

City of Wichita
City Commission Meeting
May 27, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1343 - VACATION OF A PORTION OF DRAINAGE RIGHT-
OF WAY, GENERALLY LOCATED SOUTH OF PAWNEE, IN AN
AREA WEST OF LEONINE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of drainage right-of-way.

Background: Everett Long, 3819 S. Flora, Wichita, KS 67215, has requested the vacation of this drainage right-of-way in order to create more buildable lot area.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company;
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant;
5. The applicant shall guarantee the installation of the rip-rap required for the east slope of the drainage way; and
6. The applicant shall reimburse the City the \$1,200.00 which the City paid in 1979 for this drainage easement.

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

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

Approved by Board of Com. *May 27 1986*

FILED 804 PAGE 514

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8-06-86

JUN 9 1986

NO. 8 10420

PAT KETTLER
REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF A PORTION
OF DRAINAGE RIGHT-OF-WAY.

GENERALLY LOCATED SOUTH OF PAWNEE, IN AN
AREA WEST OF LEONINE. (V-1343)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

VACATION ORDER

Ed Peral
Deputy

NOW on this 27th day of May, 1986, comes on for hearing the petition for vacation filed by William E. Long, praying for the vacation of the following described portion of drainage right-of-way, to-wit:

The drainage right-of-way established on Film 355,
Pg. 396, legally described as follows:

Beginning 15 feet east of the northwest corner of
Lot 1, Block 1 of Westport Industrial Park Second
Addition to the City of Wichita; a strip of land
20.0 feet wide, east of, parallel with and adjacent
to the east line of an existing 15-foot drainage
easement in said Lot 1 for a distance of 100 feet
measured south from the south line of Pawnee
Avenue. (V-1343)

The City Commission, 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 Record of notice of this vacation proceeding for consecutive weeks on MAY 14 & 21, 1986.

2. No private rights will be injured or endangered by the vacation of the above-described drainage 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 drainage right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 27th day of May, 1986, ordered that the above-described drainage 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.

ATTEST:

Donald C. Glick
Donald C. Glick, City Clerk

Tony Casado
Tony Casado, Mayor

Approved as to Form:

John Dekker
John Dekker, Director of Law

500
at 5:00

