

Box # 19

PLAT NO. S/D 78-60 MAP NO. 6448

NAME THE TREES ADDITION

LOCATION: North side of Central Ave., in an area east of 143rd St. East & South of Ks. Tpke.

ENGINEER Oblinger-Smith Corporation

OWNER Thomas D. Jacob & Jim L. Shadid

APPLICATION FILED 6-28-78

SKETCH PLAT FILED _____

PRELIMINARY FILED 6-28-78

S/D ACTION 7-13-78 approve

FINAL FILED 7-28-78

S/D ACTION 7-7-78 approve

MAPC ACTION 9-14-78 Approved

BCC ACTION 11-7-78 Deferred 2 weeks

" " 11-21-78 hold for release pending extension of water

RECORDED December 28, 1978

REMARKS _____

S/D 78-60 - THE TREES ADDITION -
North side of Central Ave., in an
area east of 143rd St. East and
south of the Kansas Turnpike -
by Oblinger-Smith Corporation.

POSTED
6-28-78

ACTION

S/D COMMITTEE (Prelim) *Approved*
S/D (final) *Approved*
M.A.P.C. *Approved*

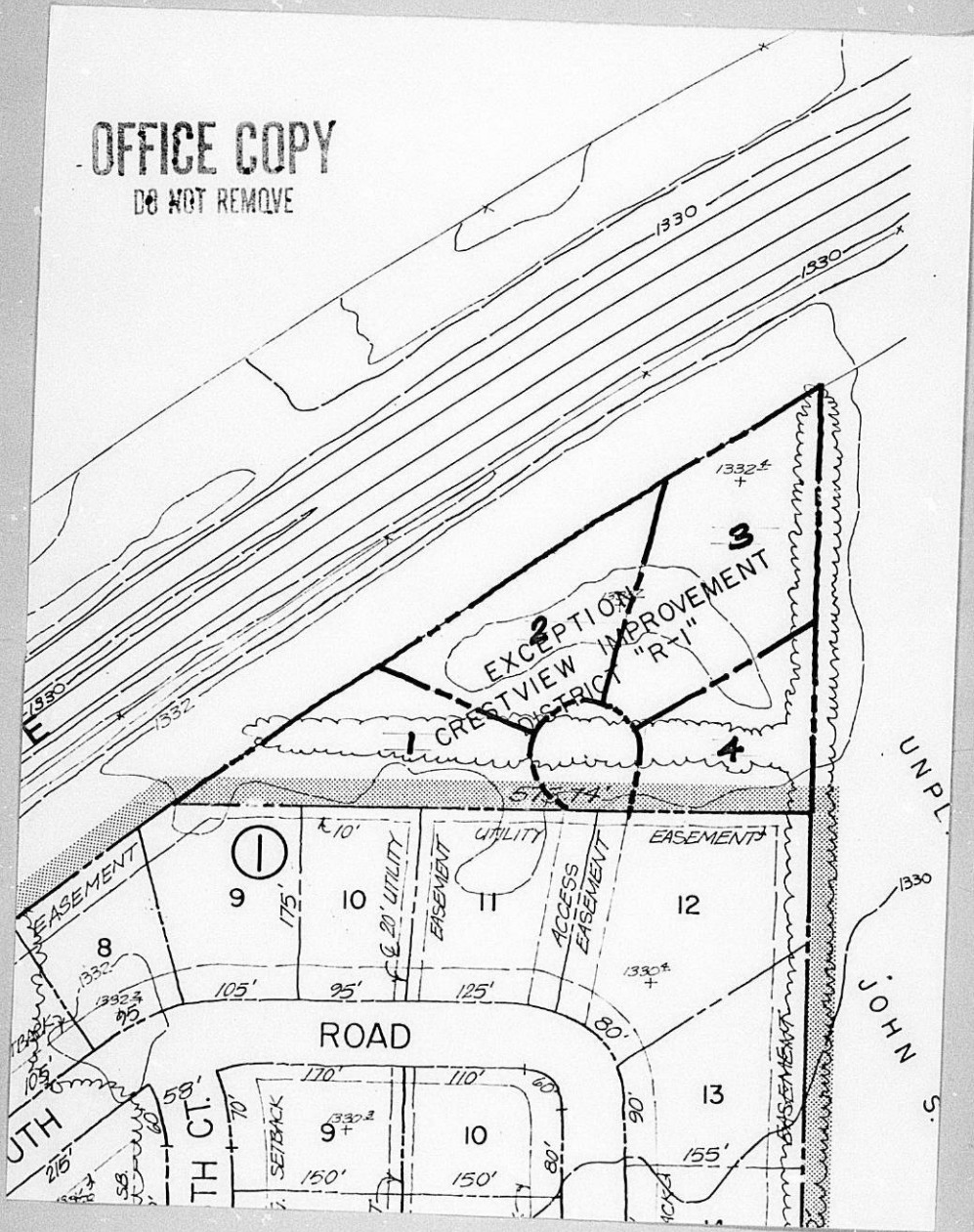
DATE
7-13-78
9-7-78
9-14-78

B.C.C./B.C.C. *Approved*
B.C.C. *Approved but don't
release until water is
guaranteed for retention*

11-7-78
11-21-78

OFFICE COPY

DO NOT REMOVE



THE CITY OF WICHITA

Young



OFFICE OF THE CITY MANAGER
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
316-268-2351

April 16, 1979



Mr. Richard B. Clausing
Heritage Place
421 East Third Street
Wichita, Kansas 67202

Dear Mr. Clausing:

It is unfortunate that the processing of the application for water extension to serve the Trees Addition has been delayed because of the overall annexation studies required in implementing the City's new water extension policy.

