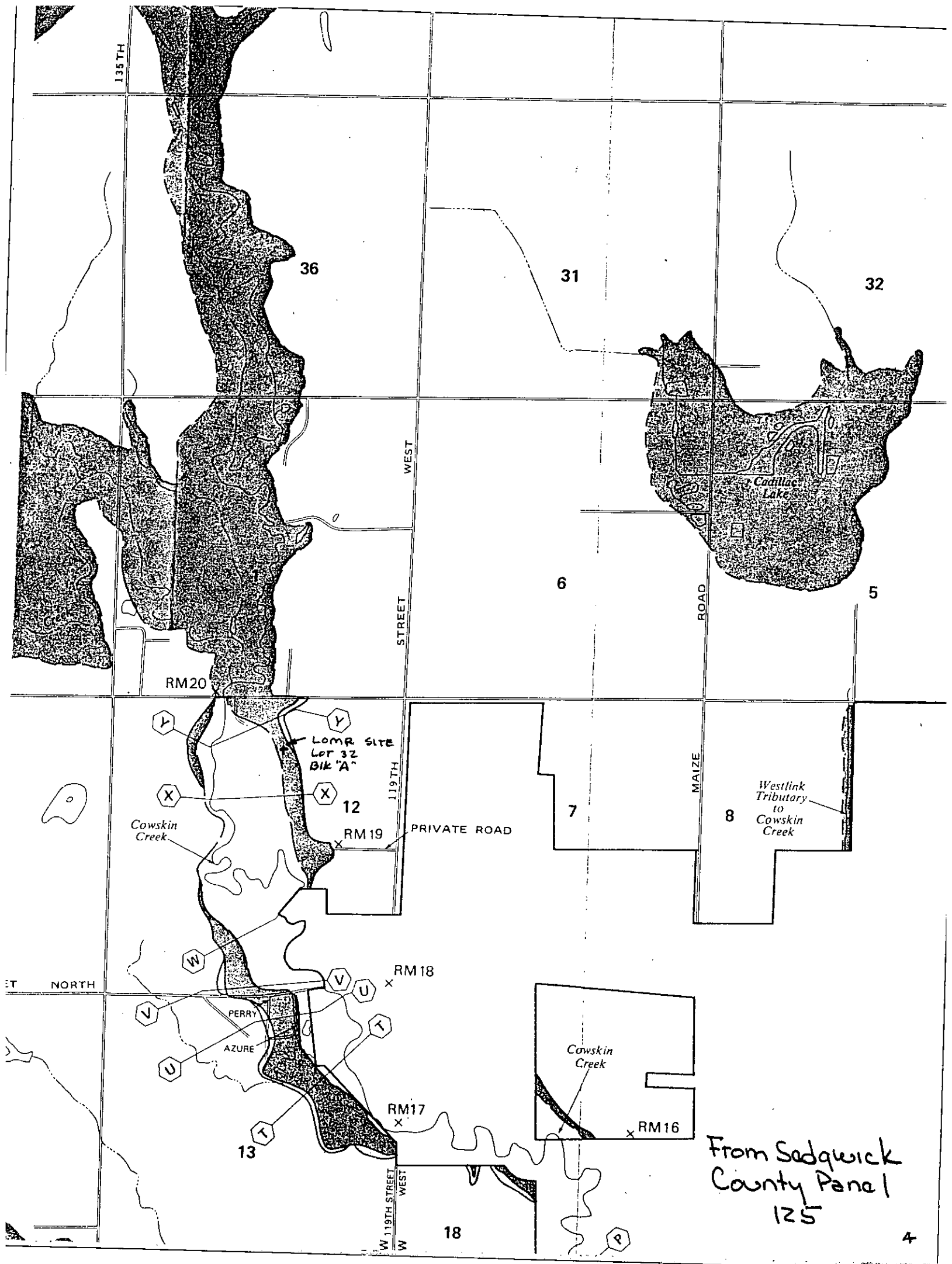


DATA REQUEST CHECKLIST FOR LETTER OF MAP REVISION BASED ON FILL

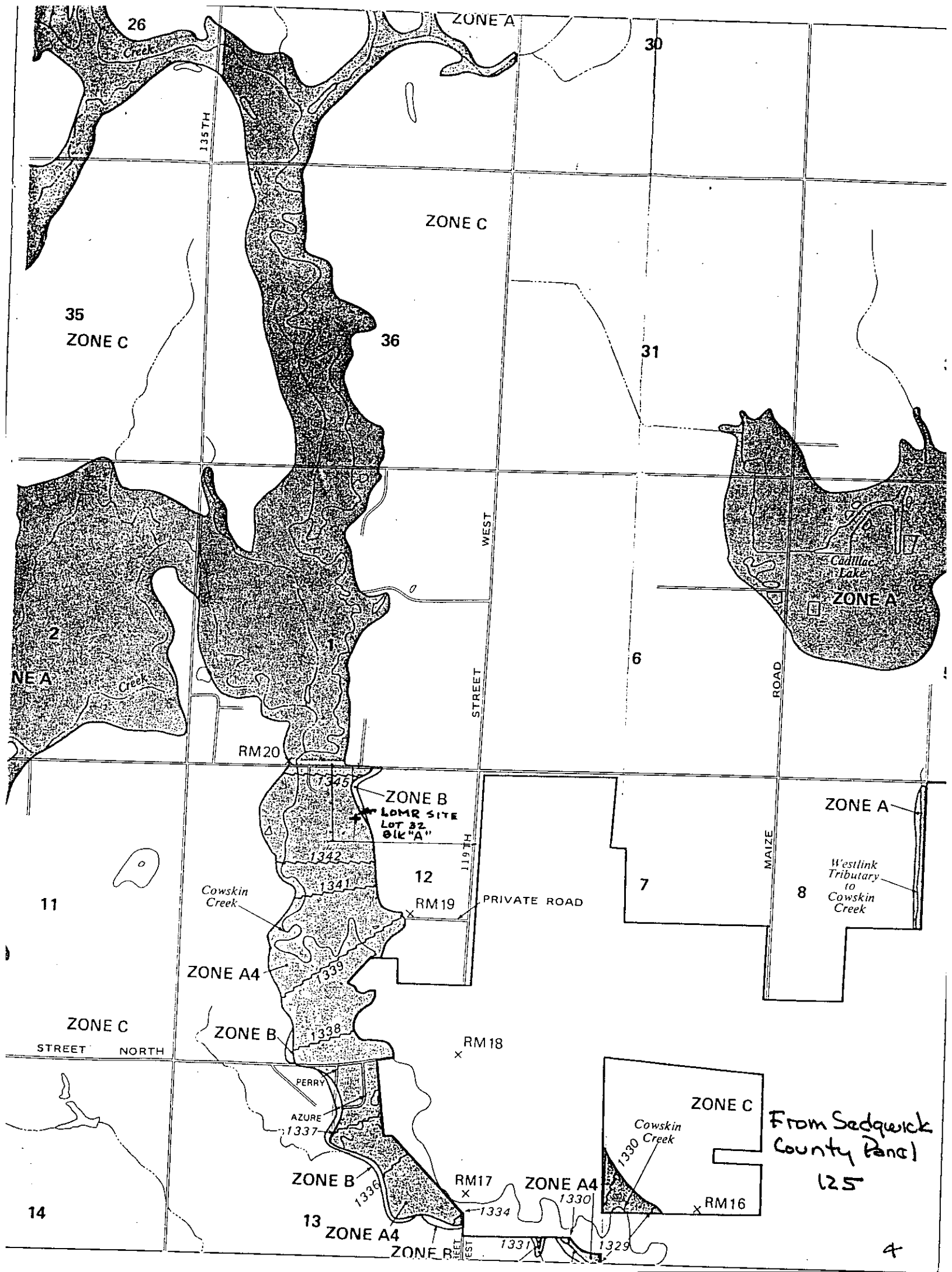
Requestor: Rick E. Huffman Date: FEB 13, 1988

Property Location: SW Corner Teal Brook Estates, Sec 12, T27S, R2W

(1) Req'd Data	(2) Rec'd Data	
NA		1. A copy of the recorded Deed giving the legal description of your property, bearing the seal of the County Clerk or Recorder of Deeds, and indicating the official recordation data (deed book volume and page number).
	✓	2. A copy of the recorded plat map showing the location of your property, bearing the seal of the County Clerk or Recorder of Deeds, and indicating the official recordation data (plat book volume and page number).
NA		3. Tax assessor's maps or other suitable maps showing the surveyed location of the property (only in cases where a recorded plat is not available).
	✓	4. If your request is for more than one lot or structure, then a photographic or original copy of an official, currently effective Federal Emergency Management Agency Map (Flood Insurance Rate Map or Flood Hazard Boundary Map) showing the accurately platted legal metes and bounds of the property and certified by a registered professional engineer or licensed land surveyor is required. Property should be plotted as outlined in the enclosed memorandum "Conditions and Criteria for Issuing Letters of Map Revision (LOMRs) Involving Fill", section 1-2, item h.
NA		5. Certified planimetric information indicating the location of structures on the property.
NA		6. Certification by a registered professional engineer or licensed land surveyor stating: a. The elevation of the lowest finished grade adjacent to the structure (include datum). b. The elevation of the lowest flood (including basement and/or attached garage), (include datum). In case of no basement, it should be so stated.
	✓	7. Certification of the dates and extent of placement of fill to raise the property/structures above the base flood elevation.
NA		8. Hydraulic calculations for _____.
	✓	9. The signed and dated "Request for Letter of Map Revision Involving Fill" form (enclosed).
		10. The signed and dated "Community Acknowledgement of Request for Letter of Map Revision Involving Fill" form (enclosed).
	✓	11. The signed and dated "Confirmation of Eligibility for Exemption from Fill Compaction Certification" form (enclosed).
		12. The signed and dated "Certification of Fill Compaction" form (attached), completed by the community's National Flood Insurance Program permit official, a registered professional engineer, or an accredited soils engineer.
		13. Daytime telephone number.
	✓	14. A letter from the state approving your fill within the Special Flood Hazard Area.
	✓	15. Other: _____

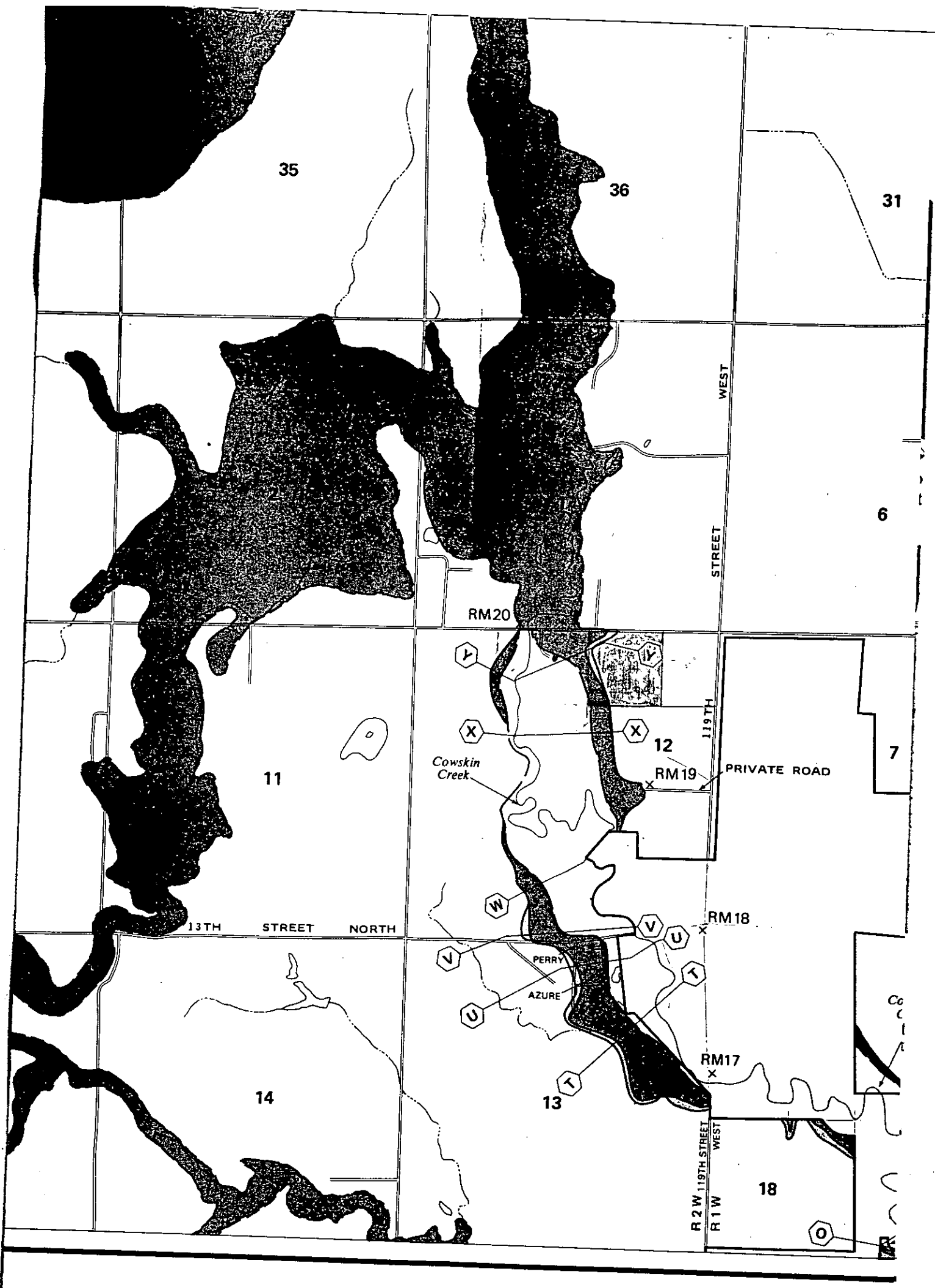


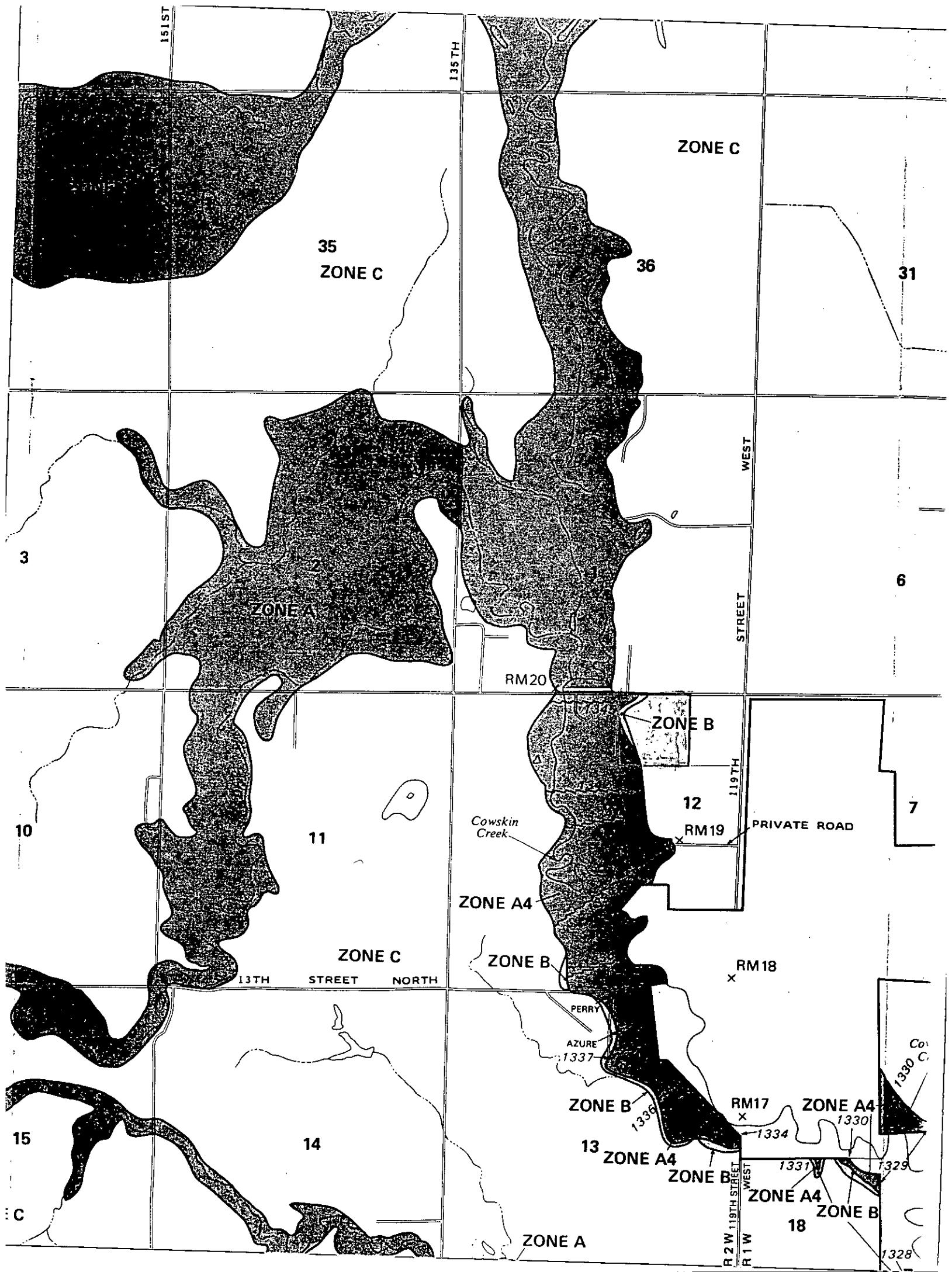
From Sedgwick
 County Panel
 125



From Sedgewick
County Parcel
125

4





COMMUNITY OFFICIAL OR PROPERTY OWNER CERTIFICATION

This is to request that a determination be made as to whether or not a certain land area or structure is within a Special Flood Hazard Area.

I hereby certify, to the best of my knowledge, that fill has/has-
not been placed to elevate this land or structure since the date
it was first identified as being in a Special Flood Hazard Area.

All documents submitted in support of this appeal are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Feb 13, 1989
Date


Name

224 E. Douglas, Ste. 200

Street Number

Wichita, KS 67202

City, State, and Zip Code



Federal Emergency Management Agency

Region VII 911 Walnut Street Kansas City, Missouri 64106

REQUEST FOR LETTER OF MAP AMENDMENT / MAP REVISION

This is to request that a determination be made as to whether or not a certain land area or structure is within a Special Flood Hazard Area.

All documents submitted in support of this appeal are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Feb 13, 1989

Date

Signature of Applicant

The following information is submitted in support of my request that a determination be made as to whether or not a certain land area or structure is within a Special Flood Hazard Area. The property is shown on the Federal Emergency Management Agency Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) identified as:

CITY OF WICHITA, KANSAS

(Community Name)

200328

(Community Number)

(Please check appropriate boxes)

- (1) A copy of the recorded deed and recorded plat indicating both the legal description of the property and the official recordation information (deed or plat book volume and page number) and bearing the seal of the Recorder of Deeds.
- (2) Topographic information, including contours and elevations of both the lowest finished grade adjacent to the structure and the lowest floor (including basement).
- (3) Planimetric information indicating the location of structures on the property. No structures.
- (4) Certification by a registered professional engineer or licensed land surveyor indicating the type of structure, whether it is elevated on posts, piers, or walls, and whether it is built on a barrier sand dune.
No Structure
- (5) Other (please list) See Data Request Checklist

HOME PHONE 316-265-9812

WORK PHONE 316-265-9812

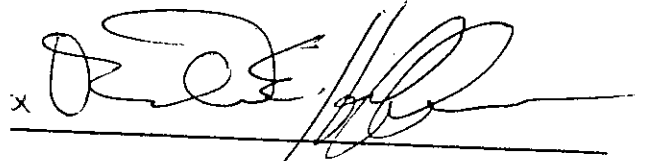
Please Print or Type Name and Address Legibly

1215 FOREST

WICHITA, KS 67203

CONFIRMATION OF ELIGIBILITY
FOR EXEMPTION FROM FILL
COMPACTION CERTIFICATION

I hereby certify that existing or planned development of the property described in this LOMR request does not exceed a single residential structure and is, therefore, exempt from the requirements for certification of fill compaction and protection as described at 44 CFR Part 65.5(a)(b).

x 

Signature

Feb 13, 1989
Date



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFICATION OF FILL COMPACTION

Community

Property

I hereby certify that fill placed on the property to raise the ground surface to or above the Base (100-year) Flood Elevation in order to gain exclusion from a Special Flood Hazard Area (100-year floodplain) meets the criteria of Title 44 of the Code of Federal Regulations, Part 65.5(a)(6), listed below. For proposed fill, I hereby certify that it is designed in accordance with these criteria.

- o that the fill has been compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method for fill pads prepared for residential or commercial structure foundations;
- o that fill slopes for granular materials are not steeper than one vertical on one-and-one-half horizontal (steeper slopes must be justified); and
- o that adequate erosion protection is provided for fill slopes exposed to moving flood waters (Slopes exposed to flows with velocities of up to 5 feet per second (fps) during the 100-year flood must, at a minimum, be protected by a cover of grass, vines, weeds, or similar vegetation; slopes exposed to flows with velocities greater than 5 fps during the 100-year flood must, at a minimum, be protected by stone or rock riprap).

