

PLAT NO. S/D 74-100 MAP NO. 6348
E-13-C

NAME FOUNTAIN HILLS

LOCATION One-half mile east of 127th St. East and in an
area north of Central.

ENGINEER Reiss and Goodness

OWNER Crestview Development Corp.

APPLICATION FILED 9-18-74

SKETCH PLAT FILED 9-18-74

PRELIMINARY FILED 5-5-75

S/D ACTION 5-15-75 Approved

FINAL FILED 6-9-75

S/D ACTION 6-19-75 Approved

MAPC ACTION 6-26-75 App. subject to condition

BCC ACTION 9-30-75 Approved required sidewalk

RECORDED December 23, 1975

REMARKS _____

BCC 12-16-75 Approval Sidewalk Paving

S/D 74-100 - FOUNTAIN HILLS -
½ mile east of 127th St. East &
in an area north of Central.

POSTED
9-24-74

ACTION

	DATE
N/D COMMITTEE (Prelim) Approved	5-15-75
(final) Approved	6-19-75
M.A.P.C.	App. subject to condition 6-26-75
B.C.C./B.E.C.C.	Approved subject 9-30-75 to submittal to committee
BCC	Agreed and Submits 12-16-75 Prelim

Map No. E-13-C
Sec. No. 14
Twp. No. 27
Range 2E

Subdivision Report and Progress
S/D No.: 74-100

Name: FOUNTAIN HILLS

General Location: One-half mile east of 127th St. East and in an area north of Central.

Owner: Crestview Development Corp.
Address: 130 N. Market Phone: 263-3833
Subdivider: W. H. Powell
Address: 5902 Polo Phone: 683-4036
Engineer/Surveyor: Reiss and Goodness
Address: 2160 E. Douglas Phone: 264-1391

Application Received 9-18-74
Conf. with Applicant 9-11-74
Sketch Plat Received 9-18-74
Present Zoning R-1
* Proposed Zoning #2-17 AA
Letter of Intent 11-21-74

FINAL PLAT RECEIVED 6-9-75
S/D Comm. Action 6-19-75 App

Dept. Report on Final 6-20-75
M.A.P.C. ACTION 6-26-75 App
Dept. Report on Final 6-27-75
Letter on Irons Received N/A
Title/Taxes Rec'd & Reviewed 9-15-75
Final Review 9-24-75
Referral to B.C.C. 9-25-75

PREL. PLAT RECEIVED 5-5-75
S/D Comm. Action 5-15-75 App
Dept. Report on Prel. 5-16-75

B.C.C. ACTION 9-30-75 Approved
Sub to sidewalk guidelines
Recorded 12-23-75

TRACING PROGRESS:
Received 4-10-75
Released _____
Received _____
Released _____

Comments:

* associated cases CCZ-0331 R-1 to AA and C11-1164 approval for duplex development - cases closed at applicants request

FOUNTAIN HILLS

Arnold Sawyer, Trustee
Minneha Township
1417 N. 143rd St. East
Wichita, Kansas 67230

print from SA-FC 9-29-75

12-16-75 - Released to Bill Paywell for recording
BCC Approved Sidewalk Details

REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

S/P 74-100

1-8-76

FOUNTAIN HILLS ADDITION was
filed for record on December 23, 1975

Boyd J. McQuinn
Register Of Deeds

T9-30

T9-328

December 2, 1975

Ralph Wuls, City Manager
Jack H. Galbraith, Chief Planner

S/D 74-100 - Fountain Hills Addition
(sidewalk petition)

On September 30, 1975, the Board of City Commissioners considered the above referred to plat. Their action was to approve the plat subject to the applicant guaranteeing the construction of sidewalks adjacent to all streets within the subdivision, with further instructions to the Department of Public Works that the sidewalks not be constructed until deemed necessary by the Board of City Commissioners.

The applicant has submitted a valid petition for said sidewalks and the petition is herewith attached. The petition should be placed on the December 9, 1975 agenda for formal approval by the Board of City Commissioners. The cost of the publication of the initiating resolution shall be billed to the applicant.

If you have any questions concerning this matter, please call.

APPROVED BY:

Robert A. Lakin
Director of Planning

Jack H. Galbraith
Chief Planner

JHG:rme
Attachment

cc: Don Gisick, City Clerk
Dick Linn, City Engineer
W. H. Powell, 5902 Polo, 67208
Reiss and Goodness Engineers, 2160 E. Douglas, 67214

W. H. POWELL
5902 POLO DRIVE
WICHITA, KANSAS 67208
316-683-4036

Nov. 26, 1975

Mr. Jack Galbraith
Metzo Planning Commission
City Bldg.
Wichita, Kansas

Re: Fountain Hills Addition

Dear Jack:

Yesterday I delivered to Mr. Brewer in Engineering the sidewalk petition signed by all property owners of record in Fountain Hills Add'n. He is to forward said petition to you for processing thru the City Commission.

It seems that the Commission will not meet next week but instead will be on December 9th. at which meeting I presume this sidewalk petition will be presented as requested primarily by Com. Stevens.

I would like to refresh your memory of this petition in that while being accepted by the Commission the construction of said sidewalks was to be held in abeyance until some time in the future when said sidewalks were deemed desirable. When making the presentation I would hope that this same language would be incorporated since no one in the Addition wants sidewalks and never will want sidewalks, especially at the estimated cost of almost \$1,000 per lot.

Thanking you for your past considerations, I am,

Sincerely yours,

Bill Powell

W.H.Powell



September 30, 1975

Mr. W. H. Powell
5902 Polo
Wichita, Kansas 67208

Re: S/D 74-100 - Final Plat of
FOUNTAIN HILLS

Dear Mr. Powell:

The Board of City Commissioners, at its regular meeting on September 30, 1975, considered the above-captioned plat. Their action was to approve the plat as approved by the Metropolitan Area Planning Commission, subject to requiring a guarantee of sidewalks adjacent to all streets within the subdivision, with further instructions to the Department of Public Works that the sidewalks are not to be constructed until deemed necessary by the Board of City Commissioners.

As we discussed after the meeting, it is necessary for you to contact the City Engineer and have him prepare petitions to be executed and returned to their office for final approval by the Board of City Commissioners. At such time as the City Commission has approved the petitions, subject plat will be released for recording with the Register of Deeds.

If you have any questions, please call our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Crestview Development Corporation, 130 North Market 67202
Reiss and Goodness, Engineers, 2160 East Douglas 67214
Dick Linn, City Engineer

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number	74-100	Name	FOUNTAIN HILLS	
Application & Sketch Filed:	9-18-74	Approved by S/D:	5-15-75	
Preliminary Plat Filed:	5-5-75	Approved by S/D:	6-19-75	
Final Plat Filed:	6-9-75	Approved by S/D:	6-26-75	
Approved by Metropolitan Area Planning Commission:				

DESCRIPTION

General Location: One-half mile east of 127th Street East in an area north of Central

Surveyor or Engineer: Reiss and Goodness
 Owner: Crestview Development Corp.
 Address: 130 N. Market 67202

- | | | | | |
|-------------------------------|-------|-----------------------|--------------|----------------|
| 1. Gross Acreage of Plat | 16 | 6. Access Control | No. Openings | _____ |
| 2. Number of Lots: | 22 | St. _____ | No. Openings | _____ |
| Residential | _____ | St. _____ | No. Openings | _____ |
| Commercial | _____ | 7. Req'd Improvements | | |
| Industrial | _____ | St. Paving | X | Water X |
| Other | _____ | Sidewalk | X | Drainage _____ |
| 3. Minimum Lot Area: | 22 | Sewer | _____ | Other _____ |
| Total Number of Lots: | 22 | | | |
| 4. Existing Zoning | "R-1" | | | |
| 5. Special Problems Discussed | None | | | |

County Board of Zoning Appeals - regular
 Satisfactory arrangements have been made with the Crestview Improvement District for the paving of streets to City of Wichita specifications and the extension of sanitary sewer and water service to serve subject property.

Planning Commission Recommendation:

- That this plat be approved subject to:
- A. It is recommended that the requirement for sidewalks adjacent to both sides of all streets be waived on this addition.
 - B. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Hopper moved, Bayouth seconded and it carried unanimously.
 Rising, Taylor and Savina were absent.

ACTION: Approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

THE CITY OF WICHITA
OFFICE OF Ass't. Supt. of Public
Works Maint.

DATE Sept. 19, 1975

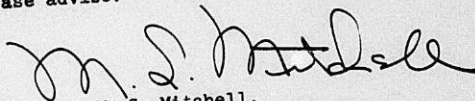
TO Jack Galbraith, Chief Planner, MAPD
FROM M. S. Mitchell

SUBJECT - Fountain Hills Addn.

Reference is made to my request that the applicant obtain a permit from the Division of Water Resources for the pond and dam structure to be constructed on Reserve A, or obtain an opinion by Counsel that the pond and dam are exempt from the permit requirement. I received a letter from Grey Dresie advising that since the depth of water to be impounded is less than 10' he is of the opinion that no application or permit is necessary. I am attaching a copy of his letter and the portion of the Statutes pertaining to "Obstructions in Streams".

The developer's engineering firm then worked with this office and furnished design data for the structure which permitted us to review the plans and computations. The final plat has been revised to include language for Reserve A identical to that usually describing a floodway. The plat should also be revised to establish a minimum building pad elevation of 1347 MSL for all lots adjacent to Reserve A.

I trust this information is sufficient to permit final processing of the plat; however, if further information or discussion is desired, please advise.



M. S. Mitchell,
Ass't. Superintendent of
Public Works Maintenance

MSM/glm

cc: G. H. Wilton
Kenny Hill/Reiss & Goodness
Fountain Hills Addn.

Attach.



