

City of Wichita
City Commission Meeting
February 18, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1373 - VACATION OF ALLEY RIGHT-OF-WAY, LOCATED
IN AN AREA NORTH OF MURDOCK, WEST OF OHIO.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of access control.

Background: The Metropolitan Area Planning Department has initiated this vacation to eliminate alley right-of-way not needed for alley purposes.

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. The Vacation Order shall retain the alley right-of-way being vacated as a utility easement.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest. This vacation has been initiated by the Planning Department under authority granted in Section 4 of joint City/County Ordinance No. 30-122.

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 755-68-360-50000-295-000-000.

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

IN THE MATTER OF THE VACATION OF PLATTED ALLEY)
RIGHT-OF-WAY.)

Approved by Board of Commissioners
this FEB 18 1986

GENERALLY LOCATED IN AN AREA NORTH OF)
MURDOCK, WEST OF OHIO. (V-1373))

MICROFILMED
OF RECORD

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
1:00 P.M.

MORE FULLY DESCRIBED BELOW)

FEB 21 1986
7 91133

VACATION ORDER *Ed Rera*
Deputy

NO. PAT KETTLER
REGISTER OF DEEDS

NOW on this 18th day of February, 1986, comes on for hearing the petition for vacation filed by the Metropolitan Area Planning Department praying for the vacation of the following described alley right-of-way, to-wit:

The seven-foot wide east/west alley right-of-way platted as part of Elliott and Hammonds Addition to Wichita, adjacent to the south line of Lot 2, Elliott and Hammonds Addition to Wichita.

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 FEB 5 & 12, 1986.
2. No private rights will be injured or endangered by the vacation of the above-described alley 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 vacated alley right-of-way is hereby retained as utility easement.
6. The vacation of the alley right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 18th day of February, 1986, ordered that the above-described alley 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.

R. C. Brown
R. C. Brown, Mayor

ATTEST

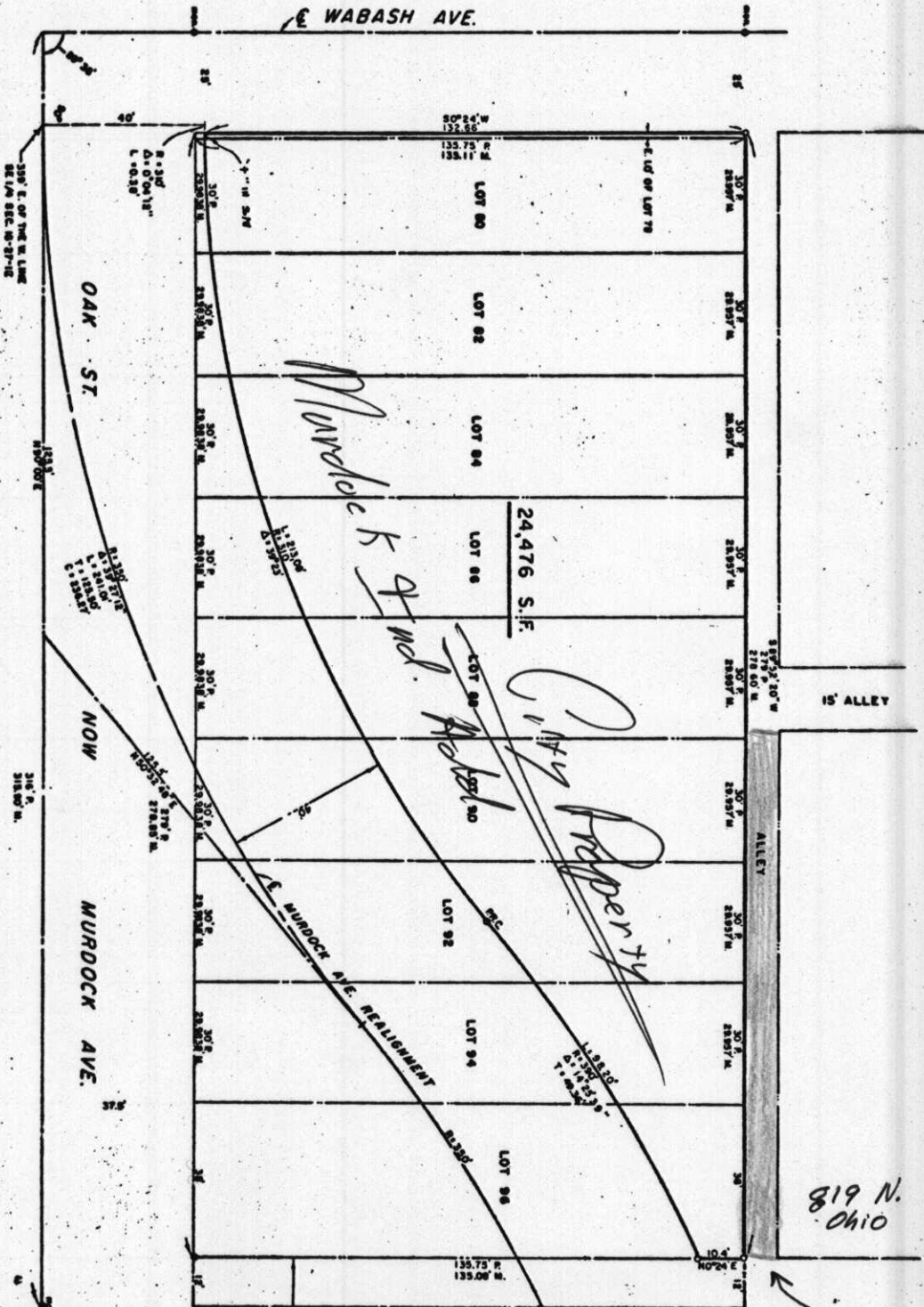
Donald C. Gister
Donald C. Gister, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

5.00 city clerk

E WABASH AVE.



OHIO AVE. CONDEMNED, 12' OFF THE EAST SIDE OF LOT 96, OHIO AVE., IN TILLINGHAST'S ADD. TO THE CITY OF WICHITA, ORD. NO. 2624 10-10-1906

OHIO AVE.

- 20'
- EXISTING CORNER
- PLATTED DISTANCE
- MEASURED DISTANCE
- 0.5' IRON SET