

D-1589 - Richstreet Realty Co. dedicates a utility easement & access control, in an area at the SW corner of 31st Street S. & Exposition Ave.

POSTED 11-9-89
KX

Bic

ACTION

S/D COMMITTEE approved DATE 11/30/89

N. F. C. approved 12/7/89

W.C.C./B. CO. C. Approved 1/9/90

closed

Map No. 5343A
Sec. 7
Twp. 28S
Range 1E
Dist.No.

DEDICATION REPORT AND PROGRES

CASE No: D-1589
ASSOCIATED CASE: L/S-0774

- I. Offer to Dedicate: Utility Easement & Access Control
Generally Located: In an area at the southwest corner of 31st Street South and Exposition Aven.

Legally Described As:

The east 15 feet of the south 10 feet of the north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

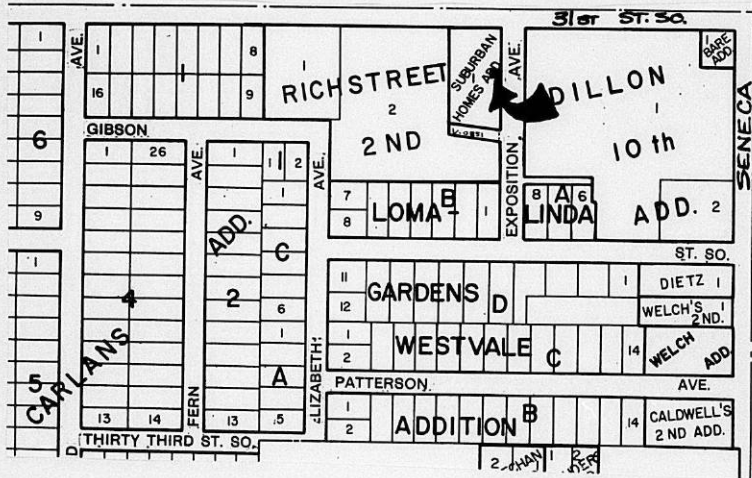
Dedicated By: Richstreet Realty Company

Address:

Phone:

Purpose of Dedication:

II. Sketch:



III. Filed 11/8/89
Posted to Atlas
S/D Comm. Action 11/30/89
M.A.P.C. Action 12/7/89

W.C.C. Action 1/9/90 Approved
Placed on Record
City Clerks No.

EASEMENT

THIS EASEMENT made this 2nd day of November, 1989, by and between Richstreet Realty of the first part and the City of Wichita of the second part.

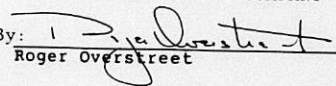
WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing sewer and all other public utilities, over, along and under the following described real estate situated in Sedgwick County, Kansas; to wit:

The east 15 feet of the south 10 feet of the north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

RICHSTREET REALTY COMPANY

By: 
Roger Overstreet

COPY

Easement
Page 2 of 2

City of Wichita)
Sedgwick County) SS
State of Kansas)

The foregoing instrument was acknowledged before me this
2nd day of November, 1989 by, Roger Overstreet.
(Date)

Seal or Stamp

[Signature], Notary Public
(signature of notary officer)

My appointment expires: 12-13, 1989

Form MAPD 1968/Aug. 1989

JOY L. FRANTZ
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 12-13-89

STATE OF KANSAS } ss
SEDCWICK COUNTY }
FILED FOR RECORD AT
8:00 A M

JAN 23 1990 1048287

PAT KETTLER
REGISTER OF DEEDS

*Ed Reed
Deputy*

COPY

Approved / Accepted City Council

FILM 1090 PAGE 0823

This JAN 9 1980

Page 1 of 2

PARTIAL DEDICATION OF ABUTTER'S RIGHTS

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 Richstreet Realty being the owner(s) of the following described real estate in Sedgwick County, Kansas, to-wit:

The north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

do hereby transfer and convey to the appropriate governing body, all abutter's rights of access, ingress and egress to said property from or to 31st Street South over and across the north line of the above described property; to have and to hold the same forever; provided, however, that said property shall have access to 31st Street South at two (2) locations. It being understood that this conveyance is a covenant running with the land and prohibits all subsequent owners thereof and all members of the public from entering upon said property from 31st Street South, except at the two (2) permitted locations.

