

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1233 - VACATION OF PORTIONS OF THE PLATTED FLOODWAY ON LOT 1, ALLENS FARM, LOCATED NORTH OF 29TH STREET NORTH IN AN AREA EAST OF WOODLAWN.

The Planning Commission recommends approval subject to all proceedings being at the applicant's expense.

Bayouth moved, Gardner seconded and it carried unanimously. Chisholm was absent. Crockett and Moore not yet present. (12-1-83)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on first reading.

VACATION CASE DATA

Legal Description: Three portions of a platted floodway on Lot 1, Allens Farm, located in the southwest quarter of Section 31, Township 26 South, Range 2 East of the 6th P.M., and more particularly described as follows:

TRACT 1: Commencing at the southwest corner of said Section 31; thence northerly along the west line of said section bearing $N01^{\circ}14'30''W$, 416.00 feet; thence $N88^{\circ}55'01''E$, 295.00 feet to the point of beginning, said point of beginning also being the north boundary line of a floodway on Lot 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas; thence continuing easterly along said floodway boundary line $N88^{\circ}55'01''E$, 80.00 feet; thence $S01^{\circ}14'30''E$, 75.00 feet; thence $S88^{\circ}55'01''W$, 45 feet; thence $S01^{\circ}14'30''E$, 75 feet; thence $S88^{\circ}55'01''W$, 35.00 feet; thence $N01^{\circ}14'30''W$, 150.00 feet to the point of beginning, containing 0.26 acres more or less.

TRACT 2: Commencing at the southwest corner of said Section 31, thence northerly along the west line of said section, bearing $N01^{\circ}14'30''W$, 210.00 feet; thence $N88^{\circ}55'01''E$, 375.00 feet to the point of beginning, said point of beginning also being on the north boundary line of a floodway on Lot 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas; thence continuing easterly along said floodway boundary line $N88^{\circ}55'01''E$, 165.00 feet; thence $S01^{\circ}14'30''E$, 45.00 feet; thence $S88^{\circ}55'01''W$, 165.00 feet; thence $N01^{\circ}14'30''W$, 45.00 feet to the point of beginning, containing 0.17 acres, more or less.

TRACT 3: Commencing at the southwest corner of said Section 31; thence easterly along the south line of said section, bearing $N88^{\circ}55'01''E$, 620.00 feet; thence $N01^{\circ}14'30''W$, 265 feet to the point of beginning; said point of beginning also being on the boundary line of a floodway on Lot 1, thence continuing northerly along said floodway boundary line $N01^{\circ}14'30''W$, 75.00 feet; thence $N42^{\circ}32'43''E$, 45.00 feet; thence $S14^{\circ}54'53''W$, 111.91 feet to the point of beginning, containing 0.03 acres, more or less.

General Location: North of 29th Street North in an area east of Woodlawn.

Applicant: Woodlawn Development Company
c/o Landmark Communities
3500 N. Rock Road #100
Wichita, Kansas 67226

Protestors (If any): None

ORDINANCE NO. 38-610

AN ORDINANCE VACATING PORTIONS OF THE PLATTED FLOODWAY ON LOT 1, ALLENS FARM, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the portions of the platted floodway on Lot 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas, being located in the SW 1/4 of Section 31, Township 26 South, Range 2 East of the 6th P.M. and described as follows, to-wit:

TRACT 1: Commencing at the southwest corner of said Section 31; thence northerly along the west line of said section bearing N01°14'30"W, 416.00 feet; thence N88°55'01"E, 295.00 feet to the point of beginning, said point of beginning also being the north boundary line of a floodway on Lot 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas; thence continuing easterly along said floodway boundary line N88°55'01"E, 80.00 feet; thence S01°14'30"E, 75.00 feet; thence S88°55'01"W, 45 feet; thence S01°14'30"E, 75 feet; thence S88°55'01"W, 35.00 feet; thence N01°14'30"W, 150.00 feet to the point of beginning, containing 0.26 acres more or less.

TRACT 2: Commencing at the southwest corner of said Section 31, thence northerly along the west line of said section, bearing N01°14'30"W, 210.00 feet; thence N88°55'01"E, 375.00 feet to the point of beginning, said point of beginning also being on the north boundary line of a floodway on Lot 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas; thence continuing easterly along said floodway boundary line N88°55'01"E, 165.00 feet; thence S01°14'30"E, 45.00 feet; thence S88°55'01"W, 165.00 feet; thence N01°14'30"W, 45.00 feet to the point of beginning, containing 0.17 acres, more or less.

TRACT 3: Commencing at the southwest corner of said Section 31; thence easterly along the south line of said section, bearing N88°55'01"E, 620.00 feet; thence N01°14'30"W, 265 feet to the point of beginning, said point of beginning also being on the boundary line of a floodway on Lot 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas; thence continuing northerly along said floodway boundary line N01°14'30"W, 75.00 feet; thence N42°32'43"E, 45.00 feet; thence S 14°54'53"W, 111.91 feet to the point of beginning, containing 0.03 acres, more or less. (MAPC NO. V-1233);

be and the same are hereby vacated in accordance with K.S.A. 13-443, subject, however, to the concurrence in such vacation by the Board of County Commissioners as by law provided.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described portions of platted floodway be vacated by said Board in case a proper petition is filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A. 12-506.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage and publication once in the official city paper.

PASSED AND APPROVED at Wichita, Kansas this 20th day of Dec, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

