



Wichita-Sedgwick County Metropolitan Area Planning Department

September 7, 2022

Chester L. Selmon
1902 Charlotte Street
Wichita, KS 67208

Ref: VAC2022-00018: Request in the City to vacate a platted alley generally located south of East 21st Street North, East of North Hydraulic Avenue, between North Minneapolis and North Minnesota Avenues.

Mr. Selmon,

At its regular meeting on Tuesday, September 6, 2022, the Wichita City Council approved VAC2022-00018 subject to the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission. A copy of the recorded Vacation Order will be sent to you when the MAPD receives it. Should you have any questions, please feel free to call me at 268-4490.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bill Longnecker'.

Bill Longnecker
Senior Planner

BL/KW



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

July 07, 2022

Chester L. Selmon
1902 Charlotte St.
Wichita, KS 67208

Ref: VAC2022-00018: Request in the City to vacate a platted alley generally located south of East 21st Street North, East of North Hydraulic Avenue between Minneapolis Avenue and Minnesota Avenue.

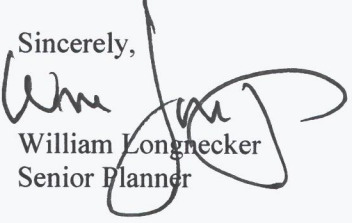
Mr. Selmon,

At the Thursday, July 07, 2022, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Dedicate a 20-foot utility easement by separate instrument, with original signatures, for the length of the platted vacated alley. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (2) Provide a restrictive covenant, with original signatures, binding and tying the vacated described alley right of way to the abutting north property, Lots 1 & 2, Byron Smiths Replat of Part of the Parkview Addition. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) If the vacated alley is going to be gated, 24-7 access must be provided for utilities, emergency services and trash with a lock approved by those services
- (5) All improvements shall be according to City Standards and at the applicants' expense, including the maintenance of the vacated alley, which is now private property.
- (6) 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.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **July 21, 2022** (end of the two-week protest period). This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,



William Longnecker
Senior Planner

WL:kw



Sedgwick County
Register of Deeds - Tonya Buckingham

Doc #/Flm-Pg: 30194451

Receipt #: 2346958
Pages Recorded: 2

Recording Fee: \$0.00

Cashier: ghunt

Authorized By: *Tonya Buckingham*

Date Recorded: 09/26/2022 01:18:24 PM



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

**IN THE MATTER OF THE VACATION OF A PLATTED
ALLEY**

**GENERALLY LOCATED ON THE SOUTH SIDE OF
EAST 21ST STREET NORTH, EAST OF NORTH
HYDRAULIC AVENUE, BETWEEN NORTH MINNESOTA
AVENUE AND NORTH MINNEAPOLIS AVENUE**

VAC2022-00018

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 6th day of September, 2022, comes on for hearing the petition for vacation filed by the Chester L. Selmon Revocable Trust, c/o Chester L. Selmon (applicant) praying for the vacation of a platted alley, to wit:

The platted 20-foot wide by 278-foot long alley as recorded on the Byron Smiths Replat of Part of the Parkview Addition and abutting the south sides of Lots 1 and 2, Byron Smiths Replat of Part of the Parkview Addition, the north sides of Lots 13 and 14, Minnesota Avenue Parkview Addition, the east side of North Minneapolis Avenue, and the west side of North Minnesota Avenue, Wichita, Sedgwick County, Kansas.

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 June 16, 2022, which was at least 20 days prior to the public hearing.

September 6, 2022
VAC2022-00018

2. No private rights will be injured or endangered by the vacation of the described platted alley and the public will suffer no loss or inconvenience thereby.

3. A Dedication of a Utility Easement and a Restrictive Covenant will be filed with the Vacation Order for recording with the Sedgwick County Register of Deeds.

