

The applicant is requesting the vacation of a portion of the platted Minnie Avenue (now Kansas Avenue) public street right-of-way lying south of the south right-of-way line of 12th Street; dedicated in the Rosenthal's 2nd Addition to Wichita, Sedgwick County, Kansas. The proposed vacation will not impact the function of this portion of Kansas Avenue as it is currently used as a private drive for the applicant. The church to the south of the vacation area does not currently have access to their property via this portion of Kansas Avenue and has signed the vacation petition in support of this application. There is a water main in the vacation area that will need to be retained by easement. Rosenthal's 2nd Addition was recorded with the Register of Deeds September 7, 1886.

The applicant is also requesting the vacation of a portion of the platted Kansas Avenue public street right-of-way lying north of the north right-of-way line of Rumsey Avenue; dedicated in the Matlock Manor Addition to Wichita, Sedgwick County, Kansas. The proposed vacation will not impact the function of this portion of Kansas Avenue as it is currently unimproved. The church to the west of the vacation area has signed the vacation petition in support of this application. There are no public utilities located in the vacation area. Matlock Manor Addition was recorded with the Register of Deeds on May 28, 1952.

The applicant is also requesting the vacation of a portion of the platted alley right-of-way lying south of the south right-of-way line of 12th Street; dedicated in the Rosenthal's 2nd Addition to Wichita, Sedgwick County, Kansas. All properties that abut the alley are owned by the applicant. There is a sewer main in the vacation area that will need to be retained by easement. Rosenthal's 2nd Addition was recorded with the Register of Deeds September 7, 1886.

Evergy has no objection. However, they do have equipment near the subject areas. Any relocation will be at the applicant's expense. Becky Thompson, Area Construction Service Representative, can be contacted at 316-261-6320 with any questions regarding this case.

An application to vacate the above portions was originally heard by the MAPC in December of 2000. That case, VAC2000-00045, was never taken to City Council for final action.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described areas.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time May 14, 2020, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described areas and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

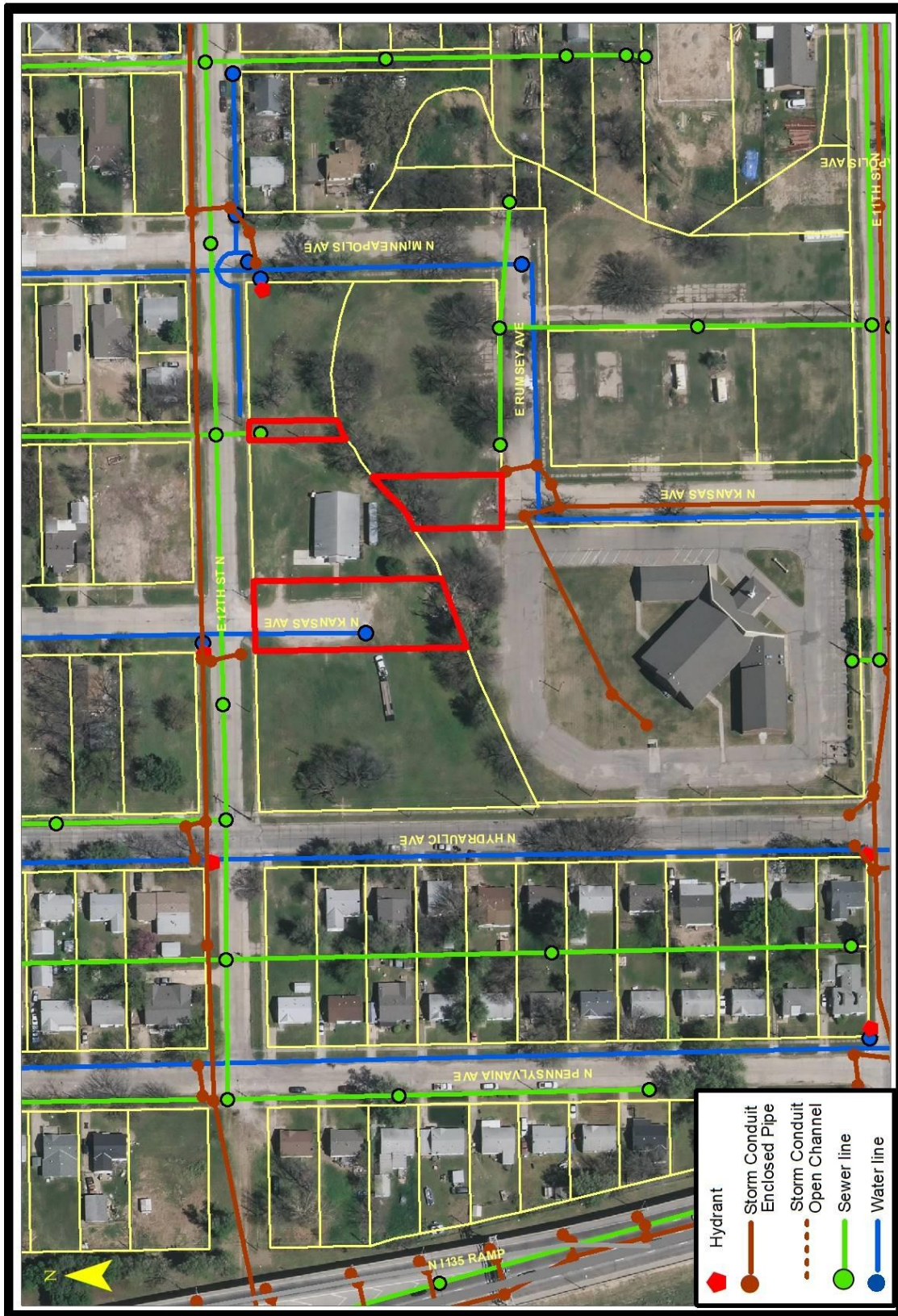
- (1) Provide a covenant, with original signatures, binding and tying the described vacated areas to the applicants' abutting property. This must be provided to Planning prior to VAC2020-00010 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (3) All improvements shall be according to City Standards and at the applicants' expense.
- (4) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