Signature

Date

Community Official's Title
or Engineer's Seal

February 1988



ALLIED LABORATORIES

Located At 349 Ida • Wichita, Kansas 67211
Mail To 1440 E. English • Wichita, Kansas 67211
(316) 262-6457

NUCLEAR RELATIVE

COMPACTION TEST DATA

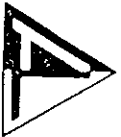
(ASTM D-2922, ASTM D-3017)

PROJECT Bergkamp - Tealbrook
JOB NO. 56-89043-375

TEST NUMBER	1	2	3	4	5	6	7	8	9	10
LOCATION	S.side Center A.M.	Reroll A.M.								
MODE & DEPTH	8"DT	8"DT								
WET DENSITY pcf	113.9	117.7								
DRY DENSITY	97.4	105.3								
% MOISTURE	16.9	11.8								
MAXIMUM DRY DENSITY	110.4	110.4								
OPTIMUM MOISTURE	15.2	15.2								
CURVE NUMBER	1740	1740								
SPEC COMPACT REQUIREMENT	95	95								
MOISTURE SPEC										
% RELATIVE COMPACTION	88	95								
*										
STANDARD COUNT										
DENSITY										
MOISTURE										

REPORTED IN FIELD TO Greg Engels DATE 2-1-89 TESTED BY BR

REVIEWED BY *David DeWald*



ALLIED LABORATORIES

Located At 349 Ida • Wichita, Kansas 67211
Mail To 1440 E. English • Wichita, Kansas 67211
(316) 262-6457

NUCLEAR RELATIVE

COMPACTION TEST DATA

(ASTM D-2922, ASTM D-3017)

PROJECT Bergkamp - Tealbrook

JOB NO. 56-89043-375

TEST NUMBER	1	2	3	4	5	6	7	8	9	10
LOCATION	S. side Center A.M.	Reroll A.M.								
MODE & DEPTH	8"DT	8"DT								
WET DENSITY PCF	113.9	117.7								
DRY DENSITY	97.4	105.3								
% MOISTURE	16.9	11.8								
MAXIMUM DRY DENSITY	110.4	110.4								
OPTIMUM MOISTURE	15.2	15.2								
CURVE NUMBER	1740	1740								
SPEC COMPACT REQUIREMENT	95	95								
MOISTURE SPEC										
% RELATIVE COMPACTION	88	95								
*										
STANDARD COUNT										
DENSITY										
MOISTURE										

REPORTED IN FIELD TO

Greg Engels

DATE

2-1-89

TESTED BY

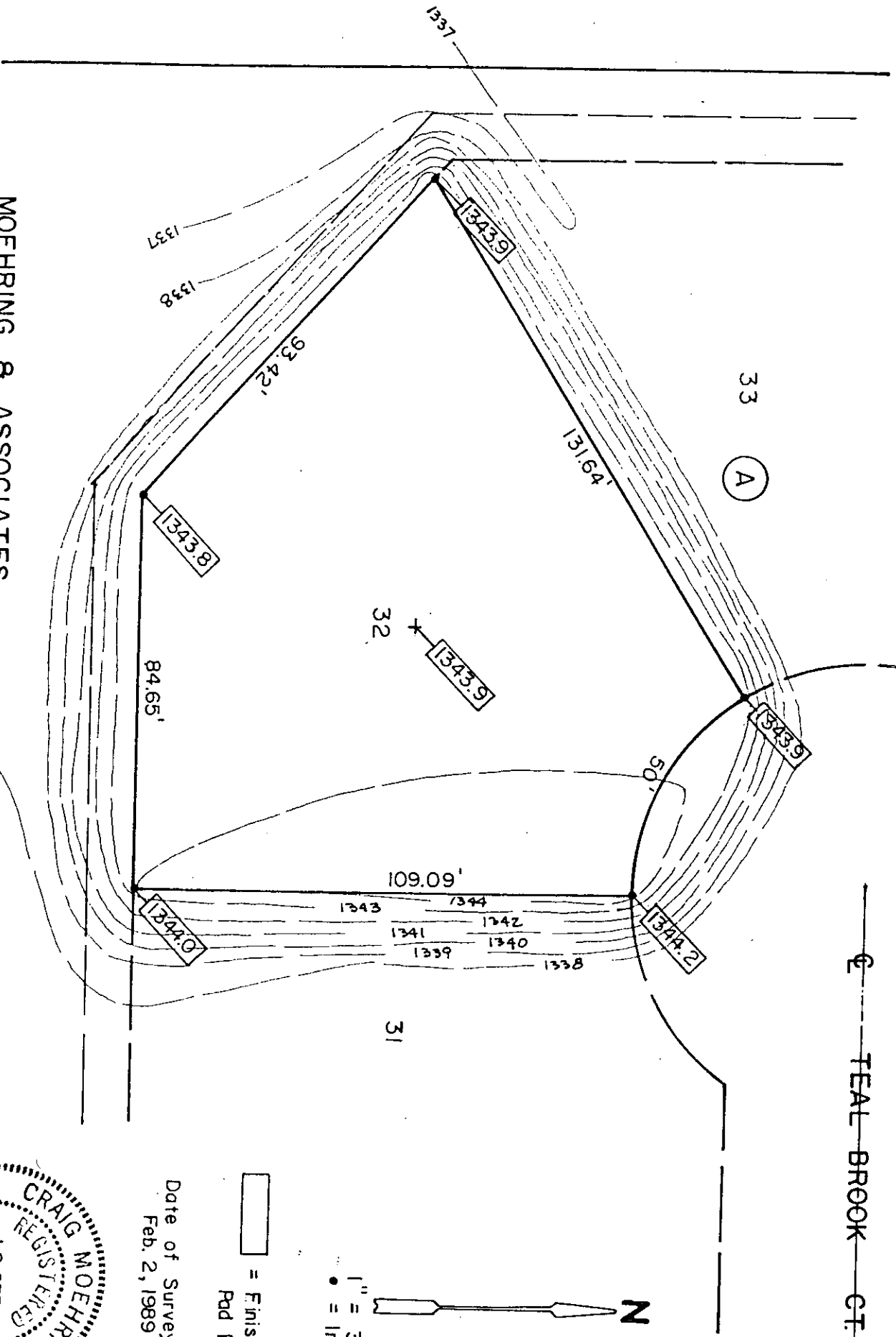
BR

REVIEWED BY

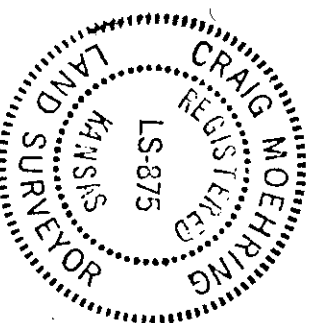
[Signature]

B.F.E. (Interpolated) = 1343 M.S.L.
 Per F.E.M.A. FIRM Community/
 Panel Number 200321 0125A

TEAL BROOK CT.



MOEHRING & ASSOCIATES
 CONSULTING ENGINEERS
 WICHITA



Date of Survey:
 Feb. 2, 1989

▭ = Finished
 Rod Elev.

1" = 30'
 • = Iron



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
DAVID L. POPE, Chief Engineer-Director
109 SW Ninth Street, Suite 202
TOPEKA, KANSAS 66612-1283
(913) 296-3717

SAM BROWNBACK
Secretary

December 1, 1988

Jerrick Company
Attn: Rick Huffman
224 E. Douglas
Wichita, KS 67202

Re: Teal Brook Estates Fill
Cowskin Creek
NW NE 12-T27S-R2W
DWR-8162

Dear Mr. Huffman:

Consideration has been given to your application for approval of plans to place fill in the Cowskin Creek floodway fringe as part of the Teal Brook Estates development, thus creating a quarter-mile of left bank levee.

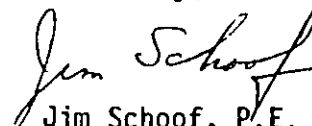
In accordance with provisions of K.S.A. 24-126 with consideration of K.S.A. 12-734 and 735 floodplain management regulations, the Chief Engineer has approved the submitted plans within the attached Conditions of Approval.

One set of plans has been endorsed with the Chief Engineer's approval and will be retained in our files. Partial copies of the approved plans are enclosed.

Comments about this proposed project have been received from several environmental review agencies. Copies of those letters with recommendations are enclosed for your consideration.

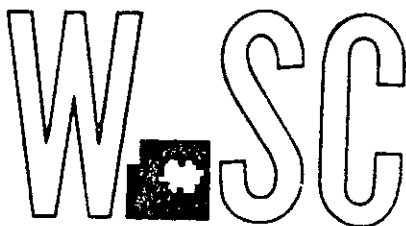
This authorization is valid until January 1, 1991. If work has not been completed prior to that date, an extension of time would need to be requested from the Chief Engineer 30 days prior to expiration.

Sincerely,


Jim Schoof, P.E.
Engineer

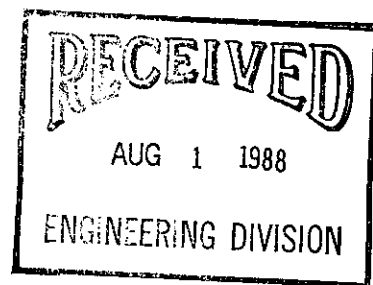
JS:ls
Enclosures
pc: Don Moehring II ✓
M. D. Jewett

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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



July 29, 1988

Moehring & Associates
433 South Hydraulic
Wichita, Kansas 67211

Re: S/D 88-57 Teal Brook Estates
Preliminary Plat

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, July 28, 1988, 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:

SEE EXHIBIT "A"

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

Sincerely,

Donald Losew
Planner

DL/pb

Enclosure

cc: Bill Yung Design, 4912 E. 29th St., North, Wichita, Kansas 67220
Jerrick Company, 224 E. Douglas, Suite 200, Wichita, Kansas 67202
Jim Weber, County Engineer
Mike Lindebak, City Engineer

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer 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. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. 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.
- H. The final plat shall state in the plat's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- 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.
- J. If the platting of this property requires the establishing of minimum building pad elevations, the elevations shall be noted on the face of the plat, as well as in the plat's text. Also, permanent on-site and off-site benchmarks shall be referenced on the face of the plat.
- K. The final plat shall label the centerline of the utility easements.
- L. Prior to scheduling this case before the City Council, the structure(s) which encroaches into the street right-of-way being dedicated by this plat must be removed. Once the structure(s) has been removed, a letter so stating shall be submitted from the platting engineer.

- M. On the final plat, the five foot wall easement along the east line of this plat shall be shown totally within the boundary of this plat. The applicant shall also meet with City Engineering to determine the width of utility easement needed adjacent to this wall easement.
- N. On the final plat tracing, the plattor's text shall be amended to reference the platting of the wall easement. The following wording is suggested: "The wall easement is platted for purposes of wall construction."
- O. The applicant shall meet with County Engineering and determine the ownership of the property shown extending into the area indicated as 21st Street North right-of-way.
- P. On the final plat, the east/west street from the west line of Lot 1, Block 2, to the east line of Lot 6, Block 1, shall be named Cornelison Street.
- Q. 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.
- R. On the final plat, the wording in the plattor's text regarding the dedication of access controls shall be worded so as to dedicate access controls to the appropriate governing body. Although this plat is within the City of Wichita, adjacent 21st Street North is within the unincorporated area of Sedgwick County.
- S. The final plat shall indicate the utility easements requested by KG&E and SW Bell and indicated on the enclosed "marked" copy of the plat.
- T. 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.
- U. 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.
- V. 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.
- 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).



August 26, 1988

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

Moehring and Associates
433 South Hydraulic
Wichita, Kansas 67211

RE: S/D 88-57 - TEAL BROOK ESTATES. Located south of 21st
Street North and west of 119th Street West.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, August 25, 1988, the above-captioned plat was considered. The action of the Committee was to defer consideration of the plat until the meeting of September 8, 1988.

If you should have any questions, please call.

Sincerely,

R. Timothy Bickhaus
Junior Planner

RTB:blw

cc: Bill Yung Design, 4912 East 29th Street North, Suite One, Wichita, 67220
Jerrick Company, 224 East Douglas, Suite 200, Wichita, 67202
Jim Weber, County Engineer
Mike Lindebak, City Engineer



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
DAVID L. POPE, Chief Engineer-Director
109 SW Ninth Street, Suite 202
TOPEKA, KANSAS 66612-1283
(913) 296-3717

SAM BROWNBACK
Secretary

September 2, 1988

Mr. Rick E. Huffman, Managing Partner
Teal Brook Estates, L. P.
Huffman and Associates
224 East Douglas
Wichita, Kansas 67202


Re: Water Structures No. LSG-049

Dear Mr. Huffman:

It has come to the attention of this office that filling operations have occurred in the floodway fringe area of Cowskin Creek on Teal Brook Estates property. This fill has the effect of a levee and thus requires a permit from this office under the provisions of K.S.A. 24-126. Please find enclosed with this letter the rules and regulations of K.S.A. 24-126 explaining the requirements for approval of levee plans.

Failure to apply for approval of plans will be in violation of K.S.A. 24-126 and may be subject to its provisions for violations. If you have any further questions please feel free to call me or James E. Schoof of this office.

Very truly yours,


George A. Austin, P.E.
Head of Water Structures

GAA:ls
Enclosure

pc: Mr. Steve M. Stark, Attorney at Law
Fleeson, Gooing, Coulson & Kitch
P. O. Box 997
Wichita, KS 67201-0997

Mr. Sam Eberly

David L. Pope

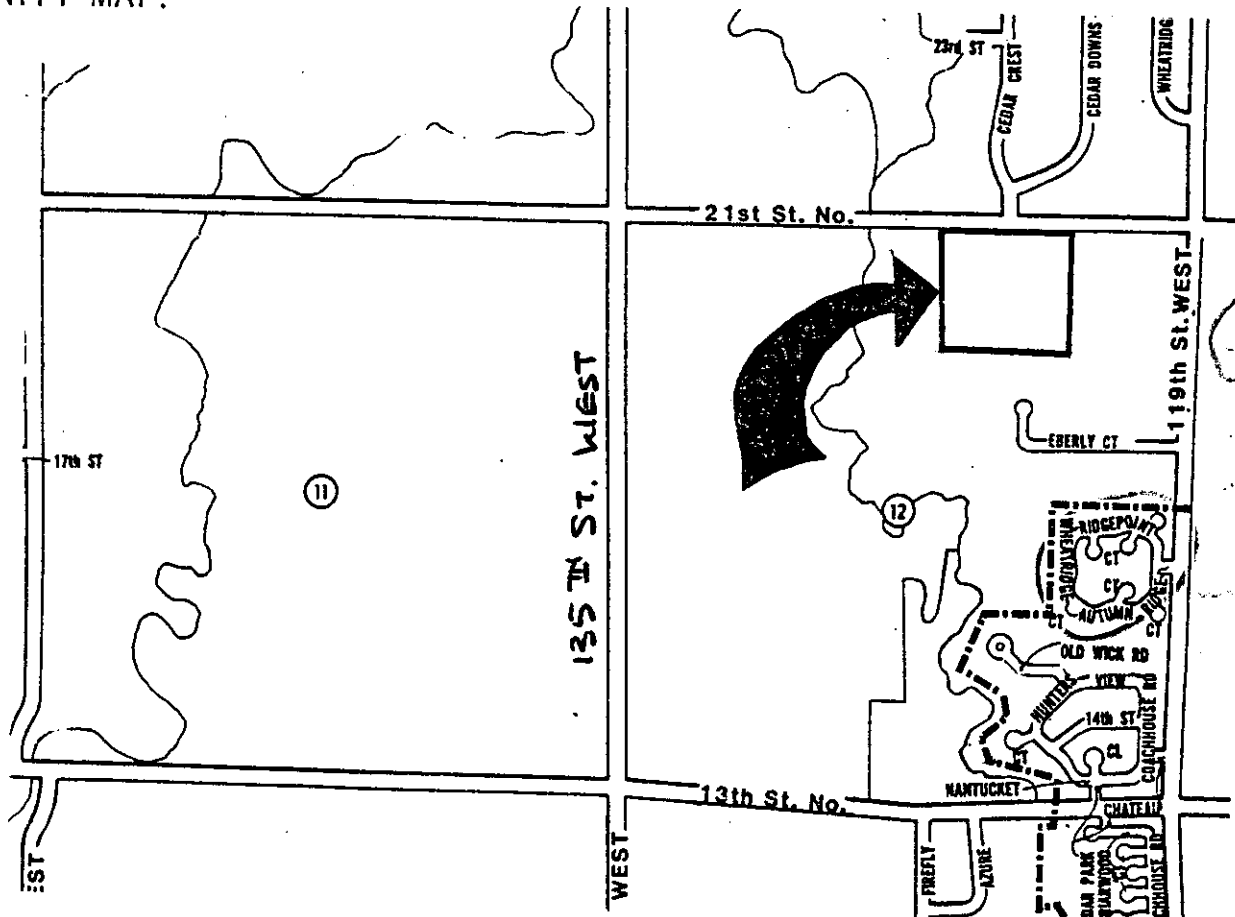
The Division of Water Resources administers laws relating to water supply conservation, management and utilization of the water resources of Kansas, dam safety, flood control and drainage of the water.

July 28, 1988

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 88-57 - TEAL BROOK ESTATES
OWNER/APPLICANT: Jerrick Company
SURVEYOR/ENGINEER: Bill Yung Design
LOCATION: South of 21st St. North and west of 119th St. West
SITE SIZE: 37.5 acres
NUMBER OF LOTS:
Residential: 74
Office:
Commercial:
Industrial:
Total: 74
MINIMUM LOT AREA: 45 ft.
CURRENT ZONING: "AA"
PROPOSED ZONING: "AA"

VICINITY MAP:



- N. On the final plat, the east/west street from the west line of Lot 1, Block 2, to the east line of Lot 6, Block 1, shall be named Cornelison Street.
- O. In order to provide a second means of access into this 74-lot plat, and in order to connect the street system in this plat to the plat to the east, the final plat shall indicate the platting of a 58-foot wide east/west stub street into the unplatted property to the east (proposed Sunridge Addition). After reviewing the configuration of this preliminary plat and the proposed plat to the east (Sunridge Addition), it appears that the most advantageous location for the connection is in the vicinity of Lot 18, Block 1. On the final plat, the stub street connection shall be labeled as 19th Street North. Also, the east/west street from the east line of Lot 24, Block 1, and the west line of Lot 29, Block 1, shall be named 19th Street North.
- P. 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.
- Q. On the final plat, the wording in the plat's text regarding the dedication of access controls shall be worded so as to dedicate access controls to the appropriate governing body. Although this plat is within the City of Wichita, adjacent 21st Street North is within the unincorporated area of Sedgwick County.
- R. Prior to, or at the time of submitting the final plat, the applicant shall submit a sanitary sewer layout plan to City Engineering for review and approval.
- S. 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.
- T. 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.
- U. 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.
- V. 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.
- W. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- X. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

Rules and Regulations
K.S.A. 24-126
Division of Water Resources
Kansas State Board of Agriculture

Effective May 1, 1987

5-45-1. Levees; definitions. As used in these rules and regulations, K.S.A. 24-126, and by the division of water resources in administering K.S.A. 24-126, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section: (a) Approval means the written approval of plans and specifications by the chief engineer authorizing the applicant to proceed with the construction and maintenance of a levee project.

(b) Authorized representative means any staff employee designated by the chief engineer to perform duties and functions on behalf of the chief engineer.

(c) Chief engineer means the chief engineer, division of water resources, Kansas state board of agriculture.

(d) Equal and opposite conveyance means the location of development offsets from stream banks so that floodplain lands on each side of a stream convey a share of the flood flows proportionate to the total conveyance available on each respective side of the stream.

(e) Levee means any artificial barrier, together with appurtenant works, that is generally parallel to a water course and whose effect is to repel flood waters.

(f) Perennial stream means a stream, or a part of a stream, that flows continuously during all of the calendar year, except during an extended drought, as a result of groundwater discharge or surface runoff.

(g) Stream means any watercourse which has a well-defined bed and banks and a drainage area above the point in question exceeding 160 acres or a greater acreage designated by the chief engineer. The stream need not flow continuously and may flow only briefly after a rain in the watershed. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-2. Levees; plans and specifications. Plans for a levee shall include: (a) A general location map or aerial photograph showing the stream, location of the proposed levee, section lines, property lines with names and addresses of adjoining landowners and any other landowners who may be hydraulically affected by the proposed levee, drainage area, a bar scale, a north arrow and any other prominent features;

(b) a detailed plan view fully describing the levee and the site;

(c) a profile showing the proposed elevation of the top and base of the levee and the present elevation of the stream bed and both banks;

(d) an elevation view showing the levee on a cross section of the stream and the valley up to the post project design flood elevation at the site. This cross section shall show the stream and valley at the most restricted location;

(e) at least one permanent bench mark conveniently located for use after construction. The location, description and elevation of the permanent bench mark, to which all project elevations shall be referred, shall be shown on the plans. Reference to the national geodetic vertical datum of 1929 to a tolerance of plus or minus one half foot is required for all levees on perennial streams and where detailed floodplain data are available. Project datum is acceptable on all other levee projects; and

(f) the land for which easements or rights-of-way are to be acquired if the proposed levee will affect land other than that owned by the applicant. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-3. Levees; specifications. The specifications for levees shall be prepared on 8 1/2 by 11 inch sheets of a good grade of white bond paper. The specification shall be in sufficient detail to assure that the works will be properly executed and shall comply with currently accepted engineering practices. The specifications shall include provisions for: (a) adequate supervision during the period of construction by a person qualified to design the levee;

(b) notification of the division of water resources of the status of construction; and

(c) inspection by a representative of the division of water resources. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-4. Levees; preparer of maps, plans, profiles and specifications. (a) Except as provided in subsection (b), each map, plan, profile and specification submitted to the chief engineer shall be prepared by a licensed professional engineer who is competent in levee design and construction. These details may be prepared by someone working under the direct supervision of a licensed professional engineer, if that engineer approves and places the engineer's seal upon the plans and specifications prior to submission to the chief engineer.

(b) Class A or B levees may be designed by any person competent to design a levee of this size and classification. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-5. Levees; waiver and stricter requirements. The chief engineer may waive any of the regulations adopted under this article if it is shown to the satisfaction of the chief engineer that the waiver of the regulation will not pose a hazard to the public safety and that the waiver is in the public interest. The chief engineer may also invoke any jurisdiction granted by statute to impose stricter requirements than those required by rules and regulations where such jurisdiction or additional requirements are necessary to protect the public interest, protect the public safety or prevent damage to property. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-6. Levees; other maps, plans, profiles, data and specifications. The applicant shall also submit any other maps, plans, profiles and specifications of the levee and any other data which the chief engineer may require. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-7. Levees; application. The application for approval of plans to construct a levee shall be filed on the prescribed form or forms furnished by the chief engineer and shall be completed in proper form. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-8. Levees; hazard classes. The following levee hazard classes are established: (a) Class A levee - failure of levee may allow damage to farm buildings, limited agricultural grounds or private roads.

