

City of Wichita  
City Council Meeting  
November 10, 1987

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

TO: Mayor and City Council Members

SUBJECT: V-1421 - REQUEST TO VACATE ALLEY RIGHT-OF-WAY, LOCATED IN  
AN AREA NORTH OF CENTRAL, BETWEEN PERSHING AND DELLROSE.  
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

MAPC Recommendation: Approve vacation of alley right-of-way. (unanimous)

Background: This vacation case has been requested in order to permit the use of the vacated right-of-way for off-street parking and private on-site circulation. At the request of the Utility Advisory Committee, the vacated right-of-way is being retained as a utility easement. The applicant has reconstructed the vacated alley approaches to Pershing and Dellrose to the standards of a private driveway. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify 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:

755-68-360-50000-295-000-000

NOV 10 1987

This \_\_\_\_\_

RECEIVED  
CITY CLERK  
NOV 7 1987  
BY OTHER

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

IN THE MATTER OF THE VACATION OF ALLEY  
RIGHT-OF-WAY.

GENERALLY LOCATED BETWEEN PERSHING AND  
DELLROSE, IN AN AREA NORTH OF CENTRAL.  
(V-1421)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS )  
SEDGWICK COUNTY )  
FILED FOR RECORD AT

8:00 AM

NOV 30 1987

9 20158

NO. FAT KETTLER  
REGISTER OF DEEDS

MICROFILMED  
VACATION ORDER OF RECORD

*Ed. Resal*

NOW on this 10th day of November, 1987, comes on for hearing the petition for vacation filed by Dr. Kernie W. Binyon, praying for the vacation of the following described alley right-of-way, to-wit:

The east/west alley platted adjacent to the south lines of Lots 127 and 126, Overlook Addition to Wichita, Sedgwick County, Kansas. (V-1421)

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 Daily Record of notice of this vacation proceeding for consecutive weeks on OCT. 21 & 28, 1987.
2. No private rights will be injured or endangered by the vacation of the above-described alley 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 vacated alley right-of-way is hereby retained as a utility easement.
6. The vacation of the alley right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of November, 1987, ordered that the above-described alley 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.

*Robert G. Knight*  
Robert G. Knight, Mayor

ATTEST:

*Dale E. Resal*  
Dale E. Resal, Deputy City Clerk

Approved as to Form:

*Thomas Powell*  
Thomas Powell, Interim Director of Law

State of Kansas )  
Sedgwick County ) ss  
City of Wichita )  
I, Dale E. Resal, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita this NOV 10 1987.  
*Dale E. Resal*  
Deputy City Clerk

PL/7590/5

9.00

city clerk

MAP NO. 5748 B  
SEC. NO. 14  
TWP. NO. 27S  
RANGE 1E

*Planning*  
*Don Hosew 2273*

CASE NO.: V-1421  
ASSOCIATED CASE:

1. VACATION OF: Alley right-of-way.

GENERALLY LOCATED: Between Pershing and Dellrose, in an area north of Central.

REQUESTED BY: Dr. Kernie W. Binyon, et al  
ADDRESS: P.O. Box 8125, Wichita, KS 67208

PHONE: 684-2819

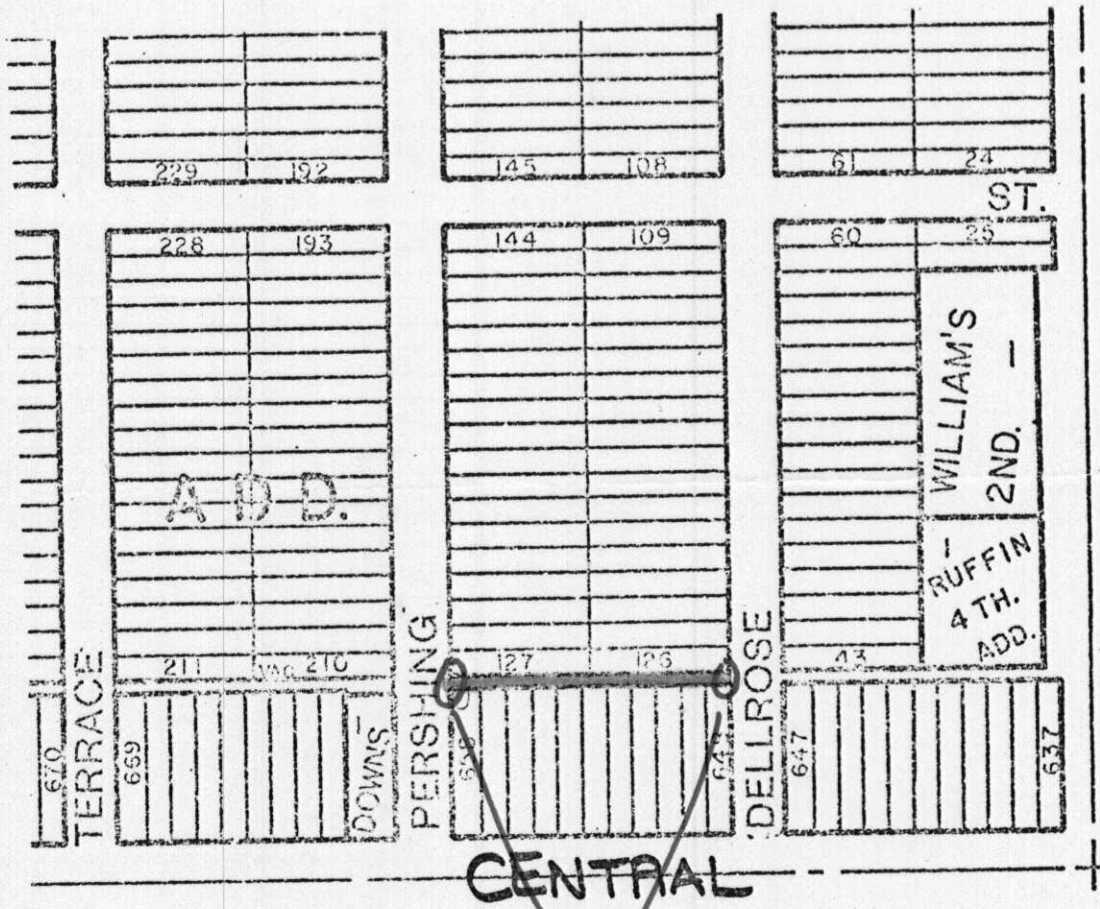
AGENT: None  
ADDRESS:

PHONE:

REASON FOR REQUEST:

For off-street parking and circulation purposes.

2. SKETCH.



*OK*  
*E.V. 9/29/87*  
*Both returns*  
*reconstructed*

*Close alley returns or reconstruct*  
*(~~wast~~ one or possibly both) to*  
*private drive standard.*