



Sedgwick County  
Register of Deeds - Tonya Buckingham  
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Authorized By: Tonya Buckingham

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

**IN THE MATTER OF THE VACATION OF A PORTION )  
OF PUBLIC STREET RIGHT-OF-WAY CREATED BY )  
CONDEMNATION )**

**GENERALLY LOCATED THREE BLOCKS EAST OF )  
SOUTH WASHINGTON AVENUE ON THE NORTHWEST )  
CORNER OF EAST WATERMAN STREET & SOUTH )  
PATTIE AVENUE )**

**VAC2021-00039**

**MORE FULLY DESCRIBED BELOW**

**VACATION ORDER**

NOW on this 9<sup>th</sup> day of November, 2021, comes on for hearing the petition for vacation filed by Kenneth & Denise Gardner, (owners), praying for the vacation of the following described portion of the public street right-of-way of East Waterman Street created by Condemnation Case No. 69499, to wit:

That part of Lot 75 on Pattie Avenue, Hyde's Addition to the City of Wichita, Sedgwick County, Kansas, Described as Beginning at the Southeast Corner of said Lot 75; thence West, along the South line of said Lot 75, 140 feet to the Southwest Corner of said Lot 75; thence North, along the West line of said Lot 75, 1.9 feet; thence Easterly, 140 feet more or less to a point on the East line of said Lot 75, said point being 4.7 feet North of the Southeast Corner of said Lot 75; thence South, along the East line of said Lot 75, 4.7 feet 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, in The Wichita Eagle on September 16, 2021, 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 described portion of the public street right-of-way of East Waterman Street created by Condemnation Case No. 69499 and the public will suffer no loss or inconvenience thereby.

3. A Restrictive Covenant binding and tying the attached described portion of the public street right-of-way of East Waterman Street created by Condemnation Case No.69499 to the abutting north side of Lot 75 on Pattie Avenue, Hyde's Addition will go with the Vacation Order to be recorded with the Sedgwick County Register of Deeds. The Restrictive Covenant will specify that no portion of the described portions of the public street right-of-way of East Waterman Street may be sold, or other wised transferred or divided until a replat is recorded.

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

5. 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.


6. The vacation of the described portion of the public street right-of-way of East Waterman Street created by Condemnation Case No.69499 should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9<sup>th</sup> day of November, 2021, ordered that the above-described portion of the public street right-of-way of East Waterman Street created by Condemnation Case No.69499 is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order and the Restrictive Covenant to the Register of Deeds of Sedgwick County for recording.



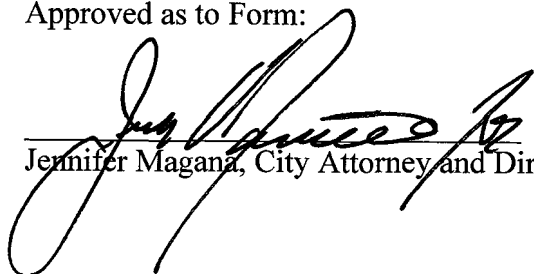
Brandon J. Whipple, Mayor, City of  
Wichita

ATTEST:



Karen Sublett, City Clerk

Approved as to Form:



Jennifer Magana, City Attorney and Director of Law