Planning Agenda #_____

City of Wichita
City Council Meeting
October 10, 1995

Agenda Report #_____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1904 REQUEST TO VACATE ALLEY RIGHT-OF-WAY IN AN AREA BETWEEN 1ST AND 2ND STREETS, WEST OF WATER
(District #6)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

MAPC Recommendation: Approve vacation of alley right-of-way.

Background: The applicant desires to vacate the alley in order to allow for the reconfiguration of USD 259 parking, thus reducing the need to lease parking and thus saving the school district considerable annual expenses. Although the alley is being vacated, the alley right-of-way will be retained as an 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/Actions: Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; 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 ALLEY RIGHT-OF-WAY)
)
GENERALLY LOCATED BETWEEN 1ST AND 2ND STREETS, WEST OF WATER)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-1904

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM
1488046 NO-6 95
PAT KETTLER
REGISTER OF DEEDS
Cynthia Hernandez Deputy

VACATION ORDER

NOW on this 10th day of October, 1995, comes on for hearing the petition for vacation filed by City of Wichita, Etal, praying for the vacation of the following described alley right-of-way, to-wit:

an alley right-of-way adjacent to odd Lots 95 through 49 on Water Street Greiffensteins Original Town, Wichita, Sedgwick County, Kansas

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 9-22-95 & 9-29-95

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.

4. The alley right-of-way will 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.

800.L

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

City Clerks Office
455 N. Main - 12th Floor
Wichita, KS 67202

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of October, 1995, ordered that the above-described alley 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:

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 City Clerk.

Given under my hand and seal of the City of Wichita, this OCT 10 1995

Deputy City Clerk

PLAZA
2ND
ADD.
PART OF FARM CREDIT BANKS OF WICHITA
BZA 14-88
TO
ADD.
D-1078
RESERVE A
V-1300
V-1298
SECOND
SERVE A PART OF FARM CREDIT BANKS OF WICHITA
Z-2896
ADDITION
WATERMAN'S
MO. PAC. R.R.
LOT 3
RESURVEY
OF
GREIFFENSTEIN'S
Y-1142
CHURCH PARK ADD.
WICHITA
ST.
FIRST
WATERMAN'S
ST.
CIVIC CENTER
Part of Lot 4
ENGSTROM 2nd ADD
WACO
WEBB
WATER
NORTH
HOLMES ADD
DOUGLAS
CIVIC CENTER
CENTURY
SOUTH
3RD
DRIV
CIVIC CENTER
Jim Approx Section to be Uncovered