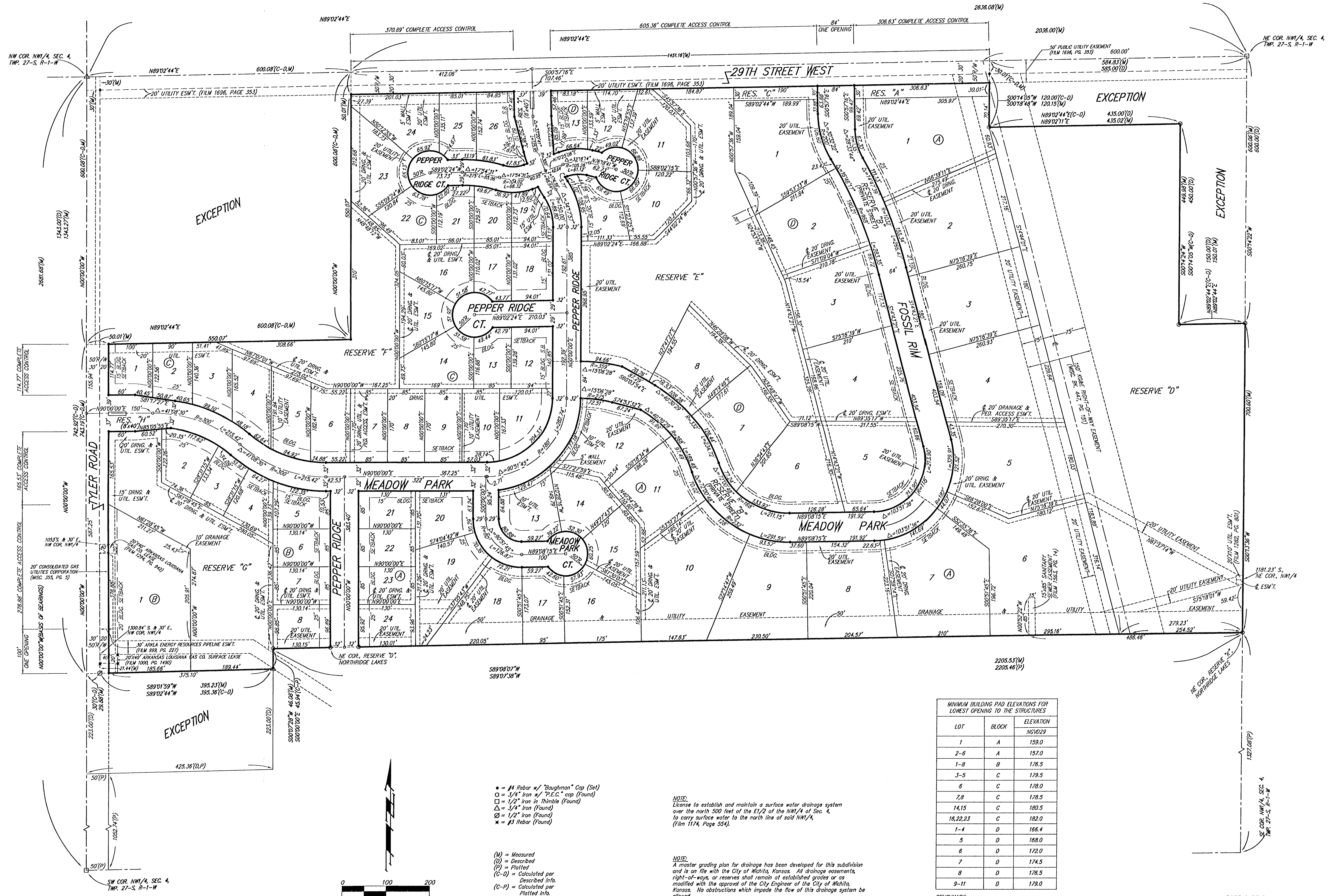


FOSSIL RIM ESTATES

WICHITA, SEDGWICK COUNTY, KANSAS



FOSSIL RIM ESTATES WICHITA, SEDGWICK COUNTY, KANSAS

State of Kansas) SS We, Baughman Company, P.A., Surveyors in
Sedgwick County) do hereby certify that we have surveyed and
platted "FOSSIL RIM ESTATES", Wichita, Sedgwick County, Kansas and that
the accompanying plat is a true and correct exhibit of the property
surveyed, described as Government Lots 3 and 4 and the S1/2 of the
NW1/4 of Sec. 4, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County,
Kansas EXCEPT therefrom the following described tracts: A tract of land
described as beginning 1343 feet south of the NW corner of said NW1/4;
thence south along the west line of said NW1/4, 223 feet; thence east
parallel with the north line of said NW1/4, 425.36 feet; thence north 223
feet; thence west 425.36 feet to beginning, and EXCEPT a tract of land
described as beginning at the N1/4 corner of said Sec. 4; thence south
along the east line of said NW1/4, 600 feet; thence west 150 feet to a
point 600 feet south of the north line of said NW1/4; thence north
parallel with said east line, 450 feet; thence west 435 feet to a point
150 feet south of the north line of said NW1/4; thence north 150 feet to
a point on the north line of said NW1/4; thence east along said north
line, 585 feet to the point of beginning, and EXCEPT that part platted as
Northridge Lakes, an Addition to Wichita, Sedgwick County, Kansas, and
EXCEPT the north 600 feet of the west 600 feet thereof.

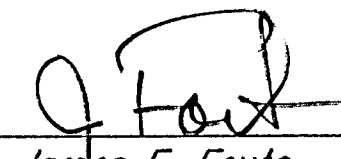
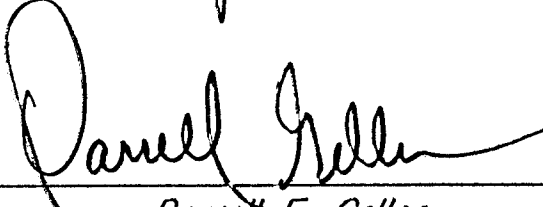
Existing public easements and dedications
being vacated by virtue of K.S.A. 12-512(b).

Baughman Company, P.A.


Michael G. Conrey, Surveyor

Know all men by these presents that we,
the undersigned, have caused the land in the surveyors certificate to be
platted into Lots, Blocks, Streets, and Reserves to be known as "FOSSIL
RIM ESTATES", Wichita, Sedgwick County, Kansas. The utility easements
are hereby granted as indicated for the construction and maintenance of
all public utilities. The drainage and utility easements are hereby granted
as indicated for drainage purposes and for the construction and
maintenance of all public utilities. The drainage easements are hereby
granted as indicated for drainage purposes. The drainage and pedestrian
