

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 89-38 - TALLGRASS EAST 3RD ADDITION

OWNER/APPLICANT: Ritchies Development Corp.
8100 E. 22nd St. North, Wichita, KS 67226

SURVEYOR/ENGINEER: Bill Yung Design

LOCATION: Between Webb & Greenwich, north of 21st St. N.

SITE SIZE: 59.7 Acres

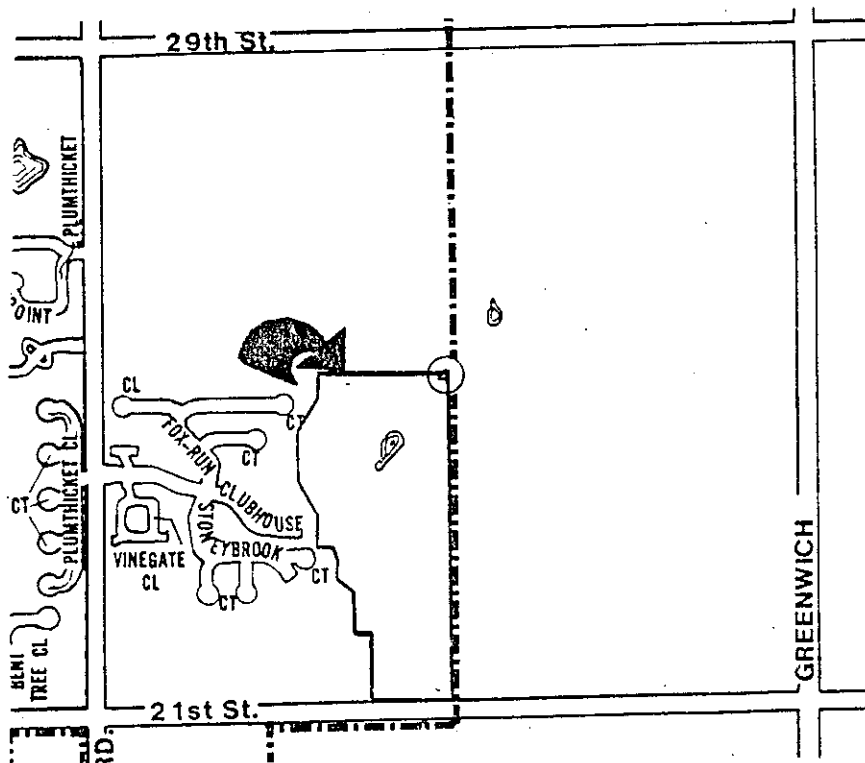
NUMBER OF LOTS

| | |
|--------------|-----|
| Residential: | 168 |
| Office: | |
| Commercial: | |
| Industrial: | |
| Total: | 168 |

MINIMUM LOT AREA: 9,200 sq. ft.

CURRENT ZONING: "AA" One-family Dwelling

VICINITY MAP:



STAFF COMMENTS:

NOTE: This plat represents the third portion of the overall Tallgrass East (residential) development. This plat is subject to the provisions of the Tallgrass II Community Unit Plan (DP-163) and corresponds to parcels 5 and 6 of this C.U.P. The lots being platted are to be developed with 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 any drainage improvements required by the platting of this property.
- ✓ D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. According to the C.U.P., the applicant is to guarantee a deceleration lane on 21st street North to serve the entrance to this development at Clubhouse. Traffic Engineering should be prepared to indicate if this improvement should be required and if additional street right-of-way (60-feet of half) needs to be dedicated for such an improvement.
- G. When the overall preliminary plat for the Tallgrass East development was approved, a sidewalk plan was prepared. Within the area of this plat, that plan indicated sidewalk along the west side of Clubhouse and a more or less looped portion that would extend from about the intersection of Clubhouse and Windwood on this plat, northward and westward through a system of what were Reserves on the original overall preliminary plat. These Reserves, however, are no longer being platted on this revised preliminary.

Based upon requirements of the sidewalk ordinance, the applicant shall now guarantee sidewalks on both sides of Clubhouse Drive (a designated collector) and on one side of the Windwood/Windemere looped street (intersects a collector and sufficient number of lots outletting to this looped street). The applicant shall provide five revised copies of a sidewalk plan for the overall area showing these changes.

- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

- I. 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. This covenant shall also indicate that the lot owners association will be responsible for maintaining the area between street pavement and the wall easement platted along the south line of the plat and for any wall constructed within the easement.
- J. In Reserve D, if the sidewalk required in the above comment, is constructed out side of street right-of-way for Clubhouse, the required covenant, which provides for ownership and maintenance of the reserves, shall establish that the homeowner's association shall maintain the sidewalk planned for construction outside of dedication street right-of-way. This covenant shall grant, to the City, the authority to maintain the sidewalk outside of dedication street right-of-way 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.
- K. 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.
- L. 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 street. 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.
- M. 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 structures constructed on subject property.
- N. On the final plat the "Drive" suffix shall be deleted from Clubhouse. This suffix was not used on adjacent plats and typically is used to designate a frontage road for plats within Wichita.
- O. Upon the recording of this plat, Clubhouse shall become a designated residential collector street.

