

City of Wichita
City Commission Meeting
September 30, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1411 - REQUEST TO VACATE STREET RIGHT-OF-WAY, LOCATED
NORTH OF 19TH STREET NORTH, IN AN AREA EAST OF TYLER ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of street right-of-way.

Background: Carson and Company, c/o Gary Carson, 3015 S. Hydraulic, Wichita, KS 67216, is requesting this vacation to satisfy a requirement of the Golf Park West plat to the north.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company;
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant;
5. Approval of this vacation case is subject to completion of the Golf Park West Addition plat to the north; and
6. The Vacation Order shall retain the north 10 feet of the vacated street right-of-way as a utility easement.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

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

IN THE MATTER OF THE VACATION OF STREET
RIGHT-OF-WAY.

GENERALLY LOCATED NORTH OF 19TH STREET,
IN AN AREA EAST OF TYLER ROAD. (V-1411)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

) Approved by Board of Commissioners
) this SEP 30 1986

STATE OF KANSAS }
SEDGWICK COUNTY } CS
FILED FOR RECORD AT
8:00 AM

OCT 13 1986

NO. 8 38422

PAT KETTLER
REGISTER OF DEEDS

Ed Ressa
Deputy

VACATION ORDER

NOW on this 30th day of September, 1986, comes on for hearing the petition for vacation filed by Carson and Company, praying for the vacation of the following described street right-of-way, to-wit:

Socora north of 19th Street adjacent to the east line of Lot 14, Block 1, and the west line of Lot 1, Block 2, Westlink Village 16th Addition, Wichita, Sedgwick County, Kansas. (V-1411)

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 SEPT 17 & 24, 1986.

2. No private rights will be injured or endangered by the vacation of the above-described street right-of-way, and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s) 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. The north ten feet of the vacated street right-of-way is hereby retained as a utility easement.

6. The vacation of the street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 30th day of September, 1986, ordered that the above-described street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

ATTEN:

Donald G. Clark
Donald G. Clark, City Clerk

Tony Casado
Tony Casado, Mayor

Approved as to Form:

John Dekker
John Dekker, Director of Law

city clerk

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