

# APEX HEIGHTS

A SUBDIVISION OF LAND IN WYANDOTTE COUNTY, KANSAS

Apex Heights  
Book 26  
Page 34

## DESCRIPTION

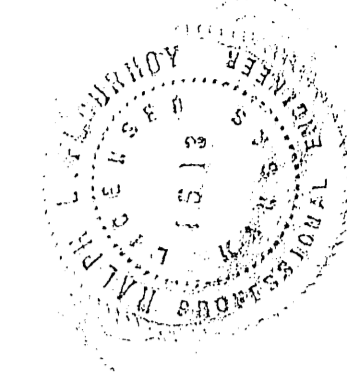
Beginning at a point 948.8 feet East of the Southwest corner of the Southeast Quarter of Section 25, Township 10 South, Range 24 East; thence North 180 feet; thence West 85 feet; thence North 240 feet; thence East 375.85 feet; thence Southeasterly 243.9 feet; thence West 294.84 feet; thence South 180 feet; thence West 40 feet to the point of beginning.

State of Kansas, Wyandotte County, ss:  
Received for Record on the 26th day of Dec 1954  
at 12:45 o'clock P.M. and duly recorded in Record 26 at page 34  
J.C. MADDOX,  
Register of Deeds  
Deputy  
Fee, \$ 5.85

RECEIVED WYANDOTTE COUNTY ENGINEER  
Ralph L. Flournoy

RALPH L. FLOURNOY  
CONSULTING ENGINEER and SURVEYOR  
1135 Minnesota Ave. Kansas City, Kansas

*Ralph L. Flournoy*  
L.P.E. 1513



## DEDICATION

The lands intended for sale are described by numbers as lots with restrictions in "Apex Heights", the dimensions of which are shown on this plat. That portion reserved for public use as roads, the extent and direction of which are shown on this plat, and all drainage and utility easements are hereby dedicated to the public use forever. IN TESTIMONY WHEREOF, We, the undersigned owners of the property described hereon, have hereunto set our hand seals this 21st day of December, 1954.

*Herman C. Smithy*  
Herman C. Smithy

*Josephine Smithy*  
Josephine Smithy

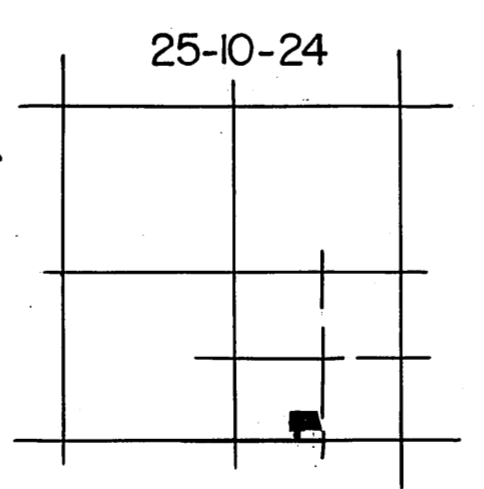
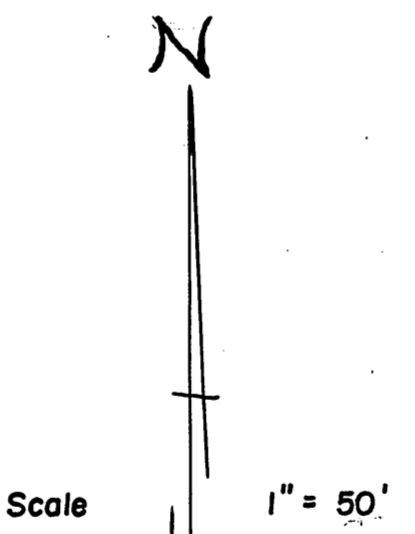
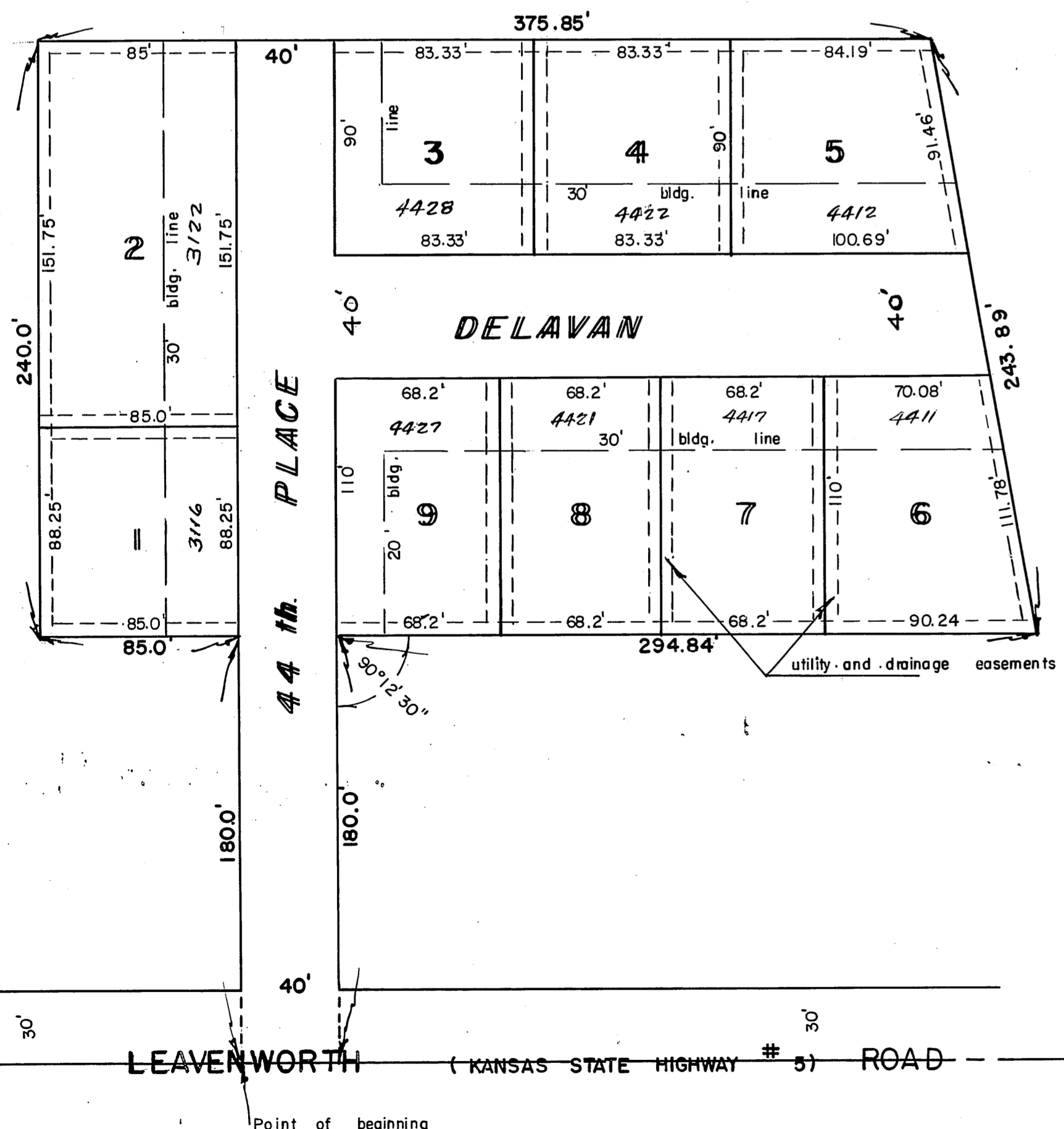
STATE OF KANSAS  
COUNTY OF WYANDOTTE SS

