

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 17, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1749 - REQUEST TO VACATE AN ALLEY LOCATED
EAST OF WASHINGTON AND NORTH OF 16TH ST. NORTH.
(District #1)

INITIATED BY: Metropolitan Area Planning Department

M. Kroat

AGENDA ACTION: Planning

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

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

Background: This alley is not now nor has it been used as an alley for many years. The applicant(s) desire to establish private drives and or parking over the present alley right-of-way. Although utilities, including sanitary sewer, are located in this alley City Engineering and the utilities have no objection to the vacation provided that the right-of-way is retained as a utility easement. Since the alley is only 16 feet wide, City Engineering requested and the applicants have submitted a dedication of 4-feet of additional utility easement. The vacation order will retain the right-of-way 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; accept the utility easement; and record easement and certified copy of Order, recording costs to be billed to:

150029-2909

FILE 3-17-92

Page 1 of 2

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 BETWEEN WASHINGTON AVE.
AND WABASH AVE. AND 16TH AND 17TH
STREETS NORTH. (V-1749)

MORE FULLY DESCRIBED BELOW

V-1749

VACATION ORDER

NOW on this 17th day of March, 1992, comes on for hearing the petition for vacation filed by Timothy Farrell, praying for the vacation of the following described alley right-of-way, to-wit:

The platted north-south alley in Block 7,
Washington Avenue Addition to the City of Wichita,
Kansas, Sedgwick County, Kansas.

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 2/25/92 & 3/3/92.

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 described 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.

8.026k

City Clerk

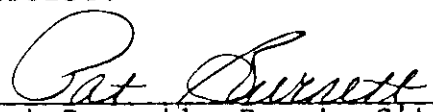
150029 2909

Vacation Order
V-1749
Page 2 of 2

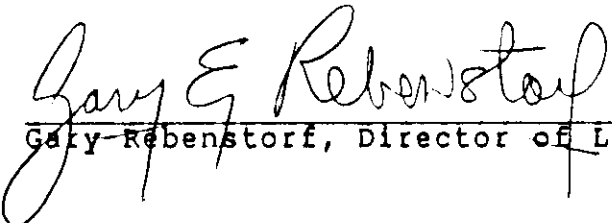
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of March, 1992, ordered that the above-described alley right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

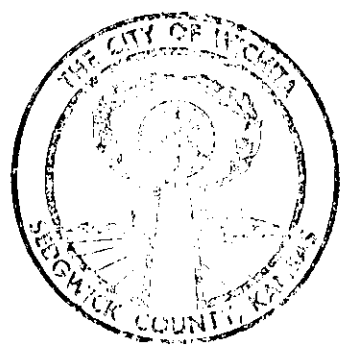

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

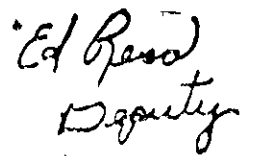
Approved as to Form:

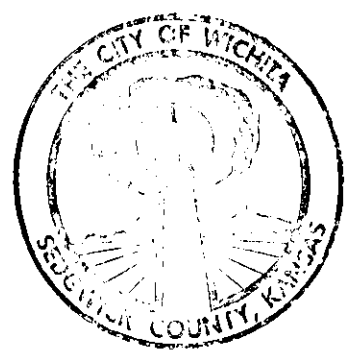

Gary E. Rebenstorf, Director of Law

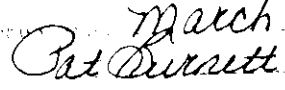


STATE OF KANSAS } SS
SEDCWICK COUNTY }
FILED }
10:00 A
MAR 24 1992
PAT KETTLER
CLERK OF DEEDS

MICROFILMED
OF RECORD


Ed Reed
Deputy



State of Kansas }
Sedgwick County } ss
City of Wichita }
I Pat Burnett, Deputy City Clerk of the City
of Wichita, do hereby certify that the document
to which reference is made in the foregoing and correct copy of
the original is on file in the City Clerk's
office and is available for inspection of the City of
Wichita.
March 17, 1992

Pat Burnett, Deputy City Clerk

~~March 19 1992~~
June 24 1992