

SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6  
February 9, 1989

STAFF REPORT  
(Preliminary Plat)

CASE NUMBER: S/D 89-3 - BRISTOL PARK ADDITION

OWNER/APPLICANT: Stitt Estates c/o Leo Stitt, 2531 Greenwood,  
Wichita, KS 67216

SURVEYOR/ENGINEER: Bill Yung Design/Baughman Co., P.A.

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

SITE SIZE: 17.9 acres

NUMBER OF LOTS

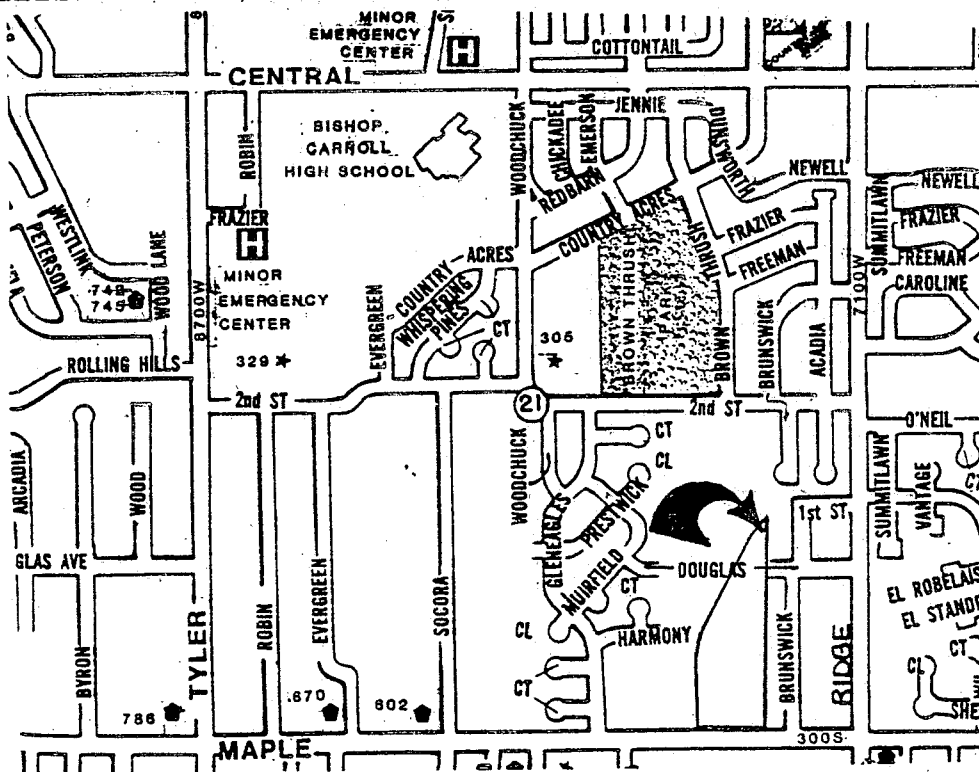
Residential:	38
Office:	
Commercial:	
Industrial:	
Total:	38

MINIMUM LOT AREA: 7,480 sq. ft.

CURRENT ZONING: "AA" (one-family)

PROPOSED ZONING: "AA" (one-family), C.U.P. DP-

VICINITY MAP:



STAFF COMMENTS:

Note: A Community Unit Plan (C.U.P.) is being prepared for this site. The C.U.P.'s primary purpose is to allow for development of a swimming pool within a reserve and the use of 20-foot building setbacks. The conditions indicated for this plat will be subject to any requirements established for the C.U.P. In particular, the area indicated for location of the swimming pool and associated parking will need to be resolved through approval of the C.U.P.

