

D-0471 - NEW Building Corp Inc.
Dedicates Street ROW in area north
and east of Central and West Sts

Pos 700
7-8-71
[Signature]

ACTION

	DATE
3/6 COMMITTEE	Approves 7/15/71
M.A.P.C.	Approves 2/22/71
R.C.C.A. [REDACTED]	Accept 9/25/71 5/9/71

DEDICATION REPORT AND PROGRESS

MAP No. 5248
 SEC. No. 13
 TWP. No. 27 S
 RANGE 1 W

CASE No. D - 0471

I. OFFER TO DEDICATE: Street right-of-way (for Elm Street)
 GENERALLY LOCATED: In an area north and east of Central and West Streets

LEGALLY DESCRIBED AS:

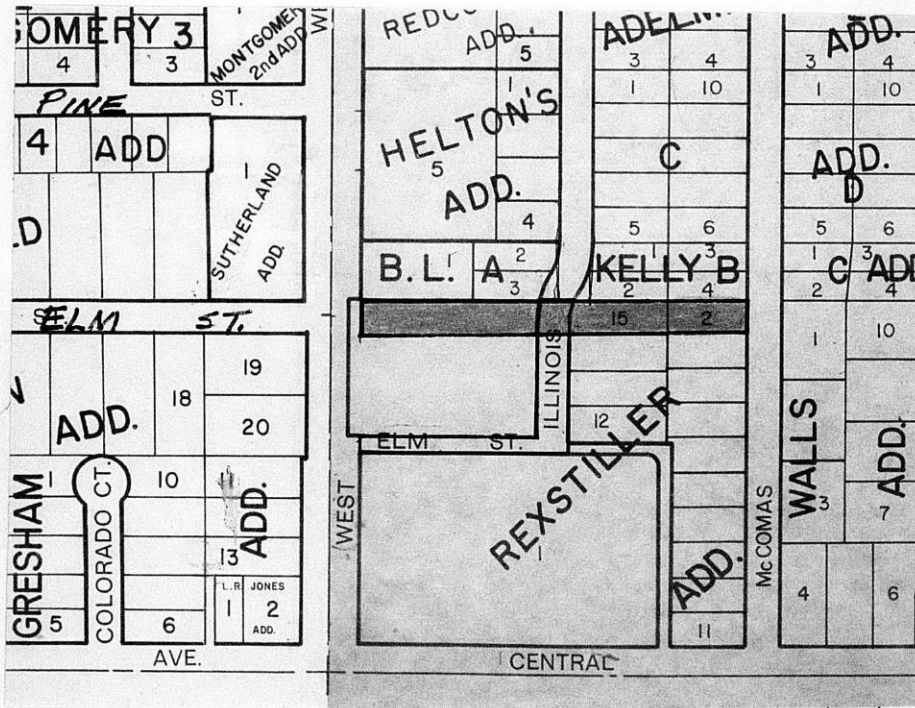
The N 64' of a tract in the SW 1/4, Sec 13, Tsp 27 S, R 1W, described as follows:
 Beg. at a pt. 417' N of SW corner of said SW 1/4; thence N 243'; thence E 360';
 thence S 243'; thence W 360' to pt. of beg., subject to the W 50' for hiway purpose
 Also, the N 64' of Lots 2 & 15, in Rexstiller Add to Wichita, Sedg. Co., Ks.,
 together with all of that portion of vacated Illinois Ave, adjoining the N 64' of
 said Lot 15 on the W, and that portion of surplus ground lying bet. the N 64' of
 of vacated Illinois Ave on the E and the E line of the N 64' of 1st above described
 tract. DEDICATED BY: NBW Building Corporation, Inc.

AGENT: V. Eugene Pavor, President
 ADDRESS: National Bank of Wichita 67203 PHONE 923-1201

PURPOSE OF DEDICATION:

** (See Associated Case No. V-0557)

** Legal amended,
 SEE ACTUAL DEDICATION*



III. FILED 6-30-71
 POSTED TO ATLAS 7-7-71
 S/D COMM. ACTION 7-15-71 *Approve*
 M.A.P.C. ACTION 7-22-71 *Accept*

B.C.C. ACTION 8-27-71 *Accept*
 PLACED ON RECORD _____
 CITY CLERKS No. _____

MAPC CASE NO. D-0471 Dedication of Street right-of-way

Dedicated by: N.B.W. Building Corporation, Inc.

