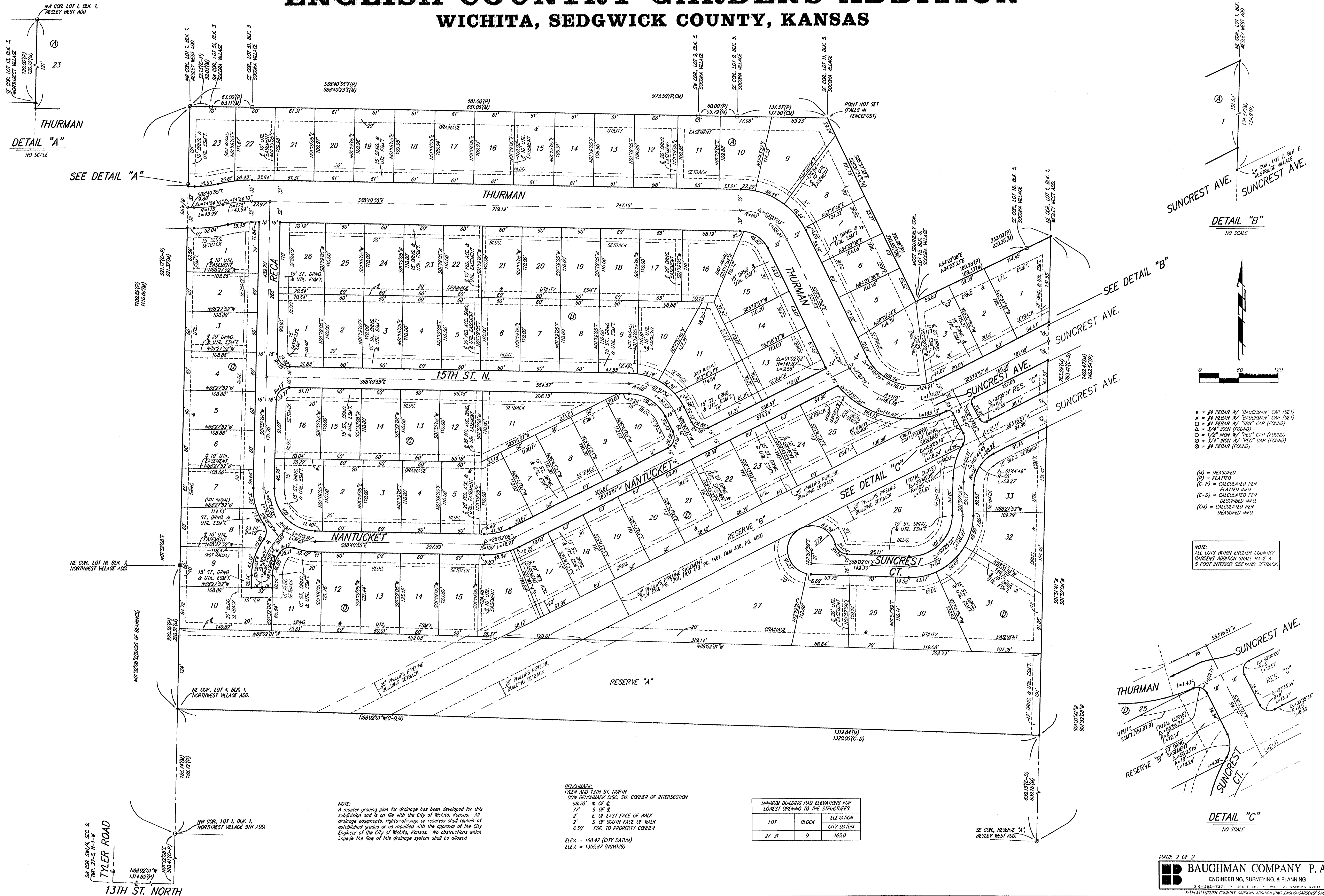


ENGLISH COUNTRY GARDENS ADDITION

WICHITA, SEDGWICK COUNTY, KANSAS

FILE COPY



ENGLISH COUNTRY GARDENS ADDITION

WICHITA, SEDGWICK COUNTY, KANSAS

State of Kansas) SS We, Baughman Company, P.A., Surveyors in
Sedgwick County) aforesaid county and state do hereby certify that we have surveyed and
platted "ENGLISH COUNTRY GARDENS ADDITION", Wichita, Sedgwick County,
Kansas and that the accompanying plat is a true and correct exhibit of
the property surveyed, described as and being a replat of Lot 1, Block 1,
and Reserve "A", Wesley West Addition to Wichita, Sedgwick County,
Kansas, together with Thurman as dedicated in said Wesley West Addition,
EXCEPT that part of said Lot 1 and said Reserve "A" described as follows:
Beginning at a point on the west line of Lot 1, Block 1, in said Wesley
West Addition, said point being the NE corner of Lot 4, Block 1,
Northwest Village to Wichita, Sedgwick County, Kansas; thence S01°32'08"W
along the west line of Lot 1, Block 1, in said Wesley West Addition, 188.72
feet to the most westerly SW corner of Lot 1, Block 1, in said Wesley
West Addition, said SW corner also being the NW corner of Lot 1, Block 1,
Northwest Village 5th Addition to Wichita, Sedgwick County, Kansas; thence
S88°02'01"E along the south line of Lot 1, Block 1, in said Wesley West
Addition, 505.39 feet to a deflection corner in said south line, said
deflection corner also being the NE corner of Lot 1, Block 1, in said
Northwest Village 5th Addition; thence S01°57'59"W along the south line of