4. If the vacated alley is going to be gated, uninterrupted access must be provided for utilities, emergency services, trash and other services requiring access via the alley with a lock approved by those services

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

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 described platted alley should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of September, 2022, ordered that the above-described platted alley is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order, the Dedication of a Utility Easement, and the Restrictive Covenant to the Register of Deeds of Sedgwick County for recording.




Brandon J. Whipple, Mayor, City of
Wichita

ATTEST:


Jamie Buster, City Clerk

Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

September 6, 2022
VAC2022-00018



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	275879	Print Legal Ad - IPL0077061		\$221.44	3	88 L

Attention: Betsy Pagán

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 160004
Published in The Wichita Eagle on June 16, 2022
(One Time Only)
MAPC/BZA July 7, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, July 7, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2022-00019: City Conditional Use request in the City for an accessory apartment in SF-5 Single-Family Zoning; generally located approximately one-quarter mile North of West 13th Street North and within one-half mile East of North Ardon Avenue (1541 North Woodrow Avenue).

CON2022-00020: Conditional Use request in the City for Carwash in LC Limited Commercial within 200 feet of residential zoning; generally located on the East side of South Seneca Street and within one-quarter mile North of West 31st Street South (3028 South Seneca).

CON2022-00021: Conditional Use request in the City to allow Multi-Family density in TF-3 Two-Family Residential zoning (with ZON2022-29, rezoned from SF-5 to TF-3); generally located within one-half mile North of West Central Avenue and two blocks West of North McLean Boulevard (804 North Custer).

PUD2022-00015: Zone Change request in the City from TF-3 Two-Family Residential to PUD Planned Unit Development to modify development standards to permit two non-conforming single-family structures, located within one-block West of South Hillside Avenue and within one-quarter mile South of East Douglas Avenue (302 S. Lorraine).

VAC2022-00018: Request in the City to Vacate a platted alley; generally located South of East 21st Street North and East of North Hydraulic Avenue, between Minneapolis Avenue and Minnesota Avenue.

VAC2022-00019: Request in the City to Vacate a portion of platted complete access control on SF-5 zoned property; generally located seven-tenths of a mile South of East 63rd Street South, midway between I-35 and K-15, on the Southwest corner of South Grove and East Fager Streets.

ZON2022-00015: Request in the City to amend Protective Overlay #359 (ZON2020-00050) for construction of a duplex; generally located within 200 feet North of East 17th Street North and within one-half mile East of North Hydraulic Avenue (1805 North Madison).

ZON2022-00017: Zone change request in the City from SF-5 Single Family Residential to TF-3 Two Family Residential; generally located 225 feet South of 26th Street North and two blocks East of North Hillside Avenue.

ZON2022-00029: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two Family Residential (with CON2022-00021 for multi-family density) located within one-half mile North of West Central Avenue and within one-quarter mile West of North McLean Boulevard (804 North Custer).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE: THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.658.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts.

<https://global.gotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitchityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on June 16, 2022

Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0077061
Jun 16 2022

In The STATE OF KANSAS
In and for the County of Sedgwick

No. of Insertions: 1

Beginning Issue of: 06/16/2022

Ending Issue of: 06/16/2022

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 06/16/2022 to 06/16/2022.

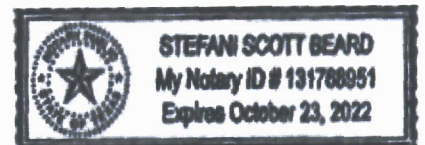
M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 06/16/2022

Stefani Beard

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

UTILITY & DRAINAGE EASEMENT

THIS UTILITY AND DRAINAGE EASEMENT made the 9th day of August, 2022, by and between the undersigned property owner, as Grantors, and the City of Wichita, a municipal corporation, Sedgwick County, Kansas, as Grantees.

