



May 27, 1993

William and Linda Warren
14630 East 79th Street South
Wichita, Kansas 67037

RE: V-1813; Request to vacate flood reserve

Dear Mr. and Mrs. Warren,

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, May 27, 1993, the above referenced vacation request was considered.

The action of the Committee was to recommend that this vacation be approved, subject to:

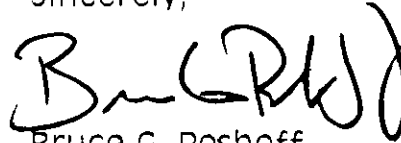
- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be the sole responsibility and expense of the applicant(s).
- B. Applicants shall contact County Engineering to determine the appropriate amount of flood reserve that should be retained, and comply with all conditions and guarantees required.
- C. Prior to this case being scheduled for Board of County Commissioners review, applicant(s) shall submit a [revised] floodway reserve agreement to County Engineering for review, approval and processing. Applicant then shall submit a copy of the approved floodway reserve agreement to MAPD for the vacation file.

This vacation case will be forwarded to the Metropolitan Area Planning Commission for its consideration on Thursday, June 3, 1993, at 1:30 p.m., in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main

Street. Upon satisfactory completion of all conditions, this case will be scheduled for final public hearing by the Sedgwick County Board of County Commissioners.

Should you have any questions regarding this vacation case, please feel free to contact me at 268-4495.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce G. Peshoff". The signature is stylized and cursive.

Bruce G. Peshoff
Associate Planner

cc: Jim Weber, County Engineer
Bob George, County Public Services
David and Deborah Dunbar

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2-2

June 3, 1993

STAFF REPORT

CASE NUMBER: V-1813 REQUEST TO VACATE FLOOD RESERVE

OWNER/APPLICANT: William F. and Linda K. Warren, 14630 East 79th Street South, Wichita, KS 67037
and
David W. and Deborah S. Dunbar, 14630 E. 79th Street South, Wichita, KS 67037

AGENT: Same

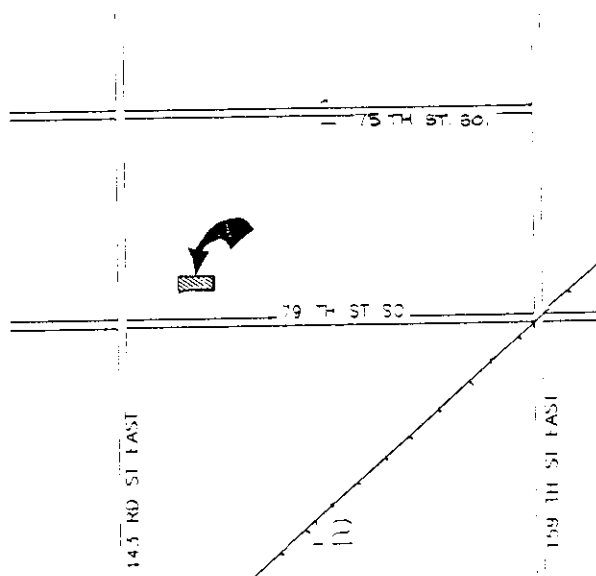
LEGAL DESCRIPTION: All floodway reserve (described at film 770, page 1019) for the parcel described as: Beginning at a point 660 feet East of the Southwest corner of the Southwest Quarter of Section 1, Township 29 South, Range 2 East of the 6th P.M.; thence North 528 feet; Thence East 441 feet more or less; thence South 195.75 feet more or less; thence East 578.65 feet; thence South 332.25 feet; thence West 1015.16 feet to place of beginning, Sedgwick County, Kansas

LOCATION: East of 143rd Street East and north of 79th Street South

REASON FOR REQUEST: Because encroachment on floodway reserve has impeded transferability of title, vacation will clear title, and permit issuance of title insurance

CURRENT ZONING: "R" Rural Residential

VICINITY MAP:



NOTE: Applicant(s) have previously contacted County Engineering regarding the location of, and encroachment upon, floodway reserve on this parcel. County Engineering has stated that it is customary to vacate all floodway reserve (as described in the [existing] recorded floodway reserve agreement) for a parcel, and to subsequently accept a new [revised] floodway reserve agreement from the applicant(s). The new floodway reserve agreement will indicate, by legal description, [revised] boundaries of floodway reserve to be retained, and will vacate only that portion of the [pre-]existing floodway reserve under encroachment.

STAFF COMMENTS:

Approve the vacation, subject to the following conditions:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be the sole responsibility and expense of the applicant(s).
- B. Applicants shall contact County Engineering to determine the appropriate amount of flood reserve that should be retained, and comply with all conditions and guarantees required.
- C. Prior to this case being scheduled for Board of County Commissioners review, applicant(s) shall submit a [revised] floodway reserve agreement to County Engineering for review, approval and processing. Applicant then shall submit a copy of the approved floodway reserve agreement to MAPD for the vacation title.