

- S. Approval of this plat requires the modification of Section 7-201(R). This portion of the Subdivision Regulations states that the maximum length of a cul-de-sac street shall not exceed 600 feet. Bent Tree Circle, as depicted on the preliminary plat, is approximately 1,400 feet long.

Modification of 7-201(R) is recommended, due to the configuration of the applicant's ownership, the location of existing lakes and floodways, and the non-residential zoning to the east. Also, the applicant is attempting to lessen the common problems associated with long cul-de-sac streets by dedicating 64 feet of street right-of-way which will allow the construction of wider street pavement.

- T. 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.
- U. 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 316-946-4527) prior to development of the plat so that the type of delivery and the tentative mailbox locations can be determined.
- V. 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.
- W. Perimeter closure computations shall be submitted with the final plat tracing [Section 5-101(C)].
- X. Recording of the plat within 30 days after approval by the City Council.
- Y. The representative from the City Engineer's office should be prepared to comment on the applicant's drainage plan. Specifically, is the perimeter of the floodway (Reserve B) correct, what minimum building pad elevation is required, and what drainage guarantees are needed?
- Z. When the preliminary plat was approved, a condition was established for the applicant's agent to meet with the Traffic Engineer regarding the need for accel/decel lanes to serve Lots 23 and 24. The representative from Traffic Engineering should be prepared to state if a guarantee for accel/decel lanes is required with this plat.



**STAFF COMMENTS:**

- NOTE:** The applicant's two associated zone change cases (Z-2776 & Z-2791) requesting "LC" to "AA" and "AA" to "BB" have been approved, subject to platting. Lots 1 through 22, Block 1 are subject to the provisions of Hatstrup Property Community Unit Plan (DP-159). Lot 23, Block 1 is zoned "LC". Lot 24, Block 1 will be zoned "BB".
- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
  - B. The applicant shall guarantee construction of the storm sewers required by this plat.
  - C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
  - D. The applicant shall guarantee the paving of the proposed interior streets.
  - E. The applicant shall guarantee any drainage improvements required by the platting of this property.
  - F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
  - G. The applicant shall submit a copy of the instrument which establishes the Cities Service Pipeline easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement.
  - H. The final plat tracing shall indicate the recording information for the 25-foot pipeline easement on this property.
  - I. Any relocation, lowering or encasement of the pipeline made necessary by this development will not be at the expense of the City.
  - J. 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.

