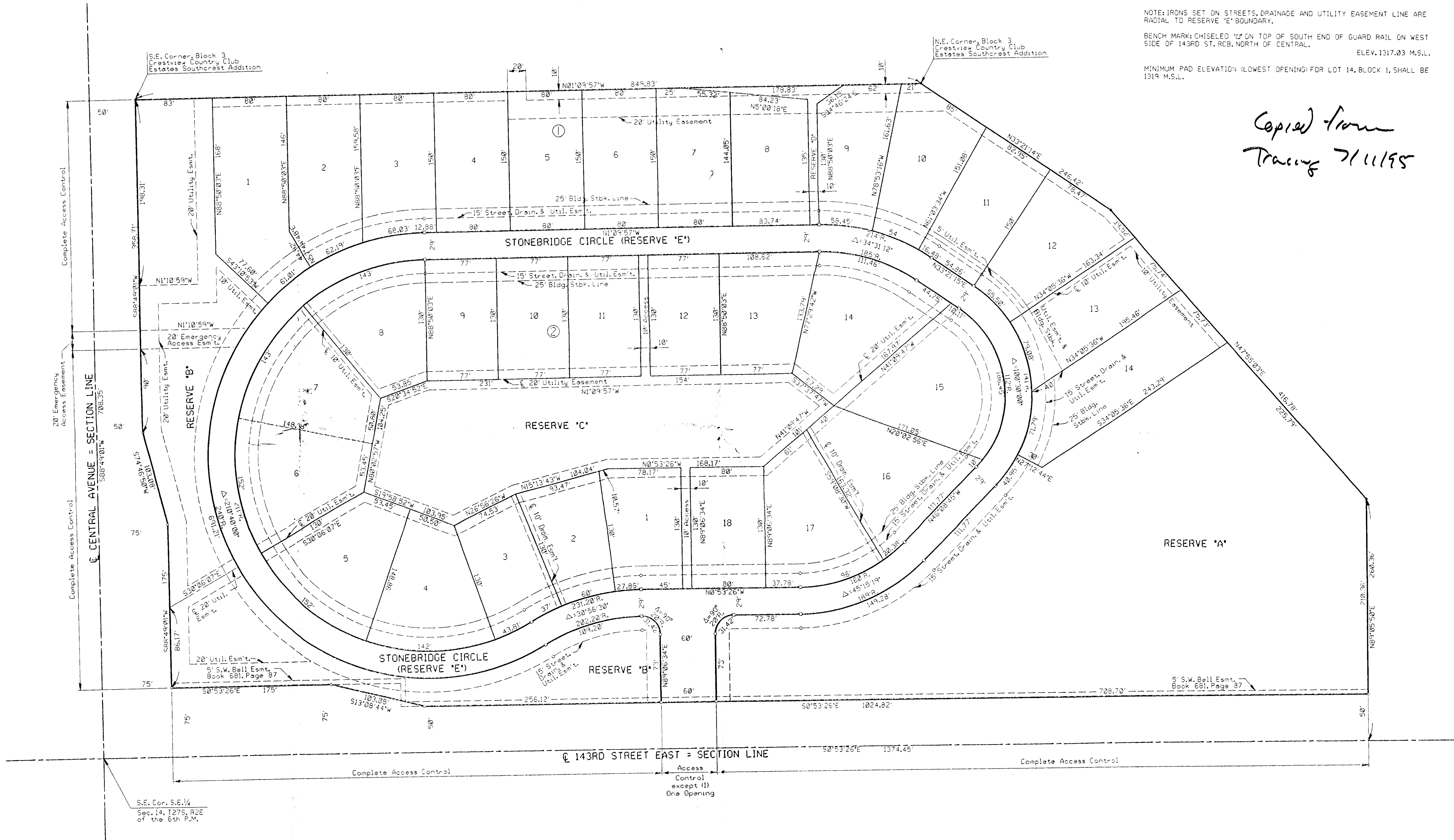


FREE

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Tracing 7/11/95



PINEHURST ADDITION

TO SEDGWICK COUNTY, KANSAS

Copied from Tracing
7/11/95

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

I, MICHAEL W. BERRY, A REGISTERED LAND SURVEYOR IN AFORESAID STATE AND COUNTY, DO HEREBY CERTIFY THAT ON THIS 21ST DAY OF JUNE, 1995, I HAVE CAUSED TO BE SURVEYED AND PLATTED PINEHURST ADDITION, TO SEDGWICK COUNTY, KANSAS, INTO LOTS, BLOCKS, AND STREETS THE SAME BEING DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE ON AN ASSUMED BEARING OF SOUTH 88°49'01" WEST ALONG THE SOUTH LINE OF SAID SECTION 14, A DISTANCE OF 708.35 FEET; THENCE BEARING NORTH 1°09'57" WEST ALONG THE EXTENDED WEST LINE OF BLOCK 3 IN CRESTVIEW COUNTRY CLUB ESTATES SOUTHCREST ADDITION TO SEDGWICK COUNTY, KANSAS, A DISTANCE OF 899.83 FEET TO THE NORTHEAST CORNER OF BLOCK 3 WHERE 5/8-INCH BAR FOUND; THENCE BEARING NORTH 33°21'14" EAST A DISTANCE OF 246.42 FEET; THENCE BEARING NORTH 47°55'03" EAST A DISTANCE OF 416.78 FEET; THENCE BEARING NORTH 89°05'50" EAST A DISTANCE OF 260.36 FEET TO A POINT IN THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE BEARING SOUTH 0°53'26" EAST ALONG SAID EAST LINE A DISTANCE OF 1,374.45 FEET TO THE POINT OF BEGINNING.

THOSE PORTIONS OF UTILITY AND DRAINAGE EASEMENTS AS PER FILM 486, PAGE 1508, FILM 504, PAGE 1117, AND FILM 653, PAGE 996, WITHIN THE ABOVE DESCRIBED TRACT OF LAND ARE HEREBY VACATED AND REPLATTED BY VIRTUE OF K.S.A. 12-512(b) AMENDED.



Michael W. Berry
MICHAEL W. BERRY, R.L.S. NO. 946
