

City of Wichita
City Council Meeting
November 10, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1421 - REQUEST TO VACATE ALLEY RIGHT-OF-WAY, LOCATED IN
AN AREA NORTH OF CENTRAL, BETWEEN PERSHING AND DELLROSE.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of alley right-of-way.

MAPC Recommendation: Approve vacation of alley right-of-way. (unanimous)

Background: This vacation case has been requested in order to permit the use of the vacated right-of-way for off-street parking and private on-site circulation. At the request of the Utility Advisory Committee, the vacated right-of-way is being retained as a utility easement. The applicant has reconstructed the vacated alley approaches to Pershing and Dellrose to the standards of a private driveway. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

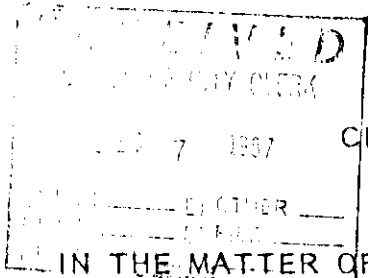
Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to:

755-68-360-50000-295-000-000

NOV 10 1987

This



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

IN THE MATTER OF THE VACATION OF ALLEY
RIGHT-OF-WAY.

GENERALLY LOCATED BETWEEN PERSHING AND
DELLROSE, IN AN AREA NORTH OF CENTRAL.
(V-1421)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 AM

NOV 30 1987
9 20158

NO.
FAT KETTLER
REGISTER OF DEEDS

MICROFILMED
VACATION ORDER OF RECORD

Ed. Powell

NOW on this 10th day of November, 1987, comes on for hearing the petition for vacation filed by Dr. Kernie W. Binyon, praying for the vacation of the following described alley right-of-way, to-wit:

The east/west alley platted adjacent to the south lines of Lots 127 and 126, Overlook Addition to Wichita, Sedgwick County, Kansas. (V-1421)

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, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on OCT. 21 & 28, 1987.
2. No private rights will be injured or endangered by the vacation of the above-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 vacated alley right-of-way is hereby retained as a utility easement.
6. The vacation of the alley right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of November, 1987, ordered that the above-described alley right-of-way 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.

ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

PL/7590/5

9.00

city clerk

Robert G. Knight
Robert G. Knight, Mayor

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita this NOV 10 1987.
Dale E. Rea
Deputy City Clerk

MAP NO. 5748 B
SEC. NO. 14
TWP. NO. 27S
RANGE 1E

Planning
Don Hosew 2273

CASE NO.: V-1421
ASSOCIATED CASE:

1. VACATION OF: Alley right-of-way.

GENERALLY LOCATED: Between Pershing and Dellrose, in an area north of Central.

REQUESTED BY: Dr. Kernie W. Binyon, et al
ADDRESS: P.O. Box 8125, Wichita, KS 67208

PHONE: 684-2819

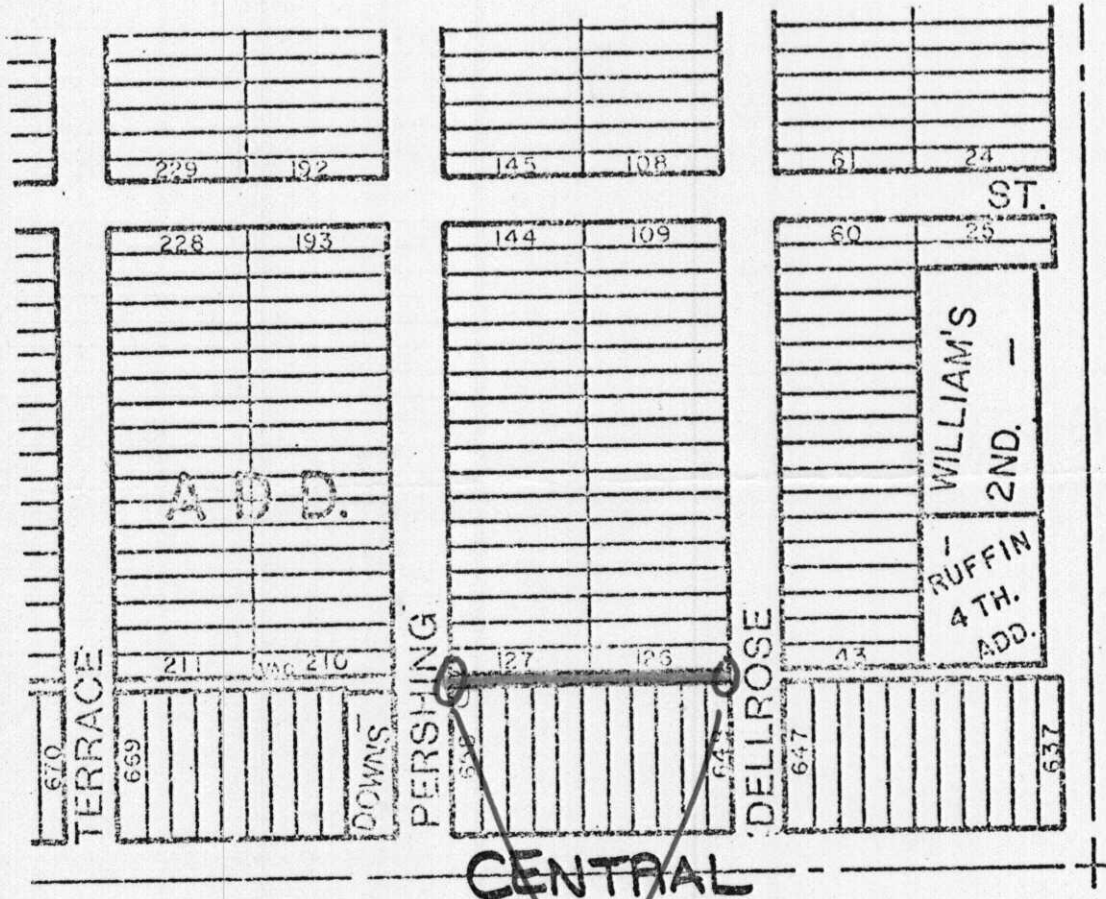
AGENT: None
ADDRESS:

PHONE:

REASON FOR REQUEST:

For off-street parking and circulation purposes.

2. SKETCH.



OK
E.V. 9/29/87
Both returns
reconstructed

Close alley returns or reconstruct
(~~west~~ one or possibly both) to
private drive standard.