

**City of Wichita
City Council Meeting
October 3, 1995**

Agenda Report No. _____

TO: Mayor and City Council Members

SUBJECT: Agreement to Respread Special Assessments in Wilderness at the Park Addition (South of Pawnee, East of Maize) (District V)

INITIATED BY: Department of Public Works



AGENDA: Consent

Recommendation: Approve the Agreement.

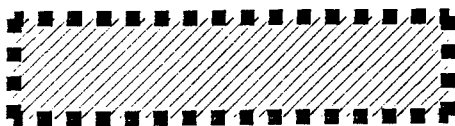
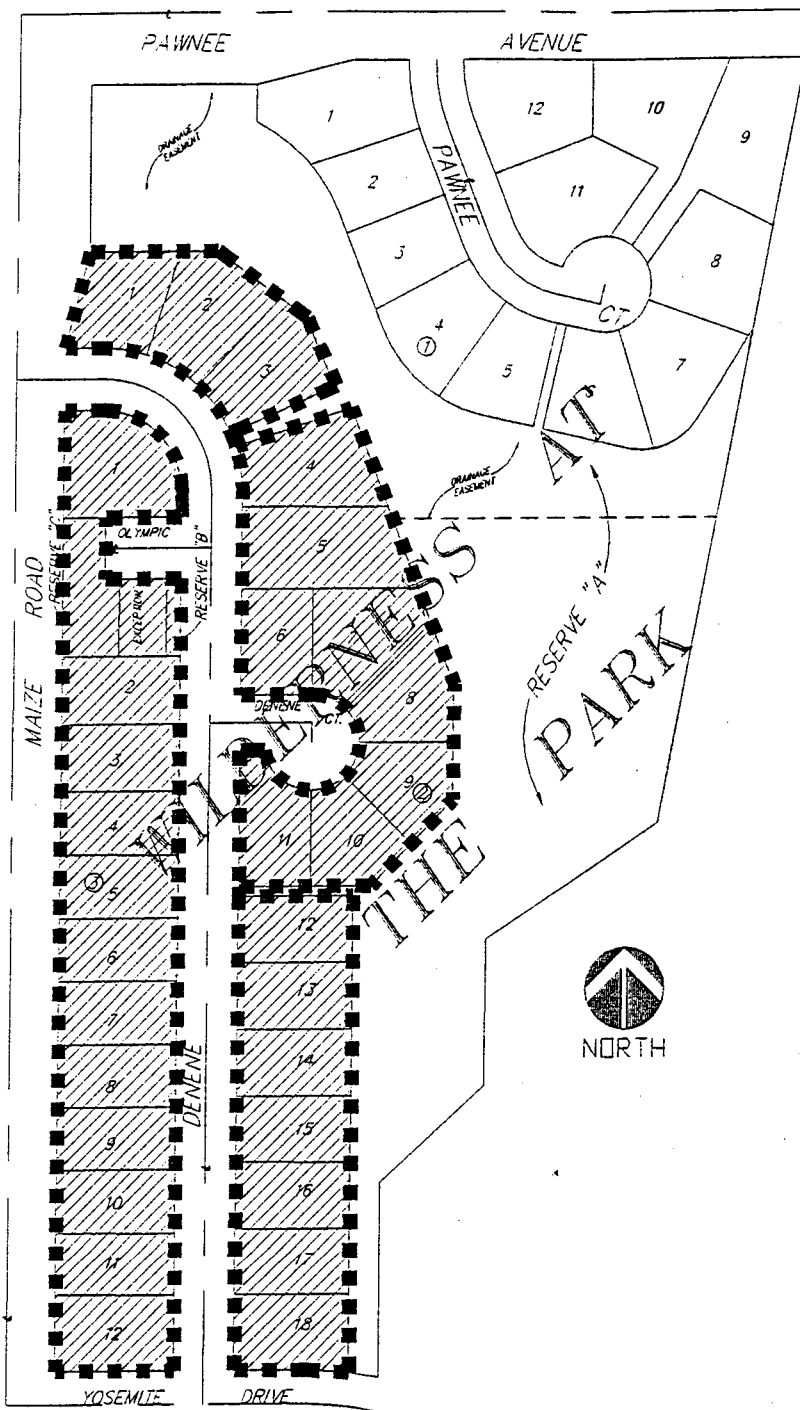
Background: The developer, A. J. Soerries, platted an addition called Wilderness at the Park Addition and has submitted an Agreement to respread special assessments in the addition.

Analysis: The land was originally included in numerous improvement districts for a number of public improvement projects. The purpose of the Agreement is to respread Special Assessments on an equal share basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis. The Agreement will save the City time in recalculating special assessments for each newly platted lot and will equalize the assessments for each lot, making it easier for the developer to market the lots.

Financial Considerations: There is no cost to the City.

Legal Considerations: The Agreement has been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council 1) Approve the Agreement and 2) Authorize the Mayor to execute.



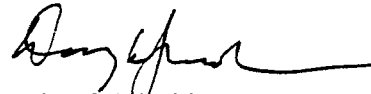
AREA OF REASSESSMENT

THE CITY OF WICHITA
OFFICE OF LAW DEPARTMENT

DATE: August 31, 1995

TO: Michael E. Lindebak, P.E., City Engineer
FROM: Douglas J. Moshier, Senior Assistant City Attorney
SUBJECT: Agreement for Respread Assessments

The attached Agreement for respreading assessments in Wilderness at the Park Addition is approved as to form.



Douglas J. Moshier
Senior Assistant City Attorney

DJM:cdh

Attachment

RECEIVED
- 1 1995
CITY OF WICHITA

AGREEMENT
BY AND BETWEEN

THE CITY OF WICHITA, KANSAS

Party of the First Part

And

A. J. SOERRIES AND CARROL M. SOERRIES

And

PHILIP N. WOLCOTT AND SHELLIE R. WOLCOTT

Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal Sanitary Sewer Improvements on Lateral 327, Southwest Interceptor, Storm Water Sewer, and Municipal Water Line and Street Improvements in Wilderness at the Park Addition within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part is the landowner of all or part of the improvement district; and desires that a reassessment be made; and

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

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

1. Lots 1 through 18, Block 2, and Lots 1 through 12, Block 3, Wilderness at the Park Addition were part of the improvement district for the following City Projects:

Lateral 327, Southwest Interceptor Sewer
Project No. 468-76-245-82352-000-000-001

Street Improvements to serve Wilderness at the Park - Phase I
Project No. 468-76-245-82384-000-000-001

Storm Water Drain No. 103 to serve Wilderness at the Park Addition
Project No. 468-76-245-82354-000-000-001

Water Main Extensions to serve Wilderness at the Park Addition - Phase I
Project No. 448-76-245-88748-000-000-001

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

Lots 1 through 18, Block 2, Wilderness at the Park, an Addition to Wichita, Sedgwick County, Kansas

Lots 2 through 12, Block 3, Wilderness at the Park, an Addition to Wichita, Sedgwick County, Kansas

Lots 1 through 3, Wilderness at the Park 2nd, an Addition to Wichita, Sedgwick County, Kansas

The above referenced lots shall each pay 1/32 of the total cost of the improvements.

