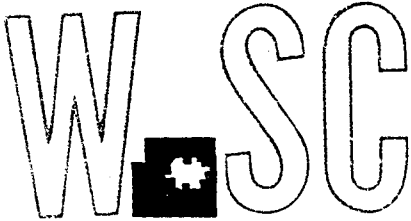


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4421  
FAX (316) 268-4390

November 18, 1998

Brian Stuart, President  
Ashley Park Homeowner's Association  
PO Box 771256  
Wichita, Kansas 67277

Dear Mr. Stuart:

This is to confirm our telephone conversation of November 13 concerning the proposed sidewalk that is intended to accompany the improvement of Brown Thrush connecting Ashley Park and 2nd Streets. As I understand it, you have received several complaints about the proposed sidewalk, and would like to know if and how it can be removed from the project now underway. I spoke to the City Engineer, and we agree on how this might be accomplished.

The requirement for a sidewalk on this street is clear in the City Council's sidewalk ordinance, and so it was a requirement of the subdivision plat approved by the Metropolitan Area Planning Commission and the City Council. The Subdivision Regulations state that only the City Council can waive those requirements. We would need to schedule this item for review by the same boards that reviewed it originally: the MAPC and its Subdivision Committee, for their recommendation, and the City Council.

The Subdivision Committee's next meeting is December 10, beginning at 1:30 in our 10th floor City Hall conference room. We will plan to ~~schedule a review~~ of this issue by the Committee on that date, after their normal agenda items, unless I hear otherwise from you. This committee makes recommendations to the full MAPC. We can schedule their review for their meeting of Thursday, December 17, at 1:30. The most likely date for the City Council to consider your request is Tuesday, December 24.

Based on the assumption that you will be pursuing this issue, the City Engineer intends to delay construction of the sidewalk. This means that if the City Council votes for the sidewalk to remain, there will be some additional cost for the contractor to "remobilize" and complete that work. My understanding is that the extra cost will be charged to the benefit district in the new development area, but you may want to confirm that.

RECEIVED  
NOV 18 1998  
CITY - ENGINEERING

Brian Stuart, President  
November 18, 1998  
Page 2

We will not be notifying any of the other affected homeowners in Ashley Park of these meetings, but we hope that you will be doing that, and that you can identify for the boards the degree to which there is consensus or not regarding this issue. We have been involved in similar issues regarding sidewalks, with neighbors having strong disagreements.

I also want you to be clear that the Planning and Engineering staffs believe that this sidewalk is appropriate and needed, and we will be making that recommendation to the boards as we go through this process. If you have any questions, or decide not to pursue this matter further, please contact me or Dale Miller at the Planning Department.

Sincerely,

A handwritten signature in black ink that reads "Marvin S. Krout". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Marvin S. Krout  
Planning Director

MSK:kw

cc. Mike Lindebak  
Vickie Huang  
Dale Miller  
Neil Strahl  
Jay Russell



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

August 5, 1988

Baughman Company, P.A.  
315 Ellis  
Wichita, Kansas 67211

Re: S/D 88-46 - Ashley Park Addition (Formerly Greystone  
Addition)

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on August 4, 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 July 29, 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 Board of City Commissioners 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 1986 and all prior years have been paid.

Please call if you have any questions.

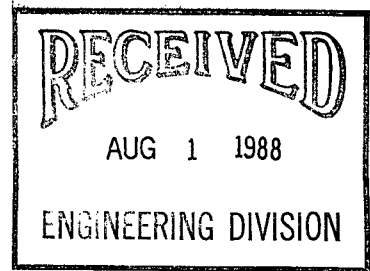
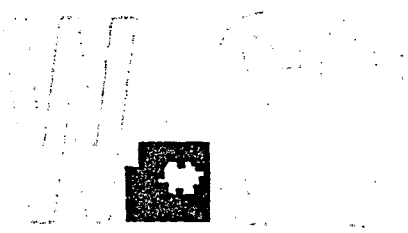
Sincerely,

Donald Losew  
Planner

DL/pb

cc: J.W. Russell, 443 N. Maize Road, Wichita, Kansas 67212  
Bill Yung Design, 4912 E. 29th St., North, Suite 1, Wichita, Kansas 67212  
Professional Engineering Cnslts., P.A. 1440 E. English, Wichita, Kansas 67211  
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

Baughman Company, P.A.  
315 Ellis  
Wichita, Kansas 67211

Re: S/D 88-46 - ASHLEY PARK ADDITION (Formerly Greystone  
Addition)

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 recommend that this plat be approved subject to:

SEE EXHIBIT "A" - S/D 88-46

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, July 28, 1988 at 1:30 P.M. If you have any questions concerning this matter, please call.

Sincerely,

Donald Losew  
Planner

DL/pb

Enclosure

cc: J.W. Russell, 443 N. Maize Road, Wichita, Kansas 67212  
Bill Yung Design, 4912 E. 29th St., North, Suite 1, Wichita, Kansas 67212  
Professional Engineering Cnslts., P.A. 1440 E. English, Wichita, Ks. 67211  
Mike Lindebak, City Engineer

EXHIBIT "A" - S/D 88-46  
ASHLEY PARK ADDITION, FINAL PLAT  
COMMENTS APPROVED BY THE S/D COMMITTEE 7/28/88

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. As required by the sidewalk plan, the paving petition for Brown Thrush shall provide for a sidewalk on the east side of the street from 2nd Street to sidewalk easement between Lots 9 and 10, Block 4. The paving petition for Ashley Street shall provide for a sidewalk on the east side of the street from the south line of Lot 32, Block 4, to the north line of Maple Street.
- G. As required by the sidewalk plan, the applicant shall guarantee the construction of a sidewalk within Reserve A and the sidewalk easement between Lots 9 and 10, Block 4 (approximately 2,200 linear feet).
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- I. Since Second Street at this location is classified as a collector street, the applicant shall submit a notarized sidewalk certificate stating that a sidewalk will be constructed adjacent to Second Street at the time of Lots 29 through 35 and Lot 47, Block 3 and Lot 1, Block 4's development.
- J. The final plat tracing shall exclude the area along the east line of this plat, associated with the drainage easement. This area is not within the applicant's ownership at this time and cannot be included within this plat. Fifteen revised drawings shall be submitted to the Planning Department for distribution to the Subdivision and Utility Advisory Committee. A revised sidewalk plan, removing sidewalk from the area of the drainage easement, shall also be submitted to the Planning Department.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 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.

