

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 20, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1575 REQUEST TO VACATE A FLOODWAY RESERVE LOCATED SOUTH OF 53RD STREET
NORTH, BETWEEN RIDGE ROAD AND TYLER ROAD

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a floodway reserve.

MAPC Recommendation: Approve vacation of a floodway reserve. (unanimous)

Background: Based upon current information, the County has determined that the are of this floodway reserve may be vacated. A new floodway reserve agreement has been prepared and will be in effect upon approval of this vacation. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

300210-9024

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
 OF SEDGWICK COUNTY, KANSAS

SEP 11 89 1027658
 PAT KETTLER
 REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF
 Floodway Reserve
 GENERALLY LOCATED
 ½ mile west of the Intersection of
 Ridge Road and 53rd Street North

Ed Road

MICROFILMED
 OF RECORD

VACATION ORDER

NOW on this 6th day of September, 1989, at 9:00
 o'clock A.M. comes on for hearing the petition for vacation
 filed by Gary Caviness, praying for the vacation of the
 following described Floodway Reserve.

EXHIBIT "A"

the said petitioners being represented by ~~XXXXXXXXXXXXXX~~
Ron R. Worley.

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 August, 1989, and
 proper proof of such publication being filed herein. The Board
 being advised in the premises find that such notice is in due
 legal form and conforms to K.S.A. 58-2613.

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.

00H

County Clerk
Em-

The Board further finds that the Governing Body of the City of Wichita, by Resolution, at its regular meeting held on the 20th day of December, 1988, recommended and approved the vacation of the above-described Reserve.

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



Paul W. Hancock
PAUL W. HANCOCK, CHAIRMAN

ATTEST:

Don Wright
DON WRIGHT, COUNTY CLERK

APPROVED AS TO FORM:

Henry H. Euson
RICHARD EUSON, ASST. COUNTY COUNSELOR

EXHIBIT "A"

Beginning at the Northeast corner of the West half of the West half of the Northeast Quarter of Section 21, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence South along the East line of the West half of the West half of the Northeast Quarter of Section 21, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas a distance of 800 feet; thence Northwesterly to a point, said point being 750 feet South and 500 feet East of the Northwest corner of said Northeast Quarter; thence Northwesterly to a point, said point being 300 feet East and 350 feet South of the Northwest corner of said Northeast Quarter; thence Northerly to a point, said point lying on the North line and being 255 feet East of the Northwest corner of said Northeast Quarter; thence East along said North line to the POINT OF BEGINNING.

53rd St. No.

SLOUGH

21

SLOUGH

45th St. No.

TYLER

RIDGE