

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS: V-1916 - Request to vacate street right-of-way located south of 85th St. N. and West of Woodlawn.

PRESENTED BY: Marvin S. Krout, Director of Planning.

M. Krout

PROPOSED AGENDA DATE: July 26, 1995

COMMISSION DISTRICT #4

MAPC Recommendation: Approve, subject to conditions (unanimous).

Staff Recommendation: Approve subject to conditions.

Background/Discussion: Residential development in this area has been occurring without the requirement to plat (within the five acre exemption area). Consequently, any needed streets have been dedicated by means of separate documents. The street involved in this vacation is being or has been replaced by another dedication. This change in streets is being made to allow for possible development on a larger tract, rather than the several tracts originally being considered. The County Engineer has indicated that this vacation along with the associated re-dedication of street is acceptable. The Metropolitan Area Planning Commission has also reviewed and approved the vacation.

This request is beyond 3-miles of the City of Wichita and consequently was not scheduled for review by the Wichita City Council.

No members of the public addressed the MAPC in opposition to these requests.

Recommended Action: Open public hearing receive public comment; close public hearing, approve the vacation order and authorize the chair to sign.

Applicants: James L. McMillan, etal, 2713 N. Wildrose, Wichita, KS 67205

Protestors: None

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF
Dedication Deed

GENERALLY LOCATED
On Woodlawn South of 85th Street
North

MAPD CASE NO. V-1916

2nd recorded
Vacation
Order.

See 1-25-96
memo from Euson

VACATION ORDER

NOW on this 26th day of July, 1995, at 9:00 o'clock A.M. comes
on for hearing a petition praying for the vacation of the following-
described real property, to wit:

[See attached legal description]

WHEREUPON, it is shown that proper notice has been given by
publication once each week for three consecutive weeks in the official
county paper, the first such publication having occurred on June 30,
1995; and it is further shown that proper proof of such publication
has been filed herein. The Board finds that such notice is in lawful
form and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and
being otherwise duly advised in the premises, finds and determines
that no private rights will be injured or endangered by such vacation;
that the public will suffer no loss or inconvenience thereby; that
no written objections hereto have been filed with the Sedgwick County
Clerk; and that, in justice to the petitioner, the petition's prayer
should be granted.

10.00
OK

Richard Hansen "Legal Dept." File "A"

The Board further finds that the vacation of the dedication deed has been approved by the Metropolitan Area Planning Commission on the 11th day of May, 1995.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described real property be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS


Mark F. Schroeder, Chairman

ATTEST:


Susan E. Crockett-Spoon
County Clerk

APPROVED AS TO FORM:

