



Wichita-Sedgwick County Metropolitan Area Planning Department

July 18, 2007

Steve Loeb sack
10002 E. Bayley Ct.
Wichita, KS 67207

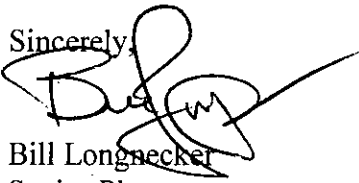
Re: **VAC2007-00012** – Sedgwick County request vacation of platted alley, generally located northeast of Greenwich Road & 53rd Street North and northeast of Central & Maple Streets.

Dear Mr. Loeb sack:

At its regular meeting on Wednesday, June 6, 2007, the Board of County Commission considered request. The action of the Board of County Commissioners was to APPROVE subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4494.

Sincerely,


Bill Longnecker
Senior Planner

BL:le

cc: Sedgwick County Electric Coop, Attention: Allen Henning & Wayne Voss, P.O. Box 220, Cheney, KS, 67205-0220
Jim Weber, Sedgwick County Engineer, Public Works Department, 1144 S. Seneca, Wichita, KS 67213
Steven A & Vickie A Loeb sack, 2869 S. Laura, Wichita, KS 67216
V E Lygrisse Trust, 8639 Meadow Pass Ct., Wichita, KS 67205

BEFORE THE COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF)
A PLATTED ALLEY RIGHT-OF- WAY)

GENERALLY LOCATED NORTHEAST OF)
GREENWICH ROAD AND 53RD STREET NORTH,)
AND NORTHEAST OF CENTRAL AND MAPLE)
STREETS, GREENWICH, SEDGWICK COUNTY,)
KANSAS)

CASE NO. VAC2007-00012

VACATION ORDER

NOW on this 6th day of June 2007, at 9:00 o'clock A.M., comes the petition filed by Steve Loeb sack, praying for the vacation of the following-described platted alley right-of-way, to-wit:

The platted 15-foot wide alley located between Lots 1 – 14, Block 1, the City of Greenwich Plat, Sedgwick County, Kansas.

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the Derby Reporter, the official county newspaper, such publication having occurred on April 12th, 2007; 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, and amendments thereto.

THEREAFTER, the Board, being 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.

The Board further finds that the Metropolitan Area Planning Commission held a public hearing on the 3rd day of May 2007, and recommended that the vacation petition herein be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that the platted alley hereinabove described is the same and is hereby vacated.

DATED this _____ day of _____.

**BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS**

David M. Unruh, Chairman
First District

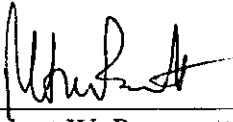
ATTEST:

Don Brace, County Clerk

Vacation Order
VAC2007-00012

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APPROVED AS TO FORM:



Robert W. Parnacott
Assistant County Counselor

STAFF REPORT

CASE NUMBER: VAC2007-00012 Request to vacate a portion of a platted alley right-of-way (ROW).

