

PLAT NO. S/D 78-116 MAP NO. 6249

NAME BRIDGEWOOD ADDITION TO CRESTVIEW COUNTRY CLUB  
ESTATES. BRIDGEWOOD ADDITION

LOCATION: Northwest corner of 13th and 127th Streets  
East.

ENGINEER Reiss & Goodness Engineers

OWNER H-C Properties

APPLICATION FILED 10-24-78

SKETCH PLAT FILED 10-24-78

PRELIMINARY FILED 3-9-79

S/D ACTION 3-22-79 approve

FINAL FILED 11-16-79

S/D ACTION 11-29-79 refer back; 12-13-79 <sup>refer</sup> ~~approve~~

MAPC ACTION 1-17-80 approve

BCC ACTION 8-12-80 approved.

RECORDED 8-21-80

REMARKS SCZ-0427 & CU-219

also SCZ-0449

S/D (final) 12-27-79: Defer back (Request of appl. engineer)

S/D (final) 1-10-80: approve

B.C.C./B-60-C Approved 8-12-80

S/D (final) defer weeks 12-13-79

S/D (final) offer works at request of applicant/engineer 12-27-79

S/D (final) approved 1-10-80

S/D 78-116 - BRIDGEWOOD ADDITION  
TO CRESTVIEW COUNTRY CLUB ESTATES  
Northwest corner of 13th & 17th  
Streets East, Reiss & Goodness Engr

Map No. 6249  
Sec. 10  
Twp. 27  
Range 2E

Subdivision Report and Progress  
S/D No.: 78-116

Name: BRIDGEWOOD ADDITION TO CRESTVIEW COUNTRY CLUB ESTATES - BRIDGEWOOD ADDITION

General Location: Northwest corner of 13th and 127th Streets East

Owner: H-C Properties  
Address: 1152 S. Clifton

Subdivider: Same as above Wichita Zip Code: 67218 Phone: 681-3771

Address: \_\_\_\_\_

Attorney: Phil Frick Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Engineer/Surveyor: Reiss and Goodness Engineers

Address: 2160 W. 21st St. Wichita Zip Code: 67203 Phone: 832-0213

Present Zoning: "R-1" M.A.P.C. ACTION: 1-17-80 approve  
Proposed Zoning: "R-1" & "AA" with Cond. Use  
Assoc. Zone Case: \_\_\_\_\_ Advisory Letter: \_\_\_\_\_

APPLICATION RECEIVED: 10-24-78 Closure Data Submitted: \_\_\_\_\_

SKETCH PLAT RECEIVED: 10-24-78 Title/Taxes Rec'd. and Reviewed: 7-22-80

Letter of Intent: \_\_\_\_\_ Final Review: \_\_\_\_\_

PREL. PLAT RECEIVED: \_\_\_\_\_ Referral to B.C.C.: \_\_\_\_\_

S/D Comm. Action: 3-22-79 approve B.C.C. ACTION: Approved 8-12-80

Advisory Letter: \_\_\_\_\_

FINAL PLAT RECEIVED: 11-16-79 Tracing Received: 6/23/80

S/D Comm. Action: 11-29-79 refer Released for Recording: 8/15/80

2 weeks: 12-13-79 refer 2 wks - 12-27-79 - refer 2 wks (Request of applicant's Engineer) Plat Recorded: 8/21/80

Advisory Letter: 1-15-80

S/D (final) 1-10-80; approve

Comments:

\_\_\_\_\_ Sketch plat sent to Greene  
\_\_\_\_\_ Sellers  
\_\_\_\_\_ Freeman  
\_\_\_\_\_ Aubrey Rencard of Lakeview Title Law Inc.

COMMENTS FROM LINDBAK: ① access to 13th on mt. lot unnecessary  
② streets will be drawn OK

12-7 Final plat, comments + agenda to Thirneha Turge official

(Thrs. John Myers 733-1095)

REGISTER OF DEEDS

S/D 78-116  
Map. 6249

SEDGWICK COUNTY, KANSAS

Assoc. Sec. 0427-CU-219  
and Sec. 0448

Should be: Crestview Country Club Estates

BRIDGEWOOD

ADDITION was

filed for record on August 21, 1980

*Barbara J. McArthur*

Register of Deeds

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

T9-328

REISS & GOODNESS ENGINEERS  
2160 WEST 21<sup>ST</sup> STREET - WICHITA, KANSAS 67203 (316) 832-0323

December 19, 1979

Department of Public Works  
Maintenance Division  
City Hall - 7th Floor  
455 N. Main  
Wichita, Kansas 67202

Attn: Mr. Paul Johnston

Re: Bridgewood Addition Drainage Plan

Dear Mr. Johnston:

Revised copys of the drainage plan and final plat for the above captioned addition are enclosed. These revisions are as you required in your letter of December 10, 1979. Answers to your questions and requirements, by number, as listed in your letter are as follows:

1. Rip-Rap will be provided at the outlet of each structure in question. The grade on the channel South of the 4'x4' RCBC has been reduced to 1.5% and a note stating "erosion protection will be provided as required" has been added to the drainage plan.
2. The berm is shown on the revised grading plan.
3. The floodway limits have been moved to provide better alignment with the culvert under 13th.
4. A channel is now shown on the grading plan.
5. A note about seeding and mulching has been added.
6. The 70 foot floodway at the Northeast corner of the addition provides for the construction of a channel 3.75 feet deep with 15 feet of access on each side which is more than adequate. An additional 30 feet has been added to the drainage easement in the Northwest corner to provide the required access.
7. The elevations of the top of the fill at the property line will match the water surface and the fills on the lots are controlled by the building pad elevations as noted on the revised drawing.
8. These changes have been made.
9. Minimum pad elevations are now shown on each lot affected.
10. Revised copys of the enclosed maps and copys of the letter have been sent to those listed below.

Page Two  
Mr. Paul Johnston  
Bridgewood Addition Drainage Plan

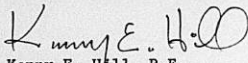
Final Plat Items:

1. As we discussed by phone the wording a "Recreational Facilities" has been removed from the reserve-floodway text.
3. The easements have been separated.
- 5.-6. Minimum pad elevations have been revised as you requested and a note about Lot 1 added to the plattors text.
7. The swale will be filled and the lots regraded.
8. Top of curb elevations have been added to the grading plan which set the steepest grade at 4.8% which flatens to 0.4% 250 feet West of 127th.

Please notify us if these revisions satisfy your requirements.

Sincerely,

REISS & GOODNESS ENGINEERS

  
Kenny E. Hill, P.E.

KEH/sc  
Enc.

cc: Phil Dietrich/ Sedgwick County  
Louise Olivarez/ MAPD  
Yash Desai/ City Engineering  
Bill Funk/ Division of Water Resources  
H-C Properties/ Developer

# THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS  
MAINTENANCE DIVISION  
CITY HALL — SEVENTH FLOOR  
456 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-3596 268-4591

December 10, 1979

Reiss and Goodness Engineers  
2160 West 21st Street  
Wichita, Kansas 67203

Attn: Mr. Kenny Hill

Subject: Bridgewood Addn/Crestview Country Club Estates Drainage Plan

Dear Mr. Hill:

Reference is made to the Drainage Plan of November 7, 1979 for subject Addition submitted to this office November 13th. Phil Dietrich of Sedgwick County and I have reviewed subject plan and approve the plan subject to the following items.

- 1) Due to the velocities projected at the proposed channels leaving both the 4.5'x11.5' and 4'x4' box structures at the north end of the plat, erosion protection will need to be provided.
- 2) An overflow condition could occur at 13th Street North at the culvert located approximately 400' west of 127th Street East. We therefore request that a berm be constructed. This is to be at an elevation of 1350 MSL commencing at the southwest corner of Lot 1, Block 7 and continuing east to the Floodway limits.
- 3) The Floodway designated at the southeast corner aligns poorly with the culvert mentioned in Item 2. Consideration should be given to expanding or modifying the Floodway at this point.
- 4) At the southeast corner of the plat, the drainage plan failed to show a channel leaving 60"x40" CMPA at 13th Street as indicated on the calculation sheets, same should be shown.
- 5) The drainage plan should include a note stating that all exposed areas resulting from construction will be seeded and mulched.
- 6) A 15' access and maintenance easement is required along each side of the proposed channels.
- 7) Indicate the proposed elevations of the fill areas shown on the plan.
- 8) The Drainage Plan has apparently been altered in the northwest section concerning some of the storm sewer locations. The changes should be made showing the new flowlines and velocities to determine if protective measures are necessary.

December 10, 1979

- 9) To aid the review process, proposed minimum pad elevations should be shown on the appropriate lots of the drainage plan.
- 10) A revised copy of the Drainage Plan should be submitted to appropriate agencies, said plan incorporating comments of Items 1 through 10.
- 11) Because of extensive channel work, fill areas and the proposed dams, permits from the Division of Water Resources may be required. It has been confirmed by telephone between Phil Dietrich of the County and Bill Funk, Hydrologist, Kansas State Board of Agriculture-Division of Water Resources, that an application has been received and is being reviewed. Mr Funk indicated that no major problems appear to exist with the geometry.

It should be pointed out that the water surface elevations as shown on the drainage plan are in concurrence with those shown on the preliminary Federal Insurance Administration Rate Maps for Sedgwick County.

After reviewing the final plan for subject plat submitted to this office November 13th, I comment as follows:

- 1) The standard **Floodway cause is required on the plat itself.** The wording as shown in the text is **unacceptable.**
- 2) Actual written approval or sign-off from the Kansas State Board of Agriculture-Division of Water Resources should be in the file or forthcoming.
- 3) The combined utility and drainage easements should be **separated into utility and storm sewer easement.**
- 4) Protection in the **form of encasement should be provided at the two** locations where the **sanitary sewers cross the Floodway.** Serious consideration should be given prior to constructing the proposed pond at the northwest section. This would be situated directly over the sanitary sewer.
- 5) The following corrections or adjustments are necessary in the text showing minimum pad elevations:

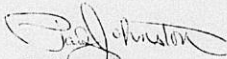
<u>Lot No.</u>	<u>Block</u>	<u>Elevation</u>
1 - 3	1	1352
8 - 9	1	1352
12	1	1349
16 - 17	1	1348
2 - 3	2	1349
3	3	1347
4	4	1347
6 - 7	4	1348
11	4	1349

December 10, 1979

- 6) Lot 1, Block 7, has minimum pad requirements in the fill area and adjacent to the Floodway. Since these fluctuate from 13th Street to 127th Street North, prior to issuing a building permit it should clear the Flood Control Office. A footnote concerning same should be added to the text.
- 7) What measures are being taken to address the swale through Lots 2 - 4, Block 6? If fill is not to take place, what measures are proposed to handle the runoff?
- 8) Unless the grading plans address the situation, a portion of Wilshire Drive has a slope of 6.4%. Due to the length and velocity some form of storm sewer might be provided or provision made at 127th Street East to enter and protect the ditch.
- 9) The guarantee for the construction of the channels and storm sewers should have provisions to cover any necessary protective measures such as headwalls and riprap. It should also address the necessity of providing as-built drawings covering both the channels and sewers along with any necessary seeding and mulching.

If you have any further questions, please advise.

Yours truly,



Paul Johnston,  
Flood Control Engineer  
Flood Control and Landfill Division

PJ/glm

cc: Phil Dietrich/Sedgwick County  
Louise Olivarez/ MAPD  
Yash Desai - City Engineering  
Bridgewood Addn./Crestview County Club Estates Addn. Plat File

DATE Sept 13, 1983 PLACE DPW office

TIME 4:15 pm PURPOSE \_\_\_\_\_

ATTENDANCE LIST

NAME	ORGANIZATION	ADDRESS
1. <u>CLAUDE S. SHELOR</u>	<u>Stro. Co. Dept Pub Wks</u>	
2. <u>St Kimball</u>	<u>Supt. Wastwat. Treatm. Sdly. Co.</u>	
3. <u>Lance Olving</u>	<u>MAPD</u>	
4. <u>R.H. Jackson</u>	<u>MAPD</u>	
5. <u>Paul G. Allen</u>	<u>MAPD</u>	
6. <u>Bill G. Jung</u>	<u>Bill G. Jung Design</u>	
7. <u>Mr. Snodgrass</u>	<u>ME.</u>	
8. <u>Harold Warkock</u>	<u>Warkock Co. Inc.</u>	
9. <u>Rick Bair</u>	<u>Mid Kansas Engr. Co.</u>	
10. <u>Larry Sanchez</u>	<u>DPW</u>	
11. <u>DAVID SPEARS</u>	<u>"</u>	
12. _____		
13. _____		
14. _____		
15. _____		
16. _____		
17. _____		
18. _____		
19. _____		
20. _____		
21. _____		
22. _____		
23. _____		
24. _____		

9-7-83

11 AM

NAPD Conf. Rm.

Bill Yung

Rick Bauer

Phil Snodgrass

Tom Warner

Harold Warner

Bob Lakin

Bill Stockwell

Luise Alvarez

Art Chambers

Jack Galbreath

Developers from  
Valley Center who  
want to  
develop bridge-  
woods

9-7-83

CRESTVIEW COUNTRY CLUB ESTATES

Development Summaries

*prepared by  
Rick Bain  
M.K.E.C.*

Southeast Quarter Section 10 (Cobblestone)

<u>Existing Development</u> (platted)	<u>Lots</u>	<u>Units</u>
Cobblestone	101	101
<u>Proposed Development</u> (unplatted)	90	90
Totals	191	191

West Half Section 13 (Overbrook)

<u>Existing Development</u> (platted)	<u>Lots</u>	<u>Units</u>
1. The Trees	45	45
2. Overbrook	56	56
3. Overbrook 2nd	93	93
4. Overbrook 3rd	9	9
5. Overbrook 4th	38	38
Totals	241	241

<u>Remaining Development</u> (unplatted)	<u>Lots</u>	<u>Units</u>
1. Single Family	117	117
2. Duplexes	46	92
3. Zero Lot Line	100	100
Totals	263	309

Section 14 (Crestview)

<u>Existing Development</u> (platted)	<u>Lots</u>	<u>Units</u>
1. Villas	72	45
2. Villas 2nd	138	85
3. Southern Village	24	48
4. Southern Village 2nd	4	8
5. Southern Village 3rd	5	10
6. Fountain Hills	24	24
7. Southcrest	40	80
8. Northpoint	36	36
9. East Meadows	50	50
10. East Meadows 2nd	34	34
11. Kimberly Hills	28	28
Totals	455	448

Section 14 (Crestview) Continued

<u>Remaining Development</u> (unplatted)	<u>Lots</u>	<u>Units</u>
1. 58 acres @ 4 units per acre		232
2. K-96		1
		<hr/>
Totals		232

Northeast Quarter Section 15

<u>Remaining Development</u> (unplatted)	<u>Units</u>
1. 160 Acres	150

SUMMARIES (UNITS)

<u>Section</u>	<u>Existing Platted</u>	<u>Remaining to be Platted</u>
10	101	90
13	241	309
14	448	232
15*	-	150
	<hr/>	<hr/>
Subtotals	790	631
Total	1421 Units	

\*It has not been determined if this area is in the benefit district (not included in totals).

The current development indicates there are 3.5 P.E. (Population Equivalents) per unit.

SUMMARY OF P.E.'S

Existing Units Built (381)	1334
Existing Platted Areas	2765
Existing Platted Areas + Remaining Unplatted Areas	4973

SUMMARIES

1. The total treatment capacity is 3500 P.E. It appears the treatment capacity has been oversold and this may stop development at some future date, prior to completion of committed areas.
2. The existing treatment plant would require modifications if they plant were to provide service to the area fully developed.
3. The plant currently has severe infiltration and inflow (I&I) problems. Without sewer system correction or added treatment plant capacity the plant will have difficulty meeting the discharge criteria at plant design during wet weather.
4. The discharge permit states that this facility "shall be a temporary treatment system" and all flow shall be carried to a permanent facility downstream when interceptors become available. In summary, the discharge permit is attached to the Four Mile Creek facilities plan. A new permit would be required to increase capacity at the plant.
5. Under current development trends and current population trends, can the existing residences afford to abandon a treatment plant which has been in service only four years? Can Four Mile Creek be afforded by the residences when the E.P.A. is cutting funds and the level of participation to 55% in the near future?
6. We are confident that the existing plant could be modified and/or the sewer system repaired much more cost effectively for the next 15-20 year term. After the population is more fully established in the basin, the interceptors and treatment facility could be constructed.

State of Kansas . . . John Carlin, Governor

DEPARTMENT OF HEALTH AND ENVIRONMENT

Joseph F. Harkins, Secretary

Forbes Field  
Topeka, Kansas 66620  
913-862-9360



December 29, 1982

Mr. Andy Harkness  
Public Works Director  
Sedgwick County Dept. of Public Works  
1015 Stillwell  
Wichita, KS 67213

Re: Kansas Permit No. M-WA20-D003  
(Crestview District)

Dear Mr. Harkness:

Enclosed is a revised copy of the referenced permit. Fecal coliform limitations have been deleted in accordance with previous agreements to cease chlorination of Crestview effluent. Residual chlorine analysis has also been removed from the stream monitoring requirement. We retained receiving stream fecal coliform testing at a reduced frequency.

If you have any questions concerning the permit, please contact this office.

Sincerely yours,

Division of Environment

David F. Waldo, P.E.  
Chief, Enforcement Unit  
Water Pollution Control

jaw  
Enclosure  
cc: South Central District

Kansas Permit Number: M-WA20-D003  
Federal Permit Number: KS-0117684

KANSAS WATER POLLUTION CONTROL PERMIT AND  
AUTHORIZATION TO DISCHARGE UNDER  
THE NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM

Pursuant to the provisions of Kansas Statutes Annotated 65-164 and 65-165, the  
Federal Water Pollution Control Act as amended, (33 U.S.C. 1251 et seq; the "Act"),

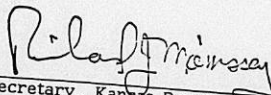
Owner: Sedgwick County Department of Public Works  
Owner's Address: 1015 Stillwell  
Wichita, Kansas 67213  
Facility Name: Crestview Improvement District Wastewater  
Treatment Facility  
Facility Location: SE $\frac{1}{4}$ , Section 13, Township 27S, Range 2E  
Sedgwick County  
Receiving Stream & Basin: Four Mile Creek  
Walnut River Basin

is authorized to discharge from the waste treatment facility described herein, in  
accordance with effluent limitations and monitoring requirements as set forth  
herein.

This permit shall become effective December 22, 1982, will supersede all  
previous permits and/or agreements in effect between the Kansas Department of  
Health and Environment and the permittee, and will expire September 28, 1985.

FACILITY DESCRIPTION:

1. Design P.E. - 3500
2. Design Flow - 450,000 gpd
3. Orbal Activated Sludge
4. Final Clarifier
5. Disinfection

  
Secretary, Kansas Department of Health and Environment  
December 22, 1982  
Date

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The effluent limitations shall become effective on the dates specified herein. Such discharges shall be controlled, limited, and monitored by the permittee as specified. Monitoring reports shall be submitted monthly. There shall be no discharge of floating solids or visible foam in other than trace amounts.

Effective Date	EFFLUENT LIMITATIONS		MONITORING REQUIREMENTS	
	Interim Limitations Upon Issuance	Final Limitations When Average Daily Flow Exceeds 0.2019 MGD	Measurement Frequency	Sample Type
Outfall Number and Effluent Parameter(s)				
001				
Biochemical Oxygen Demand (5-Day)			**Twice monthly	grab
Daily Maximum-mg/l(lbs/day)	---	45(168.9)		
Weekly Average-mg/l(lbs/day)	45(168.9)	30(112.6)		
Monthly Average-mg/l(lbs/day)	30(112.6)	15(56.3)		
Total Suspended Solids			**Twice monthly	grab
Weekly Average-mg/l(lbs/day)	45(168.9)	45(168.9)		
Monthly Average-mg/l(lbs/day)	30(112.6)	30(112.6)		
Dissolved Oxygen-mg/l	---	---	Twice monthly	grab
pH (Standard Units)	6.0-9.0	6.0-9.0	Twice monthly	grab
Flow	---	---	Weekday	

\*Minimum removal of 85% required for Biochemical Oxygen Demand (5-Day) and Total Suspended Solids.

\*\*Influent sample required, also.

B. RECEIVING STREAM MONITORING REQUIREMENTS

The permittee shall monitor water quality in Four Mile Creek downstream from the effluent discharge. Results of all additional monitoring shall be submitted with the effluent monitoring report required in Section A of the permit. The following parameters shall be monitored in Four Mile Creek at the frequency and sample type specified:

Parameter(s)	Measurement Frequency	Sample Type
Biochemical Oxygen Demand (5-Day) - mg/l	Twice monthly	grab
Total Suspended Solids - mg/l	Twice monthly	grab
Dissolved Oxygen - mg/l	Weekly	grab
pH - Standard Units	Twice monthly	grab
Temperature - Degrees Celsius	Weekly	grab
Fecal Coliform - MPN/100 ml	Once monthly	grab
Flow - CFS	When samples are taken	

C. STANDARD CONDITIONS

In addition to the specified conditions stated herein, the permittee shall comply with the attached Part I Standard Conditions dated May 1, 1979.

D. SCHEDULE OF COMPLIANCE

None

E. SUPPLEMENTAL CONDITIONS

This facility shall be considered a temporary treatment system. The permittee shall transport all wastewaters to a permanent facility when interceptors become available as described in the Kansas Water Quality Management Plan which adopted the Four Mile Creek Basin Facilities Plan (EPA Grant Project No. C20 0691).

Bridgewood - Crestview

Sewage Plant Expansion

The resolution filed on April 21, 1980, exposes the owners and the home owners to a rather open end debt. The resolution says the owners of Bridgewood shall fix any problems existing in the Crestview sewer plant, now and for some undetermined length of time. This type and amount of liability to owners in this subdivision seems unreasonable.

We realize the current owners used poor judgement in signing such an agreement. We do not know or care whom advised the owner to enter into such an agreement. We are advising them of their exposure if they proceed with trying to put a "cap" on their liability plus live up to the "spirit" of the agreement.

The enclosed graph shows the large amount of inflow and infiltration which now exists in the Crestview sewer system. The problem exists without a single unit in Bridgewood connected. We do not see how Bridgewood could be held accountable for fixing all the existing problems. As a solution to the problem we recommend adding a second clarifier to the treatment plant which would add hydraulic capacity to the plant and would give Sedgwick County the needed time to study and repair the sewer system.

We offer this as an alternative to the present solution:

Under the current agreement the Bridgewood owners pay:

A. Bond & Interest	\$ 20,000
B. Plant Expansion	60,000
C. \$750.00 per D.U. x 100	75,000
D. \$72.00 per D.U. per year x 100	<u>7,200</u>
	\$162,000

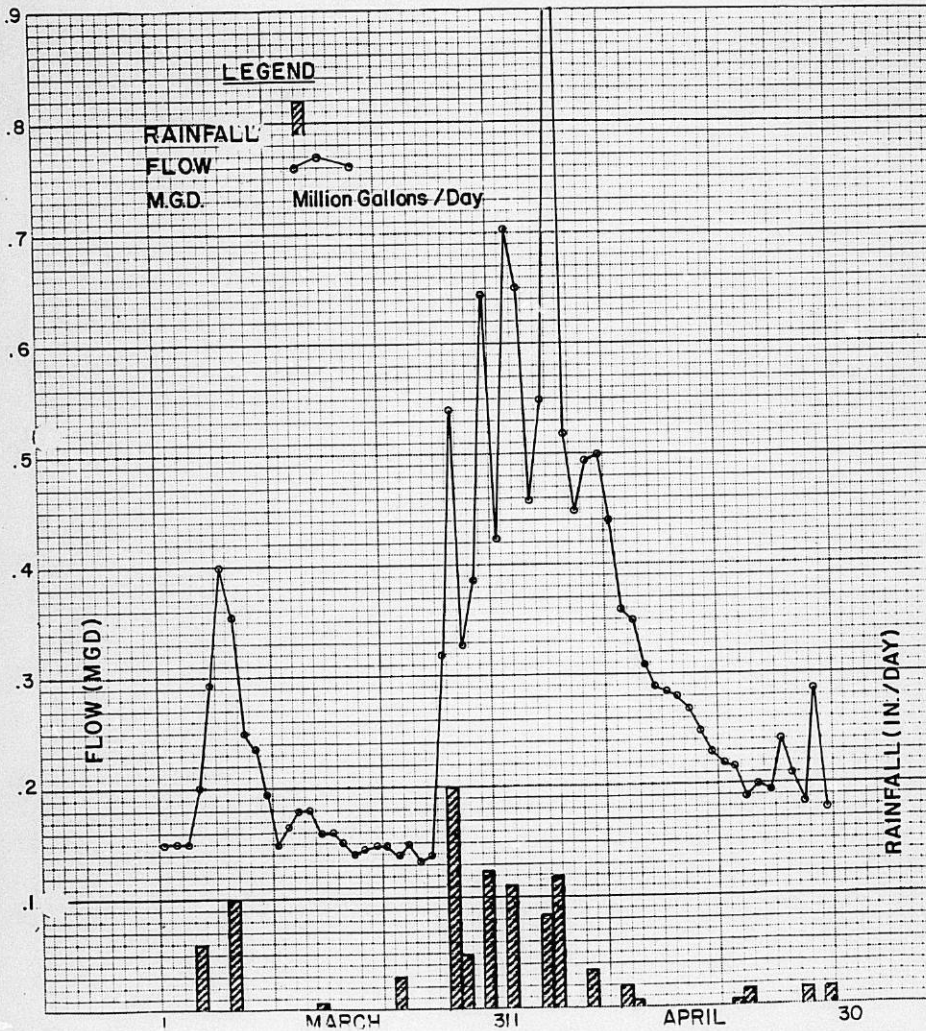
Our proposed agreement - the Bridgewood owners would pay:

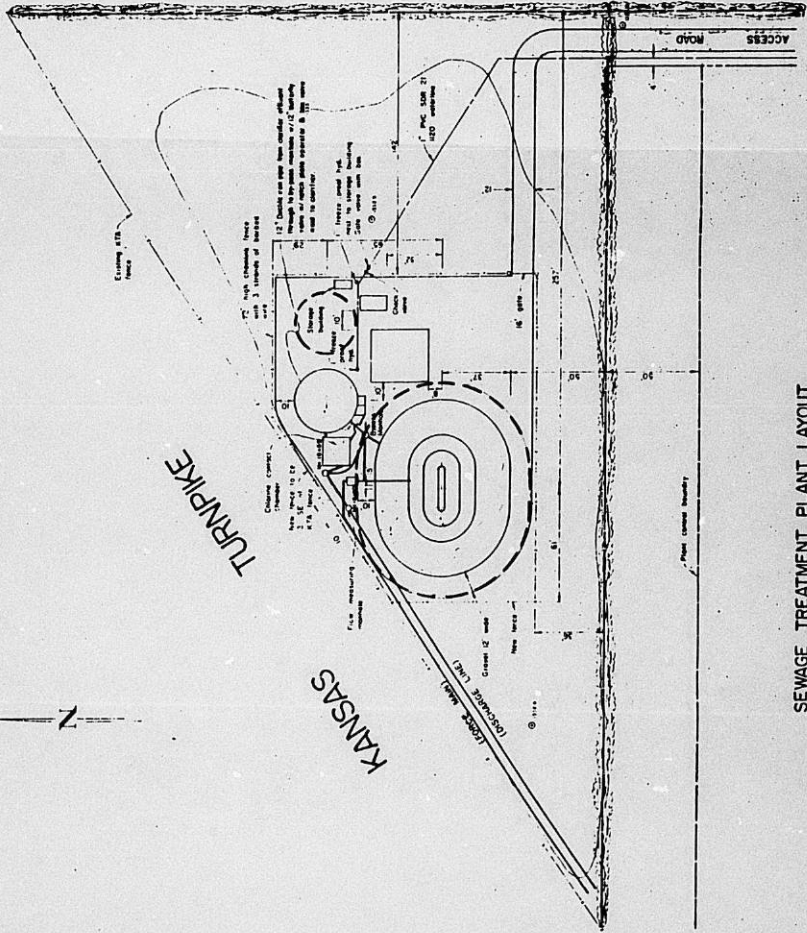
A. Bond & Interest	\$ 20,000
B. Plant Expansion	80,000
C. \$750.00 per D.U. x 191	143,000
D. \$72.00 per D.U. x 191	<u>14,000</u>
	\$257,000

In our proposal we will limit the Bridgewood owners to only these expenses and then share other expenses on a pro-rata share with other residents of the total Crestview Improvement District.

