

PLAT NO. S/D 75-35 MAP NO. 6145 H-11-D

NAME RED OAKS ADDITION

LOCATION South side of Harry in an area east of Webb Rd.

ENGINEER PEC

OWNER George L. Hall

APPLICATION FILED 4-7-75

SKETCH PLAT FILED 4-7-75

PRELIMINARY FILED 7.7.75

S/D ACTION 7-17-75 *Approved*

FINAL FILED 10-6-75

S/D ACTION 10-16-75 (FINAL) *approve*

MAPC ACTION 10-23-75 *approve*

BCC ACTION 5-25-78 *approve*

BCC ACTION 6-6-78 *Approved*

RECORDED June 15, 1978

REMARKS \_\_\_\_\_

S/D 75-35 - RED OAKS ADDITION -  
South side of Harry in an area  
east of Webb Road. PEC

Post  
# 25-75  
1

ACTION

	DATE
S/D COMMITTEE	
<i>Public</i>	<i>2-12-75</i>
<i>price</i>	<i>10-16-75</i>
<i>approve</i>	
M.A.P.C.	
<i>approve</i>	<i>10-23-75</i>
<i>approve</i>	<i>5-25-78</i>
B.C.C. <del>ASCC</del>	
<i>approve</i>	<i>6-6-78</i>

Map No. H-11-D  
Sec. No. 33  
Twp. No. 27  
Range 2E

Subdivision Report and Progress  
S/D No.: 75-35

Name: RED OAKS ADDITION

General Location: South side of Harry in an area west of Webb Road.  
Owner: George L. Hall  
Address: 5901 S. Greenwich 10 Phone: 788-3137  
Subdivider: Dr. Harry Kouri, Dr. Sam Kouri, James Cohlma  
Address: 6302 Marjorie Lane 11 Phone: 683-4106  
Engineer/Surveyor: Professional Engineering Consultant  
Address: 1440 E. English 11 Phone: 262-2691

Application Received 4-7-75  
Conf. with Applicant \_\_\_\_\_  
Sketch Plat Received 4-7-75  
Present Zoning R-1  
Proposed Zoning AA  
Letter of Intent \_\_\_\_\_

FINAL PLAT RECEIVED 10-6-75  
S/D Comm. Action (final) 10-16-75 approve

PREL. PLAT RECEIVED 7-7-75  
S/D Comm. Action 7-17-75  
Dept. Report on Prel. \_\_\_\_\_

Dept. Report on Final \_\_\_\_\_  
\* M.A.P.C. ACTION 10-23-75 approve  
Dept. Report on Final \_\_\_\_\_  
Letter on Irons Received 7-8-77  
Title/Taxes Rec'd & Reviewed \_\_\_\_\_  
Final Review \_\_\_\_\_  
Referral to B.C.C. \_\_\_\_\_

TRACING PROGRESS:  
Received 2-14-77  
Released \_\_\_\_\_  
Received \_\_\_\_\_  
Released \_\_\_\_\_

B.C.C. ACTION 6-6-78 Approved  
Recorded 6-15-78  
\* MAPC 5-25-76 reapprove

Comments:

SCZ-0343 Associated Zone Case

RED OAKS ADDITION

Minneha Township  
Butler County Rural Elect. Coop.

4-17-78 Called Gary Wiley of REC about the status of this plat. He said they were trying to finish things before 4-30-78 and he should be checking on a new tracing with the current owners' signatures. I told him that the plat would probably have to be reapproved by the MAPC since it had been 2 1/2 years.

This file checked out to Jed Hill County  
Attorney 7-28-78 Returned 2-7-79

REGISTER OF DEEDS  
SEDGWICK COUNTY, KANSAS

J/D 75-35-  
Sc2-0343  
6-25-78

RED OAKS FIRST ADDITION was  
filed for record on June 15, 1978

*Bruce J. Melton*  
Register of Deeds

Return to: Wichita-Sedgwick County  
Metropolitan Area Planning Department  
(Inter-Office Mail)

T9-328



**COUNTY OF SEDGWICK**

DEPARTMENT OF PUBLIC WORKS

**RECEIVED**

1320 S. SENECA  
WICHITA, KANSAS 67213

PHONE 268-7901

APR 23 1981

SEDGWICK COUNTY COURTHOUSE METROPOLITAN PLANNING ROUTE April 21, 1981

Norman L. Sharp, CPCU  
Dorth Coombs Insurance Inc.  
P. O. Box 2697  
Wichita, Kansas 67201

RE: Performance Bonds for Sidewalk Construction -  
Red Oaks Addition

Dear Mr. Sharp:

The City of Wichita has received a petition for sidewalk construction for the above referenced addition.

Therefore, Sedgwick County releases the below listed Performance Bonds the same originally guaranteeing construction of the sidewalks.

<u>Bond No.</u>	<u>Amount</u>
CK71332-36	\$ 6,100.00
CK71332-37	4,075.00
CK71332-38	4,075.00
CK71332-39	4,725.00
CK71332-40	4,250.00
CK71332-41	3,275.00
CW7133241	5,525.00

Very truly yours,

*Joe D. Freeman*  
Joe D. Freeman, P. E.  
Deputy Director of Public Works

JDF/PED/bd

cc: Forrest Nagely, M.A.P.D.  
Richard Euson, Assistant County Counselor  
Plat File

RECEIVED

MAR 30 1981

METROPOLITAN PLANNING

ROUTE  forrest

DORTH COOMBS  
INSURANCE  
INC.

DORTH COOMBS INSURANCE, INC. P. O. BOX 2697 / 530 S. TOPEKA / WICHITA, KANSAS 67201 / 316 - 264-5311

March 26, 1981

Forrest Nagley  
MAPC, City Building  
Wichita, Kansas 67202

RE: Red Oaks Sub-Division  
SIDEWALK BONDS  
Bond Nos. - CW71332, CW71336, CW71337, CW71338  
CW71339, CW71340, CW71341

Dear Mr. Nagley:

As a follow-up to our telephone conversation, it is my understanding that the bonds executed to guarantee sidewalks in this sub-division have been replaced by a petition filed by the developers of this sub-division. We need a written release or the original bonds returned to terminate the bonding companies obligation.

Please request the county public works department to release the bonds as soon as possible. The release should be sent to: Norman L. Sharp CPCU  
Dorth Coombs Insurance Inc.  
P.O. Box 2697  
Wichita, Kansas 67201

as I am the agent responsible in obtaining the release for Commercial Union Insurance Company.

Thanks for your help in this matter.

Yours very truly,

DORTH COOMBS INSURANCE INC.

  
Norman L. Sharp CPCU

NLS:wm

cc: Mr. Pete Russell  
Red Oaks, Inc.  
1231 South Longfellow  
Wichita, Kansas 67207

RECEIVED

MAR 30 1981

METROPOLITAN PLANNING

ROUTE  Forrest

DORTH COOMBS  
INSURANCE  
INC.

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DORTH COOMBS INSURANCE INC.

  
Norman L. Sharp CPCU

NLS:wm

cc: Mr. Pete Russell  
Red Oaks, Inc.  
1231 South Longfellow  
Wichita, Kansas 67207



**Commercial Union Assurance Companies**

211 WEST ARMOUR BOULEVARD, P. O. BOX 207  
KANSAS CITY, MISSOURI 64141

**RECEIVED**

NOV 26 1980

METROPOLITAN PLANNING  
ROUTE  Nagley  
 \_\_\_\_\_

November 24, 1980

Mr. Forest L. Nagley, Jr. Planner  
City of Wichita  
Wichita City Hall - Planning Department  
Wichita, Kansas

Subject - Red Oaks First Edition (S/D 75-35) -  
Performance Bonds Guaranteeing Sidewalks

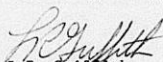
Dear Mr. Nagley:

We have received a copy of your November 20, 1980 letter to Phil Dietrich, Senior Civil Engineer, County Public Works respect to the above subject and more specifically pertaining to lot #7- block #1, and lots #5, 6, 13, 14, 21 and 22 block #3 and lot 22, block #2.

The third paragraph referred to the plattors being Craig Lawrence and Steven Russel. Copy of your letter was forwarded to us indicating we had written bonds. We can find no record of bond on either the above two name and are wondering if Commercial Union Assurance Company has a bond on another name or parties respect to this subdivision and the completion of the sidewalks.

Could you please advise by footnote on the copy of this letter indicating bond number and the principals involved, or the person or parties being bonded and whether or not this is a Commercial Union Bond.

Yours very truly,

  
L.R. Griffith  
Bond Manager

LRG/rh

November 20, 1980

Phil Dietrich, Senior Civil Engineer, County Public Works  
Forrest L. Nagley, Junior Planner

Performance bonds guaranteeing sidewalks in Red Oaks First  
Addition (S/D 75-35)

Our office has been attempting to obtain a revised guarantee for  
sidewalks in the Red Oaks First Addition since June of this year.  
The sidewalks were to have been installed on or before July 1, 1980.  
Sidewalks are presently required at the following locations in  
accordance with the amended Subdivision Regulations:

1. Lot 7, Block 1;
2. Lots 5, 6, 13, 14, 21 and 22, Block 3;
3. Lot 22, Block 2.

Sidewalks are required at these locations since these lots have been  
platted adjacent to a designated collector street (Cranbrook).

To date the plattors of this addition, Craig Lawrence and Stephen  
Russell, have indicated no willingness to revise their guarantee for  
this required improvement. Since the property is now within the City  
of Wichita, Mike Lindebak of City Engineering, provided Mr. Lawrence  
with a petition for guaranteeing the required sidewalks on July 7,  
1980. To date, the plattor has failed to return this petition.

Since the original guarantee was made to Sedgwick County, we would  
recommend that your office contact Mike Lindebak and work out the  
particulars for collecting on the existing guarantee and then, trans-  
fer the encumbered funds to a City project account.

Should you have any questions about this matter, please call me at  
4421.

Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Mike Lindebak, Project Development Engineer, City Engineering  
Craig Robinson, Assistant County Counselor  
Commercial Union Insurance Co., Colorado Derby Bldg., 202 West  
First, 67202  
Craig Lawrence and/or Stephen Russell, 14706 Timber Lake, 67230

681-0662  
August 18, 1980

Craig Lawrence and/or Stephen Russell  
14706 Timber Lake  
Wichita, Ks. 67230

Re: Performance bonds guaranteeing sidewalks in Red Oaks First  
Addition: S/D 75-35

Gentlemen:

This letter acts as a follow-up to my letter to you dated June 27, 1980 and City Engineering's letter to you dated July 7, 1980. As I'm sure you're aware, your performance bond from Commercial Union Insurance Company guaranteeing sidewalks in Red Oaks First Addition has reached maturity. All sidewalks were to have been installed by July 1 of this year.

As I advised in my June 27 letter, the new sidewalk ordinance requires sidewalks in this addition to be installed only at the following locations on Cranbrook:

1. Lot 7, Block 1;
2. Lots 5, 6, 13, 14, 21, and 22, Block 3;
3. Lot 22, Block 2.

On July 7, 1980, City Engineering forwarded to you a petition for guaranteeing these required sidewalks. As of this date, the signed petition has not been returned. I cannot begin the process necessary for release of your performance bonds to Sedgwick County until this petition is returned to City Engineering.

Please call me at 268-4405 at your earliest convenience and advise me as to your intentions regarding this matter.

Sincerely,

Forrest L. Nagley  
Junior Planner

FLN:bh

cc: Commercial Union Ins. Co., Colorado Derby Bldg., 202 W. 1st,  
67202  
Mike Lindbak, Project Development Engineer, City Engineering  
Phil Dietrich, Senior Civil Engineer, County Public Works



**Commercial Union Assurance Companies**

211 WEST ARMOUR BOULEVARD, P. O. BOX 207  
KANSAS CITY, MISSOURI 64141

July 3, 1980

**RECEIVED**

JUL 10 1980

METROPOLITAN PLANNING  
ROUTE  Monday

Mr. Forrest Nagley, Junior Planner  
Metropolitan Area Planning Department  
City Hall - 10th Floor  
455 North Lean Street  
Wichita KS 67202

Re: Performance Bonds Guarantee and Sidewalks in Red Oaks First Addition -  
S/D 7535

Dear Mr. Nagley:

I have a copy of your June 27, 1980 correspondence to Craig Lawrence  
and/or Steven Russell, 14705 Timber Lake, Wichita, Kansas 67230 in  
regard to the above bonds.

It would appear that our company furnished performance bonds, however, I  
have no reference to our bond number or who are principle might be on  
the bond. I can find no record of bond on Mr. Lawrence or Mr. Russell.

Could you please check your records and advise by footnote hereon the  
name of the principles on the bond and the company bond number so that  
we can identify.

Thank you.

Yours very truly,

  
L. R. Griffith  
Bond Manager

LRG:cq

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY HALL — SEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4501

RECEIVED

JUL 8 1980

METROPOLITAN PLANNING  
ROUTE  Nagley

July 7, 1980

Mr. Craig Lawrence  
1231 Longfellow  
Wichita, Kansas 67207

Re: Sidewalks in Red Oaks  
First Addition.

Dear Mr. Lawrence:

Enclosed is the petition for guaranteeing sidewalk on the east side  
of Cranebrook in Red Oaks First Addition. WEST

Please note the instruction on the last page of the petition.

Sincerely,

Mike Lindebak  
Program Development Engineer

ML:ck

cc: Phil Dietrich  
Senior Civil Engineer, County Public Works  
Forrest Nagley ✓  
Junior Planner, Metropolitan Area Planning Department

Enclosure

Forrest - June 30 11:03AM  
Call Craig Lawrence at

681-0662

BA

681-0662

June 27, 1980

Craig Lawrence and/or Stephen Russell  
14705 Timber Lake  
Wichita, Ka. 67230

Re: Performance Bonds guaranteeing sidewalks in Red Oaks  
First Addition - S/D 75-35

Gentlemen:

Your performance bonds from Commercial Union Insurance Company guaranteeing sidewalks in Red Oaks First Addition is nearing maturity. Our files indicate that you agreed to install the sidewalks on or before July 1, 1980. This agreement on your part was in response to a condition of approval associated with the platting of Red Oaks First Addition. City Engineering has advised me that, as of this date, no sidewalks have been installed.

As I am sure you are aware, Red Oaks First Addition is now a part of the City of Wichita and a new sidewalk ordinance went into effect late last year. Under the new sidewalk ordinance, sidewalks are now only required at the following locations on Cranbrook (collector street):

1. Lot 7, Block 1;
2. Lots 5, 6, 13, 14, 21 and 22, Block 3;
3. Lot 22, Block 2.

Please contact Mike Lindebak of City Engineering regarding a new dollar amount for a guarantee for the above mentioned required sidewalks. Your new guarantee should be made to the City of Wichita.

Once I have received your new guarantee, either by letter of credit or performance bond, I will proceed immediately to release your existing guarantee to Sedgwick County. Should you need a letter of credit or performance bond form, please advise. I can be reached at 268-4405.

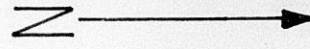
Sincerely,

Forrest L. Nagley  
Junior Planner

FLN:bh

Craig Lawrence and/or Stephen Russell  
June 27, 1980  
Page 2

cc: Commercial Union Insurance Co., Colorado Derby Bldg.,  
202 W. 1st, 67202  
Mike Lindebak, Project Development Engineer, City  
Engineering  
Phil Dietrich, Senior Civil Engineer, County Public Works



W. Line  $\frac{1}{2}$ ,  $E\frac{1}{2}$ ,  $N\frac{1}{4}$ , Sec. 33

$50^{\circ}02'21'' E$  1132.32'

10' Util. Easmt.

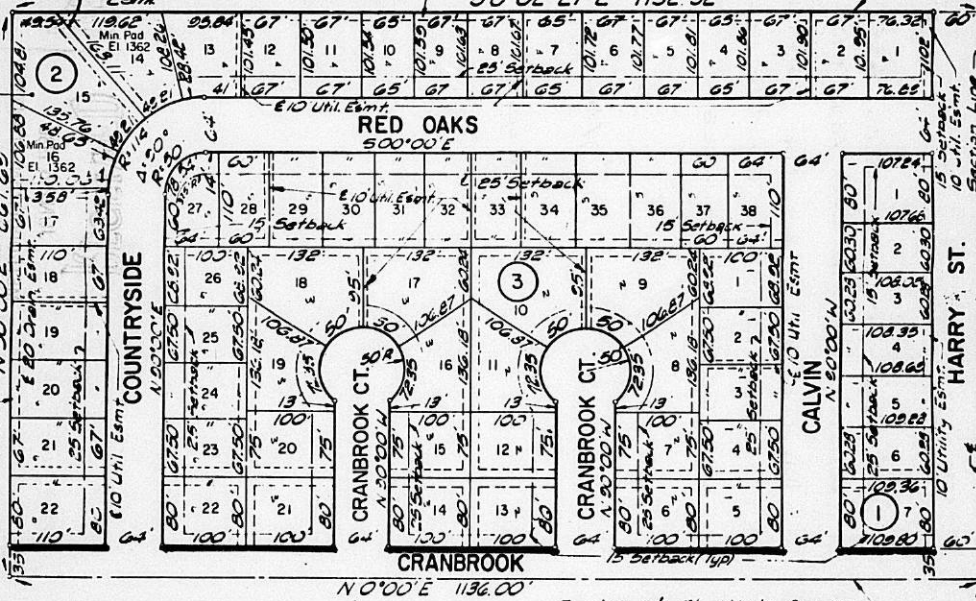
6' 20' Drain Easmt.

COMPLETE ACCESS CONTROL

FLOODWAY LL OF LOT 15

10' Utility Easement  
N 90° 00' E 661.65'

OVER



N 0° 00' E 1136.00'

E. Line  $\frac{1}{2}$ ,  $E\frac{1}{2}$ ,  $N\frac{1}{4}$ , Sec. 33

COMPLETE ACCESS CONTROL

NOTE: 20' WID UNLESS

6/24/80

Doug,

HAVE ANY SIDEWALKS BEEN  
CONSTRUCTED IN THIS ADDITION?  
THE ONE SHOWN BY THE RED LINE  
IS STILL REQUIRED BY THE CURRENT  
CITY SIDEWALK ORDINANCE.

Tom

#4405

This area is currently being paved.  
No homes or starts as yet.

