

City of Wichita
City Council Meeting
December 8, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1478 - REQUEST TO VACATE ALLEY RIGHT-OF-WAY, LOCATED ON
THE NORTH SIDE OF 12TH STREET NORTH, IN AN AREA EAST OF
MOSLEY. (District #1)

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: The alley right-of-way to the north of the application area has been previously vacated. This case provides for the vacation of the remaining alley right-of-way in this block. The applicant intends on building a structure on a portion of the vacated alley. The Letter of Credit is for \$4,000.00 and guarantees the abandonment of a sanitary sewer lateral presently existing within the right-of-way. 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; receive and file the Letter of Credit; 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

FILED FOR RECORD AT
8:00 AM

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

DEC 22 1987
9 23895

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

GENERALLY LOCATED IN AN AREA NORTH OF
12TH STREET NORTH, BETWEEN MOSLEY AND
WASHINGTON. (V-1478)

MORE FULLY DESCRIBED BELOW

Ed Rea
Deputy

NO.
PAT KETTLER
REGISTER OF DEEDS

Approved / Accepted By City Council

This DEC 8 1987

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 8th day of December, 1987, comes on for hearing the
petition for vacation filed by Barbara Jo Jones, praying for the vacation of the
following described alley right-of-way, to-wit:

The alley right-of-way adjacent to the east line of Lots 28, 29,
30 and 31 on Mosley Avenue, Hargis and Rubert Addition to
Wichita, Kansas and the 20 feet of alley right-of-way existing
to the south, legally described as follows:

Commencing at the southeast corner of Lot 31, on Mosley
Avenue, Hargis and Rubert Addition to Wichita, Kansas;
thence west along the south line of said 2.5 feet to the point
of beginning; thence south 23 feet; thence east 20 feet; thence
north 23 feet; thence west 20 feet to the point of beginning.
(V-1478)

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 NOV. 25 & DEC 2, 87.

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 CITY COUNCIL, on this 8th day of
December, 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:

Robert C. Knight, Mayor

Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell, Interim Director of Law

PL/7652/5

city clerk

State of Kansas
Sedgwick County
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, Kansas, this DEC 18, 1987

5.00

THIRTEENTH

ST. N.

MOSLEY AVE.

WASHINGTON AVE.

WABASH AVE.

TWELTH

11

13

32

HARGIS

RUBERT ADD.

31

50

VAC.

2

1

48

47

ABNER JACKSON

1

48

47

45

46

45

ADD.

VAC.

50

49

50

49

RAYGAY