Lot 1, Block 1, in said Wesley West Addition, 450.40 feet to the most
southerly SW corner of Lot 1, Block 1, in said Wesley West Addition, said
SW corner also being the SE corner of Lot 1, Block 1, in said Northwest
Village 5th Addition; thence S88°02'01"E along the south line of Lot 1,
Block 1, and Reserve "A", in said Wesley West Addition, 818.00 feet to the
SE corner of said Reserve "A"; thence N01°32'08"E along the east line of
said Reserve "A", 115.00 feet to the SE corner of Nantucket as dedicated
in said Wesley West Addition; thence west along the south line of said
Nantucket, 30.00 feet to the SW corner of said Nantucket; thence
northerly along the west line of said Nantucket, 90.00 feet to the NW
corner of said Nantucket; thence easterly along the north line of said
Nantucket, 30.00 feet to the NE corner of said Nantucket; thence
N01°32'08"E along the east line of said Reserve "A", 434.13 feet to the
intersection with the north line of Lot 4, Block 1, in said Northwest Village,
as extended easterly, said intersection also being 262.00 feet south of the
NE corner of said Reserve "A"; thence N88°02'01"W along said extended
north line, 150.00 feet to a point on the west line of said Reserve "A",
said point being 260.87 feet south of the NW corner of said Reserve "A";
thence continuing N88°02'01"W along said extended north line, 1170.00 feet
to the point of beginning.

Existing public easements and dedications
being vacated by virtue of K.S.A. 12-512(b).

All being situated in the SW1/4 of Sec. 9, Twp. 27--S,
R--1--W of the 6th P.M., Sedgwick County, Kansas.

Baughman Company, P.A.