*[Signature]*

June 25-80

RECEIVED

JUN 26 1980

METROPOLITAN PLANNING

ROUTE

RECEIVED

JUN 24 1980

Engineering Division



SEDGWICK COUNTY COURTHOUSE

**COUNTY OF SEDGWICK**  
DEPARTMENT OF PUBLIC WORKS

1018 STILLWELL  
WICHITA, KANSAS 67219

PHONE 268-7901

G. C. MCLURE, JR., P. E.  
COUNTY ENGINEER/DIRECTOR OF PUBLIC WORKS

**RECEIVED**

January 2, 1980

JAN 4 1980

METROPOLITAN PLANNING  
ROUTE  76

Mr. Gene Denton  
Wichita City Manager  
City Hall  
455 North Main  
Wichita, Kansas 67202

SUBJECT: Park Meadows Lateral  
Sewer District

Dear Mr. Denton:

Some time ago when the development of the Park Meadows Estates, Red Oaks and Huntcrest Addition were proposed, these Additions were in the unincorporated areas of Sedgwick County. Sanitary sewer service was to be provided to these areas by means of a County Benefit Lateral Sewer District. A verbal agreement was reached with Mr. Keith Parker as to the construction of a non-discharging sewage treatment facility. The essence of that verbal agreement was that the developer, Mr. Parker, would construct, to the County's satisfaction, a treatment facility and that the facility would be turned over to the County, who would then operate and maintain the same.

There have been a number of deficiencies in the construction of the treatment plant that, as yet, have not been corrected. At this time, due to these deficiencies, the County has not and will not accept the treatment facility for operation and maintenance.

In order to prevent unsanitary conditions from occurring and to prevent possible damage to the lateral system resulting from the deficiencies and apparent lack of maintenance of the treatment plant, we will not allow any connections to the above-referenced lateral sewer system.

January 2, 1980  
Mr. Denton  
Re: Park Meadows Lateral  
Sewer District

Page Two

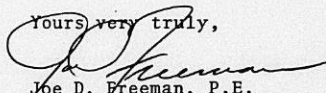
Portions of the lateral sewer district have been annexed by the City of Wichita, but continue to be a part of the Park Meadows Sewer System. We are therefor requesting that the City of Wichita halt the issuance of building permits for this area since no connections to the lateral sewage system will be permitted.

The moratorium of sewer connections for this area will be discontinued at such time as the treatment plant deficiencies are corrected and the County assumes maintenance and operational responsibilities.

We reluctantly make this request, but we feel it is necessary to insure the integrity of the lateral sewer system and protect the public health.

Should you have any questions or comments, please contact me.

Yours very truly,



Joe D. Freeman, P.E.  
Acting Director of Public  
Works/County Engineer

cc: Mr. Don E. Anderson, Director-Dept.  
of Economic Development  
Mr. Robert Feldner, Central Inspection,  
City of Wichita  
Mr. Theodore H. Hill, County Counselor  
Mr. Robert Cornwell, Attorney-at-Law  
Mr. Robert Lakin, Director, MAPD  
Mr. A.J. Harkness, Environmental Officer  
Sedgwick County Public Works  
Ms. Vera Stevens, Sedgwick County  
Inspection

February 27, 1979

William Keltner  
Professional Engineering Consultants  
1440 E. English  
Wichita, Kansas 67211

Subject: Request for change in street paving width requirements  
in Huntcrest Second Addition, Red Oaks Addition and  
Timber Lakes Third Addition

Dear Mr. Keltner:

Your request to reduce the street paving widths to the new standards adopted into the MAPC Subdivision Regulations, was considered by the Subdivision Committee on February 22, 1979, and approved for the above referenced subdivisions. If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:bh

cc: Brent Remsburg, County Engineering Department

2

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 75-35                      Name Red Oaks Addition  
Application & Sketch Filed: 4-7-75  
Preliminary Plat Filed: 7-7-75                      Approved by S/D: 7-17-75  
Final Plat Filed: 10-6-75                      Approved by S/D: 10-16-75  
Approved by Metropolitan Area Planning Commission: 5-25-78

DESCRIPTION

General Location:

South side of Harry in an area west of Webb Road

Surveyor or Engineer: Professional Engineering Consultants  
Owner: George Hall, et al.  
Address: 5901 S. Greenwich Road

- |   |                         |                       |
|---|-------------------------|-----------------------|
| 1. Gross Acreage of Plat <u>40.3</u>      | 6. Access Control       |                       |
| 2. Number of Lots:                        | St. <u>Harry Street</u> | No. Openings <u>0</u> |
| Residential <u>67</u>                     | St. _____               | No. Openings _____    |
| Commercial _____                          | St. _____               | No. Openings _____    |
| Industrial _____                          | 7. Req'd Improvements   |                       |
| Other _____                               | St. Paving <u>reqd</u>  | Water <u>reqd</u>     |
| Total Number of Lots: <u>67</u>           | Sidewalk <u>reqd</u>    | Drainage <u>reqd</u>  |
| 3. Minimum Lot Area: <u>0.11</u> Acres    | Sewer <u>reqd</u>       | Other <u>none</u>     |
| 4. Existing Zoning <u>R-1</u>             |                         |                       |
| 5. Special Problems Discussed <u>none</u> |                         |                       |

Paving of streets has been guaranteed by petition to the County; sanitary sewer to serve each lot has been guaranteed by petition to the Park Meadows Sewer District; water to serve each lot has been guaranteed by petition approved by the City Commission on April 26, 1977; storm sewer has been guaranteed by a work contract let by the County and sidewalks have been guaranteed by performance bond to the County.

Planning Commission Recommendation:

That this plat be approved subject to recording of the plat within 30 days after approval by the Board of City Commissioners.

Cole moved, Bell seconded, Hennessy abstained and it carried unanimously. Jones, Greider absent.

NOTE: Associated County zone case SCZ-0343, "R-1" to "AA" has been approved by the Board of County Commissioners subject to platting.

ACTION:

Approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

THE CITY OF WICHITA  
OFFICE OF ENGINEERING

DATE May 22, 1978

TO Louise Olivarez, Planning Department  
FROM Y.D. Desai, Drainage Chief Engineer

SUBJECT Final Plat of Red Oaks First Addition  
S/D 75-35

Reference is made to my comments dated August 26, 1977, to Mr. Curtis L. Newby, Mr. Gary Wiley, of Professional Engineering Consultants, submitted the final plat of the Red Oaks First Addition. I have reviewed the plat and approve the drainage plan. Items A, B, C, and F are satisfactory. Items D and E, could be satisfactory at the time the storm sewer plans are ready.

I trust this information is sufficient to permit final processing of the plat, however, if further information or discussion is desired, please advise.

*YDD*  
Yash D. Desai  
Drainage Chief Engineer

cc: Max Greene, Flood Control Engineer  
Gary Wiley, Professional Engineering Consultants

YDD/co



STATEMENT OF TITLE

STATE OF KANSAS )  
                  ) SS:  
SEDGWICK COUNTY )

The Fidelity Title Company, Inc., duly qualified Abstractor under the laws of the State of Kansas, after a careful search of the records of Sedgwick County, Kansas, makes the following statement concerning the title to the following described property situated in said County and State, to-wit:

The West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, Sedgwick County, Kansas, containing 40 acres.



That the last deed or deeds purporting to convey title to said property is a

Warranty Deed filed February 2, 1976, recorded in Book "175", Page 1006, from George L. Hall and Velma L. Hall, his wife, to Jim E. Cohlmlia, Sammy H. Kouri and Harry J. Kouri, Jr.

5-17-78

See exhibit Attached.

*warranty deed to*

and purports to be a full and complete conveyance of the entire fee simple title, except as follows:

excepting easements and rights of way currently of record.

Temporary Drainage Easement, filed August 8, 1977, recorded in Film Book "259", page 694, from Jim E. Cohlmlia, Sammy H. Kouri, and Harry J. Kouri, Jr., to the Board of County Commissioners of Sedgwick County, Kansas.

That there are no rights-of-way of easements of record, except as follows:

Right-of-Way Agreement, recorded in Book "247", page 167, filed June 29, 1949, as to S10' of N40' of E½ NW¼ 33-27-2E, cont. 0.3 acres more or less, from Margaret A. Hunter to Sedgwick County State of Kansas.

Agreement & Partial Release file Jan. 2, 1973, recorded in Book "43" Page 820 (see Exh. "A" attached).  
See Schedule "A".

Fidelity  Title  
COMPANY, INC.

That there are no farm or surface leases except as follows: Affidavit filed March 12, 1952, recorded in Book "286", page 573, from Joseph F. Creed, stating no production of oil and or gas has been obtained & no development in the exploration for oil and or gas has occurred on NW $\frac{1}{4}$  of 33-27-2E which would have extended the term of any standard, commercial oil and gass lease thereon beyond the primary term thereof.

That the Probate Court discloses the following facts with reference to the grantee under the last deed above set forth:

NONE

That said land is mortgaged as follows: (Any releases of record are assumed to be valid.)

Mortgage filed February 2, 1976, recorded in Book "175", page 1025, from Harry Kouri and Beverly Ann Kouri, husband & wife; Sammy H. Kouri & Jacqueline N. Kouri, husband & wife; James E. Cohlmlia & Ruth L. Cohlmlia, husband & wife, to THE HAYSVILLE STATE BANK, in the original amount of \$50,000.00, not released.

Fidelity  
Title  
Company,  
Inc.

That the records of the Clerk of the District Court of Sedgwick County, Kansas, and the Clerk of the United States District Court, District of Kansas, Second Division, disclosed the following judgments, suits pending, execution, lis pendens, mechanics liens, tax liens, or bankruptcy proceedings affecting the property above described or the persons mentioned herein, as follows:

Dist. Court #C-32787, Sigmund Leiker VS Harry Kouri, Jr., et al, Damages \$250,000.00, filed 2/20/75, pending.

5-17-78 Judgment Search does not included the grantees in Deed 304 at 630/

That tax rolls show, as of the date hereof, that taxes are paid except as follows: (Taxes on royalty interests not searched.) Key #MI-214-1

Taxes for the year 1976 and prior years, paid.  
Taxes for the year 1977, \$295.05, paid. Receipt #602605.

Dated at Wichita, Kansas, this 21st day of March 19 78, at 7:00 A.M. o'clock

No. 40371

FIDELITY TITLE COMPANY, INC.  
By D. E. Bud Riddle  
VP am

This Certificate hereby extended to this 17th day of May 1978 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.  
By C. E. Bud Riddle  
VP



WARRANTY DEED (Kansas Statutory Form)

FORM 304 PAGE 630

FORM 3



SELLER:

Harry Kouri and Beverly Ann Kouri, husband and wife, Sam H. Kouri and Jacqueline N. Kouri, husband and wife, and James E. Cohlma and Ruth L. Cohlma, husband and wife

For a valuable consideration conveys and warrants to

BUYER:

An undivided one-half interest to Stephen Russell and Shirley Russell, as joint tenants with the right of survivorship and not as tenants in common, And an undivided one-half interest to Craig Lawrence and Carol Lawrence, as joint tenants with the right of survivorship and not as tenants the following-described real estate: in common

A tract of land in the west one-half of the east one-half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East of the 6th P.M., described as follows: Commencing at the Northeast corner of aforesaid Northwest Quarter thence along the north line of the aforesaid northwest quarter bearing South 89 degrees 40 minutes 55 seconds West a distance of 662.47 feet; thence bearing North 0 degrees 0 minutes West; thence along the east line of aforesaid west half bearing South 0 degrees 0 minutes East a distance of 60 feet to the point of beginning; thence continuing along said east line bearing South 0 degrees 0 minutes East a distance of 902 feet; thence bearing South 90 degrees 0 minutes West a distance of 386.42 feet; thence bearing North 0 degrees 0 minutes East a distance of 664 feet; thence bearing North 90 degrees 0 minutes West a distance of 110 feet; thence bearing North 0 degrees 0 minutes East a distance of 24 feet; thence bearing North 90 deg. 0 min. West a distance of 165.86 feet to the west line of aforesaid West half; thence along said west line of aforesaid West half bearing North 0 degrees 02 minutes 21 seconds West a distance of 210.32 feet to a point 60 feet south of the North line of aforesaid Northeast Quarter; thence bearing North 89 degrees 40 minutes 55 seconds East a distance of 662.43 feet to the point of beginning

Blk 1  
Blk 2  
Blk 3  
Lots 1-3  
1-26  
38

subject to the following: Easements and restrictions of record, if any.

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD BY  
MAY 10 1978  
3 53756  
BETTE F. MCCART  
REGISTER OF DEEDS

Executed this May 10, 1978

Harry Kouri Jr.  
Sam H. Kouri  
James E. Cohlma

Beverly Ann Kouri  
Jacqueline N. Kouri  
Ruth L. Cohlma

STATE OF KANSAS, COUNTY OF SEDGWICK:

BE IT REMEMBERED. That on this May 10, 1978, before me, a notary public, in and for the county and state aforesaid, came Harry Kouri and Beverly Ann Kouri, husband and wife, Sam H. Kouri and Jacqueline N. Kouri, husband and wife, James E. Cohlma and Ruth L. Cohlma, husband and wife

personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same.

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



C. Wayne Stearns  
Notary Public

REALTY TITLE CO. INC.  
928 S. BROADWAY WICHITA, KANSAS 67211  
(316) 262-6451 (316) 262-0248

Realty Title

500

Pa.

Top Notary: Craig Lawrence, 1010 Warren, Wichita, KS. 67200

SCHEDULE "A"

In the Matter of the Application of the Cities Service Gas Company, a Delaware corporation for the appointment of Commissioners to lay out a Right of Way for a 12 inch pipe line for the transportation of natural gas & to make appraisal & assessment of damages therefor, recorded in Book "47" of Misc. page 507, filed August 23, 1928. (See Exhibit "B" attached).



Fidelity  Title  
COMPANY, INC.

EXHIBIT "A"

10418

BOOK 43 PAGE 820

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT

JAN 2 1973

1 38867

JOHN HALE  
REGISTER OF DEEDS

*Paul Massey  
Property*

AGREEMENT AND PARTIAL RELEASE

THIS AGREEMENT, made and entered into between \_\_\_\_\_  
George L. Hall

hereinafter called "Owner", whether one or more, and Cities Service Gas Com-  
pany, a Delaware corporation, hereinafter called "Company",

WITNESSETH: That,

WHEREAS, On May 2, 1928, Cora M. Massey, et al, executed in favor  
of Cities Service Gas Company, as Grantee, a pipeline easement recorded in  
Book 47 Misc. at Page 363 in the office of the Register of Deeds in Sedgwick  
County, Kansas, and covering the following described land, to-wit: Northwest  
Quarter (NW/4) Section 33, Township 27 South, Range 2 East, Sedgwick County,  
Kansas, and *D<sup>o</sup> 78499*

WHEREAS, On June 13, 1928, Cora M. Massey, Guardian of Louis J.  
Massey, Mable E. Massey, Lyle Massey and Paul J. Massey, minors, exe-  
cuted in favor of Cities Service Gas Company, as Grantee, a pipeline easement  
recorded in Book 47 Misc. at Page 366 in the office of the Register of Deeds  
in Sedgwick County, Kansas, and covering the following described land, to-wit:  
Northwest Quarter (NW/4) Section 33, Township 27 South, Range 2 East,  
Sedgwick County, Kansas, and *D<sup>o</sup> 78499*

WHEREAS, Owners represent and warrant to Company that, subject  
to the above described pipeline easements, they fully own and are in possession  
of the following described lands, to-wit:

West Half East Half Northwest Quarter (W/2 E/2 NW/4)  
Section 33, Township 27 South, Range 2 East, Sedgwick  
County, Kansas, hereinafter called "Owner's Tract", and

WHEREAS, an 18-inch high pressure natural gas pipeline, herein called  
"Pipeline", has heretofore been laid on and across Owner's Tract in accordance  
with the aforesaid easements and said Pipeline is now in active operation; and,

WHEREAS, Cities Service Gas Company is the present owner and holder  
of the above referred to easements; and,

WHEREAS, Owner has requested Company to limit its Right of Way to  
a defined strip across said Owner's Tract; and,

WHEREAS, Company is willing to limit its right of way to a defined  
strip across Owner's Tract, and to release the balance of said Owner's Tract  
from the terms and provisions of said easements under conditions hereinafter  
provided and mutually agreed upon by Company and Owner.

It is agreed that the pipeline traverses Owner's Tract along the fol-  
lowing described route as shown on the attached plat:

Beginning at a point 478 feet North of the Southwest corner  
of E/2 NW/4 of said Section 33, Township 27 South, Range 2  
East; extending thence Northeasterly across Owner's Tract  
to a point 849 feet North of the Southeast corner of W/2 E/2  
NW/4 of said Section 33, Township 27 South, Range 2.

6 <sup>2</sup> Cities Service Gas Co.  
First Nat'l Bldg  
Oklahoma City  
Okla - 73125

NOW, THEREFORE, in consideration of the covenants herein contained and the mutual benefits to be derived therefrom, Company does hereby release, surrender and terminate all of the right, title and interest in and to said Owner's Tract, which it acquired by the easements first hereinabove described, SAVE AND EXCEPT right of way strip across said land which is definitely described as follows:

A strip of land 66 feet in width extending the full length of the pipeline across Owner's Tract, the centerline of said 66 foot strip to be the centerline of the pipeline.

and save and except the right of ingress and egress across Owner's Tract adjacent to said strip for the purpose of exercising any and all of the rights which Company has under the easements first hereinabove described, all of which rights are specifically reserved with regard to said strip.

Notwithstanding the provisions of the above paragraphs providing for a 66 feet strip, Owner, his successors and assigns, agree that the building line on said Owner's Tract for permanent installation shall not be less than 50 feet from the center of said Pipeline.

Owner, his heirs, successors and assigns, shall have the right to use and enjoy the surface of the right of way strip herein reserved; provided such use and enjoyment shall not interfere with the use of said strip by Company, its successors and assigns, for the purposes set out in the original easements, first hereinabove described; and provided further that Owner, his heirs, successors and assigns, shall not erect or construct, nor permit the erection or construction of any building, engineer works, or other structures, on, over, or across said strip. It is mutually agreed, however, that this no-building restriction shall not prohibit the building of necessary streets, alleyways, driveways, sewer lines, water lines and yard fences, across but not along said strip provided Company, its successors and assigns, shall not be held liable to Owner, his heirs, successors and assigns, for any damage caused to any such facilities constructed across the strip in exercising the rights granted in the original easements, and provided further that, if in the judgment of Company, the construction of such permitted facilities across said strip requires that the Pipeline or Pipelines be altered, lowered, encased or otherwise protected, the entire cost of such protective measures shall be borne fully by Owner, his heirs, successors and assigns.

Signed and delivered this 8th day of December, 1972.

*George L. Hall*  
George L. Hall

CITIES SERVICE GAS COMPANY

ATTEST:

*F. W. Harriger, Jr.*  
F. W. Harriger, Jr. Ass. Secy.