access easement is hereby granted as indicated for drainage purposes
and for pedestrian access purposes to or from Reserve "D" and no fences
or other obstructions shall be constructed or placed on or within this
easement. The drainage, utility, and pedestrian access easement is
hereby granted as indicated for drainage purposes, for the construction
and maintenance of all public utilities, and for pedestrian access purposes
to or from Reserve "F" and no fences or other obstructions shall be
constructed or placed on or within this easement. The streets are
hereby dedicated to and for the use of the public. Reserves "A" is
hereby reserved for landscaping, berms, open space, drainage purposes,
utilities as confined to easements, and electrical systems as confined to
easement. Reserve "B" is hereby reserved for private streets, open space,
landscaping, entry monuments, entry structures, and drainage purposes.
Reserve "B" shall hereby provide access to Lots 1, 2, 3, 4, 5, 6, 7, 8, 9,
10, 11, and 12, inclusive, Block A, and Lots 1, 2, 3, 4, 5, 6, 7, and 8,
inclusive, Block D. Reserve "C" is hereby reserved for landscaping, berms,
open space, drainage purposes, and utilities as confined to easement.
Reserve "D" is hereby reserved for landscaping, lakes, open space, berms,
sidewalks, drainage purposes, utilities as confined to easement, and
electrical systems as confined to easement. Reserves "E", "F" are hereby
reserved for landscaping, lakes, open space, berms, sidewalks, drainage
purposes, and utilities as confined to easements. Reserve "G" is hereby
reserved for landscaping, lakes, open space, berms, sidewalks, drainage
purposes, utilities as confined to easement, and gas pipelines as confined
to easement. Reserves "H" and "I" are hereby reserved for entry
monuments, streets, landscaping, open space, drainage purposes, and
utilities. Reserves "A", "B", "C", "D", "E", "F", "G", "H", and "I" shall be
owned and maintained by the homeowners association for the addition.
Access controls shall be as depicted on the face of the plat and are
hereby granted to the City of Wichita, Kansas. The permitted opening
locations shall be as determined by the City Engineer of the City of
Wichita, Kansas. The Minimum Building Pad Elevations for the lowest
opening to the structures shall be as indicated on the face of the plat.