Michael A. Conrey, 12-1-2003, Surveyor
Michael G. Conrey

Know all men by these presents that we,
the undersigned, have caused the land in the surveyors certificate to be
platted into Lots, Blocks, Reserves, and Streets, to be known as "ENGLISH
COUNTRY GARDENS ADDITION", Wichita, Sedgwick County, Kansas. The
utility easements are hereby granted as indicated for the construction and
maintenance of all public utilities. The drainage and utility easements are
hereby granted as indicated for drainage purposes and for the
construction and maintenance of all public utilities. The drainage
easements are hereby granted as indicated for drainage purposes. The
pedestrian access easement is hereby granted as indicated for pedestrian
access purposes and no buildings or other obstructions shall be
constructed or placed on or within this easement. The pedestrian access
and utility easements are hereby granted as indicated for pedestrian
access purposes and for the construction and maintenance of all public
utilities and no buildings or other obstructions shall be constructed or
placed on or within these easements. The pedestrian access, drainage,
and utility easements are hereby granted as indicated for pedestrian
access purposes, for drainage purposes, and for the construction and
maintenance of all public utilities and no buildings or other obstruction
shall be constructed or placed on or within these easements. The street,
drainage, and utility easements are hereby granted as indicated for street
related purposes, for drainage purposes, and for the construction and
maintenance of all public utilities. The streets are hereby dedicated to
and for the use of the public. Reserve "A" is hereby reserved for
landscaping, open space, drainage purposes, pipelines as confined to
easements, and utilities as confined to easements. Reserves "B" and "C"
are hereby reserved for landscaping, streets, open space, entry
monuments, drainage purposes, utilities as confined to easements, and
pipelines as confined to easements. Reserves "A", "B", and "C" shall be
owned and maintained by the homeowners association for the addition.
The Minimum Building Pad Elevations for the lowest opening to the
structures shall be as indicated on the face of the plat.

Mullin Construction, LLC

William J. Mullin, Jr., Managing
Member

State of Kansas) SS The foregoing instrument acknowledged before
Sedgwick County) me, this 12th day of December, 2003, by William J. Mullin, Jr.,
Managing Member of Mullin Construction, LLC, on behalf of the limited
liability company.

SUSAN K. MONETTE
Notary Public - State of Kansas
My Appt. Expires

My App't. Exp. 12-1-07

We the undersigned holders of a mortgage on the
above described property, do hereby consent to this plat of "ENGLISH
COUNTRY GARDENS ADDITION", Wichita, Sedgwick County, Kansas.

Conway Bank

Chris A. Anderson, Exec. Vice Pres.
(100)

State of Kansas) SS This is to certify that this plat has been
Sedgwick County) filed for record in the office of the Register of Deeds, this _____ day
of _____, _____ at _____ o'clock _____ M., and is duly recorded.

SUSAN K. MONETTE
Notary Public - State of Kansas
My Appt. Expires

My App't. Exp. 12-1-07

Susan K. Monette, Notary Public

This plat of "ENGLISH COUNTRY GARDENS
ADDITION", Wichita, Sedgwick County, Kansas has been submitted to and
approved by the Wichita-Sedgwick County Metropolitan Area Planning
Commission, Wichita, Kansas.

Dated this _____ day of _____,
Wichita-Sedgwick County Metropolitan Area Planning Commission

Ronald L. Marnell, Chair

John L. Schlegel, Secretary

This plat approved and all dedications
shown hereon accepted by the City Council of the City of Wichita,
Kansas, this _____ day of _____.

Carlos Mayans, Mayor

Karen Schotfield, City Clerk

Reviewed in accordance with K.S.A. 58-2005
on this _____ day of _____.

Tricia L. Robello, L.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas

Entered on transfer record this _____ day
of _____.

Don Brace, County Clerk

State of Kansas) SS This is to certify that this plat has been
Sedgwick County) filed for record in the office of the Register of Deeds, this _____ day
of _____, _____ at _____ o'clock _____ M., and is duly recorded.

Bill Meek, Register of Deeds

Linda Kizzire, Deputy



Wichita-Sedgwick County Metropolitan Area Planning Department

October 23, 2003

Baughman Company
315 Ellis
Wichita, KS 67211

RE: SUB 2003-96 -- Final Plat of English Country Gardens Addition

At the regular meeting of the Metropolitan Area Planning Commission on October 23, 2003, the above captioned plat was considered. The action of the Planning Commission was to approve the plat as recommended by the Subdivision Committee, subject to the conditions stated in our letter dated October 17, 2003.