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. On the final plat, the existing drainage dedication along the west line of the plat shall be indicated as a separate reserve, with only those uses allowed for such drainage way being indicated. Gazebos, playground equipment, parking and other uses cannot be indicated for this drainage dedication. The pool area and reserve to the north of lot 15 should therefore be labeled as separate reserves from the drainage dedication and therefore within which these other uses could be allowed.
- H. If these reserve areas are to be used for the benefit of all property owners in this addition, it is recommended that direct access to the reserves, particularly the drainage way and associated open space uses be provided. Specifically, an access easement or extension of these reserves should be considered from the north end of Brown Thrush along the common property lines of lots 11, 12, or 13. A similar access way should also be considered along the east line of lot 15 (as shown on the preliminary plat).

- I. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- J. 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.
- 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 29-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. On the final plat Brown Thrush shall add the suffix "Circle" to this street's name.
- M. On the final plat, the northern group of lots along the Douglas cul-de-sac shall be included as a separate Block 2 with lots numbered, 1 through 5.
- N. The applicant shall contact Traffic Engineering to determine if street name signs need to be changed, and any costs assumed by the applicant, for renaming Douglas to Douglas Court at the north end of this plat.
- O. If the 20-foot utility easement along the east line of the area indicated for the pool (on west side of Brown Thrush) is intended to extend to the south line of the plat, the 5-foot wall easement may not also be shown along the south line and within the utility easement.
- P. Prior to scheduling this case before the City Council, the structure which encroaches into the utility easements being granted must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- Q. If required by the drainage plan, the platting of minimum building pad elevations shall be noted on the face of the plat as well as in the plat's text. These elevations shall be in Mean Sea Level as well as City Datum.
- R. 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).

S/D 89-3 - BRISTOL PARK ADDITION

Page 4

- S. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- T. On the final plat, the platting of the 5-foot wall easement shall be referenced in the plattor's text. If utilities (service lines) need to cross the wall easement, this should also be indicated in the plattor's text.
- U. 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.
- V. 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.
- W. 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.
- X. 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.
- Y. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Z. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- AA. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

February 10, 1989

Baughman Co., P.A.  
315 Ellis  
Wichita, KS 67211

Re: S/D 89-3 BRISTOL PARK ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, February 9, 1989, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. On the final plat, the plattor's text shall indicate that in Reserve B certain uses such as gazebos, playground equipment, etc., will not be allowed within the area of the drainage dedication. That is, the plattor's text should distinctly indicate that the area of the drainage dedication is only for those uses compatible with the drainage function.

- H. If these reserve areas are to be used for the benefit of all property owners in this addition, it is recommended that direct access to the reserves, particularly the drainage way and associated open space uses be provided. Specifically, an access easement or extension of these reserves should be considered from the north portion of Brown Thrush.
- I. On the final plat, the platator's text shall indicate that utilities may cross the area indicated as Reserve A on the preliminary plat. If the sanitary sewer plan indicates that sewer will be located in this Reserve and/or the abutting utility easement, a hold harmless agreement shall also be submitted.
- J. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- K. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- M. On the final plat Brown Thrush shall add the suffix "Circle" to this street's name.
- N. On the final plat, the northern group of lots along the Douglas cul-de-sac shall be included as a separate Block 2 with lots numbered, 1 through 5.
- O. The applicant shall contact Traffic Engineering to determine if street name signs need to be changed, and any costs assumed by the applicant, for renaming Douglas to Douglas Circle at the north end of this plat.

- P. If the 20-foot utility easement along the east line of the area indicated for the pool (on west side of Brown Thrush) is intended to extend to the south line of the plat, the 5-foot wall easement may not also be shown along the south line and within the utility easement.
- Q. Prior to scheduling this case before the City Council, the structure which encroaches into the utility easements being granted must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- R. If required by the drainage plan, the platting of minimum building pad elevations shall be noted on the face of the plat as well as in the plat's text. These elevations shall be in Mean Sea Level as well as City Datum.
- S. 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).
- T. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- U. On the final plat, the platting of the 5-foot wall easement shall be referenced in the plat's text. If utilities (service lines) need to cross the wall easement, this should also be indicated in the plat'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. Prior to, or at the time of submitting the final plat, the applicant shall submit a sanitary sewer layout plan to City Engineering for review and approval.
- X. The final plat shall indicate the utility easements requested by K.G. & E. and Southwestern Bell which are indicated on the enclosed "marked" copy of the plat.
- Y. The applicant is advised that drainage improvements constructed in conjunction with street improvements for Maple street shall be below grade.
- Z. 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/D 89-3 Bristol Park Addition  
Page 4

