Wichita-Sedgwick County Metropolitan Area Planning Department

April 5, 2023

Calvin Klassen
150 N. Market
Wichita, KS 67202

Ref: VAC2022-00032: Reprocessing a request in the City to vacate an alley right-of-way abutting property zoned LC Limited Commercial District, generally located northeast of North Meridian Avenue and Kellogg.

Mr. Klassen,

At the Tuesday, April 4, 2023, meeting of the Wichita City Council, the above-referenced vacation request was approved.

If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

Eryn Ebach-Freund
Associate Planner

EE:kw

cc: SPS Investments LLC, Larry Simmons, 1100 Springdale, Derby KS 67037
SPS Investments LLC, PO Box 836, Derby KS 67037

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 17, 2022

Calvin Klassen
150 N. Market
Wichita, KS 67202

Ref: VAC2022-00032: Reprocessing a request in the City to vacate an alley right-of-way abutting property zoned LC Limited Commercial District, generally located northeast of North Meridian Avenue and Kellogg.

Mr. Klassen,

At the Thursday, November 17, 2022, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the platted utility easements shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

(2) As needed provide Planning with dedications 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) 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) All improvements shall be according to City Standards and at the applicants' expense.

(5) Provide Planning with a legal description of the vacated platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Commission for final action.

(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 **December 01, 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,

Eryn Ebach-Freund
Associate Planner

EE:kw

cc: SPS Investments LLC, Larry Simmons, 1100 Springdale, Derby KS 67037
SPS Investments LLC, PO Box 836, Derby KS 67037

Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30231683
Receipt #: 2375387
Pages Recorded: 2
Recording Fee: $0.00
Authorized By
Cashier: hburpo
Date Recorded: 04/10/2023 02:34:22 PM

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

IN THE MATTER OF THE VACATION OF AN ALLEY RIGHT-OF-WAY	)	
GENERALLY LOCATED ON THE NORTHWEST CORNER OF WEST KELLOGG DRIVE AND SOUTH MERIDIAN AVENUE.	)	**VAC2022-00032**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 4th day of April, 2023, comes on for hearing the petition for vacation filed by SPS Investments, LLC (owner), praying for the vacation of the described portion of the alley right-of-way, to wit:

> That part of the alley as dedicated in said Martinson's 5th Addition lying west of and abutting the west line of Lots 523 through 551, odd inclusive, on said Meridian Avenue, lying east of and abutting the east line of Lots 368 through 372, even inclusive, on said Richmond Avenue, (originally dedicated as Phillip Avenue), lying south and southeast of and abutting the southeast right-of-way line of said Mo. Pac. Railroad, (formerly the St. Louis, Ft. Scott, & Wichita Railroad), and lying north of and abutting the following described line: Commencing at the northwest corner of Lot 551, on said Meridian Avenue, said northwest corner also being on the east right-of-way line of said alley; thence southerly along the east right-of-way line of said alley, 22.36 feet for a point of beginning; thence west-southwesterly with a deflection angle to the right of 78°07'44", 11.85 feet; thence west-southwesterly with a deflection angle to the right of 06°31'04", 8.44 feet to a point on the west right-of-way line of said alley, said west right-of-way line also being the east line of Lot 372, on said Richmond Avenue, (originally dedicated as Phillip Avenue), and said point being 0.61 feet southerly of the northeast corner of said Lot 372, and for a point of termination.

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 October 27, 2022, 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 alley 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. 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.

5. The vacation of the described alley right-of-way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 4th day of April, 2023, ordered that the described alley right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

Approved as to Form:

Jennifer Magaña, City Attorney and Director of Law

McClatchy

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	337863	Print Legal Ad-IPL00953900 - IPL0095390	OCA 150004	$211.36	3	84 L

Attention: MANDY HEBERT

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

LEGAL PUBLICATION

OCA 150004

Published in The Wichita Eagle on October 27, 2022
(One Time Only)
MAPC/BZA November 17, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 17, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end 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.

CUP2022-00049: Request in the City for a minor amendment to Parcels 29 & 30 of the Ridge Plaza CUP DP-37 (with ZON2022-00059 for OW Office Warehouse) on property zoned LC Limited Commercial; generally located north of W. Kellogg, one-quarter mile west of S. Eisenhower Pkwy, between S. Woodchuck and S. Holland.

DER2022-00008: Community Investments Plan Update of population forecast, Wichita Future Growth Concept Map, and financial forecast.

