

D-0913 - Douglas B. Wiley, Etux
grant additional Utility Easement
generally located on the west side
of Joann, as extended from the
North, in an area south of 15th

*West
Joann Utility Easement
D. B. Wiley
10/21*

POSTED
9-26-79
JH

ACTION

S/D COMMITTEE Legal Policy DATE 10-4-79
M.A.P.C. _____
B.C.C./B. CO. C. _____

*See for corrected placement
10/21/79
J.D.*

MAP No. 5249
 SEC. No. 12
 TWP. No. 27
 RANGE 1W

DEDICATION REPORT AND PROGRESS

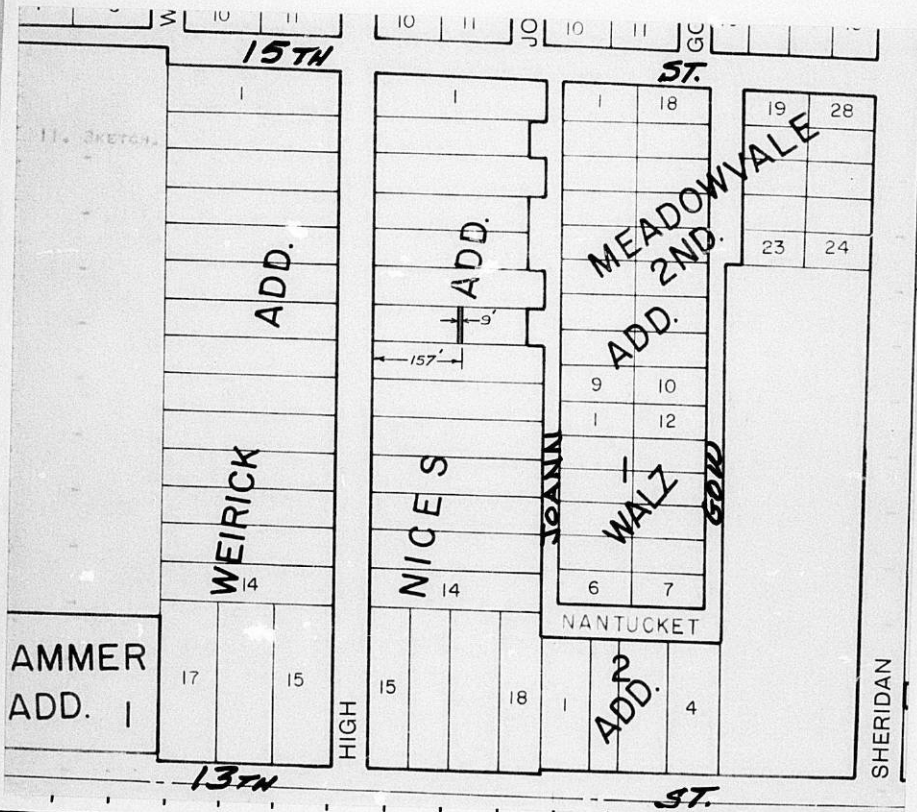
CASE No. D - 0913

(Associated L/S-0444)

I. OFFER TO DEDICATE: Additional Utility Easement
 GENERALLY LOCATED: on the west side of Joann, as extended from the North, in an area south of 15th Street

LEGALLY DESCRIBED AS: _____

DEDICATED BY: Douglass B. & Deborah K. Wiley
 AGENT: _____
 ADDRESS: _____ PHONE _____
 PURPOSE OF DEDICATION: Lot Split Requirement.



III. FILED 9-24-79 B.C.C. ACTION _____
 POSTED TO ATLAS _____
 S/D COMM. ACTION 10-4-79 *refer plat* PLACED ON RECORD _____
 M.A.P.C. ACTION _____ CITY CLERKS No. _____

October 4, 1979

Mr. and Mrs. Alfred Stang
721 Daugherty
Wichita, Kansas 67212

Re: L/S -0444 - Lot split request for Lot 7, Nica's Addition
and additional utility easement

Dear Mr. and Mrs. Stang:

During the processing of the utility easement which you obtained from the Douglass Wileys, it was discovered that an error had been made in determining the location of the existing 16-foot utility easement. That easement is actually located thirty feet further east and would, therefore, be entirely on your property without direct access to it from the Wiley property (See enclosed drawing).

This new information will necessitate a new easement to be granted by you so that the Wiley property will have access to the sewer and will require a new lot split drawing. Neither the lot split drawing which was sent to the City Clerk on September 24, 1979, nor the easement executed by the Wileys on September 17, 1979, have been recorded with the Register of Deeds so there will be no problem with incorrect recorded documents.

Please execute the corrected easement form which I have enclosed and return it to me. By copy of this letter to the Wileys, I am returning their easement which is no longer needed. *- see D-0921*

I have talked to Art Griffiths of Air Capitol Land Surveyors and explained the change to him, but I would appreciate your calling him and requesting that he submit a revised lot split drawing to us for re-certification and for recording.

Please accept our apologies for this error. I hope it has caused you no inconvenience.

Sincerely,

Louise Olivarez
Senior Planner

LO:bh

cc: Mr. Richard A. Niedens, 839 Mt. Carmel, 67203
Mr. and Mrs. Douglass Wiley, 1516 N. High, 67203
Air Capitol Land Surveyors, 1525 W. 29th St. North, 67204

Map: 5249
12
27
1W

EASEMENT

D-0913

THIS EASEMENT made this 17th day of September (assn. 4/5-0444)

1979, by and between Douglass B. Wiley and Deborah K. Wiley
of the first part and the City of Wichita, of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing sewer and all other public utilities, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

The East 9 Feet of the West 157 Feet of Lot 7,
Nice's Addition to Sedgwick County, Kansas.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

X Douglass B. Wiley
DOUGLASS B. WILEY
X Deborah K. Wiley
DEBORAH K. WILEY

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Be it remembered that on this 17th day of September, 1979, before me, a notary public in and for said County and State, came Douglass B. Wiley and Deborah K. Wiley, husband and wife to me personally known to be the same person(s) who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

SEAL

Patricia S. Eck
NOTARY PUBLIC
Sedgwick Co., Kansas

Patricia S. Eck
Notary Public

My Commission expires: 11/12/80