Fouts Geller Development Company, LLC,
a Kansas limited liability company


James E. Fouts, Member

Darrell E. Geller, Member

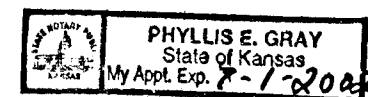
Final tracing received
5-1-02

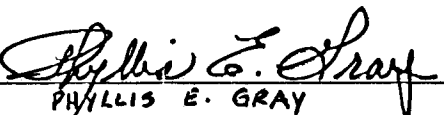
We the undersigned holders of a mortgage on the
above described property, do hereby consent to this plat of "FOSSIL RIM
ESTATES", Wichita, Sedgwick County, Kansas.

First National Bank of Anthony

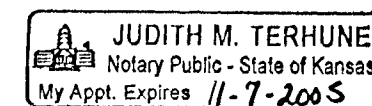

RICHARD CIEMNY, V.P.

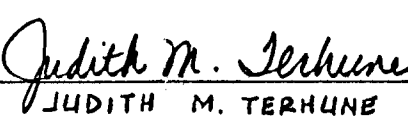
State of Kansas) SS The foregoing instrument acknowledged be-
Sedgwick County) fore me, this 26 day of April, 2002, by RICHARD CIEMNY
V.P. of First National Bank of Anthony, on behalf of the bank.



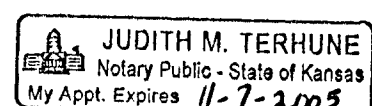

PHYLLIS E. GRAY, Notary Public
My App't. Exp. 7-1-2002

State of Kansas) SS The foregoing instrument acknowledged before
Sedgwick County) me, this 24th day of April, 2002, by James E. Fouts, Member of
Fouts Geller Development Company, LLC, a Kansas limited liability company,
on behalf of the limited liability company.




JUDITH M. TERHUNE, Notary Public
My App't. Exp. 11-7-2005

State of Kansas) SS The foregoing instrument acknowledged before
Sedgwick County) me, this 24th day of April, 2002, by Darrell E. Geller, Member of
Fouts Geller Development Company, LLC, a Kansas limited liability company,
on behalf of the limited liability company.




JUDITH M. TERHUNE, Notary Public
My App't. Exp. 11-7-2005

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

Dated this day of ,
Wichita-Sedgwick County Metropolitan Area Planning Commission

_____, Chair
J. D. Michaelis

_____, Secretary
Marvin S. Kraut

This plat approved and all dedications
shown hereon accepted by the City Council of the City of Wichita,
Kansas, this day of , 2002.

At the direction of the City Council

_____, City Manager
Chris Cherches

_____, City Clerk
Pat Burnett

Reviewed in accordance with K.S.A. 58-2005
on this day of , 2002.

Tricia L. Robella, L.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas

Entered on transfer record this day
of , 2002.

_____, County Clerk
Don Brace

State of Kansas) SS This is to certify that this plat has been
Sedgwick County) filed for record in the office of the Register of Deeds, this day
of , 2002 at o'clock M; and is duly recorded.

_____, Register of Deeds
Bill Meek

_____, Deputy
Linda Kizzire



Wichita-Sedgwick County Metropolitan Area Planning Department

March 7, 2002

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

RE: SUB 2001-131 -- Final Plat of Fossil Rim Estates Addition

At the regular meeting of the Metropolitan Area Planning Commission on March 7, 2002, the above captioned plat was considered. The action of the Planning Commission was to approve the plat as recommended by the Subdivision Committee, subject to the conditions stated in our letter dated March 1, 2002.

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

1. Submission of the fully completed and signed tracing of the subdivision, along with four (4) copies, to the Metropolitan Area Planning Department.
2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.
3. Subdivision regulations now require a detailed Lot Grading Plan be submitted to Engineering prior to the tracing being released. This applies to all multi-lot, residential developments.
4. Submission of a disk to the Planning Department detailing the final plat in digital format in Autocad. This will be used by the City and County GIS Departments.