LAW OFFICES
DRESIE, JORGENSEN & WOOD
815 UNION NATIONAL BUILDING
BROADWAY AND DOUGLAS
WICHITA, KANSAS 67202
(316) 267-4231

MT. HOPE, KANSAS 67108
P. O. BOX 292
(316) 667-3611

GREY DRESIE
J. PAUL JORGENSEN (1912-1987)
JOHN F. JORGENSEN
DAVID J. WOOD
RICHARD A. EUSON

August 8, 1975

Mr. M. S. Mitchell
Flood Control, City Hall Annex
Main at Douglas
Wichita, Kansas 67202

In re: Fountain Hills Addition to
Sedgwick County, Kansas

Dear Mr. Mitchell:

It is the intention of the developer of the above addition to build a small pond on the site which is being platted. The proposed pond will not be capable of impounding water to a depth at the dam of 10 feet, but such depth will be less than 10 feet. It is therefore our opinion that under the Kansas statutes of such cases made and provided that no application or permit is necessary from the Water Resources Board.

Very truly yours,

DRESIE, JORGENSEN & WOOD

By: *[Signature]*

GD:sd

SM: HAND to me w/copy of law. *[Signature]*

Received

AUG 11 1975

GENERAL STATUTES OF KANSAS-ANNOTATED

WATERS AND WATERCOURSES

Article 3.-Obstructions In Streams

Cross references: Flowage rights to waterworks system in cities, second and third classes, see subsection 12-652 to 12-655.

State division of water resources, see subsection 74-506a to 74-506d, 74-509, 74-510.

Unlawful drainage or levee district improvements, see subsection 24-125.

82a-301. Permit of chief engineer to make dam or embankment or change watercourse.

From and after the passage of this act, it shall be unlawful for any person or persons, partnership, association, corporation, county, city, town, or township to construct any dam or other water obstruction; or to make or construct, or permit to be made or constructed, any change therein or addition thereto; or to make, or permit to be made, any change in or addition to any existing water obstruction; or in any manner to change or diminish the course, current, or cross section of any stream within this state without the consent or permit of the chief engineer of the division of water resources, in writing, previously obtained, upon written application to said chief engineer therefor: Provided, That jetties or revetments placed for the purpose (of) stabilizing a caving bank shall not be construed as obstructions to this act providing such jetties and revetments are properly placed. (L. 1929, ch. 203, subsection 1; May 28.)

Cross reference: Irrigation, see, also, subsection 42-339 et seq.

Act discussed; supervisory power over drainage districts conferred on division of water resources. State, ex rel., v. Dolese Bros. Co., 151 K. 801, 803, 810, 811, 102 P. 2d 95.

City flood-control project under subsection 12-635 et seq., requires engineer's approval. Lyman Flood Prevention Ass'n v. City of Topeka, 152 K. 484, 493, 106 P. 2d 117.

Cited; subsection 82a-305 authorizes preventive not mandatory injunction. State, ex rel., v. Ross, 159 K. 199, 200, 202, 203, 152 P. 2d 675.

Condemnation by state highway commission; applicability of act mentioned but not determined. Kansas State Highway Com. v. Moore, 166 K. 408, 409, 410, 201 P. 2d 652.

82a-302. Same; maps, plans, profiles and specifications to accompany application.

Each application for the consent or permit required by the first section of this act shall be accompanied by complete maps, plans,

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profiles, and specifications of such water obstruction, or of the said changes or additions proposed to be made, and such other data and information as the chief engineer, division of water resources, may require. (L. 1929, ch. 203, subsection 2; May 28.)

Cited; subsection 82a-305 authorizes preventive not mandatory injunction. State, ex rel., v. Ross, 159 K. 199, 200, 202, 205, 152 P. 2d 675.

82a-303. Same; conditions; rules and regulations.

The chief engineer of the division of water resources shall have power to grant or withhold such consent or permit or may incorporate in and make a part of said consent or permit such conditions, regulations, and restrictions as may be deemed by him advisable. It shall be unlawful to construct or begin the construction of any such water obstruction, or to make or begin any change or addition aforesaid, except in accordance with the terms, conditions, regulations, and restrictions of such consent or permit, and such rules and regulations, with regard to said obstructions, changes, or additions, as may be prescribed by the chief engineer of the division of water resources. (L. 1929, ch. 203, subsection 3; May 28.)

82a-304. Same; exceptions.

Total Drainage Area.

The provisions of this act shall not prohibit the placing in any purely private stream of any dam not more than ten feet high and not impounding more than fifteen (15) acre feet of water. (L. 1929, ch. 203, subsection 4; L. 1933, ch. 330, subsection 1; June 5.)

Cited in holding subsection 24-1071 valid. State, ex rel., V. Stonehouse Drainage Dist., 152 K. 188, 192, 102 P. 2d 1017.

Cited but not applied in refusing mandatory injunction to remove dams. Heise v. Schulz, 157 K. 34, 45, 204 P. 2d 706.

82a-305. Same; penalty; injunction, when.

Any person, firm, association or corporation, or any officer of such corporation or of any county, city or township, or other political subdivision, who shall violate any of the provisions of section 82a-301 and 82a-303 of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding one thousand dollars. In the event that any obstruction or structure is about to be constructed or created, or is constructed, created or maintained, or any change or diminution of the course, current, or flow of the river or stream or any change in the cross section of the bed or channel of any river or stream is created or caused to be created by any such person, firm, association or corporation, without the approval of plans by the chief engineer, then upon petition of the state of Kansas on relation of the attorney general, the construction or creation of any such obstruction or structure shall be enjoined by any

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court of competent jurisdiction and such court in its discretion may by mandatory injunction require the removal or modification of any such structure or obstruction. (L. 1929, ch. 208, subsection 5; L. 1945, ch. 389, subsection 1; June 20.)

Cited in holding subsection 24-1971 valid. State, ex rel., v. Stonehouse Drainage Dist., 152 K. 186, 189, 192 P. 2d 1917.

Section authorizes preventive not mandatory injunction. State, ex rel., v. Ross, 159 K. 199, 200, 202, 203, 152 P. 2d 675.

82a-306. (L. 1929, ch. 143, subsection 1; repealed, L. 1931, ch. 318, subsection 6; March 12.)

1929 act discussed; supervisory power over drainage districts conferred on division of water resources. State, ex rel., v. Dolese Bros. Co., 151 K. 801, 811, 812, 192 P. 2d 95.

82a-307. Cleaning and maintaining banks and channels by county; petition; claims for damages.

Upon petition of fifty taxpayers of any county of this state, owning land in the flood plain of any river in such county, the board of county commissioners of each county in this state are hereby authorized within their respective jurisdictions to clean and maintain the banks and channels of the streams and watercourses within definitely established bank lines, as provided in section 2(82a-307a) of this act, up to that point on each stream where the drainage area above such point does not exceed two hundred (200) square miles, and to keep said streams free of drift, trees and other obstructions, for the purpose of reducing floods and overflows; and for the purposes aforesaid the said board of county commissioners may enter upon private property, if necessary, to clean and maintain such streams, doing as little damage as possible thereto, and when material damage shall be done to any property, said commissioners shall allow reasonable compensation therefor, when claimed by the owner thereof, if said claim is presented in writing to said board within ten (10) days from the date of the removal of said obstruction; and that nothing in this act shall be construed to permit the board of county commissioners of any county to remove or destroy any permanent improvement, including dams and bridges, in and over such streams, providing such improvements, dams or bridges have been lawfully placed thereon. (L. 1929, ch. 143, subsection 2; L. 1931, ch. 318, subsection 1; March 12.) Law 1951, ch. 527 §1 June 30.

Source or prior law: subsection 19-238.

Cross reference: Board of county commissioners, see ch. 19, art. 2.

1931 act discussed; supervisory power over drainage districts conferred on division of water resources. State, ex rel., v. Dolese Bros. Co., 151 K. 801, 812, 192 P. 2d 95.

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KANSAS GAS AND ELECTRIC COMPANY

August 25, 1975

Mr. Curtis Newby
Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Dear Curtis:

This is to advise that the Revised Final Plat of Fountain Hills Addition received this date, from Mr. Kenny Hill, meets all easement requirements of Kansas Gas and Electric Company.

We have no further requirements of the plat.

Sincerely,

Robert L. Blevins

RLB:pw
cc: Mr. Kenny Hill
Reiss & Goodness Engineers
2160 East Douglas
Wichita, Kansas 67214



LAW OFFICES
DRESIE, JORGENSEN & WOOD

815 UNION NATIONAL BUILDING

BROADWAY AND DOUGLAS

WICHITA, KANSAS 67202

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GREY DRESIE
J. PAUL JORGENSEN (1912-1967)
JOHN P. JORGENSEN
DAVID J. WOOD
RICHARD A. EUBON

MT. HOPE, KANSAS 67108
P. O. BOX 292
(316) 667-3611

September 3, 1975

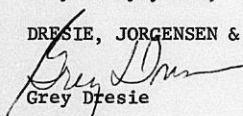
Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Gentlemen:

Enclosed find title information in regard to Fountain Hills
Addition.

Very truly yours,

DRESIE, JORGENSEN & WOOD


Grey Dresie

GD/rw
Enclosure

cc: Mr. W. H. Powell
5902 Polo
Wichita, Kansas



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

Alvin W. Long
President.

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) AM 7-8371

ATTEST:

Chester C. McCullough
Secretary.

Lu Bell
Authorized Signatory



STANDARD EXCEPTIONS FOR OWNER'S POLICY

The owner's policy will be subject to the mortgage, if any, noted under item one of Section 1 of Schedule B hereof and to the following exceptions: (1) rights or claims of parties in possession not shown by the public records; (2) encroachments, overlaps, boundary line disputes, and any matters which would be disclosed by an accurate survey and inspection of the premises; (3) easements, or claims of easements, not shown by the public records; (4) any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records; (5) taxes or special assessments which are not shown as existing liens by the public records.

CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusions from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

A.L.T.A. COMMITMENT

FORM 3361

SCHEDULE A

Number
228108

Effective Date
August 18, 1975, at 7:00 A.M.

