

Planning Agenda # _____

**City of Wichita
City Council Meeting
May 12, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2068 REQUEST TO VACATE WALNUT STREET
RIGHT-OF-WAY LOCATED IN AN AREA EAST OF SENECA BETWEEN
STILWELL AND IRVING.
(District #6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of street right-of-way.

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

Background: The applicants are requesting to vacate Walnut Street between Irving and Stilwell in order to use this area as parking for the new County Building located at the corner of Seneca and Stilwell; a conditional use request for parking was approved by the MAPC. A portion of this street right-of-way will be retained by two home owners in the area. The northern portion of this street was previously vacated.

City Engineering has indicated that this vacation request is acceptable. The vacation request has been reviewed and approved by the Planning Commission, subject to tying the lots together with a covenant. No members of the public addressed the MAPC in opposition to this request.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the restrictive covenant and the certified copy of the Vacation Order.

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

1709748 422

FILM 1809 PAGE 1314

Approved / Accepted By City Council

This ~~MAY 12 1998~~

STATE OF KANSAS)
SEDGWICK COUNTY) SS
Page 1 of 2
JUL 22 8 05 AM '98

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

REGISTER OF DEEDS

Pat H. [Signature]
Deputy

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
STREET RIGHT-OF-WAY)

GENERALLY LOCATED)
EAST OF SENECA BETWEEN STILLWELL)
AND IRVING)

Case No. V-2068



MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 12th day of May, 1998, comes on for hearing the petition for vacation filed by Board of County Commissioners (Sedgwick County, Kansas), praying for the vacation of the following described street right-of-way, to-wit:

Beginning at the Southeast corner of Lot 17, Block 6, Franklin Yikes Addition to Wichita, Kansas; thence north to the Northeast corner of Lot 13, Block 6 of said addition; thence east to the Northwest corner of Lot 22, Block 5 of said addition; thence south to the Southwest corner of Lot 18, Block 5 of said addition; thence west to the point of beginning; together with the South 5 feet of Lot 4, Torkelson addition to Wichita, Kansas; the east 10 feet of the south 65 feet of Lot 5, Torkelson Addition; the east 12 feet of Lot 8, Torkelson Addition; the west 20 feet of the north 60 feet of Lot 9, Torkelson Addition, and the west 18 feet of the south 101 feet of Lot 9, Torkelson Addition.

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 one time 4-20-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described street 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 any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the street right-of-way described herein should be approved.

800

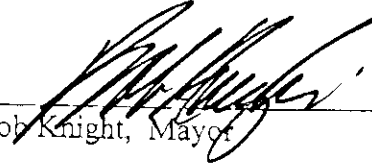
CITY CLERK

800
150003

Vacation Order
V - 2068

Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of May, 1998, ordered that the above-described street 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, City Clerk




Approved as to Form:



Gary Rebenstorf, Director of Law



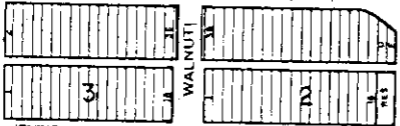
State of Kansas)
Sedgwick County) ss
City of Wichita)
I, **Pat Burnett** City Clerk of the City of Wichita,
Kansas, hereby certify that the document to which
this is affixed is a true and correct copy of the orig-
inal on file in my office.

Given under my hand and seal of the City of
Wichita, this MAY 12 1998
 City Clerk



MCCORMICK!

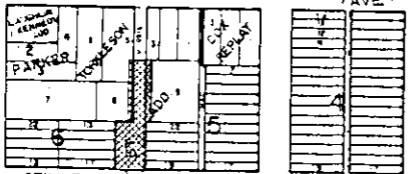
AVE.



LINCOLN*

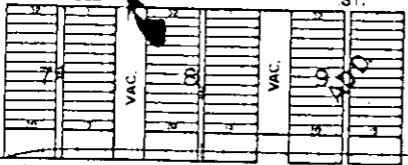
IRVING

AVE.



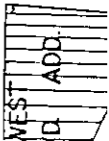
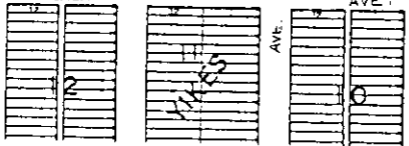
STILWELL

ST.



WALKER

AVE.



SENECA