Witness: That the Grantors, in consideration of the sum of One Dollar and other valuable considerations, the receipt whereof is hereby acknowledged, do, as a condition of Vacation Case VAC2022-00018, hereby grant and convey unto the Grantees a perpetual utility and drainage easement for the location, construction, operation, maintenance, and repair of all utilities over, along and under the following-described real estate situated in Wichita, Sedgwick County, Kansas, to wit:

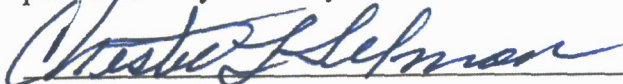
Dedication of Utility and Drainage Easement being more particularly described as follows:

The vacated platted 20-foot wide alley abutting the south sides of Lots 1 and 2, Byron Smiths Replat of Part of Parkview Addition, abutting the north sides of Lots 13 and 14, Minnesota Avenue, Parkview Addition, abutting the west side of North Minnesota Avenue and abutting the east side of North Minneapolis Avenue, all in Wichita, Sedgwick County, Kansas.

And the right is hereby granted for the Grantees to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing said utilities.

Date this 9th day of August 2022

IN WITNESS WHEREOF: The Grantor, Chester L. Selmon, who is personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same, for and on behalf of the corporation, has signed these present the day and the year first above written.


Chester L. Selmon

STATE OF KANSAS)
) SS:
SEDGWICK COUNTY)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.





Notary Public

My Commission Expires: 12-20-23

RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, Chester L. Selmon, is the owner of the following described real estate:

Lots 1 and 2, Byron Smiths Replat of Part of Parkview Addition, Wichita, Sedgwick County, Kansas; said property being generally located on the south side of East 21st Street North, between North Minneapolis Avenue and North Minnesota Avenue, Wichita, Sedgwick County, Kansas.

NOW THEREFORE, in consideration of receiving approval from the appropriate government authorities for the Vacation, (Vacation Case VAC2022-00018) of the platted 20-foot wide alley as recorded on the Byron Smiths Replat of Part of Parkview Addition and described as:

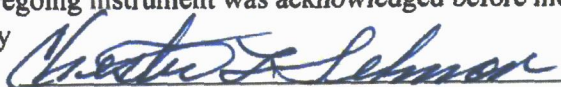
The vacated platted 20-foot wide by alley abutting south sides of Lots 1 and 2, Byron Smiths Replat of Part of Parkview Addition, abutting the north sides of Lots 13 and 14, Minnesota Avenue, Parkview Addition, abutting the west side of North Minnesota Avenue and abutting the east side of North Minneapolis Avenue, Wichita, Sedgwick County, Kansas.

The undersigned agrees to a covenant that the above described vacated platted 20-foot wide alley shall be retained, held, and bound together to the north abutting Lots 1 and 2, Byron Smiths Replat of Part of Parkview Addition, all in Wichita, Sedgwick County, Kansas

It is understood that this covenant shall be binding upon the undersigned, their heirs, or successors and assigns and is a covenant running with the land until such time the property is replatted.

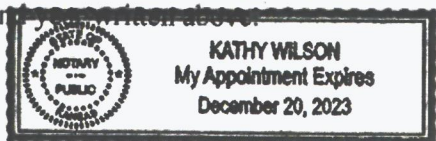
The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita, Sedgwick County, Kansas. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

State of Kansas)
) SS:
Sedgwick County)

The foregoing instrument was acknowledged before me this 9th day of August, 2022 by 
Chester L. Selmon

Who is personally known to me to be the same person who executed this written document, and such person duly acknowledged the execution of the same, for and behalf of themselves.

IN TESTEMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day
and





Notary Public

My appointment expires: 12-20, 2022 2023.

STAFF REPORT**CASE NUMBER:**

VAC2022-00018 – Request in the City to vacate a platted alley

APPLICANTS:

Chester L. Selmon Revocable Trust, c/o Chester L. Selmon

LEGAL DESCRIPTION:

Generally described as vacating all of the paved, platted east-west 20-foot wide alley abutting Lots 1 & 2, Byron Smiths Replat of Part of the Parkview Addition (north side), Lots 13 & 14, Minnesota Avenue, Parkview Addition (south side), North Minneapolis Avenue (west side) and North Minnesota Avenue (east side), Wichita, Sedgwick County, Kansas

LOCATION:

Generally located south of East 21st Street North, East of North Hydraulic Avenue, between North Minneapolis and North Minnesota Avenues. (District I)

REASON FOR REQUEST:

Close drive access to prevent dumping.

