

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 16, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1964 REQUEST TO VACATE STREET RIGHT-OF-WAY LOCATED IN AN AREA SOUTH OF TAFT AND WEST OF ST CLAIR
(District #6)

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: The vacation was initiated by Friends University and is intended to accommodate the expansion of a parking lot on the campus. This case was begun in May of 1996. The request was approved by both the Subdivision Committee and the MAPC, subject to several conditions. The last of these conditions was finally met this fall, which allowed the case to proceed forward.

Included with this vacation are dedications of an additional utility easement in part of Taft Avenue and a drainage easement in part of St. Clair Avenue. Both these were conditions of approval by the Subdivision Committee and MAPC. Also, there are the restrictive covenants that tie the lots together so they cannot be sold separately in the future. This is done rather than require a replat of the property.

No members of the public addressed the MAPC in opposition to this request.

Recommendations/Actions: Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; accept the dedications of a utility easement and a drainage easement; and record the certified copy of the Vacation Order, the utility easement, the drainage easement and the Restrictive Covenants; recording costs to be billed to:
150029-2909

1662644 4298
CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

1754 PAGE 1695
Approved / Accepted By City Council
This 12-9-97

MICROFILMED
OF RECORD

Page 1 of 2

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 TAFT WEST OF ST CLAIR

MORE FULLY DESCRIBED BELOW



Case No. V-1964

STATE OF KANSAS } SS
SEDGWICK COUNTY }

JAN 29 9 39 AM '98

REGISTER OF DEEDS
LARRY CONSOLVER

S. Christian
Deputy

VACATION ORDER

NOW on this 16th day of December, 1997, comes on for hearing the petition for vacation filed by Friends University, Attn: Biff Green, praying for the vacation of the following described street right-of-way, to-wit:

That portion of St. Clair Street from the south line of Taft Avenue formerly known as Burgess Avenue, as platted in University Place Addition to Wichita, Sedgwick County, Kansas, south to the north line of Condemnation Case #56857.

and

That portion of Taft Avenue formerly known as Burgess Avenue as platted in University Place Addition to Wichita, Sedgwick County, Kansas, from the west line of St. Clair Street, west to a line drawn from the northwest corner of Lot 92 to the southwest corner of Lot 90 on St. Clair Street in said Addition.

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 on 11-25-97 which was at least 20 days prior to this hearing.

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.

8.00 Ch
RETURN ABOVE

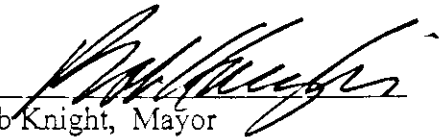
8.00
150029

Vacation Order
V - 1964

Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of December, 1997, 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.

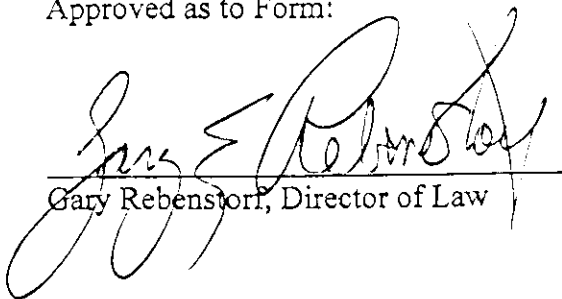



Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk

Approved as to Form:

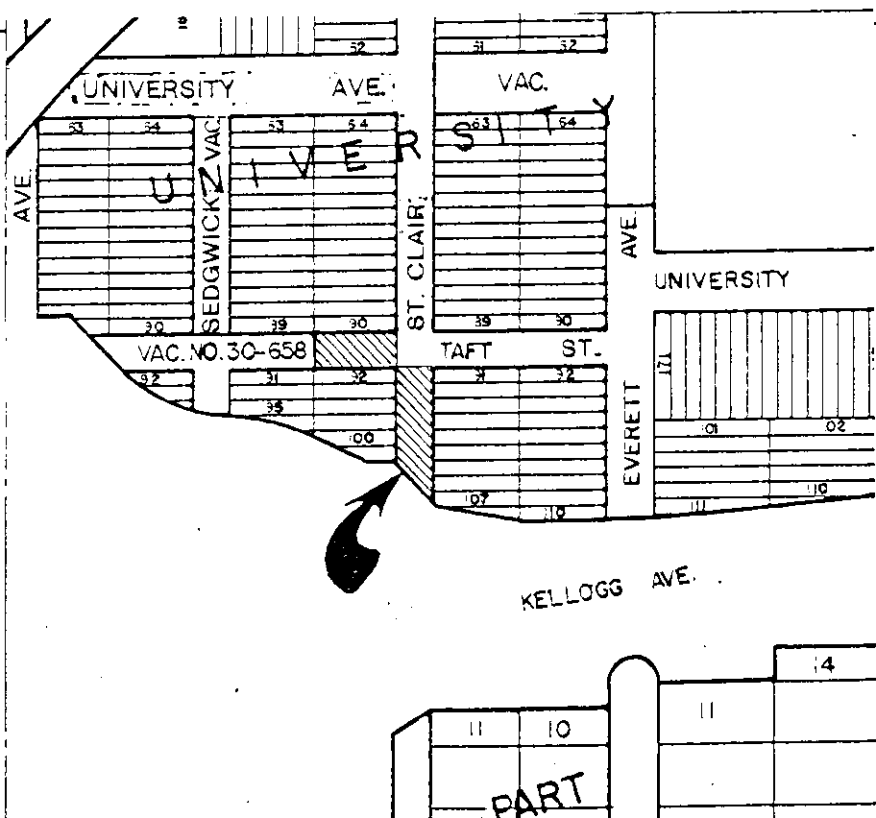

Gary Rebenstorf, Director of Law



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

I, Pat Burnett, 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 my office.

Given under my hand and seal of the City of Wichita, this DEC 16 1997
 City Clerk



UNIVERSITY

AVE.

VAC.

AVE.

SEDGWICK ST

ST. CLAIR

AVE.

UNIVERSITY

VAC. NO. 30-658

TAFT

ST.

EVERETT

KELLOGG AVE.

PART