- AA. 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.
- BB. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- CC. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

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

Sincerely,



R. Timothy Bickhaus  
Associate Planner

RTB:svm

Enclosure

cc: Stitt Estates, c/o Leon Stitt  
2531 Greenwood  
Wichita, KS 67216  
Bill Yung Design  
4912 E. 29th St. N.  
Wichita, KS 67220  
Mike Lindebak, City Engineer

SUBDIVISION COMMITTEE  
 METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8  
 March 23, 1989

STAFF REPORT  
 (Final Plat, Preliminary Plat, Approved 2/9/89)

CASE NUMBER: S/D 89-3 - BRISTOL PARK ADDITION

OWNER/APPLICANT: Stitt Estates c/o Leo Stitt, 2531 Greenwood,  
 Wichita, KS 67216

SURVEYOR/ENGINEER: Baughman Co., P.A.

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

SITE SIZE: 17.9 acres

NUMBER OF LOTS

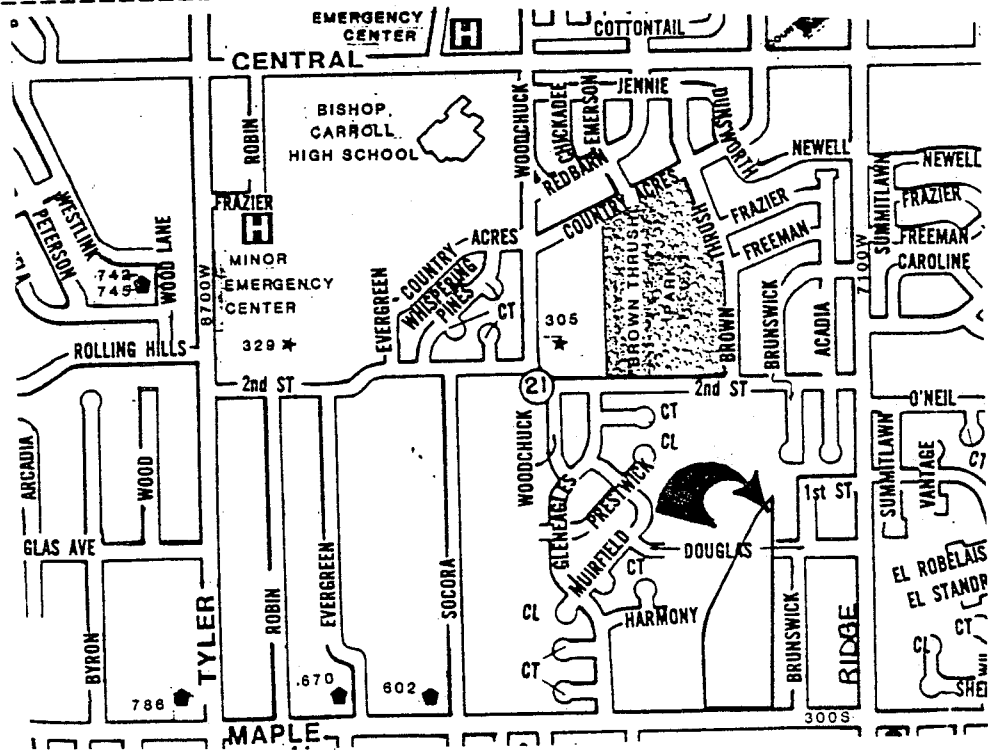
Residential:	37
Office:	
Commercial:	
Industrial:	
Total:	37

MINIMUM LOT AREA: 7,480 sq. ft.

CURRENT ZONING: "AA" (one-family)

PROPOSED ZONING: "AA" (one-family), C.U.P. DP-189

VICINITY MAP:



STAFF COMMENTS:

NOTE: The number of lots has been reduced from 38 on the preliminary plat to 37 on this final plat.