The annexation of the Trees Addition and other areas desiring water extension are tentatively scheduled to be considered by the City Commission on April 24, 1979. However, as you have indicated, there will be a lapse of several weeks before the annexation proceedings can be finalized.

The procedure at this time is that water extensions outside of the City will not be made until the annexation process is completed. However, you may want to advise the City Commission of the extenuating circumstances regarding the Trees Addition when the annexation is heard.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. H. Denton".

E. H. Denton
City Manager

EHD/fpd

cc: John Wynkoop, Director of Water and Water Pollution Control
John Dekker, Director of Law
Robert A. Lakin, Director of Planning ✓



Commitment for Title Insurance

PIONEER NATIONAL TITLE INSURANCE COMPANY, (a stock company), a California corporation, 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 one hundred eighty (180) days 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.

This Commitment shall not be valid or binding until countersigned below by a validating officer of the Company.



Pioneer National Title Insurance Company

by *John E. Flood, Jr.*
PRESIDENT

Attest: *[Signature]*
SECRETARY

Countersigned:

By *[Signature]*
Validating Signatory

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.

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 Conditions and Stipulations, and the Exclusions from Coverage 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.
3. Liability of the Company under this Commitment shall
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.

*Commitment
for
Title Insurance*



PIONEER NATIONAL TITLE INSURANCE

A TICOR COMPANY

Y-70,210-A
Schedule A

Commitment No. Y-70,210-A	Effective Date of Commitment: November 3, 1978 @ 7:00 A.M.
Your No.:	

Prepared For:

Karl Solomon, Thomas D. Jacob, and Jim L. Shadid
The City of Wichita

Inquiries Should be Directed to:

Dwayne A. Schulke

1. Policy or Policies to be issued:

(a) ALTA Owners Policy - Form _____ - 1970

Amount
Limited to
 \$ 250.00

Proposed Insured: **The City of Wichita, a Municipal Corporation**

(b) ALTA Loan Policy 1970

\$ _____

Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a Fee Simple.

3. Title to said estate or interest in said land is at the effective date hereof vested in:

Karl Solomon, Thomas D. Jacob, and Jim L. Shadid

4. The land referred to in this Commitment is located in the County of
 State of **Kansas** and described as follows:

Sedgwick

See EXHIBIT I attached

err

EXHIBIT I

COMMITMENT NO.

Y-70,210-A

Schedule A - (Continued)

4. Legal Description

Part of the SW/4 of Section 13, Twp. 27 S, R-2-E of the 6th P.M., Sedgwick County, Kansas, beginning at the SE Corner of said SW/4; thence West along the South line of said SW/4 530 feet; thence North parallel with the East line of said SW/4 242 feet; thence West parallel with the South line of said SW/4 180 feet; thence West parallel with the East line of said SW/4, 242 feet, to the South line of said SW/4; thence West along the South line of said SW/4, 433.34 feet; thence North parallel with the East line of said SW/4 360.74 feet to the Southerly Right-of-Way line of the Kansas Turnpike; thence Northeasterly along said Right-of-Way line 724.63 feet to a point 810 feet North of the South line of said SW/4; thence East parallel with the South line of said SW/4, 575.74 feet to the East line of said SW/4; thence South along the East line of said SW/4, 81 feet to the place of beginning.

TO BE PLATTED AS:

THE TREES ADDITION,
Sedgwick County,
Kansas

em

Y-70,210-A

Schedule B

- I. The following are the requirements to be complied with:
1. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.
 - (a) **Procure and file and record a properly approved and satisfactorily executed Plat of THE TREES ADDITION, Sedgwick County, Kansas, executed by Karl Solomon, Thomas D. Jacob, and Jim L. Shadid and spouses, if any, as fee owners.**
 - (b) **1978 real estate taxes show unpaid in the amount of \$284.27; Key #MI-72-3.**
 - (c) **Company has been furnished with a copy of proposed Plat; such Plat includes utility easements, drainage easements, building setback lines and access control.**
- II. 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. Standard Exceptions:
 - (a) Rights or claims of parties in possession not shown by the public records.
 - (b) Easements, or claims of easements, not shown by the public records.
 - (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
 - (d) 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.
 - (e) Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
 - (f) Taxes or assessments which are not shown as existing liens by the public records.
 3. Special Exceptions:
 - (a) **The Lien of General and Special Taxes for the year 1979 and thereafter. See Schedule B, I.1.(b).**
 - (b) **50 foot Drainage Easement parallel to and abutting the Kansas Turnpike at the Northwest corner of described property as condemned in Sedgwick County District Court Case A-54126, as partially released in instrument recorded in Film 288 at page 1573, reduced to 32 feet.**
 - (c) **30 foot Section line road on the South and additional right-of-way being the North 15 feet of the South 45 feet of the East 530 feet and the North 20 feet of the South 50 feet except the East 710 feet of the described property as recorded in Misc. Book 632 at page 73.**
 - (d) **Easement for public utilities granted to the public in instrument recorded in Film 315 at page 73 over a 32 foot wide tract adjacent to the southerly right-of-way line of the Kansas Turnpike.**

continued

Schedule B, II. - (Continued)

COMMITMENT NO.

Y-70,210-A

Exceptions - continued

- (e) Described property may be and/or is subject to Special Assessments as disclosed by Affidavit recorded in Film 330 at page 214.
- (f) Any restrictions, covenants and conditions to be imposed subsequent to the recordation of the title.
- (g) Any easements, streets or right-of-ways to be dedicated to the public including but not limited to all abutter's rights or access to any streets, drainage rights of way, public utilities, approval of elevation or other restrictive matters that may be reserved, dedicated or granted in the recorded Plat.

