

D-0736 - Boss Construction, Inc.  
etal dedicates Street r-o-w -  
North side of Central in an area  
east of Battin

ACTION

POSTED  
11-1-76  
[Signature]

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. \_\_\_\_\_

B.C.C./B.C.C. *Accepted* 11-9-76

D-0736 - Boss Construction, Inc.  
eral dedictees Street 1-0-W -  
North side of Central in an area  
east of Battin

MAP No. 5848  
SEC. No. 13  
TWP. No. 27S  
RANGE 1E

DEDICATION REPORT AND PROGRESS

CASE No. D - 0736

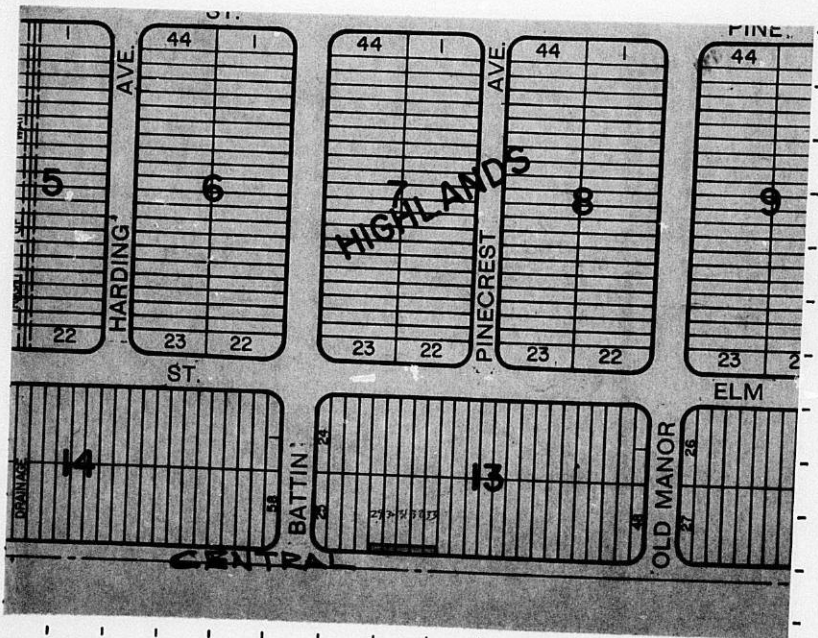
(Assoc. Z-1850)

I. OFFER TO DEDICATE: Street r-o-w  
GENERALLY LOCATED: North side of Central in an area east of Battin

LEGALLY DESCRIBED AS:

DEDICATED BY: Boss Construction, Inc., etal  
AGENT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ PHONE \_\_\_\_\_  
PURPOSE OF DEDICATION: requirement of zone case approval

II. SKETCH.



III. FILED 10-28-76  
POSTED TO ATLAS \_\_\_\_\_  
S/D COMM. ACTION \_\_\_\_\_  
M.A.P.C. ACTION \_\_\_\_\_  
B.C.C. ACTION 11-9-76 *Amended*  
PLACED ON RECORD \_\_\_\_\_  
CITY CLERK'S No. \_\_\_\_\_

*Associated with Z-1850*

DEDICATION

D-0736

(Assoc. Z-1850)

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby

acknowledged, the undersigned, BOSS CONSTRUCTION, INC., a Kansas corporation, JESSIE M. BAGBY, a single person, and BILL O SUHM and MARY C. SUHM, husband and wife

being the owners of the following described real estate in Sedgwick County, Kansas, to wit:

South 15 feet of Lots 29, 30, 31, 32 and 33, Block 13, East Highlands, Sedgwick County, Kansas.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this 22 day of October 19 76. BOSS CONSTRUCTION, INC.

By Bill O. Suhm President

Bill O. Suhm Bill O. Suhm

Jessie M. Bagby Jessie M. Bagby

Mary C. Suhm Mary C. Suhm

STATE OF KANSAS ) SEDGWICK COUNTY ) ss

BE IT REMEMBERED, that on this 22 day of October, came JESSIE M. BAGBY, a single person, and BILL O. SUHM and MARY C. SUHM, husband and wife

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

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

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,

this City Clerk

Helen L. Binford Notary Public

My Commission Expires: 5-27-77





C O N S E N T

MID KANSAS FEDERAL SAVINGS AND LOAN ASSOCIATION OF WICHITA,  
holder of a mortgage on the property covered by the above and fore-  
going Dedication, hereby consents to said Dedication according to  
its terms and conditions.