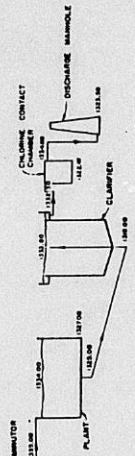
Sedgwick County  
Highway  
Department

By \_\_\_\_\_  
Date MARCH/APRIL 1983 Page \_\_\_\_\_ of \_\_\_\_\_  
Project CRESTVIEW  
Item INFLUENT / RAINFALL

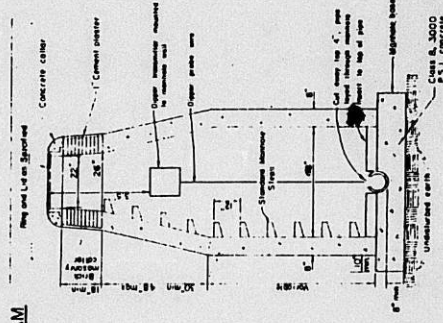




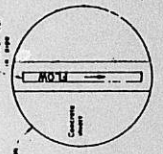
SEWAGE TREATMENT PLANT LAYOUT  
 SCALE 1" = 30'



FLOW DIAGRAM  
 NO SCALE



FLOW MEASURING MANHOLE  
 NO SCALE



TOP VIEW  
 NO SCALE

NOTE  
 Plans to be corrected in the  
 following manner:

8/24/83

2 funds -

Bridgwood Contract.

- B+I Fund - Pd a buy in cost to existing plant  
(contributing to run hr costs).

- Plant expansion fund - 60M (742/A) <sup>when laterals built</sup>  
+ 750/lot w/ bldg permit.

\*\*not to be used

contract - any plant  
addition or zone change  
should insist on it up front.

anyone else who tries to pass pro rata share of amount  
for plant expansion - ie if later increased 2X, the  
750 lot would be  $\frac{750}{2}$ /lot

P3 TPE. No further liability in contract for expansion.  
The fund may be used. What it may be used for is  
new plant, old plant expansion or lines to the new  
plant.

P4. Based on best available info for costs. If  
wrong, addn assessment may be levied  
on "lands involved"

P4. If plant overload occurs (ie infiltration)  
we can hold bldg permit.

3500 PE of plant reserved to Crestview S.D.  
(Crestview + Overbrook).

Called Yung + told him my interpretation.

R. # 88-1980

ZORRO

MICROFILMED  
OF RECORD

SEDGWICK COUNTY  
FILED FOR RECORD AT  
7... P. P. M.

APR 21 1980

.1 53869

NO.  
BETTE F. McCART  
REGISTER OF DEEDS

*Pat Kottler  
Deputy*

R E S O L U T I O N

A RESOLUTION PROVIDING PAYMENT LEVELS FOR BRIDGEWOOD LATERAL SEWER DISTRICT HEREIN REFERRED TO AS BRIDGEWOOD-CRESTVIEW JOINT SEWER DISTRICT AND PAYMENT SCHEDULES FOR FUTURE USERS OF THE PRESENT CRESTVIEW IMPROVEMENT DISTRICT SEWAGE COLLECTION AND TREATMENT FACILITY.

WHEREAS, there has been presented to the Board of County Commissioners of Sedgwick County, Kansas, a petition to form a sanitary sewer district to provide sewer service to Bridgewood Addition, Sedgwick County, Kansas; and insofar as it is necessary to provide sewage treatment for said Bridgewood Addition by extending the existing Crestview outfall sewer to serve the Bridgewood lateral sewer district in providing sewage treatment by the Crestview Improvement District sewage treatment facilities; and

WHEREAS, the Board of County Commissioners in response to such petition is desirous of arranging for sewage service for such additional lands and in so doing to equitably spread the appropriate portions of the original Crestview sewerage facility cost to the additional lands encompassed within the new Bridgewood lateral sewer district; and

WHEREAS, the Board of County Commissioners in order to provide such sewerage service hereby determines that it is necessary to establish and maintain a joint sewer district bond and interest fund and a sewage treatment facility expansion fund.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS that two separate and distinct escrow trust-agency accounts be established by the Controller and County Treasurer for the intent and purposes enumerated herein.

PAID

One escrow account, identified as Crestview Country Club Improvement District Bond and Interest Fund, shall receive designated lump sum cash payment as set forth in Exhibit "B" at the time the final plat is approved by the Metropolitan Area Planning Commission and prior to the recording of the owners of record of real estate identified on Exhibit "A".

*County Clerk*  
*Deputy*

The second escrow account, identified as the Crestview-Bridgewood Sewage Plant Expansion Fund shall receive lump sum cash payment or a guaranteed Letter of Credit in favor of Sedgwick County for a renewable two-year period of time based upon a rate of \$742.48 per acre not to exceed the amount set forth in Exhibit "B" with each cash payment or Letter of Credit to be made on a per acre basis; at the time the owner or owners of land to be served request construction (or be authorized to construct) lateral sewer lines to serve any portion of the total of any and all acreage identified in Exhibit "A". Said fund shall further receive lump sum cash payments of \$750.00 per dwelling unit at the time a building permit is issued for the construction of a dwelling unit. Any future users who are not owners of the property described in Exhibit "A" who use the Interceptor or Plant Expansion provided for hereunder shall pay to the owner or owners who contribute to the \$20,000 and \$60,000 amounts set forth in Exhibit "B" their pro-rata share of the aforementioned costs for said Interceptor or Plant Expansion.

When the monies specified have been paid and all other terms of this Resolution have been met, lands described in Exhibit "B" are hereby authorized to use the Crestview-Bridgewood Sewage Plant, or its expansion or its replacement subject to such other local rules and regulations as may exist and subject to any state or federal requirements. Permits for use of the sewage plant under the terms of this Resolution shall be for residential purposes only. Any commercial, industrial or public or quasi-public use will not be allowed except under separate resolution.

BE IT FURTHER RESOLVED that:

1. All monies except the guaranteed Letter of Credit shall be paid in cash or by certified check. A receipt shall be issued by the person receiving said money.
2. The monies to be paid prior to construction of sewer laterals shall be deposited with the Director of Public Works of Sedgwick County. The Director shall deposit same in the appropriate escrow account.

60,000

Bill Don  
Pays

New  
Development  
pay  
H-C

SW 127+13  
is safe

\*  
Not  
PAM  
work  
complete

3. Any guaranteed Letter of Credit shall be filed with the Director of Public Works of Sedgwick County. The Director shall file same in the Sedgwick County Clerk's office.

4. That monies paid at the time of building permits will be paid to the building permit issuing agent. The agent shall deposit same promptly with the County Treasurer in the appropriate escrow account.

BE IT FURTHER RESOLVED that the monies paid to the Crestview Country Club Improvement District Bond and Interest Fund shall be used to reduce the annual assessments for the cost of land and collection lines (not laterals) which bonds or notes were issued made against owners of land in Crestview Improvement District. When said special assessments have been paid out, any additional payments made to this fund under the terms of this resolution shall be transferred to the Crestview-Bridgewood Sewage Plant Expansion Fund. The Controller shall be responsible for the management of said bond and interest fund.

BE IT FURTHER RESOLVED that the Crestview-Bridgewood Sewage Plant Expansion Fund shall be used for the purpose of providing sewage treatment facilities for the lands described in Exhibit "B". Such service may be provided by expanding, modifying or replacing the existing treatment plant or may be provided by building a new treatment plant downstream. Costs of lines to carry sewage from its present treatment site to such alternate site shall be considered a cost of providing sewage treatment for the purposes of administering this fund.

To expend monies from this fund, the Director of Public Works of Sedgwick County shall submit to the Board of County Commissioners his recommendation together with comments and recommendations from the Metropolitan Area Planning Department, the Department of Community Health and the State Department of Health and Environment. After having such reports, the Board may by resolution initiate a project or projects to provide additional treatment facilities. Said resolution shall specify

*Wife Need to know what these cost are - what is ours and theirs*

the amount of expenditure so authorized and the purpose therefor. Funds may be expended for either engineering and/or construction, equipment, land acquisition or such other items as may be necessary to provide such service.

The monies for the expansion of sewage treatment facilities are based on estimates of best available data and on accepted current engineering practice and design. Inflation or design change criteria or other unforeseen circumstances may necessitate the assessment of said additional costs on the lands involved by the Board of County Commissioners.

BE IT FURTHER RESOLVED that notwithstanding any authorization herein granted to connect the above described lands to the existing disposal plant, if at any time, in the determination of the County Engineer, such plant is in danger of becoming overloaded and possibly becoming a health hazard, the Board of County Commissioners shall have the authority to order cessation of the issuance of any further building permits until such time as expanded or additional treatment facilities are obtained, however, as an exception to the foregoing, it is understood that the present plant capacity (3,500 P.E.) is presently available and has been paid for by Crestview Improvement District. (Sec. 14 and the W $\frac{1}{2}$  13 T27S R2E). This capacity will be reserved for Crestview Improvement District under the presently existing rules and design parameters and will be guaranteed in all future expansions at the present site.

BE IT FURTHER RESOLVED that a copy of this Order shall be filed in the office of the Register of Deeds of Sedgwick County, Kansas, as notice of the provisions hereof, and the same shall be binding upon the present owner and any subsequent owners of all or any part of said real estate.

Commissioners present and voting were:

EVERETT PATRICK

*aye*

DONALD E. GRAGG

TOM SCOTT

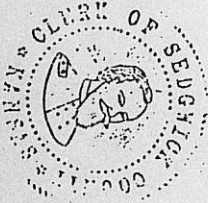
DATED this 16<sup>th</sup> day of April, 1980.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

[Signature]  
EVERETT PATRICK, Chairman.

DONALD E. GRAGG, Commissioner

[Signature]  
TOM SCOTT, Commissioner



ATTEST:

[Signature]  
DOROTHY K. WHITE  
County Clerk

APPROVED AS TO FORM:

[Signature]  
G. CRAIG ROBINSON  
Assistant County Counselor

State of Kansas  
County of Sedgwick

I, County Clerk of said County, do hereby  
certify this to be a true and correct copy of the  
original instrument which is on file or of record  
in my office.

Done this 16<sup>th</sup> day of April, 1980  
DOROTHY K. WHITE, County Clerk

By [Signature], Deputy

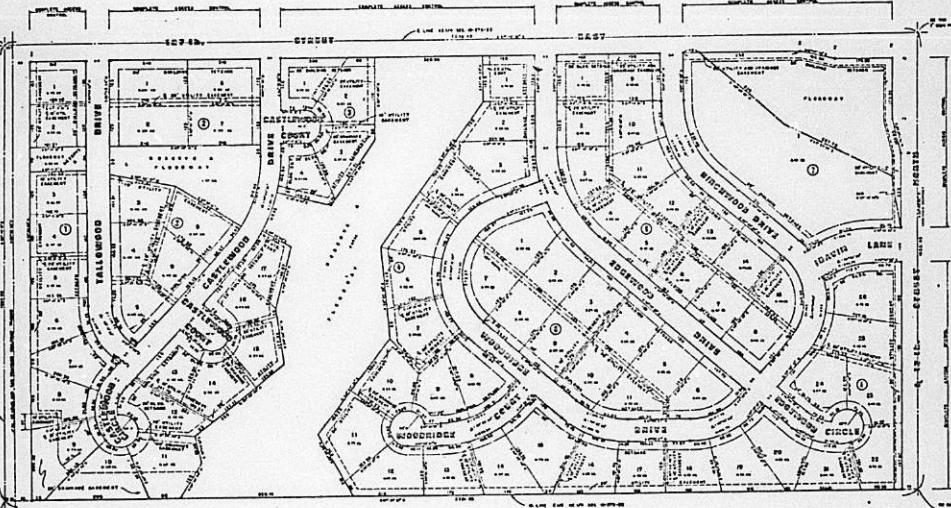
EXHIBIT "A"

CRESTVIEW COUNTRY CLUB ESTATES  
BRIDGEWOOD ADDITION TO SEDGWICK  
COUNTY, KANSAS, described as:

The East one half ( $E\frac{1}{2}$ ) of the  
Southeast Quarter ( $SE\frac{1}{4}$ ) of  
Section 10, Township 27 South,  
Range 2 East of the 6th P.M.  
Sedgwick County, Kansas contain-  
ing 80.81 acres more or less.

Handwritten notes in the top left corner, including a signature and the date "11/10".

NO.	SOURCE	ELEVATION
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100	1	1300



CHERRYVIEW COUNTRY CLUB ESTATE  
**BRIDGEWOOD ADDITION**  
 TO  
 SEDGWICK COUNTY, KANSAS  
 1940

Checked  
 11/10/40

RISS & GOODNESS ENGINEERS

EXHIBIT "B"

The land referred to herein is platted as Crestview Country Club Estates, Bridgewood Addition to Sedgwick County, Kansas, contains 80.81 acres including 82 single family home sites in Blocks 1 through 6 inclusive and one large multifamily lot in Block 7 including 18 dwelling units.

To be paid by Bridgewood Addition:

1. Crestview Country Club Improvement District Bond and Interest Fund:

\$20,000 in cash paid at the time the final plat is approved by the Metropolitan Area Planning Commission, assessable at a rate of 247.49 per acre of the 80.81 total acres.

2. Sewer Plant Expansion:

a) 80.81 acres or any portion of said acreage constructed or authorized to be constructed at the per acre rate of \$742.48 equaling \$60,000.

b) 100 dwelling units multiplied by \$750.00 per dwelling unit payable at the time the building permit is issued for construction of said unit equaling \$75,000.

Subtotal equaling \$135,000.

8-22-83

Bridgewood - Crestview  
Sewage Plant Expansion

The resolution filed on April 21, 1980, exposes the owners and the home owners to a rather open end debt. The resolution says the owners of Bridgewood shall fix any problems existing in the Crestview sewer plant, now and for some undetermined length of time. This type and amount of liability to owners in this subdivision seems unreasonable.

We realize the current owners used poor judgement in signing such an agreement. We do not know or care whom advised the owner to enter into such an agreement. We are advising them of their exposure if they proceed with trying to put a "cap" on their liability plus live up to the "spirit" of the agreement.

The enclosed graph shows the large amount of inflow and infiltration which now exists in the Crestview sewer system. The problem exists without a single unit in Bridgewood connected. We do not see how Bridgewood could be held accountable for fixing all the existing problems. As a solution to the problem we recommend adding a second clarifier to the treatment plant which would add hydraulic capacity to the plant and would give Sedgwick County the needed time to study and repair the sewer system.

We offer this as an alternative to the present solution:

Under the current agreement the Bridgewood owners pay:

A. Bond & Interest	\$ 20,000
B. Plant Expansion	60,000
C. \$750.00 per D.U. x 100	75,000
D. \$72.00 per D.U. per year x 100	<u>7,200</u>
	\$162,000

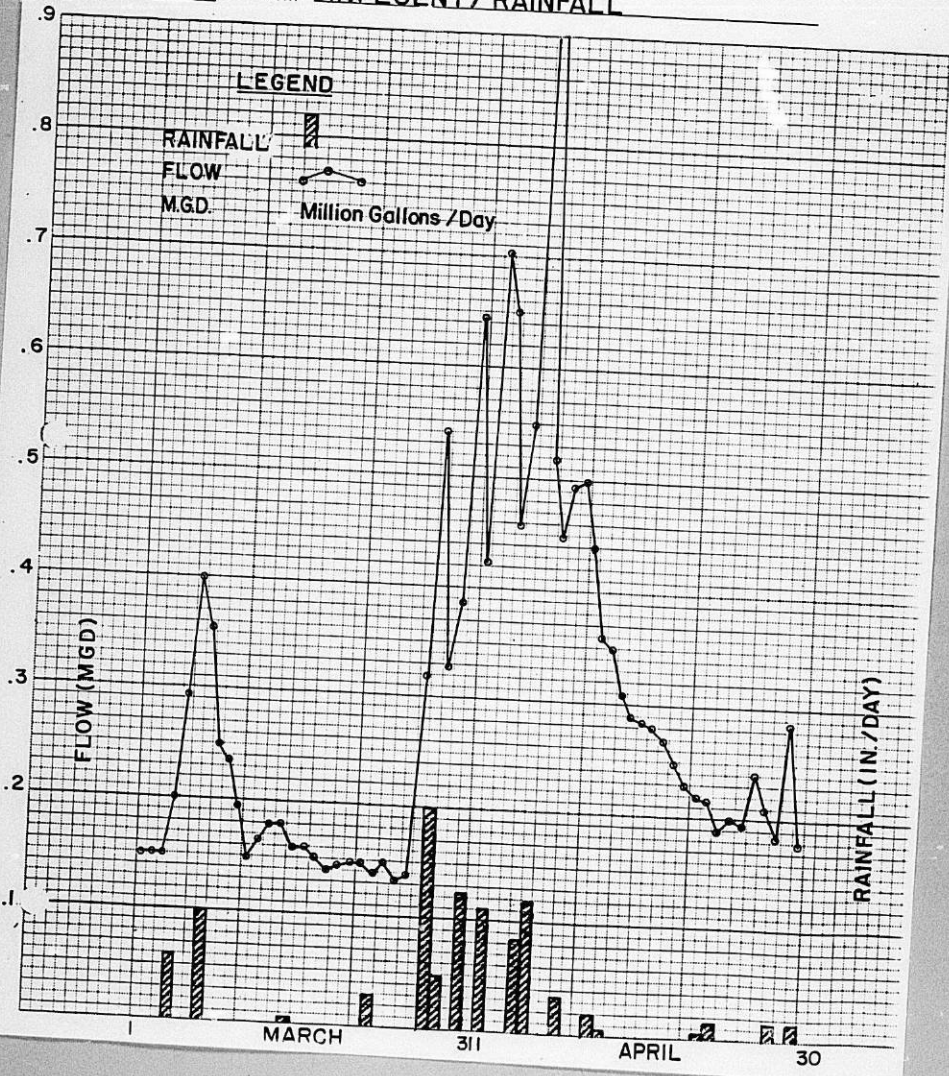
Our proposed agreement - the Bridgewood owners would pay:

A. Bond & Interest	\$ 20,000
B. Plant Expansion	80,000
C. \$750.00 per D.U. x 191	143,000
D. \$72.00 per D.U. x 191	<u>14,000</u>
	\$257,000

In our proposal we will limit the Bridgewood owners to only these expenses and then share other expenses on a pro-rata share with other residents of the total Crestview Improvement District.

Sedgwick County  
Highway  
Department

By \_\_\_\_\_  
Date MARCH/APRIL 1983 Page \_\_\_\_\_ of \_\_\_\_\_  
Project CRESTVIEW  
Item INFLUENT / RAINFALL



Rick Baird of MKEC

8-22-83

inflow & infiltration are the problems

500,000 gal./day can now be handled

addition of 2<sup>nd</sup> clarifier would solve current problem

storm water is the culprit

Bridgwood people want to put in the second clarifier now, at their expense, and any other future problems would be remedied by all users of the sewer plant. (Tap fees, etc)

Resolution 88-1980

providing payment levels for Bridgwood  
lateral sewer district  
Film 416 pg 34-42

Lakin

Galbraith

Stockwell

Oliver

Bill Young

Phil Snodgrass

Tom Warren

Rick Baird

meeting in  
MAPD conference  
room

LAW OFFICES  
FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER  
BROADWAY AT DOUGLAS  
WICHITA, KANSAS 67202  
(316) 267-6371

ROBERT C. FOULSTON (1888-1947)  
GEORGE SIEFKIN (1888-1984)  
STUART B. CARTER  
OF COUNSEL

GEORGE B. POWERS  
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MICHAEL KIM MOORE  
JAMES H. ARNESTRO  
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N. RAY ROYSE  
NICHOLAS S. DAILY  
GARY L. AYERS  
LINDA K. CONSTABLE  
LARRY G. RAPP  
ROBERT DOUGLAS REAGAN  
GLORIA G. FLENTJE

September 12, 1980

RECEIVED

SEP 15 1980

METROPOLITAN PLANNING  
ROUTE  1010  
 \_\_\_\_\_

Mrs. Louise Olivarez  
Metropolitan Area Planning Department  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

RE: Bridgewood Addition

Dear Louise:

Please be advised that the Protective Covenants for  
Bridgewood Addition were filed September 5, 1980 on Film 436  
at page 864. If you need anything further, please let me know.

Very truly yours,

*Philip S. Frick*  
Philip S. Frick

of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 78-116 Name Crestview Country Club Estates-Bridgewood  
Application & Sketch Filed: 10-24-78 Addition  
Preliminary Plat Filed: 3-9-79 Approved by S/D: 3-22-79  
Final Plat Filed: 11-16-79 Approved by S/D: 1-10-80  
Approved by Metropolitan Area Planning Commission: 1-17-80

DESCRIPTION

General Location: northwest corner of 13th St. North and 127th St. East.

Surveyor or Engineer: Reiss and Goodness  
Owner: H-A Properties (c/o Dillis L. Hart)  
Address: 12301 E. 21st Street 67206

1. Gross Acreage of Plat <u>81</u>	6. Access Control
2. Number of Lots	St. <u>13th</u> No. Openings <u>0</u>
Residential <u>83</u>	St. <u>127th</u> No. Openings <u>0</u>
Commercial _____	St. _____ No. Openings _____
Industrial _____	7. Req'd Improvements
Other _____	St. Paving <u>X</u> Water <u>X</u>
Total Number of Lots: <u>83</u>	Sidewalk _____ Drainage <u>X</u>
3. Minimum Lot Area: <u>20,000</u> sq. ft.	Sewer <u>X</u> Other _____
4. Existing Zoning: <u>LC and R-1</u>	
5. Special Problems Discussed: <u>Sewer service</u>	

Associated zone cases SCZ-0427 "R-1" and "LC" to "AA" and SCZ-0448 "LC" to "R-1" have been approved subject to platting. CU-219, a conditional use permit to allow multi-family development in "AA" zoning, has also been approved. The County has approved the addition of this property to the Crestview Sewer District. A cash payment of \$20,000 has been made into the sewer fund with \$60,000 due, on a per acre basis, as the subdivision develops and \$750.00 due with the issuance of a building permit for each dwelling unit. Petitions for sewer laterals and for street paving and drainage have been accepted by the County. A 100% petition for City water as well as an application for outside-the-City water service have been submitted. Protective covenants providing for the ownership and maintenance of the floodways and reserves have been signed and are being recorded by the applicant's attorney.

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

Hennessy moved, Lofton seconded and it carried unanimously. Jones, Shook, Bayouth and Savina were absent.

ACTION: Approve the application for water service and authorize the Mayor to sign for the City, receive and file the feasibility report and grant the petition, adopt the resolution of finding and the resolution ordering and directing the water system improvement; approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

CERTIFICATE

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

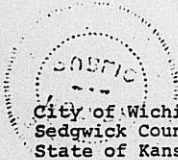
I, H-C Properties by Dillis L. Hart, owner of  
(give name of proposed plat, if appropriate) Crestview  
Country Club Estates - Bridgewood Addition

do hereby certify that petitions for the following improvements  
have been submitted to the Board of Commissioners of the City of  
Wichita, Kansas or the Board of Commissioners of Sedgwick County.

1. street paving and drainage
2. sanitary sewer laterals
3. water
- 4.
- 5.
- 6.
- 7.

As a result of the above-mentioned petitions for  
improvements, lots or portions thereof within Crestview Country  
Club Estates - Bridgewood Addition may be subject to special  
assessments assessed thereto for the cost of constructing the  
above-described improvements.

Signed this 5<sup>th</sup> day of August, 19 80.  
Dillis L. Hart  
Dillis L. Hart



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

Be it remembered that on this 8<sup>th</sup> day of August,  
19 80, before me, a notary public in and for said County and State,  
came Dillis L. Hart, to me personally  
known to be the same person who executed the foregoing instrument  
of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and  
affixed my notarial seal the day and year above written.

Belva J. Ott  
Notary Public



0821 81204  
Sedgwick County, Kansas

August 7, 1980

Dr. Dillis L. Hart  
1152 S. Clifton  
Wichita, Ks. 67219

Re: Bridgewood Addition:

Dear Dr. Hart:

In making our final departmental review of the plat of Bridgewood Addition, we noticed that we have never received a "certificate of petitions" listing the petitions which you have submitted for various improvements. This certificate is necessary because it is the document which gets recorded and which informs future lot owners that they may be liable for special assessments for certain improvements.

I would appreciate your signing and having notarized the enclosed certificate. Please return it to me at the above address at your earliest convenience. Your plat has been scheduled for review by the City Commission on August 12, 1980.

Sincerely,

Louise Olivarez  
Senior Planner

LO:bh

Encl.

August 7, 1980

Mr. Phillip S. Frick  
Foulston, Siefkin, Powers and Eberhardt  
700 Fourth Financial Center  
100 N. Broadway  
Wichita, Kansas 67202

Re: Bridgewood Addition Protective Covenants

Dear Phil:

I have scheduled the Bridgewood Addition plat for City Commission review on Tuesday, August 12, 1980. Because of the number of people involved with handling the documents associated with plats and the length of time between plat approval and plat recording, I have decided to return the protective covenants to you for filing with the Register of Deeds. This way you can be certain the correct dates are inserted in the appropriate places and that the original document is returned to you after recording. Information submitted to the City Commission regarding these covenants states: "Protective covenants providing for the ownership and maintenance of the floodways and reserves have been signed and are being recorded by the applicant's attorney."

Once these documents are recorded and returned to you, I would appreciate your calling me with information as to the film and page number and date of recording.

Sincerely,

Louise Olivarez  
Senior Planner

LO:bh  
Encl.