1972

By *E. S. Hanson*  
E. S. Hanson, Vice President

STATE OF Kansas )  
 ) SS:  
COUNTY OF Sedgewick )

Before me, a Notary Public in and for said County and State, on this  
8th day of December, 1972, personally appeared George L. Hall

to me personally known to be the identical and same person or persons who exe-  
cuted the within and foregoing instrument and duly acknowledged to me that  
executed same as his free and voluntary act and deed for the uses and the  
purposes therein set forth.


J. R. Williams  
Notary Public J. R. Williams  


My commission expires:  
September 17, 1976

STATE OF OKLAHOMA )  
 ) SS:  
COUNTY OF OKLAHOMA )

Before me, a Notary Public in and for said County and State on this  
15th day of November, 1972, personally appeared E. S. Hanson, to  
me personally known to be the identical person who subscribed the name of the  
maker thereof to the foregoing instrument as its Vice President and duly acknow-  
ledged to me that he executed the same as his free and voluntary act and deed  
and as the free and voluntary act and deed of such corporation for the uses and  
purposes therein set forth.

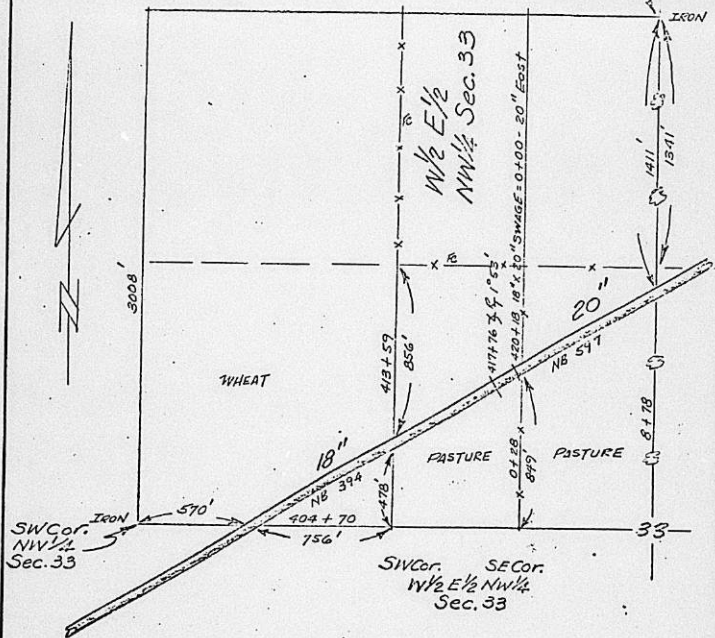
Barbara Russell  
Barbara Russell, Notary Public

  
My commission expires:  
July 28, 1975

FORM-CG-1257

BOOK 43 PAGE 823

NE Cor.  
NW 1/4  
Sec. 33



T. 27S. - R. 2E.  
SEDGWICK CO., KANSAS

<b>CITIES SERVICE GAS COMPANY</b>		
<b>TITLE</b> LOCATION OF NICHITA 18" & 20" PIPELINE TA IN THE NW 1/4, SEC. 33-T27S.-R.2E., SEDGWICK CO., KANSAS		<b>SCALE</b> 1" = 500' <b>DATE</b> 11-30-72
<b>COMPUTED BY</b>	<b>CHECKED BY</b>	<b>APPROVED</b>
		<b>FILE NO.</b>

COMPARED BY  
S.M. C.A.

IN THE MATTER OF THE APPLICATION OF THE CITIES SERVICE GAS COMPANY, A DELAWARE CORPORATION FOR THE APPOINTMENT OF COMMISSIONERS TO LAY OUT A RIGHT OF WAY FOR A 12 INCH PIPE LINE FOR THE TRANSPORTATION OF NATURAL GAS AND TO MAKE APPRAISEMENT AND ASSESSMENT OF DAMAGES THEREFOR. APPLICATION.

Cities Service Gas Company,  
TO  
Appointment of Commissioners

TO THE HONORABLE Grover Pierpont Judge of the District Court of Sedgwick County,  
State of Kansas:

See # 11  
80077

Comes now the Cities Service Gas Company, a corporation duly organized and existing under and by virtue of the laws of the State of Delaware, having its principal offices and correct postoffice address at Bartlesville, Oklahoma, and being duly authorized to transact business in the State of Kansas, and represents that it is engaged in the business of producing, marketing, purchasing, selling and transporting natural gas by means of pipe lines originating in the State of Texas, passing through the State of Oklahoma and terminating in the State of Kansas, and of supplying natural gas produced and purchased by it to other corporations engaged in the business of transporting and supplying natural gas to sundry corporations respectively engaged in the business of distributing and furnishing natural gas to various municipalities in the States of Oklahoma, Kansas and Missouri and to the inhabitants thereof, and other persons in the vicinity thereof; ~~and other persons in the vicinity thereof~~; that in the regular conduct of its business, it desires to construct from 12 inch pipe, a pipe line from a point approximately 254 feet south of the northwest corner of the southwest quarter of Section 33, Township 27 South, Range 2 East to a point 1848 feet South and 1861 feet East of the northwest corner of Section 33, Township 27 South, Range 2 East in Sedgwick County, Kansas; that it has heretofore by agreement with the sundry owners of a portion of the lands to be traversed by said pipeline, acquired a right of way for the construction of same; that it has endeavored by private contract with the owners of the tract of land hereinafter described to be traversed by said proposed line to procure a right of way therefor from said owners of said tract as hereinafter described, but that it has been unable to procure such right of way contract or easement over such lands, all of the same being situated in Sedgwick County, Kansas.

A description of said lands, the location of the line along which said proposed pipe line is to be constructed, the name and correct postoffice address, so far as your applicant is able to ascertain, of the said several owners of said tract of land is as follows:

Description:

The Northwest quarter (NW $\frac{1}{4}$ ) of Section thirty-three (33) Township Twenty-seven (27) South, Range two (2) East, Sedgwick County, Kansas.

Location of proposed line:

Said proposed line as located enters said land at a point 567.5 feet East of the west quarter corner of said section 33, Township 27 South, Range 2 East and runs thence in a northeasterly direction 92.1 rods to a point 1848 feet south and 1831 feet east of the northwest corner of said section where it ties into your applicant's Caney-Wichita 12 inch gas pipeline.

Name of the owner of legal title as shown by the records in the office of the Register of Deeds of Sedgwick County, Kansas, and postoffice address of such owners:

Cora M. Massey, Route 4, Wichita, Kansas.  
T. F. Massey and Harriet Massey, his wife,  
Route 4, Wichita, Kansas.  
H. W. Massey, Route 4, Wichita, Kansas.  
D. M. Massey and Mamie Massey, his wife,  
1200 Ida Avenue, Wichita, Kansas.  
F. P. Massey, Route 4, Wichita, Kansas, And Dona  
Massey, his wife, Claremore, Okla.  
Earl E. Massey and Mabel Massey, his wife,  
1400 Ida Avenue, Wichita, Kansas.  
Mary Massey, Route 4, Wichita, Kansas.  
Louis Z. Massey, Route 4, Wichita, Kansas.  
Mabel E. Massey, Route 4, Wichita, Kansas.  
Lyle W. Massey, Route 4, Wichita, Kansas.  
Paul J. Massey, Route 4, Wichita, Kansas.

Attached hereto and made a part hereof is a plat showing the exact location of said line to which plat reference is hereby made for a more detailed location thereof and description of the lands desired to be so traversed.

Your applicant hereby agrees to pay all costs accruing under and by virtue of this application.

WHEREFORE, Your applicant prays that your Honor appoint three resident free holders of the County as Commissioners to lay off the routes of said line along the line of said proposed pipeline as located by your applicant, and herein described and shown by the attached plat of route therefor, in accordance with the statutes of Kansas, defining their powers and duties, and direct such commissioners to ascertain the quantity of land necessary for such purposes out of the lands hereinbefore described along the route of said proposed line, as located by your applicant, to appraise the value of such portion of such land above described through which said pipeline is proposed to be located, to assess the damages of the owners thereof, and to do and perform the sundry things herein enumerated, and to exercise such powers and perform such duties in addition to the foregoing as may be imposed upon such commissioners by law, whether

Herein enumerated or set.

CITIBS SERVICE GAS COMPANY  
A corporation, applicant

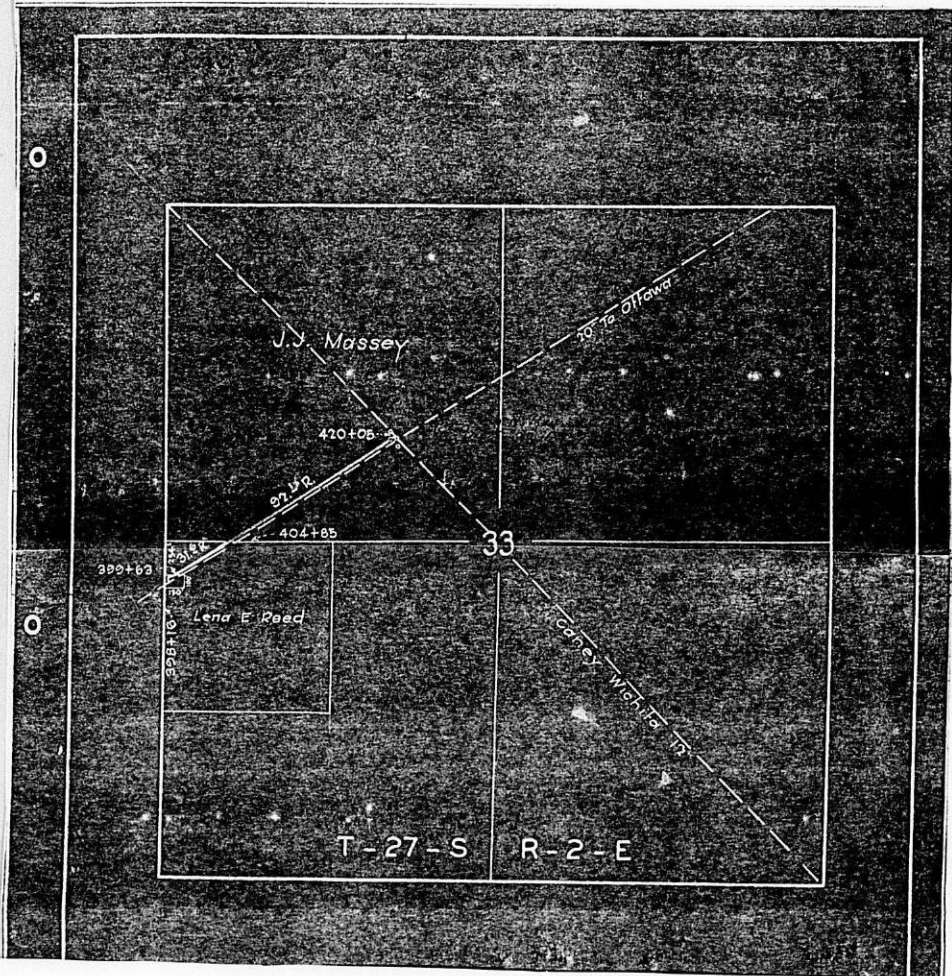
By Ebright, Burch & Patterson

J. J. Redrick,  
Its Agents and Attorneys,

Filed for record August 23, 1948 at 4 P. M.

LESTER E. ROAD, REGISTER OF DEEDS.

---GIB---





**FOR MORE THAN A HALF CENTURY,**

**FIDELITY TITLE COMPANY, INC.** *has been performing a full title service for Wichita and Sedgewick County, Kansas. Fidelity has demonstrated that it has the records, personnel, and the financial responsibility to give you the best in title insurance, abstracts, and closings. Further, in the Today Title Company that we are, and through the outstanding national title insurance companies that we represent, we serve our client's title insurance needs anywhere in Kansas, the United States, or even beyond. In addition to extensive title insurance services in Wichita, we perform millions of dollars of title insurance service elsewhere in Kansas and the United States every year.*

*It is a pleasure to serve you.*



FRANK MALONE  
President

C. E. "Bud" RIDDER  
Sr. Vice Pres. & Treas.

WM. "Bill" MALONE  
Exec. Vice President

PATTIE M. GRIER  
Vice Pres. & Secretary

MARY CRAIG  
Vice President

E. A. RANDALL  
Consultant

221 N. Market

Wichita, Kansas 67202

Phone (316) 262-8261

**Fidelity Title**  
COMPANY, INC.



PERFORMANCE BOND

*original bonds  
submitted to  
County Engineering*

KNOW ALL MEN BY THESE PRESENTS:

That, we Craig E. Lawrence and Stephen D. Russells Principal, and Commercial Union Insurance Companys Surety, are held and firmly bound unto the County of Sedgwick, State of Kansas in the sum of Six thousand one hundred and no/100 - - - - - (\$6,100.00) Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the County of Sedgwick for the development and improvement in Red Oaks First Addition

(Name of Subdivision)  
Plat located in Section 33, Township 27S  
Range 2E, Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal Craig E. Lawrence & Stephen D. Russell shall perform the following obligations and conditions:

1. Sidewalks for Lots 1 thru 7, block 1 and Lots 1 thru 5 in Block 3, Red Oaks First Addition
- 2.\*
- 3.\*
- 4.\*
5. Reimbursement to the County of Sedgwick at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

Which obligations and each of them shall be performed on or before July 1, 19 80\*\* and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Director of Public Works of Sedgwick County.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the County may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the County may install said projects and pay for same out of said forfeited bond funds. Provided, however, this bond shall not be applicable to lots sold to others, who have received from the County a permit to proceed with development of such lots.

*Copy*

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans or specifications therefore, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this

16th day of May, 1978.

Craig E. Lawrence and Stephen D. Russell Principal

Norman L. Sharp Surety  
Norman L. Sharp Attorney In Fact

\* Insert N/A (Not Applicable) when blanks are not used.

\*\* Insert date, 2 years following the date of approval of the final plat by the Planning Commission.

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 16th day of May, 1978,

before me a Notary Public in and for said County and State, came Craig E. Lawrence

and Stephen D. Russell and Commercial Union Insurance Company,  
(Principal) (Surety)

to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed by notarial seal the day and year above written.

BARBARA S. LOVE  
STATE NOTARY PUBLIC  
Sedgwick County, Kansas

Barbara S. Love Notary Public

My Commission Expires: 11/11/78

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the COMMERCIAL UNION INSURANCE COMPANY, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, and having its principal office in the City of Boston, Mass., hath made, constituted and appointed, and does by these presents make and constitute and appoint NORMAN C. HALVORSON, MILTON L. MUELLER, CAROLEA DICK, FRANK Y. DICKEHUT, SHIRLEY ANN HADLEY, JUDSON E. TERRY, JR., NORMAN L. SHARP and R. F. PAGE all of Wichita, Kansas

and each of them its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf as surety any and all bonds or undertakings

and the execution of such bonds or undertakings in pursuance of these presents, shall be binding upon said Company as fully and amply, to all intents and purposes, as if such bonds were signed by the President, sealed with the corporate seal of the Company, and duly attested by its Secretary, hereby ratifying and confirming all the acts of said Attorney-in-Fact pursuant to the power herein given. This Power of Attorney is made and executed pursuant to and by authority of the following resolutions adopted by the Board of Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

Resolved, That the President, or any Vice-President, or any Assistant Vice President, may execute for and in behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, the same to be attested when necessary and the seal of the company affixed thereto by the Secretary, or any Assistant Secretary; and that the President, or any Vice President, or Assistant Vice President, may appoint and authorize an Attorney-in-Fact to execute on behalf of the company any and all such instruments and to affix the seal of the company thereto; and that the President, or any Vice-President, or any Assistant Vice-President, may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That Attorneys-in-Fact may be given full power and authority to execute for and in the name and on behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the company as if signed by the President and sealed and attested by the Secretary, and, further, Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and are also authorized and empowered to certify to a copy of any of the by-laws of the company as well as any resolution of the Directors having to do with the execution of bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and to certify copies of the Power of Attorney or with regard to the powers of any of the officers of the company or of Attorneys-in-Fact.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

"Resolved: That the signature of the President, or any Vice-President, or any Assistant Vice President, and the signature of the Secretary or any Assistant Secretary and the Company Seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Attorneys-in-Fact for purposes only of executing and attesting any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, the COMMERCIAL UNION INSURANCE COMPANY, has caused these presents to be signed by its Vice-President and its corporate seal to be hereto affixed, by its Secretary this 3rd day of June 1975



COMMERCIAL UNION INSURANCE COMPANY

Attest: J. Marshall Jaydon Secretary

By John G. Thompson Vice-President

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF SUFFOLK SS.

On this 3rd day of June 19 75, before me personally came John G. Thompson, Vice-President, and J. Marshall Leydon, Secretary of the COMMERCIAL UNION INSURANCE COMPANY to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and sayeth, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the corporate seal of said Company and that the said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.



Julius Szentendry  
Julius Szentendry - Notary Public  
(My Commission expires February 27, 1981)

CERTIFICATE

I, the undersigned, Assistant Secretary of the COMMERCIAL UNION INSURANCE COMPANY, a Massachusetts Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked; and furthermore, that The Resolutions of the Board of Directors set forth in the power of attorney are now in force. Signed and sealed at the City of Boston. Dated this 16th day of May 19 78



[Signature]  
Assistant Secretary

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the COMMERCIAL UNION INSURANCE COMPANY, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, and having its principal office in the City of Boston, Mass., hath made, constituted and appointed, and does by these presents make and constitute and appoint MILTON L. MUELLER, CAROLEA DICK, FRANK Y. DICKEHUT, SHIRLEY ANN HADLEY, JUDSON E. TERRY, JR., NORMAN L. SHARP and R. F. PAGE all of Wichita, Kansas

and each of them its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf as surety any and all bonds or undertakings

and the execution of such bonds or undertakings in pursuance of these presents, shall be binding upon said Company as fully and amply, to all intents and purposes, as if such bonds were signed by the President, sealed with the corporate seal of the Company, and duly attested by its Secretary, hereby ratifying and confirming all the acts of said Attorney-in-Fact pursuant to the power herein given. This Power of Attorney is made and executed pursuant to and by authority of the following resolutions adopted by the Board of Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

Resolved, That the President, or any Vice-President, or any Assistant Vice President, may execute for and in behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and that the President and the seal of the company affixed, and further, Attorney-in-Fact are hereby authorized to execute on behalf of the company any and all such instruments and to affix the seal of the company thereto; and that the President, or any Vice-President, or any Assistant Vice-President, may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That Attorneys-in-Fact may be given full power and authority to execute for and in the name and on behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the company as if signed by the President and sealed and attested by the Secretary, and, further, Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and are also authorized and empowered to certify to a copy of any of the by-laws of the company as any resolution of the Directors having to do with the execution of bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and to certify copies of the Power of Attorney or with regard to the powers of any of the officers of the company or of Attorneys-in-Fact.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

"Resolved: That the signature of the President, or any Vice-President, or any Assistant Vice President, and the signature of the Secretary or any Assistant Secretary and the Company Seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Attorneys-in-Fact for purposes only of executing and attesting any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, the COMMERCIAL UNION INSURANCE COMPANY, has caused these presents to be signed by its Vice-President and its corporate seal to be hereto affixed, by its Secretary this 3rd day of June 1975



Attest: J. Marshall Taylor Secretary

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF SUFFOLK SS.

