

EASEMENT

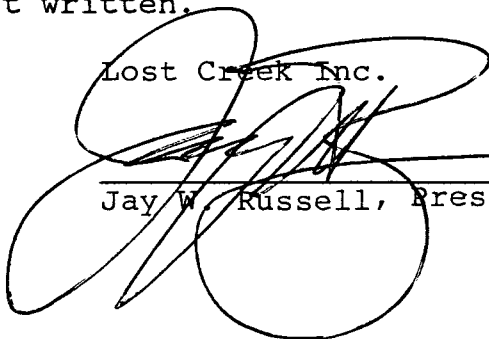
THIS EASEMENT made this 17th day of May, 1994,
by and between Lost Creek Inc.
of the first part and the City of Wichita of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing sewer and all other public utilities, over, along and under the following described real estate situated in Sedgwick County, Kansas; to wit:

A tract of land lying in the SE $\frac{1}{4}$ of Sec. 24, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas, and completely within the boundary of BREEZY POINTE 2ND ADDITION, Wichita, Sedgwick County, Kansas, described as commencing at the S.W. Corner of Lot 29, Block 3; thence N 00°15'14" W, along the west line of Lot 29, for a distance of 10.18 feet to a point of intersection with the north line of a 20 foot wide utility easement from the east; thence S 79° W, along aforesaid easement line extended westerly for a distance of 3.57 feet for a POINT OF BEGINNING; thence continuing S 79° W, along aforesaid easement line extended westerly for a distance of 88.04 feet to a point on the east line of a 30 foot wide utility easement; thence S 00°15'14" E, along the east line of aforesaid easement for a distance of 32.93 feet to a point on the north line of a 20 foot wide utility easement; thence N 60°02'26" E, along the north line of aforesaid easement for a distance of 99.58 feet to the POINT OF BEGINNING.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

Lost Creek Inc.


Jay W. Russell, President

City of Wichita)
Sedgwick County) SS
State of Kansas)

The foregoing instrument was acknowledged before me this
17th day of May, 1994
Jay W. Russell, President
Lost Creek Inc.

Mildred E. Franz, Notary Public
Mildred E. Franz

My Appointment Expires: February 3, 1995.

MILDRED E. FRANZ
NOTARY PUBLIC
STATE OF KANSAS

EASEMENT

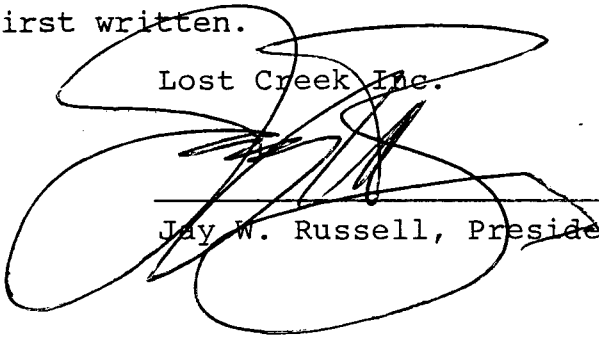
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A tract of land lying in the SE $\frac{1}{4}$ of Sec. 24, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas, and completely within the boundary of BREEZY POINTE 2ND ADDITION, Wichita, Sedgwick County, Kansas, described as the northerly 10 feet of Lot 5, Block 3, together with the southerly 10 feet of Lot 4, Block 3, with the intent to describe a 20 foot wide utility easement 10 feet either side of the common property line of Lots 4 and 5, Block 3.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

Lost Creek Inc.


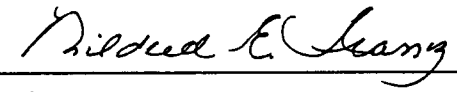
Jay W. Russell, President

City of Wichita)
Sedgwick County) SS
State of Kansas)

The foregoing instrument was acknowledged before me this
17th day of _____ May _____, 19 94

Jay W. Russell, President

Lost Creek Inc.


_____, Notary Public
Mildred E. Franz

My Appointment Expires: _____ February 3, _____, 19 95 .

