Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30161020
Receipt #: 2311445
Pages Recorded: 2
Recording Fee: $0.00
Authorized By: Tonya Buckingham
Cashier: ghunt
Date Recorded: 05/05/2022 09:09:35 AM

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

IN THE MATTER OF THE VACATION OF A PORTION OF A PLATTED STREET RIGHT-OF-WAY; A REPROCESSING OF VACATION CASE V-2006	)	
GENERALLY LOCATED MIDWAY BETWEEN NORTH OLIVER AVENUE & NORTH WOODLAWN BOULEVARD, NORTH OF EAST 13TH STREET NORTH, BETWEEN NORTH FAIRFIELD AND NORTH RIDGEWOOD LANES	)	**VAC2021-00052**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 26th day of April, 2022, comes on for hearing the petition for vacation filed by the Schuyler M. Jones & Madeline Hill Akers (abutting property owners/applicants) praying for the Vacation of a platted street right-of-way, to wit:

> That portion of Farmview Lane lying between the east right-of-way line of Greenfield Lane (now Ridgewood Lane), as extended north, and the west right-of-way line of Fairfield Lane, as extended north, as dedicated by the Replat of Spring Acres Addition, 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 December 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 platted street right-of-way and the public will suffer no loss or inconvenience thereby.

3. A Warranty Deed with a Kansas Real Estate Validation Questionnaire will be recorded with the Vacation Order at the Register of Deeds of Sedgwick County.

4. A Restrictive Covenant will be recorded with the Vacation Order at the Register of Deeds of Sedgwick County.

5. A Dedication of a Utility Easement will be recorded with the Vacation Order at the Register of Deeds of Sedgwick County.

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

7. 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.

8. The vacation of the described portion of the platted street right-of-way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of April, 2022, ordered that the above-described portion of the platted street right-of-way is vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order, a Warranty Deed with a Kansas Real Estate Validation Questionnaire, a Restrictive Covenant & a Dedication of a Utility Easement 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

April 26, 2022
VAC2021-00052

Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30161021
Receipt #: 2311445
Pages Recorded: 3
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Cashier: ghunt
Date Recorded: 05/05/2022 09:09:36 AM

Please return to:
Madeline Hill Akers
1600 N. Ridgewood
Wichita, KS 67208-2413

SG0702721
Kansas Secured Title, Inc. - Wichita

GENERAL WARRANTY DEED
(Statutory)

Schuyler M. Jones, a single person

convey and warrant to

Madeline Hill Akers,

all the following REAL ESTATE in the County of SEDGWICK, and the State of Kansas, to-wit:

> **The South Half of that portion of Farmview Lane, lying between the East Right-of-Way line of Greenfield Lane (now Ridgewood Lane), as extended North, and the West Right-of-Way line of Fairfield Lane, as extended north, as dedicated by the Replat of Spring Acres Addition, Sedgwick County, Kansas.**

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

Dated this 24 day of February, 2022.

Schuyler M. Jones

Schuyler M. Jones

State of Kansas, County of SEDGWICK §

The foregoing instrument executed was acknowledged before me this 24 day of Feb., 2022, by Schuyler M. Jones, a single person.