Generally Elm Street between West Street and McComas

This dedication is given for the following reason:

Requirement of assoc vacation case V-0557

ACTION: Accept the dedication and instruct the City Clerk to file with the Register of Deeds.

EXHIBIT "A"

The North 60 feet of a Tract in the Southwest Quarter of Section 13, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point 417 feet North of the SW Corner of said SW $\frac{1}{4}$; Thence North 243 feet; Thence East 360 feet; Thence South 243 feet; Thence West 360 feet to point of beginning, subject to the West 50 feet for Highway purposes;

Also the North 60 feet of Rexstiller Addition to Wichita, Sedgwick County, Kansas, together with all of that portion of vacated Illinois Avenue, adjoining the North 60 feet of said Rexstiller Addition, on the West, described as: North 60 feet of Lot 15 together with the North 60 feet of vacated Illinois Avenue accruing thereto, and the North 60 feet of Lot 2, all in Rexstiller Addition to Wichita, Sedgwick County, Kansas.

And that portion of surplus ground lying between the North 60 feet of vacated Illinois Avenue on the East and the East line of the North 60 feet of the first above described Tract. All in Sedgwick County, Kansas.

EXHIBIT "A"

The North ⁶⁰64 feet of a Tract in the Southwest Quarter of Section 13, Township 27 South, Range 1 West of the 6th P.M., described as follows:

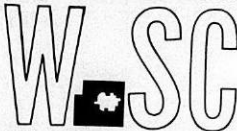
Beginning at a point 417 feet North of the SW Corner of said SW $\frac{1}{4}$; Thence North 243 feet; Thence East 360 feet; Thence South 243 feet; Thence West 360 feet to point of beginning, subject to the West 50 feet for Highway purposes;

Also the North ⁶⁰64 feet of Rexstiller Addition to Wichita, Sedgwick County, Kansas, together with all of that portion of vacated Illinois Avenue, adjoining the North ⁶⁰64 feet of said Rexstiller Addition, on the West, described as: ~~All of The N. 60' of Lot 15 and the North 75 feet of Lot 14 together with the North 60 feet of vacated Illinois Avenue accruing thereto, and all The N. 60' of Lot 2 and the North 3 feet of Lot 3;~~ all in Rexstiller Addition to Wichita, Sedgwick County, Kansas;

And that portion of surplus ground lying between the North ⁶⁰64 feet of vacated Illinois Avenue on the East and the East line of the North ⁶⁰64 feet of the first above described Tract. All in Sedgwick County, Kansas.

SUPERSEDED

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

PHONE 262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

September 8, 1971

N.B.W. Building Corp., Inc.
† Dale E. Wallace,
Executive Vice President
National Bank of Wichita
714 North West Street
Wichita, Kansas 67203

Subject: L/S-0100 - Lot Split
approval on Lot 1, Rexstiller
Addition at the northeast corner
of Central and West Street
(associated cases V-0557 and
D-0471)

Dear Mr. Wallace:

You will recall my previous letter dated May 18, 1971, concerning the above captioned lot split. Therein we indicated that three of the improvement petitions which were submitted on the lot split application were being held in our office for approximately 90 to 120 days to allow you sufficient time to file and complete the vacation of the alley extending between Central and Illinois, Elm Street and a southern portion of Illinois Avenue. We indicated that if the vacation request was processed through the approval stage by the Board of City Commissioners, then the improvement petitions which we were holding would no longer be necessary nor themselves need to be processed before the City Commission.

Your vacation case, V-0557, and its associated dedication case D-0471, which were both filed in our office on June 30, 1971, have been processed to the point of receiving recommended approval by the Metropolitan Area Planning Commission on July 22, 1971. Based on these cases your neighbor to the north, Lewis A. McLain, owner of the B. L. Kelly Addition, has made applications for change in zoning and for a replat of the portion of his ownership. We therefore respectfully request that you inform us as to the Bank's intent of completing the recommended conditions of approval on V-0557 and D-0471 so that these cases can be consummated and forwarded to the Board of City Commissioners.