Film 436  
Pg 864

Sept 5, 1980

LAW OFFICES

FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER

BROADWAY AT DOUGLAS

WICHITA, KANSAS 67202

(316) 267-8371

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LARRY G. RAPP  
ROBERT DOUGLAS REAGAN

ROBERT C. FOULSTON (1889-1947)  
GEORGE SIEFKIN (1888-1954)

STUART R. CARTER  
OF COUNSEL

July 22, 1980

Mrs. Louise Olivarez  
Metropolitan Area Planning Commission  
City Hall, Tenth Floor  
455 North Main  
Wichita, Kansas 67202

RE: Bridgewood Addition

Dear Louise:

In connection with the above captioned plat, I am enclosing herewith our title opinion for your files. I am also enclosing the original executed set of Protective Covenants and would ask that you have these recorded at the time the plat is recorded. It will be necessary to insert the date of recording of the plat on page two of the covenants and also the same date should be entered in the blanks on paragraph R on page 8. If you would have the recording officer take care of that, have it recorded, and then returned to me, I would appreciate it very much. I am also enclosing our check in the amount of \$14.00 payable to the Register of Deeds for the recording fees.

Thank you very much.

Very truly yours,

*Phis*  
Phillip S. Frick  
of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms

Enclosures

cc: Mr. Dillis Hart  
Mr. Kenny Hill

*returned to  
Ken Moore  
7.22.80*

LAW OFFICES

FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER

BROADWAY AT DOUGLAS

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JAMES D. OLIVER  
SAMUEL D. GOELBY  
M. KAY ROYSE  
NICHOLAS S. DALY  
GARY L. AYERS  
LINDA H. CONSTABLE  
LARRY D. RAPP  
ROBERT DOUGLAS REAGAN

June 23, 1980

RECEIVED

JUN 24 1980

METROPOLITAN PLANNING  
ROUTE  Louise

Mrs. Louise Olivarez  
Metropolitan Area Planning Commission  
City Hall, Tenth Floor  
455 North Main  
Wichita, Kansas 67202

RE: Bridgewood Addition

Dear Louise:

I enclose herewith a copy of the executed Protective Covenants for Bridgewood Addition which have been amended in subparagraph (h) on page 8 to include the county as well as the city. Please let me know if you have any questions.

Very truly yours,

*Phillip S. Frick*

Phillip S. Frick  
of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms

Enclosure

cc: Mr. Kenny Hill  
Reiss & Goodness Engineers

6-25-80 Asked Phil for original signed document.

*Index 436  
Pg 864  
Sept 5, 1980*

PROTECTIVE COVENANTS

THIS DECLARATION, made this 5th day of March, 1980, by H-C PROPERTIES, hereinafter called Grantor,

W I T N E S S E T H: That,

WHEREAS, Grantor is the owner of the real property hereinafter described and is desirous of subjecting said real property to the conditions, covenants, restrictions, reservations, and easements hereinafter set forth, each and all of which is and are for the benefit of said property and for each owner thereof, and shall inure to the benefit of and pass with said property, and each and every parcel thereof, and shall apply to and bind the successors in interest, and any owner thereof;

NOW, THEREFORE, Grantor hereby declares that the real property hereinafter described is, and shall be, held, transferred, sold, conveyed, and occupied subject to the conditions, covenants, restrictions, reservations, and easements hereinafter set forth.

I.

Definition of Terms

"Building Site" shall be a minimum of one lot as platted, or two or more contiguous lots or portions thereof, upon which improvements may be erected in conformance with the requirements of these Covenants.

"Residence" shall be a building erected and maintained in conformance with the requirements of these Covenants for private residential purposes and designed for occupancy by a single family. It shall not mean any flat, apartment, multi-family dwelling or duplex, even though intended for residential purposes.

"Grantor" shall mean H-C Properties, its successors and assigns.

"Improvements" shall be and include a residence as herein defined, swimming pools, bathhouses, greenhouses, guest-houses, or any other structure or building, fences, walls, hedges, mass plantings, exterior antenna, and other appurtenances.

"Front and Side Street Building Setback Line or Lines" shall be the minimum distance which a residence shall be set back from the front and/or side street lines, respectively, and reference is hereby made to the recorded plat of Crestview Country Club Estates Bridgewood Addition, Sedgwick County, Kansas, for the location of such setback lines, or, if not specified, the setback lines shall be as required by the City of Wichita.

"Side Building Site Line" shall be the boundary or property line dividing two adjoining building sites.

II.

Property Subject to This Declaration

The real property which is, and shall be, conveyed, transferred, occupied, and sold subject to the conditions, covenants, restrictions, reservations, and easements with respect to the various portions thereof set forth in the various clauses and sections of this declaration is located in the County of Sedgwick, State of Kansas, and is more particularly described as follows, to-wit:

All of Blocks One (1) through Six (6), inclusive, Crestview Country Club Estates Bridgewood Addition, Sedgwick County, Kansas, plat of which was recorded on \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m. in the Office of the Register of Deeds of Sedgwick County, Kansas (hereinafter sometimes called the "Addition").

No property other than that described above shall be deemed subject to this declaration.

III.

General Purposes of Conditions

The real property described in "II" hereof is subject to the conditions, covenants, restrictions, reservations, and easements hereby declared to insure the best use and the most appropriate development and improvement of each building site thereof; to protect the owners of building sites against such improper use of surrounding building sites as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of such property; to guard against the erection thereon of poorly designed or proportioned improvements and improvements built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive homes on the other building sites with appropriate locations

thereof on building sites; to secure and maintain proper setbacks from streets, and adequate free spaces between structures; and in general to provide adequately for a high type and quality of improvement on said property.

A. No building or structure shall be erected, altered, placed, or permitted to remain on any building site subject to this declaration other than one new single family residence, for private use, with a private garage and other outbuildings incidental to residential use, provided, however, that Grantor may, in its sole discretion and at its own expense, construct or install decorative entrance treatments, of Grantor's own choice, type, and design, on any or all corner lots or building sites located on Thirteenth Street North or One Hundred Twenty-Seventh Street East, said entrance treatments to be located outside the building setback lines and confined to the corner of the lot or building site which is common to the applicable streets above named.

B. For the purposes of these Covenants, the building sites, or part or parts thereof, shall be deemed to front on those streets designated as front streets by Grantor and such determination shall be made pursuant to Paragraph "C" hereof.

C. No residential structure which covers less than Two Thousand (2,000) Square Feet of ground for a one story structure, or One Thousand Five Hundred (1,500) Square Feet of ground for a one and one-half to two and one-half story structure, in excess of porches and garages, shall be constructed on any building site and each residence shall have at least a two car garage. No residence or other improvements as herein defined shall be erected, placed, or altered on any building site until the building or other improvement plans, specifications, and plot plan and finish grade elevation showing the location of such improvements on the particular building site have been submitted to, and approved in writing as to conformity and harmony of external design, including the height of such improvements with existing structures in the development, and as to location of the improvements with respect to topography, grade, and finished ground elevation by Grantor, provided, however, that Grantor, its successors or assigns, shall not be liable in damages to anyone so submitting plans for approval, or to any other owner or owners of land covered by this instrument by reason of mistake in judgment, negligence, or nonfeasance of itself, its agents, or employees, arising out of, or in connection with, the approval or disapproval, or failure to approve any such plans, likewise anyone so submitting plans to Grantor for approval, by the submitting of such plans and any owner by so acquiring title to any of the property covered hereby, agrees that he or it will not bring any action or suit to recover for such damages against Grantor. In the event Grantor fails to approve or disapprove such design, height, and location within thirty (30) days after said plans and specifications have been submitted to it, this covenant will be deemed to have been fully complied with.

Grantor shall have the right to appoint, as its successor in carrying out the duties of Grantor described in this paragraph, an architectural control committee comprised of not less than three (3) persons. In the event any vacancy should occur on said committee, the remaining members shall appoint a successor or successors.

D. Each residence shall comply with the minimum front, back, and side setback requirements as shown on the recorded plat of the land covered hereby, and as herein provided. No residence, including attached garages, breezeways, attached greenhouses, ells, and porches, shall occupy more than Eighty-Five Percent (85%) of the width of the building site on which it is erected, measured in each case on the front street building setback lines, except with specific written consent of Grantor. Such residence shall still be located at least Ten (10) Feet from the side building site line or lines and within the side street building setback line if contiguous to a side street and at least Twenty (20) Feet from the back property line, except with specific written consent of Grantor. All detached garages, outbuildings, bathhouses, and greenhouses erected on any of said building sites shall be placed at least Four (4) Feet from the side building site line and at least Four (4) Feet from the back property line.

E. No residence shall be erected, placed, or maintained on any building site which building site has a width less than the width of the platted lot in said Addition of which said building site is a part.

F. No excavations, except such as are necessary for the construction of improvements, shall be permitted on any lot without written permission of Grantor.

G. No separate outside trash or garbage containers or dispensers shall be allowed on any building site at any time. No trash, ashes, dirt, rock, or other refuse may be thrown or dumped on any lot or building site. No building materials of any kind or character shall be placed or stored upon any building site more than thirty (30) days before the commencement of construction of improvements and then such materials shall be placed within the property lines of the building site upon which they are to be erected and shall not be placed in the street or between the curb and property line.

H. It is hereby provided that no retail, wholesale, manufacturing, or repair business of any kind, nor so-called home occupations, shall be permitted on any building site or in any residence or appurtenant structure erected thereon, even though this does not include the employment of any additional person or persons in the performance of such services. No activities which may be, or become, an annoyance or nuisance to the neighborhood shall be carried on upon any building site or in any residence or appurtenant structures erected thereon.

I. No basement, tent, shack, garage, barn, or other outbuilding other than the guesthouses or servants' quarters erected on a building site covered by these Covenants shall at any time be used for human habitation temporarily or permanently, nor shall any structure of a temporary character be used for human habitation.

J. No modular, used, secondhand, or previously erected house or building of any kind can be moved or placed, either in sections or as a whole, upon said land, nor shall any trailer, except during construction of improvements, be moved, placed, or permitted to remain upon a building site subject to these Covenants.

K. No animals or poultry of any kind, other than house pets belonging to the household of the premises, shall be kept or maintained on any part of the real property subject to these Covenants, and no house pets shall be bred for commercial purposes. No such pets shall be allowed to run free.

L. No automobile, truck, motorcycle, motorbike, boat, house trailer, motorhome, boat trailer, or trailer of any kind, or any other vehicle of any type or description may be stored upon any of the driveways, street areas, residence sites, or floodway area, except in enclosed garages. Motor-scooters, mini-trailbikes, or similar vehicles shall be operated for transportation only and no joyriding on the streets, lots, or floodway area shall be allowed.

M. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on any of the building sites herein restricted without the consent in writing of Grantor; provided, however, that permission is hereby granted for the erection and maintenance of not more than one (1) temporary, unlighted, unanimated signboard on each building site as sold and conveyed, which signboard shall not be more than Five (5) Square Feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease the building site upon which it is erected and improvements thereon, if any.

N. No fence, masonry wall, hedge, or mass planting shall be permitted to extend beyond the minimum front building setback lines established herein, nor shall there be any external television or radio transmission or receiving antennas. No hedges, shrubs, mass plantings, or trees shall be allowed by the owner to obstruct sight lines at any corner. Vegetation on each building site shall be kept and maintained in a neat and attractive manner by the owner. Trees, shrubs, and other plants which die shall be promptly removed from the property. Prior to construction of the improvements on any lot, the owner of said lot shall be responsible for keeping the same free from trash and debris and for keeping the same mowed to a height of Eight Inches (8") or less. Grantor may at its option have the

building site maintained when and as often as the same is necessary in its judgment, and the owner of such building site shall be obligated to pay for the cost of such work.

O. Oil drilling, oil development operations, refining, mining operations of any kind, or quarrying shall not be permitted upon or in any of the building sites subject to these Covenants, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any of the building sites covered by these Covenants. Fuel Oil Storage Tanks as a part of the heating equipment of a building shall be permitted only if located underground.

P. Easements of utility installations and maintenance affecting all lots subject to these Covenants are reserved as shown on the recorded plat of the hereinbefore described and referred to property.

Q. There shall be formed a Homeowner's Association for the ownership, maintenance, and control of Reserve "A" and "floodway" and for any other purpose that said owners may deem desirable. All such common facilities, including the "floodway" shall be, unless otherwise herein provided for, under the management or control of the owner's association by whatever name it may be designated as hereinafter provided, as trustee, such association to be composed of the owners of the lots in the addition, which association shall be incorporated. The members thereof shall be limited to the owners of lots within the addition. Such association shall have such further powers and duties as are hereinafter set forth all of which may be exercised or assumed at the discretion of the association. The association shall be the sole judge of the qualifications of its members and of their rights to participate in its meetings and proceedings.

(a) Membership. Each owner of a lot in the addition shall be deemed to be a member of the association and shall be entitled to one vote. In the event that any one lot is owned jointly by two or more persons, said lot shall have only one vote regardless of such multiple ownership.

(b) Voting. At any owner's meeting at which any matter is submitted to vote, each lot shall be entitled to one vote as hereinabove provided which may be cast in person or by proxy by the owner of each lot. Unless otherwise provided for herein, all matters subject to vote by the owners must have sixty percent (60%) approval of all eligible to vote in order to be approved.

(c) Meetings. Meetings of the owner's association shall be held at such times and places as the owners from time to time determine.

(d) Duties and Powers. The association shall enforce, either in its own name or in the name of any owner, any or all of the covenants and conditions contained herein or as hereinafter modified.

Specifically, in relation to the hereinabove described Reserve "A" and "floodway", the association shall be responsible for the upkeep, care, and maintenance thereof, upon such terms and conditions including, but not limited to the method of determining payment therefore, as it shall deem proper. For the purpose of assessing the costs of repair and maintenance of the floodway, the association shall have the power to determine the necessary assessments and levy the same on each lot in the proportion that square footage of each lot bears to the total square footage of all lots in the addition, except Block 7 thereof.

*(this added to original office recording)*

(e) Assessments. Any assessment made by the association hereunder shall become a lien on the real property as soon as it is due and payable and in the event of the failure of any owner or owners to pay such assessment on or before thirty (30) days from the date of the notice to such owner of such assessment, such assessment shall bear interest at the rate of fifteen percent (15%) per annum until paid. Such assessment may be made a lien upon the real estate by filing a copy thereof with the Register of Deeds of Sedgwick County, Kansas, and enforcement thereof by the association may be had in the same manner as the enforcement of mechanic's liens.

Such liens shall terminate automatically five (5) years from the date of the filing thereof unless within such time suit shall have been instituted for the collection of the assessment in which case the lien shall continue until the termination of said suit and until the sale of property under execution of the judgment establishing same.

(f) Addresses. The association shall notify all owners insofar as the addresses of such owners are listed with said association, of the official address of said association, as to what place and time regular meetings of the association shall be held and in case of any change in the Association's address, the association shall notify all owners insofar as their addresses are listed with the association, of such new address. All notices provided for hereunder shall be

given by mailing to the owner or the association by depositing the same in the United States mail, certified mail, return receipt requested.

(g) The obligations of the owners association shall be exercised by Grantor until sixty percent (60%) of all lots in the addition have been sold and the duties of the association turned over to it or at such earlier time as Grantor may relinquish said duties to the association.

(h) Upon the failure of the association to provide for such upkeep, care, and maintenance, of said Reserve "A" and "floodway", the City of Wichita or County of Sedgwick as the case may be, may cause notice to be served on the lot owners and the association of their failure to perform, setting out the manner in which they have failed to perform, and granting them thirty (30) days within which to perform all the items listed on the notice so delivered. After said thirty (30) days the city or county may proceed upon the property to perform the work described in said notice and the cost of such work performed by the city or county may be assessed against the property in the same manner as provided by law for such assessment and said assessment shall be established as a lien against the land. Should the association or owners, upon receipt of said notice, take exception to any deficiencies listed therein, the association may within the thirty (30) days period appeal the contents of said notice to the appropriate Board for a hearing thereon, and until said appeal is heard and determined the matter shall be stayed.

R. Except as provided in Section "P", each of the conditions, covenants, restrictions, and reservations set forth above shall continue and be binding upon Grantor, its successors and assigns, and upon each of them, and all parties and all persons claiming under them for a period of thirty (30) years from the \_\_\_\_\_ day of \_\_\_\_\_, 1980, and automatically shall be continued thereafter for successive periods of twenty-five (25) years each; provided, however, that the property owners, as hereinafter defined, owning Sixty Percent (60%) of the front feet of the building sites herein subjected to this declaration, which are hereby restricted, may release all of the land so restricted from any one or more of said restrictions at the end of this first thirty (30) year period or any successive twenty-five (25) year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same for record in the Office of the Register of Deeds of Sedgwick County, Kansas, at least one (1) year prior to the expiration of this first thirty (30) year period or of any successive twenty-five (25) year period thereafter.

For the purpose and to determine who may be the property owners as that term is used herein, they shall be any person, persons, firm, corporation, or other legal entity named as

grantees in any deed to property subject to these Covenants and last recorded in the Office of the Register of Deeds, Sedgwick County, Kansas, on any one particular date not more than two (2) years and not less than eighteen (18) months prior to the expiration of the first thirty (30) year period or any successive twenty-five (25) year period thereafter.

A recordable certificate by an abstractor, title company, or otherwise then generally legally recognized authority as to property ownership doing business in Sedgwick County, Kansas, as to the record of ownership of the property hereby restricted and a recordable certificate by a registered or certified surveyor or engineer authorized to practice in the State of Kansas as to the front footage owned by the record owners as shown by said abstractor's, or title company's, or otherwise then generally legally recognized authority's certificate shall be deemed conclusive evidence of fee simple title ownership of property and front footage thereof so owned and hereby restricted with regard to compliance with the provisions of this section.

S. The Covenants herein set forth shall run with the land and bind the present owner, its successors and assigns, and all parties claiming by, through, or under it, and shall be taken to hold, agree, and covenant with the owner of said building sites, its successors and assigns, and with each of them, to conform and observe said restrictions as to the use of said building sites and the construction of improvements thereon, but no restrictions herein set forth shall be personally binding upon any corporation, person, or persons, except in respect to breaches committed during its, his, or their seisin of, or title to said land, and Grantor, or the owner or owners of any of the above land, shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of, or to enforce the observance of, the restrictions set forth, in addition to ordinary legal action for damages, and the failure of Grantor and the owner of any other lot or lots or building sites hereby restricted to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Grantor may, by appropriate judgment, assign or convey to any person, persons, or corporation all of the rights and privileges hereby reserved by it, including its beneficial interest in said restrictions and its right to enforce the same, and upon such agreement, assignment, or conveyance being made, its assigns or grantees may, at their option, exercise, transfer, or assign those rights or any one or more of them, at any time or times, in the same way and manner as though directly reserved by them or it, in this instrument.

T. Invalidation of any one of these Covenants or any part thereof by judgments or court order shall in no wise

affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, this instrument has been duly executed the date first above written.

H-C PROPERTIES,  
a Partnership

By *William L. Hart*, a Partner

STATE OF KANSAS    )  
                          ) SS.:  
SEDGWICK COUNTY    )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of March, 1980, by *William L. Hart*, Partner, on behalf of H-C Properties, a Partnership.

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

*Mary S. Stucky*  
Notary Public

My Appointment Expires:



Sunday  
June  
1979

24

9:00  
9:30 P. 8  
10:00 (h) Above  
10:30 Kim 7-8  
11:00  
11:30 city (or county)  
12:00 for  
1:00 of  
1:30  
2:00  
2:30  
3:00 need to have  
3:30 signed copy to  
4:00 send with plat to  
4:30 B.C.C.

1979							1979						
June							July						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2		1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				

Sunday, June 24 190

LAW OFFICES  
FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER  
BROADWAY AT DOUGLAS  
WICHITA, KANSAS 67202  
(316) 267-6371

ROBERT C. FOULSTON (1889-1947)  
GEORGE SIEFKIN (1885-1984)  
STUART R. CARTER  
OF COUNSEL

GEORGE B. POWERS  
JOHN F. EBERHARDT  
ROBERT C. FOULSTON  
MALCOLM MILLER  
ROBERT H. PARTWIDGE  
ROBERT M. SIEFKIN  
RICHARD C. HARRIS  
GERALD SAMSTEVY  
DONALD L. GORDES  
ROBERT L. HOWARD  
CHARLES J. WOODHIN  
MIKEL L. STOUT  
BENJAMIN C. LANSEL  
JERRY G. ELLIOTT  
WILLIAM H. DYE  
PHILLIP S. FRICK  
STANLEY G. ANDEEL  
FREDERICK L. HAAG  
RICHARD D. EWY

DARRELL L. MARTA  
WILLIAM R. SAMPSON  
HARVEY R. SORENSON  
CHRISTOPHER P. CHRISTIAN

MICHAEL W. MOORE  
JAMES M. ARMSTRONG  
MARY KATHLEEN BARCOCK  
CHARLES R. EFFLANDT  
JAMES D. OLIVER  
SAMUEL D. OSELEY  
M. KAY ROYBE  
NICHOLAS S. DAILY  
GARY L. AYERS  
LINDA K. CONSTABLE  
LARRY G. RAFF  
ROBERT DOUGLAS READAH

March 27, 1980

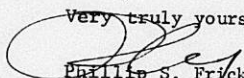
Mrs. Louise Olivarez  
Metropolitan Area Planning Commission  
City Hall, Tenth Floor  
455 North Main  
Wichita, Kansas 67202

RE: Bridgewood Addition

Dear Louise:

I enclose herewith a copy of the amended protective covenants for Bridgewood Addition which I have altered in the manner we discussed. I will obtain appropriate signatures in due course so that the original can be recorded subsequent to recording of the final plat.

Very truly yours,

  
Phillip S. Frick  
of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms

Enclosure

RECEIVED

MAR 28 1980

METROPOLITAN PLANNING  
ROUTE  Louise

PROTECTIVE COVENANTS

THIS DECLARATION, made this 5th day of March, 1980, by H-C PROPERTIES, hereinafter called Grantor,

W I T N E S S E T H: That,

WHEREAS, Grantor is the owner of the real property hereinafter described and is desirous of subjecting said real property to the conditions, covenants, restrictions, reservations, and easements hereinafter set forth, each and all of which is and are for the benefit of said property and for each owner thereof, and shall inure to the benefit of and pass with said property, and each and every parcel thereof, and shall apply to and bind the successors in interest, and any owner thereof;

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All of Blocks One (1) through Six (6), inclusive, Crestview Country Club Estates Bridgewood Addition, Sedgwick County, Kansas, plat of which was recorded on \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m. in the Office of the Register of Deeds of Sedgwick County, Kansas (hereinafter sometimes called the "Addition").

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thereof on building sites; to secure and maintain proper setbacks from streets, and adequate free spaces between structures; and in general to provide adequately for a high type and quality of improvement on said property.

A. No building or structure shall be erected, altered, placed, or permitted to remain on any building site subject to this declaration other than one new single family residence, for private use, with a private garage and other outbuildings incidental to residential use, provided, however, that Grantor may, in its sole discretion and at its own expense, construct or install decorative entrance treatments, of Grantor's own choice, type, and design, on any or all corner lots or building sites located on Thirteenth Street North or One Hundred Twenty-Seventh Street East, said entrance treatments to be located outside the building setback lines and confined to the corner of the lot or building site which is common to the applicable streets above named.

B. For the purposes of these Covenants, the building sites, or part or parts thereof, shall be deemed to front on those streets designated as front streets by Grantor and such determination shall be made pursuant to Paragraph "C" hereof.

C. No residential structure which covers less than Two Thousand (2,000) Square Feet of ground for a one story structure, or One Thousand Five Hundred (1,500) Square Feet of ground for a one and one-half to two and one-half story structure, in excess of porches and garages, shall be constructed on any building site and each residence shall have at least a two car garage. No residence or other improvements as herein defined shall be erected, placed, or altered on any building site until the building or other improvement plans, specifications, and plot plan and finish grade elevation showing the location of such improvements on the particular building site have been submitted to, and approved in writing as to conformity and harmony of external design, including the height of such improvements with existing structures in the development, and as to location of the improvements with respect to topography, grade, and finished ground elevation by Grantor, provided, however, that Grantor, its successors or assigns, shall not be liable in damages to anyone so submitting plans for approval, or to any other owner or owners of land covered by this instrument by reason of mistake in judgment, negligence, or nonfeasance of itself, its agents, or employees, arising out of, or in connection with, the approval or disapproval, or failure to approve any such plans, likewise anyone so submitting plans to Grantor for approval, by the submitting of such plans and any owner by so acquiring title to any of the property covered hereby, agrees that he or it will not bring any action or suit to recover for such damages against Grantor. In the event Grantor fails to approve or disapprove such design, height, and location within thirty (30) days after said plans and specifications have been submitted to it, this covenant will be deemed to have been fully complied with.

Grantor shall have the right to appoint, as its successor in carrying out the duties of Grantor described in this paragraph, an architectural control committee comprised of not less than three (3) persons. In the event any vacancy should occur on said committee, the remaining members shall appoint a successor or successors.

D. Each residence shall comply with the minimum front, back, and side setback requirements as shown on the recorded plat of the land covered hereby, and as herein provided. No residence, including attached garages, breezeways, attached greenhouses, ells, and porches, shall occupy more than Eighty-Five Percent (85%) of the width of the building site on which it is erected, measured in each case on the front street building setback lines, except with specific written consent of Grantor. Such residence shall still be located at least Ten (10) Feet from the side building site line or lines and within the side street building setback line if contiguous to a side street and at least Twenty (20) Feet from the back property line, except with specific written consent of Grantor. All detached garages, outbuildings, bathhouses, and greenhouses erected on any of said building sites shall be placed at least Four (4) Feet from the side building site line and at least Four (4) Feet from the back property line.

E. No residence shall be erected, placed, or maintained on any building site which building site has a width less than the width of the platted lot in said Addition of which said building site is a part.

F. No excavations, except such as are necessary for the construction of improvements, shall be permitted on any lot without written permission of Grantor.

G. No separate outside trash or garbage containers or dispensers shall be allowed on any building site at any time. No trash, ashes, dirt, rock, or other refuse may be thrown or dumped on any lot or building site. No building materials of any kind or character shall be placed or stored upon any building site more than thirty (30) days before the commencement of construction of improvements and then such materials shall be placed within the property lines of the building site upon which they are to be erected and shall not be placed in the street or between the curb and property line.

H. It is hereby provided that no retail, wholesale, manufacturing, or repair business of any kind, nor so-called home occupations, shall be permitted on any building site or in any residence or appurtenant structure erected thereon, even though this does not include the employment of any additional person or persons in the performance of such services. No activities which may be, or become, an annoyance or nuisance to the neighborhood shall be carried on upon any building site or in any residence or appurtenant structures erected thereon.

I. No basement, tent, shack, garage, barn, or other outbuilding other than the guesthouses or servants' quarters erected on a building site covered by these Covenants shall at any time be used for human habitation temporarily or permanently, nor shall any structure of a temporary character be used for human habitation.

J. No modular, used, secondhand, or previously erected house or building of any kind can be moved or placed, either in sections or as a whole, upon said land, nor shall any trailer, except during construction of improvements, be moved, placed, or permitted to remain upon a building site subject to these Covenants.

K. No animals or poultry of any kind, other than house pets belonging to the household of the premises, shall be kept or maintained on any part of the real property subject to these Covenants, and no house pets shall be bred for commercial purposes. No such pets shall be allowed to run free.

