

City of Wichita
City Council Meeting
September 29, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1488 - REQUEST TO VACATE A PORTION OF ALLEY RIGHT-OF-WAY.

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)

Location: In an area south of Waterman and east of Santa Fe. (District #3).

Applicant: Karl Solomon, 625 N. Carriage Parkway, Suite 200, Wichita, KS 67208

Site Size: A strip of alley right-of-way which is predominately 20 feet in width and approximately 300 feet in length.

Current Zoning: "E" (Light Industrial)

Background: This vacation case has been requested in order to vacate alley right-of-way that is not being used for alley purposes. The applicant owns 98% of the abutting land and desires to have the alley vacated so that he can build over it. The City Engineer and the Utility Advisory Committee has verified that the right-of-way is not needed for either alley or utility easement purposes. 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

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 SOUTH OF WATERMAN,
IN AN AREA EAST OF SANTA FE. (V-1488)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS)
SEDGWICK COUNTY)
FILED FOR RECORD AT SEP 29 1987
1:00 PM

OCT 8 1987

MICROFILMED
OF RECORD

VACATION ORDER No. 9 11551

PAT KETTLER
REGISTER OF DEEDS

NOW on this 29th day of September, 1987, comes on for hearing the
petition for vacation filed by Karl Solomon, et al, praying for the vacation of the
following described alley right-of-way, to-wit:

All of the north/south alley in Block 4, English's Fourth
Addition to the City of Wichita, Kansas, lying west of and
adjacent to Lots 2, 4, 6 and 8 in said Block 4, and lying east
of and adjacent to Lots 1, 3, 5 and 7 in said Block 4, and the
east half of the alley lying west of and adjacent to Lot 2,
except the north 23 feet 5 inches thereof and all of Lots 4, 6
and 8, and the west half of the alley lying east of and
adjacent to Lot 1, except the north 42.17 feet and all of Lots
3, 5 and 7, Block 3, English's Fourth Addition to the City of
Wichita, Kansas. (V-1488)

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 SEPT. 16 & 23, 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 vacation of the alley right-of-way described herein should be
approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th day of
September, 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.

ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

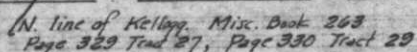
Thomas Powell
Thomas Powell, Interim Director of Law

Robert G. Knight
Robert G. Knight, Mayor

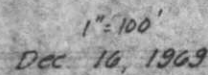
State of Kansas)
Sedgwick County) ss
City of Wichita)
DALE E. REA, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, this October 2, 1987

Dale E. Rea
Dale E. Rea, Deputy City Clerk

EXHIBIT B



CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. INC.



BAUGHMAN COMPANY
2522 E. KELLOGG