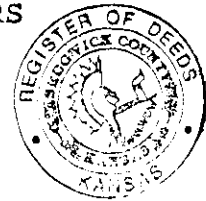


BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS



IN THE MATTER OF THE VACATION OF)
A PORTION OF A FLOODWAY RESERVE)

GENERALLY LOCATED IN THE N.E 1/4)
OF SECTION 12, TOWNSHIP 28 SOUTH,)
RANGE 3 WEST (south of 31st Street)
South and west of 215th Street West))

MAPD CASE NO. V-1869

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 13th day of July, 1994, 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 17, 1994; 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.

County Clerk

004

The Board further finds that the vacation of Floodway Reserve, has been approved by the Metropolitan Area Planning Commission on the 5th day of May, 1994.

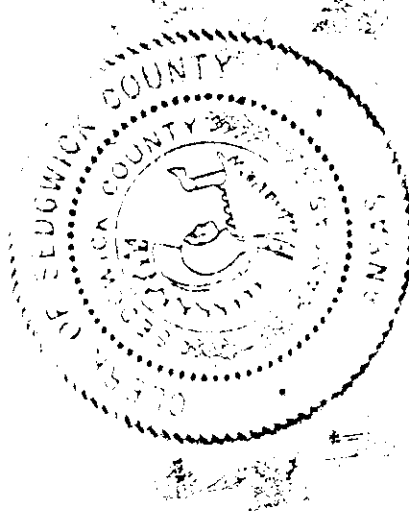
THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described real property be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Betsy Gwin
Betsy Gwin, Chair 07-13-94

ATTEST:

Susan E. Crockett-Spoon
Susan E. Crockett-Spoon
County Clerk



APPROVED AS TO FORM:

Richard A. Euson
Richard A. Euson
Assistant County Counselor

MICROFILMED
OF RECORD

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8-00 AM

JUL 26 1994
NO. 1399080
PAT KETTLER
REGISTER OF DEEDS

Ed Reed
Deputy

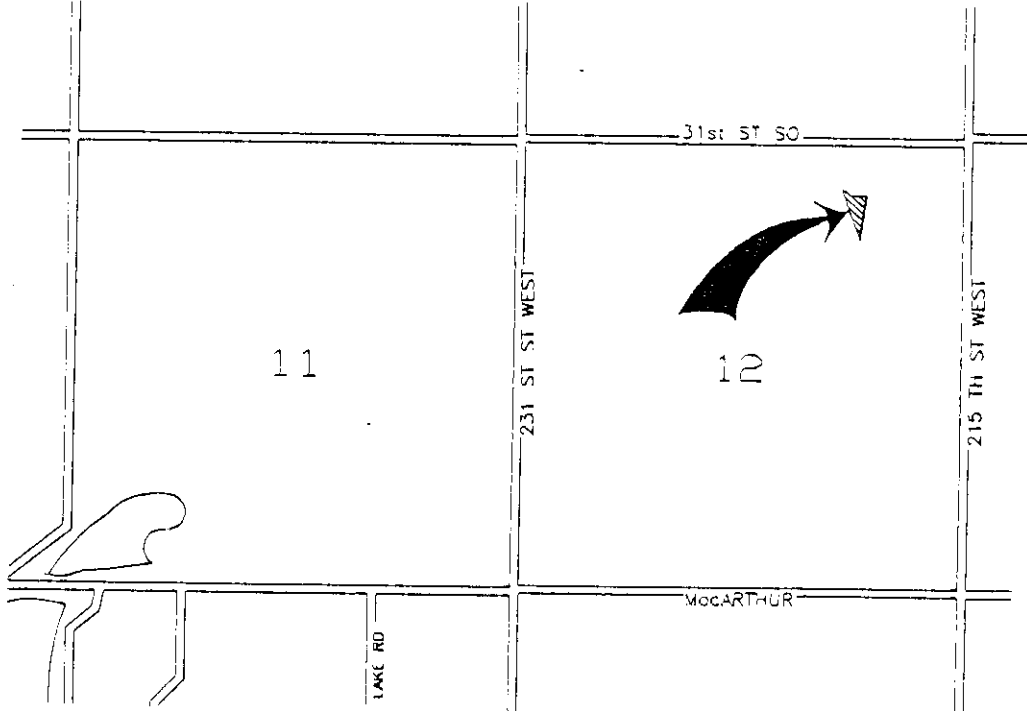
V-1869

LEGAL DESCRIPTION

That part of Floodway Reserve Agreement recorded at Film 452, Page 161, described as follows:

Commencing at the northeast corner of Section 12, Township 28 South, Range 3 West of the 6th P.M., Sedgwick County, Kansas; thence westerly on the north line of said section on a bearing of S 89°36'24"W, a distance of 747.41 feet; thence S 21°00'E, a distance of 673.77 feet; thence S 22°45'W, a distance of 500 feet; thence S 89°36'W, a distance of 110 feet; thence S 59°14'05"W, a distance of 237.0 feet; thence N 88°48'05"W, a distance of 40 feet; thence N 14°30'W, a distance of 433.44 feet for a point of beginning; thence N 12°50'45"E, a distance of 192.49 feet; thence S 86°23'02"W, a distance of 60.13 feet; thence N 49°45'58"W, a distance of 50.87 feet; thence S 14°30'E, a distance of 223.87 feet to the point of beginning.

