



BAUGHMAN COMPANY, P.A.
ENGINEERING, SURVEYING & PLANNING
316/262-7271 • FAX 316/262-0149 • 315 ELLIS • WICHITA, KANSAS 67211

July 20, 1995

Mr. Paul E. Kelsey
9420 W. Central
Wichita, KS 67212

FILE COPY

RE: *Storm Water Construction Permit
Buckhead Addition*

Dear Mr. Kelsey:

We are enclosing a copy of our letter to the state regarding the permit for the above referenced project for your information. We are also enclosing a copy of the Storm Water Pollution Prevention Plan that was developed for this project.

A copy of the SWPPP should be given to each contractor involved in the improvements of this addition. We recommend that the contractors maintain a copy at the construction site. This plan could be checked by KDHE or the local agency approving storm water management plans. Best Management Practices, as outlined in the SWPPP, should be implemented during construction.

If you have any questions or concerns, please let me know.

Respectfully,

Baughman Company, P.A.

Timothy R. Austin, P. E.

enclosures



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July 20, 1995

FILE COPY

Iona J. Stickle
Stormwater Permitting Program
Bureau of Water
Kansas Department of Health and Environment
Forbes Field, Building 283
J Street & 2 North
Topeka, KS 66620-0001

Re: NPDES Permit Application

*Buckhead Addition
Wichita, Kansas*

Dear Ms. Stickle:

We are providing you herewith an application for storm water discharge permit and a signed SWPPP statement. This site is located in Wichita, Kansas.

Please process this application and contact me if you need additional information or have any questions.

Respectfully,
Baughman Company, P. A.


Timothy R. Austin, P. E.

enclosure

cc: Paul E. Kelsey

FORM 1	U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION Consolidated Permits Program (Read the "General Instructions" before starting.)	I. EPA I.D. NUMBER F NOT REQUIRED
LABEL ITEMS I. EPA I.D. NUMBER III. FACILITY NAME FACILITY V. MAILING ADDRESS VI. FACILITY LOCATION		GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-8 which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.
PLEASE PLACE LABEL IN THIS SPACE		

II. POLLUTANT CHARACTERISTICS											
INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.											
SPECIFIC QUESTIONS	MARK 'X'			SPECIFIC QUESTIONS	MARK 'X'						
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED				
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		X					
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)	X			D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)	X						
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X					
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X					
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X					

III. NAME OF FACILITY											
1 BUCKHEAD ADDITION											

IV. FACILITY CONTACT											
A. NAME & TITLE (last, first, & title)						B. PHONE (area code & no.)					
2 KELSEY, PAUL E.						316		729		0900	

V. FACILITY MAILING ADDRESS											
A. STREET OR P.O. BOX											
311535 14th ST CIR.											
B. CITY OR TOWN						C. STATE		D. ZIP CODE			
4 WICHITA						KS		67212			

VI. FACILITY LOCATION											
A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER											
5 S E 1/4 S13 T27S R2W											
B. COUNTY NAME											
SEDGWICK											
C. CITY OR TOWN						D. STATE		E. ZIP CODE		F. COUNTY CODE (if known)	
6 WICHITA											

NPDES Permit Application for Buckhead Addition

The nature of construction for this project will be installation of streets, sanitary sewers, storm sewers, and municipal water to serve eighty-eight single family residential lots. The location and description of the project area is enclosed. Total area of the project to be affected by excavation is approximately 53.1 acres.

Management practices for control of pollutants in stormwater discharge during construction will adhere to the State of Kansas and the City of Wichita erosion and sedimentation standards and the project SWPPP. Compliance with these standards will be subject to verification by the appropriate State and City entities.

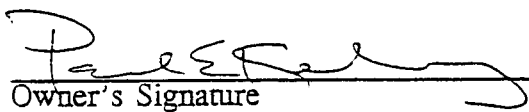
When construction is completed, measures such as retention/detention ponds, screened inlets, vegetative cover, and rip-rapped outlet control will have been taken to minimize pollutant discharge and erosion due to stormwater conveyance. The stormwater sewer system will be completed in compliance with the State of Kansas and the City of Wichita standards.

