

THE WATERFRONT FIFTH ADDITION

NE. Cor., SW. $\frac{1}{4}$, Sec. 9,
T27S, R2E, 6th P.M.
Fnd. $\frac{1}{2}$ " Pipe w/o Id cap

A tract of land lying in the Southwest Quarter, Section 9, Township 27 South, Range 2 East, of the 6th Principal Meridian, Wichita, Sedgewick County, Kansas; said tract being more particularly described as follows:

Contingent street dedication recorded on Film 378, Page 142; together with a Utility Easement recorded on Film 2834, Page 1216 and all reserves, streets, public utility easements, building setbacks, and access control within the above described property is hereby vacated and replatted by virtue of K.S.A. 12-512(b).

Gregory J. Alison, PE, LS #1257
MKEC Engineering Consultants, Inc.
411 North Webb Road
Wichita, Kansas 67206

Know all men by these presents that we the undersigned property owners of the land above set forth in the Registered Land Surveyor's Certificate, have caused the same to be surveyed and platted into Lots, a Block, and a Street the same to be known as "THE WATERFRONT FIFTH ADDITION," an addition to Wichita, Sedgewick County, Kansas. Easements for the construction and maintenance of public utilities, as indicated on the accompanying plat are hereby granted to the public. The street is hereby dedicated to and for the use of the public. A drainage plan has been developed for this plat and all drainage easements, right-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 storm water. All abutters rights of access to or from 13th Street over and across the South line of "THE WATERFRONT FIFTH ADDITION," are hereby granted to the appropriate governing body, provided however Lots 1 and 2, shall have access at three locations, each access point shall be placed accordingly: The minimum distance between a full movement drive and another full movement drive 400'; The minimum distance between a right-in/right-out drive and either another right-in/right-out drive or a full movement drive shall be 200' as set forth in the MAPD Access Management Regulations.

BEECH LAKE INVESTMENT, LLC, A KANSAS LIMITED LIABILITY COMPANY
and also;
THE WATERFRONT HOLDING CO., LLC, A KANSAS LIMITED LIABILITY COMPANY

 _____, Manager
Johnny Stevens, Manager

 _____, Manager
Stephen L. Clark, Manager

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This instrument was acknowledged before me on 31st day of August, 2004, by Johnny Stevens, and Stephen L. Clark, Managers, Beech Lake Investment, LLC, a Kansas Limited Liability Company, and also, The Waterfront Holding Co., LLC, a Kansas Limited Liability Company.

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

 **SANDRA M. STEVENS**
Notary Public - State of Kansas
My Appt. Expires Sept. 20, 2008

Sandra M Stevens, Notary Public
Notary Public: Sandra M. Stevens

My Term Expires: Sept. 20, 2006

COMMERCE BANK, N.A.

, Exec. Vice President

This instrument was acknowledged before me on 2 day of Sept., 2004, by Doug Neff
Exec. Vice President, Commerce Bank, N.A..

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

My Term Expires: 3/18/04

Shannon Lathrop, Notary Public
Notary Public: Shannon L. Lathrop

 **SHANNON L. LATHROP**
Notary Public - State of Kansas
My Appt. Expires Sept. 18, 2004

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

Dated this _____ day of _____, 2004

WICHITA-SEDGWICK COUNTY METROPOLITAN PLANNING COMMISSION

_____, Chair
Ronald L. Marnell, Chair

_____, Secretary
John L. Schlegel, Secretary

At the direction of the City Council.

_____, Mayor
Carlos Mayans, Mayor

Karen Sublett, City Clerk

Entered on transfer record this _____ day of _____, 2004

_____, County Clerk
Don Brace, County Clerk

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This is to certify that this instrument was filed for record in the Register of Deeds office this ____ day of _____, 2004, at _____ o'clock __M; and is duly recorded.

_____, Register of Deeds
Bill Meek, Register of Deeds

_____, Deputy
Linda Kizzire, Deputy

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2004.

