

S/D COMMITTEE

accepted 2-7-74

M.A.P.C.

accepted 2-14-74

B.C.C./~~B.C.C.~~

Accepted 2-26-74

D-0589 - Marvin Gordon, et. al  
dedicates sidewalk for east side  
of Waverly Dr as extended fr. the  
So. bet. Orme and Kellogg.

POSTED  
2-6-74  
" "

ACTION

	DATE
S/D COMMITTEE	accepted 2-7-74
M.A.P.C.	accepted 2-14-74
B.C.C. / <del>B.C.C.</del>	Accepted 2-26-74

D-0589 - Marvin Gordon, et al  
dedicates sidewalk for east side  
of Waverly Dr as extended fr. the  
So. Det. Orme and Kellogg.





5. V-0651 - Marvin J. Gordon, et. al., requests vacation of street right-of-way, legally described as Waverly Drive between Orme Street and Kellogg Drive.

NEWBY outlined the area on the map and recommended approval subject to the applicant granting by separate instrument complete access control to Orme across the right-of-way being vacated and the two standard utility clauses.

DEAN SELLERS, City Engineering, recommended the requirement of two intersection curb returns be removed from Kellogg Drive and Orme Street and that a straight curb be placed there; also remove the approach from Kellogg Drive.

EVERETT FETTIS, attorney, representing the applicant, stated that the applicant wanted the approach left to Kellogg Drive for the benefit of the adjoining property owners for access.

LAKIN stated that in procedures such as this, the City Commission was concerned with possible commercial traffic that might develop which could have access to Orme and that it was the Commissions desire to push all commercial traffic to the north and not let any of it have access to Orme to the south.

SELLERS stated that there was a pedestrian crossing at Kellogg in the vicinity of Waverly Drive and vacating this street could make a long trip for pedestrians trying to reach this crossing from the area south of Orme.



LAKIN asked for further advise from Traffic Engineering on possible location of the school crossing if it is at Waverly Drive and if so should it be made a part of the cost of these proceedings. He said he would like this discussed at the Planning Commission level.

**MOTION:** It was moved, seconded and carried unanimously that the Subdivision Committee recommend to the Planning Commission that this request for vacation be approved, subject to:

- A. The applicant shall contact the Engineering Division of the Department of Public Works and make satisfactory arrangements and guarantee for the removal of the street intersection curb returns at Orme and Kellogg Drive.
  - B. The applicant shall by separate instrument dedicate complete access control to the City across the south end of the street being vacated, adjacent to the north line of Orme.
  - C. Any relocation or reconstruction of utilities necessitated by this vacation being at the sole expense of the applicant.
  - D. All proceedings being without cost to the City, County or any utility company.
-

MAPC CASE NO. D-0588 Dedication of sidewalk easement

Dedicated by: Universal Service Stations, Inc.

Generally The east side of Waverly Drive as extended  
from the south between Orme and Kellogg

This dedication is given for the following reason:  
Easement for sidewalk as requested by Governing Body.

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

T9-325



February 15, 1974

Mr. Everett Fettis, Attorney  
One Twenty Building  
Wichita, Kansas 67202

Re: D-0589 - Dedication of  
abutter's access rights

Dear Mr. Fettis:

At the regular meeting of the Metropolitan Area Planning Commission on February 14, 1974, the above-captioned offer of dedication was considered. It was the action of the Commission to accept the dedication. Consideration of this offer of dedication will be placed on the City Commission agenda for consideration on February 26, 1974, the meeting to start at 9:00 a.m. in Room 201 City Building, 204 South Main.

If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber

February 12, 1974

Lindy Andeel, et. al.  
5900 East Central  
Wichita, Kansas 67208

Subject: D-0599 - Dedication of  
sidewalk area on the east side of  
Waverly Drive as extended from the  
south between Orme and Kellogg.

Dear Mr. Andeel:

At the regular meeting of the Subdivision Committee of the  
Metropolitan Area Planning Commission, February 7, 1974, the  
above captioned dedication request was considered. The  
action of the Committee was to recommend that this dedication  
be accepted, subject to:

- A. The applicant shall be responsible for guaranteeing the  
installation of the sidewalk for the entire length of  
said dedication if the sidewalk does not now exist within  
said easement.

