

# ACTION

S/D COMMITTEE Approved DATE 7/14/88

M.A.P.C. Approved 7/21/88

W.C.C./B.E.O. C. Approved 8/14/88

539A



D-1522 - Twin Lakes Center contingently dedicates street right-of-way, located on the south side of 21st Street North and the east side of Amidon Avenue.

Posted 7-7-88  
L/S742  
Bic

# ACTION

	DATE
S/D COMMITTEE	Approved 7/14/88
M.A.P.C.	Approved 7/21/88
W.C.C./B. CO. C.	Approved 8/16/88

539A

DEDICATION REPORT AND PROGRESS

MAP NO. 5349A  
SEC. NO. 7  
TWP. NO. 27S  
RANGE 1E

CASE NO.: D-1522

ASSOCIATED CASE:

L 150742

1. OFFER TO DEDICATE: Additional street right-of-way.  
GENERALLY LOCATED: On the south side of 21st Street and the east side of Amidon Avenue.

LEGALLY DESCRIBED AS:

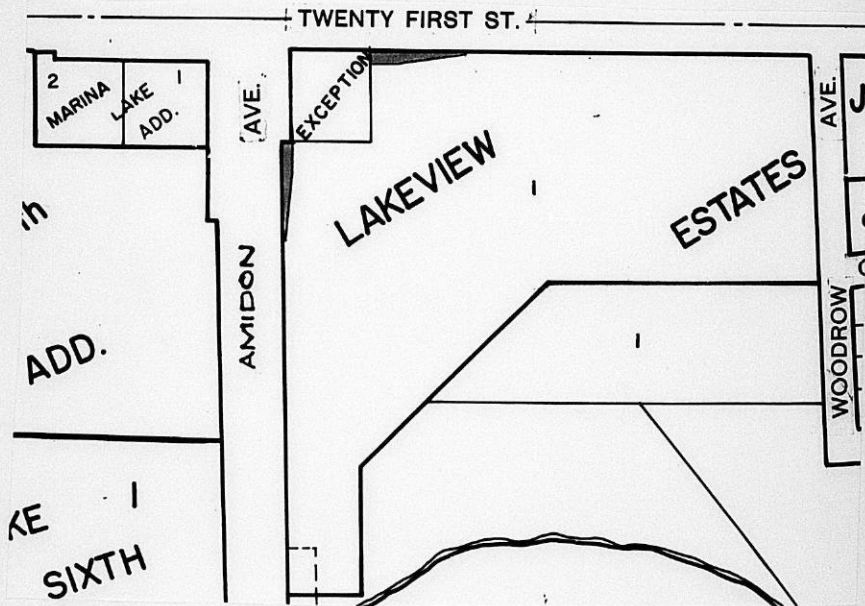
Review Exhibit "A".

DEDICATED BY: Twin Lakes Center

PURPOSE OF DEDICATION:

Applicant requested a lot split of Block 1, Lakeview Estates, Wichita, Kansas. There is the potential need for additional accel/decel lanes due to the new development.

II. SKETCH.



III. FILED 7/1/88  
POSTED TO ATLAS  
S/D COMM. ACTION 7/14/88 *approved*  
M.A.P.C. ACTION 7/21/88 *Approved*

B.C.C. ACTION 8/16/88 *Approved*  
PLACED ON RECORD  
CITY CLERKS NO. \_\_\_\_\_

AGENDA ITEM # \_\_\_\_\_

City of Wichita  
City Council Meeting  
August 16, 1988

Agenda Report # \_\_\_\_\_

Aug 30  
F 991  
A 617-619

**TO:** Mayor and City Council Members

**SUBJECT:** D-1522 - CONTINGENT DEDICATION OF STREET RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 21ST STREET NORTH AND AMIDON.

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

-----

**MAPC Recommendation:** Accept the dedication. (Unanimous)

**Background:** As a requirement of an approved lot split (L/S-0742), major street intersection right-of-way was contingently dedicated by the Twin Lakes Center General Partnership, for portions of the southeast intersection of 21st Street North and Amidon.

The dedication has been reviewed and approved by the Planning Commission.

**Financial Considerations:** Bill the recording costs to:

755-68-360-50000-295-000-000  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Recommendations/Actions:** Accept the dedication and record document.

