

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1538 - REQUEST TO VACATE HALF-STREET
RIGHT-OF-WAY FOR ASH STREET, LOCATED BETWEEN STAFFORD
AND BLAKE STREETS, IN AN AREA EAST OF I-135. (District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

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

Background: When the adjacent Interstate highway was constructed, plans for constructing this portion of Ash Street were abandoned. After vacation, the street right-of-way will be combined with a City-owned lot to the east. This property may then be made available for sales to the public. The Vacation Order retains the vacated half-street right-of-way as a utility easement. This is needed because a sanitary sewer lateral and electric lines exist within the subject street 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; 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

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

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
KANSAS 8-000-14

JUN 30 88 0955518

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

PAT KETTLER
REGISTER OF DEEDS

GENERALLY LOCATED BETWEEN STAFFORD AND
BLAKE, EAST OF I-135. (V-1538)

Approved / Accepted By City Council

MICROFILMED
OF RECORD

This JUN 21 1988

MORE FULLY DESCRIBED BELOW

Ed Rea Deputy

VACATION ORDER

NOW on this 21st day of June, 1988, comes on for hearing the petition for vacation filed by David and Sandra Wiley, praying for the vacation of the following described half street right-of-way, to-wit:

The half street right-of-way platted for Ash Street, adjacent to the west line of Lots 1 and 21, Block A, W.M. Sidles Addition to the City of Wichita, Sedgwick County, Kansas. (V-1538)

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 JUNE 8 & 15, 1988.

2. No private rights will be injured or endangered by the vacation of the above-described half 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 vacated street right-of-way is hereby retained as a utility easement.

6. The vacation of the half street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of June, 1988, ordered that the above-described half 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.

ATTEST:

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



S. Kamen
Sheldon Kamen, Mayor

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law
City Clerk

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, 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, this JUN 28 1988
Dale E. Rea Deputy City Clerk

MINNESOTA ST.
2
ADD.
8
11

STAFFORD ST.
SWAN ST.
STAFFORD ADD. 1

ADCOCK ADD.
1
2
13
15
B
19
21

WARD ST.
2ND
6
7
10
11
2
3
5
6
10
9
RULE ST.
SPRUCE

WM. A. SIDLES
21
11
12

BLAKE ST.
3
5
6
B
SPRUCE CT.
11
SPRUCE

1
22
4
ADD.
11
12

C
ADD.
14
1
8
7
PAWNEE

11
KINKAI
1
18
16
1
8
7
HEINRICH

1
3
2
HEINRICH
1
2
3
LOUIS

POPLAR
1
2
3
CHILTON'S
PAWNEE
GROVE
8
A

INTERSTATE HWY 135



FOR CAR
CIRCLE