- L. 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.
- M. If a private swimming pool is intended for any reserve being platted, the applicant is advised that a special permit request must be filed in accordance with Section 28.04.182(1) of the City's zoning ordinance. The applicant has the option of submitting a Community Unit Plan in order to establish the private swimming pool use.
- N. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- O. Minimum building pad elevations shall be noted on the face of the plat as well as in the plattor's text.
- P. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- Q. On the final plat tracing, either the street name O'Neil or 1st Street North shall be indicated for the segment of street between the east line of Lot 18, Block 3 and the north one of Lot 28, Block 3.
- R. The final plat tracing shall indicate a 10-foot utility easement centered on the common lot line of lots 31 and 32, Block 4.
- 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.

**FAXED**

**Ashley Park Homeowners Assoc.  
PO Box 771256  
Wichita, KS. 67277**

November 5, 1998

Mr. Mike Lindebake  
Wichita City Planning

Dear Mike,

It has been brought to my attention that the new street connecting Ashley Park and Second streets is scheduled to have a sidewalk.

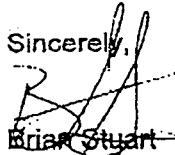
We have had several complaints concerning this matter.

There are no sidewalks in the Ashley Park Area. The new addition would be the only area in our neighborhood to have a sidewalk. We feel very strongly that this would detract from the aesthetics of the area, and lead to pedestrian traffic to the private lake, owned by the homeowners association.

We are therefore requesting that the sidewalk be eliminated from the development plans.

You can reach me at 945-2577 #105 or by e-mail at [halfcube@aol.com](mailto:halfcube@aol.com). Thank you for your time.

Sincerely,



Brian Stuart  
President

AGREEMENT  
BY AND BETWEEN

THE CITY OF WICHITA, KANSAS

Party of the First Part

And

ASHLEY PARK, INC.

Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal Sanitary Sewer Improvements on Lateral 46, Main 4, Southwest Interceptor in the area north of Maple, west of Ridge Road; Municipal Water Line Improvements; and Street Improvements, in Ashley 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. Lot 20, Block 4, Ashley Park Addition was part of the improvement district for the following City Projects:

Lateral 46, Main 4, Southwest Interceptor Sewer  
Project No. 468-76-245-81894-000-000-001

Water Distribution System to serve Ashley Park Addition  
Project No. 448-76-245-88338-000-000-001

Street Improvements to serve Ashley Park Addition  
Project No. 472-76-245-81951-000-000-001

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

Lots 41 through 47, Block 3,  
Lots 1 through 10, Block 4; Ashley Park Addition  
shall each pay 1/17 of the total cost apportioned to the property described above.

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 agree 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 out as a result of the reassessment herein described.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

The City of Wichita, Kansas

By: \_\_\_\_\_  
Mayor  
Party of the First Part

Approved as to form:

\_\_\_\_\_  
Director of Law

Attest:

\_\_\_\_\_  
City Clerk

Ashley Park, Inc.

By

*[Handwritten Signature]*

J. W. Russell, President

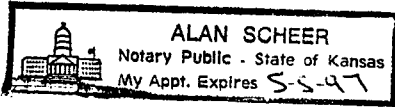
STATE OF KANSAS )

SEDGWICK COUNTY )

SS:

BE IT REMEMBERED, that on this 15 day of September, 1994, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came J. W. Russell, President, Ashley Park, Inc. personally known to me to be the same person whom executed the instrument and that such person is duly authorized by the corporation to sign on its behalf.

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



*[Handwritten Signature]*  
Notary Public

My Appointment Expires:

May 5, 1997



**BAUGHMAN COMPANY, P.A.**

SURVEYING, ENGINEERING & CONSULTING  
316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

**CONFIRMATION  
MEMO**

PROJECT Ashley Park Addition

DATE October 5, 1988

\_\_\_\_\_ JOB NO. \_\_\_\_\_

COPIES TO:

TO Tim Cain

FROM N. Brent Wooten, P.E.

REFERENCE Design Contracts

Tim,

I have provided the development Letter of Credits for the following projects:

**ASHLEY PARK ADDITION**

- Streets - Project No. 472-76-245-81843-000-000-001
- Sanitary Sewer - Project No. 468-76-245-81894-000-000-001
- Water Line - Project No. 448-76-245-~~81894~~-000-000-001

*88 338*

**BRUSH CREEK ADDITION**

- Streets - Project No. 472-76-245-81412-000-000-001

Please issue design contracts at your convenience.

Thank you.

WILLIAM L. KORBER, L.S.

JOHN E. LUNDBLADE, L.S.

N. BRENT WOOTEN, P.E.

**BAUGHMAN COMPANY, P.A.**

SURVEYING & ENGINEERING

316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

May 23, 1989

Vicky Huang, P.E.  
Department of Engineering  
City Hall - 7th Floor  
Wichita, Kansas 67202

RE: Street Improvements for Ashley Park and Ashley Park  
Court, Ashley Park Addition.

Vicky,

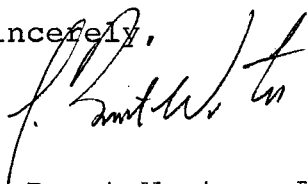
I am providing you herein the preliminary plans for the street for Phase II of Ashley Park Addition. The water lines and sanitary sewers to serve these lots have already been installed

The street petition for this project and also the letter of credit are presently being submitted to your department. Please review the plans and advise as soon as possible if you should need any additional information for this project.