Calvin Mc. Millan

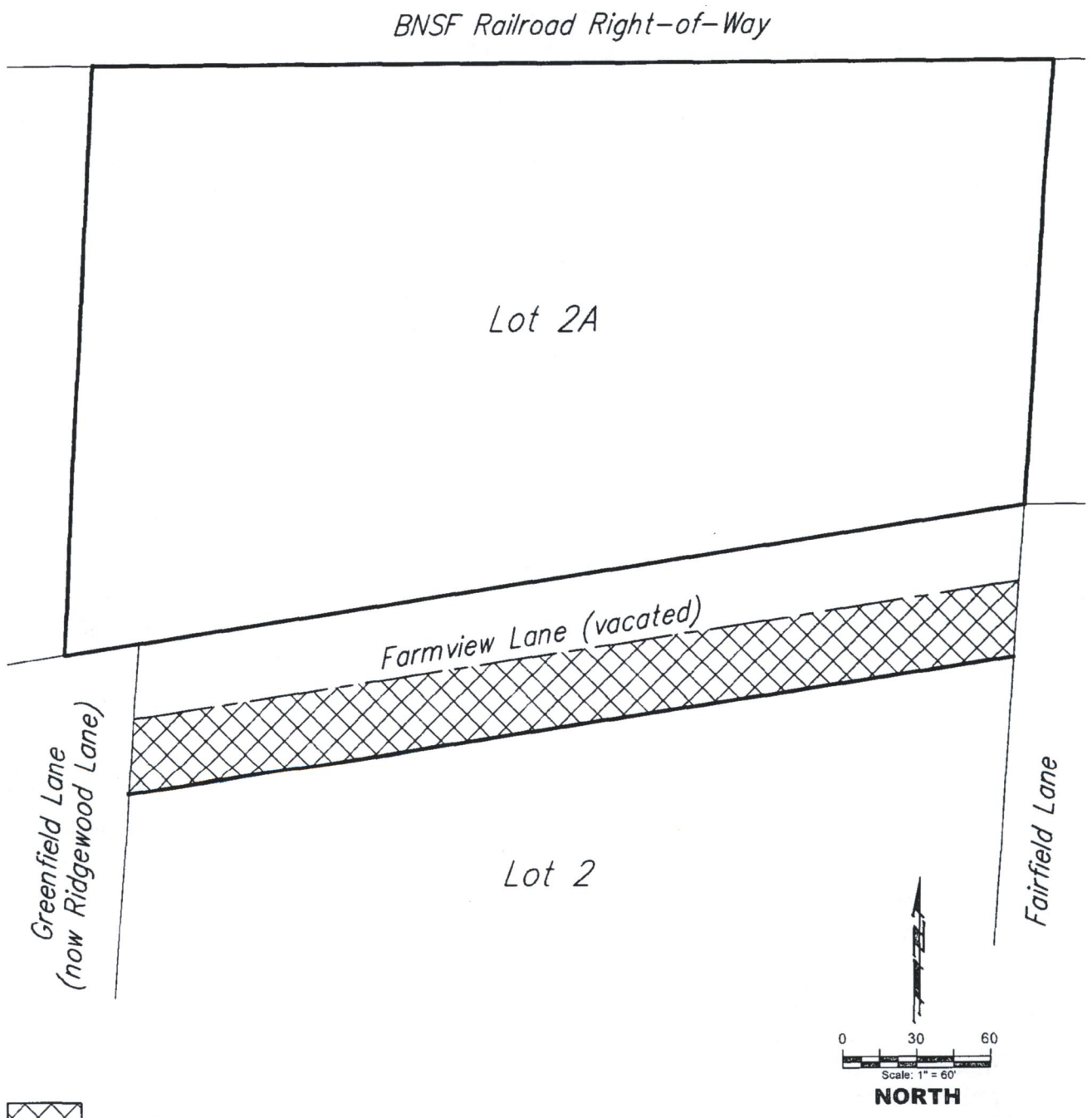
Notary Public

My appointment expires: 1-7-24

CALVIN McMILLAN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 1-7-24

EXHIBIT A

A PORTION OF FARMVIEW LANE,
REPLAT OF SPRING ACRES ADDITION, SEDGWICK COUNTY, KANSAS



INDICATES AREA OF LEGAL DESCRIPTION

February 15, 2022

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

F:\planning\Vacation\Fairfield and Farmview - Street Vacation\Farmview Right-of-Way Vacation Exhibit (03-07-22).dwg

Sedgwick County
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Authorized By: Tonya Buckingham
Cashier: ghunt
Date Recorded: 05/05/2022 09:09:37 AM

RESTRICTIVE COVENANT

THIS DECLARATION, made this 1st day of March, 2022, by Madeline Hill Akers, a single person, hereinafter called "Declarant",