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED PROPERTY OWNERS OF THE LAND AS ABOVE SET FORTH IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO LOTS, BLOCKS, AND STREETS; THE SAME TO BE KNOWN AS PINEHURST ADDITION TO SEDGWICK COUNTY, KANSAS.

EASEMENTS, AS INDICATED FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE ARE HEREBY GRANTED, THE STREETS ARE HEREBY DEDICATED TO AND FOR THE USE OF THE PUBLIC.

RESERVE 'A' IS HEREBY PLATTED FOR FLOODWAY, LANDSCAPING, WATER FEATURES, WALKS, WALLS, RECREATIONAL FACILITIES AND UTILITIES CONFINED TO EASEMENTS

RESERVES 'B' AND 'C' ARE HEREBY PLATTED FOR LANDSCAPING, WATER FEATURES, WALKS, WALLS, RECREATIONAL FACILITIES, AND UTILITIES CONFINED TO EASEMENTS.

RESERVE 'B' IS ALSO PLATTED FOR AN EMERGENCY ACCESS EASEMENT TO CENTRAL. SAID EASEMENT IS TO REMAIN UNOBSTRUCTED EXCEPT FOR AN APPROVED GATE.

RESERVE 'D' IS HEREBY PLATTED FOR WALKS, GOLF CART PATHS, LANDSCAPING AND UTILITIES CONFINED TO EASEMENTS.

RESERVE 'E' IS HEREBY PLATTED FOR PRIVATE STREETS, LANDSCAPING, ENTRY MONUMENTS, WALKS AND UTILITIES.

RESERVES 'A' THROUGH 'E' SHALL BE SUBJECT TO THE RESTRICTIVE COVENANTS ESTABLISHED BY THE DECLARATION OF LANDOWNERS' ASSOCIATION AGREEMENTS AND SHALL BE OWNED AND MAINTAINED BY A LANDOWNERS ASSOCIATION TO BE FORMED WITHIN PINEHURST ADDITION TO SEDGWICK COUNTY, KANSAS.

MINIMUM PAD ELEVATION (LOWEST OPENING) FOR LOT 14, BLOCK 1, SHALL BE 1319 M.S.L.

ALL ABUTTERS' RIGHT OF ACCESS TO CENTRAL AND 143RD STREET EAST OVER AND ACROSS THE SOUTH LINE OF RESERVE 'B' AND THE EAST LINE OF RESERVES 'A', 'B' AND 'E' ARE HEREBY GRANTED TO THE APPROPRIATE GOVERNING BODY, PROVIDED HOWEVER THAT RESERVE 'E' SHALL HAVE ACCESS TO 143RD STREET EAST AT ONE (1) LOCATION AND RESERVE 'B' SHALL HAVE EMERGENCY ACCESS TO CENTRAL AT ONE (1) LOCATION AS SHOWN.