CURRENT ZONING:

The subject site is a paved platted 20-foot wide alley public right-of-way. Property abutting the north side of the alley is zoned LC Limited Commercial. Property abutting the south side of the alley is zoned B Multi-Family Residential. North Minneapolis and North Minnesota Avenues public street right-of-way abut the east and west ends of the alley.

VICINITY MAP:

The applicant is requesting the vacation of the platted, paved, east-west 20-foot wide (x) 278-foot long alley public ROW right-of-way abutting Lots 1 & 2, Byron Smiths Replat of Part of the Parkview Addition (north side), Lots 13 & 14, Minnesota Avenue, Parkview Addition (south side), North Minneapolis Avenue (west side) and North Minnesota Avenue (east side). The platted alley was recorded on the Byron Smiths Replat of Part of the Parkview Addition, which was recorded with the Register of Deeds of Sedgwick County April 5, 1952.

The applicant owns the north abutting LC Limited Commercial zoned Lots 1 & 2, Byron Smiths Replat of Part of the Parkview Addition. If the request is approved reversion rights are to the applicant's property.

The applicant's property has direct access onto the north abutting arterial East 21st Street North and the east and west abutting local residential streets North Minneapolis and North Minnesota Avenues. North Minnesota intersects with East 21st Street North. North Minneapolis ends as a cul-de-sac turnaround south of East 21st Street North. The subject alley connects North Minneapolis Avenue and North Minnesota Avenue perhaps providing residences on North Minneapolis quicker access to East 21st Street North. Minor changes in traffic patterns for the immediate area may occur if the subject alley is vacated. Pedestrian traffic and public safety will be minimally impacted by this vacation request, per the conditions of approval.

None of the south abutting B Multi-family Residential zoned single-family residences are using the subject alley for access to garages. Access to those properties is provided by North Minneapolis and North Minnesota Avenues. No property will be denied access to public street right-of-way if the vacation is approved.

Trash pick-up for the subject site is through the subject alley. The residences abutting the south side of the alley do not use the subject alley for trash pick-up. The applicant proposes to control access onto the alley to eliminate dumping in the subject alley. This is the only alley located between East 21st Street North, East 19th Street North, North Hydraulic Avenue, and North Grove Avenue.

There is a sewer line running north-south through the subject alley. This sewer line also runs through the building located on the applicant's property. Every has power poles and electrical equipment located in the south side of the subject alley. There are no easements located on the north sides of the abutting south properties, Lots 13 & 14, Minnesota Avenue, Parkview Addition (recorded May 26, 1910) to cover the power poles and electrical equipment. A portion or all of the vacated platted alley will need be dedicated as a utility easement. Every has no objections. LaDonna Vanderford is the Every Design Representative for this area and can be contacted at 316-261-6290. Water is located in the abutting North Minneapolis and North Minnesota Avenues' ROWs. Storm Water is located in the East 21st Street North ROW and the intersections of East 21st Street North and North Minneapolis and North Minnesota Avenues. Conditions #1, #3, #4, and #5 cover all utilities.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, 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 platted alley public right-of-way.

