

DEDICATION REPORT AND PROGRESS

MAP NO. 5443A
 SEC. NO. 8
 TWP. NO. 28S
 RANGE 1E

CASE NO.: D-1519

ASSOCIATED CASE:

1. OFFER TO DEDICATE: Additional street right-of-way.
 GENERALLY LOCATED: East of Wichita Street, on the north side of 33rd Street South.
 LEGALLY DESCRIBED AS:

The south 22.6 feet of the following described tract:

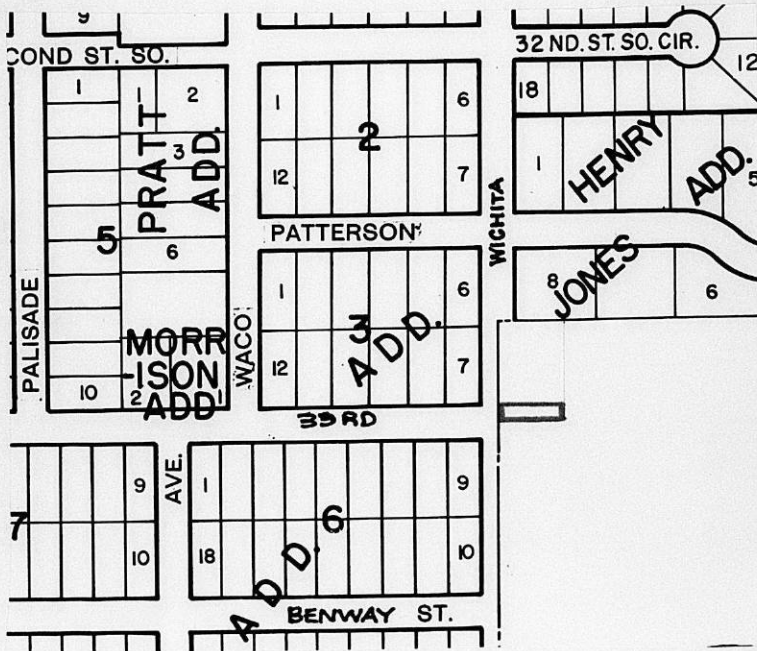
Beginning at a point 65 rods west and 69 1/3 rods south and 121.13 feet west of the northeast corner of the northeast quarter of Section 8, Township 28, Range 1 East of the 6th P.M., Sedgwick County, Kansas, for true point of beginning; thence west 121.14 feet more or less to the west line of the east half of the said northeast quarter; thence south along said west line 176 feet; thence east 120.8 feet more or less to a point due south from the true point of beginning; thence north 176 feet to said point of beginning.

DEDICATED BY: Ralph V. Peterson

PURPOSE OF DEDICATION:

Review letter in folder received June 3, 1988 from Monty Robson.

II. SKETCH.



III. FILED 7/1/88
 POSTED TO ATLAS
 S/D COMM. ACTION 7/14/88 *Approved*
 M.A.P.C. ACTION 7/21/88 *Approved*

B.C.C. ACTION 8/16/88 *Approved*
 PLACED ON RECORD
 CITY CLERKS NO. _____

AGENDA ITEM # _____

City of Wichita
City Council Meeting
August 16, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: D-1519 - CONTINGENT DEDICATION OF STREET RIGHT-OF-WAY FOR 33RD STREET SOUTH, IN AN AREA EAST OF WICHITA STREET.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Accept the dedication. (Unanimous)

Background: Ralph V. Peterson is dedicating this street right-of-way, contingently, as a requirement by Central Inspection for the issuance of a building permit for this unplatted tract of property.

The dedication has been reviewed and approved by the Planning Commission.

Financial Considerations: Bill the recording costs to:

755-68-360-50000-295-000-000

Recommendations/Actions: Accept the dedication and record document.