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

4. The Party of the Second Part further waives their right to appeal the special assessments for the above-mentioned projects (including the described reassessment) and agree that no suit to set aside said assessment shall be brought by them nor shall they in any other way bring an action to question the validity of the proceedings taken by the Party of the First Part in levying the special assessments therefore.

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

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the _____ day of _____, 1995.

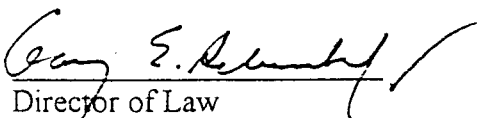
The City of Wichita, Kansas

By:

Bob Knight, Mayor

Approved as to form:

Attest:


Director of Law

City Clerk

By:

A. J. Soerries
A. J. Soerries

Carrol M. Soerries
Carrol M. Soerries

Philip N. Wolcott
Philip N. Wolcott
N.

Shellie R. Wolcott
Shellie R. Wolcott

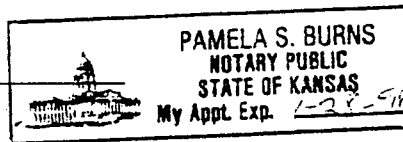
STATE OF KANSAS)
)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 4th day of June, 1995, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came A. J. Soerries and Carrol M. Soerries, husband and wife, and Philip N. Wolcott and Shellie R. Wolcott, husband and wife, personally known to me to be the same persons who executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Pamela S. Burns
Notary Public

My Appointment Expires:



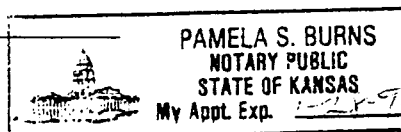
STATE OF KANSAS)
)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 4th day of June, 1995, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Philip N. Wolcott and Shellie R. Wolcott, husband and wife, personally known to me to be the same persons who executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Pamela S. Burns
Notary Public

My Appointment Expires:



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

Printed by: Mike Lindebak
Date: 01-Sep-1993 08:07am CDT
From: Marvin Krout
KROUT_M
Dept: Planning
Tel No: 268-4425

TO: Mike Lindebak (LINDEBAK_M)

CC: Dale Miller (MILLER_D)

Subject: Pawnee Mesa plat

To make sure we're well prepared for the City Council on the next "street paving" issue - Soerries' Pawnee Mesa plat - could you have your staff look at the following questions:

- if the Council did order in paving from Maize Road to Yellowstone, and Soerries has agreed not to protest, then between his properties (he apparently still owns some additional frontage west of the condos) and the Park, and county frontage not counting, can they be assured that a majority cannot protest the paving?

- can you estimate what the approximate cost would be of the project, and the portion that would be assessed to the City (park land) and to the condo owners?

Thanks, MK

Wilderness at the Park



BAUGHMAN COMPANY, P.A.

By BJC Date 4/29/93 Page 1 Of 1

Normal Water Surface elevations

Cross Section 1

EL	1322	1320	1318	1316	1316	1318	1320	} Natural
Sta	0	11	26	39	53	74	155	

Using Brian's Q of proposed channel, & adding 70' to get to culvert, the channel length (L) is 981 ft. Assuming cl 1315 is obtainable at channel sta 0+00, and using the 1316.51 at the culvert, the slope is

$$S_0 = \frac{1316.51 - 1315}{981} = 0.00154$$

From HEC-1 study (4/29/93) $Q_{100} = 1138$ cfs. Assume $n = 0.024$,

Side slopes 5:1

	20	30	40	50	4:1	4:1
Bed width:	20	30	40	50	20	20
y_n :	4.91	4.33	3.87	3.51	4.83	4.37
Top width:	69.1	78.3	78.7	85.1	58.6	55
Change side slopes to 6:1						
Bed width:	20	30	40	50	$S = 0.20$	50.30
y_n :	4.71	4.20	3.79	3.45		
Top width:	76.6	80.4	85.4	91.4	1316.51 4.83 <u>1321.34</u>	1316.51 4.37 <u>1320.82</u> — 1321 <u>1322</u>

Normal depth exceeds cl 1322 in natural channel at Cross Section 1.

Use 20' wide channel to stay within 70' drainage easement; low cl on lots 1 & 2 should be $1316.51 + 4.91 = 1321.42$ + freeboard - say 1322

New culvert location on Marze will affect Lots 1 and 2!

Law Office of
Ted E. Knopp, Chtd.
P.O. Box 48047
434 North Market, Suite 200
Wichita, Kansas 67201-8047

Ted E. Knopp

Telephone (316) 265-5882

Telecopier (316) 265-5892

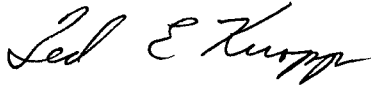
September 7, 1993

Bill Morris
City Engineer
City Hall - 7th Floor
455 N. Main
Wichita, KS 67202

Dear Mr. Morris:

This firm represents The Park Homeowners' Association No. 1, the owner of common areas in and around The Park Addition. The Park Homeowners' Association No. 1 will become the owner of Reserve "A" in Wilderness in the Park Addition. Please notify me, as well as the Homeowners' Association, of any petitions for special assessments on any portion of the reserves in Wilderness in the Park.

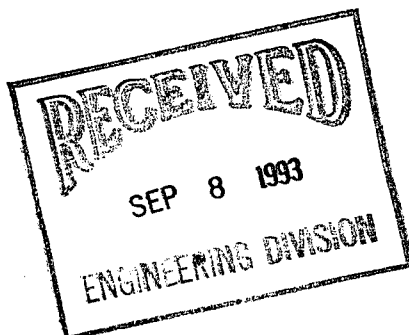
Yours very truly,



Ted E. Knopp

TEK:dm

cc: Mark Borofsky
Truman Shope



NOTE: As indicated on the Staff Report, this plat has been approved by both the Subdivision Committee and the MAPC. However, in reviewing the platting binder for this site, it was discovered that a portion of the area south of Lot 2, Block 3, on this revised final plat, was not included in the applicant's ownership. This area, being indicated as an "exception" corresponds to Lots 1 and 2, Block 2 of the existing The Park Addition plat. Lot 1 which is adjacent to Maize Road is in the applicant's ownership. However, Lot 2 which is the eastern half of the exception area is not in the applicant's ownership, and the applicant is unable to obtain this property.