DER2022-00009: Amendment to the Wichita-Sedgwick County Unified Zoning Code regarding the definitions of a "Day Care, General" and "Day Care, Limited", and number of pupils, employees and loading spaces to conform to state regulations.

PUD2022-00021: Zone change request in the City from LC Limited Commercial, GO General Office, and TF-3 Two-Family Residential to create the Hunter Health Planned Unit Development to expand the existing medical use; generally located on the northwest corner of East Central Avenue and North Grove Street.

VAC2022-00032: Reprocessing a request in the City to vacate an alley right-of-way abutting property zoned LC Limited Commercial District, generally located northeast of North Meridian Avenue and Kellogg.

VAC2022-00033: Request in the City to vacate a platted alley right-of-way abutting property zoned GO General Office District and TF-3 Two-Family Residential District; generally located on the northeast corner of East Central Avenue and North Grove Street.

ZON2022-00057: Zone change request in the City to amend Protective Overlay PO #257 to permit duplexes on property zoned B Multi-Family Residential; generally located North of West Maple Street and South of West Douglas Avenue, on the east side of South Anna Street (230 South Anna Street).

ZON2022-00058: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District; generally located within one-half mile west of North Arkansas Ave, within one block north of West 21st Street North (2331 North Burns).

ZON2022-00059: Zone change request in the City from LC Limited Commercial to OW Office Warehouse (with CUP2022-00049 to amend CUP DP-37) on property generally located north of West Kellogg, within one-half mile west of South Eisenhower Pkwy, between South Woodchuck Lane and South Holland Lane.

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.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
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 Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.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.

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 316.858.7764

WITNESS MY HAND on October 27, 2022
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0095390
Oct 27 2022

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

No. of Insertions: 1
Beginning Issue of: 10/27/2022
Ending Issue of: 10/27/2022

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth 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 10/27/2022 to 10/27/2022.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 10/27/2022

Stephanie Hatcher

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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

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

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO. 3.1
November 17, 2022

STAFF REPORT

CASE NUMBER: **VAC2022-00032**- Reprocessing a request in the City to vacate an alley right-of-way abutting property zoned LC Limited Commercial District, generally located on the northwest corner of West Kellogg Drive and South Meridian Avenue.

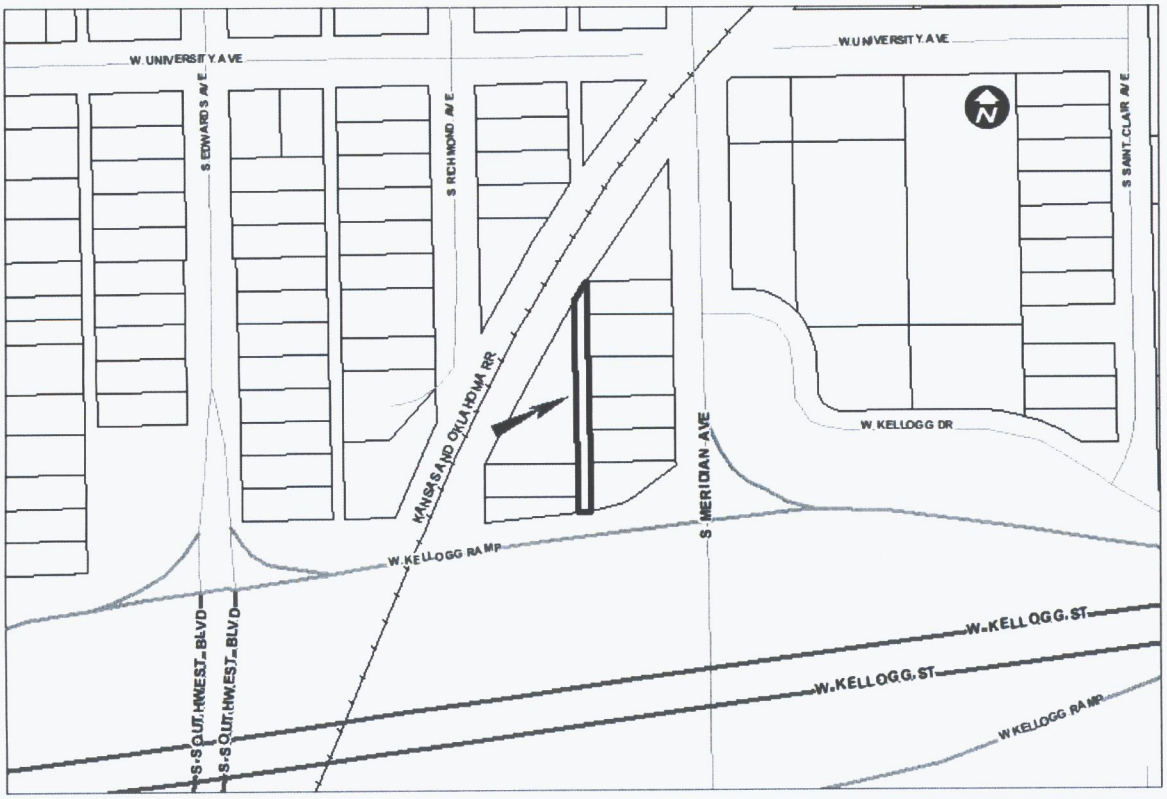
APPLICANTS: SPS Investments, LLC (applicant/owner), Calvin Klaassen (agent).