(b) Class B levee - failure of levee may endanger extensive agricultural land, or damage isolated homes, secondary highways or minor railroads.

(c) Class C levee - failure of levee may cause loss of life, or cause serious damage to private, commercial or public property. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-9. Levees; design storm flow determination. (a) In determining design storm flow magnitude the applicant shall use an accepted engineering method.

(b) For drainage areas of less than 2 square miles the following methods are acceptable, where appropriate: (1) The rational formula for flow magnitude determination when used according to the following formula:

$$Q = CIA$$

where C = the runoff coefficient

I = intensity of rainfall in inches per hour and

A = drainage area in acres.

To determine the proper intensity of rainfall for use with the formula, first determine the appropriate total rainfall from "Technical Paper Number 40, Rainfall Frequency Atlas of the United States, Department of Commerce, May 1961," and the time of concentration from the Kirpich nomograph and then obtain the intensity from the standard rainfall intensity-duration curves;

(2) The SCS method for estimating direct runoff, United States department of agriculture, soil conservation service;

(3) "Technical Release 55, Hydrology for Urban Areas, United States Department of Agriculture, Soil Conservation Service".

(c) For drainage areas two square miles or greater, the following methods of determining flow magnitude shall be acceptable, where appropriate: (1) the publication "Magnitude and Frequency of Floods in Kansas, Unregulated Streams, Technical Report 11, Kansas Water Resources Board, February 1975";

(2) "Technical Release 20, Computer Program for Project Formulation, Hydrology, United States Department of Agriculture, Soil Conservation Service"; or

(3) "HEC-1 Flood Hydrograph Package, Corps of Engineers Hydrologic Engineering Center". (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-10. Levees; design criteria. Design for levees shall meet or exceed the following criteria: (a) Class A levee - the levee shall safely repel the appropriate design storm.

(b) Class B levee - the levee shall safely repel at least the ten year design storm.

(c) Class C levee - The levee shall safely repel at least the 100 year design storm. For class C levees the applicant shall submit complete water surface water profiles of both the ten and 100 year events, both before and after construction. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-11. Levees; freeboard requirements. (a) Levees not within a floodway designated by the chief engineer are required to have the following freeboard:

<u>Design flood frequency</u>	<u>Freeboard required</u>
10 years	1 foot
25 years	2 feet
50 years or more	3 feet

(b) Levees constructed within a floodway designated by the chief engineer shall have a freeboard requirement designated on a site specific basis. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987)

5-45-12. Levees; setback. The minimum setback distance from the top of the stream bank to the toe of the levee shall be 100 feet or twice the width of the stream measured from the top of one bank to the top of the opposite bank, whichever distance is less, unless the applicant demonstrates adequate bank protection will be utilized. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-13. Levees; unreasonable effect. (a) The chief engineer shall not approve plans for any levee which is deemed to have an unreasonable effect on another. Levees shall not cause an increase in the elevation of the flood profile more than one foot at any location outside floodways designated by the chief engineer. Levees shall not cause an increase in the elevation of the design flood profile within floodway designated by the chief engineer.

(b) For a class A or class B levee, the effect of the proposed levee on

the design flood profile shall be evaluated assuming that an equal setback levee is in place on the opposite side of the stream.

(c) For a class C levee the effect of the proposed levee on the design flood profile shall be calculated by the technique of equal conveyance reduction from the outer floodplain limits outside the channel, unless the applicant demonstrates that the applicant has obtained legal authorization from the opposite landowner for a greater encroachment toward the channel. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
DAVID L. POPE, Chief Engineer-Director
109 SW Ninth Street, Suite 202
TOPEKA, KANSAS 66612-1283
(913) 296-3717

SAM BROWNBACK
Secretary

September 2, 1988

Mr. Rick E. Huffman, Managing Partner
Teal Brook Estates, L. P.
Huffman and Associates
224 East Douglas
Wichita, Kansas 67202


Re: Water Structures No. LSG-049

Dear Mr. Huffman:

It has come to the attention of this office that filling operations have occurred in the floodway fringe area of Cowskin Creek on Teal Brook Estates property. This fill has the effect of a levee and thus requires a permit from this office under the provisions of K.S.A. 24-126. Please find enclosed with this letter the rules and regulations of K.S.A. 24-126 explaining the requirements for approval of levee plans.

Failure to apply for approval of plans will be in violation of K.S.A. 24-126 and may be subject to its provisions for violations. If you have any further questions please feel free to call me or James E. Schoof of this office.

Very truly yours,


George A. Austin, P.E.
Head of Water Structures

GAA:ls

Enclosure

pc: Mr. Steve M. Stark, Attorney at Law
Fleeson, Goings, Coulson & Kitch
P. O. Box 997
Wichita, KS 67201-0997

Mr. Sam Eberly

David L. Pope

Rules and Regulations
K.S.A. 24-126
Division of Water Resources
Kansas State Board of Agriculture

Effective May 1, 1987

5-45-1. Levees; definitions. As used in these rules and regulations, K.S.A. 24-126, and by the division of water resources in administering K.S.A. 24-126, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section: (a) Approval means the written approval of plans and specifications by the chief engineer authorizing the applicant to proceed with the construction and maintenance of a levee project.

(b) Authorized representative means any staff employee designated by the chief engineer to perform duties and functions on behalf of the chief engineer.

(c) Chief engineer means the chief engineer, division of water resources, Kansas state board of agriculture.

(d) Equal and opposite conveyance means the location of development offsets from stream banks so that floodplain lands on each side of a stream convey a share of the flood flows proportionate to the total conveyance available on each respective side of the stream.

(e) Levee means any artificial barrier, together with appurtenant works, that is generally parallel to a water course and whose effect is to repel flood waters.

(f) Perennial stream means a stream, or a part of a stream, that flows continuously during all of the calendar year, except during an extended drought, as a result of groundwater discharge or surface runoff.

(g) Stream means any watercourse which has a well-defined bed and banks and a drainage area above the point in question exceeding 160 acres or a greater acreage designated by the chief engineer. The stream need not flow continuously and may flow only briefly after a rain in the watershed. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-2. Levees; plans and specifications. Plans for a levee shall include: (a) A general location map or aerial photograph showing the stream, location of the proposed levee, section lines, property lines with names and addresses of adjoining landowners and any other landowners who may be hydraulically affected by the proposed levee, drainage area, a bar scale, a north arrow and any other prominent features;

(b) a detailed plan view fully describing the levee and the site;

(c) a profile showing the proposed elevation of the top and base of the levee and the present elevation of the stream bed and both banks;

(d) an elevation view showing the levee on a cross section of the stream and the valley up to the post project design flood elevation at the site. This cross section shall show the stream and valley at the most restricted location;

(e) at least one permanent bench mark conveniently located for use after construction. The location, description and elevation of the permanent bench mark, to which all project elevations shall be referred, shall be shown on the plans. Reference to the national geodetic vertical datum of 1929 to a tolerance of plus or minus one half foot is required for all levees on perennial streams and where detailed floodplain data are available. Project datum is acceptable on all other levee projects; and

(f) the land for which easements or rights-of-way are to be acquired if the proposed levee will affect land other than that owned by the applicant. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-3. Levees; specifications. The specifications for levees shall be prepared on 8 1/2 by 11 inch sheets of a good grade of white bond paper. The specification shall be in sufficient detail to assure that the works will be properly executed and shall comply with currently accepted engineering practices. The specifications shall include provisions for: (a) adequate supervision during the period of construction by a person qualified to design the levee;

(b) notification of the division of water resources of the status of construction; and

(c) inspection by a representative of the division of water resources. (Authorized by and implementing K.S.A. 24-126; effective May 1, 1987.)

5-45-4. Levees; preparer of maps, plans, profiles and specifications. (a) Except as provided in subsection (b), each map, plan, profile and specification submitted to the chief engineer shall be prepared by a licensed professional engineer who is competent in levee design and construction. These details may be prepared by someone working under the direct supervision of a licensed professional engineer, if that engineer approves and places the engineer's seal upon the plans and specifications prior to submission to the chief engineer.

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DALE M. STUCKY
DONALD R. NEWKIRK
CARL A. BELL
GERRIT H. WORMHOUDT
WILLARD B. THOMPSON
RICHARD I. STEPHENSON
JOHN T. CONLEE
THOMAS D. KITCH
J. ERIC ENGSTROM
DANIEL G. CLOTHIER
REX G. BEASLEY
RON CAMPBELL
TIMOTHY P. O'SULLIVAN
JAMES L. BURGESS
GREGORY J. STUCKY
EDWARD J. HEALY

WILLIAM P. TRETBAR
SUSAN P. SELVIDGE
DIXIE F. MADDEN
THOMAS J. LASATER
LINK CHRISTIN
DAVID G. SEELY
MARY S. MAY
STEPHEN M. STARK
RAND L. CARROLL
LYNDON W. VIX
MARY RUTH BYERLEY
ALAN R. WELCH

JAMES R. BOYD
OF COUNSEL

**FLEESON, GOOING, COULSON & KITCH
LAWYERS**

SIXTEENTH FLOOR • 125 NORTH MARKET

POST OFFICE BOX 997

WICHITA, KANSAS

67201-0997

(316) 267-7361

TELECOPIER
(316) 267-1754

HOWARD T. FLEESON
(1895-1957)

HOMER V. GOOING
(1894-1986)

WAYNE COULSON
(1910-1985)

PAUL R. KITCH
(1911-1987)

September 7, 1988

Ms. Vicky Huang
City Engineer Office
City Hall, 7th Floor
455 N. Main
Wichita, KS 67202

HAND-DELIVERED

Dear Vicky:

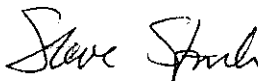
Enclosed is the letter from the Water Resource Department which we discussed this afternoon. Based on the Water Resource Department's determination that the Teal Brook development is in apparent violation of state law by reason of its failure to apply for and obtain a permit from that department, we wonder whether your office would want to reconsider any approval it may be otherwise inclined to give until the developer has cured this violation of state law.

Feel free to call if you have any questions.

Very truly yours,

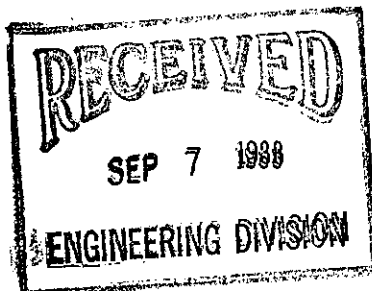
FLEESON, GOOING, COULSON & KITCH

By



Steve M. Stark

SMS/db



September 8, 1988

STAFF REPORT
(Final Plat; Preliminary approval 7/28/88)

CASE NUMBER: S/D 88-57 - TEAL BROOK ESTATES

OWNER/APPLICANT: Jerrick Company

SURVEYOR/ENGINEER: Moehring and Associates

LOCATION: South of 21st Street North and west of 119th Street West

SITE SIZE: 37.5 acres

NUMBER OF LOTS

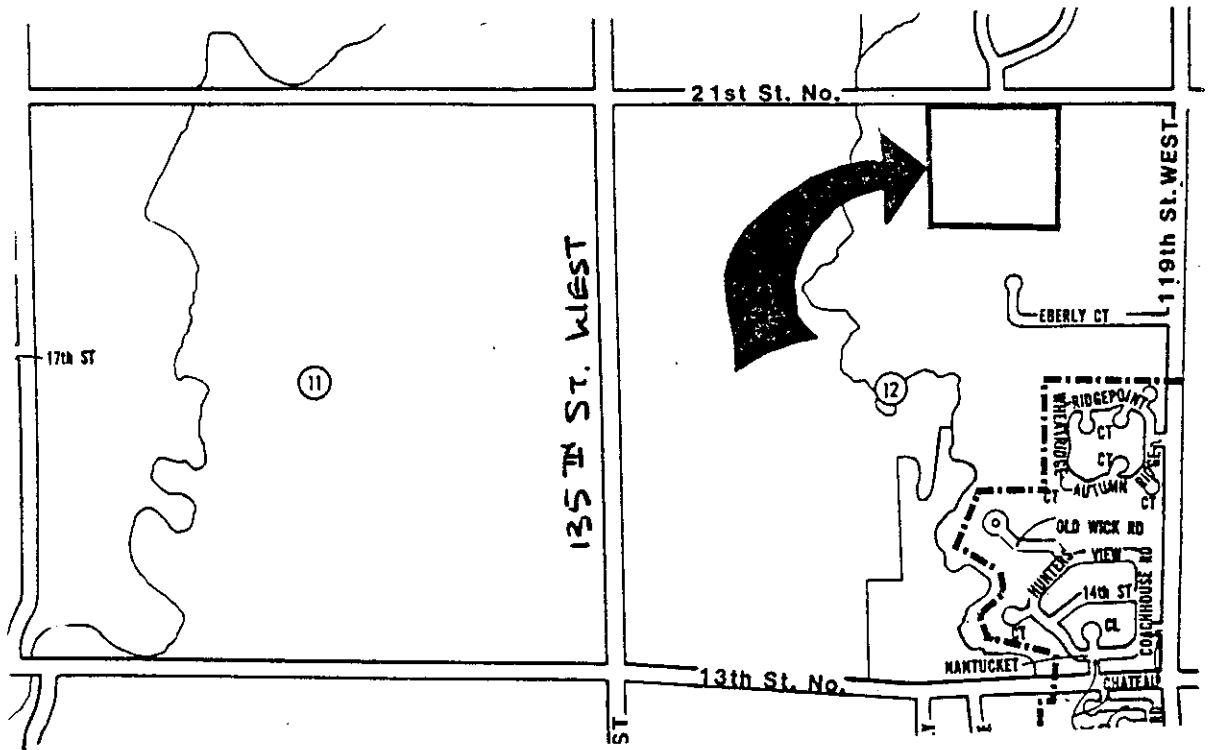
Residential:	74
Office:	
Commercial:	
Industrial:	
Total:	74

MINIMUM LOT AREA: 9,600 Sq. Ft.

CURRENT ZONING: "AA"

PROPOSED ZONING: "AA"

VICINITY MAP:



STAFF COMMENTS:

NOTE: This property, along with the unplatted tract to the east, was annexed into the City of Wichita on June 17, 1988. This plat was deferred for two weeks at the last subdivision meeting.

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer 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. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. 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.
- H. On the final plat tracing, the intersection of Teal Brook/21st Street shall be indicated with a dashed line rather than a heavy line. The use of a solid line for a street denotes the platting of a reserve for private street purposes.
- 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.
- J. If the platting of this property requires the establishing of minimum building pad elevations, the elevations shall be noted on the face of the plat, as well as in the platting's text. Also, permanent on-site and off-site benchmarks shall be referenced on the face of the plat.
- K. Since there is no Reserve B, the four reserves shall be relettered to account for this. The platting's text shall be amended as needed.

- L. Prior to scheduling this case before the City Council, the structure(s) which encroaches into the street right-of-way being dedicated by this plat must be removed. Once the structure(s) has been removed, a letter so stating shall be submitted from the platting engineer.
 - M. On the final plat tracing, the plattor's text shall be amended to reference the platting of the wall easement. The following wording is suggested: "The wall easement is platted for purposes of wall construction."
 - N. On the final plat tracing, the abbreviations "U.E" and "C.A.C. shall be defined in the plat's legend.
 - O. 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.
 - P. 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.
 - Q. 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.
 - 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. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
 - T. Recording of the plat within 30 days after approval by the City Council.
 - U. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.
 - V. A requirement of preliminary plat approval was for the applicant to meet with County Engineering regarding ownership of the property shown extending into the area indicated as 21st Street North right-of-way. (Teal Brook/21st Street intersection). The applicant's agent shall be prepared to state if this is a part of the applicant's ownership.
-

August 25, 1988

STAFF REPORT
(Final Plat; Preliminary approval 7/28/88)

CASE NUMBER: S/D 88-57 - TEAL BROOK ESTATES

OWNER/APPLICANT: Jerrick Company

SURVEYOR/ENGINEER: Moehring and Associates

LOCATION: South of 21st Street North and west of 119th Street West

SITE SIZE: 37.5 acres

NUMBER OF LOTS

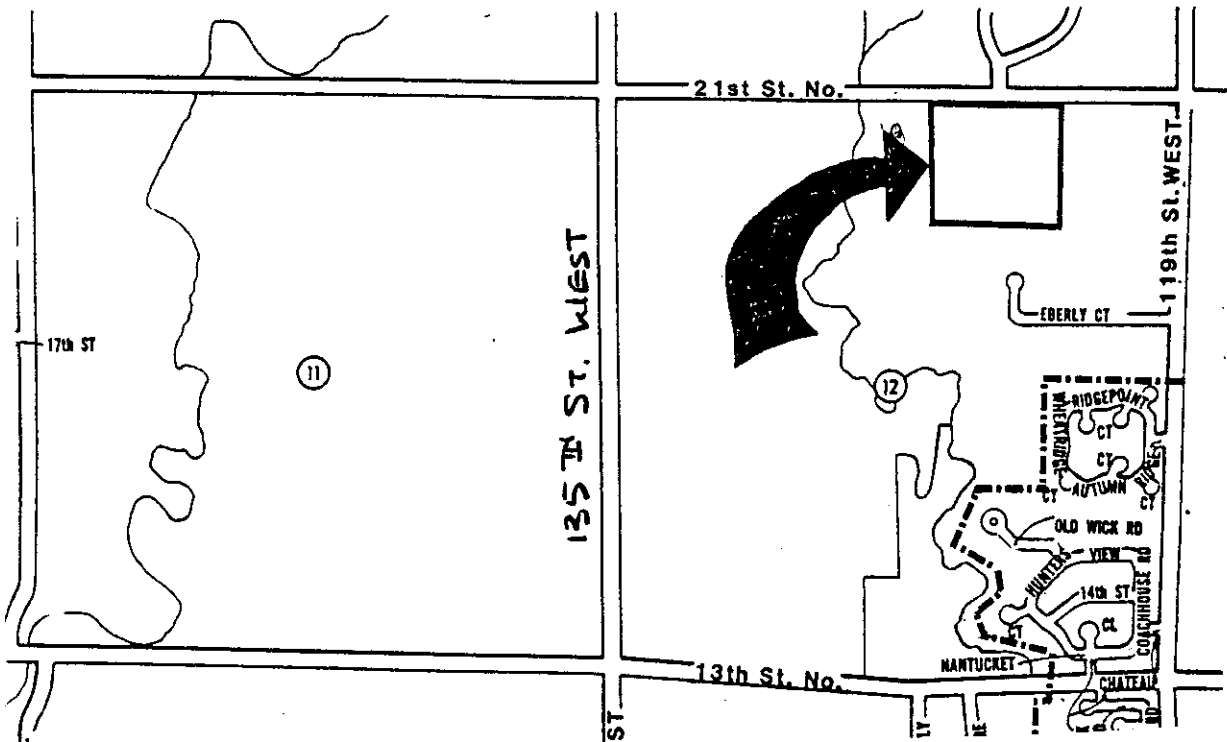
Residential:	74
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Commercial:	
Industrial:	
Total:	74

MINIMUM LOT AREA: 9,600 Sq. Ft.

CURRENT ZONING: "AA"

PROPOSED ZONING: "AA"

VICINITY MAP:



S/D TEAL BROOK ESTATES
August 25, 1988
PAGE 2

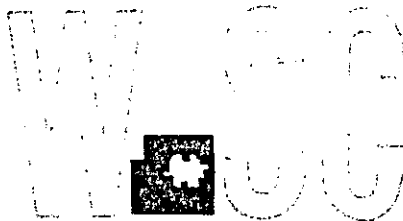
STAFF COMMENTS:

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WICHITA SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

September 12, 1988

Moehring and Associates
433 S. Hydraulic
Wichita, KS 67211

Re: S/D 88-57 - TEAL BROOK ESTATES, located south of 21st St. N.
and west of 119th St. W.

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on September 15, 1988, 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 September 12, 1988.

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 first half of 1988 and all prior years have been paid.

Please call if you have any questions.

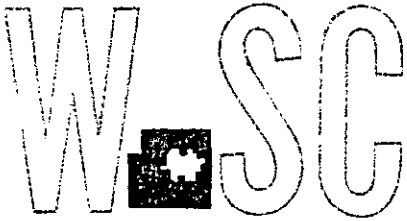
Sincerely,

R. Timothy Bickhaus
Junior Planner

RTB:jcm

cc: Bill Yung Design, 4912 E. 29th St. N., Ste. 1, Wichita, KS,
67220
Jerrick Company, 224 E. Douglas, Ste. 200, Wichita, KS,
67202
Jim Weber, County Engineer
Mike Lindebak, City Engineer

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

September 12, 1988

Moehring and Associates
433 S. Hydraulic
Wichita, KS 67211

Re: S/D 88-57 - TEAL BROOK ESTATES, located south of 21st St. N.
and west of 119th St. W.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, September 8, 1988, 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 City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer 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. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. On the final plat tracing, 80 feet of half-street right-of-way shall be shown for the entire length of 21st Street North adjacent to the north line of the plat.

- 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. On the final plat tracing, the intersection of Teal Brook/ 21st Street shall be indicated with a dashed line rather than a heavy line. The use of a solid line for a street denotes the platting of a reserve for private street purposes.
- 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.
- K. If the platting of this property requires the establishing of minimum building pad elevations, the elevations shall be noted on the face of the plat, as well as in the plattor's text. Also, permanent on-site and off-site benchmarks shall be referenced on the face of the plat.
- L. Since there is no Reserve B, the four reserves shall be relettered to account for this. The plattor's text shall be amended as needed.
- M. Prior to scheduling this case before the City Council, the structure(s) which encroaches into the street right-of-way being dedicated by this plat must be removed. Once the structure(s) has been removed, a letter so stating shall be submitted from the platting engineer.
- N. Prior to scheduling this plat for City Council review, the applicant shall provide to the City Engineer's Office, for review and approval, the information needed to verify the flood plain boundary or cross-section affecting this site.
- O. As requested by KG&E and Southwestern Bell, 10-foot-wide utility easements shall be indicated along the south line of Lot 26, Block B and across the north portions of Reserves C and D.
- P. On the final plat tracing, the plattor's text shall be amended to reference the platting of the wall easement. The following wording is suggested: "The wall easement is platted for purposes of wall construction."

