

SUBDIVISION REPORT

S/D 85-87 - MULBERRY EAST ADDITION

Page 3

- T. It is noted that this plat includes property required to be vacated by a separate instrument associated with the replat of Hi-Tech Industrial Park to the south. Prior to the plat of Mulberry East Addition being submitted for scheduling before the Board of City Commissioners, the vacation case to the south shall be completed. This associated vacation case has been scheduled for final public hearing before the City Commission on February 18, 1986.
- U. The applicant is advised that a temporary cul-de-sac easement exists on this property to terminate Comotara Street to the south of this plat. The final plat tracing shall indicate the perimeter of the temporary cul-de-sac easement with associated recording information. The final plat tracing shall also indicate and label Comotara Street where it touches the south line of Reserve A.
- V. A requirement of the Hi-Tech Industrial Park replat to the south is for the applicant to file a down-zoning request from "E" (light industrial) to "AA" (single-family) for the area subject to an associated separate vacation case. Prior to the plat of Mulberry East Addition being submitted for scheduling before the Board of City Commissioners, the down-zoning case shall be completed.
- W. The property within the perimeter of this plat is subject to a zone case (Z-2053), which requested "E" (light industrial) zoning. Since this property is now proposed for residential purposes, the applicant shall request that zone case Z-2053 be closed.
- X. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Y. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- Z. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.

S/D No.: 85-87 Name: MULBERRY EAST ADDITION

Preliminary Approved: 11/7/85
Scheduled S/D Meeting: 2/13/86

DESCRIPTION

General Location: On the east side of Rock Road in an area north of 37th Street North.

Owner: Woodlawn Development Company, c/o Donald J. Ablah, 151 N. Main, Suite #300, Wichita, KS 67201

Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

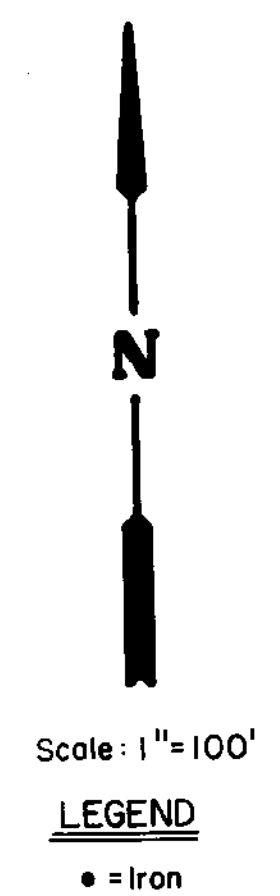
1. Gross Acreage of Plat: 101.5 Acres
 2. Number of Lots:
 - Residential: 101
 - Office:
 - Commercial:
 - Industrial:
 - Total: 101
 3. Minimum Lot Area: 7,700 Sq. Ft.
 4. Existing Zoning: "E" & "AA"
 5. Proposed Zoning: "AA"
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STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee the construction of the storm water sewers and storm drain system required by this plat. The applicant shall also guarantee the construction of the drainage structure needed under the railroad tracks to the east. The applicant is advised it is their responsibility to obtain all necessary permits from the railroad for construction of the drainage structures.
- E. When the preliminary plat was reviewed by the Subdivision Committee, a requirement for construction of a sidewalk on one side of the long, continuous loop street, proposed to serve both Mulberry First and Second Additions, was discussed. The construction of a sidewalk on one side of the continuous street is required by Section 3(C)(2) of the City's Sidewalk Policy (Ordinance No. 36-327) and Article 8-103(B)(1)(b) of the Subdivision Regulations. During the preliminary plat discussion, the Subdivision Committee expressed concern about the merits of requiring a sidewalk to be constructed adjacent to street right-of-way and offered to the applicant the alternative of preparing a drawing which depicted how the planned golf cart path system would function as an acceptable substitute for the sidewalk system required adjacent to the long, continuous street. In order to avoid having to discuss, at great length, the sidewalk issue at the time of final plat review, staff and the applicant were instructed to work toward resolving the matter. In this regard, a condition of preliminary plat approval was for the applicant to submit, prior to or at the time of submitting a final plat, a drawing or plan which showed the golf cart path system. Since such a plan has not been discussed or submitted with the final plat, the applicant should be required to guarantee the construction of a sidewalk on one side of Mulberry/Ironwood.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. It is recommended that the final plat tracing indicate the following street name changes:
 1. The cul-de-sac serving Lots 12-16, Block 3, as Ironwood Court.
 2. The cul-de-sac serving Lots 1-7, Block 1, as Tara Circle.