COMMERCIAL UNION INSURANCE COMPANY  
By: John G. Thompson Vice-President

On this 3rd day of June 19 75, before me personally came John G. Thompson, Vice-President, and J. Marshall Taylor, Secretary of the COMMERCIAL UNION INSURANCE COMPANY to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and sayeth, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the corporate seal of said Company and that the said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.

Julius Szentendry  
Julius Szentendry — Notary Public  
(My Commission expires February 27, 1981)



CERTIFICATE

I, the undersigned, Assistant Secretary of the COMMERCIAL UNION INSURANCE COMPANY, a Massachusetts Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked; and furthermore, that The Resolutions of the Board of Directors set forth in the power of attorney are now in force. Signed and sealed at the City of Boston. Dated this 16th day of May 19 78



[Signature]  
Assistant Secretary

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That, we Craig E. Lawrence & Stephen D. Russell as Principal, and Commercial Union Insurance Company as Surety, are held and firmly bound unto the County of Sedgwick, State of Kansas in the sum of Three thousand two hundred and seventy five & no/100 (\$ 3,275.00) Dollars, lawful money of the United States, for payment of which will and truly to be made, we bind ourselves, our heirs, executors, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal will make the following improvements. All improvements and other work as set forth to be done and performed in accordance with the plans, specifications and provisions as determined by the County of Sedgwick for the development and improvement in Red Oaks First Addition

(Name of Subdivision)  
Plat located in Section 33, Township 27S  
Range 2E, Sedgwick County, Kansas.

NOW, THEREFORE, the said Principal Craig E. Lawrence & Stephen D. Russell shall perform the following obligations and conditions:

- see attached amendment*
1. Sidewalks for Lots 22 thru 26 in Block 3 and Lots 15 thru 22 in Block 2, Red Oaks First Addition *2250*
  - 2.\*
  - 3.\*
  - 4.\*
  5. Reimbursement to the County of Sedgwick at an actual cost figure, all costs and expenses related to the preparation of plans and specifications and the inspection of construction of the above listed projects.

Which obligations and each of them shall be performed on or before July 1, 19 80\*\* and all of which shall be performed and accomplished in accordance with presently established standards and specifications of the Director of Public Works of Sedgwick County.

NOW, THEREFORE, if the said Principal shall fully and faithfully perform all the work specified to be done and performed within the time prescribed, and in accordance with the plans, specifications and provisions, therefore, to which reference is here made; then this obligation shall be void; otherwise to remain in full force and effect in law; it being expressly understood and agreed that the liability of the Surety for any or all claims hereunder, shall in no event exceed the penal amount of this obligation, as herein stated. It is expressly understood that the County may declare said bond forfeited if the conditions herein have not been fully complied with in every respect and further, that the County may install said projects and pay for same out of said forfeited bond funds. Provided, however, this bond shall not be applicable to lots sold to others, who have received from the County a permit to proceed with development of such lots.

*Copy*

The said Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the plans or specifications therefore, or any extension of time, shall in any wise affect the obligation of said Surety on its bond.

IN WITNESS WHEREOF, we have hereunto set our hand and seals on this

16th day of May, 19 78.

[Signature] Steph. Russell Principal  
Craig E. Lawrence and Stephen D. Russell

[Signature] Surety  
Norman L. Sharp Attorney In Fact

- \* Insert N/A (Not Applicable) when blanks are not used.
- \*\* Insert date, 2 years following the date of approval of the final plat by the Planning Commission.

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

Be it remembered that on this 16th day of May, 19 78,

before me a Notary Public in and for said County and State, came Craig E. Lawrence

and Stephen D. Russell and Commercial Union Insurance Company  
(Principal) (Surety)

to me personally known to be the same persons executing the foregoing instrument of writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed by notarial seal the day and year above written.

BARBARA S. LOVE  
STATE NOTARY PUBLIC  
Sedgewick County, Kansas

[Signature] Notary Public

My Commission Expires: 11/11/78

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the COMMERCIAL UNION INSURANCE COMPANY, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, and having its principal office in the City of Boston, Mass.,

and each of them its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf as surety any and all bonds or undertakings

and the execution of such bonds or undertakings in pursuance of these presents, shall be binding upon said Company as fully and amply, to its Secretary, hereby ratifying and confirming all the acts of said Attorney-in-Fact pursuant to the power herein given.

Resolved, That the President, or any Vice-President, or any Assistant Vice President, may execute for and in behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof,

Resolved: That Attorneys-in-Fact may be given full power and authority to execute for and in the name and on behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof,

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

"Resolved: That the signature of the President, or any Vice-President, or any Assistant Vice President, and the signature of the Secretary or any Assistant Secretary and the Company Seal may be affixed by facsimile to any power of attorney

IN WITNESS WHEREOF, the COMMERCIAL UNION INSURANCE COMPANY, has caused these presents to be signed by its Vice-President and its corporate seal to be hereto affixed, by its Secretary this 3rd day of June 1975



Attest: J. Marshall Leydon Secretary

COMMERCIAL UNION INSURANCE COMPANY

By John G. Thompson Vice-President

COMMONWEALTH OF MASSACHUSETTS COUNTY OF SUFFOLK SS.

On this 3rd day of June 1975, before me personally came John G. Thompson, Vice-President, and J. Marshall Leydon, Secretary of the COMMERCIAL UNION INSURANCE COMPANY to me personally known to be the individuals and officers



Julius Szentendry - Notary Public (My Commission expires February 27, 1981)

CERTIFICATE

I, the undersigned, Assistant Secretary of the COMMERCIAL UNION INSURANCE COMPANY, a Massachusetts Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked; and furthermore, that The Resolutions of the Board of Directors set forth in the power of attorney are now in force.

Signed and sealed at the City of Boston. Dated this 19th day of May 1978




Assistant Secretary

AMENDMENT TO PERFORMANCE BOND

It is hereby agreed and understood that the bond issued to the County of Sedgwick covering the Improvements of Sidewalks for Lots 22 thru 26 in Block 3, and Lots 15 thru 22 in Block 2, Red Oaks First Addition is hereby increased to the sum of Five Thousand Five Hundred Twenty Five and no/100 - - (\$5,525.00) in lieu of \$3,275.00 as originally issued.

All other terms and conditions remain the same.

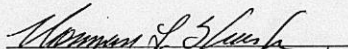
In witness where of, we have here unto set our hands and seals on this 19th day of May, 1978.

  
Craig E. Lawrence

Principal

  
Stephen D. Russell

Principal

  
Norman L. Sharp

Surety  
Attorney in Fact

COMMERCIAL UNION INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the COMMERCIAL UNION INSURANCE COMPANY, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, and having its principal office in the City of Boston, Mass., hath made, constituted and appointed, and does by these presents make and constitute and appoint NORMAN C. HALVORSON, MILTON L. MUELLER, CAROLEA DICK, FRANK Y. DICKEHUT, SHIRLEY ANN HADLEY, JUDSON E. TERRY, JR., NORMAN L. SHARP and R. F. PAGE all of Wichita, Kansas

and each of them its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf as surety any and all bonds or undertakings

and the execution of such bonds or undertakings in pursuance of these presents, shall be binding upon said Company as fully and amply, to all intents and purposes, as if such bonds were signed by the President, sealed with the corporate seal of the Company, and duly attested by its Secretary, hereby ratifying and confirming all the acts of said Attorney-in-Fact pursuant to the power herein given. This Power of Attorney is made and executed pursuant to and by authority of the following resolutions adopted by the Board of Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

Resolved, That the President, or any Vice-President, or any Assistant Vice-President, may execute for and in behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, the same to be attested when necessary and the seal of the company affixed thereto by the Secretary, or any Assistant Secretary, and that the President, or any Vice-President, or Assistant Vice-President, may appoint and authorize any Attorney-in-Fact to execute on behalf of the company any and all such instruments and to affix the seal of the company thereto; and that the President, or any Vice-President, or any Assistant Vice-President, may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That Attorneys-in-Fact may be given full power and authority to execute for and in the name and on behalf of the company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the company as if signed by the President and sealed and attested by the Secretary, and, further, Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and are also authorized and empowered to certify to a copy of any of the by-laws of the company as well as any resolution of the Directors having to do with the execution of bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and to certify copies of the Power of Attorney or with regard to the powers of any of the officers of the company or of Attorneys-in-Fact.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Directors of the COMMERCIAL UNION INSURANCE COMPANY at a meeting duly called and held on the twenty-seventh day of July, 1972:

"Resolved: That the signature of the President, or any Vice-President, or any Assistant Vice-President, and the signature of the Secretary or any Assistant Secretary and the Company Seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Attorneys-in-Fact for purposes only of executing and attesting any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, the COMMERCIAL UNION INSURANCE COMPANY, has caused these presents to be signed by its Vice-President and its corporate seal to be hereto affixed, by its Secretary this 3rd day of June 1975



Attest: J. Marshall Jeyda Secretary

COMMERCIAL UNION INSURANCE COMPANY

By John G. Thompson Vice-President

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF SUFFOLK SS.

On this 3rd day of June 19 75, before me personally came John G. Thompson, Vice-President, and J. Marshall Leydon, Secretary of the COMMERCIAL UNION INSURANCE COMPANY to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they acknowledged the execution of the same, and being by me duly sworn, the preceding instrument is the corporate seal of said Company and that the said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Company.



Julius Szentendry  
Julius Szentendry — Notary Public  
(My Commission expires February 27, 1981)

CERTIFICATE

I, the undersigned, Assistant Secretary of the COMMERCIAL UNION INSURANCE COMPANY, a Massachusetts Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked; and furthermore, that The Resolutions of Board of Directors set forth in the power of attorney are now in force. Signed and sealed at the City of Boston. Dated this 16th day of May 19 78



[Signature]  
Assistant Secretary

April 25, 1978

Mr. Everett Patrick, Chairman  
Board of County Commissioners  
Sedgwick County Courthouse  
Wichita, Kansas 67203

Re: SCZ-0343, "R-1" to "AA" and S/D 75-35 Red Oaks Addition,  
request for extension of platting time.

Dear Mr. Patrick:

We are in receipt of a copy of a letter to you from Mr. Pete Russell requesting a 6 month extension of the platting time limit on the above referenced zone case.

Our files indicate that zone case SCZ-0343 was approved by the Board of County Commissioners on April 30, 1975, subject to platting within 3 years time. The associated plat, S/D 75-35 Red Oaks Addition, was approved by the Planning Commission on October 23, 1975, subject to several conditions. In addition, we note that the parties now involved are not the original developers and that the plat needs to be re-approved by the present Planning Commission to provide for more current approval dates. The present developer, Mr. Pete Russell, should contact the Planning Department as soon as possible regarding the procedure for re-approval of the plat.

We concur in the requested 6 month extension with the new plat completion date to be October 30, 1978. We would also recommend that this matter be placed on the County Commission agenda for your consideration on ~~April 5~~<sup>May 5</sup>, 1978. If you have any questions concerning this matter, please call.

Sincerely,

*5-3-78 B.Co.C. granted 6mo. ext. to 10-30-78*

Jack H. Galbraith  
Chief Planner

JHG:CLN:et

cc:

Pete Russell, 1218 S. Doreen, Wichita, Kansas 67207

April 18, 1978



Mr. Everett Patrick, Chairman  
Board of County Commissioners  
Sedgwick County Courthouse  
525 North Main Street  
Wichita, Kansas 67202

Re: Red Oaks Addition  
SCZ-0343

Gentlemen:

This letter is to respectfully request that the time limit for platting, associated with the above referenced zone change case, be extended for six months.

The final plat has been approved by the Metropolitan Area Planning Commission subject to several conditions, all of which have been complied with except an appropriate guarantee for the construction of sidewalks. We are presently in the process of securing these guarantees, but it would appear that we will need the additional time as requested above.

We would appreciate your favorable action on this request.

Very truly yours,

*Red Oaks, Inc.*  
*Pete Russell*  
Red Oaks, Inc.

cc: Jack Galbraith ✓  
PEC, P.A.

DATA PROCESSING MEMO

*Red Oaks Add.*

DATE: October 19, 1977  
OFFICE: Sedgwick County Treasurer  
DEPARTMENT HEAD: Walter C. Richardson

DEPARTMENT: Real Estate Taxes  
TELEPHONE: 268-7411

Re: MI-21h-1  
Legal Description: W 1/2 E 1/2  
NW 1/4 Sec. 33-27-2E  
Under name of Jim E. Cohlins

COMMENTS: Red Oaks, Inc.  
1218 Doreen  
Wichita, Kansas 67207

Dear Sirs:

We are returning your check No. 787 dated October 13, 1977 in the amount of \$146.57 which you sent to our Office for payment of taxes on above property.

Our records indicate that the 1976 taxes have been paid in full. 1st half paid 2-9-77 in the amount of \$146.57, Receipt No. 154949. 2nd half paid 6-21-77 in the amount of \$146.58, Receipt No. 172610. The taxes for the year 1977 will not be mailed out until after November 1, 1977.

You will want to void and destroy this check.

Yours truly,

Walter C. Richardson  
Sedgwick County Treasurer  
By: Tax Clerk - Elaine Ashlock

WCR:es  
encl.  
ck.



SEDGWICK COUNTY COURTHOUSE

**COUNTY OF SEDGWICK**  
DEPARTMENT OF PUBLIC WORKS

1015 STILLWELL  
WICHITA, KANSAS 67213

G. C. MCLURE, JR., P. E.  
COUNTY ENGINEER / DIRECTOR OF PUBLIC WORKS

268-7901

PHONE 233-2525



September 13, 1977

Mr. Curtis Newby, Junior Planner  
Metropolitan Area Planning Department  
City Hall- Tenth Floor  
455 North Main  
Wichita, Kansas 67202

RE: Red Oaks Addition

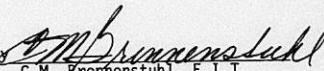
Dear Curtis:

This Department has reviewed the Drainage Plan for the Red Oaks Addition and find it to be satisfactory.

If any further information is required, please contact this office.

Yours very truly,

G.C. McLure Jr., P.E.  
County Engineer/Director  
of Public Works

By   
C.M. Bremenstahl, E.I.T.

Enclosure  
cc: Gary Wiley, P.E.C.  
CMB/cm

**THE CITY OF WICHITA**

**OFFICE OF** Ass't. Supt. of Public Works      **DATE** August 29, 1977  
Maint.

**TO** Jack Galbraith, Chief Planner, MAPD

**FROM** M. S. Mitchell

**SUBJECT** - Red Oaks Addn.  
S/D 75-35



Reference is made to Item I of the staff comments and subsequent discussions with Professional Engineering Consultants regarding the proposed drainage system. I have reviewed the plan prepared by the consultant with the City Engineer's staff and advise you that the drawing titled "Red Oaks Drainage Plan, Map 2" received by this office on January 2, 1976 is approved and satisfies Item I.

I trust this information is sufficient to permit final processing of the plat; however, if further information or discussion is desired, please advise.

M. S. Mitchell,  
Ass't. Superintendent of  
Public Works Maintenance

MSM/glm

cc: C. H. Wilton  
G. C. McLure  
Dick Linn  
Professional Engineering Consultants  
Red Oaks Addn. Plat File

Attach.

**CITY OF WICHITA**  
OFFICE OF ENGINEERING

DATE August 26, 1977



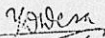
TO Curtis L. Newby, Planning Department  
FROM Yash D. Desai, Drainage Chief Engineer

SUBJECT FINAL PLAT OF RED OAKS FIRST ADDITION

On August 23, 1977, Mr. Bill Keltner, of Professional Engineering Consultants, submitted a preliminary plan for Red Oaks First Addition. It is understood that the following provisions in the plan shall be satisfied in order to resolve drainage in the area:

- A. Lot 15, Block 2, shall be dedicated for drainage in order to serve as an outlet for drainage from the Northwest.
- B. A 20.0 foot drainage easement shall be provided between Lot 16, Block 2 and Lot 17, Block 2, for the installation of a storm sewer.
- C. A minimum pad elevation shall be set by Mr. M. S. Mitchell, of the Maintenance/Flood Control Office.
- D. Applicant shall submit complete plans of the design of storm sewers in the area to the City Engineer's Office for approval before commencement of any work on site. That the applicant shall guarantee installation of such storm sewer system(s).
- E. Any regrading of roadside ditch along the south line of Harry Street in order to provide a satisfactory outfall for storm sewer shall be contracted by the applicant and guarantees for such work submitted.
- F. The construction of the storm sewer shall not commence before the drainage channel for Park Meadow Estates along north line of Harry Street has been constructed.

I trust this information is sufficient to permit final processing of the plat, however, if further information is required, please advise or call me at Centrex 4235.

  
Yash D. Desai  
Drainage Chief Engineer

YDD/dla

cc: R. W. Linn, City Engineer/Plat File  
M. S. Mitchell, Asst. Supt. of Public Works Maintenance

THE CITY OF WICHITA

OFFICE OF ENGINEERING

DATE August 26, 1977



TO Curtis L. Newby, Planning Department  
FROM Yash D. Desai, Drainage Chief Engineer

SUBJECT FINAL PLAT OF RED OAKS FIRST ADDITION

On August 23, 1977, Mr. Bill Keltner, of Professional Engineering Consultants, submitted a preliminary plan for Red Oaks First Addition. It is understood that the following provisions in the plan shall be satisfied in order to resolve drainage in the area:

- A. Lot 15, Block 2, shall be dedicated for drainage in order to serve as an outlet for drainage from the Northwest.
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- E. Any regrading of roadside ditch along the south line of Harry Street in order to provide a satisfactory outfall for storm sewer shall be contracted by the applicant and guarantees for such work submitted.
- F. The construction of the storm sewer shall not commence before the drainage channel for Park Meadow Estates along north line of Harry Street has been constructed.

I trust this information is sufficient to permit final processing of the plat, however, if further information is required, please advise or call me at Centrex 4235.