The following items must be submitted to the Metropolitan Area Planning Department before the plat is scheduled for the City Council and/or County Commission's consideration:

1. A completed and signed tracing of the subdivision, along with five (5) copies. Also, if a change is required on the tracing after submittal, five (5) revised copies must be submitted;
2. A check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting (\$8.00 for the first page; \$4.00 for each additional page), if the site is located within the City of Wichita's city limits, OR, in the County within three miles of Wichita's city limits; and,
3. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in Autocad. If a disc is not provided, please send via e-mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

If you have any questions regarding this plat, please call.

A handwritten signature in black ink, reading 'Neil Evan Strahl'.

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

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Wichita-Sedgwick County Metropolitan Area Planning Department

October 17, 2003

Baughman Company
315 Ellis
Wichita, KS 67211

RE: SUB 2003-96 -- Final Plat of English Country Gardens Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, October 16, 2003, the above captioned plat was considered. The action of the Committee was to approve the final plat, subject to the following staff comments:

- A. This plat will be subject to approval of the associated zone change and any related conditions of such a change. Prior to this plat being considered by MAPC, the zone change will need to be approved.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. The applicant shall contact Debt Management regarding the submission of a respread agreement for special assessments due to the lot reconfiguration.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage plan. An off-site drainage agreement is needed. A guarantee is needed for drainage improvements.
- E. The Subdivision Committee has approved a 64-ft right-of-way for Thurman with a 20-ft building setback.
- F. City Fire Department needs to comment if the 32-ft street intersections allow for a proper turning radius for fire vehicles. City Fire Department has approved the intersections.
- G. The Applicant shall guarantee the paving of the proposed streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.

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- H. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- I. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- J. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City of Wichita.
- M. The recording information for all pipeline easements shall be indicated on the face of the plat.
- N. The Subdivision regulations discourage the inclusion of pipeline easements within the perimeter of residential lots. It is recommended that the pipeline easement crossing the plat be included within a Reserve, or in the alternative a restrictive covenant provided identifying the pipeline easement. The applicant will be platting a Reserve for the pipeline easement.
- O. GIS needs to comment on the plat's street names. The stub at the southwest corner of the plat shall be named Reka. The street north of Reserve B shall be named Suncrest.
- P. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- Q. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- R. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

- S. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- T. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- U. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- V. Perimeter closure computations shall be submitted with the final plat tracing.
- W. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- X. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. Westar Energy has requested additional easements.
- Y. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov). This will be used by the City and County GIS Department.

If this plat requires the guaranteeing of improvements, a list of the five (5) methods that have been adopted as being acceptable is available in the Planning Department. Also available, are Certificates that are required if petitions are submitted, bond forms and Irrevocable Letter of Credit forms.

This case will be forwarded to the Planning Commission for consideration on Thursday, October 23, 2003, at 1:30 p.m. The meeting will begin at 1:30 p.m., in the Metropolitan Area Planning Conference Room - 10th Floor, 455 N. Main Street, Wichita, KS.

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

If you have any questions regarding this plat, please call.



Neil Evan Strahl, Senior Planner
Current Plans Division

STAFF REPORT

(Final Plat Approved 10/16/03; Preliminary Plat Approved 9/11/03)

CASE NUMBER: SUB 2003-96 -- ENGLISH COUNTRY GARDENS ADDITION Formerly Cottage Gardens Addition)

