

Planning Agenda Item # _____

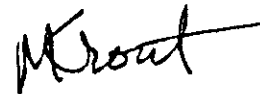
City of Wichita
City Council Meeting
December 14, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1846; Request to vacate alley right-of-way, generally located south of Douglas and east of Broadway. (District #6).

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of alley right-of-way. This vacation has been requested as part of the City's commitment to provide an adequate number of parking spaces for the proposed state office building. A Restrictive Covenant has been submitted tying all of these lots together as one undivided parcel for all ownership and development purposes, and a utility easement will be retained [in the Vacation order] of the vacated right-of-way for the provision of sanitary sewer. Staff and MAPC have recommended approval because no utilities, public or private, will be compromised at this site, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS:

Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order and the Restrictive Covenant; and record the certified copy of the Vacation Order and the Restrictive Covenant; recording costs to be billed to:

150029-2909.

FILE COPY

Approved _____ Accepted By City Council

This DEC 14 1993

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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 DOUGLAS
AND EAST OF BROADWAY

MORE FULLY DESCRIBED BELOW

) Case No. V-184

STATE OF KANSAS } ss
46 SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 a M

FEB 4 94 1357704

PAT KETTLER
RESCUER OF DEEBS

VACATION ORDER

NOW on this 14TH day of December, 1993, comes on for hearing the petition for vacation filed by the City of Wichita, praying for the vacation of the following described right-of-way, to-wit:

That portion of alley right-of-way described as:

The North-South 20-foot alley right-of-way between Topeka Avenue and Emporia Avenue from the north line of William Street to the south line of the East-West alley right-of-way south of Douglas abutting odd-numbered Lots 1 through 11, inclusive, on the west, and even-numbered Lots 2 through 12, inclusive, on the east in N. A. English's Addition, Wichita, 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 11/23/93 & 11/30/93
2. No private rights will be injured or endangered by the vacation of the above-described 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

**MICROFILMED
OF RECORD**

8.00

City Clerk

200

150029 2909

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Vacation Order
V - 1846

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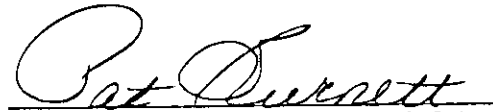
any owner or adjoining owner who would be a proper party to the petition.

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

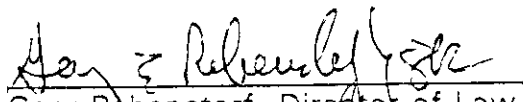
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of December, 1993, ordered that the above-described right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Elma Broadfoot, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



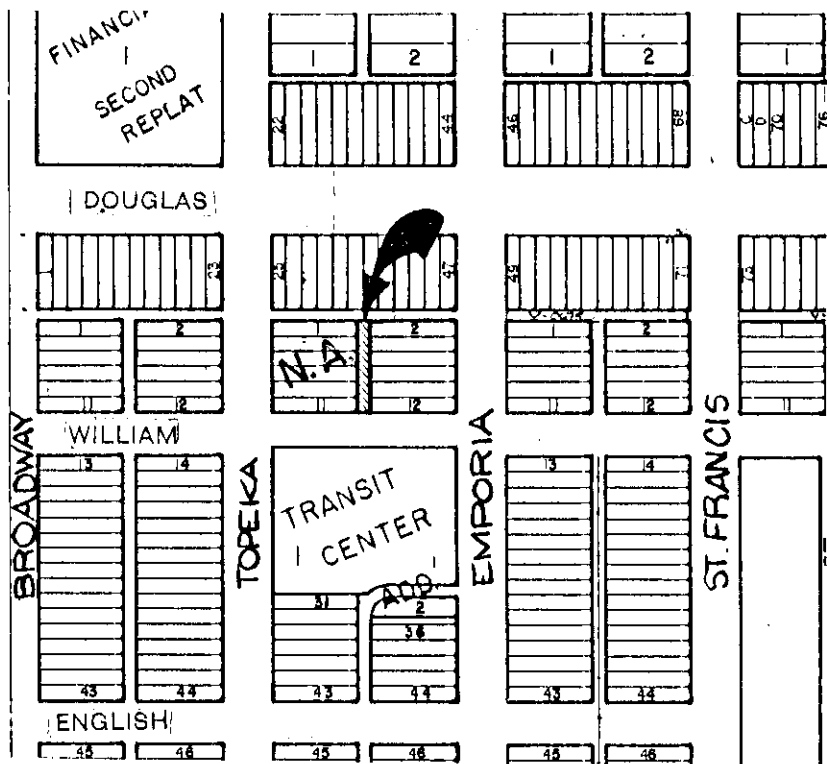
State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Pat Burnett, 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 the the City Clerk.

Given under my hand and seal of the City of

Wichita this DEC 14 1993
 Deputy City Clerk





Application Filed 10/11/93
S/D Comm. Action 10/28/93

Approved
M.A.P.C. Action 11/4/93

Approved

W.C.C. Action 12-14-93 *Approved*

Bd. Co. Co. Action _____

Order to Vacate Recorded _____

February 4, 1994