

**CHISHOLM CREEK HOMEOWNERS ASSOCIATION
No. 2 CHISHOLM CREEK
3900 NORTH WOODLAWN
WICHITA, KS. 67220**

September 18, 1991

Public Works Department
City of Wichita
7th Floor, City Hall
Wichita, KS 67202

Attention: Michael Lindebak, City Engineer

Dear Sir:

This is to advise of a potential problem with drainage as a result of the new sub-division at 39th Street and Woodlawn, North.

The Chisholm Creek Condominiums were built in 1975 at which time it was County rather than City. They were built using very little fill dirt. Since the condominiums were low, a dirt berm was constructed between the condominium property and Chisholm Creek to control flooding. The berm runs from 37th Street to 39th Street. Our present drainage run-off is via the middle of the streets, eventually running into Chisholm Creek. The drainage for the condominiums is adequate for our purposes only.

The properties due north of our condominiums were building homes north of 39th Street but now have started building south of 39th Street next to our property. They brought in considerable fill dirt which has resulted in their lots being much higher than ours. They have put in some storm drains for the proposed cul-de-sacs which run into Chisholm Creek but they are not adequate to carry off all the water. A large amount of their run-off will and is through Chisholm Creek which compounds our already existing storm drain problem.

We are requesting that the City take steps to insure the problem is solved, whether it be in the form of a ditch, retaining wall or other proven remedies in order to stop the run-off problem. We have been waiting to see if the problem was going to be properly addressed by the developer but construction progress to date does not indicate further attention to this problem will be made. This letter is to serve as notice that Chisholm Creek Condominiums will not allow the developer to use our property as a storm drain into the Chisholm Creek. Further, this is to serve as a warning that any legal action, if necessary, will name the City of Wichita as well as the Developer in the legal process.

Your reply to this letter will be greatly appreciated.

Ray Metcalf
Ray Metcalf, President
Chisholm Creek Homeowners Assoc.
#26 Maverick
3900 N. Woodlawn
Wichita, KS 67220



