

D-0286 - Dedication from Seneca Construction Company for street in area N. of McArthur Road approximately 1/2

Passed  
5-6-65

# ACTION

	DATE
S/N COMMITTEE	<u>Accept</u> 5-13-65
M.A.P.C.	<u>Accept</u> 5-20-65
<del>B.C.C.B. CO. C.</del>	<u>Accepted</u> 6-1-65

Closed 6-1-65

Note: Recorded - Not Posted!  
J.P.S.

## DEDICATION REPORT AND PROGRESS

CASE No. D - 0286

MAP No. J-3  
 SEC. No. 7  
 TWP. No. 28S  
 RANGE 1E

- I. OFFER TO DEDICATE: Street right of way  
 GENERALLY LOCATED: In an area north of McArthur Road approximately 1/2 mile west of Seneca

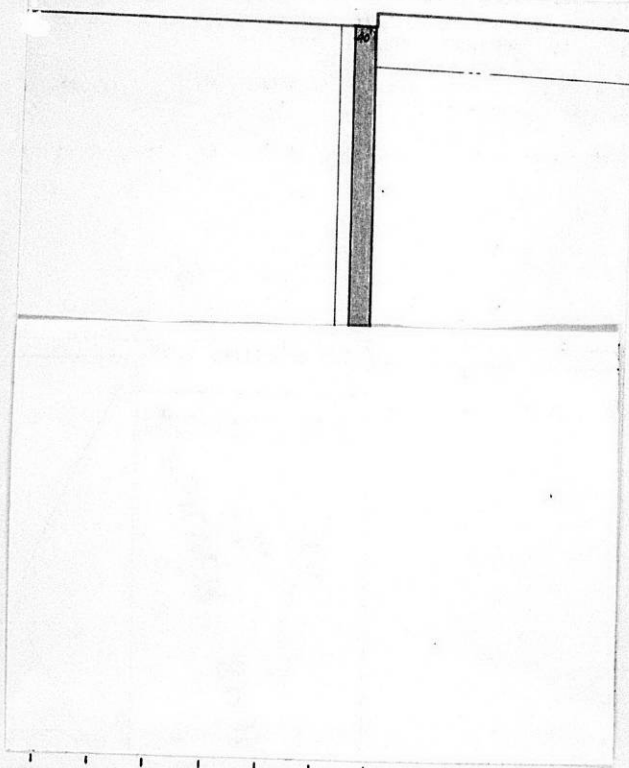
LEGALLY DESCRIBED AS: The E 40 feet and the S 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 7, Township 28 South, Range 1 East, and the north 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 7, Township 28 South, Range 1 East. Provided, however, that the grantor reserves the right to maintain and use the presently installed (sewerage plant) - (septic tank) and lateral sewer system now located on the above described real estate until municipal sanitary sewer service is available.

DEDICATED BY: Seneca Construction Company, Inc.AGENT: C. J. Mendenhall, PresidentADDRESS: 1913 South ElizabethPHONE AM 4-6945

PURPOSE OF DEDICATION:

Street purposes

## II. SKETCH.



III. OFFER RECEIVED 5-5-65  
 POSTED TO ATLAS 5-6-65  
 \*S/D COMM. ACTION 5-13-65 *Accept*  
 \*M.A.P.C. ACTION 5-20-65 *Accept*  
 \*B.C.C. ACTION 6-1-65 *Accepted*  
 PLACED ON RECORD  
 CITY CLERKS No. \_\_\_\_\_