- P. As required by the C.U.P. and subdivision regulations all lots shall have a minimum frontage of 60-feet at the front building setback line. Lots 9, 72, and 88 are significantly below this frontage requirements and the final plat shall redesign the areas on which these lots occur so as to achieve the required frontage.
- Q. As required by the C.U.P., Lot 1, Block 1, being adjacent to a 66-foot street, needs to indicate a 25-foot building setback to Clubhouse if this side of the lot is being treated as the lot's front. If not, a 20-foot setback should be shown to Windwood since this side of the lot should, with the cul-de-sac, be viewed as the lot's front.
- R. A note shall be placed on the face of the plat which indicates that additional setback requirements are per the Tallgrass East Residential C.U.P., DP-163.
- S. IF the sanitary sewer plan indicates that sewer will be located in Reserve A (within the indicated utility easement), a hold harmless agreement shall be submitted since this Reserve is also indicated as allowing, walls, entry, monuments and other features potentially in conflict with the maintenance of sanitary sewer.
- T. Since a structure (gazebo) is indicated for Reserve D, adjacent to street right-of-way, a 20-foot building setback shall be indicated for Reserve D, adjacent to Clubhouse.
- U. On the final plat solid lines shall not be used at the intersection of Clubhouse and the streets branching from this collector. Solid lines are used to indicate private streets (reserves).
- V. 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.
- W. 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.
- X. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Y. 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.

- Z. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
 - AA. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
 - BB. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.
-

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

June 16, 1989

Professional Engineering Consultants
Attn: Gary Wiley
1440 East English
Wichita, KS 67211

Re: S/D 89-38 TALLGRASS EAST 3RD ADDITION

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, June 15, 1989, 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 any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. According to the C.U.P., the applicant is to guarantee a deceleration lane on 21st street North to serve the entrance to this development at Clubhouse.
- G. Prior to submitting the final plat the applicant shall contact Traffic Engineering to resolve issues relating to providing a left turn lane to the entrance on 21st Street.
- H. The applicant shall guarantee sidewalks on one side of Clubhouse Drive (a designated collector) and on one side of the Windwood\Windemere looped street (intersects a collector and

sufficient number of lots outletting to this looped street) and the extension through Reserve "H" to the adjacent property to the west. The applicant shall provide five revised copies of a sidewalk plan for the overall area showing these changes.

- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. 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. This covenant shall also indicate that the lot owners association will be responsible for maintaining the area between street pavement and the wall easement platted along the south line of the plat and for any wall constructed within the easement.
- K. In Reserve D, if the sidewalk required in the above comment, is constructed out side of street right-of-way for Clubhouse, the required covenant, which provides for ownership and maintenance of the reserves, shall establish that the homeowner's association shall maintain the sidewalk planned for construction outside of dedication street right-of-way. This covenant shall grant, to the City, the authority to maintain the sidewalk outside of dedicated street right-of-way 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.
- L. 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.
- M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. 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.

- N. 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 structures constructed on subject property.
- O. On the final plat the "Drive" suffix shall be deleted from Clubhouse. This suffix was not used on adjacent plats and typically is used to designate a frontage road for plats within Wichita.
- P. Prior to submitting the final plat the applicant shall work with the Fire Department to resolve any conflicting or confusing street names.
- Q. Upon the recording of this plat, Clubhouse shall become a designated residential collector street.
- R. Lots 9, 72, and 88 are significantly below frontage requirements and the final plat shall redesign the areas on which these lots occur so as to achieve a greater area of frontage and provide increased building setbacks.
- S. As required by the C.U.P., Lot 1, Block 1, being adjacent to a 66-foot street, needs to indicate a 25-foot building setback to Clubhouse if this side of the lot is being treated as the lot's front. If not, a 20-foot setback should be shown to Windwood since this side of the lot should, with the cul-de-sac, be viewed as the lot's front.
- T. A note shall be placed on the face of the plat which indicates that additional setback requirements are per the Tallgrass East Residential C.U.P., DP-163.
- U. Prior to, or at the time of submitting the final plat, the applicant shall submit a sanitary sewer layout and plan to City Engineering for review and approval.
- V. If the sanitary sewer plan indicates that sewer will be located in Reserve A (within the indicated utility easement), a hold harmless agreement shall be submitted since this Reserve is also indicated as allowing, walls, entry, monuments and other features potentially in conflict with the maintenance of sanitary sewer.
- W. Since a structure (gazebo) is indicated for Reserve D, adjacent to street right-of-way, a 20-foot building setback shall be indicated for Reserve D, adjacent to Clubhouse.
- X. On the final plat solid lines shall not be used at the intersection of Clubhouse and the streets branching from this collector. Solid lines are used to indicate private streets (reserves).

