

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1207 - VACATION OF THE EAST-WEST ALLEY NORTH OF CENTRAL BETWEEN PERSHING AND DELLROSE.

The Planning Commission recommends approval subject to:

- A. The entire alley right-of-way shall be retained as a utility easement in the vacation ordinance.
- B. The applicant shall guarantee the closure or the reconstruction to private driveway standards of the existing alley curb openings.
- C. All proceedings shall be without cost to the City, County, or any utility company.
- D. Any relocation of utilities necessitated by the vacation of this alley shall be at the applicant's expense.

Parsons moved, Chisholm seconded and it carried unanimously. One vacancy. (8-25-83)

Note: The vacation ordinance retains a utility easement; a \$2,915.00 letter of credit has been submitted as guarantee for curb cut reconstructions.

ACTION: Receive and file the letter of credit; approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on first reading.

VACATION CASE DATA

Legal Description: The east-west alley between Lucile (now Pershing) and Brookes (now Dellrose) approximately 150 feet north of Central, as platted in Overlook Addition to Wichita, Kansas.

General Location: North of Central between Pershing and Dellrose.

Applicant: Dr. Kernie W. Binyon, et al
4618 E. Central, 67208

Protestors (If any): None

98313

(~~38-639~~) (Published in The Daily Record January 20 1984)

ORDINANCE NO. 38-639

AN ORDINANCE VACATING THE EAST-WEST ALLEY BETWEEN LUCILE (NOW PERSHING) AND BROOKES (NOW DELLROSE), APPROXIMATELY 150 FEET NORTH OF CENTRAL, AS PLATTED IN OVERLOOK ADDITION TO WICHITA, KANSAS.

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

wit: SECTION 1. That the alley described as follows, to-

The east-west alley between Lucile (now Pershing) and Brookes (now Dellrose) approximately 150 feet north of Central, as platted in Overlook Addition to Wichita, Kansas; (MAPC NO. V-1207);

be and the same is 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 there is hereby retained an easement for all public utilities over, on, and under the entire alley right-of-way being vacated, as provided for in K.S.A. 12-512(a).

SECTION 3. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described alley 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 4. 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 17th day of January, 1984.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