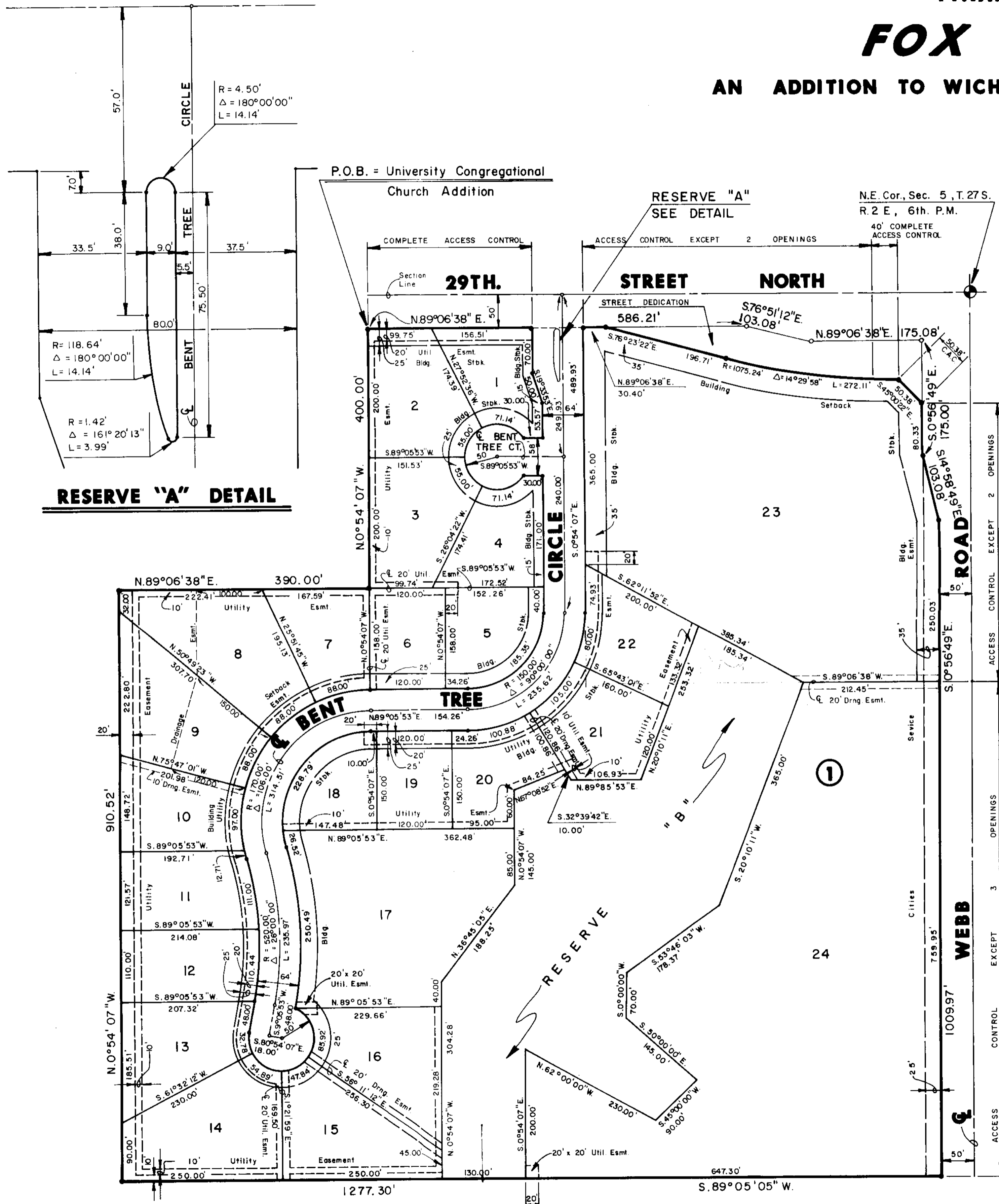
- K. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant to the City the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- L. On the final plat tracing, the plattor's text shall be amended to state that Reserve B is also being platted as a floodway. This was correctly depicted on the approved preliminary plat.
- M. In order to provide a means of access to Reserve B from a public street, the final plat tracing shall indicate a strip of Reserve B extending to Bent Tree Circle.
- N. 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.
- O. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structure constructed on subject property.
- P. On the final plat tracing, the required minimum building pad elevations shall be referenced.
- Q. The applicant shall obtain all off-site utility easements required by the sanitary sewer layout plan.

On the final plat tracing, the recording information or condemnation case number shall be referenced for the separate instrument which obtained the right-of-way depicted for the 29th Street North/Webb Road intersection and for the half-street rights-of-way for 29th Street North and Webb Road.

