

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1308 VACATION OF STREET RIGHT OF WAY LOCATED ALONG 31ST STREET SOUTH EAST OF THE WICHITA-VALLEY CENTER FLOOD CONTROL STRUCTURE.

NOTE: The City Clerk will certify as to proper publication of notice of hearing and filing of written protest.

A petition for the above identified vacation request has been filed in the office of the City Clerk. The Planning Commission recommends that the Board of City Commissioners find that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by granting by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being without cost to the City, County, or any utility company.
- D. The vacation order shall retain the vacated street right of way as a drainage, utility and maintenance access easement.
- E. Approval of the vacation case shall be subject to approval of the associated case of Big Lake Addition.
- F. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

Bayouth moved, Chisholm seconded and it carried unanimously. (1/10/85)

ACTION: Close the public hearing, approve the vacation request, authorize the Mayor to sign the vacation order and instruct the City Clerk to file a certified copy of the order with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: The west 840.03 feet of 31st Street South as platted in Keeler Addition, Wichita, Kansas (MAPC. No. V-1308)

Applicant: Walt Keeler
2124 Garland
Wichita, Kansas 67203

Protestors: None before the Subdivision Committee of MAPC.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF
PLATTED STREET RIGHT OF WAY

GENERALLY LOCATED ALONG 31ST STREET
SOUTH EAST OF THE WICHITA-VALLEY
CENTER FLOOD CONTROL STRUCTURE

MORE FULLY DESCRIBED BELOW

RECEIVED
OFFICE OF CITY CLERK
MAY 20 1985

CG _____ DR _____
Approved by _____ JE _____
this File _____ Board of Commissioners
APR 30 1985

VACATION ORDER

NOW on this 30th day of April, 1985, comes on for hearing the petition for vacation filed by Walt Keeler, praying for the vacation of the following described platted street right of way, to-wit:

The west 840.03 feet of 31st Street South as platted in Keeler Addition, Wichita, Kansas (MAPC. No. V-1308)

The City Commission, 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 Daily Record of notice of this vacation proceeding for consecutive weeks on APR 17 & 24, 1985.
2. No private rights will be injured or endangered by the vacation of the above-described platted street right of way, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner 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. This vacation order shall retain the vacated street right-of-way as a drainage, utility and maintenance access easement.
6. The vacation of the platted street right of way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 30th day of April, 1985, ordered that the above-described platted street right of way is hereby vacated. IT IS FURTHER ORDERED that the vacated street right of way described herein is hereby retained as a drainage, utility and maintenance access easement. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Robert C. Brown
Robert C. Brown, Mayor

ATTEST:

Donald C. Cisiek
Donald C. Cisiek, City Clerk

Approved as to Form:
John Dekker
John Dekker, Director of Law

City Clerk

MICROFILMED
OF RECORD

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
10:00 AM

MAY 15 1985
NO. 7 45954
PAT KETTLER
REGISTER OF DEEDS

Ed P... Deputy

5.00

WICHITA VALLEY CENTER

FLOODWAY

KEELER
ADD.

WESTEMAN
ADD.

SANDPIT

HWY
225

INTERSTATE

VACATED
ST. 228
DITCH

THIRTY FIRST

31 ST. ST. S.