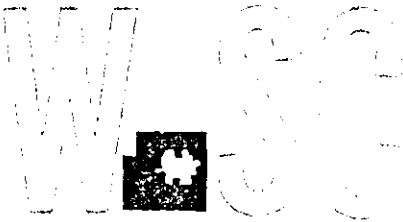


WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL -- TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

July 7, 1989

Mr. Bob Previtera, L.A.
Air Capitol Land Surveyors
2160 W. 21st St.
Wichita, KS 67203-2181

Re: V-904 & V-1589 - Motel 6 request to vacate a utility
easement located in an area north of Kellogg and west
of Hoover Street.

Dear Mr. Previtera:

The Wichita City Council has approved the attached corrective
Vacation Order.

The associated Vacation Case file V-1589, as it is no longer
necessary, shall be marked closed.

If you have any questions about this matter, please call.

Sincerely,

R. Timothy Bickhaus
Associate Planner

RTB:svm

cc: Motel 6, L.P., Attn: Roger J. Reith, Real Estate Attorney,
14651 Dallas Parkway, Suite 500, Dallas, TX 75240
Denny's Inc., Attn: Larry Young, 16700 Valley View Ave., La
Mirada, CA 90637
Mike Lindebak, City Engineer

Approved / Accepted By City Council

This JUN 6 1989
STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS JUN 27 89 1015493

IN THE MATTER OF THE VACATION OF)
A PORTION OF A UTILITY EASEMENT)
GENERALLY LOCATED IN AN AREA NORTH OF)
KELLOGG AND WEST OF HOOVER STREET)
(V-904))
MORE FULLY DESCRIBED BELOW)

PAT KETTLER
REGISTER OF DEEDS

Ed Pasa Deputy

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 6th day of June, 1989, comes on for correction of a mutual mistake in the legal description of the easement previously vacated in the subject vacation proceeding.

The City Council, after being duly and fully informed as to fully understand the true nature of the subject vacation and the mistake in the legal description that caused the prior vacation order to fail to accomplish the vacation petitioned for, makes the following findings:

1. In Case No. V-0904 all the requirements of law were followed to accomplish the vacation of a portion of a sewer easement on Lot 2, Block 1, Byron Stout Addition, Wichita, Sedgwick County, Kansas.

2. On March 28, 1979, a Vacation Order was entered vacating the following described easement:

The North 20 feet of the South 250 feet of the west 100 feet of the east 162 feet of Lot 2, Block 1, Byron Stout Addition, Wichita, Sedgwick County, Kansas.

3. The legal description contained in said Vacation Order of March 28, 1979, was in error and the legal description of the easement intended to be vacated by the Petitioner and all interested parties is:

The North 20 feet of the South 250 feet of the west 100 feet of the east 320 feet of Lot 2, Block 1, Byron Stout Addition, Wichita, Sedgwick County, Kansas.

4. A corrected Vacation Order should be issued to accomplish the vacation that was petitioned for in 1979 and to annul the effect of the incorrect description contained in the vacation Order of March 28, 1979, which Order incorrectly vacated a portion of a sewer easement which is being used by the public and which was never intended to be vacated.

8.00
ca

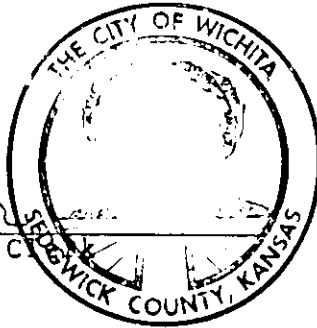
City Clerk

Vacation Order
V-904
Page 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this ^{6TH} day of ~~JUNE~~, 1989, ordered that that portion of the easement described above in paragraph 3 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.

ATTEST:

John Moir
John Moir, City Clerk



Bob Knight, Mayor

Approved as to Form:

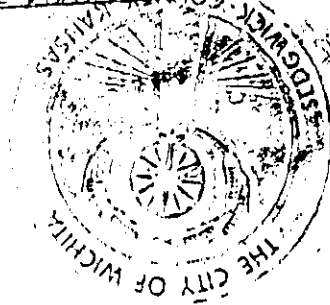
Thomas Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, PAT BURNETT, 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 JUN 13 1989

PAT BURNETT Deputy City Clerk



LANDING

ARK
ADD.

PART
OF
AIR PARK
3RD
ADD.

1 14

6 9

HENDRYX

1 14

6 9

MEADOWHAVEN

1 14

6 9

AVE.

GARST

GARST

GARDENS

BYRON

STOUT

ADD.

REPLAT OF
DALE GARST
ADD. AND |
PART OF
GARST GARDENS

REPROCO

54

KELLOGG

HOOVER

PLANT
2

PART
OF
CUMLEY'S
2ND
7 ADD

SANDLIAN'S
NINTH

3	PART
ADD.	

OF 2 M/LEY'S

WESTERN ADD.