L. No automobile, truck, motorcycle, motorbike, boat, house trailer, motorhome, boat trailer, or trailer of any kind, or any other vehicle of any type or description may be stored upon any of the driveways, street areas, residence sites, or floodway area, except in enclosed garages. Motor-scooters, mini-trailbikes, or similar vehicles shall be operated for transportation only and no joyriding on the streets, lots, or floodway area shall be allowed.

M. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on any of the building sites herein restricted without the consent in writing of Grantor; provided, however, that permission is hereby granted for the erection and maintenance of not more than one (1) temporary, unlighted, unanimated signboard on each building site as sold and conveyed, which signboard shall not be more than Five (5) Square Feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease the building site upon which it is erected and improvements thereon, if any.

N. No fence, masonry wall, hedge, or mass planting shall be permitted to extend beyond the minimum front building setback lines established herein, nor shall there be any external television or radio transmission or receiving antennas. No hedges, shrubs, mass plantings, or trees shall be allowed by the owner to obstruct sight lines at any corner. Vegetation on each building site shall be kept and maintained in a neat and attractive manner by the owner. Trees, shrubs, and other plants which die shall be promptly removed from the property. Prior to construction of the improvements on any lot, the owner of said lot shall be responsible for keeping the same free from trash and debris and for keeping the same mowed to a height of Eight Inches (8") or less. Grantor may at its option have the

building site maintained when and as often as the same is necessary in its judgment, and the owner of such building site shall be obligated to pay for the cost of such work.

O. Oil drilling, oil development operations, refining, mining operations of any kind, or quarrying shall not be permitted upon or in any of the building sites subject to these Covenants, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any of the building sites covered by these Covenants. Fuel Oil Storage Tanks as a part of the heating equipment of a building shall be permitted only if located underground.

P. Easements of utility installations and maintenance affecting all lots subject to these Covenants are reserved as shown on the recorded plat of the hereinbefore described and referred to property.

Q. There shall be formed a Homeowner's Association for the ownership, maintenance, and control of Reserve "A" and "floodway" and for any other purpose that said owners may deem desirable. All such common facilities, including the "floodway" shall be, unless otherwise herein provided for, under the management or control of the owner's association by whatever name it may be designated as hereinafter provided, as trustee, such association to be composed of the owners of the lots in the addition, which association shall be incorporated. The members thereof shall be limited to the owners of lots within the addition. Such association shall have such further powers and duties as are hereinafter set forth all of which may be exercised or assumed at the discretion of the association. The association shall be the sole judge of the qualifications of its members and of their rights to participate in its meetings and proceedings.

(a) Membership. Each owner of a lot in the addition shall be deemed to be a member of the association and shall be entitled to one vote. In the event that any one lot is owned jointly by two or more persons, said lot shall have only one vote regardless of such multiple ownership.

(b) Voting. At any owner's meeting at which any matter is submitted to vote, each lot shall be entitled to one vote as hereinabove provided which may be cast in person or by proxy by the owner of each lot. Unless otherwise provided for herein, all matters subject to vote by the owners must have sixty percent (60%) approval of all eligible to vote in order to be approved.

(c) Meetings. Meetings of the owner's association shall be held at such times and places as the owners from time to time determine.

(d) Duties and Powers. The association shall enforce, either in its own name or in the name of any owner, any or all of the covenants and conditions contained herein or as hereinafter modified.

Specifically, in relation to the hereinabove described Reserve "A" and "floodway", the association shall be responsible for the upkeep, care, and maintenance thereof, upon such terms and conditions including, but not limited to the method of determining payment therefore, as it shall deem proper. For the purpose of assessing the costs of repair and maintenance of the floodway, the association shall have the power to determine the necessary assessments and levy the same on each lot in the proportion that square footage of each lot bears to the total square footage of all lots in the addition.

*or in Blocks 1-6.*

(e) Assessments. Any assessment made by the association hereunder shall become a lien on the real property as soon as it is due and payable and in the event of the failure of any owner or owners to pay such assessment on or before thirty (30) days from the date of the notice to such owner of such assessment, such assessment shall bear interest at the rate of fifteen percent (15%) per annum until paid. Such assessment may be made a lien upon the real estate by filing a copy thereof with the Register of Deeds of Sedgwick County, Kansas, and enforcement thereof by the association may be had in the same manner as the enforcement of mechanic's liens.

Such liens shall terminate automatically five (5) years from the date of the filing thereof unless within such time suit shall have been instituted for the collection of the assessment in which case the lien shall continue until the termination of said suit and until the sale of property under execution of the judgment establishing same.

(f) Addresses. The association shall notify all owners insofar as the addresses of such owners are listed with said association, of the official address of said association, as to what place and time regular meetings of the association shall be held and in case of any change in the Association's address, the association shall notify all owners insofar as their addresses are listed with the association, of such new address. All notices provided for hereunder shall be

given by mailing to the owner or the association by depositing the same in the United States mail, certified mail, return receipt requested.

(g) The obligations of the owners association shall be exercised by Grantor until sixty percent (60%) of all lots in the addition have been sold and the duties of the association turned over to it or at such earlier time as Grantor may relinquish said duties to the association.

*or county*  
*or county*  
(h) Upon the failure of the association to provide for such upkeep, care, and maintenance, of said Reserve "A" and "floodway", the City of Wichita or County of Sedgwick as the case may be, may cause notice to be served on the lot owners and the association of their failure to perform, setting out the manner in which they have failed to perform, and granting them thirty (30) days within which to perform all the items listed on the notice so delivered. After said thirty (30) days the city, may proceed upon the property to perform the work described in said notice and the cost of such work performed by the city, may be assessed against the property in the same manner as provided by law for such assessment and said assessment shall be established as a lien against the land. Should the association or owners, upon receipt of said notice, take exception to any deficiencies listed therein, the association may within the thirty (30) days period appeal the contents of said notice to the appropriate Board for a hearing thereon, and until said appeal is heard and determined the matter shall be stayed.

R. Except as provided in Section "P", each of the conditions, covenants, restrictions, and reservations set forth above shall continue and be binding upon Grantor, its successors and assigns, and upon each of them, and all parties and all persons claiming under them for a period of thirty (30) years from the \_\_\_\_\_ day of \_\_\_\_\_, 1980, and automatically shall be continued thereafter for successive periods of twenty-five (25) years each; provided, however, that the property owners, as hereinafter defined, owning Sixty Percent (60%) of the front feet of the building sites herein subjected to this declaration, which are hereby restricted, may release all of the land so restricted from any one or more of said restrictions at the end of this first thirty (30) year period or any successive twenty-five (25) year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same for record in the Office of the Register of Deeds of Sedgwick County, Kansas, at least one (1) year prior to the expiration of this first thirty (30) year period or of any successive twenty-five (25) year period thereafter.

For the purpose and to determine who may be the property owners as that term is used herein, they shall be any person, persons, firm, corporation, or other legal entity named as

grantees in any deed to property subject to these Covenants and last recorded in the Office of the Register of Deeds, Sedgwick County, Kansas, on any one particular date not more than two (2) years and not less than eighteen (18) months prior to the expiration of the first thirty (30) year period or any successive twenty-five (25) year period thereafter.

A recordable certificate by an abstractor, title company, or otherwise then generally legally recognized authority as to property ownership doing business in Sedgwick County, Kansas, as to the record of ownership of the property hereby restricted and a recordable certificate by a registered or certified surveyor or engineer authorized to practice in the State of Kansas as to the front footage owned by the record owners as shown by said abstractor's, or title company's, or otherwise then generally legally recognized authority's certificate shall be deemed conclusive evidence of fee simple title ownership of property and front footage thereof so owned and hereby restricted with regard to compliance with the provisions of this section.

S. The Covenants herein set forth shall run with the land and bind the present owner, its successors and assigns, and all parties claiming by, through, or under it, and shall be taken to hold, agree, and covenant with the owner of said building sites, its successors and assigns, and with each of them, to conform and observe said restrictions as to the use of said building sites and the construction of improvements thereon, but no restrictions herein set forth shall be personally binding upon any corporation, person, or persons, except in respect to breaches committed during its, his, or their seisin of, or title to said land, and Grantor, or the owner or owners of any of the above land, shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of, or to enforce the observance of, the restrictions set forth, in addition to ordinary legal action for damages, and the failure of Grantor and the owner of any other lot or lots or building sites hereby restricted to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Grantor may, by appropriate judgment, assign or convey to any person, persons, or corporation all of the rights and privileges hereby reserved by it, including its beneficial interest in said restrictions and its right to enforce the same, and upon such agreement, assignment, or conveyance being made, its assigns or grantees may, at their option, exercise, transfer, or assign those rights or any one or more of them, at any time or times, in the same way and manner as though directly reserved by them or it, in this instrument.

T. Invalidation of any one of these Covenants or any part thereof by judgments or court order shall in no wise

affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, this instrument has been duly executed the date first above written.

H-C PROPERTIES,  
a Partnership

By \_\_\_\_\_,  
\_\_\_\_\_, a Partner

STATE OF KANSAS    )  
                          ) SS.:  
SEDGWICK COUNTY    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 1980, by \_\_\_\_\_, Partner, on behalf of H-C Properties, a Partnership.

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

My Appointment Expires:

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

\_\_\_\_\_

LAW OFFICES  
FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER  
BROADWAY AT DOUGLAS  
WICHITA, KANSAS 67202  
(316) 267-6371

ROBERT C. FOULSTON (1886-1847)  
GEORGE SIEFKIN (1888-1884)  
STUART H. CARTER  
OF COUNSEL

GEORGE B. POWERS  
JOHN F. EBERHARDT  
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HALCOIN HILLER  
ROBERT H. PARTRIDGE  
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JAMES G. OLIVER  
SAMUEL D. OSLEBY  
M. KAY ROYBE  
NICHOLAS S. DAILY  
GARY L. AVERS  
LINDA K. CONSTABLE  
LARRY D. RAFF  
ROBERT DOUGLAS REAGAN

July 22, 1980

TITLE OPINION

WICHITA-SEDGWICK COUNTY METROPOLITAN  
AREA PLANNING COMMISSION:

This is to certify that we have examined the  
referenced instruments covering the following described  
property and report upon title herein as follows:

PROPERTY:

The East Half of the Southeast Quarter  
(E/2 SE/4) of Section Ten (10), Township  
Twenty-seven (27), Range Two (2) East,  
Sedgwick County, Kansas.

INSTRUMENTS EXAMINED:

1. Original abstract prepared by various abstracters  
but last certified by The Security Abstract and Title Co., Inc.,  
covering captioned property, containing entries 1 through 76 in-  
clusive together with various exhibits attached thereto and cer-  
tifying title from U.S. Government to June 15, 1978 at 7:00 a.m.
2. Ownership list prepared by The Security Abstract  
and Title Co., Inc., dated January 29, 1980, together with ab-  
stracting records to date.

FEE SIMPLE TITLE:

From our examination of the instruments, we are of  
the opinion that on the date of the last certificate of the

abstracter, the fee simple title to the captioned property  
was vested in:

H-C PROPERTIES, a Partnership

LIENS AND ENCUMBRANCES:

Said property is subject to a mortgage dated August  
31, 1978, recorded September 12, 1978 at Film 325, page 1524,  
to Southwest National Bank and in the original amount of  
\$280,000.00.

TAXES:

Taxes for the year 1979 and prior years are shown  
to be paid.

COMMENTS:

None.

REQUIREMENTS:

None.

Title is satisfactory for platting.

Respectfully submitted,

*Philip S. Frick*  
Philip S. Frick

of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms



*Streets*  
**SATURDAY**

APRIL						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

**12**  
APR. 1980

9-26-79

100% street petition.  
Approved. Received of feed.

11-8-79

McBure presented petition  
for streets and stated a  
public hearing would be  
necessary. Recommended  
appointment of Reces.  
Address as project engineer.

DAY OF THE YEAR      DAY REMAINING  
103 - SATURDAY, APR. 12 - 263

*Sewer*  
**FRIDAY**

FEBRUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

**15**  
FEB. 1980

9-26-79

H-C Properties applied for the  
creation of a sewer district  
and authorization of sewer  
improvements.

Petition approved. 11-8-79 set  
as hearing date for creation of  
district.

11-8-79

McBure presented petition for  
sewers and stated there was  
no need for a public hearing  
because petition was 100%. →

DAY OF THE YEAR      DAY REMAINING  
46 - FRIDAY, FEB. 15 - 320

SUNDAY

13

APR. 1980

MARCH						
S	M	T	W	T	F	S
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

MAY						
S	M	T	W	T	F	S
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

8:00 Action: Receive the petition  
 8:30 Set public hearing  
 for 11-21-79  
 9:00  
 9:30 Appoint Russ Cookman  
 10:00  
 10:30  
 11:00

11:30 11-21-79 meeting for the purpose  
 of ratifying a resolution signed  
 by B.C.C. 7-26-79 regarding  
 1:00 street paving in Bridgewater.  
 2:00 100% petition requires no public  
 2:30 hearing but add county procedural  
 3:00 policy calls for a hearing.  
 3:30 Tom Scott declared that no further  
 4:00 action needed to be taken  
 4:30 by B.C.C. and adjourned the  
 5:00 meeting.  
 5:30

SATURDAY

16

FEB. 1980

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

MARCH						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

8:00 Action: Receive the petition  
 8:30 Appoint Russ Cookman  
 as project engineer  
 9:00  
 9:30  
 10:00  
 10:30  
 11:00 4-9-80 see minutes  
 11:30  
 12:00 4-16-80 see minutes  
 1:00  
 1:30  
 2:00  
 2:30  
 3:00  
 3:30  
 4:00  
 4:30  
 5:00  
 5:30

DEPARTMENT  
OF  
PUBLIC  
WORKS

DEPARTMENT OF PUBLIC WORKS

1. Resolution providing payment levels for Bridgewood Lateral Sewer District herein referred to as Bridgewood-Crestview Joint Sewer District and payment schedules for future users of the present Crestview Improvement District sewage collection and treatment facility.

Assistant County Counselor Craig Robinson appeared before the Board and explained that this resolution would provide for the payment by the Bridgewood owners of monies to assure plant expansion at the present Crestview facility. This area is included in the Four Mile Creek plan on the east side of Sedgwick County, and the resolution is similar to the Timber Valley-Spring Lakes resolution. It stipulates that upon the final platting, the owners of the Bridgewood Addition shall pay a lump sum cash payment of approximately \$20,000. This would be used for the purchase of an interceptor to connect Bridgewood Addition with Crestview. The pipe is over-sized, he said, so that future users will pay to offset the initial cost. Bridgewood will recoup some of the money it spends in the initial building of the interceptor. This will be set up by an escrow account, and paid at the platting to the Treasurer of Sedgwick County.

The second fund provides for the treatment facility expansion itself in the amount of \$60,000, to be paid on a per acre basis as the Bridgewood Addition is constructed. The Bridgewood people, he related, had been given an option of paying an up-front cash payment of \$60,000 into an escrow account, or putting up a letter of credit to guarantee to the County that those monies will be available should the capacity at the Crestview facility reach a certain level where the existing facility has to be improved to accept the Bridgewood affluent. It would amount to \$742.48 per acre, paid as the addition develops. Bridgewood Addition is made up of 80.81 acres with 100 dwelling units, 82 of which will be single family dwellings and 18 multi-family dwellings. There will be an additional expansion fund of \$750 per dwelling unit, passed on to the private owner at building permit time. That money will not be spread as an assessment as the \$60,000 will at some time in the future.

Mr. Robinson related that there was some opposition to this resolution by the Crestview people, represented by attorney Grey Dresie.

Mr. Gragg told Mr. Robinson that the Commissioners had not received a

BOARD OF SEDGWICK COUNTY COMMISSIONERS  
PROCEEDINGS

Regular Meeting  
April 9, 1980 Page 14

copy of the resolution in their action agendas. As a result of this, he had not been able to answer the questions of other developers in the area who had telephoned him about this matter.

MOTION

Mr. Gragg made a motion to table this item for one week.

Mr. Hill advised that this matter had been before the Board several weeks ago, and as a result of that meeting, the Legal Department had been directed to work out this resolution.

Mr. Scott said that he would second the motion for further discussion, and asked Mr. Dresie to tell the Board what a week's delay would mean to his clients and how it would affect the project.

Mr. Scott seconded the motion.

Mr. Dresie came to the podium and related that he represented the Crestview Country Club Improvement District, which is a municipal corporation, a unit of government. He had been asked by its Board of Directors to voice their objections to the project. It was their opinion and his that the County Commissioners should go over the contract under which the District would turn the sewage plant over to the County, which has not yet been done because it hasn't been certified as completed. Mr. Dresie stated that his clients' contract gave them the right to connect first, and then if there were any capacity left, arrangements could be made to connect others. The District is paying for this plant with special assessments, he said, and doesn't want to see its capacity dissipated. He guessed that the developers who called Mr. Gragg were people who owned land in the Improvement District. He pointed out that the District did extend to the east half of a section across the road from the original improvement district. He asserted that his clients didn't know until the day before yesterday that this was coming up.

Mr. Hill commented that in all fairness, it should be pointed out to the Commissioners that the Improvement District's Board of Directors, as well as Mr. Dresie and the engineer, have discussed this at several different meetings, prior to this day.

Mr. Dresie said that they had been to several meetings, but had not agreed, and the County Commissioners should be made aware of that.

Mr. Hill said that it was his understanding that the contract was fully executed and delivered to the County Commissioners, approved by them in regard to form and the terms it contained, some time ago. He asked Mr. Dresie if he were asking the Board to reconsider this contract.

Mr. Dresie replied that he and his clients were asking the Board to live up to it, and wanted some time to discuss it.

Mr. Gragg commented that he was not sure he was opposed to the plan that he had been hearing about; on the other hand, he wanted to look at all sides of it, and have everybody fully apprised of everything that was going on. That was why he had asked for a deferral. There had been, he said, proper attachments to the agenda before.

Mr. Hill felt that this item should not be tabled indefinitely because it was important to the community that the area in question be developed. He did not think that this Commission wanted to go on record as stifling development anywhere, and in effect, that was what they would be doing.

BOARD OF SEDGWICK COUNTY COMMISSIONERS  
PROCEEDINGS

Regular Meeting  
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Mr. Dresie said that he would like two weeks' time, but settled for one week's time.

VOTE

Chairman Everett Patrick	Aye
Commissioner Donald Gragg	Aye
Commissioner Tom Scott	Aye

Mr. Patrick announced that the Board would consider item "F" on the agenda, if the representative from Urban Renewal were present.

Assistant County Counselor Jim Pattinson advised that the representative was present, but his testimony would be part of the Executive Session which would follow the Regular Meeting.

2. Contract for Federal Aid Road Construction by County covering culverts on Project No. 87 SOS 87 (2).

Acting Director of Public Works Joe Freeman came to the podium and explained that this construction contract is for what is called an "off system negotiated project," for the installation of culverts in 28 locations throughout the County on sand/gravel roads, primarily in the western part of the County. This project had been started in 1977 and continued until the Federal funding ran out. The funding had been made available to the County again, and the contract would be with the State Department of Transportation to construct the project to its standards. The amount of the contract is \$92,664.00. Of this, 75 per cent would be reimbursed to the County.

MOTION

Chairman Everett Patrick	Aye
Commissioner Donald Gragg	Aye
Commissioner Tom Scott	Aye

3. Right-of-Way Applications

Mr. Freeman told the Board that there were three applications from Southwestern Bell, primarily on township roads; one County road is involved, but no blacktop roads would be cut. He pointed out that item "3 (e)" was a little different; it was a request for permission from Seismic Resources, Inc. to do some vibration testing on roads. This is in connection with some potential oil field exploration in the southwest part of the County.

MOTION

Mr. Gragg made a motion that the right-of-way applications be approved as presented.

Mr. Scott seconded the motion.

VOTE

Chairman Everett Patrick	Aye
Commissioner Donald Gragg	Aye
Commissioner Tom Scott	Aye

4. Right-of-Way Agreements

Mr. Freeman explained that there was one right-of-way agreement, at no

MAPP  
File Copy  
S/D 78-116

Excerpt from B.Co.C. minutes 4-16-80

RESOLUTION  
PROVIDING  
PAYMENT LEVELS  
FOR BRIDGE-  
WOOD-CREST-  
VIEW SEWER  
DISTRICT

- (d) Resolution providing payment levels for Bridgewood Lateral Sewer District herein referred to as Bridgewood-Crestview Joint Sewer District and payment schedules for future users of the present Crestview Improvement District sewage collection and treatment facility.

Commissioner Donald E. Gragg stated that he would like to remove himself from this discussion because of possible conflict of interest.

Mr. Craig Robinson, Assistant County Counselor, appeared before the Board and stated that at a Regular Meeting of one week ago, he presented a Resolution for payment levels at Bridgewood Lateral Sewer District and the Crestview-Bridgewood Joint Sewer District for the payment of interceptor

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and possible expansion of that facility. He stated at that time the Commission stated that they did not have enough back up on the Resolution and deferred it for one week. He stated that since that time he had provided the Commissioners with a memorandum detailing specifically what action had been taken in the past concerning the creation of this joint sewer district and particularly pertaining to the enlargement of the present facility known as Crestview. He stated that on April 9th, 1980, he sent the Commissioners a letter which reads as follows:

"Please find enclosed a copy of the proposed resolution setting payment levels for Bridgewood Addition to enlarge the present Crestview sewer facility. Notice also, letter dated March 17, 1980 from Reiss & Goodness, setting forth the cost estimates for both interceptor and Crestview expansion. Notice further a copy of Board of County Commissioner's action dated September 26, 1979, setting forth the following orders:

1. That Bridgewood Addition <sup>Compromise</sup> "compromise a benefit district and sewers and storm sewers be built to serve the area".
2. That treatment facilities at Crestview Improvement District of Sedgwick County, Kansas be "enlarged as necessary to accomodate such new sewers".
3. That Department of Public Works be authorized to design said sewers or negotiate a contract for employment of an engineer to do said design.
4. Costs to be assessed pursuant to statute.

"A resolution dated September 26, 1979, set a hearing date of November 8, 1979, to hear any objections to above order. Notice of said hearing was published October 2, 1979, and October 9, 1979. No objection to the creation of the district nor ordering the enlargement of Crestview facility was heard at the November 8 hearing.

"Inasmuch as the Board of County Commissioners has already acted by ordering the enlargement of Crestview sewer facility, the resolution merely implements the payment schedules to finance said interceptor and enlargement if enlargement becomes necessary. If the enlargement is not necessary, the money, as I understand, goes toward the future financing of Four Mile Creek.

\* "The County Engineer has reviewed the independent engineer's capacity figures for Crestview and has found them adequate to accomodate both Crestview and Bridgewood hock-up conditioned upon County engineer's approval and allows for the cessation of building permits in the event capacity of Crestview proper (3,500 P.E.) is threatened."

Mr. Robinson stated that they arrived at some cost figures which are attached to todays Resolution in Exhibit "B" and they reflect that if and when expansion is needed at Crestview, monies are provided at various stages of planning, platting, and construction. He stated that the improvements to the facility can take place at that point and time. He stated that also in this Resolution is a clause that says the present capacity or population equivalent of the Crestview as known to us today will be assured so that the people that live in the 700 odd acres of Crestview Improvement District will be protected so that they can use the capacity of the system. He stated that Mr. Al Reiss sent a letter to the Commissioners yesterday stating that the facility will accomodate 4500 Population Equivalent. He

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stated that is 1,000 more than the facility (Crestview) has planned to use. He stated that this gives them a leeway of about 1,000 in which he has divided down into various developed areas, including Bridgewood, that approximate 1,000 PE and would accomodate the people at Bridgewood.

Commissioner Scott asked if there was any difference in this and the one they are trying to get done on Webb Road and Harry.

Mr. Robinson stated that this was a different situation. He stated that in the Park Meadows situation we are faced with an enlargement petition including about 400 acres.

Commissioner Scott asked if this was the same type of an agreement that when it is built and finished, the County accepts it.

Mr. Robinson stated that it is exhibited by a sewer contract, entered into by Crestview and the County, that the facility upon completion would immediately be turned over to the County for their control and operation. He stated that they do not have a written agreement with Keith Parker at Park Meadows, but there is an understanding between himself, and Mr. Parker's counsel that such a transfer will take place upon completion. He stated that they are almost completed, and the County should be taking it over within the next few weeks. He stated that at the Springdale Timberlakes facility they set up a joint sewer district in which as the property within that district is phased in, those land owners must pay a specific sum to finance the expansion of the existing facility so they will accomodate them. He stated that this is all in keeping with the Four Mile Creek Plan in that they are trying to establish temporary facility so that they can continue to develop in that area and still look towards the future in having it piped all the way down to an optimum facility in either Butler or Sedgwick County.

Commissioner Scott asked if it all tied in with the Four-Mile Creek.

Mr. Robinson stated that this whole sewer district, including Crestview, Park Meadows, Timber Valley, Springlakes, and Shadybrook are all tied to the Four Mile Creek Plan and it is ultimately believed that sometime in the future that everything will be put into a big tube and sent down to a central facility where it will be treated and then the State will be able to treat the facility and then discharge it according to their standards.

Mr. Grey Dresie, Attorney for the Crestview Country Club Improvement District, appeared before the Board and stated that he had sent the Commissioners a letter concerning this matter yesterday. He stated that in 1970 Crestview Country Club Improvement District was formed. He stated that it comprises a section land which contains the golf course, clubhouse, and then this improvement district which is developed in the residential area. He stated that the Crestview Country Club built a sewage disposal plant which was approximately in the center of section. He stated that it drained its affluent into the Four Mile Creek. He stated that in about 1976, it became apparent that sewer plant was not properly protecting the Four Mile Creek and that they were in danger of polluting. He stated that the Board of Directors of Crestview Country Club Improvement District immediately started to try to do two things: first to enlarge the plant so that it would be taken care of properly and would not pollute the creek; and second, to move it to another location. He stated that this became quite a hassle, the County was quite opposed to this (Department of Public Works). He stated that they finally got a temporary permit, which is what they have now, from the State Board of Health that allowed them to build this plant at around \$750,000. He stated that the cost of building this plant was assessed as special assessments against the land owners within the district at that time.

