Planning Agenda #_____

City of Wichita
City Council Meeting
October 31, 1995

Agenda Report #____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1920 REQUEST TO VACATE AN ALLEY GENERALLY LOCATED BETWEEN POPLAR AND GREEN STREETS NORTH OF DOUGLAS.
(District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of alley.

MAPC Recommendation: Approve vacation of alley. (unanimous)

Background: The applicant desires to vacate an alley so that the closed alley may be used as part of the Wichita Indochinese child care center. The alley right-of-way will be retained as a utility easement as well as an additional two (2) feet along the north line of the eastern portion of the alley. The applicant will be closing the existing alley openings at Poplar and Green. The north-south alley which appears to dead end into the requested alley vacation was vacated several years ago. 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/Actions: Accept the utility easement, close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order, and utility easement 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)
ALLEY RIGHT-OF-WAY)
)
GENERALLY LOCATED)
EAST-WEST ALLEY BETWEEN POPLAR)
AND GREEN STREETS NORTH OF DOUGLAS)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-1920

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
9:00 AM

1492644 NOV 30 95

PAT KETTLER
REGISTER OF DEEDS

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

VACATION ORDER

NOW on this 31st day of October, 1995, comes on for hearing the petition for vacation filed by Mohan Kambampati, etal, praying for the vacation of the following described alley right-of-way, to-wit:

> The east-west alley lying north of Douglas and running from Poplar to Green Streets and more specifically described as being platted adjacent to the north line of even Lots 24 through 44 on Douglas of the Oliver's Subdivision of Lots 1, 2, 7 & 8 in Block 5 of Chautauqua Addition to Wichita.

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 10/17/95 & 10/24/95.

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

3.00 cl

City Clerk's Office
455 N. Main - 12th Floor
Wichita, KS 67202

4. The above described alley right-of-way shall be retained as an utility easement.

5. 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.

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 31st day of October, 1995, ordered that the above-described alley 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:

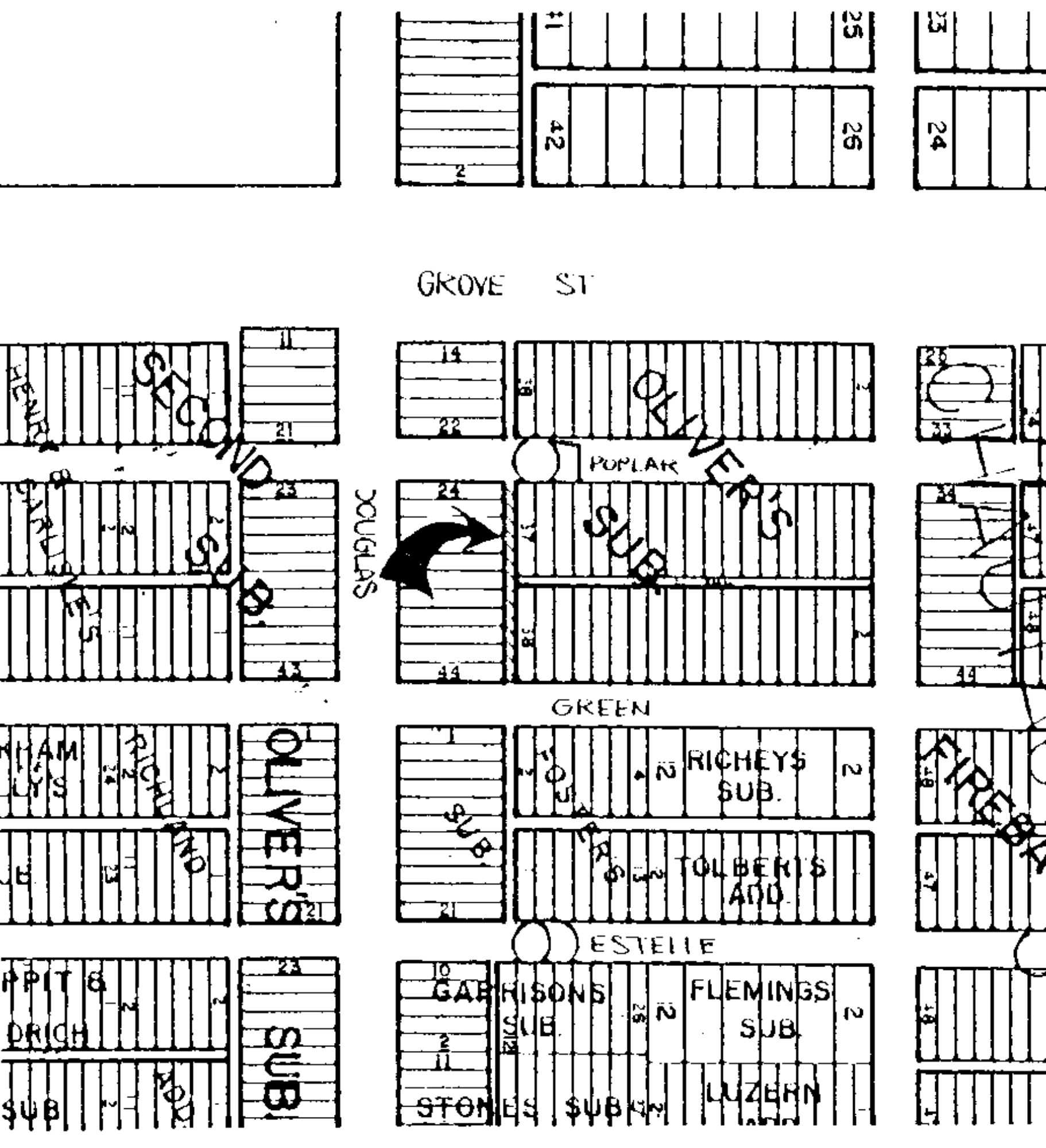
Gary Rebenstorf, Director of Law

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 OCT 31 1995

Pat Burnett Deputy City Clerk


GROVE ST
SECOND
OLIVER'S SUB.
POPLAR
DOUGLAS
GREEN
RICHEYS SUB.
TOLBERTS ADD
ESTELLE
GABRISONS SUB.
FLEMINGS SUB.
LUZERN
OLIVER RD
SUB