

City of Wichita
City Commission Meeting
May 13, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1386 - VACATION OF ALLEY RIGHT-OF-WAY,
GENERALLY LOCATED NORTH OF 21ST STREET
NORTH AND WEST OF PIATT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: Good Old Days, Inc., et al, 1608 E. Waterman, Wichita, Kansas 67211, has requested this vacation in order to pave the alley right-of-way as part of a parking lot.

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 City, County or any utility company; and
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
5. The Vacation Order shall exclude from vacation the south 10 feet of the west 20 feet of the application area.

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 owner.

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

IN THE MATTER OF THE VACATION OF ALLEY RIGHT-
OF-WAY DEDICATED BY AN INSTRUMENT FILED ON
DEED BOOK 899, PAGE 259.

GENERALLY LOCATED NORTH OF 21ST STREET NORTH
AND WEST OF PIATT. (V-1386)

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners

File MAY 13 1986

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
Wichita K M

JUN 9 1986

NO. 8 10398

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Reed
Deputy

VACATION ORDER

NOW on this 13th day of May, 1986, comes on for hearing the petition for vacation filed by Good Old Days, Inc., et al, praying for the vacation of the following described alley right-of-way, to-wit:

The west 20 feet of Lot 12, Block 1, Wilber's Addition to Wichita, Kansas, except the south 10 feet thereof, and the north 20 feet of Lot 12, Block 1, Wilber's Addition to Wichita, Kansas, as established on Deed Book 899, Page 259.

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 APR 30 & MAY 7, 1986.
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 vacation of the alley right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 13th day of May, 1986, 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:

Donald C. Glick
Donald C. Glick, City Clerk

Tony Casado
Tony Casado, Mayor

Approved as to Form:

John Dekker
John Dekker, Director of Law

City Clerk

V-1386

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