

City of Wichita
City Council Meeting
May 24, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1533 - REQUEST TO VACATE STREET RIGHT-OF-WAY FOR BONES DRIVE, LOCATED IN AN AREA EAST OF SENECA AND SOUTH OF 55TH STREET SOUTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

MAPC Recommendation: Approve vacation of street right-of-way. (unanimous)

Background: This vacation case has been filed by the County Counselor's Office on behalf of adjacent property owners. The street right-of-way being requested for vacation has never been opened up or used as a public street. The areas around the subject street are served by an alternate dedicated roadway to the south. The County Engineer's Office has verified that the street is not needed and the Utility Advisory Committee has verified that the right-of-way is not needed for utility easement purposes. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

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 Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

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

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF STREET
RIGHT-OF-WAY DESCRIBED AS:

All of that portion of Bone's Drive, as platted between the western boundary of Lots 1 and 2 and the eastern boundary of Lots 1 and 2, in Bone's South Seneca Gardens, Sedgwick County, Kansas, except the west 20 feet thereof.

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

All of that portion of Bone's Drive, as platted between the western boundary of Lots 1 and 2 and the eastern boundary of Lots 1 and 2, in Bone's South Seneca Gardens, Sedgwick County, Kansas, except the west 20 feet thereof; and

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 the 28th day of April, 1988;

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

SECTION 1. That the street right-of-way, described as follows, to wit:

CASE NO. V-1533

All of that portion of Bone's Drive, as platted between the western boundary of Lots 1 and 2 and the eastern boundary of Lots 1 and 2, in Bone's South Seneca Gardens, Sedgwick County, Kansas, except the west 20 feet thereof.

Be and the same is approved for vacation.

SECTION 2. The vacated street right-of-way shall be retained as a utility easement in the Vacation Order.

SECTION 3. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described street right-of-way 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 4. 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 24th day of May, 1988.

Sheldon Kamen, Mayor

ATTEST:

Dale E. Rea, Deputy City Clerk (Seal)

55th ST. SO.

RAINBOW ESTATES

SENECA

SANDPIT 1

SOUTH 6

BONES

DB

GARDENS

BONE'S

SENECA

59TH ST S

WINTER 1
ADD.

L. & PAC. R.R.