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

Path: \CIVIL\02014\5th Add\Prop\02014_5a.dwg 6/28/2004 8:58:06 AM CDT



Wichita-Sedgwick County Metropolitan Area Planning Department

July 22, 2004

MKEC Engineering Consultants, Inc.
411 N. Webb Road
Wichita, KS 67206

RE: SUB 2004-86 -- One-Step Final Plat of The Waterfront Fifth Addition

At the regular meeting of the Metropolitan Area Planning Commission on July 22, 2004, 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 July 16, 2004.

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.

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

www.wichitagov.org



Wichita-Sedgwick County Metropolitan Area Planning Department

July 16, 2004

MKEC Engineering Consultants, Inc.
411 N. Webb Road
Wichita, KS 67206

RE: SUB 2004-86 -- One-Step Final Plat of The Waterfront Fifth Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, July 15, 2004, the above captioned plat was considered. The action of the Committee was to approve the one-step final plat, subject to the following staff comments:

- A. Prior to this plat being scheduled for City Council review, annexation of the appropriate portion of Lot 2 will need to be completed.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- 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. **The drainage plan is approved. A drainage guarantee shall be provided. A drainage easement needs to be platted.**
- E. The plat proposes three access openings along 13th Street North. The plat's text references access controls as being in accordance with minimum spacing standards of the access management regulations. **A joint access easement(s) should be provided.**
- F. Traffic Engineering needs to comment on the need for any improvements to 13th St. North. **Traffic Engineering requests left and right turn lanes.**
- G. In accordance with the KS Wetland Mapping Conventions under the Memorandum of Understanding between the USDA-NRCS; USEPA; USACE; and USF&WS, this site has been identified as one with potential wetland hydrology. The US Army Corps of Engineers (USACE) should be contacted (316-322-8247) to have a wetland determination completed."
- H. The sidewalk and utility easement shall be referenced in the plat's text.

- I. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- J. The Applicant is advised that if platted, the building setbacks may be reduced to 20 feet.
- K. The legal description does not match the plat boundary.
- L. The dimension on the east line of Lot 2 needs to be corrected.
- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- N. The platator'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.
- O. The applicant shall install or guarantee the installation of all utilities and facilities that 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.)
- P. 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.
- Q. 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.
- R. 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.
- S. 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.
- T. Perimeter closure computations shall be submitted with the final plat tracing.

- U. Recording of the plat within 30 days after approval by the City Council and/or County Commission.
- V. 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.*
- W. 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, July 22, 2004. 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

NES:ch

Enclosure

Copies to: Beech Lake Investments and Waterfront Holding Company, LLC, 1223 North Rock Road, Ste. 200, 67226
Kevin Holman, Sedgwick County Fire Department
Jim Armour, Acting City Engineer, Department of Engineering
Jim Weber, Deputy Director, Sedgwick County Department, Bureau of Public Works

STAFF REPORT

(One-Step Final Plat Approved 7/15/04)

CASE NUMBER: SUB 2004-86 -- THE WATERFRONT FIFTH ADDITION

OWNER/APPLICANT: Beech Lake Investments, 1223 Rock Road, Suite 200, Wichita, KS 67206; Waterfront Holding Co., LLC, 1223 Rock Road, Suite 200, Wichita, KS 67206

SURVEYOR/ENGINEER: MKEC Engineering Consultants, Inc., 411 N. Webb Road, Wichita, KS 67206

LOCATION: North side of 13th St. North, East of Webb Road

SITE SIZE: 13.28 Acres

NUMBER OF LOTS

Residential:

Office:

Commercial:

