

Planning Agenda # _____

City of Wichita
City Council Meeting
December 15, 1998

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2128 REQUEST TO VACATE ALL HALLOWS FROM THE NORTH LINE OF MCCORMICK TO THE SOUTH LINE OF US HIGHWAY 54 LOCATED AT MCCORMICK AND ALL HALLOWS. (District IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of All Hallows.

MAPC Recommendation: Approve vacation of All Hallows. (unanimous)

Background: The applicant is requesting to vacate All Hallows between McCormick and Kellogg to allow for the expansion of the Newman University.

Public Works and Traffic Engineering have reviewed and approved the vacation request. The Subdivision Committee and the MAPC both voted unanimously to approve the requested vacation of right-of-way, subject to the vacated street being maintained as a utility, drainage and access easement and the reconstruction of the return to a private driveway. The reconstruction of the driveway return has been completed.

Legal Considerations: The City Clerk will certify as to proper notification and no filing of written protest. A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Close the public hearing; and approve the Vacation Order and authorize the Mayor to sign.

MICROFILMED
OF RECORD

This DEC 15 1998

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FILE# 900 PAGE0310

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

IN THE MATTER OF THE VACATION OF
ALL HALLOWS

GENERALLY LOCATED
MCCORMICK AND ALL HALLOWS

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS }
SEDGWICK COUNTY } SS

Case No. V-2128

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S. Christian
Deputy

VACATION ORDER

NOW on this 15th day of December, 1998, comes on for hearing the petition for vacation filed by Newman University, attention: Mark Dresselhaus, praying for the vacation of the following described All Hallows, to-wit:

That part of All Hallows Avenue lying north of the north line of McCormick Avenue and lying south of the south line of US Highway 54 as condemned in Condemnation Case No. A-29960

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 11-13-98, 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 All Hallows, 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 All Hallows described herein should be approved, subject to the following condition:

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

800-150003

Vacation Order
V - 2128

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- A) The vacated area shall be retained as a drainage/utility/access easement.
- B) The vacated area shall be reconstructed as a private drive.
- C) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of December, 1998, ordered that the above-described All Hallows 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
Pat Burnett, City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Gary E. Rebenstorf
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 as the same is on file in my office.

Given under my hand and seal of the City of Wichita, this DEC 15 1998
Pat Burnett City Clerk