*History of Crestview plant  
according to Dresie*

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He stated that none of the land north of 13th Street is within the district or ever was within the district at that time. He stated that one of the conditions that was imposed on them by the State and by MAPC, in order to get conditional use for this land, was that after this facility was completed that it be turned over to the Department of Public Works of Sedgwick County for operation. He stated that they finally arrived at a contract that was apparently satisfactory to everyone concerned. He stated that the contract provided that approximately 3500 PE would be first allotted to the people who paid for the construction of the plant. He stated that the way they worded it was that the land that was within the district at the time the contract was made would have first crack at the connections to that sewage disposal plant. He stated that the plant is virtually completed, and all he was asking was that they be protected, to make sure that they are able to live up to the terms of the contract. He stated that their worries were that in the Resolution it says that they are going to have certain escrow funds set up, they are going to collect from these developers, from the home owners who connect on, and from the builders, and they are going to set up a fund so that if it becomes necessary to expand this plant they can. He stated that there are 3500 places on the plant, actually the permit only mentions 2,000, but there is supposed to be a 3500 plant capacity. He stated that the plant can physically be expanded and probably take on this situation, except they have several hurdles to cross when that time comes. He stated that suppose they give quite a few these connections to these Bridgewood people and then they start out to expand the plant with this money, you would have some problems. He stated that in the first place you have to get a permit from the State to do it, and for the documentation that he has given, there is a strong chance that the State might not give that permission. He stated that in the second place, they are collecting this money today, we know that we have inflation and there is no reason to believe that inflation is going to stop in the near future, and they have no way of knowing if they are going to have enough money to expand the plant. He stated that the third thing is that there is quite a bit of mention made as to the fact that Four Mile Creek is not a river, it is not a big body of water, and it will take only so much affluent. He stated that the next thing is that they have correspondence with the State in regard to this in which they indicate the same thing, that the Four Mile Creek may not be able to accommodate all of this affluent. He stated that the State is certainly not going to grant a permit of that plant if Four Mile Creek will not take the additional affluent. He stated that thought it is true the money might be there, they would end up with a situation where a group of people have paid for a sewage disposal plant, their land had been taxed for it, yet they would not be able to connect to it because it would have been used by people who did not pay for it, if the County proceeds with this matter. He stated that what he thought what they should do in order to live up to the spirit of the contract, between Crestview Country Club Improvement District and Sedgwick County, they should first make sure that they have the connections actually available and then if there are any left then they should be given to these other people who didn't go through the trials and tribulations of battling the Department of Public Works to try and get a permit from the State. He stated that if they are going to hook on, they know they are going to need an expansion sooner or later, then why don't they go to the State right now and try to get it expanded. He stated that they have the money, go ahead and put the expansion on now before they give away something that belongs to someone else.

Mr. Phil Frick, appearing on behalf of H.C. Properties, the developer for Bridgewood Addition, appeared before the Board and stated that this Commission many months ago approved the expansion of this plant and the addition of this land to this improvement district. He stated that they had been relying on that for many months and had many hours with the County and the

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Planning people trying to get this worked out. He stated that they had considered several alternative methods of sewage disposal, and this was the one that they had all come with, that planning had approved. He stated that the only issue before the Commissioners today was simply the allocation of the costs, as to what you have already said that you are going to do. He stated that the comments Mr. Dresie made are saying that you might have a problem in the future. He stated that they were 99% done, this is the last thing they have before being able to file their final plat. He stated that it would be unfair to decide that they might have a problem 10 years from now, and to just stop. He stated that they were ready to go for this final approval. He stated that Crestview's own engineer, the County, and the State had all approved this plan as drawn up by the County Counselor. He stated that he would respectfully request that the Commissioners proceed today on this resolution.

Mr. Dresie stated that Crestview Country Club Improvement Board of Directors was not informed of the hearing that was held where the resolution was passed of Mr. Robinson's. He stated that they have not agreed to this at this point, they agree that it should be done if there is space, but it should be done now. He stated that this is not a problem that may come up down the road, the problem could be here right now, and probably already is. He stated that all they wanted to do was to make sure that the people that have paid for this do not get reamed out of what they have paid for.

Mr. Ted Hill, County Counselor, appeared before the Board and stated that this Commission has known in the past that when these kind of things have taken place, like they did in Timberlakes-Springdale, where development for some reason or another does not start all at one time, and then later on comes in and wants it developed. He stated that the County Commission has looked upon favor with development in the unincorporated areas and are trying to show your responsibilities as far as the sewer is concerned. He stated that there is not anyone in the Springdale area that will not tell you that the agreement that the County Counselors' Office drew up, the planning that was done in that particular area, did not cost those people any additional tax money as far as special assessments were concerned, in fact, it saved them money and they payed less in the long run. He stated that the plan that they had brought together for the Commission's approval today does the same thing that they had done in the Timberlakes Springdale area, there is no reason for the Commission to go ahead and build an expansion to a plant that they might not need to have to build because the Four Mile Creek project might be completed by the time that it was needed for the expansion. He stated that they are guaranteed that their 3500 PE is going to be protected by this resolution and by all the agreements that have been made with the Bridgewood people. He stated that the 700 acres that was there, that made up the improvement district, are going to be protected so that whatever they develop there. He stated that yesterday they set down and figured out the population equivalent, the improvement district's own engineer figured, with the idea in mind that some of this land that is in Crestview Improvement District is not even platted, but it is thought that there might be a high rise there, or that there might be multi-family dwellings. He stated that they are protected by this enlargement, if it has to take place, in the event that the 700 acres starts to develop out.

Mr. Robinson stated that the figures that Al Reiss provided them were at 3500 PE, which is currently scheduled for Crestview (800 which is now in use), and it also based on his 1,000 figure of additional capacity there to make it a total of 4500 PE. He stated that he broke that 1,000 down to 300 for Bridgewood, 500 for Solomon's Addition and 93 for Tree's Addition. He stated that figures out at 4393 total PE for the capacity of the facility with expansion, if necessary.

*Capacity figures*

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Mr. Hill stated that they have approximately 197 or 198 leeway as far as population equivalent is concerned. He stated that every time there is a building permit issued on Bridgewood, they have to pay into this trust fund \$750 to take care of the cost of the expansion. He stated that if it is needed before they can ever develop Bridgewood, they have agreed and they have a letter of credit up that we get it and go ahead and do it, the money is there. He stated that they are putting in \$20,000 to begin with for whatever has to be done that will assist their property so that there is no cost to the improvement district. He stated this plant completed when it was accepted by the improvement district and final payment was made to the contractor and that was done sometime last month. He stated that he knew that this plant was operating even better than what the federal EPA requirements would require, the residuer affluent that is placed in Four Mile Creek, as far as the Federal Government is concerned, that and the testing that is being done by the State shows that it is four times better than that. He stated that he could not see that there was anything for this Commission to do except that they told him to work out an agreement that would provide for the cost of the enlargement and he had done it, he had worked with the people that know the figures and they said that this was what it would take. He stated that the developer had put up the money and he thought that the only other thing left to do is to enter into the Resolution.

Mr. Lou Cates, Vice-President and General Counsel for Tomlinson Oil Company the Owner and Developer of the Overbrook Addition, appeared before the Board and stated that the Overbrook Addition was in the Crestview Improvement District and also in the sewer district. He stated that his company purchased this property sometime ago and maybe Mr. Robinson's were not current, but this is not referred to as the Solomon Addition. He stated the developers were totally in opposition to this Resolution at this time and he would like to say that his company, which has spent quite a bit of money in purchasing and with the intent to design this end of the County. He stated that when Overbrook Addition was annexed they paid for 40% of the sewer facility and the sewer plant. He stated that there had been a lot of discussion last week and today concerning the expansion of the present plant facility, there had been no discussion since the Four Mile Creek had been completed as to whether the expansion can and will handle the affluent. He stated that they can expand the sewer disposal plant to be as big as they want to, but if they have no disposal for the affluent system then they do not have a facility. He stated that just because you enter into a Resolution today that you agree to put up certain funds, you still have to go through the State and get the approval of the State to get the expansion. He stated that they were not concerned about the amount of money, it was all in good faith. He stated that they did not have any assurance, nor did the developers of Bridgewood, or did this Commission have any assurance that expansion is going to be approved and it is all going to be dependent upon Four Mile Creek. He stated that the Four Mile Creek is only going to be able to handle so much affluent. He stated that he was disturbed with the fact that this Commission has an existing agreement that is current and in force with the Crestview Improvement District that they must guarantee or that they have assured 3500 PE in that facility to that improvement district. He stated that in reading this resolution he found that if this resolution is passed, Bridgewood will be able to connect individually, based upon building permits as they are issued and payed for. He stated that in the resolution it says that when this 3500 capacity is filled, the building permits will cease. He stated that he thought this Commission and the County is opening itself up to a multiplicity of law suits from every possible property owner in Bridgewood, Crestview Country Club Estates, Overbrook Addition, and Trees Addition. He stated that if those facilities are not there as guaranteed by this County on the 20th of September, 1978, when they are ready to connect and the expansion is not approved by the State, then where does that leave the contract. He stated that he was not objecting to development, he was

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saying that this resolution is premature, that until a new Four Mile Creek study can assure the developers in that end of the County that it will handle all the affluent, they should not do anything. He stated that they would recommend that the resolution be indefinitely postponed or deferred until some evidence can be brought before this Commission that the Four Mile Creek study will prove or assure this Commission that the affluent can be handled up to 4500.

Mr. Hill stated that he would not be placing the Commissioners in a position for a multiplicity of law suits if he thought that would occur. He stated that he was of the opinion that with the engineering back up on this and their guarantee. He stated that it was the intention of the engineer to see to it that these 3500 PE's are taken care of, and there was no question that the Four Mile Creek can handle it. He stated that if their growth projection would continue just like it is now, they wouldn't build up all of their 3500 PE equivalent out there in the next four and one half years. He stated that if Four Mile Creek was not solved by then there was going to be a lot of trouble.

Mr. A. J. Harkness, Sedgwick County Department of Public Works, appeared before the Board and stated that development in the Eastern side of Sedgwick County is in an area where you do not have an area where you do not have a stream large enough to take a deposit from those houses. He stated that development has occurred over the years and you have taken care of your pollution problem basically by building non-discharging homes in certain areas. He stated that they have avoided dumping of affluents into the stream by this process. He stated that the exception was Crestview, which did dump and did pollute. He stated that the solution to their problem was to seek and to build a new facility which would accommodate more houses but still continues to dump into the stream. He stated that when these plans were initially discussed, they advised and the State advised Crestview that there was planning underway with regard to Four Mile Creek and it might be well to limit their expenditures because there was a possibility that the Crestview plant might have to be abandoned. He stated that the Four Mile Creek plan basically recognized the inadequacy of the stream and puts in a collection system for the total basin, carries it far enough down stream that you can process it and dump it into a big stream. He stated that in his opinion, that was the ultimate solution. He stated that he had tried to arrange the use of a discharging plant and the capacity that is available in Four Mile Creek for basically an interim period of time. He stated that they had tried to recognize that certain areas block certain other areas and that if development is to continue on a reasonable pace, those blockages have to be removed. He stated that he had indicated by this resolution and others that if someone builds something and puts it on line, and someone else comes along and wants to make use of it, there is a fee. He stated that they had tried to calculate those fees in fairness to the original cost of the facility and the people who are coming along late, to make it acquittable and to maintain a reasonable flow. He stated that the new figure of 4500, he had not seen nor heard of until this morning. He stated that there was some question on whether or not if they went to the State if they would issue permits for an enlargement of Crestview. He stated that if we do our planning right, and if we make progress in all of the areas that we are working in, that question will never be asked of the State. He stated that the monies being collected, which would go to the enlargement of Crestview, can will be assigned to the Four Mile Creek intercept if that is the best option. He stated that it does not have to go into a replacement of or an improvement or upgrading for enlargement of Crestview, it can be diverted to a tube going on down stream.

Commissioner Scott asked if in our original plan of the Four Mile Creek sewer district, was this area that we are talking about included.

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Mr. Harkness stated that the Four Mile Creek Basin includes some 40,000 acres, part of which is in Butler County, and Crestview is basically right in the middle of it.

Commissioner Scott asked if Bridgewood was in the Four Mile Creek area.

Mr. Harkness stated that they are in the Four Mile Creek Basin. He stated that Bridgewood is blocked off from treatment by Crestview, and it was their choice. He stated that when Bridgewood first came to him, he told them the only possibility he had was to build a self-contained treatment on their own property or negotiate with Crestview to get through their property and use their facilities. He stated that they went to Crestview, and they did negotiate some sort of an understanding, and out of that came the decision that we would rather put money up front to assure Crestview that they will never be without rather than to pump it onto the ground on our property. He stated that those things were done when Bridgewood first came to the Public Works Department and said they wanted a piece of ground that they wanted to plat and develop. He stated that if the Commissioner's did not go with the Resolution then they were saying that they were going to put a lagoon on every 160 acres out there, assuming that they want it developed. He stated that creates downstream problems of an immense nature. He stated that eventually those ponds are going to be less than adequate, and they are going to have to be connected in some way. He stated that they were trying to point out that the Four Mile Creek is a plan whereby they put together a collection system and a treatment system early enough in the game so that you avoid some of the problems of irate individuals and at the same time try to put a little bit of sense into how you are going to connect it all together, collect it, and how you are going to treat it and keep it out of the ditches.

Commissioner Scott asked if in the original Four Mile plan if Bridgewood was figured into it.

Mr. Harkness stated that the area of Bridgewood is within the Four Mile Creek. He stated that the plat came in for Bridgewood after the Four Mile Creek plan and document was underway. He stated that there are a number of plats that are coming in all of the time.

Mr. Hill stated that it was land within the described Four Mile Creek.

Commissioner Scott asked if we give the authority to Bridgewood to use Crestview system, when Four Mile Creek is built, would that be done away with.

Mr. Harkness stated that was true. He stated that there is a connection, everything from Bridgewood and Crestview, etc. basically flows down to a point essentially at Central and 143rd Street, East. He stated that at that point it is pumped up the hill to the treatment site and treated and then it is released back to Four Mile Creek. He stated that when the collection and the treatment system is in fact in being, you will eliminate the force main and the treatment, and take from that connection at Central and 143rd Street, put it into a bigger tube and carry it on down stream. He stated that what they were trying to do here was to assure that the pipes up stream from that point were big enough to take care of the area north and to make sure that the treatment system that now exists can be eliminated and therefore eliminating the very real possibility of a source of pollution to Four Mile Creek at that point. He stated that there is talk here of upgrading the Crestview system by adding screens and additional ponds and so forth in order to take on an additional number of people. He stated that there comes a point and time, that eventually the discharge from that plant is going to be almost pure water, to keep from polluting.

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Commissioner Scott stated that we had two routes to go; we can either approve this resolution as presented, or tell the developers that they are going to have to build a lagoon.

Mr. Harkness stated that you have to build a lagoon because you have a pollution problem, and the rules with regard to the State is no pollution.

Mr. Dresie stated that he understood Mr. Harkness to say that these escrows are being established under this resolution and if it is adopted as it is, they would be used if necessary and if the State will let you, to expand the plant. He stated that if they are not used to expand the plant they would then be used to help construct a part of the Four Mile Creek facilities. He stated that if they are going to use his people's plant and his people would be paying for it, he thought those funds should go into their bond fund at that time to help retire these bonds.

Mr. Harkness stated that as the resolution is set up right now, there is \$20,000 that goes to Crestview immediately. He stated that with regard whether or not those funds go to Crestview or to some established fund within Sedgwick County, he would leave that up to the Legal Department.

Mr. Hill stated that this works just like Springdale, the \$750 for the dwelling unit that has to be paid at the time of the building permits, and there is a per acreage fee that has been established to be paid to Crestview into the bond and interest fund. He stated that the Resolution reads as follows:

"Said fund shall further receive lump sum cash payments of \$750.00 per dwelling unit at the time a building permit is issued for the construction of a dwelling unit. Any future users who are not owners of the property described in Exhibit "A" who use the Interceptor or Plant Expansion provided for hereunder shall pay to the owner or owners who contribute to the \$20,000 and \$60,000 amounts set forth in Exhibit "B" their pro-rata share of the aforementioned costs for said Interceptor or Plant Expansion."

Mr. Hill stated that Exhibit "B" sets out the following:

"\$20,000 in cash paid at the time the final plat is approved by the Metropolitan Area Planning Commission assessable at a rate of \$247.49 per acre of the 80.81 total acres."

Mr. Dresie stated that he had tried to figure this out, and it looked to him like this money was going into the Crestview-Bridgewood Joint Sewer District Bond and Interest Fund. He stated that whatever goes into the Crestview Country Club Bond and Interest Fund should be spelled out more. He stated that the two can be in a joint sewer district, but they are separate units of corporations.

Mr. Harkness stated that the total amount of money that is involved is \$20,000 for the payout to Crestview to make use of facilities that are already in the ground, in a sense the interceptor, and there is also \$135,000 which will be paid by the Bridgewood people in basically two chunks. He stated that the first payment of \$60,000 will be paid at the time of platting or signing of construction contracts, and the \$75,000 will be paid in \$750 units with each issuance of a building permit.

Mr. Robinson stated that on page 3 of the Resoution it says:

"Be it further resolved that the monies paid to the Crestview-Bridgewood Joint Sewer District Bond and Interest Fund shall be used to reduce the"

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"annual assessments for the cost of land and collection lines (not laterals) which bonds or notes were issued made against owners of land in Crestview Improvement District."

Mr. Hill stated that the people that developed Bridgewood are paying the same amount for what they are getting out of it as the people that are already in it. He stated that they would be paying an additional amount if they add anything to it, at no cost to the people that are already in it.

Mr. Dresie asked if the Commission was prepared to guarantee to his clients that when they need them, they will have their permits to build and to hook on or to connect to this sewage disposal plant.

Mr. Hill stated that they could.

Commissioner Scott asked Mr. Hill what corrections needed to be made.

Mr. Hill stated that the escrow account should read Crestview Country Club Improvement District.

MOTION

Commissioner Scott so moved on the Resolution on the recommendation of the County Counselor with the recommended correction.

Commissioner Patrick seconded the motion.

VOTE

Chairman Everett Patrick	Aye
Commissioner Tom Scott	Aye

FIVE MINUTE  
RECESS

Chairman Everett Patrick stated that the Board would take a five minute recess.

REGULAR  
MEETING  
RECONVENED

The Regular Meeting of April 16, 1980 reconvened and Chairman Patrick said to let the record show that all three Commissioners were present.

ORDER CREAT-  
ING SEWER  
DISTRICT FOR  
TIMBER VALLEY  
ADDITION

2. Order creating the sewer district for Timber Valley Addition. Application of Timber Valley, Inc. for the creation of the sewer district and the authorization for sewer improvements in Timberlakes-Springdale Joint Sewer District area, Timber Valley Addition, Sedgwick County, Kansas.

Mr. Craig Robinson, Assistant County Counselor, appeared before the Board and stated that these two documents are to correct a reflection of an earlier meeting where we enlarged this sewer district and created the addition, but we did not mention in the actual minutes that we were signing the order. He stated that when Mr. Timmerman, Bond Counselor, got the temporary notes, his paper work reflected that the order was not signed by the Commission. He stated that the heading of the minutes say "Petition and Order", we received the petition, but the Commission did not sign the order. He stated that the Order Employing the Engineer has already been accomplished, but to keep things clear as to what they were doing he had had attached both the Order Establishing the Sewer District and an Order Employing the Engineer. He stated that it was a correction of the records, and he wanted to make sure that it was reflected in the minutes accurately.

from: Louise

date: 3-31

**admin.**

- tklin
- walter
- eubanks
- hanson
- nelson, v
- lakit, e
- henderson
- brothers
- peters
- craig
- barnes
- crook
- commer
- vinson
- 

**adv. plans**

- stockwell
- funk
- shan
- lesew
- apodaca
- curfman
- reed
- schafel
- brown
- buller
- huggins
- nagley
- lickteig
- forinash
- chambers
- bechtel
- mcLadden
- swander
- 

**cur. plans**

- galbraith
- lytle
- young
- meek
- shirkey
- newby
- dobson
- olivarez
- 

**social**

- mitchell
- lane
- kohl
- hart
- covert
- coppel
- beebe
- syal
- davis
- luetters
- sharpe
- harvey
- smith
- crawford
- phelps
- jones
- martinez
- sansing
- johns
- miller
- patrick
- watson
- krenning
- rojas
- whitlock
- brown b.
- garmon
- carlson

**graphics**

- pierce
- stafford
- garland
- pate
- 
- crook
- commer
- vinson
- 

<input type="checkbox"/> note & return	<input type="checkbox"/> signature
<input type="checkbox"/> handle	<input type="checkbox"/> library
<input type="checkbox"/> all staff	<input type="checkbox"/> information
<input type="checkbox"/> comment	<input type="checkbox"/> files

remarks: Craig Robinson sends this resolution to you and advises that there is a meeting tomorrow (4-1-80) at 9 AM in the County Counselor's

office with Hackness  
Rever.  
Dillon Hart  
Phil Frick

to discuss this matter.  
You are welcome to come  
if you would like.

He thinks this resolution  
will probably be on  
B. Co. C. agenda 4-16-80.

Will be on (4-9-80)

~~RRB~~  
RRB

~~LOUISE~~  
Lochs pretty good to me - Talked to  
Craig this AM. They made a slight change -  
allowing 1/2 of credit for one of the funds.  
Will be on Co agenda 4-9

102

R E S O L U T I O N

A RESOLUTION PROVIDING PAYMENT LEVELS FOR BRIDGEWOOD LATERAL SEWER DISTRICT HEREIN REFERRED TO AS BRIDGEWOOD-CRESTVIEW SEWER DISTRICT AND PAYMENT SCHEDULES FOR FUTURE USERS OF THE PRESENT CRESTVIEW IMPROVEMENT DISTRICT SEWAGE COLLECTION AND TREATMENT EQUIPMENT AND FUTURE USERS OF EXPANDED TREATMENT FACILITIES.

WHEREAS, there has been presented to the Board of County Commissioners of Sedgwick County, Kansas, a petition to form a Sanitary Sewer District to provide sewer service to Bridgewood Addition to Sedgwick County, Kansas; and, insofar as it is necessary, to provide sewage treatment for said Bridgewood Addition by extending the existing Crestview outfall sewer to serve the Bridgewood Lateral Sewer District and providing sewage treatment at the Crestview Improvement District sewage treatment plant; and

WHEREAS, the Board of County Commissioners in response to such petition is desirous of arranging for sewerage service for such additional lands and in so doing to equitably spread the appropriate portion of the original Crestview Sewerage facility costs to the additional lands encompassed within the new Bridgewood lateral sewer district; and

WHEREAS, the Board of County Commissioners in order to provide such sewerage service hereby determines that it is necessary to establish and maintain an existing interceptor fund and a sewage treatment plant expansion fund;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that two separate and distinct escrow trust-agency accounts be established by the Controller and County Treasurer for the intent and purposes stated.

One escrow account, further identified as the Crestview-Bridgewood Joint Sewer District Bond and Interest Fund, shall receive designated lump sum payments as set forth in Exhibit "B" at the time the Final Plat is approved by the Metropolitan Area Planning Commission and prior to recording from owners of record of Real Estate identified on Exhibit "A".

The second escrow account to be identified as the Crestview-Bridgewood sewage plant expansion fund shall receive payments which totals are set forth in Exhibit "B" based on a rate of \$618.74/acre at the time the owner or owners of land to be served request construction of (or be authorized to construct) Lateral Sewer Lines to serve any of the areas identified in Exhibit "A". The proportionate amount to be paid (the per acre charge) at any one time shall equal the quotient of the number of lots for which such lateral sewer service is approved for construction divided by the

total of the lots in an addition or proposed development multiplied by the per acre total assessment set forth in Exhibit "B". Said fund shall further receive lump sum payments of \$750.00/dwelling unit at the time a building permit is issued for the construction of a dwelling unit.

When the monies specified have been paid and all other terms of this Resolution have been met, lands described in Exhibit "B" are hereby authorized to use the Crestview-Bridgewood Sewage Plant, or its expansion or its replacement subject to such other local rules and regulations as may exist and subject to any State or Federal requirements. Permits for use of the sewage plant under the terms of this Resolution shall be for residential purposes only. Any commercial, industrial or public or quasi public use will not be allowed except under separate resolution.

BE IT FURTHER RESOLVED that:

1. All monies shall be paid in cash or by certified check. A receipt shall be issued by the person receiving said money.
2. The monies to be paid prior to construction of sewer laterals shall be deposited with the Director of Public Works of Sedgwick County or his authorized agent.
3. That monies paid at the time of building permits will be paid to the building permit issuing agent who shall deposit same promptly with the County Treasurer.

BE IT FURTHER RESOLVED that monies so paid into said funds may be invested by the County Controller and that any interest earned shall be placed in the fund from which the principal was invested.

BE IT FURTHER RSOLVED that the monies paid to the Crestview-Bridgewood Joint Sewer District Bond and Interest Fund shall be used to reduce the annual assessments for the cost of land and collection lines (not laterals) which bonds or notes were issued made against owners of land in Crestview Improvement District. When said special assessments have been paid out, any additional payments made to this fund under the terms of this resolution shall be transferred to the Crestview-Bridgewood sewage plant expansion fund. The Controller shall be responsible for the management of said Bond and Interest fund.

BE IT FURTHER RESOLVED that the Crestview-Bridgewood sewage plant expansion fund shall be used for the purpose of providing sewage treatment facilities for the lands described in Exhibit "B". Such service may be provided by expanding, modifying or replacing the existing treatment plant or may be provided by building a new treatment plant downstream. Costs of lines to carry sewage from its present

treatment site to such alternate site shall be considered a cost of providing sewage treatment for the purposes of administering this fund.

To expend monies from this fund, the Director of Public Works of Sedgwick County shall submit to the Board of County Commissioners his recommendation together with comments and recommendations from the Metropolitan Area Planning Department, the Department of Community Health and the State Department of Health and Environment. After having such reports, the Board may by Resolution initiate a project or projects to provide additional treatment facilities. Said resolution shall specify the amount of expenditure so authorized and the purpose therefor. Funds may be expended for either engineering and/or construction, equipment, land acquisition or such other items as may be necessary to provide such service.

The monies for the expansion of sewage treatment facilities are based on estimates of best available data and on accepted current engineering practice and design. Inflation or design change criteria or other unforeseen circumstances may necessitate the assessment of said additional costs on the lands involved by the Board of County Commissioners.

BE IT FURTHER RESOLVED that notwithstanding any authorization herein granted to connect the above described lands to the existing disposal plant, if at any time, in the determination of the County Engineer, such plant is in danger of becoming overloaded and possibly becoming a health hazard, the Board of County Commissioners shall have the authority to order cessation of the issuance of any further building permits until such time as expanded or additional treatment facilities are obtained, however as an exception to the foregoing it is understood that the present plant capacity (3,500 P.E.) is presently available and has been paid for by Crestview Improvement District. (Sec. 14 and the W $\frac{1}{2}$  13 T27S R2E). This capacity will be reserved for Crestview Improvement District under the presently existing rules and design parameters and will be guaranteed in all future expansions at the present site.

BE IT FURTHER RESOLVED that a copy of this Order shall be filed in the Office of the Register of Deeds of Sedgwick County, Kansas, as notice of the provisions hereof, and the same shall be binding upon the present owner and any subsequent owners of all or any part of said real estate.

Commissioners present and voting were:

TOM SCOTT \_\_\_\_\_

DONALD CRAGG \_\_\_\_\_

EVERETT PATRICK \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

EVERETT PATRICK \_\_\_\_\_ CHAIRMAN

DONALD CRAGG \_\_\_\_\_ COMMISSIONER

TOM SCOTT \_\_\_\_\_ COMMISSIONER

ATTEST:

\_\_\_\_\_  
DOROTHY K. WHITE  
COUNTY CLERK

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
R. K. HOLLINGSWORTH  
ASSISTANT COUNTY COUNSELOR





EXHIBIT "B"

The land referred to herein is platted as Crestview Country Club Estates, Bridgewood Addition to Sedgwick County, Kansas, contains 80.81 acres including 82 single family home sites in Blocks 1 through 6 inclusive and 1 large multi-family lot in Block 7.

