

City of Wichita
City Commission Meeting
February 3, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1402 - REQUEST TO VACATE STREET RIGHT-OF-WAY, LOCATED ON
THE WEST SIDE OF YOUNG STREET, IN AN AREA SOUTH OF PAWNEE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of street right-of-way.

Background: The Kansas Department of Transportation is requesting this vacation to meet a platting requirement of Vanderhoff Gardens Second Addition. Recording costs should be billed to account number 755-68-360-50000-295-000-000.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant; and
4. The Vacation Order shall retain the east 15 feet of the application area as a utility easement.

Legal Considerations: The City Clerk certifies 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 the Planning Department.

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

IN THE MATTER OF THE VACATION OF STREET
RIGHT-OF-WAY

GENERALLY LOCATED ON THE WEST SIDE OF YOUNG
STREET, IN AN AREA SOUTH OF PAWNEE, (V-1402)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

Approved by Board of Commissioners
this FEB 03 1987

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

FEB 27 1987

VACATION ORDER

Ed Rea
Deputy

NO. 8 65447
PAT KETTLER
REGISTER OF DEEDS

NOW on this 3rd day of February, 1987, comes on for hearing the petition for vacation filed by the Kansas Department of Transportation, praying for the vacation of the following described street right-of-way, to-wit:

Beginning at the northeast corner of Lot 14, Vanderhoff Gardens, Sedgwick County, Kansas; thence south 156.83 feet along the west line of Young Street; thence east 30.00 feet, to the centerline of Young Street; thence north 156.83 feet along the centerline of Young Street; thence west 30.00 feet to the point of beginning. (V-1402)

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 JAN 15 & 22, 1987.
2. No private rights will be injured or endangered by the vacation of the above-described street 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 east 15 feet of the vacated street right-of-way is hereby retained as a utility easement.
6. The vacation of the street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 3rd day of February, 1987, ordered that the above-described street 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 Rea
Dale Rea, Deputy City Clerk

Tony Casado
Tony Casado, Mayor

Approved as to Form:

Thomas R. Powell
Thomas Powell, Interim Director of Law

city clerk

5.00

PAWNEE

INTERSTATE
SUBSTATION
ADDITION

VANDER-
HOFF

ST.

YOUNG

2

1

9

10

15

GARDENS

VANDERHOFF

16

K-42 highway