

D-1384 - Woodlawn Development Company
dedicates street right-of-way between
Webb Road and Rock Road, in an area
north of 29th Street North.

POSTED 6-30-86
KX

ACTION

DATE

COMMITTEE _____

M.A.P.C. _____

B.C.C./B. CO. C. accept lead 6-24-86

DEDICATION REPORT AND PROGRESS

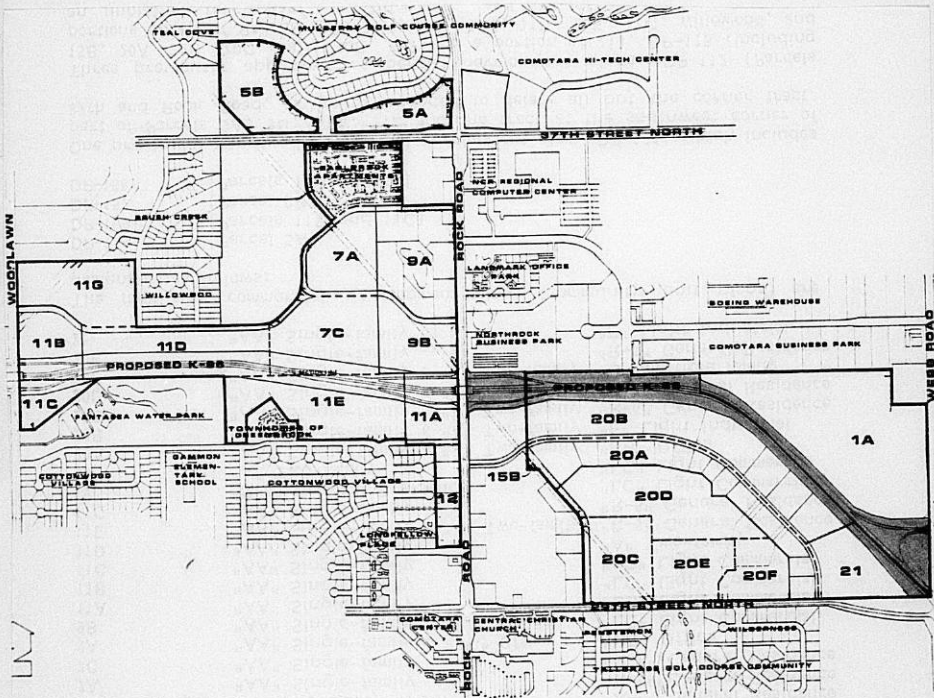
MAP NO. 6051
SEC. NO. 32
TWP. NO. 26S
RANGE 2E

CASE NO. : D-1384

ASSOCIATED CASE: Z-2765

1. OFFER TO DEDICATE: Street right-of-way.
GENERALLY LOCATED: Between Webb Road and Rock Road, in an area north of 29th Street North.
LEGALLY DESCRIBED AS:
See Attachment A and B.
DEDICATED BY: Woodlawn Development Company
PURPOSE OF DEDICATION:

II. SKETCH.



III. FILED _____ 6/20/86 _____
POSTED TO ATLAS _____
S/D COMM. ACTION _____
M.A.P.C. ACTION _____

B.C.C. ACTION 6-24-86 accepted
PLACED ON RECORD _____
CITY CLERKS NO. _____

Woodlawn Development Co.,
contingently dedicates street R.O.W.
Generally located between Webb
Road & Rock Rd. in an area north
of 29th St. No.

MAP # 6051

Assoc. 2-2765

B.C.C. approval: 6-24-86

Does not go to SID
Comm.

DRAFT 06/20/86

CONTINGENT DEDICATION

THIS INDENTURE, Made this 20th day of June,
A.D., 1986,

BY AND BETWEEN

WOODLAWN DEVELOPMENT COMPANY,
a Partnership, Party of the
First Part,

AND

THE CITY OF WICHITA, KANSAS,
a Municipal Corporation, Party
of the Second Part.

WITNESSETH:

WHEREAS, Party of the Second Part contemplates construct-
ing a highway within the corporate limits of the City of Wichita,
between $\frac{1}{2}$ mile east of Webb Road on the east, westerly to I-135
at 29th Street or Hydraulic Street, said highway to be known as
the Northeast Expressway;

WHEREAS, Party of the First Part, in consideration that said
Party of the Second Part's construction of said highway will be
expedited, is willing to dedicate right-of-way for the proposed
highway between Webb on the East and Rock Road on the West as
more specifically described herein;

WHEREAS, Party of the First Part, in order to assure that
said Party of the Second Part's construction of said highway
will be expedited is dedicating the real property described
herein subject to the Party of the First Part retaining rever-
sionary rights that provide that the land will revert to the
Party of the First Part if certain events have not occurred on
or before the date set forth herein.