MILDRED E. FRANZ
NOTARY PUBLIC
STATE OF KANSAS

EASEMENT

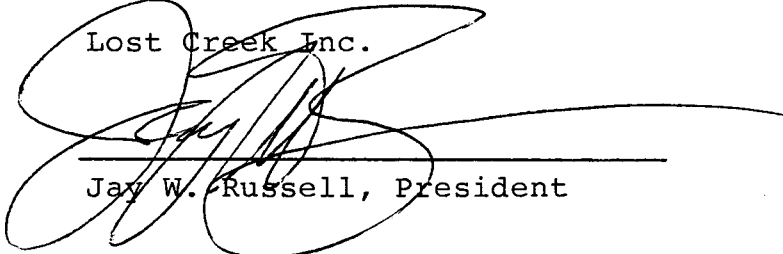
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A tract of land lying in the SE $\frac{1}{4}$ of Sec. 24, Twp. 27-S, R-2-W of the 6th P.M., Sedgwick County, Kansas, and completely within the boundary of BREEZY POINTE 2ND ADDITION, Wichita, Sedgwick County, Kansas, described as commencing at the N.E. Corner of Lot 5, Block 3, for a POINT OF BEGINNING; thence S 04°12'32" E, along the east line of Lot 5, Block 3, for a distance of 10.96 feet; thence N 77°58'31" E, for a distance of 188.91 feet more or less to a point on the south line of Lot 1, Block 3, which is 28.49 feet east of the S.W. Corner of Lot 1, Block 3; thence N 89°11'25" W, for a distance of 192.09 feet more or less to the S.W. Corner of Lot 3, Block 3; thence S 04°12'32" E, for a distance of 32.98 feet to the POINT OF BEGINNING.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

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Sedgwick County) SS
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Mildred E. Franz, Notary Public

Mildred E. Franz

My Appointment Expires: February 3, 19 95.

MILDRED E. FRANZ
NOTARY PUBLIC
STATE OF KANSAS

Breezy
Pointe
2nd
Addn.

File copies only
5/11/94

Page 1 of 2

EASEMENT

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the receipt whereof is hereby acknowledged, does hereby grant and
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easement for the purpose of constructing, maintaining, and
repairing sewer and all other public utilities, over, along and
under the following described real estate situated in Sedgwick
County, Kansas; to wit:

A tract of land lying in the SE $\frac{1}{4}$ of Sec. 24, Twp. 27-S,
R-2-W of the 6th P.M., Sedgwick County, Kansas, and
completely within the boundary of BREEZY POINTE 2ND AD-
DITION, Wichita, Sedgwick County, Kansas, described as
a 25 foot wide continuous strip over and across Lots 5
thru 19, Block 3, lying between the street right-of-way
lines and 25 foot building setback lines for the afore-
mentioned lots as follows:

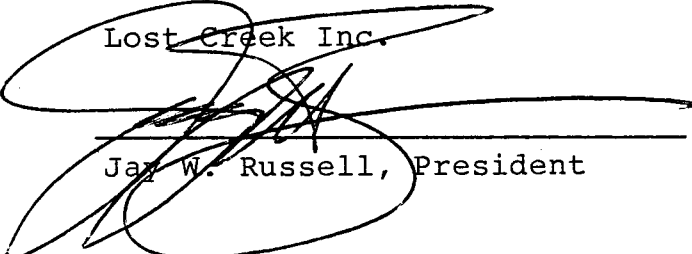
Lots 5-9, from the right-of-way line of the cul-de-sac
portion of Jayson Lane Court to the concentric 25 foot
building setback line;

Lots 9-10, from the west right-of-way line of Jayson
Lane Court to the concentric 25 foot building setback
line;

Lots 10-19, from the south right-of-way line of Jayson
Lane to the parallel / concentric 25 foot building
setback line;

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

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Lost Creek Inc.

Jay W. Russell, President

City of Wichita)
Sedgwick County) SS
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MILDRED E. FRANZ
NOTARY PUBLIC
STATE OF KANSAS



KANSAS STATE BOARD OF AGRICULTURE

Sam Brownback, Secretary

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer-Director

901 S. Kansas Avenue, Second Floor

Topeka, Kansas 66612-1283

(913) 296-3717 Fax (913) 296-1176

May 19, 1993

DR BEN HUIE
12011 ROLLING HILLS DRIVE
WICHITA KS 67235-1303

Re: Breezy Pointe Addition
Floodway Fill and Floodway Fringe Fill
for Residential Development
Calfskin Creek
Sedgwick County
WSN: LSG-0077, Notice No. 92523

Dear Dr. Huie:

Following up on your April 30, 1993, telephone conversation regarding the development with Mr. Russell W. LaForce, enclosed is a copy of the "Application Notice" for subject project.

