

D-0467 - Dean Bussart dedicates
Street ROW at NW corner of Central
and Battin

ACTION

DATE

COMMITTEE n/a

M.A.P.C. n/a

B.C.C. / Accept 9-11-91

DEDICATION REPORT AND PROGRESS

MAP No. 5848
 SEC. No. 13
 TWP. No. 27 S
 RANGE 1 E

CASE No. D - 0467

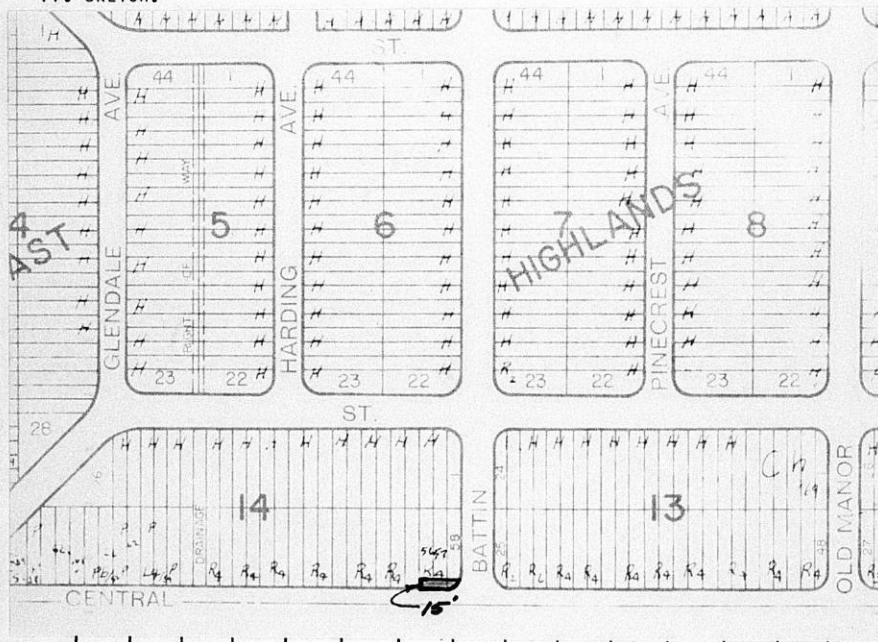
I. OFFER TO DEDICATE: Street right-of-way
 GENERALLY LOCATED: At the northwest corner of Central and Batten

LEGALLY DESCRIBED AS:

(Outright Dedic.) The south 15 feet of Lots 56, 57, 58, Block 14, East Highlands Add. to Wichita, Sedgw. Co., Ks.
 (Contingent Dedic) The north 5 feet of the south 20 feet of Lots 56, 57, 58, Block 14, East Highlands Add. to Wichita, Sedgwick Co., Ks.

DEDICATED BY: Dean Bussart
 AGENT: Same
 ADDRESS: 1011 Patricia 67208 PHONE 684-3531
 PURPOSE OF DEDICATION:
 Condition of Approval of Case No. Z-1274

II. SKETCH.



III. FILED 5-4-71 B.C.C. ACTION 5-11-71 Accept
 POSTED TO ATLAS 5-15-71
 S/D COMM. ACTION N/A
 M.A.P.C. ACTION N/A
 PLACED ON RECORD _____
 CITY CLERKS No. _____

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 L. Bussart and Rebecca P. Bussart,
Husband and Wife

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

The south 15 feet of Lots 56, 57, 58, Block 14, East Highlands Addition to Wichita, Sedgwick County, Kansas.

do hereby dedicate the above described real estate to the public for

Street Purposes. ~~XXXXXXXX~~

Executed this 24th day of April 1971.

Dean L. Bussart
Dean L. Bussart

Rebecca P. Bussart
Rebecca P. Bussart

STATE OF KANSAS)
SEDGWICK COUNTY)^{SS}

BE IT REMEMBERED, that on this 24th day of April 1971,

came Dean L. Bussart and Rebecca P. Bussart, Husband and Wife

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.



Ethel B. Knaack
Notary Public
Ethel B. Knaack

My Commission Expires: 1/20/73

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

CONTINGENT DEDICATION

WHEREAS, Dean L. Bussart and Rebecca P. Bussart, Husband and Wife, are the owners of real property which is located at 501-03-05-07 North Battin, Wichita, Sedgwick County, Kansas; and

WHEREAS, said owners are desirous of making a contingent dedication to the public for street right of way covering the following described properties, to wit:

The North Five (5) feet of the South Twenty (20) feet of Lots Fifty-Six (56), Fifty-Seven (57) and Fifty-Eight (58), Block Fourteen (14), East Highlands Addition to Wichita, Sedgwick County, Kansas

and

WHEREAS, Dean L. Bussart and Rebecca P. Bussart are desirous of joining in the making of said contingent dedication, and First Federal Savings and Loan Association of Newton, a corporation, Mortgagee, consents to the making of said contingent dedication; and

WHEREAS, it is the intention of the owners to dedicate to the public the above described property, but effective only in the event of certain contingencies hereinafter specified.

NOW, THEREFORE, Dean L. Bussart and Rebecca P. Bussart, Husband and Wife, being the legal owners of the above described property, does hereby dedicate to the public for street purposes the property hereinabove set forth; but the right of the public and the City of Wichita and the Board of County Commissioners of Sedgwick County, Kansas, to make use thereof for public purposes, including streets, excavation, fill, street paving, sidewalks, public utilities and other similar street purposes, shall not occur so long as the presently existing portion of a building located on said above described property being dedicated shall remain thereon. It is understood that the parcel above described, and the improvements presently thereon, shall be treated independently and separately for purposes of this contingent dedication.

It is further understood that this dedication shall come into being in the event of substantial or total destruction of an existing building by fire or other casualty or in the event an existing building is removed, substantially torn down or destroyed, and upon the happening of such an event this dedication shall be and become, without further notice or act, in full force and effect.

It is the intent of the grantors and owners that this contingent dedication shall be a covenant running with the land and shall be binding upon their heirs, executors, assigns and successors and all subsequent owners of any part or parcel of said property covered by said dedication.

EXECUTED this 29th day of April, 1971

Dean L. Bussart
DEAN L. BUSSART

Rebecca P. Bussart
REBECCA P. BUSSART

ACKNOWLEDGMENT

STATE OF KANSAS)
SEDGWICK COUNTY) ss.

BE IT REMEMBERED, that on this 29th day of April, 1971, before me, a Notary Public in and for said County and State, came DEAN L. BUSSART and REBECCA P. BUSSART, Husband and Wife, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.



Ethel B. Knaack
Ethel B. Knaack, Notary Public
My commission expires: January 20, 1973

C O N S E N T

COMES NOW First Federal Savings and Loan Association of Newton, a corporation, Mortgagee, and hereby consent to the execution, granting and delivery of the foregoing Contingent Dedication, according to its terms and conditions.

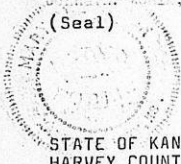


WITNESSED this _____ day of _____, 1971

FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF NEWTON

Dorinda L. Wrecks

By _____



ACKNOWLEDGMENT

STATE OF KANSAS)
HARVEY COUNTY) ss.

BE IT REMEMBERED, that on this _____ day of _____, 1971, before me, a Notary Public in and for said County and State, came Geo. David Hanna, Jr. President of First Federal Savings and Loan Association of Newton, a corporation, to me personally known to be the same person who executed the foregoing Consent, and duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said corporation.

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



Mary Sue Hinton
Mary Sue Hinton Notary Public

Commission expires: June 10, 1973.