To be paid by Bridgewood Addition:

1. Crestview-Bridgewood Joint Sewer District Bond and Interest fund

80.81 acres x \$371.24/acre = \$20,000.00. *30,000<sup>00</sup>*

2. Sewer Plant Expansion

a. 80.81 acres @ \$618.74/acre = \$60,000.00 *- 50,000<sup>00</sup>*

b. 100 D.U.'s x \$750.00/D.U. = 75,000.00

Sub-Total                      \$135,000.00

REISS & GOODNESS ENGINEERS  
2100 WEST 21<sup>ST</sup> STREET - WICHITA, KANSAS 67203 (316) 632-0233

March 17, 1980

Board of County Commissioners  
Sedgwick County, Kansas  
County Courthouse  
525 N. Main  
Wichita, Kansas 67202

RE: Bridgewood Addition

Dear Commissioners:

We hereby estimate the cost of the increased size for the interceptor from Central and Turnpike to 143rd Street caused by the additional service area of Bridgewood Addition to be \$20,000.00.

Sincerely,

REISS & GOODNESS ENGINEERS



A. E. Reiss, P.E.

AER/MED/rmk

REISS & GOODNESS ENGINEERS  
2100 WEST 21<sup>ST</sup> STREET - WICHITA, KANSAS 67203 (303) 632-0233

March 17, 1980

Board of County Commissioners  
Sedgwick County, Kansas  
Sedgwick County Courthouse  
525 N. Main  
Wichita, Kansas 67202

RE: Bridgewood Addition


Dear Commissioners:

We hereby estimate the cost of Phase I of the sanitary sewer plant enlargements to the Crestview Improvement District's Treatment Plant to be as follows:

1	Unit	Microscreen, complete and enlargement of chlorinator	48,000.00	<u>\$48,000.00</u>
		ESTIMATED CONSTRUCTION COST		\$48,000.00
		ENGINEERING, LEGAL & MISC. COST		<u>\$12,000.00</u>
		TOTAL ESTIMATED PROJECT COST		\$60,000.00

Sincerely,

REISS & GOODNESS ENGINEERS

  
A. E. Reiss, P.E.

AER/MED/rmk

REISS & GOODNESS ENGINEERS  
2160 WEST 21<sup>ST</sup> STREET - WICHITA, KANSAS 67203 (316) 832-0333

March 17, 1980

Board of County Commissioners  
Sedgwick County, Kansas  
Sedgwick County Courthouse  
525 N. Main  
Wichita, Kansas 67202

RE: Bridgewood Addition

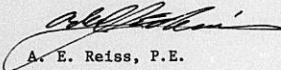
Dear Commissioners:

We hereby estimate the cost of Phase II of the sanitary sewer plant enlargements to the Crestview Improvement District's Treatment Plant to be as follows:

1	Unit	New Orbal Ditch, complete	\$60,000.00	<u>\$60,000.00</u>
		ESTIMATED CONSTRUCTION COST		\$60,000.00
		ENGINEERING, LEGAL, & MISC. COST		<u>\$15,000.00</u>
		TOTAL ESTIMATED PROJECT COST		\$75,000.00

Sincerely,

REISS & GOODNESS ENGINEERS

  
A. E. Reiss, P.E.

AER/MED/rmk

LAW OFFICES  
FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER

BROADWAY AT DOUGLAS

WICHITA, KANSAS 67202

(316) 267-6371

ROBERT C. FOULSTON (1889-1847)  
GEORGE SIEFKIN (1889-1884)

STUART R. CARTER  
OF COUNSEL

GEORGE B. POWERS  
JOHN F. EBERHARDT  
ROBERT C. FOULSTON  
MALCOLM MILLER  
ROBERT N. PARTRIDGE  
ROBERT H. SIEFKIN  
RICHARD C. HARRIS  
GERALD SAWATZKY  
DONALD L. GORDES  
ROBERT L. HORNARD  
CHARLES J. WOODIN  
MIRIEL L. STOUT  
BENJAMIN C. LANDEL  
JERRY S. ELLIOTT  
WILLIAM H. DYE  
PHILLIP S. FRICK  
STANLEY S. ANDELL  
FREDERICK L. HAAS  
RICHARD D. EWY

DARRELL L. WORTH  
WILLIAM R. HARRISON  
HARVEY R. SORENSEN  
CHRISTOPHER P. CHRISTIAN

MICHAEL RIM MOORE  
JAMES H. ARMSTRONG  
MARY KATHLEEN BARCOCK  
CHARLES A. EFLANDT  
JAMES D. OLIVER  
SAMUEL S. DOELBY  
M. RAY ROYSE  
NICHOLAS S. DAILY  
DARYL L. RIVERS  
LINDA K. CONSTABLE  
LARRY O. RAFF  
ROBERT DOUGLAS READAN

March 25, 1980

RECEIVED

MAR 26 1980

METROPOLITAN PLANNING  
ROUTE  Louise

Metropolitan Area Planning Department  
City Hall, Tenth Floor  
455 North Main  
Wichita, Kansas 67202

Attention: Louise Olivarez

RE: Plat of Bridgewood Addition to  
Crestview Country Club Estates

Dear Louise:

In connection with the above captioned plat, we are writing you as attorneys for the applicant, H-C Properties. Please be advised that Dillis Hart, one of the partners of said partnership, is fully authorized to execute any and all documents on behalf of said partnership.

Very truly yours,



Phillip S. Frick  
of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms

RECEIVED

March 7, 1980

MAR 11 1980

METROPOLITAN PLANNING

ROUTE  185

Low. 3e

Metropolitan Area Planning Department  
City Hall, Tenth Floor  
455 North Main  
Wichita, Kansas 67202

RE: Plat of Bridgewood Addition to  
Crestview Country Club Estates

Gentlemen:

In connection with the above captioned plat, please be advised that we have now removed the previously existing structures located on this property from the proposed platted street rights-of-way.

Very truly yours,

H-C PROPERTIES

*Dillis L. Hart*

By Dillis Hart

January 15, 1980

Theodore H. Hill, County Counselor

Robert A. Lakin, Director of Planning

Resolution Providing Payment Levels for Bridgewood  
Lateral Sewer District and Payment Schedules for  
Future Users of the Crestview Improvement District  
Sewage Collection and Treatment Equipment

In reviewing the proposed resolution, I would suggest the following questions be answered:


1. Is the cost of expansion of the plant estimated to be 125,000 dollars? I assume the pro rata cost of the Crestview/Overbrook development to be appropriately prorated to provide for the 30,000 dollars buy-in cost for the existing sewer plant. However, this too should be shown how the computations were arrived at. I am informed by Freeman that the costs set forth in Exhibit "B" approximate those that we used on the Springdale/Timberlake. I would not think that this would be an acceptable basis for determining cost. It may be that the cost of the expansion of this plant would be only half as much as Springdale/Timberlake or it might be twice as much. This specific estimate should be made for this particular addition and for this particular plant.
2. Why are the funds to be payable at the time "temporary note funds are available from the lateral sewer district"? I thought the Springdale/Timberlake/Arbor Lakes arrangement was that the buy-in to the plant facilities were at the time of platting, and the rest of it came on a basis of acreage at the time of platting, and the balance at the building permit stage. I am afraid I don't see the relationship to the temporary note funds. Surely temporary note funds and the lateral sewer district is not going to be the vehicle for generating the cash to pay these assessments. Inasmuch as the buy-in for the plant is a temporary buy-in to the system and any expansion at the Crestview site would also be temporary, none of the proceeds should come from the issuance of special assessment bonds as a part of the lateral sewer district improvements. These should all be cash guarantees at the time agreed on by you for the payment of such monies.
3. Should there be any distinction made on the buy-in per acre of the multiple family area involved? The formula is number of lots to total number of lots. The one multiple family

Theodore H. Hill  
County Counselor  
January 15, 1980  
Page 2

lot would create a disproportionate share of impact on the plant and perhaps there ought to be a restructuring of that formula. The fee based on dwelling units, however, tends to make that up. I have no strong feeling on this matter, but you may wish to look at it. I think the item to remember is that this is not a total single family development, but is a single family and multiple family development.

4. Should the dollars on both the per acre fee and the dwelling unit fee be indexed to account for inflation? My suggestion would be that those fees as written be payable any time during 1980, and that any fees which would be collected in any subsequent year be increased by "x" percent, 10, 12, whatever might be appropriate for a construction inflation costs, and the fee payable on that basis. If it takes five years to build the plant out and it would be five years before we need the expansion, then we ought to be increasing the amount each year based on an inflation rate.

If there are any questions on these items, please give me a call.

  
Robert A. Lakin  
Director of Planning

RAL:eme

cc: Joe Freeman, County Department of Public Works  
Andrew Harkness, County Department of Public Works  
Jim Aiken, Director, Environmental Health



SEDGWICK COUNTY, KANSAS

**LEGAL DEPARTMENT**

THEODORE H. HILL  
COUNTY COUNSELOR

COUNTY COURTHOUSE • SUITE 315 • WICHITA, KANSAS 67203 • TELEPHONE (316) 268-7111

DATE: January 11, 1980

TO: Robert Lakin, Metropolitan Area Planning Dept.  
Joe Freeman, Dept. of Public Works  
Andrew Harkness, Dept. of Public Works

FROM: Theodore H. Hill, County Counselor *THH/lyod*

RE: Resolution Providing Payment Levels for Bridgewood  
Lateral Sewer District and Payment Schedules for  
Future Users of the Crestview Improvement District  
Sewage Collection and Treatment Equipment

Attached hereto please find a copy of the above referenced resolution. I would appreciate receiving your comments and any suggestions you might have at your earliest convenience.

THH:sd

**RECEIVED**

JAN 11 1980  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

R E S O L U T I O N

A RESOLUTION PROVIDING PAYMENT LEVELS FOR BRIDGEWOOD LATERAL SEWER DISTRICT HEREIN REFERRED TO AS BRIDGEWOOD-CRESTVIEW SEWER DISTRICT AND PAYMENT SCHEDULES FOR FUTURE USERS OF THE PRESENT CRESTVIEW IMPROVEMENT DISTRICT SEWAGE COLLECTION AND TREATMENT EQUIPMENT AND FUTURE USERS OF EXPANDED TREATMENT FACILITIES.

WHEREAS, there has been presented to the Board of County Commissioners of Sedgwick County, Kansas, a petition to form a Sanitary Sewer District to provide sewer service to Bridgewood Addition to Sedgwick County, Kansas; and, insofar as it is necessary, to provide sewage treatment for said Bridgewood Addition by extending the existing Crestview outfall sewer to serve the Bridgewood Lateral Sewer District and providing sewage treatment at the Crestview Improvement District sewage treatment plant; and

WHEREAS, the Board of County Commissioners in response to such petition is desirous of arranging for sewerage service for such additional lands and in so doing to equitably spread the appropriate portion of the original Crestview Sewerage facility costs to the additional lands encompassed within the new Bridgewood Lateral Sewer District; and

WHEREAS, the Board of County Commissioners in order to provide such sewerage service hereby determines that it is necessary to establish and maintain an existing interceptor fund and a sewage treatment plant expansion fund;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that two separate and distinct escrow trust-agency accounts be established by the Controller and County Treasurer for the intent and purposes stated.

One escrow account, further identified as the Crestview-Bridgewood Joint Sewer District Bond and Interest Fund, shall receive designated lump sum payments as set forth in Exhibit "B" at the time the temporary note funds are available from the Lateral Sewer District. ?

The second escrow account to be identified as the Crestview-Bridgewood sewage plant expansion fund shall receive payments which totals are set forth in Exhibit "B" based on a rate of \$618.74/acre at the time temporary note funds are available for the lateral sewer lines to serve any of the areas identified in Exhibit "B". The proportionate amount to be paid (the per acre charge) at any one time shall equal the quotient of the number of lots for which such lateral sewer service is approved for

MFI<sup>2</sup>

construction divided by the total of the lots in an addition or proposed development multiplied by the per acre total assessment set forth in Exhibit "B". Said fund shall further receive lump sum payments of \$750.00/dwelling unit at the time a building permit is issued for the construction of a dwelling unit.

When the monies specified have been paid and all other terms of this Resolution have been met, lands described in Exhibit "B" are hereby authorized to use the Crestview-Bridgewood Sewage Plant, or its expansion or its replacement subject to such other local rules and regulations as may exist and subject to any State or Federal requirements. Permits for use of the sewage plant under the terms of this Resolution shall be for residential purposes only. Any commercial, industrial or public or quasi public use will not be allowed except under separate resolution.

BE IT FURTHER RESOLVED that:

1. All monies shall be paid in cash or by certified check. A receipt shall be issued by the person receiving said money.
2. That monies to be paid prior to construction of sewer laterals shall be deposited with the Director of Public Works of Sedgwick County or his authorized agent.
3. That monies paid at the time of building permits will be paid to the building permit issuing agent who shall deposit same promptly with the County Treasurer.

BE IT FURTHER RESOLVED that monies so paid into said funds may be invested by the County Controller and that any interest earned shall be placed in the fund from which the principal was invested.

BE IT FURTHER RESOLVED that the moneys paid to the Crestview-Bridgewood Joint Sewer District Bond and Interest Fund shall be used to reduce the annual assessments for the cost of land and collection lines (not laterals) which bonds were issued in 1980 made against owners of land in Crestview Improvement District. When said special assessments have been paid out, any additional payments made to this fund under the terms of this resolution shall be transferred to the Crestview-Bridgewood sewage plant expansion fund. The Controller shall be responsible for the management of said Bond and Interest fund.

BE IT FURTHER RESOLVED that the Crestview-Bridgewood sewage plant expansion fund shall be used for the purpose of providing sewage treatment facilities for the lands described in Exhibit "B". Such service may be provided by expanding, modifying or replacing the existing treatment plant or may be provided by building a new treatment plant downstream. Costs of lines to carry sewage from its present

treatment site to such alternate site shall be considered a cost of providing sewage treatment for the purposes of administering this fund.

To expend monies from this fund, the Director of Public Works of Sedgwick County shall submit to the Board of County Commissioners his recommendation together with comments and recommendations from the Metropolitan Area Planning Department, the Department of Community Health and the State Department of Health and Environment. After having such reports, the Board may by Resolution initiate a project or projects to provide additional treatment facilities. Said resolution shall specify the amount of expenditure so authorized and the purpose therefor. Funds may be expended for either engineering and/or construction, equipment, land acquisition or such other items as may be necessary to provide such service.

The monies for the expansion of sewage treatment facilities are based on estimates of best available data and on accepted current engineering practice and design. Inflation or design change criteria or other unforeseen circumstances may necessitate the assessment of said additional costs on the lands involved by the Board of County Commissioners.

*Done by  
M. J. [unclear]  
10/20/94*

BE IT FURTHER RESOLVED that notwithstanding any authorization herein granted to connect the above described lands to the existing disposal plant, if at any time, in the determination of the County Engineer, such plant is in danger of becoming overloaded and possibly becoming a health hazard, the Board of County Commissioners shall have the authority to order cessation of the issuance of any further building permits until such time as expanded or additional treatment facilities are obtained.

It is understood that the present plant capacity (3,500 P.E.) is presently available and has been paid for by Crestview Improvement District. (Sec. 14 and the W<sub>2</sub> 13 T27S R2E). This capacity will be reserved for Crestview Improvement District under the presently existing rules and design parameters and will be guaranteed in all future expansions at the present site.

BE IT FURTHER RESOLVED that a copy of this Order shall be filed in the Office of the Register of Deeds of Sedgwick County, Kansas, as notice of the provisions hereof, and the same shall be binding upon the present owner and any subsequent owners of all or any part of said real estate.

Commissioners present and voting were:

TOM SCOTT \_\_\_\_\_

DONALD GRAGG \_\_\_\_\_

EVERETT PATRICK \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

\_\_\_\_\_  
TOM SCOTT CHAIRMAN

\_\_\_\_\_  
DONALD GRAGG COMMISSIONER

\_\_\_\_\_  
EVERETT PATRICK COMMISSIONER

ATTEST:

\_\_\_\_\_  
DOROTHY K. WHITE  
COUNTY CLERK

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
R. K. HOLLINGSWORTH  
ASSISTANT COUNTY COUNSELOR

EXHIBIT "B"

The land referred to herein is platted as Crestview Country Club Estates, Bridgewood Addition to Sedgwick County, Kansas, contains 80.81 acres including 82 single family home sites in Blocks 1 through 6 inclusive and 1 large multi-family lot in Block 7.

To be paid by Bridgewood Addition:

1. Crestview-Bridgewood Joint Sewer District Bond and Interest fund

80.81 acres x \$371.24/acre = \$30,000.00

2. Sewer Plant Expansion

a. 80.81 acres @ \$618.74/acre = \$50,000.00

b. 100 D.U.'s x \$750.00/D.U. = 75,000.00

Sub-Total \$125,000.00

January 18, 1980

Reiss and Goodness Engineers  
2160 W. 21st Street  
Wichita, Ks. 67203

Re: S/D 78-116 - Final plat of Crestview Country Club  
Estates - Bridgewood Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on Thursday, January 17, 1980, the above captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of January 15, 1980.

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:

- 3-4 1. Submission of a fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- 7-22-80 2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
- 7-22-80 3. Certification that all taxes due and payable for 1979 and prior years have been paid.

Please call if you have any questions.

Very truly yours,

Louise Olivarez  
Senior Planner

LO:bh

cc: H-C Properties, 1152 S. Clifton, 67218

January 15, 1980

Reiss and Goodness Engineers  
2160 W. 21st Street  
Wichita, Ks. 67203

Re: S/D 78-116 - Final plat of Crestview Country Club  
Estates - Bridgewood Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 10, 1980, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- sewer petitions accepted by A.C.C. 11-8-79*  
*Need \$20,000 deposit also.*
- A. The applicant shall continue to work with the County Public Works Department and the County Counselor to resolve the details of the proposed sanitary sewer extension and treatment facilities. Appropriate guarantees shall be submitted for the sewers prior to forwarding the plat to the governing body for approval.
- see copy of resolution in files*
- B. The applicant shall guarantee the paving and drainage of all interior streets to City of Wichita standards. If petitions for these improvements have already been accepted by the County Commission, the applicant shall provide the Planning Department with a copy of the resolution ordering the improvements.
- 6-24-80*  
*Phil District Council informed him the drainage channel is included in the street drainage petitions.*
- C. The applicant's drainage plan has been approved subject to several conditions outlined in a letter to the Reiss & Goodness from Paul Johnston, Flood Control, dated December 28, 1979. If the street paving guarantees do not include drainage channel improvements as incidental street drainage, then a separate drainage guarantee will be necessary.
- delivered to City Council (application for outside service also)*
- D. The applicant shall guarantee the extension of City water to serve all lots.
- E. In accordance with the new sidewalk ordinance, no sidewalks are required in this subdivision.

Reiss and Goodness Engineers  
1-15-80  
Page 2

- 3-28
- See letter  
from back  
3-7-80
- F. The applicant shall submit a Homeowners' Association which provides for the continued maintenance of the floodway in Reserve A. Said association agreement shall contain a provision or clause which will assure that the governing body can, upon proper notice and hearing, cause necessary maintenance to be done to said areas and the cost thereof assessed to the benefiting properties in the event the Homeowners' Association fails to do so.
  - G. The buildings located in the proposed street right-of-way shall be removed prior to recording the plat. The applicant or his engineer shall submit a letter to the Planning Department when such structures have been removed.
  - H. Approval of this plat shall be subject to approval of SC2-0448, "IC" to "R-1". *B.C.C. app. 1-16-80*
  - I. All utilities shall be installed underground.
  - J. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on January 17, 1980, at 1:30 p.m. If you have any questions regarding this matter, please call.

Sincerely,

Louise Olivarez  
Senior Planner

LO:bh

cc: H-C Properties, 1152 S. Clifton, 67218  
Phil Dietrich, County Department of Public Works

Al Reiss to provide figures on amount of sewerage generated by addition of east figures for plant expansion to handle. Provides to Co.

PLAN CAN BE sent to M.A.D.C. once crewview gives existing plant to Co. as originally agreed to.

To City when.

Agreement between Crewview & Bridgwood signed (front end money to pay for expansion) → similar to Dalton Coloco.

guarantee to lateral serving Bridgwood & area to north received.

Alternative:

1. C.U. permit for north lagoon.  
(protect partitions)
2. deed property to Co. (let Co. open up)  
(no protect partitions accepted)

~~XXXXXX~~ 268-4591

December 28, 1979

Reiss & Goodness  
2160 West 21st Street  
Wichita, Kansas 67203

Attn: Mr. Kenny Hill, P.E.

Subject: Bridgewood Addn/Crestview Country Club Estates- Revised Drainage Plan

Dear Mr. Hill:

Reference is made to the revised drainage plan and your letter dated December 19th submitted to this office on December 20th, 1979. Based upon the revised drainage plan and your comments received December 20th and the remarks made in my December 10th correspondence, the following comments are still applicable.

- 1) It is recommended that the southwest edge of the Floodway limits for Lot 1, Block 7 be moved to the 1346 contour to provide better alignment with the existing structure in 13th Street.
- 2) The combined utility and drainage easements shown should be separated into utility and storm drainage easement.
- 3) To better serve the available building site area of Lot 1, Block 7, the utility easement should be moved to the north and west edge of said Lot to get it out of the Floodway.
- 4) The proposed swimming pool in Lot 1, Block 7, should be moved west to clear the Floodway.
- 5) Show the elevations of the fill areas for the northwest and central-eastern areas.
- 6) Recommend the drainage easement shown at the northwest corner be designated as a Floodway Reserve.
- 7) The text showing the minimum pad in Lot 1, Block 7 (excluding the north 260') should be 1347 vs. 1345.
- 8) Modifications of wording in text pertaining to Floodway is necessary i.e. maintenance and improvement of the Floodway in Reserve A shall be ....

Kenny Hill

-2-

December 28, 1979

- 9) Drainage plan indicates that the flowlines will not be daylighting in several locations, we request that foot notes be added pertaining to proper grading at the outfalls or the lines be extended as necessary.
- 10) Request that cross sections of the proposed swales be provided on the drainage plan and referenced to their appropriate locations.
- 11) Should provide a headwall and riprap for the outfall off Woodridge Court, riprap at the northwest edge of the proposed northwest channel and adjust the grades of the storm water sewer at the easterly edge of Edgewood Drive to have a velocity of less than 5 fps.
- 12) Is the existing swale to remain between Lots 1, 2, 6 and 7 of Block 2.

If you have further questions, please advise.

Yours truly,

Paul Johnston,  
Flood Control Engineer  
Flood Control and Landfill Division

PJ/glm

cc: Phil Dietrich/Sedgwick County  
Louis Olivarez/MAPD ✓  
Yash Desai-City Engineer's Office  
Bridgewood Addn./Crestview Country Club Estates Addn. Plat File

December 14, 1979

Reiss and Goodness Engineers  
2160 W. 21st St.  
Wichita, Ks. 67203

Re: S/D 78-116 - Final plat of Crestview Country Club  
Estates - Bridgewood Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on December 13, 1979, the above-captioned plat was considered. After discussion regarding the proposed method of sewage treatment, the one Committee member present requested that this case be deferred two weeks until the other two Committee members could be present.

Therefore, this plat will be rescheduled for the Subdivision Committee meeting of December 27, 1979.

Sincerely,

Louise Olivarez  
Senior Planner

LO:bh

cc: H-C Properties, 1152 S. Clifton, 67218

received 12-12-79

Metropolitan Area Planning Dept.  
Subdivision Committee

The local residents and adjacent landowners of Lakeside Acres do hereby voice objection to the proposed platting of the Bridgewood Addition to Crestview Country Club Estates until sewage treatment facilities are incorporated into the plot design.

The purpose of this opposition is to insure proper sewage treatment and avoid contamination of our underground water supply on which we depend.

We feel there should be a public hearing with written notice to the undersigned prior to consideration of final platting approval of the above mentioned addition.

NAME	ADDRESS
<u>Samuel J. Roberts</u> 12-10-79	<u>1931 N. 127th St. East</u>
<u>Marcia A. Roberts</u> 12-10-79	<u>1931 N. 127th St. E.</u>
<u>R. James Winters</u> 12-10-79	<u>1815 N. 127th St. E.</u>
<u>Nancy E. Winters</u> 12-10-79	<u>1815 N. 127th St. East</u>
<u>Albertine G. Mijersal</u> 12-10-79	<u>1824 N. Ridge Dr Wichita 67206</u>
<u>Raymond J. Morreault</u> 12-10-79	<u>8956 Tully Hall Ave. Rural Route 60 70806 (see signature &amp; address - see signature &amp; address attached)</u>
<u>Harold W. Tenor</u>	<u>1912 N. Ridge Drive</u>
<u>Esther R. Tenor</u>	<u>1912 N. Ridge Drive</u>
<u>John V. Grove</u> 12-10-79	<u>1915 N 127th EAST</u>
<u>Ernie M. Grove</u> 12/10/79	<u>1915 N 127th East</u>
<u>Dale T. Collins</u> 12/10/79	<u>1920 N Ridge Dr</u>
<u>Dolores A. Collins</u> 12/10/79	<u>1920 N. Ridge Dr</u>
<u>Elizabeth J. Leader</u> 12-10-79	<u>1968 N Ridge Dr</u>
<u>Benjamin H. Lyle</u> 12-10-79	<u>1968 N Ridge Dr</u>
<u>Maal Johnson</u> 12/10/79	<u>1916 N Ridge Dr</u>
<u>William J. Cobb</u> 12/10/79	<u>2000 Ridge Dr</u>
<u>Marlyn J. Cobb</u> 12/10/79	<u>2000 Ridge Dr</u>
<u>Raymond J. Brubaker</u> 12-11-79	<u>1916 Ridge Dr</u>
<u>Mary K. Langrath</u> 12-11-79	<u>1857 Wawona</u>
<u>Ralph A. Langrath</u> 12-11-79	<u>1857 Wawona</u>

2 December 1979

To Whom It May Concern.

Be it known to all here present that I  
the undersigned am the lawful owner of  
Lot 12 1st Addition Lakeview Acres. Be it  
further known that this paper ~~is~~ is proof  
that Albion D. Myers represents me in the  
matter of the location of a lagoon for  
Bridgewood Addition. It is my strong  
belief that said lagoon in a <sup>fair</sup> justice  
should be located in the SE or SW corner  
of Bridgewood Addition and not, repeat AND NOT  
in close proximity to 1st Addition Lakeview Acres.

Raymond L. Monnette, Capt, USAF  
8956 Jollyho Ave  
Baton Rouge, LA 70806

RECEIVED

DEC 12 1979

METROPOLITAN PLANNING

ROUTE

XXXXX 268-4591

December 10, 1979

Reiss and Goodness Engineers  
2160 West 21st Street  
Wichita, Kansas 67203

Attn: Mr. Kenny Hill

Subject: Bridgewood Addn/Crestview Country Club Estates Drainage Plan

Dear Mr. Hill:

Reference is made to the Drainage Plan of November 7, 1979 for subject Addition submitted to this office November 12th. Phil Dietrich of Sedgwick County and I have reviewed subject plan and approve the plan subject to the following items.

