

City of Wichita
City Commission Meeting
August 19, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1405 - REQUEST TO VACATE STREET RIGHTS-OF-WAY, BUILDING SETBACKS AND UTILITY EASEMENTS, LOCATED SOUTH OF PAWNEE, IN AN AREA WEST OF YOUNG.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of street rights-of-way, building setbacks and utility easements.

Background: The Kansas Department of Transportation, P.O. Box 769, Hutchinson, KS 67501, is requesting this vacation to clear property for building construction and to satisfy a condition of approval for a special use permit case.

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; and
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

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.

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

IN THE MATTER OF THE VACATION OF PLATTED)
STREET RIGHTS-OF-WAY, BUILDING SETBACKS)
AND UTILITY EASEMENTS.)

Approved by Board of Commissioners

GENERALLY LOCATED SOUTH OF PAWNEE, IN AN AREA)
WEST OF YOUNG. (V-1405))

this AUG 19 1986

STATE OF KANSAS { 53
SEDGWICK COUNTY {
FILED FOR RECORD AT
7:00 AM

MICROFILMED
OF RECORD

MORE FULLY DESCRIBED BELOW

SEP 5 1986

VACATION ORDER

Ed Reed
Deputy

NO. **8 30567**
PAT KETTLER
REGISTER OF DEEDS

NOW on this 19th day of August, 1986, comes on for hearing the petition for vacation filed by the Kansas Department of Transportation, praying for the vacation of the following described street rights-of-way, building setbacks and utility easements, to-wit:

The street rights-of-way, building setbacks and utility easements platted as part of Vanderhoff Gardens Addition, Sedgwick County, Kansas within the following described tract:

Beginning at a point 56.4 feet north of the intersection of the west property line of Lot 16, Vanderhoff Gardens, an addition to Sedgwick County, Kansas, with the north right-of-way line of K-42 Highway; thence north along the west property line of said Lot 16 to the northwest corner of said Lot 16; thence west to the northeast corner of Lot 17, Vanderhoff Gardens; thence north along the east line extended of Lot 17 and the east line of Lot 14, Vanderhoff Gardens, to the northeast corner of said Lot 14; thence northwesterly across Lots 11 and 7 of the Vanderhoff Gardens, on a line through the northwest corner of Lot 11, and the northwest corner of Lot 7, and along the existing right-of-way line to the Quarter Section line of northeast quarter, Section 2, Township 28 South, Range 1 West which is also the east property right-of-way line of I-235; thence south on said Quarter Section line to the point of intersection of the northeast right-of-way line of the access ramp of said I-235; thence southeast along said ramp right-of-way line to the intersection of said line with the north right-of-way line of K-42 Highway; thence northeast to the southwest corner of Lot 16, Vanderhoff Gardens; thence north to the place of beginning, except Young Street as platted adjacent to the east line of Lots 17 and 20, of said Addition. (V-1405)

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 AUG. 6 + 13, 1986.
2. No private rights will be injured or endangered by the vacation of the above-described street rights-of-way, building setbacks and utility easements, 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 street rights-of-way, building setbacks and utility easements described herein should be approved.

6.00

City Clerk

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 19th day of August, 1986, ordered that the above-described street rights-of-way, building setbacks and utility easements are 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.

Tony Casado
Tony Casado, Mayor

ATTEST:

Dale C. Gisick
Donald C. Gisick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