MAP No. J-3  
SEC. No. 7  
TWP. No. 28S  
RANGE 1E

DEDICATION REPORT AND PROGRESS  
CASE No. D - 0286

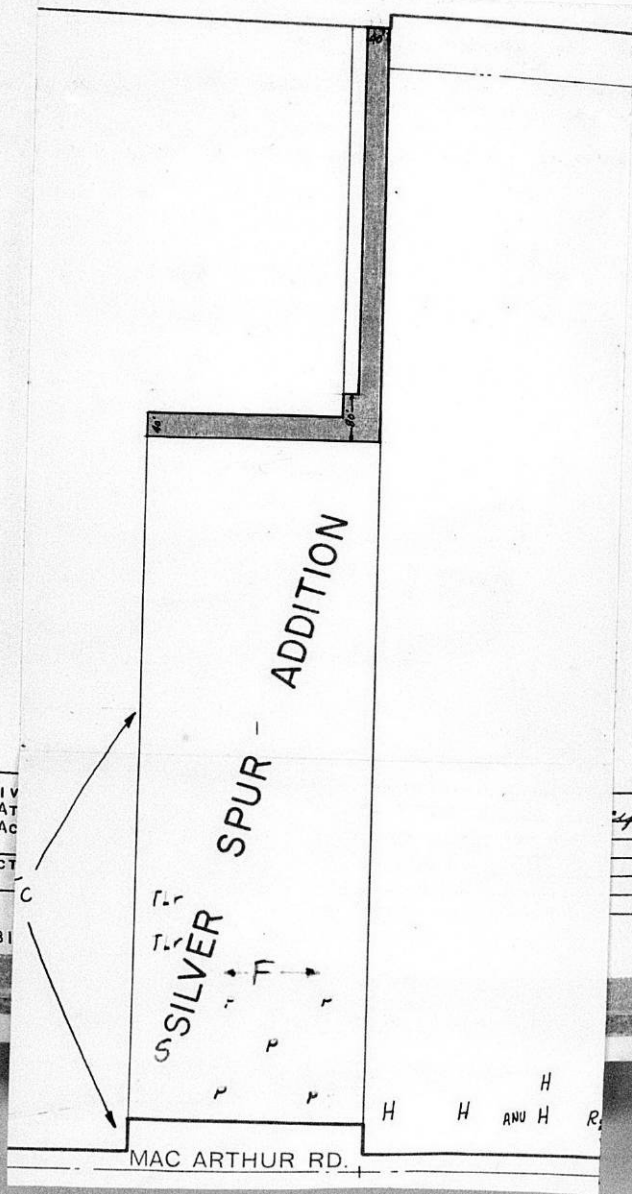
I. OFFER TO DEDICATE: Street right of way  
GENERALLY LOCATED: In an area north of McArthur Road approximately 1/2 mile west of Seneca

LEGALLY DESCRIBED AS: The E 40 feet and the S 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 7, Township 28 South, Range 1 East, and the north 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 7, Township 28 South, Range 1 East. Provided, however, that the grantor reserves the right to maintain and use the presently installed (sewerage plant) (septic tank) and lateral sewer system now located on the above described real estate until municipal sanitary sewer service is available.

DEDICATED BY: Seneca Construction Company, Inc.  
AGENT: C. J. Mendenhall, President  
ADDRESS: 1913 South Elizabeth PHONE AM 4-6945  
PURPOSE OF DEDICATION:

Street purposes

II. SKETCH.



III. OFFER RECEIVED  
POSTED TO AT  
\*S/D COMM. AC

\*H.A.P.C. ACT

FORM T-21-31

Dedication of: right of way for streets      MAP Case No. D-0286

Dedicated by: Seneca Construction Company, Inc.      Approved by MAPC: 5-20-65

General Location: In an area north of McArthur Road approximately  
1/2 mile west of Seneca

Reason for Acceptance: To provide public access for traffic circulation

City Manager's Recommendation: Accept the Dedication and instruct  
the City Clerk to file with the Register of Deeds.  
Form T21-325

May 20, 1965

Mr. C. J. Mendenhall  
Seneca Construction Co.  
1913 South Elizabeth  
Wichita, Kansas

Subject: D-0286 - Dedication for street  
right of way in an area north of McArthur  
Road approximately 1/2 mile west of Seneca

Dear Mr. Mendenhall:

At its regular meeting on May 20, 1965, the Metropolitan Area Planning Commission considered the above-captioned offer of dedication. The action of the Planning Commission was to recommend that this offer be accepted.

This case will be forwarded to the Board of City Commissioners for their consideration on June 1, 1965.

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

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:JWH:bgs

May 14, 1965

Mr. C. J. Mendenhall, President  
Seneca Construction Company, Inc.  
1913 South Elizabeth  
Wichita, Kansas

Subject: D-0286 - Dedication for street right-of-way in an  
area north of McArthur Road approximately 1/2 mile  
west of Seneca

Dear Mr. Mendenhall:

This is to advise you that the Subdivision Committee of the Metropolitan Area Planning Commission, at its regular meeting on May 13, 1965, considered the above captioned offer of dedication. The action of the Subdivision Committee was to recommend that this dedication be accepted.

The recommendation of the Subdivision Committee that this dedication be accepted will be forwarded to the Planning Commission for their consideration at their next regular meeting on May 20, 1965.

If you have any questions, please feel free to call.

