

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 3, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1667 - REQUEST TO VACATE STREET
RIGHT-OF-WAY LOCATED IN AN AREA SOUTH OF CENTRAL AND WEST OF
MAIZE (BETWEEN PARKDALE AND KARREN)
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

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

Background: This right-of-way involves a segment of County Road established around approximately 1900. Central just to the north of this site has replaced the original alignment involved for this County road and both County and City Engineering have indicated that this right-of-way is no longer needed. 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

**MICROFILMED
OF RECORD**

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

IN THE MATTER OF THE VACATION OF)
STREET RIGHT-OF-WAY)
)
GENERALLY LOCATED SOUTH OF CENTRAL AND)
WEST OF MAIZE ROAD (V-1667))
)
)
MORE FULLY DESCRIBED BELOW)

NOW on this 3rd day of July, 1990, comes on for hearing the petition for vacation filed by Ronald D. Barkley (eg., et al.), praying for the vacation of the following described street right-of-way, to-wit:

Commencing at a stone 1383 feet west of the northeast corner of Section 19, T27S, R1W of the 6th P.M., Sedgwick County, Kansas; thence south 49 degrees 30' west 209 feet to a stone; thence south 78 degrees west 219 feet to a stone; thence north 47 degrees 30' west 282.5 feet to a stone; thence east 498 feet to the point of beginning as of Deed Record No. 229 Pg. 181, EXCEPT that part described in Deed Record No. 266 quit claim Pg. 536, as beginning at a stake on the north line of Section 19, T27S, R1W of the 6th P.M., and 1463 feet west of northeast corner of said Section 19; thence south 24 degrees 20' west, 91.40 feet to a stake; thence south 44 degrees 30' west, 20 feet to a stake; thence south 64 degrees 40' west 177.60 feet to a stake; thence north 86 degrees 10' west, 50 feet to a stake; thence north 56 degrees 15' west, 174.50 feet to a stake on the north line of the above described Section 19; thence east with said section line to the place of beginning - all of the above "bearings" or courses are magnetic readings - the magnetic course of the north line of Section 19 being south 79 degrees 40' west, and EXCEPT that part described in quit claim deed book 1475 Pg. 185 as a tract of land described as beginning 1463 feet west of the N.E. corner of the N.E. 1/4 Section 19, T27S, R1W; thence southwesterly on an angle to the left of 55 degrees 40' a distance of 91.4 feet; thence southwesterly on an interior angle of 159 degrees 50' a distance of 20 feet; thence southwesterly on an interior angle of 159 degrees 50' a distance of

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62.3 feet; thence north to the north line of the N.E. 1/4 129 feet west of the 62.3 feet; thence north to the north line of the N.E. 1/4 129 feet west of the point of beginning; thence east to the point of beginning, and EXCEPT that part lying east of the west line of existing Karen Lane, and EXCEPT that part now platted as Westlink Seventeen Addition to Wichita, Sedgwick County, Kansas, and EXCEPT that part described in right of way agreement in Misc. Book 636 Page 269 as beginning 1592 feet west of the N.E. Corner of the N.E. 1/4 Section 19, T27S, R1W; thence west along the north line of the N.E. 1/4, 287 feet; thence southeasterly to a point 50 feet south and 1826 feet west of the N.E. Corner of the N.E. 1/4; thence east 50 feet south of and parallel to the north line of the N.E. 1/4, 234 feet; thence north to the point of beginning.

Generally located south of Central and west of Maize Road.

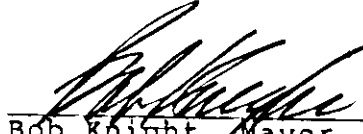
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

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 JUN 18 1990 JUL 25 1990.
2. No private rights will be injured or endangered by the vacation of the above-described 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 vacation of the street right-of-way described herein should be approved.

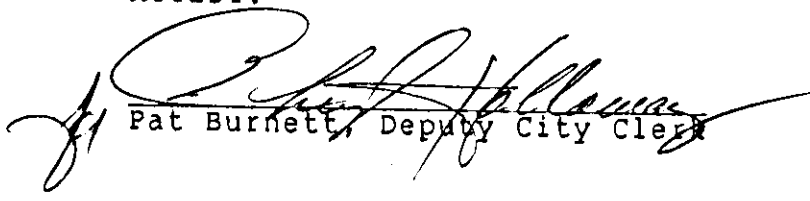
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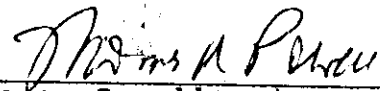
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of July, 1990, ordered that the above-described street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

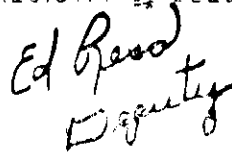
Approved as to Form:


Thomas Powell, Director of Law

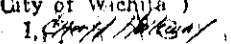
STATE OF KANSAS) SS
SEDGWICK COUNTY)
FILED FOR RECORD AT
8:00 AM

SEP 10 1990 92415

PAT KETTLER
REGISTER OF DEEDS

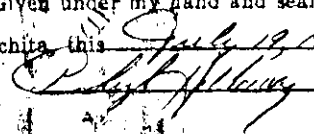

Ed Resor
Deputy

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, , 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 the City Clerk.

Given under my hand and seal of the City of

Wichita, this July 19, 1990

 Deputy City Clerk

50

142.55.

88.941

133A

County Road #618-19
Right of way 157.96'

TREE
ROW

Bldg. Flr. 2.87

13

1327.8

Metall
Blag.

13281

27.3

5. 115.9

1333

1329.5

217.91.4

8' K.G. & E. East. Misc. Book 634 Page 261

Floor elev = 1328.26
Basmt floor
elev. = 1320.15

221 124 3

1325 8

1332

1329

190

1327

1325

20.

Lot 3, Block 3, Evermoor Addition

Revised