OWNER/APPLICANT: Jay Russell Communities, 12602 W. 13th, Wichita, KS 67235

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

LOCATION: East of Tyler, North of 13th St. North

SITE SIZE: 26.63 Acres

NUMBER OF LOTS

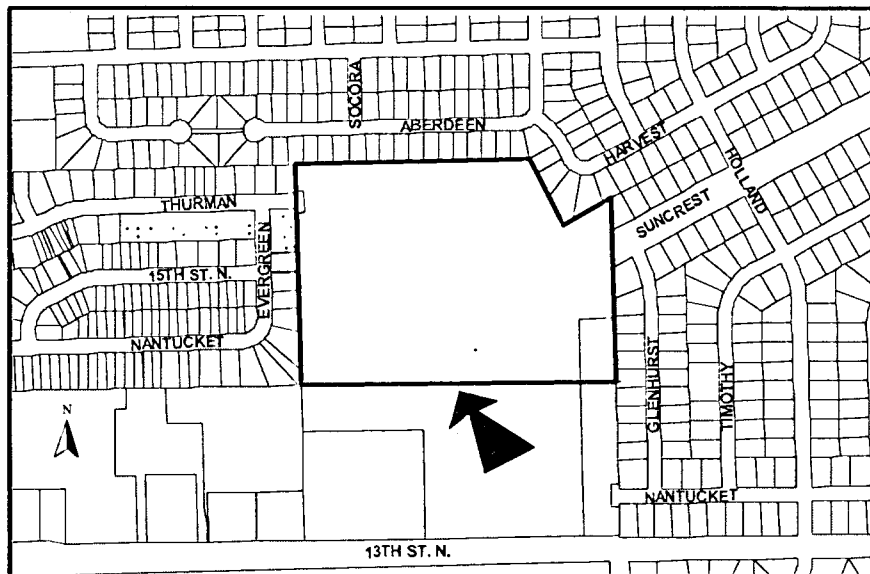
Residential:	101
Office:	
Commercial:	
Industrial:	
Total:	<u>101</u>

MINIMUM LOT AREA: 6,300 Sq. Ft.

CURRENT ZONING: B, Multi-Family Residential; LC, Limited Commercial

PROPOSED ZONING: SF-5, Single-Family Residential

VICINITY MAP



SUB 2003-96 -- Final Plat of ENGLISH COUNTRY GARDENS ADDITION (Formerly Cottage Gardens Addition)
October 23, 2003 - Page 2

NOTE: This is a replat of a portion of the Wesley West Addition. The Applicant proposes a zone change (ZON 2003-49) from B, Multi-Family Residential and LC, Limited Commercial to SF-5, Single-Family Residential. A CUP Amendment (DP-217, CUP 2003-51) has also been requested.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. This plat will be subject to approval of the associated zone change and any related conditions of such a change. Prior to this plat being considered by MAPC, the zone change will need to be approved.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. The applicant shall contact **Debt Management** regarding the submission of a respread agreement for special assessments due to the lot reconfiguration.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **City Engineering** needs to comment on the status of the applicant's drainage plan. **An off-site drainage agreement is needed. A guarantee is needed for drainage improvements.**
- E. **The Subdivision Committee has approved a 64-ft right-of-way for Thurman with a 20-ft building setback.**
- F. **City Fire Department** needs to comment if the 32-ft street intersections allow for a proper turning radius for fire vehicles. **City Fire Department has approved the intersections.**
- G. The Applicant shall guarantee the paving of the proposed streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.
- H. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- I. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- J. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.

SUB 2003-96 -- Final Plat of ENGLISH COUNTRY GARDENS ADDITION (Formerly Cottage Gardens Addition)

October 23, 2003 - Page 3

- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City of Wichita.
- M. The recording information for all pipeline easements shall be indicated on the face of the plat.
- N. The Subdivision regulations discourage the inclusion of pipeline easements within the perimeter of residential lots. It is recommended that the pipeline easement crossing the plat be included within a Reserve, or in the alternative a restrictive covenant provided identifying the pipeline easement. *The applicant will be platting a Reserve for the pipeline easement.*
- O. GIS needs to comment on the plat's street names. *The stub at the southwest corner of the plat shall be named Recca. The street north of Reserve B shall be named Suncrest.*
- P. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- Q. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- R. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- S. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- T. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- U. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control

SUB 2003-96 -- Final Plat of ENGLISH COUNTRY GARDENS ADDITION (Formerly Cottage Gardens Addition)
October 23, 2003 - Page 4

devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.

- V. Perimeter closure computations shall be submitted with the final plat tracing.
- W. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- X. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. *Westar Energy has requested additional easements.*
- Y. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.