We need to submit this project to the City Council for a bid opening on June 23, 1989. Please advise if this date can be met with.

Thank you.

Sincerely,

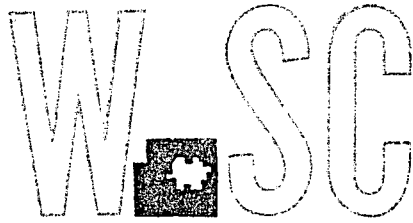


N. Brent Wooten, P.E.

cc: J. W. Russell

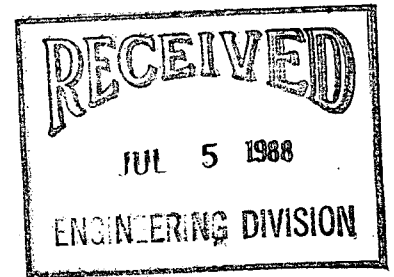
NBW/mef

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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



July 1, 1988

Bill G. Yung Design  
4912 E. 29th St. N., Suite 1  
Wichita, KS 67220

Re: Preliminary Plat S/D 88-46 - GREYSTONE ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, June 30, 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:

- 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. As required by the sidewalk ordinance, a sidewalk shall be installed along one side of Greystone from Maple to Second Street (see comment I). This is a long continuous street, connecting an arterial to a collector. The area north of this plat is also the location of a City Park, a junior high school and a high school. The construction of this sidewalk shall be provided for in the paving petition for the associated street. If the applicant chooses, he may submit a sidewalk plan to be considered as an alternate to the sidewalk required by the sidewalk ordinance. If an alternate plan is desired, it shall be submitted prior to submitting a final plat.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

- H. Since Second Street at this location is classified as a collector street, the applicant shall submit a notarized sidewalk certificate stating that a sidewalk will be constructed adjacent to Second Street at the time of Lots 28 through 33 and Lots 44 through 46, Block 3's development.
- I. Greystone Court shall be extended to connect with Second Street. This connection is needed in order to provide a more direct means of emergency access to the lots in the northern portion of this plat. Such a connection is also needed to avoid an undue diversion of traffic into the addition to the west of this site and the circuitous travel patterns that would be involved to gain access to the public park, commercial areas and schools north and west of the addition.
- J. On the final plat, complete access control shall be indicated to Second Street across the north line of the lots being platted adjacent to Second Street.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 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.
- L. 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.
- M. If a private swimming pool is intended for a portion of the reserve being platted, the applicant is advised that a special permit request must be filed in accordance with Section 28.04.182(1) of the City's zoning ordinance. The applicant has the option of submitting a Community Unit Plan for this property.
- N. On the final plat, the labeling of reserves shall be shown for property only within the boundary of this plat. Further, unless Reserve A is continuous, separate designations shall be provided for each separate reserve area adjacent to the eastern line of this plat.
- O. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- P. If required for this plat, minimum building pad elevations shall be noted on the face of the plat as well as in the plat's text.
- Q. If this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- R. The final plat shall label the centerline of the utility easements.
- S. On Lots 38, 54, 63, 66, 67 and 71, Block 3, the 20-foot utility easement adjacent to the west line of these lots shall also be labeled as a building setback.

WICHITA -- SEDGWICK COUNTY

Preliminary Plat S/D 88-46 - GREYSTONE ADDITION  
Page 3

- T. The final plat shall indicate the easements requested by K.G.&E.. These easements are marked on the surveyor's copy of the approved preliminary plat.
- U. On the final plat, the platting of the 5-foot wall easement shall be referenced in the plat's text. If utilities need to cross the wall easement, this should also be indicated in the plat's text.
- V. The final plat shall indicate street name changes as requested by the Fire Department as indicated on the surveyor's copy of the approved preliminary plat.
- W. 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. This plan needs to address who is going to maintain any lakes constructed in the drainage easement to the east of the plat. This may require a maintenance covenant to be recorded with the plat.
- X. 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.
- Y. 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.
- Z. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- AA. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Sincerely,



Donald Losew  
Junior Planner

DL:dlk  
Enclosure

cc: J.W. Russell, 443 N. Maize Road, Wichita, KS 67212  
Professional Engineering Consultants, P.A., 1440 E. English,  
Wichita, KS 67211  
Mike Lindebak, City Engineer

KNOW ALL MEN BY THESE PRESENTS:

FILM 328 PAGE 1040

That for and in consideration of the sum of Twenty-Five Thousand Dollars (\$25,000.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, HAZEL G. STITT, a single woman, being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

A tract of land in the Southeast Quarter of Section 21, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning at a point south eighty-eight (88) degrees thirty-five (35) minutes fifteen (15) seconds west one thousand ninety-seven (1097) ft. and north zero (0) degrees forty-four (44) minutes fifteen (15) seconds west thirty (30) ft. from the Southeast Corner of said Southeast Quarter; thence south eighty-eight (88) degrees thirty-five (35) minutes fifteen (15) seconds west one hundred ten (110) ft.; thence north zero (0) degrees forty-four (44) minutes fifteen (15) seconds west six hundred fifteen and twenty-eight hundredths (615.28) to the point of curvature of an eight hundred eighteen and ninety-four hundredths (818.94) ft. radius curve to the right subtending a central angle of twenty-three (23) degrees forty-two (42) minutes forty-one (41) seconds; thence along said curve three hundred thirty-eight and ninety-one hundredths (338.91) ft. to the point of tangency of said curve; thence along a line tangent to said curve north twenty-two (22) degrees fifty-eight (58) minutes twenty-six (26) seconds east eight hundred seventy-nine and ninety-eight hundredths (879.98) ft. to the point of curvature of a three hundred forty-one and forty-eight hundredths (341.48) ft. radius curve to the right subtending a central angle of thirty-two (32) degrees fifty-two (52) minutes thirty-four (34) seconds; thence along said curve one hundred ninety-five and ninety-four hundredths (195.94) ft. to the west line of Westview Addition to Sedgwick County; thence along said west line south zero (0) degrees forty-four (44) minutes forty-one (41) seconds east one hundred fifty and two hundredths (150.02) ft. to a point on a two hundred thirty-one and forty-eight hundredths (231.48) ft. radius curve to the left subtending a central angle of eleven (11) degrees fifty-eight (58) minutes twenty-one (21) seconds; thence along said curve forty-eight and thirty-seven hundredths (48.37) ft. to the point of tangency of said curve; thence along a line tangent to said curve south twenty-two (22) degrees fifty-eight (58) minutes twenty-six (26) seconds west eight hundred seventy-nine and ninety-eight hundredths (879.98) ft. to the point of curvature of a seven hundred eight and ninety-four hundredths (708.94) ft. radius curve to the left subtending a central angle of twenty-three (23) degrees forty-two (42) minutes forty-one (41) seconds; thence along said curve two hundred ninety-three and thirty-nine hundredths (293.39) ft. to the point of tangency of said curve; thence along a line tangent to said curve south zero (0) degrees forty-four (44) minutes fifteen (15) seconds east six hundred thirteen and ninety-six hundredths (613.96) ft. to the point of beginning, the above described tract containing 4.92 acres more or less.