1. Policy or Policies to be issued:

OWNER'S: ALTA Fm B 1970 \$

Proposed Insured:

THE CITY OF WICHITA - Metropolitan Area Planning Commission

LOAN: \$

Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple, and title thereto is at the effective date hereof vested in:

Crestview Development Corporation, a Kansas corporation

3. The land referred to in the Commitment is described in Schedule C.

SCHEDULE B — Section 1

The following are the requirements to be complied with:

1. Instrument(s) creating the estate or interest to be insured must be approved, executed and filed for record, to wit:

N O N E

"When sending instruments for filing please include the above referenced commitment number"

2. Payment of the full consideration to, or for the account of, the grantors or mortgagors.

3. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable. None Due. 1974 Tax \$6,872.63 paid in full. Key #MI-76; #MI-77-1 and

4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid. *MI-78-2

SCHEDULE B — continued

Number
228108

SCHEDULE B — Section 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Any owner's policy issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof. Any loan policy will contain under Schedule B standard Exceptions 1, 2 and 3 unless a satisfactory survey and inspection of the premises is made.
3. Taxes or special assessments which have not been certified to the Office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.
4. Easement to Kansas Gas & Electric Company for electric transmission lines over the East 15 feet of the Southwest Quarter of Section 14, as created and confined by instrument filed January 29, 1968, in Book Misc. 614, Page 421.
5. Easement for perpetual access and right-of-way being a 15 foot wide easement beginning at a point 85 feet N 28°20'46" E of Monument 43 in the Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E, said survey dated November 6, 1969; thence S 73°55'16" E 151.82 feet, as created by instrument dated August 18, 1975, filed August 18, 1975, on Film 153, Page 1598. (Copy attached)
6. Easement for perpetual access and right-of-way being a 15 foot wide access easement beginning at Monument 38 in the Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E, said survey dated November 6, 1969; thence N 34°41' E, 91.88 feet, as created by instrument dated August 18, 1975, filed August 18, 1975, on Film 153, Page 1599. (Copy attached)
7. Rights of the public over the South 50 feet of captioned property for road purposes.
8. Declaration of Restrictions, dated May 11, 1970, filed May 19, 1970, in Book Misc. 667, Page 307.
9. Mortgage dated May 4, 1970, executed by Crestview Development Corporation, to Union National Bank of Wichita, Kansas, filed May 19, 1970, at 8:04 A.M., in Book 1687, Page 576, in the original amount of \$250,000.00.

A.L.T.A. COMMITMENT

FORM 3383

SCHEDULE C

Number
228108

The land referred to in this Commitment is described as follows:

Beginning 508.19 feet N 88°48'47" East of the Southeast corner of the Southwest Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Section 14; thence North 1°11'13" W 694 feet; thence along a circular curve with a central angle of 28°02'36", a radius of 232.03 feet and the chord extending N 77°09'53" W 112.44 feet for an arc distance of 113.57 feet; thence N 63°08'34" W 73.38 feet; thence S 17°39'42" W 111.89 feet; thence S 88°48'47" W 150 feet to Monument 37; thence N 2°52'56" E 98.45 feet to Monument 38; thence N 84°51'11" W 246.20 feet to Monument 39; thence N 13°11'31" W 207.52 feet to Monument 40; thence N 58°02'10" W 236.92 feet to Monument 41; thence N 71°55'43" W 123.70 feet to Monument 42; thence N 30°50'31" W 298.41 feet to Monument 43; thence N 28°20'46" E 499 feet to Monument 44; thence S 83°19'54" E 211.21 feet to Monument 45; thence N 18°54' E 239 feet; thence N 88°48' E 90 feet; thence S 0°08'34" E 655.44 feet; thence S 74°21'55" E 126.77 feet; thence N 88°27'27" E 210 feet; thence S 1°23'16" E 540.01 feet; thence S 63°08'34" E 80.89 feet; thence on a circular curve with a central angle of 28°02'36" a radius of 178.03 feet and the chord extending S 77°09'53" E 86.27 feet for an arc distance of 87.14 feet; thence N 88°48'47" E 64 feet; thence S 1°11'13" E 748 feet to the South line of said Section 14; thence S 88°48'47" W 64 feet to the place of beginning.

E A S E M E N T

THIS INDENTURE made the 18TH day of AUGUST, 1975,
between Crestview Development Corporation, Inc.

hereinafter called First Party and the Property Owners in Fountain Hills
Addition to Sedgwick County, Kansas, hereinafter called Second Party:

WITNESSETH, That the said First Party in consideration of the payment
of One Dollar (\$1.00) and other valuable considerations, does by these
presents grant unto the Second Party, its successors and assigns, a
perpetual access easement and right-of-way in and over the following real
estate situated in Sedgwick County, Kansas, to-wit:

A 15 foot wide Easement connecting Preston Trail and adjacent property
to the West, over and across Lots 6 and 7 in Said Fountain Hills Addition;
Being 7.5 feet on both sides of a line described as follows:

Beginning at a point 85 feet N 28° 20' 46" E of Monument 43 in the
Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E,
Said Survey dated November 6, 1969; thence 151.82 feet S 73° 55' 16" E,
Being the common line between Lot 6 and Lot 7, Block D in Said Fountain
Hills Addition.

for the purpose of providing access to adjacent property and said lots 6 and 7.

IN WITNESS WHEREOF the First Party has executed this instrument the
day and year first above written.

James F. Haugen PRES
James F. Haugen
Warren E. Tomlinson SEC
Warren E. Tomlinson



State of Kansas)
Sedgwick County) ss.

BE IT REMEMBERED, That on this 18TH day of AUGUST, 1975,
before me the undersigned, a notary public in and for the County and State
aforesaid, came JAMES F. HAUGEN & WARREN E. TOMLINSON

who are personally known to me to be the same persons who executed the
foregoing instrument, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed
my notarial seal the day and year last above written.



C. A. Maxfield
Notary Public
C. A. Maxfield

My Commission expires 7-18-76

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
AUG 13 1975
NO. 2 43679
BETTE F. McCART
REGISTER OF DEEDS
Pat Kettler
Deputy

E A S E M E N T

THIS INDENTURE made the 18TH day of AUGUST, 1975,
between Crestview Development Corporation, Inc.

hereinafter called First Party and the Property Owners in Fountain Hills Addition to Sedgwick County, Kansas, hereinafter called Second Party:

WITNESSETH, That the said First Party in consideration of the payment of One Dallar (\$1.00) and other valuable considerations, does by these presents grant unto the Second Party, its successors and assigns, a perpetual access easement and right-of-way in and over the following real estate situated in Sedgwick County, Kansas, to-wit:

A 15 foot wide access Easement connecting Powell Street and adjacent property Southwest, over and across Lots 5 and 6 in Said Fountain Hills Addition, being 7.5 feet on both sides of a line described as follows:

Beginning at Monument 38 in the Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E, Said Survey dated November 6, 1969; thence 91.88 feet N 34° 41' E, Being the Common Line between Lot 5 and Lot 6, Block B, in Said Fountain Hills Addition.

for the purpose of providing access to adjacent property and said lots 5 and 6.

IN WITNESS WHEREOF the First Party has executed this instrument the day and year first above written.

CRESTVIEW DEVELOPMENT CORP.

James F. Haugen PRES
James F. Haugen

Warren E. Tomlinson SEC
Warren E. Tomlinson



State of Kansas)
Sedgwick County) ss.

BE IT REMEMBERED, That on this 18TH day of AUGUST, 1975, before me the undersigned, a notary public in and for the County and State aforesaid, came JAMES F. HAUGEN & WARREN E. TOMLINSON

who are personally known to me to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal the day and year last above written.

C. A. Maxfield
Notary Public
C. A. Maxfield



My Commission expires 7-18-76

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
AUG 18 1975

AUG 18 1975

2 43680

NO. 2
BETTE F. MCCART
REGISTRAR OF DEEDS

Pat Kettler
Deputy

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

Alvin W. Long
President.

Issued by:
THE SECURITY ABSTRACT &
TITLE COMPANY, INC.
434 North Main Street
Wichita, Kansas 67202
(316) AM 7-8371

ATTEST:

Chester C. McCullough
Secretary.

Lu Bell
Authorized Signatory



STANDARD EXCEPTIONS FOR OWNER'S POLICY

The owner's policy will be subject to the mortgage, if any, noted under item one of Section 1 of Schedule B hereof and to the following exceptions: (1) rights or claims of parties in possession not shown by the public records; (2) encroachments, overlaps, boundary line disputes, and any matters which would be disclosed by an accurate survey and inspection of the premises; (3) easements, or claims of easements, not shown by the public records; (4) any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records; (5) taxes or special assessments which are not shown as existing liens by the public records.

CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 2 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusions from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

SCHEDULE A

Number
228108

Effective Date
August 18, 1975, at 7:00 A.M.

1. Policy or Policies to be issued:

OWNER'S: ALTA Fm B 1970 \$

Proposed Insured:

THE CITY OF WICHITA - Metropolitan Area Planning Commission

LOAN: \$

Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple, and title thereto is at the effective date hereof vested in:

Crestview Development Corporation, a Kansas corporation

3. The land referred to in the Commitment is described in Schedule C.

SCHEDULE B — Section 1

The following are the requirements to be complied with:

1. Instrument(s) creating the estate or interest to be insured must be approved, executed and filed for record, to wit:

N O N E

"When sending instruments for filing please include the above referenced commitment number"

2. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
3. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable. None Due. 1974 Tax \$6,872.63 paid in full. Key #MI-76; #MI-77-1 and #MI-78-2
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid.

