

D-1034 - Mary E. Pinaire and the Pinaire Estate grant an easement for construction of a levee generally located west of Clifton, in an area south of Idlewild.

POSTED
7-30-81

ACTION

	DATE
S/D COMMITTEE	8-6-81
M.A.P.C.	8-13-81
B.C.C./B. CO. C.	1-5-82

DEDICATION REPORT AND PROGRESS

MAP No. 5741C
SEC. No. 23
TWP. No. 28
RANGE 1E

CASE No. D - 1034

ASSOCIATED CASE NO. _____

I. OFFER TO DEDICATE: An Easement for construction of a levee
GENERALLY LOCATED: West of Clifton, in an area south of Idlewild.

LEGALLY DESCRIBED AS: _____

DEDICATED BY: Mary E. Pinaire and the Pinaire Estate
AGENT: _____
ADDRESS: _____ PHONE _____
PURPOSE OF DEDICATION: _____



III. FILED 7-24-81
POSTED TO ATLAS
S/D COMM. ACTION 8-6-81 *accept*
M.A.P.C. ACTION 8-13-81 *accept*

B.C.C. ACTION 1-5-82 *Accepted*
PLACED ON RECORD _____
CITY CLERKS No. _____

DEDICATION REPORT AND PROGRESS

CASE No. D - 1034

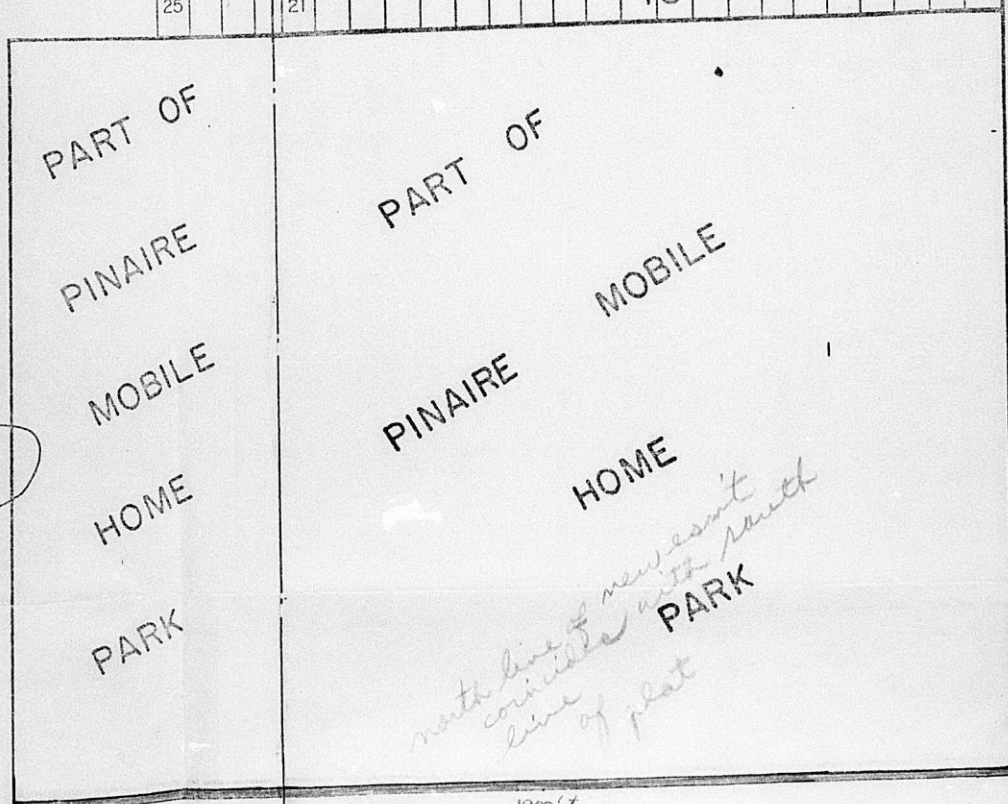
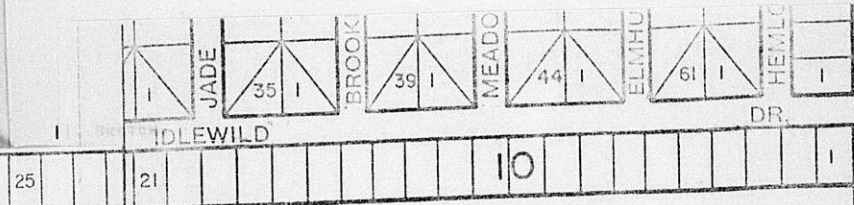
ASSOCIATED CASE NO. _____

MAP No. 5741C
SEC. No. 23
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1. OFFER TO DEDICATE: An Easement for construction of a levee
GENERALLY LOCATED: West of Clifton, in an area south of Idlewild.

