

D-0844 - Walter W. White, et al  
dedicate Street R-O-W generally  
located at the southwest corner of  
McCormick & Everett Avenues.

*POSTED*  
*9-19-78*

**ACTION**

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. \_\_\_\_\_

*Associated Journals*  
*11-7-78*

B.C.C./B.CO.G.C. Case 2-2064 \_\_\_\_\_

*Denial*

DEDICATION REPORT AND PROGRESS

MAP No. 5346  
 SEC. No. 30  
 TWP. No. 27  
 RANGE 1E

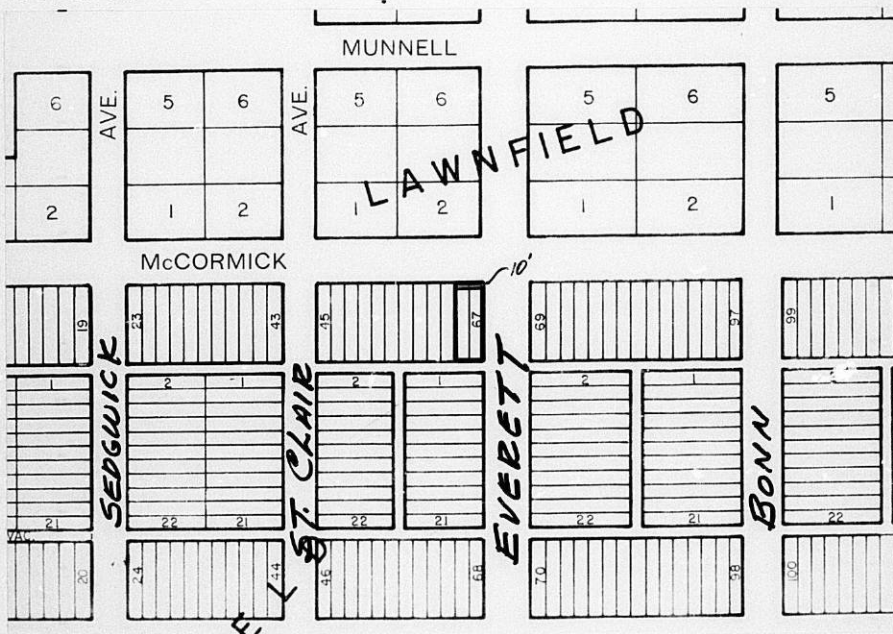
CASE No. D - 0844  
 (Associated Z-2064)

I. OFFER TO DEDICATE: Street r-o-w  
 GENERALLY LOCATED: at the southwest corner of McCormick & Everett Aves.

LEGALLY DESCRIBED AS:

DEDICATED BY: Walter W. White, et al  
 AGENT: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ PHONE \_\_\_\_\_  
 PURPOSE OF DEDICATION: \_\_\_\_\_

II. SKETCH.



III. FILED 9-19-78  
 POSTED TO ATLAS \_\_\_\_\_  
 S/D COMM. ACTION \_\_\_\_\_  
 M.A.P.C. ACTION \_\_\_\_\_

B.C.C. ACTION 4-7-78 Associated Z-2064  
9-26-78 Case Pending  
 PLACED ON RECORD \_\_\_\_\_  
 CITY CLERKS No. \_\_\_\_\_

✓ D-0844

November 8, 1978

Earl C. Moore, Attorney  
1724 South Hillside  
Wichita, Kansas 67211

Re: Z-2064 - "A" to "BB" - Southwest  
corner of McCormick and Everett

Dear Mr. Moore:

On November 7, 1978, the Board of City Commissioners considered the above captioned zone case. The action of the Commission was to deny the request.

Inasmuch as the zoning was denied, I am returning herewith the contingent dedication for street right-of-way on McCormick which you submitted on behalf of your clients.

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

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:GLS:el  
Enclosure (1)

cc: Walter W. & Betty J. White, 1144 S. Broadway, 67211  
Ramon B. & Norma J. Cook, 1144 S. Broadway, 67211

5346  
30  
27  
1E

CONTINGENT DEDICATION

D-0844  
(assoc. 2-2064)

WHEREAS, Walter W. & Betty J. White & Ramon B.  
& Norma J. Cook are the owners of the following described  
property, to-wit:

Lots 65 and 67 on McCormick Avenue, in Garfield Addition,  
Sedgwick County, Kansas.

and;

WHEREAS, zoning is being established on the above-  
described tract, to be established as: "BB" - Office Zoning.

and;

WHEREAS, said Owners are desirous of dedicating, to  
the public for street purposes, the following-described property  
of and from said real estate as above-described, to wit:

The North 10 feet of said Lots 65 and 67 on  
McCormick Avenue in Garfield Addition.

and;

WHEREAS, at the time of establishing zoning upon said  
real estate and the dedication of the property thereof described  
for street purposes, a certain building presently exists on the  
above-described property which extends into and on the area  
herein described as dedicated for street right-of-way purposes;  
and

WHEREAS, it is the intention of said Owners to dedicate  
to the public the above-described street right-of-way, but the  
effective date of such dedication of right-of-way shall occur  
only in the event of certain contingencies.

NOW, THEREFORE, Walter W. & Betty J. White & Ramon B. and Norma J. Cook, being the legal owners of the first above-described real estate, do hereby dedicate, to the public for street purposes, the following-described tract, to wit:

The North 10 feet of Lots 65 and 67 on McCormick Avenue in Garfield Addition, Sedgwick County, Kansas

provided, however, that the right of the public and the County of Sedgwick to use, maintain, erect, install utilities and make similar street uses shall not occur so long as the present building shall remain and is in use by Walter W. & Betty J. White & Ramon B. & Norma J. Cook, their successors or assigns. In the event of a substantial destruction of said building by fire, explosion, or other casualty, or in the event the building is substantially dismantled or destroyed, this dedication shall be and become, without further notice or act, in full force and effect.

It is the intent of the grantor herein, Walter W. & Betty J. White & Ramon B. & Norma J. Cook, that this shall be a covenant running with the land and shall be binding upon the successors, and assigns, and upon all subsequent owners of any part or portion of the first above-described real estate.

This instrument executed at Wichita, Kansas, this 14th day of September, 1978.

Walter W. White  
Walter W. White

Ramon B. Cook  
Ramon B. Cook

X Betty J. White  
Betty J. White

Norma J. Cook  
Norma J. Cook

ATTEST:

\_\_\_\_\_