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number 78-60 Name The Trees Addition
Application & Sketch Filed: 6-28-78
Preliminary Plat Filed: 6-28-78 Approved by S/D: 7-13-78
Final Plat Filed: 8-28-78 Approved by S/D: 9-14-78
Approved by Metropolitan Area Planning Commission:

DESCRIPTION

General Location: On the north side of Central Avenue in an area east of 143rd St. East and south of the Kansas Turnpike.

Surveyor or Engineer: Baughman Company
Owner: Thomas L. Jacob and Jim L. Shadid
Address: 5920 E. Central Avenue, 67208

- | | | | |
|--|--|-------------------------|--|
| 1. Gross Acreage of Plat <u>16.4</u> | 6. Access Control | | |
| 2. Number of Lots: | St. <u>Central</u> | No. Openings <u>0</u> | |
| Residential <u>31</u> | St. <u>KTA</u> | No. Openings <u>0</u> | |
| Commercial _____ | St. _____ | No. Openings _____ | |
| Industrial _____ | 7. Req'd Improvements | | |
| Other _____ | St. Paving <u>required</u> | Water <u>required</u> | |
| Total Number of Lots: <u>31</u> | Sidewalk _____ | Drainage <u>not req</u> | |
| 3. Minimum Lot Area: <u>0.03</u> Acres | Sewer <u>required</u> | Other <u>None</u> | |
| 4. Existing Zoning <u>P-1</u> | | | |
| 5. Special Problems Discussed | Subdivision Committee recommends sidewalks not be required, Planning Commission concurs. | | |

Valid petitions have been approved by the County for paving of streets. A valid petition for sewer service has been approved by the Crestview Improvement District. A valid petition for water service has been placed on the City Clerk's agenda for the November 7, 1978 City Commission meeting.

Planning Commission Recommendation:

That this plat be approved subject to recording within 30 days after approval by the Board of City Commissioners.

Bell moved, Cole seconded and it carried unanimously.

Note: Associated County Zone Case SCZ-0397 "R-1" to "AA" has been approved by the Board of County Commissioners subject to platting.

11-21-78 approved plat but held til ^{appropriate} water guarantee has been submitted

ACTION:

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

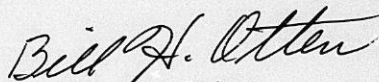
12-12-78 BCC accepted H₂O petition with the applicant paying 100% of the costs

THE CITY OF WICHITA
OFFICE OF WATER DEPARTMENT

DATE October 25, 1978

TO Jack H. Galbraith, Chief Planner
FROM Bill H. Otten, Chief Engineer-Water Engineering
SUBJECT The Trees Addition

The plattors of The Trees Addition have submitted a valid 100% petition for a water benefit district to serve this plat. Therefore, our requirements for water service to this area have been fulfilled. The petition and resolution will be placed on the City Commission Agenda for approval on or about November 7, 1978.



Bill H. Otten, Chief Engineer
WATER ENGINEERING DIVISION

BHO:sd

BOARD OF DIRECTORS OF THE
CRESTVIEW COUNTRY CLUB IMPROVEMENT DISTRICT
OF SEDGWICK COUNTY, KANSAS

*MAPS received
10-25-78 C.M.*

RESOLUTION

"WHEREAS, there has been presented to the Board of Directors of the Crestview Country Club Improvement District of Sedgwick County, Kansas, a Petition signed by One Hundred Percent (100%) of the owners of the real property which is being platted as The Trees Addition to Sedgwick County, Kansas, and which is a part of the Crestview Country Club Improvement District of Sedgwick County, Kansas, such petition praying that lateral sewers be constructed to serve the said real property which is being platted as The Trees Addition, Sedgwick County, Kansas, and

WHEREAS, the Board of Directors has determined that it is to the best interest and conducive to the health and welfare of the residents of such area that such sanitary sewer laterals be constructed and that a registered engineer be employed in accordance with the statutes in such cases made and provided to submit plans and specifications for the making of such improvements.

THEREFORE, BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF THE CRESTVIEW COUNTRY CLUB IMPROVEMENT DISTRICT OF SEDGWICK COUNTY, KANSAS, that there should be constructed on the following described real property, to-wit:

All that part of the SW 1/4 of Section 13, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying south of the southerly right-of-way line of the Kansas Turnpike except 3 tracts described as follows:

(1) Beginning at a point on the east line of said Southwest Quarter, 810 feet north of the southeast corner of said Southwest Quarter; thence west and parallel to the south line of said southwest quarter to the south right-of-way line of the Kansas Turnpike; thence northeasterly along the south right-of-way line of the Kansas Turnpike to the intersection of said south right-of-way line with the east line of said southwest quarter; thence south along the east line of said southwest quarter to the point of beginning.

(2) That part of the SW 1/2 of Sec. 13, Twp. 27-S, R-2-E of the 6th P.M., Sedgwick County, Kansas, beginning at a point on the south line of said SW 1/4, said point being, 1143.34 feet west of the S.E. Corner thereof; thence north parrallel with the east line of said SW 1/4, 360.74 feet to the southerly right-of-way line of the Kansas Turnpike; thence southwesterly along said right-of-way line, 573.38 feet to the south line of said SW 1/4; thence east 445 feet to the point of beginning.

(3) Beginning 530 feet west of the southeast corner of said SW 1/4; thence north 242 feet, thence west 180 feet, thence south 242 feet,

thence east to the point of beginning,

such real property now being platted into The Trees Addition, Sedgwick County, Kansas, sanitary sewer laterals to serve the said area, and that Reiss & Goodness, registered engineers, be employed to prepare and submit to the Board of Directors of the Crestview Country Club Improvement District, plans and specifications showing the location, the type of work to be performed, and the estimated cost of such work and that such sanitary sewer laterals should be constructed.

