

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 14, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1586, REQUEST TO VACATE A PORTION OF PLATTED DRAINAGE
RIGHT-OF-WAY, LOCATED EAST OF MAIZE ROAD AND SOUTH OF MAPLE.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage right-of-way.

MAPC Recommendation: Approve vacation of drainage right-of-way. (unanimous)

Background: This vacation has been requested in order to clear title to an existing house which has been found to encroach the platted drainage right-of-way. City Engineering and the Utility Advisory Committee have indicated that no adverse effects should result from the vacation. The applicant has also provided a dedication for a replacement drainage easement in the same general area. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

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

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

300210-9024

Approved / Accepted By City Council

STATE OF KANSAS)
SEDGWICK COUNTY)

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

MAR 24 1000564

IN THE MATTER OF THE VACATION OF
A PLATTED DRAINAGE RIGHT-OF-WAY.

PAT KETTLER
REGISTER OF DEEDS

GENERALLY LOCATED IN AN AREA EAST OF
MAIZE ROAD AND SOUTH OF MAPLE. (V-1586)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 14th day of March, 1989, comes on for hearing the petition for vacation filed by William C. Vineyard, etux, praying for the vacation of the following described platted drainage right-of-way, to-wit:

That portion of the Drainage Right-of-Way as platted in the Dell, Sedgwick County, Kansas, described as commencing at the SW corner of the NW 1/4 of Sec. 29, Twp. 27-S, Range 1-W of the 6th P.M., Sedgwick County, Kansas; thence east 948.64 feet to the SE Corner of said plat of The Dell, Sedgwick County, Kansas; thence with an angle to the left of 30°38' and along the easterly line of said The Dell, a distance of 45.11 feet to the point of curvature of a curve to the left having a radius of 320 feet and a central angel of 79°00'; thence along said curve 441.22 feet to the point of reverse curve of a curve to the right having a radius of 120 feet and a central angle of 113°00', for a place of beginning; thence northwesterly along a line tangent to said 320 foot radius curve, 50 feet; thence with a deflection angle to the left of 19°00', 37 feet; thence with a deflection angle to the right of 89°42'. 138.73 feet; thence with a deflection angle to the right of 42°18', 52.15 feet more or less to the P.T. of the previously described curve having a radius of 120 feet and a central angle of 113°00'; thence southwesterly and southerly along said curve, 236.66 feet to the place of beginning.

The City Council, 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
2. No private rights will be injured or endangered by the vacation of the above-described drainage 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.

A

8.00

City Clerk

V-1586, Vacation Order
Page 2

5. The vacation of the drainage right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of March, 1989, ordered that the above-described drainage 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.



S. Kamen
Sheldon Kamen, Mayor

ATTEST:

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County,)
City of Wichita)
I, Dale E. Rea, Deputy City Clerk of the City
of Wichita, hereby certify that the document
to which this is attached is a true and correct copy of
the original in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, Kansas, this 15th day of March, 1989.
Dale E. Rea Deputy City Clerk

MAPLE

MAIZE

