

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2002-00030 - REQUEST TO VACATE PLATTED ALLEYS
LOCATED SOUTHWEST OF THE DOUGLAS AVENUE-
SENECA STREET INTERSECTION, 221 SOUTH SENECA,
ALLISON MIDDLE SCHOOL.
(District IV)**

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant is requesting consideration for the vacation of the platted alleys as described in the Legal Description. During the planning for the proposed expansion of Allison Middle School, existing encroachments onto the platted alleys were found as well as new encroachments created by the expansion. There are sewer lines in the north to south alleys. Based upon information available prior to the public hearings, planning staff recommends approval of this request to vacate the described portions of the platted alleys. The conditions associated with this project have been completed.

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.

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 PLATTED ALLEYS

**GENERALLY LOCATED
SOUTHWEST OF THE DOUGLAS AVENUE -
SENECA STREET INTERSECTION**

Case No. VAC2002-00030

MORE FULLY DESCRIBED BELOW

RECEIVED
NOV 26 2002

METROPOLITAN PLANNING
ROUTE ☐ _____
☐ _____

NOW on this 19th day of November, 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 platted alleys, to-wit:

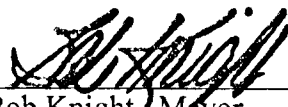
That 235-foot portion of the remaining platted north - south 15-foot wide alley that abuts Lots 6-13 & approximately ½ of Lot 14, Lots 16-18, and approximately ½ of Lot 19 & Lot 5 Humprey's Addition, the 247.6-foot portion of the platted east - west 15-foot wide alley that abuts Lots 1-5, 10, 11, & 16, Humphrey's Addition and the 225-foot portion of the platted north - south 15-foot wide alley that abuts 1-14, Lawrence's 5th 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 August 19, 2002, 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 platted alleys, 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.

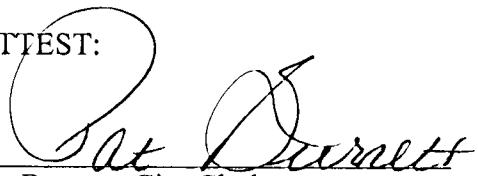
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of platted alleys described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of November 2002, ordered that the above-described platted alleys 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.



Bob Knight, Mayor

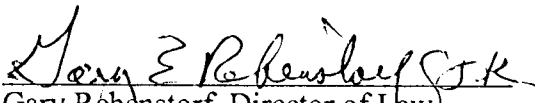
ATTEST:



Pat Burnett, City Clerk

Approved as to Form:





Gary Rebenstorf, Director of Law

DOUGLAS

SENECA

DODGE

EXPOSITION

TEXAS

MARTINSON

BURTON