- Y. The final plat shall reflect the utility easements requested by K.G.&E.
- Z. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City and County Engineering for review and approval.
- BB. 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.
- CC. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- DD. 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.
- EE. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- AA. The applicant is reminded that the drainage plan indicates that this development will need to coordinate with property to the north regarding off-site detention ponds.

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

Sincerely,



R. Timothy Bickhaus
Associate Planner

RTB:svm

Enclosure

cc: Bill Yung Design, 4912 E. 29th North, Suite One, Wichita, KS
67220
Ritchies Development Corp., 8100 E. 22nd St. No., Wichita,
KS 67226
Jim Weber, County Engineer
Mike Lindebak, City Engineer

Approved by Board of Commissioners
this JAN 20 1987

DRAINAGE 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 on the second part.

WITNESSETH: That the said first part, 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 a drainage system, over, along and under the following described real estate situated in Sedgewick County, Kansas, to wit:

COMMENCING AT THE NORTHWEST CORNER OF THE SW1/4 OF SEC 4, TWP 27S, R 2E, OF THE 6TH P.M.; THENCE N 89°02'26" E A DISTANCE OF 1,463.51 FEET TO THE POINT OF BEGINNING; THENCE N 89°02'26" E A DISTANCE OF 35 FEET; THENCE S 1°10'25" E A DISTANCE OF 111.2 FEET; THENCE S 28°49'35" W A DISTANCE OF 300.0 FEET; THENCE N 1°10'25" E A DISTANCE OF 70 FEET; THENCE N 28°49'35" E A DISTANCE OF 230.0 FEET; THENCE N 1°10'25" W A DISTANCE OF 101.96 FEET TO THE POINT OF BEGINNING. ALSO: COMMENCING AT THE SOUTHWEST CORNER OF THE SW1/4 OF SEC 4, TWP 27S, R 2E, OF THE 6TH P.M.; THENCE N 88°49'35" E A DISTANCE OF 1236.38 FEET; THENCE N 1°10'25" W A DISTANCE OF 40.0 FEET TO THE POINT OF BEGINNING; THENCE N 1°10'25" W A DISTANCE OF 740.0 FEET; THENCE N 36°51'16" E A DISTANCE OF 241.21 FEET TO THE SOUTHEAST CORNER OF LOT 48, BLOCK 2, TALLGRASS EAST; THENCE N 70°33'37" E A DISTANCE OF 60.04 FEET TO THE SOUTHWEST CORNER OF LOT 19, BLOCK 4, TALLGRASS EAST; THENCE S 36°51'16" W A DISTANCE OF 285.06 FEET; THENCE S 1°10'25" E A DISTANCE OF 724.28 FEET; THENCE S 89°49'35" W A DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING.

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

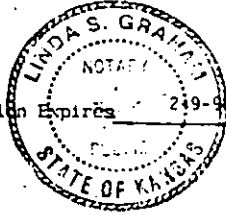
IN WITNESS WHEREOF: The said first part has signed these presents the day and year first written.

SLAWSON INVESTMENT CORPORATION
BY: Larry A. Chambers
Vice President
LARRY A. CHAMBERS

STATE OF KANSAS) SS
SEDGWICK COUNTY)

Personally appeared before me, a notary public, in and for the County and State aforesaid SLAWSON INVESTMENT CORPORATION, BY: 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 23rd day of December, 1986.



Linda S. Graham
Linda S. Graham Notary Public

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 PM

FEB 12 1987

NO. 8 62917
PAT KETTLER
REGISTER OF DEEDS

Ed Beard
Deputy

city clerk

Being vacated by Tallgrass 31d

Approved by Board of Commissioners
OCT 21 1986

TEMPORARY EASEMENT

THIS EASEMENT made this 8th day of September, 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 Temporary right of way and easement for the purpose of constructing, maintaining and repairing their Sanitary Sewer according to the plans and specifications now on file in the office of the City Engineer of the City of Wichita, Kansas, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A tract of land lying in the Southwest Quarter, Section 4, Township 27 South, Range 2 East of the 6th P.M., more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter; thence N 88° 49' 35" E, 1236.38 feet along the South line of said Southwest Quarter; thence N 1° 10' 25" W, 40.00 feet to the point of beginning; thence N 1° 10' 25" W, 1270.00 feet; thence N 88° 49' 35" E, 40.00 feet; thence S 1° 10' 25" E, 1270.00 feet; thence S 88° 49' 35" W, 40.00 feet to the point of beginning.

AND ALSO:

Commencing at the Southwest corner of said Southwest Quarter; thence N 88° 49' 35" E, 1206.38 feet along the South line of said Southwest Quarter; thence N 1° 10' 25" W, 1340.00 feet to the point of beginning; thence N 1° 10' 25" W, 40.00 feet; thence N 88° 49' 35" E, 240.00 feet; thence S 1° 10' 25" E, 40.00 feet; thence S 88° 49' 35" W, 240.00 feet to the point of beginning.