APPLICANT: Steve Loeb sack

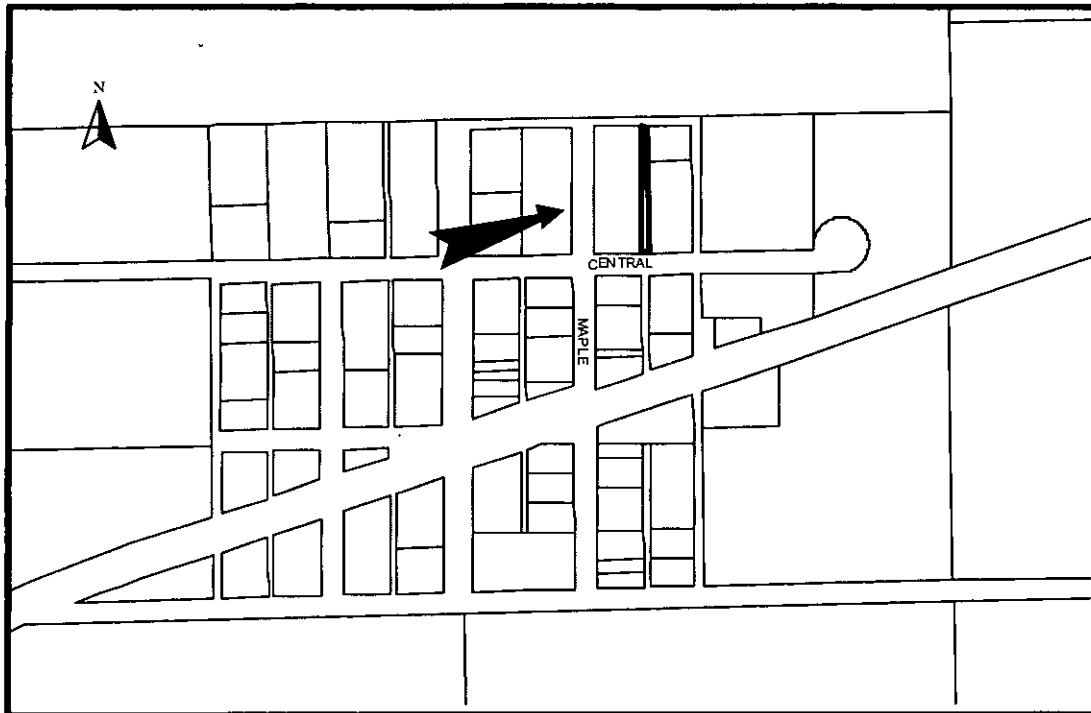
LEGAL DESCRIPTION: The platted 15-foot wide alley ROW located between Lots 1 – 14, Block 1, the City of Greenwich Plat, Sedgwick County, Kansas.

LOCATION: Generally located northeast of Greenwich Road and 53rd Street North, and north of Central and Maple Streets (Sedgwick County #1).

REASON FOR REQUEST: Install septic system.

CURRENT ZONING: The site is a platted, undeveloped alley, all abutting properties are zoned "RR" Rural Residential or are public street ROW.

VICINITY MAP:



The applicant is requesting vacation of the full length of the platted alley as described. The applicant plans to install a septic system that will encroach into the alley. There are no public utilities the alley. Comments from franchised utilities are needed to determine if they have utilities in the alley. The City of Greenwich Plat was recorded with the Register of Deeds August 3, 1883.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from County Public Works, franchised utility representatives and other interested parties, Planning Staff recommends approval to vacate the platted alley ROW, as described with conditions.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Derby Reporter, of notice of this vacation proceeding one time April 12, 2007 which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by the vacation of the above-described platted alley ROW and the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Therefore, the vacation of the platted alley ROW described in the petition should be approved with conditions;

- (1) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants.
- (2) All improvements shall be according to County Standards and at the expense of the applicant.
- (3) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

- (1) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants.
- (2) All improvements shall be according to County Standards and at the expense of the applicant.
Per MAPC Policy Statement #7, all conditions to be completed within one year of approval