*Yash D. Desai*  
Yash D. Desai  
Drainage Chief Engineer

YDD/dla

cc: R. W. Linn, City Engineer/Plat File  
M. S. Mitchell, Ass't. Supt. of Public Works Maintenance

5-22-78 Yash called to say drainage plans are now O.K.

This document has important legal consequences; consultation with an attorney is encouraged with respect to its completion or modification.

STANDARD FORM OF AGREEMENT  
BETWEEN  
OWNER AND ENGINEER  
FOR  
PROFESSIONAL SERVICES

THIS IS AN AGREEMENT made as of the 2<sup>ND</sup> day of March *Phone call to Tom on 3-4-77 she will put data on original. WAK*  
in the year Nineteen Hundred and Seventy Seven (1977) by and between

Board of County Commissioners

Sedgwick County, Kansas (hereinafter called OWNER) and

Professional Engineering Consultants, P. A.

1440 E. English, Wichita, Kansas 67211 (hereinafter called ENGINEER).

OWNER intends to construct sanitary sewer collection and storm sewer collection and conveyance systems within tracts of land in Sedgwick County, Kansas, identified as follows:

Tract 1 - Park Meadow Estates Addition (including Park Meadow Estates 2nd Addition)

Tract 2 - Huntcrest 2nd Addition and existing public rights-of-way adjacent to Huntcrest Addition.

Tract 3 - The west one-half of the east one-half of the northwest one-quarter of Section 33, Township 27 South, Range 2 East of the 6th P.M., including Red Oaks 1st Addition.

(Note: No open channel work is included in this Agreement. All such items as are necessary will be provided by the property owners under (hereinafter called the Project). Other Agreements.)

OWNER and ENGINEER in consideration of their mutual covenants herein agree in respect of the performance of professional engineering services by ENGINEER and the payment for those services by OWNER, as set forth below.

ENGINEER shall serve as OWNER's professional engineering representative in those phases of the Project to which this Agreement applies, and will give consultation and advice to OWNER during the performance of his services.

SECTION 1—BASIC SERVICES OF ENGINEER

1.1. General.

1.1.1. ENGINEER shall perform professional services as hereinafter stated which include normal civil, structural, mechanical and electrical engineering services and normal architectural services incidental thereto.

1.2. Study and Report Phase.

After written authorization to proceed, ENGINEER shall:

1.2.1. Consult with OWNER to determine his requirements for the Project and review available data.

1.2.2. Advise OWNER as to the necessity of his providing or obtaining from others data or services of the types described in paragraph 3.3, and act as OWNER's representative in connection with any such services.

1.2.3. Provide special analyses of OWNER's needs, planning surveys, site evaluations and comparative studies of prospective sites and solutions.

1.2.4. Provide general economic analysis of OWNER's requirements applicable to various alternatives.

1.2.5. Prepare a Report with appropriate exhibits indicating clearly the considerations involved and the alternative solutions available to OWNER, and setting forth ENGINEER's findings and recommendations with opinions of probable costs.

6.5. Successors and Assigns.

OWNER and ENGINEER each binds himself and his partners, successors, executors, administrators and assigns to the other party of this Agreement and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement, except as above, neither OWNER nor ENGINEER shall

assign, sublet or transfer his interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than OWNER and ENGINEER.

SECTION 7—SPECIAL PROVISIONS

OWNER and ENGINEER agree that this Agreement is subject to the following special provisions which together with the provisions hereof and the exhibits and schedules hereto represent the entire Agreement between OWNER and ENGINEER; they may only be altered, amended or repealed by a duly executed written instrument.

7.1.

(See pages 9 and 10 of 10)

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement as of the day and year first above written.

OWNER:

BOARD OF COUNTY COMMISSIONERS  
SEDGWICK COUNTY, KANSAS

*Mr. Scott*  
*John Hale*

ENGINEER:

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

*William H. Kattner*  
VICE PRESIDENT

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF PARK MEADOW ESTATES )  
LATERAL SEWER DISTRICT, SEDGWICK )  
COUNTY, KANSAS. )

ORDER CREATING PARK MEADOW ESTATES  
LATERAL SEWER DISTRICT

NOW, on this 17 day of December, 1975, the same being the regularly scheduled date for the meeting of the Sedgwick County Commission, the Petition to form Park Meadow Estates Lateral Sewer District comes on for hearing. Commissioners Earl E. Rush, Tom Scott and John Hale are present.

Thereupon, the Clerk calls the Petition for hearing.

Thereupon, the Commission, after hearing the statements of all interested persons and being fully advised in the premises, finds, as follows:

1. That the Petition is properly before the Commission, that all the real property subject to assessment in said district is described as follows, to-wit:

Beginning at the Southwest corner of the Southwest Quarter of Section 28, Township 27 South, Range 2 East, Sedgwick County, Kansas, thence North 885 feet, thence East 2,000 feet, thence North 870 feet, thence East 640 feet, thence South 1,755 feet, to the Southeast corner of the Southwest Quarter, thence West 1,740 feet, thence North 400 feet, thence West 500 feet, thence South 400 feet, thence West 400 feet to beginning; the South Half of the Southeast Quarter of Section 28, Township 27 South, Range 2 East, except two tracts described as follows:

- (i) Beginning at the Southwest corner of the Southeast Quarter, thence East 424.3 feet, thence North 341.33 feet, thence West 424.3 feet, thence South 341.33 feet to place of beginning; and
- (ii) Beginning at the Southeast corner of the Southeast Quarter, thence North 600 feet, thence West 600 feet, thence South 600 feet, thence East 600 feet to place of beginning; and,

a tract in the West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, Sedgwick County, Kansas, commencing at the Northeast corner of aforesaid West Half, thence along the North line of said West Half, bearing South 89° 40' 55" West a distance of 662.47 feet to the Northwest corner of said West Half, thence along the West line of said West Half, bearing South 0° 2' 21" East a distance of 1,132.32 feet, thence bearing North 90° 00' East a distance of 661.69 feet to East line of said West Half, thence along said East line bearing North 0° 00' East a distance of 1,136.00 feet to point of beginning; and,

RED  
OAKS

HUNTERCREST  
2ND

The East half of the East half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, including Lots 2 through 6, and 9 through 16, Huntercrest Addition, Sedgwick County, Kansas, but excluding the remainder of said Huntercrest Addition.

2. The owners of 100% of the area of land above described have signed the Petition and that, therefore, it is not necessary to publish notice of the Commission's intent to create the instant lateral sewer district.

3. That each of the owners of the above described property within said lateral sewer district have been notified of this hearing by notice mailed at least 10 days prior to the date fixed for said hearing.

4. That the boundaries of the District should be modified to include only the real property described above; that all the owners of the real property to be included in said District, as well as all the owners of the real property described in the Petition but excluded from said District have consented to said modification of the boundaries of the District.

5. That the creation of said District is necessary to provide sewer service to said area, and to provide for the construction of sewers therein, that its creation will promote health and welfare of Sedgwick County and that said District should be established.

IT IS, THEREFORE, ORDERED as follows:


1. That a lateral sewer district covering the above described real property be and the same hereby is created pursuant to K.S.A.

19-2704a et seq., as amended, which District shall be a body corporate and shall have perpetual succession.


2. Said District shall have the name Park Meadow Estates Lateral Sewer District.

3. The Commissioners of Sedgwick County shall serve as the Board of Directors of said District.

IT IS SO ORDERED.

  
EARL E. RUSH

  
TOM SCOTT

  
JOHN HALE

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF PARK MEADOW ESTATES )  
LATERAL SEWER DISTRICT, SEDGWICK )  
COUNTY, KANSAS. )

PETITION TO FORM A LATERAL SEWER DISTRICT

1. Petitioners request that this Board create a lateral sewer district to include the following described real property located in Sedgwick County, Kansas:

Beginning at the Southwest corner of the Southwest Quarter of Section 28, Township 27 South, Range 2 East, thence North 885 feet, thence East 2,000 feet, thence North 870 feet, thence East 640 feet, thence South 1,755 feet, to the Southeast corner of the Southwest Quarter, thence West 1,740 feet, thence North 400 feet, thence West 500 feet, thence South 400 feet, thence West 400 feet to beginning; the South Half of the Southeast Quarter of Section 28, Township 27 South, Range 2 East, except two tracts described as follows:

(i) Beginning at the Southwest corner of the Southeast Quarter, thence East 424.3 feet, thence North 341.33 feet, thence West 424.3 feet, thence South 341.33 feet to place of beginning; and

(ii) Beginning at the Southeast corner of the Southeast Quarter, thence North 600 feet, thence West 600 feet, thence South 600 feet, thence East 600 feet to place of beginning,

the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, including Lots 2 through 6, and 9 through 16, Hunterest Addition, but excluding the remainder of said Hunterest Addition. *RED OAKS and HUNTCREST 2ND*

2. Said property is within the boundaries of the Eastern Sedgwick County Main Sewer District.

3. The formation of said lateral sewer district is necessary to provide sewer service to said area.

4. A waste treatment facility to serve said laterals will be constructed.

5. Petitioners own all the above described real property.

WHEREFORE, petitioners respectfully request that their petition be set for hearing before this Board; that this Board create said district, cause lateral sewers to be constructed therein, and provide for the maintenance of said sewers and waste treatment facility.

Respectfully submitted,

*Keith E. Parker*  
\_\_\_\_\_  
KEITH PARKER

*Jacqueline K. Parker*  
\_\_\_\_\_  
JACQUELINE K. PARKER, his wife

*Bernard R. Lichteig*  
\_\_\_\_\_  
BERNARD R. LICHTSIG

*Jack Pearce*  
\_\_\_\_\_  
JACK PEARCE

*George A. Hall*  
\_\_\_\_\_  
GEORGE HALL

*Roy W. Mc Crea*  
\_\_\_\_\_  
ROY W. MC CREA

*Audra Mc Crea*  
\_\_\_\_\_  
AUDRA MC CREA, his wife

*W. Frank Barton*  
\_\_\_\_\_  
W. FRANK BARTON

*Stephen F. Barton*  
\_\_\_\_\_  
STEPHEN F. BARTON

*Gilda Barton*  
\_\_\_\_\_  
GILDA BARTON, his wife

*D. Sam Kouri*  
\_\_\_\_\_  
D. SAM KOURI

*Dr. Harry Kouri*  
\_\_\_\_\_  
DR. HARRY KOURI

*James Coilmata*  
\_\_\_\_\_  
JAMES COILMATA

July 20, 1977

Continental Insurance Company  
301 West 11th Street  
Kansas City, Missouri 64152

Attention Mr. Delahuntz

Re: Sedgwick County performance  
bond form for Red Oaks  
Addition.

Gentlemen:

Enclosed herewith is a copy of the performance bond form the County requires for bond guarantees on plat improvements which we discussed on the phone. I am still not sure at this point just what your clients are trying to submit the bond for. It may be to guarantee drainage improvement, sidewalks and/or street pavement.

If you have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Encl.



SEDGWICK COUNTY, KANSAS

TEMPORARY DRAINAGE EASEMENT

\*\*\*\*\*

*Copy  
ORIGINAL  
SUBMITTED  
TO CO. PUBLIC  
WORKS*

*This easement filed 8-8-77 but superseded by a floodway dedication on all of Lot 15 as shown on the plat.*

THIS AGREEMENT, made and entered into this 15<sup>th</sup> day of July, 1977, by and between Jim E. Cohlma, Sammy H. Kouri, and Harry J. Kouri, Jr. of Sedgwick County, State of Kansas, party of the first part, and the Board of County Commissioners of Sedgwick County, Kansas, acting for said County, party of the second part.

WITNESSETH, whereas for the proper operation and maintenance of a storm drainage system, upon land owned by party of the first part and described as follows:

Lot 15, Block 2, Red Oaks First Addition to Sedgwick County, Kansas

NOW, THEREFORE, in consideration of the payment of One Dollars (\$1.00), and other valuable considerations as follows:

To party of the first part, by party of the second part, party of the first part hereby grants and conveys to party of the second part a temporary easement upon the above described premises for the purpose of operating and maintaining a storm drainage system according to plans and specifications now on file in the office of the County Engineer of Sedgwick County, Kansas. Said easement shall expire at such time as is determined appropriate by the County Engineer.

PARTY OF THE FIRST PART

*Jim E. Cohlma*  
*Sammy H. Kouri*  
*Harry J. Kouri, Jr.*  
RECOMMENDED *J.A.A.S.*

THE BOARD OF COUNTY COMMISSIONERS  
PARTY OF THE SECOND PART

\_\_\_\_\_  
CHAIRMAN  
\_\_\_\_\_  
COMMISSIONER  
\_\_\_\_\_  
COMMISSIONER

\_\_\_\_\_  
COUNTY ENGINEER

STATE OF KANSAS Sedgwick COUNTY, SS.

On this 15<sup>th</sup> day of July A.D., 19 77, before me, a notary public in and for Sedgwick County, State of Kansas, personally appeared Jim E. Cohlma, Sammy H. Kouri, Harry J. Kouri, Jr. to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as voluntary act and deed.

My commission expires January 22, 19 81.



*Bethie J. Goodson* NOTARY PUBLIC

*Newby*



TO: THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

IN RE: RED OAKS FIRST ADDITION, SEDGWICK COUNTY, KANSAS, HUNTCREST SECOND ADDITION, SEDGWICK COUNTY, KANSAS and certain other land in Sedgwick County, Kansas, described herein

This petition contemplates a joint paving project between Red Oaks and Huntcrest Second.

PETITION FOR PAVING

The undersigned are the owners of one hundred percent (100%) of the following described platted land and land proposed for platting in Sedgwick County, Kansas and outside the limits of any incorporated city, to wit:

Tract One (Red Oaks):

*100% petition*

The West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, of the 6th P.M., in Sedgwick County, Kansas, which includes land proposed for platting described as Red Oaks Addition to Sedgwick County, Kansas.

Tract Two (Huntcrest Second):

*not 100% petition*

The East Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, of the 6th P.M., in Sedgwick County, Kansas, which includes lots 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15 and 16 in Huntcrest Addition, a platted subdivision, comprising the North 1370 feet of said East Half of the East half of Section 33; but excluding lots 1, 7, and 8 in said Huntcrest Addition. This tract of land is proposed for platting as Huntcrest Second Addition to Sedgwick County, Kansas.

The undersigned do hereby petition for the construction of curbing, guttering, paving, and macadamizing of certain public roads within the following realty in Sedgwick County, Kansas, and outside the limits of any incorporated city, as contemplated by K.S.A. 68-728, 12-606, and 12-608 and any amendments thereto, to wit:

**FILED**  
JUL 9 1977  
DOROTHY K. WHITE  
COUNTY CLERK

Tract One (Red Oaks):

The West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, of the 6th P.M., in Sedgwick County, Kansas, which includes land proposed for platting described as Red Oaks Addition to Sedgwick County, Kansas.

Tract Two (Huntcrest Second):

The East Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, of the 6th P.M., in Sedgwick County, Kansas, which includes lots 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15 and 16 in Huntcrest Addition, a platted subdivision, comprising the North 1370 feet of said East Half of the East half of Section 33; but excluding lots 1, 7, and 8 in said Huntcrest Addition. This tract of land is proposed for platting as Huntcrest Second Addition to Sedgwick County, Kansas.

Tract Three:

Lot 1, Huntcrest Addition to Sedgwick County, Kansas, said property owned by A. T. Mallory and Faye L. Mallory, 1602 Cranbrook, Wichita, Kansas, 67207; and

Tract Four:

Lots 7 and 8, Huntcrest Addition to Sedgwick County, Kansas, said property owned by La Verne E. Forste and Winifred M. Forste, 10328 E. Osie, Wichita, Kansas 67207.

Petitioners further pray that this petition be set down for hearing in conformity with K.S.A. 60-728, et seq.

WHEREFORE, your petitioners pray that the Board of County Commissioners by resolution declare such work or improvements necessary to be done and cause such resolution to be published for three (3) consecutive weeks in the official paper of Sedgwick County, Kansas, and if the owners of more than one-half of the property liable for taxation for the curbing, guttering, paving, macadamizing, or draining, or recurring, reguttering, repaving, remacadamizing, or redraining of such roads shall not within twenty (20) days from the date of such last publication file with the County Clerk their protest against

**FILED**

JUL 9 1977

DOROTHY K. WHITE  
COUNTY CLERK

such improvements, then that the Board of County Commissioners cause such work to be done and contract therefore and levy taxes as provided by law.

TRACT ONE (RED OAKS FIRST ADDITION):

Harry J. Kouri, Junior  
Harry J. Kouri, Junior

Beverly Ann Kouri  
Beverly Ann Kouri, wife of  
Harry J. Kouri, Junior

Sammy H. Kouri  
Sammy H. Kouri

Jacqueline N. Kouri  
Jacqueline N. Kouri, wife of  
Sammy H. Kouri

Jim E. Cohlma  
Jim E. Cohlma

Ruth L. Cohlma  
Ruth L. Cohlma, wife of Jim E.  
Cohlma

HAYSVILLE STATE BANK, HAYSVILLE,  
KANSAS

BY:

Wayne Lewis

ATTEST:

Ray J. Parker

TRACT TWO (HUNTCREST SECOND ADDITION):

W. Frank Barton  
W. Frank Barton

Stephen F. Barton  
Stephen F. Barton

Gilda Z. Barton  
Gilda Z. Barton, wife of  
Stephen F. Barton

Keith E. Parker  
Keith E. Parker

Jacquelyn W. Parker  
Jacquelyn W. Parker, wife of  
Keith E. Parker

FILED

JUL 3 1951

DOROTHY K. WHITE  
COUNTY CLERK

WENDELKEN, CLINE & CROCKETT  
ATTORNEYS AT LAW

CLYDE WENDELKEN  
CHARLES M. CLINE  
DAVID G. CROCKETT  
DAVID A. GRIPP  
LESLIE F. HULNICK

Suite 405, Brown Building  
Wichita, Kansas 67202  
(316) 263-7596

East Side Financial Center  
7201 E. Kellogg  
Wichita, Kansas 67207  
(316) 684-5114

REPLY TO

Brown Building

July 7, 1977

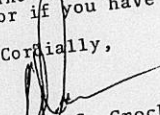
Mr. Bill Keltner  
1440 East English  
Wichita, Kansas

Re: Red Oaks Development

Dear Bill:

Enclosed please find an updated statement of title from Fidelity.  
The original is in my file. Let me know if it is not satisfactory  
or if you have any questions.