AND ALSO:

Commencing at the Southwest corner of said Southwest Quarter; thence N 88° 49' 35" E, 1476.38 feet along the South line of said Southwest Quarter; thence N 1° 10' 25" W, 1310.00 feet to the point of beginning; thence N 1° 10' 25" W, 659.02 feet; thence N 88° 49' 35" E, 40.00 feet; thence S 1° 10' 25" E, 659.02 feet; thence S 88° 49' 35" W, 40.00 feet to the point of beginning.

AND ALSO:

A tract of land lying in the West Half, Section 4, Township 27 South, Range 2 East of the 6th P.M., more particularly described as follows:

Commencing at the Southwest corner of said Section 4; thence N 88° 49' 35" E, 1446.38 feet along the South line of said Section 4; thence N 1° 10' 25" W, 1880.98 feet to the point of beginning; thence N 31° 10' 25" W, 240.00 feet; thence N 1° 10' 25" W, 279.47 feet; thence N 28° 49' 35" E, 230.00 feet; thence N 1° 10' 25" W, 178.26 feet; thence N 88° 49' 35" E, 40.00 feet; thence S 1° 10' 25" E, 188.98 feet; thence S 28° 49' 35" W, 230.00 feet; thence S 1° 10' 25" E, 258.04 feet; thence S 31° 10' 25" E, 160.00 feet; thence S 1° 10' 25" E, 80.00 feet to the point of beginning.

This easement does not include a right-of-way over land occupied by a permanent structure. Said easement shall expire upon completion of sewer.

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

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD
8-00

NOV 4 1986

8 43264

PAT KETTLER
REGISTER OF DEEDS

SLAWSON INVESTMENT CORPORATION

By: *Larry A. Chambers*
Vice President

Ed Bass
Deputy
LARRY A. CHAMBERS

City Clerk

TEMPORARY EASEMENT page 2

STATE OF KANSAS

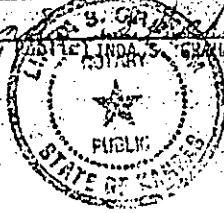
SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came LARRY A. CHAMBERS 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 8th day of September, 1986.

Linda S. Graham
Notary Public LINDA S. GRAHAM

My Appointment Expires: 2-9-90



August 24, 1989

STAFF REPORT
(Final; Preliminary Plat Approved 6/15/89)

CASE NUMBER: S/D 89-38 - TALLGRASS EAST 3RD ADDITION

OWNER/APPLICANT: Ritchies Development Corp.
8100 E. 22nd St. North, Wichita, KS 67226

SURVEYOR/ENGINEER: Professional Engineering Con. - Gary Wiley

LOCATION: Between Webb & Greenwich, north of 21st St. N.

SITE SIZE: 59.7 Acres

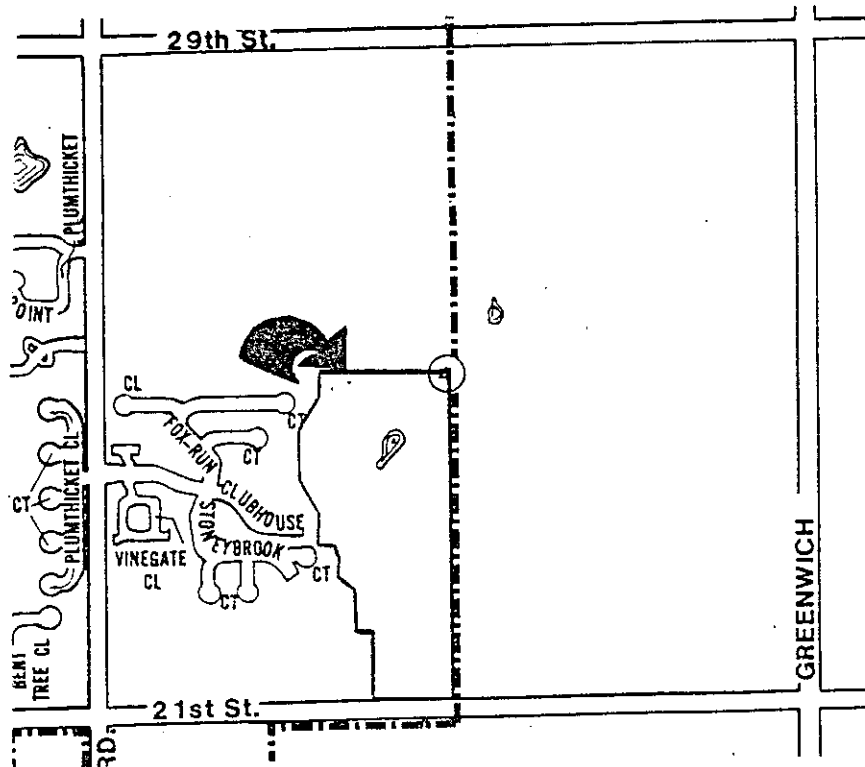
NUMBER OF LOTS

| | |
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| Residential: | 177 |
| Office: | |
| Commercial: | |
| Industrial: | |
| Total: | 177 |

MINIMUM LOT AREA: 9,200 sq. ft.

