

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1234 - VACATION OF PORTIONS OF MURDOCK, INDIANA, AND TWO NORTH-SOUTH ALLEYS NORTH OF MURDOCK BETWEEN OHIO AND CLEVELAND AVENUES.

The Planning Commission recommends approval subject to:

- A. The vacated street and alley rights-of-way shall be retained as utility and drainage easements in the vacation ordinance.
- B. Any relocation or reconstruction of utilities necessitated by this vacation being at the sole expense of the applicant.
- C. All proceedings being without cost to the County or any utility company.

Bayouth moved, Gardner seconded and it carried unanimously. Hansen not yet present.
(12-15-83)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on first reading.

VACATION CASE DATA

Legal Description: That part of Oak Street (now Murdock Avenue) Right-of-way as platted in Tillinghast's Addition to the City of Wichita, Sedgwick County, Kansas, from the Southerly line of Relocated Murdock Avenue to the West line of Ohio Avenue and as platted in Garrison's Third Addition to Wichita, Sedgwick County, Kansas, from the East line of Ohio Avenue to the West line of Cleveland Avenue. Also the North five (5) feet of odd-numbered Lots 1 to 47 inclusive, Garrison's Third Addition as condemned in Ordinance No. 8169.

Also, that part of Cherry Avenue (now Indiana Avenue) as platted in Garrison's Third Addition to Wichita, Kansas, from the Southerly line of Relocated Murdock Avenue to the North line of Oak Street (now Murdock Avenue) as platted in said Garrison's Third Addition.

Also, that part of the Alley between Ohio and Indiana as platted in Garrison's Third Addition to Wichita, Kansas, from the Southerly line of Relocated Murdock Avenue to the North line of Oak Street (now Murdock Avenue) as platted in said Garrison's Third Addition.

Also, that part of the Alley between Indiana and Cleveland as platted in Garrison's Third Addition to Wichita, Kansas, from the Southerly line of Relocated Murdock Avenue to the North line of Oak Street (now Murdock Avenue) as platted in said Garrison's Third Addition.

General Location: Between Wabash and Cleveland one block south of 8th Street.

Applicant: Geo. C. Christopher & Son, Inc., and City of Wichita

Protestors (If any): None

(98290) (Published in The Daily Record JAN 13, 1984)

ORDINANCE NO. 38-634

AN ORDINANCE VACATING PORTIONS OF MURDOCK AVENUE, INDIANA AVENUE, AND THE TWO NORTH-SOUTH ALLEYS NORTH OF MURDOCK BETWEEN OHIO AND CLEVELAND AVENUES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the avenues and alleys described as follows, to-wit:

That part of Oak Street (now Murdock Avenue) Right-of-Way as platted in Tillinghast's Addition to the City of Wichita, Sedgwick County, Kansas, from the Southerly line of Relocated Murdock Avenue to the West line of Ohio Avenue and as platted in Garrison's Third Addition to Wichita, Sedgwick County, Kansas, from the East line of Ohio Avenue to the West line of Cleveland Avenue. Also the North five (5) feet of odd-numbered Lots 1 to 47 inclusive, Garrison's Third Addition as condemned in Ordinance No. 8169.

Also, that part of Cherry Avenue (now Indiana Avenue) as platted in Garrison's Third Addition to Wichita, Kansas, from the Southerly line of Relocated Murdock Avenue to the North line of Oak Street (now Murdock Avenue) as platted in said Garrison's Third Addition.

Also, that part of the Alley between Ohio and Indiana as platted in Garrison's Third Addition to Wichita, Kansas, from the Southerly line of Relocated Murdock Avenue to the North line of Oak Street (now Murdock Avenue) as platted in said Garrison's Third Addition.

Also, that part of the Alley between Indiana and Cleveland as platted in Garrison's Third Addition to Wichita, Kansas, from the Southerly line of Relocated Murdock Avenue to the North line of Oak Street (now Murdock Avenue) as platted in said Garrison's Third Addition. (MAPC No. V-1234);

be and the same are hereby vacated in accordance with K.S.A. 13-443, subject, however, to the concurrence in such vacation by the Board of County Commissioners as by law provided.

SECTION 2. That the street and alley rights-of-way described above are hereby retained in their entirety as utility and drainage easements in accordance with K.S.A. 12-512(a).

SECTION 3. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described streets and alleys be vacated by said Board in case a proper petition is filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A. 12-506.

SECTION 4. That this Ordinance shall be in force and take effect from and after its passage and publication once in the official city paper.

PASSED AND APPROVED at Wichita, Kansas this 10th day of JANUARY, 1984.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