- 1.Aerial Map
- 2.Site Plan
- 3.Legal Description
- 4.Plat



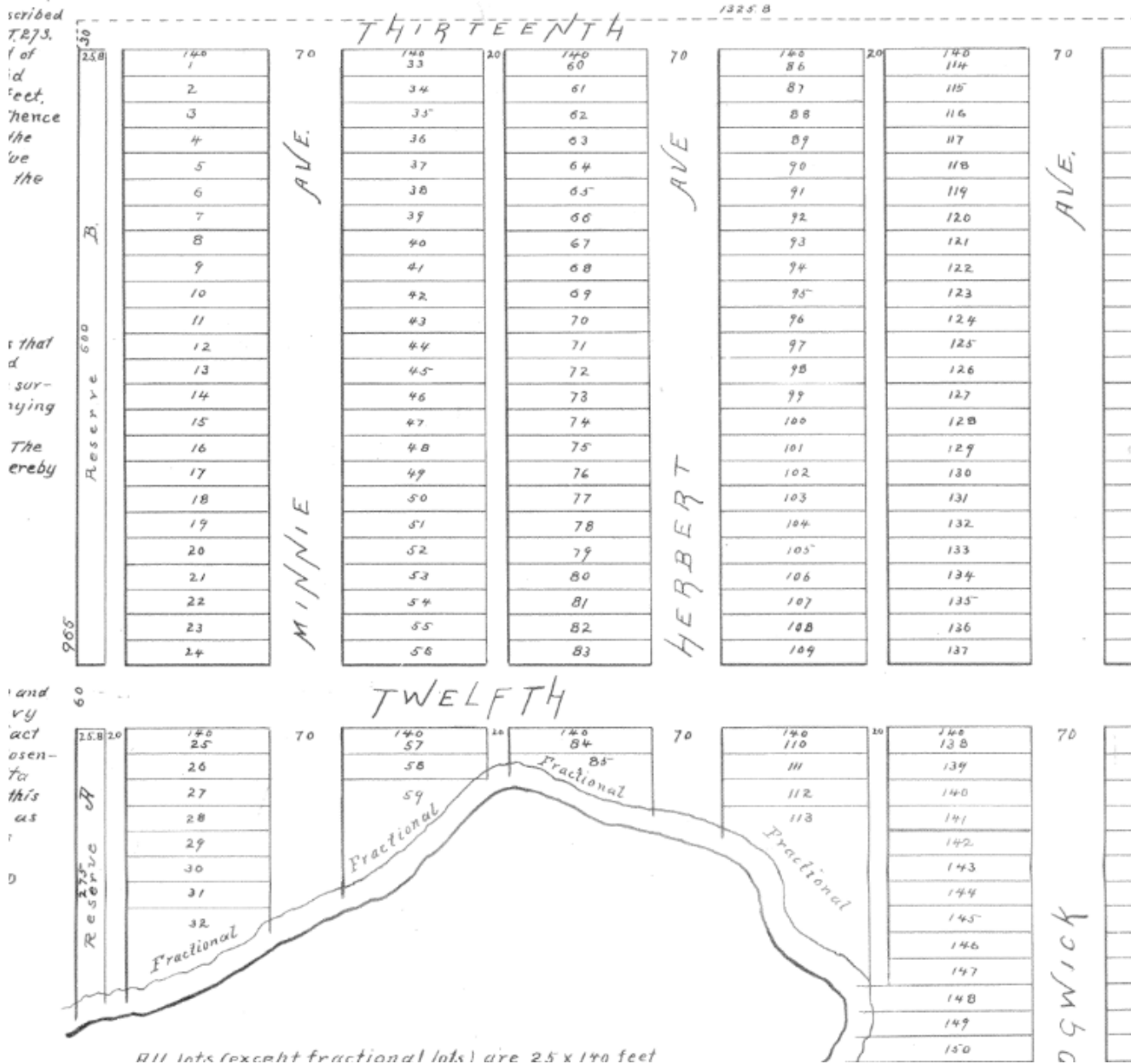


This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

VAC2020-00010 LEGAL DESCRIPTION

Minnie Avenue, now Kansas Avenue, as dedicated in the Rosenthal's 2nd Addition to Wichita, Sedgwick County, Kansas lying south of the south right-of-way line of 12th Street; Kansas Avenue as dedicated in the Matlock Manor Addition to Wichita, Sedgwick County, Kansas lying north of the north right-of-way line of Rumsey Avenue; and the alley as dedicated in the Rosenthal's 2nd Addition to Wichita, Sedgwick County, Kansas lying south of the south right-of-way line of 12th Street

ROSENTHALLS 2ND ADDITION TO THE CITY OF WICHITA KANSAS



MATLOCK MANOR

WICHITA, KANSAS.