CURRENT ZONING: "AA" One Family Dwelling (DP-163)

VICINITY MAP:



STAFF COMMENTS:

NOTE: This final plat represents the third portion of the overall Tallgrass East (residential) development. This plat is subject to the provisions of the Tallgrass II Community Unit Plan (DP-163) and corresponds to parcels 5 and 6 of this C.U.P. The lots being platted are to be developed with traditional single-family homes. The final plat street layout has an additional access to Windemere, which was previously shown on the preliminary plat as a loop street. Three flag lots have been redesigned to adjust their shape to meet standards. The preliminary plat showed 168 lots, this final plat indicates the platting of 177 lots.

- 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 any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. According to the C.U.P., the applicant is to guarantee a deceleration lane on 21st street North to serve the entrance to this development at Clubhouse.
- G. The applicant shall guarantee a left turn lane to the entrance on 21st Street.
- H. The applicant shall guarantee sidewalks on one side of Clubhouse Drive (a designated collector), on one side of Ayesbury and Lindberg and on one side of the Mainsgate-Windemere semi-looped street (intersects a collector and sufficient number of lots outletting to this semi-looped street) and the extension through Reserve "K" to the adjacent property to the west. The applicant shall provide five revised copies of a sidewalk plan for the overall area showing these changes.

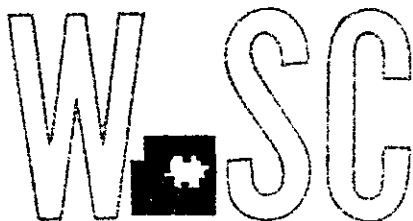
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior 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. This covenant shall also indicate that the lot owners association will be responsible for maintaining the area between street pavement and the wall easement platted along the south line of the plat and for any wall constructed within the easement.

- K. In Reserve L, if the sidewalk required in the above comment, is constructed out side of street right-of-way for Clubhouse, the required covenant, which provides for ownership and maintenance of the reserves, shall establish that the homeowner's association shall maintain the sidewalk planned for construction outside of dedication street right-of-way. This covenant shall grant, to the City, the authority to maintain the sidewalk outside of dedicated street right-of-way 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.
 - L. 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.
 - M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. 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.
 - N. 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 structures constructed on subject property.
 - O. Upon the recording of this plat, Clubhouse shall become a designated residential collector street.
 - P. If the sanitary sewer plan indicates that sewer will be located in Reserve M (within the indicated utility easement), a hold harmless agreement shall be submitted since this Reserve is also indicated as allowing, walls, entry, monuments and other features potentially in conflict with the maintenance of sanitary sewer.
 - Q. Since a structure (gazebo) is indicated for Reserve K, adjacent to street right-of-way, a 20-foot building setback shall be indicated for Reserve K from Cranbrook.
-

- R. 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.
- S. 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.
- T. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. The applicant is reminded that the drainage plan indicates that this development will need to coordinate with property to the north regarding off-site detention ponds.
- V. The applicant shall submit copies of the separate instruments being vacated by this plat to the Planning Department prior to this plat being scheduled for the City Council.
- W. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- X. Recording of the plat within 30 days after approval by the City Council.
- Y. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Z. Traffic Engineering should be prepared to comment on issues relating to providing a left turn lane to the entrance on 21st Street.
- AA. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Engineering should also be prepared to comment on the adequacy of the sanitary sewer layout plan.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

August 25, 1989

Professional Engineering Consultants
Attn: Gary Wiley
1440 East English
Wichita, KS 67211

Re: S/D 89-38 TALLGRASS EAST 3RD ADDITION

Dear Mr. Wiley:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, August 24, 1989, 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 any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. The applicant shall guarantee a deceleration lane on 21st street North to serve the entrance to this development at Clubhouse. This guarantee shall provide for a permanent improvement, to be developed, when 21st Street is improved.
- G. The applicant shall guarantee a left turn lane to the entrance on 21st Street. This guarantee shall also be held for when 21st Street is improved.

