECT: Penstemon 4th Addition

Storm Water Sewer

PROJECT #: _____ DATE: 12/13/86

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

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITIES</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>EXTENSION</u>
1.	36" RCP	150	L.F.	\$ 40.00	\$ 6,000.00
2.	24" RCP	250	L.F.	26.00	6,500.00
3.	21" RCP	105	L.F.	23.00	2,415.00
4.	15" RCP	55	L.F.	18.00	990.00
5.	Curb inlets	4	Each	2,000.00	8,000.00
6.	R.C. MH	1	Each	3,000.00	<u>3,000.00</u>
				Subtotal:	\$ 26,905.00
				25% Engineering, Administrative and Contengencies:	<u>6,726.25</u>
				TOTAL:	\$33,631.25

Use \$34,000.00 for Petition.

MID-KANSAS ENGINEERING CONSULTANTS, P.A.

A handwritten signature in cursive script that reads 'Benny Gegen'.

Benny Gegen

BG/dm

EASEMENT

THIS EASEMENT made this 23rd day of December, 1986, by and between Cottonwood Grove Associates, L.P., a Kansas limited partnership of the first part and the City of Wichita, of the second part.

WITNESSETH: that the said first party, in consideration of the sum of One Dollar (\$1,00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a perpetual right of way and easement for the purpose of constructing, maintaining and repairing their drainage facilities, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

All that part of the West Half of the North Half of the Southwest Quarter, Section 13, Township 28 South, Range 1 West, lying East of the Easterly Boundary of Cottonwood Grove Second.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining and repairing their drainage facilities, including the right to open and excavate in any streets or ways that may be constructed on the surface of said easements, provided that upon completion of the necessities of grantee's operations the surface of such easements shall be restored as nearly as possible to its original condition.

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

COTTONWOOD GROVE ASSOCIATES, L.P.,
a Kansas limited partnership

By: Alexander L. Dean
Alexander L. Dean
President of Gen. Partner

STATE OF KANSAS

ss:

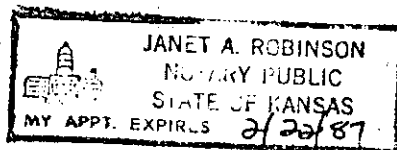
SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Alexander L. Dean, President of Cottonwood Grove Associates, L.P., a Kansas limited partnership 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 this 23rd day of December, 1986.

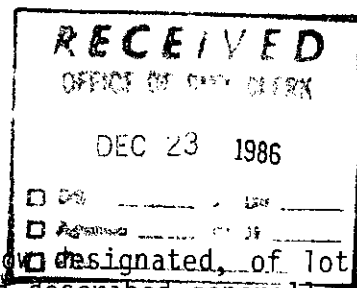
Janet A. Robinson
Notary Public Janet A. Robinson

My Appointment Expires: February 22, 1987



PETITION
STORM WATER SEWER

To the Board of Commissioners
Wichita, Kansas



Dear Commissioners:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property lying within the area described generally as follows:

PENSTEMON 4TH ADDITION

All Lots 1 through 24 inclusive, Block 1;

do hereby petition, pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq., as follows:

- (a) That there be constructed a storm sewer to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
- (b) That the estimated and probable cost of the foregoing improvements will be Thirty-Four Thousand Dollars, (\$34,000.00) with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 1987.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed of the total actual cost of the improvement for which the improvement district is liable.
- (d) That the method of assessment of all costs of the improvements for which the improvement district shall be liable shall be on a fractional basis.

Lot 1, Block 1; Lot 2, Block 1 and Lots 17 through 24 inclusive, Block 1, Penstemon 4th Addition shall each pay 1/38 of the total cost payable by the improvement district. Lots 3 through 16 inclusive, Block 1, Penstemon 4th Addition shall each pay 2/38 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

- (e) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of any assistance available through the Special Assessment Deferral Program, in accordance with City of Wichita Ordinance No. 38-559.

2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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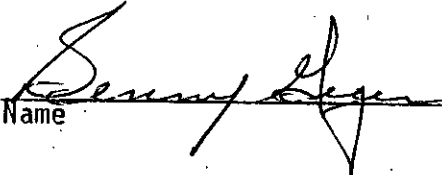
All Lots 1 through 24 inclusive,
Block 1; all within Penstemon 4th
Addition, an addition to Wichita,
Sedgwick County, Kansas.

SLAWSON INVESTMENT CORPORATION

By: Larry A. Chambers 1/23/86
Larry A. Chambers,
Vice President

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.


Name _____

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

Phone: (316) 682-6561

Sworn to and subscribed before me this 23rd day of December,
1986.


Dep. City Clerk _____

EASEMENT

THIS EASEMENT made this 23rd day of December, 1986, by and between Slawson Investment Corporation, of the first part and the City of Wichita, of the second part.

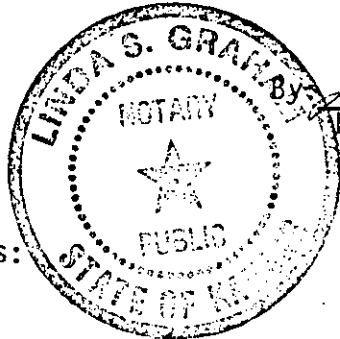
WITNESSETH: that the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a perpetual right of way and easement for the purpose of constructing, maintaining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

A 15.00 foot wide strip of land lying East of and adjacent to the East line of Lots 1 through 10, Block 1, Penstemon 4th Addition, an addition to Wichita, Sedgwick County, Kansas.

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

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

SLAWSON INVESTMENT CORPORATION



Larry A. Chambers
Larry A. Chambers, Vice-President

STATE OF KANSAS
SS: SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Slawson Investment Corporation, Larry A. Chambers, Vice-President 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 this 23rd day of December, 1986.

Linda S. Graham
Notary Public Linda S. Graham

My Appointment Expires: 2-9-90

Off-site easement required for Penstemon 4th Addn.

PENSTEMON 4TH ASSESSMENTS

81623

PAYING \$69773 RICHIE
9600 MIO-KS
USE \$95000

LOT 1 & 2, 17-24 1/38

3-16 2/38

\$2500

\$5000

8378

WATER \$27195 WILLCAT
3000 MIO-KS
USE \$38,000

\$1000

\$2000

81656

SEWER \$45260 WILLCAT
4291 MIO-KS
USE \$69000

\$1700

\$3400

81367

STORM \$79920 STANNARD
9120 MIO-KS
USE \$106,000
SQ. FT. 14¢

\$5200

\$10400