

ACTION

	COMMITTEE	DATE
S/S	approved	12-25-84
M.A.P.C.	approved	11-1-84
B.C.C./B.C.C.C.	approved	11-13-84
	<u>closed</u>	5946B

D-1249 (Assoc. L/S-0632) Charles W. Smith contingently grants street R.O.W. at the southeast corner of Governour and Edgemoor.

POSTED 10-17-84 KB

ok  
PB

# ACTION

*SB* COMMITTEE approved DATE 10-25-84

M.A.P.C. approved 11-1-84

B.C.C./B.C.C.C. approved 11-13-84

closed

5946B

D-1249 (Assoc. L/S-0632) Charles W. Smith contingently Grants street K.O.M. at the southeast corner of Governor and Edgewood.

DEDICATION REPORT AND PROGRESS

MAP No. 5946 B  
 Sec. No. 30  
 TWP. No. 27 S  
 RANGE 1 E

CASE No. D - 1249

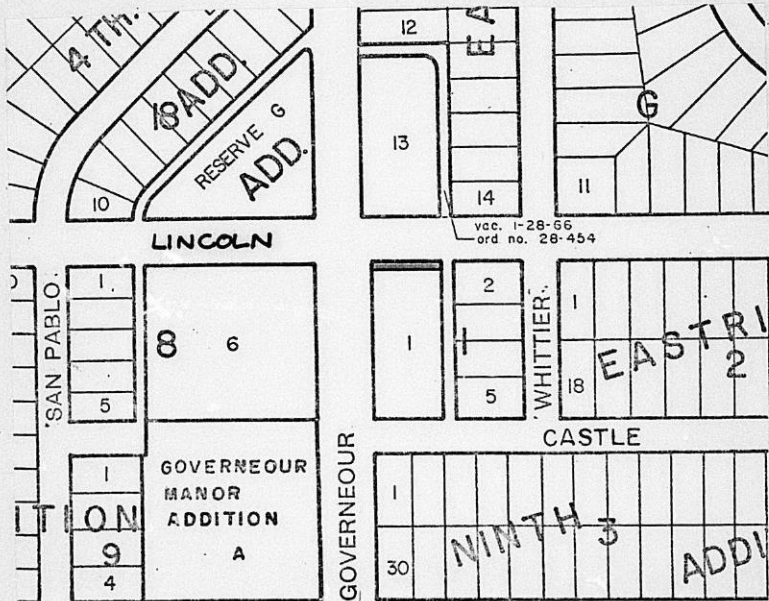
ASSOCIATED CASE NO. L/S-0632

I. OFFER TO DEDICATE: Street R.O.W.  
 GENERALLY LOCATED: At the southeast corner of Gouverneur and ~~Lincoln~~  
LINCOLN

LEGALLY DESCRIBED AS:

DEDICATED BY: Charles W. Smith  
 AGENT: Bill King & Derby Refining Co.  
 ADDRESS: P.O. Box 1030, Wichita KS. 67201 PHONE \_\_\_\_\_  
 PURPOSE OF DEDICATION:

II. SKETCH.



III. FILED 10-12-84 B.C.C. ACTION 11-13-84 approved  
 POSTED TO ATLAS \_\_\_\_\_  
 S/D COMM. ACTION 10-25-84 PLACED ON RECORD \_\_\_\_\_  
 M.A.P.C. ACTION 11-1-84 approved CITY CLERKS No. \_\_\_\_\_

MAPC CASE NO. D-1249

Dedication of street right-of-way.

Dedicated by: Charles W. Smith

Generally located at the southeast corner of Governour and Lincoln.

This dedication is given for the following reason:

Requirement of lot split case - L/S-0632.

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

BILL RECORDING FEE TO:

Derby Refining Company  
P.O. Box 1030  
Wichita, KS 67201

Attn: Bill King

5946 B  
30  
27S  
1E

Charles Smith contingently  
dedicated Street R.O.W.

CONTINGENT DEDICATION

WHEREAS, Charles W. Smith, a resident of Tulsa, Tulsa County, Oklahoma is the owner of the following described real estate, to-wit:

The North 124 feet of Lot 1, Block 1,  
Eastridge Ninth Addition to Wichita,  
Sedgwick County, Kansas.

and has made application to the Metropolitan Area Planning Department for approval of a lot-split on the above described real estate; and

WHEREAS, City of Wichita anticipates in the future the necessity of acquiring additional street right-of-way for Lincoln Street in front of said property, which additional right-of-way will include a portion of the above described real property; and

WHEREAS, said Charles W. Smith desires to continue the use of said additional right-of-way pending effectiveness of the dedication as herein-after stated:

NOW, THEREFORE, in consideration of the premises and contingent upon the approval of the application to the Metropolitan Area Planning Department for a lot-split of said Lot 1, Eastridge Ninth Addition to Wichita, Sedgwick County, Kansas, Charles W. Smith does hereby contingently dedicate to the public for street purposes the following described real property, to-wit:

The North 10 feet of the following described tract: The North 124 Feet of Lot 1, Block 1, Eastridge Ninth Addition to Wichita, Sedgwick County, Kansas.

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 street right-of-way for a major street widening.
2. That until such time as the area hereby dedicated is actually used for the purposes of street right-of-way for a major street widening, including any or all of those uses as stated above, Charles W. Smith, and all persons claiming by, through or under him, shall be permitted the continued use of said additional right-of-way.

D-1249

For 10/25/84 S/O Comm. mtg.

Located at the southeast corner of Governor  
and Edgemont LINCOLN

Bill according to: Deerby Refining Company,  
Attention: Bill King, P.O. Box 1030, 67201

ASSOC: C/S-0632

This dedication herein expressed and made, conditioned as aforesaid, shall be accepted by the City of Wichita upon approval by the Metropolitan Area Planning Department of the application for lot-split 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 binding upon Charles W. Smith, his heirs, successors and assigns, and all persons claiming by, through or under him, conditioned as aforesaid. Acceptance by the City of Wichita of this Contingent Dedication and the recordation of the same shall denote its acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Charles W. Smith has executed this instrument and delivered the same to the City of Wichita, Kansas, on this 3RD day of October, 1984.

  
Charles W. Smith

State of Oklahoma )  
County of Tulsa ) ss:

BE IT REMEMBERED, That on this 3RD day of October, 1984, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Charles W. Smith, who is personally known to me to be the same person who executed the above and foregoing instrument of writing, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal on the day and year last above mentioned.

  
Notary Public

My Commission Expires: 4-4-86