Cordially,

  
David G. Crockett

DGC/cd

Enclosure

cc: Mr. Craig Lawrence

STATEMENT OF TITLE

*see new title statement dated 5-17-78*

STATE OF KANSAS )  
                          ) SS:  
SEDGWICK COUNTY )

The Fidelity Title Company, Inc., duly qualified Abstracter under the laws of the State of Kansas, after a careful search of the records of Sedgwick County, Kansas, makes the following statement concerning the title to the following described property situated in said County and State, to-wit:

*RED OAKS*

The West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, Sedgwick County, Kansas, containing 40 acres.



That the last deed or deeds purporting to convey title to said property is a

Warranty Deed filed February 2, 1976, recorded in Book "175", Page 1006, from George L. Hall and Velma L. Hall, his wife, to JIM E. COHLMIA, SAMMY H. KOURI and HARRY J. KOURI, Jr.

*plat assigned by George L. Hall*  
6-29-77

Same

and purports to be a full and complete conveyance of the entire fee simple title, except as follows:

excepting easements and rights of way currently of record.

That there are no rights-of-way or easements of record, except as follows:

Right-of-Way Agreement, recorded in Book "247", Page 167, filed June 29, 1949, as to S10' of N40' of E½ NW¼ 33-27-2E, cont. 0.3 acres more or less, from Margaret A. Hunter to Sedgwick County State of Kansas. Agreement & Partial Release filed Jan. 2, 1973, recorded in Book "43" Page 820 (See Exh. "A" attached).

In the Matter of the Application of the Cities Service Gas Company, a Delaware corporation for the appointment of Commissioners to lay out a Right of Way for a 12 inch pipe line for the transportation of natural gas & to make appraisalment & assessment of damages therefor, recorded in Book "47" of Misc. page 507, filed August 23, 1928.

6-29-77 See Exhibit "B" attached.



That there are no farm or surface leases except as follows:

Affidavit filed March 12, 1952, recorded in Book "286", Page 573, from Joseph F. Creed, stating no production of oil and or gas has been obtained & no development in the exploration for oil and or gas has occurred on NW¼ of 33-27-2E which would have extended the term of any standard, commercial oil and gas lease thereon beyond the primary term thereof.

That the Probate Court discloses the following facts with reference to the grantee under the last deed above set forth:

None

That said land is mortgaged as follows: (Any releases of record are assumed to be valid.)

Mortgage filed February 2, 1976, recorded in Book "175", page 1025, from Harry Kouri and Beverly Ann Kouri, husband & wife; Sammy H. Kouri & Jacqueline N. Kouri, husband & wife; James E. Cohlma & Ruth L. Cohlma, husband & wife, to THE HAYSVILLE STATE BANK, in the original amount of \$50,000.00.

6-29-77 Above Mortgage Not released.

Fidelity  
Title  
Company,  
inc.

That the records of the Clerk of the District Court of Sedgwick County, Kansas, and the Clerk of the United States District Court, District of Kansas, Second Division, disclosed the following judgments, suits pending, execution, lis pendens, mechanics liens, tax liens, or bankruptcy proceedings affecting the property above described or the persons mentioned herein, as follows:

- Personal Tax Lien, against Jim E. Cohlma, 346 N. Brookside, #1036, for the year 1961, filed 11-5-62, in sum of \$2.89, plus, unpaid. Last Execution 2-3-72.
- 6-29-66 Above Personal Tax Lien, #1036, paid.
- Personal Tax Lien, against Jim Cohlma, 1740 Jeanette, #7791, for the year 1960, filed 10-20-61, in sum of \$45.17, plus unpaid. Last Execution 1-5-76.
- 6-29-77 Above Personal Tax Lien, #7791, paid.
- Dist. Court #C-32787, Sigmund Leiker VS Harry Kouri Jr., et al, Damages \$250,000.00, filed 2-20-75, pending.
- 6-29-77 Above Dist. Court #C-32787, still pending.

That tax rolls show, as of the date hereof, that taxes are paid except as follows: (Taxes on royalty interests not searched.)

- Key #MI-214-1
- Taxes for the year 1975 and prior years, paid.
- (1975 taxes \$292.97, receipt #159278).
- 6-29-77 Taxes for the year 1976, 1st half, \$146.57, paid, receipt #154949.
- Taxes for the year 1976, 2nd half, \$146.58, unpaid.

Dated at Wichita, Kansas, this 27th day of August, 1976 at 7:00 o'clock A. m.



FIDELITY TITLE COMPANY, INC.

*Anita Shaw*  
Asst. Sec. ~~XXXXXXXXXXXX~~ ang

Tracer No. 34717

This Certificate hereby re-certified from August 27th, 1976; 7:00 A.M. to June 29th 1977; 7:00 A.M.

FIDELITY TITLE COMPANY, INC.  
By *Anita Shaw*

Tracer No. 39338

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT

BOOK 43 PAGE 820

JAN 2 1973

NO. 1 38887

JOHN HALL  
REGISTER OF DEEDS

*Beard & Gifford  
Sedgwick County*

EXHIBIT "A"

AGREEMENT AND PARTIAL RELEASE

THIS AGREEMENT, made and entered into between \_\_\_\_\_  
George L. Hall

hereinafter called "Owner", whether one or more, and Cities Service Gas Com-  
pany, a Delaware corporation, hereinafter called "Company",

WITNESSETH: That,

WHEREAS, On May 2, 1928, Cora M. Massey, et al, executed in favor  
of Cities Service Gas Company, as Grantee, a pipeline easement recorded in  
Book 47 Misc. at Page 363 in the office of the Register of Deeds in Sedgwick  
County, Kansas, and covering the following described land, to-wit: Northwest  
Quarter (NW/4) Section 33, Township 27 South, Range 2 East, Sedgwick County,  
Kansas, and *D-10  
78497*

WHEREAS, On June 13, 1928, Cora M. Massey, Guardian of Louis J.  
Massey, Mable E. Massey, Lyle Massey and Paul J. Massey, minors, exe-  
cuted in favor of Cities Service Gas Company, as Grantee, a pipeline easement  
recorded in Book 47 Misc. at Page 366 in the office of the Register of Deeds  
in Sedgwick County, Kansas, and covering the following described land, to-wit:  
Northwest Quarter (NW/4) Section 33, Township 27 South, Range 2 East,  
Sedgwick County, Kansas, and *D-10  
78499*

WHEREAS, Owners represent and warrant to Company that, subject  
to the above described pipeline easements, they fully own and are in possession  
of the following described lands, to-wit:

West Half East Half Northwest Quarter (W/2 E/2 NW/4)  
Section 33, Township 27 South, Range 2 East, Sedgwick  
County, Kansas, hereinafter called "Owner's Tract", and

WHEREAS, an 18-inch high pressure natural gas pipeline, herein called  
"Pipeline", has heretofore been laid on and across Owner's Tract in accordance  
with the aforesaid easements and said Pipeline is now in active operation; and,

WHEREAS, Cities Service Gas Company is the present owner and holder  
of the above referred to easements; and,

WHEREAS, Owner has requested Company to limit its Right of Way to  
a defined strip across said Owner's Tract; and,

WHEREAS, Company is willing to limit its right of way to a defined  
strip across Owner's Tract, and to release the balance of said Owner's Tract  
from the terms and provisions of said easements under conditions hereinafter  
provided and mutually agreed upon by Company and Owner.

It is agreed that the pipeline traverses Owner's Tract along the fol-  
lowing described route as shown on the attached plat:

Beginning at a point 478 feet North of the Southwest corner  
of E/2 NW/4 of said Section 33, Township 27 South, Range 2  
East; extending thence Northeasterly across Owner's Tract  
to a point 849 feet North of the Southeast corner of W/2 E/2  
NW/4 of said Section 33, Township 27 South, Range 2.

*6<sup>20</sup>  
Cities Service Gas Co.  
First Nat'l Bldg  
Oklahoma City  
Okla - 73125*

*easement for pipeline three  
feet across 2 1/2 feet begins at a point  
(824) feet north of corner*

NOW, THEREFORE, in consideration of the covenants herein contained and the mutual benefits to be derived therefrom, Company does hereby release, surrender and terminate all of the right, title and interest in and to said Owner's Tract, which it acquired by the easements first hereinabove described, SAVE AND EXCEPT right of way strip across said land which is definitely described as follows:

A strip of land 66 feet in width extending the full length of the pipeline across Owner's Tract, the centerline of said 66 foot strip to be the centerline of the pipeline.

and save and except the right of ingress and egress across Owner's Tract adjacent to said strip for the purpose of exercising any and all of the rights which Company has under the easements first hereinabove described, all of which rights are specifically reserved with regard to said strip.

Notwithstanding the provisions of the above paragraphs providing for a 66 feet strip, Owner, his successors and assigns, agree that the building line on said Owner's Tract for permanent installation shall not be less than 50 feet from the center of said Pipeline.

Owner, his heirs, successors and assigns, shall have the right to use and enjoy the surface of the right of way strip herein reserved; provided such use and enjoyment shall not interfere with the use of said strip by Company, its successors and assigns, for the purposes set out in the original easements, first hereinabove described; and provided further that Owner, his heirs, successors and assigns, shall not erect or construct, nor permit the erection or construction of any building, engineer works, or other structures, on, over, or across said strip. It is mutually agreed, however, that this no-building restriction shall not prohibit the building of necessary streets, alleyways, driveways, sewer lines, water lines and yard fences, across but not along said strip provided Company, its successors and assigns, shall not be held liable to Owner, his heirs, successors and assigns, for any damage caused to any such facilities constructed across the strip in exercising the rights granted in the original easements, and provided further that, if in the judgment of Company, the construction of such permitted facilities across said strip requires that the Pipeline or Pipelines be altered, lowered, encased or otherwise protected, the entire cost of such protective measures shall be borne fully by Owner, his heirs, successors and assigns.

Signed and delivered this 8th day of December, 1972.

*George L. Hall*  
George L. Hall

CITIES SERVICE GAS COMPANY

ATTEST:

*F. W. Harrington, Jr.*  
F. W. Harrington, Jr. Asst. Secy.




By *E. S. Hanson*  
E. S. Hanson, Vice President

STATE OF Kansas )  
 ) SS:  
COUNTY OF Sedgwick )

Before me, a Notary Public in and for said County and State, on this 8th day of December, 1972, personally appeared George L. Hall

to me personally known to be the identical and same person or persons who executed the within and foregoing instrument and duly acknowledged to me that executed same as his free and voluntary act and deed for the uses and the purposes therein set forth.

My commission expires:  
September 17, 1976

J. R. Williams  
Notary Public J. R. Williams  


STATE OF OKLAHOMA )  
 ) SS:  
COUNTY OF OKLAHOMA )

Before me, a Notary Public in and for said County and State on this 16th day of November, 1972, personally appeared E. S. Hanson, to me personally known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Vice President and duly acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation for the uses and purposes therein set forth.

My commission expires:  
July 28, 1975

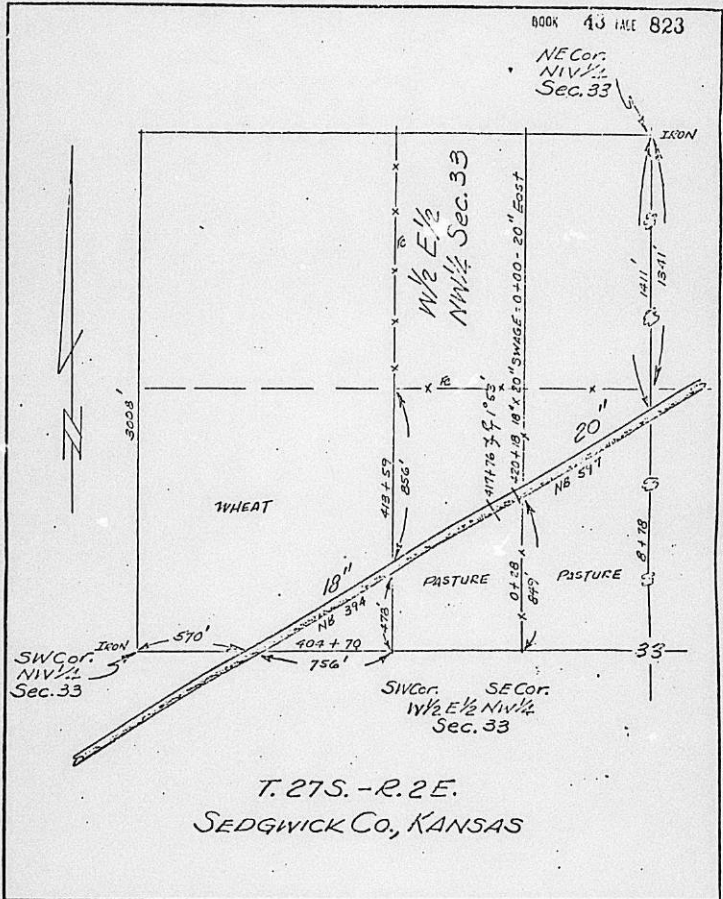
Barbara Russell  
Barbara Russell, Notary Public



FORM-CIG-1737

BOOK 43 PAGE 823

NE Cor.  
NW 1/4  
Sec. 33



T. 27S. - R. 2E.  
SEDGWICK CO., KANSAS

<b>CITIES SERVICE GAS COMPANY</b>		
<b>TITLE</b> LOCATION OF VERTICAL 15" x 20" PIPELINE TA IN THE NW 1/4, SEC. 33-T. 27S. - R. 2E., SEDGWICK CO., KANSAS		<b>SCALE</b> 1" = 500' <b>DATE</b> 11-29-72
<b>FILE NO.</b>		
<b>COMPUTED BY</b>	<b>CHECKED BY</b>	<b>APPROVED</b>

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF PARK MEADOW ESTATES )  
LATERAL SEWER DISTRICT, SEDGWICK )  
COUNTY, KANSAS. )

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
MAR 23 1977  
NO. 3 20194  
BETTE F. MCCART  
MEMBER OF CLERK

EXHIBIT "B"  
ORDER CREATING PARK MEADOW ESTATES  
LATERAL SEWER DISTRICT

NOW, on this 17 day of December, 1975, the same  
being the regularly scheduled date for the meeting of the Sedgwick  
County Commission, the Petition to form Park Meadow Estate Lateral  
Sewer District comes on for hearing. Commissioners Earl F. Rust,  
Tom Scott and John Hale are present.

Thereupon, the Clerk calls the Petition for hearing.

Thereupon, the Commission, after hearing the statements of  
all interested persons and being fully advised in the premises,  
finds, as follows:

1. That the Petition is properly before the Commission, that  
all the real property subject to assessment in said district is  
described as follows, to-wit:

Beginning at the Southwest corner of the  
Southwest Quarter of Section 28, Township  
27 South, Range 2 East, Sedgwick County,  
Kansas, thence North 8.5 feet, thence East  
2,000 feet, thence North 870 feet, thence  
East 640 feet, thence South 1,755 feet, to  
the Southeast corner of the Southwest Quarter,  
thence West 1,740 feet, thence North 400 feet,  
thence West 508 feet, thence North 400 feet,  
thence West 403 feet to beginning; the South  
Half of the Southeast Quarter of Section 28,  
Township 27 South, Range 2 East, except two  
tracts described as follows:

- (1) Beginning at the Southwest corner  
of the Southeast Quarter, thence  
East 424.3 feet, thence North  
341.33 feet, thence West 424.3 feet,  
thence South 341.33 feet to place  
of beginning; and
- (11) Beginning at the Southeast corner  
of the Southeast Quarter, thence  
North 600 feet, thence West 600  
feet, thence South 600 feet, thence  
East 600 feet to place of beginning;  
and

*C. B. H. County Clerk*

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

a tract in the West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, Sedgwick County, Kansas, commencing at the Northeast corner of aforesaid West Half, thence along the North line of said West Half, bearing South 39° 40' 57" West a distance of 662.47 feet to the Northwest corner of said West Half, thence along the West line of said West Half, bearing South 00° 21' 21" East a distance of 1,137.32 feet, thence bearing North 90° 00' East a distance of 661.60 feet to East line of said West Half, thence along said East line bearing North 0° 00' East a distance of 1,136.00 feet, to point of beginning; and,

The East half of the East half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East, including Lots 2 through 6, and 9 through 16, Huntcrest Addition, Sedgwick County, Kansas, but excluding the remainder of said Huntcrest Addition.

2. The owners of 100% of the area of land above described have signed the Petition and that, therefore, it is not necessary to publish notice of the Commission's intent to create the instant lateral sewer district.

3. That each of the owners of the above described property within said lateral sewer district have been notified of this hearing by notice mailed at least 10 days prior to the date fixed for said hearing.

4. That the boundaries of the District should be modified to include only the real property described above; that all the owners of the real property to be included in said District, as well as all the owners of the real property described in the Petition but excluded from said District have consented to said modification of the boundaries of the District.

5. That the creation of said District is necessary to provide sewer service to said area, and to provide for the construction of sewers therein, that its creation will promote health and welfare of Sedgwick County and that said District should be established.

IT IS, THEREFORE, ORDERED as follows:

1. That the lateral sewer district covering the above described real property be and the same hereby is created pursuant to K.S.A.



19-270<sup>th</sup> et seq., as amended, which District shall be a body corporate and shall have perpetual succession.

2. Said District shall have the name Park Meadow Estates Lateral Sewer District.

3. The Commissioners of Sedgwick County shall serve as the Board of Directors of said District.

IT IS SO ORDERED.

*E. Earl E. Rush*  
EARL E. RUSH

*Tom Scott*  
TOM SCOTT

*John Hall*  
JOHN HALL

I county Clerk of Sedgwick County hereby certify that the above Order creating Park Meadow Estates Lateral Sewer District is a true copy of same and request that the Register of Deeds file same in compliance with Section 12-153 K.S. A.



*Anthony K. White*  
County Clerk Sedgwick County  
Kansas.

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

**RESOLUTION**  
A RESOLUTION OF FINDING AS TO THE AD-  
VISIBILITY AND A RESOLUTION AUTHORIZING  
CONSTRUCTION AND ORDERING AND DIRECTING  
UNDER AND PURSUANT TO K.S.A. 12-46, AN IM-  
PROVEMENT CONSISTING OF A WATERWORKS  
SYSTEM TO MAKE WATER AND WATER SERVICE  
AVAILABLE TO THE PROPERTY ADJACENT TO  
CRANBROOK FROM HARRY STREET TO COUNTRYSIDE  
AND THE TWO CRANBROOK COURTS, (RED  
OAK 1ST ADDITION)

PURSUANT TO FINDINGS OF ADVISABILITY MADE  
BY THE GOVERNING BODY OF THE CITY OF  
WICHITA, KANSAS.