CONTINGENT DEDICATION

WHEREAS, Twin Lakes Center, A Kansas General Partnership  
is (are) the owner(s) of the following described real estate in Sedgwick  
County, Kansas, to-wit:

BLOCK 1, LAKEVIEW ESTATES, WICHITA, KANSAS

and has made application to the Metropolitan Area Planning Department for  
approval of a lot split of the above-described real estate; and

WHEREAS, the City of Wichita anticipates in the future the necessity of  
acquiring dedicated street right-of-way for 21st Street North adjacent to the  
north line of said property and for Amidon adjacent to the west line of said  
property, said right-of-way will include a portion of the above-described real  
property; and

WHEREAS, said owner(s) is (are) agreeable to the needed street  
right-of-way dedication; and

WHEREAS, said owner(s) is (are) desirous of continuing their private  
use of said street right-of-way pending effectiveness of the dedication as  
hereinafter stated:

NOW, THEREFORE, in consideration of the premises and contingent upon  
the approval of their lot split by the Metropolitan Area Planning Department  
for the above-described property the owner(s) does (do) hereby dedicate to  
the public for street purposes the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A"

PROVIDED, HOWEVER:

1. That neither the public nor the City of Wichita shall be privileged  
nor entitled to the use of the area hereinabove dedicated for maintenance,  
excavation or fill, paving, installation of utilities and other similar street  
uses, until and unless the same is actually needed for the purposes as herein  
stated.
2. That until such time as the area hereby dedicated is actually used  
for the purposes of street right-of-way, including any or all of those uses as  
stated above, the owner(s) and all persons claiming by, through or under  
them, shall be permitted the continued use of said street right-of-way.

This dedication herein expressed and made, conditioned as aforesaid,  
shall be accepted by the City of Wichita upon approval by the Metropolitan  
Area Planning Department of the lot split 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 bind  
upon the owner(s) their heirs, successors and assigns, and all persons  
claiming by, through or under them, conditioned as aforesaid. Acceptance by  
the City of Wichita of this contingent dedication and the recordation of the  
same shall denote its acquiescence and agreement to all of the terms and  
provisions hereof.

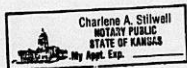
IN WITNESS WHEREOF, Twin Lakes Center, A Kansas General Partnership  
has (have) executed this instrument and delivered the same to the City of  
Wichita, Kansas, on this 20th day of June, 1988.

TWIN LAKES CENTER  
A KANSAS GENERAL PARTNERSHIP

H.D. Ritchie  
H.D. Ritchie, Partner

STATE OF KANSAS )  
                          ) SS  
SEDGWICK COUNTY )

This instrument was acknowledged before me on June 20, 1988  
by H.D. Ritchie, Partner



Charlene A. Stilwell  
Notary Public  
CHARLENE A. STILWELL

My Commission expires:

11/30/91

A TRACT OF LAND FOR CONTINGENT STREET DEDICATION IN BLOCK 1, LAKEVIEW ESTATES, WICHITA, KANSAS, DESCRIBED AS: COMMENCING AT THE NW CORNER OF THE NE 1/4 OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 1 EAST OF THE 6TH P.M.; THENCE BEARING S88°16'00"E ALONG THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 210.25 FEET; THENCE BEARING S1°44'00"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING ALSO BEING THE MOST NORTHERLY CORNER OF BLOCK 1, LAKEVIEW ESTATES LYING ON THE SOUTH RIGHT-OF-WAY OF 21ST STREET NORTH; THENCE BEARING S88°16'00"E ALONG THE NORTH LINE OF SAID BLOCK 1 A DISTANCE OF 142.06 FEET; THENCE BEARING S77°41'50"W A DISTANCE OF 103.08 FEET; THENCE BEARING N88°16'00"W A DISTANCE OF 41.33 FEET TO A POINT IN THE WESTERLY LINE OF SAID BLOCK 1; THENCE BEARING N0°03'46"E ALONG SAID LINE A DISTANCE OF 25.01 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

A TRACT OF LAND FOR CONTINGENT STREET DEDICATION IN BLOCK 1, LAKEVIEW ESTATES, WICHITA, KANSAS, DESCRIBED AS: COMMENCING AT THE NW CORNER OF THE NE 1/4 OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 1 EAST OF THE 6TH P.M.; THENCE BEARING S0°00'00"E ALONG THE WEST LINE OF SAID NE 1/4 A DISTANCE OF 210.25 FEET; THENCE BEARING N90°00'00"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING ALSO BEING THE NW CORNER OF BLOCK 1, LAKEVIEW ESTATES LYING ON THE EAST RIGHT-OF-WAY OF AMIDON AVENUE; THENCE BEARING S0°00'00"W ALONG THE WEST LINE OF SAID BLOCK 1 A DISTANCE OF 142.06 FEET; THENCE BEARING N14°02'10"E A DISTANCE OF 103.08 FEET; THENCE BEARING N0°00'00"E A DISTANCE OF 41.30 FEET TO A POINT IN THE NORTH LINE OF SAID BLOCK 1; THENCE BEARING N88°16'00"W ALONG SAID NORTH LINE A DISTANCE OF 25.01 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"