WITNESSETH

WHEREAS, Madeline Hill Akers is owner of the following described real property:

PARCEL 'A'

Lot 2A, Replat of Spring Acres Addition, Sedgwick County, Kansas; TOGETHER WITH the West 5 feet of the eastern-most 35 feet of the North 180 feet of Fairfield Lane, lying East of said Lot 2A, as vacated by Misc. Book 394, Page 476.

and,

WHEREAS, Declarant is in the process of vacating a portion of Farmview Lane adjacent to said Parcel 'A', described as Parcel 'B' below, and as a condition of vacation case VAC2021-52, the Planning Commission of the City of Wichita has required this covenant.

PARCEL 'B'

That portion of Farmview Lane lying between the east right-of-way line of Greenfield Lane (now Ridgewood Lane), as extended north, and the west right-of-way line of Fairfield Lane, as extended north, as dedicated by the Replat of Spring Acres Addition, Sedgwick County, Kansas.

and,

NOW, THEREFORE, Declarant hereby declares that, for and in consideration of the recitals, Declarant hereby covenants and agrees as follows:

Parcel 'A' and Parcel 'B' described above, shall be tied together as one ownership, and under this ownership, shall be conveyed, encumbered, improved, operated and otherwise used together as one undivided parcel.

This covenant shall remain in force until said Parcel 'A' and Parcel 'B' of this ownership are re-platted or this Restrictive Covenant is released through a public hearing process.

This covenant shall run with said parcels and shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title for the above-described tract located in Wichita, Sedgwick County, Kansas.

By: Madeline Hill Akers
Madeline Hill Akers

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

BE IT REMEMBERED, that on this 1ST day of March, 2022, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Madeline Hill Akers, a single person, personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

