

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
November 3, 1992

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1783 REQUEST TO VACATE ALLEY RIGHT-OF-WAY  
LOCATED SOUTH OF 2ND STREET NORTH AND EAST OF MERIDIAN  
(District #4)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

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

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

Background: The applicants wish to stop traffic that presently uses this alley as a short cut between the residential streets. The alley will also be used in part as the entrance to a multi-family development planned at this location. The Subdivision Committee including City Engineering and the utility representatives agreed the alley could be vacated, providing it is retained as a utility easement. Engineering also requested that additional easement be obtained to cover an existing sanitary sewer at this site. The applicant(s) has submitted the requested 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: Accept the utility easement; close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record utility easement and certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

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

IN THE MATTER OF THE VACATION OF ALLEY )  
RIGHT-OF-WAY )  
 )  
GENERALLY LOCATED SOUTH OF 2ND STREET )  
NORTH AND EAST OF MERIDIAN )  
 (V-1783) )  
 )  
MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 3rd day of November, 1992, comes on for hearing the petition for vacation filed by Robert and Carolyn Gordon, etal, praying for the vacation of the following described alley right-of-way, to-wit:

That portion of an east-west alley being adjacent to the north line of the following described tract: beginning 100 feet west and 350 feet north of the southwest corner, Block 4, Martinson's 7th Addition to the City of Wichita, Kansas, North 50 feet, West 165 feet, South 50 feet, East to 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 Reporter of notice of this vacation proceeding for consecutive weeks on 10/19/92 & 10/26/92.

2. No private rights will be injured or endangered by the vacation of the above-described alley 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 above vacated alley right-of-way shall be retained as a utility easement.

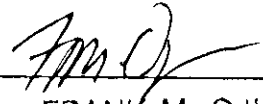
6. The vacation of the alley right-of-way described herein should be approved.

MICROFILMED  
OF RECORD

8.00.k  
City Clerk

Vacation Order  
V-1783  
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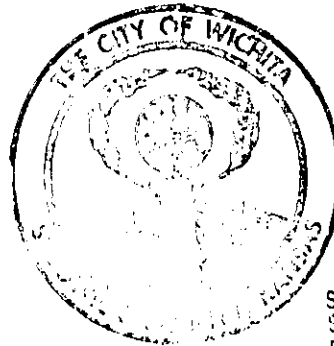
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of November, 1992, ordered that the above-described alley right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.



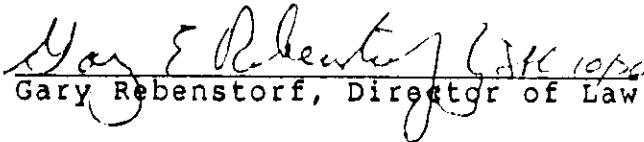
FRANK M. OJILE Mayor

ATTEST:

  
Pat Burnett, Deputy City Clerk



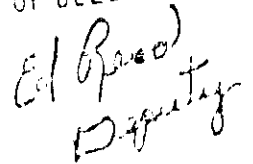
Approved as to Form:

  
Gary Rebenstorf, Director of Law

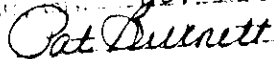
STATE OF KANSAS } SS  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
8-00 A M

DEC 1 1992 1255609

PAT KETTLER  
REGISTER OF DEEDS

  
Ed Reed  
Deputy

State of Kansas }  
Sedgwick County } ss  
City of Wichita }  
I, Pat Burnett, Deputy City Clerk, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on the records of the City of Wichita, Kansas.  
Witness my hand and the seal of the City of  
Wichita, Kansas, this 3rd day of NOV 1992

  
Pat Burnett, Deputy City Clerk