The applicant is requesting that this revised final plat be approved with the above indicated property being shown as an exception, that is, left out of this plat or as was originally platted. Since the conditions for this plat were originally approved by the Subdivision Committee and MAPC, and this replat is not substantially altering those requirements, the following comments have been provided in two sections; the first are additions based upon this revised final, while the second section repeats the originally approved conditions for the final plat.

I. New Conditions

- A. The area presently indicated as an "exception" corresponds to Lots 1 and 2, Block 2, of the Park Addition. Access to these two lots was originally being provided by a street, Olympic, platted along the north line of these lots, but now being shown as Lot 2, Block 3 of this Addition. Two issues are raised by this replatting; one is what access is now available for these still existing lots and can this replat, replat the right-of-way for Olympic Street adjacent to the lot not in the applicant's ownership. Because of these concerns the following actions shall be taken and as appropriate indicated in the final plat tracing.
1. For Lot 1, Block 2 of The Park Addition, which is in the applicant's ownership, a Reserve shall be platted which indicates that the Reserve is for open space, landscaping, etc.; that is, that it will not be used as a building site. Complete access control to Maize Road would still be shown on the plat and also referenced in the plattor's text. Easements as applicable, should also be provided within this Reserve.
 2. Reserve B shall be more clearly indicated in the plattor's text as being platted for purposes of access to Lot 2, Block 2 of the Park Addition; and that as necessary, a private drive may cross this Reserve for such access.
 3. Prior to this plat being submitted to the City Council for review, the applicant shall submit a legal opinion from a lawyer and/or title company indicating that the replatting of street right-of-way and access for Lot 2, Block 2 of the Park Addition, by this Addition is legal and proper.

- B. On the final plat tracing, the plattor's text shall be amended to correct the dedication of access control. In addition to noting the access control for the Reserve being required in the area of the exception, the reference to a Lot 14, Block 3, shall be deleted, since a Lot 14 will no longer exist. Also, the reference to Lot 14, for access control to Yosemite should be amended to Lot 13.
- C. The legal description on the face of the plat shall be amended as necessary by the inclusion of the Reserve in the area of the exception. That is, Lot 1, Block 2, of The Park Addition should be added to the plat's legal description.

II. Conditions Originally Approved for the Wilderness at the Park Addition

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property. This guarantee may be included with the paving guarantee.
- D. The applicant shall guarantee the paving of the proposed interior streets.
- E. The applicant shall guarantee the paving of Pawnee, to a two lane residential standard, from Maize Road to the east line of the plat.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. Since this property is a replat of a portion of the Park Addition, the applicant shall submit appropriate legal documents, recorded or for recording, which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat. The applicant shall provide such information to the Planning Department concerning the ownership and maintenance responsibilities of these reserves (existing and/or platted).
- H. The final plat shall state in the plattor's text the purposes of the proposed reserve as well as who is to own and maintain the reserve.

Further, provisions shall be made for ownership and maintenance of the proposed reserve. 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 reserve will be deeded to the association and who is to own and

maintain the reserves prior to the association taking over those responsibilities. 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. 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.
- J. The final plat tracing shall indicate that, for Lots 9 and 10, Block 1, building setbacks and utility easements shall be granted and located within and beyond the narrow extensions of these lots to the cul-de-sac. The setbacks and utility easements should be clearly indicated, noting that no structures shall be allowed within these narrow extensions of these lots, but that these narrow lot extensions only may be used for drive entrances and/or utility easements.
- K. The final plat tracing shall grant 10-foot utility easements between Lots 2 and 3, Block 3, between Lots 4 and 5, Block 3, and between Lots 5 and 6, Block 1, as requested by KG&E and indicated on the "marked" copy of the plat provided by KG&E.
- L. As indicated by City Engineering and the utility companies the utility easement located on the east 10 feet of Lots 12 through 18, Block 2, should "cross" the reserve and intersect the utility easement located on the south 10 feet of Lot 10, Block 2. Further, it should be clearly indicated if Reserve A is intended as a blanket utility easement or specific easements should be platted in the Reserve.
- M. As indicated by City Engineering, the final plat tracing shall indicate minimum building pad elevations for those lots adjacent to the Floodway. It shall be indicated if the elevation(s) are for the lowest opening or floor level. These elevations shall be shown on the face of the plat and also referenced in the platting text. Both on-site and off-site bench marks shall be indicated.
- N. On the final plat tracing, applicant shall satisfactorily address conflicting information contained between the platting binder and the final plat, specifically but not limited to plat ownership and mortgage information.
- O. According to the platting binder, property taxes are due on this site. Proof of payment must be provided before the plat will be released for recording.
- 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. Applicant shall record the plat within 30 days after approval by the City Council.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6

August 5, 1993

STAFF REPORT

(Second Revised Final Plat, Revised Final Plat Approved 4/29/93,
Final Plat Approved 2/18/93,
Revised Preliminary Plat Approved 12/10/92,
First Original Preliminary Plat Approved 4/30/92)

CASE NUMBER: S/D 92-14 - WILDERNESS AT THE PARK ADDITION

OWNER/APPLICANT: A.J. Soerries Real Estate, Inc., 902 N. West St., Wichita, KS 67203

SURVEYOR/ENGINEER: Baughman Company, 315 Ellis, Wichita, KS 67211

LOCATION: East of Maize Road on the south side of Pawnee.

SITE SIZE: 20 Acres (Approximately)

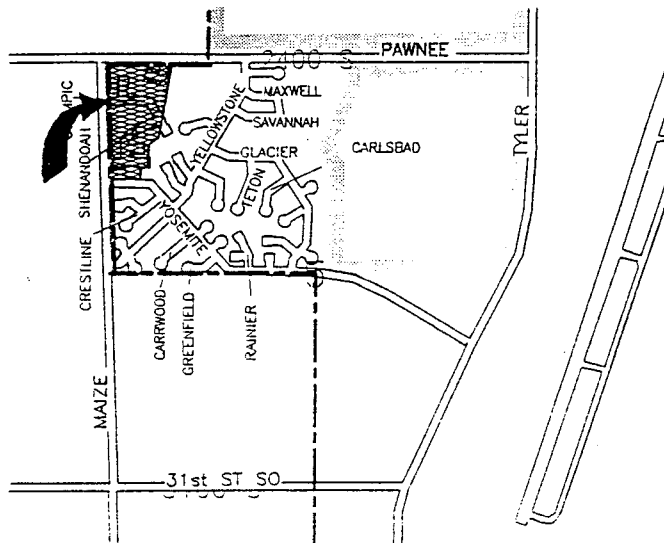
NUMBER OF LOTS

Residential: 42
Office:
Commercial:
Industrial:
Total: 42

MINIMUM LOT AREA: 8,200 sq. ft.