CERTIFICATE

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

I, MAURICE J. EDWARDS, JR., being the duly elected, qualified and acting Secretary of the Board of Directors of the Crestview Country Club Improvement District of Sedgwick County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of a Resolution which was adopted by the said Board of Directors on the 23rd day of October, 1978.

CRESTVIEW COUNTRY CLUB IMPROVEMENT
DISTRICT OF SEDGWICK COUNTY, KANSAS

By: M. J. Edwards, Jr.
MAURICE J. EDWARDS, JR., Secretary

(SEAL)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

*MAPD received
10-25-78 CCN*

IN RE:)
THE TREES ADDITION,)
SEDGWICK COUNTY, KANSAS)

RESOLUTION AND ORDER

WHEREAS, there has been presented to the Board of County Commissioners of Sedgwick County, Kansas, a Petition pursuant to the provisions of K.S.A. 68-728, signed by the owners of one hundred percent (100%) of the following described real estate, which is being platted into The Trees Addition, Sedgwick County, Kansas, to-wit:

All that part of the SW 1/4 of Section 13, Township 27 South, Range 2 East of the 6th P. M., Sedgwick County, Kansas, lying south of the southerly right-of-way line of the Kansas Turnpike except 3 tracts described as follows:

(1) Beginning at a point on the east line of said Southwest Quarter, 810 feet north of the southeast corner of said southwest quarter; thence west and parallel to the south line of said southwest quarter to the south right-of-way line of the Kansas Turnpike; thence northeasterly along the south right-of-way line of the Kansas Turnpike to the intersection of said south right-of-way line with the east line of said southwest quarter; thence south along the east line of said southwest quarter to the point of beginning;

(2) Beginning at a point on the south line of the Southwest Quarter of Section 13, Township 27 South, Range 2 East of the Sixth P. M., Sedgwick County, Kansas, said point being 1,163.34 feet west of the southeast corner of said southwest quarter; thence north parallel to the east line of said southwest quarter a distance of 344.53 feet more or less to the southerly right-of-way line of the Kansas Turnpike; thence southwesterly along the southerly right-of-way line of the Kansas Turnpike to the south line of said southwest quarter; thence east a distance of 425.0 feet more or less to the point of beginning;

(3) Beginning 530 feet west of the southeast corner of said SW 1/4; thence north 242 feet, thence west 180 feet, thence south 242 feet, thence east to the point of beginning;

which Petition requests the Board to cause the curbing, guttering and paving, including drainage, of the streets in the above described Addition; and

WHEREAS, The Trees Addition, and all of the lots and real estate described and referred to herein lie within Sedgwick County, Kansas, and totally outside the limits of any incorporated city; and

WHEREAS, said Petition has been set for hearing before the Board this date, and upon due consideration of the matter, the Board, meeting in regular session with the following members present, to-wit:

Tom Scott
John Hale
Everett Patrick,

being fully advised in the premises, all members voting in the affirmative, make the following findings and order:

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:


1. That the Petition above referred to is in due and regular form and has been signed by one hundred percent (100%) of the owners of the lots abutting the streets in The Trees Addition, Sedgwick County, Kansas.
2. That the following street improvements shall be made to the streets in said The Trees Addition, to-wit:
Curb, gutter and pave, including necessary drainage.
3. The cost of all such improvements, including but not limited to, engineering, construction costs, which shall include street intersections and temporary note interest, shall, when ascertained, be assessed to the lots and parcels abutting on the streets improved, and such assessments shall be determined and made as provided by the terms of K.S.A. 68-728(b) and any amendments thereto.

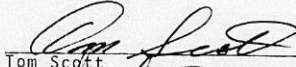
4. In order to temporarily finance construction of the improvements, temporary improvement notes shall be issued, and upon completion of said improvements, improvements bonds shall issue, to mature over a period not to exceed twenty (20) years from the date of issue.


5. This resolution shall be published for three (3) consecutive weeks in the official paper of Sedgwick County, and if the owners of more than one-half of the property liable for taxation for such improvements shall not, within twenty (20) days from the last publication thereof, file with the County Clerk their protest against such improvements, such improvements shall be contracted for and such improvements made.

BE IT FURTHER RESOLVED that no construction shall be commenced until the County Engineer shall recommend to the County Commission that it is appropriate to commence such construction.

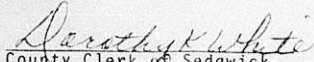
ADOPTED the 11th day of October, 1978.


Everett Patrick

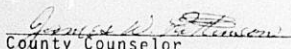

Tom Scott


John Hale

ATTEST:


County Clerk of Sedgwick
County, Kansas

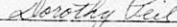
APPROVED AS TO FORM ONLY:


County Counselor

State of Kansas
County of Sedgwick

I, County Clerk of said County, do hereby certify this to be a true and correct copy of the original instrument which is on file or of record in my office.

