CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

October 30, 2017

Wichita Material Recovery LLC
Attn: James Wyatt
624 E. Morris
Wichita, KS, 67211

Ref: VAC2015-00022: City request to vacate a platted alley generally located between Lincoln and Morris Streets, Santa Fe Avenue and railroad right-of-way.

Dear Mr. Wyatt:

At its regular meeting on Tuesday, October 10, 2017, the Wichita City Council considered the above-referenced request. The action of the City Council was to **APPROVE** subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4421.

Sincerely,

Kyle C Kobe

Kyle Kobe
Associate Planner

KK:kw

cc: Michaelis Real Estate 3 LLC, Mark Michaelis, PO Box 247, Wichita KS 67201
H & D Real Estate LLC, 7077 E Central, Apt 18, Wichita KS 67206
KCM & O RY CO, 315 W 3rd St, Pittsburg KS 66762
AT & SF Railway Company, PO Box 961089, Ft Worth TX 76161

BEFORE THE CITY COUNCIL OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PLATTED ALLEY	)	
GENERALLY LOCATED BETWEEN SOUTH SANTA FE AVENUE AND SOUTH MEAD AVENUE AND BETWEEN EAST MORRIS STREET AND EAST LINCOLN STREET	)	**Case No. VAC2015-00022**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 10th day of October, 2017 comes on for hearing the petition for vacation filed by Wichita Material Recovery LLC, Michaelis Real Estate 3 LLC, KCM & ORY Co., AT & SF Railway Company, H & D Real Estate LLC, James Wyatt for the vacation of the following described portion of public street right-of-way, to-wit:

A platted alley in the Elliott Addition to Wichita, Sedgwick County, Kansas, being more particularly described as follows:

Beginning at the northwest corner of Lot 37 on Mead Av.; thence south along the west line of Lots 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, and 73 on Mead Av. to the southwest corner of Lot 73; thence west on a straight line to the southeast corner of Lot 74 on Fifth Av., now Santa Fe Ave.; thence north along the east line of Lots 74, 72, 70, 68, 66, 64, 62, 60, 58, 56, 54, 52, 50, 48, 46, 44, 42, 40, and 38 on Fifth Av., now Santa Fe Ave. to the northeast corner of Lot 38; thence east on a straight line to the point of beginning.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in The Wichita Eagle on June 18, 2015 which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described portion of public street right-of-way, and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. A 20-foot wide drainage and utility easement dedicated by separate instrument will be recorded with this Vacation Order at the Sedgwick County Register of Deeds.

5. Covenants binding and tying the described vacated alley to the abutting private properties will be recorded with this Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraiser's Office.

6. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

7. The vacation of the portion of public street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of February 2017 ordered that the above-described portion of public street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

Approved as to Form:

_____
Jennifer Magana, City Attorney and Director of Law