Planning Agenda Item #_____

City of Wichita
City Council Meeting
March 29, 1988

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: V-1524 - REQUEST TO VACATE A FLOODWAY RESERVE ON PROPERTY LOCATED IN AN UNINCORPORATED AREA OF THE COUNTY.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

- -

Staff Recommendation: Approve vacation of floodway reserve.

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

Background: This vacation has been requested in order to eliminate portions of a floodway which have been identified by the County Engineer's Office as not being needed for floodway purposes. 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:

755-68-360-50000-295-000-000

PL/8296/5

Approved / Accepted By City Council
This MAR 2 9 1988
( ) (Published in the Daily Record APR 1 1988, 19)

FILM 0962 PAGE 0455

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A FLOODWAY RESERVE GRANTED BY SEPARATE INSTRUMENT ON FILM 520, PAGE 377, DESCRIBED AS:

A tract of land located in the west half of the east half of the northwest quarter of the northwest quarter of Section 9, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Described as beginning at a point, said point lying on the west line and being 300 feet south of the northwest corner of the above-described tract; thence southeasterly to a point, said point being 450 feet south and 150 feet east of the northwest corner of the above-described tract; thence southeasterly to a point, said point lying on the east line and being 500 feet north of the southeast corner of above-described tract; thence southerly along the east line, a distance of 500 feet to the southeast corner of the above-described tract; thence westerly along the south line to the southwest corner of the above-described tract; thence northerly along the west line of the above-described tract to the point of beginning of said "floodway reserve".

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 A M
APR 21 1988
NO. 9 42959
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a floodway reserve granted by separate instrument on Film 520, Page 377, described as:

A tract of land located in the west half of the east half of the northwest quarter of the northwest quarter of Section 9, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Described as beginning at a point, said point lying on the west line and being 300 feet south of the northwest corner of the above-described tract; thence southeasterly to a point, said point being 450 feet south and 150 feet east of the northwest corner of the above-described tract; thence southeasterly to a point, said point lying on the east line and being 500 feet north of the southeast corner of above-described tract; thence southerly along the east line, a distance of 500 feet to the southeast corner of the above-described tract; thence westerly along the south line to the southwest corner of the above-described tract; thence northerly along the west line of the above-described tract to the point of beginning of said "floodway reserve"; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 3, 1988;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the floodway reserve granted by separate instrument on Film 520, Page 377, described as follows, to wit:

CASE NO. V-1524

A tract of land located in the west half of the east half of the northwest quarter of the northwest quarter of Section 9, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Described as beginning at a point, said point lying on the west line and being 300 feet south of the northwest corner of the above-described tract; thence southeasterly to a point, said point being 450 feet south and 150 feet east of the northwest corner of the above-described tract; thence southeasterly to a point, said point lying on the east line and being 500 feet north of the southeast corner of above-described tract; thence southerly along the east line, a distance of 500 feet to the southeast corner of the above-described tract; thence westerly along the south line to the southwest corner of the above-described tract; thence northerly along the west line of the above-described tract to the point of beginning of said "floodway reserve".

city Clerk

Be and the same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described floodway reserve be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 29th day of March, 1988.

Robert G. Knight, Mayor

ATTEST:

Dale E. Rea, Deputy City Clerk (Seal)

PL/8277/5

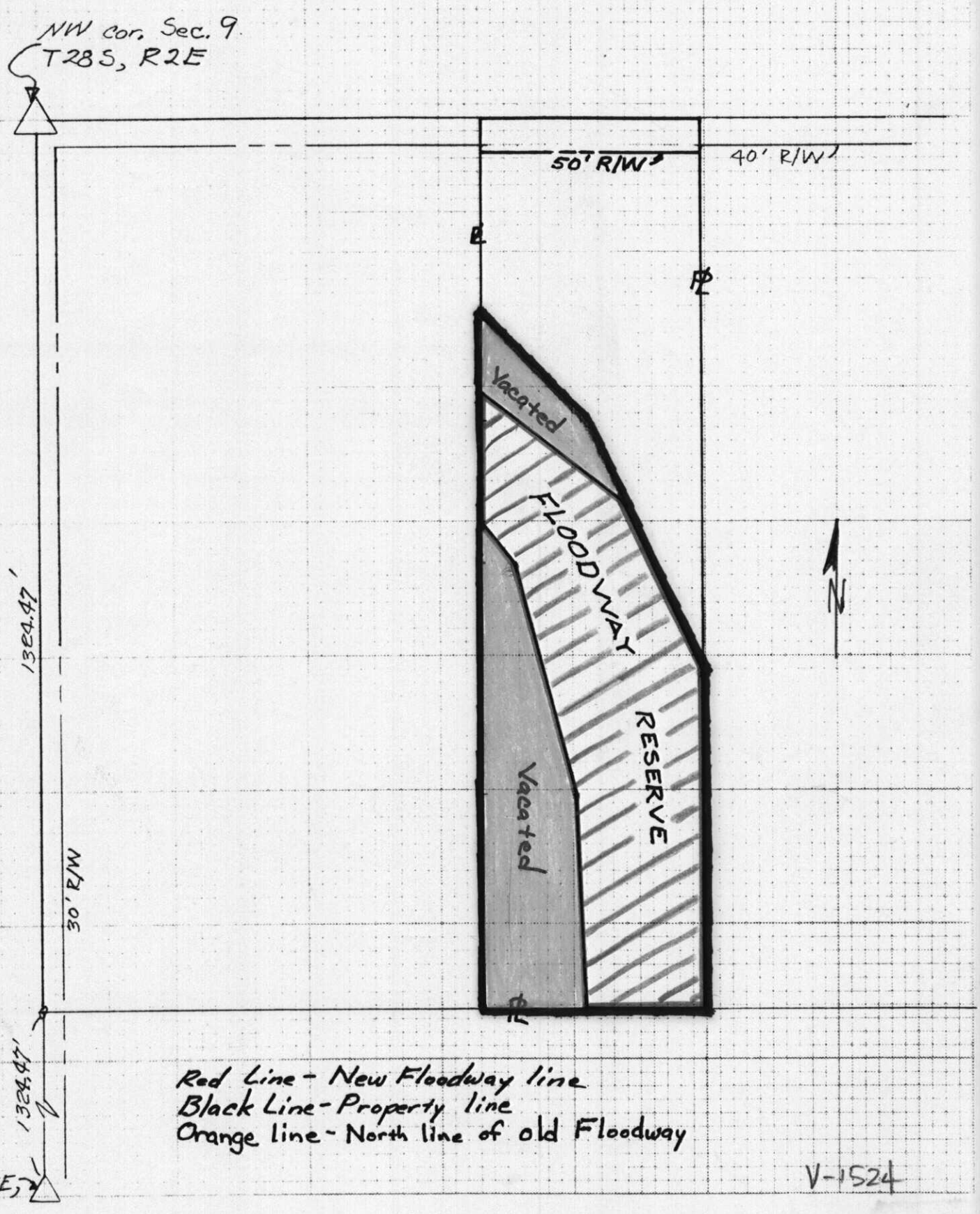
Sedgwick County Highway Department

By RLG

Date Oct 28, 1987 Page _____ of _____

Revised Floodway Reserve Agreement

Flowers Property - NW'4 Sec. 9, Gypsum Twp.



Red Line - New Floodway line
Black Line - Property line
Orange line - North line of old Floodway

V-1524