

D-1090 - Ritchie Corporation
Grants Street R-O-W for 29th St.
North, generally located in an
area between Ridge Road and Hoover

ACTION

DATE

COMMITTEE _____

M.A.P.C. _____

B.C.C.#B-CO-C. *Sherry* 10-5-82

105722P
9-25-82
[Signature]

DEDICATION REPORT AND PROGRESS

MAP No. 5051B
SEC. No. 34
TWP. No. 26S
RANGE 1W

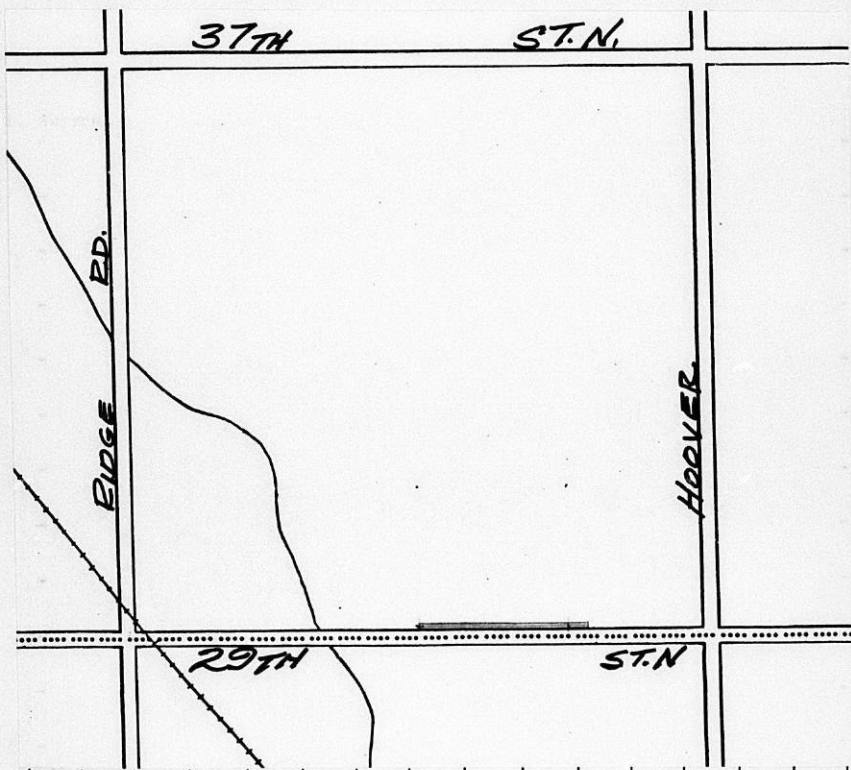
CASE No. D - 1090

ASSOCIATED CASE NO. CU-242

I. OFFER TO DEDICATE: Street r-o-w for 29th St. North
GENERALLY LOCATED: in an area between Ridge Road and Hoover.

LEGALLY DESCRIBED AS:

DEDICATED BY: Rirchie Corporation
AGENT: _____
ADDRESS: _____ PHONE _____
PURPOSE OF DEDICATION: _____



III. FILED 9-21-82
POSTED TO ATLAS _____
S/D COMM. ACTION _____
M.A.P.C. ACTION _____

B.C.C. ACTION 10-5-82 *Ampt*
PLACED ON RECORD _____
CITY CLERKS No. _____

September 21, 1982

Donald C. Gisick, City Clerk
Jack H. Galbraith, Chief Planner

CU-242 - Conditional Use Permit - Earth Borrow Operation for extraction of Sand. Generally located on the north side of 29th Street North, in an area between Hoover and Ridge Road.

Attached is a copy of street dedication (D-1090) which was a condition of approval on the above captioned case by the Board of County Commissioners at their meeting of January 14, 1981, which should be placed on the Clerk's agenda for acceptance by the Board of City Commissioners at their meeting of October 5, 1982. ✓

Also attached is a copy of a restrictive covenant which was also a condition of approval of the case which requires no action by the City Commission, but needs to be recorded along with the dedication.

The street dedication and covenant should be filed with the Register of Deeds, with the cost being billed to the Planning Department.

Jack H. Galbraith
Chief Planner

JHG:GLS:al
Attachments

cc: Claud S. Shelor, Director, County Department of
Public Works

5051B
34
265
1 W.

D-1090

DEDICATION

Assn CV-242

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, Ritchie Corporation

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

The north 20 feet of the south 50 feet of the southwest 1/4 of the southeast 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with the north 20 feet of the south 50 feet of the west 174 feet + of the southeast 1/4 of the southeast 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M.

h/s of 29th ST N, in an area bet. Ridge Rd + Howe.

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

Executed this 28th day of January 19 81.

Ritchie Corporation
H.T. Ritchie, President

STATE OF KANSAS)
SEDGWICK COUNTY) ss

BE IT REMEMBERED, that on this 28th day of January,
came Ritchie Corporation by its President, H. T. Ritchie

to me personally known to be the same person 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.

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

R. K. Eshelman
Notary Public
Sedgwick County, Kansas
My Commission Expires: 6-28-81

RESTRICTIVE COVENANTS

Ritchie Corporation does hereby make the following declaration as to restrictions, limitations and use of the following described real estate:

The Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Section 34, Township 26 South, Range 1 West, and a tract in the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 34, Township 26 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas described as follows: Beginning at a point in the South line of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of said Section 34, and 1145 feet West of the Southeast corner of said Southeast Quarter (SE/4), thence North parallel with the East line of said Southeast Quarter (SE/4), 425 feet; thence West parallel with the South line of said Southeast Quarter (SE/4), of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4); thence South to the Southeast corner of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4); thence East 174 feet more or less to the place of beginning, also the following described tract: Beginning at a point on the West line of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of said section 34, 425 feet North of the Southwest corner of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4); thence North 895.3 feet more or less to the Northwest corner of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), thence East along the North line of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), 168.8 feet more or less to a point 1145 feet West of the Northeast corner of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), thence South parallel with the East line of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), 895.17 feet more or less to a point 425 feet North of the South line of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), thence West 172.33 feet more or less to the beginning.

Which said Declaration shall constitute covenants running with said land and shall be binding upon all owners and their successors, assigns and heirs;

"No rubbish, trees, car bodies or any other foreign matter shall be deposited on the application area, or within the excavation made in the removal of sand or gravel on the said premises at any time."

The above restriction and agreement shall be deemed a covenant running with the land and shall not be amended, deleted or changed.

IN WITNESS WHEREOF, this Restriction has been executed on this 23rd day of January, 1981.

RITCHIE CORPORATION

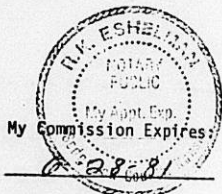
By

H. T. Ritchie

President

STATE OF KANSAS)
SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 23rd day of January, 1981 by H. T. Ritchie, President of Ritchie Corporation.



R. V. Eshelman

Notary Public