EXECUTED on this the 22nd day of October, 1976.

MID KANSAS FEDERAL SAVINGS AND LOAN  
ASSOCIATION OF WICHITA

By *David H. Brasted*

STATE OF KANSAS            )  
                                  ) SS  
COUNTY OF SEDGWICK    )

The foregoing instrument was acknowledged before me this  
22nd day of October, 1976, by David H. Brasted,  
Sr. Vice President of MID KANSAS FEDERAL SAVINGS AND LOAN  
ASSOCIATION OF WICHITA, on behalf of the Association.

*Georgia E. Van Aulen*  
Notary Public

My commission expires:



CONTINGENT DEDICATION

This Contingent Dedication is executed on this 21<sup>st</sup> day of October, 1976, by BOSS CONSTRUCTION, INC., a Kansas corporation, JESSIE M. BAGBY, a single person, and BILL O. SUHM and MARY C. SUHM, husband and wife, hereinafter referred to as "OWNERS":

WITNESSETH, THAT:

WHEREAS, the OWNERS together own the following-described real property, to-wit:

Lots 29, 30, 31, 32, and 33, Block 13, East  
Highlands, Sedgwick County, Kansas,

and

WHEREAS, it is the intention of OWNERS to dedicate to the public the North five feet of the South 20 feet of the above-described real property, but effective only in the event of certain contingencies hereinafter specified.

NOW, THEREFORE, the owners do hereby dedicate to the public for street purposes the following-described real property, to-wit:

The North five (5) feet of the South twenty (20)  
feet of Lots 29, 30, 31, 32, and 33, Block 13,  
East Highlands, Sedgwick County, Kansas,

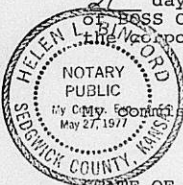
but the right of the public and the City of Wichita and the County of Sedgwick to make use thereof for public purposes, including streets, excavation, fill, street paving, sidewalks, public utilities and other similar street purposes, shall not occur so long as the improvements to be constructed upon said 5-foot strip or any part thereof within a period of six months from the date hereof shall remain thereon, it being understood that the OWNERS will, within three months from the date hereof, commence construction of certain improvements on said 5-foot strip or a portion thereof, which improvements are intended by the OWNERS to be permanent in nature.

It is understood that this Dedication shall be effective after the above-described improvements are erected as aforesaid and in the event thereafter of substantial or total destruction of the improvements thereon by fire or other casualty, or in the event said improvements are removed, substantially torn down or destroyed, and upon the occurrence of such an event, this Dedication shall be and become, without further notice or act, effective and in full force. This Contingent Dedication shall be and is a covenant running with the land and shall be binding upon the heirs, devisees, personal representatives, successors, and assigns of the owners of any part or parcel of the property to which this Contingent Dedication applies.

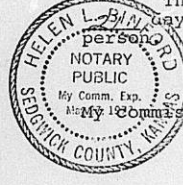
This Contingent Dedication is executed on the day and year first above written.

ATTEST: Willard R. Thompson Assistant Secretary  
BOSS CONSTRUCTION INC.  
By Bill O. Suhm President  
Jessie M. Bagby Jessie M. Bagby  
Bill O. Suhm Bill O. Suhm  
Mary C. Suhm Mary C. Suhm


STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this day of October, 1976, by BILL O. SUHM, president of BOSS CONSTRUCTION, INC., a Kansas corporation, on behalf of the corporation.  
 My Commission expires: \_\_\_\_\_  
Helen L. Binford  
Notary Public

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this day of October, 1976, by JESSIE M. BAGBY, a single person.  
 My Commission expires: \_\_\_\_\_  
Helen L. Binford  
Notary Public

STATE OF KANSAS, COUNTY OF SEDGWICK, SS:

The foregoing instrument was acknowledged before me this day of October, 1976, by BILL O. SUHM and MARY C. SUHM, husband and wife.  
 My Commission expires: \_\_\_\_\_  
Helen L. Binford  
Notary Public

C O N S E N T

MID KANSAS FEDERAL SAVINGS AND LOAN ASSOCIATION OF WICHITA,  
holder of a mortgage on the property covered by the above and fore-  
going Contingent Dedication, hereby consents to said Contingent  
Dedication according to its terms and conditions.

EXECUTED on this the 21 day of October, 1976.