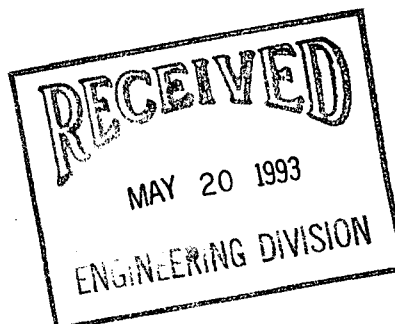
You are invited to submit your comments concerning the project as indicated in the notice by May 30, 1993. If there are any questions, please contact me.

Very truly yours,

Donald J. Bishop, P.E.
Water Structures Section

DJB:pa

pc: Mr. N. Brent Wooten, P.E.
Stafford Field Office
Mr. Fred C. Foshag, P.E.
~~Mr. Chris Breitenstein, P.E.~~
Mr. J. W. Russell



Please print or type in the unshaded areas only
 (fill-in areas are spaced for elite type, i.e., 12 characters/inch).

Form Approved OMB No. 158-R0125

FORM 1	EPA	U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION <i>"Consolidated Permit Program"</i> <i>(Read the "General Instructions" before starting.)</i>	I. EPA I.D. NUMBER F NOT REQUIRED
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II. FACILITY INFORMATION I. EPA I.D. NUMBER III. FACILITY NAME V. FACILITY MAILING ADDRESS VI. FACILITY LOCATION	PLEASE PLACE LABEL IN THIS SPACE
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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-B 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.

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

SHIP BREEZY POINTE 2ND ADDITION

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title)	B. PHONE (area code & no.)
JAY W. RUSSELL	316 722 2417

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX			
PO BOX 9007			
B. CITY OR TOWN		C. STATE	D. ZIP CODE
WICHITA		KS	67277

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER			
N 1/2 SE 1/4 SEC 24 TWP 27S R2W			
B. COUNTY NAME			
SEDGWICK			
C. CITY OR TOWN		D. STATE	E. ZIP CODE
WICHITA		KS	

CONTINUED FROM THE FRONT

VII. SIC CODES (4-digit, in order of priority)

A. FIRST		B. SECOND	
7	(specify)	7	(specify)
C. THIRD		D. FOURTH	
7	(specify)	7	(specify)

VIII. OPERATOR INFORMATION

A. NAME		B. Is the name listed in Item VIII-A also the owner?	
6		<input type="checkbox"/> YES <input type="checkbox"/> NO	
C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box. If "Other", specify.)		D. PHONE (area code & no.)	
F - FEDERAL S - STATE P - PRIVATE M - PUBLIC (other than federal or state) O - OTHER (specify)		A M	
E. STREET OR P.O. BOX			
F. CITY OR TOWN		G. STATE	H. ZIP CODE
6			
		IX. INDIAN LAND	
		Is the facility located on Indian lands?	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)		D. PSD (Air Emissions from Proposed Sources)	
9	N	9	P
B. UIC (Underground Injection of Fluids)		E. OTHER (specify)	
9	U	(specify)	
C. RCRA (Hazardous Wastes)		E. OTHER (specify)	
9	R	(specify)	

XI. MAP

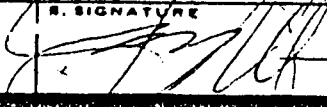
Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in the map area. See instructions for precise requirements.

XII. NATURE OF BUSINESS (provide a brief description)

THE OWNER IS DEVELOPING THIS AREA INTO SINGLE FAMILY RESIDENTIAL HOME SITES. STREETS, SEWER LINES, SANITARY SEWERS AND WATER LINES WILL BE INSTALLED BY THE CITY OF WICKLIFFE. THE OWNER WILL BUILD HOMES OR SELL TO OTHER BUILDERS THE LOTS WITHIN THE ADDITION.

XIII. CERTIFICATION (see instructions)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)	B. SIGNATURE	C. DATE SIGNED
OWNER - J.W. RUSSELL PRESIDENT		4/15/83

COMMENTS FOR OFFICIAL USE ONLY

C

NPDES PERMIT APPLICATION FOR BREEZY POINTE 2ND ADDITION

The nature of construction for this project will be installation of sanitary and storm sewers, municipal water service, and construction of streets to serve 120 residential lots. The location and description of the project area are attached. Total area of the project to be affected by excavation is approximately 50 acres.