CURRENT ZONING: "R-5" General Residence (DP-66)

VICINITY MAP:



NOTE:As indicated by the first page of the staff report, both the preliminary and final plats for this site have been revised a number of times. This most recent revision is due to the applicant's inability to acquire ownership of a previously platted lot. Without the ownership of the lot or the owner's consent to this plat, the vacation of Olympic Street adjacent to this lot could not be done by means of a replat as previously shown on earlier plats.

Consequently, this final plat has been revised so as to show the lot in question as an exception, with Olympic (Circle) Street being maintained adjacent to the lot. The properties either side of this lot are owned by the present applicant and for now are being platted as Reserves. At some future time, the applicant hopes to acquire the exception area and along with these Reserves and Lot 1 would replat this portion of the site into three (3) conventional lots.

In addition to the above indicated changes, several minor changes have been made in this plat involving lot lines, easements, and the size of Reserve "A" in the area of Maize Road. Overall, however, this plat is substantially the same as originally reviewed by the Subdivision Committee and Planning Commission.

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property. This guarantee may be included with the paving guarantee.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for, if needed, a turnaround for Olympic Circle.
- E. The applicant shall guarantee the paving of Pawnee, to a two lane residential standard, from Maize Road to the east line of the plat.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. In regard to access controls for Reserves B and C, only the access control to Maize Road from Reserve C is needing to be platted. Access to Olympic Circle and Denene needs to be provided so that these Reserves can be maintained. On

the final plat tracing, the platter's text should be amended by deleting reference to access controls for these Reserves (except to Maize Road).

- H. Since this property is a replat of a portion of the Park Addition, the applicant shall submit appropriate legal documents, recorded or for recording, which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat. The applicant shall provide such information to the Planning Department concerning the ownership and maintenance responsibilities of these reserves (existing and/or platted).
- I. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.

Further, 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. 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.

In terms of Reserves B and C since it is the applicant's intent to keep ownership of these Reserves along with Lot 1 so that the area can be replatted in the future, a separate covenant shall be provided for these properties. In addition to tying ownership and maintenance responsibilities for these Reserves, to the owner of Lot 1, Block 3, this covenant shall also provide that these Reserves cannot be sold separate from Lot 1 until such time as Lot 1, the Reserves, and the additional adjoining areas (exception, Olympic Circle) can be platted into lots.

In the plattor's text, the text shall be amended to note that Reserves "B" and "C" shall be owned and maintained by the Owner of Lot 1, Block 3.

- J. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 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.

- K. As indicated by City Engineering, the final plat tracing shall indicate minimum building pad elevations for those lots adjacent to the Floodway. It shall be indicated if the elevation(s) are for the lowest opening or floor level. These elevations shall be shown on the face of the plat and also referenced in the platting text. Both on-site and off-site bench marks shall be indicated.
- L. On the final plat tracing, the applicant shall satisfactorily address conflicting information contained between the platting binder and the final plat, specifically but not limited to plat ownership and mortgage information.

That is, the present platting binder indicates an ownership different than is being shown on this plat and a Mortgage held by Wichita State Bank. Further, the A-K Corporation noted in the present platting binder as owning this property is in certain proceedings with the State which apparently affects the platting of this site. Since the present platting binder is over six (6) months old, a revised or amended binder shall be submitted and may be the means by which some of the above items can be satisfied.
- M. According to the present platting binder, property taxes are due on this site. Proof of payment must be provided before the plat will be released for recording.
- N. Because of changes in the MAPC's membership, the final plat tracing shall either leave the Chairman's signature line blank, or if a new Chairman is appointed before the tracing is submitted, the new Chairman's name shall be indicated.
- O. 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.
- P. 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.
- Q. 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.
- R. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).

WILDERNESS AT THE PARK ADDITION S/D 92-14
August 5, 1993, Second Revised Final Plat
Page 5

- S. Recording of the plat within 30 days after approval by the City Council.
- T. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, is the minimum building pad correct, are the boundaries of the floodway adequate and are any drainage guarantees required with the platting of this property?

NOTE: A preliminary plat for the area indicated as Block 1, was reviewed by the Subdivision Committee on April 30, 1992. Blocks 2 and 3 of this plat are now being included in this "revised" preliminary. As indicated during the initial review of the preliminary plat, this site is a portion of a previously platted addition, Block 2 of the Park Addition. Also, this site is a portion of Parcel 1, of Community Unit Plan, DP-66. The CUP was originally indicating smaller lot (5,000 sq. ft.) townhouse-type development, but is now being platted for conventional single family homes on lots of over 6,000 sq. ft.

STAFF COMMENTS:

- A. City Engineering needs to indicate if there are any costs that need to be paid off from previous guarantees to be abandoned due to this replat.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. The applicant shall guarantee the paving of Pawnee, to a two lane residential standard, from Maize Road to the east line of the plat. County Engineering needs to indicate any requirements involving Maize Road adjacent to this site.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. As required by the Subdivision Committee, prior to submitting a final plat of this site the applicant shall meet with appropriate City and/or County staff to determine any changes potentially to be allowed in the indicated guarantees for this site. Specifically, the applicant shall resolve the issues of extending municipal water to this site, the paving of Pawnee adjacent to the plat, and the provision of adequate fire protection (a water source) to the site.
- I. The final plat shall note the platting of complete access control to Maize and Pawnee from the abutting lots. The platting text shall also note that the dedication of access control is to the appropriate governing body.
- J. Since this property is a replat of a portion of the Park Addition, the applicant shall submit appropriate legal documents, recorded or for recording, which provide for this property to

share the responsibility for the maintenance of the reserves platted as a part of the original plat. The applicant shall provide such information to the Planning Department concerning the ownership and maintenance responsibilities of these reserves (existing and/or platted).

- K. The final plat shall state in the plattor's text the purposes of the proposed reserve as well as who is to own and maintain the reserve.

Further, provisions shall be made for ownership and maintenance of the proposed reserve. 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 reserve will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.

- L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 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.
- M. On the final plat, building setbacks for Lots 9 and 10, Block 1, shall be located to the north of or beyond the narrow extensions of these lots to the cul-de-sac. This setback should clearly indicate that no structures will be allowed in these narrow, drive entrances for these lots.
- N. As requested by City Engineering and required by this site's drainage plan, the final plat shall provide sufficient storm sewer/drainage easements.
- O. 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.
- P. Requirements for a final plat (see pages 5-5 to 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Q. 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.
- R. 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.