- H. The applicant shall guarantee sidewalks on one side of Clubhouse Drive (a designated collector), one one side of Ayesbury and Lindberg and on one side of the Mainsgate-Windemere semi-looped street (intersects a collector and sufficient number of lots outletting to this semi-looped street) and the extension through Reserve "K" to the adjacent property to the west. The applicant shall provide five revised copies of a sidewalk plan for the overall area showing these changes.
 - I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - J. 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. This covenant shall also indicate that the lot owners association will be responsible for maintaining the area between street pavement and the wall easement platted along the south line of the plat and for any wall constructed within the easement.
 - K. In Reserve L, if the sidewalk required in the above comment, is constructed out side of street right-of-way for Clubhouse, the required covenant, which provides for ownership and maintenance of the reserves, shall establish that the homeowner's association shall maintain the sidewalk planned for construction outside of dedication street right-of-way. This covenant shall grant, to the City, the authority to maintain the sidewalk outside of dedicated street right-of-way 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.
 - L. 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.
 - M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. 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.
-
-

- N. 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 structures constructed on subject property.
- O. Upon the recording of this plat, Clubhouse shall become a designated residential collector street.
- P. If the sanitary sewer plan indicates that sewer will be located in Reserve M (within the indicated utility easement), a hold harmless agreement shall be submitted since this Reserve is also indicated as allowing, walls, entry, monuments and other features potentially in conflict with the maintenance of sanitary sewer.
- Q. Since a structure (gazebo) is indicated for Reserve K, adjacent to street right-of-way, a 20-foot building setback shall be indicated for Reserve K from Cranbrook.
- R. 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.
- S. 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.
- T. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. The applicant is reminded that the drainage plan indicates that this development will need to coordinate with property to the north regarding off-site detention ponds. If this plat is to be completed prior to the area north being platted, off-site drainage easements shall be provided for recording with the final plat tracing, as is required by the drainage plan.
- V. The applicant shall submit copies of the separate instruments being vacated by this plat to the Planning Department prior to this plat being scheduled for the City Council.
- W. As requested by City Engineering, minimum building pad elevations shall be indicated for the lots along the north line of the plat. The platting of the minimum building pad elevation shall be noted on the face of the plat as well as in the plattor's text. The plattor's text shall also indicate if

these elevations involve the level of the minimum opening or floor level. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).

- X. The final plat shall indicate the utility easements requested by K.G. & E. and Southwestern Bell which are indicated on the enclosed "marked" copy of the plat.
- Y. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- Z. Recording of the plat within 30 days after approval by the City Council.
- AA. Prior to this case being forwarded to the City Council the applicant shall submit a copy of the drainage plan to County Engineering for their approval.

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, August 31, 1989 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



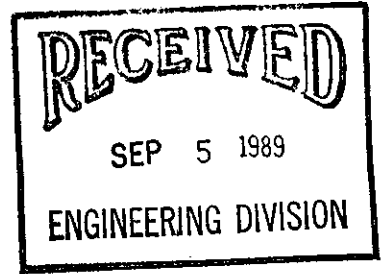
R. Timothy Bickhaus
Associate Planner

RTB:svm

Enclosure

cc: Bill Yung Design, 4912 E. 29th North, Suite One, Wichita, KS
67220
Ritchies Development Corp., 8100 E. 22nd St. No., Wichita,
KS 67226
Jim Weber, County Engineer
Mike Lindebak, City Engineer

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

September 1, 1989

Professional Engineering Consultants
Attn: Gary Wiley
1440 East English
Wichita, KS 67211

Re: S/D 89-38 TALLGRASS EAST 3RD ADDITION

Dear Mr. Wiley:

At the regular meeting of the Metropolitan Area Planning Commission on August 31, 1989, 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 August 25, 1989.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council 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 the second half of 1988 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. T. Bickhaus".

R. Timothy Bickhaus
Associate Planner

RTB:svm

cc: Bill Yung Design, 4912 E. 29th North, Suite One, 67220
Ritchies Development Corp., 8100 E. 22nd St. No., 67226
Jim Weber, County Engineer
Mike Lindebak, City Engineer

**PROFESSIONAL
ENGINEERING CONSULTANTS, PA**

1440 E. English
WICHITA, KANSAS 67211

(316) 262-2691

LETTER OF TRANSMITTAL

TO Mr. Michael E. Lindebak, P.E.
City Engineer
455 N. Main
Wichita, KS.

| | | | |
|-----------|-----------------------------|---------|---------------|
| DATE | December 15, 1989 | JOB NO. | 36-89294-2051 |
| ATTENTION | Bill Morris | | |
| RE: | Tallgrass East 3rd Addition | | |
| | | | |
| | | | |
| | | | |
| | | | |

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

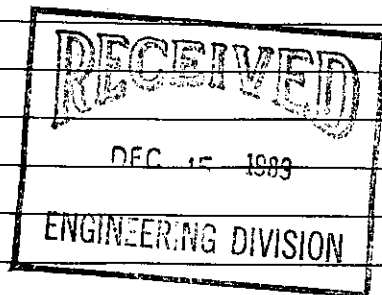
- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order Letters of Credit

| COPIES | DATE | NO. | DESCRIPTION |
|--------|----------|------|---|
| 1 | 12-15-89 | 4115 | Bank IV L.O.C. for Phase I Sanitary Sewer |
| 1 | 12-15-89 | 4116 | Bank IV L.O.C. for Phase I Water Dist. |
| 1 | 12-15-89 | 4117 | Bank IV L.O.C. for Phase I Paving |
| 1 | 12-15-89 | 4118 | Bank IV L.O.C. for Storm Water Sewer 394 |

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____



COPY TO Jack Ritchie

SIGNED: Charles S. Brown

If enclosures are not as noted, kindly notify us at once.