LEGALLY DESCRIBED AS:

DEDICATED BY: Mary E. Pinaire and the Pinaire Estate
AGENT: _____ PHONE _____
ADDRESS: _____
PURPOSE OF DEDICATION:



CLIFTON

SANDPIT
SANDPIT

MAPC CASE NO. D-1034 Dedication of easement for levee construction

Dedicated by: Mary E. Pinaire and the Marion B. Pinaire Estate

Generally located west of Clifton in an area south of Idlewild

This dedication is given for the following reason: to allow construction of a levee adjacent to the south of Pinaire Mobile Home Park rather than much further south were the original levee dedication is.

ACTION: Accept the dedication and instruct the City Clerk to file with the Register of Deeds.

BILL RECORDING FEE TO: Reiss and Goodness Engineers
Attention: Bob Previtiera
2160 W. 21st St. 67203



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
GUY E. GIBSON, Chief Engineer—Director
901 Kansas Avenue
TOPEKA, KANSAS 66612
(913) 296-3717

W. W. DUITSMAN
Secretary

December 4, 1981

Mr. Trent Hardison
101 W. 58th Street South
Wichita, Kansas 67217

Dear Mr. Hardison:

Consideration has been given to your application for approval of plans relating to your proposed levee construction project along the Arkansas River, at a location in Sections 22, 23 and 27, all in Township 28 South, Range 1 East, Sedgwick County, Kansas.

In accordance with the provisions of K.S.A. 24-126 the Chief Engineer has approved the plans authorizing construction of the proposed levees.

The one set of plans submitted to this office has been endorsed with the Chief Engineer's approval and will be retained in our files. Should you wish any copies of the plans with the Chief Engineer's approval shown thereon, please submit the required number.

Very truly yours,

Keller Cordon
Engineer

KC:cb
cc: Robert G. Previtara

received 12-11-81



DEPARTMENT OF THE ARMY
TULSA DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 61
TULSA, OKLAHOMA 74121

AUG 17 1981

REPLY TO
ATTENTION OF

SWTOD-ML

12 August 1981

Mr. Bob Previtara
2160 West 21st Street
Wichita, KS 67203

Dear Mr. Previtara:

Please refer to our 11 August 1981 telephone conversation concerning your proposed repair of a levee near Derby, Kansas.

A search of our records indicates that we have not been associated with the levee located on the east bank of the Arkansas River in T. 28 S., R. 1 E., and sec. 22 and 23. I suggest that your plans for repair of the levee be coordinated with the Kansas Water Office in Topeka, Kansas.

If you have questions concerning this matter, please contact Mr. Bob Hope, Operations Division, PO Box 61, Tulsa, OK 74121, telephone (918) 581-7342.

Sincerely,

JAMES P. JONES
Chief, Operations Division

*Received
12-11-81*

August 18, 1981

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

Re: D-1034 - Levee easement south of Pinaire Mobile Home Park
Addition

Dear Mr. Previtara:

On August 13, 1981, the Metropolitan Area Planning Commission recommended acceptance of the above-referenced easement subject to your obtaining approval of the proposed levee construction from the Army Corps of Engineers. You indicated in our phone conversation yesterday that the Corps had informed you that this matter was outside of their jurisdiction and you should get approval from the Kansas Board of Water Resources. If you can submit to the Planning Department a copy of the letter from the Corps as well as a copy of the Water Resources Board's approval (when obtained), then the condition of easement acceptance will be satisfied. 12-11-81

Prior to our being able to schedule this easement on the City Commission agenda for their acceptance, the original signed document, as well as the above-referenced letters, must be submitted to our office. 12-11-81

Sincerely,

Louise Olivarez
Senior Planner

LO:bh

cc: Paul Johnston, Operations and Maintenance
Andy Harkness, County Department of Public Works
Mike Lindebak, City Engineering

August 7, 1981

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

Re: D-1034 - Mary E. Pinaire and the Pinaire Estate grant an easement for construction of a levee generally located west of Clifton, in an area south of Idlewild

Dear Mr. Previtara:

On August 6, 1981, the Subdivision Committee of the Metropolitan Area Planning Commission considered the above-referenced dedication case. The action of the Committee was to recommend acceptance of the dedication subject to the following condition:

- The applicant contacting the Army Corps of Engineers relative to gaining their approval of the proposed levee construction.