THE FLOODWAY SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF RESERVE 'A', UNTIL SUCH TIME AS THE GOVERNING BODY EXERCISING JURISDICTION ELECTS TO ASSUME RESPONSIBILITY FOR MAINTENANCE AND IMPROVEMENT OF THE FLOODWAY, PROVIDED FURTHER THAT NO BUILDING(S) SHALL BE CONSTRUCTED ON OR WITHIN SAID FLOODWAY, NOR SHALL ANY FILL, CHANGE OF GRADE, CREATION OF CHANNEL, OR OTHER WORK BE CARRIED ON WITHOUT THE PERMISSION OF THE APPROPRIATE ENGINEER.

OWNER: PINEHURST DEVELOPMENT CO., INC.

BY: John D. Greenstreet, PRESIDENT
JOHN D. GREENSTREET

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED THAT ON THIS 30th DAY OF June, 1995, BEFORE ME A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME JOHN D. GREENSTREET, PRESIDENT OF PINEHURST DEVELOPMENT CO., INC., KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME FOR AND ON BEHALF AND AS THE VOLUNTARY ACT AND DEED OF SAID CORPORATION, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley, NOTARY PUBLIC
GARY L. WILEY

MY COMMISSION EXPIRES Jan. 15, 1997



WE FIDELITY SAVINGS ASSOCIATION OF KANSAS FSB, HOLDER OF A MORTGAGE ON THE ABOVE DESCRIBED PROPERTY DO HEREBY CONSENT TO THE PLATTING OF PINEHURST ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

BY: Gregory E. E.K.
GREGORY E. E.K., VICE PRESIDENT

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED THAT ON THIS 30th DAY OF June, 1995, BEFORE ME A NOTARY PUBLIC IN AFORESAID STATE AND COUNTY, CAME GREGORY E. E.K., SENIOR VICE-PRESIDENT OF FIDELITY SAVINGS ASSOCIATION OF KANSAS FSB, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME FOR AND ON BEHALF AND AS THE VOLUNTARY ACT AND DEED OF SAID ASSOCIATION, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

Gary L. Wiley, NOTARY PUBLIC
GARY L. WILEY

MY COMMISSION EXPIRES Jan. 15, 1997



THIS PLAT HAS BEEN SUBMITTED TO AND APPROVED BY THE WICHITA-SEDOGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, WICHITA, KANSAS. DATED THIS 9TH DAY OF MARCH, 1995.

_____, CHAIRMAN
JOHN W. MCKAY, JR.

_____, SECRETARY
MARVIN S. KROUT

THIS PLAT APPROVED AND ALL DEDICATIONS SHOWN HEREON ARE ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WICHITA, KANSAS. DATED THIS _____ DAY OF _____, 1995.

_____, MAYOR
BOB KNIGHT

_____, DEPUTY CITY CLERK
PAT BURNETT

THIS PLAT APPROVED AND ALL DEDICATIONS SHOWN HEREON ARE ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS. THIS DAY OF _____, 1995.

_____, CHAIRMAN
MARK F. SCHROEDER

_____, CHAIRMAN PRO-TEM
THOMAS G. WINTERS

_____, COMMISSIONER
BETSY GWIN

_____, COMMISSIONER
PAUL W. HANCOCK

_____, COMMISSIONER
MELODY MILLER

_____, COUNTY CLERK
SUSAN E. CROCKETT-SPOON

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 1995.

_____, COUNTY CLERK
SUSAN E. CROCKETT-SPOON

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE AT _____ M., ON THIS _____ DAY OF _____, 1995.

_____, REGISTER OF DEEDS
PAT KETTLER

_____, DEPUTY
ED RESA

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

March 9, 1995

P.E.C., P.A.
303 S. Topeka
Wichita, KS 67202

Re: S/D 95-4 PINEHURST (STONEBRIDGE) ADDITION (Preliminary Plat)

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on March 9, 1995, 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 March 2, 1995.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.
3. Subdivision regulations now require a detailed Lot Grading Plan be submitted to Engineering prior to the tracing being released. This applies to all multi-lot and residential developments.