At the completion of the proposed construction, the cumulative runoff coefficient for the area is estimated to be 0.5 - 0.6 and runoff will drain northeasterly to the Cowskin Creek and then subsequently to the Arkansas River. The soils in the area are generally classified by the SCS as Tabler Silty Clay Loam, Waurika Silt Loam, Milan Clay Loam, and Milan Loam. The predominate classification is Blanket Silt Loam which consists of deep, well drained, moderate to slow permeable soils. This soil was formed in old alluvium, loess, or both. Slopes typically range from 0 to 3%.

Storm Water Pollution Prevention Plan
Certification

I, the undersigned, certify that a Storm Water Pollution Prevention Plan (SWPPP) will be or has been developed for the indicated construction project. I also certify that the SWPPP will be implemented at the time construction begins.

Buckhead Addition
Name of Construction Project


Owner's Signature



Kansas Department of Health and Environment
Bureau of Water-Industrial Programs Section
Forbes Field - Bldg. 283
Topeka, KS 66620-0001
(913) 296-5524

AGREEMENT
BY AND BETWEEN

THE CITY OF WICHITA, KANSAS

Party of the First Part

and

KELSEY DEVELOPMENT, INC.

and

COMFORT HOMES, INC.

and

KLAUSMEYER CONSTRUCTION, LLC

Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal Sanitary Sewer Improvements on Lateral 349, S.W.I. Interceptor; Municipal Water Main Improvements; and Street Improvements and other paving, in Buckhead Addition, within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part are the landowners 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. That Lots 1 through 5, Block B, Buckhead Addition, was part of the improvement district for the following City Projects.

Lateral 349, S.W.I.
Project No. 468-82477

Water Main Improvements
Project No. 448-88925

Street Improvements
Project No. 472-82589

Other Paving
Project No. 472-82650

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

Parcels A, B, C, D, and E, which encompass Lots 1-6, Block B, Buckhead Addition, (see the attached exhibit and legal descriptions) shall each pay 1/5 of the 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 _____, 1997.

The City of Wichita, Kansas

By: _____

Mayor

Party of the First Part

Approved as to form:

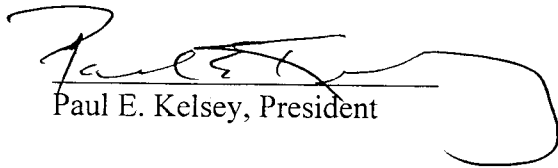
Director of Law

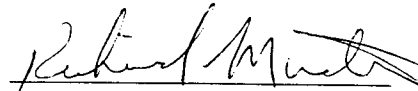
Attest:

City Clerk

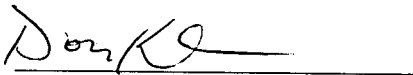
By: Kelsey Development, Inc.

By: Comfort Homes, Inc.


Paul E. Kelsey, President


Richard A. Niedens, President

By: Klausmeyer Construction, LLC


Don Klausmeyer, Member

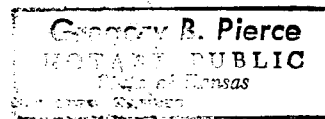
STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 12th day of September, 1997, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Paul E. Kelsey, President of Kelsey Development, 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.


Notary Public

My Appointment Expires: 10/25/99



STATE OF KANSAS)
)
) SS:
SEDGWICK COUNTY)

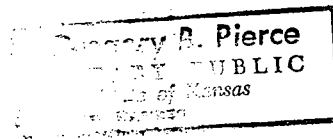
BE IT REMEMBERED, that on this 12th day of September, 1997, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Richard A. Niedens, President of Comfort Homes, Inc., personally known to me to be the same person whom executed the instrument and that such person 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.



Notary Public

My Appointment Expires: 10/25/99



STATE OF KANSAS)
)
) SS:
SEDGWICK COUNTY)

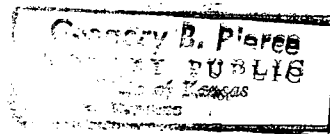
BE IT REMEMBERED, that on this 12th day of September, 1997, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Don Klausmeyer, Member of Klausmeyer Construction, LLC, personally known to me to be the same person whom executed the instrument and that such person is duly authorized by the company 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.



Notary Public

My Appointment Expires: 10/25/99





BAUGHMAN COMPANY, P.A.