ALFA COMMERCIAL
FORM 3382
SCHEDULE B — continued

Number
228108

SCHEDULE B — Section 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Any owner's policy issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof. Any loan policy will contain under Schedule B standard Exceptions 1, 2 and 3 unless a satisfactory survey and inspection of the premises is made.
3. Taxes or special assessments which have not been certified to the Office of the County Treasurer and entered on the tax rolls thereof prior to the date hereof.
4. Easement to Kansas Gas & Electric Company for electric transmission lines over the East 15 feet of the Southwest Quarter of Section 14, as created and confined by instrument filed January 29, 1968, in Book Misc. 614, Page 421.
5. Easement for perpetual access and right-of-way being a 15 foot wide easement beginning at a point 85 feet N 28°20'46" E of Monument 43 in the Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E, said survey dated November 6, 1969; thence S 73°55'16" E 151.82 feet, as created by instrument dated August 18, 1975, filed August 18, 1975, on Film 153, Page 1598. (Copy attached)
6. Easement for perpetual access and right-of-way being a 15 foot wide access easement beginning at Monument 38 in the Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E, said survey dated November 6, 1969; thence N 34°41' E, 91.88 feet, as created by instrument dated August 18, 1975, filed August 18, 1975, on Film 153, Page 1599. (Copy attached)
7. Rights of the public over the South 50 feet of captioned property for road purposes.
8. Declaration of Restrictions, dated May 11, 1970, filed May 19, 1970, in Book Misc. 667, Page 307.
9. Mortgage dated May 4, 1970, executed by Crestview Development Corporation, to Union National Bank of Wichita, Kansas, filed May 19, 1970, at 8:04 A.M., in Book 1687, Page 576, in the original amount of \$250,000.00.

SCHEDULE C

Number
228108

The land referred to in this Commitment is described as follows:

Beginning 508.19 feet N 88°48'47" East of the Southeast corner of the Southwest Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Section 14; thence North 1°11'13" W 694 feet; thence along a circular curve with a central angle of 28°02'36", a radius of 232.03 feet and the chord extending N 77°09'53" W 112.44 feet for an arc distance of 113.57 feet; thence N 63°08'34" W 73.38 feet; thence S 17°39'42" W 111.89 feet; thence S 88°48'47" W 150 feet to Monument 37; thence N 2°52'56" E 98.45 feet to Monument 38; thence N 84°51'11" W 246.20 feet to Monument 39; thence N 13°11'31" W 207.52 feet to Monument 40; thence N 58°02'10" W 236.92 feet to Monument 41; thence N 71°55'43" W 123.70 feet to Monument 42; thence N 30°50'31" W 298.41 feet to Monument 43; thence N 28°20'46" E 499 feet to Monument 44; thence S 83°19'54" E 211.21 feet to Monument 45; thence N 18°54' E 239 feet; thence N 88°48' E 90 feet; thence S 0°08'34" E 655.44 feet; thence S 74°21'55" E 126.77 feet; thence N 88°27'27" E 210 feet; thence S 1°23'16" E 540.01 feet; thence S 63°08'34" E 80.89 feet; thence on a circular curve with a central angle of 28°02'36" a radius of 178.03 feet and the chord extending S 77°09'53" E 86.27 feet for an arc distance of 87.14 feet; thence N 88°48'47" E 64 feet; thence S 1°11'13" E 748 feet to the South line of said Section 14; thence S 88°48'47" W 64 feet to the place of beginning.

E A S E M E N T

THIS INDENTURE made the 18TH day of AUGUST, 1975,
between Crestview Development Corporation, Inc.

hereinafter called First Party and the Property Owners in Fountain Hills
Addition to Sedgwick County, Kansas, hereinafter called Second Party:

WITNESSETH, That the said First Party in consideration of the payment
of One Dollar (\$1.00) and other valuable considerations, does by these
presents grant unto the Second Party, its successors and assigns, a
perpetual access easement and right-of-way in and over the following real
estate situated in Sedgwick County, Kansas, to-wit:

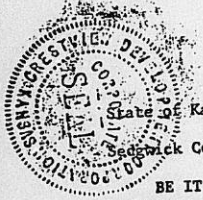
A 15 foot wide Easement connecting Preston Trail and adjacent property
to the West, over and across Lots 6 and 7 in Said Fountain Hills Addition;
Being 7.5 feet on both sides of a line described as follows:

Beginning at a point 85 feet N 28° 20' 46" E of Monument 43 in the
Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E,
Said Survey dated November 6, 1969; thence 151.82 feet S 73° 55' 16" E,
Being the common line between Lot 6 and Lot 7, Block D in Said Fountain
Hills Addition.

for the purpose of providing access to adjacent property and said lots 6 and 7.

IN WITNESS WHEREOF the First Party has executed this instrument the
day and year first above written.

Crestview Development Corp
James F. Haugen PRES
James F. Haugen
Warren E. Tomlinson SEC
Warren E. Tomlinson



State of Kansas)
Sedgwick County) ss.

BE IT REMEMBERED, That on this 18TH day of AUGUST, 1975,
before me the undersigned, a notary public in and for the County and State
aforesaid, came JAMES F. HAUGEN & WARREN E. TOMLINSON

who are personally known to me to be the same persons who executed the
foregoing instrument, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed
my notarial seal the day and year last above written.



C. A. Maxfield
Notary Public
C. A. Maxfield

My Commission expires 7-18-76

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
AUG 13 1975
NO. 2 43679
BETTE F. MCCART
REGISTER OF DEEDS

Pat Kettler
Deputy

E A S E M E N T

THIS INDENTURE made the 18TH day of AUGUST, 1975,
between Crestview Development Corporation, Inc.

hereinafter called First Party and the Property Owners in Fountain Hills Addition to Sedgwick County, Kansas, hereinafter called Second Party:

WITNESSETH, That the said First Party in consideration of the payment of One Dallar (\$1.00) and other valuable considerations, does by these presents grant unto the Second Party, its successors and assigns, a perpetual access easement and right-of-way in and over the following real estate situated in Sedgwick County, Kansas, to-wit:

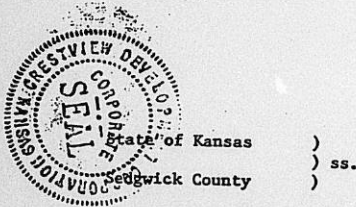
A 15 foot wide access Easement connecting Powell Street and adjacent property Southwest, over and across Lots 5 and 6 in Said Fountain Hills Addition, being 7.5 feet on both sides of a line described as follows:

Beginning at Monument 38 in the Crestview Country Club Boundary Survey in Section 14, T 27 S, R 2 E, Said Survey dated November 6, 1969; thence 91.88 feet N 34° 41' E, Being the Common Line between Lot 5 and Lot 6, Block B, in Said Fountain Hills Addition.

for the purpose of providing access to adjacent property and said lots 5 and 6.

IN WITNESS WHEREOF the First Party has executed this instrument the day and year first above written.

CRESTVIEW DEVELOPMENT CORP.
James F. Haugen PRES
James F. Haugen
Warren E. Tomlinson SEC
Warren E. Tomlinson



BE IT REMEMBERED, That on this 18TH day of AUGUST, 1975, before me the undersigned, a notary public in and for the County and State aforesaid, came JAMES F. HAUGEN & WARREN E. TOMLINSON

who are personally known to me to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal the day and year last above written.



C. A. Maxfield
Notary Public
C. A. Maxfield

Commission expires 7-18-76

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
AUG 18 1975
NO. 2 43680
BETTE F. MCCART
REGISTER OF DEEDS

Pat Kettler
Deputy

INVENTORY & EVALUATION

* { INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

REQUESTED BY Fountain Hills LOCATION 1/4 mi. east of 127th St.
East & in an area N. of Central

ASSISTED BY Larry L. Henry, District Conservationist DATE 5-13-75

Specific Problems:

SITUATION: ~~This area is moderately sloping and will erode if not terraced or covered with grass. It also has slight erosion problem if left with no cover.~~

Solutions: 1. Disturb only the area needed for construction. 2. Remove only those trees, shrubs, and grasses that must be removed for construction;

protect the rest to preserve their esthetic and erosion-control values.

3. Stockpile topsoil and protect it with anchored straw mulch or jute mat material. 4. Disturbing as small an area as possible, install streets,

curbs, water mains, electric and telephone cables, storm drains, and sewers in

advance of home or other building construction. 5. Temporarily stabilize

each segment of graded or otherwise disturbed land, including the sediment-

control devices not otherwise stabilized, by seeding and mulching or by mulching

SUGGESTED SOLUTION(S): ~~XXXXXXXXXXXXXXXXXXXX~~ alone. Permanently stabilize these areas as work on the

land is completed. Both temporary and permanent stabilization practices are

to be installed according to Sedgwick County Conservation District standards

and specifications. The following are adapted perennial grasses and should be

seeded at the following rates: Native bluestem mix, 2 pounds per 1,000 square

feet, acre. Tall fescue, 2 pounds per 1,000 square feet, acre. Bromegrass,

2 pounds per 1,000 square feet, acre. Apply nitrogen fertilizer at the rates

listed below or have the soil tested and fertilize accordingly. Tall fescue,

2 pounds per 1,000 square feet, acre. Bromegrass, 2 pounds per 1,000 square

* Circle appropriate category.

INVENTORY & EVALUATION

* { INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

REQUESTED BY _____ LOCATION _____

ASSISTED BY _____ DATE _____

SITUATION:
~~XXXXXXXX~~ feet, acre. Adapted perennial grasses for sodding are *Fescue, Zoysia, and Bluegrass.* 6. Stabilize each lot within 60 days after work starts on home or other building construction. 7. Backfill, compact, seed, and mulch trenches within 60 days after they are opened. 8. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 943-9471.

SUGGESTED SOLUTION(S):

* Circle appropriate category.

July 10, 1975

Metropolitan Area Planning Commission
City Building Annex
104 South Main Street
Wichita, Kansas 67202

In Re: Fountain Hills Addition

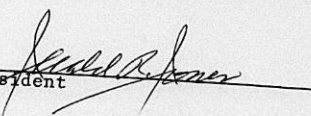
Gentlemen:

This is to certify that the owner of the above described real property has petitioned the Board of Directors of the Crestview Country Club Improvement District for the construction of street improvements, including excavating, curb and gutter and servicing together with drainage of all of the streets and public roadways within the above described real property and further have petitioned said Improvement District for the construction of sanitary sewers and water distribution lines to serve said real property.