3. The Drive suffix shall be deleted from the street name of Mulberry. The Drive suffix denotes a frontage road adjacent to a limited access highway.
 4. The north/south street segment serving Lots 25 and 26, Block 4 as Ironwood.
- 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 58-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.
- I. 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.
- J. 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 a method similar to special assessments.
- K. The final plat tracing shall state in the plat's text who is to own and maintain the reserves.
- L. The applicant shall dedicate, by separate instrument, the right-of-way needed for the Rock Road realignment proposed by this plat.
- M. The legal description for the off-site Rock Road right-of-way dedication shall be approved by City Engineering.
- N. The applicant is advised that, since this plat proposes the realignment of a portion of Rock Road, a temporary right-of-way easement will need to be recorded with this plat which provides for continued public use of that portion of Rock Road proposed for vacation by this plat. The provisions of the temporary easement shall specify that the easement expires upon completion of the realigned roadway. This temporary right-of-way easement shall be drafted and submitted for review and approval by the City's Legal staff.
- O. Since street right-of-way is proposed for vacation by this replat, reference to K.S.A. 12-512(b) shall be made in the engineer's text.
- P. The final plat tracing shall reference the recording information for the instrument which dedicated the 50 feet of half-street right-of-way depicted for Rock Road adjacent to the northerly portion of this plat. If this right-of-way presently exists only as a "roadway easement," it shall be dedicated outright by this plat.
- Q. The final plat tracing shall reference, on the face of the plat, the minimum building pad elevation required for Lots 2 through 15 and Lots 19 through 21, Block 3.
- R. On the final plat tracing, the wording in the plat's text shall be amended to reference the platting of the 2-foot wide "wall easement" adjacent to the east line of the plat. The following wording is suggested: "The wall easement is hereby platted for the purpose of wall construction."
- S. On the final plat tracing, the discrepancy between lines 4, 43 and 48 of the engineer's text and the bearings or distances on the face of the plat shall be resolved.