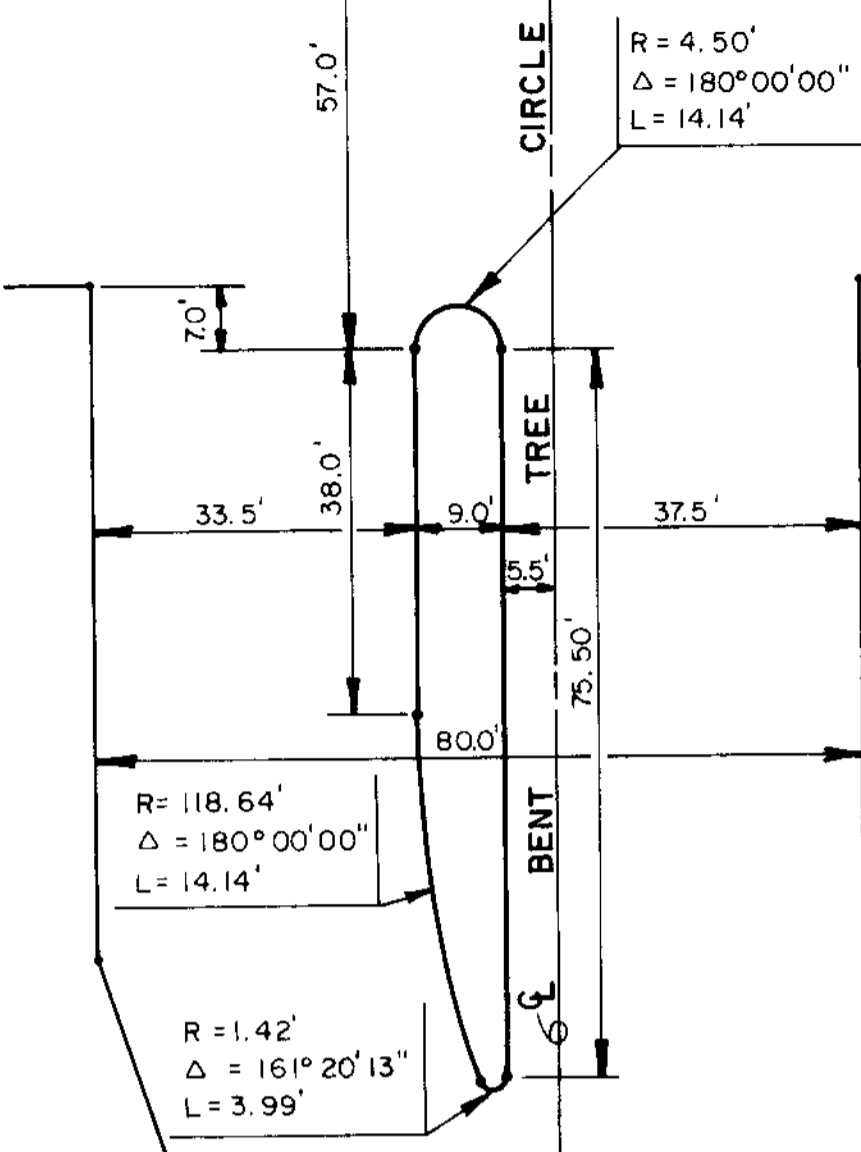
- R. As was pointed out when the preliminary plat was approved, it is the applicant's responsibility to be sure the perimeter of Lot 24 does not exceed the configuration of the application area for "BB" zoning. With this in mind, the applicant shall submit a marked print of the plat which depicts the perimeter of the zone change request relative to Lot 24.

# FOX POINTE

## AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



RESERVE "A" DETAIL



OFFICE COPY DO NOT REMOVE

FINAL PLAT

THIS PLAT APPROVED BY THE SUBDIVISION COMMITTEE ON 8/11/88 SUBJECT TO THE CONDITIONS OF APPROVAL OUTLINED IN OUR LETTER DATED 8/6/88

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

A tract of land lying in the Northeast Quarter, Section 5, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of Lot 1, University Congregational Church Addition, an addition to Wichita, Sedgwick County, Kansas; thence N 89° 06' 38" E, 586.21 feet, parallel with the North line of said Northeast Quarter; thence S 76° 51' 12" E, 103.08 feet; thence N 89° 06' 38" E, 175.08 feet; thence S 00° 56' 49" E, 175.00 feet; thence S 14° 58' 59" E, 103.08 feet; thence S 0° 56' 49" E, 1009.97 feet, parallel with the East line of said Northeast Quarter, to the North line of Deer Run Addition, an addition to Wichita, Sedgwick County, Kansas; thence S 89° 05' 06" W, 1277.30 feet along the North line of said Deer Run Addition, to the East line of Wilderness 2nd Addition, as addition to Wichita, Sedgwick County, Kansas; thence N 00° 54' 07" W, 910.52 feet along the East line of said Wilderness 2nd Addition to the South line of said University Congregational Church Addition; thence N 89° 06' 38" E, 390.00 feet along the said South line of University Congregational Church Addition to the East line of said University Congregational Church Addition; thence N 00° 54' 07" W, 400.00 feet along said East line of University Congregational Church Addition to the point of beginning.