The Board of Directors of the Crestview Country Club Improvement District has accepted such petitions and has passed a Resolution ordering the engineers for the district to proceed to draw the necessary plans and specifications and cost estimates in order to proceed with the construction of such improvements and public utilities, all under authority of K.S.A. 19-2765 et seq., and K.S.A. 19-2774 and other statutes applicable to such cases. It is understood that such improvements are to be paid for by special assessments to be levied against the property benefited by the construction of such improvements.

Very truly yours,

CRESTVIEW COUNTRY CLUB IMPROVEMENT
DISTRICT OF SEDGWICK COUNTY,
KANSAS

By 
President

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CRESTVIEW COUNTRY CLUB IMPROVEMENT DISTRICT
OF SEDGWICK COUNTY, KANSAS
ADOPTED AT A MEETING HELD ON JULY 2, 1975.

The following resolution was moved, seconded and unanimously carried at a meeting of the Board of Directors of the Crestview Country Club Improvement District held at 6:45 A.M. on July 2, 1975, to-wit:

"Whereas, the Petition of William H. Powell, being the sole owner of all of the property comprising Fountain Hills Addition to Crestview Country Club Estates, Sedgwick County, Kansas, was presented to the Board of Directors of the Crestview Country Club Improvement District of Sedgwick County, Kansas, asking that sanitary sewers be constructed to serve the above described addition and that a water distribution system be constructed to serve the above described addition and that street improvements, consisting of excavation, servicing, curb and gutter drainage be constructed upon all of the streets, roads and public ways within the above described real property, the same being a part of this Improvement District, and

Whereas, it was found that such petitions are in due legal form and that the signer of such petitions, William H. Powell, is the sole owner of all of the real property to be benefited by such construction and which would be assessed to pay the costs of such construction, and

Whereas, it is determined by the Board of Directors that such requested improvements will be conducive to the public health, convenience and welfare of the residents of such district."

WHEREFORE, Be It Resolved by the Board of Directors at a regular meeting duly assembled that Reiss and Goodness, registered professional engineers within the State of Kansas be and they hereby are employed to prepare plans and specifications for the doing of such work and further to make estimates of the cost of such work and to present such plans, specifications and estimates to this Board of Directors as soon as possible.

James J. Kewen
Secretary of the Board of Directors
of the Crestview Country Club
Improvement District of Sedgwick
County, Kansas

STATE OF KANSAS, SEDGWICK COUNTY, ss:

JAMES F. HAUGEN, being of legal age and duly sworn, states and says that he is the duly elected, qualified and acting Secretary of the Board of Directors of the Crestview Country Club Improvement District of Sedgwick County, Kansas, and that the above and foregoing Resolution was duly moved, seconded and unanimously passed by the Board of Directors at their meeting on July 2, 1975.

James F. Haugen
Secretary

Subscribed and sworn to before me this 14th day of July, 1975.

SANDRA L. DRESIE
State Notary Public
Sedgwick Co., Kansas
My Comm. Expires June 20, 1978
My commission expires:
June 20, 1976

Sandra L. Dresie
Notary Public

TO: The Board of Directors
Crestview Country Club Improvement District of
Sedgwick County, Kansas

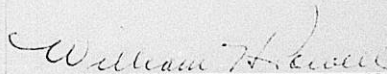
PETITION FOR STREET AND ROAD IMPROVEMENTS

We, the undersigned, being all of the owners of land abiding upon the streets, roads, alleys or other public travelways within the following described real property, to-wit:

Fountain Hills Addition to Crestview
Country Club Estates, Sedgwick County,
Kansas.

As such owners, we do in conformity with K.S.A. 19-2772, petition the said Improvement District that street improvements consisting of excavating, servicing, curb and gutter drainage, including all streets and public ways in the above described real property, the same being part of this Improvement District and that the cost thereof be assessed as special assessments against the properties abiding on such streets, roads, alleys or other public travelways.

Your petitioners further respectfully request that the Board of Directors of the Improvement District take the steps necessary in conformity with statutes above cited in order to accomplish the improvements to the streets as prayed for in this petition.


William H. Powell

TO: The Board of Directors
Crestview Country Club Improvement District of
Sedgwick County, Kansas

PETITION FOR SANITARY SEWERS

We, the undersigned, being the owners of all of the
real property described as follows, to-wit:

Fountain Hills Addition to Sedgwick
County, Kansas,

do hereby petition the Board of Directors of the Crestview
Country Club Improvement District of Sedgwick County, Kansas
for the construction of sanitary sewers to serve all of the
lots, blocks and parcels in the above described real property.

Your Petitioners further state that such public
works improvements are necessary for public health, convenience
and welfare and that such real property is within the limits
of the Improvement District.

Your petitioners further state that it is their
desire that such improvements be paid for by special assessments
to be levied against the real property benefited hereby, and
that the undersigned petitioners are the owners of all of the
real property which will be benefited by such improvements and
which will be assessed for the payment of the cost of such
construction.

WHEREFORE, your petitioners pray that the Board of
Directors of the said improvement district take the necessary
steps in conformity to K.S.A. 19-2765 et seq to cause such
improvements to be constructed.


William H. Powell

TO: The Board of Directors
Crestview Country Club Improvement District of
Sedgwick County, Kansas

PETITION FOR WATER DISTRIBUTION
LINES

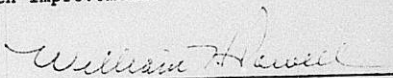
The undersigned, being the owners of all of the
following described real property, to-wit:

Fountain Hills Addition to Sedgwick
County, Kansas,

do hereby petition the Board of Directors of the said
Improvement District for the construction of a water
distribution system to serve the lots and resident sites
of such real property.

Your petitioners further state that they are the
owners of all of the property which will be liable for
special assessments to pay for the cost of such improvements
and that such improvements will be conducive to the public
health and convenience and welfare, and are necessary within
such Improvement District.

Your petitioners pray that the Board of Directors of
the Improvement District take the necessary steps in
conformity with K.S.A. 19-2765, et seq., to cause such
improvements to be constructed and enter into any contracts
that may be necessary for the same and that the same be
paid for by special assessments to be levied against the
real property benefited by such improvement.



William H. Powell



KANSAS GAS AND ELECTRIC COMPANY

June 25, 1975

Mr. Curtis Newby
Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Subject: Fountain Hills Addition

Dear Mr. Newby:

It is satisfactory with this company if you would forward this plat to MAPC meeting for Thursday's meeting, June 26, 1975, with the recommendation that we reserve the right to add necessary easements before the plat becomes final.

This should help the developer keep his timetable.

Sincerely,

Eugene V. Moser
for Robert L. Blevins

EVM:pw

cc: Mr. Bob Armstrong
Mr. Bill Powell
Mr. Jim Haugen





Southwestern Bell

P.O. Box 2579
Wichita, Kansas 67201
June 25, 1975

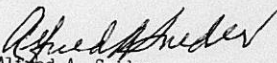
Wichita Metropolitan Planning Commission
104 So. Main
Wichita, Kansas 67202

Re: Final Plat - Fountain Hill
Addition

Dear Sir:

This is to advise that the Southwestern Bell Telephone Com-
pany has no objection to subject plat.

Yours truly,


Alfred A. Snider
District Engineer





**COUNTY OF SEDGWICK
FIRE DEPARTMENT**

4343 N. WOODLAWN, WICHITA, KANSAS, 67220

• TELEPHONE 744-0471

CHIEF
RAYMOND A. DAVIS

DEPUTY CHIEF
L. E. MCCABE

ASST. CHIEF
GARY L. NICHOLS

June 20, 1975

Mr. Curtis L. Newby, Junior Planner
Wichita-Sedgwick County Metropolitan Area Planning Commission
104 South Main Street
Wichita, KS

Dear Curtis:

Enclosed is a copy of a letter I sent to Kenny Hill of Reiss & Goodness,
concerning the comments I had on the Fountain Lakes platting.

Also for your records I have enclosed a copy of the amended section 13.208
of the Fire Code for the un-incorporated areas of Sedgwick County.

The City of Haysville has also adopted the Code.

Thank you,

Gary L. Nichols, Assistant Fire Chief
Sedgwick County Fire Dept.

Enc.



June 20, 1975

Mr. Kenny Hill
Reiss and Goodness Engineers
2160 East Douglas
Wichita, KS

Dear Sir:

As per our telephone conversation of this a.m., I am enclosing a Xerox copy of Section 13.208 of the Uniform Fire Code Amended, 1971 edition.

I feel that compliance with this section will take care of our remarks at the subdivision meeting of June 19, 1975, pertaining to the plat on Fountain Hills.

We have furnished Mr. Lakin with a complete copy of the resolution adopting the 1971 version of the Uniform fire code as the code for the un-incorporated areas of Sedgwick County.

Should there be any further questions feel free to contact me.

Sincerely,

Gary L. Nichols, Assistant Fire Chief
Sedgwick County Fire Dept.

Enc.

cc: Mr. Curtis L. Newby

4. Section 13.208 Amended. Section 13.208 of the Uniform Fire Code, 1971 Edition, shall read as follows:

(a) 1. All buildings shall front directly upon or have access to a public street and/or access way not less than 20 feet in width. The access shall be within a 30 foot wide unobstructed area having a vertical clearance of 12 feet unobstructed and maintained only as access to the public street or on the access way. The access shall have a hard, all weather surface suitable for use by fire apparatus.

2. Any dead end access way longer than 100 feet shall be provided with a turnaround having a minimum outside radius of 50 feet, or a driveway which will permit a fire truck to reverse its heading in no more than two maneuvers.

3. When buildings or any portion thereof are located 150 feet or more from a public street or access way and there is not suitable access for fire equipment as determined by the Fire Chief, there shall be provided approved fire protection systems or system as required and approved by the Chief.

4. Parking of vehicles along access ways shall be prohibited.

5. When fire protection facilities are to be installed by the developer, such facilities, including all surface roads, shall be installed and made serviceable prior to and during the time of construction.

6. When alternate methods of protection, as approved by the Chief, are provided, the foregoing may be modified or waived.

