

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 1, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1613 - REQUEST TO VACATE A PORTION OF A
PLATTED FLOODWAY, LOCATED WEST OF WEBB ROAD AND NORTH OF
13TH STREET NORTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of floodway.

MAPC Recommendation: Approve vacation of floodway. (unanimous)

Background: In order to allow the construction of a swimming pool, the applicant has initiated this vacation request. City Engineering has determined that the plattor of this property platted in excess of what is needed for floodway. 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:

150029-2909

Approved / Accepted By City Council

This AUG 1 1989

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED FLOODWAY)
)
GENERALLY LOCATED WEST OF GATEWOOD IN)
AN AREA WEST OF WEBB ROAD AND NORTH OF)
13TH STREET NORTH (V-1613).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 1st day of August, 1989, comes on for hearing the petition for vacation filed by Kenneth F. & Sara Beck, praying for the vacation of the following described platted floodway, to-wit:

All of the existing floodway on Lot 23, Block 1, Country Place Estates Addition to Wichita, Sedgwick County, Kansas, except a tract described as follows: Beginning at the northwest corner of Lot 23; thence east on said Lot line 125'; thence southwest to a point on the south line of said Lot 23, which point is 75' east of the southwest corner of Lot 23; thence west on said Lot line 75' to the southwest corner of Lot 23; thence north on said Lot line 152', more or less, to the place of beginning.

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 JUL 19 1989 JUL 26 1989
2. No private rights will be injured or endangered by the vacation of the above-described floodway, 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 floodway described herein should be approved.

B.00
ca

City Clerk

Vacation Order
V-1613
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of August, 1989, ordered that the above-described floodway 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:

Bob Knight, Mayor

John Moir, City Clerk

Approved as to Form:

Thomas Powell, Director of Law

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 A M

AUG 9 1989 1022509

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, PATRICIA L. BURNEY, Deputy City Clerk of the City of Wichita, Kansas, do hereby certify that the document to which this is attached is a true and correct copy of the original on file in my office as the City Clerk.

Given under my hand and seal of the City of

Wichita, this 1st day of August, 1989.
Patricia L. Burney, Deputy City Clerk



