

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 10, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1825; Request to vacate right-of-way, generally located north of Harry and east of Washington. (District # 7).

INITIATED BY: Metropolitan Area Planning Department

W Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of an alley right-of-way. Applicant operates a taco shop at the northeast corner of Washington and Harry. Land south of the alley proposed to be vacated is where the building is located, land north of the alley is used for parking. This vacation will permit applicant to pave the alley right-of-way area, and fence together the adjoining properties for improved security. Staff and MAPC have recommended approval because the alley has very limited use and is unpaved, additional right-of-way is being dedicated for Harry and Washington, the vacated right-of-way will be retained as public utility easement, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS:

Close the public hearing; accept the dedications; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Order and the dedications, recording costs to be billed to:

150029-2909.

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

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
THAT PORTION OF STREET RIGHT-OF-)
WAY)

GENERALLY LOCATED NORTH OF)
HARRY AND EAST OF WASHINGTON)

Case No. V-1825

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 10th day of August, 1993, comes on for hearing the petition for vacation filed by Steven & Audette Church, praying for the vacation of the following described portion of street right-of-way, to-wit:

The alley adjacent to McCormick's Addition and Wayside Subdivision, Additions to Wichita, Sedgwick County, Kansas, adjacent to and extending along the south line of Lot 84 of McCormick's Addition, and adjacent to and extending along the north lines of Lots 1 through 6 of Wayside Subdivision.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 7-23-93 + 7-30-93

2. No private rights will be injured or endangered by the vacation of the above-described portion of 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.

8.00

City Clerk

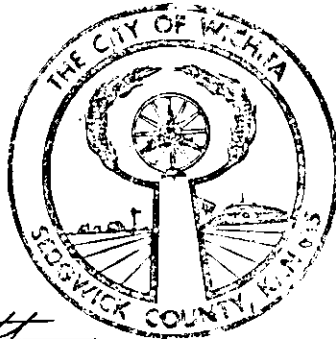
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Vacation Order
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5. The above-described street right-of-way being vacated shall be retained as public utility easement.

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of August, 1993, ordered that the above-described portion of 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.



Elma Broadfoot
Elma Broadfoot, Mayor

ATTEST:

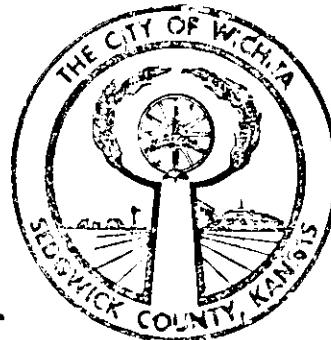
Pat Burnett
Pat Burnett, Deputy City Clerk

Approved as to Form:

Gary E. Rebenstorf
Gary Rebenstorf, Director of Law

state of Kansas)
Sedgwick County) ss
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 the City Clerk. Given under my hand and seal of the City of Wichita, this AUG 17 1993
Pat Burnett Deputy City Clerk

STATE OF KANSAS, ss
Sedgwick County, ss
8:00
Oct 25 1993 1329525
PAT KETTLER
REGISTER OF DEEDS
Ed Bess
Deputy



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