

City of Wichita
City Council Meeting
May 24, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1532 - REQUEST TO VACATE THE USES PLATTED FOR A PORTION
OF A RESERVE, LOCATED ON THE SOUTH SIDE OF PONDEROSA
CIRCLE, EAST OF MANCHESTER. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of uses platted for reserve.

MAPC Recommendation: Approve vacation of uses platted for reserve. (unanimous)

Background: This vacation has been requested in order to clear from the subject portion of the reserve all easements and restrictions which prevent building construction. The subject portion of the reserve will be tied in ownership to the lot to the west. The portion of the reserve and the lot will be developed as one building site. The Vacation Order retains needed easements for street, drainage and utilities. 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; 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 CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF THE USES
PLATTED FOR A PORTION OF A RESERVE.

GENERALLY LOCATED ON THE SOUTH SIDE OF
PONDEROSA CIRCLE, IN AN AREA EAST OF
MANCHESTER. (V-1532)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council
This MAY 24 1988
STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
JUN 10 1988

VACATION ORDER NO. 9 52168
PAT KETTLER
REGISTER OF DEEDS

NOW on this 24th day of May, 1988, comes on for hearing the petition for vacation filed by Huntington Corporation, praying for the vacation of the following described uses platted for a portion of a reserve, to-wit:

Vacation of the utility easement, drainage easement, landscaping, recreation, walk, open space, private park, wall and entry monument uses platted on following described portion of a reserve:

The easterly 20 feet of Reserve J, Huntington Place, an addition to Wichita, Sedgwick County, Kansas. (V-1532)

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 MAY 11 & 18, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described uses platted for a portion of a reserve, 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 north 15 feet of the subject portion of Reserve J is hereby retained as a "street, drainage and utility easement".
6. The south 10 feet of the subject portion of Reserve J is hereby retained as a "utility easement".
7. The vacation of the uses platted for a portion of Reserve J described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 24th day of May, 1988, ordered that the above-described platted uses for Reserve J 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.



ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Sheldon Kamen
Sheldon Kamen, Mayor

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas,
Sedgwick County) ss
Dale E. Rea, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
in 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 10 1988
Dale E. Rea Deputy City Clerk

city clerk

MICROFILMED
OF RECORD

13th ST NO. MAIZE