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. On the final plat tracing, fifth line of the plattor's text shall be amended to indicate that Reserve C is also reserved for "drainage and utilities confined to easements."
- H. If the sanitary sewer plan indicates that sewer will be located in Reserves A and B and/or the abutting utility easements, a hold harmless agreement shall be submitted.
- I. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- J. 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 in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.

- L. The applicant shall contact Traffic Engineering to determine if street name signs need to be changed, and any costs assumed by the applicant, for renaming Douglas to Douglas Circle at the north end of this plat.
  - M. Prior to scheduling this case before the City Council, the structure which encroaches into the utility easements being granted must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
  - N. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
  - O. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
  - P. The applicant is advised that drainage improvements constructed in conjunction with street improvements for Maple street shall be below grade.
  - 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. Recording of the plat within 30 days after approval by the City Council.
  - V. 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?
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SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

March 24, 1989

Baughman Co., P.A.  
315 Ellis  
Wichita, KS 67211

Re: S/D 89-3 BRISTOL PARK ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, March 23, 1989, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. On the final plat tracing, fifth line of the plattor's text shall be amended to indicate that Reserve C is also reserved for "drainage and utilities confined to easements."
- H. If the sanitary sewer plan indicates that sewer will be located in Reserves A and B and/or the abutting utility easements, a hold harmless agreement shall be submitted.

- I. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- J. 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 in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. The applicant shall contact Traffic Engineering to determine if street name signs need to be changed, and any costs assumed by the applicant, for renaming Douglas to Douglas Circle at the north end of this plat.
- M. Prior to scheduling this case before the City Council, the structure which encroaches into the utility easements being granted must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- N. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- O. Prior to this plat being scheduled for the City Council the applicant shall submit the drainage information requested by City Engineering.
- P. The final plat tracing shall indicate changes in the utility and drainage easements as approved by City Engineering.
- Q. The applicant is advised that drainage improvements constructed in conjunction with street improvements for Maple street shall be below grade.

- 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.

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

Sincerely,



R. Timothy Bickhaus  
Associate Planner

RTB:svm

Enclosure

cc: J.W. Russell, Inc., 433 N. Maize Rd.,  
Wichita, KS 67212  
Mike Lindebak, City Engineer

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

March 30, 1989

Baughman Co., P.A.  
315 Ellis  
Wichita, KS 67211

Re: S/D 89-3 BRISTOL PARK ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on March 30, 1989, the above captioned plat was considered. The action of the Committee was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of March 24, 1989.

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

Please call if you have any questions.

Sincerely,

R. Timothy Bickhaus  
Associate Planner

RTB:svm

cc: J.W. Russell, Inc., 433 N. Maize Rd.,  
Wichita, KS 67212  
Mike Lindebak, City Engineer

THE CITY OF WICHITA  
OFFICE OF PUBLIC WORKS - ENGINEERING

DATE: October 11, 1991

TO: Doug Moshier, Senior City Attorney

FROM: Michael E. Lindebak, P.E., City Engineer

SUBJECT: Agreement to Respread Special  
Assessments: Bristol Park  
Addition

Please review the attached agreement as to legal form and return it to the  
City Engineer's Office.

MEL:BM:cls

AGREEMENT  
BY AND BETWEEN

THE CITY OF WICHITA, KANSAS,

Party of the First Part

And

J. W. RUSSELL, PRESIDENT, BRISTOL PARK, INC.  
RANDY CHANEY, PRESIDENT, CHANEY CONSTRUCTION CO., INC., AND  
CURTIS DORN, PRESIDENT, ASHLEY PARK HOMEOWNERS ASSOCIATION, INC.

