

D-1177 - Glen Rupe Dedicates
R.O.W. and Access Control to
Kellogg at SW Corner of Kellogg
and Bluff.

POSTED 1-11-84 *KR*

ACTION

<i>JD</i> COMMITTEE	accept	DATE	1-19-84
M.A.P.C.	accept		1-26-84
B.C.C./B.O.C.	accept		2-7-84

DEDICATION REPORT AND PROGRESS

MAP No. 5746 D
 SEC. No. 26
 TWP. No. 27
 RANGE No. 1E

CASE No. D - 1177

ASSOCIATED CASE NO. BZA 72-83
 Longview Terrace Addition

I. OFFER TO DEDICATE: r.o.w. and partial access control to Kellogg Street
 GENERALLY LOCATED: Southwest corner of Kellogg and Bluff

LEGALLY DESCRIBED AS:

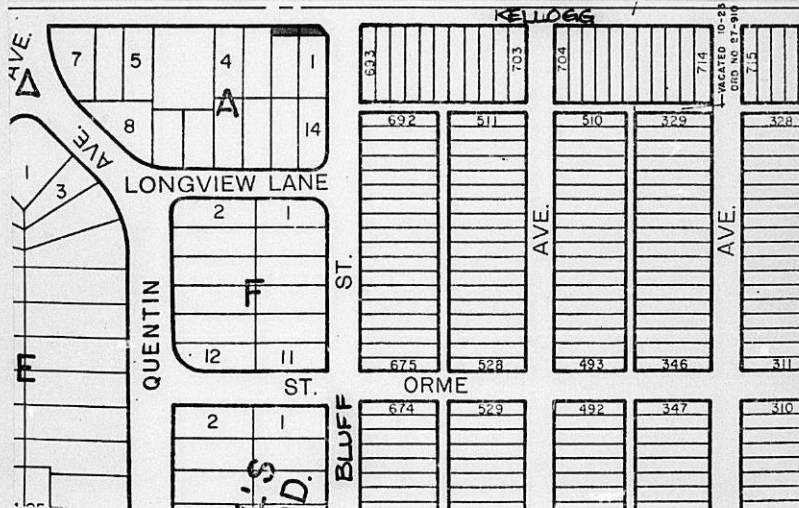
DEDICATED BY: Glen Rupe

ADDRESS: 438 Ohio sig? PHONE _____

PURPOSE OF DEDICATION:

Condition of Board of Zoning Appeals case

II. SKETCH.



III. FILED 1-10-84
 POSTED TO ATLAS
 S/D COMM. ACTION 1-19-84 *accept*
 M.A.P.C. ACTION 1-26-84 *accept*

B.C.C. ACTION 2-7-84 *Accept*
 PLACED ON RECORD _____
 CITY CLERKS No. _____

MAPC CASE NO. D-1177 Dedication of right-of-way and partial
access control to Kellogg Street

Dedicated by: Glen Rupe

Generally located at the southwest corner of Kellogg and Bluff.

This dedication is given for the following reason:

Condition of Board of Zoning Appeals case.

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

BILL RECORDING FEE TO: Glen Rupe
438 Ohio
Wichita, Kansas 67214

(3 legal documents)

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, Glen Rupe

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

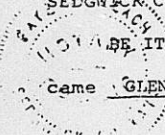
The south 10 feet of the north 18 feet of Lots 1 and 2, Block A, Longview Terrace Addition to Wichita, Sedgwick County, Kansas.

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

Executed this 20th day of December 1983.

Glen Rupe
GLEN RUPE

STATE OF KANSAS)
SEDGWICK COUNTY) ss



BE IT REMEMBERED, that on this 20th day of December, 1983,
came GLEN RUPE

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

Jaye W. Leech
Notary Public

My Commission Expires: _____
September 30, 1985

CONTINGENT DEDICATION

WHEREAS, Glen Rupe is the owner of the following described real property, to-wit:

Lots 1 and 2, except the north 18 feet which has been dedicated for right-of-way, Block A, Longview Terrace Addition to Wichita, Sedgwick County, Kansas.

and has made application to the Board of Zoning Appeals for approval of a variance on the above-described real estate; and

WHEREAS, the City of Wichita anticipates the future need for additional street right-of-way for Kellogg adjacent to said property, which additional right-of-way will include a portion of the above-described real property; and

WHEREAS, said Glen Rupe desires to continue the use of said additional street right-of-way pending the effectiveness of the dedication as hereinafter stated:

NOW, THEREFORE, in consideration of the premises and contingent upon the approval of the application to the Board of Zoning Appeals for a variance on Lots 1 and 2, except the north 18 feet for highway right-of-way, Block A, Longview Terrace Addition to Wichita, Sedgwick County, Kansas, Glen Rupe does hereby dedicate to the public for street purposes the following described real property, to-wit:

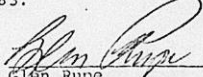
The south 2 feet of the north 20 feet of Lots 1 and 2, Block A, Longview Terrace Addition to Wichita, Sedgwick County, Kansas,

PROVIDED, HOWEVER:

1. That neither the public nor the City of Wichita shall be privileged nor entitled to the use of the property hereinabove dedicated for street purposes until the existing building on the property being dedicated is removed.
2. That until such time as the existing building is removed, Glen Rupe and all persons claiming by, through or under him, shall be permitted the continued use of said additional right-of-way.

This dedication herein expressed and made, conditional as aforesaid, shall be accepted by the City of Wichita upon approval by the Board of Zoning Appeals of the variance application described above and upon the recording of this instrument. Upon the recording hereof, this instrument shall constitute a public dedication and a covenant running with the land binding upon Glen Rupe, his heirs, successors and assigns, and all persons claiming by through or under him, conditioned as aforesaid. Acceptance by the City of Wichita of this Contingent Dedication and the recording of same shall denote its acquiescence and agreement to all terms and provisions thereof.

IN WITNESS WHEREOF, Glen Rupe
has executed this instrument on this 20th day of
December, 1983.


Glen Rupe

STATE OF KANSAS, SEDGWICK COUNTY, ss:



BE IT REMEMBERED, that on this 20th day of
December, 1983, before me, the undersigned, a
Notary Public in and for the County and State aforesaid,
came Glen Rupe, who is personally known to me to be the
same person who executed the above foregoing instrument
of writing, and duly acknowledged the execution of the
same.

IN WITNESS WHEREOF, I have hereunto set my name
and affixed my Notarial Seal on the day and year last above
mentioned.

Faye W. Leach
Notary Public
Faye W. Leach

My Commission Expires: September 30, 1985