Done this 12 day of October, 1978
DOROTHY K. WHITE, County Clerk

By , Deputy

Legal Publication

(First Published in The Daily Reporter, Tuesday, October 17, 1978)

R 4176-1978

BEFORE THE BOARD OF
COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN RE:

THE TREES ADDITION,
SEDGWICK COUNTY, KANSAS
RESOLUTION AND ORDER

WHEREAS, there has been presented to the Board of County Commissioners of Sedgwick County, Kansas, a Petition pursuant to the provisions of K.S.A. 68-728, signed by the owners of one hundred percent (100%) of the following described real estate, which is being platted into The Trees Addition, Sedgwick County, Kansas, to-wit:

All that part of the SW $\frac{1}{4}$ of Section 13, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying south of the southerly right-of-way line of the Kansas Turnpike except 3 tracts described as follows:

(1) Beginning at a point on the east line of said Southwest Quarter, 810 feet north of the southeast corner of said southwest quarter; thence west and parallel to the south line of said southwest quarter to the south right-of-way line of the Kansas Turnpike; thence northeasterly along the south right-of-way line of the Kansas Turnpike to the intersection of said south right-of-way line with the east line of said southwest quarter; thence south along the east line of said southwest quarter to the point of beginning;

(2) Beginning at a point on the south line of the Southwest Quarter of Section 13, Township 27 South, Range 2 East of the Sixth P.M., Sedgwick County, Kansas, said point being 116.34 feet west of the southeast corner of said southwest quarter; thence north parallel to the east line of said southwest quarter a distance of 344.53 feet more or less to the southerly right-of-way line of the Kansas Turnpike; thence southwesterly along the southerly right-of-way line of the Kansas Turnpike to the south line of said southwest quarter; thence east a distance of 425.0 feet more or less to the point of beginning;

(3) Beginning 530 feet west of the southeast corner of said SW $\frac{1}{4}$; thence north 243 feet, thence west 190 feet, thence south 242 feet, thence east to the point of beginning; which Petition requests the Board to cause the curbing, guttering and paving, including drainage, of the streets in the above described Addition; and

WHEREAS, The Trees Addition, and all of the lots and real estate described and referred to herein lie within Sedgwick County, Kansas, and totally outside the limits of any incorporated city; and

WHEREAS, said Petition has been set for hearing before the Board this date, and upon due consideration of the matter, the Board, meeting in regular session with the following members present, to-wit:

Tom Scott

John Hale

Everett Patrick,

being fully advised in the premises, all members voting in the affirmative, make the following findings and order:

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

1. That the Petition above referred to is in due and regular form and has been signed by one hundred percent (100%) of the owners of the lots abutting the streets in The Trees Addition, Sedgwick County, Kansas.

2. That the following street improvements shall be made to the streets in said The Trees Addition, to-wit:

Curb, gutter and pave, including necessary drainage.

3. The cost of all such improvements, including but not limited to, engineering, construction costs, which shall include street intersections and temporary note interest, shall, when ascertained, be assessed to the lots and parcels abutting on the streets improved, and such assessments shall be determined and made as provided by the terms of K.S.A. 68-728(b) and any amendments thereto.

4. In order to temporarily finance construction of the improvements, temporary improvement notes shall be issued, and upon completion of said improvements, improvement bonds shall issue, to mature over a period not to exceed twenty (20) years from the date of issue.

5. This resolution shall be published for three (3) consecutive weeks in the official paper of Sedgwick County, and if the owners of more than one-half of the property liable for taxation for such improvements shall not, within twenty (20) days from the last publication thereof, file with the County Clerk their protest against such improvements, such improvements shall be contracted for and such improvements made.

BE IT FURTHER RESOLVED that no construction shall be commenced until the County Engineer shall recommend to the County Commission that it is appropriate to commence such construction.

ADOPTED the 11th day of October, 1978.

/s/ Everett Patrick

/s/ Tom Scott

/s/ John Hale

ATTEST:

/s/ Dorothy K. White

County Clerk of Sedgwick County, Kansas

(SEAL)

APPROVED AS TO FORM ONLY:

/s/ James W. Pattinson

Assistant County Counselor

(O-17-34-51)

WICHITA-SEDGWICK COUNTY

DATE

October 5, 1978

METROPOLITAN AREA PLANNING DEPARTMENT


TO Jack H. Galbraith, Chief Planner
Current Plans Division
FROM Robert A. Lakin, Director of Planning

SUBJECT The Trees Subdivision

At the County Commission meeting of October 4, considerable discussion was had on street petitions. Apparently, the petitions had not been reviewed by Public Works. Ted Hill suggested they not be passed on. This is a plat where we need the petitions passed on in order to release the tracing for sale. Tom Jacobs, owner of the land, says he needs to have the streets put in so he can sell the lots. I suggested that we use the City's procedure. If they want to proceed without any building permits or housing starts, that they provide a bond guaranteeing the payment of special assessments up to 35%.

Klausson and Jacobs are supposed to get together with Hill to work this out. As far as I am concerned, the best protection for the county is to withhold the preparation plans and specs until such time as there is some guarantee of development as evidenced by either building permits or a performance bond. The alternate would be for the county to direct the engineer to proceed with the projects on a very limited geographical base, and the county would take the risk. This apparently is what has been happening in Park Meadows, Solomon's area, Spring Hollow and others.

There is some question as to what action needs to be taken in order to satisfy our question of valid petitions being in the hands of the county. I was under the impression that for the petitions to be valid, not only would the petitions have to be accepted and approved, but that an initiating resolution would be passed and the protest period run after newspaper publication. This, then, validates the petitions and even though an ownership change occurs subsequent to that date, the petitions and the projects stand. If only the petitions are approved and no initiating resolution is processed, then a change in ownerships, in my opinion, probably invalidates the original petitions; and we do not have the ability to get the streets in. This should be on the County Commission agenda for their meeting of October 11, 1978.