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

Neil Evan Strahl, Senior Planner
Current Plans Division

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

www.wichitagov.org



Wichita-Sedgwick County Metropolitan Area Planning Department

March 1, 2002

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

RE: SUB 2001-131 -- Final Plat of Fossil Rim Estates Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, February 28, 2002, the above captioned plat was considered. The action of the Committee was to approve the final plat, subject to the following:

STAFF COMMENTS:

- A. As this site is adjacent to Wichita's City limits, the Applicant shall submit a request for annexation. Upon annexation, the property will be zoned SF-5, Single-Family Residential and allow for the lot sizes being platted. The final plat shall not be scheduled for City Council review until annexation has occurred.
- B. This plat will be subject to approval of the associated zone change and any related conditions of such a zone change.
- C. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. *This shall include fees in lieu of assessment regarding extension of water main at time of construction.* *swr*
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. *City Engineering* needs to comment on the status of the applicant's drainage plan. *The drainage plan is approved. An off-site drainage easement is required.*
- F. *County/Traffic Engineering* needs to comment on the need for any improvements to perimeter streets. *County Engineering recommends the annexation of 29th Street.*

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

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- 100' (per Scott)
Lynan on 4-16
- G. Complete access control needs to be dedicated along the plat's frontage, with the exception of one opening for Lot 1, Block B. The opening shall be located within the south 50 feet of the lot.
 - H. A restrictive covenant shall be submitted that permits future cross-lot access between Lot 1, Block B and the abutting property owner to the south if that property develops as an office-zoned use.
 - I. The applicant shall guarantee the paving of the proposed interior streets. For Reserve B being platted for a private streets, improvements shall be guaranteed for construction to a public street standard; however as private improvements, guarantees cannot be provided through the use of petitions. This guarantee shall also provide for sidewalks along one side of Pepper Ridge and Meadow Park.
 - J. A covenant shall be submitted regarding Reserve B, platted for private street purposes, which sets forth ownership and maintenance of the private street, and future reversionary rights of the reserve to the lots benefiting from the reserve. The plat's text shall reference the platting of the reserve for private street purposes and shall state which specific lots are to be accessed by the reserve.
 - K. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. This covenant shall also provide for the Homeowners' Association to maintain the "parking strip" located between this site's north property line and driving surface for 29th St. North.
 - L. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
 - M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
 - N. A Protective Overlay Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved Protective Overlay and its special conditions for development on this property.
 - O. The City Fire Department/GIS needs to comment on the name of the private street. GIS has requested that the west portion of this street extending from Pepper Ridge to Lot 7, Block A, be renamed Meadow Park.

- P. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City.
- Q. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat.
- R. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- S. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- T. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- U. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- V. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- W. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- X. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.

AA. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. Westar Energy requests additional easements.

BB. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

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

This case will be forwarded to the Planning Commission on Thursday, March 7, 2002, at 1:00 p.m.

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

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



Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Enclosure: Marked Copy of Plat

Copies to: Fouts Geller Development Company, LLC, 940 N. Tyler, Ste. 208, Wichita, KS 67212
Mike Lindebak, City Engineering, Mail Stop (1-71)
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau of Public
Services, 1144 S. Seneca, Wichita, KS 67213

STAFF REPORT

(FINAL PLAT APPROVED 2/28/02; PRELIMINARY PLAT APPROVED 1/17/02)

CASE NUMBER: SUB 2001-131 -- FOSSIL RIM ESTATES

OWNER/APPLICANT: Fouts Geller Development Company, LLC, 940 N. Tyler, Suite 208,
Wichita, KS 67212

SURVEYOR/ENGINEER: Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: Southeast corner of Tyler Road and 29th St. North