- S. 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.
- T. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, Engineering needs to indicate if there are any minimum building pad elevation requirements for this plat.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 3

March 19, 1992

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 92-14 - WILDERNESS AT THE PARK ADDITION

OWNER/APPLICANT: A.J. Soerries Real Estate, Inc., 902 N. West St., Wichita, KS 67203

SURVEYOR/ENGINEER: Baughman Company, 315 Ellis, Wichita, KS 67211

LOCATION: East of Maize Road on the south side of Pawnee.

SITE SIZE: 4 Acres

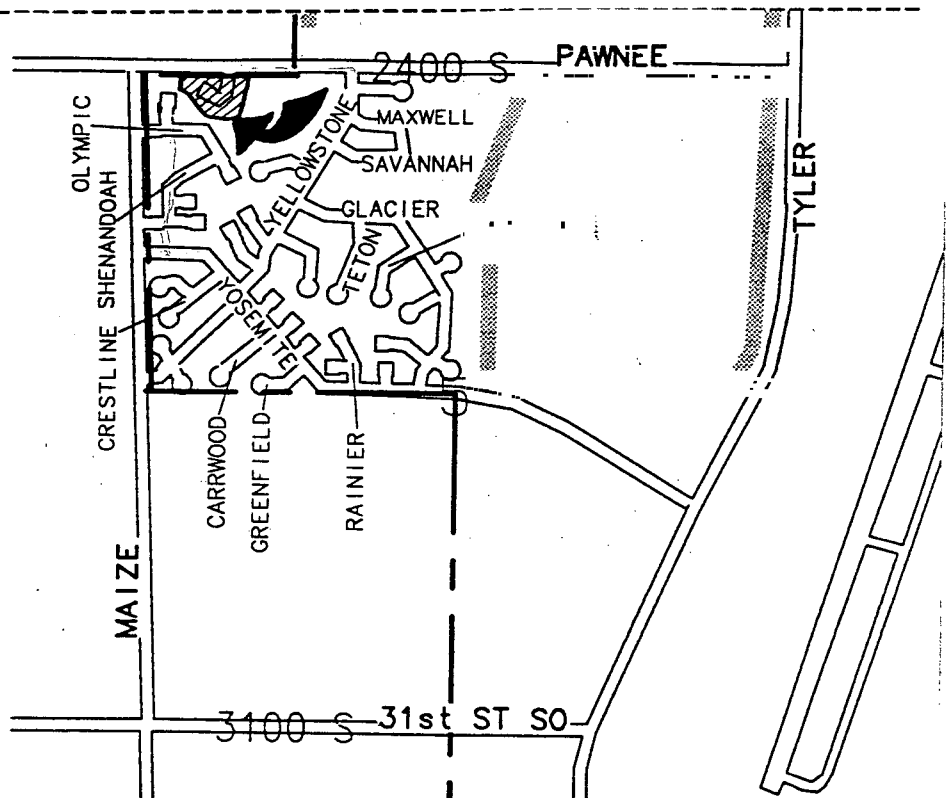
NUMBER OF LOTS

Residential:	12
Office:	
Commercial:	
Industrial:	
Total:	12

MINIMUM LOT AREA: 8,500 sq. ft.

CURRENT ZONING: "R-5" General Residence

VICINITY MAP:



NOTE: This plat involves a replat of a portion of Block 2 of The Park Addition. This area is also within Parcel 1 of The Park Residential Community Unit Plan (CUP) DP-66. As originally platted, a short cul-de-sac off of Pawnee was planned as the access to 17 lots varying in size from 3,500 sq. ft. to lots of approximately 5,000 sq. ft. These non standard lot sizes were being allowed through use of the CUP and apparently were intended for patio or townhouse type dwellings. This present plat is now proposing more conventional single family type development on lots of over 8,500 square feet.

STAFF COMMENTS:

- A. City Engineering needs to indicate if there are any costs that need to be paid off from previous guarantees to be abandoned due to this replat.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. The applicant shall guarantee the paving of Pawnee, to a two lane residential standard, from Maize Road to the east line of the plat. This paving is needed to provide paved access to both Geyser Circle and lots 11 and 12 which are indicated as having access to Pawnee.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. Since this property is a replat of a portion of the Park Addition, the applicant shall submit appropriate legal documents, recorded or for recording, which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat. The applicant shall provide such information to the Planning Department concerning the ownership and maintenance responsibilities of these reserves (existing and/or platted).
- I. The area between lots 5 and 6 would appear to be intended as a Reserve, for drainage purposes. On the final plat, this area should either be indicated as Reserve or included as parts of lots 5 and/or lot 6.

If platted as a reserve, the final plat shall state in the platting text the purposes of the proposed reserve as well as who is to own and maintain the reserve.

Further, provisions shall be made for ownership and maintenance of the proposed reserve. 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 reserve will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.

- J. 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.
- K. On the final plat, complete access control to Pawnee shall be indicated across the north lines of lots 1 and 10.
- L. 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.
- M. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- N. 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.
- O. 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.
- P. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Q. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, Engineering needs to indicate if there are any requirements for platting a floodway and/or minimum building pad elevations for this site. The area to the south and southeast of this site was within a floodway.

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 8

April 30, 1992

STAFF REPORT

(Preliminary Plat Deferred from 3/19/92 meeting)

CASE NUMBER: S/D 92-14 - WILDERNESS AT THE PARK ADDITION

OWNER/APPLICANT: A.J. Soerries Real Estate, Inc., 902 N. West St., Wichita, KS 67203

SURVEYOR/ENGINEER: Baughman Company, 315 Ellis, Wichita, KS 67211

LOCATION: East of Maize Road on the south side of Pawnee.