Robert A. Lakin
Director of Planning

RAL:rh

cc: Curtis L. Newby, Junior Planner

WICHITA-SEDGWICK COUNTY

DATE

October 5, 1978

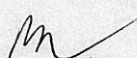
METROPOLITAN AREA PLANNING DEPARTMENT

TO Jack H. Galbraith, Chief Planner
Current Plans Division
FROM Robert A. Lakin, Director of Planning
SUBJECT The Trees Subdivision

At the County Commission meeting of October 4, considerable discussion was had on street petitions. Apparently, the petitions had not been reviewed by Public Works. Ted Hill suggested they not be passed on. This is a plat where we need the petitions passed on in order to release the tracing for sale. Tom Jacobs, owner of the land, says he needs to have the streets put in so he can sell the lots. I suggested that we use the City's procedure. If they want to proceed without any building permits or housing starts, that they provide a bond guaranteeing the payment of special assessments up to 35%.

Klausner and Jacobs are supposed to get together with Hill to work this out. As far as I am concerned, the best protection for the county is to withhold the preparation plans and specs UNTIL such time as there is some guarantee of development as evidenced by either building permits or a performance bond. The alternate would be for the county to direct the engineer to proceed with the projects on a very limited geographical base, and the county would take the risk. This apparently is what has been happening in Park Meadows, Solomon's area, Spring Hollow and others.

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Robert A. Lakin
Director of Planning

RAL:rh

cc: ✓ Curtis L. Newby, Junior Planner

COPY

September 14, 1978

Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 78-60 Final plat of The Trees Addition

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on September 14, 1978, the above captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions as stated in our letter of September 8, 1978.

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 Department.
- 10-26 2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plat.
4. Certification that all taxes due and payable for 1977 and prior years have been paid.

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

CC: Thomas D. Jacob and Jim L. Shadid, 5920 E. Central, 67208
Dean Sellers, Assistant City Engineer:

September 8, 1978

Oblinger-Smith Corporation
623 First National Bldg.
Wichita, Kansas 67202

BOUGHMAN CO.

Attention: Urban Plat

Re: S/D 78-60 Final plat of The Trees Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, September 7, 1978, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- 11-9-78 A. The portion of the 32-foot drainage and utility easement which is to be used for utilities, shall be indicated on the face of the final plat.
- B. The applicant shall contact the County Fire Department relative to the location of fire plugs for the proposed development.
- C. In their approval of the preliminary plat, in accordance with the request of the applicant, the Subdivision Committee recommended that sidewalks not be required.
- D. The applicant's engineer shall submit a drainage plan to the County Engineer and to the City Engineer for review and approval.
- 10-25-78 *resolution adopted by Crestview improvement dist.*
The applicant shall obtain and submit a letter from the Crestview Improvement District stating that satisfactory arrangements have been made to serve subject property with sanitary sewer.
- 10-25-78 *petition to county-resolution and order approved Oct 11, 1978*
The applicant shall guarantee the paving of all public streets to the City of Wichita standards.
- G. Appropriate street plans and profiles of the streets shall be submitted to the City Engineer for review and approval prior to issuance of any building permits and a copy of the approved plans shall be provided to the County Engineer prior to construction of the streets.

Oblinger-Smith Corporation
Atten: John Gist
September 8, 1978 - Page 2

*Retrieved
10-5-78*

The applicant shall guarantee the installation of city water to serve subject plat and all the lots therein.

- X. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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, September 14, 1978. If you should have any questions concerning this matter, please call.

Sincerely yours,

Curtis L. Newby
Junior Planner

CLN:bh
Enclosure

cc: Thomas D. Jacob and Jim L. Shadid, 5920 E. Central, 67208
Dean Sellers, Assistant City Engineer

Final Plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 78-60 Name THE TREES ADDITION
Date Application Rec'd. 6-28-78 Preliminary Approval 7-13-78
Scheduled S/D Meeting 9-7-78

DESCRIPTION

General Location On the north side of Central Avenue in an area east of
143rd Street East and south of the Kansas Turnpike.

Owner Thomas D. Jacob and Jim L. Shadid

Surveyor/Engineer Oblinger-Smith Corporation

Address 625 First National Bldg., Wichita, Ks. 67202 Phone 262-0451

1. Gross Acreage of Plat 16.43+
2. Number of Lots:
 - Residential 31
 - Commercial _____
 - Industrial _____
 - Other _____
3. Minimum Lot Frontage 40 ft.
4. Minimum Lot Area 14,000 ft.
5. Existing Zoning "R-1"
6. Proposed Zoning "AA"
7. Lineal Feet of New Streets:
 - a. 58 R/W 1950 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 1950 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply (Yes-No), Name City of Wichita
10. Public Sanitary Sewers (Yes-No), Name Crestview Improvement District
11. Health Department Approval (where applicable) N.A. (Yes-No)
12. City of Wichita _____: Three-Mile Area X

STAFF COMMENTS:

- A. It should be noted that the applicant has requested that the street names Plymouth and Plymouth Court be changed to "Fisher" and "Fisher Court" respectively. Members of the Utility Advisory Committee shall be prepared to comment on this at the Subdivision Committee meeting.
- B. In their approval of the preliminary plat, in accordance with the request of the applicant, the Subdivision Committee recommended that sidewalks not be required.
- C. The applicant's engineer shall submit a drainage plan to the Flood Control Office and to the City Engineer for review and approval.
- D. The applicant shall obtain and submit a letter from the Crestview Improvement District stating that satisfactory arrangements have been made to serve subject property with sanitary sewer.
- E. The applicant shall guarantee the paving of all public streets to the City of Wichita standards.
- F. Appropriate street plans and profiles of the streets shall be submitted to the City Engineer for review and approval prior to issuance of any building permits and a copy of the approved plans shall be provided to the County Engineer prior to construction of the streets.
- G. The applicant shall guarantee the installation of city water to serve subject plat and all the lots therein.
- H. Recording of the plat within 30 days after approval by the Board of City Commissioners.