LEGAL DESCRIPTION: Generally described as vacating a portion of a platted alley as dedicated in Martinson's 5th Addition to Wichita, Sedgwick County, Kansas (see attached legal).

LOCATION: Generally located on the northwest corner of West Kellogg Drive and South Meridian Avenue.

REASON FOR REQUEST: To allow future development of the lot.

CURRENT ZONING: All lots directly east and west of the alley are zoned LC Limited Commercial. Properties north and west of the railroad tracks are zoned TF-3 Two Family. Properties to the east (across Meridian Avenue) are zoned U University.



The applicant has requested the reprocessing of VAC2018-00036, a request to vacate the platted alley generally located on the northwest corner of West Kellogg Drive and South Meridian Avenue. On November 6, 1886, the subject alley and all abutting properties were platted as Martinson's 5th Addition to Wichita, Sedgwick County, Kansas. The applicant owns all lots abutting the vacation area. Those to the east are developed with single-family residences, and those to the west are undeveloped. No property will be denied access to public streets right-of-way if the vacation is approved.

The City and franchise utilities have existing equipment in the requested area of vacation. A Sewer line runs down the center of the alley, and Evergy poles fit with Cox equipment are parallel to its west line. Approval of this request would require the applicant/owner to dedicate easements covering the utilities or have them relocated at their expense.

On February 7, 2019, the Metropolitan Area Planning Commission approved this request subject to the following conditions:

1. The applicant shall dedicate a 20-foot wide utility easement by separate instrument, with original signatures, for the length of the platted vacated alley or relocated the utility to City Standards at their own expense. The applicant shall provide Planning with the dedication of utility easements by separate instrument to go with the Vacation Order to be filed with the Register of Deeds. 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. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place.

2. Provide restrictive covenants, with original signatures, binding and tying the vacated described alley right of way to the abutting properties. 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. All improvements shall be according to City Standards and at the applicants' expense.

5. 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.

An excerpt of the MAPC meeting minutes regarding this item is attached.

MAPD staff did not receive the required dedications or relocation plans for the utilities or the restrictive covenants within a year of the MAPC's approval. Failure to comply with condition #5, MAPC Policy Statement #7, nullified MAPC's recommendation for approval of the request, and it was not forwarded to the governing body 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 Traffic, Public Works/Water & Sewer/Stormwater, 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 portions of the platted utility easements.

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 October 27, 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 completed access control, 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. Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the platted utility easements shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

2. As needed provide Planning with dedications 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. 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. All improvements shall be according to City Standards and at the applicants' expense.

5. Provide Planning with a legal description of the vacated platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Commission for final action.

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. Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the platted utility easements shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

2. As needed provide Planning with dedications 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. 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. All improvements shall be according to City Standards and at the applicants' expense.

5. Provide Planning with a legal description of the vacated platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Commission for final action.

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

Attachments:

1. Excerpt of MAPC Minutes
2. Aerial Map
3. Applicant's Exhibit (Exhibit B)
4. Excerpt of Martinson's 5th Addition
5. Site Photos
6. Legal Description (Exhibit A)

Excerpt of Minutes of February 7, 2019
Metropolitan Area Planning Commission Meeting

3-2. VAC2018-00036: City Vacation of north-south alley located in the Martinson's 5th Addition, generally located north of West U.S.-54/400 Highway, west of South Meridian Avenue adjoining MF-29 Multi-Family Residential property (635-717 South Meridian Avenue).

