

ACTION

S/D COMMITTEE accept DATE 10-16-75
M.A.P.C. accept 10-23-75
B.C.C.#~~1006~~ Accepted 11-4-75

D-0655 Dean Pittenger, et al
dedicates street r-o-w in an area
north of 45th St. North, between
Ridge and Tyler Roads

POSTED
10-14-75
CH

ACTION

		DATE
S/D	COMMITTEE <u>accept</u>	10-16-75
	M.A.P.C. <u>accept</u>	10-23-75
	B.C.C./B.C.C. <u>Accepted</u>	11-4-75

D-0655 Dean Pittenger, et al
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Ridge and Tyler Roads

Book 1

DEDICATION REPORT AND PROGRESS

MAP No. Z-OW-B
SEC. No. 21
TWP. No. 26S
RANGE 1W

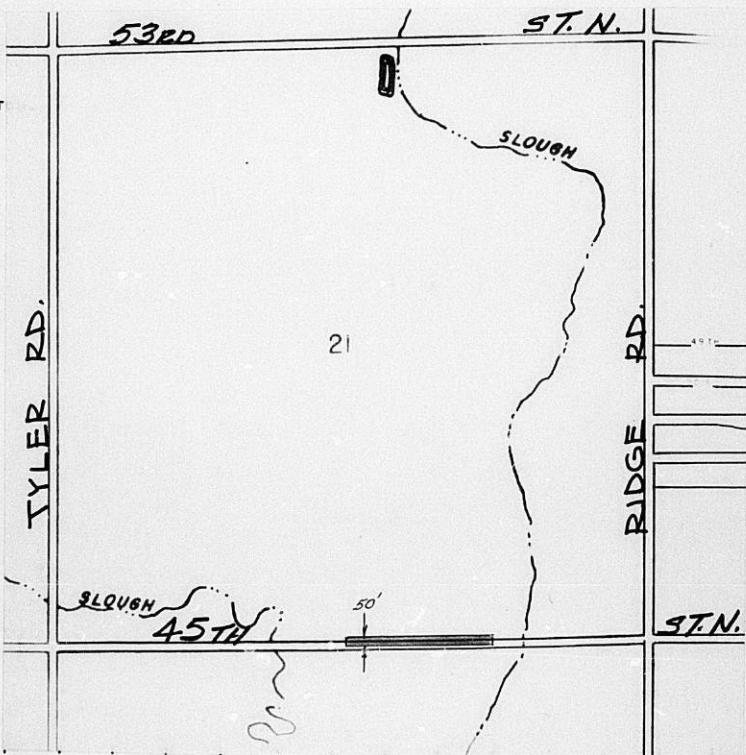
CASE No. D - 0655

I. OFFER TO DEDICATE: street r-o-w
GENERALLY LOCATED: in an area north of 45th St. North, between Ridge and Tyler Roads.

LEGALLY DESCRIBED AS:

DEDICATED BY: Dean Pittenger and Beulah B. Pittenger, & The Walt Keeler Co.
AGENT: _____ Inc.
ADDRESS: _____ PHONE _____
PURPOSE OF DEDICATION: _____

II. SKET



III. FILED 10-6-75
POSTED TO ATLAS YES
S/D COMM. ACTION 10-16-75 accept
M.A.P.C. ACTION 10-23-75 accept

B.C.C. ACTION 11-4-75 accept
PLACED ON RECORD _____
CITY CLERKS No. _____

MAPC CASE NO. **D-0655** Dedication of **street right-of-way**

Dedicated by: **The Walt Keeler Co., Inc.**

Generally **in an area north of 45th Street North
between Ridge and Tyler Roads.**

This dedication is given for the following reason:
Requirement of approval of Conditional Use Case

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

T9-325

November 3, 1975

Don Gisick, City Clerk

Curtis L. Newby, Junior Planner

Restrictive Covenants associates with
a County Conditional Use Case.

Recently a Conditional Use case was approved by the County and the applicant was required to dedicate street right-of-way and submit a restrictive covenant on the property. The street dedication has been forwarded to the City Manager to be placed on the City Commission agenda for November 4, 1975 for formal acceptance by the governing body. The covenant requires no action by the governing body, but it does need to be recorded with the Register of Deeds. Said covenant is herewith attached and should be recorded after the November 4th City Commission meeting, with the recording fee being billed to the applicant, "The Walt Keeler Company".

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

Curtis L. Newby, Junior Planner

CLN:rme
Attachment

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, Dean Pittenger and Beulah B. Pittenger, husband and wife, and The Walt Keeler Co., Inc.

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

The South 50 feet of the West One-Half of the Southeast Quarter of Section 21, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas

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

Executed this 6th day of October 19 75.

Dean Pittenger
Dean Pittenger

THE WALT KEELER CO., INC.

Beulah B. Pittenger
Beulah B. Pittenger

By Earl F. Callison

STATE OF KANSAS)
SEDGWICK COUNTY)^{SS}

BE IT REMEMBERED, that on this 6 day of October, 1975

came Dean Pittenger and Beulah B. Pittenger, husband and wife, and Earl F. Callison, President of The Walt Keeler Co., Inc.

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

Elaine M. Lipp
Notary Public



My Commission Expires: Mar 11, 1978

RESTRICTIVE COVENANTS

HENRY PITTENGER and BEULAH B. PITTENGER, husband and wife,
and THE WALK RIBLER CO., INC. hereby make the following Declaration
of their intentions, limitations and use of the following described
land hereinafter:

The West one-half of the Southeast Quarter of
Section 21, Township 26 South, Range 1 West
of the 6th P.M., Sedgewick County, Kansas,

which said Declaration shall constitute covenants running with said
land and shall be binding upon all owners and their successors,
heirs and assigns:

No building, use, structure or any other structure
shall be erected upon the premises
the use of the premises shall be limited to
the purposes of a gas station.

The above covenants and restrictions shall be deemed a
condition of the sale of said land and shall run with the land
in perpetuity.

In witness whereof, the Declaration is hereunto
signed and sealed, this 1st day of August, 1935.

[Handwritten signatures and names]

[Faded handwritten text and signatures]

RESTRICTIVE COVENANTS

DEAN PITTENGER and BEULAH B. PITTENGER, husband and wife,
and THE WALT KEELER CO., INC. hereby make the following Declaration
as to restrictions, limitations and use of the following described
real estate:

The West One-Half of the Southeast Quarter of
Section 21, Township 26 South, Range 1 West
of the 6th P.M., Sedgwick County, Kansas,

which said Declaration shall constitute covenants running with said
land and shall be binding upon all owners and their successors,
assigns and heirs;

"No rubbish, car bodies or any other foreign
matter shall be deposited within the excava-
tion made in the removal of sand or gravel on
said premises at any time."

The above restriction and agreement shall be deemed a
covenant running with the land and shall not be amended, deleted
or changed.

IN WITNESS WHEREOF, this Restriction has been executed
on this 6 day of October, 1975.

Dean Pittenger
Dean Pittenger

Beulah B. Pittenger
Beulah B. Pittenger

THE WALT KEELER CO., INC.

By Earl F. Callison
President

STATE OF KANSAS }
SEDGWICK COUNTY } SS:



The foregoing instrument was acknowledged before me this
of October, 1975, by Dean Pittenger and Beulah B. Pittenger,
and wife, and Earl F. Callison, President of The Walt Keeler

Elaine M. Lynch
Notary Public

My Commission Expires:
Mar. 11, 1978