Parties of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal improvements in Bristol Park Addition, within the City Limits of the City of Wichita;  
and

WHEREAS, Parties of the Second Part are the landowners of all or part of the improvement district; and

WHEREAS, A portion of the improvement district of said improvements has been replatted; and

WHEREAS, Parties of the Second Part desire that a reassessment be made to reflect the changes in replatting; and

WHEREAS, The Party of the First Part and Parties 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 11 through 18, Block 1, Bristol Park Addition, were part of the improvement district for the following City projects:

Street Improvements

Project No. 472-76-245-81959-000-000-001

AND

Water Line Improvements

Project No. 448-76-245-88406-000-000-001

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

That the total street and water line assessments to Lot 11 and Lots 13 through 18, Block 1, Bristol Park Addition, shall be reassessed to Lot 1 and Lots 3 through 8, Block 1; Lots 1 through 4, Block 2; and Lot 1, Block 3, Ashley Park II Addition on equal 1/12 fractions.

AND

That the total street and water line assessments to Lot 12, Block 1, Bristol Park Addition shall be reassessed to Lot 2, Block 1, Ashley Park II Addition.

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2. Lots 11 through 18, Block 1, and Lots 1 through 5, Block 2, Bristol Park Addition, were part of the Improvement District for the following City Project:

Lateral 48, Main 4, Southwest Interceptor Sanitary Sewer

Project No. 468-76-245-81990-000-000-001

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

That the total sanitary sewer assessments to Lot 11 and Lots 13 through 18, Block 1, and Lot 1 through 5, Block 2, Bristol Park Addition shall be reassessed to Lot 1 and Lots 3 through 8, Block 1; Lots 1 through 4, Block 2, and Lot 1, Block 3, Ashley Park II Addition on equal 1/12 fractions,

AND

That the total sanitary sewer assessments to Lot 12, Block 1, Bristol Park Addition shall be reassessed to Lot 2, Block 1, Ashley Park II Addition.

3. The Parties of the Second Part are the owners of the property described in Section One above and said Parties 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.

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4. The Parties of the Second Part further waives their right to appeal the special assessments for the above mentioned projects (including this 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 Parties of the Second Part further agree that they will indemnify the party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Part is held responsible or which are entered against the Party of the First Part arising out of or as a result of the reassessment herein described.

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IN WITNESS WHEREOF, The Parties hereto have executed this agreement the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

THE CITY OF WICHITA, KANSAS

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

Approved as to form:

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

Attest:

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

BRISTOL PARK INC.

BY: \_\_\_\_\_  
J. W. Russell  
President

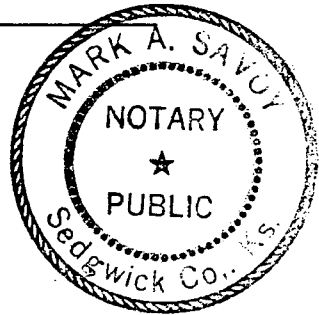
STATE OF KANSAS )  
                          ) SS:  
SEDGWICK COUNTY )

BE IT REMEMBERED, that on this 1st day of October, 1991, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came J. W. Russell, President, Bristol Park, Inc., personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

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

Mark A. Savoy  
Notary Public  
Mark A. Savoy

My Appointment Expires:  
16 May 92



CHANEY CONSTRUCTION CO., INC.

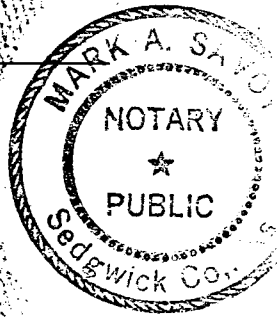
BY: [Signature]  
Randy Chaney, President

STATE OF KANSAS )  
 ) SS  
SEDGWICK COUNTY )

BE IT REMEMBERED, that on this 1st day of October, 1991, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Randy Chaney, President, Chaney Construction Co., Inc., personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

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

[Signature]  
Notary Public  
Mark A. Savoy



My Appointment Expires:

16 May 92

ASHELY PARK HOMEOWNERS ASSOCIATION INC.