The applicants to vacate the platted alley generally located on the northwest corner of West Kellogg Drive and South Meridian Avenue. The platted parcels abutting the alley on the east are developed. The platted parcel abutting the alley on the west is undeveloped. There is a sewer line that runs down the middle of the alley. No property will be denied access to public street right-of way if the vacation is approved. The utility will either have to be relocated at the owners expense or a 20-foot easement over the sewer line be dedicated to the City by separate instrument. Westar and Cox Communications have facilities in the area which will either have to be dedicated by an easement or relocated at the owner's expense. Ennidh Garcia is the area representative for Westar and can be contacted at 316-261-6334 on this item. Martinson's 5th Addition was recorded with the Register of Deeds November 6, 1886. 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 alley.

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 January 17, 2019, 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 alley 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) The applicant shall dedicate a 20-foot wide utility easement by separate instrument, with original signatures, for the length of the platted vacated alley or relocated the utility to City Standards at their own expense. The applicant shall provide Planning with the dedication of utility easements by separate instrument to go with the Vacation Order to be filed with the Register of Deeds. 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. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place.

(2) Provide restrictive covenants, with original signatures, binding and tying the vacated described alley right of way to the abutting properties. 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) All improvements shall be according to City Standards and at the applicants' expense.

(5) 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

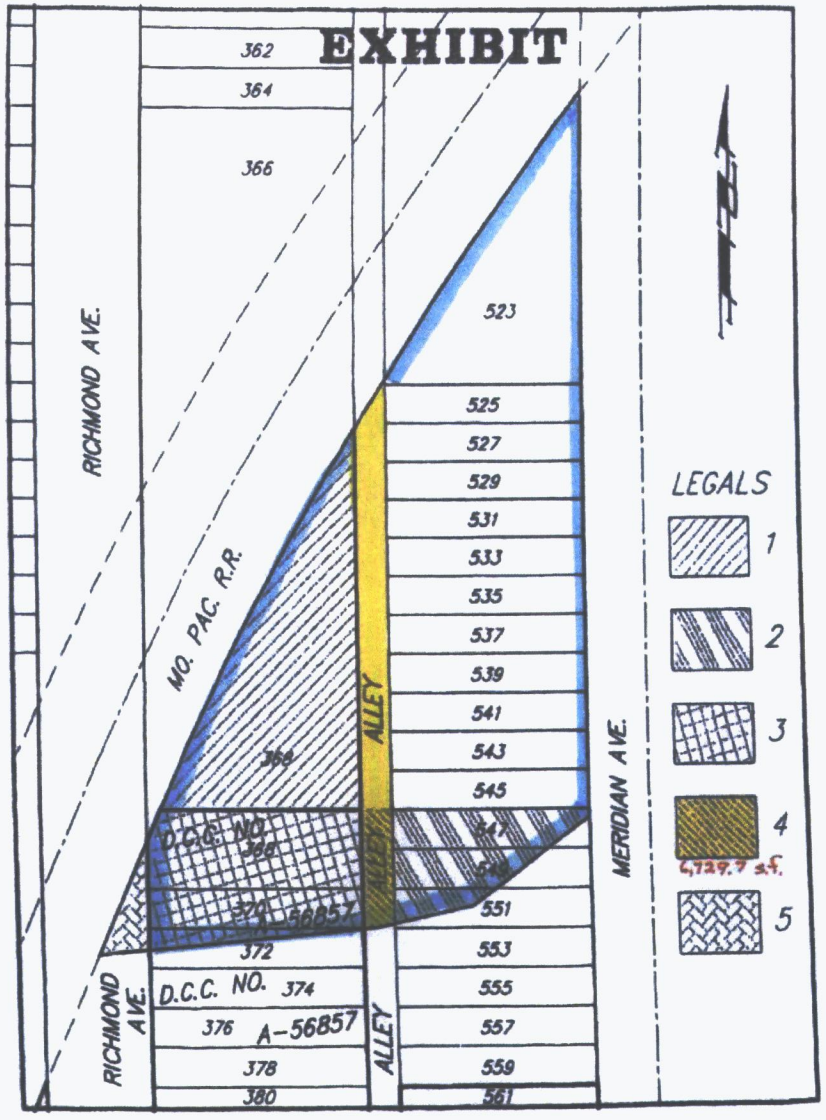
The Subdivision Committee recommends approval per staff recommendations.