Sketch.



Application Filed 4/21/94
 S/D Comm. Action 5/12/94

W.C.C. Action _____

M.A.P.C. Action >

Bd. Co. Co. Action 7-13-94 *Approved*

4 Approved 8-1 (Cross. V.P.)

Order to Vacate Recorded July 26, 1994

METROPOLITAN AREA PLANNING COMMISSION

May 19, 1994

STAFF REPORT

CASE NUMBER: V-1869 Request to vacate a portion of a floodway reserve.

OWNER/APPLICANT: Todd Mayer, P. O. Box 13232, Wichita, KS 67213

AGENT: Thomas C. Ruggles, P.E., 924 N. Main, Wichita, KS 67203

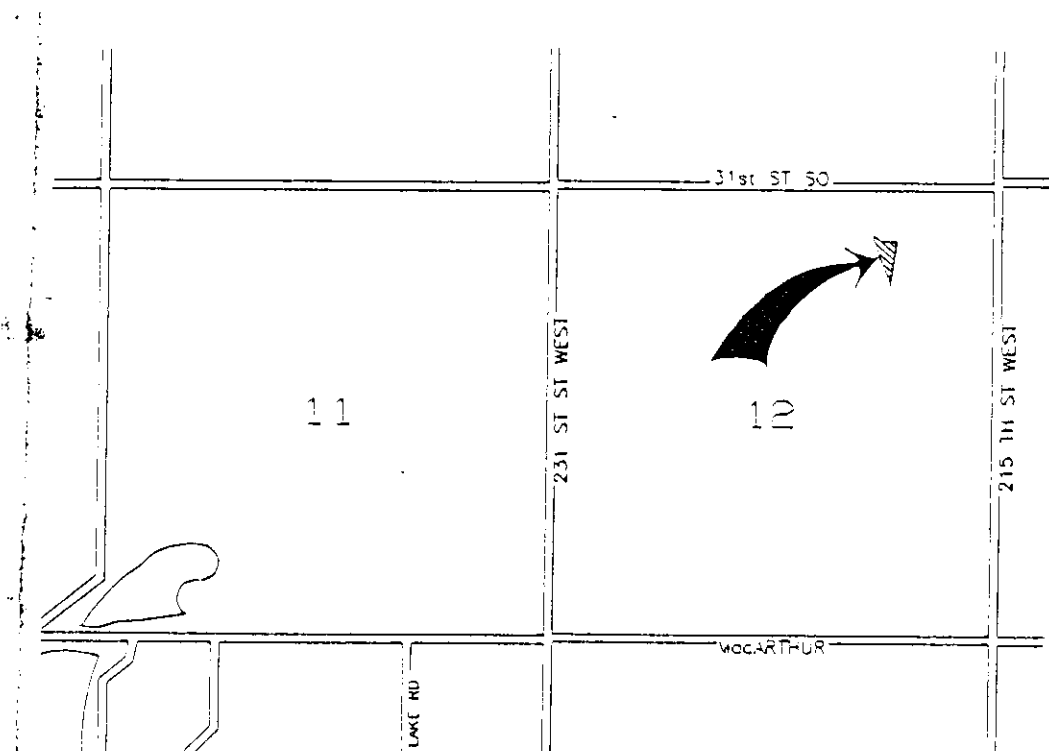
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LOCATION: South of 31st Street South and west of 215th Street West

REASON FOR REQUEST: Applicant desires to use area for development

CURRENT ZONING: "R" Rural Residential

VICINITY MAP:



copy

Note: This site is an unplatted property. The Floodway Reserve was created by a separate instrument and subsequently accepted by the County Engineer and County Commission. The applicant is requesting to vacate only a portion of the Reserve.

STAFF COMMENTS:

Approve the vacation, subject to the following conditions:

- A. The applicant shall be responsible for the reconstruction or relocation of any utilities made necessary by this vacation.
- B. Prior to this case being forwarded to the County Commission, County Engineering needs to verify that the area of Reserve requested for vacation is acceptable and any requirements for the vacation, that is, FEMA approval has also been obtained.