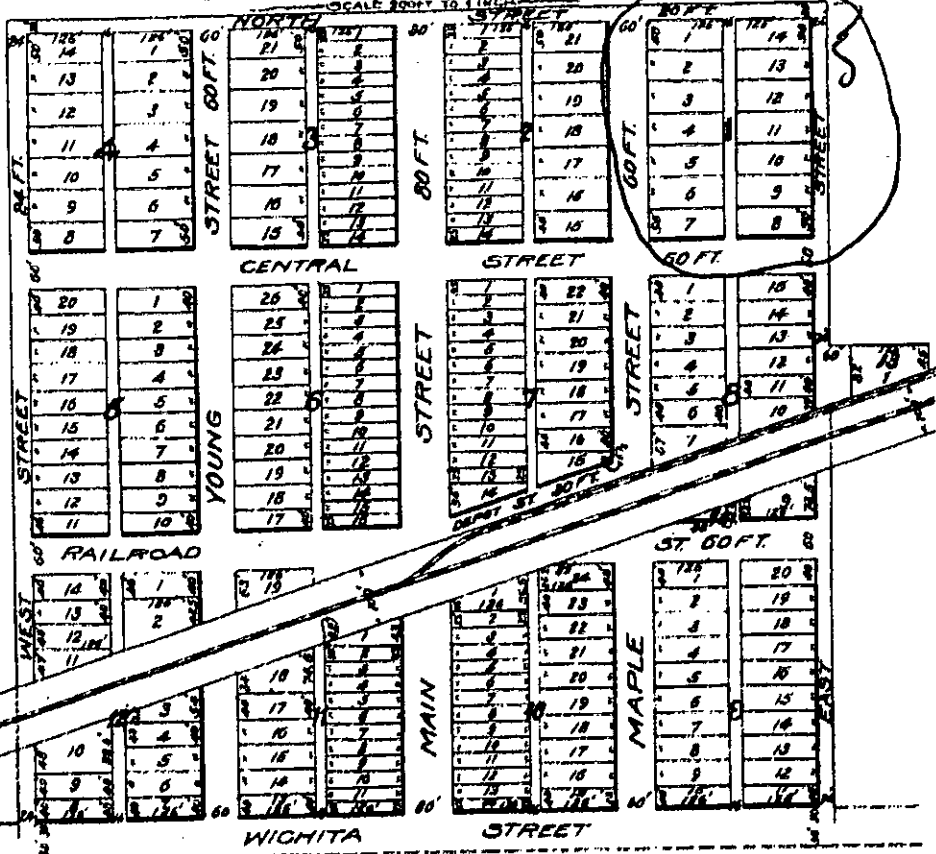
by the MAPC or the vacation request will be considered null and void.

- (3) All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

Copy

GREENWICH

Block



VAC2007-12

I hereby certify the accompanying to be a correct plat of the survey of the townsite of Greenwich situate in the S.W. 1/4 Sec 16 T. 20, R. 2 E. Mer. This, the original plat, being a correct exhibit of the numbers of lots and blocks, in red, and dimensions of lots and widths of streets in black.
 J. H. Jaehman, Surveyor.
 July 25 A.D. 1883.

Know all men by these presents, that we, Henry Young and Anna M. Young his wife, and Norman S. Woods and Jane E. Woods, his wife, residents of Sedgwick County, State of Kansas, do hereby convey and deed to the public use and benefit all our right and title and interest in the streets and alleys as shown by the accompanying plat of the townsite of Greenwich.
 Witness our hands and seals this 25 day of July, A.D. 1883.

Henry Young.
 Anna M. Young.
 N. S. Woods.
 Jane E. Woods.

State of Kansas,
 Butler County, August 1st, A.D. 1883.

Be it remembered that on the above date appeared before me a Clerk of the Dist. Court in and for the state and County aforesaid, Henry Young and ~~Anna M. Young~~ and Norman S. Woods and Jane E. Woods, his wife, and acknowledged the foregoing instrument as their voluntary act and deed.



V. P. Mooney
 Clerk of the District Court
 Butler County, Kansas.

State of Kansas, July 25th A.D. 1883.
 Sedgwick County.

Be it remembered that on the above date appeared before me a Justice of the Peace in and for the State and County aforesaid Henry Young and Anna M. Young, his wife, and acknowledged the foregoing instrument of writing as their voluntary act and deed.

J. H. Ruble
 Justice of the Peace.

THIS PLAT FILED AUG 3 1883
 AT 6:30 A.M. AND RECORDED IN
 PLAT BOOK 8 PAGE 17
 H. D. NEUBERGER, REC.
 R. R. BEAR, DEP.

I, Joseph Bowman, Register of Deeds of Sedgwick County, Kansas, do hereby certify that the above is a true and correct copy of the plat of the Town of Greenwich, Sedgwick County, Kansas; that the original, of which the above is a copy, is on file in my office and that I have the legal custody thereof. Witness my hand and the seal of my office this 18 day of July, 1912.

Joseph Bowman
 Register of Deeds

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