SITE SIZE: 4 Acres

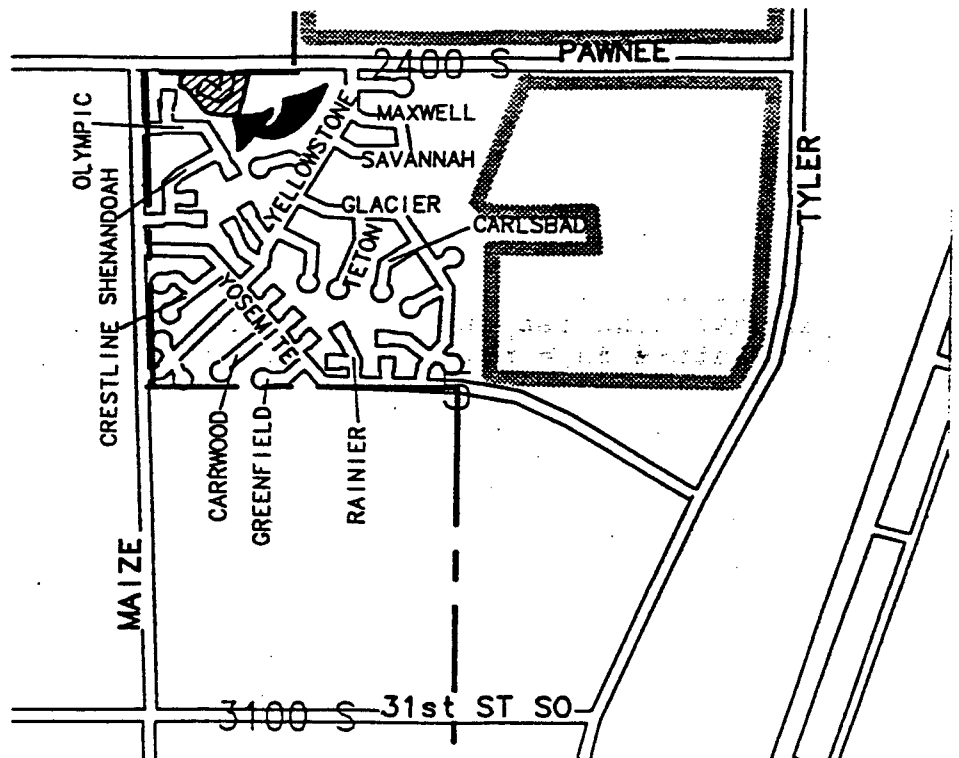
NUMBER OF LOTS

Residential:	12
Office:	
Commercial:	
Industrial:	
Total:	12

MINIMUM LOT AREA: 8,500 sq. ft.

CURRENT ZONING: "R-5" General Residence

VICINITY MAP:



NOTE: This plat involves a replat of a portion of Block 2 of The Park Addition. This area is also within Parcel 1 of The Park Residential Community Unit Plan (CUP) DP-66. As originally platted, a short cul-de-sac off of Pawnee was planned as the access to 17 lots varying in size from 3,500 sq. ft. to lots of approximately 5,000 sq. ft. These non standard lot sizes were being allowed through use of the CUP and apparently were intended for patio or townhouse type dwellings. This present plat is now proposing more conventional single family type development on lots of over 8,500 square feet.

STAFF COMMENTS:

- A. City Engineering needs to indicate if there are any costs that need to be paid off from previous guarantees to be abandoned due to this replat.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. The applicant shall guarantee the paving of Pawnee, to a two lane residential standard, from Maize Road to the east line of the plat. This paving is needed to provide paved access to both Geyser Circle and lots 11 and 12 which are indicated as having access to Pawnee.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. Since this property is a replat of a portion of the Park Addition, the applicant shall submit appropriate legal documents, recorded or for recording, which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat. The applicant shall provide such information to the Planning Department concerning the ownership and maintenance responsibilities of these reserves (existing and/or platted).
- I. The area between lots 5 and 6 would appear to be intended as a Reserve, for drainage purposes. On the final plat, this area should either be indicated as Reserve or included as parts of lots 5 and/or lot 6.

If platted as a reserve, the final plat shall state in the plat's text the purposes of the proposed reserve as well as who is to own and maintain the reserve.

Further, provisions shall be made for ownership and maintenance of the proposed reserve. 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 reserve will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.

- J. 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.
- K. On the final plat, complete access control to Pawnee shall be indicated across the north lines of lots 1 and 10.
- L. 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.
- M. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- N. 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.
- O. 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.
- P. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Q. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, Engineering needs to indicate if there are any requirements for platting a floodway and/or minimum building pad elevations for this site. The area to the south and southeast of this site was within a floodway.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 1

February 18, 1993

STAFF REPORT

(Final Plat, Revised Preliminary Plat Approved 12/10/92,
Original Preliminary Plat Approved 4/30/92)

CASE NUMBER: S/D 92-14 - WILDERNESS AT THE PARK ADDITION

OWNER/APPLICANT: A.J. Soerries Real Estate, Inc., 902 N. West St., Wichita, KS 67203

SURVEYOR/ENGINEER: Baughman Company, 315 Ellis, Wichita, KS 67211

LOCATION: East of Maize Road on the south side of Pawnee.

SITE SIZE: 20 Acres (Approximately)

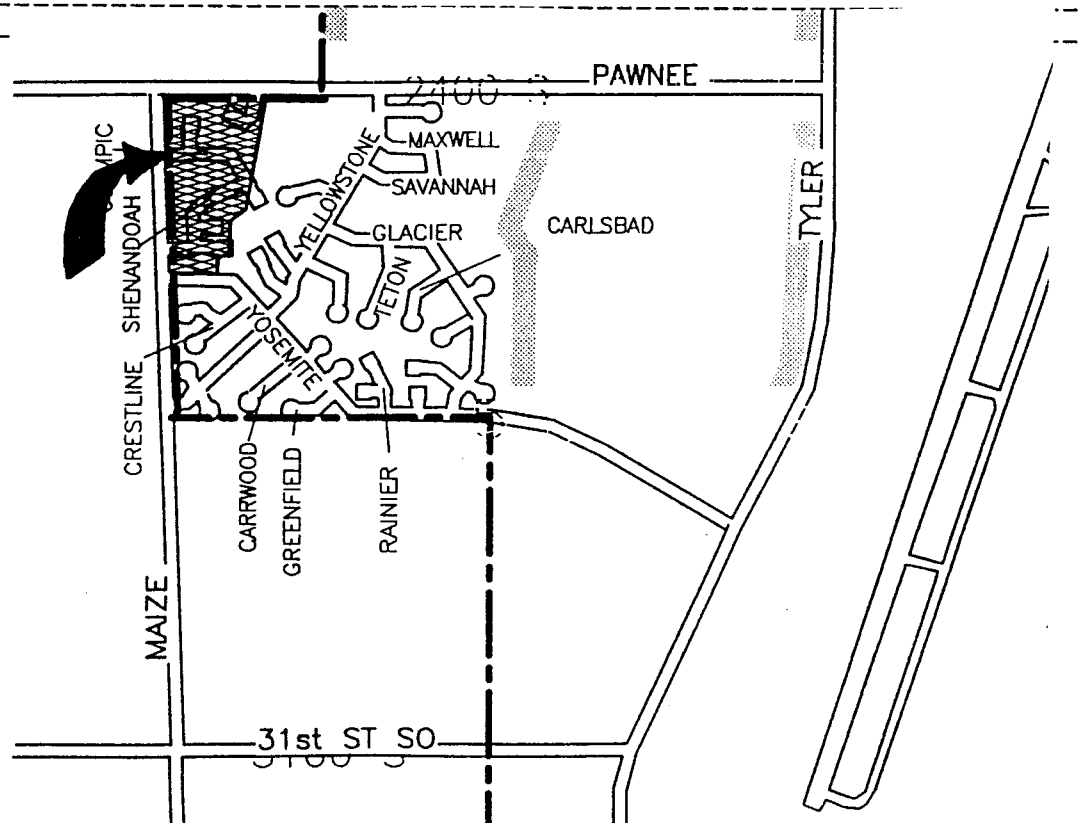
NUMBER OF LOTS

Residential:	44
Office:	
Commercial:	
Industrial:	
Total:	44

MINIMUM LOT AREA: 8,500 sq. ft.

