

Planning Agenda # _____

**City of Wichita
City Council Meeting
January 30, 1996**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1934 REQUEST TO VACATE AN ALLEY
RIGHT-OF-WAY IN AN AREA NORTH OF 18TH STREET NORTH
BETWEEN WABASH AND OHIO.
(District # 6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

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

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

Background: The applicant desires to vacate an alley in order to better utilize the property for development purposes. The alley right-of-way will be retained as a utility easement and the applicant has provided an additional four foot utility easement along the 16-foot portion of the alley involved in this vacation case. The additional easement will provide the typical 20-foot easement required for sanitary sewer. 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.

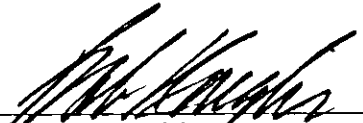
Recommendations/Actions: Accept the utility easements, close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to:
150029-2909

Vacation Order
V - 1934

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- 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. The north/south alley right-of-way shall be retained as a utility easement.
- 4. In justice to the petitioner(s), the prayer of the petition ought to be granted.
- 5. 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.
- 6. The vacation of the alley right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 30th day of January, 1996, 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

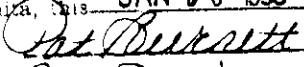


Approved as to Form:


Gary 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 a return is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, this JAN 30 1996


PAT BURNETT Deputy City Clerk