in lieu of condemnation,

does hereby ~~dedicate a permanent easement~~ over the above described real estate ~~to the public for drainage purposes~~ necessary to construct and maintain a drainage system over and across tracts of land along the Dugan Tributary from Maple to Brunswick in Wichita, Sedgwick County, Kansas.

As further consideration, Grantor retains the right to direct the relocation of dirt from said easement to areas of Grantor's tract of land by designating to Grantee's contractor the locations to which said excavated dirt shall be relocated. Grantor agrees to provide said directions promptly and in such a manner as not to delay construction of said drainage facility.

Executed this 7th day of September, 1978.

STATE OF KANSAS  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
2:00 P.M.  
SEP 27 1978

*Hazel G. Stitt*  
Hazel G. Stitt, Grantor  
722 3950

NO. 4 06014  
BETTE F. MCCART  
REGISTER OF DEEDS

*Amelia Felt*  
Deputy

Original Compared  
With Record

*City Clerk*  
*City Hall, 2nd floor*

2.00

D 9923

SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING  
COMMISSION

AGENDA ITEM # 12

JUNE 30, 1988

STAFF REPORT  
(Preliminary Plat)

CASE NUMBER: S/D 88-46 - GREYSTONE ADDITION

OWNER/APPLICANT: J.W. Russell, 443 N. Maize Road, Wichita, KS 67212

SURVEYOR/ENGINEER: Bill G. Yung Design

LOCATION: North of Maple, in an area west of Ridge Road.

SITE SIZE: 39.5 Acres

NUMBER OF LOTS:

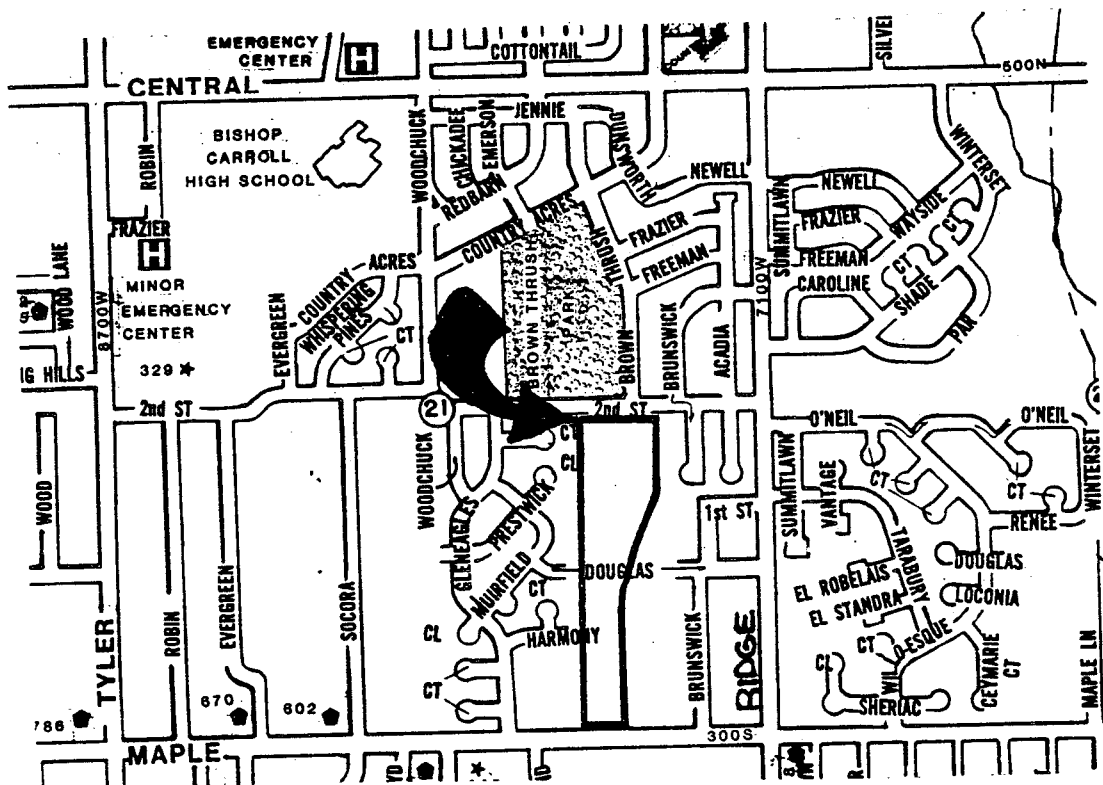
Residential:	98
Office:	
Commercial:	
Industrial:	
Total:	98