MID KANSAS FEDERAL SAVINGS AND LOAN  
ASSOCIATION OF WICHITA

ATTEST:

By David H. Brasted

STATE OF KANSAS            )  
                                  ) SS  
COUNTY OF SEDGWICK     )

The foregoing instrument was acknowledged before me this  
21st day of October, 1976, by David H. Brasted,  
Sr. Vice Pres. & Secretary of MID KANSAS FEDERAL SAVINGS AND LOAN  
ASSOCIATION OF WICHITA, on behalf of the Association.

Kathi Burkle  
Notary Public

My commission expires:



FLEESON, GOOING, COULSON & KITCH  
LAWYERS

SIXTEENTH FLOOR - 125 NORTH MARKET

POST OFFICE BOX 997

WICHITA, KANSAS 67201

(316) 267-7361

HOWARD T. FLEESON  
1895-1987

HOMER V. GOOING  
RETIRED

WAYNE COULSON  
PAUL R. KITCH  
DALE M. STUCKY  
DONALD R. NEWMIK  
GERRIT H. WORMHOUDT  
ROBERT T. CORNWELL  
WILLARD B. THOMPSON  
GEORGE J. LEIBOWITZ  
RICHARD I. STEPHENSON  
JOHN T. CONLEE  
JOHN E. MATSON  
THOMAS D. KITCH  
J. ERIC ENOSTROM  
MICHAEL JENNINGS  
LARRY W. WALL  
JOHN R. MORSE  
REX O. BEABLEY

October 22, 1976

D-0736

Mr. Jack H. Galbraith  
Chief Planner  
Wichita - Sedgwick County  
Metropolitan Area Planning Commission  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: Z-1850 - "B" to "BB" -  
North side of Central in  
an area east of Battin

Dear Mr. Galbraith:

Following up our letter of yesterday to you in relation to the above, we are handing you herewith the original of Dedication covering the South 15 feet of Lots 29, 30, 31, 32, and 33, Block 13, East Highlands, Sedgwick County, Kansas.

Very truly yours,

*Willard B. Thompson*

Willard B. Thompson  
of FLEESON, GOOING, COULSON & KITCH

WBT:hb

cc: Mr. Bill O. Suhm

FLEESON, GOOING, COULSON & KITCH  
LAWYERS

SIXTEENTH FLOOR - 25 NORTH MARKET

POST OFFICE BOX 997

WICHITA, KANSAS 67201

(316) 267-7381

HOWARD T. FLEESON  
1935-1987

HOMER V. GOOING  
RETIRED

WAYNE COULSON  
PAUL R. KITCH  
DALE M. STUCKY  
DONALD R. NEWKIRK  
DERRIT H. WORMHOUDT  
ROBERT T. CORNWELL  
WILLARD B. THOMPSON  
GEORGE J. LEIBOWITZ  
RICHARD I. STEPHENSON  
JOHN T. CONLEE  
JOHN E. MATSON  
THOMAS D. KITCH  
J. ERIC ENOSTROM  
MICHAEL JENNINGS  
LARRY W. WALL  
JOHN R. MORRIS  
REX D. BEASLEY

October 21, 1976

D-0736

Mr. Jack H. Galbraith  
Chief Planner  
Wichita - Sedgwick County  
Metropolitan Area Planning Commission  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: Z-1850 - "B" to "BB" -  
North side of Central in  
an area east of Battin

Dear Mr. Galbraith:

In relation to the above-described zoning case, we are handing you herewith original of Contingent Dedication covering the North 5 feet of the South 20 Feet of Lots 29, 30, 31, 32, and 33, Block 13, East Highlands, Sedgwick County, Kansas.

When the enclosed Contingent Dedication was being circulated for execution by the owners, the intent was to also have executed the enclosed Dedication covering the South 15 feet of Lots 29, 30, 31, 32, and 33, Block 13, East Highlands, a copy of which is enclosed. However, through inadvertence, the enclosed Dedication was not circulated for execution and could not be delivered to your offices until tomorrow.

In view of the fact that it is our understanding that this afternoon is the deadline closing date for filing these Dedications to have the zoning case be on the Agenda for the City Commission this next Tuesday, we are submitting the executed Contingent Dedication today with the expression in this letter that the enclosed copy of Dedication will be delivered to you tomorrow in hopes that it might be possible for this matter to be placed on the Agenda for next Tuesday.

Mr. Jack H. Galbraith

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October 21, 1976

If it is possible to place this matter on the Agenda for the City Commission meeting next Tuesday, your cooperation in doing so will be appreciated.

Sincerely,

*Bill Thompson*

Willard B. Thompson  
of FLEESON, GOOING, COULSON & KITCH

WBT:hb

cc: Mr. Bill O. Suhm