

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 3

January 12, 1989

STAFF REPORT

CASE NUMBER: V-1587 - REQUEST VACATION OF A FLOODWAY
RESERVE

OWNER/APPLICANT: CROW CONSTRUCTION, INC., ETAL., 15519 E. 66TH
STREET SOUTH, ROSE HILL, KS. 67133

LEGAL DESCRIPTION: Floodway Reserve Agreement granted by
separate instrument and filed with the Regis-
ter of Deeds on Film 644, Page 74, Sedgwick
County, Kansas.

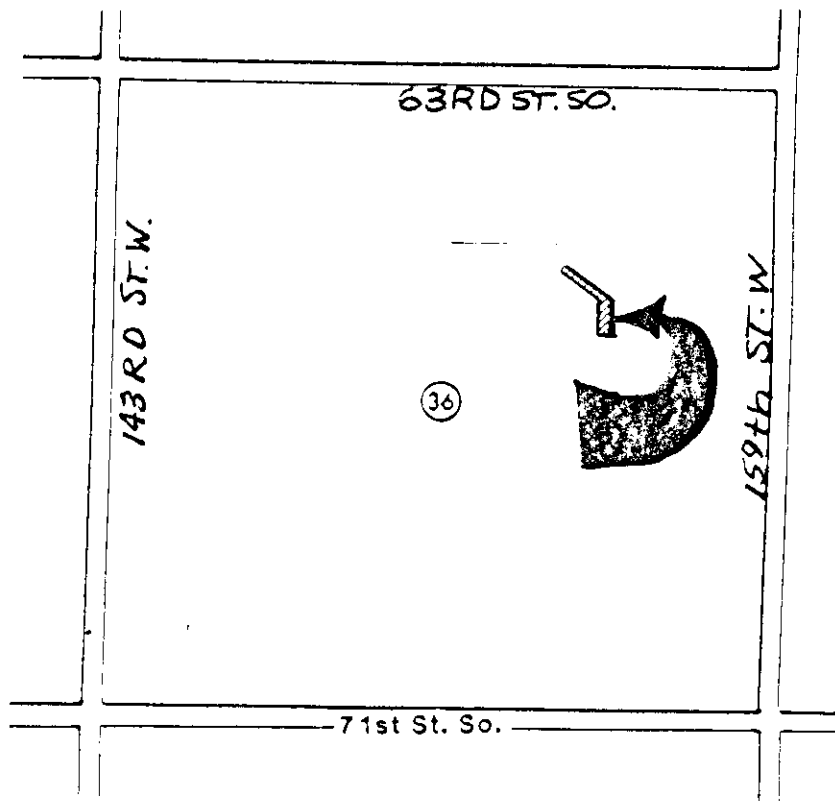
LOCATION: In the general area south of 63rd Street
South and west of Butler County line.

REASON FOR REQUEST: To permit the construction of a structure.

SITE SIZE: A semi-L shaped area approximately 60'x700'.

CURRENT ZONING: Zoned "R" Rural Residential District

VICINITY MAP:



SUBDIVISION COMMITTEE RECOMMENDATIONS:

Approve the vacation, subject to the following conditions:

- A. Any drainage improvements made necessary by this vacation of this Floodway Agreement shall be at the applicant's expense.
- B. The representative from County Engineering should be prepared to comment on the acceptability of this vacation.

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

MAR 7 89 0997756

PAT KETTLER
REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF
FLOODWAY RESERVE AGREEMENT.

GENERALLY LOCATED IN AN AREA SOUTH OF
63RD STREET AND WEST OF BUTLER COUNTY
LINE. (V-1587)

MICROFILMED
OF RECORD

MICROFILMED
OF RECORD

Ed Resal
Deputy

VACATION ORDER

NOW on this 1st day of March, 1989, at
9:00 o'clock A.M. comes on for hearing the petition for vacation filed
by Jerry L. Crow, praying for the vacation of the
following described Floodway Reserve Agreement.

A tract of land in the S 1/2 of the NE 1/4 of Sec.
36, T28S, R2E of the 6th P.M., Sedgwick County,
Kansas, described as follows: Beginning at a
point 1320' West and 430' South of the NE Corner
of the S 1/2 of the NE 1/4 of said Sec. 36; thence
Northwesterly a distance of 455.1' more or less to
a point 1690' West and 165' South of the NE Corner
of the S 1/2 of said NE 1/4; thence Southwesterly
at an included angle of 90°, a distance of
50'; thence Southeasterly at an included angle of
90°, a distance of 387.7' more or less to a point
1400' West of the NE Corner of the S 1/2 of said
NE 1/4; thence South parallel with the East line
of said NE 1/4, a distance of 237.7' more or less
to a point 669.08' South of the North line of the
S 1/2 of said NE 1/4; thence East parallel with
said North line, a distance of 80'; thence North
parallel with the East line of said NE 1/4, a
distance of 239.08' more or less to the point of
beginning.

the said petitioners being represented by their attorney,
_____.

WHEREUPON, it is shown that proper notice has been given by
publication in the Daily Reporter, a newspaper printed in
the State of Kansas and being published in and for general circulation
in Sedgwick County, Kansas, the first publication being made on the
9th, day of February, 1989, and proper proof

2.00

County Clerk

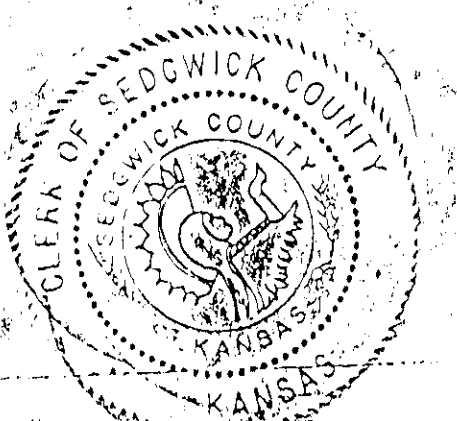
Vacation Order (V-1587)
Page 2

of such publication being filed herein. The Board being advised in the premises finds that such notice is in due legal form and conforms to K.S.A. 1980 Supp 12-504.

THEREAFTER, the matter is presented to the Board and the Board finds that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience thereby, and that in justice to the petitioners, their prayer should be granted and that no written objections have been filed hereto with the County Clerk.

The Board Further finds that the Metropolitan Area Planning Commission, at its regular meeting held on the 19th day of January, 1989, recommended and approved the vacation of the above-described Floodway Reserve Agreement.

IT IS, THEREFORE, BY THE BOARD OF COUNTY COMMISSIONERS, in regular session duly assembled, ordered that the above-described Floodway Reserve Agreement is hereby vacated.



ATTEST:

Don Wright
Don Wright, County Clerk

APPROVED AS TO FORM:

Richard Euson
Richard Euson, Asst. County
Counselor

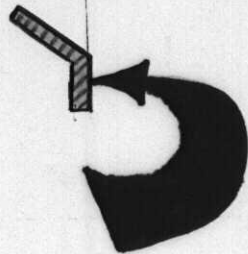
Paul W. Hancock
Paul W. Hancock, Chairman

63rd ST. SO.

143 RD ST.E.

159th ST.E.

36



71st St. So.