

City of Wichita  
City Commission Meeting  
September 2, 1986

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

TO: Mayor and City Commissioners

SUBJECT: V-1393 - REQUEST TO VACATE ALLEY RIGHTS-OF-WAY, LOCATED BETWEEN TEXAS AND BURTON AND BETWEEN HANDLEY AND OSAGE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: Calvary Bible Church, Attention: Glen E. Vance, 203 S. Osage, Wichita, KS 67213, is requesting this vacation to utilize the vacated alley rights-of-way as a part of their parking lot.

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; and
5. The Vacation Order shall retain the vacated alley rights-of-way as a utility 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 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 ALLEY  
RIGHTS-OF-WAY.

GENERALLY LOCATED BETWEEN TEXAS AND BURTON  
AND BETWEEN HANDLEY AND OSAGE. (V-1393)

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners  
this SEP 2 1986

STATE OF KANSAS }  
SEDGWICK COUNTY } 53  
FILED FOR RECORD AT

MICROFILMED 8:00  
OF RECORD

SEP 16 1986

VACATION ORDER

*Ed Resal*  
Deputy

NO. 8 32666  
PAT KETTLER  
REGISTER OF DEEDS

NOW on this 2nd day of September, 1986, comes on for hearing the petition for vacation filed by Calvary Bible Church, et al, praying for the vacation of the following described alley rights-of-way, to-wit:

The 15-foot wide north/south alley platted as part of West Wichita Addition, Sedgwick County, Kansas, from the north line of Pine (now Burton), to the south line of Texas.

AND

The 15-foot wide east/west alley platted adjacent to the south line of Lots 42, 44, 46, 48 and 50, on Texas, West Wichita Addition, Sedgwick County, Kansas. (V-1393)

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 22 1986 and AUG 29 1986.
2. No private rights will be injured or endangered by the vacation of the above-described alley rights-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 rights-of-way are hereby retained as utility easements.
6. The vacation of the alley rights-of-way described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 2nd day of September, 1986, ordered that the above-described alley rights-of-way 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:  
*Donald C. Cisicki*  
Donald C. Cisicki, City Clerk

Approved as to Form:  
*John Dekker*  
John Dekker, Director of Law

500  
city clerk