ENGINEERING, SURVEYING & PLANNING

316/262-7271 • FAX 316/262-0149 • 315 ELLIS • WICHITA, KANSAS 67211

February 24, 1997

PARCEL A:

All of Lot 1, Block B, Buckhead Addition, Wichita, Sedgwick County, Kansas, TOGETHER with that part of Lot 2 in said Block B described as follows: Beginning at the front corner common to said Lots 1 and 2; thence S63°27'11"W along the lot line common to said Lots 1 and 2, 207.20 feet to the rear corner common to said Lots 1 and 2; thence N00°00'27"E along the rear line of said Lot 2, 20 feet; thence N68°36'34"E, 199.06 feet to the Point of Beginning.

PARCEL B:

All of Lot 2, Block B, Buckhead Addition, Wichita, Sedgwick County, Kansas EXCEPT that part of said Lot 2, described as follows: Beginning at the front corner common to said Lot 2 and Lot 1 in said Block B; thence S63°27'11"W along the lot line common to said Lots 1 and 2, 207.20 feet to the rear corner common to said Lots 1 and 2; thence N00°00'27"E along the rear line of said Lot 2, 20 feet; thence N68°36'34"E, 199.06 feet to the Point of Beginning, TOGETHER with that part of Lot 3 in said Block B described as follows: Beginning at the front corner common to said Lots 2 and 3; thence S72°13'07"W along the lot line common to said Lots 2 and 3, 168.42 feet to the rear corner common to said Lots 2 and 3; thence N00°00'27"E along the rear line of said Lot 3, 30 feet; thence N74°58'48"E, 159.94 feet to a point on the front line of said Lot 3, said point being on a curve to the left; thence southeasterly along said curve, having a central angle of 02°45'41" and a radius of 433 feet, an arc distance of 20.87 feet, (having a chord length of 20.87 feet bearing S16°24'02"E), to the Point of Beginning.



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PARCEL C:

All of Lot 3, Block B, Buckhead Addition, Wichita, Sedgwick County, Kansas, EXCEPT that part of said Lot 3 described as follows: Beginning at the front corner common to said Lot 3 and Lot 2 in said Block B; thence $S72^{\circ}13'07''W$ along the lot line common to said Lots 2 and 3, 168.42 feet to the rear corner common to said Lots 2 and 3; thence $N00^{\circ}00'27''E$ along the rear line of said Lot 3, 30 feet; thence $N74^{\circ}58'48''E$, 159.94 feet to a point on the front line of said Lot 3, said point being on a curve to the left; thence southeasterly along said curve, having a central angle of $02^{\circ}45'41''$ and a radius of 433 feet, an arc distance of 20.87 feet, (having a chord length of 20.87 feet bearing $S16^{\circ}24'02''E$), to the Point of Beginning, TOGETHER with that part of Lot 4 in said Block B described as follows: Beginning at the front corner common to said Lots 3 and 4; thence $S80^{\circ}59'03''W$ along the lot line common to said Lots 3 and 4, 146.84 feet to the rear corner common to said Lots 3 and 4; thence $N00^{\circ}00'27''E$ along the rear line of said Lot 4, 50 feet; thence $N85^{\circ}55'06''E$, 141.13 feet to a point on the front line of said lot 4, said point being on a curve to the left; thence southerly along said curve, having a central angle of $04^{\circ}56'03''$ and a radius of 433 feet, an arc distance of 37.29 feet, (having a chord length of 37.28 feet bearing $S06^{\circ}32'55''E$), to the Point of Beginning.

PARCEL D:

All of Lot 5, Block B, Buckhead Addition, Wichita, Sedgwick County, Kansas, EXCEPT the north 20 feet thereof, TOGETHER with Lot 4 in said Block B, EXCEPT that part of said Lot 4 described as follows: Beginning at the front corner common to said Lot 4 and Lot 3, in said Block B; thence $S80^{\circ}59'03''W$ along the lot line common to said Lots 3 and 4, 146.84 feet to the rear corner common to said Lots 3 and 4; thence $N00^{\circ}00'27''E$ along the rear line of said Lot 4, 50 feet; thence $N85^{\circ}55'06''E$, 141.13 feet to a point on the front line of said Lot 4, said point being on a curve to the left; thence southerly along said curve, having a central angle $04^{\circ}56'03''$ and a radius of 433 feet, an arc distance of 37.29 feet, (having a chord length of 37.28 feet bearing $S06^{\circ}32'55''E$), to the Point of Beginning.

PARCEL E:

All of Lot 6, Block B, Buckhead Addition, Wichita, Sedgwick County, Kansas, TOGETHER with the north 20 feet of Lot 5 in said Block B.