MINIMUM LOT AREA: 11,000 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.
- 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. As required by the sidewalk ordinance, a sidewalk shall be installed along one side of Greystone from Maple to Second Street (see comment I). This is a long continuous street, connecting an arterial to a collector. The area north of this plat is also the location of a City Park, a junior high school and a high school. The construction of this sidewalk shall be provided for in the paving petition for the associated street.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. Since Second Street at this location is classified as a collector street, the applicant shall submit a notarized sidewalk certificate stating that a sidewalk will be constructed adjacent to Second Street at the time of Lots 28 through 33 and Lots 44 through 46, Block 3's development.
- I. Greystone shall be extended to connect with Second Street. This connection is needed in order to provide a more direct means of emergency access to the lots in the northern portion of this plat. Such a connection is also needed to avoid an undue diversion of traffic into the addition to the west of this site and the circuitous travel patterns that would be involved to gain access to the public park, commercial areas and schools north and west of the addition.
- J. On the final plat, complete access control shall be indicated to Second Street across the north line of the lots being platted adjacent to Second Street.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 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.

## GREYSTONE ADDITION

Page 3

- L. 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.
- M. If a private swimming pool is intended for a portion of the reserve being platted, the applicant is advised that a special permit request must be filed in accordance with Section 28.04.182(1) of the City's zoning ordinance.
- N. On the final plat, the labeling of reserves shall be shown for property only within the boundary of this plat. Further, unless Reserve A is continuous, separate designations shall be provided for each separate reserve area adjacent to the eastern line of this plat.
- O. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- P. If required for this plat, minimum building pad elevations shall be noted on the face of the plat as well as in the plattor's text.
- Q. If this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- R. The final plat shall label the centerline of the utility easements.
- S. On Lots 38, 54, 63, 66, 67 and 71, Block 3, the 20-foot utility easement adjacent to the west line of these lots shall also be labeled as a building setback.
- U. On the final plat, the platting of the 5-foot wall easement shall be referenced in the plattor's text. If utilities need to cross the wall easement, this should also be indicated in the plattor's text.
- V. Prior to, or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- W. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- X. 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.

- Y. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- Z. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- AA. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- BB. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan and specifically if portions of the area indicated as Reserve A need to be designated for drainage purposes.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

February 13, 1989

TO: Marvin S. Krout, Director of Planning  
Bill McKinley, Traffic Engineer  
✓ Mike Lindebak, City Engineer  
Walt Campbell, Deputy Chief of Operations, Fire Department

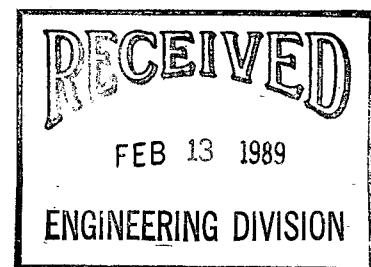
FROM: Robert L. Young, Principal Planner, Current Plans Division *RLY.*

SUBJECT: DP-189 - ASHLEY PARK RESIDENTIAL C.U.P. Generally located on the north side of Maple ¼-mile west of Ridge Road.

Attached for your review and comments is a copy of the proposed development plan for the above-referenced property. The developer proposes to construct single family houses on the site and incorporate a parcel for open space and drainage purposes. Two swimming pools are to be constructed within the parcel to serve the overall development including the area now being platted as Ashley Park Addition. The portion of a drainage easement now exists within the open space parcel as indicated on the C.U.P. drawing.

I would appreciate your comments regarding this development proposal as soon as possible as it is scheduled for MAPC review during their March 16, 1989 meeting. Thank you.

RLY:blw  
Attachment

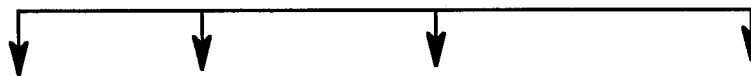


**ASHLEY PARK RESIDENTIAL C.U.P.**

2/9/89

- 1 ) THIS PROJECT IS PROPOSED TO CONTAIN 58.1 ACRES.
- 2 ) THE PROPOSED DEVELOPMENT CONTAINS FOUR (4) PARCELS ILLUSTRATING SINGLE FAMILY LOTS AND OPEN SPACE. FOR ALTERNATE USES, AND DENSITIES, SEE PARCEL DESCRIPTIONS BELOW. (GENERAL PROVISION NUMBER 19).
- 3 ) IF THE PROJECT IS DEVELOPED AS ILLUSTRATED (142 UNITS), THE OVERALL DENSITY OF THE SITE WOULD BE 2.44 D.U.S. PER ACRE. IF THE SITE IS DEVELOPED WITH THE MAXIMUM NUMBER OF UNITS PERMITTED (229), THE OVERALL DENSITY WOULD BE 3.94 D.U.S. PER ACRE.
- 4 ) SETBACKS ARE TO BE DETERMINED AT THE TIME OF PLATTING OR GENERALLY THE MINIMUM SETBACKS SHALL BE AS SHOWN ON THE CHART BELOW.

**FRONT YARD DIMENSION FROM R.O.W. LINE**



	50' R.O.W. 21'BB	58' R.O.W. 29'BB	64'-70' R.O.W. 35'-41'BB	CUL-DE-SAC @ BULB (W/50', 58', OR 64' R.O.W.)
SINGLE FAMILY	20'	20'/25'*	20'/25'*	20'/25'*
DUPLEX	20'	20'/25'*	20'/25'*	20'/25'*
4-PLEX	20'	20'/25'*	20'/25'*	20'/25'*

**CORNER LOT  
(DIST. FROM R.O.W.  
TO SIDE YARD)**

	SIDE YARD**	REAR YARD***
SINGLE FAMILY	15'	6'
DUPLEX	15'	6'
4-PLEX	15'	6'

**SETBACK @ GARAGE  
FACE AT ALL STREET R.O.W.**

SINGLE FAMILY	20'
2-PLEX	20'
4-PLEX	20'

