

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 20, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1630 - REQUEST TO VACATE A PORTION OF A
PLATTED ALLEY WAY, LOCATED NORTH OF 13TH STREET BETWEEN
MOSLEY AND WASHINGTON
(District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a platted alley way.

MAPC Recommendation: Approve vacation of a platted alley way.
(unanimous)

Background: The applicants desire vacating the alley way since it is no longer used for service access. All abutting property owners have signed the vacation application. The Vacation Order retains the vacated alley as a utility easement. 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:

150029-2909

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

IN THE MATTER OF THE VACATION OF)
 A PLATTED ALLEY WAY.)
)
 GENERALLY LOCATED NORTH OF 13TH STREET)
 BETWEEN MOSLEY AND WASHINGTON (V-1630).)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 20th day of March, 1990, comes on for hearing the petition for vacation filed by GEM Enterprises, Inc., et al., praying for the vacation of the following described platted alley way, to-wit:

The north 580 feet of the 15-foot north-south alley platted as part of Mills Addition to Wichita, Sedgwick County, Kansas (V-1630).

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 March 2, 1990 March 9, 1990.

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

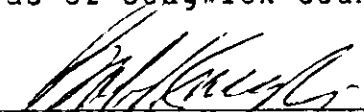
6. The vacation of the alley way described herein should be approved.

8.00

city clerk

Vacation Order
V-1630
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of March, 1990, ordered that the above-described alley 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.


Bob Knight, Mayor

ATTEST:




John Moir, City Clerk

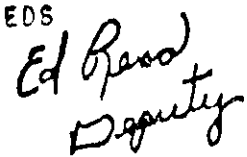
Approved as to Form:


Thomas Powell, Director of Law

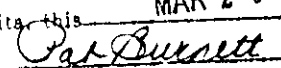
STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED 8:00 AM
MAR 20 1990

APR 4 1990 1060608

PAT KETTLER
REGISTER OF DEEDS


Ed Reed
Deputy

State of Kansas)
Sedgwick County)
City of Wichita)
I, PAT BURNETT, 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 the City Clerk. Given under my hand and seal of the City of Wichita, this MAR 20 1990


Pat Burnett, Deputy City Clerk



SANTA FE

A.T. & S.F. R.R.

ORD. 8716

YAC. ORD. 8716 11-26-00 CO.

PARMENTERS

GLAZE'S

BARWISE

ORD. 11-11-00 YAC.

AVE.

2ND.

ADD.

CHICAGO R.I. & PAC. R.R.

MEAD

ADD.

MILLS

GLAZE

MOSLEY

MILLS

2ND

FOURTEENTH



ADD.

WASHINGTON

ST. LOUIS

47
45

47
45

WASHINGTON

15TH

WABASH

47
45

47
45

ADDITION

2

4

2

OHIO

ST.