

City of Wichita  
City Council Meeting  
April 9, 2002

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council

**SUBJECT:** VAC2002-00002 - REQUEST TO VACATE AN ALLEY  
LOCATED SOUTHEAST OF THE MERIDIAN AVENUE  
SOUTH - IRVING STREET INTERSECTION.  
(District IV)

**INITIATED BY:** Metropolitan Area Planning Department *M. Kraut*

**AGENDA ACTION:** Planning

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Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicants are requesting that the platted 20-foot alley be vacated. The vacation of the alley would extend the applicants' property lines to the middle of the alley, an additional 10 feet for the 3 properties. The vacated alley would move the interior side yard setback on all 3 properties. This would allow the applicant, the City of Wichita, on the north side to build a fire station without encroaching into the interior side setback. City Departments and Representatives of the private utilities have reviewed the vacation request and have determined that there are utilities in the alley; therefore the alley will be retained as an easement.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

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

**IN THE MATTER OF THE VACATION OF )  
ALLEY )**

**GENERALLY LOCATED )  
SOUTHEAST OF THE MERIDIAN AVENUE )  
SOUTH - IRVING STREET INTERSECTION )**

**Case No. VAC2002-00002**

**MORE FULLY DESCRIBED BELOW )**

**RECEIVED**

**APR 12 2002**

**METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_**

**VACATION ORDER**

NOW on this 9<sup>th</sup> day of April, 2002, comes on for hearing the petition for vacation filed by City of Wichita, c/o Norman Jakovac, praying for the vacation of the following described alley, to-wit:

Platted 20-foot alley abutting Lots 1-19, odd, Garfield Addition on the north Lots 23 and 24, Garfield Addition on the south.

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 Wichita Eagle on February 28, 2002, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described alley, 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 alley described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9<sup>th</sup> day of April 2002, ordered that the above-described alley 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.



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Bob Knight, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Pat Burnett", is written over a horizontal line.

Pat Burnett, City Clerk

Approved as to Form:

A handwritten signature in black ink, appearing to read "Gary E. Rebenstorf", is written over a horizontal line.

Gary Rebenstorf, Director of Law



IRVING

RICHMOND

MERIDIAN

SEDGWICK

SAINT CLAIR

WALKER