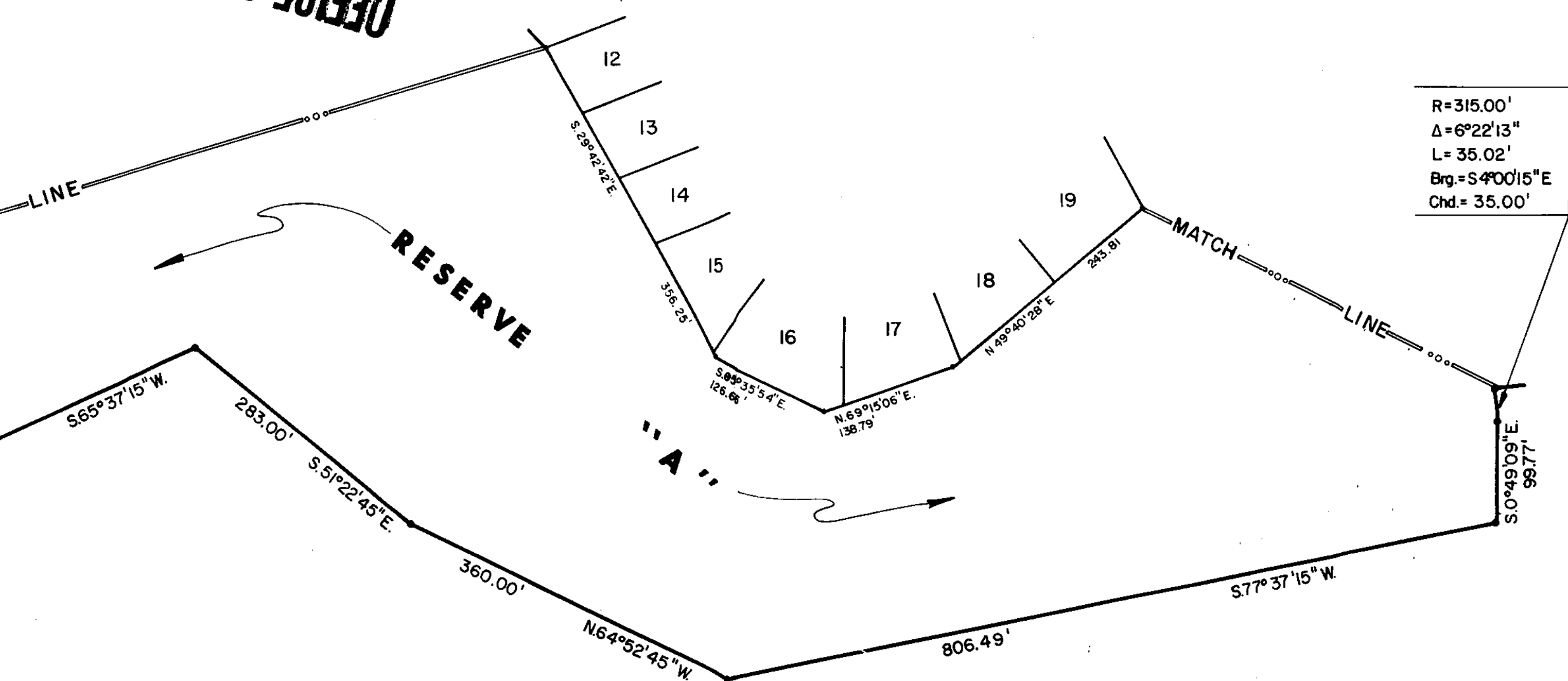
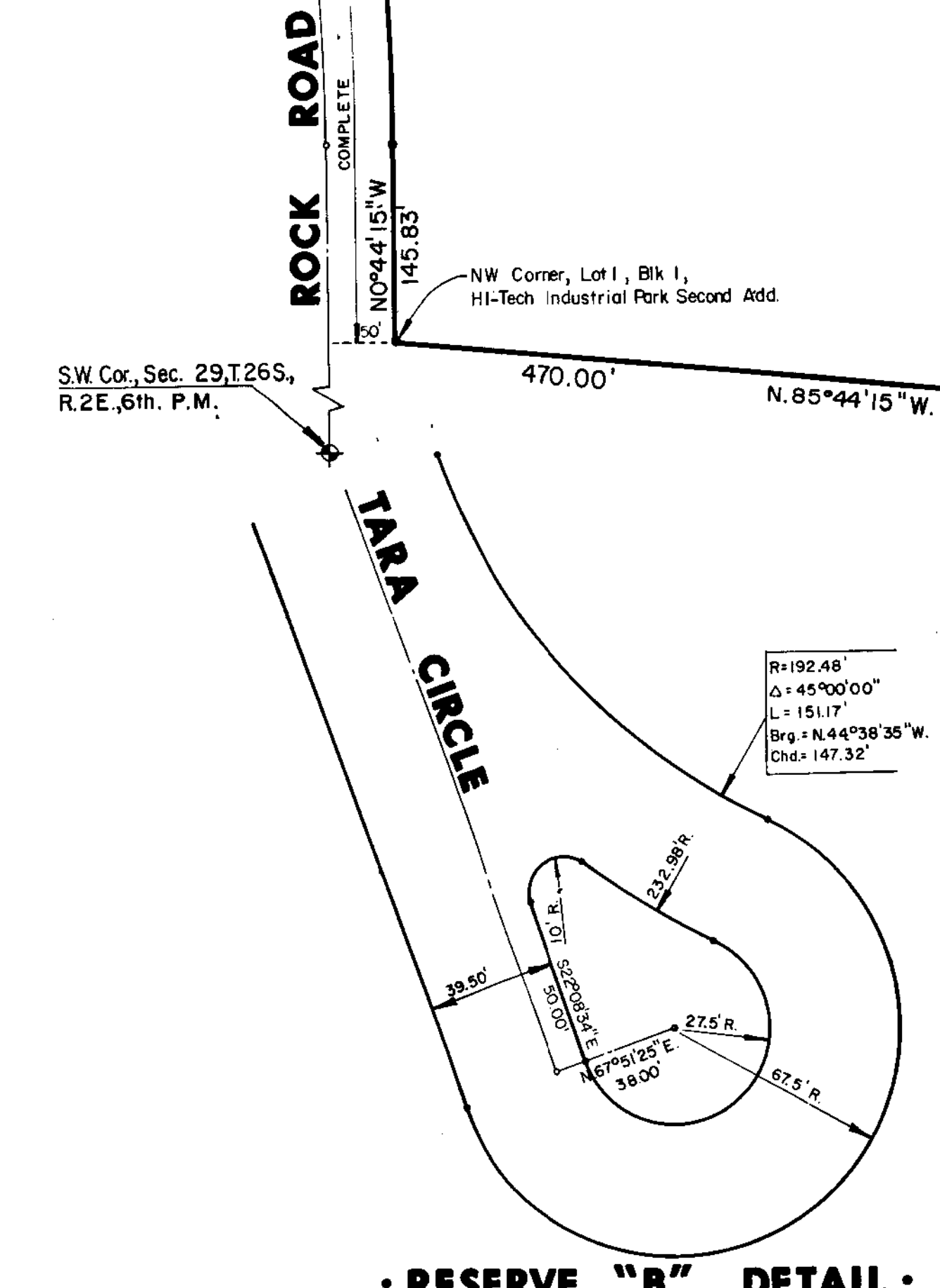
FINAL PLAT OF
MULBERRY EAST
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



