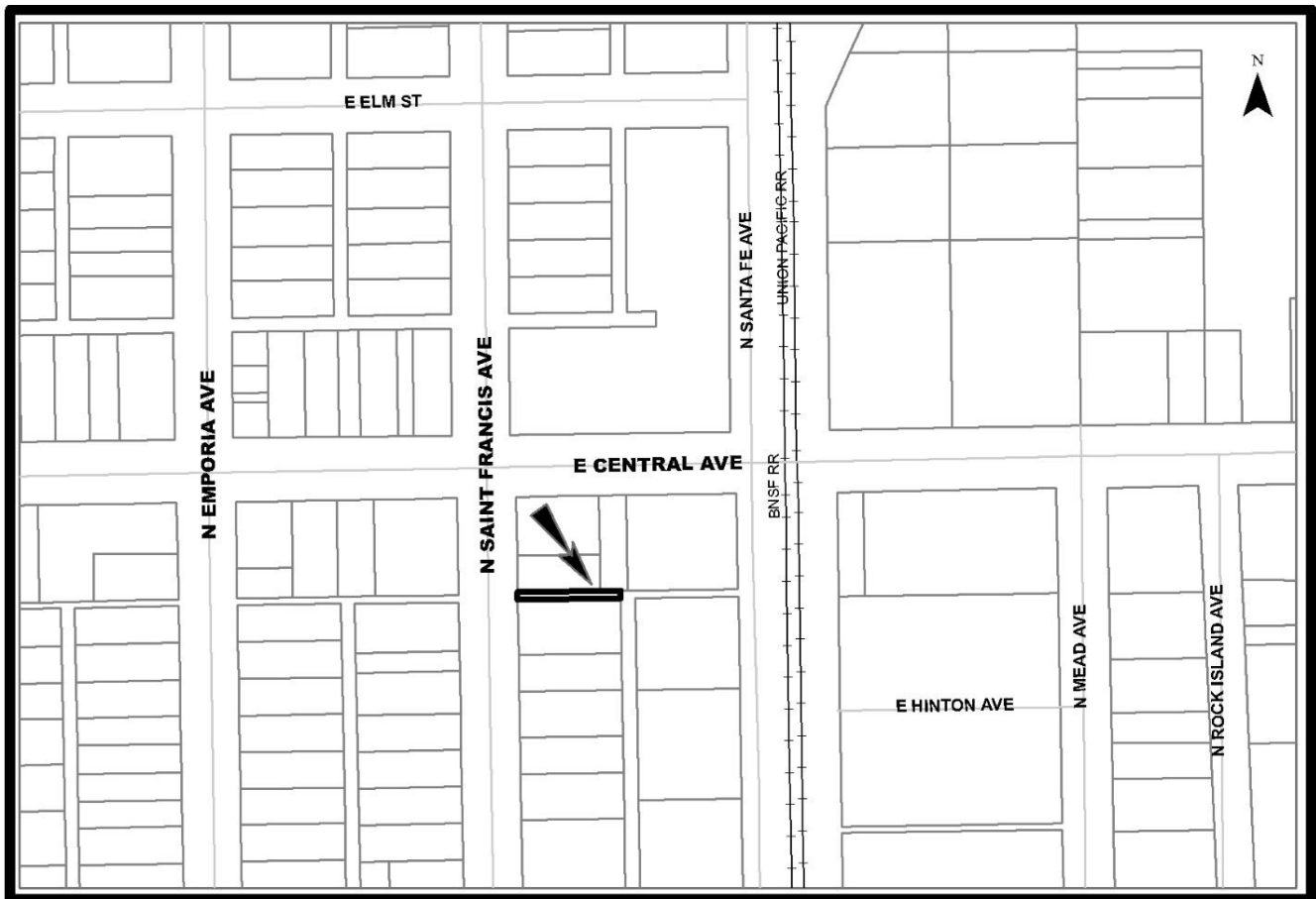


STAFF REPORT

- CASE NUMBER:** VAC2018-00030 – City vacation of east-west alley
- APPLICANT:** Erdman Properties, LLC (applicant) MKEC Engineering (agent)
- LEGAL DESCRIPTION:** See attached
- LOCATION:** Generally located at the southeast corner of East Central Avenue and North Saint Francis Avenue
- REASON FOR REQUEST:** To provide secure access for adjoining owner between properties
- CURRENT ZONING:** CBD Central Business District
- VICINITY MAP:**



The applicant is requesting the vacation of the platted east-west 10-foot wide alley abutting the south sides of Lots 33-39 (odd) Block Central and the north side of Lot 83, Block 4th now Saint Francis, J R Meads Addition. No property will be denied access to public street right-of-way if the vacation is approved. There is a sewer line located in the alley. The vacated portion of the platted alley will need to be dedicated as a 10-foot wide utility easement. Cox Communications and Westar had no objections with this vacation. J R Meads Addition was recorded with the Register of Deeds September 26, 1870.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described public street right-of-way.