NOW, THEREFORE, said Party of the First Part, does by these
presents, remise, release and dedicate, subject to conditions
hereinafter set forth, unto said Party of the Second Part, and
to the public for street and highway purposes, the following-
described real property situated in the County of Sedgwick and
State of Kansas, to-wit:

said real property being described in Attach-
ment A which is attached hereto and incorpo-
rated herein by reference as though fully set
forth herein.

Said dedication shall be null and void and said real property
and all interest therein shall revert to Party of the First Part
if the Party of the Second Part fails to:

1. Acquire all necessary rights-of-way to construct the
proposed Northeast Expressway from Webb Road on the east, west-
erly to I-135 and 29th Street or Hydraulic Street not later than
the 1st day of July, 1989.
2. Complete and approve final design plans and specifi-
cations for the initial phase of the proposed Northeast Express-
way from Webb Road on the East, westerly to I-135 at 29th Street
or Hydraulic Street not later than the 1st day of December, 1990.
3. Let a contract to construct the portion of the pro-
posed Northeast Expressway that is to be located on the real
property being dedicated herein not later than the 1st day of
December, 1989 and a starting date not later than June 1, 1990.

Provided that any of the dates set above may be extended by mutual consent of the parties hereto.

Provided further, that the Party of the First Part's dedication of the real property described herein is being granted in contemplation that, upon completion of the portion of the Northeast Expressway highway on the real property being dedicated herein, there shall be access from Rock Road to said highway and from Webb Road to said highway. Therefore, this dedication is being granted by Party of the First Part subject to the land described in Attachment B, which is attached hereto and incorporated herein by reference as though fully set forth herein, having access rights at the intersections of Rock Road and the highway and Webb Road and the highway by means of on and off ramps, and subject to said land being entitled to damage to the remainder if said access at either or both intersections is ever removed.

Upon the recording hereof, this instrument shall constitute a public dedication and a covenant running with the land binding upon Party of the First Part, its heirs, successors and assigns, and all persons claiming by, through or under it, conditioned as aforesaid. Acceptance by the Party of the Second Part of this Contingent Dedication and the recording of same shall denote its acquiescence and agreement to all terms and provisions thereof.

IN WITNESS WHEREOF, Party of the First Part has executed this instrument on the 20th day of June, 1986.

WOODLAWN DEVELOPMENT COMPANY,
A Partnership

By *D. J. Ablah*
Donald J. Ablah, Attorney-in-Fact

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 20th day of June, 1986, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came DONALD J. ABLAH attorney in fact for WOODLAWN DEVELOPMENT COMPANY, a Partnership, who is personally known to me to be the same person who executed the foregoing instrument of writing as attorney in fact for WOODLAWN DEVELOPMENT COMPANY, a Partnership, and such person duly acknowledged the execution of the same as such attorney in fact as the act and deed of said WOODLAWN DEVELOPMENT COMPANY.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.

Karen K. Harper
Karen K. Harper, Notary Public

My Appointment Expires:

9-23-88



This Contingent Dedication accepted this 24th day of June, 1986, by the City of Wichita, Kansas.

CITY OF WICHITA, KANSAS

By _____
Tony Casado, Mayor

ATTEST:

Donald C. Gisick, City Clerk

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 1986, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came TONY CASADO, Mayor of the City of Wichita, Kansas, who is personally known to me to be the same person who executed the foregoing instrument of writing and such person duly acknowledged the execution of the same as the act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.

Notary Public

My Appointment Expires:

ATTACHMENT A

A tract of land in the Southwest Quarter of Section 32, Township 26 South, Range 2 East of the 6th P.M., described as:

Beginning at the Northwest corner of Lot 1, Block 1, The Renaissance, Wichita, Sedgwick County, Kansas; thence bearing S 89°19'25" E along the north line of said Lot 1 a distance of 499.98 feet; thence continuing along said north line bearing N 79°39'19" E a distance of 197.87 feet to the Northeast corner of said Lot 1; thence bearing S 0°09'34" E along the east line of said Lot 1, a distance of 32.36 feet; thence bearing S 80°07'02" W a distance of 205.84 feet; thence bearing S 89°12'27" W a distance of 450.00 feet; thence bearing S 58°04'15" W a distance of 46.14 feet, to a point in the west line of said Lot 1; thence along said west line bearing N 0°53'08" W a distance of 69.76 feet to the point of beginning. Containing 25,781 sq. ft. or 0.592 acres more or less.

