

D-1274 - Dale and Ella Cooper grant contingently, street right-of-way located south of MacArthur Road adjacent to the west side of Meridian.

no. 2
POSTED 1-15-85
KX
4

ACTION

DATE

COMMITTEE _____

M.A.P.C. _____

B.C.C./D. ~~_____~~ *Accepted* 1-22-85

Associated with
Scissors tail Addition

5242A
13
205
1W

Associated w/ Scissor tail Addition s/d 84-102
For B.C.C. on 1/22/85
FILM 702 PAGE 1231
D-1274

CONTINGENT STREET DEDICATION

WHEREAS, Dale W. Cooper and Ella E. Cooper are owners of real property described as follows, to-wit:

The North 10 acres of the South one-half of the Southeast Quarter of Section 13, Township 28 South, Range 1 West of the 6th, P.M., Sedgwick County, Kansas; except the South 100 feet thereof;

and

WHEREAS, the North 161.56 feet of the West 247.59 feet of the East 1090.28 feet of the above described real property is currently being platted as Lot 1, Block 1, Scissortail Addition to Sedgwick County, Kansas, which does not now have frontage on an existing public street; and

WHEREAS, property adjacent to the West, South and East of Scissortail Addition within the remaining unplatted tract is currently not developed but at some time in the future may be developed in such a manner as to require access to Meridian Avenue; and

WHEREAS, the Wichita-Sedgwick County Metropolitan Area Planning Commission has approved the plat of Scissortail Addition subject to the hereinafter described real estate being contingently dedicated for public street purposes;

NOW, THEREFORE, in consideration of the premises and contingent upon the approval of the plat of Scissortail Addition by the Board of City Commissioners of Wichita, Kansas, and the Board of County Commissioners of Sedgwick County, Kansas, Dale W. Cooper and Ella E. Cooper do hereby dedicate to the public for street purposes the following described real estate, to wit:

The North 64 feet of the South 164 feet of the North 10 acres of the South one-half of the Southeast Quarter of the Northeast Quarter of Section 13, Township 28 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas; except the East 50 feet thereof, being granted by separate instrument (shown on the plat of Scissortail Addition as an offsite "64 foot wide contingent street"),

PROVIDED, HOWEVER, that neither the public nor the City of Wichita nor Sedgwick County shall be entitled to the use of said area for street purposes until such time as the ownership of Lot 1, Block 1, Scissortail Addition is transferred into different ownership from the remaining unplatted tract, or until such time that the ownership of any portion of the remaining unplatted tract is transferred into different ownership from Lot 1, Block 1, Scissortail Addition.

The recording of this instrument shall constitute a covenant running with the land and shall bind the grantors hereof, their successors and assigns.

IN WITNESS WHEREOF, Dale W. Cooper and Ella E. Cooper have executed this instrument this 3rd day of Jan, 1985.

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD
2:30 P.M.

JAN 4 1985
7 26855

NO. BETTE F. MCCART
REGISTER OF DEEDS

State of Kansas)
Sedgwick County) ss.

Dale W. Cooper
Dale W. Cooper

Ella E. Cooper
Ella E. Cooper

Pat Kettler
Disput

The foregoing instrument was acknowledged before me this 3rd day of January, 1985, by Dale W. Cooper and Ella E. Cooper.

BILLY J. TAMM, S.R.
NOTARY PUBLIC
My Appl. Expr. 1-20-86

Billy J. Tamm
Notary Public

My Appointment Expires: January 20, 1986

Copy

Dale + Ella Cooper contingently dedicate Street right-of-way, located South of Mac Arthur Road adjacent to the west side of Meridian.

CONTINGENT STREET DEDICATION

WHEREAS, Dale W. Cooper and Ella E. Cooper are owners of real property described as follows, to-wit:

The North 10 acres of the South one-half of the Southeast Quarter of Section 13, Township 28 South, Range 1 West of the 6th, P.M., Sedgwick County, Kansas; except the South 100 feet thereof;

and

WHEREAS, the North 161.56 feet of the West 247.59 feet of the East 1090.28 feet of the above described real property is currently being platted as Lot 1, Block 1, Scissortail Addition to Sedgwick County, Kansas, which does not now have frontage on an existing public street; and

WHEREAS, property adjacent to the West, South and East of Scissortail Addition within the remaining unplatted tract is currently not developed but at some time in the future may be developed in such a manner as to require access to Meridian Avenue; and

WHEREAS, the Wichita-Sedgwick County Metropolitan Area Planning Commission has approved the plat of Scissortail Addition subject to the hereinafter described real estate being contingently dedicated for public street purposes;

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PROVIDED, HOWEVER, that neither the public nor the City of Wichita nor Sedgwick County shall be entitled to the use of said area for street purposes until such time as the ownership of Lot 1, Block 1, Scissortail Addition is transferred into different ownership from the remaining unplatted tract, or until such time that the ownership of any portion of the remaining unplatted tract is transferred into different ownership from Lot 1, Block 1, Scissortail Addition.

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NO. BETTE F. MCCART
REGISTER OF DEEDS

Dale W. Cooper
Dale W. Cooper

Ella E. Cooper
Ella E. Cooper

State of Kansas)
Sedgwick County) ss.

Pat Kettler
Deputy

The foregoing instrument was acknowledged before me this 3rd day of JANUARY, 1985, by Dale W. Cooper and Ella E. Cooper.

BILLY HANNA, Notary Public
My App. Ext. 1-20-86

Billy Hanna
Notary Public

My Appointment Expires: January 20, 1986

Copy