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

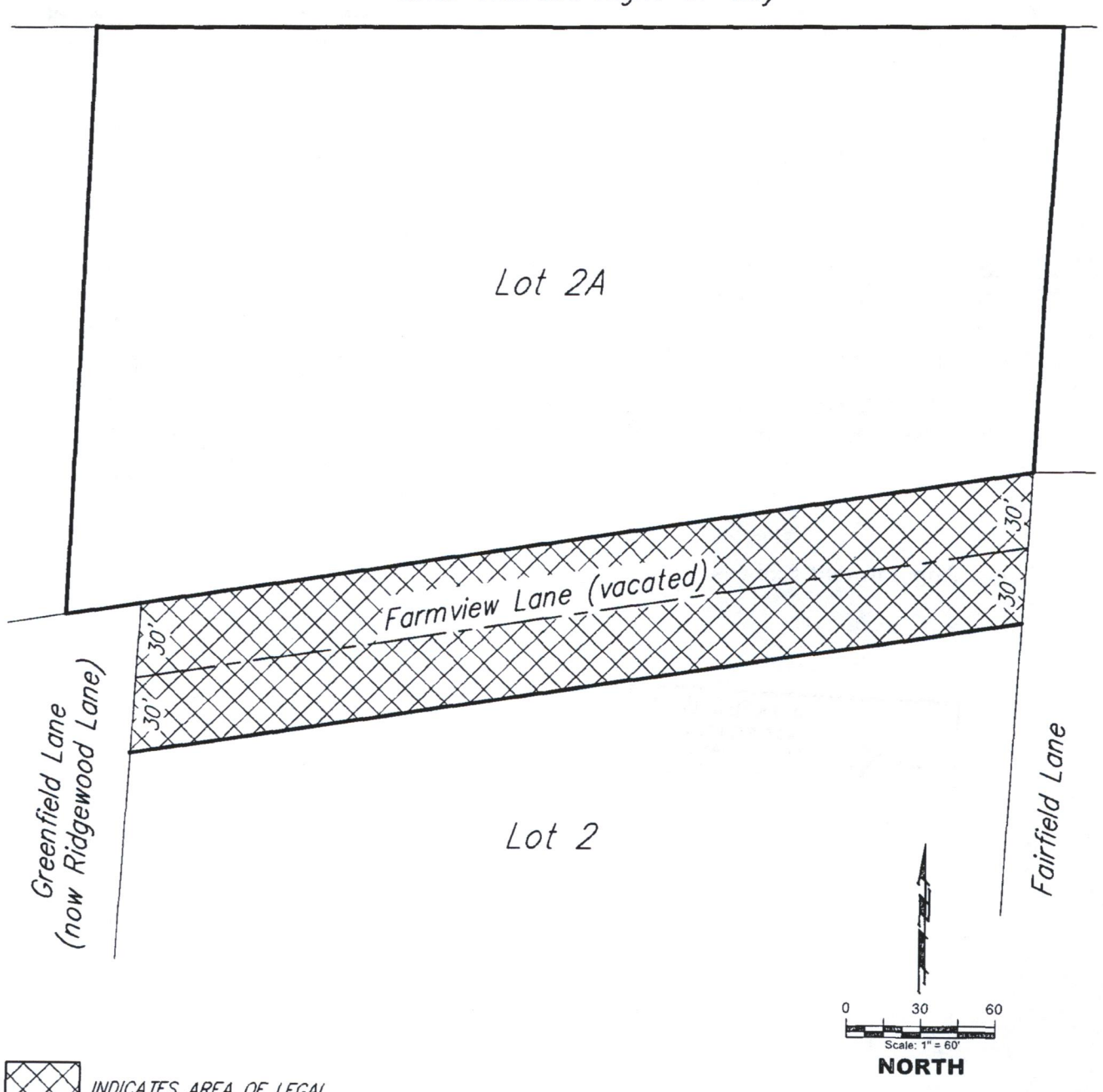
Calvin McMillan
Notary Public

(My Appointment Expires:_____)

CALVIN McMILLAN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 7-1-24

EXHIBIT

STREET RIGHT-OF-WAY VACATION
A PORTION OF FARMVIEW LANE,
REPLAT OF SPRING ACRES ADDITION, SEDGWICK COUNTY, KANSAS



INDICATES AREA OF LEGAL DESCRIPTION OF PARCEL 'B'

February 10, 2022

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

F:\planning\Vacation\Fairfield and Farmview - Street Vacation\Farmview Right-of-Way Vacation Exhibit (03-07-22).dwg

Sedgwick County
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UTILITY EASEMENT

THIS EASEMENT made this 1st day of March, 2022, by and between, Madeline Hill Akers, a single person, Grantor, and the City of Wichita, Kansas, a municipal corporation, Grantee.

WITNESSETH: That the Grantor, in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the Grantee or the franchised utility entity, a perpetual easement for the purpose of constructing, operating, maintaining, and repairing all other public and/or franchised utilities, and any appurtenances thereto, over, along, and under the following described real estate situated in Sedgwick County, Kansas, to-wit:

> The North 10 feet and South 15 feet of that portion of Farmview Lane lying between the East right-of-way line of Greenfield Lane (now Ridgewood Lane), as extended north, and the West right-of-way line of Fairfield Lane, as extended north, as dedicated by the Replat of Spring Acres Addition, Sedgwick County, Kansas.

And said Grantee and/or agents of the franchised utilities are hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such utility, and any appurtenances thereto.

IN WITNESS WHEREOF: The said Grantor has signed this document the day and year first written.

By: Madeline Hill Akers
Madeline Hill Akers

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

This instrument was acknowledged before me on March 1, 2022, by Madeline Hill Akers, a single person.