CURRENT ZONING: "R-5" General Residence (DP-66)

VICINITY MAP:



NOTE: A preliminary plat for the area indicated as Block 1, was reviewed by the Subdivision Committee on April 30, 1992. Blocks 2 and 3 of this plat are now being included in this "revised" preliminary. As indicated during the initial review of the preliminary plat, this site is a portion of a previously platted addition, Block 2 of the Park Addition. Also, this site is a portion of Parcel 1, of Community Unit Plan, DP-66. The CUP was originally indicating smaller lot (5,000 sq. ft.) townhouse-type development, but is now being platted for conventional single family homes on lots of over 6,000 sq. ft.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee the paving of the proposed interior streets.
- E. The applicant shall guarantee the paving of Pawnee, to a two lane residential standard, from Maize Road to the east line of the plat.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. Since this property is a replat of a portion of the Park Addition, the applicant shall submit appropriate legal documents, recorded or for recording, which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat. The applicant shall provide such information to the Planning Department concerning the ownership and maintenance responsibilities of these reserves (existing and/or platted).
- H. The final plat shall state in the plattor's text the purposes of the proposed reserve as well as who is to own and maintain the reserve.

Further, provisions shall be made for ownership and maintenance of the proposed reserve. 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 reserve will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. 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. 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.
- J. The final plat tracing shall indicate that, for Lots 9 and 10, Block 1, building setbacks and utility easements shall be granted and located within and beyond the narrow extensions of these lots to the cul-de-sac. The setbacks and utility easements should be clearly indicated, noting that no structures shall be allowed within these narrow extensions of these lots, but that these narrow lot extensions only may be used for drive entrances and/or utility easements.
- K. City Engineering shall verify that the requested additional drainage easement, to be located in the area of Pawnee Court, and proposed in the final plat to be located between Lots 7 and 8, Block 1, is satisfactory.
- L. The final plat tracing shall grant 10-foot utility easements between Lots 2 and 3, Block 3, between Lots 4 and 5, Block 3, and between Lots 5 and 6, Block 1, as requested by KG&E and indicated on the "marked" copy of the plat provided by KG&E.
- M. City Engineering and the utility companies should indicate whether the utility easement located on the east 10 feet of Lots 12 through 18, Block 2, should "cross" the reserve and intersect the utility easement located on the south 10 feet of Lot 10, Block 2. Further, it should be clearly indicated if Reserve A is intended as a blanket utility easement or specific easements should be platted in the Reserve.
- N. Applicant shall provide an updated platting binder, with an effective date no later than 90 days of its receipt by Planning.
- O. On the final plat tracing, applicant shall satisfactorily address conflicting information contained between the platting binder and the final plat, specifically but not limited to plat ownership and mortgage information.
- P. According to the platting binder, property taxes are due on this site. Proof of payment must be provided before the plat will be released for recording.
- Q. 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.
- R. 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.

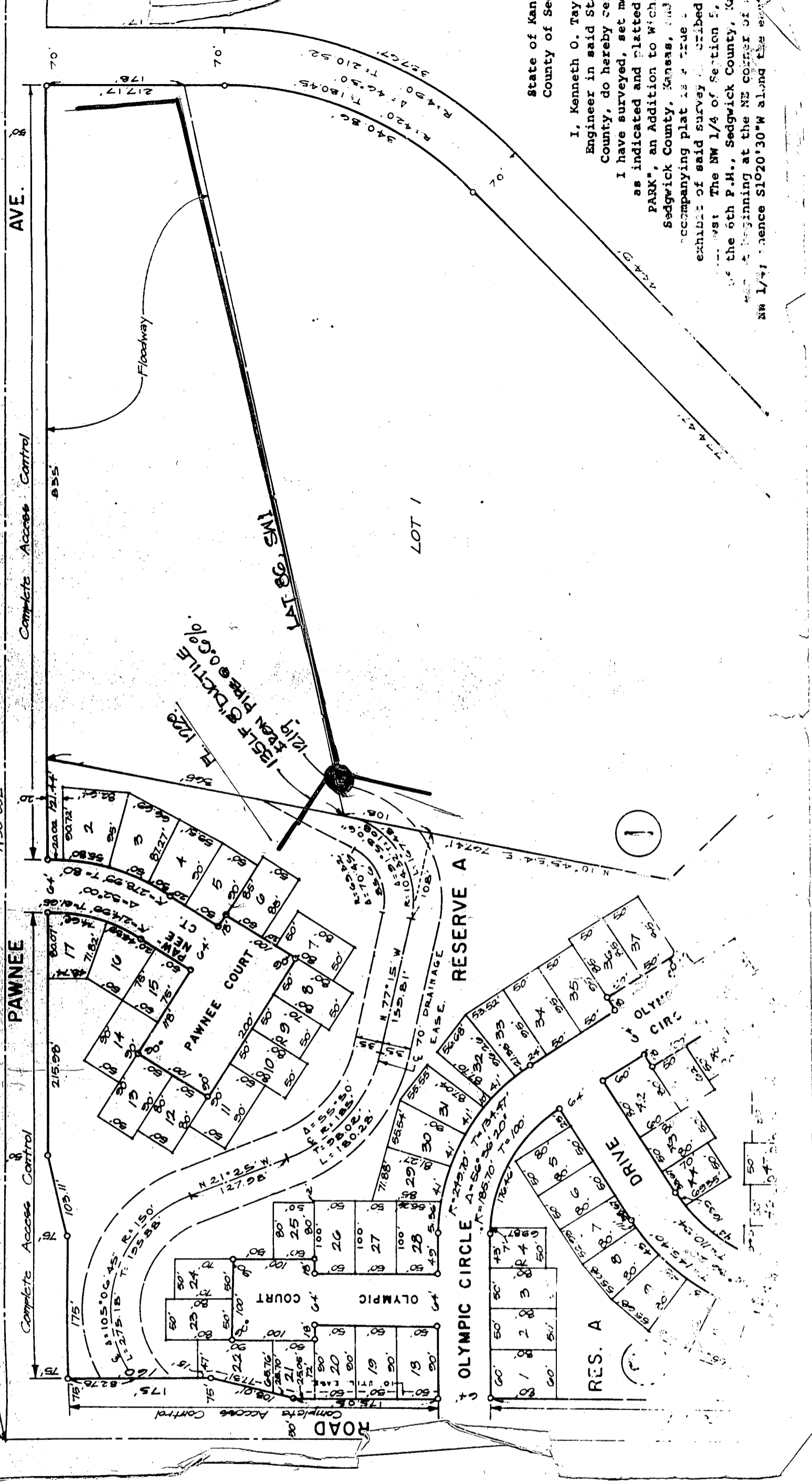
- S. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- T. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- U. Applicant shall record the plat within 30 days after approval by the City Council.
- V. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan. Also, Engineering needs to indicate if all of Reserve A is involved with drainage and therefore if a separate drainage easement is needed within this Reserve. As appropriate the platting text shall be amended to more clearly indicate the drainage function of Reserve A and/or the platting of a drainage easement.