BY: [Signature]  
Curtis Dorn, President

STATE OF KANSAS )  
 ) SS  
COUNTY OF SEDGWICK )

BE IT REMEMBERED, that on this 1st day of October, 1991, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Curtis Dorn, President, Ashley Park Homeowners Association Inc., personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

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

[Signature]  
Notary Public  
Mark A. Savoy



My Appointment Expires:

16 May 92

STATE OF KANSAS     )  
                          )     SS:  
SEDGWICK COUNTY    )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 1991, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Bob Knight, Mayor of the City of Wichita, Kansas, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

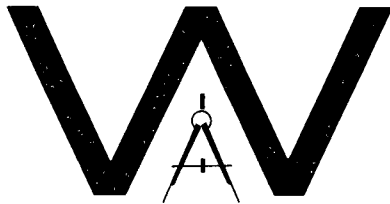
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires:

\_\_\_\_\_

# THE CITY OF WICHITA



CITY ENGINEER'S OFFICE  
CITY HALL — SEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4501

November 14, 1991

Dear Citizen:

You are invited to attend a November 20, 1991, special meeting of Citizen Participation Organization (CPO) Council 5 to hear a proposal to improve Maple, from East of Tyler to West of Ridge that may result in special assessments to your property. The CPO Council will meet at 7:00 p.m. in the Westwood Presbyterian Church, 8007 West Maple. The meeting will be in the Fellowship Hall/Activities Room. Enter the building through the south entrance.

The project will consist of:

- Improving Maple to four lanes from Robin to West of Brunswick.
- Constructing sidewalk.
- Constructing a school pedestrian signal at Mary Benton school.
- Planting trees and seeding the right-of-way.

The work is expected to begin early next year. During construction we anticipate Maple will be open to one-way eastbound traffic.

The enclosed map shows the boundaries of the proposed improvement district (area to be assessed). Specific information on the project is available in my office and will be available at the CPO meeting.

Estimated project cost is \$1,175,000 with the equivalent cost of a two-lane residential street to be assessed to the proposed improvement district. The additional project costs of extra roadway thickness, extra lane widths, sidewalks, pedestrian signal, landscaping, pavement markings, etc. will be paid by the City. The proposed method of assessing the residential street equivalent cost is the land value basis. The estimated assessment rate (based on Sedgwick County appraised land values) is \$0.13 (13 ) per dollar of land value.

Based on the above assessment rate, the estimated total assessment for an 11,000 square foot platted residential lot is \$3,450. If only part of a lot or property is included in the improvement district, the same assessment rate would apply to the portion within the improvement district. Current City policy limits residential assessments to a

maximum of \$2,000. Based on the previous figures, we estimate that approximately \$263,000 or 22% of the project cost would be assessed to the improvement district. These figures exclude any drive approach costs, which are assessed individually to affected properties.

Special assessments for projects like this are billed to the property owner, and can be paid in one lump sum or over 15 years as an assessment against the property. Special Assessment interest rates are established at the time the special assessment bonds are sold. These rates reflect the general economic climate, the financial condition of the City and market interest rates. Since 1977 the interest rates have ranged from a low of 4.35% (spring 1977) to a high of 11.72% (September 1981). The last six special assessment bond sale rates have all been under 7%, with the latest sale this summer being at an interest rate of 6.05%.

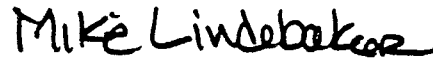
The Special Assessment Deferral Program provides for a deferral of assessments for property owners meeting certain low income guidelines. A brief explanation of the program is enclosed. For more information on the program, contact the City Clerk's office at 268-4526.

The City Council public hearing on this project is scheduled for December 3, 1991, in the City Council Chambers, First Floor, City Hall, 455 North Main. The City Council meeting will begin at 9:00 a.m. You may express your opinion on this matter by writing the City Council, by submitting comments on the enclosed comments form, or by contacting the City Engineer's office. You are also welcome to speak at the Council meeting or be represented by a spokesperson. Petitions or other documents relating to the proposed project may be submitted at that time.

If you wish to submit written comments, please do so by November 21, 1991, so your comments may be forwarded to the City Council.

If you have any questions or need additional information, please contact the City Engineer's Office at 268-4501.