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September 8, 1971

My two previous letters on the vacation and dedication case, both dated July 16, 1971, setforth the recommended conditions of approval by the Subdivision Committee of the Metropolitan Area Planning Commission. Additional correspondence was sent to you regarding the vacation case from Jack H. Galbraith of our office, said letter dated July 22, 1971, wherein it indicated that a satisfactory vacation ordinance was also needed to complete the proceedings.

We would appreciate hearing from you regarding these matters, and if I can be any assistance in answering questions to the established conditions of approval, please call.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

cc: V. Eugene Payer, President, National Bank of Wichita,
714 North West Street, 67203
Kenneth Hiebsch, Attorney, Olive W. Garvey Building, 67202

- V-0557
- D-0471
- S/D 71-48, McLain Addition

July 16, 1971

Dale E. Wallace,
Executive Vice President
National Bank of Wichita
714 North West Street
Wichita, Kansas 67203

Subject: D-0471 - Dedication of
street right-of-way for Elm
Street in an area north of Central
between West Street and McComas
Avenue.

Dear Mr. Wallace:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 15, 1971, the above captioned dedication request was considered. The action of the Committee was to recommend that this dedication be accepted, subject to:

1. Amending the legal description of that being dedicated so as to provide for Elm Street being only 60 feet in width across the north side of the applicant's property.
2. The associated vacation case, V-0557, being approved by the Board of City Commissioners.

This matter will be forwarded to the Metropolitan Area Planning Commission for its consideration at its regular meeting at 1:30 p.m., Thursday, July 22, 1971, in Room 401, City Building Annex, 104 South Main Street.

Page 2
July 16, 1971

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

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

cc: V. Eugene Payer, President, National Bank of Wichita
Kenneth Hiebsch, Attorney, O. W. Garvey Bldg., 67202

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, N.B.W. Building Corporation, Inc., a Kansas Corporation, acting by its President or Exec. Vice-President, duly authorized,

being the owner of the following described real estate in Sedgwick County, Kansas, ~~xxxxxxx~~ More specifically described on Exhibit "A" attached hereto and by reference hereby incorporated within.

(See Exhibit "A" Attached)

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



Executed this 30th day of June 1971.

[Signature]

N.B.W. BUILDING CORPORATION, INC.

[Signature]

President - ~~Executive Vice-President~~

STATE OF KANSAS)
SEDGWICK COUNTY) ss

BE IT REMEMBERED, that on this 30th day of June, 1971, came V. Eugene Payer, President - ~~Executive Vice-President~~

before me, the undersigned, a Notary Public, in and for the County and State aforesaid.

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said corporation.

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

[Signature]
Mable L. Nelson--Notary Public

My Commission Expires: January 4, 1972



EXHIBIT "A"

The North 60 feet of a Tract in the Southwest Quarter of Section 13, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point 417 feet North of the SW Corner of said SW $\frac{1}{4}$; Thence North 243 feet; Thence East 360 feet; Thence South 243 feet; Thence West 360 feet to point of beginning, subject to the West 50 feet for Highway purposes;

Also the North 60 feet of Rexstiller Addition to Wichita, Sedgwick County, Kansas, together with all of that portion of vacated Illinois Avenue, adjoining the North 60 feet of said Rexstiller Addition, on the West, described as: North 60 feet of Lot 15 together with the North 60 feet of vacated Illinois Avenue accruing thereto, and the North 60 feet of Lot 2, all in Rexstiller Addition to Wichita, Sedgwick County, Kansas.

And that portion of surplus ground lying between the North 60 feet of vacated Illinois Avenue on the East and the East line of the North 60 feet of the first above described Tract. All in Sedgwick County, Kansas.



NATIONAL BANK OF WICHITA

Central Avenue at West Street
Wichita, Kansas 67213

July 14, 1971

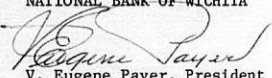
Mr. John D. Gist
Principal Planner
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Dear Mr. Gist:

In accordance with your letter of July 12, 1971, the abstract company has amended the description and has prepared a new Exhibit "A" to be attached to the Dedication.

Very truly yours,

NATIONAL BANK OF WICHITA


V. Eugene Payer, President

VEP:fo
Enc. Revised description, Exhibit "A"

July 12, 1971

Dale E. Wallace,
Executive Vice President
National Bank of Wichita
714 North West Street
Wichita, Kansas 67203

Subject: D-0471 - Dedication of
street right-of-way for Elm
Street in an area north of Central
between West Street and McComas
Avenue.

