

City of Wichita
City Council Meeting
June 3, 2003

Agenda Report No.

TO: Mayor and City Council

SUBJECT: VAC2003-00011 REQUEST TO VACATE ACCESS EASEMENT
DEDICATED BY SEPARATE INSTRUMENT GENERALLY LOCATED
SOUTHEAST OF MURDOCK AVENUE AND MARKET STREET.

INITIATED BY: Metropolitan Area Planning Department 

AGENDA: Planning

Background: The applicants are requesting the vacation of the access easement from the alley to Market, as dedicated by separate instrument. The Munger's Original Town Addition was recorded in Butler and Sedgwick counties in 1870.

Analysis: The dedication was recorded with the Register of Deeds, 12 -2000, film 2123, page 0401. The dedication was a condition of VAC2000-40, which was a request to vacate the northern 1/3 of the alley. VAC2000-40 was approved by the MAPC at their 09-21-2000 meeting. The rest of this alley was vacated by VAC2003-05, which was approved by the MAPC at their 04-10-03 meeting. The elimination of the alley as public ROW made the access easement unnecessary, hence the request.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

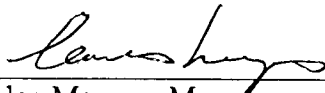
Recommendation/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

[illegible]

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 access easement dedicated by separate instrument described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of June 2003, ordered that the above-described access easement dedicated by separate instrument 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.

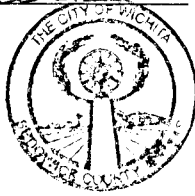


Carlos Mayans, Mayor

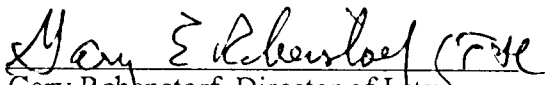
ATTEST:



Pat Graves, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law



MURDOCK

MARKET

BROADWAY

MAIN

PINE



WATER