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

Kenneth H. Bengtson, P.E., R.L.S. #922  
Mid-Kansas Engineering Consultants, P.A.  
3500 N. Rock Road, Building #800

Scale: 1" = 100'

| Lot | Block | Min. Pad Elev. (City Datum) | Min. Pad Elev. (USGS Datum) |
|-----|-------|-----------------------------|-----------------------------|
| 1   |       |                             |                             |
| 2   |       |                             |                             |

B.M. 1 Top Of Steel Fence Post 4.5' West Of The S.E. Corner Of Lot 24 Block 1. Elev. = 222.33

B.M. 2 " " Cut On Top Of South Curb Of 29th Street No. At The C. Of Cypress (N.W. Cor. Of University Congregational Church Add. Elev. = 222.94

Know all men by these presents that we the undersigned property owners of the land as above set forth in the Land Surveyor's and Civil Engineers Certificate, have caused the same to be surveyed and platted into Lots, a block, streets and reserves the same to be known as "FOX POINTE" an addition to Wichita, Sedgwick County, Kansas. The streets are hereby dedicated to and for the use of the public. The Reserves shall be owned and maintained by the Homeowners Association. Reserve A is platted for landscaping and entry monuments. Reserve B is platted for drainage and related structures, walks, gazebos, landscaping, recreation facilities, and picnic shelters. Easements for the construction and maintenance of public utilities and drainage as indicated on the accompanying plat are hereby granted. The floodway shall be the responsibility of the owners until such time as the governing body exercising jurisdiction elects to assume the responsibility for the maintenance and improvement of the drainage, provided further, that no structure shall be constructed on or within said floodway, nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of the city Engineer. All abutters right of access to ~~from the North line of~~ 29th Street North over and across the North lines of Lots 1, 2 and 23, Block 1, are hereby granted to the City of Wichita, provided, however, Lot 23, Block 1 shall have access to 29th Street North at two (2) locations, all locations to be determined by the City Engineer. All abutters right of access to or from Webb Road over and across the East lines of Lots 23 and 24, Block 1, are hereby granted to the City of Wichita, provided, however that Lot 23, Block 1 shall have access to Webb Road at two (2) locations and Lot 24, Block 1 shall have access to Webb Road at three (3) locations, all locations to be determined by the City Engineer. Minimum pad elevations shall be as indicated on the face of the plat.

By: R.J. Hatrup

STATE OF KANSAS ss: SEDGWICK COUNTY

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 1988, before me a Notary Public in and for said State and County, came R.J. Hatrup, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

\_\_\_\_\_, Notary Public

My Appointment Expires: \_\_\_\_\_

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

\_\_\_\_\_, Chairman

\_\_\_\_\_, Secretary

This plat approved and all dedications shown hereon, if any, accepted by the City Council of the City of Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_, Mayor

\_\_\_\_\_, Deputy City Clerk

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_, County Clerk

STATE OF KANSAS) ss: SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the Register of Deeds office this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_, Register of Deeds

\_\_\_\_\_, Deputy

*floodway*

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

August 18, 1988

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

Re: Fox Pointe Addition (Final Plat)  
S/D 88-52

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on August 18, 1988, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of August 16, 1988.

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 for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all real estate taxes and all prior years have been paid.

Please call if you have any questions.

Sincerely,

R. Timothy Bickhaus  
RTB:pb

cc: R.J. Hattrup, 2959 N. Webb Road, Wichita, 67226  
Bill Yung Design, 4912 E. 29th St., Suite 1,  
Wichita, Kansas