Be it remembered that on the day and year last above written before me, a Notary Public in and for the above named county and state came Herman C. Smithy and Josephine Smithy, husband and wife, who are personally known to me to be the same persons who executed the foregoing instrument of writing and duly acknowledge the same to be their own free act and deed.

IN WITNESS THEREOF, I have hereunto subscribed my hand and affixed my seal this 21st day of December, 1954.

*Mary Shear*  
Notary Public

May 26, 1956  
My Commission expires



## RESTRICTIONS

- The following restrictions shall apply to each and every lot in "Apex Heights."
- FIRST: All lots in this subdivision shall be known and described as residential lots and no structure shall be erected on any lot other than a one detached single family dwelling, not to exceed 2-1/2 stories in height and the usual accessory buildings, including a private garage.
  - SECOND: No structure shall be erected on any lot nearer than 30 feet to the front lot line nor nearer than 7 feet or 10% of the average width of the lot whichever amount is greater, but need not exceed 10 feet to any side lot line. The side lot line restrictions shall not apply to a garage located on the rear 25% of a lot, except that on corner lots no structure shall be permitted nearer than 20 feet to the side street line; there shall also be a rear yard having a depth of not less than 30 feet or 20% of the average depth of the lot but it need not exceed 45 feet.
  - THIRD: No lot shall be resubdivided into a building plot having an area of less than 7500 square feet.
  - FOURTH: No trailer, basement, tent, shack, garage, barn or other outbuildings erected in this subdivision shall at any time be used as a residence, temporary or permanent, nor shall any residence of a temporary character be permitted.
  - FIFTH: No dwelling costing less than FIVE THOUSAND DOLLARS shall be permitted on any lot and the ground floor area shall not be less than 600 square feet.
  - SIXTH: No stable, barn hog pen, chicken coop, outside privy, closet or open cesspool shall be constructed or maintained on any lot in this subdivision.
  - SEVENTH: A perpetual easement is reserved over the rear and side 5 feet of each lot where necessary for utility and drainage installation and maintenance.
  - EIGHTH: These covenants and restrictions are to run with the lots and shall be binding on all parties and all persons claiming under them until January 1, 1985 at which time said covenants and restrictions shall be extended for successive periods of 10 years unless by a majority of the then owners it is agreed to change said covenants and restrictions in whole or in part.
  - NINTH: If the parties herein or any of them or their heirs or assigns shall violate or attempt to violate any of the restrictions herein, it shall be lawful for any person or persons owning any other lot in said subdivision to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate such restrictions and either to prevent him or them from so doing or to recover damages for such violation. Invalidity of any one of the above restrictions shall in no way invalidate any of the remaining restrictions.

Approved by the Wyandotte County Planning Board

*Jan Jenkins*  
Chairman

Attest: *L. B. Kukulski (1118)* date DEC 27<sup>TH</sup> 1954  
Secretary

Approved by Kansas City, Kansas Planning Commission

*Harry E. Miller Sr.*  
Chairman

Attest: *Fredrick Liberman* date JAN 10<sup>TH</sup> 1955  
Secretary

Approved by the Board of County Commissioners, Wyandotte County, Kansas

*Josephine Smithy*  
Chairman

Attest: *P. M. Jensen* date 2-21-1955  
County Clerk  
By *P. C. Caldwell* Deputy

Approved by the Board of Commissioners, Kansas City, Kansas

*Clark Stueben*  
Mayor

Attest: *Howard Payne* date Jan 30, 1955  
City Clerk

Approved by the Wyandotte County Engineer

*Howard C. Antrim*  
Engineer

date 3-1-1955

Approved by City Engineer, Kansas City, Kansas

*John Armstrong*  
Engineer

date July 19, 1955