- Q. On the final plat tracing, the abbreviations "U.E" and "C.A.C. shall be defined in the plat's legend.
- R. 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.
- 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 shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- V. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- W. Recording of the plat within 30 days after approval by the City Council.

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.

September 12, 1988
Page 4

This matter will be forwarded to the Planning Commission for its consideration on Thursday, September 15, 1988, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



R. Timothy Bickhaus
Junior Planner

RTB:jcm
Enclosure

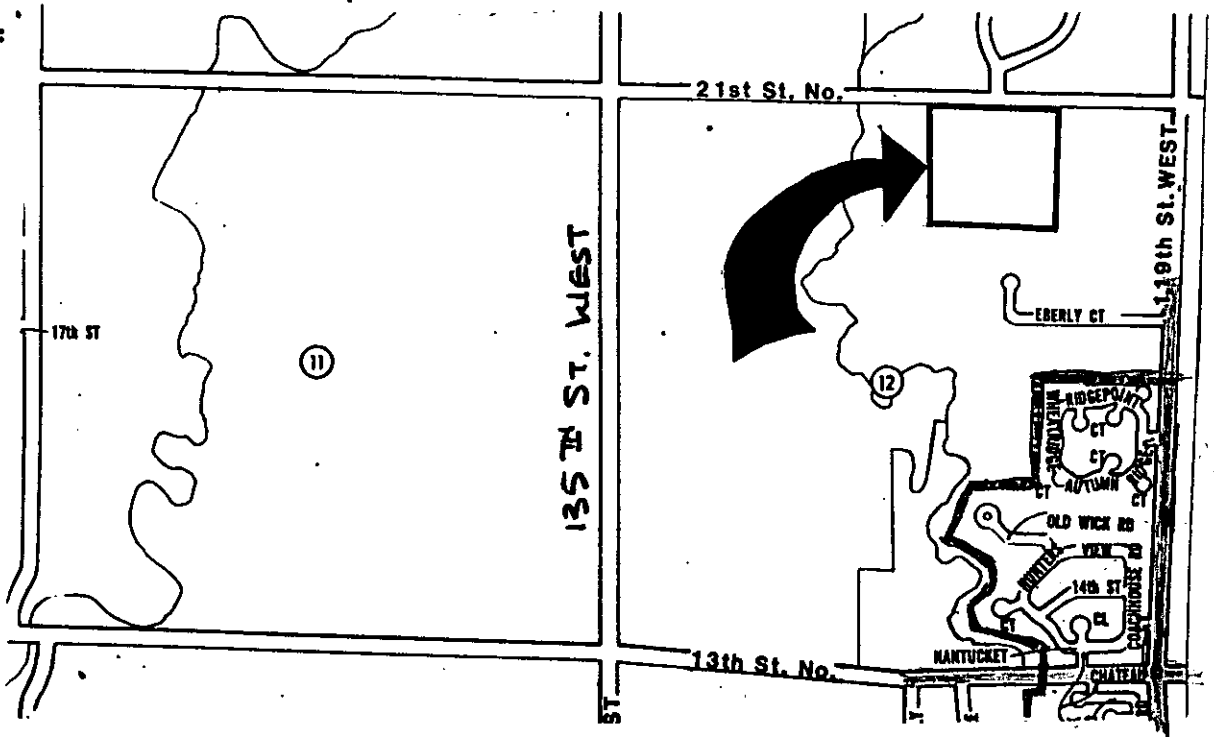
cc: Bill Yung Design, 4912 E. 29th St. N., Ste. 1, Wichita, KS,
67220
Jerrick Company, 224 E. Douglas, Ste. 200, Wichita, KS,
67202
Jim Weber, County Engineer
Mike Lindebak, City Engineer

September 15, 1988

STAFF REPORT
(Final Plat; Preliminary approval 7/28/88)

CASE NUMBER: S/D 88-57 - TEAL BROOK ESTATES
OWNER/APPLICANT: Jerrick Company
SURVEYOR/ENGINEER: Moehring and Associates
LOCATION: South of 21st Street North and west of 119th Street West
SITE SIZE: 37.5 acres
NUMBER OF LOTS
Residential: 74
Office:
Commercial:
Industrial:
Total: 74
MINIMUM LOT AREA: 9,600 Sq. Ft.
CURRENT ZONING: "AA"
PROPOSED ZONING: "AA"

VICINITY MAP:



STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
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- W. Recording of the plat within 30 days after approval by the City Council.

STATE OF KANSAS



DEPARTMENT OF HEALTH AND ENVIRONMENT

Forbes Field

Topeka, Kansas 66620-0001

Phone (913) 296-1500

Mike Hayden, Governor

Stanley C. Grant, Ph.D., Secretary

Gary K. Hulett, Ph.D., Under Secretary

October 11, 1988

Jim Schoof
Division of Water Resources
109 SW 9th, Suite 202
Topeka, Kansas 66612-1283

RE: Notice No. 8162

Proposed fill in the NE 1/4 Sec. 12, T27S, R2W, Sedgwick Co.,
Ks.

Dear Mr. Schoof:

We have reviewed the above referenced notice concerning a project by Jerrick Company. Our comments on the proposed project are as follows:

1. During construction, steps need to be implemented to minimize erosion.
2. Upon completion of project, disturbed areas need to be seeded or stabilized to reduce turbidity problems in the stream.
3. Fill material must consist of soil, broken concrete, rock, or brick rubble. Any other material must be pre-approved by the Bureau of Waste Management, KDHE

This letter does not relieve the applicant of any responsibility for any discharge to the waters of the State.

Sincerely,

Handwritten signature of Larry G. Hess in cursive.

Larry G. Hess, P.E., L.S.
Environmental Engineer
Water Quality Assessment Section
Bureau of Water Protection

c: Bureau of Waste Management



STATE OF KANSAS

Department of
Wildlife & Parks



Mike Hayden, Governor
Robert L. Meinen, Secretary
W. Alan Wentz, Assistant Secretary

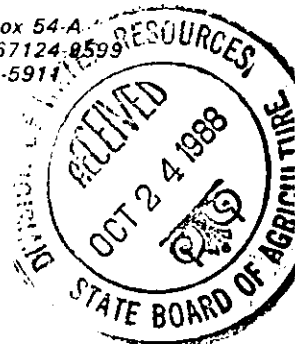
Office Of The Secretary
900 Jackson Street, Suite 502
Topeka, Kansas 66612-1220
913-296-2281

Operations Office
Route 2, Box 54-A
Pratt, Kansas 67124-0599
316-672-5911

October 21, 1988

Jim Schoof
Division of Water Resources
109 SW 9th, Suite 202
Topeka, KS 66612

Ref:EE5.0300
Sedgwick
DWR 8162



Dear Mr. Schoof:

This is in reference to DWR Notice No. 8162 for the proposed construction of a levee along the floodplain fringe of Cowskin Creek by Jerrick Company for their Teal Brook Estates development (NW 1/4 of NW 1/4 of Sec. 12, T27S, R2W; Sedgwick County).

The threatened Eastern Spotted Skunk, *Spilogale putorius interrupta*, inhabits the riparian corridor of Cowskin Creek in Sedgwick County. The plans provided show the proposed fill for levee construction will be deposited only on existing farmland. Aerial photographs reveal riparian tree habitat directly to the west of the proposed levee. Special permits or authorizations from this office will not be necessary if construction plans remain unaltered. However, if the levee construction is modified to negatively impact riparian trees along the Cowskin Creek floodplain, the developer will have to contact this office and apply for a Species Action Permit under the Nongame and Endangered Species Conservation Act of 1975 (K.S.A. 32-501 through 32-510). Recreation areas or established parks under our administration will not be affected.

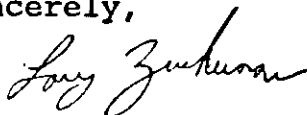
Disturbed areas should be revegetated with SCS-approved native-tame grass seed mixture and native trees and shrubs. Vegetation will help stabilize soils on the levee and thereby prevent levee erosion and degradation of the water quality of Cowskin Creek. Native vegetation will also provide valuable wildlife habitat.

EQUAL OPPORTUNITY EMPLOYER

Technical assistance for wildlife vegetation plantings is available from our Valley Center Office, 8420 North Broadway, Valley Center, Kansas, 67147, 316-755-2711.

Thank you for providing us this opportunity to comment.

Sincerely,



Larry Zuckerman, Aquatic Ecologist
Environmental Services Section
Operations Office

bd

- xc: KDWP, SCRG, Capel
- Lange, Winfield Office
- Huffman, Jerrick Co.
- KCC, McConnell
- KDHE, Hess
- Ext. Forestry, Naughton
- St. Bio. Surv., Liechti
- St. Cons. Comm., Kern
- St. His. Soc., Timberlake
- KWO, Harkins
- COE, 404 Permit Section
- KDWP, Kivett

25 October 1988

Ms. Vicki Huang
City Engineer's Office
City of Wichita, Kansas
455 N. Main - 7th Floor
Wichita, KS 67202

Re: Sunridge and Teal Brook Estates
Additions to Wichita, Kansas
Improvement Guarantees

Dear Vicki:

By Petitions through the City of Wichita, the respective applicants for the above referenced subdivisions, wish to guarantee the construction of the following improvements.

- A. 12" Water Supply Main serving Sunridge and Teal Brook Estates and also 2.51 acre unplatted tract at the SW corner of 21st St. N. & 119th St. W.
- B. Extension of City water to serve Lots in Teal Brook Estates.
- C. Extension of City water to serve Lots in Phase I of Sunridge.
- D. Extension of City water to serve Lots in Phase II of Sunridge.
- E. Extension of City Sanitary Sewers to serve lots in Teal Brook Estates.
- F. Extension of City Sanitary Sewers to serve lots in Sunridge, Phase I.
- G. Extension of City Sanitary Sewers to serve lots in Sunridge, Phase II.
- H. Extension of City Sanitary Sewers to serve lots in Sunridge and Teal Brook Estates.
- I. Sanitary Sewer Lift Station and Force Main serving all the lots in Teal Brook Estates and all the lots in Sunridge Addition and 2.51 acres unplatted tract at the SW Corner of 21st St. N. and 119th St. W.

Enclosed are prints of the preliminary plan for both sanitary sewers and water mains for the areas being served.

The 12" Water Supply Main (A. above) to be constructed in 21st St. from the East side of 119th St., West to the West line of Teal Brook Estates and also the Sanitary Sewer Lift Station and Force Main, are beneficial to both subdivisions on the basis of service and/or contribution, and we would suggest that the cost associated with these two improvements be spread on a per lot or fractional basis. The 2.51 acre L.C. tract, located at the SW corner of 119th and 21st Streets will also be served by both of these improvements, and should be included in the respective Benefit Districts.

There are 155 lots in the two subdivisions, involving approximately 59 Ac., resulting in a development density of approximately 0.38 Ac./Lot. The 2.51 Ac. L.C. tract would be nearly equivalent to an additional 7 lots on the basis of development density.

Accordingly, each lot within the two subdivisions would be assessed on the basis of 1/162 of the cost associated for each of these two improvements and the unplatted tract assessed at 7/162 of the costs.

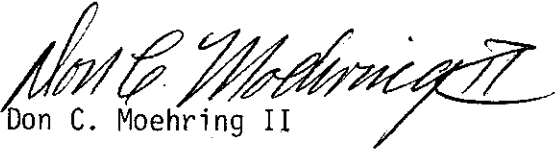
For each item, A thru I, we are enclosing a print upon which the improvement is highlighted in yellow and the proposed Benefit District is outlined with blue tape, together with tabulations of the construction items and cost estimates for each.

As soon as these petitions are prepared, we will obtain the appropriate signatures, project initiation fees and proof of ownership, as required.

If we may be of further assistance, please advise.

Sincerely,

MOHRING & ASSOCIATES
CONSULTING ENGINEERS


Don C. Moehring II

DCM:om

Enc.: Legal Description of
2.51 Ac. unplatted tract



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
DAVID L. POPE, Chief Engineer-Director
109 SW Ninth Street, Suite 202
TOPEKA, KANSAS 66612-1283
(913) 296-3717

SAM BROWNBACK
Secretary

December 1, 1988

Jerrick Company
Attn: Rick Huffman
224 E. Douglas
Wichita, KS 67202

Re: Teal Brook Estates Fill
Cowskin Creek
NW NE 12-T27S-R2W
DWR-8162

Dear Mr. Huffman:

Consideration has been given to your application for approval of plans to place fill in the Cowskin Creek floodway fringe as part of the Teal Brook Estates development, thus creating a quarter-mile of left bank levee.

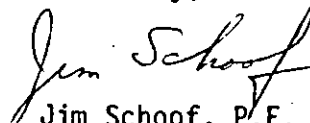
In accordance with provisions of K.S.A. 24-126 with consideration of K.S.A. 12-734 and 735 floodplain management regulations, the Chief Engineer has approved the submitted plans within the attached Conditions of Approval.

One set of plans has been endorsed with the Chief Engineer's approval and will be retained in our files. Partial copies of the approved plans are enclosed.

Comments about this proposed project have been received from several environmental review agencies. Copies of those letters with recommendations are enclosed for your consideration.

This authorization is valid until January 1, 1991. If work has not been completed prior to that date, an extension of time would need to be requested from the Chief Engineer 30 days prior to expiration.

Sincerely,


Jim Schoof, P.E.
Engineer

JS:ls

Enclosures

pc: Don Moehring II ✓
M. D. Jewett

The Division of Water Resources administers laws relating to water supply conservation, management and utilization of the water resources of Kansas, dam safety, flood control and drainage of the water.

THE CITY OF WICHITA

OFFICE OF ENGINEERING

DATE December 19, 1988

TO Chris Cherches, City Manager
FROM Mike Lindebak, City Engineer

SUBJECT S/D 88-87 Plat of Teal
Brook Estates Addition

A staff member in my office was contacted by Mr. Sam Eberly on December 16, 1988, regarding the subject plat. The subject plat is on the December 20, 1988, Planning Agenda for City Council's approval. Mr. Eberly and/or his attorney is planning to speak to the Council against the approval of the plat.

Mr. Eberly's residence is located in the floodway of Cowskin, west of the proposed development. He feels that any development in the flood plain area will result in an increase in flood damage to his house. Mr. Eberly and his attorney were at the Subdivision meeting and again at the MAPD hearing to voice their opposition. Mr. Eberly mentioned that they have spoken to a few of the Councilpersons and were well received.

Mr. Eberly's house was built long before the adoption of FEMA flood plain management study and the City's Flood Damage Prevention Ordinance and is subject to flood with or without the proposed Teal Brook Estates development. The developer has complied with all the subdivision regulations and is within the guidelines of flood plain development policy. They have gone through the proper review channel and obtained approval of plans to fill in the Cowskin Creek floodway fringe from the Division of Water Resources of Kansas State Board of Agriculture. Staff's recommended action is to approve the subject plat.

ML:cp

cc: Steve Lackey
Marvin Krout

File

29 August 1988

Michael E. Lindebak, P.E.
City of Wichita
Department of Engineering
455 N. Main, 7th Floor
Wichita, KS 67202

Re: Sunridge-Teal Brook Sanitary Sewer System,
Force Main Discharge into Existing System
Serving Woodbridge 3rd Addition

Attn: Vicki Huang

Dear Vicki:

In response to our request to discharge the Sunridge-Teal Brook force main at the most economically feasible location, you have requested an evaluation of the capacity of the existing system to accommodate the anticipated flow.

As a matter of background, the system of sanitary sewers planned to serve the Sunridge-Tealbrook development, are generally South and West flowing. Preliminary planning would place a lift station near the Southwest corner of Lot 29, Block A in Teal Brook Estates. The most economically feasible route for the force main, is directly East along the South line of both Teal Brook and Sunridge Additions, to 119th Street, then North in 119th and East to discharge into an existing sewer manhole located in the utility easement, near the Northeast corner of Lot 7, Block 2 in Woodbridge 3rd Addition.

Based upon City as-built records, the gravity 8" sewer flows North 96.9 feet at 0.35% gradient; then East 601.2 feet at gradients of 0.50% and 0.46% respectively. The sewer flow continues East some 433 feet at 0.30% gradient, and then North 187.9 feet at 0.28% gradient to a manhole located at the Southeast corner of Lot 25, Block 1; the sewer flows then Southeast across Parkridge, 85 feet at a 0.31% gradient, to a manhole at the Southwest corner of Lot 23, Block 1, Woodbridge 2nd Addition. From this manhole, the flow is to the East, 354.5 feet at 0.69% gradient and discharges into a 12" main sewer.

The most critical part of the above described gravity sewer, is that 85 foot segment flowing Southeasterly across Parkridge, and more properly identified as Lat. 12, Main 12, SWI Line 2 from Sta. 4+58.5 to 5+43.5. This segment conveys the greatest volume with respect to the available gradient of 0.31%.

Consistant with the City of Wichita Policy Statement for Design and Construction of Sanitary Sewers, we will evaluate the capacity of this section, with the knowledge that each of the remaining gravity flow segments will have either less flow volume and/or more favorable gradients.

Contributing areas will fall into either of two categories, (1) Light Commercial, L.C., or (2) Single Family Residential, AA.

The existing L.C. areas, platted as Lots 1 thru 4, Blk. 1, Woodbridge 4th, are or will be served by two different sewer laterals.

Lot 4, Blk. 1 in Woodbridge 4th, (contains 5.84 Ac. Gross) will be served by the sewer here under consideration, while Lots 1, 2 and 3 of Block 4, will likely be served by an extension of the sewer in 21st Street. This sewer extension to the West, along the front of Lots 1, 2 and 3 will be the most appropriate sewer lateral to extend West across 119th Street, to serve the future 2.51 Ac. L.C. parcel at the Southwest corner of 21st St., N., and 119th St. W.

Then, the gravity flow from L.C. areas to the critical segment of Line 2, Lateral 12, can be determined as follows:

Lot 4, Blk. 1, Woodbridge 4th	=	5.84 Ac.
Contribution rate/Ac.	=	$\times 3,330$ gpd
Total, L.C. contribution	=	$\frac{19,447}{}$ gpd
Peaking Factor	=	$\times 3$
L.C., Peak Flow Rate	=	$\frac{58,342}{}$ gpd
	=	40.52 gpm
	=	0.0903 cfs

The gravity flow from presently platted single family residential lots in Woodbridge 3rd and part of Woodbridge 5th that will flow thru the critical pipe section, can be determined as follows:

AA, Single Family Residence Lots	=	81
Persons per residence	=	$\times 3$
P.E.	=	$\frac{243}{}$ persons
Daily contribution	=	$\times 100$ gpcpd
Ave. Daily	=	$\frac{24,300}{}$ gpd
Peaking Factor	=	$\times 3$
AA, Peak Flow Rate	=	$\frac{72,900}{}$ gpd
	=	50.625 gpm
	=	0.1128 cfs

An allowance for infiltration, at the rate of 500 gpd/inch diam./mile, for the approximately 4210 L.F. of sewer in Woodbridge 3rd, calculates to 0.005 cfs.

Therefore, the peak rate of contribution, East of 119th St., as follows:

LC Areas	=	0.0903 cfs
AA Areas	=	0.1128 cfs
Infiltration	=	$\frac{0.0050}{}$ cfs
Total	=	$\frac{0.2081}{}$ cfs

The Sunridge-Teal Brook single family residences will contribute to Lat. 12, by discharge from the proposed Lift Station-Force Main, and therefore the rate of discharge will be as determined by the pumping rate of the lift station, rather than the conventional peaking rates associated with gravity flow.

Although lift station design has not been attempted at this time, we can project from similar installations and/or upon standard design criteria.

The Sunridge-Teal Brook plats, as proposed, have a total of 155 lots, together with a possible future 6 lots within the adjoining 2.07 Ac. tract. This would normally result in a peak flow rate of 100.62 gpm. To this, should be added an allowance of 6.23 gpm for infiltration into the Sunridge-Teal Brook gravity system of approximately 11,845 L.F.

Although it is not contemplated within the near future, we will make an allowance for possible inclusion of the residential contribution from Cedar Downs Addition, lying West of 119th Street and North of 21st St. N., which possibly could make a gravity connection to the Sunridge-Teal Brook system of gravity sewers.

In Cedar Downs, there are presently 48 platted single family lots, with a preliminary plan for an additional 6 lots, or a total of 54 "AA" lots.

The peak contribution rate to the lift station from this area would then be determined, as follows:

Total lots	=	54
Persons/D.U.	= x	3
P.E.	=	<u>162</u>
Contribution Rate	x	100 gpcpd
Daily Total	=	16,200 gpd
	=	11.25 gpm
Peaking Factor	x	3
Peak Flow Rate	=	<u>33.75</u> gpm
Infiltration for 8,500 L.F.	=	4.47 gpm
Sub-Total	=	<u>38.22</u> gpm

Peak Rate contribution to lift station, as follows:

Sunridge-Teal Brook	=	106.85 gpm
Cedar Downs	=	38.22 gpm
Peak Inflow @ Lift Sta.	=	<u>145.07</u> gpm

The design of the lift station pumping rate, will exceed the peak inflow rate, because of constraints relating to the volume of active storage in the wet well combined with minimum pumping cycles. The design pumping rate will approximate 190 gpm, which translates to 0.4234 cfs.

Assuming all flows to peak at the same time, the design peak flow rate through the 85' segment of Line 2, Lat. 2, would be as follows:

Peak flow, incl. infiltration from Woodbridge residential and light commercial areas	=	0.2081 cfs
Peak flow, from Sunridge-Teal Brook - Cedar Downs Lift Station	=	<u>0.4234</u> cfs
Total Peak Flow	=	0.6315 cfs

With Mannings equation, for 8" pipe & w/"n" = 0.011

Normal Flow Depth = 0.4487'
Velocity of Flow = 2.53 fps

— 0.4444' is 2/3 full

From this evaluation, the peak flow rate can be accommodated thru the most critical segment of existing sewer system at a flow depth of 2/3 of full pipe flow, which falls within acceptable design practice.