Management practices for control of pollutants in stormwater discharge during construction will adhere to State of Kansas and City of Wichita erosion and sediment standards.

Compliance with these standards will be subject to verification by those State and City entities and the engineer.

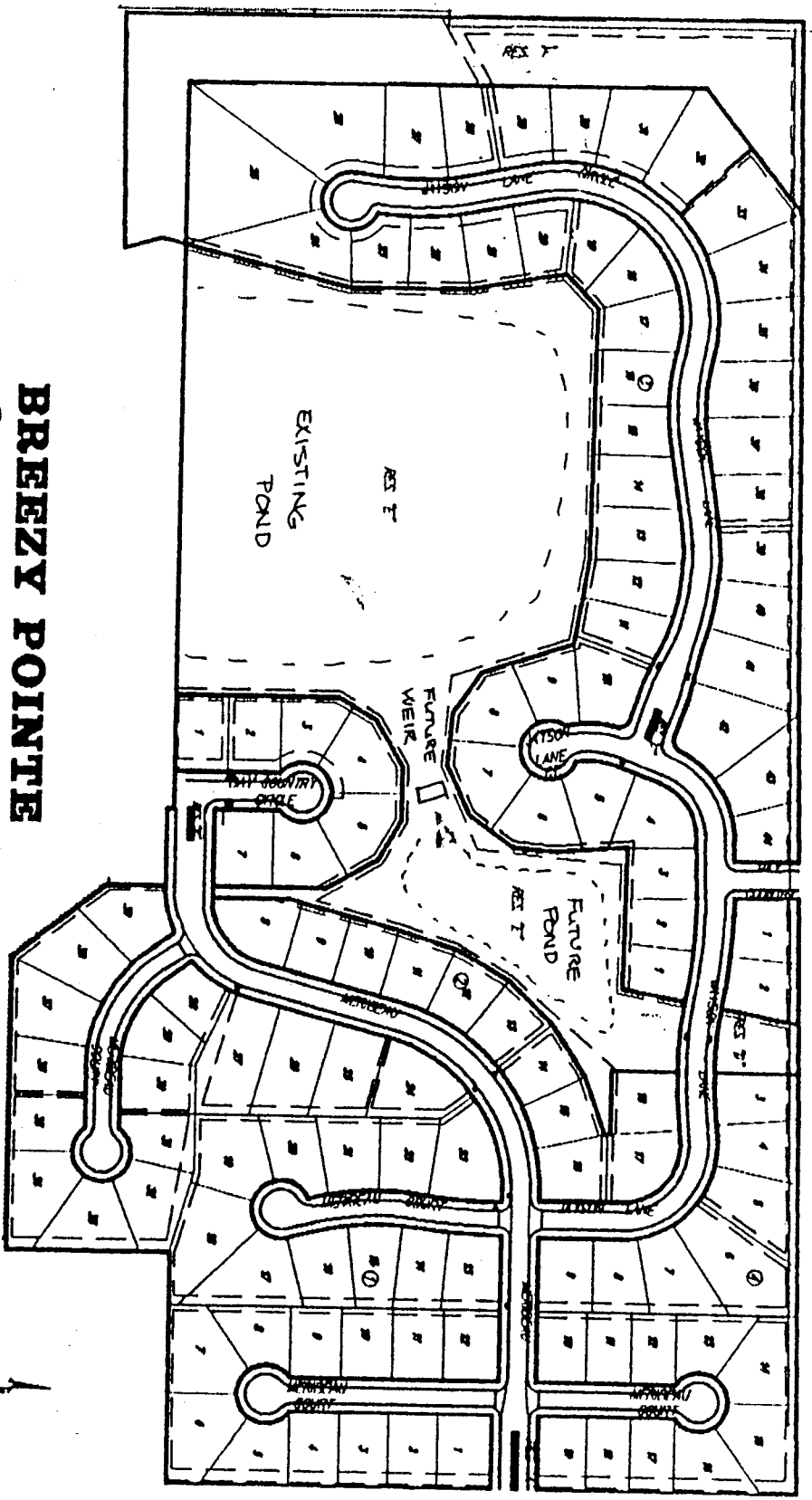
When construction is completed, measures such as screened inlets, vegetative cover, and rip-rapped outlet control will have been taken to minimize pollutant discharge and erosion due to stormwater conveyance. The stormwater sewer system will be completed in compliance with the State of Kansas and the 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 south to Calfskin Creek. The approximate impervious area will be 30%.