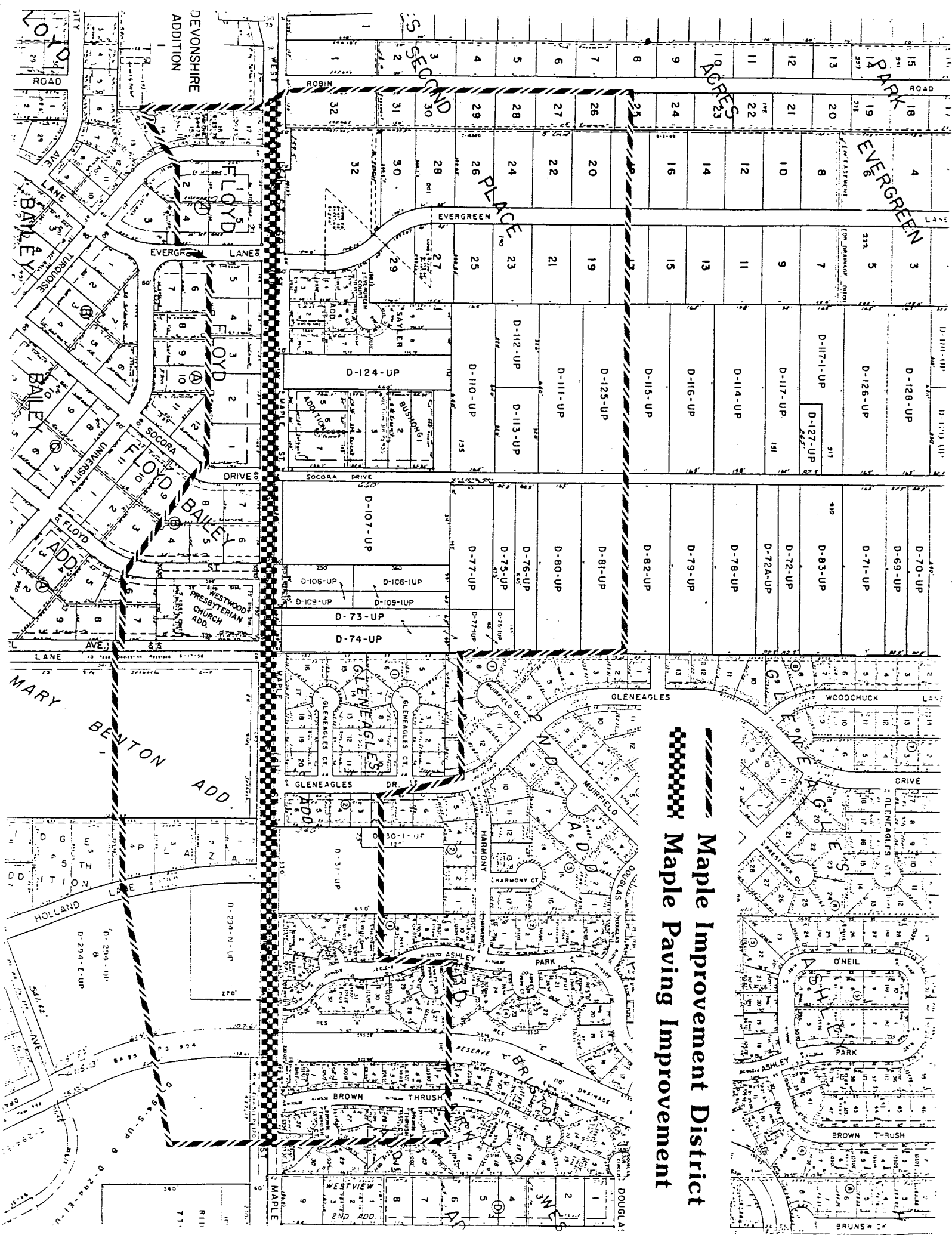
Sincerely,



Michael E. Lindebak, P.E.  
City Engineer

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Enclosure



**Maple Improvement District**  
**Maple Paving Improvement**