

City of Wichita
City Council Meeting
November 10, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1459 - REQUEST TO VACATE STREET RIGHT-OF-WAY FOR WICHITA
STREET, LOCATED AT WICHITA STREET, BETWEEN CENTRAL AND ELM.
(District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

MAPC Recommendation: Approve vacation of street right-of-way. (unanimous)

Background: This vacation case has been requested in order to create additional buildable area for construction of a new adult detention facility. The street paving petition is 100% and provides for the realignment of Wichita Street in the remaining right-of-way, to the west of the existing street pavement. The County Commission has approved funds to construct additional parking, on the leased lot at the corner of Waco and Central, to replace the number of parking spaces on this section of Wichita Street that have been used for City-owned vehicles. 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; approve street paving petition and instruct staff to prepare resolution; 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

This NOV 10 1987

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

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

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

GENERALLY LOCATED AT WICHITA STREET, BETWEEN
CENTRAL AND ELM. (V-1459)

MORE FULLY DESCRIBED BELOW

NOV 30 1987

NO. 9 20159
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 10th day of November, 1987, comes on for hearing the petition for vacation filed by The Board of Sedgwick County Commissioners, praying for the vacation of the following described street right-of-way, to-wit:

Beginning at a point 72.0' west and 10.0' north of the southeast corner of Lot 2 on Wichita Street as originally platted in Munger's Original Town of Wichita, now the City of Wichita, Kansas, said point being 50.0' north of the centerline of Central Avenue, and on the present east right-of-way line of Wichita Street; thence north along said right-of-way line, being 72.0' west of and parallel with the east line of even lots 2 through 32 inclusive, as platted in said Munger's Original Town, a distance of 485.15' to the north line of vacated Elm Street as originally platted; thence west along the north line of vacated Elm Street, a distance of 60.0'; thence southeasterly a distance of 485.45' more or less, to a point 50.0' north of the centerline of Central Avenue; thence east 43.0' to the point of beginning, containing 0.57 acres, more or less.

MICROFILMED
OF RECORD

The north 75.0' of the above described tract being reserved as an easement for public utilities.

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 OCT 21 & 28, 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 vacation of the street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of November, 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.

Robert C. Knight
Robert C. Knight, Mayor

State of Kansas)
Sedgwick County)
City of Wichita)
I, Dale E. 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 NOV 19 1987

Dale E. Reed
Dale E. Reed, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

PL/7594/5

City clerk



W.A.C.T.