(b) 1. For all areas within the established boundaries of the unincorporated areas of Sedgwick County, Kansas, on which by the nature of the land development, there is a need to provide access ways as described in Section 13.208(a), the owner shall provide firelane easements.

2. The particular location and extent of firelane easements required under Section 13.208(b) 1 shall be determined at such time as building improvements are planned. No building permit shall be issued for improvements to land which is subject to the provisions of this ordinance until after the firelane easements, if required are defined in a dedication of easement approved by the County Counselor, and the Chief of the Fire Department, and which will be recorded as a separate instrument with the Register of Deeds and will be referenced to the building plans and the recorded plat.

June 27, 1975

Reiss and Goodness Engineers
2160 East Douglas
Wichita, Kansas 67214

Re: S/D 74-100 - Final Plat of
FOUNTAIN HILLS

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission held on June 26, 1975, the above-captioned final plat was considered. It was the action of the Commission to recommend approval as recommended by the Subdivision Committee, subject to the conditions stated in our letter of June 20, 1975:

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. Compliance with the requirements of the Metropolitan Area Planning Commission.
2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Certification by an attorney that fee title is vested in the plattor.
4. Certification that all taxes due and payable for 1974 and prior years have been paid.

In addition to the previously stated conditions of approval, the following additional condition as set forth in a letter from Jim Aiken, Environmental Health Director, dated June 26, 1975, shall apply:

"The sewer extensions for said addition shall be submitted to the Kansas Department of Health and Environment for approval, and that no additional development be permitted in the Crestview Improvement District after the present sewage treatment plant has reached capacity unless or until said Improvement District and its facilities have been included in the East Sedg-

Page 2 - Reiss and Goodness Engineers
June 27, 1975

wick County Main Sewer District; and said treatment facilities have been expanded and/or relocated in accordance with the plans for said main sewer district."

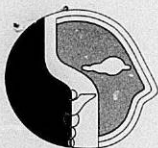
If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Crestview Development Corp., 130 North Market 67202
W. H. Powell, 5902 Polo 67208
Dean Sellers, Assistant City Engineer



June 26, 1975

Mr. Bob Lakin, Director
Metropolitan Area Planning Department
City Building Annex
104 South Main
Wichita, Kansas

RE: Crestview Improvement District, Sedgwick County, Kansas
(Proposed Fountain Hills Subdivision)

This will verify the conference regarding the Crestview Improvement District in Sedgwick County, Kansas, and the proposed Fountain Hills Sub Division, held at 11:00 a.m. June 25, 1975, in the Sedgwick County Department of Public Works offices and attended by Grover McLure and Don Yelton, representing the Sedgwick County Department of Public Works; Al Reiss and Jerry Jones, representing the Crestview Improvement District; and Jim Aiken and Steve Innes, representing the Environmental Health Division of the Wichita-Sedgwick County Department of Community Health.


The conference was concerned with two areas of discussion, (1) the current situation in the Crestview Improvement District in regard to development and sewage treatment plant capacity and (2) planning that would be necessary to provide adequate sewage treatment facilities for the Crestview Improvement District area and adjoining Sedgwick County Sewer District Areas in the future.

In regard to the current development situation relating to sewage treatment capacity, information was provided as depicted in the attached table.

From this information and discussion, the following conclusions are appropriate:

1. The current population of 341, served by the Crestview Improvement District Sewage Treatment Plant, which includes population for projected construction through 1975, is well below the sewage treatment plant capacity of 600 pe.
2. The occupancy rate of 2.5 persons per dwelling unit is well below the sewage treatment plant design occupancy rate of 3.6 persons per dwelling unit.

Wichita-Sedgwick County Department of Community Health
1900 East Ninth Street - Wichita, Kansas 67214 (316)268-8201

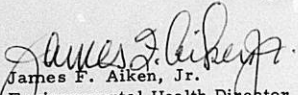
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Mr. Bob Lakin
Page Two

3. At the present development rate of 1 to 2 dwelling units per month in the Crestview Improvement District, and at the present occupancy rate of 2.5 persons per dwelling unit the existing sewage treatment plant capacity of 600 pe would be reached in 3 to 5 years.
4. Planning for the enlargement and/or relocation of the sewage treatment plant to serve Crestview Improvement District and possibly additional areas of the East Sedgwick County Main Sewer District needs to be initiated.

Based on the discussion at the conference, the Environmental Health Division of the Wichita-Sedgwick County Department of Community Health authorizes the finalization of the proposed Fountain Hills Sub Division based on the following conditions:

1. That the sewer extensions for Fountain Hills Sub Division in the Crestview Improvement District be submitted to the Kansas Department of Health and Environment for approval.
2. That any additional development (construction) in the Crestview Improvement District not be permitted when the capacity of the existing sewage treatment plant is reached, unless and until additional sewage treatment facilities are provided in accordance with the plan developed in relation to the East Sedgwick County Main Sewer District.
3. That the planning for the relocation and/or enlargement of the sewage treatment facilities to serve the Crestview Improvement District either at the present site or at a relocated site be included in the East Sedgwick County Main Sewer District plan of study and step one application to the Kansas Department of Health and Environment and the Environmental Protection Agency with the Crestview Improvement District and their consulting engineer participating in the study by providing appropriate information and assisting in the development of alternatives.


James F. Aiken, Jr.
Environmental Health Director

JFA:pp

cc Jerry Jones
Al Reiss

Grover McLure
Don Yelton
Steve Innes

Jack Turner
Clay Cox
Herman Janzen

John Bailey

Crestview Improvement District-Sewerage Status

	No. of Dwelling Units	Plant(3) Design	Dwelling Units (5) Constructed 10-15-74		Actual(5) Occupancy	Dwelling Units (9) Constructed 6-25-75	Design (3) pe	Actual Occupancy (9) 6-25-75
			No.	pe				
Original Sub Divisions	(1) Building Sites							
1. North Point	36	130	18	65	54	20	187	67
2. The Villas	60	216	52	187	109	52	40	106
3. East Meadows	50	180	9	32	27	11	50	33
4. Country Club(2)		50(4)		50	50			50
Added Sub Divisions (6)								
5. Southern Village	56(8)	202	18	65	43	26	36	63
6. The Villas Second	88	317	8	29	17	10	94	22
7. Fountain Hills (7)	24	86	0	0	0	0	479	0(11)
	314	1181	105	428	300 (10)	119		341

- (1) Existing sewage treatment plant with a design capacity of 600 pe was provided for these 3 sub divisions in the Crestview Improvement District plus the Country Club (outside the Improvement District) on a contracted arrangement.
- (2) The Country Club was assumed to have a 50 p.e. A review of water consumption, July, 1974 through June, 1975 indicates that this assumption is accurate.
- (3) Plant design based on 3.6 persons per D.U. (dwelling unit)
- (4) See (2)
- (5) As reported by Reiss and Goodness and Jim Haugen
- (6) These 3 sub divisions permitted to be developed along with original 3 up to the point that the sewage treatment plant capacity is reached. Reiss and Goodness report that sewer extensions have been approved by K.D. of H. & E.
- (7) Fountain Hills - proposed platt
- (8) 28 lots for duplexes - previously reported as 1st and 2nd Additions with a total of 58 D.U.s
- (9) As reported by Jerry Jones
- (10) $(300-50) \div 105 = 2.4$ persons per D.U.
- (11) $(341-50) \div 119 = 2.5$ persons per D.U.

6-25-75 JFA-EHD-WSCDCH

June 20, 1975

Reiss and Goodness Engineers
2160 East Douglas
Wichita, Kansas 67214

Re: S/D 74-100 - Final plat of
FOUNTAIN HILLS.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, June 19, 1975, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- SK* The applicant shall contact the Environmental Health Division of the Wichita-Sedgwick County Health Department relative to determining the capacity of the existing sewage treatment plant to serve subject property and to discuss future development plans for the area, including conversion of, or replacement of the existing treatment system when the area is served by the East Sedgwick County Sewer Benefit District. In addition, if a memorandum from said agency stating that said matters have been discussed and satisfactorily resolved has not been received prior to the Planning Commission meeting, it will be recommended to the Planning Commission that the plat be deferred until these matters are resolved.
- Cal* The applicant shall contact the Planning Department relative to appropriate building setbacks to be indicated on Lot 1, Block D, on the final plat.
- OK* The applicant shall contact KG&E and Southwestern Bell relative to utility easements required for their respective facilities. A letter from each company stating that satisfactory easements have been worked out shall be submitted to the Planning Department.

- for see letter from Crestview Imp. Dist.*
- D. The applicant shall contact the County Fire Department relative to the width of the firelanes to be indicated on the final plat.
 - E. The applicant shall guarantee the extension of City of Wichita water to serve subject property.
 - F. The applicant shall obtain a permit from the State Water Resources Board for the pond and dam structure to be constructed on Reserve A, or shall have a determination made in writing by legal counsel that said pond and dam are exempt from the State permit requirement. If the pond and dam are exempt, then the applicant's engineer shall furnish the design data for the pond and dam to the Maintenance-Flood Control Office.
 - G. The applicant shall submit a letter to the Planning Department requesting that County Cases SCZ-0331 from "R-1" to "AA", and CU-164 be withdrawn and closed.
 - H. The recorded book and page number for the 15-foot access easement indicated between Lots 6 and 7, Block D, shall be labeled on the face of the plat.
 - I. The underground installation of both telephone and electric utilities will be a requirement of plat approval.
letter coming from Dick Linn
 - J. The applicant shall submit appropriate plans and profiles for the street improvements to the City Engineer. A letter from the City Engineer approving said plans and profiles shall be submitted to the Planning Department.
 - K. *see letter and resolution from Crestview Imp. Dist.*
The applicant shall guarantee the paving of Powell Street, Powell Circle and Preston Trail, including the cul-de-sac, to City of Wichita specifications.
 - L. It is the recommendation of the Subdivision Committee that the requirements for sidewalks be waived on this plat.
 - M. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to drainage studies and establishing minimum building pad elevation.
 - N. The County Clerk's signature line shall be labeled "George Pierce."
 - O. Recording of the plat within 30 days after approval by the Board of County Commissioners.