Executed this 2nd day of November, 19 89.

RICHSTREET REALTY COMPANY

By: Roger Overstreet
Roger Overstreet

COPY

Partial Dedication of
Abutter's Rights
Page 2 of 2

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED that on this 4th day of Nov., 1989,
before me a notary public in and for the said County and State,
came Roger Overstreet on behalf of Richstreet Realty Co., to me
personally known to be the same person(s) 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.

Joy L. Frantz
Notary Public

My commission expires 12-13-89.

JOY L. FRANTZ
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 12-13-89

Form MAPD 1036/Aug. 1989

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 A M

JAN 23 1990 1048288

PAT KETTLER
REGISTER OF DEEDS

Ed Reed
Deputy

COPY

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 9, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: D-1589 - DEDICATION OF ACCESS CONTROL AND UTILITY EASEMENT,
LOCATED IN AN AREA AT THE SOUTHWEST CORNER OF 31ST STREET
SOUTH AND EXPOSITION.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Accept the dedication.

Background: The conveyance of access control and granting of a utility easement were required as a condition of an approved lot split (L/S-0774). These dedications were required to establish access control, except for the two (2) openings to 31st Street South and to provide an adequate utility easement for an existing sanitary sewer. 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. 2-4

D-1591 - John J. Leeker dedicates street right-of-way, access control and additional utility easement legally described as:

The north 2 feet of the south 10 feet of Lot 2, H.J. Born Addition, Sedgwick County, Kansas, EXCEPT the east 150 feet.

Lot 2, H.J. Born Addition, Sedgwick County, Kansas, EXCEPT the east 150 feet.

From the northeast corner of Lot 2, H.J. Born Addition, Sedgwick County, Kansas; thence westerly on the north line of said Lot 2 on an assumed bearing of $N77^{\circ}09'00''W$, a distance of 153.85 feet to the point of beginning; thence $S0^{\circ}00'00''W$, 25.64 feet; thence $N77^{\circ}09'00''W$, 72.23 feet; thence $N63^{\circ}06'50''W$, 103.08 feet to a point on the north line of said Lot 2; thence $S77^{\circ}09'00''E$, 166.52 feet to the point of beginning.

At the corner of 37th Street North and Arkansas.

SUBDIVISION COMMITTEE RECOMMENDATIONS:

ACCEPT THE DEDICATION

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING
COMMISSION

AGENDA ITEM NO. 2-5

D-1589 - Richstreet Realty Company dedicates utility easement and access control legally described as:

The east 15 feet of the south 10 feet of the north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

The north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

In an area at the southwest corner of 31st Street South and Exposition Ave.

SUBDIVISION COMMITTEE RECOMMENDATIONS:

ACCEPT THE DEDICATION

*Util
Easement
Access
Control*

4. **D-1591** - John J. Leeker dedicates street right-of-way, access control and additional utility easement legally described as:

The north 2 feet of the south 10 feet of Lot 2, H.J. Born Addition, Sedgwick County, Kansas, EXCEPT the east 150 feet.

Lot 2, H.J. Born Addition, Sedgwick County, Kansas, EXCEPT the east 150 feet.

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At the corner of 37th Street North and Arkansas.

5. **D-1589** - Richstreet Realty Company dedicates utility easement and access control legally described as:

The east 15 feet of the south 10 feet of the north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

The north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

In an area at the southwest corner of 31st Street South and Exposition Ave.

6. **City Land Inventory Case**, located on the west side of Washington in an area north of U.S. 54 (Kellogg).

