

City of Wichita
City Commission Meeting
April 21, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1447 - REQUEST TO VACATE A FLOODWAY RESERVE, LOCATED
ON THE SOUTH SIDE OF 45TH STREET NORTH, EAST OF 143RD
STREET EAST.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of floodway reserve.

Background: Martin Burdick, 14821 E. 45th Street North, Wichita, KS 67228, is requesting this vacation to provide more buildable area on his unplatted tract of property. The County's Bureau of Public Services is in receipt of the required substitute floodway reserve document.

Analysis: The Planning Commission recommends City Commission adopt a resolution recommending that the County Commission approve this vacation subject to:

1. All proceedings being without cost to the City, County or any utility company;
and
2. The applicant shall grant, by separate instrument, a substitute floodway reserve.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Board of City Commissioners.

Recommendations/Action: Approve vacation; adopt resolution;
record resolution, recording costs to be
billed to owner.

() (Pub. ned in the Daily Record R 24 1987 , 19)

Film 890 pg. 1179
Approved by Board of Commissioners

this APR 21 1987

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A FLOODWAY RESERVE DESCRIBED AS:

STATE OF KANSAS
SEDGWICK COUNTY

FILED FOR RECORD AT

MAY 19 1987

8 82504

NO.
PAT KETTLER
REGISTER OF DEEDS*Ed Resal*
Deputy

The floodway reserve established by an instrument recorded on Film 830, Page 968, legally described as: Part of the east half of the north half of the Northwest Quarter of Section 25, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the northeast corner of said Northwest Quarter; thence west along north line of Northwest Quarter; 495.72 feet to a point of beginning; thence south at right angles, 324.58 feet; thence west at right angles, 112.7 feet; thence south at right angles, 306.2 feet; thence west at right angles, 287.3 feet; thence north at right angles, 630.78 feet to the north line of said Northwest Quarter; thence east along the north line of said Northwest Quarter, 400 feet to the point of beginning.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a floodway reserve described as:

The floodway reserve established by an instrument recorded on Film 830, Page 968, legally described as: Part of the east half of the north half of the Northwest Quarter of Section 25, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the northeast corner of said Northwest Quarter; thence west along north line of Northwest Quarter; 495.72 feet to a point of beginning; thence south at right angles, 324.58 feet; thence west at right angles, 112.7 feet; thence south at right angles, 306.2 feet; thence west at right angles, 287.3 feet; thence north at right angles, 630.78 feet to the north line of said Northwest Quarter; thence east along the north line of said Northwest Quarter, 400 feet to the point of beginning.

MICROFILMED
OF RECORD

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 19, 1987;

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

SECTION 1. That the floodway reserve, described as follows, to wit:

CASE NO. V-1447

The floodway reserve established by an instrument recorded on Film 830, Page 968, legally described as: Part of the east half of the north half of the Northwest Quarter of Section 25, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the northeast corner of said Northwest Quarter; thence west along north line of Northwest Quarter; 495.72 feet to a point of beginning; thence south at right angles, 324.58 feet; thence west at right angles, 112.7 feet; thence south at right angles, 306.2 feet; thence west at right angles, 287.3 feet; thence north at right angles, 630.78 feet to the north line of said Northwest Quarter; thence east along the north line of said Northwest Quarter, 400 feet to the point of beginning.

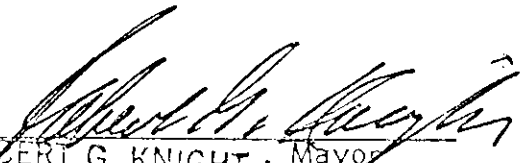
Be and the same is approved for vacation.

City Clerk

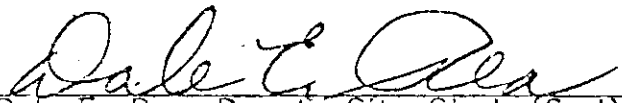
SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described floodway reserve be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

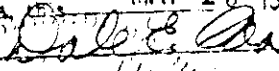
Passed and approved at Wichita, Kansas, this 21st day of April, 1987.


ROBERT G. KNIGHT, Mayor

ATTEST:


Dale E. Rea, Deputy City Clerk (Seal)

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, DALE E. REA, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of

Wichita, this MAY 13 1987
 Deputy City Clerk

3 week -

Tuesday

Proposed
Change