S/D 74-100
June 20, 1975
Page 3

In addition to the above comments the applicant shall be advised that the Planning staff is not supportive of the request for variance of the required 30 foot front building setback on subject lots. Although it is apparent that on 2 or 3 of the lots because of street design and lot configuration, the required setback may create some problem with the development of said lots, it would seem likely that the problem could be corrected by slight adjustments in street design and establishing a side yard setback on corner lots.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are 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, June 26, 1975, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

cc: Crestview Development Corp., 130 North Market, 67202
W. H. Powell, 5902 Polo, 67208
Dean Sellers, Assistant City Engineer

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 74-100 Name FOUNTAIN HIL'S
Date Application Rec'd. 5-5-75 Preliminary Approval 5-15-75
Scheduled S/D Meeting 6-19-75

DESCRIPTION

General Location One-half mile east of 127th Street East and in an area north of Central.
Owner Crestview Development Corp.
Surveyor/Engineer Reiss & Goodness Engineers
Address 2160 East Douglas Phone 264-1391

- | | | | |
|---|--|--------------------------------------|-------------------------------|
| 1. Gross Acreage of Plat | <u>16</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>64</u> R/W <u>740</u> ft. | |
| Residential | <u>24</u> | b. <u>24</u> R/W <u>2,670</u> ft. | |
| Commercial | | c. _____ R/W _____ ft. | |
| Industrial | | d. _____ R/W _____ ft. | |
| Other | | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>24</u> | TOTAL | <u>3,410</u> ft. |
| 3. Minimum Lot Frontage | <u>95</u> ft. | 8. Sidewalk adjacent to all streets? | <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area | <u>15,000</u> sq. ft. | | |
| 5. Existing Zoning | <u>R-1</u> | | |
| 6. Proposed Zoning | <u>R-1</u> | | |
| 9. Public Water Supply | <u>Yes</u> (Yes-No), Name <u>Wichita Water Dept.</u> | | |
| 10. Public Sanitary Sewers | <u>Yes</u> (Yes-No), Name <u>Crestview Improvement Dist.</u> | | |
| 11. Health Department Approval (where applicable) | <u>Yes</u> (Yes-No) | | |
| 12. City of Wichita | <u>Three-Mile Area</u> | | <u>X</u> |

STAFF COMMENTS:

- A. The applicant shall submit a letter to the Planning Department requesting that County cases SCZ-0331 from "R-1" to "AA" and CU-164 be withdrawn and closed.
- B. The recorded book and page number for the 15 foot access easement indicated between Lots 6 and 7, Block D shall be labeled on the face of the plat.
- C. It should be pointed out that a request for a variance of the front yard setback from 30 to 20 feet will be considered by the County Board of Zoning Appeals on July 7, 1975.
- D. The underground installation of both telephone and electric utilities will be a requirement of plat approval.
- E. The applicant shall submit appropriate plans and profiles for the street improvements to the City Engineer. A letter from the City Engineer approving said plans and profiles shall be submitted to the Planning Department.
- F. The applicant shall guarantee the paving of Powell Street, Powell Circle and Preston Trail, including the cul-de-sacs.
- G. It is the recommendation of the Subdivision Committee that the requirements for sidewalks be waived on this plat.
- H. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to drainage studies and establishing minimum building pad elevation.
- I. The County Clerk's signature line shall be labeled "George Pierce".
- J. Recording of the plat within 30 days after approval by the Board of County Commissioners.

May 16, 1975

Reiss & Goodness Engineers
2160 East Douglas
Wichita, Kansas 67214

Re: S/D 74-100 - Preliminary
plat of FOUNTAIN HILLS

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 15, 1975, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. This preliminary plat proposes 24 single family lots in the R-1 zoning district. The applicant's original concept was to plat duplex lots which required approval of a zone change to "AA" zoning and a conditional use case to permit duplex development. The applicant shall submit a letter to the Planning Department requesting that County cases SCZ-0331, "R-1" to "AA" and CU-164 be withdrawn and closed.
- B. The recorded book and page number for the 15 foot access easement indicated between Lots 6 and 7, Block D shall be labeled on the face of the plat.
- C. If building setbacks less than the 30 feet required by the Zoning Ordinance are desired by the applicant, the applicant shall bring said request before the County Board of Zoning Appeals.
- D. Building setback lines may be omitted from the face of the plat.
- E. The lot frontages on Lots 4, 6 and 7, Block D, shall be increased to 100 feet in width, the required minimum frontage in the R-1 zoning district.
- F. The underground installation of both telephone and electric utilities will be a requirement of plat approval.

S/D 74-100
May 16, 1975
Page 2

- G. The applicant shall submit appropriate plans and profiles for the street improvements to the City Engineer. A letter from the City Engineer approving said plans and profiles shall be submitted to the Planning Department.
- H. The applicant shall install or guarantee the installation of sidewalks adjacent to both sides of Powell Street and Powell Court, including around the cul-de-sac.
- I. The applicant shall guarantee the paving of Powell Street and Powell Court, including the cul-de-sacs.
- J. Utility easements and tree maintenance easements shall be differentiated on the face of the plat.
- K. The applicant shall contact Kansas Gas & Electric and Southwestern Bell Telephone relative to indicating appropriate easements on the face of the plat.
- L. Reserve C, as indicated on this preliminary plat, shall be included as part of Lot 1, Block D on the final plat. Said Reserve shall be labeled on the final plat as a firelane easement.
- M. It is the recommendation of the Subdivision Committee that the requirements for sidewalks be waived on this plat.
- N. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to drainage studies and establishing minimum building pad elevation.
- O. The applicant and/or his engineer shall contact Tim Cain of the Department of Public Works relative to indicating appropriate street names on the face of the plat.
- P. 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- Q. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

S/D 74-100
May 16, 1975
Page 3

If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

cc: Crestview Development Corp.
Jerald R. Jones
130 North Market, 67202

W. H. Powell
5902 Polo, 67208

Dean Sellers, Assisiant City Engineer

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

Plat No. 74-100 Name FOUNTAIN HILLS
Date Application Rec'd. 5-5-75 Preliminary Approval
Scheduled S/D Meeting 5-15-75

DESCRIPTION

General Location One-half mile east of 127th Street East and in an
area north of Central.
Owner Crestview Development Corp.
Surveyor/Engineer Reiss & Goodness Engineers
Address 2160 East Douglas Phone 264-1391

1. Gross Acreage of Plat 16
2. Number of Lots:
Residential 24
Commercial _____
Industrial _____
Other _____
Total Number of Lots 24
3. Minimum Lot Frontage 95 ft.
4. Minimum Lot Area 15,000 sq. ft.
5. Existing Zoning R-1
6. Proposed Zoning R-1

7. Lineal Feet of New Streets:
a. 64 R/W 740 ft.
b. 24 R/W 2,670 ft.
c. _____ R/W _____ ft.
d. _____ R/W _____ ft.
e. _____ R/W _____ ft.
TOTAL 3,410 ft.
8. Sidewalk adjacent to all streets? yes no

9. Public Water Supply Yes (Yes-No), Name Wichita Water Dept.
10. Public Sanitary Sewers Yes (Yes-No), Name Crestview Improvement Dist.
11. Health Department Approval (where applicable) Yes (Yes-No)
12. City of Wichita Three-Mile Area

STAFF COMMENTS:

- A. This preliminary plat proposes 24 single family lots in the R-1 zoning district. The applicant's original concept was to plat duplex lots which required approval of a zone change to "AA" zoning and a conditional use case to permit duplex development. The applicant shall submit a letter to the Planning Department requesting that County cases SCZ-0331, "R-1" to "AA" and CU-164 be withdrawn and closed.
- B. The recorded book and page number for the 15 foot access easement indicated between Lots 6 and 7, Block D shall be labeled on the face of the plat.
- C. The applicant's engineer shall be prepared to discuss access to Lot 1, Block D.
- D. The building setback line shall be increased to 30 feet on all lots.
- E. The lot frontages on Lots 4, 6 and 7, Block D, shall be increased to 100 feet in width, the required minimum frontage in the R-1 zoning district.
- F. The underground installation of both telephone and electric utilities will be a requirement of plat approval.
- G. The applicant shall submit appropriate plans and profiles for the street improvements to the City Engineer. A letter from the City Engineer approving said plans and profiles shall be submitted to the Planning Department.
- H. The applicant shall install or guarantee the installation of sidewalks adjacent to both sides of Powell Street and Powell Court, including around the cul-de-sac.
- I. The applicant shall guarantee the paving of Powell Street and Powell Court, including the cul-de-sacs.

Map No.: _____
Section No.: _____
Twp. No.: _____
Range: _____

S/D No. _____

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Fountain Hills

General Location: 1/4 Mile East of 127th St. and 1/8 Mile North of Central Avenue.

Name of Property Owner: Crestview Development Corp.

Address: 130 N. MARKET Phone: 263-3833

Name of Subdivider: W. H. Powell

Address: 5902 Polo Phone: 683-4036

Name of Agent/Surveyor: Reiss & Goodness Engineers

Address: 2160 E. Douglas Phone: 264-1391

Date of Application: Original 9-11-74

Reapplied 5-5-75

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 16 Acres
2. Number of Lots:

Residential	<u>24</u>
Commercial	<u>0</u>
Industrial	<u>0</u>
Other	<u>0</u>
Total Number of Lots	<u>24</u>
3. Minimum Lot Frontage 95 ft.
4. Minimum Lot Area 15,000 Sq. ft.
5. Existing Zoning R1
6. Proposed Zoning R1
7. Lineal Feet of New Streets:

a.	<u>64</u>	R/W	<u>740</u>	ft.
b.	<u>24</u>	R/W	<u>2,670</u>	ft.
c.		R/W		ft.
d.		R/W		ft.
e.		R/W		ft.
TOTAL	<u>3,410</u>			ft.
8. Sidewalk adjacent to all streets? yes XX no
9. Public Water Supply (Yes-~~NO~~), Name Wichita Water Department
10. Public Sanitary Sewers (Yes-~~NO~~), Name Crestview Improvement Dist.
11. Health Department Approval (where applicable) _____ (Yes-~~NO~~)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: James J. Gough PRES

Wichita-Sedgwick County Metropolitan Area
Planning Commission, Room 402, City Building
Annex, 104 South Main Street, Wichita, Kansas

Received by Reicht
Date 5/5/75
Fee Submitted \$10.00

PRELIMINARY PLAT
DIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

D NO. 74-100 Name FOUNTAIN HILLS
ate Application Rec'd. 5-5-75 Preliminary Approval
Scheduled S/D Meeting 5-15-75

DESCRIPTION

General Location One-half mile east of 127th Street East and in an
area north of Central.

