

City of Wichita
City Commission Meeting
March 31, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1442 - REQUEST TO VACATE PLATTED ALLEY RIGHT-OF-WAY,
LOCATED EAST OF OSAGE, IN AN AREA NORTH OF MAPLE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: William L. Boggs, 318 S. Osage, Wichita, KS 67213 is requesting this vacation to create more buildable lot area.

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;
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 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

File 881 Page 1

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

GENERALLY LOCATED EAST OF OSAGE, IN
AN AREA NORTH OF MAPLE (V-1442).

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners

this MAR 31 1987

STATE OF KANSAS

SEDGWICK COUNTY

FILED FOR RECORD AT

8:00 AM

APR 14 1987

8 74883

NO.

PAT KETTLER
REGISTER OF DEEDS

RECORDED
OF RECORD

VACATION ORDER

Ed Rea
Deputy

NOW on this 31st day of March, 1987, comes on for hearing the petition for vacation filed by William L. Boggs, praying for the vacation of the following described alley right-of-way, to-wit:

The 15-foot wide, east/west, alley adjacent to the south line of Lot 11, on Osage Avenue in the Supplemental Plat of Taylors Brothers Addition to Wichita. (V-1442)

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 MAR 18 & 25, 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 BOARD OF CITY COMMISSIONERS, on this 31st day of March, 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:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

Tony Casado
Tony Casado, Mayor

PL/6365/5

3.00

city clerk

VAC.

HANDLEY

Unplatted

Res. A

SUPP. P.

27
25

13
11

14
12

TAYLOR

36
34

VAC.

OSAGE AT OF

BROS

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11

9
7
4

TAYLOR & SLAVENS
ADD.

3
1

BURTON

OAK

35
34

4
2

SLAVENS

ADD.

3
1

AVE.

TEXAS

AVE.

SYCAMORE

VAC.

42
44

10
4
2

50
52

9
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1

62
64

4
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70
72

9
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78
80

82
84
88

2
8
10
51
93

1
RESURVEY
5

97
99

BOGGS PROPERTY

KALLIAL PROPERTY