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

GREENE moved, **HARTMAN** seconded the motion, and it carried (9-0


Hydrant
Storm Conduit Enclosed Pipe
Storm Conduit Open Channel
Sewer line
Water line
S RICHMOND AVE
S MERIDIAN AVE
W KELLOGG DR
W KELLOGG RAMP
KANSAS AND OKLAHOMA RR
N

EXHIBIT B


EXHIBIT
362
364
366
523
525
527
529
531
533
535
537
539
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543
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553
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557
559
561
RICHMOND AVE.
MO. PAC. R.R.
ALLEY
MERIDIAN AVE.
D.C.C. NO. 380
A-56857
372
D.C.C. NO. 374
376
378
380
LEGALS
1
2
3
4
4,729.9 s.f.
5

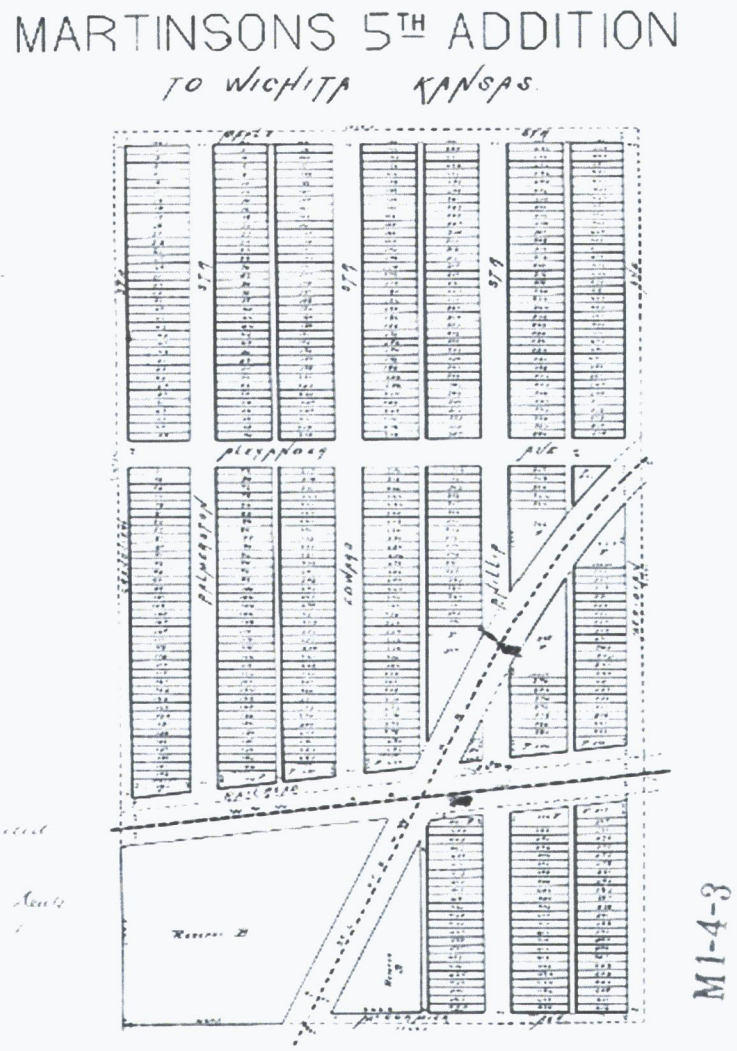

MARTINSONS 5TH ADDITION
TO WICHITA KANSAS
M1-4-3









EXHIBIT "A"

Legal Description of Alley

That part of the alley as dedicated in said Martinson's 5th Addition lying west of and abutting the west line of Lots 523 through 551, odd inclusive, on said Meridian Avenue, lying east of and abutting the east line of Lots 368 through 372, even inclusive, on said Richmond Avenue, (originally dedicated as Phillip Avenue), lying south and southeast of and abutting the southeast right-of-way line of said Mo. Pac. Railroad, (formerly the St. Louis, Ft. Scott, & Wichita Railroad), and lying north of and abutting the following described line: Commencing at the northwest corner of Lot 551, on said Meridian Avenue, said northwest corner also being on the east right-of-way line of said alley; thence southerly along the east right-of-way line of said alley, 22.36 feet for a point of beginning; thence west-southwesterly with a deflection angle to the right of 78°07'44", 11.85 feet; thence west-southwesterly with a deflection angle to the right of 06°31'04", 8.44 feet to a point on the west right-of-way line of said alley, said west right-of-way line also being the east line of Lot 372, on said Richmond Avenue, (originally dedicated as Phillip Avenue), and said point being 0.61 feet southerly of the northeast corner of said Lot 372, and for a point of termination.