This matter has been scheduled for review by the Metropolitan Area Planning Commission on August 13, 1981. The meeting will begin at 1:30 p.m., in the City Commission Meeting Room, First Floor, City Hall, 455 N. Main. This item will be number 3 on the agenda.

Sincerely,

Forrest L. Nagley
Junior Planner

FLM:hh

cc: Mike Lindbak, City Engineering
Andy Harkness, County Department of Public Works
Paul Johnston, Operations and Maintenance

D-1034

EASEMENT AND CONSTRUCTION AND MAINTENANCE AGREEMENT

This indenture made this 24 day of July, 1981, between Mary E. Pinaire and the Marion B. Pinaire Estate, hereinafter called "First Party" and Sedgwick County, Kansas, hereinafter called "Second Party".

That the First Party in consideration of One Dollar and other valuable consideration, does by these presents grant to the Second Party, its successors and assigns, a perpetual thirty foot easement for construction and maintenance of a standard eight foot top and 2:1 side slope levee embankment as indicated on plan and elevation of attached Exhibit "A". The center line of said easement being described as follows:

Beginning at a point 50 feet west and 1329.48 feet south of the NE corner of the NW 1/4 of the SW 1/4 of Section 23, T28S, R1E of the 6th P.M., Sedgwick County, Kansas; thence westerly, parallel with and 15 feet south of the south line of Pinaire Mobile Home Park 1900 feet more or less to the intersection of the center line of an existing 50 foot levee easement.

Legal

It is also agreed that as part of the development of said Pinaire Mobile Home Park, the First Party agrees to construct and maintain a levee on the above described easement and on part of the easement as indicated on plan and elevation of attached Exhibit "A" recorded April 23, 1969, in Misc. Book 641, Pg. 408, said part of easement described as follows:

Beginning 2,474.20 feet west of the centerline of Clifton Street on the south line of Oaklawn Addition extended; southwest at a deflection angle to the left of 81 degrees 59 minutes off the south line of Oaklawn Addition extended a distance of 16.34 feet; thence west at a deflection angle to the right of 78 degrees 19 minutes a distance of 350 feet; thence southeast at a deflection angle to the left of 99 degrees 19 minutes a distance of 240 feet; thence southeast at a deflection angle to the left of 11 degrees 35 minutes a distance of 200 feet; thence southeast at a deflection angle to the left of 5 degrees 14 minutes a distance of 200 feet; thence northeast at a deflection angle to the left of 72 degrees 02 minutes a distance of 220 feet; thence east at a deflection angle to the right of 9 degrees 11 minutes a distance of 210 feet; thence southeast at a deflection angle to the right of 77 degrees 51 minutes a distance of 470 feet; thence southeast at a deflection angle to the left of 3 degrees 06 minutes a distance of 310 feet; thence southwest at a deflection angle to the right of 47 degrees 31 minutes a distance of 520 feet; thence southeast at a deflection angle to the left of 49 degrees 39 minutes a distance of 350 feet; thence south at a deflection angle to the right of 18 degrees 26 minutes a distance of 380 feet; thence south at a deflection angle to the right of 3 degrees 52 minutes a distance of 340 feet; thence southeast at a deflection angle to the left of 11 degrees 53 minutes a distance of 365 feet; thence southeast at a deflection angle to the left of 4 degrees 44 minutes a distance of 850 feet.

The construction and maintenance of this levee shall end at this point.

The remainder of the easement recorded April 23, 1969 in Misc. Book 641, Pg. 408, will still be valid and the usage thereof shall occur when development occurs southerly of Pinaire Mobile Home Park Addition and within the land bounded by the easement.

The First Party also agrees to construct a levee within the 40 foot drainage and embankment easement as shown on the recorded Plat of "Pinaire Mobile Home Park", said levee to terminate 100 feet south of the north line of said Pinaire Mobile Home Park.

Maintenance of the levees shall be the responsibility of the First Party, until such time as the Governing Body exercising jurisdiction elects to assume the responsibility for maintenance and improvement of the levees.