- 1) Due to the velocities projected at the proposed channels leaving both the 4.5'x11.5' and 4'x4' box structures at the north end of the plat, erosion protection will need to be provided.
- 2) An overflow condition could occur at 13th Street North at the culvert located approximately 400' west of 127th Street East. We therefore request that a berm be constructed. This is to be at an elevation of 1350 MSL commencing at the southwest corner of Lot 1, Block 7 and continuing east to the Floodway limits.
- 3) The Floodway designated at the southeast corner aligns poorly with the culvert mentioned in Item 2. Consideration should be given to expanding or modifying the Floodway at this point.
- 4) At the southeast corner of the plat, the drainage plan failed to show a channel leaving 60"x40" CMPA at 13th Street as indicated on the calculation sheets, same should be shown.
- 5) The drainage plan should include a note stating that all exposed areas resulting from construction will be seeded and mulched.
- 6) A 15' access and maintenance easement is required along each side of the proposed channels.
- 7) Indicate the proposed elevations of the fill areas shown on the plan.
- 8) The Drainage Plan has apparently been altered in the northwest section concerning some of the storm sewer locations. The changes should be made showing the new flowlines and velocities to determine if protective measures are necessary.

December 10, 1979

- 9) To aid the review process, proposed minimum pad elevations should be shown on the appropriate lots of the drainage plan.
- 10) A revised copy of the Drainage Plan should be submitted to appropriate agencies, said plan incorporating comments of Items 1 through 10.
- 11) Because of extensive channel work, fill areas and the proposed dams, permits from the Division of Water Resources may be required. It has been confirmed by telephone between Phil Dietrich of the County and Bill Funk, Hydrologist, Kansas State Board of Agriculture-Division of Water Resources, that an application has been received and is being reviewed. Mr Funk indicated that no major problems appear to exist with the geometry.

It should be pointed out that the water surface elevations as shown on the drainage plan are in concurrence with those shown on the preliminary Federal Insurance Administration Rate Maps for Sedgwick County.

After reviewing the final plan for subject plat submitted to this office November 13th, I comment as follows:

- 1) The standard Floodway clause is required on the plat itself. The wording as shown in the text is unacceptable.
- 2) Actual written approval or sign-off from the Kansas State Board of Agriculture-Division of Water Resources should be in the file or forthcoming.
- 3) The combined utility and drainage easements should be separated into utility and storm sewer easement.
- 4) Protection in the form of encasement should be provided at the two locations where the sanitary sewers cross the Floodway. Serious consideration should be given prior to constructing the proposed pond at the northwest section. This would be situated directly over the sanitary sewer.
- 5) The following corrections or adjustments are necessary in the text showing minimum pad elevations:

<u>Lot No.</u>	<u>Block</u>	<u>Elevation</u>
1 - 3	1	1352
8 - 9	1	1352
12	1	1349
16 - 17	1	1348
2 - 3	2	1349
3	3	1347
4	4	1347
6 - 7	4	1348
11	4	1349

Kenny Hill

-3-

December 10, 1979

- 6) Lot 1, Block 7, has minimum pad requirements in the fill area and adjacent to the Floodway. Since these fluctuate from 13th Street to 127th Street North, prior to issuing a building permit it should clear the Flood Control Office. A footnote concerning same should be added to the text.
- 7) What measures are being taken to address the swale through Lots 2 - 4, Block 6? If fill is not to take place, what measures are proposed to handle the runoff?
- 8) Unless the grading plans address the situation, a portion of Wilshire Drive has a slope of 6.4%. Due to the length and velocity some form of storm sewer might be provided or provision made at 127th Street East to enter and protect the ditch.
- 9) The guarantee for the construction of the channels and storm sewers should have provisions to cover any necessary protective measures such as headwalls and riprap. It should also address the necessity of providing as-built drawings covering both the channels and sewers along with any necessary seeding and mulching.

If you have any further questions, please advise.

Yours truly,

Paul Johnston,  
Flood Control Engineer  
Flood Control and Landfill Division

PJ/glm

cc: Phil Dietrich/Sedgwick County  
Louise Olivarez/ MAFD  
Yash Desai - City Engineering  
Bridgewood Addn./Crestview County Club Estates Addn. Plat File

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF Environmental Health

DATE November 29, 1979

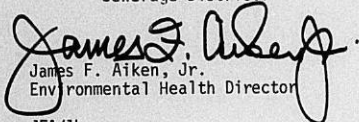
TO Robert A. Lakin, Director of Planning

FROM James F. Aiken, Jr., Environmental Health Director

SUBJECT Bridgewood Addition  
Crestview County Club  
Estates Final Plat

In reference to the necessity that municipal-type sanitary sewer service be guaranteed to each lot of this plat, the preference of the Health Department is that connection be made to the future Four Mile Creek sewerage facility or the Crestview Improvement District sewerage facility. If this cannot be accomplished before development, then a state approved temporary non-discharging waste stabilization pond facility would be satisfactory for the interim. This pond should be located south of the subdivision in order to eliminate pumping of sewage and the related costs. If this cannot be done, then the sewers should still flow toward Crestview I.D. and approval conditional upon:

1. The applicant is to stand the cost of constructing the lift station, the force main and the waste stabilization pond before releasing them to the county for operation.
2. The County Department of Public Works is to operate this sewerage facility as a temporary facility until such time as it can be eliminated and connection made to Four Mile Creek with the flow going through Crestview to the Crestview Sewage Treatment Plant until such time as the Four Mile Creek Sewage Treatment Plant becomes available. The cost of county operation of the temporary sewerage facility is to be borne directly by the applicant with only the capital costs of the sewer mains and laterals being assessed to the individual lot owners by the county.
3. A document is to be filed of record with the plat covering each lot advising that there will be future additional assessments related to sewage disposal costs with the eventual connection to Four Mile Creek.
4. That a petition be submitted by the applicant requesting sewerage service through Crestview to the Four Mile Creek Sewerage District.

  
James F. Aiken, Jr.  
Environmental Health Director

JFA/1b

November 30, 1979

Reiss and Goodness Engineers  
2160 W. 21st Street  
Wichita, Kansas 67203

Re: S/D 78-116 - Final plat of Crestview Country Club  
Estates - Bridgewood Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on November 29, 1979, the above-captioned case was considered.

At your request, the action of the Committee was to defer this item for two weeks. Therefore, this matter will be reviewed at the regular meeting of the Subdivision Committee on December 13, 1979. If you have any questions concerning this matter, please call.

Sincerely,

Louise Olivarez  
Senior Planner

LO:bh

cc: H-C Properties, 1152 S. Clifton, 67218

Final plat

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

SUBDIVISION REPORT

S/D NO. 78-116 Name Crestview Country Club Estates-Bridgewood Addition  
Date Application Rec'd. 10-24-78 Preliminary Approval 3-22-79  
Scheduled S/D Meeting 11-29-79

DESCRIPTION

General Location Northwest corner 13th and 127th St. East

Owner H-C Properties  
Surveyor/Engineer Reiss and Goodness Engineers Phone 832-0213  
Address 2160 W. 21st St., 67203

1. Gross Acreage of Plat 80.81
2. Number of Lots:
  - Residential 82
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other 1 multi-family
3. Minimum Lot Frontage 83 ft.
4. Minimum Lot Area 55.86 sq. ft.
5. Existing Zoning R-1 and LC
6. Proposed Zoning R-1 and AA with conditional use
7. Lineal Feet of New Streets:
  - a. 64' R/W 7000 ft.
  - b. 100 R/W 500 ft.
  - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL 7500 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name County Sewer District
11. Health Department Approval (where applicable) \_\_\_\_\_ (Yes ~~XX~~)
12. City of Wichita \_\_\_\_\_: Three-Mile Area X

STAFF COMMENTS:

- A. The applicant shall guarantee municipal-type sanitary sewer service to each lot. The County Commission has accepted a petition for the creation of a sewer district and has approved a resolution ordering the improvements. However, State and County Health Department approvals are required prior to installation of any improvements. It is recommended that this final plat not be forwarded to the Planning Commission for review until the necessary permits have been issued by the Health Departments.
- B. The applicant shall guarantee the paving and drainage of all interior streets to City of Wichita standards. If petitions for these improvements have already been accepted by the County Commission, the applicant shall provide the Planning Department with a copy of the resolution ordering the improvements.
- C. The applicant shall guarantee the extension of City water to serve all lots.
- D. In accordance with the new sidewalk ordinance, no sidewalks are required in this subdivision.
- E. The City and County Public Works Departments shall be prepared to comment on the applicant's drainage plan and state what drainage guarantees, if any, will be required. The applicant shall make satisfactory guarantees for any required drainage improvements.
- F. The applicant shall submit a Homeowners' Association which provides for the continued maintenance of the floodway in Reserve A. Said association agreement shall contain a provision or clause which will assure that the governing body can, upon proper notice and hearing, cause necessary maintenance to be done to said areas and the cost thereof assessed to the benefiting properties in the event the Homeowners' Association fails to do so.

T9-303

(Over)

- G. The buildings located in the proposed street right-of-way shall be removed prior to recording the plat. The applicant or his engineer shall submit a letter to the Planning Department when such structures have been removed.
- H. The City and County Public Works Departments shall be prepared to comment on the acceptability of the proposed street names.
- I. Approval of this plat shall be subject to approval of SCZ-0448, "LC" to "R-1."
- J. All utilities shall be installed underground.
- K. Recording of the plat within 30 days after approval by the Board of City Commissioners.

K #232-1999

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE APPLICATION OF )  
H-C PROPERTIES FOR )  
THE CREATION OF A SEWER DISTRICT )  
AND THE AUTHORIZATION OF SEWER )  
IMPROVEMENTS IN BRIDGEWOOD ADDITION )  
IN SEDGWICK COUNTY, KANSAS )  
Pursuant to K.S.A. 19-2704 Et. Seq., )  
As Amended )

RESOLUTION ORDERING HEARING AND NOTICE OF HEARING

On this 26 day of September, 19 79, the petition of H-C Properties, for the creation of a sewer district and authorization of sewer improvements in Bridgewood Addition in Sedgwick County is presented to the Board of County Commissioners.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, on this 26 day of September, 19 79, that a public hearing on the aforesaid petition be heard by this Commission on the 8 day of November, 19 79, at the hour of 10:00 o'clock A.M., or as soon thereafter as the same can be heard, at the meeting room of the Board of County Commissioners of Sedgwick County, Kansas, third floor of the Sedgwick County Courthouse, 525 North Main, Wichita, Kansas.

BE IT FURTHER RESOLVED, That notice of this hearing be accomplished by the County Clerk publishing such notice in the official paper of the County for two (2) weeks and by mailing notice of hearing for the creation of the lateral sewer district and the hearing for apportionment of the costs, by First Class Mail to the property owners in the proposed sewer district at least ten (10) days prior to the date fixed for hearing.

BY THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

[Signature]  
TOM SCOTT, CHAIRMAN

[Signature]  
DONALD E. GRAGG, COMMISSIONER

[Signature]  
EVERETT PATRICK, COMMISSIONER



[Signature]  
DOROTHY K. WHITE  
COUNTY CLERK  
SEDGWICK COUNTY, KANSAS

State of Kansas  
County of Sedgwick  
I, County Clerk of said County, do hereby certify this to be a true and correct copy of the original instrument which is on file or of record in my office.

Done this 22 day of September, 19 79.  
DOROTHY K. WHITE, County Clerk

By [Signature], Deputy

(forwarded by Phil District 11-28-79)

R# 231-1979

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE APPLICATION OF )  
H-C PROPERTIES FOR )  
THE CREATION OF A SEWER DISTRICT )  
AND THE AUTHORIZATION OF SEWER )  
IMPROVEMENTS IN BRIDGEWOOD ADDITION )  
IN SEDGWICK COUNTY, KANSAS )  
Pursuant to K.S.A. 19-2704 Et. Seq., )  
As Amended )

ORDER

On this 26 day of September, 19 79, the petition to create a sewer district and to build sewers to serve land within the Bridgewood Addition in Sedgwick County, Kansas, comes on for hearing.

THEREUPON, the Commissioners, 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.
2. That all of the following described real property lies within the Bridgewood Addition in Sedgwick County, Kansas:

EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 27 SOUTH,  
RANGE 2 EAST, SEDGWICK COUNTY, KANSAS TO BE KNOWN AS BRIDGEWOOD ADDITION.

3. The petition is signed by the owner of the 100% of the above-described land who requests sanitary and storm sewers be extended to said land and that the treatment facilities be created or enlarged as may be made necessary by such extension of sewers.

4. That the extension of sanitary and storm sewers to said land are necessary and will promote the health and welfare of the residents of Sedgwick County, Kansas.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AS FOLLOWS:

1. That the above-described real estate comprise a benefit district to be referred to as Bridgewood Addition, and sanitary and storm sewers be built to serve the above-described real property.

*How can this ORDER have been approved in  
September when the public hearing was not  
until November?*

2. That the treatment facilities of Crestview Improvement District of Sedgwick County, Kansas, be enlarged as necessary to accommodate such new sewers.

3. That the Public Works Department of Sedgwick County, Kansas proceed to design, plan and build such sewers and enlarged treatment facilities as may be necessary and to that end, be empowered to negotiate a contract for the employment of engineers, or other skilled employees for the purpose of assisting in planning and superintending the construction thereof, subject to the final approval and acceptance of such contract by this Board.

4. That all costs be apportioned and assessed as provided by K.S.A. 19-2705, as amended.

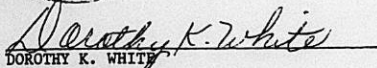
BY THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

  
TOM SCOTT, CHAIRMAN

  
DONALD E. GRAGG, COMMISSIONER

  
EVERETT PATRICK, COMMISSIONER



  
DOROTHY K. WHITE  
COUNTY CLERK  
SEDGWICK COUNTY, KANSAS

County of Kansas  
County of Sedgwick  
I, County Clerk of said County, do hereby  
certify this to be a true and correct copy of the  
original instrument which is on file or of record  
in my office.  
Done this 22 day of September, 19 72  
DOROTHY K. WHITE, County Clerk  
By Dorothy Paul, Deputy

RA 233-197

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE APPLICATION OF H-C PROPERTIES FOR THE IMPROVEMENT OF STREETS WITHIN BRIDGEWOOD ADDITION TO SEDGWICK COUNTY, KANSAS Pursuant to K.S.A. 68-728 et seq

RESOLUTION

On this 26 day of September, 1979, the petition of H-C Properties for the construction of curbing, guttering, grading, paving, macadamizing and drainage of the streets, roads and avenues within the following described land is considered by the Board, which finds as follows:

1. Petitioner is the owner of 100% lots fronting on the streets, roads and avenues within the following described land:

EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 2 EAST, SEDGWICK COUNTY, KANSAS TO BE KNOWN AS BRIDGEWOOD ADDITION.

2. The above described land is within Sedgwick County, Kansas and outside the limits of any incorporated city.

3. That it is necessary to provide for the curbing, guttering, grading, paving, macadamizing and drainage of the streets within the above described land.

THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners of Sedgwick County, Kansas, on this 26 day of September, 1979,

1. That construction of curbing; guttering, grading, and paving or macadamizing, including drainage, is necessary for all of the streets, roads and avenues which are within the above described platted land in Sedgwick County, Kansas;

2. That Reiss and Goodness Engineers, a firm of Registered Engineers, be employed to plan and superintend the construction of street improvements for the above described platted area in Sedgwick County, Kansas consisting of paving, curbing, guttering, and incidental drainage and determine the cost of such construction and such plans and specifications to be approved by the County Commissioners;

3. The compensation or fee of the engineers shall be conditioned upon the contingent upon such work being actually done and that the cost of such preliminary survey and other work shall be and become a part of the completed project as shall all other engineering work and services performed in connection therewith by the said Reiss & Goodness Engineers, a firm of Registered Engineers, and that as such construction is performed upon completion thereof, the said engineer shall be paid from a part of special assessments levied to pay for such construction in conformity with K.S.A. 68-728 et seq.;

4. That this resolution be published for three (3) consecutive weeks in the official paper of the county; and if the owners of more than one-half of the property liable to taxation for said work shall not within twenty (20) days from the date of such last publication file with the County Clerk of Sedgwick County, Kansas their protest against such improvements, that the Board of County Commissioners shall, thereupon, cause such streets, roads and avenues to be improved, constructed or built as aforesaid, and to contract therefore and to levy taxes as provided by law, and now, therefore, all owners of said property liable for taxation therefore take notice hereof.

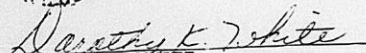
BY THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

  
TOM SCOTT, Chairman

  
DONALD E. GRAGG, Commissioner

  
EVERETT PATRICK, Commissioner



  
DOROTHY K. WHITE  
County Clerk  
Sedgwick County, Kansas

State of Kansas  
County of Sedgwick  
I, County Clerk of said County, do hereby certify this to be a true and correct copy of the original instrument which is on file or of record in my office.

Done this 22 day of September, 1999.  
DOROTHY K. WHITE, County Clerk  
By Merlynn Paul, Deputy

11-26-79

Mrs. John Myers  
1824 N. Ridge Drive  
Wichita 67206  
733-1095

owns property adjacent  
to Bridgewood and  
is concerned about  
the proposed sewer  
lagoon. I advised her  
of the S/D meeting on 11-29  
and said she could  
attend and voice her  
concerns. I told her  
the County had already  
approved the creation  
of a sewer district but  
that State and County Health  
Dept. OK is still needed.

*JH*

BOARD OF SEDGWICK COUNTY COMMISSIONERS  
PROCEEDINGS

**RECEIVED**

NOV 5 1979

METROPOLITAN PLANNING

ROUTE

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

SPECIAL MEETING

November 8, 1979

AGENDA

Department of Public Works:

Petitions - Street and Sewer Improvements - Application of  
H-C Properties for the creation of a Sewer District and  
the authorization of sewer improvements in Bridgewood  
Addition to Sedgwick County, Kansas.

Meeting to be held at 10:00 a.m.

9-28-79

Hill/Blankenshaw say they H-C  
is proposing to go Seneca into  
Crestview, but if annulment  
is involved, they won't take them.  
I don't see the relationship as H-C  
already agreed to annex (when legal)  
when they signed up for it.  
I don't care much ~~for~~ on the  
street if they do consider them  
good petition.

from: JHJ date: 9-27-79

**admin. adv. plans cur. plans social**

- |                                    |                                    |   |                                   |
|------------------------------------|------------------------------------|---|-----------------------------------|
| <input type="checkbox"/> lakin     | <input type="checkbox"/> stockwell | <input checked="" type="checkbox"/> galbraith | <input type="checkbox"/> mitchell |
| <input type="checkbox"/> walter    | <input type="checkbox"/> lunk      | <input type="checkbox"/> lytle                | <input type="checkbox"/> lane     |
| <input type="checkbox"/> eubanks   | <input type="checkbox"/> shen      | <input type="checkbox"/> young                | <input type="checkbox"/> kohl     |
| <input type="checkbox"/> hanson    | <input type="checkbox"/> losew     | <input type="checkbox"/> meek                 | <input type="checkbox"/> hart     |
| <input type="checkbox"/> nelson, v | <input type="checkbox"/> apodaca   | <input type="checkbox"/> shirkey              | <input type="checkbox"/> covert   |
| <input type="checkbox"/> lakin, e  | <input type="checkbox"/> curtman   | <input type="checkbox"/> newby                | <input type="checkbox"/> coppel   |
| <input type="checkbox"/> henderson | <input type="checkbox"/> reed      | <input type="checkbox"/> dohson               | <input type="checkbox"/> beebe    |
| <input type="checkbox"/> brothers  | <input type="checkbox"/> schaffer  | <input checked="" type="checkbox"/> altvarez  | <input type="checkbox"/> syal     |
| <input type="checkbox"/> peters    | <input type="checkbox"/> brown     | <input type="checkbox"/>                      | <input type="checkbox"/> davis    |
| <input type="checkbox"/> craig     | <input type="checkbox"/> butler    |   | <input type="checkbox"/> jvetters |
| <input type="checkbox"/> barnes    | <input type="checkbox"/> huggins   |   | <input type="checkbox"/> whittock |
|                                    | <input type="checkbox"/> nagley    |   | <input type="checkbox"/> sharpe   |
|                                    | <input type="checkbox"/> lickeig   |   | <input type="checkbox"/> harvey   |
|                                    | <input type="checkbox"/> forinash  |   | <input type="checkbox"/> garmon   |
|                                    | <input type="checkbox"/> chambers  |   | <input type="checkbox"/> smith    |
|                                    | <input type="checkbox"/> bechtel   |   | <input type="checkbox"/> crawford |
|                                    | <input type="checkbox"/> mcLadden  |   | <input type="checkbox"/> phelps   |
|                                    | <input type="checkbox"/> swander   |   | <input type="checkbox"/> jones    |
|                                    | <input type="checkbox"/>           |   | <input type="checkbox"/> martinez |
- graphics**
- |                                   |                                 |
|-----------------------------------|---------------------------------|
| <input type="checkbox"/> pierce   | <input type="checkbox"/> vinson |
| <input type="checkbox"/> stafford | <input type="checkbox"/>        |
| <input type="checkbox"/> garland  | <input type="checkbox"/>        |
| <input type="checkbox"/> pate     | <input type="checkbox"/>        |
| <input type="checkbox"/>          | <input type="checkbox"/>        |
| <input type="checkbox"/> crook    | <input type="checkbox"/>        |
| <input type="checkbox"/> commer   | <input type="checkbox"/>        |
| <input type="checkbox"/> vinson   | <input type="checkbox"/>        |
| <input type="checkbox"/>          | <input type="checkbox"/>        |

*note submit to  
Tommy Sob...*

- |  |                                      |
|--|--------------------------------------|
| <input type="checkbox"/> note & return | <input type="checkbox"/> signature   |
| <input type="checkbox"/> handle        | <input type="checkbox"/> library     |
| <input type="checkbox"/> all staff     | <input type="checkbox"/> information |
| <input type="checkbox"/> comment       | <input type="checkbox"/> files       |

remarks: Would you show me the plot and advise me to submit item "S" is about. (AMW)

9-28-77

Hill/Blackman say they H-C  
is preparing to go Sewer into  
Crestview, but if annexation  
is involved, they want to be there.  
I don't see the relationship with H-C  
already agreed to annex (when legal)  
when they sign up for H-C.

I don't care much ~~for~~ on the  
street if they do consider them  
good petitions.

### Legal Publication

(First Published In The Daily Reporter,  
Tuesday, October 2, 1979)

R#233-1979

BEFORE THE BOARD OF  
COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS  
IN THE MATTER OF THE APPLI-  
CATION OF H-C PROPERTIES FOR THE  
IMPROVEMENT OF STREETS WITHIN  
BRIDGEWOOD ADDITION TO  
SEDGWICK COUNTY, KANSAS

Pursuant to K.S.A. 68-728 et seq

#### RESOLUTION

On this 26 day of September, 1979, the  
petition of H-C Properties for the construction  
of curbing, guttering, grading, paving,  
macadamizing and drainage of the streets,  
roads and avenues within the following  
described land is considered by the Board,  
which finds as follows:

1. Petitioner is the owner of 100% lots  
fronting on the streets, roads and avenues  
within the following described land:

FAST HALF OF THE SOUTHEAST  
QUARTER OF SECTION 10, TOWNSHIP 27  
SOUTH, RANGE 3 EAST, SEDGWICK  
COUNTY, KANSAS TO BE KNOWN AS  
BRIDGEWOOD ADDITION.

2. The above described land is within  
Sedgwick County, Kansas and outside the  
limits of any incorporated city.

3. That it is necessary to provide for the  
curbing, guttering, grading, paving,  
macadamizing and drainage of the streets  
within the above described land.

THEREFORE, BE IT RESOLVED BY  
THE Board of County Commissioners of  
Sedgwick County, Kansas, on this 26 day of  
September, 1979.

1. That construction of curbing, guttering,  
grading, and paving or macadamizing, in-  
cluding drainage, is necessary for all of the  
streets, roads and avenues which are within  
the above described platted land in  
Sedgwick County, Kansas.

2. That Reiss and Goodness Engineers, a  
firm of Registered Engineers, be employed  
to plan and supervise the construction of  
street improvements for the above describ-  
ed platted area in Sedgwick County, Kansas  
consisting of paving, curbing, guttering, and  
incidental drainage and determine the cost  
of such construction and such plans and  
specifications to be approved by the County  
Commissioners;

3. The compensation or fee of the  
engineers shall be conditioned upon the  
contingent upon such work being actually  
done and that the cost of such preliminary  
survey and other work shall be and become a  
part of the completed project as shall all  
other engineering work and services per-  
formed in connection therewith by the said  
Reiss & Goodness Engineers, a firm of  
Registered Engineers, and that as such  
construction is performed upon completion  
thereof, the said engineer shall be paid from  
a part of special assessments levied to pay  
for such construction in conformity with  
K.S.A. 68-728 et seq.

4. That this resolution be published for  
three (3) consecutive weeks in the official  
paper of the county; and if the owners of  
more than one-half of the property liable to  
taxation for said work shall not within twen-  
ty (20) days from the date of such last  
publication file with the County Clerk of  
Sedgwick County, Kansas their protest  
against such improvements, that the Board  
of County Commissioners shall, thereupon,  
cause such streets, roads and avenues to be  
improved, constructed or built as aforesaid,  
and to contract therefor and to levy taxes as  
provided by law, and now, hereafter, all  
owners of said property liable for taxation  
therefor take notice hereof.

BY THE BOARD OF  
COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS  
/s/ Tom Scott, Chairman  
/s/ Donald E. Gragg, Commissioner  
/s/ Everett Patrick, Commissioner

(SEAL)

ATTEST:  
/s/ Dorothy K. White  
County Clerk  
Sedgwick County, Kansas  
(19-3, 10-16)

### Legal Publication

(First Published In The Daily Reporter,  
Tuesday, October 2, 1979)

R #232-1979

BEFORE THE BOARD OF  
COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY,  
KANSAS

IN THE MATTER OF THE APPLI-  
CATION OF H-C PROPERTIES FOR THE  
CREATION OF A SEWER DISTRICT AND  
THE AUTHORIZATION OF SEWER IM-  
PROVEMENTS IN BRIDGEWOOD ADDI-  
TION IN SEDGWICK COUNTY, KANSAS  
Pursuant to K.S.A. 19-370 Et. Seq., As  
Amended

#### RESOLUTION ORDERING HEARING AND NOTICE OF HEARING

On this 26 day of September, 1979, the  
petition of H-C Properties for the creation of  
a sewer district and authorization of sewer  
improvements in Bridgewood Addition in  
Sedgwick County is presented to the Board of  
County Commissioners of Sedgwick County,  
Kansas.

THEREFORE, BE IT RESOLVED BY  
THE BOARD OF COUNTY COM-  
MISSIONERS OF SEDGWICK COUNTY,  
KANSAS, on this 26 day of September, 1979,

that a public hearing on the aforesaid peti-  
tion be heard by this Commission on the 8  
day of November, 1979, at the hour of 10:00  
o'clock A.M., or as soon thereafter as the  
same can be heard, at the meeting room of  
the Board of County Commissioners of  
Sedgwick County, Kansas, third floor of the  
Sedgwick County Courthouse, 235 North  
Main, Wichita, Kansas.

