

Planning Agenda # _____

**City of Wichita
City Council Meeting
July 2, 2002**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00059 - REQUEST TO VACATE A PORTION OF AN
ALLEY, GENERALLY LOCATED SOUTH OF DOUGLAS
AVENUE AND WEST OF MARTINSON.
(District IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MK

Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant, USD 259, is requesting consideration to vacate an alley that was dedicated in 1977 to provide access onto Martinson Avenue. The alley proposed for vacation runs east onto Martinson from an alley that runs north to south. The north to south alley is 75-feet long with two residences abutting it on the east side and the properties abutting it on west being owned by USD 259. The north to south alley intersects, on its north end, with another alley running east (Martinson) to west (Elizabeth), this alley provides access for the 2 abutting eastern residences. The proposed vacated alley is located entirely within USD 259 property. Neither of the alleys (the north to south and the proposed vacated alley) appear to have been used for some time and are not paved. USD 259 is proposing improvements and expansion of Franklin Elementary at this site. The vacation of the alley running west to east will not adversely affect traffic in the area or deny access to any properties. The Fire Department had no objection to the vacation 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 and the condition that the north 10-ft of Lot 17, Lawrence's 3rd Addition be retained as a utility easement.

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

IN THE MATTER OF THE VACATION OF
AN ALLEY

Case No. VAC2001-00059

RECEIVED
JUL 03 2002

METROPOLITAN PLANNING
ROUTE ☐ _____
☐ _____

NOW on this 2nd day of July, 2002, comes on for hearing the petition for vacation filed by United School District 259 of Wichita, praying for the vacation of the following described portion of the alley, to-wit:

The north 20 -feet of Lot 17, Lawrence's 3rd Addition, Wichita, Sedgwick County, Kansas, as dedicated by separate instrument, film 229, page 224, recorded February 8, 1977 with the Sedgwick County Register of Deeds.

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on November 29, 2001, which was at least 20 days prior to the public hearing.

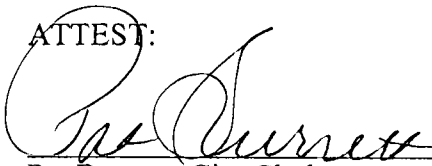
3. In justice to the petitioner, the prayer of the petition ought to be granted.

5. Retain the north 10-feet of Lot 17, Lawrence's 3rd Addition as a utility easement.

6. The vacation of the portion of the alley described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of July 2002, ordered that the above-described portion of the 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

ELIZABETH AVENUE

NEW 24'-0" WIDE CONCRETE DRIVE BY OTHERS PER CITY OF WICHITA PERITS.

NEW PARKING LOT
PARKING PROVIDED BY THE DISTRICT DURING PROJECT CONSTRUCTION FOR 41 CARS

NEW CHILLER
PROVIDE GRAVEL PAD AND NEW CHILLER
PROVIDE FENCE PER 8' x 9' x 2.1
EXISTING TRANSFORMER

EXISTING BUILDING
FINISH FLOOR 115.19

EXISTING GAS METER
NEW TRANSFORMER

NEW ADDITION
FINISH FLOOR 114.19

COURT

REMOVE FENCE AT END OF CONSTRUCTION

PLAYGROUND

BURTON AVENUE

NEW GAS LINE LOCATION
REMOVE EXISTING GAS LINE
EXISTING G.L.S. LINE TO REMAIN
4" REINF. C/M.C. SIDEWALK
NEW DRIVE
F-REINF. CONCRETE DRIVE
NEW CONCRETE CURB
REMOVE EXISTING CURB CUT
NEW CONCRETE CURB
REMOVE EXISTING CURB CUT
EXISTING ALLEY TO BE VACATED
NEW NORTH FENCE 6'0" TALL PER 8' x 2.1
FIRST 20' OF NEW FENCE 5'0" TALL
NEW 5'-0" UTILITY EASEMENT
EXISTING RESIDENTIAL CURB CUT TO REMAIN

MARTINSON AVENUE



SITE PLAN

0 20'