**FRONT, REAR AND SIDE YARD SETBACKS FROM ARTERIAL STREET R.O.W.S SHALL NOT BE LESS THAN 25'.**

**\* FRONT YARD SETBACKS MAY VARY BETWEEN 20' (BRISTOL PARK ADDITION) AND 25' (ASHLEY PARK ADDITION), SEE FINAL PLAT.**

**\*\* IF GARAGES ARE SIDE LOADED, THEY MUST BE A MINIMUM OF 20' FROM BACK OF CURB.**

**\* \* \* REAR YARD SETBACKS MAY BE REDUCED TO 10' FOR LOTS ABUTTING PLATTED OPEN SPACE.**

**5) ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.**

**6) SIGNS DESIGNATING THE NAME OF THE DEVELOPMENT SHALL BE PERMITTED AT THE ENTRANCES TO THE PROPOSED PARCELS IF THEY FOLLOW IN ACCORDANCE WITH THE PROVISIONS OF SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA.**

**7) A HOMEOWNERS ASSOCIATION SHALL BE FILED WITH THE PLAT OF EACH PARCEL TO PROVIDE FOR THE MAINTENANCE OF NON-PUBLIC OPEN SPACE, PARKING AREAS, PRIVATE STREETS OR DRIVES, WALLS, AREAS BETWEEN WALLS AND PROPERTY LINES (IF APPLICABLE), LAKES, DRAINAGE CHANNELS, SWALES, ETC.. TWO OR MORE HOMEOWNERS ASSOCIATIONS (IF APPLICABLE) MAY JOIN TOGETHER TO FORM A MASTER HOMEOWNERS ASSOCIATION.**

**NOTE: FAILURE OF THE HOMEOWNERS ASSOCIATION(S) TO PROPERLY MAINTAIN THE PRIVATE SPACES/FACILITIES/SYSTEMS, AND AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND SUPERINTENDENT OF CENTRAL INSPECTION, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING THE CONSTRUCTION OF THE PROPOSED DEVELOPMENT, AND SHALL GIVE THE CITY THE RIGHT TO PROPERLY MAINTAIN THE AREAS PREVIOUSLY LISTED AND TO ASSESS THE COST OF MAINTENANCE TO THE PROPERTY OWNER.**

**8) MINIMUM LOT SIZES FOR SINGLE FAMILY DETACHED UNITS SHALL BE 6,000 SQ. FT.. MINIMUM LOT SIZES FOR DUPLEXES SHALL BE 8,000 SQ. FT.. MINIMUM LOT SIZES FOR 4-PLEXES SHALL BE 10,000 SQ. FT.. MINIMUM LOT FRONTAGES SHALL BE 60' FOR SINGLE FAMILY, 70' FOR DUPLEXES, 75' FOR 4-PLEXES; MEASURED AT THE SETBACK LINE.**

**9) ANY PROPOSED DRAINAGE FACILITIES, LAKES, DETENTION FACILITIES, DRAINAGE WAYS, SWALES, ETC. SHALL BE DESIGNED IN CONFORMANCE WITH THE HYDROLOGY STUDY AS PREPARED INDEPENDENTLY FROM THIS DOCUMENT. RESULTS OF THIS STUDY AND PROPOSED DRAINAGE FACILITIES SHALL BE SUBMITTED FOR APPROVAL AT THE TIME OF PLATTING. THE OWNERSHIP AND MAINTENANCE OF SAID FACILITIES SHALL BE DETERMINED AT THE TIME OF PLATTING.**

- 10) FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS WILL BE RESOLVED AT THE TIME OF PLATTING.
- 11) SHOULD AN ALTERNATE LAND USE (PERMITTED UNDER PARCEL DESCRIPTIONS BELOW) BE DEVELOPED INSTEAD OF THE PARCEL PLAN AS ILLUSTRATED ON PLAN, A CONCEPTUAL SITE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE DIRECTOR OF PLANNING. THE APPROVAL OF THIS CONCEPTUAL PLAN SHALL BE SUBJECT TO THE CONDITIONS OF PLATTING.
- 12) A) FIRE HYDRANT INSTALLATION AND PAVED ACCESS TO ALL BUILDING SITES SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION PRIOR TO THE ISSUANCE OF BUILDING PERMITS.  
  
B) APPROPRIATE TURN AROUNDS FOR DEAD END STREETS WILL BE DETERMINED AT THE TIME OF PLATTING.
- 13) OFF-STREET PARKING  
  
A) SINGLE FAMILY AND DUPLEX USES SHALL PROVIDE 2.0 SPACES PER DWELLING UNIT WITH A 64' STREET R.O.W.  
  
B) SINGLE FAMILY AND DUPLEX USES SHALL PROVIDE 4.0 SPACES PER DWELLING WITH 50' AND 58' STREET R.O.W.  
  
C) 4-PLEX USES SHALL PROVIDE 1.0 SPACE PER DWELLING UNIT.  
  
D) SEE GENERAL PROVISION NUMBER 19, PARCEL DESCRIPTION 4, FOR SWIMMING COMPLEX PARKING INFORMATION.
- 14) WALLS ARE PERMITTED IN ALL PARCELS IN PLATTED WALL EASEMENTS ONLY. NO WALL SHALL BE CONSTRUCTED IN ANY UTILITY EASEMENT EXCEPT FOR CROSSING UTILITY EASEMENT\*, AND A BUILDING PERMIT SHALL BE OBTAINED PRIOR TO THE CONSTRUCTION OF ANY WALL.  
  
\* WALLS (AND ENTRY MONUMENTS-IF APPLICABLE) SHALL BE ALLOWED TO CROSS UTILITY EASEMENTS PROVIDING THAT COLUMN FOOTINGS, IN LIEU OF CONTINUOUS FOOTINGS, ARE CONSTRUCTED FOR WALL/ENTRY MONUMENT SUPPORT IN UTILITY EASEMENT.
- 15) THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
- 16) A SIDEWALK PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL AT THE TIME OF PLATTING.

