

City of Wichita
City Council Meeting
May 12, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1451 - REQUEST TO VACATE ALLEY RIGHT-OF-WAY, LOCATED
EAST OF SENECA, BETWEEN 1ST AND PEARL.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: Joseph P. Steven, 1301 S. Maize Road, Wichita, KS 67209, is requesting this vacation in order to pave the vacated right-of-way to a lesser standard than is required for a public alley.

Analysis: The Planning Commission recommends the City Council 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;
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 retain the vacated alley right-of-way 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 owner.

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

This MAY 26 1987

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

GENERALLY LOCATED EAST OF SENECA, BETWEEN
1ST STREET NORTH AND PEARL STREET. (V-1451)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
7:30 P.M.
MAY 28 1987
NO 8 84667
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

MICROFILMED
OF RECORD

Ed Reed
Deputy

NOW on this 12th day of May, 1987, comes on for hearing the petition for vacation filed by Joseph P. Steven, praying for the vacation of the following described alley right-of-way, to-wit:

The north/south alley extending from the north line of Pearl Street to the south line of First Street, in the block bounded by Pearl Street on the south, Walnut on the east, First Street on the north and Seneca on the west, all as platted in West Wichita Addition, Sedgwick County, Kansas. (V-1451)

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 APR 20 1987 MAY 6 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 12th day of May, 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:

John P. Reed
Date May 22, 1987 Deputy City Clerk

Approved as to Form:

John P. Reed

Robert G. Knight
Robert G. Knight, Mayor

State of Kansas }
Sedgwick County)
City of Wichita)
I, *John P. Reed*, 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 22nd day of May, 1987.
John P. Reed Deputy City Clerk

VAC.

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 STENENS
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SHIFLET
MOORE.
MCCUEBY
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STEVENS
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WALNUT

BLACKMON
ADD.

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-**VAC.**

HANDLEY

—VAC.

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PEARL

MO. PAC. R.R.

VAC?

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