WHEREAS, a petition was filed with the City Clerk on  
the 18th day of April, 1977, and WHEREAS, the following  
findings as to the advisability of an improvement under  
and pursuant to K.S.A. 12-46, are hereby made to make  
water and water service available to the property adjacent  
to Cranbrook from Harry Street to Countryside and the two  
Cranbrook Courts (Red Oaks 1st Addition).

NOW, THEREFORE, BE IT RESOLVED BY THE  
BOARD OF COMMISSIONERS OF THE CITY OF  
WICHITA, KANSAS, THAT THE FOLLOWING FIN-  
DINGS AS TO THE ADVISABILITY OF CONSTRUCTING  
WATER AND WATER SERVICE FACILITIES TO THE  
AFOREMENTIONED AREA BY THE CITY OF  
WICHITA, KANSAS, ARE HEREBY MADE, TO-WIT:

SECTION I. That it is necessary and in the public in-  
terest to make an improvement consisting of such mains,  
pipes, valves, hydrants, meters and appurtenances as are  
required to make water and water service available to the  
property adjacent to Cranbrook from Harry Street to  
Countryside and the two Cranbrook Courts (Red Oaks 1st  
Addition).

SECTION II. That the estimated or probable cost of the  
foregoing improvement is \$26,000.00. Said estimated cost  
as above set forth is hereby increased at the pro-rata rate of  
1 per cent per month from and after the date of approval of  
this resolution.

SECTION III. That the Governing Body hereby further  
finds and finally determines that the boundaries of the  
improvement district against which a portion of the costs  
of said improvement shall be assessed are hereby  
established and fixed as the following legal description:

In the W 1/2 of the E 1/2 of the NW 1/4 of Section 33,  
Township 27 S., Range 2 E., of the 6th P.M., in the proposed  
Red Oaks 1st Addition to Wichita, Kansas, Sedgwick  
County; Lot 5 thru 22 of Block 3; and Lot 22 of Block 2. In  
addition, in the E 1/2 of the E 1/2 of the NW 1/4 of Section 33,  
Twp 27 S., R 2 E., in the Huntcrest Addition to Wichita,  
Kansas; the West 80 ft. of the S 1/2 of Lot 1; and the W.  
80 ft. of Lot 8; also in the Huntcrest 2nd Addition to  
Wichita, Kansas; Lots 30, 31, & 24 of Block 1.

SECTION IV. The method of assessment of the share of  
costs apportioned to the improvement district shall be  
equally per square foot against all land in the improvement  
district liable for assessment, and so assessed as a special  
benefit.

SECTION V. The share of the total actual costs of the  
improvement so to be assessed against the improvement  
district shall be One Hundred per cent (100 per cent)  
thereof and the share of costs to be borne by the City at  
large shall be Zero per cent (0 per cent) thereof.

SECTION VI. That the Chief Engineer, Water  
Engineering of the Water Department of the City of  
Wichita, Kansas, be and is hereby appointed and directed  
to prepare under oath a detailed estimate of the cost of said  
improvement together with plans and specifications  
thereof, and file the same with the City Clerk for con-  
sideration and action thereon by the Governing Body of the  
City of Wichita, Kansas.

SECTION VII. The advisability of the improvements set  
forth above is hereby established as authorized by K.S.A.  
1974 Supp. 12-461, et seq.

SECTION VIII. Be it further resolved that the above-  
described improvement is hereby authorized and declared  
to be necessary in accordance with the findings of the  
Governing Body as set out in this resolution.

SECTION IX. This Resolution shall take effect and be in  
force from and after its passage and publication once in the  
official City paper.

ADOPTED at Wichita, Kansas, this 26th day of April,  
1977.

TONY CASADO, Mayor  
Attest: (Seal) DONALD C. GISICK, City Clerk

THE CITY OF WICHITA  
OFFICE OF WATER DEPARTMENT

DATE June 9, 1977



TO Jack H. Galbraith, Chief Planner  
FROM Bill H. Otten, Chief Engineer-Water Engineering  
SUBJECT Red Oaks  
First Addition

The plat for Red Oaks First Addition have submitted  
valid petitions for water benefit districts to serve this  
plat. Therefore, our requirements for water service to  
this area have been fulfilled.

*Bill H. Otten*

Bill H. Otten  
Chief Engineer-Water Engineering

BHO:ak

cc: John D. Wynkoop  
Director of Water

6-29-77

30-74383-504

WENDELKEN, CLINE & CROCKETT  
ATTORNEYS AT LAW

CLYDE WENDELKEN  
CHARLES M. CLINE  
DAVID G. CROCKETT  
DAVID A. GRIPP  
LESLIE F. MULNICK

SUITE 405, BROWN BUILDING  
WICHITA, KANSAS 67202  
(316) 263-7596

EAST BIDE FINANCIAL CENTER  
7201 E. KELLOGG  
WICHITA, KANSAS 67207  
(316) 684-5114

May 12, 1977

REPLY TO

Brown Building

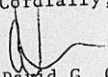
Mr. Bill Keltner  
1440 East English  
Wichita, Kansas

Dear Bill:

Enclosed for your files is a copy of the affirmative covenants to run with land governing Huntcrest Second and Red Oaks. Exhibit A is attached thereto. The original has been filed with the Register of Deeds. Please let me know if you have any comments, questions, or suggestions in regard to these covenants.

County bond counsel Bill Timmerman pointed out during a recent meeting with Bob Cornwell and myself that the County is not authorized to finance sidewalk construction. It is my understanding that this will pose no problem. Please let me know if you think differently. Best personal regards.

Cordially,

  
David G. Crockett

DGC/cd

cc: Mr. Craig Lawrence  
Mr. Keith Parker  
Robert Cornwell, Esq.

*Curto  
Red Oaks  
covenants & affirmative  
for your file  
Jony  
5-17-77*

AFFIRMATIVE COVENANTS TO RUN WITH LAND

THESE Affirmative Covenants to Run with Land entered into in Wichita, Sedgwick County, Kansas, on this 5<sup>th</sup> day of May, 1977,

BY, BETWEEN AND AMONG

Frank W. Barton,  
Stephen F. Barton,  
Gilda Z. Barton,  
Keith E. Parker, and  
Jacqueline K. Parker,  
all individual residents  
of Sedgwick County, Kansas  
hereinafter jointly and  
severally referred to as

"First Parties";

AND

Harry Kouri, Jr.,  
Beverly Ann Kouri,  
Sam H. Kouri,  
Jacqueline N. Kouri,  
James E. Cohlmiia, and  
Ruth L. Cohlmiia,  
all individual residents  
of Sedgwick County, Kansas,  
hereinafter jointly and  
severally referred to as

"Second Parties"

WHEREAS, First parties own certain land in Sedgwick County, Kansas, known as Huntcrest Second Addition to Sedgwick County, Kansas, legally described as:

The East 1/2 of the East 1/2 of the Northwest 1/4 of Section 33, Township 27 South, Range 2 East of the 6th P.M., except Huntcrest Addition. Also Lots 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14 15, and 16 in Huntcrest Addition, a subdivision, comprising the North 1370 feet of the East 1/2 of the East 1/2 of the Northwest 1/4 of Section 33, Township 27 South, Range 2 East, of the 6th P.M., Sedgwick County, Kansas.

WHEREAS, Second Parties own certain land in Sedgwick County, Kansas, legally described as:

West Half of the East Half of the Northwest Quarter of Section 33, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, including Red Oaks First Addition to Sedgwick County, Kansas.

WHEREAS, the respective tracts of First Parties and Second Parties are adjacent one to the other;

WHEREAS, both First Parties and Second Parties intend to develop their aforesaid respective tracts of land;

WHEREAS, it is essential to both First Parties and Second Parties that they coordinate, cooperate, and act in concert concerning the development of a common street to be known as Cranbrook Avenue and concerning the development of a sewer system;

NOW, THEREFORE, in consideration for the mutual promises contained herein, the parties, for themselves, their executors, administrators, successors, heirs, and assigns, do affirmatively covenant with one another as follows and do agree that said covenants shall attach to and run with both parties' aforesaid respective tracts of land:

1. Cranbrook Avenue may be divided for development purposes into three segments. A drawing of Cranbrook Avenue is attached hereto, marked Exhibit A, and incorporated herein. Segment one, as designated on Exhibit A, shall be deemed to extend for an approximate distance of 1090 feet south from the south property line of Harry Street; segment two, as designated on Exhibit A, shall be deemed to extend from a point approximately 1090 feet south of the south property line of Harry Street to a point approximately 2050 feet south of the south property line of Harry Street; segment three, as designated on Exhibit A, shall be deemed to extend from Harry Street to a point 2620 feet south of the south property line of Harry Street.

2. First Parties and Second Parties covenant to cooperate, coordinate, and act in concert with each other in the development of Cranbrook Avenue. Either party at any time may designate one or more of the aforesaid segments which that party wishes to pave, provide drainage, and otherwise develop. Upon receiving such designation, the other party shall assist in obtaining said paving or other development, including executing such documents and undertakings as may be necessary therefor.

3. First Parties and Second Parties covenant to cooperate, coordinate, and act in concert with each other in the development of a sanitary sewer system for either or both of the parties' respective tracts. Either party at any time may designate the steps which the other party should take to facilitate the development of the sanitary sewer systems upon either or both of the parties' respective tracts. Upon receiving such designation, the other party shall assist in taking such steps, including executing such documents, including easements, and other undertakings, as may be necessary therefor.

4. These covenants shall be in full force and effect for a period of ten years from the date hereof or until Cranbrook Avenue is fully paved and the sanitary sewer systems are fully installed and developed on the parties' respective tracts, whichever event occurs sooner.

5. These covenants shall be filed of record in the office of the Register of Deeds, Sedgwick County, Kansas, and shall attach to and run with the parties' respective tracts of land. These covenants shall be binding upon the parties' executors, administrators, successors, heirs, and assigns.

6. These covenants shall be enforceable at law or in equity.

FIRST PARTIES

Frank E. Barton  
w. Frank E. Barton

Stephen F. Barton  
Stephen F. Barton

Gladys Z. Barton  
Gladys Z. Barton

Keith E. Parker  
Keith E. Parker

Jacqueline K. Parker  
Jacqueline K. Parker

SECOND PARTIES

Harry Kouri, Jr.  
Harry Kouri, Jr.

Beverly Ann Kouri  
Beverly Ann Kouri

Sam H. Kouri  
Sam H. Kouri

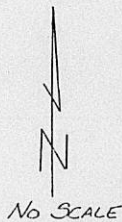
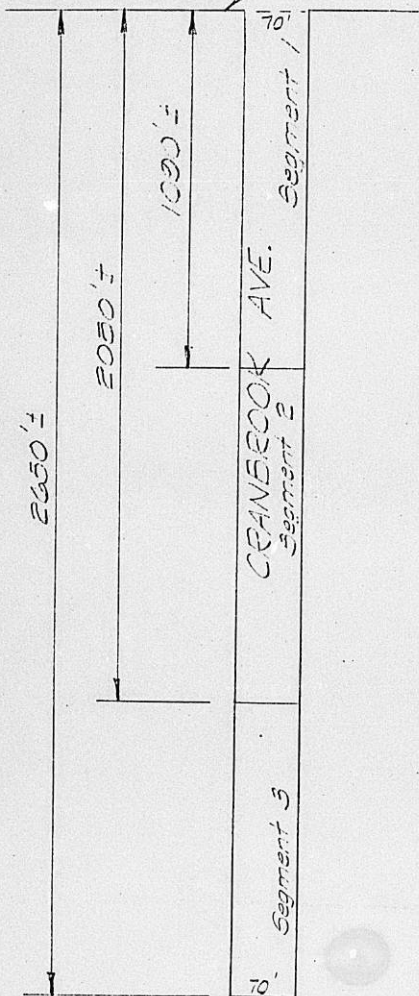
Jacqueline N. Kouri  
Jacqueline N. Kouri

James E. Cohlma  
James E. Cohlma

Ruth L. Cohlma  
Ruth L. Cohlma

EXHIBIT 'A'

South Line HARRY ST.



October 24, 1975

Professional Engineering Consultants  
1440 East English  
Wichita, Kansas 67211

Re: S/D 75-33 - Final Plat of  
RED OAKS ADDITION

Gentlemen:

At the regular meeting of the metropolitan Area Planning Commission on October 23, 1975, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of October 17, 1975.

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. Compliance with the requirements of the Metropolitan Area Planning Commission.

- 5-22-78 ✓ Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 5-30-78 ✓ Certification by an attorney that fee title is vested in the platlor. <sup>7-8-77</sup>
- 5-30-78 ✓ Certification that all taxes due and payable for 1974 and prior years have been paid. <sup>1977</sup> *need copy of taxes paid*

If you have any questions, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber

cc: George L. Hall, 5901 South Greenwich 67210  
Dr. Harry Kouri, Dr. Sam Kouri, and James Cohlma  
6302 Marjorie Lane 67208  
M. S. Mitchell, Maintenance-Flood Control  
Dean Sellers, Assistant City Engineer

October 17, 1975

Professional Engineering  
Consultants  
1440 East English  
Wichita, Kansas 67211

Re: S/D 75-33 - Final plat of  
RED OAKS ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, October 16, 1975, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- see Co. Comm. order of 12-17-75 vesting Park Meadow Estates sewer district*
- see memo from Oden 6-9-77*
- A. Subject property is within the designated Urban Growth Area. *district*  
The applicant shall therefore guarantee the installation of sanitary sewer and municipal water to serve subject property. The County Engineer and County Counselor should be contacted relative to the arrangements and appropriate guarantee for sanitary sewer. The Wichita Water Department should be contacted regarding arrangements and guarantee for extension of water service. *resolution adopted by B.C.C. 4-26-77 for water service to a portion of Red Oaks*
- see memo from Chris 9-13-77*
- B. A site grading plan shall be submitted to the County Engineer.
- C. The applicant shall guarantee the paving of all streets shown on this plat, except Harry Street, to City of Wichita standards. *petitions filed with County Clerk 7-9-77*
- D. The applicant shall install or guarantee the installation of sidewalks adjacent to all streets and cul-de-sacs shown on this plat, except Harry Street. *bonds submitted to County 5-22-78*
- E. The applicant shall guarantee the installation of a storm sewer system. *see contract w/County dated 3-2-77*
- F. "Complete access control" shall be labeled adjacent to all lots abutting Harry Street.

S/D 75-35  
October 17, 1975  
Page 2

G. The applicant's engineer shall submit road plans and profiles for subject property to the City Engineer and County Engineer for approval.

H. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the drainage for this area. Approval of this plat is subject to approval of the drainage plan to be worked out with Mr. Mitchell. A letter from Mr. Mitchell stating that the drainage has been satisfactorily resolved shall be submitted to the Planning Department. *8-23-77 Mitch park Rel Lakes probably OK. but not finished 2nd*

I. The applicant shall work with the City and County Engineers relative to submitting an appropriate guarantee for street construction. *petitions filed with Co. Clerk 7-9-77*

J. The applicant shall be advised that Lots 6-21, Block 3, shall not be developed until Cranbrook is opened and improved.

K. The applicant's engineer shall work with Robert Blevins of KGE relative to indicating additional utility easements on the plat tracing.

L. Utility easement widths in Block 3 shall be appropriately dimensioned. *see note on face of plat*

M. The applicant shall contact the County Zoning Office relative to providing appropriate names for the unnamed streets on this final plat.

N. The corner legal tie shall be to a section corner, half-section corner, or existing platted lot or block.

O. The Chairman of the MAPC shall be labeled "David Bayouth".

P. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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, October 23, 1975, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

*see memo from Mitch dated 8-24-77*

S/D 75-35  
October 17, 1975  
Page 3

cc: George L. Hall  
5901 South Greenwich, 67210

Dr. Harry Kouri  
Dr. Sam Kouri  
James Cohlma  
6302 Marjorie Lane, 67208

M. S. Mitchell, Maintenance-Flood Control  
Dean Sellers, Assistant City Engineer

FINAL PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 75-35 Name RED OAKS ADDITION  
Date Application Rec'd. 4-7-75 Preliminary Approval 7-17-75  
Scheduled S/D Meeting 10-16-75

DESCRIPTION

General Location South side of Harry in an area east of Webb Road.

Owner George L. Hall  
Surveyor/Engineer Professional Engineering Consultants  
Address 1440 East English Phone 262-2691

- |   |                               |                                    |                 |
|---|-------------------------------|------------------------------------|-----------------|
| 1. Gross Acreage of Plat                          | <u>40.3±</u>                  | 7. Lineal Feet of New Streets:     |                 |
| 2. Number of Lots:                                |                               | a. <u>35</u> R/W <u>1012</u> ft.   |                 |
| Residential                                       | <u>67</u>                     | b. <u>64</u> R/W <u>2396</u> ft.   |                 |
| Commercial  |                               | c. <u>    </u> R/W <u>    </u> ft. |                 |
| Industrial  |                               | d. <u>    </u> R/W <u>    </u> ft. |                 |
| Other   |                               | e. <u>    </u> R/W <u>    </u> ft. |                 |
| Total Number of Lots                              | <u>67</u>                     | TOTAL                              | <u>3408</u> ft. |
| 3. Minimum Lot Frontage                           | <u>60</u> ft.                 | 8. Sidewalk adjacent to all        |                 |
| 4. Minimum Lot Area                               | <u>6,400 sq.</u> ft.          | streets? <u>yes</u> <u>X</u> no    |                 |
| 5. Existing Zoning                                | <u>R-1</u>                    |                                    |                 |
| 6. Proposed Zoning                                | <u>AA</u>                     |                                    |                 |
| 9. Public Water Supply Yes (Yes-No), Name         | <u>City of Wichita</u>        |                                    |                 |
| 10. Public Sanitary Sewers Yes (Yes-No), Name     | <u>Sedgwick County</u>        |                                    |                 |
| 11. Health Department Approval (where applicable) | <u>No</u>                     |                                    | (Yes-No)        |
| 12. City of Wichita                               | <u>    </u> : Three-Mile Area | <u>X</u>                           |                 |

STAFF COMMENTS:

- A. Subject property is within the designated Urban Growth Area. The applicant shall therefore guarantee the installation of sanitary sewer and municipal water to serve subject property. The County Engineer and County Counselor should be contacted relative to the arrangements and appropriate guarantee for sanitary sewer. The Wichita Water Department should be contacted regarding arrangements and guarantee for extension of water service.
- B. Temporary turnaround easements in the form of a separate instrument shall be provided on all the streets which are shown to deadend on this plat.
- C. A site grading plan shall be submitted to the County Engineer.
- D. The applicant shall guarantee the paving of all streets shown on this plat except Harry Street to City of Wichita standards.
- E. The applicant shall install or guarantee the installation of sidewalks adjacent to all streets and cul-de-sacs shown on this plat except Harry Street.
- F. The applicant shall be advised that the construction of sidewalks will be required at the time of the final building inspection when the sidewalk is a requirement of plat approval.
- G. "Complete access control" shall be labeled adjacent to all lots abutting Harry Street.
- H. The applicant's engineer shall submit road plans and profiles for subject property to the City Engineer for approval.
- I. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the drainage for this area.



RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND

Property Name Red Oaks Addition  
 Location S. of Harry and E. of Webb Road  
 Date 7-17-75

MAILED TO:  
 PEC \_\_\_\_\_  
 Name - \_\_\_\_\_  
 Firm \_\_\_\_\_  
 Phone -- Date  
 111 \_\_\_\_\_  
 119 \_\_\_\_\_  
 102 \_\_\_\_\_  
 104 \_\_\_\_\_

Prepared by Larry L. Henry, District Conservationist,  
USDA-Soil Conservation Service,  
4100 Maple, Wichita, Kansas 67209  
 Phone: 943 9471

Requested by: Wichita-Sedgwick County Metropolitan  
Area Planning Commission

\*\*\*\*\*

A. SOIL TYPE: Rosehill Silty Clay loam. Very high shrink-swell ratio of  
this soil.

B. SITUATION: This has a very good grass cover now. A temporary or permanent  
cover needs to be maintained at all times. Special note should  
be made of the high shrink-swell ratio of this soil.

Conservation Starts When Construction Starts. A Ground Plan Outdoors Is As  
Important As A Floor Plan Inside.

C. EROSION CONTROL RECOMMENDATIONS: (The recommendations which apply to the above  
 named property will be indicated by a checkmark.)

- 1. Disturb only the area needed for construction.
- 2. Remove only those trees, shrubs, and grasses that must be removed for  
 construction; protect the rest to preserve their esthetic and erosion-  
 control values.
- 3. Stockpile topsoil and protect it with anchored straw mulch or jute mat  
 material.
- 4. Disturbing as small an area as possible, install streets, curbs, water mains,  
 electric and telephone cables, storm drains, and sewers in advance of home  
 or other building construction.
- 5. Install erosion and sediment control practices according to the Sedgwick  
 County Conservation District standards and specifications.
- 6. Temporarily stabilize each segment of graded or otherwise disturbed land,  
 including the sediment-control devices not otherwise stabilized, by seeding  
 and mulching or by mulching alone. Permanently stabilize these areas as  
 work on the land is completed. Both temporary and permanent stabilization  
 practices are to be installed according to the Sedgwick County Conservation  
 District standards and specifications.

\* CONTINUED \*

The following are adapted perennial grasses and should be seeded at the following rates:

STANDARD RATES:

Native bluestem mix, 3 pounds per 1,000 square feet  
Tall fescue, 3 pounds per 1,000 square feet  
Bromegrass, 3 pounds per 1,000 square feet

SPECIAL RATES: \_\_\_\_\_

Apply nitrogen fertilizer at the rates listed below or have the soil tested and apply fertilizer accordingly.

STANDARD RATES:

Tall fescue, 2 pounds per 1,000 square feet  
Bromegrass, 2 pounds per 1,000 square feet

SPECIAL RATES: \_\_\_\_\_

Adapted perennial grasses for sodding are fescue, zoysia, and bluegrass.

- 7. Loose-pile material that is excavated for building construction purposes. Keep it loose-piled until it is used for foundation backfill or until the lot is ready for final grading and permanent vegetation.
- X 8. Stabilize each lot within 60 days after work starts on home or other building construction.
- X 9. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
- 10. Discharge water from outlet structures at nonerosive velocities.
- X 11. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316 943 9471.
- 12. Divert foreign runoff water around area during construction.
- X 13. Remove all debris such as tree stumps, scrap lumber, mortar or concrete, and rocks. Do not bury them; wood will eventually rot and cause settling; rocks, mortar and concrete can cause real difficulties in lawn maintenance and later construction.
- 14. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Distribution: Original to Developer and/or Owner  
Copy to Metropolitan Area Planning Department Staff  
File Copy: Sedgwick County Conservation District

July 21, 1975

Professional Engineering  
Consultants  
1440 East English  
Wichita, Kansas 67211

Re: S/D 75-35 - Preliminary plat  
of RED OAKS ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 17, 1975, 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. Subject property is within the designated Urban Growth Area. The applicant shall therefore guarantee the installation of sanitary sewer and municipal water to serve subject property. The County Engineer and County Counselor should be contacted relative to the arrangements and appropriate guarantees for sanitary sewer. The Wichita Water Department should be contacted regarding arrangements and guarantee for extension of water service.
- B. Temporary turnaround easements in the form of a separate instrument shall be provided on all the streets which are shown to deadend on this plat.
- C. A site grading plan shall be submitted to the County Engineer.
- D. The applicant shall guarantee the paving of all streets shown on this plat except Harry Street to City of Wichita standards.
- E. The applicant shall install or guarantee the installation of sidewalks adjacent to all streets and cul-de-sacs shown on this plat except Harry Street.

S/D 75-35  
July 21, 1975  
Page 2

- F. The recorded book and page number for the indicated pipeline easement shall be labeled on the face of the plat or the applicant shall submit a letter from the Cities Service Gas Company stating that the easement as shown on this preliminary plat is satisfactory.
- G. The applicant and/or his engineer shall contact Robert Blevins of Kansas Gas & Electric relative to providing additional utility easements.
- H. The street layout and design on the plat shall be modified so that only one of the two east-west streets running through the middle of the plat connects to the unplatted land on the west side of subject property.
- I. Don Yelton, Acting Division Head of County Building, Planning and Inspection shall be contacted and Tim Cain of the Department of Public Works of the City of Wichita shall be contacted relative to appropriate street names to be indicated on the plat.
- J. The applicant's engineer shall submit road plans and profiles for subject property to the City Engineer for approval.
- K. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the drainage for this area.
- 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- N. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Enclosure

S/D 75-35  
July 21, 1975  
Page 2

cc: George L. Hall  
5901 South Greenwich, 67210

Dr. Harry Kouri  
Dr. Sam Kouri  
James Cohlma  
6302 Marjorie Lane, 67208

Dean Sellers, Assistant City Engineer

PRELIMINARY PLAT  
SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 75-35 Name RED OAKS ADDITION  
Date Application Rec'd. 4-7-75 Preliminary Approval  
Scheduled S/D Meeting 7-17-75

DESCRIPTION

General Location South side of Harry in an area west of  
Webb Road.  
Owner George L. Hall  
Surveyor/Engineer Professional Engineering Consultants  
Address 1440 East English Phone 262-2691

- |   |                      |  |                 |
|---|----------------------|--|-----------------|
| 1. Gross Acreage of Plat  | <u>40.3±</u>         | 7. Lineal Feet of New Streets:         |                 |
| 2. Number of Lots:  | <u>145</u>           | a. <u>35</u> R/W <u>2650</u> ft.       |                 |
| Residential   |                      | b. <u>64</u> R/W <u>5570</u> ft.       |                 |
| Commercial  |                      | c. <u>70</u> R/W <u>600</u> ft.        |                 |
| Industrial  |                      | d. _____ R/W _____ ft.                 |                 |
| Other   |                      | e. _____ R/W _____ ft.                 |                 |
| Total Number of Lots  | <u>145</u>           | TOTAL                                  | <u>8820</u> ft. |
| 3. Minimum Lot Frontage   | <u>60</u> ft.        | 8. Sidewalk adjacent to all            |                 |
| 4. Minimum Lot Area   | <u>6,600 sq. ft.</u> | streets? <u>yes</u> <u>X</u> <u>no</u> |                 |
| 5. Existing Zoning  | <u>R-1</u>           |  |                 |
| 6. Proposed Zoning  | <u>AA</u>            |  |                 |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>     |                      |  |                 |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>Sedgwick County</u> |                      |  |                 |
| 11. Health Department Approval (where applicable) <u>No</u> (Yes-No)        |                      |  |                 |
| 12. City of Wichita _____: Three-Mile Area <u>X</u>                         |                      |  |                 |

STAFF COMMENTS:

- A. It should be noted that the building setbacks of 25 feet are less than required by the "AA" zoning district, have been approved by the County Board of Zoning Appeals.
- B. The associated zone case SCZ-0343 from "R-1" to "AA" has been approved subject to platting.
- C. Subject property is within the designated Urban Growth Area. The applicant shall therefore guarantee the installation of sanitary sewer and municipal water to serve subject property. The County Engineer and County Counselor should be contacted relative to the arrangements and appropriate guarantee for sanitary sewer. The Wichita Water Department should be contacted regarding arrangements and guarantee for extension of water service.
- D. Temporary turnaround easements in the form of a separate instrument shall be provided on all the streets which are shown to deadend on this plat.
- E. A site grading plan shall be submitted to the County Engineer.
- F. The applicant shall guarantee the paving of all streets shown on this plat except Harry Street to City of Wichita standards.
- G. The applicant shall install or guarantee the installation of sidewalks adjacent to all streets and cul-de-sacs shown on this plat except Harry Street.
- H. The recorded book and page number for the indicated pipeline easement shall be labeled on the face of the plat or the applicant shall submit a letter from the Cities Service Gas Company stating that the easement as shown on this sketch plat is satisfactory.
- I. Don Yelton, Acting Division Head of County Building, Planning and Inspection shall be contacted and Tim Cain of the Department of Public

(OVER)

Works of the City of Wichita shall be contacted relative to appropriate street names to be indicated on the plat.

- J. The applicant's engineer shall submit road plans and profiles for subject property to the City Engineer for approval.
- K. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the drainage for this area.
- 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- M. It is requested that the applicant's engineer be prepared to discuss the merits of the two deadend streets at the center of the plat on the west property line.

PAYMENT NOTICE  
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

1496.00

DESCRIPTION

AMOUNT

Submission Application for  
Red Oaks add

Name

P.E.C.

Address

1440 E. English

Type

AA-407103

Due Date

Comments:

Date

7/5/75

By

C. X. Newby

May 6, 1975

Professional Engineering  
Consultants  
1440 East English  
Wichita, Kansas 67211

Re: Sketch plat of Red Oaks  
Addition.

Gentlemen:

We have completed our review of the above-mentioned sketch plat and find that a preliminary plat may be submitted subject to the following:

- (A) The associated zone case SCZ-0343 from "R-1" to "AA" has been approved subject to platting.
- (B) Consideration shall be given to dedication fo an east-west collector street on the south of subject property which shall align with the street systems being proposed on plats to the east and west of subject property.
- (C) "Complete access control shall be labeled adjacent to all lots on Harry Street.
- (D) It is recommended that lots presently fronting on the collector street (Cranbrook) be redesigned to side into said street where possible.
- (E) Subject property is within the designated Urban Growth Area. The applicant shall therefore guarantee the installation of sanitary sewer and municipal water to serve subject property.
- (F) Temporary cul-de-sacs or turnaround easements shall be provided on the streets which are shown to deadend on this sketch.
- (G) A preliminary drainage study shall be conducted in order to determine whether the existing drainage can be handled by a storm sewer system in the streets.

PEO  
May 6, 1975  
Page 2

- (H) A future contour plan shall be submitted to the County Engineer.
- (I) The applicant shall guarantee the paving of all streets shown on this plat except Harry Street to City of Wichita standards.
- (J) The applicant shall install or guarantee the installation of sidewalks adjacent to all streets and cul-de-sacs shown on this plat except Harry Street.
- (K) The recorded book and page number for the indicated pipeline easement shall be labeled on the face of the plat or the applicant shall submit a letter from the Cities Service Gas Company stating that the easement as shown on this sketch plat is satisfactory.
- (L) The applicant and/or his engineer shall contact the County Zoning Office relative to indicating appropriate street names on the face of the plat.
- (M) The applicant's engineer shall submit road plans and profiles for subject property to the City Engineer for approval.
- (N) The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the drainage for this area.
- (O) Requirements for a preliminary plat (see Article 5, Part 3 of the M.A.P.C. Subdivision Regulations).

If you have any questions concerning the above comments, please feel free to contact our office.

Sincerely,

John Richter  
Planning Analyst

JR:rms

cc: George L. Hall, 5901 S. Greenwich, 67236  
Dr. Harry Kouri, Dr. Sam Kouri, James Cohlma,  
6302 Marjorie Lane, 67208  
Keith E. Parker, Architect, 1021 E. Waterman, 62211

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

April 8, 1975

TO Dick Linn, City Engineer  
FROM John Richter, Planning Analyst  
SUBJECT Sketch plat of Red Oaks Addition.



The attached sketch plat of Red Oaks Addition was recently received by our office. The property is presently zoned "R-1", but a proposed zone change to "AA" is scheduled to be considered before the M.A.P.C. on April 10, 1975. I would appreciate your review of this sketch plat with any comments you may have returned to me no later than Tuesday, April 15.

John Richter  
John Richter, Planning Analyst

JR:rme  
Attachment

- ① Prelim drainage study to see if drainage can be handled by storm sewer system in streets.
- ② temporary cul-de-sac?
- ③ sanitary sewer system? (outside city area of service)
- ④

April 8, 1975

M. S. Mitchell, Maintenance-Flood Control

John Richter, Planning Analyst

Sketch plat of Red Oaks Addition.

The attached sketch plat of Red Oaks Addition was recently received by our office. The property is presently zoned "R-1", but a proposed zone change to "AA" is scheduled to be considered before the M.A.P.C. on April 10, 1975. I would appreciate your review of this sketch plat with any comments you may have returned to me no later than Tuesday, April 15.

John Richter, Planning Analyst

JR:rme  
Attachment

Copies also sent to: Dick Linn, City Engineer  
Nancy Graham, County Engineering

Map No.: H-11-D  
Section No.: 33  
Twp. No.: 27  
Range: 2E

S/D No. 75-35

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Red Oaks Addition to Sedgwick County, Kansas

General Location: Lying south of Harry Street and 1500' East of the intersection of Harry and Webb Road.

Name of Property Owner: George L. Hall  
Address: 5901 S. Greenwich, Wichita, Kansas 67236 Phone: 788-3137  
Name of Subdivider: Dr. Harry Kouri, Dr. Sam Kouri, James Cohlma  
Address: 6302 Marjorie Lane Wichita, Kansas 67208 Phone: 683-4106  
Name of Agent/Surveyor: Professional Engineering Consultants, P.A.  
Address: 1440 E. English Wichita, Kansas 67211 Phone: 262-2691  
Date of Application: March 24, 1975

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 40.3+ Ac.
2. Number of Lots:
  - Residential 150 145
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other \_\_\_\_\_
3. Total Number of Lots 150 145
4. Minimum Lot Frontage 60 ft.
5. Minimum Lot Area ~~6000~~ 6600 sq. ft.
6. Existing Zoning R-1
7. Proposed Zoning AA
7. Lineal Feet of New Streets:
  - a. 35' R/W 2650 in. ft.
  - b. 64' R/W 5870 in. ft.
  - c. 70' R/W 600 ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL ~~7850~~ 8820 ft.
8. Sidewalk adjacent to all streets? yes  no
9. Public Water Supply (Yes-No), Name City of Wichita
10. Public Sanitary Sewers (Yes-No), Name Sedgwick County
11. Health Department Approval (where applicable) \_\_\_\_\_ (Yes-No)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: George L. Hall

Wichita-Sedgwick County Metropolitan Area  
Planning Commission, Room 402, City Building  
Annex, 104 South Main Street, Wichita, Kansas

Received by \_\_\_\_\_  
Date 4/7/75  
Fee Submitted none

T9-301B  
(2-71)



**DIRECTORS**

L. K. BAXTER, JR., P.E.  
C. O. KNOP, P.E.  
E. E. HYSOM, P.E.  
R. B. PEUGH, P.E.  
C. J. FREUND, P.E.  
W. H. KELTNER, P.E.  
R. D. PLETCHER, P.E.  
F. D. MIDDLETON, JR., P.E.  
J. L. MARTIN, P.E.  
K. R. HORNER, P.E.



**P**ROFESSIONAL  
**E**NGINEERING  
**C**ONSULTANTS  
PROFESSIONAL ASSOCIATION

April 4, 1975

Mr. Robert Lakin, Director  
Metropolitan Area Planning  
City Building Annex  
104 S. Main  
Wichita, Kansas 67202

Attention: Mr. Jack Galbraith

Re: Proposed Red Oaks Addition  
Sketch Plat Submittal  
PEC File No. 30-74383-509



Gentlemen:

Transmitted herewith are five (5) copies of a sketch plat for Red Oaks Addition, a proposed addition to Sedgwick County, Kansas, within the three mile ring of Wichita. A zone change application for this parcel from "R-1" to "AA", under Case No. SCZ-0343, is pending and scheduled for hearing on April 10, 1975.

The Applicant, George Hall, as owner of record has signed the application for Dr. Harry Kouri, Dr. Sam Kouri, and James Cohlma who are the contract purchasers of the site. Craig Lawrence Realty as represented by Mr. Craig Lawrence and Mr. Pete Russell will be the developers for this parcel.

It is our understanding that Mr. Hall has petitioned the Board of County Commissioners for this tract to be included in a lateral sewer district within the Eastern Sedgwick County Main Sewer District.

As noted during our previous discussions, the developers are interested in lot sizes compatible with urban requirements. The proposed mix of lot sizes are shown on the drawing. Thirty-five to forty percent of the lots shown meet the standard county minimum lot size of 7500 S.F.. The remaining sixty to sixty-five percent are proposed for sizes ranging down to 6000 SF with about fifty percent of all lots in the 6700-

-continued-

1440 EAST ENGLISH  
WICHITA, KANSAS 67211  
(316) 262-2691

Mr. Robert Lakin, Director  
April 4, 1975  
Page 2

7500 SF size. As you are aware, the applicants wish to appeal the 7500 SF minimum lot size by whatever means is determined appropriate. We will await your recommendations on this request.

We have attempted to coordinate east-west street locations along the east property line with the existing Huntcrest Addition and the proposed replat as prepared by Parker-Krehbiel Associates of Wichita. It is our understanding that your office will confirm the locations for both proposed plats and referee any differences.

We will be pleased to meet with you or your staff to discuss the proposed layout, its relation to adjoining development, and the proposed utility service for the planned residential improvements.

Very truly yours,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

*W. H. Keltner*

W. H. Keltner, P.E.  
Vice-President

is

cc: Craig Lawrence Realty, 14742 TwinLake, 67230  
James Cohlma, 6302 Marjorie Lane, 67208  
George Hall, 5901 S. Greenwich, 67236  
John Hale, Sedgwick Co. Comm., First District