Sincerely yours,

Jack H. Galbraith  
Senior Planner

JHG:RAW:mb

March 19, 1965

Mr. Paul W. Schmidt, Attorney  
Schweiter Building  
Wichita, Kansas

Dear Mr. Schmidt:

We have reviewed the dedication from Seneca Construction Company, Inc. at the request of Mr. Dekker, and have conferred with him on the form. It would be our preference that after the legal description all of the remaining section be stricken and the following inserted:

"Provided, however, that the grantor reserves the right to maintain and use the presently installed (sewerage plant) - (septic tank) and lateral sewer system now located on the above described real estate until municipal sanitary sewer service is available."

It is Mr. Dekker's feeling that the dedication should be effective immediately, subject to whatever prior rights are established. This would account for the desire to delete the first part of your statement of condition. The remainder of the language would seem to infer that the sewer system and service "installed on said land by the City of Wichita," might be a dollar liability on the part of the City to install such sewer service.

If there are any questions on the suggested changes, please contact either Jack Galbraith or myself and we will arrange a conference with our legal staff, your client and ourselves.

Sincerely,

Robert A. Lakin  
Assistant Planning Director

RAL:bar  
cc: John Dekker, Director of Law  
C. J. Mendenhall, 1915 West MacArthur Road

*Howe*

March 9, 1965

Mr. John Dekker, City Attorney  
303 South Main Street  
Wichita, Kansas

Re: Seneca Construction Company, Inc.  
Street Dedication

Dear Mr. Dekker:

My client, Seneca Construction Company, Inc., by C. J. Mendenhall, president, has been requested to dedicate for street purposes certain real estate set out in copy of dedication enclosed herewith. The company is willing to make such dedication provided the presently installed sewage system and laterals may be continued in use until the City of Wichita has installed and made available a sewer system in the part of town in which the above described real estate is located.

It would be appreciated if you would advise me whether the dedication is in such form as may be approved by you. A copy of the proposed dedication is being forwarded to the City Planning Commission, attention Jim Howe.

Very truly yours,

*Lawrence Mendenhall*

FWS:emc  
encl  
cc Mr. Jim Howe  
City Planning Commission

Mr. C. J. Mendenhall, President  
Seneca Construction Company, Inc.

*JA 47961*



D E D I C A T I O N

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, Seneca Construction Company, Inc.  
G. J. Mendenhall, President

being the owner, of the following described real estate in Sedgewick County, Kansas, to wit:

The east 40 feet and the south 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the NE of the SW of Sec. 7, Twp. 20-S, R-1-E, and the north 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the SE of the SW of Sec. 7, Twp. 20-S, R-1-E. Above dedication to become effective when City Sewer is available to serve said addition; provided, however, that grantor reserves the right to maintain and use the presently installed sewage plant and lateral system now located on the real estate above described until such time as a sewer system and service is installed on said land by the City of Wichita, Kansas.

*\* upon the recording of this instrument*

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

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

SENeca CONSTRUCTION COMPANY, INC.

G. J. Mendenhall, President

STATE OF KANSAS )  
SEDGEWICK COUNTY ) ss

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

came G. J. Mendenhall, President of Seneca Construction Company, Inc.

to me personally known to be the said person, who presented the foregoing instrument and who 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-Sedgewick 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

Notary Public

My Commission Expires: \_\_\_\_\_

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

DEDICATION

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, Seneca Construction Company, Inc.

C. J. Mendenhall, President

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

The East 40 feet and the south 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Sec. 7, Twp. 28-S, R-1-E, and the North 40 feet of that part of Lot 1, Silver Spur Addition to Wichita, Kansas, lying in the S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Sec. 7, Twp. 28-S, R-1-E. Provided, however, that the grantor reserves the right to maintain and use the presently installed (sewerage plant) - (septic tank) and lateral sewer system now located on the above described real estate until municipal sanitary sewer service is available,

do es hereby dedicate the above described real estate to the public for

Street purposes.

Executed this 2nd day of April 19 65

SENECA CONSTRUCTION COMPANY, INC.

By C. J. Mendenhall, President



STATE OF KANSAS )  
SEDGWICK COUNTY ) ss

BE IT REMEMBERED, that on this 2nd day of April 1965,

came C. J. Mendenhall, President of Seneca Construction Company, Inc.

to me personally known to be the same person 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

Mildred E. P.  
Notary Public  
My Commission Expires: \_\_\_\_\_