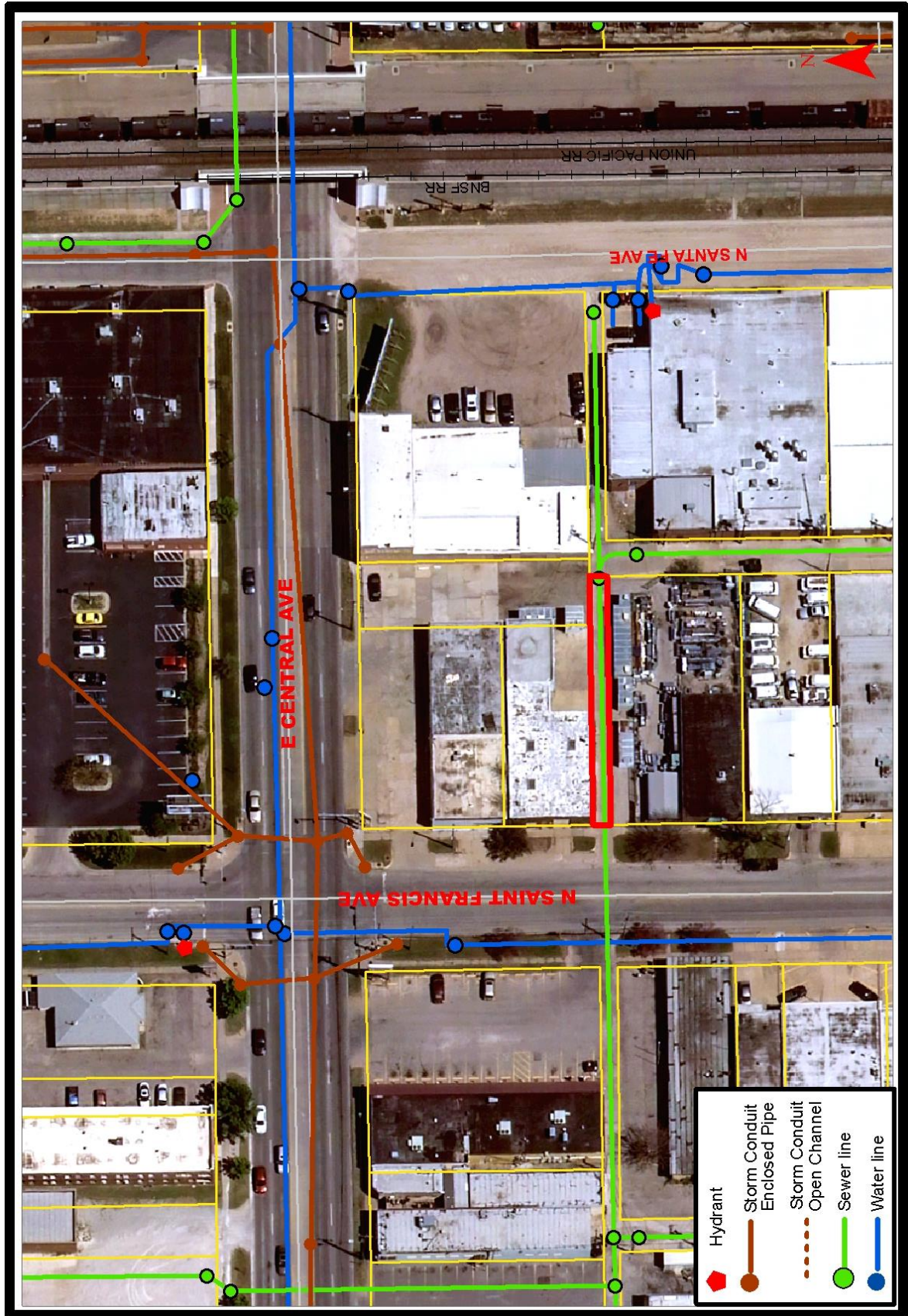
- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time November 29, 2018, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the public street right-of-way and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

