

D-1574 - Timothy Brust, etux dedicates street right-of-way for newell in an area west of Sheridan.

Posted 5-12-89 KK
BIC

ACTION

SID COMMITTEE approved ^{DATE} 5/18/89

M.A.P.C. approved 5/25/89

W.C.C./B. CO. C. Approved 7/11/89

5217D

Map No. 5247D
Sec. 24
Twp. 27S
Range 1W
Dist.No.

DEDICATION REPORT AND PROG

CASE No: D-1574
ASSOCIATED CASE:

- I. Offer to Dedicate: Street right-of-way
Generally Located: Newell in an area west of Sheridan

Legally Described As:

The north 35 feet of the following described tract:

The north half of Lot 25, except the west 103 feet thereof, in Knigh Acres, Sedgwick County, Kansas.

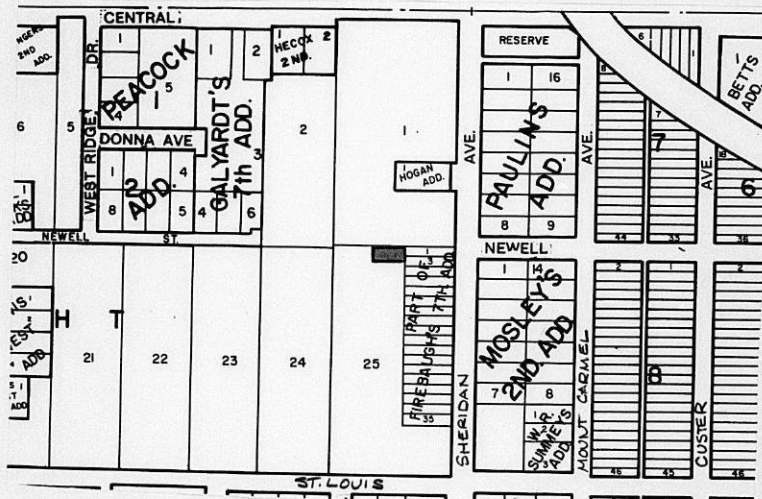
Dedicated By: Timothy P. & Betty J. Brust, etux

Address:

Phone:

Purpose of Dedication:

II. Sketch:



- III. Filed 5/5/89
Posted to Atlas
S/D Comm. Action 5/18/89
M.A.P.C. Action *approved 2/25/89 approved*
W.C.C. Action *7/11/89 Approved*
Placed on Record
City Clerks No.

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 11, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: D-1574 - CONTINGENT DEDICATION OF STREET RIGHT-OF-WAY FOR
NEWELL IN AN AREA WEST OF SHERIDAN

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Accept the dedication.

Background: This right-of-way was acquired as a condition of a building permit. This right-of-way is needed to extend Newell Street between Sheridan Ave. and Knight. The dedication has been reviewed and approved by the Planning Commission.

Financial Considerations: Bill the recording costs to:
150029-2909.

Recommendations/Action: Accept the dedication and record document.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING
COMMISSION

AGENDA ITEM NO. 2-9

D-1574 - Timothy P. Brust, etux, dedicates additional street
right-of-way legally described as:

The north 35 feet of the following described tract:

The north half of Lot 25, except the west 103 feet thereof,
in Knight Acres, Sedgwick County, Kansas.

Located in an area on Newell in an area west of Sheridan.

SUBDIVISION COMMITTEE RECOMMENDATIONS:

ACCEPT THE DEDICATION

CONTINGENT DEDICATION

WHEREAS, Timothy P. & Betty J. Brust

is (are) the owner(s) of the following described real estate in Sedgwick County, Kansas, to-wit:

The north 35 feet of the following described tract:

The north half of Lot 25, except the west 103 feet thereof, in Knight Acres, Sedgwick County, Kansas.

and has made application to Central Inspection for approval of a building permit for construction of improvements on 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 Newell Street adjacent to the north 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 building permit by Central Inspection 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:

The north 35 feet of the following described tract:

The north half of Lot 25, except the west 103 feet thereof, in Knight Acres, 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 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 Central Inspection of the application for building permit 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 recording of the same shall denote its acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Timothy P. & Betty J. Brust

has (have) executed this instrument and delivered the same to the City of
Wichita, Kansas, on this 5th day of May, 1989

Timothy P. Brust
Betty J. Brust

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

This instrument was acknowledged before me on 5-4-89
by Timothy P. & Betty J. Brust

Dorothy L. Kelso
Notary Public

My Commission expires:

