

Planning Agenda Item # _____

City of Wichita
City Council Meeting
April 18, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1591 REQUEST TO VACATE A PORTION OF STREET RIGHT-OF-WAY
FOR RIDGE ROAD IN AN AREA SOUTH OF TAFT
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

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

Background: The applicant desires to obtain additional parking area for a theatre complex planned for this site. Ridge Road at this site terminates in a cul-de-sac and the amount of right-of-way originally platted is no longer needed. Sanitary sewer and water are located along Ridge Road and City Engineering has requested the vacated right-of-way be retained as a utility easement. 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:

150029-2909

Approved / Accepted By City Council

This STATE OF KANSAS
SEDGWICK COUNTY ssBEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSASFILED FOR RECORD AT
12:30 PM

MAY 189 1006620

IN THE MATTER OF THE VACATION OF
A PORTION OF STREET RIGHT-OF-WAY
FOR RIDGE ROAD.PAT KETTLER
REGISTER OF DEEDSGENERALLY LOCATED ON THE WEST SIDE OF
RIDGE ROAD IN AN AREA SOUTH OF TAFT

(V-1591)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 18th day of April, 1989, comes on for hearing the petition for vacation filed by Gary Fugit, agent for Cinemas Associates, praying for the vacation of the following described portion of street right-of-way, to-wit:

Beginning at the northeast corner of Lot 4, Ridge Plaza 3rd Addition, Wichita, Sedgwick County, Kansas; thence east 25-feet along the north line of said Lot 4, extended east; thence south parallel with the east line of said Lot 4, 140-feet; thence west 25-feet; thence north 140-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 street 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 right-of-way indicated in the legal description shall be retained as a public utility easement.
6. The vacation of the street right-of-way described herein should be approved.

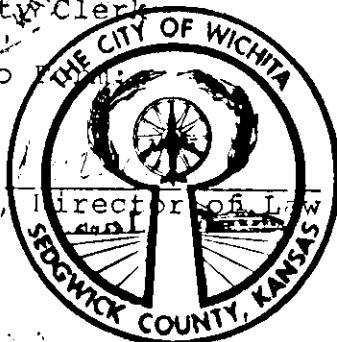
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of April, 1989, ordered that the above-described street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

ATTEST:

John Moir, City Clerk

Approved as to

Thomas Powell, Director of Law



BOB KNIGHT, Mayor

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

Dale E. Red, 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 APR 28 1989

Dale E. Red Deputy City Clerk

City Clerk

6-00 ca