DO NOT REMOVE
OFFICE COPY

R=1715.00'
Δ=17°45'11"
L=531.39'
Brg.=N9°36'50"W
Chd.=529.27'

R=315.00'
Δ=6°22'13"
L=35.02'
Brg.=S4°00'15"E
Chd.=35.00'



I, Kenneth H. Bengtson, a Civil Engineer in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "MULBERRY EAST", an addition to Wichita, Sedgwick County, Kansas, into Lots, Blocks, Reserves, and Streets, the same being accurately set forth in the accompanying plat and described herein:

Commencing at the southwest corner of the southwest quarter of Section 29, Township 26 south, Range 2 east of the 6th P.M.; thence north along the west line of said southwest quarter, at a bearing of N 0° 44' 15" W, 654.81 feet; thence N 89° 07' 15" W, 50.00 feet to the point of beginning, said point also being the northwest corner of Lot 1, Block 1, HI Tech Industrial Park Second Addition; thence N 0° 44' 15" W, 145.83 feet to the beginning of a curve to the left having a central angle of 17° 45' 11", a radius of 1715.00 feet, and a long chord of 529.27 feet bearing N 9° 36' 50" W; thence along said curve a distance of 531.39 feet; thence N 18° 29' 26" W, 502.99 feet to the beginning of a curve to the right having a central angle of 44° 30' 54", a radius of 623.00 feet, and a long chord of 471.95 feet bearing N 3° 46' 01" E; thence along said curve a distance of 484.03 feet; thence N 26° 01' 28" E, 194.36 feet to the beginning of a curve to the left having a central angle of 26° 50' 15", a radius of 1028.00 feet, and a long chord of 477.13 feet bearing N 12° 36' 20" E; thence along said curve a distance of 481.52 feet; thence N 0° 48' 47" W, 223.65 feet; thence N 89° 11' 13" E, 33.71 feet to the beginning of a curve to the right having a central angle of 42° 11' 08", a radius of 232.66 feet, and a long chord of 167.46 feet bearing S 69° 43' 13" E; thence along said curve a distance of 171.30 feet; thence S 48° 37' 39" E, 80.38 feet to the beginning of a curve to the right having a central angle of 38° 48' 52", a radius of 371.55 feet, and a long chord of 246.92 feet bearing S 29° 13' 13" E; thence along said curve a distance of 251.70 feet; thence S 9° 48' 47" E, 50.00 feet to the beginning of a curve to the left having a central angle of 28° 00' 00", a radius of 328.97 feet, and a long chord of 159.17 feet bearing S 23° 48' 47" E; thence along said curve a distance of 160.77 feet; thence S 37° 48' 47" E, 79.30 feet; thence N 37° 04' 46" E, 135.49 feet; thence N 44° 51' 36" E, 61.79 feet; thence S 78° 18' 00" E, 58.19 feet; thence N 77° 26' 31" E, 85.65 feet; thence S 84° 48' 43" E, 69.54 feet; thence S 83° 39' 54" E, 77.35 feet; thence S 7° 21' 08" W, 138.28 feet; thence S 29° 03' 49" E, 134.26 feet; thence N 42° 39' 48" E, 168.41 feet to the beginning of a curve to the right having a central angle of 23° 50' 15", a radius of 407.00 feet, and a long chord of 168.11 feet bearing N 54° 34' 56" E; thence along said curve a distance of 169.33 feet; thence N 23° 29' 57" W, 112.82 feet; thence N 75° 13' 29" E, 280.60 feet; thence S 41° 31' 03" E, 37.08 feet; thence S 88° 23' 22" E, 82.92 feet; thence S 81° 45' 35" E, 168.02 feet; thence S 88° 50' 03" E, 70.84 feet; thence N 55° 09' 57" E, 75.00 feet; thence N 79° 09' 57" E, 85.00 feet; thence N 88° 00' 35" E, 268.05 feet; thence N 49° 05' 17" E, 95.13 feet; thence N 76° 00' 00" E, 89.11 feet to a point on a curve to the left having a central angle of 7° 53' 13", a radius of 183.00 feet, and a long chord of 25.17 feet bearing N 17° 56' 36" W; thence along said curve a distance of 25.19 feet; thence N 68° 06' 47" E, 64.00 feet to a point on a curve to the right having a central angle of 7° 53' 13", a radius of 247.00 feet, and a long chord of 33.97 feet bearing N 17° 56' 36" W; thence along said curve a distance of 34.00 feet; thence N 76° 00' 00" E, 121.73 feet; thence S 0° 49' 09" E, 1567.96 feet; thence S 82° 48' 38" W, 464.82 feet to a point on a curve to the left having a central angle of 6° 22' 12", a radius of 315.00 feet, and a long chord of 35.02 feet bearing S 4° 00' 15" E; thence along said curve a distance of 35.02 feet; thence S 0° 49' 09" E, 99.77 feet; thence S 77° 37' 15" W, 806.49 feet; thence N 64° 52' 45" W, 360.00 feet; thence N 51° 22' 45" W, 283.00 feet; thence S 65° 37' 15" W, 435.00 feet; thence S 21° 52' 45" E, 522.00 feet; thence S 30° 49' 53" W, 104.39 feet; thence N 85° 44' 15" W, 470.00 feet to the point of beginning.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this ____ day of ____, 1986.

Kenneth H. Bengtson, P.E.
Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, Building #800
Wichita, KS 67226

Know all men by these presents that we the undersigned property owners of the land as above set forth in the Civil Engineer's Certificate, have caused the same to be surveyed and platted into Lots, Blocks, Reserves, and Streets, the same to be known as "MULBERRY EAST", an addition to Wichita, Sedgwick County, Kansas. The streets are hereby dedicated to and for the use of the public. Reserves B, C, D, E, F, and G are platted for the construction and maintenance of public utilities, drainage, and open spaces. Reserve A is platted for construction of a golf course, clubhouse, cart paths, recreation, construction and maintenance of public utilities, drainage, buffer zones, and open spaces. Easements for the construction and maintenance of public utilities and drainage, as indicated on the accompanying plat, are hereby granted. All abutters rights of access to and from Rock Road over and across the west line of Reserve A "MULBERRY EAST" are hereby granted to the City of Wichita, Kansas. Minimum pad elevation on Lot 2 through 15 inclusive, and Lots 19 through 21 inclusive, Block 3, shall be as indicated on the face of the plat.