THE PARK

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS
SHEET 1 OF 2 SHEETS

N.W. Cor. N.W. 1/4 Sec. 5-28-1W
2626.44' to N.E. Cor. N.W. Sec. 5-28-1W

N90°00'E



State of Kansas
County of Sedgwick

I, Kenneth O. Taylor
Engineer in said State
County, do hereby certify
I have surveyed, set monuments
as indicated and platted
"THE PARK", an Addition to Wichita,
Sedgwick County, Kansas, and the
accompanying plat is a true and
correct exhibit of said survey as described
in the 6th P.M., Sedgwick County, Kansas,
beginning at the NE corner of
the NW 1/4, hence S102°30'30"W along the east

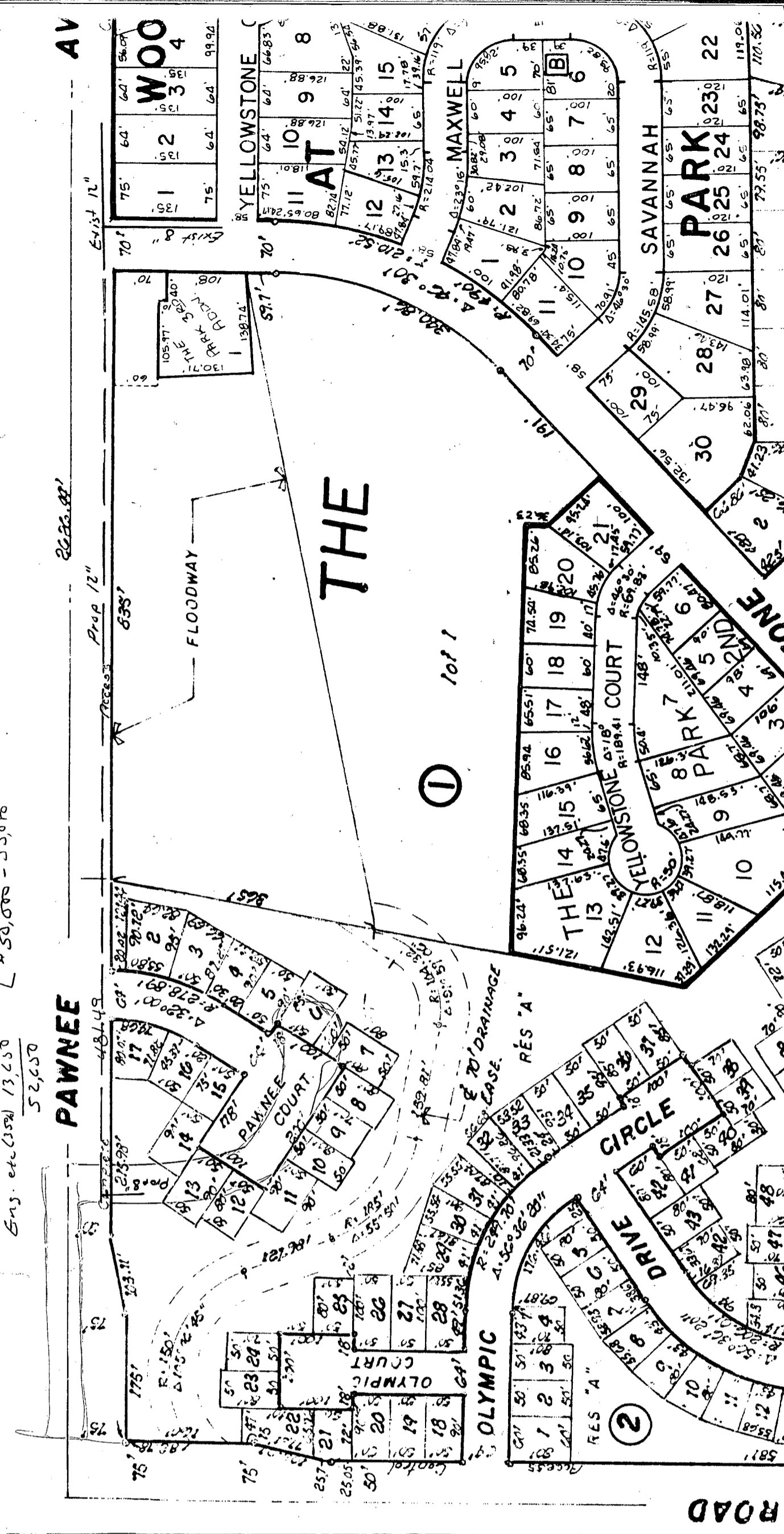
4-69

NW 1/4 SEC 5, TWP 28S, R 1W.

* Pawnee = 1375
 Geyser Ct. = 575
 1950 LF @ 20/LF = 39,000
 Eng. etc (15%) 13,650
 52,650

[Project Range for 8" Sizing]
 #50,000 - 55,000

* Assumed ending at West edge of Geyser Ct.



PAWNEE

THE

1

OLYMPIC

CIRCLE DRIVE

2

ROAD

AV

WOOD

AT

MAXWELL

SAVANNAH

PARK

FLOODWAY

YELLOWSTONE COURT

PARK

PAWNEE COURT

OLYMPIC COURT

PAWNEE COURT

PAWNEE COURT

PAWNEE COURT

PAWNEE COURT

PAWNEE COURT

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