If you have further questions, please call.

Very truly yours,

MOEHRING & ASSOCIATES
CONSULTING ENGINEERS

*What is the design
Q of 2/3 full — 0.6233 cfs*

Don C. Moehring II
Don C. Moehring II

November 16, 1989

Office of the City Engineer
City Hall - Seventh Floor
455 North Main
Wichita, Ks 67202

Subject: Application for LOMR,
Lot 33, Block A, Teal Brook Estates

Attention: Mr. Chris Breitenstein, P.E.

Dear Chris:

Transmitted with this letter are materials needed to process an Application for Letter of Map Revision for subject lot. The Application is accompanied by items marked on the enclosed Data Request Checklist:

Item 1. There is no deed to Lot 33. The last transfer action is the subdivision plat.

Item 2. The enclosed copy of the Final Plat contains the recording index information of the Register of Deeds.

Item 5. Certified topographic map of Lot 33 showing that there are no structures on the lot.

Item 6a. Topographic map certified by a licensed surveyor showing that the entire lot has been filled to the BFE shown on the drawing.

Item 7. Certification stating that the entire lot has been filled and the dates of fill placement.

Item 11. Signed and dated form confirming that the request is for a single lot and is eligible for exemption from fill compaction requirements.

Item 13. Daytime telephone number for the Agent.

Item 14. Letter from DWR approving Teal Brook fill plan.

Item 15. Excerpts from Panel 125 FIRM & PHPB maps on which Lot 33 is annotated.

Please process this application and request approval from FEMA to that a building permit can be obtained for a residential structure with a basement.

encl as noted.

Yours truly,



Federal Emergency Management Agency

Region VII
911 Walnut Street, Room 200
Kansas City, MO 64106

SEP 26 1990

RECEIVED DIVISION

IN REPLY REFER TO:
RVII-218-70-0

Richard Huffman
Teal Brook Estates
434 North Market Street
Wichita, Kansas 67202

Dear Mr. Huffman:

This will acknowledge receipt of your request for a Letter of Map Revision dated September 15, 1990.

After the Regional Office has completed its initial review of your request, you will be contacted if any additional information is required to process your application.

If you have any questions concerning the status of your application, please contact Mr. Albert L. Schulz at (816) 283-7009.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank Begley", is written over the typed name.

Frank Begley, Division Chief
Natural & Technological Hazards
Division

cc: Chris J. Breitenstein, P.E.

June 25, 1991

Office of the City Engineer
City Hall - Seventh Floor
455 North Main
Wichita, Ks 67202

Subject: Application for LOMR, Lot 43,
Block A, Teal Brook Estates.

Attention: Mr. Chris Breitenstein, P.E.

Dear Chris:

Transmitted with this letter are materials needed to process a single lot Application for Letter of Map Revision for subject lot. The Application is accompanied by items marked on the enclosed Data Request Checklist Form supplied by FEMA as follows:

- Item 2. Copy of Recorded Plat on which the recordation data is shown.
- Item 4. Excerpt from Sedgwick County FIRM Panel 125 annotated to show the location of Lot 43, Block A.
- Item 6a. Certified drawing showing the boundaries of Lot 43 and elevations to demonstrate that all of the lot is at or above the Base Flood Elevation.
- Item 7. Certification by the property owner that fill has been placed elevate the lot after the date of the FIRM.
- Item 9. Request for Letter of Map Revision Involving Fill signed by Applicant/Owner.
- Item 10. Community Acknowledgement of Request for Letter of Map Revision to be signed by you for the City of Wichita.
- Item 11. Signed and dated Confirmation of Eligibility for Exemption From Fill Compaction Certification on form supplied by FEMA.

INTEROFFICE MEMORANDUM

Date: 19-Dec-1988 02:22pm CDT
From: Chris Cherches
CHERCHES_C
Dept: City Manager
Tel No: 268-4351

TO: STEVE LACKEY

(LACKEY_S)

CC: Marvin Krout

(KROUT_M)

Subject: Teal Brook Estate Plat

this gentleman has called the council members. Sally has asked that we contact him and discuss his flooding matter. Is there anyway we can avoid having his property flooded? Can you call him and discuss before meeting? His telephone # is 722-3580??

Thank you.

12-19-88

Lindebak:

I talked to Judy Everle on this matter. They request that this matter be referred back to M.A.P.C. Judy claims they have new info which was not available to them at the prior public hearing. Please advise Judy first thing tomorrow if there will not be another public hearing.

P. E. A.

I N T E R O F F I C E M E M O R A N D U M

Date: 19-Dec-1988 02:36pm CDT
From: Chris Cherches
CHERCHES_C
Dept: City Manager
Tel No: 268-4351

TO: STEVE LACKEY

(LACKEY_S)

CC: MIKE LINDEBAK

(LINDEBAK_M)

CC: Marvin Krout

(KROUT_M)

Subject: More on Teal Brook

M. S. Mitchell came in today at 3:45 and told me that what Eberly was told by the County was incorrect. They now have the right to go in and clean up some of the stream...etc. This may reduce protest by Eberly(?)

In any event, can you, Mike or someone talk to M. S. and find out specifically the outcome so you can address it at tomorrow's meeting? At least have the same data M.S. has....thank you.

February 14, 1989

Department of Engineering
City Hall - Seventh Floor
455 North Main
Wichita, Kansas 67202

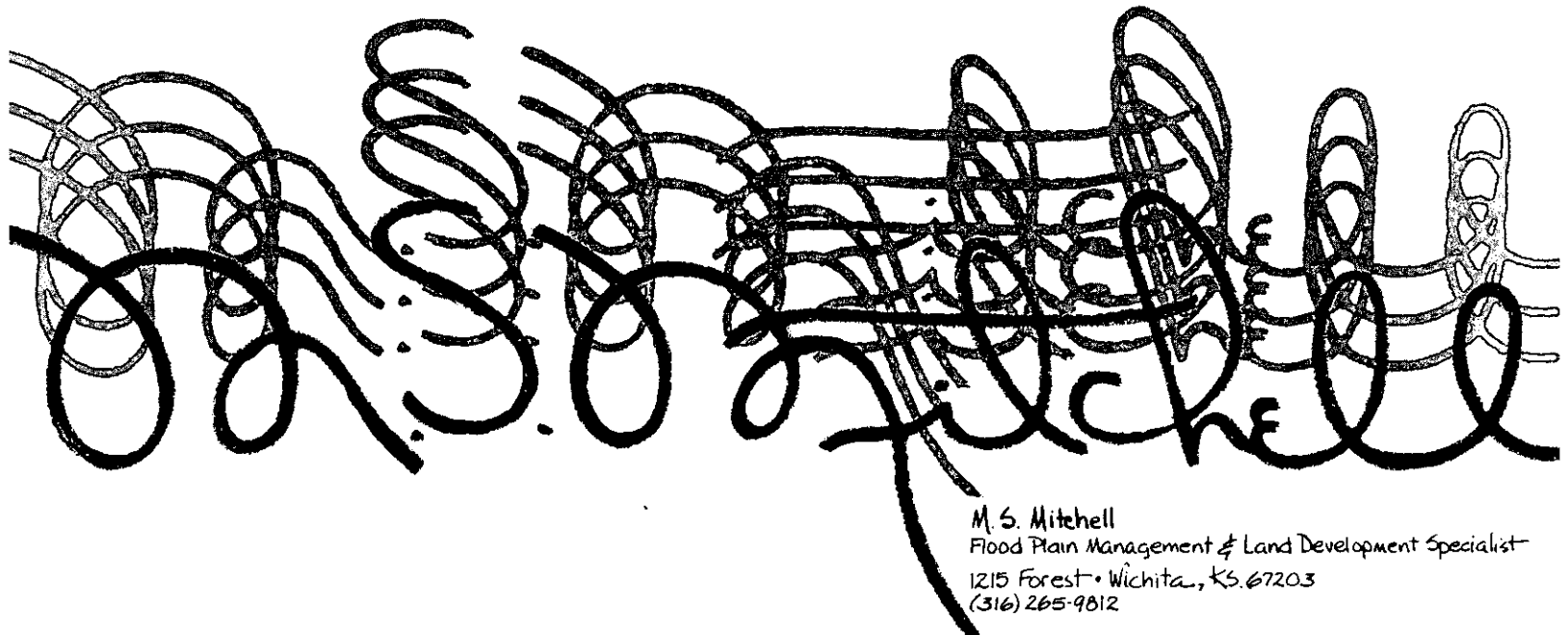
Subject: Application for
LOMR, Lot 32, Block A,
Teal Brook Estates

Attention: Mr. Chris Breitenstein, P.E.

Dear Chris:

Transmitted with this letter is an Application for Letter of Map Amendment for subject lot. In addition to the FEMA Application form the following items are enclosed to support the Request as noted on the Data Request Checklist:

- Item 2. A copy of the recorded plat on which Lot 3 is marked.
- Item 4. Excerpts from Sedgwick County Panels 125.
- Item 7. Certification by Owner that fill has been placed after identification as being in Flood Hazard Area.
- Item 9. Request for Letter of Map Revision form signed by owner.



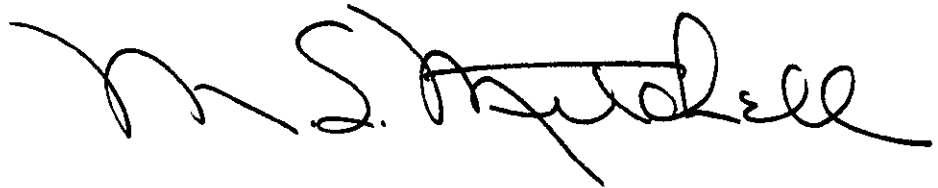
M. S. Mitchell
Flood Plain Management & Land Development Specialist
1215 Forest • Wichita, KS. 67203
(316) 265-9812

- Item 11. Confirmation of Eligibility for Exemption From Fill Compaction signed by owner. Although this Application is for a single lot and is exempt, compaction data is provided for future reference for an Application for multiple lots in Teal Brook Estates.
- Item 14. Copy of letter from Division of Water Resources approving fill for all of the lots in Teal Brook Estates under provisions of KSA 24-126 and with consideration of KSA 12-734 and 12-735.
- Item 15. Drawing of Lot 32 with spot elevations at all corners and center and contours from fill to original ground certified by Registered Land Surveyor.

Please process this application and request approval so that a building permit can be obtained. If you have any questions, please call me.

Yours truly,

encl

A handwritten signature in black ink, appearing to read "M. S. [unclear]". The signature is written in a cursive style with a large, sweeping initial "M".

**SUPERVISING
PERSONNEL**

DEPARTMENT MANAGER
W. H. KELTNER, P.E.

INSPECTION DIVISION
G. K. GREENWOOD, P.E., MGR.

GEO-TEST DIVISION
J. B. MCDANIEL, JR., GEOLOGIST, MGR
D. H. DAO, P.E., SOILS ENGINEER
F. A. HUBBARD, JR., S.E.T.

SURVEY DIVISION
J. R. BECKETT, L.S., MGR.
M. D. CLIFFORD, L.S.
D. L. SCHMIDT, L.S., C.E.T.

KEY PERSONNEL
G. S. FIELDS, C.E.T.
F. E. SMITH, C.E.T.
A. D. WARD, C.E.T.
G. E. SIMMONS, S.E.T.
R. A. RIPPEL, C.E.T.
R. G. WALKER, C.E.T.
L. D. CARSTENSON, L.S., S.E.T.
G. M. ERICKSON, C.E.T.
D. K. HOLLINGSWORTH, A.E.T.
J. W. BALLINGER, C.E.T.

24 February 1989

Mr. Michael Lindebak, P.E.
City of Wichita
City Hall - Seventh Floor
455 North Main Street
Wichita, Kansas 67202

Attention: Mr. Chris Breitenstein, P.E.

Re: Lot 32, Block 1, Tealbrook Estates
A/L File No. 56-89043-375

Dear Mr. Lindebak:

Technicians from Allied Laboratories provided compaction testing to Bob Bergkamp Construction, Inc. during their placement of fill on the above noted lot in Tealbrook Estates Addition to Wichita, Kansas. The moisture-density curve for material used, and the test results are attached. A print of a portion of the preliminary plat is also attached which shows the original contours prior to placement of any fill by Bergkamp. The final lot elevations are shown by the Moehring and Associates drawing attached. This represents the elevations on this lot when Bergkamp completed his fill placement.

The undersigned certifies that the test results attached are true and accurate and represent actual percent relative compaction at the point locations noted. Please note that the elevation of the point where the tests were performed was not obtained, and that our technicians were not at the site full time during placement of fill.

It is the professional opinion of the undersigned that the test results shown substantially represent the compaction work performed by Bob Bergkamp Construction, Inc. at this site.

If you have any questions or need additional information, please contact the undersigned at your convenience.

Very truly yours,

ALLIED LABORATORIES

William H. Keltner

William H. Keltner, P.E.
Manager

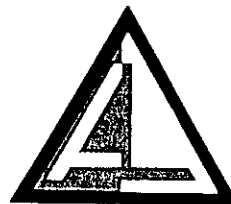


CSC

enclosures

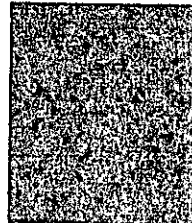
LOCATED AT:
349 1DA
WICHITA, KANSAS 67211
(316) 262-6457
FAX NO. (316) 262-3003

FORWARD ALL MAIL TO:
1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691



**ALLIED
LABORATORIES**

A DEPARTMENT OF PROFESSIONAL
ENGINEERING CONSULTANTS, P.A.





ALLIED LABORATORIES

Foundations, Materials Testing, Surveys

349 Ida • Wichita, Kansas 67211

(316) 262-6457

MOISTURE — DENSITY RELATIONSHIP

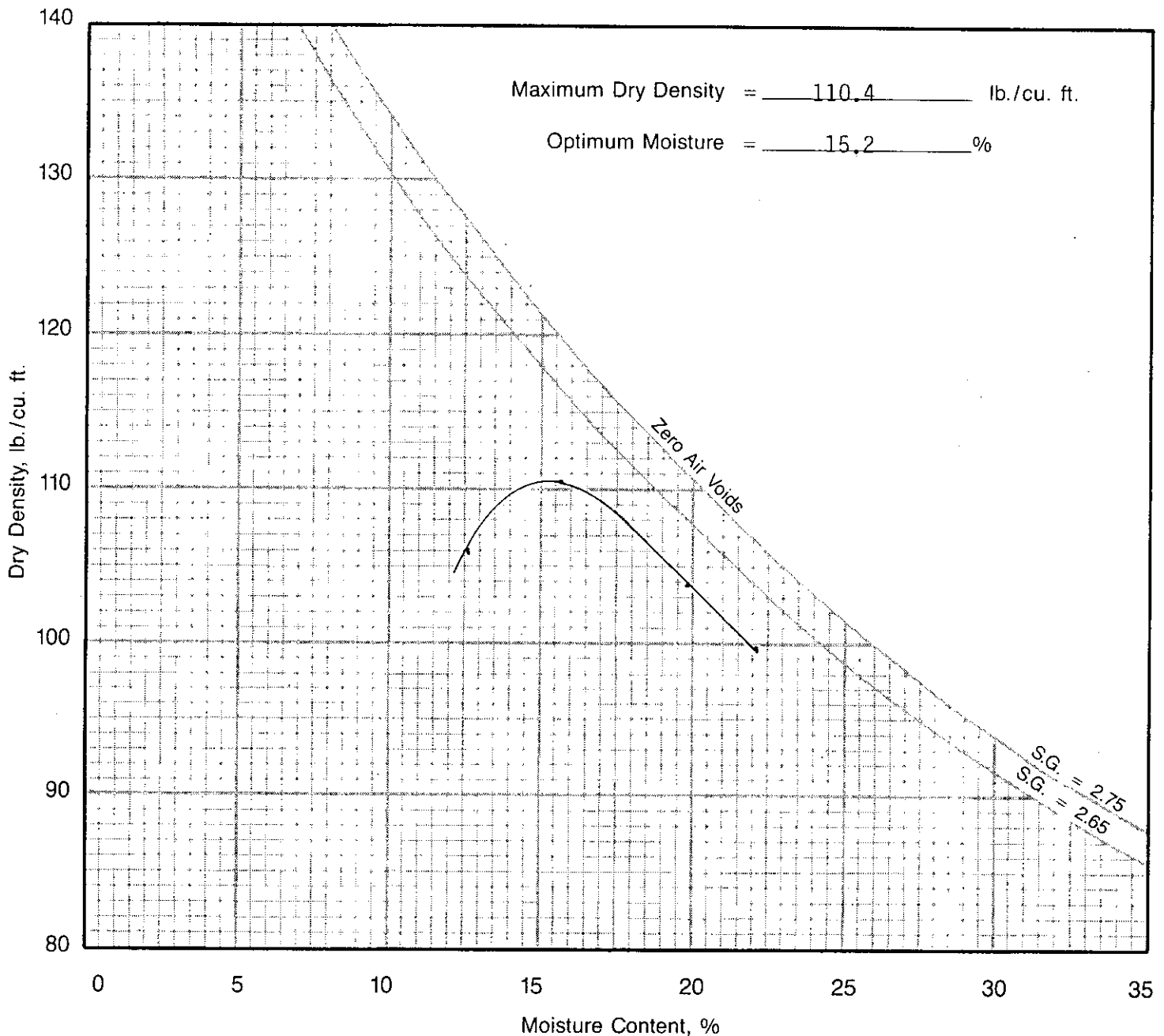
(No. 1740)

Project: Bergkamp Construction - Tealbrook Estates

Sampled: by Jim Snook

Material: Clayey sand

Date: 1-31-89



AASHTO Designation T-99

ASTM Designation D-698

Weight of Hammer 5.5 lb.

Drop 12 in.

Lifts 3

Blows/Lift 25/3

Dia. of Cyl. 4 in.

Vol of Cyl. 1/30 cu. ft.



ALLIED LABORATORIES

Located At 349 Ida • Wichita, Kansas 67211
Mail To 1440 E. English • Wichita, Kansas 67211
(316) 262-6457

NUCLEAR RELATIVE COMPACTION TEST DATA (ASTM D-2922, ASTM D-3017)

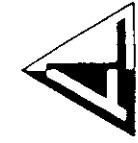
PROJECT Bergkamp - Tealbrook
JOB NO. 56-89043-375

TEST NUMBER	1	2	3	4	5	6	7	8	9	10
LOCATION	S. side center A.M.	Reroll A.M.								
MODE & DEPTH	8"DT	8"DT								
WET DENSITY PCF	113.9	117.7								
DRY DENSITY	97.4	105.3								
% MOISTURE	16.9	11.8								
MAXIMUM DRY DENSITY	110.4	110.4								
OPTIMUM MOISTURE	15.2	15.2								
CURVE NUMBER	1740	1740								
SPEC COMPACT REQUIREMENT	95	95								
MOISTURE SPEC										
% RELATIVE COMPACTION	88	95								
*										

STANDARD COUNT	
DENSITY	
MOISTURE	

REPORTED IN FIELD TO Greg Engels DATE 2-1-89 TESTED BY BR

REVIEWED BY *Greg Engels*



ALLIED LABORATORIES

Located At 349 Ida • Wichita, Kansas 67211
Mail To 1440 E. English • Wichita, Kansas 67211
(316) 262-6457

NUCLEAR RELATIVE COMPACTION TEST DATA (ASTM D-2922, ASTM D-3017)

PROJECT Bergkamp - Tealbrook
JOB NO. 56-89043-375

TEST NUMBER	1	2	3	4	5	6	7	8	9	10
LOCATION	center of pad	SW cor of pad	N.side center of pad							
	early pm	early pm	late pm							
MODE & DEPTH	8"DT	8"DT	8"DT							
WET DENSITY PCF	119.2	123.3	119.5							
DRY DENSITY	104.3	108.3	104.5							
% MOISTURE	14.2	13.8	14.4							
MAXIMUM DRY DENSITY	110.4	110.4	110.4							
OPTIMUM MOISTURE	15.2	15.2	15.2							
CURVE NUMBER	1740	1740	1740							
SPEC COMPACT REQUIREMENT	95	95	95							
MOISTURE SPEC										
% RELATIVE COMPACTION	95	98	98							
*										

STANDARD COUNT	
DENSITY	MOISTURE

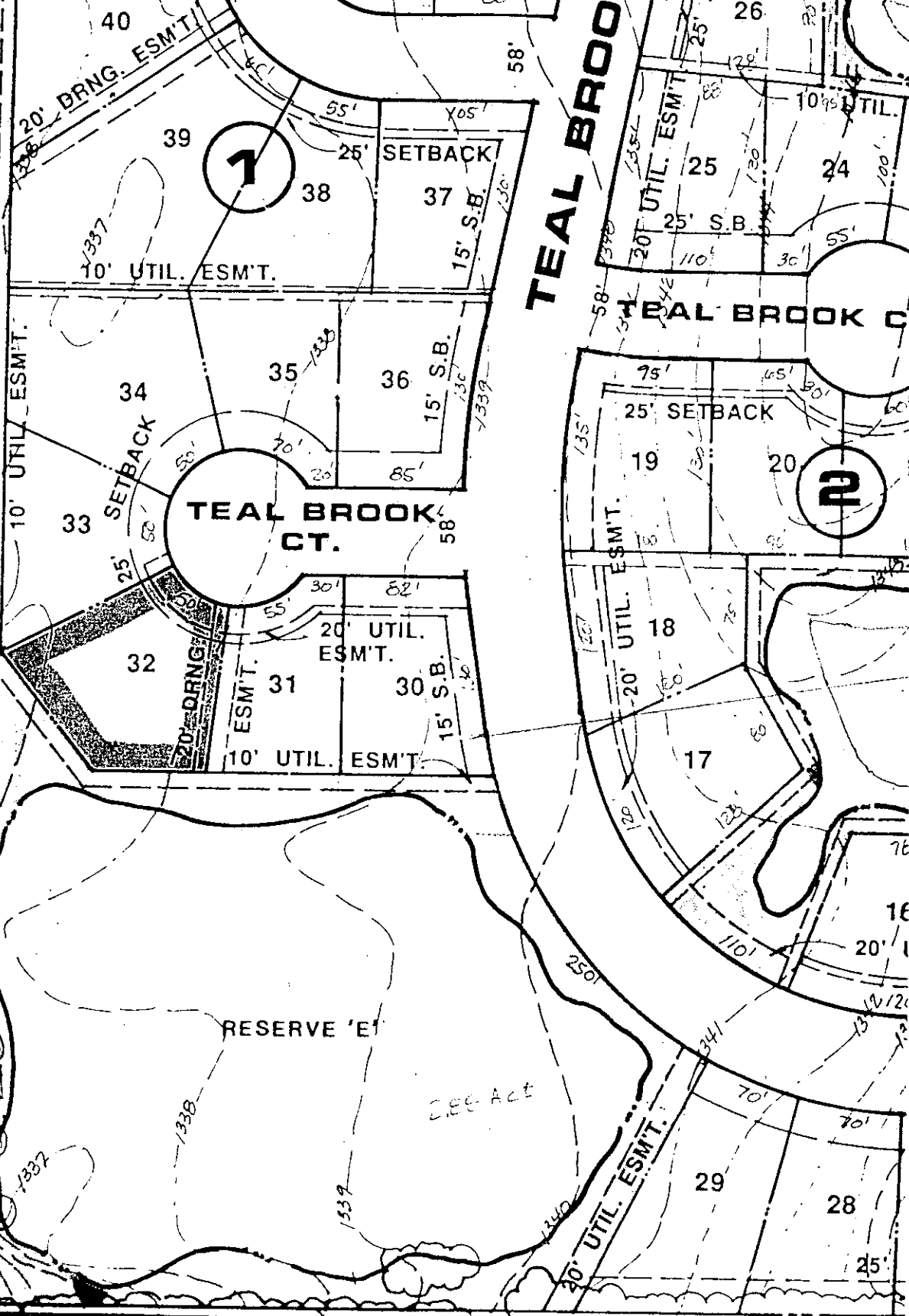
REPORTED IN FIELD TO Greg Engels DATE 2-1-89 TESTED BY BR

REVIEWED BY *Greg Engels*

Y KASSELBAUM
ZONED RT

N01° 45'52"W
1243.43'

N 1/2, N.E. 1/4
329.11'



RESERVE 'E'

20' DRNG. ESM'T.