WOODLAWN DEVELOPMENT COMPANY
a partnership

Donald J. Ablah, Attorney-in-fact for
Woodlawn Development Company

STATE OF KANSAS)
SS:
SEDGWICK COUNTY)

Be it remembered that on this ____ day of ____, 1986, before me a Notary Public in and for said State and County, came Donald J. Ablah, Attorney-in-fact for Woodlawn Development Company, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____, Notary Public
My Appointment Expires: _____

We, the Wichita State Bank, mortgagees on the above described property, do hereby consent to the plat of "MULBERRY EAST".

WICHITA STATE BANK

By: _____
Larry G. Burns, Senior Vice President

STATE OF KANSAS)
SS:
SEDGWICK COUNTY)

Be it remembered that on this ____ day of ____, 1986, before me a Notary Public in and for said State and County, came Larry G. Burns, Senior Vice President, on behalf of Wichita State Bank, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

_____, Notary Public
My Appointment Expires: _____

This plat of "MULBERRY EAST" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this ____ day of ____, 1986.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

_____, Chairman
William J. Goebel

_____, Secretary
Michael E. Lindebak

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas, this ____ day of ____, 1986.

_____, Mayor
Robert C. Brown

_____, City Clerk
Donald C. Gistick

Entered on transfer record this ____ day of ____, 1986.

_____, County Clerk
Don Wright

STATE OF KANSAS)
SS:
SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the Register of Deeds office this ____ day of ____, 1986.