Please call if you have any questions.

Sincerely,

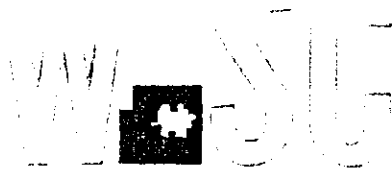
Don Losew
Senior Planner

DL:rh

cc: P.D.S. Development, Co., Inc., 6100 E. Central - Suite 215, Wichita, KS 67208
Brad T. Murphree, Blair & Murphree, P.A., 400 N. Woodlawn - Suite 1, Wichita, KS
67208-4395
Bruce Wilgers, 522 Turnberry Circle, Wichita, KS 67230
Robert Oberfell, 533 Turnberry Circle, Wichita, KS 67230
Ron Little, Kansas Department of Fish and Wildlife, P. O. Box 317, Valley Center, KS
67147
Mike Lindebak, City Engineer

ENCLOSURE

SEDDGWICK COUNT.



March 2, 1995

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

P.E.C., P.A.
303 S. Topeka
Wichita, KS 67202

Re: PINEHURST (STONEBRIDGE) ADDITION (Preliminary Plat)

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, March 2, 1995, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

A. The applicant shall guarantee the extension of City water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in 143rd Street East, the applicant shall submit an outside-the-City water service application and associated restrictive covenant. *- Gary W. was agreed - will take it to the City.*

B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee will be with the County.

C. The applicant shall guarantee any drainage improvements required by the platting of this property. These improvements may be included with the paving guarantees.

D. The applicant shall guarantee the paving of the proposed private interior streets to the public street standard. The applicant is reminded that a petition cannot be used as a guarantee for a private street.

Provided that the applicant removed the conditional use (CU-379) for 2-family development, a 29-foot paved private street can be allowed. The applicant has submitted a letter to the Planning Department (Zoning section) requesting that the conditional use be removed. It is understood that CU-379 was approved subject to platting and while this plat would complete the conditions to allow the conditional use to go into effect, it should be appropriate to withdraw the conditional use at this time, noting that completion of this plat will not now result in adoption of the Conditional Use.

E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Both a City and County Petition, as appropriate, shall be submitted.

- F. 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. This covenant shall also provide for the homeowners' association to maintain the "parking strip" area located between the perimeter of this plat and the driving surfaces for Central and 143rd Street East. This covenant shall also require the Homeowners' Association to install no parking signs on one side of the private street if requested to do so by the County for safety purposes.
- G. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the County, 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 a method similar to special assessments.
- H. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot private 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.
- I. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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.
- J. The applicant shall be responsible for all needed improvements in respect to the emergency access easement (paving, gates, etc.). The plat's text shall also note this easement, specifically indicating that the easement is to be unobstructed (except for an approved gate).
- K. 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.
- L. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- M. 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.)

March 2, 1995

Page 3

- N. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Fish and Wildlife, P. O. 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.
- O. Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- P. Recording of the plat within 30 days after approval by the City Council.
- Q. The final plat tracing shall indicate a 10-foot utility easement along Lots 12 & 13, Block 1's common lot line.
- R. On the final plat tracing, the minimum building pad elevation shall be shown as 1319, i.e., without the .0.

If this plat requires the guaranteeing of improvements a list of the five methods which have been adopted as being acceptable is available through the Planning Department. Also, certificates which are required if petitions are submitted and forms for the bond and irrevocable Letter of Credit are also available from this office.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 9, 1995 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



Don Losew
Senior Planner

DL:rh

Enclosure: Marked Copy of plat

cc: P.D.S. Development, Co., Inc., 6100 E. Central - Suite 215, Wichita, KS 67208
Brad T. Murphree, Blair & Murphree, P.A., 400 N. Woodlawn - Suite 1, Wichita, KS 67208-4395
Bruce Wilgers, 522 Turnberry Circle, Wichita, KS 67230
Robert Oberfell, 533 Turnberry Circle, Wichita, KS 67230
Ron Little, Kansas Department of Fish and Wildlife, P. O. Box 317, Valley Center, KS 67147
Mike Lindebak, City Engineer

THE COPY

METROPOLITAN AREA PLANNING COMMISSION

March 9 , 1995

STAFF REPORT

(Final Plat Approved 3/2/95, Preliminary Plat Approved 2/2/95)