TEMPORARY DRAINAGE EASEMENT

THIS EASEMENT made this 22nd day of September, 19 89, by and between Ritchie Development 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, does hereby grant and convey unto the said second party a temporary right-of-way and easement for the purpose of constructing a temporary drainage system, over the following described real estate situated in Sedgwick County, Kansas, to wit:

See Attached

Tullgrass 3rd

This easement does not include a right-of-way over land occupied by a permanent structure. Said temporary drainage easement shall expire at the time subject area is platted and permanent drainage easements or floodways are dedicated.

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

RITCHIE DEVELOPMENT CORPORATION

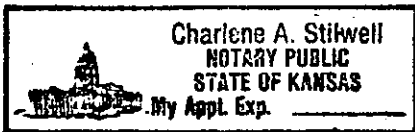
Jack D. Ritchie
Jack D. Ritchie, C.E.O.

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

Personally appeared before me, a notary public, in and for the County and State aforesaid Jack D. Ritchie to me personally known to be the same person(s) who executed the foregoing instrument of writing and said person(s) duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this 22nd day of September, 19 89.

SEAL



Charlene A. Stihwell
Notary Public

My Commission Expires 11/30/91

BEGINNING AT THE NE CORNER OF THE SW $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE 6TH P.M. THENCE BEARING S89°02'26"W ALONG THE NORTH LINE OF SAID SW $\frac{1}{4}$ A DISTANCE OF 1000.00 FEET; THENCE BEARING N0°57'34"W A DISTANCE OF 550.00 FEET; THENCE BEARING N44°00'35"E A DISTANCE OF 239.76 FEET TO THE WESTERLY RIGHT-OF-WAY OF K-96 HIGHWAY; THENCE BEARING S45°59'25"E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 504.28 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY BEARING S53°28'58"E A DISTANCE OF 597.01 FEET TO THE POINT OF BEGINNING.

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT


DATE: August 8, 1990

TO: Vicky Huang, Subdivision Engineer

FROM: Douglas J. Moshier, Senior Assistant City Attorney

SUBJECT: Agreement for Respread
Assessments

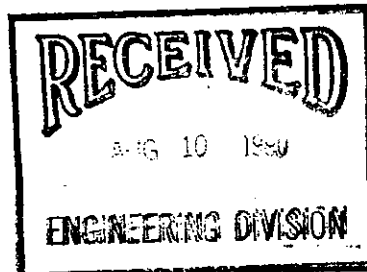
The attached Agreement for respreading assessments in Tallgrass
East 4th Addition is approved as to form.



Douglas J. Moshier
Senior Assistant City Attorney

DJM:cdh

Attachment



AGREEMENT

BY AND BETWEEN

THE CITY OF WICHITA, KANSAS,
Party of the First Part

and

Ritchie Development Corporation
Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal improvements in the area of Tallgrass East, within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part is the landowner of all or part of the improvement district; and

WHEREAS, portion of the improvement district of said improvements has been platted and/or replatted; and

WHEREAS, Party of the Second Part desires that a reassessment be made to reflect the changes in platting; and

WHEREAS, the Party of the First Part and Party of the Second Part are both desirous of accomplishing such a reassessment.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties agree as follows:

1. Lots 65 through 87, Block 1 and Lots 1 through 21, Block 4, Tallgrass East
Third Addition
was part of the improvement district for the following City project(s):
Main 24, War Industries Sewer, Project 468 76 245 81477

Said property was replatted as Lots 1 through 19, Block 1 and Lots 1 through 17,
Block 2, Tallgrass East Fourth Addition

2. The Parties agree to make a reassessment for said project in the following manner:

The assessments to Lots 65 through 76, Block 1 and Lots 1 through 21, Block 4, Tallgrass East Third Addition are to be prorated to Lots 1 through 19, Block 1 and Lots 1 through 17, Block 2, Tallgrass East Fourth Addition on an equal fraction basis (1/36 each).

3. The Party of the Second Part is the owner of the property described in section one above and said Party of the Second Part hereby waives the notice and hearing requirements of K.S.A. 12-6a12(b) with respect to the reassessment herein described.

4. The Party of the Second Part further waives his right to appeal the special assessments for the above mentioned projects (including this described reassessment) and agrees that no suit to set aside said assessment shall be brought by him nor shall he in any other way bring an action to question the validity of the proceedings taken by the Party of the First Part in constructing this project and levying the special assessments therefor.

