

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 19, 2002**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00054 - REQUEST TO VACATE A PORTION OF AN
ALLEY LOCATED BETWEEN 15TH STREET N – NORTH
BROADWAY – 16TH STREET N – NORTH MARKET, IRVING
ELEMENTARY SCHOOL.
(District VI)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

*M. Kraft
B.H.*

Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicant, USD 259, is requesting consideration to vacate the portion of the alley abutting Lots 73-84, Powells Addition. The applicant proposes to provide parking and a drive for student busing at Irving Elementary. Currently the alley is not paved and dead-ends into the school property. The applicant has agreed to retain the alley as a utility easement and dedicate an access easement to maintain the access for the remaining residents abutting the alley.

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 and Dedication of an Access Easement will be recorded with the Register of Deeds.

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

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

**IN THE MATTER OF THE VACATION OF
A PORTION OF AN ALLEY**

**GENERALLY LOCATED
BETWEEN 15TH STREET N – NORTH
BROADWAY - 16TH STREET N – NORTH
MARKET, IRVING
ELEMENTARY SCHOOL**

MORE FULLY DESCRIBED BELOW

Case No. VAC2001-00054

RECEIVED

MAR 21 2002

METROPOLITAN PLANNING
ROUTE ☐ _____

VACATION ORDER

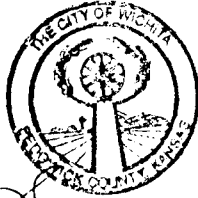
NOW on this 19th day of March, 2002, comes on for hearing the petition for vacation filed by USD 259, c/o Joe Hoover, praying for the vacation of the following described a portion of an alley, to-wit:

That portion of the alley abutting Lots 73 – 84, Powells Addition.

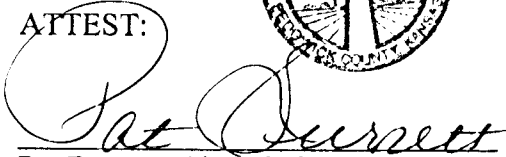
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

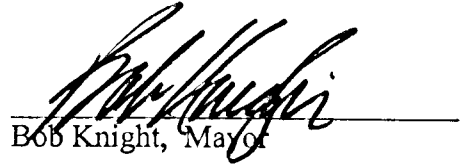
1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on November 14, 2001, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described a portion of an alley, 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 a portion of an alley described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of March 2002, ordered that the above-described a portion of an 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.

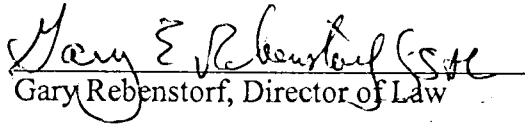


ATTEST:


Pat Burnett, City Clerk


Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