Industrial: 3

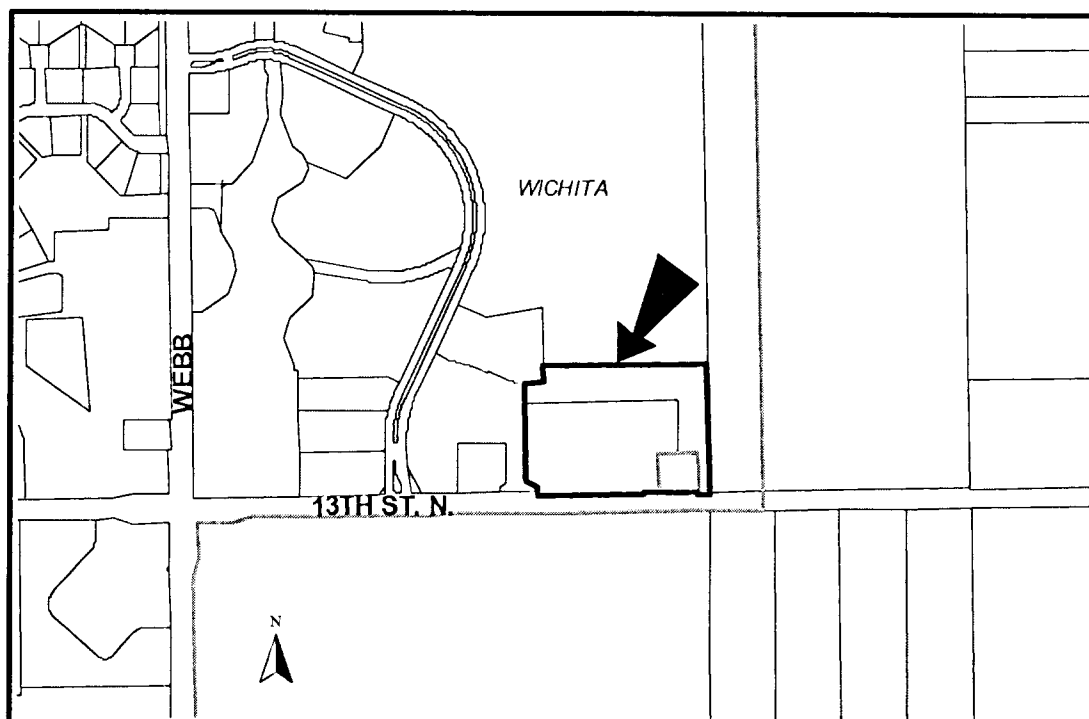
Total: 3

MINIMUM LOT AREA: 41,000 Sq. Ft.

CURRENT ZONING: LI, Limited Industrial

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This is an unplatted site located within the City with the exception of a portion of Lot 2.

STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, annexation of the appropriate portion of Lot 2 will need to be completed.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- 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. The drainage plan is approved. A drainage guarantee shall be provided. A drainage easement needs to be platted. *↳ provided w/ platting (included)*
- E. The plat proposes three access openings along 13th Street North. The plat's text references access controls as being in accordance with minimum spacing standards of the access management regulations. A joint access easement(s) should be provided.
- F. Traffic Engineering needs to comment on the need for any improvements to 13th St. North. Traffic Engineering requests left and right turn lanes.
- G. In accordance with the KS Wetland Mapping Conventions under the Memorandum of Understanding between the USDA-NRCS; USEPA; USACE; and USF&WS, this site has been identified as one with potential wetland hydrology. The US Army Corps of Engineers (USACE) should be contacted (316-322-8247) to have a wetland determination completed."
- H. The sidewalk and utility easement shall be referenced in the plat's text.
- I. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- J. The Applicant is advised that if platted, the building setbacks may be reduced to 20 feet.
- K. The legal description does not match the plat boundary.
- L. The dimension on the east line of Lot 2 needs to be corrected.
- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- N. 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.

SUB 2004-86 -- One-Step Final Plat of THE WATERFRONT FIFTH ADDITION
July 22, 2004 - Page 3

- O. The applicant shall install or guarantee the installation of all utilities and facilities that 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.)
- P. 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.
- Q. 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.
- R. 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.
- S. 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.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- U. Recording of the plat within 30 days after approval by the City Council and/or County Commission.
- V. 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.**
- W. 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.