BE IT FURTHER RESOLVED, That  
notice of this hearing be accomplished by the  
County Clerk publishing such notice in the  
official paper of the County for two (2) weeks  
and by mailing notice of hearing for the  
creation of the lateral sewer district and the  
hearing for apportionment of the costs, by  
First Class Mail to the property owners in  
the proposed sewer district at least ten (10)  
days prior to the date fixed for hearing.

BY THE BOARD OF  
COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS  
/s/ TOM SCOTT, CHAIRMAN  
/s/ DONALD E. GRAGG, COMMISSIONER  
/s/ EVERETT PATRICK,  
COMMISSIONER

(SEAL)

ATTEST:  
/s/ DOROTHY K. WHITE  
COUNTY CLERK  
SEDGWICK COUNTY, KANSAS  
(19-3, 10-9)

*see agenda*

9-19-79

Ted Hill called to  
ask what the hold up on the  
plot was.

Advised him of Lakin's  
letter in file concerning the  
question of sewage treatment,  
and that no action had been  
taken on the plot since April.

Hill was going to call Kevin  
Goodness, engineer on the plot  
and talk to them.

*Louis*

April 6, 1979

Mr. Vern Pinkham  
H and C Development Company  
1415 South Topeka  
Wichita, Kansas 67211

Re: S/D 78-116 - Preliminary  
Plat of Bridgewood Addition  
to Crestview Country Club  
Estates

Dear Mr. Pinkham:

In making our recommendations to the Subdivision Committee, particularly in relation to Article (E), it is my view that the 30-year plan, as well as the Phase I Study, does not recommend nor support the development of individual sewage treatment systems for each development. It is the purpose of those plans to cause the development of a limited number of temporary treatment systems or the construction of a single treatment system in the basin as soon as economically feasible. Everytime that we develop a separate system and then come in at a later date and develop a replacement system for it, we are going to be imposing overlapping costs on the developments. Although this may not be as important at the front end of a project, particularly to the developers, it will ultimately result in excessive costs to the ultimate owners of land. When that happens it will be that much more difficult to achieve the ultimate treatment systems desired in the four-mile creek system.


What I had hoped to achieve by item E in the letter, was to explore all alternatives towards the utilization of existing facilities, such as the new Crestview treatment plant. I understand there are problems, in looking into this plant both as to the design of the existing plant and being able to reach the plant from your development as well as to the water quality limiting factor for the stream receiving effluent from that plant. However, these issues have not been ruled out in my opinion, and should be clearly shown to be infeasible before proceeding to the separate facility you have suggested.

Mr. Vern Pinkham  
April 6, 1979  
Page 2

In that event, then I believe we should have from the State Department of Health and Environment, their initial indication, if not their actual permit, that they will grant approval for such a treatment facility as you propose. Further that you shall have preceded before the Board of County Commissioners, under the terms of their zoning resolution, to gain approval of a special permit for sewage treatment on the lands described. This should occur after you have explored all the alternatives towards the utilization of facilities on four-mile creek and have the authority from the State to proceed. We will need to advertise in the same fashion as a zoning hearing for a public hearing before the Planning Commission for the special permit. We would require an ownership list, the same as for a rezoning, and notices would be sent to adjoining property owners. The Planning Commission would then hold their public hearing, make their recommendation on approval of that site for sewage treatment, and it would go to the Board of County Commissioners for their approval and/or such other action as they deem appropriate to take.

I would be happy to discuss further with you the details of these proceedings. I think your staff people assisting you in this are probably familiar with it, if not, please call either myself or Jack Galbraith.

Sincerely,

  
Robert A. Lakin  
Director of Planning

RAL:rme

H and C Development Company  
1415 South Topeka  
Wichita, Kansas 67211

March 30, 1979

Mr. Bob Lakin  
W-SC Metropolitan Area Planning  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: S/D 78-116 - Preliminary plat of Bridgewood Addition to  
Crestview Country Club Estates

Mr. Lakin:

As we have related to you we are willing to pursue any  
alternate as stated in your letter dated March 26, 1979  
to Reiss and Goodness Engineers.

Article (E) of letter--could you give us these alternates  
recommended.

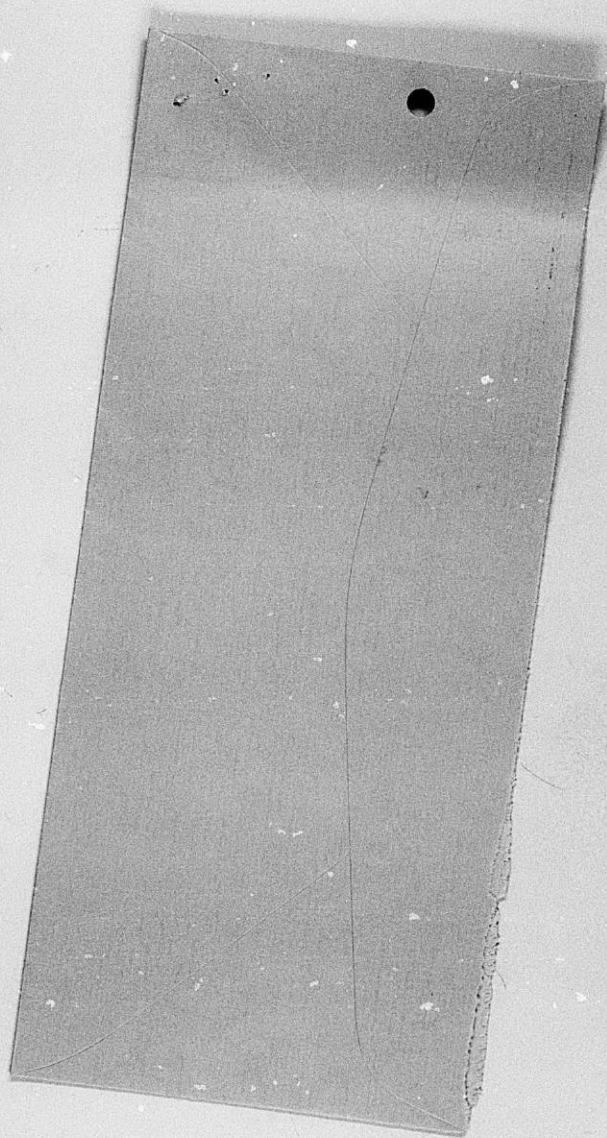
Thank you.

Sincerely,

  
Vern Pinkham

VP:hj





DATE: MARCH 23, 1979

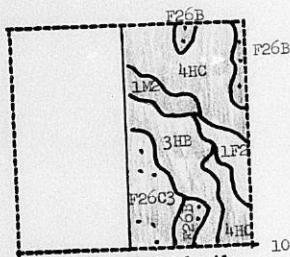
PROPERTY NAME: BRIDGEWOOD ADDITION TO CRESTVIEW CC ESTATES

LOCATION: Northwest corner 13th and 127th Street East

MAILED TO: Reiss and Goodness Engineers  
 2160 W. 21st St.  
 Wichita, Kansas 67203

PREPARED BY: Larry L. Henry  
 District Conservationist  
 USDA-Soil Conservation Service  
 4100 Maple, Wichita, Kansas  
 942-8422 67209

REQUESTED BY: Wichita-Sedgwick County  
 Metropolitan Area Planning  
 Commission



Scale: 4" equals 1 mile

SE 1/4 10-27-2E

Situation and/or Problems:

This area has very tight clay soils that will cause severe problems if not properly developed. Terraces need to be removed and ponds destroyed.

<u>Symbol</u>	<u>Class</u>	<u>Soil</u>	<u>Brief Description</u>	<u>Hydro Group</u>
4HC	IVe-1	Glime silty clay 3 to 6% slopes	Moderately deep, sloping, well drained soils, on uplands, developed over shales. These soils have rapid runoff and low available water capacity. Permeability is very slow. <u>Prime agricultural land.</u>	C
3HB	IIIe-3	Rosehill silty clay 1 to 3% slopes	Moderately deep and shallow, gently sloping well drained soils on uplands. These soils have medium to rapid runoff and low available water capacity. Permeability is slow and very slow. <u>Prime agricultural land.</u>	D
F26B	IIIe-1	Irwin silty clay loam, 1-3% slopes	Deep, gently sloping, moderately well and well drained soils on uplands and terraces. These soils have medium runoff and high available water capacity. Permeability is very slow and moderate. <u>Prime agricultural land.</u>	D

<u>Symbols</u>	<u>Class</u>	<u>Soil</u>	<u>Brief Description</u>	<u>Hydro Group</u>
F26C3	IVa-2	Irwin silty clay loam, 2-6% slopes, eroded	Deep, gently sloping and sloping, well drained soil on uplands that is eroded. This soil has rapid runoff and high available water capacity. Permeability is very slow. Few rills and shallow furrows are in most areas. <u>Prime agricultural land.</u>	D
1M2	Vv-3	Elandco silt loam Frequently flooded	Deep and moderately deep, nearly level, well B drained and moderately well drained soils on bottomlands that are frequently flooded. These soils have slow runoff and high available water capacity. Permeability is slow to moderate. Most areas range in width from 180 to 400 feet.	
1F2	IIa-1	Tabler silty clay loam	Deep, level and nearly level, moderately well drained soils on uplands and terraces. These soils have slow runoff and high available water capacity. Permeability is very slow. <u>Prime agricultural land.</u>	D

SCCD-CONS-5 (con't)  
RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND

SOIL INTERPRETATIONS

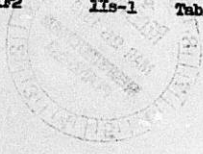
<u>Symbol</u>	<u>Class</u>	<u>Soil</u>	<u>Item</u>	<u>Limitation</u>	<u>Reason</u>
4HC	Ive-1	Glime silty clay	Dwellings	Moderate	Shrink-Swell Low Strength
			Local Roads & Streets	Severe	Low Strength
			Parks & Lawns	Severe	Too Clayey
3HB	IIIe-3	Rosehill silty clay	Dwellings	Severe	Shrink-Swell Low Strength
			Local Roads & Streets	Severe	Low Strength Shrink-Swell
			Parks & Lawns	Severe	Slow Percolation
F26B	IIIe-1	Irvin silty clay	Dwellings	Severe	Shrink-Swell Low Strength
F26C3	Ive-2	Irvin silty clay	Dwellings	Severe	Shrink-Swell Low Strength
			Local Roads & Streets	Severe	Shrink-Swell Low Strength
			Parks & Lawns	Severe	Slow Percolation

RECOMMENDATIONS:

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. 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.
4. Temporarily stabilize each segment of graded or otherwise disturbed land 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.
5. 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.
6. Stabilize each lot within 60 days after work starts on home or other building construction.
7. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
8. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316-942-8422.

If you have any questions or if we can be of additional assistance, don't hesitate to call on us.

<u>Symbol</u>	<u>Class</u>	<u>Soil</u>	<u>Item</u>	<u>Limitation</u>	<u>Reason</u>
1M2	Vs-3	Klandco silty loam	Flood Plain		
1F2	IIs-1	Tabler silty clay			



March 26, 1979

Reiss and Goodness Engineers  
2160 W. 21st Street  
Wichita, Ks. 67203

Re: S/D 78-116 - Preliminary plat of Bridgewood Addition  
to Crestview Country Club Estates

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 22, 1979, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall contact the City and County Public Works Department relative to the design geometry for Davin Lane at its intersection with 13th Street.
- B. The applicant shall contact the County Public Works Department relative to appropriate street names to be indicated on the plat. It is suggested that "~~Hamblewood~~" be changed to Crestwood, "Willow" be changed to Aberdeen, "Aspen" to Abbotsford and "Wilshire" to 14th Street so as not to conflict with other similar street names in the County and City of Wichita.
- C. The applicant shall request by letter the annexation of subject property to the City of Wichita.
- D. If the applicant's request for annexation is approved, the applicant shall guarantee the installation of City water to serve each lot. If the annexation request is not approved and the applicant cannot obtain an alternate acceptable public water supply to serve the subject property, a minimum 40,000 square feet lot size will be required for the individual use of private water wells.
- E. The Phase One Study for the Four Mile Creek sewer system is nearing completion and it is the understanding of the Planning Staff that sewerage systems alternatives are preferred and recommended which do not include non-discharging lagoon systems for individual subdivisions.

NOT APPROVED  
4-24-79

(policy has  
been  
changed)

In order for the non-discharging lagoon system as proposed by the applicant to be utilized, a special permit from the Board of County Commissioners will be required, as well as a permit from the Sedgwick County Health Department and the State Board of Health. Approval of said applications for these permits shall be obtained prior to filing a final plat.

- There is still a piece of LC Street of the street which will need changing to R-1*
- F. The applicant shall guarantee the construction of the streets to City of Wichita specifications.
  - G. The applicant shall guarantee the construction of sidewalks adjacent to both sides of all streets within the subdivision or shall submit for approval by the Subdivision Committee and Planning Commission an alternate sidewalk plan. If a sidewalk plan is submitted and approved, the applicant shall guarantee the construction of sidewalks in accordance with the approved plan.
  - H. A zone change to "AA" and a conditional use permit will be required for the proposed multi-family development on Lot 1, Block 7. Approval of these by the Board of County Commissioners shall be obtained prior to submission of a final plat.
  - I. The applicant shall submit a drainage plan to the County and City Public Works Departments for review and approval prior to the submission of a final plat. Any drainage improvements required shall be guaranteed by the applicant.
  - J. It appears that the floodway is not to be part of adjacent lots. Therefore, a Homeowners' Association will be needed to provide for the maintenance of the floodway.
  - K. The buildings located in the proposed street right-of-way shall be removed prior to recording of the final plat.
  - L. All utilities shall be installed underground including telephone and electric lines.
  - M. Easements as indicated on the marked "engineer's copy" of the preliminary plat shall be indicated on the final plat.
  - 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

Reiss and Goodness Engineers  
3-26-79  
Page 3

CLN:bh

CC:

H-C Properties, 1152 S. Clifton, 67218  
Dean Sellers, Assistant City Engineer  
County Department of Public Works

P.S. With regard to Condition "D" above, the Subdivision  
Committee indicated that individual water wells  
should not be considered as an acceptable alternate  
to a public water supply.

Preliminary Plat

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

SUBDIVISION REPORT

S/D NO. 78-116 Name Bridgewood Addition to Crestview Country Club Estates  
Date Application Rec'd. 10-24-78 Preliminary Approval  
Scheduled S/D Meeting 3-22-79

DESCRIPTION

General Location Northwest corner 13th and 127th Street East.

Owner H-C Properties  
Surveyor/Engineer Reiss and Goodness Engineers Phone 832-0213  
Address 2160 W. 21st St., 67203

- |   |   |                                |                  |
|---|---|--------------------------------|------------------|
| 1. Gross Acreage of Plat                                  | <u>80.81</u>                                | 7. Lineal Feet of New Streets: |                  |
| 2. Number of Lots:  |   | a. <u>64'</u> R/W <u>7000</u>  | ft.              |
| Residential   | <u>82</u>                                   | b. <u>100</u> R/W <u>500</u>   | ft.              |
| Commercial  |   | c. _____ R/W _____             | ft.              |
| Industrial  |   | d. _____ R/W _____             | ft.              |
| Other   | <u>1 Multi-family</u>                       | e. _____ R/W _____             | ft.              |
| Total Number of Lots                                      | <u>83</u>                                   | TOTAL                          | <u>7500</u> ft.  |
| 3. Minimum Lot Frontage                                   | <u>125 - 55.46</u> ft.                      | 8. Sidewalk adjacent to all    |                  |
| 4. Minimum Lot Area                                       | <u>20,000</u> sq. ft.                       | streets? <u>yes</u> <u>no</u>  |                  |
| 5. Existing Zoning  | <u>R-1</u>                                  |                                |                  |
| 6. Proposed Zoning  | <u>R-1 and AA with Conditional use</u>      |                                |                  |
| 9. Public Water Supplies <u>Yes (Yes-<del>no</del>)</u>   | Name <u>Butler Co. Rural Water District</u> |                                |                  |
| 10. Public Sanitary Sewers <u>Yes (Yes-<del>no</del>)</u> | Name <u>County Sewer District</u>           |                                |                  |
| 11. Health Department Approval (where applicable)         |   |                                | (Yes <u>no</u> ) |
| 12. City of Wichita _____                                 | : Three-Mile Area <u>X</u>                  |                                |                  |

STAFF COMMENTS:

- A. This property is located within the urban growth area and, although lot sizes are to be 20,000+ square feet, the applicant proposes to have paved streets and municipal-type sewers and water.
- B. Since the applicant proposes to obtain water from Butler County Rural Water District #5, permission from the water district should be obtained prior to proceeding with a final plat. If the applicant is unable to obtain this or some other public source of water, a minimum lot size of 40,000 square feet will be required for the use of individual water wells.
- C. The applicant proposes to build a non-discharging lagoon for the treatment of sewage from this subdivision. A Phase One study for Four Mile Creek is nearing completion. Our understanding of the study is that alternatives other than proposed by this plat are preferred and recommended. Additional waste stabilization ponds are not indicated. However, if the Subdivision Committee concurs as to the solution, a special permit from the Board of County Commissioners will be required, as well as a permit from the Sedgwick County Health Department and the State Board of Health. Approval of said applications for these permits shall be obtained prior to filing a final plat.
- D. The Utility Advisory Committee shall be prepared to comment on the appropriateness of the street names. The Planning staff recommends that the street names of Willow and Ramblewood be changed. There is a Willow north of 13th and west of Woodlawn and there is a Bramblewood north of 21st and east of Woodlawn.
- E. The applicant shall guarantee the construction of the streets to City of Wichita specifications.
- T9-303 F. According to the Subdivision Regulations, sidewalks are required on both sides of all interior streets. The applicant

(Over)

shall guarantee to the County the construction of these sidewalks.

- G. A zone change to "AA" and a conditional use permit will be required for the proposed multi-family development on Lot 1, Block 7. Approval of these by the Board of County Commissioners shall be obtained prior to submission of a final plat.
- H. The applicant shall submit a drainage plan to the County and City Public Works Departments for review and approval prior to the submission of a final plat. Any drainage improvements required shall be guaranteed by the applicant.
- I. It appears that the floodway is not to be part of adjacent lots. Therefore, a Homeowners' Association will be needed to provide for the maintenance of the floodway.
- J. The buildings located in proposed street right-of-way shall be removed prior to the recording of the final plat.
- K. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 6249  
Section No.: 10  
Twp. No.: 27  
Range: 2E

S/D No. \_\_\_\_\_

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: BRIDGEWOOD ADDITION TO CRESTVIEW COUNTRY CLUB ESTATES  
General Location: NORTHWEST CORNER 13TH AND 127TH STREET EAST  
Name of Property Owner: H-C PROPERTIES  
Address: 1152 S. CLIFTON 67218 Phone: 681-3771  
Name of Subdivider: SAME AS ABOVE Phone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Name of Agent/Surveyor: REISS AND GOODNESS ENGINEERS  
Address: 2160 W. 21ST. STREET, WICHITA, KANSAS 67203 Phone: 832-0213  
Date of Application: 10-17-78

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 80.81 ACRES
2. Number of Lots:
  - Residential 82
  - Commercial 0
  - Industrial 0
  - Other 1 Multi-FamilyTotal Number of Lots 83
3. Minimum Lot Frontage 125 ft.
4. Minimum Lot Area 20,000 Sq. ft.
5. Existing Zoning R-1
6. Proposed Zoning R-1 and A A with Conditional Use
7. Lineal Feet of New Streets:
  - a. 64' R/W 7000 ft.
  - b. 100 R/W 500 ft.
  - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.TOTAL 7500 ft.
8. Sidewalk adjacent to all streets? yes  no
9. Public Water Supply \_\_\_\_\_ (Yes-~~X~~), Name Butler County Rural Water District
10. Public Sanitary Sewers \_\_\_\_\_ (Yes-~~X~~), Name County Sewer District
11. Health Department Approval (where applicable) \_\_\_\_\_ (Yes-~~X~~)
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: H-C PROPERTIES Empire Concrete Inc.  
James Garbham V. Gar.

Wichita-Sedgwick County Metropolitan Area  
Planning Commission, 10th Floor, City Hall,  
455 North Main, Wichita, Kansas 67202.

Received by L.O.  
Date 3-9-79  
Fee Submitted 296.00

FORM 29

PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION 276<sup>00</sup> AMOUNT

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY

December 7, 1978

Mr. Kenny Hill  
Reiss and Goodness Engineers  
2160 West 21st Street  
Wichita, Kansas 67203

Re: S/D 78-116 - Sketch plat of Crestview Country Club  
Estates Bridgewood Addition

Dear Mr. Hill:

We have reviewed the above-referenced sketch plat and wonder if you and your clients are aware that a conditional use permit for a soccer complex on the north 750 feet of the west half of the southeast quarter of this section was approved by the Board of County Commissioners last July. Their preliminary site plan (copy enclosed) proposed a soccer field very close to the west property line of Bridgewood Addition.

Other comments about this sketch plat are as follows:

- A. A zone change request to "AA" and a conditional use permit for multi-family development must be submitted for the large lot in the southeast corner prior to or at the time of submission of the preliminary plat. Two copies of a site plan with the number of structures, dwelling units and parking spaces should be submitted with the conditional use application.
- B. Street names shall be indicated on the preliminary plat.
- C. Complete access control to 13th Street and to 127th Street from each single family lot shall be indicated on the preliminary plat. The City Engineer's office questions the need for the access from 13th Street to the multi-family lot.
- D. 58-foot street rights-of-way may be utilized in the single family areas if 4 off-street parking spaces are provided on each lot.
- E. Streets shall be paved to City of Wichita standards.
- F. Appropriate guarantees shall be made for the extension of sanitary sewer and water to serve each lot. Please contact

us prior to the submission of a preliminary plat to determine if the City Commission has adopted a policy on water extension outside the City limits. Discussion of this matter will appear on their agenda December 12, 1978.

G. Comments from Max Greene, Flood Control Engineer, include:

1. On all dams the floodway should encompass the flood plain;
  2. Need hydrologic information on the dams and spillway data;
  3. Minimum pad along floodway should be 3 feet above computed water surfaces;
  4. Need floodway delineated for the existing pond in southeast corner;
  5. Need storage pond to store excess runoff.
- H. Sidewalks will be required adjacent to both sides of all interior streets.

If you or your clients wish to discuss these sketch plat comments with us, please advise.

Sincerely,

Louise Olivarez  
Junior Planner

LO:bh

cc: Dr. Dillis Hart, H-C Properties, 1152 S. Clifton, 67218

THE CITY OF WICHITA

OFFICE OF Flood Control Maintenance

DATE October 26, 1978

TO Louise Olivarez, Jr. Planner, MAPD

FROM Max Greene



*Louise*

SUBJECT - Review of Sketch Plats:  
Bridgewood Addn. to Crestview Country  
Club Estates,  
East Meadows 2nd Addn. to Crestview  
Country Club Estates and  
Lee Cox Addn.

I have reviewed subject plats and have the following comments:

- 1) Bridgewood Addn. to Crestview Country Club Estates
  - a. On all dams the Floodway should encompass the Flood Plain.
  - b. Need hydrologic information on the dams and spillway data.
  - c. Minimum pad along Floodway should be 3' above computed water surfaces.
  - d. In the southeast corner of the plat, need a Floodway delineated for the existing pond.
  - e. Need storage pond to store excess runoff.
- 2) East Meadows Second Addn. to Crestview Country Club Estates
  - a. Need storage pond to store excess runoff and drainage plan where you plan to bring water off the plat.
- 3) Lee Cox Addn.
  - a. Need to address problems of pipelines thru the area.
  - b. Need drainage plan for the area.
  - c. Consider storage pond to store excess runoff.
  - d. Outlet is structure thru levee about 1/2 mile east of plat.

I trust this is sufficient information to allow processing of the plats. If you have any questions, please advise.

*Max Greene*

Max Greene,  
Flood Control Engineer  
Flood Control Maintenance

MG/glm

cc: G. H. Wilton  
Yash Desai  
Brent Rensberg/County

Bridgewood Addn. to Crestview Country Club Est.  
East Meadows 2nd Addn. to Crestview Country Club  
Est.  
Lee Cox Addn. Plat Files

November 1, 1978

Mr. Aubrey A. Kincaid, President  
Lakeview Gardens, Inc.  
12122 East 13th Street  
Wichita, Kansas 67206

Re: Sketch plat for Bridgewood Addition to Crestview Country  
Club Estates

Dear Mr. Kincaid:

Enclosed is a sketch plat of the 80 acres of land between  
Lakeview Gardens Cemetery and 127th Street East. It is a  
proposed addition to Crestview Country Club Estates. Single-  
family lots are planned for the entire area except for the  
southeast corner of the property which proposes a series of  
fourplexes. We would appreciate any comments you may have  
concerning this proposed development. You may write to me  
at the above address or call me at 268-4421.

Sincerely,

Louise Olivarez  
Junior Planner

LO:bh  
Encl.

Map No.: 6249  
Section No.: 10  
Twp. No.: 27  
Range: 2E

S/D No. 78-116

**APPLICATION FOR SUBDIVISION APPROVAL**

Name of Subdivision: BRIDGEWOOD ADDITION TO CRESTVIEW COUNTRY CLUB ESTATES

General Location: NORTHWEST CORNER 13TH AND 127TH STREET EAST

Name of Property Owner: H-C PROPERTIES

Address: 1152 S. CLIFTON 67218 Phone: 681-3771

Name of Subdivider: SAME AS ABOVE

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of Agent/Surveyor: REISS AND GOODNESS ENGINEERS

Address: 2160 W. 21ST. STREET, WICHITA, KS. 67203 Phone: 832-0213

Date of Application: 10-17-78

**SUBDIVISION INFORMATION:**

1. Gross Acreage of Plat 80 ACRES
2. Number of Lots:
  - Residential 84
  - Commercial 0
  - Industrial 0
  - Other 1 Multi-Family
3. Minimum Lot Frontage 125 ft.
4. Minimum Lot Area 20,000 Sq. ft.
5. Existing Zoning R-1
6. Proposed Zoning R-1 and A-A with Conditional Use
7. Lineal Feet of New Streets:
  - a. 64' R/W 7500 ft.
  - b. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL 7500 ft.
8. Sidewalk adjacent to all streets?  yes  no
9. Public Water Supply  (Yes-~~NO~~), Name WICHITA WATER DEPARTMENT
10. Public Sanitary Sewers  (Yes-~~NO~~), Name CRESTVIEW IMPROVEMENT DIST.
11. Health Department Approval (where applicable) \_\_\_\_\_
12. City of Wichita Three-Mile Area  (Yes-~~NO~~)

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: Dr. Dillis L. Hart  
Dr. Dillis Hart

Wichita-Sedgwick County Metropolitan Area  
Planning Commission, 10th Floor, City Hall,  
455 North Main, Wichita, Kansas 67202.

Received by L.O.  
Date 10-24-78  
Fee Submitted none  
(Shelch)