Owner Crestview Development Corp.

Surveyor/Engineer Reiss & Goodness Engineers

Address 2160 East Douglas Phone 264-1391

- | | | | |
|---|-----------------------------|---|-----------|
| 1. Gross Acreage of Plat | 16 | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. 64 R/W | 740 ft. |
| Residential | 24 | b. 24 R/W | 2,670 ft. |
| Commercial | | c. R/W | ft. |
| Industrial | | d. R/W | ft. |
| Other | | e. R/W | ft. |
| Total Number of Lots | 24 | TOTAL | 3,410 ft. |
| 3. Minimum Lot Frontage | 95 ft. | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | 15,000 sq. ft. | streets? yes <input checked="" type="checkbox"/> no | |
| 5. Existing Zoning | R-1 | | |
| 6. Proposed Zoning | R-1 | | |
| 9. Public Water Supply Yes (Yes-No), Name | Wichita Water Dept. | | |
| 10. Public Sanitary Sewers Yes (Yes-No), Name | Crestview Improvement Dist. | | |
| 11. Health Department Approval (where applicable) | Yes (Yes-No) | | |
| 12. City of Wichita : Three-Mile Area | X | | |

STAFF COMMENTS:

- A. This preliminary plat proposes 24 single family lots in the R-1 zoning district. The applicant's original concept was to plat duplex lots which required approval of a zone change to "AA" zoning and a conditional use case to permit duplex development. The applicant shall submit a letter to the Planning Department requesting that County cases SCZ-0331, "R-1" to "AA" and CU-164 be withdrawn and closed.
- B. The recorded book and page number for the 15 foot access easement indicated between Lots 6 and 7, Block D shall be labeled on the face of the plat.
- C. The applicant's engineer shall be prepared to discuss access to Lot 1, Block D.
- D. The building setback line shall be increased to 30 feet on all lots.
- E. The lot frontages on Lots 4, 6 and 7, Block D, shall be increased to 100 feet in width, the required minimum frontage in the R-1 zoning district.
- F. The underground installation of both telephone and electric utilities will be a requirement of plat approval.
- G. The applicant shall submit appropriate plans and profiles for the street improvements to the City Engineer. A letter from the City Engineer approving said plans and profiles shall be submitted to the Planning Department.
- H. The applicant shall install or guarantee the installation of sidewalks adjacent to both sides of Powell Street and Powell Court, including around the cul-de-sac.
- I. The applicant shall guarantee the paving of Powell Street and Powell Court, including the cul-de-sacs.

- J. It shall be noted that subject plat is to be considered as an urban plat by virtue of the lot sizes of less than 25,000 square feet. The street rights-of-way being proposed (54 feet in width) are as permitted in the Subdivision Regulations for extremely low density development, and the applicant and utility advisory committee members should be prepared to discuss the street right-of-way requirements for this plat.
- K. 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. The applicant should be prepared to discuss with the Subdivision Committee the manner in which it is proposed to provide for such utilities and facilities, e.g., petition, actual construction, monetary guarantee, etc.
- L. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

FORM 223-221

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		\$ 11.9

DESCRIPTION AMOUNT

Fountains Hills Addition

Name

W.H. Powell

Address

Type

AA 407104

Due Date

Comments:

Date

5/5/75

By

J. Richter

November 21, 1974

Reiss & Goodness Engineers
2160 East Douglas
Wichita, Kansas 67214

Re: S/D 74-100 - Sketch Plat of
FOUNTAIN HILLS.

Gentlemen:

We have reviewed the above referred to sketch plat with Mr. Kenny Hill of your office, at a meeting held in the Planning Department Office on November 20, 1974. The following conditions and comments are the result of that meeting:

- A. The applicant is hereby authorized to submit a preliminary plat with the understanding that a final plat is not to be prepared until such time as the Metropolitan Area Planning Commission has recommended favorably on the requested zone change from "R-1" to "AA" on subject property.
- B. The applicant's engineer shall contact the Engineering Department of the Department of Public Works relative to the appropriate geometrics for the two proposed cul-de-sacs indicated on the plat.
- C. The proposed parking lot area adjacent to the east property line shall be deleted from the plat.
- D. The right-of-way opening for the future public street shall be indicated on the plat in the vicinity of the aforementioned parking lot area. This opening should be at such a location so as to permit adequate room for lotting to occur in the future on the south side of the street.
- E. The two 20 foot drives indicated along the westerly line of the plat should be relabeled as 20 foot access easements and should be filed of record as separate instruments with the record book and page number indicated on the face of the plat.

Reiss & Goodness Engineers
November 21, 1974
Page 2

- F. The underground installation of both telephone and electric utilities will be a requirement of plat approval.
 - G. The applicant shall submit appropriate plans and profiles for the street improvements to the City Engineer. A letter from the City Engineer approving said plans and profiles shall be submitted to the Planning Department.
 - H. The applicant shall guarantee the installation of sidewalks adjacent to both sides of the street indicated on the plat.
 - I. The applicant shall guarantee the paving of the streets indicated on the plat.
 - J. The applicant shall contact the County Zoning Office relative to the appropriate street names to be indicated on the plat.
 - K. Requirements for a preliminary plat of the MAPC Subdivision Regulations.
- Enclosed is an "engineers copy" of the sketch plat for your files and records. If you have any questions, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Enclosure

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

September 25, 1974

TO Dick Linn, City Engineer
FROM ~~X~~ John Richter, Planning Analyst ^{AR}.

SUBJECT S/D 74-99 and S/D 74-100 - sketch plats of Southern Village Second Addition and Fountain Hills (generally located on the north side of Central and 1/2 mile east of 127th Street East).

Although submitted together on the same sheet, these two adjoining sketch plats are individually owned and will be separately filed in preliminary form. Presently, a zone change from "R-1" to "AA" and a conditional use to permit duplexes has been approved by the M.A.P.C. for Southern Village 2nd Addition subject to platting. These cases are scheduled to be considered by the Board of County Commissioners on October 2, 1974. The same zone change and conditional use will be filed for Fountain Hills in the near future. I would appreciate your review of these sketch plats with any comments you may have returned to me no later than October 4, 1974.

JR:rme
Attachments

- ① utility easements, drainage, etc. at time of platting
- ② Indiv. lot ownership on private streets?



September 25, 1974

Dick Linn, City Engineer

John Richter, Planning Analyst

S/D 74-99 and S/D 74-100 - sketch plats of Southern Village Second Addition and Fountain Hills (generally located on the north side of Central and 1/2 mile east of 127th Street East).

Although submitted together on the same sheet, these two adjoining sketch plats are individually owned and will be separately filed in preliminary form. Presently, a zone change from "R-1" to "AA" and a conditional use to permit duplexes has been approved by the M.A.P.C. for Southern Village 2nd Addition subject to platting. These cases are scheduled to be considered by the Board of County Commissioners on October 2, 1974. The same zone change and conditional use will be filed for Fountain Hills in the near future. I would appreciate your review of these sketch plats with any comments you may have returned to me no later than October 4, 1974.

JR:rme

Attachments

Memos also sent to: M. S. Mitchell, Maintenance-Flood Control
Nancy Graham, County Engineering
Mike Everhart, Environmental Health

Map No.: E. 13-C
Section No.: 14
Twp. No.: 27
Range: 2E

S/D No. 74-100

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: Fountain Hills

General Location: 1/2 Mile East of 127th Street and 1/8 Mile North of Central Avenue

Name of Property Owner: Crestview Development Corp.
Address: 130 N. Market Phone: 263-3833
Name of Subdivider: W.H. Powell
Address: 5902 Polo Phone: 683-4036
Name of Agent/Surveyor: Reiss and Goodness Engineers
Address: 2160 E. Douglas Phone: 264-1391
Date of Application: 9-11-74

SUBDIVISION INFORMATION:

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>16 Acres</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>64</u> R/W <u>740</u> ft. |
| Residential <u>22</u> | b. <u>24</u> R/W <u>2670</u> ft. |
| Commercial <u>0</u> | c. <u> </u> R/W <u> </u> ft. |
| Industrial <u>0</u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u>0</u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>22</u> | TOTAL <u>3410</u> ft. |
| 3. Minimum Lot Frontage <u>60</u> ft. | 8. Sidewalk adjacent to all |
| 4. Minimum Lot Area <u>19,000</u> Sq.ft. | streets? <u>yes</u> <u>x</u> <u>no</u> |
| 5. Existing Zoning <u>R1</u> | |
| 6. Proposed Zoning <u>AA With Conditional Use Permit</u> | |
| 9. Public Water Supply <u> </u> (Yes-No), Name <u>Wichita Water Dept.</u> | |
| 10. Public Sanitary Sewers <u> </u> (Yes-No), Name <u>Crestview Improvement Dist.</u> | |
| 11. Health Department Approval (where applicable) <u> </u> (Yes-No) | |
| 12. City of Wichita <u>x</u> Three-Mile Area | |

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: James J. Haugen

Wichita-Sedgwick County Metropolitan Area
Planning Commission, Room 402, City Building
Annex, 104 South Main Street, Wichita, Kansas

Received by _____
Date _____
Fee Submitted _____