- 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 June 16, 2022, 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 portion of the platted public alley right-of-way, 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) Dedicate a 20-foot utility easement by separate instrument, with original signatures, for the length of the platted vacated alley. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (2) Provide a restrictive covenant, with original signatures, binding and tying the vacated described alley right of way to the abutting north property, Lots 1 & 2, Byron Smiths Replat of Part of the Parkview Addition. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) If the vacated alley is going to be gated, 24-7 access must be provided for utilities, emergency services and trash with a lock approved by those services
- (5) All improvements shall be according to City Standards and at the applicants' expense, including the maintenance of the vacated alley, which is now private property.
- (6) 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 subject to the following conditions:

- (1) Dedicate a 20-foot utility easement by separate instrument, with original signatures, for the length of the platted vacated alley. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (2) Provide a restrictive covenant, with original signatures, binding and tying the vacated described alley right of way to the abutting north property, Lots 1 & 2, Byron Smiths Replat of Part of the Parkview Addition. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) If the vacated alley is going to be gated, 24-7 access must be provided for utilities, emergency services and trash with a lock approved by those services

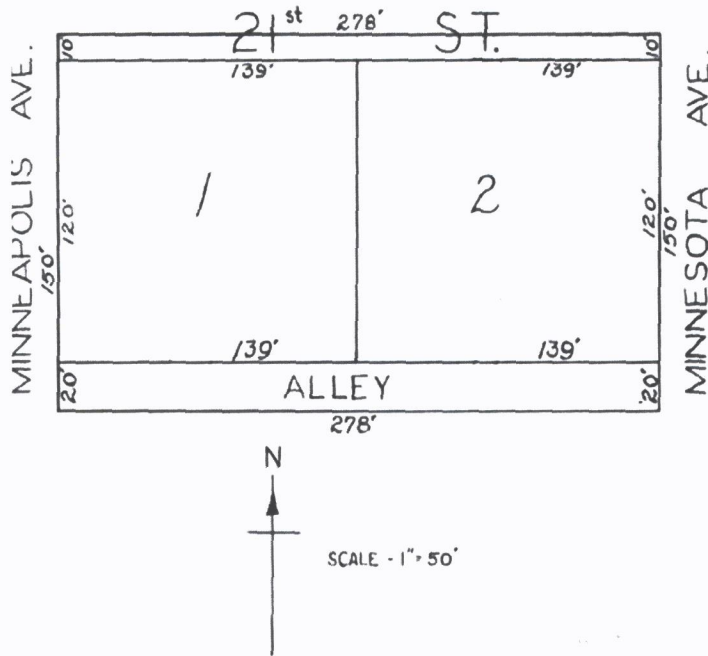
- (5) All improvements shall be according to City Standards and at the applicants' expense, including the maintenance of the vacated alley, which is now private property.
- (6) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request 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.

Attachments

- Aerial showing public water, sewer, and drainage
- Byron Smiths Replat of Part of the Parkview Addition
- Quarter section map
- Google photos of the alley



BYRON SMITHS REPLAT OF PART OF PARKVIEW ADDITION TO WICHITA SEDGWICK COUNTY, KANSAS.



State of Kansas } ss
 County of Sedgwick }

I, Don C. Moehring, a Civil Engineer in and for said State and County, do hereby certify that I have surveyed and platted Byron Smith's Replat Of Part Of Parkview Addition To Wichita, Sedgwick County, Kansas, into Lots, a Street, and an Alley. The same being accurately set forth on the accompanying plat and described as Lots 2 to 12 even inclusive, on Minneapolis Avenue and Lots 1 to 11 odd inclusive, on Minnesota Avenue, in Parkview Addition to Wichita, Sedgwick County, Kansas.