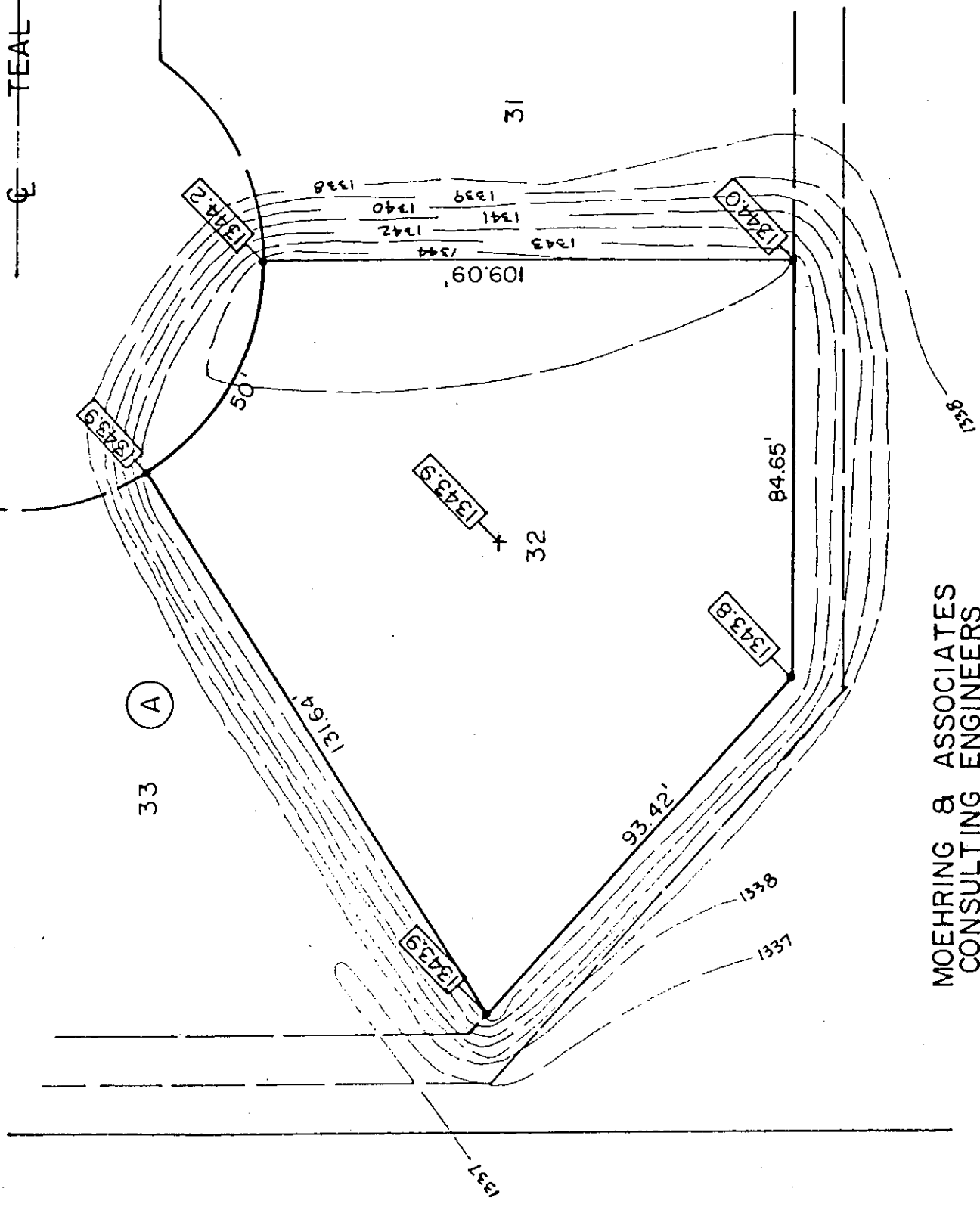
48.34'
S87° 58'25" W

EBERLY G
ZONED F



B.F.E. (Interpolated) = 1343 M.S.L.
Per F.E.M.A. FIRM Community/
Panel Number 200321 0125A

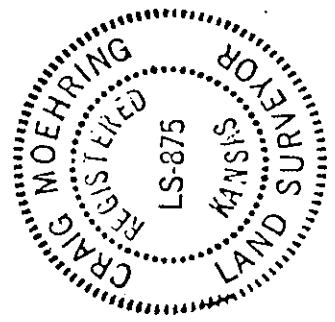
TEAL BROOK CT.



1" = 30'
• = Iron

□ = Finished Pad Elev.

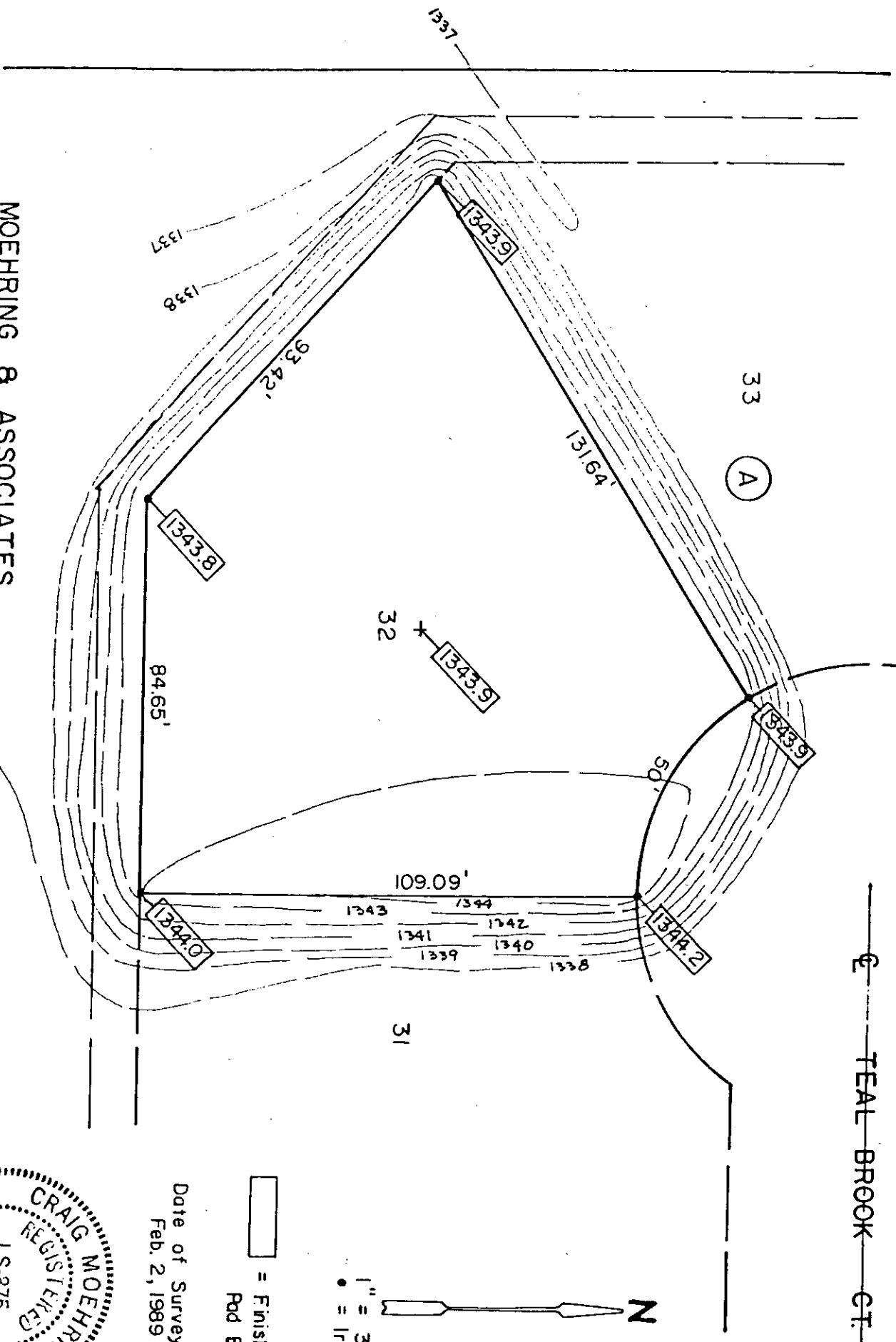
Date of Survey:
Feb. 2, 1989



MOEHRING & ASSOCIATES
CONSULTING ENGINEERS
WICHITA

B.F.E. (Interpolated) = 1343 M.S.L.
 Per F.E.M.A. FIRM Community/
 Panel Number 200321 0125A

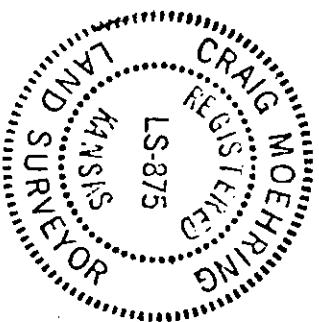
TEAL BROOK CT.



MOEHRING & ASSOCIATES
 CONSULTING ENGINEERS
 WICHITA

= Finished
 Pad Elev.
 Date of Survey:
 Feb. 2, 1989

1" = 30'
 • = Iron





ALLIED LABORATORIES

Located At 349 Ida • Wichita, Kansas 67211
 Mail To 1440 E. English • Wichita, Kansas 67211
 (316) 262-6457

NUCLEAR RELATIVE COMPACTION TEST DATA (ASTM D-2922, ASTM D-3017)

PROJECT Bergkamp - Tealbrook
 JOB NO. 56-89043-375

TEST NUMBER	1	2	3	4	5	6	7	8	9	10
LOCATION	center of pad	SW cor of pad	N. side center of pad							
	early pm	early pm	late pm							
MODE & DEPTH	8"DT	8"DT	8"DT							
WET DENSITY PCF	119.2	123.3	119.5							
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% MOISTURE	14.2	13.8	14.4							
MAXIMUM DRY DENSITY	110.4	110.4	110.4							
OPTIMUM MOISTURE	15.2	15.2	15.2							
CURVE NUMBER	1740	1740	1740							
SPEC COMPACT REQUIREMENT	95	95	95							
MOISTURE SPEC										
% RELATIVE COMPACTION	95	98	98							
*										

REPORTED IN FIELD TO Greg Engels DATE 2-1-89 TESTED BY BR

REVIEWED BY *Alvin J. ...*

ALLIED LABORATORIES

NUCLEAR RELATIVE

PROJECT Bergkamp - Tealbrook

JOB NO. 56-89043-375

COMPACTION TEST DATA

(ASTM D-2922, ASTM D-3017)

Located At 349 Ida • Wichita, Kansas 67211
 Mail To 1440 E. English • Wichita, Kansas 67211
 (316) 262-6457

TEST NUMBER	1	2	3	4	5	6	7	8	9	10
LOCATION	S.side center A.M.	Reroll A.M.								
MODE & DEPTH	8"DT	8"DT								
WET DENSITY PCF	113.9	117.7								
DRY DENSITY	97.4	105.3								
% MOISTURE	16.9	11.8								
MAXIMUM DRY DENSITY	110.4	110.4								
OPTIMUM MOISTURE	15.2	15.2								
CURVE NUMBER	1740	1740								
SPEC COMPACT REQUIREMENT	95	95								
MOISTURE SPEC										
% RELATIVE COMPACTION	88	95								
*										

STANDARD COUNT		REPORTED IN FIELD TO	Greg Engels	DATE	2-1-89	TESTED BY	BR
DENSITY							
MOISTURE							

REVIEWED BY *Greg Engels*



ALLIED LABORATORIES

Foundations, Materials Testing, Surveys

349 Ida • Wichita, Kansas 67211

(316) 262-6457

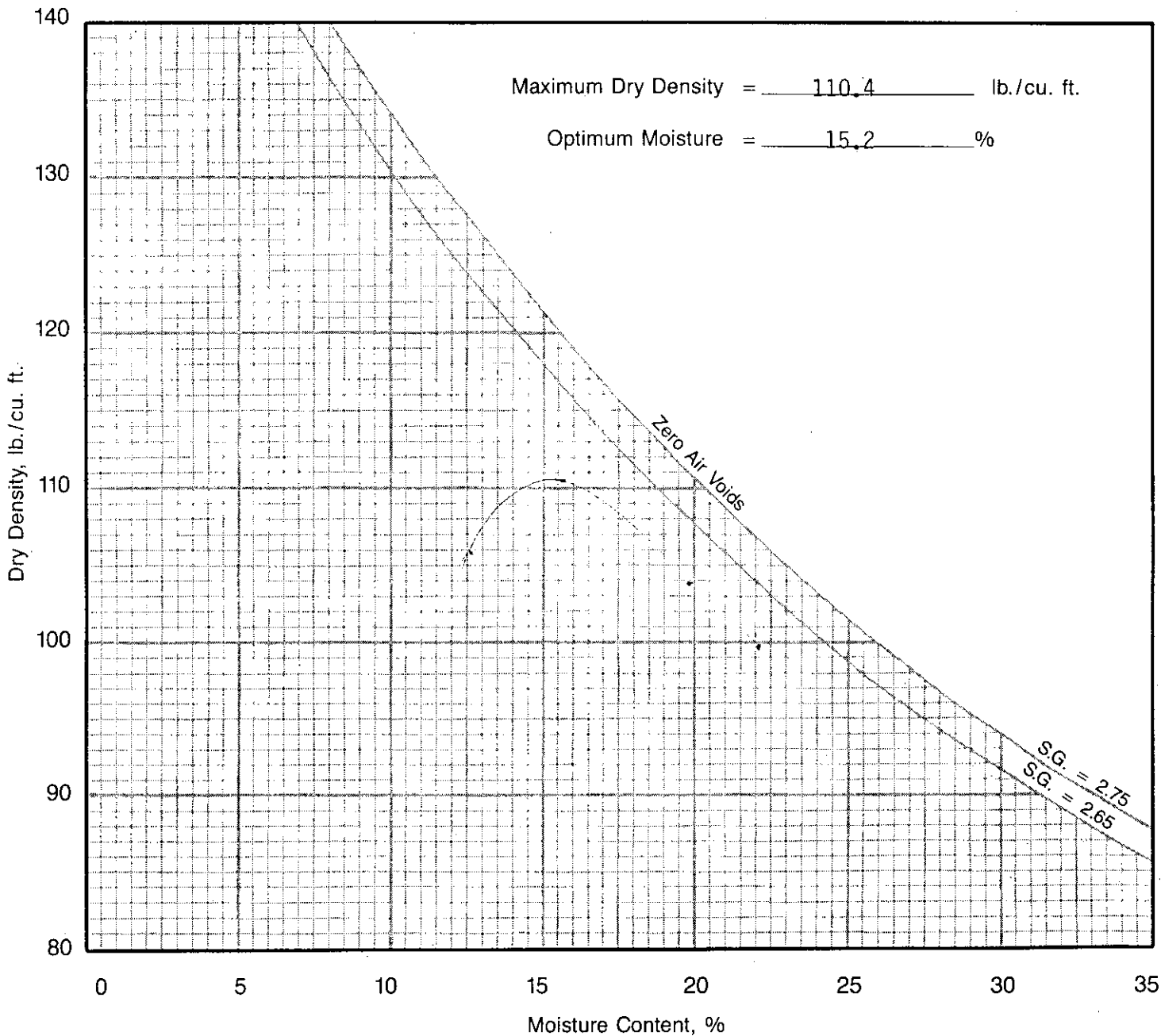
MOISTURE — DENSITY RELATIONSHIP

(No. 1740)

Project: Bergkamp Construction - Tealbrook Estates

Sampled: by Jim Snook

Material: Clayey sand Date: 1-31-89



AASHTO Designation T-99 ASTM Designation D-698

Weight of Hammer 55.5 lb. Drop 12.2 in. Lifts 3

Blows/Lift 25/3 Dia. of Cyl. 4 in. Vol of Cyl. 1/30 cu. ft.

COMMITMENT FORM

SCHEDULE A

Commitment Number: 31633-88

1. Effective date: November 17, 1988 @ 7:00 a.m.

2. Policy or Policies to be issued.

(a) Owner's Policy (ALTA, Standard Owner's form) \$
Proposed Insured:

(b) Loan Policy (ALTA, Standard Loan form) \$75,000.00
Proposed Insured: Union National Bank

3. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and as of the effective date hereof vested in: Jerrick Company, a Kansas General Partnership

4. The land referred to in this Commitment is described as follows:

A tract of land in the North Half of the Northeast Quarter of Section 12, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point on the East line and 300.0 feet South of the Northeast Corner of the Northeast Quarter of said Section 12; thence South along the East line of said Northeast Quarter and with an assumed bearing of South 00 Degrees 00 Minutes 00 Seconds East, a distance of 70.0 feet, thence South 88 Degrees 06 Minutes 02 Seconds West, a distance of 252.93 feet; thence South 58 Degrees 30 Minutes 00 Seconds West, a distance of 160 feet; thence North 00 Degrees 00 Minutes 00 Seconds West parallel with the East line of said Northeast Quarter, a distance of 368.53 feet to a point on the South Right-of-Way line of 21st Street North; thence North 88 Degrees 01 Minutes 04 Seconds East parallel with the North line of said Northeast Quarter, a distance of 338.78 feet to a point 50.67 feet West of the East line of said Northeast Quarter, thence South 05 Degrees 24 Minutes 08 Seconds East, a distance of 219.18 feet to a point 30 feet West of East line of said Northeast Quarter, thence North 88 Degrees 01 Minutes 04 Seconds East parallel with the North line of said Northeast Quarter, a distance of 30.0 feet to the point of beginning.

Researched By:
Lisa Vanlandingham
(316) 262-8231.

COLUMBIAN NATIONAL TITLE INSURANCE COMPANY

~~FORGOING AND REALIZE THE LEGAL ASPECTS OF ANY MISREPRESENTATIONS~~

COMMITMENT FORM

SCHEDULE B

I. The following are the requirements to be complied with:

1. Record Mortgage executed by Jerrick Company, a Kansas General Partnership, by a duly authorized and qualified officer in favor of Union National Bank to secure the loan.
2. Lien Affidavit and Statement executed by sellers and/or contractors, if any, stating that all bills are paid for labor and/or material which might form the basis for a materialman's or mechanic's lien.
3. Payment of taxes for the year 1988, in the original amount of \$17.63. Taxes for the year 1987 and prior years are paid. Key Number AT-00070.

SPECIAL TAX NOTE: If the title company is to insure the 1988 real estate taxes, we must be furnished with a paid tax receipt, or taxes must be paid through this office.

II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. General Taxes for the year 1989, and all subsequent years, and special assessments due or payable therewith.
3. Rights of parties in possession not shown of record, and questions of boundary, location of improvements or any state of facts dependent on actual survey for determination.
4. Mechanic's Liens if any not shown of record.
5. Rights of Way and Easements for roadways, streets and highways.

Commitment Number: 31633-88

FORGOING AND REALIZE THE LEGAL ASSETS OF ANY

AFFIDAVIT

State of Kansas)
) SS
County of Sedgwick)

Michael E. Lindebak, P.E., City Engineer for the City of Wichita, Kansas, being first duly sworn, on oath states:

I have examined the final plat of TEAL BROOK ESTATES, Wichita, Sedgwick County, Kansas, and have found that there are lot dimension errors which should be corrected, as follows:

The dimension of the South segment of the East line of Lot 41, Block A, should be changed from 23.26 feet to 21.92 feet.

The dimension of the South line of Lot 41, Block A, should be changed from 128.34 feet to 134.34 feet.

The dimension of the East (front) line of Lot 40, Block A, should be changed from 55.0 feet to 52.34 feet.

The dimension of the Southerly line of Lot 40, Block A, should be changed from 182.76 feet to 188.76 feet.

The dimension of the Northeasterly (front) line of Lot 39, Block A, should be changed from 60.0 feet to 57.10 feet.

The dimension of the Southeasterly line of Lot 39, Block A, should be changed from 152.45 feet to 158.45 feet.