CASE NUMBER: S/D 95-4 PINEHURST (STONEBRIDGE) ADDITION

OWNER/APPLICANT: P.D.S. Development, Co., Inc., 6100 E. Central - Suite 215, Wichita, KS 67208

SURVEYOR/ENGINEER: P.E.C., P.A., 303 S. Topeka, Wichita, KS 67202

OTHER: Brad T. Murphree, Blair & Murphree, P.A., 400 N. Woodlawn - Suite 1, Wichita, KS 67208-4395
Bruce Wilgers, 522 Turnberry Circle, Wichita, KS 67230
Robert Oberfell, 533 Turnberry Circle, Wichita, KS 67230

LOCATION: North of Central and west of 143rd Street East

SITE SIZE: 17.64 ± Acres

NUMBER OF LOTS

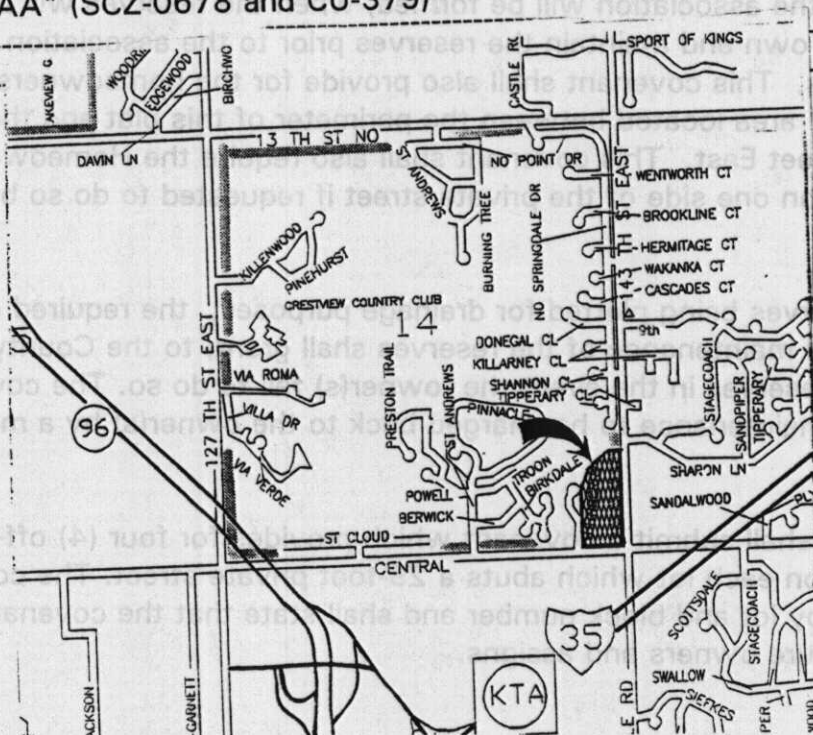
Residential: 32
Office:
Commercial:
Industrial:
Total: 32

MINIMUM LOT AREA: 9500 sq. ft.

CURRENT ZONING: R-1

PROPOSED ZONING: "AA" (SCZ-0678 and CU-379)

VICINITY MAP:



STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in 143rd Street East, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee will be with the County.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property. These improvements may be included with the paving guarantees.
- D. The applicant shall guarantee the paving of the proposed private interior streets to the public street standard. The applicant is reminded that a petition cannot be used as a guarantee for a private street.

Provided that the applicant removed the conditional use (CU-379) for 2-family development, a 29-foot paved private street can be allowed. The applicant has submitted a letter to the Planning Department (Zoning section) requesting that the conditional use be removed. It is understood that CU-379 was approved subject to platting and while this plat would complete the conditions to allow the conditional use to go into effect, it should be appropriate to withdraw the conditional use at this time, noting that completion of this plat will not now result in adoption of the Conditional Use.

- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Both a City and County Petition, as appropriate, shall be submitted.
- F. 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. This covenant shall also provide for the homeowners' association to maintain the "parking strip" area located between the perimeter of this plat and the driving surfaces for Central and 143rd Street East. This covenant shall also require the Homeowners' Association to install no parking signs on one side of the private street if requested to do so by the County for safety purposes.
- G. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the County, 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 a method similar to special assessments.
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- I. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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.
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