**17) PLATTING CONSIDERATIONS:**

**STREET IMPROVEMENTS TO MAPLE STREET SHALL BE ADDRESSED AT THE TIME OF PLATTING. THE APPLICANT SHALL GUARANTEE HIS PROPORTIONATE SHARE OF THE CONSTRUCTION OF MAPLE STREET AS NEEDED, AS DETERMINED BY TRAFFIC ENGINEERING.**

- 18) TRASH RECEPTACLES SHALL BE SCREENED FROM VIEW AT GROUND LEVEL WHEN COMMERCIAL SIZED UNITS ARE USED.**

**19) PARCEL DESCRIPTIONS**

**PARCEL NUMBER 1**

**PROPOSED USE: SINGLE FAMILY**

**GROSS ACRES- 37.9**

**MAXIMUM DWELLING UNITS- 170 (104 ILLUSTRATED ON PLAN)**

**DENSITY- 4.5 D.U./ACRE**

**MAXIMUM BUILDING HEIGHT- 35'**

**SETBACKS- SEE GENERAL PROVISION NUMBER 4**

**PARKING- 2 SPACES PER D.U. (SEE GENERAL PROVISION NO. 13)**

**PARCEL NUMBER 2**

**PROPOSED USE: SINGLE FAMILY**

**GROSS ACRES- 10.5**

**MAXIMUM DWELLING UNITS- 47 (33 ILLUSTRATED ON PLAN)**

**DENSITY- 4.5 D.U./ACRE**

**MAXIMUM BUILDING HEIGHT- 35'**

**SETBACKS- SEE GENERAL PROVISION NUMBER 4**

**PARKING- 2 SPACES PER D.U. (SEE GENERAL PROVISION NO. 13)**

**PARCEL NUMBER 3**

**PROPOSED USES: SINGLE FAMILY (SHOWN ON PLAN), DUPLEX, 4-PLEX**

**GROSS ACRES- 1.5**

**MAXIMUM DWELLING UNITS- SINGLE FAMILY- 6 (5 ILLUSTRATED)  
DUPLEX - 9  
4-PLEX - 12**

**DENSITY- SINGLE FAMILY- 4.5 D.U./AC. (3.33 D.U./AC. ILLUSTRATED)  
DUPLEX- 6.0 D.U./AC.  
4-PLEX- 8.0 D.U./AC.**

**MAXIMUM BUILDING HEIGHT- 35'**

**SETBACKS- SEE GENERAL PROVISION NUMBER 4**

**PARKING- 2 SPACES PER D.U. FOR SINGLE FAMILY AND DUPLEX  
1 SPACE PER D.U. FOR 4-PLEX**

**(SEE GENERAL PROVISION NO. 13 FOR ADDITIONAL INFO. ON  
PARKING).**

**PARCEL NUMBER 4**

**PROPOSED USE: OPEN SPACE (RESERVE). NOTE: OPEN SPACE INCLUDES  
GREENWAY (AREA NOT IN DRAINAGE EASEMENT) AND A 110' DRAINAGE  
EASEMENT.**

**A) DRAINAGE EASEMENT SHALL PERMIT- LANDSCAPING, WALLS IN WALL  
EASEMENTS (SEE GENERAL PROVISION NO. 14), WALKWAYS, LAKES,  
DRAINAGE, DRAINAGE STRUCTURES, LIGHTING\*, AND UTILITIES CONFINED  
TO EASEMENTS.**

**B) GREENWAY SHALL PERMIT ENTRANCE MONUMENTS, LANDSCAPING,  
GAZEBOS, LIGHTING, WALKWAYS, SIGNAGE, LAKES, DRAINAGE, DRAINAGE  
STRUCTURES, FLAGPOLES, PEDESTRIAN BRIDGES, ENTRANCE  
STRUCTURES, SWIMMING POOLS (SEE BELOW), PRIVATE RESTROOMS,  
PLAYGROUND EQUIPMENT AND STRUCTURES, PICNIC FACILITIES, PARKING  
AND UTILITIES CONFINED TO EASEMENTS.**

**\*LIGHTING ALLOWED IN DRAINAGE EASEMENT SHALL BE LIMITED TO TWO (2)  
LIGHT POLES LOCATED EAST OF LOTS 16 AND 27 IN PARCEL 1, WEST OF  
PROPOSED CONCRETE WALK-WAY. (SEE PLAN).**

**GROSS ACRES- 8.1**

**MAXIMUM BUILDING HEIGHT- 25' (W/EXCEPTION OF FLAGPOLE)**

**SETBACKS- SEE GENERAL PROVISION NUMBER 4**

**THE SWIMMING POOL COMPLEXES, IF CONSTRUCTED, WOULD BE FOR  
RESIDENTS OF THIS DEVELOPMENT AND THEIR GUESTS ONLY.**

**PARKING- 1 SPACE PER 200 SQ. FT. OF POOL SURFACE.**

**LOCATIONS- SEE PLAN VIEW FOR LOCATIONS.**

**SCREENING- LANDSCAPE SCREENING SHALL BE PROVIDED TO ENHANCE VIEWS INTO BOTH COMPLEXES AND TO SCREEN OBJECTIONABLE VIEWS. LOW LEVEL (30") SCREENING SHALL BE PROVIDED IN CONJUNCTION WITH CONIFERS AND DECIDUOUS TREES (WHERE APPROPRIATE) AROUND PARKING AREAS TO REDUCE IMPACT.**

**SECURITY FENCING- SWIMMING POOL PROPER AREA (BOTH LOCATIONS) SHALL BE FENCED FOR SECURITY PURPOSES WITH FENCING AT LEAST 5' HIGH, WHICH MAY BE CONSTRUCTED OF WROUGHT IRON, WOOD OR MASONRY OR A COMBINATION THEREOF.**

**SITE PLAN APPROVAL- A SITE PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR APPROVAL OF COMPLIANCE WITH THESE PROVISIONS PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THESE STRUCTURES.**

**OWNERSHIP-SWIMMING POOL FACILITIES SHALL BE OWNED AND OPERATED BY A HOMEOWNERS ASSOCIATION.**

SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING  
COMMISSION

AGENDA ITEM # 10

JULY 28, 1988

STAFF REPORT  
(Final Plat; Preliminary Approved: June 30, 1988)

CASE NUMBER: S/D 88-46 - ASHLEY PARK ADDITION (Formerly Greystone Addition)

OWNER/APPLICANT: J.W. Russell, 443 N. Maize Road, Wichita, KS 67212

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: North of Maple, in an area west of Ridge Road.