**OBLINGER
SMITH CORPORATION**

625 First National Bank Bldg.
Wichita, Kansas 67202
316-262-0451

August 4, 1978

Mr. Jack H. Galbraith,
Chief Planner
Metropolitan Area Planning Dept.
City Hall - Tenth Floor
455 North Main
Wichita, Kansas: 67202

RE: Crestview Country Club Estates -
The Trees Addition (S/D 78-60)

Dear Jack:

The preliminary plat of The Trees Addition was approved by the Subdivision Committee on July 13, 1978. Since that time, Mr. Thomas D. Jacob, contract purchaser and developer of the property, has visited with Mr. & Mrs. Duncan who are the owners of the property noted as "EXCEPTION" and located adjacent to the north side of Central at approximately mid-way east and west thru the plat. The Duncan's have indicated to Tom that, if possible, it would be nice to name one of the streets within the plat in honor of the Fisher family who have owned this property, and other properties in the area, for many years.

The street names of "Sandalwood" and "Sagebrush" I believe are both logical street name extensions of the Shadybrook Farm Addition to the south, and the Crestview Country Club Estates - Overbrook Addition to the north. Baughman Company is preparing the final plat, and Tom has inquired about the possibility of changing the street names of "Plymouth" and "Plymouth Court" to "Fisher" and "Fisher Court" respectively.



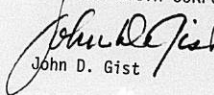
Consultants in Planning,
Design, and Development
Offices in Wichita, Denver, Kansas City,
Dallas and Riyadh, Saudi Arabia

Page 2

Consideration of so designating the street names on the final plat would be appreciated.

Sincerely,

OBLINGER-SMITH CORPORATION


John D. Gist

JDG:mb

cc: Mr. Thomas D. Jacob
Mr. Karl Solomon
Mr. & Mrs. Duncan

Public Works Department
Attn: Roberta Mendenhall

Sedgwick County Fire Department
Attn: Harry Price

Sedgwick County Dept. of Public Works
Attn: Chris Brennenstuhl

Baughman Company

SCCD-CONS-5 (Rev 11/77)
RESOURCE MANAGEMENT INVENTORY FOR URBANIZING LAND

DATE: July 17, 1978

PROPERTY NAME: THE TREES ADDITION

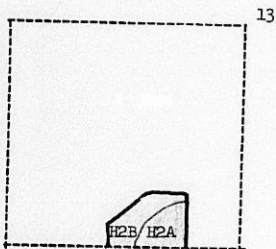
LOCATION: On the north side of Central Avenue in an area east of 143rd St. East and south of the Kansas Turnpike

MAILED TO:

Oblinger-Smith Corp.
1st National Bank Building
Room #625
Wichita, Kansas 67202

PREPARED BY: Larry L. Henry
District Conservationist
USDA-Soil Conservation Service
4100 Maple, Wichita, Kansas
942-8422 67209

REQUESTED BY: Wichita-Sedgwick County
Metropolitan Area Planning
Commission



Scale: 4" equals 1 mile

SW $\frac{1}{4}$ 13-27-2E

Situation and/or Problems:

This soil has a very high clay content so special precautions must be taken during development. Cover must be maintained at all times.

<u>Symbols</u>	<u>Soil</u>	<u>SOILS LEGEND</u>	<u>Brief Description</u>	<u>Hydro Group</u>
H2A - IIIc-1	Goessel silty clay, 1 to 2 percent		Deep, gently sloping, moderately well and well drained soils on uplands and terraces. These soils have medium runoff and high available water capacity. Permeability is very slow and moderate.	D
H2B - IIIc-1				

SOIL INTERPRETATIONS

<u>Symbol</u>	<u>Soil</u>			
H2A - IIIe-1	Coarsel silty clay 1 to 2 percent slopes	Dwellings with Basements	Severe	Shrink-Swell Low Strength
H2B - IIIe-1		Small Commercial Buildings	Severe	Shrink-Swell Low Strength
		Local Roads & Streets	Severe	Shrink-Swell Low Strength
		Parks	Severe	Too Clayey

RECOMMENDATIONS:

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. 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.
4. Temporarily stabilize each segment of graded or otherwise disturbed land by seeding and mulching or by mulching alone. Permanently stabilize these areas as work on the land is completed. Both temporary and permanent stabilization practices are to be installed according to the Sedgwick County Conservation District standards and specifications.
5. Stabilize each lot within 60 days after work starts on home or other building construction.
6. Backfill, compact, seed and mulch trenches within 60 days after they are opened.
7. If additional information or on-site assistance is needed relative to soils, seeding procedures, structure design or related problems, call this number: 316-942-8422.

If you have any questions or if we can be of additional assistance, don't hesitate to call on us.

July 18, 1978

John Gist
Oblinger-Smith Corporation
625 First National Bank Building
Wichita, Kansas 67202

Re: S/D 78-60 Preliminary plat of The Trees Addition

Dear Mr. Gist:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 13, 1978, 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. The word "Road" shall be deleted from the street named Plymouth Road.
- B. Easements, as indicated on the marked engineers copy of the preliminary plat, shall be indicated on the final plat.
- C. Those perimeter utility easements indicated as 10 feet in width shall be increased to 20 feet.
- D. The applicant shall contact the County Fire Department relative to location of fire hydrants in the subject subdivision.
- E. The Subdivision Committee recommends that sidewalks not be required in this subdivision.
- F. The applicant's engineer shall submit a drainage plan to the Flood Control office and to the City Engineer for review and approval.
- G. The applicant shall obtain and submit a letter from the Crestview Improvement District stating that satisfactory arrangements have been made to serve subject property with sanitary sewer.