The dimension of the North line of Lot 38, Block A, should be changed from 55.67 feet to 54.00 feet.

The dimension of the East line of Lot 34, Block A, should be changed from 112.62 feet to 113.01 feet.

The dimension of the West segment of the South line of Lot 4, Block A, should be changed from 66.93 feet to 66.88 feet.

The dimension of the East segment of the North line of Lot 4, Block B, should be changed from 47.53 feet to 47.91 feet.

The bearing of the South line of Lot 4, Block B, should be changed from N. 82°05'49" E. to N. 81°07'29" E.


The dimension for the North segment of the Northeasterly (front) line of Lot 5, Block B, should be changed from 47.53 feet to 47.91 feet.

The dimension of the North segment of the West line of Lot 26, Block B, should be changed from 75.16 feet to 75.26 feet.

The bearing of the East line of Lot 25, Block B, should be changed from N. 01°45'52" E. to N. 01°45'52" W.

The dimension of the Northeasterly segment of the front line of Lot 20, Block B, should be changed from 22.21 feet to 20.57 feet.

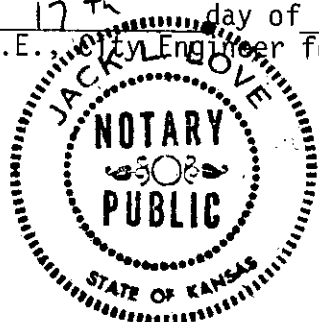
FURTHER AFFIANT SAITH NOT


Michael E. Lindebak, P.E.

Dated this 17th day of MAR, 1989.

State of Kansas)
County of Sedgwick) SS

The foregoing instrument acknowledged before me this
17th day of Mar, 1989, by Michael E. Lindebak,
P.E., City Engineer for the City of Wichita, Kansas.



Jack L. Love, Notary Public
My Appointment Expires 12/9/92

CERTIFICATE OF CORRECTIONS TO LOT DIMENSIONS


TEAL BROOK ESTATES
WICHITA, KANSAS

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

We, Moehring & Associates, Surveyors in aforesaid County and State do hereby certify that errors exist in Lots 4, 34, 38, 39, 40 and 41, Block A and Lots 4, 5, 20, 25 and 26, Block B, as originally platted in Teal Brook Estates, Wichita, Sedgwick County, Kansas, and have determined that a correction of said dimensions and/or bearings is necessary.

The accompanying drawings (Exhibit "A" and Exhibit "B", attached) are true and correct exhibits of the corrections as noted.

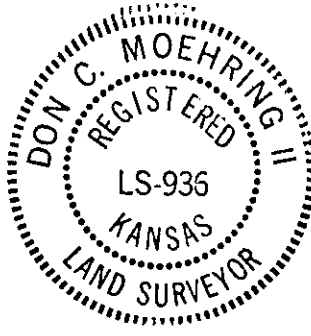
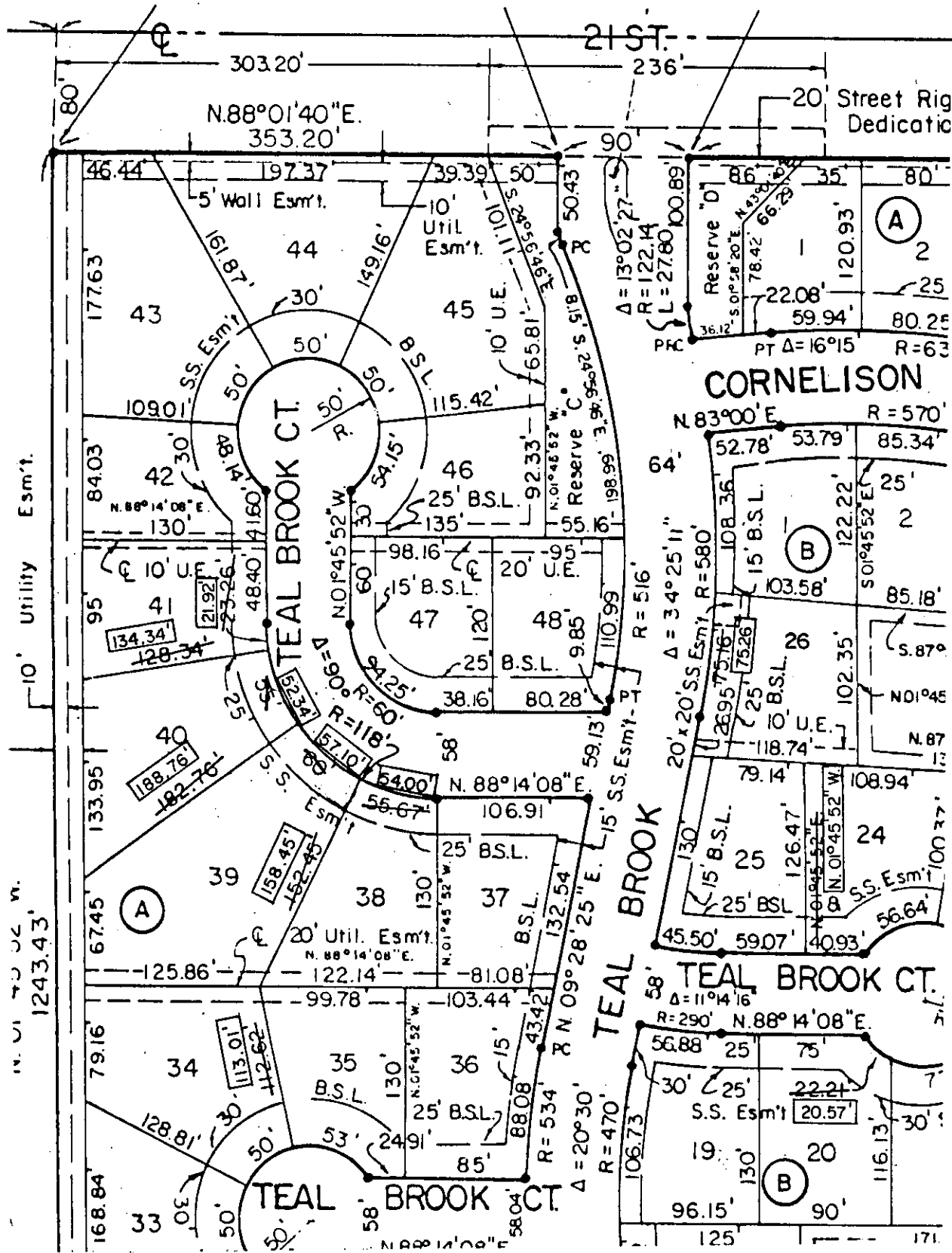
MOEHRING & ASSOCIATES

 Surveyor
Don C. Moehring II

Dated 27 February, 1989



EXHIBIT "A"



Lot 41, Block A
~~23.26'~~
 [21.92'] corrected

Lot 41, Block A
~~128.34'~~
 [134.34'] corrected

Lot 40, Block A
~~55.0'~~
 [52.34'] corrected

Lot 40, Block A
~~182.76'~~
 [188.76'] corrected

Lot 39, Block A
~~60.0'~~
 [57.10'] corrected

Lot 39, Block A
~~152.45'~~
 [158.45'] corrected

Lot 38, Block A
~~55.67'~~
 [54.00'] corrected

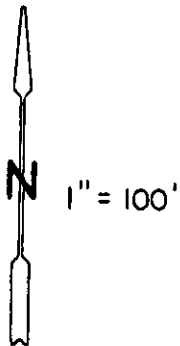
Lot 34, Block A
~~112.62'~~
 [113.01'] corrected

Lot 26, Block B
~~75.16'~~
 [75.26'] corrected

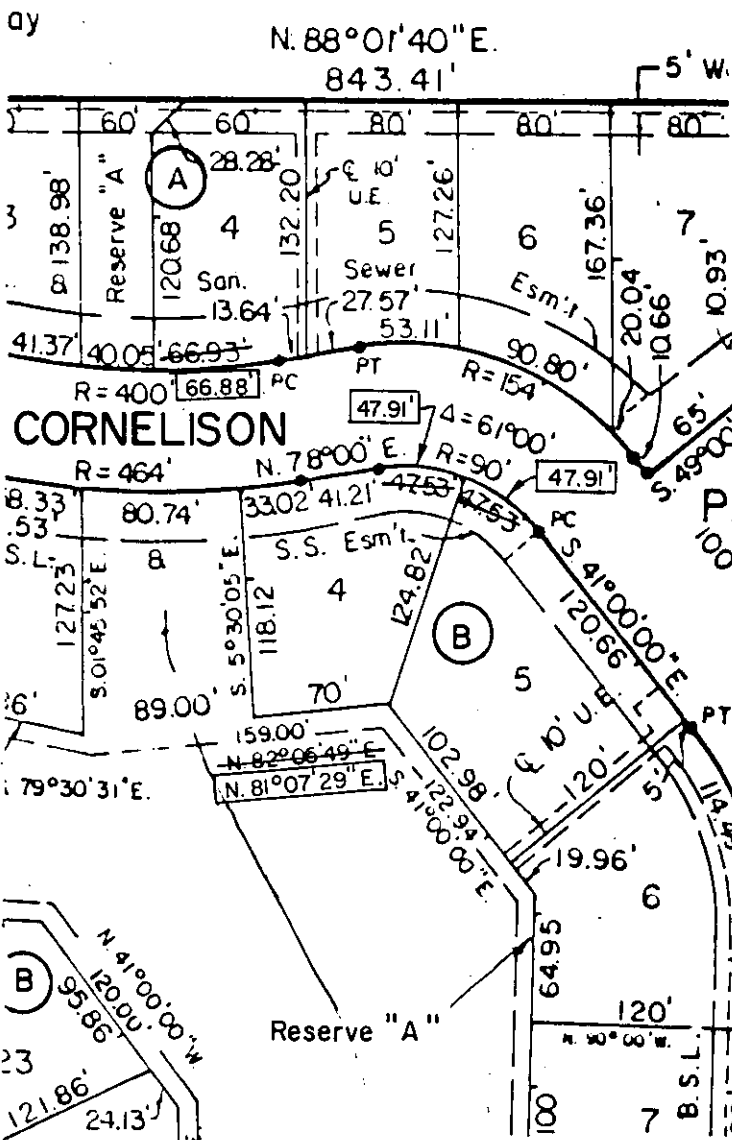
Lot 25, Block B
~~N. 01°45'52" E.~~
 [N. 01°45'52" W.] corrected

Lot 20, Block B
~~22.21'~~
 [20.57'] corrected

EXHIBIT "B"



21st Street North



Lot 4, Block A

~~66.93'~~ deleted

66.88' corrected

Lot 4, Block B

~~47.53'~~ deleted

47.91' corrected

Lot 4, Block B

~~N. 82° 05' 49" E.~~ deleted

N. 81° 07' 29" E. corrected

Lot 5, Block B

~~47.53'~~ deleted

47.91' corrected



Jack

AFFIDAVIT

(SEE ATTACHMENT)

State of Kansas)
) SS
County of Sedgwick)

Michael E. Lindebak, P.E., City Engineer for the City of Wichita, Kansas, being first duly sworn, on oath states:

I have examined the final plat of TEAL BROOK ESTATES, Wichita, Sedgwick County, Kansas, and have found that there are lot dimension errors which should be corrected, as follows:

The dimension of the South segment of the East line of Lot 41, Block A, should be changed from 23.26 feet to 21.92 feet.

The dimension of the South line of Lot 41, Block A, should be changed from 128.34 feet to 134.34 feet.

The dimension of the East (front) line of Lot 40, Block A, should be changed from 55.0 feet to 52.34 feet.

The dimension of the Southerly line of Lot 40, Block A, should be changed from 182.76 feet to 188.76 feet.

The dimension of the Northeasterly (front) line of Lot 39, Block A, should be changed from 60.0 feet to 57.10 feet.

The dimension of the Southeasterly line of Lot 39, Block A, should be changed from 152.45 feet to 158.45 feet.

The dimension of the North line of Lot 38, Block A, should be changed from 55.67 feet to 54.00 feet.

The dimension of the East line of Lot 34, Block A, should be changed from 112.62 feet to 113.01 feet.

The dimension of the West segment of the South line of Lot 4, Block A, should be changed from 66.93 feet to 66.88 feet.

The dimension of the East segment of the North line of Lot 4, Block B, should be changed from 47.53 feet to 47.91 feet.

The bearing of the South line of Lot 4, Block B, should be changed from N. 82°05'49" E. to N. 81°07'29" E.

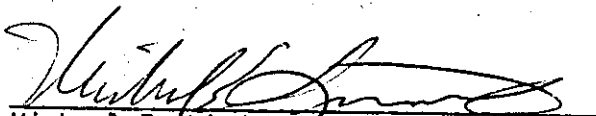
The dimension for the North segment of the Northeasterly (front) line of Lot 5, Block B, should be changed from 47.53 feet to 47.91 feet.

The dimension of the North segment of the West line of Lot 26, Block B, should be changed from 75.16 feet to 75.26 feet.

The bearing of the East line of Lot 25, Block B, should be changed from N. 01°45'52" E. to N. 01°45'52" W.

The dimension of the Northeasterly segment of the front line of Lot 20, Block B, should be changed from 22.21 feet to 20.57 feet.

FURTHER AFFIANT SAITH NOT


Michael E. Lindebak, P.E.

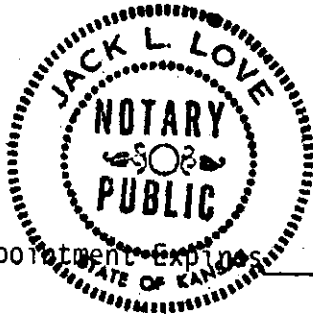
Dated this 17th day of March, 1989.

14.00
OK

Moehring & Assoc. Consulting Engineers
433 S. Hydraulic, 67210

State of Kansas)
County of Sedgwick) SS

The foregoing instrument acknowledged before me this
17th day of March, 1989, by Michael E. Lindebak,
P.E., City Engineer for the City of Wichita, Kansas.



Jack L. Love, Notary Public

My Appointment Expires Dec 9, 1990

STATE OF KANSAS) SS
SEDGWICK COUNTY)
FILED FOR RECORD AT
7:30 PM

MAR 22 89 1000299

PAT KETTLER
REGISTER OF DEEDS

Ed Bessal Deputy

MICROFILMED
OF RECORD

(ATTACHMENT)

CERTIFICATE OF CORRECTIONS TO LOT DIMENSIONS

TEAL BROOK ESTATES
WICHITA, KANSAS

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

We, Moehring & Associates, Surveyors in aforesaid County and State do hereby certify that errors exist in Lots 4, 34, 38, 39, 40 and 41, Block A and Lots 4, 5, 20, 25 and 26, Block B, as originally platted in Teal Brook Estates, Wichita, Sedgwick County, Kansas, and have determined that a correction of said dimensions and/or bearings is necessary.

The accompanying drawings (Exhibit "A" and Exhibit "B", attached) are true and correct exhibits of the corrections as noted.

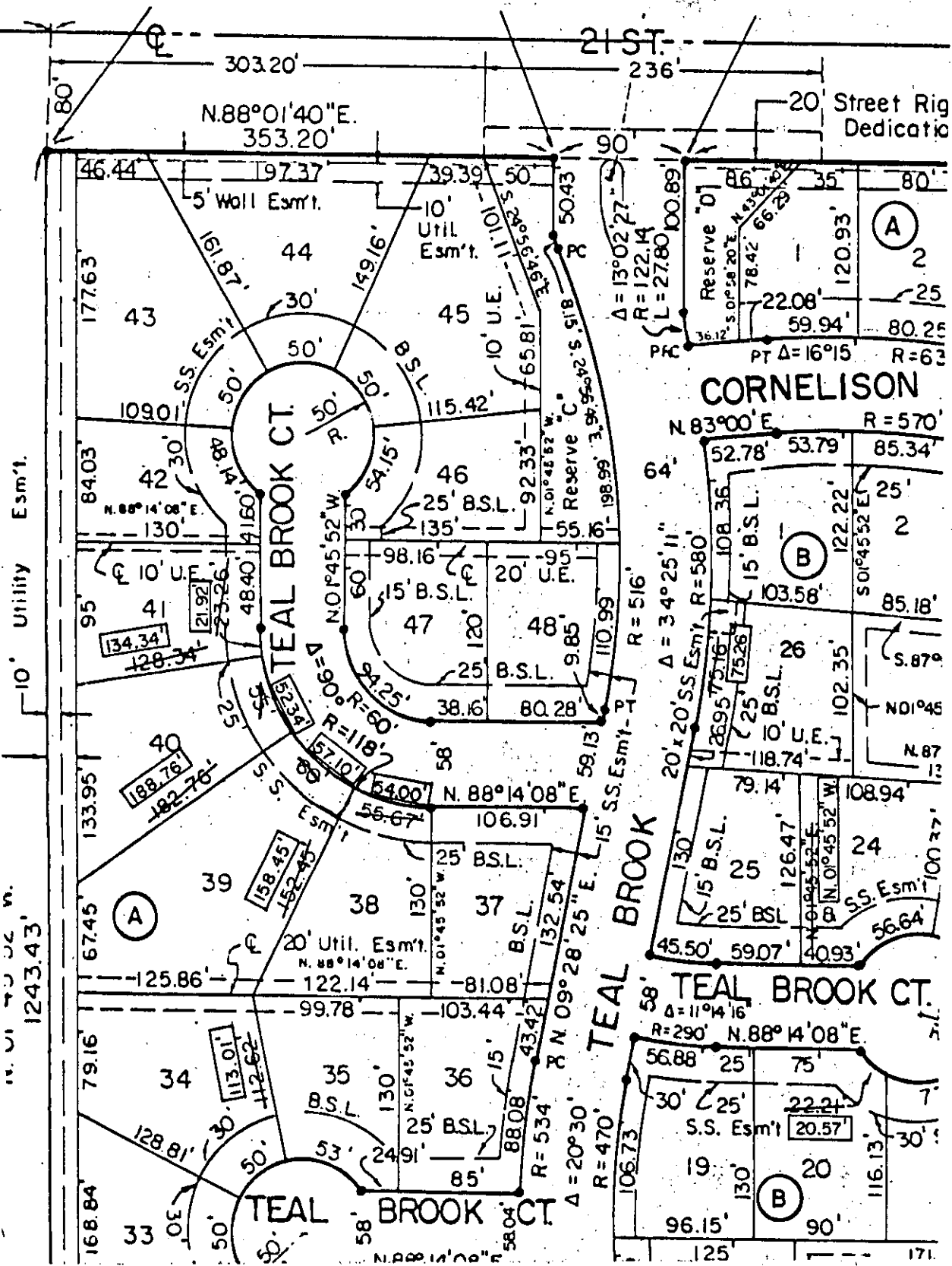
MOEHRING & ASSOCIATES

Don C. Moehring II Surveyor
Don C. Moehring II

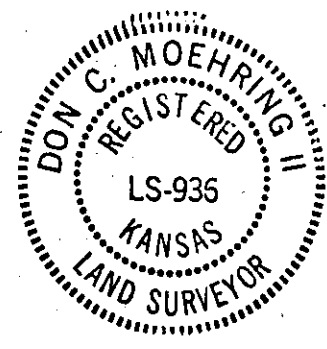
Dated 27 February, 1989



EXHIBIT "A"

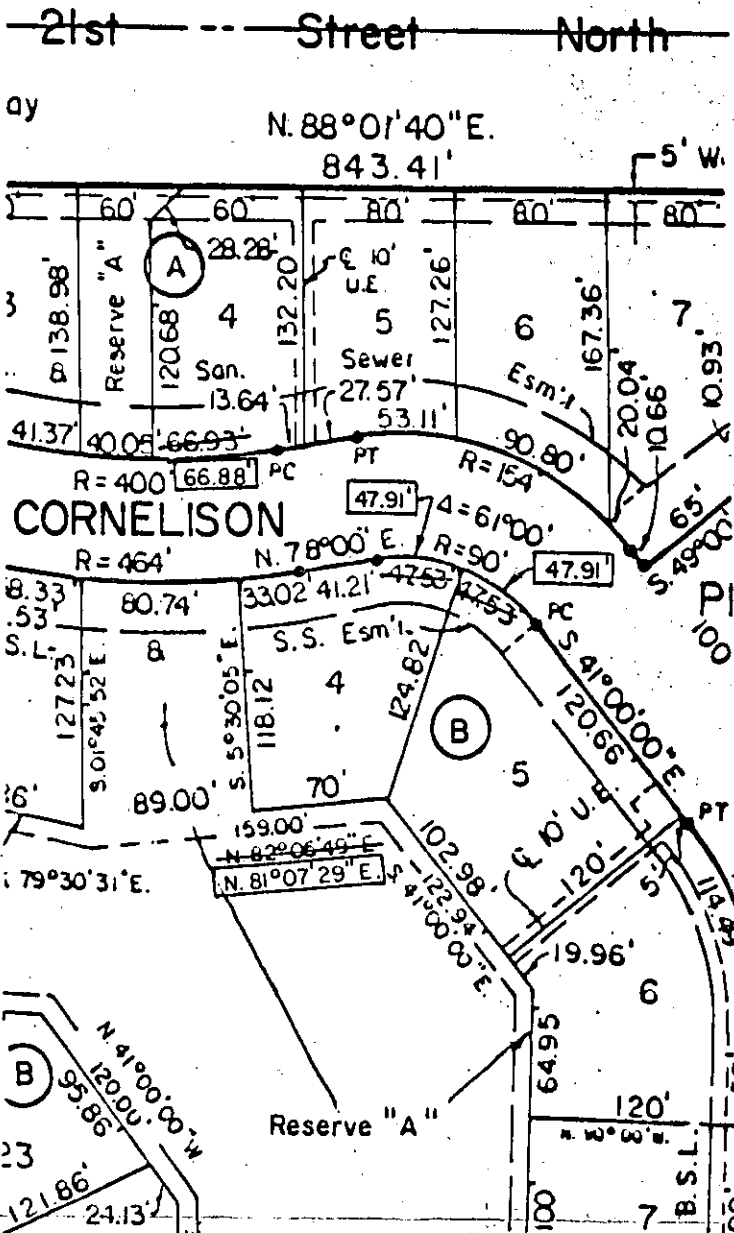
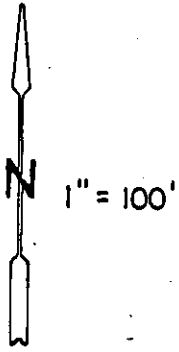


1" = 100'



- | | | |
|--|--|--|
| <p><u>Lot 41, Block A</u>
 -23.26' deleted
 <u>21.92'</u> corrected</p> | <p><u>Lot 39, Block A</u>
 -60.0' deleted
 <u>57.10'</u> corrected</p> | <p><u>Lot 26, Block B</u>
 -75.16' deleted
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 <u>158.45'</u> corrected</p> | <p><u>Lot 25, Block B</u>
 -N. 01°45'52" E. deleted
 <u>N. 01°45'52" W.</u> corrected</p> |
| <p><u>Lot 40, Block A</u>
 -55.0' deleted
 <u>52.34'</u> corrected</p> | <p><u>Lot 38, Block A</u>
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 <u>54.00'</u> corrected</p> | <p><u>Lot 20, Block B</u>
 -22.21' deleted
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 <u>188.76'</u> corrected</p> | <p><u>Lot 34, Block A</u>
 -112.62' deleted
 <u>113.01'</u> corrected</p> | |

EXHIBIT "B"



Lot 4, Block A
~~66.93'~~ deleted
 [66.88'] corrected

Lot 4, Block B
~~47.53'~~ deleted
 [47.91'] corrected

Lot 4, Block B
~~N. 82° 05' 49" E.~~ deleted
 [N. 81° 07' 29" E.] corrected

Lot 5, Block B
~~47.53'~~ deleted
 [47.91'] corrected



AFFIDAVIT

State of Kansas)
) SS
County of Sedgwick)

Michael E. Lindebak, P.E., City Engineer for the City of Wichita, Kansas, being first duly sworn, on oath states:

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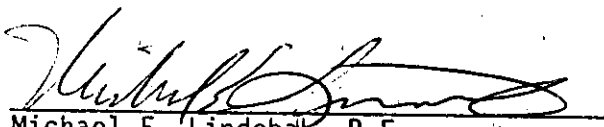
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The bearing of the East line of Lot 25, Block B, should be changed from N. 01°45'52" E. to N. 01°45'52" W. ✓

The dimension of the Northeasterly segment of the front line of Lot 20, Block B, should be changed from 22.21 feet to 20.57 feet. ✓

FURTHER AFFIANT SAITH NOT


Michael E. Lindebak, P.E.

