

Planning Agenda # _____

**City of Wichita
City Council Meeting
October 13, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2121 REQUEST TO VACATE EAST-WEST ALLEY
LOCATED IN AN AREA SOUTH OF MURDOCK AVENUE, ON THE WEST
SIDE OF HYDRAULIC
(District #4)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of East-West alley.

MAPC Recommendation: Approve vacation of East-West alley. (unanimous)

Background: The applicant is requesting to vacate a portion of an alley as a requirement for the Hajoca Company Addition plat. Hajoca Company is currently replatting this property and the property to the west. The alley to the west of this location will be vacated as part of the plat, but due to Frontline Ministries of Wichita owning property adjacent to this portion of the alley, the entire alley can not be vacated as part of the plat. Therefore a vacation is required.

Public Works, Traffic Engineering and City of Wichita Fire Department have approved the vacation of this alley subject to retaining this alley as a utility easement and for fire access until such time as the Fire Department is able to review a site plan and determine how fire access can be provided to the remainder of the buildings on-site. The MAPC has approved this request unanimously.

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.

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CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

FILM 1856 PAGE 1530

TO: 800-40-1093



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

J. Brehm
Deputy

IN THE MATTER OF THE VACATION OF
EAST-WEST ALLEY

GENERALLY LOCATED
SOUTH OF MURDOCK AVENUE, ON THE
WEST SIDE OF HYDRAULIC

MORE FULLY DESCRIBED BELOW

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Case No. V-2121

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Dec 3 11 46 AM '98

VACATION ORDER

BILL MEER
REGISTER OF DEEDS

NOW on this 13th day of October, 1998, comes on for hearing the petition for vacation filed by Hajoca Pension Trust, Attn: Mr. Gary Wise and Frontline Ministries of Wichita Foundation, Inc., Attn: Kevin Samuelson, praying for the vacation of the following described East-West alley, to-wit:

All of the 15 foot alley as platted in Oakland Addition to the City of Wichita, Sedgwick County, Kansas lying south of and adjacent to Lots 26 through 48, even inclusive, on Oak Street, now Murdock Avenue.

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 one time 9-22-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described East-West alley, 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 East-West alley described herein should be approved, subject to the following condition:

8.00

City Clerk

150003
8.00
ck

MICROFILMED
OF RECORD

Vacation Order
V - 2121

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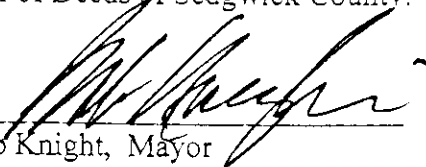
- A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.
- B) The alley shall be retained as a utility easement and for fire access until the Fire Department is able to review site plan and determine how fire access will be provided to the internal building of the Hajoca Corporation.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of October, 1998, ordered that the above-described East-West 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.

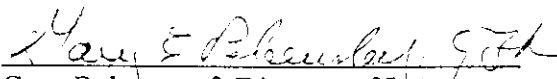
ATTEST:

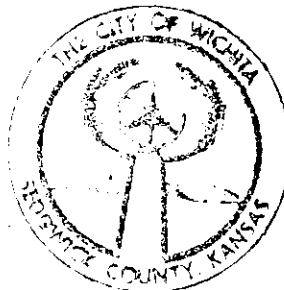

Pat Burnett, City Clerk

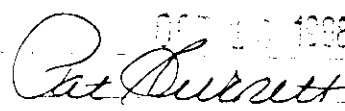



Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law




OCT 13 1998