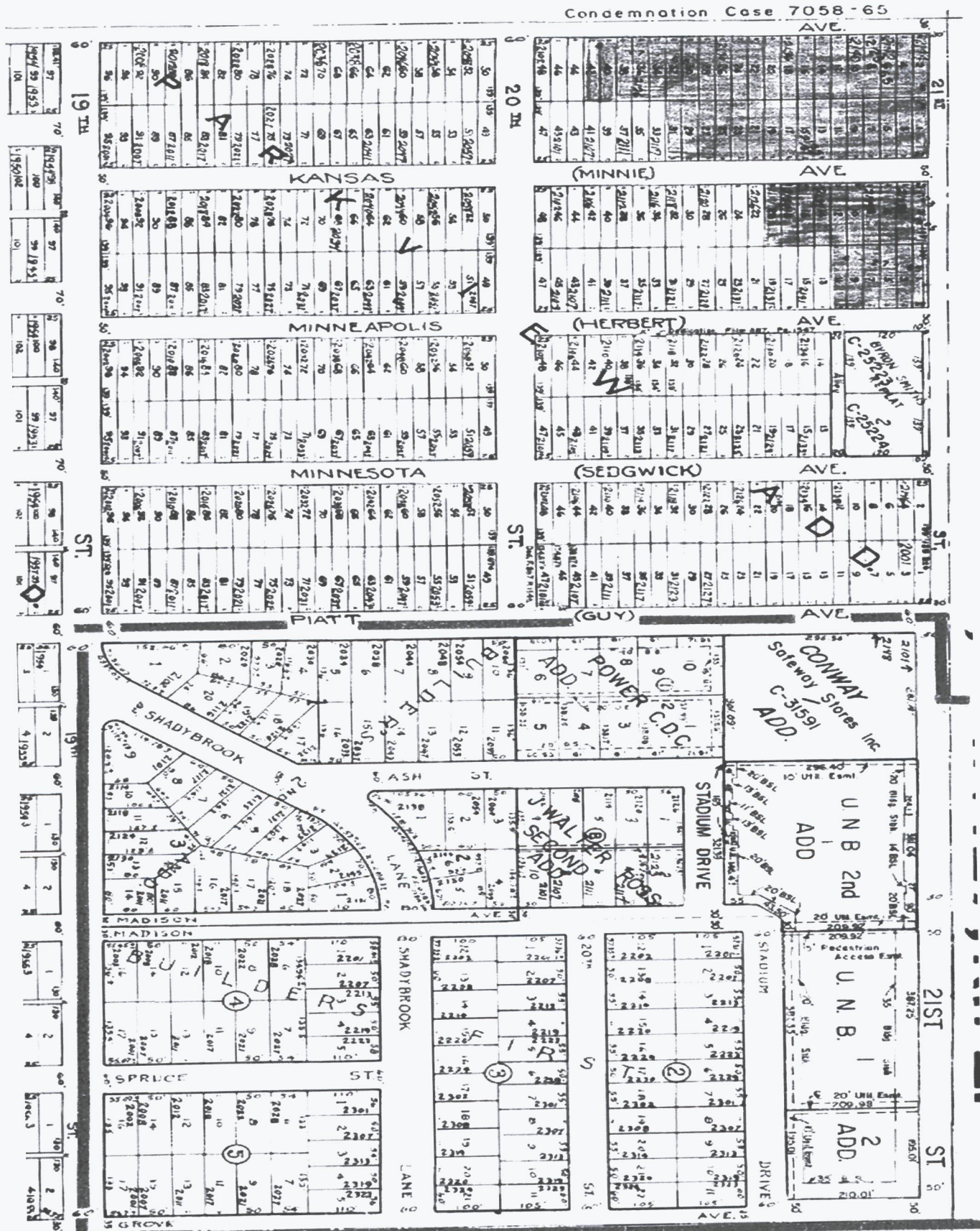
Don C. Moehring
 Don C. Moehring, C.E.
 Consulting Civil Engineer

Know all men by these presents that we the undersigned property owners of the land above set forth in the Civil Engineer's certificate have caused the same to be surveyed and platted into Lots, a Street, and an Alley. The same to be known as Byron Smith's Replat of Part of Parkview Addition to Wichita, Sedgwick County, Kansas. The Street and Alley, are hereby dedicated to and for the use of the Public.

Lucie H. Smith

Byron Smith

Letitia Smith



VAC2022-00018 – City request to vacate a platted alley generally located south of East 21st Street North, East of North Hydraulic Avenue, between North Minneapolis and North Minnesota Avenues
July 7, 2022
Page 8

