

City of Wichita
City Commission Meeting
December 9, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1427 - REQUEST TO VACATE A PLATTED, 12-FOOT WIDE, NORTH/
SOUTH ALLEY RIGHT-OF-WAY, LOCATED BETWEEN 17TH AND 16TH
STREETS NORTH AND BETWEEN PIATT AND ASH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: St. Pauls African Methodist Episcopal Church, et al, Attention: Leslie White, Pastor, 1756 N. Piatt, Wichita, KS 67214, are requesting this vacation to provide for paving a parking lot over the vacated alley right-of-way. The Letter of Credit is in the amount of \$ _____ and guarantees closure of the vacated alley return to 17th Street North.

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 Vacation Order shall retain the vacated alley right-of-way as a utility easement; and
6. The applicant shall guarantee the closure of the vacated alley return to 17th Street North. Should the applicant's development plan for this property involve a private driveway at the location of a vacated alley return, the applicant is advised that the vacated alley return will need to be reconstructed to a private driveway standard. Upon reconstruction to a private driveway, the vacated alley approach will be considered closed and the guarantee will be released.

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

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

