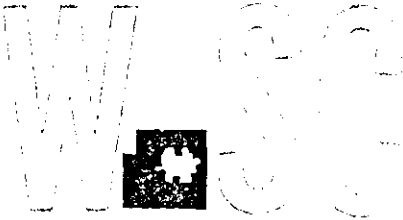


WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL -- TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1668  
(316) 268-4561

July 7, 1989

Mr. Bob Previtiera, L.A.  
Air Capitol Land Surveyors  
2160 W. 21st St.  
Wichita, KS 67203-2181

Re: V-904 & V-1589 - Motel 6 request to vacate a utility  
easement located in an area north of Kellogg and west  
of Hoover Street.

Dear Mr. Previtiera:

The Wichita City Council has approved the attached corrective  
Vacation Order.

The associated Vacation Case file V-1589, as it is no longer  
necessary, shall be marked closed.

If you have any questions about this matter, please call.

Sincerely,

R. Timothy Bickhaus  
Associate Planner

RTB:svm

cc: Motel 6, L.P., Attn: Roger J. Reith, Real Estate Attorney,  
14651 Dallas Parkway, Suite 500, Dallas, TX 75240  
Denny's Inc., Attn: Larry Young, 16700 Valley View Ave., La  
Mirada, CA 90637  
Mike Lindebak, City Engineer

Approved / Accepted By City Council

This JUN 6 1989  
STATE OF KANSAS } SS  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
8:00 AM

BEFORE THE CITY COUNCIL OF THE  
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS JUN 27 89 1015493

IN THE MATTER OF THE VACATION OF )  
A PORTION OF A UTILITY EASEMENT )  
 )  
GENERALLY LOCATED IN AN AREA NORTH OF )  
KELLOGG AND WEST OF HOOVER STREET )  
(V-904) )  
 )  
MORE FULLY DESCRIBED BELOW )

PAT KETTLER  
REGISTER OF DEEDS

*Ed Pasa Deputy*

MICROFILMED  
OF RECORD

VACATION ORDER

NOW on this *6th* day of *June*, 1989, comes on for correction of a mutual mistake in the legal description of the easement previously vacated in the subject vacation proceeding.

The City Council, after being duly and fully informed as to fully understand the true nature of the subject vacation and the mistake in the legal description that caused the prior vacation order to fail to accomplish the vacation petitioned for, makes the following findings:

1. In Case No. V-0904 all the requirements of law were followed to accomplish the vacation of a portion of a sewer easement on Lot 2, Block 1, Byron Stout Addition, Wichita, Sedgwick County, Kansas.

2. On March 28, 1979, a Vacation Order was entered vacating the following described easement:

The North 20 feet of the South 250 feet of the west 100 feet of the east 162 feet of Lot 2, Block 1, Byron Stout Addition, Wichita, Sedgwick County, Kansas.

3. The legal description contained in said Vacation Order of March 28, 1979, was in error and the legal description of the easement intended to be vacated by the Petitioner and all interested parties is:

The North 20 feet of the South 250 feet of the west 100 feet of the east 320 feet of Lot 2, Block 1, Byron Stout Addition, Wichita, Sedgwick County, Kansas.

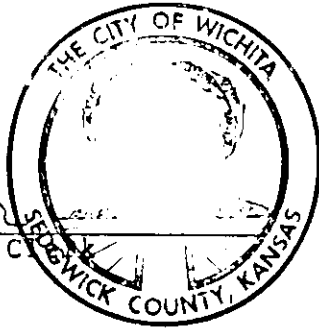
4. A corrected Vacation Order should be issued to accomplish the vacation that was petitioned for in 1979 and to annul the effect of the incorrect description contained in the vacation Order of March 28, 1979, which Order incorrectly vacated a portion of a sewer easement which is being used by the public and which was never intended to be vacated.

*S. OU  
ca*

*City Clerk*

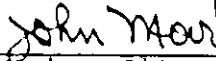
Vacation Order  
V-904  
Page 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this <sup>6TH</sup> day of ~~JUNE~~, 1989, ordered that that portion of the easement described above in paragraph 3 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.



  
\_\_\_\_\_  
Bob Knight, Mayor


ATTEST:

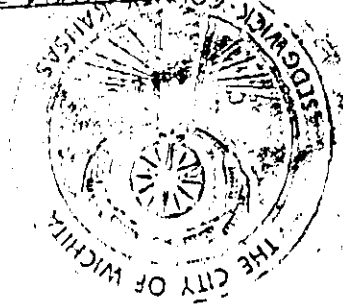
  
\_\_\_\_\_  
John Moir, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Thomas Powell, Director of Law

state of Kansas )  
Sedgwick County) ss  
City of Wichita )  
I, PAT BURNETT, 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 the the City Clerk.  
Given under my hand and seal of the City of  
Wichita, this JUN 13 1989

 Deputy City Clerk

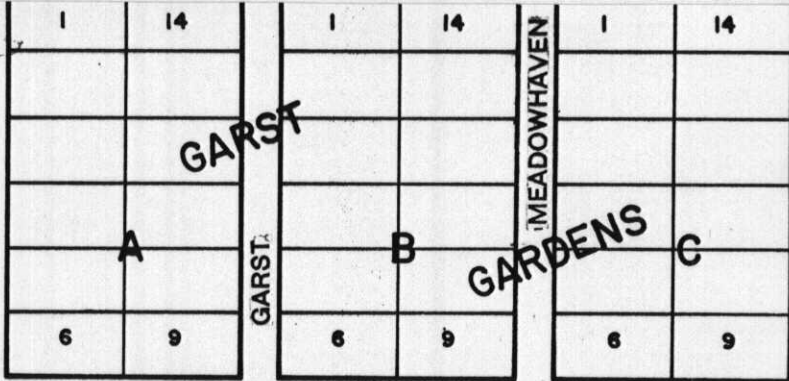


THE

LANDING

PARK  
ADD.

PART  
OF  
AIR PARK  
3RD  
ADD.



GARST

GARST

MEADOWHAVEN

GARBENS

HENDRYX

AVE.

BYRON

STOUT

ADD.

REPLAT OF  
DALE GARST  
ADD. AND  
PART OF  
GARST GARDENS

REPROCO

54

KELLOGG

PLANT  
2

PART  
OF  
CUMLEY'S  
2ND  
ADD.

SANDLIAN'S  
WITH  
ADD.

3  
PART

OF  
2  
CUMLEY'S

WESTERN  
ADD.  
5 4 3 2 1

HOOVER

ST.