Also, a tract of land in the Southwest Quarter of Section 32, Township 26 South, Range 2 East of the 6th P.M., described as:

Beginning at the Northwest corner of Lot 3, Block 1, The Renaissance, to Wichita, Sedgwick County, Kansas; thence bearing N 79°39'19" E along the north line of said Lot 3 a distance of 303.98 feet; thence continuing along the north line of said Lot 3; bearing N 89°07'32" E a distance of 380.00 feet to the Northeast corner of said Lot 3, thence bearing S 0°53'08" E along the east line of said Lot 3 a distance of 55.04 feet; thence bearing N 87°55'48" W a distance of 383.95 feet; thence bearing S 80°07'02" W a distance of 300.52 feet to a point in the west line of said Lot 3; thence bearing N 0°09'34" W along said west line a distance of 32.36 feet to the point of beginning. Containing 27,256 sq. ft. or 0.626 acres more or less.

Also, a tract of land in the South west Quarter of Section 32, Township 26 South, Range 2 East of the 6th P.M., described as:

Beginning at a point in the north line and 60 feet east of the Northwest corner of the Southwest Quarter, Section 32, Township 26 South, Range 2 East of the 6th P.M.; thence bearing N 89°12'27" E along said north line a distance of 1862.46 feet; thence bearing S 1°00'13" E a distance of 52.80 feet; thence bearing N 89°16'02" E a distance of 730.19 feet to a point in the east line of said Southwest Quarter; thence bearing S 0°58'56" E along said east line a distance of 391.51 feet; thence bearing N 77°05'36" W a distance of 283.67 feet; thence bearing N 89°02'25" W a distance of 421.79 feet; thence bearing S 89°12'27" W a distance of 500.00 feet; thence bearing N 87°55'48" W a distance of 16.55 feet; thence bearing N 0°53'08" W a distance of 55.04 feet; thence bearing S 89°07'32" W a distance of 380.00 feet; thence bearing S 79°39'19" W a distance of 501.85 feet; thence bearing N 89°19'25" W a distance of 504.98 feet; thence bearing N 0°53'07" W a distance of 380.01 feet to the point of beginning. Containing 905,983 sq. ft. or 20.798 acres more or less.

Also, a tract of land in the Southeast Quarter Section 32, Township 26 South, Range 2 East of the 6th P.M., described as:

Beginning at a point in the west line and 445.07 feet south of the Northwest corner, Southeast Quarter Section 32, Township 26 South, Range 2 East of the 6th P.M., thence bearing N 0°58'56" W along said west line a distance of 309.76 feet; thence bearing S 65°05'24" E a distance of 257.16 feet; thence bearing S 60°02'22" E a distance of 212.74 feet; thence bearing S 56°34'38" E a distance of 316.95 feet; thence bearing S 51°44'35" E a distance of 312.89 feet; thence bearing S 45°58'32" E a distance of 1200.00 feet; thence bearing S 65°46'28" E a distance of 265.71 feet; thence bearing S 75°39'56" E a distance of 180.28 feet; thence bearing N 86°49'19" E a distance of 367.97 feet; thence bearing N 38°49'12" E a distance of 80.80 feet; thence bearing N 10°4'29" W parallel to and 50.00 feet west of the east line of said Southeast Quarter a distance of 420.00 feet; thence bearing N 12°57'41" E a distance of 82.46 feet; thence bearing S 10°4'29" E parallel to and 30.00 feet west of the east line of said Southeast Quarter a distance of 1404.90 feet; thence bearing S 85°07'19" W a distance of 220.00 feet; thence bearing S 75°05'09" W a distance of 59.05 feet; thence bearing N 42°26'59" W a distance of 813.00 feet; thence bearing N 45°58'32" W a distance of 1596.61 feet to the P.C. of a curve to the left having a radius of 1799.86 feet; thence along said curve through a central angle of 15°06'06" an arc distance of 474.40 feet; thence bearing N 71°40'20" W a distance of 281.67 feet; thence bearing N 77°05'36" W a distance of 39.45 feet to the point of beginning. Containing 1,119,311 sq.ft. or 25.696 acres more or less.

Said dedication shall include all rights of access to lands that abut the real property described above.

ATTACHMENT B

The south half of Section 32, Township 26 South, Range 2 East of the 6th P. M., Sedgwick County, Kansas, EXCEPT those portions platted as Corporate Airpark Addition, Comotara Industrial Park Second Addition, and Comotara Industrial Park Fifth Addition.