

City of Wichita  
City Commission Meeting  
June 10, 1986

Agenda Report # \_\_\_\_\_

TO: Mayor and City Commissioners

SUBJECT: V-1390 - VACATION OF STREET RIGHTS-OF-WAY, GENERALLY  
LOCATED SOUTH OF 25TH STREET NORTH, IN AN AREA WEST OF  
EDGEMOOR.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: Critchfield Real Estate, Limited Partnership 1985, 434 North Oliver, Suite 108, Wichita, KS 67208, is requesting these street vacations to satisfy a platting requirement for Beacon Hill Addition.

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. The Vacation Order shall retain the vacated street rights-of-way as utility easement;
5. The Vacation Order shall retain the vacated street right-of-way, which was dedicated as part of Woodlawn Place 5th Addition, as drainage easement;
6. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant; and
7. The applicant shall submit a revised vacation petition.

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.

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

)  
) Approved by Board of Commissioners  
) this JUN 10 1986

GENERALLY LOCATED SOUTH OF 25TH STREET NORTH,  
IN AN AREA WEST OF EDGEWOOD. (V-1390)

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

MORE FULLY DESCRIBED BELOW      MICROFILMED  
OF RECORD  
VACATION ORDER

JUN 30 1986  
8 15077

NO. PAT KETTLER  
REGISTER OF DEEDS

*Ed Reed*  
*Deputy*

NOW on this 10th day of June, 1986, comes on for hearing the petition for vacation filed by Critchfield Real Estate, praying for the vacation of the following described portions of platted street rights-of-way, to-wit:

The east 99.4 feet of the 30 feet of half-street right-of-way for 25th Street North that was platted as part of Prairie Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

AND

The 33 feet of half-street right-of-way for 25th Street North, from the west line of Ridgewood to the west line of the plat, that was platted as part of Woodlawn Place 5th Addition to Wichita, Sedgwick County, Kansas.

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 MAY 28 & JUNE 4, 1986.
2. No private rights will be injured or endangered by the vacation of the above-described street rights-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 street rights-of-way are hereby retained as utility easement.
6. The street right-of-way which was dedicated as part of Woodlawn Place 5th Addition is retained as a drainage easement.
7. The vacation of the street rights-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 10th day of June, 1986, ordered that the above-described street rights-of-way are 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.

*Tony Casado*  
\_\_\_\_\_  
Tony Casado, Mayor

ATTEST:

*Donald C. Cisick*  
\_\_\_\_\_  
Donald C. Cisick, City Clerk

Approved as to Form:

*John Dekker*  
\_\_\_\_\_  
John Dekker, Director of Law

5.00 *City Clerk*