7. **OTHER MATTERS.**

EASEMENT

THIS EASEMENT made this 2nd day of November, 1989, by and between Richstreet Realty of the first part and the City of Wichita of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing sewer and all other public utilities, over, along and under the following described real estate situated in Sedgwick County, Kansas; to wit:

The east 15 feet of the south 10 feet of the north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

RICHSTREET REALTY COMPANY

By: Roger Overstreet

Roger Overstreet

Easement
Page 2 of 2

City of Wichita)
Sedgwick County) SS
State of Kansas)

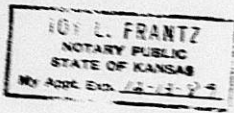
The foregoing instrument was acknowledged before me this
2nd day of November, 1989.
(Date)

Seal or Stamp

[Signature], Notary Public
(signature of notary officer)

My appointment expires: 11-11, 1989

Form MAPD 1968/Aug. 1989



PARTIAL DEDICATION OF ABUTTER'S RIGHTS

KNOW ALL MEN BY THESE PRESENTS:

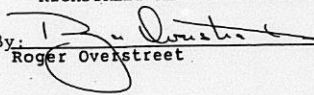
That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned Richstreet Realty being the owner(s) of the following described real estate in Sedgwick County, Kansas, to-wit:

The north 132 feet of Lot 1, Suburban Homes Addition, Wichita, Kansas.

do hereby transfer and convey to the appropriate governing body, all abutter's rights of access, ingress and egress to said property from or to 31st Street South over and across the north line of the above described property; to have and to hold the same forever; provided, however, that said property shall have access to 31st Street South at two (2) locations. It being understood that this conveyance is a covenant running with the land and prohibits all subsequent owners thereof and all members of the public from entering upon said property from 31st Street South, except at the two (2) permitted locations.

Executed this 2nd day of November, 19 89.

RICHSTREET REALTY COMPANY

By: 
Roger Overstreet

Partial Dedication of
Abutter's Rights
Page 2 of 2

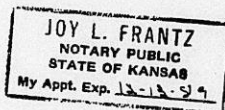
STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED that on this 2nd day of Nov., 1989, before me a notary public in and for the said County and State, came Roger Overstreet on behalf of Richstreet Realty Co., to me personally known to be the same person(s) 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.

Joy L. Frantz
Notary Public

My commission expires 12-12-89.

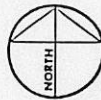
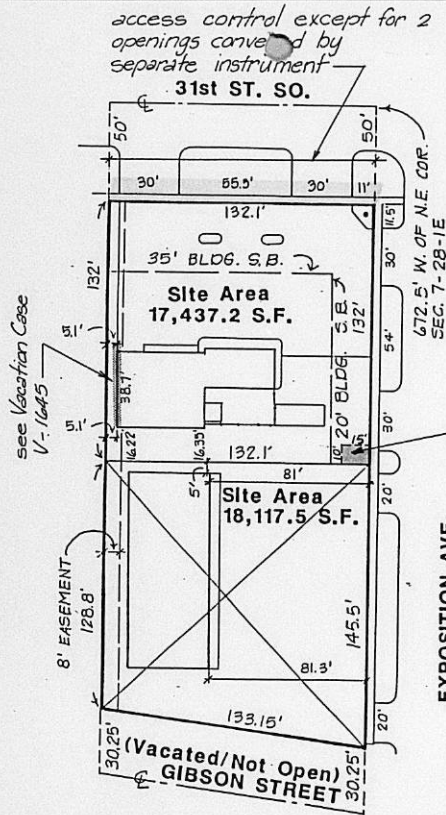


LOT SPLIT
LOT 1
SUBURBAN HOMES
ADDITION
Wichita, Kansas

LEGAL DESCRIPTION

-The North 132 ft. of Lot 1,
 Suburban Homes Addition.

utility easem't. granted by
 separate instrument



1" = 60'

City of Wichita)
 Sedgwick County) ss
 State of Kansas)

L/S No. 0774
 Copy 1 of 4



I, Jack H. Galbraith, Chief Planner, Wichita - Sedgwick County Metropolitan Area Planning Department, do hereby certify that under the Authority granted in the Subdivision Rules and Regulations that the lot split to which this stamp is affixed has been approved.

Given under my hand and seal, this 8th day of
November, 1989.

Jack H. Galbraith
 Jack H. Galbraith