Re: S/D 78-60
July 18, 1978
Page Two

- H. The applicant shall guarantee the paving of all the public streets to the City of Wichita standards.
- I. Appropriate street plans and profiles for the streets shall be submitted to the City Engineer for review and approval prior to issuance of any building permits and a copy of the approved plans shall be provided to the County Engineer prior to construction of the streets.
- J. The applicant shall guarantee the installation of city water to serve subject plat and all the lots therein.
- K. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

With regards to the request of the applicant that sidewalks not be required, we note in checking our files that on the approved original preliminary plat of Crestview County Club Estates which included subject property, sidewalks were required. Please be advised that this will be pointed out to the Subdivision Committee at the hearing of the final plat.

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

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:et

cc:

Dean Sellers, Assistant City Engineer
Thomas D. Jacob & Jim L. Shadid, 5920 E. Central, Wichita, Ks 67208

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 78-60 Name THE TREES ADDITION
Date Application Rec'd. 6-28-78 Preliminary Approval _____
Scheduled S/D Meeting 7-13-78

DESCRIPTION

General Location On the north side of Central Avenue in an area east of
143rd St. East and south of the Kansas Turnpike.
Owner Thomas D. Jacob & Jim L. Shadid
Surveyor/Engineer Oblinger-Smith Corporation
Address 625 First National Bank Bldg., Wichita 67202 Phone 262-0451

- | | |
|---|---|
| 1. Gross Acreage of Plat <u>16.43 +</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>58</u> R/W <u>1950</u> ft. |
| Residential <u>31</u> | b. _____ R/W _____ ft. |
| Commercial _____ | c. _____ R/W _____ ft. |
| Industrial _____ | d. _____ R/W _____ ft. |
| Other _____ | e. _____ R/W _____ ft. |
| Total Number of Lots <u>31</u> | TOTAL <u>1950</u> ft. |
| 3. Minimum Lot Frontage <u>40</u> ft. | 8. Sidewalk adjacent to all
streets? <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area <u>14,000</u> ft. | |
| 5. Existing Zoning <u>"R-1"</u> | |
| 6. Proposed Zoning <u>"AA"</u> | |
| 9. Public Water Supply <u>(Yes-No)</u> , Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers <u>(Yes-No)</u> , Name <u>Crestview Improvement District</u> | |
| 11. Health Department Approval (where applicable) <u>N.A.</u> (Yes-No) | |
| 12. City of Wichita _____: Three-Mile Area <u>X</u> | |

STAFF COMMENTS:

- A. The applicant shall guarantee the installation of sanitary sewer to serve each lot being platted.
- B. The applicant shall obtain and submit a letter from the Crestview Improvement District stating that satisfactory arrangements have been made to serve subject property with sanitary sewer.
- C. The applicant shall guarantee the installation of sidewalks adjacent to both sides of all interior streets.
- D. The applicant shall guarantee the paving of all the public streets to the City of Wichita standards.
- E. Appropriate street plans and profiles for the streets shall be submitted to the City Engineer for review and approval prior to issuance of any building permits and a copy of the approved plans shall be provided to the County Engineer prior to construction of the streets.
- F. The applicant shall guarantee the installation of city water to serve subject plat and all the lots therein.
- G. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Map No.: 6448
Section No.: 13
Twp. No.: 27-S
Range: 2-E

S/D No. 78-60

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: THE TREES ADDITION

General Location: ON THE NORTH SIDE OF CENTRAL AVENUE IN AN AREA EAST OF 143RD STREET EAST AND SOUTH OF THE KANSAS TURNPIKE

Name of Property Owner: THOMAS D. JACOB & JIM L. SHADID
Address: 5920 EAST CENTRAL AVENUE 67208 Phone: 684-5268
Name of Subdivider: THOMAS D. JACOB & JIM L. SHADID
Address: 5920 EAST CENTRAL AVENUE 67208 Phone: 684-5268
Name of Agent/~~XXXXXXXXXX~~ OBLINGER-SMITH CORPORATION
Address: 625 FIRST NATIONAL BANK BLDG. 67202 Phone: 262-0451
Date of Application: JUNE 2, 1978

SUBDIVISION INFORMATION:

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>16.43</u> [±] | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u>58'</u> R/W <u>1,950</u> ft. |
| Residential <u>31</u> | b. <u> </u> R/W <u> </u> ft. |
| Commercial <u> </u> | c. <u> </u> R/W <u> </u> ft. |
| Industrial <u> </u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u> </u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>31</u> | TOTAL <u>1,950</u> ft. |
| 3. Minimum Lot Frontage <u>40</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <u>X</u> <u>no</u> |
| 4. Minimum Lot Area <u>14,000</u> sq. ft. | |
| 5. Existing Zoning <u>"R-1"</u> | |
| 6. Proposed Zoning <u>"AA"</u> | |
| 9. Public Water Supply <u> </u> (Yes XXX), Name <u>CITY OF WICHITA</u> | |
| 10. Public Sanitary Sewers <u> </u> (Yes XXX), Name <u>CRESTVIEW IMPROVEMENT DISTRICT</u> | |
| 11. Health Department Approval (where applicable) <u>N.A.</u> (Yes-No) | |
| 12. XXXXXXXXXXXXXXXXXXXX <u>Three-Mile Area</u> | |

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: Thomas D. Jacob

Wichita-Sedgwick County Metropolitan Area
Planning Commission, 10th Floor, City Hall,
455 North Main, Wichita, Kansas 67202.

Received by ZO
Date 6-28-78
Fee Submitted 140.00

Form 27-021

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		

DESCRIPTION	AMOUNT
-------------	--------

Name _____

Address _____

Type _____ Due Date _____

Comments: _____

Date _____ By _____