



Sedgwick County  
Register of Deeds - Tonya Buckingham

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

**IN THE MATTER OF THE VACATION OF A PORTION )  
OF A PLATTED STREET RIGHT-OF-WAY )**

**GENERALLY LOCATED ON THE NORTH SIDE OF )  
EAST KELLOGG AND WITHIN ONE-HALF MILE EAST )  
OF SOUTH ROCK ROAD )**

**VAC2020-00047**

**MORE FULLY DESCRIBED BELOW** )

**VACATION ORDER**

NOW on this 16<sup>th</sup> day of March, 2021, comes on for hearing the petition for vacation filed by K&R Hospitality (owner), praying for the vacation of described portion of a platted street right-of-way, to wit:

The North 122.86 feet more or less of Lot 3, Ruth Addition, EXCEPT the West 100 feet thereof,

AND

Lot 2, Ruth Addition, EXCEPT that part platted as Ruth 2<sup>nd</sup> Addition, AND EXCEPT that part platted as Dry Addition,

AND

Beginning 98.81 feet North of the Southeast corner of Lot 1, Ruth 2<sup>nd</sup> Addition; thence West 139.61 feet; thence Northeasterly 41.81 feet to the Northwest corner of said Lot 1; thence East 130.75 feet; thence South 41.24 feet to beginning

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, in The Wichita Eagle on November 26 2020, 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 described portion of a platted street right-of-way, and the public will suffer no loss or inconvenience thereby.

3. A dedication of a utility easement, by separate instrument, shall be recorded with the Vacation Order at the Register of Deeds of Sedgwick County to cover the franchise utilities outside of the subject easements.

4. Restrictive covenants, with original signatures, binding and tying the described vacated public street right-of-way to the abutting platted lots shall be recorded with the Vacation Order at the Register of Deeds of Sedgwick County.

5. All applicable screening and landscaping requirements shall be installed and maintained per Section IV-B of the Unified Zoning Code and the Wichita Landscape Ordinance. The applicant shall construct an eight (8) foot screening fence along the north property line of the described area within 60 days of approval of the Governing Body.


6. In justice to the petitioner(s), the prayer of the petition ought to be granted.

7. 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.


8. The vacation of the described portion of a platted street right-of-way, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16<sup>th</sup> day of March, 2021, ordered that the described portion of a platted street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

  
Brandon J. Whipple, Mayor

ATTEST:

  
Karen Sublett, City Clerk



Approved as to Form:

  
Jennifer Magana, City Attorney and Director of Law