

City of Wichita
City Commission Meeting
June 24, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1388 - REQUEST TO VACATE WASSALL STREET BETWEEN
RANGE ROAD AND HILLSIDE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Background: Joyland Hillside Park, Inc., 2801 S. Hillside, Wichita, KS 67216, is requesting this vacation to permit more security control for the amusement park.

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 submit a revised vacation petition which requests, in addition to the street right-of-way, the vacation of Reserves C and D, Second Replat of part of Pawnee Ranch Addition, Sedgwick County, Kansas;
6. The vacation order shall exclude from vacation the east 10 feet of the application area; and
7. The Vacation Order shall retain the entire street right-of-way being vacated as 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 the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

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IN THE MATTER OF THE VACATION OF STREET RIGHT-OF-WAY AND PLATTED RESERVES.

Approved by Board of Commissioners

JUN 24 1986

GENERALLY LOCATED BETWEEN HILLSIDE AND RANGE ROAD AT WASSALL STREET. (V-1388)

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT

MORE FULLY DESCRIBED BELOW

JUL 3 1986

MICROFILMED
OF RECORD

VACATION ORDER

NO. 8 16248

PAT KETTLER

NOW on this 24th day of June, 1986, comes on for record the petition for vacation filed by Joyland Hillside Park, Inc., praying for the vacation of the following described street right-of-way and platted reserves, to-wit:

STREET RIGHT-OF-WAY

The north 30 feet of the southeast quarter of Section 3, Township 28 South, Range 1 East of the 6th P.M., from the west right-of-way line of Hillside Avenue (Hillside Avenue right-of-way = 40-foot section line) to the extension of the west right-of-way line of Range Road, except the east 10 feet thereof.

AND

The south 30 feet of the northeast quarter of Section 3, Township 28 South, Range 1 East of the 6th P.M., from the west right-of-way line of Hillside Avenue (Hillside Avenue right-of-way = 40-foot section line) to the east right-of-way line of Range Road, except the east 10 feet thereof.

PLATTED RESERVES

Reserves C and D, Second Replat of Part of Pawnee Ranch Addition, Sedgwick County, Kansas.

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 JUNE 11, 18, 1986.

2. No private rights will be injured or endangered by the vacation of the above-described street right-of-way and platted reserves, 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 entire street right-of-way being vacated is hereby retained as a utility easement.

6. The platted 8-foot wide utility easement, adjacent to the west line of Reserve "C" and the north line of Reserves "C" and "D", are hereby retained as utility easements.

7. The vacation of the street right-of-way and platted reserves described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 24th day of June, 1986, ordered that the above-described street right-of-way and platted reserves 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.

ATTEST:

Donald C. Giesick, City Clerk

Tony Casado

Tony Casado, Mayor

Approved as to Form:

John Dekker, Director of Law

City Clerk

West Right-of-way line I-135 Highway