This matter will be forwarded to the Metropolitan Area Planning  
Commission for its consideration at its regular meeting at  
1:30 P.m., Thursday, February 14, 1974, in Room 401, City Building  
Annex, 104 South Main Street.

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

Sincerely,

Curtis L. Newby  
Junior Planner

CLM:rmae  
cc: Universal Service Station, Inc., 520 South Mead, 67211  
Daniel M. Carney, 6611 East Central, 67206  
Marvin J. & Evelyn L. Gordon  
Dean Sellers, City Engineering



**THE CITY OF WICHITA**  
**OFFICE OF LAW DEPARTMENT**

**DATE** January 29, 1974

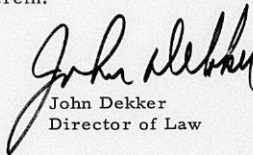


**TO** Robert A. Lakin, Director of Planning

**FROM** John Dekker, Director of Law

**SUBJECT** Sidewalk Vacation of Waverly  
and Rededication - Kellogg to  
Orme

Attached is the subject dedication, which you should have placed on the Agenda for Commission approval. Their action should be to accept the dedication and advise the County Commission that the vacation of Waverly be approved subject to the dedication herein.

  
John Dekker  
Director of Law

JD:cr  
Attachments



**THE CITY OF WICHITA**  
**OFFICE OF LAW DEPARTMENT**

**DATE** January 25, 1974



**ON SAFETY  
PHASE II**

**TO** John Dekker, Director of Law  
**FROM** Richard A. Shull, Assistant City Attorney

**SUBJECT** Sidewalk Vacation of Waverly  
and Rededication; Kellogg to  
Orme

Attached hereto is a dedication of the sidewalk area on Waverly which has been rededicated after its original vacation by the commission. The reason there was so much delay, according to Mr. Fettis, is that two of the parties were transacting a trade of properties and they were awaiting the completion of that transaction so that this dedication could be signed.

It appears to be ready for filing and receiving.

A handwritten signature in cursive script that reads "Richard A. Shull".

Richard A. Shull  
Assistant City Attorney

RAS:kh  
Attachment



Clarke D-1510

DEDICATION

Film 93 Pg 863  
recorded 3-19-74

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, Evelyne L. Gordon, Marvin J. Gordon, Daniel M. Carney and Lindy Andeel and Universal Service Stations, Inc.

being the owner s of the following described real estate in Sedgewick County, Kansas, to wit:

That area bounded by a line beginning at the northwest corner of lot 1, Universal's First Addition to Wichita, Kansas, thence west 10 feet; thence south and parallel with the west line of said Addition a distance of 553.27 feet more or less; thence east 10 feet to the southwest corner of lot 2 of said Addition; thence north along the west line of said Addition to the place of beginning.

do hereby dedicate the above described real estate to the public for sidewalk purposes.

Executed this 27 day of January, 1974.  
By Universal Service Stations, Inc.

[Signature]  
[Signature]  
[Signature]  
[Signature]

STATE OF KANSAS  
SEDGEWICK COUNTY ss

BEFORE me a Notary Public in and for the said County and State on this 27 day of January, 1974

Evelyne L. Gordon, Marvin J. Gordon, Daniel M. Carney and Lindy Andeel.

Whose personal known to be the same person is 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, this day and year last above written.

[Signature]  
Notary Public

My Commission Expires 12-31-74

STATE OF KANSAS, COUNTY OF SEDGWICK, SS.:

BE IT REMEMBERED that on this 21 day of January  
19 74, before me, a Notary Public in and for said County and  
State personally appeared GERALD MALONY President of UNIVERSAL  
SERVICE STATIONS, INC., a corporation, to me personally  
known to be the person who executed the foregoing instrument  
as President of said corporation and such person duly acknowledged  
the execution of the same as President for an on behalf of 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.

R. Arlene Moore  
Notary Public

My Commission expires:

10/10/77