

City of Wichita
City Commission Meeting
April 21, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1443 - REQUEST TO VACATE A FLOODWAY RESERVE, GENERALLY
LOCATED IN AN AREA NORTH OF 46TH STREET SOUTH AND EAST
OF ROCK ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of floodway reserve.

Background: Thomas Lee, 9100 E. Harry, Apartment #212, Wichita, KS 67207, is requesting this vacation to provide more buildable area on his unplatted tract of property. The County's Bureau of Public Services is in receipt of the required substitute floodway reserve document.

Analysis: The Planning Commission recommends City Commission adopt a resolution recommending that the County Commission approve this vacation subject to:

1. All proceedings being without cost to the City, County or any utility company;
2. The applicant shall submit a revised legal description for including on the vacation resolution; and
3. The applicant shall grant, by separate instrument, a substitute floodway reserve.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Board of City Commissioners.

Recommendations/Action: Approve vacation; adopt resolution;
record resolution, recording costs to be
billed to owner.

() (Publ' ed in the Daily Record APR 24 1987, 19)

FILM 890 pg. 1181
Approved by Board of Commissioners

this APR 24 1987

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A FLOODWAY RESERVE DESCRIBED AS:

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT

MAY 19 1987

NO. 8 82505

PAT KETTLER
REGISTER OF DEEDS

Ed Reed
County

MICROFILMED
OF RECORD

A tract of land described as commencing at the southwest corner of the Southwest Quarter of Section 17, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence S 89° 51' 00" E along the south line of said Southwest Quarter a distance of 2,625.59 feet to the southeast corner of said Southwest Quarter; thence N 0° 10' 20" W along the east line of said Southwest Quarter a distance of 60 feet; thence N 89° 51' 00" W a distance of 670 feet; thence N 0° 10' 20" W a distance of 730 feet; thence N 89° 51' 00" W a distance of 387.74 feet to the POINT OF BEGINNING; thence N 89° 51' 00" W a distance of 262.71 feet; thence N 0° 00' 00" E a distance of 255.37 feet; thence N 27° 54' 00" W a distance of 268.25 feet more or less to the west line of the above-described tract; thence N 0° 03' 27" W a distance of 74.88 feet more or less to the northwest corner of the above-described tract; thence S 89° 51' 00" E and along the north line of the above-described tract a distance of 39.69 feet; thence S 27° 54' 00" E a distance of 283.31 feet; thence S 89° 51' 00" E a distance of 102.71 feet; thence N 0° 00' 00" E a distance of 250.00 feet more or less to the north line of the above-described tract; thence S 89° 51' 00" E and along the north line of the above-described tract a distance of 50 feet; thence S 0° 00' 00" E a distance of 225.00 feet; thence S 37° 32' 15" E a distance of 103.10 feet more or less to the east line of the above-described tract; thence S 0° 06' 55" E a distance of 260.38 feet more or less to the POINT OF BEGINNING. A portion of the floodway reserve filed on Film 302, Page 1022, Document Number 382144 filed on May 1, 1978.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a floodway reserve described as:

A tract of land described as commencing at the southwest corner of the Southwest Quarter of Section 17, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence S 89° 51' 00" E along the south line of said Southwest Quarter a distance of 2,625.59 feet to the southeast corner of said Southwest Quarter; thence N 0° 10' 20" W along the east line of said Southwest Quarter a distance of 60 feet; thence N 89° 51' 00" W a distance of 670 feet; thence N 0° 10' 20" W a distance of 730 feet; thence N 89° 51' 00" W a distance of 387.74 feet to the POINT OF BEGINNING; thence N 89° 51' 00" W a distance of 262.71 feet; thence N 0° 00' 00" E a distance of 255.37 feet; thence N 27° 54' 00" W a distance of 268.25 feet more or less to the west line of the above-described tract; thence N 0° 03' 27" W a distance of 74.88 feet more or less to the northwest corner of the above-described tract; thence S 89° 51' 00" E and along the north line of the above-described tract a distance of 39.69 feet; thence S 27° 54' 00" E a distance of 283.31 feet; thence S 89° 51' 00" E a distance of 102.71 feet; thence N 0° 00' 00" E a distance of 250.00 feet more or less to the north line of the above-described tract; thence S 89° 51' 00" E and along the north line of the above-described tract a distance of 50 feet; thence S 0° 00' 00" E a distance of 225.00 feet; thence S 37° 32' 15" E a distance of 103.10 feet more or less to the east line of the above-described tract; thence S 0° 06' 55" E a distance of 260.38 feet more or less to the POINT OF BEGINNING. A portion of the floodway reserve filed on Film 302, Page 1022, Document Number 382144 filed on May 1, 1978.

CDH

city clerk

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 5, 1987;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the floodway reserve, described as follows, to wit:

CASE NO. V-1443

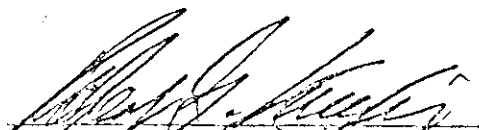
A tract of land described as commencing at the southwest corner of the Southwest Quarter of Section 17, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence S 89° 51' 00" E along the south line of said Southwest Quarter a distance of 2,625.59 feet to the southeast corner of said Southwest Quarter; thence N 0° 10' 20" W along the east line of said Southwest Quarter a distance of 60 feet; thence N 89° 51' 00" W a distance of 670 feet; thence N 0° 10' 20" W a distance of 730 feet; thence N 89° 51' 00" W a distance of 387.74 feet to the POINT OF BEGINNING; thence N 89° 51' 00" W a distance of 262.71 feet; thence N 0° 00' 00" E a distance of 255.37 feet; thence N 27° 54' 00" W a distance of 268.25 feet more or less to the west line of the above-described tract; thence N 0° 03' 27" W a distance of 74.88 feet more or less to the northwest corner of the above-described tract; thence S 89° 51' 00" E and along the north line of the above-described tract a distance of 39.69 feet; thence S 27° 54' 00" E a distance of 283.31 feet; thence S 89° 51' 00" E a distance of 102.71 feet; thence N 0° 00' 00" E a distance of 250.00 feet more or less to the north line of the above-described tract; thence S 89° 51' 00" E and along the north line of the above-described tract a distance of 50 feet; thence S 0° 00' 00" E a distance of 225.00 feet; thence S 37° 32' 15" E a distance of 103.10 feet more or less to the east line of the above-described tract; thence S 0° 06' 55" E a distance of 260.38 feet more or less to the POINT OF BEGINNING. A portion of the floodway reserve filed on Film 302, Page 1022, Document Number 382144 filed on May 1, 1978.

Be and the same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described floodway reserve be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

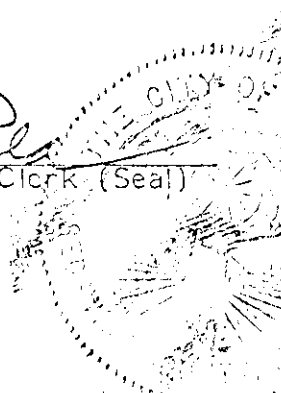
SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 21st day of April, 1987.


ROBERT G. KINCHELLEY Mayor

ATTEST:


Dale E. Rea, Deputy City Clerk (Seal)

State of Kansas)
(Sedgwick County) ss
City of Wichita)
IDALE 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 MAY 13 1987

Dale E. Rea Deputy City Clerk