The soil in the area is classified in the Vanoss series, which consists of deep, well drained, moderately permeable soils.

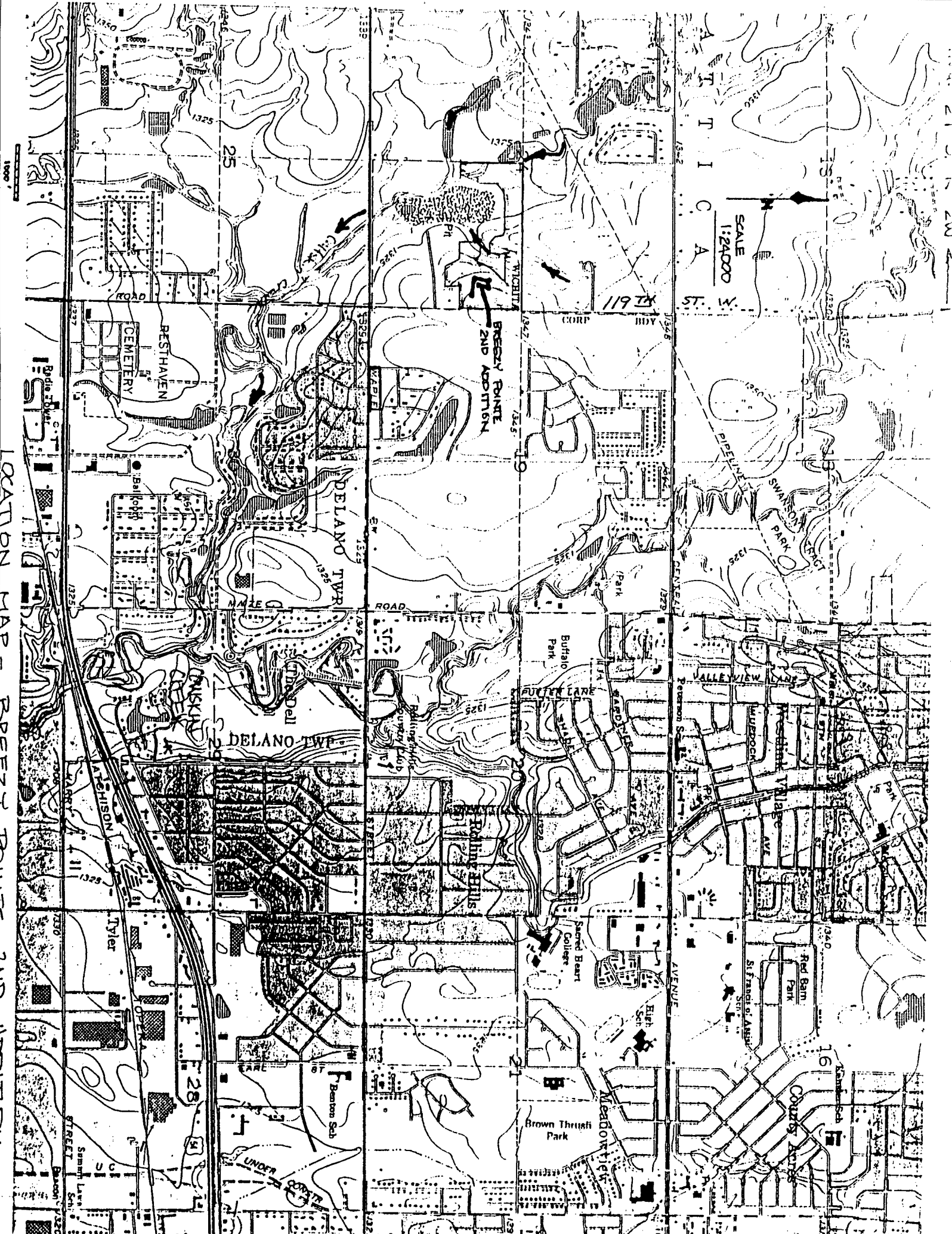
State of Kansas) SS. Mr. Stephen G. Denny, P.L., Surveyor in
 (Sealed County) and state as hereby certified that he has surveyed
 and plotted 308277 ACRES AND ADJACENT, Wichita, Sealed County
 Kansas and that the accompanying plat is a true and correct exhibit
 of the property surveyed described as follows: That part of the
 SE 1/4 of Sec. 24, Twp. 27-S, R. 2-W of the 6th P.M. Subject
 Granty Acreage described as commencing at the S.E. Corner thereof
 thence N00D00 1/2° E along the east line of said SE 1/4 1258.12 feet
 to a piece of beginning; thence S89 59' 48" W 178.63 feet; thence
 S00D0 1/2° E 279.25 feet; thence S89 59' 48" W 583.54 feet; thence
 thence N48 11' 29" E 187 feet; thence N00D0 1/2° E 100 feet;
 thence S89 59' 48" W 187 feet; thence N00D0 1/2° E 12.60 feet;
 thence S18 29' 13" E 68.53 feet; thence S17 01' 31" W 41.85 feet
 to the east line of said SE 1/4; thence S89 59' 48" W 408.27 feet
 to the east line of said SE 1/4; thence N00D0 1/2° E along the east
 line of said SE 1/4 184.07 feet to the N.E. Corner of said SE 1/4;
 thence S89 59' 48" W 184.07 feet to the N.E. Corner of said SE 1/4;
 to the N.E. Corner of said SE 1/4; thence S00D0 1/2° E along the
 east line of said SE 1/4 1001.16 feet to the piece of beginning.

**BREEZY POINTE
 2ND ADDITION
 WICHITA, SEDGWICK COUNTY, KANSAS.**



SCALE
 1" = 300'





LOCATION MAP - BREGGY POINT 2ND ADDITION

SCALE
1:24000

N

ST.

119th

RD

BREGGY POINT
2ND ADDITION

DELANO TWP

DELANO TWP

VALLEYVIEW LANE

BUFFALO PARK

Rolling Hills

Brown Thrush Park

Meadowfield

Courts Annex

Fed Barn
Park

St. Francis of Assisi

St.

St. Bernadette

UNDER

1000'

RESTHAVEN

CEMETERY

Rolling Hills

St. Bernadette

St. Francis of Assisi

St.

St. Bernadette

St.

St. Bernadette

St.

St. Bernadette

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 4

October 1, 1992

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 92-44 - BREEZY POINTE 2ND ADDITION

OWNER/APPLICANT: Jay W. Russell, Contract Purchaser, 515 Maize Road, Wichita, KS 67212

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

LOCATION: North of Maple and west of 119th Street West

SITE SIZE: 66.8 Acres

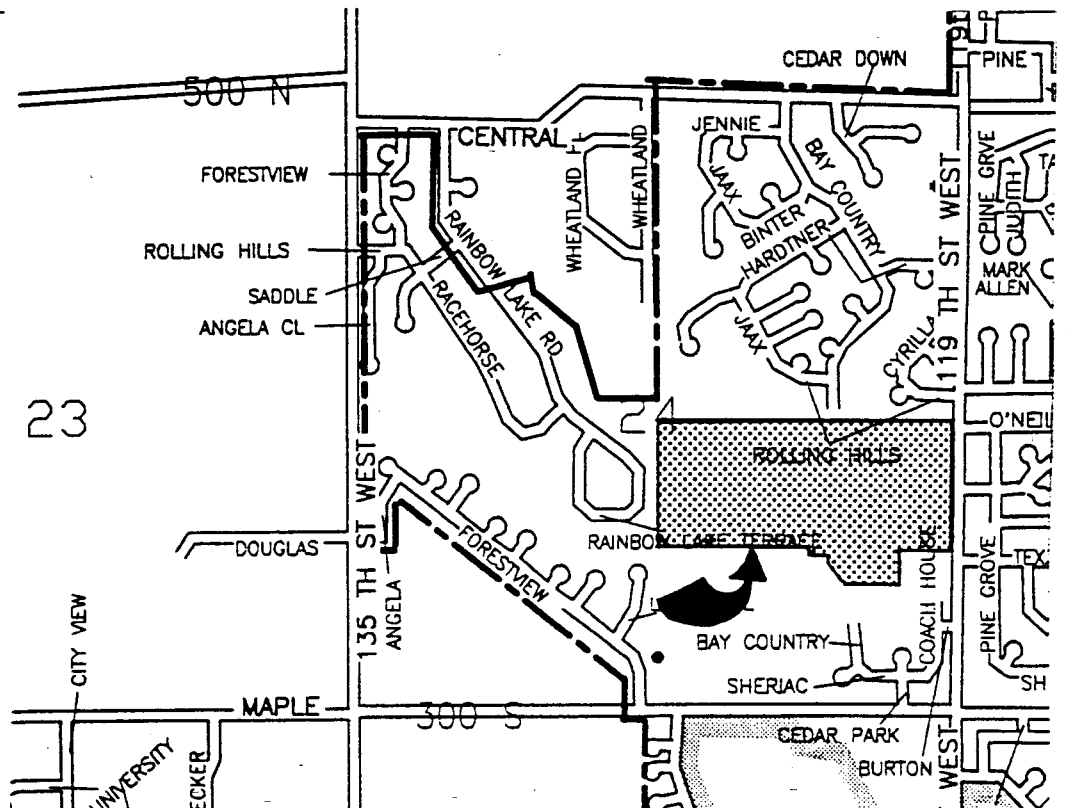
NUMBER OF LOTS

Residential:	118
Office:	
Commercial:	
Industrial:	
Total:	118

MINIMUM LOT AREA: 9,400 sq. ft.

CURRENT ZONING: "AA" One Family Dwelling

VICINITY MAP:



NOTE: This plat represents a final portion of an overall preliminary plat, Bay Country Estates, approved as a preliminary plat in 1987. This plat represents the final portion of the original 160 acre site covered by the preliminary. This final plat is proposing some changes from what was proposed by the preliminary plat. Specifically, the street Bay Country is no longer being taken straight through the site but is instead being broken up by the extension of a Reserve across what originally would have been a continuous street between what is now shown as Bay Country Court and Jayson Court. The pattern of culs-de-sac coming off of Meribeau is also somewhat altered. In general, however, the character of this final is in agreement with the overall preliminary plat.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. The applicant shall guarantee the installation of sidewalk in this addition to correspond to the system of sidewalks found or planned in the additions north and south of this site. Specifically, sidewalk needs to be guaranteed along one side of Meribeau from 119th Street West to Bay Country Court as shown at the south line of the plat. Also, sidewalk needs to be extended along Cedar Park/Jayson (as shown on this plat) from Meribeau to where Bay Country enters this site from the north.

It is recommended that because of the extensive length of Jayson/Breezy Point Circle that sidewalk be continued along this street segment from Bay Country to the end of the cul-de-sac.
- G. Traffic Engineering should be prepared to discuss any traffic improvements that should be considered for this site's point of access from 119th Street West.
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

- I. Both in terms of length and the number of dwellings accessing Breezy Pointe Circle/Jayson, this street requires platting at the 64-foot right-of-way standard. The amount of traffic that enters and consequently must exit past the same lots would be expected to exceed reasonable traffic volumes for a street allowing potentially only one moving lane. Further, this excessively long cul-de-sac will be largely surrounded by Reserves used for drainage purposes and no reasonable alternative means of emergency access can be provided except along this street.

Under such conditions, the Subdivision Regulations have indicated that a 64-foot right-of-way is to be provided.

- J. It is recommended that, prior to submitting the final plat, the applicant discuss with Central Inspection the use of street names being shown on this plat. Both issues of addressing and the proper naming of the streets need to be resolved. In terms of street names, the applicant is reminded that when possible existing names should be used: Jayson for instance was shown on the preliminary plat as O'Neil which corresponds to an existing street east of 119th St. West. O'Neil should be used for the full length of the street coming off of Meribeau and eventually terminating as O'Neil Circle.

Further, all of the culs-de-sac coming off of Meribeau should be labeled as Meribeau Court instead of Cedar Park, Coachhouse, or a Meribeau Circle. Also Bay Country at the plat's southern end should most likely be indicated as a circle and not a court.

- 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.
- L. For those reserves being platted for drainage or floodway 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.
- M. 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.
- N. Access for residents into Reserve D appears to be extremely limited, especially for the properties along the north and west

sides of Block 3. It is recommended that an additional means of access such as the extension of the reserve or an access easement, be provided somewhere in the area of Lots 10 to 24 of Block 3.

- O. A typographical error in the plattor's text should be corrected where reference is made to the uses of reserves for drainage purposes (instead of drainage purposed).
- P. The applicant is reminded that a platting binder is to be submitted with a final plat. This binder shall be submitted with the final plat tracing and scheduling of the plat for City Council review shall be subject to review of this binder and the satisfaction of any appropriate conditions noted in the binder.
- Q. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- R. 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 representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- 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, is the minimum building pad correct, are the boundaries of the floodway or drainage reserves adequate and are any drainage guarantees required with the platting of this property?