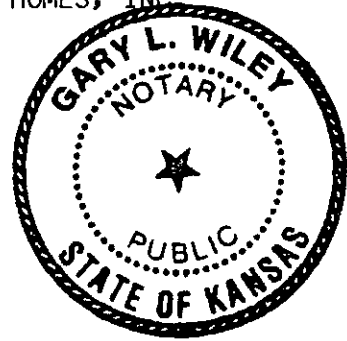
5. The Party of the Second Part further agrees that he will indemnify the Party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Part is held responsible or which are entered against the Party of the First Part arising out of or as a result of the reassessment herein described.

6. 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.

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF July, 1990, BY BRIAN K. PLUMER AS PRESIDENT OF BRIAN K. PLUMER HOMES, INC.

Gary L. Wiley, NOTARY PUBLIC
MY COMMISSION EXPIRES: JAN. 3, 1993



STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF July, 1990, BY CLIFFORD A. NIES AS PRESIDENT OF NIES CONSTRUCTION, INC.

Gary L. Wiley, NOTARY PUBLIC
MY COMMISSION EXPIRES: JAN. 3, 1993



STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF July, 1990, BY ROBERT GLADDEN AS VICE PRESIDENT OF RITCHIE BUILDING COMPANY.

Gary L. Wiley, NOTARY PUBLIC
MY COMMISSION EXPIRES: JAN. 3, 1993



STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF July, 1990, BY DAVID E. SPROUL AS PRESIDENT OF SPROUL CONSTRUCTION COMPANY, INC.

Gary L. Wiley, NOTARY PUBLIC
MY COMMISSION EXPIRES: JAN. 3, 1993



THE CITY OF WICHITA
OFFICE OF PUBLIC WORKS - ENGINEERING

TO: Twila Nelson, Deputy City Clerk

DATE: August 14, 1990

FROM: Steve Lackey, Director of Public Works

SL
SUBJECT: Agreement to Respread
Special Assessments:
Tallgrass East 3rd
Addition

Please place the attached agreement on the Consent Agenda. The purpose of the agreement is to respread special assessments to reflect recent platting activity. The Law Department has approved the document as to legal form.

Recommendation/Action: Approve the agreement and authorize the Mayor to sign.

/BM:wt
Attach.

Approved / Accepted By City Council
This MAR 21 1989
SANITARY SEWER EASEMENT

Lot 12, Blk 2, WIS #
468-81806
I.C. 608042

PM 1033 PAGE 1480

THIS EASEMENT made this 7th day of March, 1989, by and between Ritchie Development Corporation of the first part and the City of Wichita, Kansas of the second part.

WITNESSETH: That the said first part, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, 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, operating, maintaining, and repairing sewer pipes and a sewer system over, along, and under the following described real estate situated in Sedgwick County, Kansas, to wit;

A 10' SANITARY SEWER EASEMENT DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 5, BLOCK 2 IN TALLGRASS EAST 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE N1°10'25"W, ALONG THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 130.00 FEET; THENCE N88°49'35"E, A DISTANCE OF 10.00 FEET; THENCE S1°10'25"E, A DISTANCE OF 120.00 FEET; THENCE N88°49'35"E, A DISTANCE OF 115.00 FEET; THENCE S1°10'25"E, A DISTANCE OF 10.00 FEET TO THE NORTH LINE OF LOT 15, BLOCK 2 OF SAID ADDITION; THENCE S88°49'35"W, ALONG THE BOUNDARY OF SAID BLOCK 2, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

SEE SW
4-27-2E

TOGETHER WITH

A SANITARY SEWER EASEMENT DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TALLGRASS EAST 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE N1°10'25"W, ALONG THE EAST LINE OF CLUBHOUSE, A STREET IN SAID ADDITION, A DISTANCE OF 30.00 FEET; THENCE N88°49'35"E, A DISTANCE OF 20.00 FEET; THENCE S1°10'25"E, A DISTANCE OF 30.00 FEET; THENCE S88°49'35"W, PARALLEL TO AND 40.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE 6TH P.M., A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SEE SW
4-27-2E

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

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

Ritchie Development Corporation

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
12:30 PM

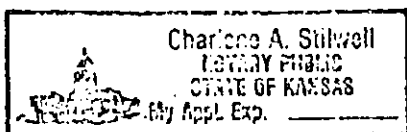
MAR 24 1989 1000701

By Jack Ritchie
Jack Ritchie

STATE OF KANSAS
SEDGWICK COUNTY
PAT KETTLER
REGISTER OF DEEDS
SS
Ed Resal Deputy

Personally appeared before me a notary public in and for the County and State aforesaid Jack Ritchie of Ritchie Development Corp. 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 7th day of March, 1989



Charlene A. Stilwell
Notary Public

My Commission Expires 11/30/91

6.00

city clerk