Dear Mr. Wallace:

After further review of the legal descriptions which you furnished on the dedication of right-of-way for Elm Street between West Street and McComas Avenue, we find that a correction is necessary for a part of the description. As now written it indicates the dedication of the north 64 feet of Lots 2 and 15 in Rexstiller's Addition. This needs rewording as neither Lot 2 nor Lot 15 are 64 feet in width. I believe it should include all of Lot 2 and the north so many feet of Lot 3, and all of Lot 15 and the north so many feet of Lot 14, to properly include the 64 foot width needed for a residential street.

We suggest that you again contact the abstract company which assisted you in these matters, and derive an amended description which should be furnished to the Planning Department prior to the Subdivision Committee's meeting on next Thursday.

If you have any questions concerning this matter, please contact our office.

Very truly yours,

John D. Gist
Principal Planner

JDG:rme

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 12, 1971

TO The Files
FROM John D. Gist, Principal Planner *JDG*
SUBJECT Vacation cases V-0269 and V-0280

COPY

The above caption vacation cases were associated with each other and involved the request to vacate both alley and street right-of-way in the general vicinity of the northeast corner of Central and West Streets. They were considered in the latter part of 1963 and the early part of 1964, and V-0280 specifically involved the north-south and east-west alley extending from the north line of Central to the east line of Illinois as platted and lying adjacent to Lots 1, 6, 7, 8, 9, 10, 11 and 12 in Rexstiller Addition to Wichita, Sedgwick County, Kansas. This case was considered and approved subject to certain conditions by the Subdivision Committee and by the Metropolitan Area Planning Commission, and the file then was subsequently closed at the applicant's request and was never forwarded for final consideration by the Board of City Commissioners. In regard to case V-0269, requesting the vacation of Elm Street between the east line of West Street and the west line of Illinois Avenue, it received a recommendation for approval by the Planning Commission on December 19, 1963. It was then later reconsidered by the Planning Commission on February 6, 1964, and at that time this case was deferred indefinitely. Our file indicates that there was no further action or consideration given to this case in the last seven years.

On June 30, 1971, vacation request V-0557 was filed by NBW Building Corporation, Inc. This request includes the vacation of the north-south and east-west alley as originally involved in the previous case V-0280, it also includes vacation of Elm between the east line of West Street and the west line of Illinois as originally involved in case V-0269, and it also includes the request to vacate Illinois Avenue extending between the north line of Lot 15 as extended to the west in Rexstiller Addition south to the north line of Lot 1 Rexstiller Addition. NBW Building Corporation was also the applicant on case V-0269, and because of the current and pending file V-0557, case V-0269 may be considered and the file marked superseded and closed as of this date.

JDG:rme

cc: File V-0557
File D-0471

EXHIBIT "A"

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Township 27 South, Range 1 West of the 6th P. M., described as follows:

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Thence North 243 feet; Thence East 360 feet; Thence South 243 feet;
Thence West 360 feet to point of beginning, subject to the West 50 feet
for Highway purposes:

Also the North 64 feet of Lots 2 and 15, in Rexstiller Addition to Wichita,
Sedgwick County, Kansas, together with all of that portion of vacated
Illinois Avenue, adjoining the North 64 feet of said Lot 15, Rexstiller
Addition, on the West, and that portion of surplus ground lying between
the North 64 feet of vacated Illinois Avenue on the East and the East line
of the North 64 feet of the first above described tract. All in Sedgwick
County, Kansas.

SUPERSEDED

EXHIBIT "A"

The North 64 feet of a Tract in the Southwest Quarter of Section 13, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point 417 feet North of the SW Corner of said SW-1/4; Thence North 243 feet; Thence East 360 feet; Thence South 243 feet; Thence West 360 feet to point of beginning, subject to the West 50 feet for Highway purposes:

Also the North 64 feet of Lots 2 and 15, in Rexstiller Addition to Wichita, Sedgwick County, Kansas, together with all of that portion of vacated Illinois Avenue, adjoining the North 64 feet of said Lot 15, Rexstiller Addition, on the West, and that portion of surplus ground lying between the North 64 feet of vacated Illinois Avenue on the East and the East line of the North 64 feet of the first above described tract. All in Sedgwick County, Kansas.

SUPERSEDED