CONTINGENT DEDICATION

WHEREAS, Ralph V. Peterson

is (are) the owner(s) of the following described real estate in Sedgwick County, Kansas, to-wit:

Beginning at a point 65 rods west and 69 1/3 rods south and 121.13 feet west of the northeast corner of the northeast quarter of Section 8, Township 28, Range 1 East of the 6th P.M., Sedgwick County, Kansas, for true point of beginning; thence west 121.14 feet more or less to the west line of the east half of the said northeast quarter; thence south along said west line 176 feet; thence east 120.8 feet more or less to a point due south from the true point of beginning; thence north 176 feet to said point of beginning.

and has made application to Central Inspection for approval of a building permit for construction of improvements on the above-described real estate; and

WHEREAS, the City of Wichita anticipates in the future the necessity of acquiring dedicated street right-of-way for 33rd Street South adjacent to the south line of said property, said right-of-way will include a portion of the above-described real property; and

WHEREAS, said owner(s) is (are) agreeable to the needed street right-of-way dedication; and

WHEREAS, said owner(s) is (are) desirous of continuing their private use of said street right-of-way pending effectiveness of the dedication as hereinafter stated:

NOW, THEREFORE, in consideration of the premises and contingent upon the approval of their building permit by Central Inspection for the above-described property the owner(s) does (do) hereby dedicate to the public for street purposes the following described real property, to-wit:

The south 22.6 feet of the following described tract:

Beginning at a point 65 rods west and 69 1/3 rods south and 121.13 feet west of the northeast corner of the northeast quarter of Section 8, Township 28, Range 1 East of the 6th P.M., Sedgwick County, Kansas, for true point of beginning; thence west 121.14 feet more or less to the west line of the east half of the said northeast quarter; thence south along said west line 176 feet; thence east 120.8 feet more or less to a point due south from the true point of beginning; thence north 176 feet to said point of beginning.

PROVIDED, HOWEVER:

1. That neither the public nor the City of Wichita shall be privileged nor entitled to the use of the area hereinabove dedicated for maintenance, excavation or fill, paving, installation of utilities and other similar street uses, until and unless the same is actually needed for the purposes as herein stated.

2. That until such time as the area hereby dedicated is actually used for the purposes of street right-of-way, including any or all of those uses as stated above, the owner(s) and all persons claiming by, through or under them, shall be permitted the continued use of said street right-of-way.

This dedication herein expressed and made, conditioned as aforesaid, shall be accepted by the City of Wichita upon approval by Central Inspection of the application for building permit described above and upon the recording of this instrument. Upon the recording hereof, this instrument shall constitute a public dedication and a covenant running with the land bind upon the owner(s) their heirs, successors and assigns, and all persons claiming by, through or under them, conditioned as aforesaid. Acceptance by the City of Wichita of this contingent dedication and the recording of the same shall denote its acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, in Ralph V. Peterson

has (have) executed this instrument and delivered the same to the City of Wichita, Kansas, on this 10th day of June, 1988.


Ralph V. Peterson

STATE OF KANSAS }
 } SS
SEDGWICK COUNTY }

This instrument was acknowledged before me on June 10, 1988
by Ralph V. Peterson




Notary Public
Betty L. Spencer

My Commission expires:

7-13-90

IMPORTANT MESSAGE

FOR FORREST NEGLEY

DATE 13 JUNE 1988 TIME _____ A. M.
P. M.

WHILE YOU WERE AWAY

As Requested Copy of
OF VIDEO & SIGNED DEDICATIONS

PHONE No. OF STREET R.O.W.

TELEPHONED	PLEASE CALL	
CALLED	WILL CALL AGAIN	
TO SEE YOU	RETURNED	
WANTS	YOUR CALL	
TO SEE YOU		

MESSAGE ON 244 W. 33 RD S
PERMIT HAS BEEN ISSUED
13 JUNE 1988

SIGNED

Michael Galt
CTD

THE CITY OF WICHITA
OFFICE OF Central Inspection

DATE June 3, 1988

TO Jack Galbraith, Chief Planner of Current Plans

FROM Monty Robson, Superintendent of CID *MHR*

SUBJECT Building Permit
244 W. 33rd South
(Copy attached)
Subdivision Regulations
Article 4, Part 6, 4-601

A request to erect an accessory structure at subject address has been submitted to CID.

The property cannot be exempted per Article 3, 3-105(F)(I) of the subdivision regulations. Will the owner be required to plat or dedicate right-of-way. A timely response will be appreciated.

MHR/MG:wgm
Attachment

Assuming you've found that Section 4-602 provides for this unplatted tract to not have to plat, the west 30 feet of the tract should be dedicated for Wichita Street and the south 22.6 feet should be conversely dedicated for street. We have attached the required instruments for your

RECEIVED

JUN 03 1988

METROPOLITAN PLANNING

ROUTE _____

*use. _____
Edward Nagley*

5443A

