

City of Wichita
City Commission Meeting
June 10, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1392 - VACATION OF STREET RIGHT-OF-WAY. GENERALLY
LOCATED AT SECOND STREET, IN AN AREA WEST OF I-235.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: The City of Wichita has initiated this vacation in order to sell the vacated right-of-way to the property owner to the south of the application area. All costs associated with this case should be billed to George Billings, 1129 Wood, Wichita, KS 67212.

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. All proceedings being without cost to the County or any utility company;
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant; and
5. The Vacation Order shall exclude from vacation the east 43 feet of the application area for a turnaround.

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 future owner.

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 AT SECOND STREET, IN AN
AREA WEST OF I-235. (V-1392)

MORE FULLY DESCRIBED BELOW

} Approved by Board of Commissioners
this JUN 10 1986
}
} STATE OF KANSAS { ss
} SEDGWICK COUNTY {
} FILED FOR RECORD AT
MICROFILMED 8:00 AM
OF RECORD JUN 30 1986

VACATION ORDER

NO. 8 15079
PAT KETTLER
REGISTER OF DEEDS

Ed Resa
Deputy

NOW on this 10th day of June, 1986, comes on for hearing the petition for vacation filed by the City of Wichita, praying for the vacation of the following described street right-of-way, to-wit:

That portion of Second Street lying adjacent to the south line of Lot 1, Block A, West Substation Addition, Wichita, Sedgwick County, Kansas, except the east 43 feet thereof.

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 MAY 28 & JUNE 4, 1986.
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 vacation of the street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 10th day of June, 1986, 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:

Donald C. Giesick
Donald C. Giesick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

Tony Casado
Tony Casado, Mayor

5.00

city clerk

V-0708
THIRD

WEST

SUB-STATION

ADD.

SECOND

BIG DITCH

HV

INTERSTATE