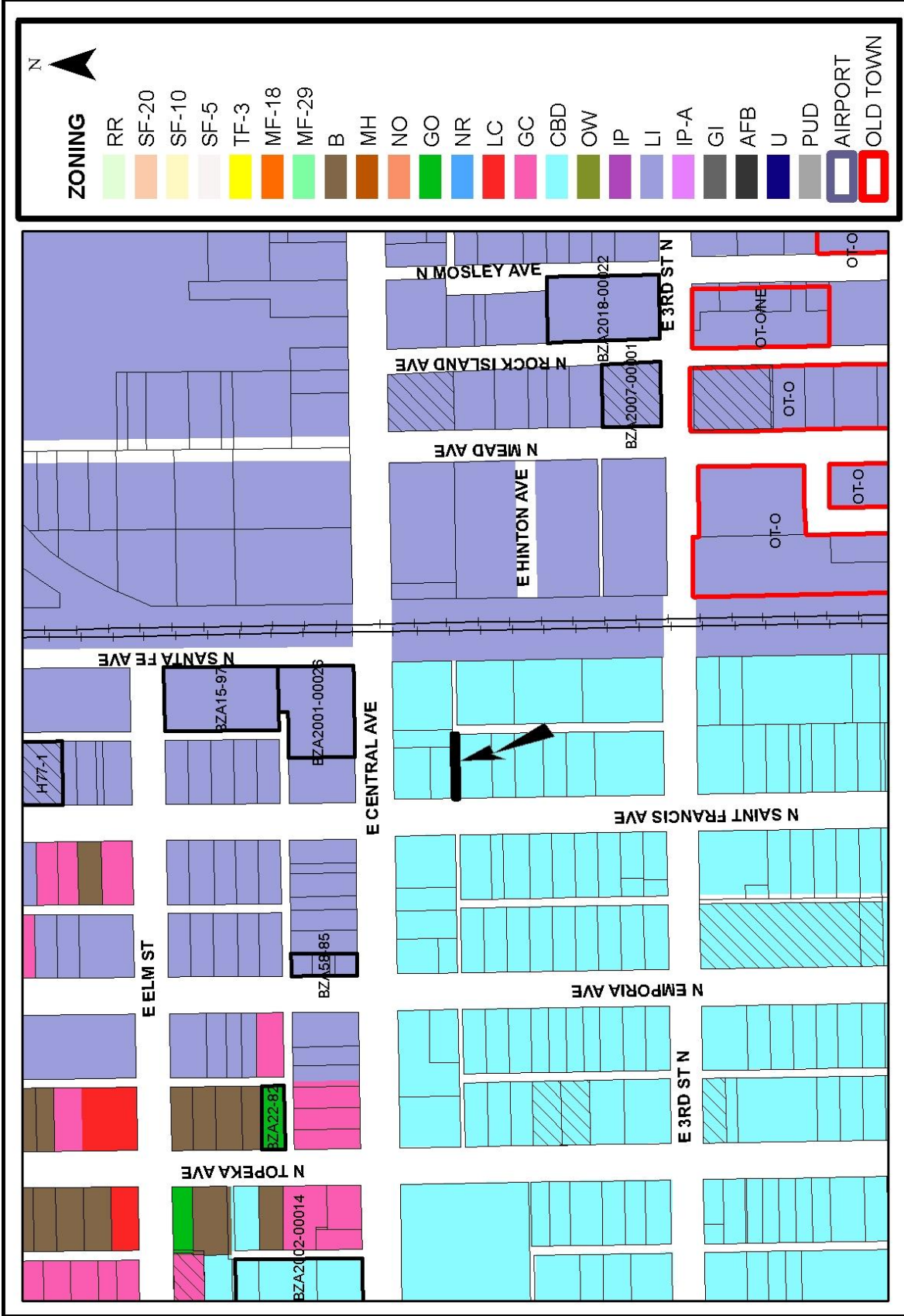
Conditions (but not limited to) associated with the request:

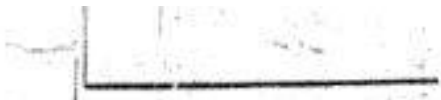
- (1) Dedicate a 10-foot wide utility easement by separate instrument, with original signatures, for the length of the platted vacated alley. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (2) Provide restrictive covenants, with original signatures, binding and tying the vacated described alley right of way to the abutting properties. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.







37 1/2 x 130

17	14	31	23	25	37	39	38
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37 1/2 x 130

37 1/2 x 130

33	35	37	39	41	43	45
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37 1/2 x 130

140 x 50 By 140 x 50

83	84
81	82
74	80
77	78
75	76
72	74
71	72
69	70
67	68

20

140 x 50 By 140 x 50

83	28
81	140
79	20
77	26
75	140
73	34
71	140
69	
67	

20

140 x 50

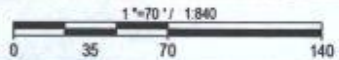
65	20	66
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65	20	
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M-1 6-1



Path: J:\Projects\2018\1801010733_AAA-Exemption\Vacation\GIS\GIS\Exemption.mxd



10.30.2018



Platted 10' Alley Vacation Case

Site Overview

The information presented herein is based on the best available data gathered by MKEC from various outside sources. MKEC does not guarantee the positional accuracy of the data shown. In no event shall MKEC become liable to users of the data presented herein, for any loss or damages, consequential or otherwise, including but not limited to time, money, or goodwill, arising from the use of the presented data. In using the data presented herein, users further agree to indemnify, defend, and hold harmless MKEC for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data.

**DESCRIPTION OF
VACATION OF A PLATTED ALLEY**
Case No. VAC2018-000__

All of the platted 10-foot Alley adjoining on the north of Lot 83, on Fourth, now St. Francis Avenue, in J.R. Mead's Addition to the City of Wichita, Sedgwick County, Kansas, provided however, City of Wichita shall retain a utility easement in the vacated 10-foot Alley.