Dated this 17th day of March, 1989.

State of Kansas)
County of Sedgwick) SS

The foregoing instrument acknowledged before me this
17th day of March, 1989, by Michael E. Lindebak,
P.E., City Engineer for the City of Wichita, Kansas.



Jack L Love, Notary Public

My Appointment Expires Dec 9, 1990

CERTIFICATE OF CORRECTIONS TO LOT DIMENSIONS

TEAL BROOK ESTATES
WICHITA, KANSAS

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

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The accompanying drawings (Exhibit "A" and Exhibit "B", attached) are true and correct exhibits of the corrections as noted.

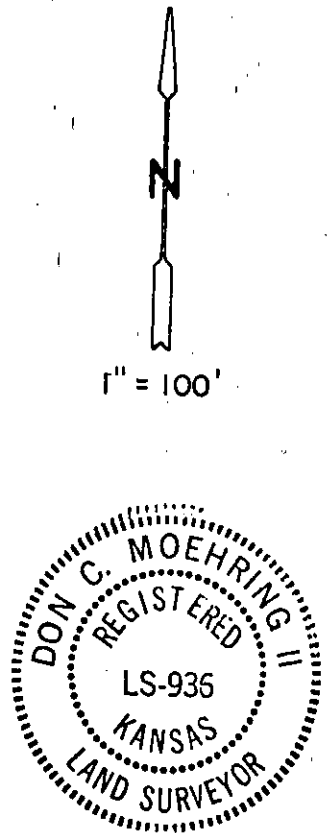
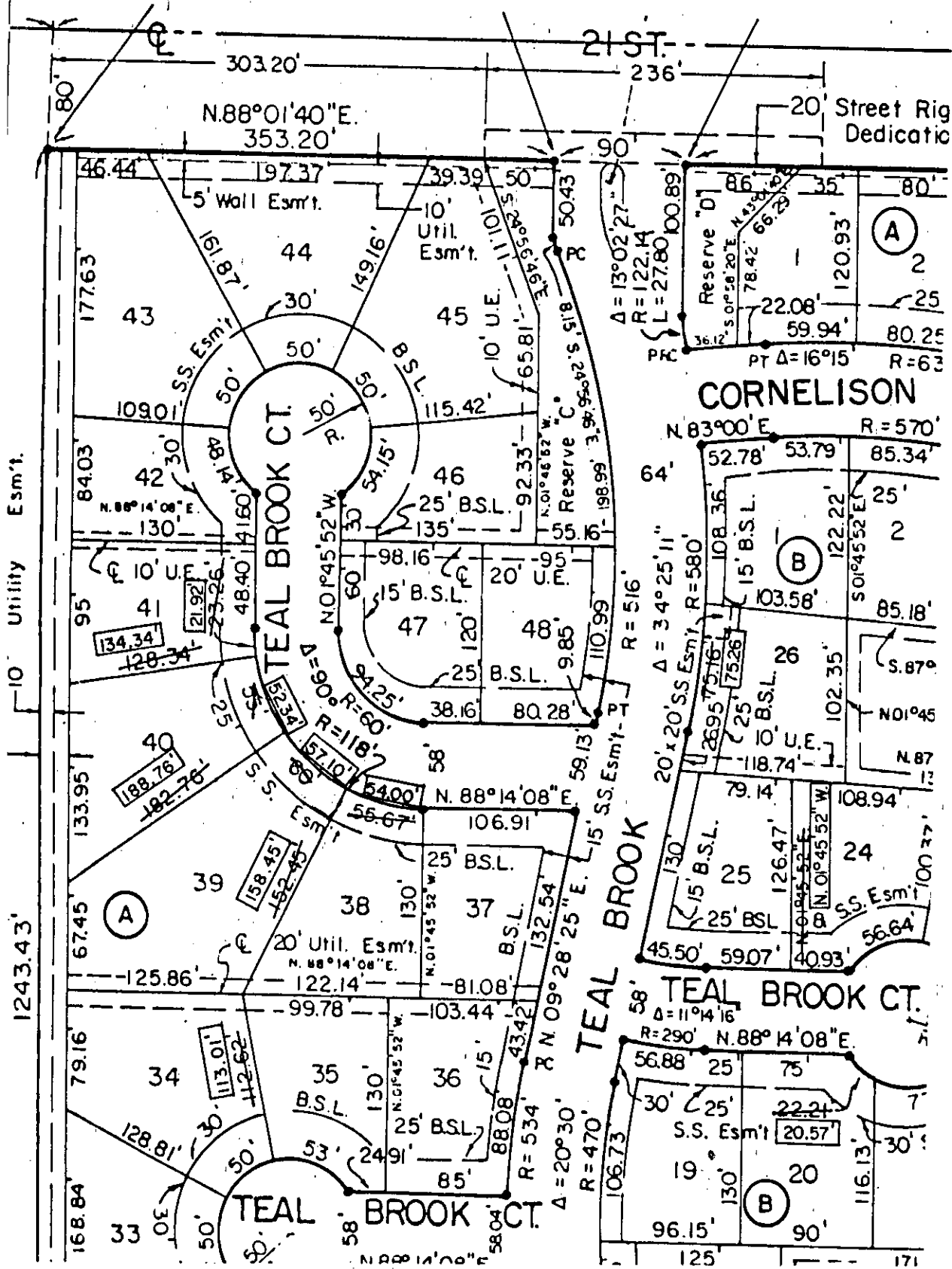
MOEHRING & ASSOCIATES

Don C. Moehring II Surveyor
Don C. Moehring II

Dated 27 February, 1989



EXHIBIT "A"



Lot 41, Block A
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 [21.92'] corrected

Lot 39, Block A
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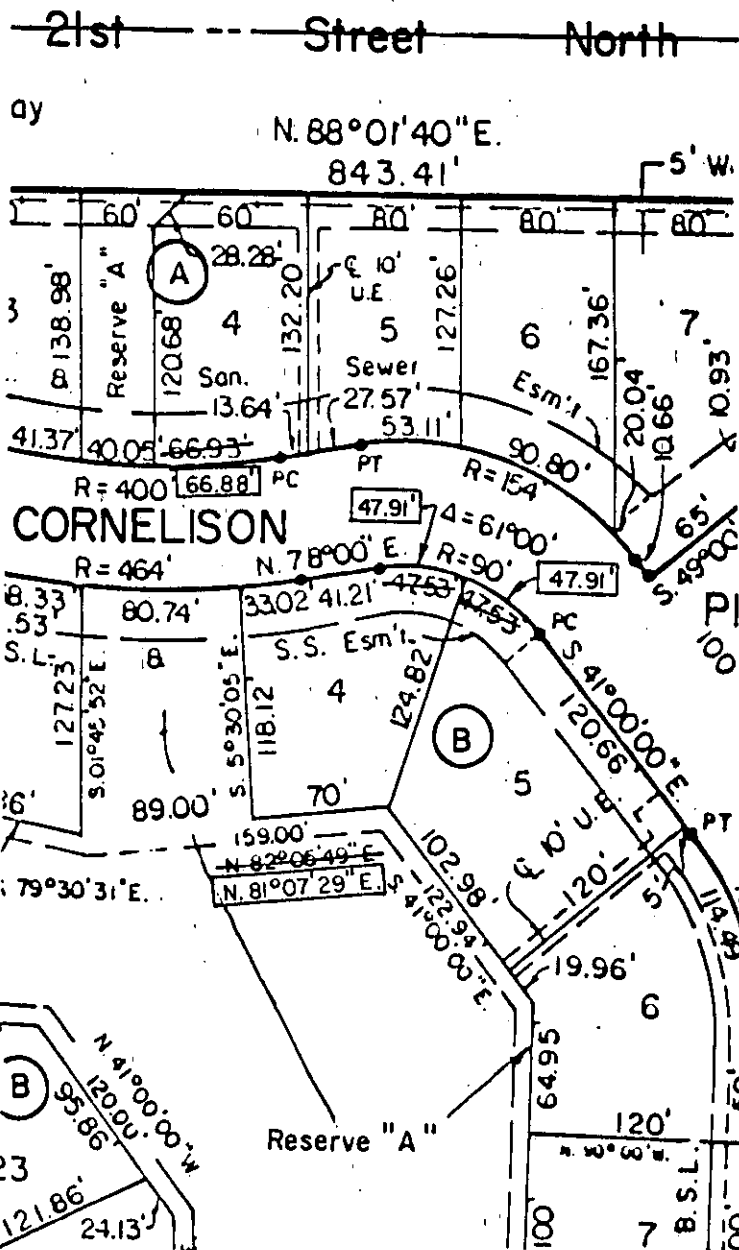
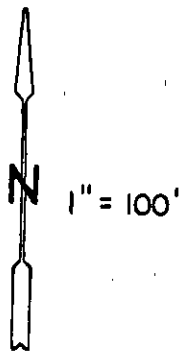
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Lot 40, Block A
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EXHIBIT "B"



Lot 4, Block A

~~66.93~~ deleted

66.88 corrected

Lot 4, Block B

~~47.53~~ deleted

47.91 corrected

Lot 4, Block B

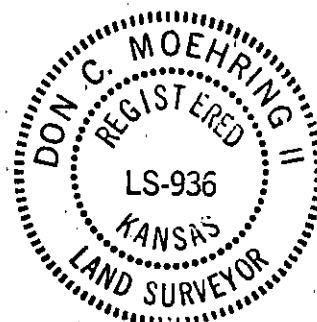
~~N. 82°05'49" E.~~ deleted

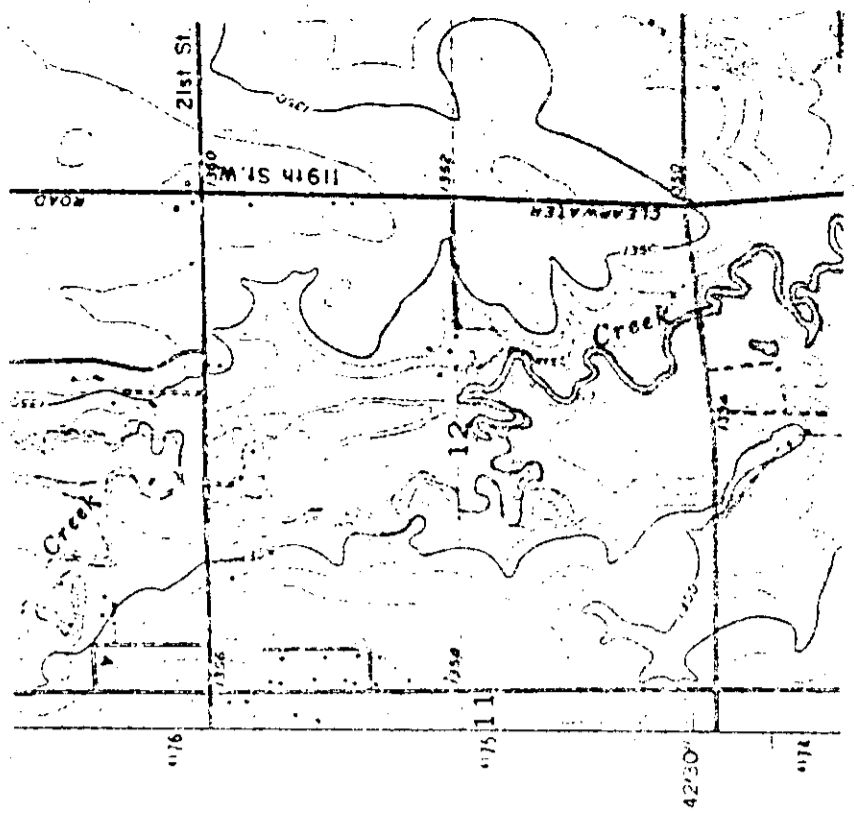
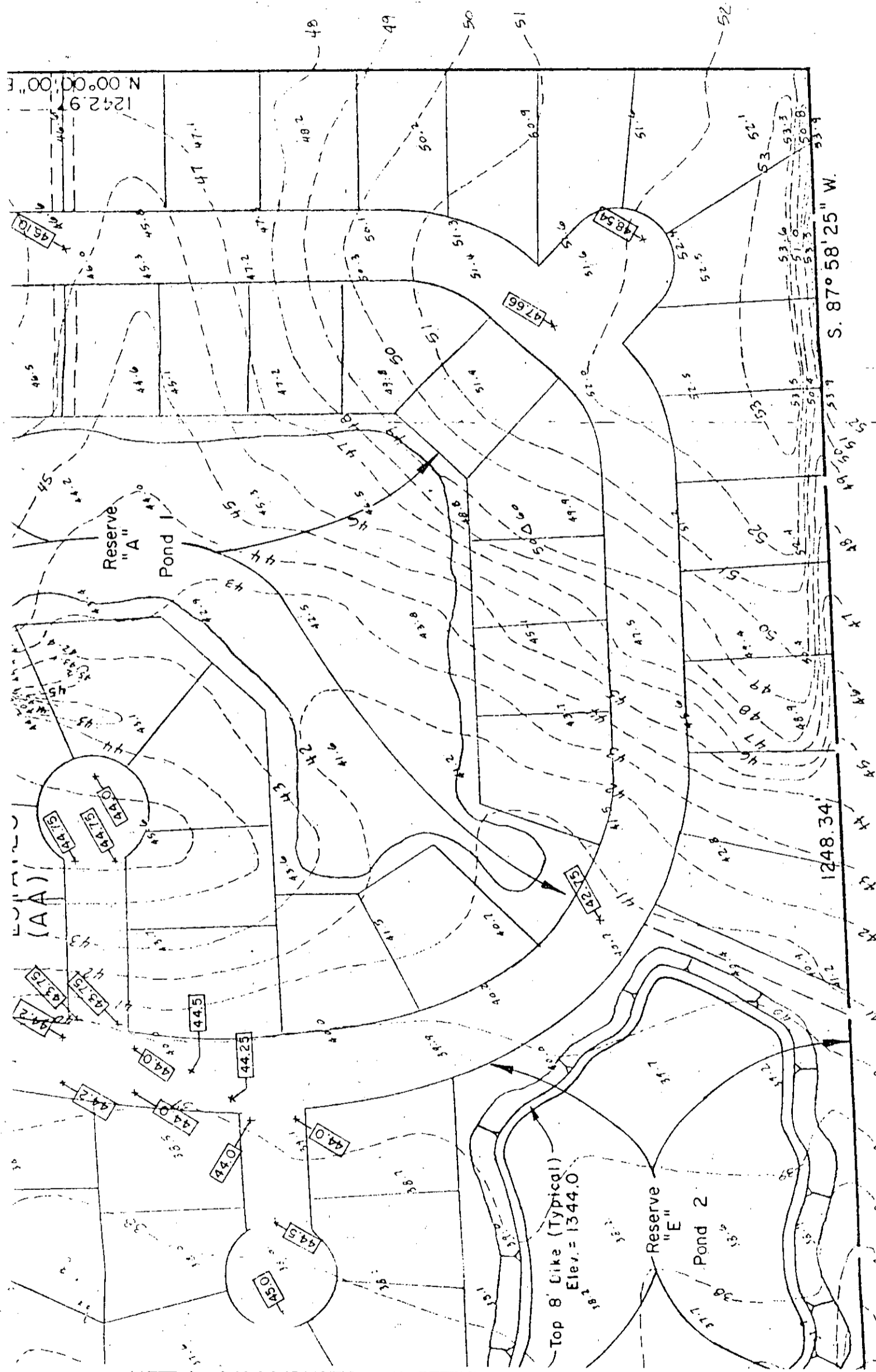
N. 81°07'29" E. corrected

Lot 5, Block B

~~47.53~~ deleted

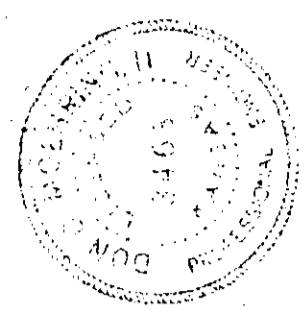
47.91 corrected





BENCHMARKS

1. City Disc, 79' South and 46' East of Thimble (NE Cor., Sec. 12).
Elev. = 1359.48 M.S.L.
= 172.08 City Datum
2. "O" Cut in center of South subguard of 7' x 3' R.C.B.C. under 21st Street.
Elev. = 1351.48 M.S.L.
= 164.08 City Datum



APPROVED
 This is to certify that
 DAVID L. POPE, P.E.
 Chief Engineer
 Division of Water Resources
 Kansas State Board of Agriculture

**MOEHRING & ASSOCIATES
 CONSULTING ENGINEERS
 WICHITA**

9 / 28 / 88

CONDITIONS OF APPROVAL
Jerrick Company (Teal Brook Estates) Levee/Fill Application

On the basis that the proposed floodplain fill for the Teal Brook Estates constituted a levee, the Jerrick Company applied September 30, 1988 to the Division of Water Resources, Kansas State Board of Agriculture for approval of plans under Kansas levee regulatory statutes. Consideration has been given to this application in accordance with K.S.A. 24-126, K.S.A. 12-734 and 735, and levee regulations 5-45-1 through 13. Findings of fact are:

1. The proposed fill will have the effect of a levee in the left bank floodplain of Cowskin Creek and is therefore subject to the provisions of K.S.A. 24-126 and the regulations promulgated thereunder.
2. The levee development will increase the 100-year flood water level by approximately one-half foot at the residence in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 12 which is located in the floodway west of the proposed development.
3. The definition of unreasonable effect upon another from floodplain development is to increase the water level greater than one foot due to the development. (See Kansas Administration Regulation 5-45-13 and provisions of the National Flood Insurance Program.)
4. The proposed Teal Brook Estates will not increase the 100-year flood elevations more than one foot. The planned development does not constitute complete development of the left bank floodway fringe as contemplated in the Federal Emergency Management Agency's Flood Insurance Study for Sedgwick County dated January 3, 1986. Full development of both left and right bank floodway fringe is calculated to cause 0.7 to 0.8 feet rise in 100-year flood elevations within the area of concern.
5. The planned fill has the potential to eliminate current drainage patterns causing nuisance, shallow water ponding.
6. A strip in the southwest corner of the area platted for Teal Brook Estates extends into the designated floodway.

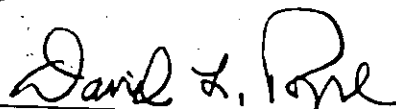
Based upon the above determinations, the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture approves the application by Jerrick Company for the Teal Brook Estates fill in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 12, Township 27 South, Range 2 West, Sedgwick County, subject to the following conditions:

1. In accordance with the verbal agreement made by Sam Eberly and Rick E. Huffmanon November 18, 1988, applicant is to reimburse the owner of the residence in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 12 for reasonable expenses incurred in cleaning the drainageway of silt and debris that runs from the Southeast corner of the residence yard to the Southwest corner of the

Teal Brook Estates and deepening by approximately one foot and shaping the overflow channel which crosses the meadow South of the residence. In lieu of reimbursement the applicant may make equipment available to Mr. Eberly to accomplish this work. Any excavated materials from such amelioration works is to be utilized only as fill material within the Teal Brook Estates development. No construction work shall be done on the Northwest Quarter (NW $\frac{1}{4}$) of Section 12, Township 27 South, Range 2 West, Sedgwick County, Kansas, which will decrease the cross sectional area of the designated floodway in that quarter.

2. The applicant is to provide a land surface gradient along the west edge of the proposed fill which will insure drainage to the south for non-project areas.
3. The applicant shall not place any fill which will cause any reduction in cross section of the designated floodway that runs north to south through that area.

Approved this 1st day of DEC, 1988



David L. Pope, P.E.
Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture