

EASEMENT

THIS EASEMENT made this 30th day of October
1986, by and between Clifford A. Nies

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:

Beginning at the S.E. Corner of Lot 1, Block 3, Second Addition to Cedar Ridge, Wichita, Kansas; thence northerly along the east line of said lot, a distance of 69.01 feet; thence southwesterly along a line perpendicular to the said east lot line a distance of 5 feet; thence southeasterly along a line parallel to the said east lot line to a point on the south line of said lot; thence east along the south lot line to a 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.

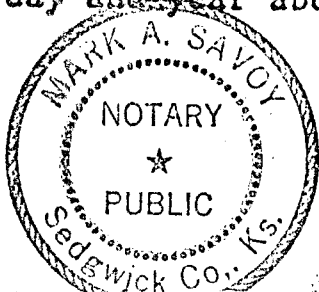
IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

Cherry Creek Development Inc
Clifford A. Nies Pres.
CLIFFORD A. NIES

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Be it remembered that on this 30th day of October
1986, before me, a notary public in and for said County and State, came Clifford A. Nies Pres. of Cherry Creek Development, Inc. to me personally known to be the same person(s) who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

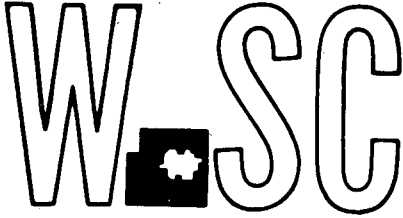
SEAL



Mark A. Savoy
Notary Public
Mark A. Savoy

off-site util. easmt
req. with Sixth Addn to
Cedar Ridge Real OK.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

September 12, 1986

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



Re: Final Plat S/D 86-70 - SIXTH ADDITION TO CEDAR RIDGE

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, September 11, 1986, 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 make satisfactory arrangements with the Water Department for relocation and/or removal of the water meters installed when this property was planned for development of duplexes.
- B. The applicant shall guarantee the extension of sanitary sewer to serve Lots 1 and 2.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. 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.
- E. Given the applicant's intended use of this property for zero-lot line homes and the associated BZA variance request, the Subdivision Committee recommended waiver of the 60-foot wide lot frontage requirement of the Subdivision Regulations when the preliminary plat was approved, Section 7-204(D)(1).
- F. Proof shall be submitted as to which partners comprising the partnership must execute documents on behalf of the partnership (e.g., copy of partnership agreement or certification from a title company).
- G. Approval of this preliminary plat is subject to approval of the applicant's associated BZA Case (BZA 27-86) by the Board of Zoning Appeals.

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- H. The applicant is advised that, if existing driveways to Skinner Street are not at locations suitable for the proposed zero lot-line development, they should be closed at the time of lot development.
- I. The applicant shall obtain the off-site utility easement needed to extend sanitary sewer to serve proposed Lot 1.
- J. The applicant shall submit, to City Engineering, figures for the square footages of the lots being platted so special assessments can be respread.
- K. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- L. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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, September 18, 1986 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



Forrest L. Nagley
Senior Planner

FLN:dik

Enclosure

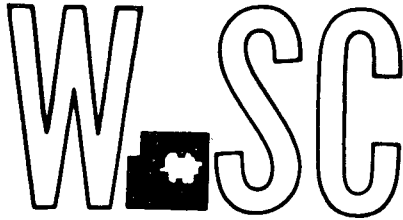
cc: Pembroke Company, c/o Tim Buchanan, Buchanan Homes, Inc.,
1615 N. Woodridge, Wichita, KS 67206
Mike Lindebak, City Engineer

Prc Sub 9-11-86

1. Arbak M. Johnson. Vacation of Access Control. No Water problem.
2. Lloyd D. Williams. Vacation of Utility Easmt. and Bldg. Setback. No Water problem.
3. Joe E. Mathews III. Vacation of Bldg. Setback. No Water problem.
4. Buddy and Peggy Hill. Vacation of Access Control. No Water problem.
5. Gatewood Addition. Preliminary Plat. Item B, mains to be extended. Existing 8" and 20" mains in Central. Possible loop by tying to Webb Road between lots 13 and 15 at the end of Shannon Circle.
6. Harvest Chapel Addition. Final Plat. Item A, mains to be extended. 12" Main to be extended in 55th St. So. No Water problem.
7. Este Cate Second Addition. Final Plat. Area now served by existing mains. No Water problem.
8. Gray's Third Addition. Final Plat. Item B, mains to be extended in Hoover and/or MacArthur as required. No Water problem.
9. Dave Waters Addition. Final Plat. No city water available; nearest water at Hydraulic and 55th St. So. No Water problem.
10. Holtman Addition. Final Plat. No City Water. No Water problem.
11. Sixth Addition to Cedar Ridge. Final Plat. Item A, meters to be relocated or removed as necessary. No Water problem.

12. SpringHollow 3rd. Preliminary Plat. Item A, petitions to be amended or abandoned. Item B, mains to be extended. Item G, outside-the-city service application to be submitted. Note: Project No. 448-80-925-80174-000-000-001 under the Water Dept. now covers SpringHollow 3 and has been assigned 448-76-245-88146-000-000-001 under MAPD-Design.
13. World Impact Addition. Preliminary Plat. Existing 6" water main in Gardeners. Sanitary sewer is running parallel and less than 10 ft. of horizontal separation. Any future sanitary extension will require 10' separation.
14. Masterbilt Addition. Final Plat. Lots 1-4 served by 6" water line in Florence and along Third St. along Lot 1. Lot 5 is served along West Street. The North side of Lot 5 is not served; would suggest main extension be considered along Third St. along Lot 5.
15. Ayesk Addition. Preliminary Plat. Area now served by water mains in Oliver and Dellrose; mains not shown on sketch plat. No water problem.
16. Charles Court Addition. Final Plat. Plat now served by water line in Charles St., No water problem.
17. City Land Inventory Case
 - Tract I: 20" Main along the east side of canal entrance at the west side of the canal (approx. 95' EEL of Minneapolis)
Possible service connection from 20" main or extend 2 1/2" PVC Main from a point 12' NNL Hwy # 217 N Minneapolis. No water problem.
 - Tract II: Suggest extending 2 1/2" PVC Main to serve this tract due to probable cheaper cost depending on location of 20" main.
18. Other Matters.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

August 28, 1986



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

Re: Preliminary Plat S/D 86-70 - SIXTH ADDITION TO CEDAR RIDGE

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, August 28, 1986, 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 make satisfactory arrangements with the Water Department for relocation and/or removal of the water meters installed when this property was planned for development of duplexes.
- B. The applicant shall guarantee the extension of sanitary sewer to serve Lots 1 and 2.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. 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.
- E. The platlor's text on the final plat shall make appropriate reference to the platting of the 5-foot maintenance access easement required by zero-lot line development. If the planned units require this easement for a roof overhang, the text shall also reference this as a purpose of the easement.
- F. Given the applicant's intended use of the property for zero-lot line homes and his associated BZA variance request, the Subdivision Committee recommends waiver of the 60-foot wide lot frontage requirement of the Subdivision Regulations.

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Preliminary Plat S/D 86-70 - SIXTH ADDITION TO CEDAR RIDGE
Page 2

- G. Proof shall be submitted as to which partners comprising the partnership must execute documents on behalf of the partnership (e.g., copy of partnership agreement or certification from a title company).
- H. Approval of this preliminary plat is subject to approval of the applicant's associated BZA Case (BZA 27-86) by the Board of Zoning Appeals.
- I. The applicant is advised that, if existing driveways to Skinner Street are not at locations suitable for the proposed zero lot-line development, they should be closed at the time of lot development.
- J. The applicant shall obtain the off-site utility easement needed to extend sanitary sewer to serve proposed Lot 1.
- K. 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.
- L. 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.
- M. 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,



Forrest L. Nagley
Senior Planner

FLN:dik

Enclosure

cc: Pembroke Company, c/o Tim Buchanan, Buchanan Homes, Inc,
1615 N. Woodridge, Wichita, KS 67206
Mike Lindebak, City Engineer

Pre-Sub Aug. 28, '84

1. Board of Sedg. Cnty. Comms. . Vacation of Utility easements.
No Water lines in alley, no water problem.
2. St. Francis Regional Medical Center. Vacation of Pvt. St., Util. Esmt.
San. Sewer Esmt. Existing 6" main, fire hydrant, 6" fire
service, and 2" domestic service in area to be vacated.
Cost of relocation to be at St. Francis Reg. Med. Center
expense. Main may have to be extended in Santa Fe to
serve the area.
3. Sixth Addition to Cedar Ridge. Preliminary Plat. Item A,
services to be removed or relocated. Cost to be at
expense of Developer. Existing 8" main in Skinner
serves the plot. New services to be installed by Water
Dept. as needed when development occurs.
4. Rent-A-Center. Preliminary Plat. Item B, mains to be
extended. No water problem. 20" Main to be extended
north along Rock Road from 37th as project # 88105
by Mid-Stobbs Construction.
5. Lyle and Evelyn Wheatcraft. Grant additional Utility Esmt.
No water problem.
6. Carl and Karen Jaax. Grant Utility Esmt. No
water problem.
7. Daniel M. Loyd. Grant Utility Esmt. . No water problem.
8. 45 Rock Road Industrial Park. Revised Final Plat.
Water mains in Rock Rd. will be extended by petitions.
9. Other Matters.

S/D No.: 86-70 Name: SIXTH ADDITION TO CEDAR RIDGE

Preliminary Approved: 8/28/86
Scheduled S/D Meeting: 9/11/86

DESCRIPTION

General Location: South side of Skinner, between Cooper and Beech.
Owner: Pembroke Company, c/o Tim Buchanan, Buchanan Homes, Inc.,
1615 N. Woodridge, Wichita, KS 67206
Surveyor/Engineer: Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

1. Gross Acreage of Plat: 0.86 Acre
2. Number of Lots:
 - Residential: 5
 - Office:
 - Commercial:
 - Industrial:
 - Total: 5
3. Minimum Lot Area: 6,144.8 Sq. Ft.
4. Existing Zoning: "A"
5. Proposed Zoning: "A"

STAFF COMMENTS:

NOTE: The applicant has filed an associated Board of Zoning Appeals Case (BZA 27-86) that proposes a variance of the side-yard setback in order to construct zero-lot line homes.

- A. The applicant shall make satisfactory arrangements with the Water Department for relocation and/or removal of the water meters installed when this property was planned for development of duplexes.
- B. The applicant shall guarantee the extension of sanitary sewer to serve Lots 1 and 2.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. 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.
- E. Given the applicant's intended use of this property for zero-lot line homes and the associated BZA variance request, the Subdivision Committee recommended waiver of the 60-foot wide lot frontage requirement of the Subdivision Regulations when the preliminary plat was approved, Section 7-204(D)(1).
- F. Proof shall be submitted as to which partners comprising the partnership must execute documents on behalf of the partnership (e.g., copy of partnership agreement or certification from a title company).
- G. Approval of this preliminary plat is subject to approval of the applicant's associated BZA Case (BZA 27-86) by the Board of Zoning Appeals.
- H. The applicant is advised that, if existing driveways to Skinner Street are not at locations suitable for the proposed zero lot-line development, they should be closed at the time of lot development.
- I. The applicant shall obtain the off-site utility easement needed to extend sanitary sewer to serve proposed Lot 1.
- J. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- K. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- L. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.

S/D No.: 86-70 Name: SIXTH ADDITION TO CEDAR RIDGE

Preliminary Approved:
Scheduled S/D Meeting: 8/28/86

DESCRIPTION

General Location: South side of Skinner, between Cooper and Beech.
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2. Number of Lots:
 - Residential: 5
 - Office:
 - Commercial:
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 - Total: 5
3. Minimum Lot Area: 6,144.8 Sq. Ft.
4. Existing Zoning: "A"
5. Proposed Zoning: "A"

STAFF COMMENTS:

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- A. The applicant shall make satisfactory arrangements with the Water Department for relocation and/or removal of the water meters installed when this property was planned for development of duplexes.
- B. The applicant shall guarantee the extension of sanitary sewer to serve Lots 1 and 2.
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- E. The platlor's text on the final plat shall make appropriate reference to the platting of the 5-foot maintenance access easement required by zero-lot line development. If the planned units require this easement for a roof overhang, the text shall also reference this as a purpose of the easement.
- F. The applicant is proposing to plat lots which do not meet the minimum 60-foot wide lot frontage requirement of the Subdivision Regulations Section 7-204 (D) (1). This reduction of lot frontage is proposed in conjunction with the planned development of zero-lot line homes. Given the applicant's intended use of the property for zero-lot line homes and his associated BZA variance request, it is recommended that the Subdivision Committee approve this preliminary plat with the reduced lot frontages.
- G. Proof shall be submitted as to which partners comprising the partnership must execute documents on behalf of the partnership (e.g., copy of partnership agreement or certification from a title company).
- H. Approval of this preliminary plat is subject to approval of the applicant's associated BZA Case (BZA 27-86) by the Board of Zoning Appeals.
- I. The applicant is advised that, if existing driveways to Skinner Street are not at locations suitable for the proposed zero lot-line development, they should be closed at the time of lot development.

- J. 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.
- K. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- L. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.