SITE SIZE: 47 Acres

NUMBER OF LOTS:

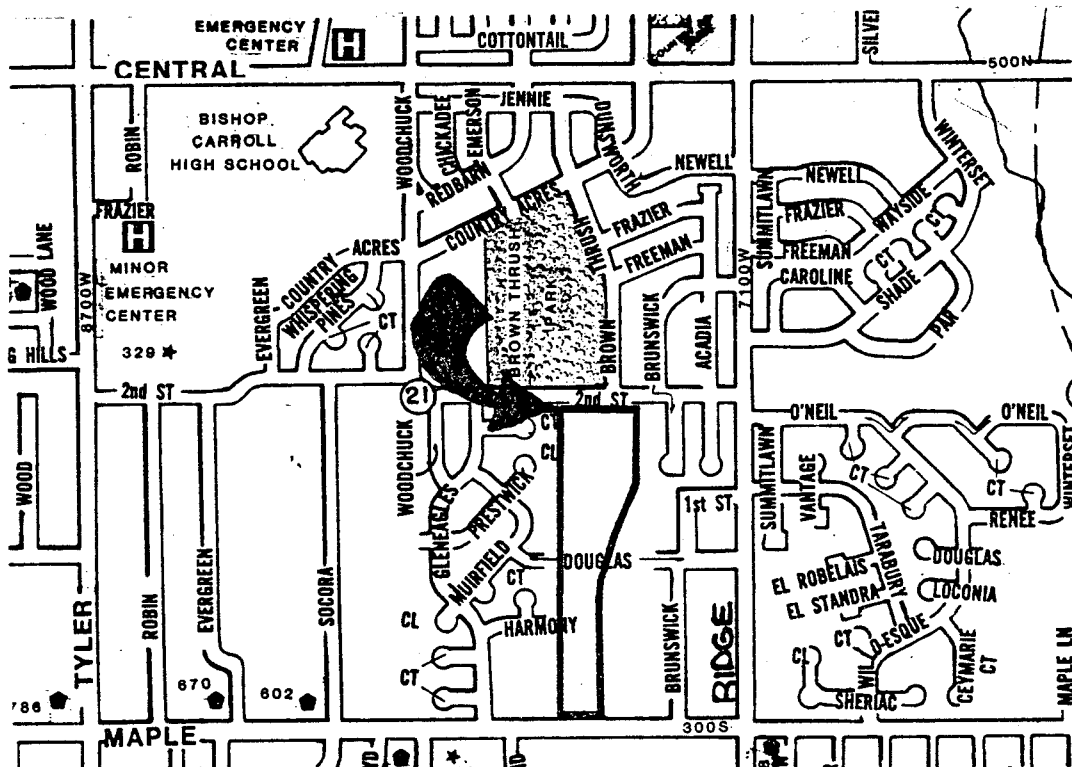
Residential:	104
Office:	
Commercial:	
Industrial:	
Total:	104

MINIMUM LOT AREA: 8,904 Sq. Ft.

CURRENT ZONING: "AA"

PROPOSED ZONING: "AA"

VICINITY MAP:



STAFF COMMENTS:

NOTE: When a preliminary plat for this property was approved last month, the plat was named Greystone Addition.

- 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. As required by the sidewalk plan, the paving petition for Brown Thrush shall provide for a sidewalk on the east side of the street from 2nd Street to sidewalk easement between Lots 9 and 10, Block 4. The paving petition for Ashley Street shall provide for a sidewalk on the east side of the street from the south line of Lot 32, Block 4, to the north line of Maple Street.
- G. As required by the sidewalk plan, the applicant shall guarantee the construction of a sidewalk within Reserve A and the sidewalk easement between Lots 9 and 10, Block 4 (approximately 2,200 linear feet).
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- I. Since Second Street at this location is classified as a collector street, the applicant shall submit a notarized sidewalk certificate stating that a sidewalk will be constructed adjacent to Second Street at the time of Lots 29 through 35 and Lot 47, Block 3 and Lot 1, Block 4's development.
- 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. 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.

ASHLEY PARK ADDITION

Page 3

- L. If a private swimming pool is intended for any reserve being platted, the applicant is advised that a special permit request must be filed in accordance with Section 28.04.182(1) of the City's zoning ordinance. The applicant has the option of submitting a Community Unit Plan in order to establish the private swimming pool use.
- M. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- N. Minimum building pad elevations shall be noted on the face of the plat as well as in the plattor's text.
- O. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- P. On the final plat tracing, either the street name O'Neil or 1st Street North shall be indicated for the segment of street between the east line of Lot 18, Block 3 and the north one of Lot 28, Block 3.
- Q. It is noted that the perimeter of this final plat includes property previously acquired by the City as a drainage easement. This is acceptable so long as a title or abstract company can certify that ownership is vested with the plattor. If the perimeter on the final plat tracing excludes the adjacent drainage easement from this plat's perimeter, the recording information for the adjacent easement shall be properly referenced on the face of the plat. If title to the adjacent drainage easement cannot be acquired by this plattor, changes to this plat's drainage plan may be required.
- R. 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.
- S. 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.
- T. 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.

- U. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- V. Recording of the plat within 30 days after approval by the City Council.
- W. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, what drainage guarantees are required for this subdivision.