

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1338/A VACATION OF A PORTION OF A PLATTED FIRE LANE
EASEMENT GENERALLY LOCATED ON THE NORTH SIDE OF KELLOGG IN
AN AREA WEST OF THE KANSAS TURNPIKE INTERCHANGE.

NOTE: The City Clerk will certify as to proper publication of notice of hearing and filing of written protest.

A petition for the above identified vacation request has been filed in the office of the City Clerk. The Planning Commission recommends that the Board of City Commissioners find that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by granting by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being without cost to the City, County, or any utility company.
- D. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- E. The applicant is advised that any new construction within this vacated fire lane shall maintain a minimum of 25 feet of separation from the adjacent fire hydrant.

Bayouth moved, Peters seconded and it carried unanimously. Chisholm and Moore were not yet present. (7/25/85)

ACTION: Close the public hearing, approve the vacation request, authorize the Mayor to sign the vacation order and instruct the City Clerk to file a certified copy of the order with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: The East 35 feet of the West 327 feet of the North 293 feet of Lot 1 Block 1, Wiedeman Addition, Wichita, Kansas, except the North 40 feet thereof. (MAPC No. V-1338/A)

Applicant: East Wichita Partners
Quentin Kurtz & Timothy McGinn
c/o 300 West Douglas
Wichita, Kansas 67202

Protestors: None before the Subdivision Committee or MAPC.

Approved by Board of Commissioners
this AUG 20 1985

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED FIRE LANE)
EASEMENT)
GENERALLY LOCATED ON THE NORTH SIDE)
OF KELLOGG IN AN AREA WEST OF THE)
KANSAS TURNPIKE INTERCHANGE)
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS } 53
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM
SEP 4 1985
NO. 7 65176
PAT KETTLER
REGISTER OF DEEDS

Ed Rera
Deputy

VACATION ORDER

NOW on this 20th day of August, 1985, comes on for hearing the petition for vacation filed by East Wichita Partners, praying for the vacation of the following described portion of a platted fire lane easement, to-wit:

The East 35 feet of the West 327 feet of the North 293 feet of Lot 1 Block 1, Wiedeman Addition, Wichita, Kansas, except the North 40 feet thereof. (MAPC No. V-1338/A)

The City Commission, 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, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on AUG 7 & 14, 1985.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted fire lane easement, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner 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 portion of a platted fire lane easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 20th day of August, 1985, ordered that the above-described portion of a platted fire lane easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

R. C. Brown
R. C. Brown, Mayor

ATTEST

Donald C. Gislack
Donald C. Gislack, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

City clerk

ITEM NO. 2

WICHITA KANSAS

[illegible]