SITE SIZE: 64.6 Acres

NUMBER OF LOTS

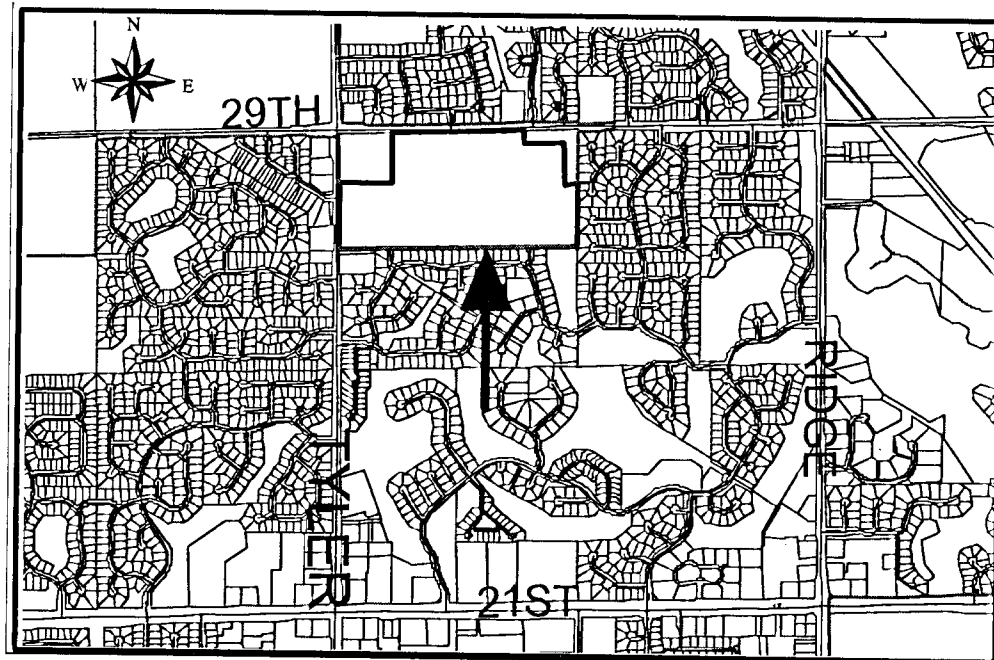
Residential:	71
Office:	1
Commercial:	
Industrial:	
Total:	<u>72</u>

MINIMUM LOT AREA: 11,050 Sq. Ft.

CURRENT ZONING: SF-20, Single-Family Residential

PROPOSED ZONING: SF-5, Single-Family Residential, GO, General Office

VICINITY MAP



NOTE: This unplatted site is located in the County adjoining Wichita's city limits and a request for annexation shall be submitted. The site is currently zoned SF-20, Single-Family residential and will be converted to SF-5, Single-Family Residential upon annexation. A zone change (ZON 2001-56) to GO, General Office for Lot 1, Block B, has been approved subject to platting. A Protective Overlay (P-O #109) was also approved addressing architectural controls and signs.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. As this site is adjacent to Wichita's City limits, the Applicant shall submit a request for annexation. Upon annexation, the property will be zoned SF-5, Single-Family Residential and allow for the lot sizes being platted. The final plat shall not be scheduled for City Council review until annexation has occurred.
- B. This plat will be subject to approval of the associated zone change and any related conditions of such a zone change.
- C. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. *This shall include fees in lieu of assessment regarding extension of water main at time of construction.*
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. *City Engineering* needs to comment on the status of the applicant's drainage plan. *The drainage plan is approved. An off-site drainage easement is required.*
- F. *County/Traffic Engineering* needs to comment on the need for any improvements to perimeter streets. *County Engineering recommends the annexation of 29th Street.*
- G. Complete access control needs to be dedicated along the plat's frontage, with the exception of one opening for Lot 1, Block B. *The opening shall be located within the south 50 feet of the lot.* *(20' (per Scott Loggins on 4-16-02))*
- H. A restrictive covenant shall be submitted that permits future cross-lot access between Lot 1, Block B and the abutting property owner to the south if that property develops as an office-zoned use.
- I. The applicant shall guarantee the paving of the proposed interior streets. For Reserve B being platted for a private streets, improvements shall be guaranteed for construction to a public street standard; however as private improvements, guarantees cannot be provided through the use of petitions. This guarantee shall also provide for sidewalks along one side of Pepper Ridge and Meadow Park.
- J. A covenant shall be submitted regarding Reserve B, platted for private street purposes, which sets forth ownership and maintenance of the private street, and future reversionary rights of the reserve to the lots benefiting from the reserve. The plat's text shall reference the platting of the reserve for private street purposes and shall state which specific lots are to be accessed by the reserve.

- K. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. This covenant shall also provide for the Homeowners' Association to maintain the "parking strip" located between this site's north property line and driving surface for 29th St. North.
- L. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- N. A Protective Overlay Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved Protective Overlay and its special conditions for development on this property.
- O. The City Fire Department/GIS needs to comment on the name of the private street. *GIS has requested that the west portion of this street extending from Pepper Ridge to Lot 7, Block A, be renamed Meadow Park.*
- P. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City.
- Q. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat.
- R. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- S. The platator's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- T. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

SUB 2001-131 -- Final Plat of FOSSIL RIM ESTATES
March 7, 2002 - Page 4

- U. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
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- W. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- X. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- AA. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. **Westar Energy requests additional easements.**
- BB. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.