CALVIN McMILLAN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 7-1-24

Calvin McMillan
Notary Public

(seal)

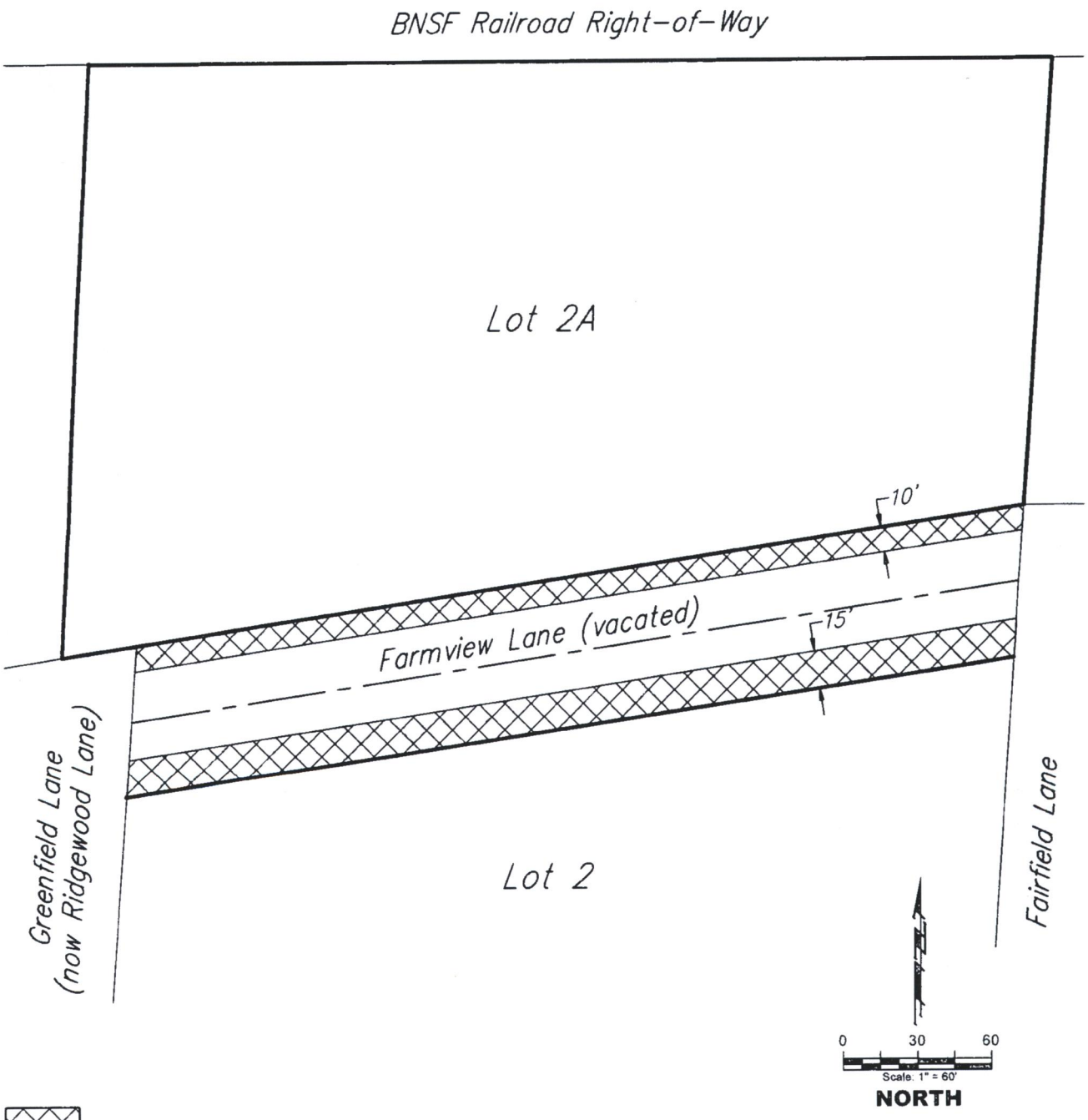
(My Appointment Expires:_____)

Reviewed and approved by the City Engineer:

Paul Crumpton
for Gary Janzen, PE

EXHIBIT A

A PORTION OF FARMVIEW LANE,
REPLAT OF SPRING ACRES ADDITION, SEDGWICK COUNTY, KANSAS



INDICATES AREA OF EASEMENT

February 10, 2022

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

F:\planning\Vacation\Fairfield and Farmview - Street Vacation\Farmview Right-of-Way Vacation Exhibit (03-07-22).dwg