_____, Register of Deeds
Pat Kettler

_____, Deputy
Ed Resa

FINAL PLAT

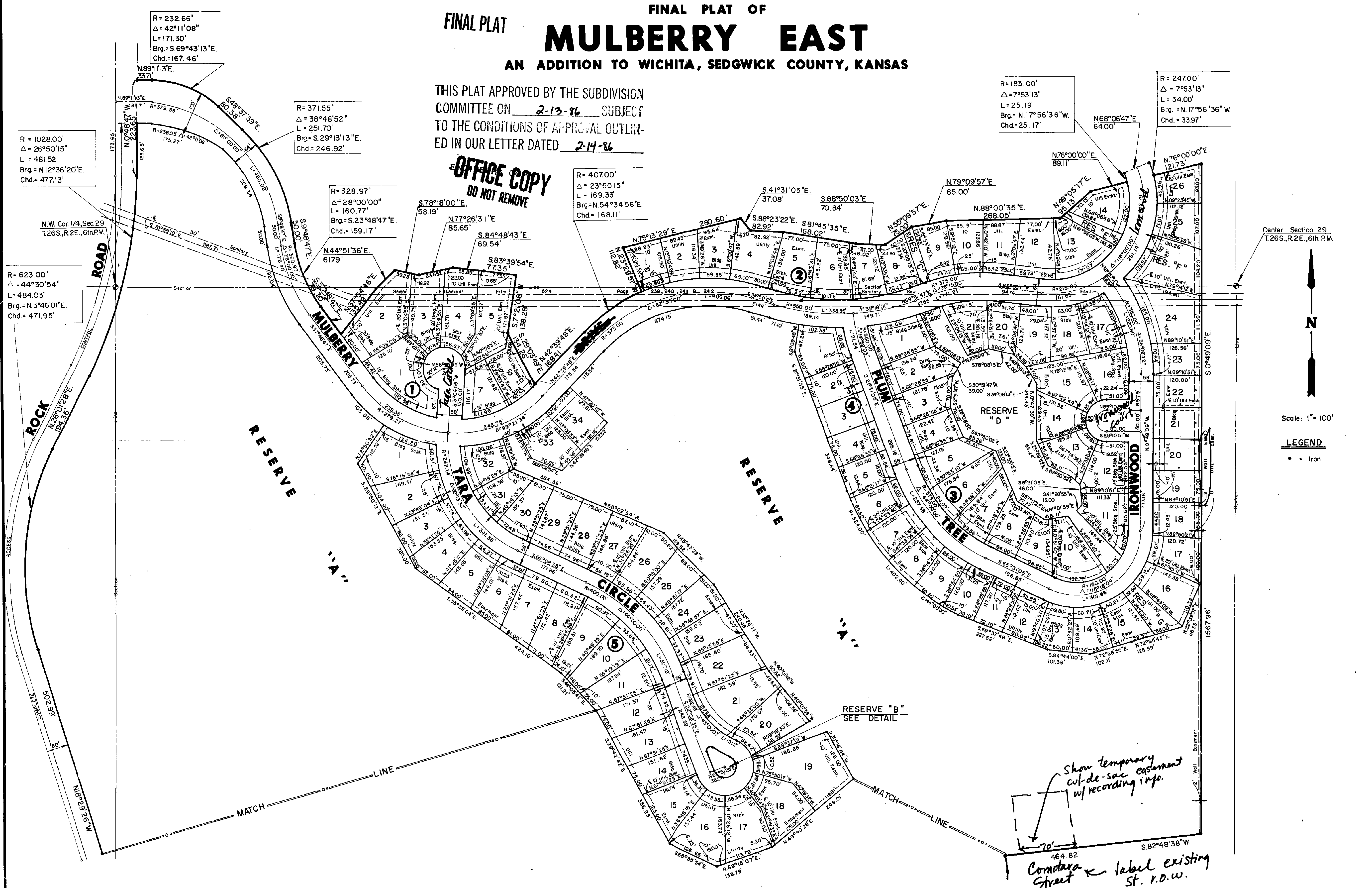
FINAL PLAT OF

MULBERRY EAST

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

THIS PLAT APPROVED BY THE SUBDIVISION
COMMITTEE ON 2-13-86 SUBJECT
TO THE CONDITIONS OF APPROVAL OUTLIN-
ED IN OUR LETTER DATED 2-14-86

OFFICE COPY
DO NOT REMOVE



R = 1028.00'
Δ = 26°50'15"
L = 481.52'
Brg. = N.12°36'20"E.
Chd. = 477.13'

R = 623.00'
Δ = 44°30'54"
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Brg. = N.3°46'01"E.
Chd. = 471.95'

R = 232.66'
Δ = 42°11'08"
L = 171.30'
Brg. = S.69°43'13"E.
Chd. = 167.46'

R = 371.55'
Δ = 38°48'52"
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Brg. = S.29°13'13"E.
Chd. = 246.92'

R = 328.97'
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Brg. = S.23°48'47"E.
Chd. = 159.17'

R = 407.00'
Δ = 23°50'15"
L = 169.33'
Brg. = N.54°34'56"E.
Chd. = 168.11'

R = 183.00'
Δ = 7°53'13"
L = 25.19'
Brg. = N.17°56'36"W.
Chd. = 25.17'

R = 247.00'
Δ = 7°53'13"
L = 34.00'
Brg. = N.17°56'36"W.
Chd. = 33.97'

Center Section 29
T26S, R2E, 6th P.M.

Scale: 1" = 100'

LEGEND
• = Iron

Show temporary
cut-de-sac easement
w/ recording info.

Coronado
Street & label existing
St. r.o.w.

February 20, 1986

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, Bldg. #800
Wichita, KS 67226

Re: S/D 85-87 - Final Plat of Mulberry East Addition.

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on February 20, 1986, 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 February 14, 1986.

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

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
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 platator.
3. Certification that all real estate taxes for 1985 and all prior years have been paid.

Please call if you have any questions.

Very truly yours,

Barbara R. Bonanni
Junior Planner

BRB:mlh

cc: Woodlawn Development Company, c/o Donald J. Ablah, Atty. 151 N.
Main, Suite 300, Wichita, KS 67201
Mike Lindebak, City Engineer