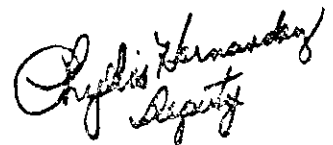

Richard A. Euson
Assistant County Counselor



STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT

2:30 p
1503585 2268

PAT KETTLER
REGISTER OF DEEDS

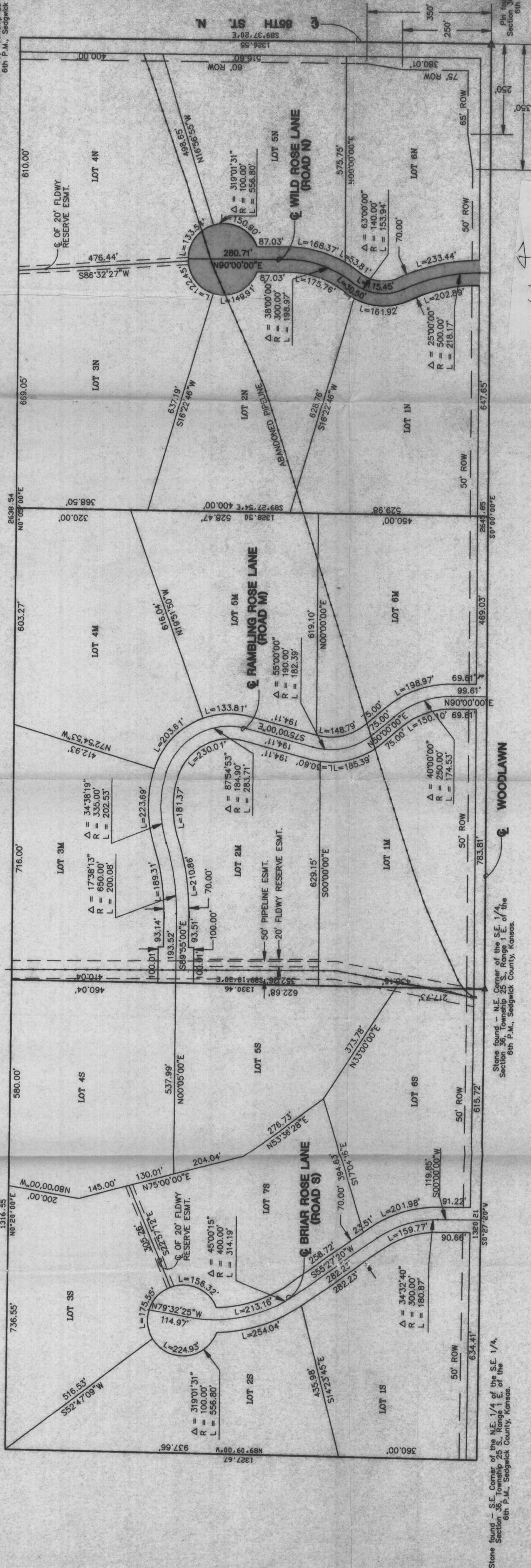

Cynthia Hernandez
Deputy

A tract of land lying in the Northeast Quarter of the Northeast Quarter; Section 36, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of the said Northeast Quarter; thence S 00° 00'00"W, 605.20 feet along East line of the said Northeast Quarter, thence N 89° 37' 20" W, 30.00 feet parallel to North line of the said Northeast Quarter to the point of beginning on a curve to the left; thence along said curve 233.44 feet, said curve having a central angle of 25° 00'00", a radius of 535.00 feet, and a long chord of 231.59 feet, bearing S 77° 30'00" W to a point on a curve to the right; thence along said curve 115.45 feet, said curve having a central angle of 62° 59'59", a radius of 105.00 feet, and a long chord of 109.72 feet, bearing N 83° 30'01" W to a point on a curve to the left; thence along said curve 222.18 feet, said curve having a central angle of 38° 00'03", a radius of 335.00 feet, and a long chord of 218.13 feet, bearing N 75° 36'07" W; thence N 90° 00'00" W, 87.03 feet to a point on a curve to the left; thence along said curve 556.80 feet, said curve having a central angle of 319° 01'31", a radius of 100.00 feet, and a long chord of 70.00 feet, bearing S 00° 00'00"W; thence S 90° 00'00"E, 87.03 feet to a point on a curve to the right; thence along said curve 175.76 feet, said curve having a central angle of 38° 00'01", a radius of 265.00 feet, and a long chord of 172.55 feet, bearing a S 71° 00'00" E to a point on a curve to the left; thence along said curve 192.42 feet, said curve having a central angle of 62° 59'59", a radius of 175.00 feet, and a long chord of 182.87 feet, bearing N 77° 30'00" E to a point on a curve to the right; thence along said curve 202.89 feet, said curve having a central angle of 25° 00'00", a radius of 465.00 feet, and a long chord of 201.29 feet, bearing N 77° 30'00" E to a point lying 30.0 feet West of the said East line; thence N 00° 00'00" E, 70.00 feet parallel to East line of the said Northeast Quarter to the point of beginning.

Stone found - S.W. Corner of the N.E. $1/4$ of the S.E. $1/4$,
Section 36, Township 25 S., Range 1 E. of the
6th P.M., Sedgwick County, Kansas.

Pin set - N.W. Corner of the N.E. 1/4 of the N.E. 1/4,
Section 36, Township 25 S., Range 1 E. of the
6th P.M., Sedgwick County, Kansas.



Stone found - S.E. Corner of the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 36, Township 25 S., Range 1 E. of the 6th P.M., Sedgwick County, Kansas.

Stone found - N.E. Corner of the S.E. $1/4$,
Section 36, Township 25 S., Range 1 E. of the
6th P.M., Sedgwick County, Kansas.

WOODLAWN