

City of Wichita
City Council Meeting
February 2, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1431 - REQUEST TO VACATE A PORTION OF ALLEY RIGHT-OF-WAY,
LOCATED IN AN AREA EAST OF KANSAS AND SOUTH OF SECOND.
(District #1)

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)

Background: This vacation has been requested in order to clear a building encroachment in the subject alley right-of-way. The contingent dedication provides for the portion of alley right-of-way being vacated to automatically be rededicated as right-of-way if and when the building encroachment is removed. 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; accept contingent dedication; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and contingent dedication, recording costs to be billed to:

755-68-360-50000-295-000-000

RECEIVED
OFFICE OF CITY CLERK
FEB 19 1988

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PORTION
OF ALLEY RIGHT-OF-WAY.

GENERALLY LOCATED BETWEEN KANSAS AND I-35 AND
BETWEEN FIRST AND SECOND STREETS. (V-1431)

MORE FULLY DESCRIBED BELOW

) Approved / Accepted By City Council
) This FEB 2 1988
) STATE OF KANSAS }
) SEDGWICK COUNTY }
) FILED FOR RECORD AT
) 8:00 AM

MICROFILMED
OF RECORD

FEB 23 1988
NO. 9 32695
PAT KETTLER
REGISTER OF DEEDS

Ed Rea
Deputy

VACATION ORDER

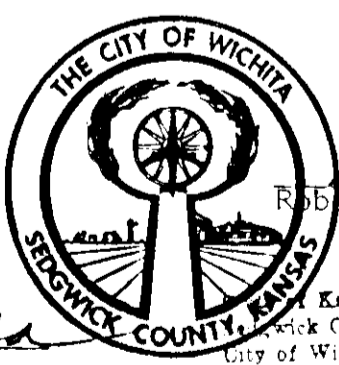
NOW on this 2nd day of February, 1988, comes on for hearing the petition for vacation filed by Edward Loeb sack, praying for the vacation of the following described portion of alley right-of-way, to-wit:

The east 0.3 feet of the north/south alley right-of-way platted west of and adjacent to Lots 31 and 29 and the south 11.3 feet of Lot 27, all on Minneapolis Avenue, Minneapolis Addition to the City of Wichita, Sedgwick County, Kansas. (V-1431)

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 JAN. 20 & 27, 1988.
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 2nd day of February, 1988, 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

Robert G. Knight
Robert G. Knight, Mayor

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

(State of Kansas)
(Sedgwick County))
(City of Wichita)
I, DALE E. REA, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is attached is a true and correct copy of the original as filed in the office of the City Clerk. Given under my hand and seal of the City of Wichita, this FEB 12 1988
Dale E. Rea Deputy City Clerk

9.00 ca
PL/806615 city clerk

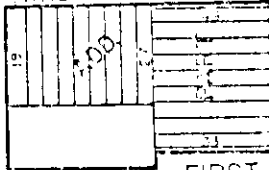
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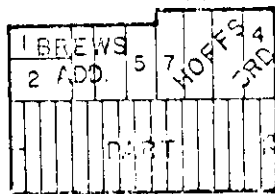
SECOND



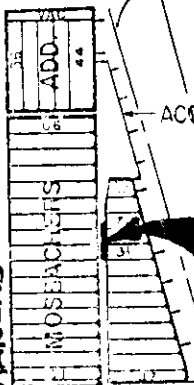
MILDRED AVE.



FIRST



VICTOR ST.



ACCESS CON

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