

City of Wichita  
City Council Meeting  
September 22, 1992

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1762 REQUEST TO VACATE THE USES ASSOCIATED  
WITH A PLATTED RESERVE  
(District #5)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of the uses of the Reserve.

MAPC Recommendation: Approve vacation of the uses of the Reserve.  
(unanimous)

Background: Originally this Reserve, in the Huntington Place Third Addition, was platted for various open space, recreational, etc. type uses. The Addition's Homeowners Association, however, no longer desires to use this site for such purposes and has disposed of the property with the expectation that it could be combined with an adjoining lot as a conventional building site. Since the plat now specifies that only specific non-residential uses are allowed, the vacation of such specific uses will allow the site to be developed, with the abutting lot, for residential purposes. A covenant was required which assures that this Reserve will be combined and developed as part of the adjoining lot. The Subdivision Committee has indicated their agreement with this vacation. 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 the public hearing and approve the vacation; authorize the Mayor to sign the Vacation Order; record certified copy of the Vacation Order and the restrictive covenant; recording costs to be billed to:

Approved / Accepted By City Council

This SEP 22 1992

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

IN THE MATTER OF THE VACATION OF THE )  
USES PLATTED FOR A RESERVE )  
 )  
GENERALLY LOCATED WEST OF MAIZE ROAD AND )  
SOUTH OF 13TH STREET NORTH (V-1762) )  
 )  
 )  
MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 22nd day of September, 1992, comes on for hearing the petition for vacation filed by Gaylon W. Nett for Netco Construction Co. Inc., praying for the vacation of the following described uses of a Reserve, to-wit:

Those uses platted for Reserve B, Block 1, Huntington Place Third Addition, an Addition to Wichita, Sedgwick County, Kansas indicated as including landscaping, recreation, walks, open space, entry, monuments, a gazebo and irrigation.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 9/4/92 + 9/11/92.
2. No private rights will be injured or endangered by the vacation of the above-described uses of a Reserve, 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 uses of the Reserve described herein should be approved.

*Book City Clerk*

Vacation Order  
V-1762  
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 22nd day of September, 1992, ordered that the above-described uses of the Reserve 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:

  
\_\_\_\_\_  
Pat Burnett, Deputy City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Gary Rebenstorff, Director of Law



MICROFILMED  
OF RECORD

STATE OF KANSAS } SS  
SEDGWICK COUNTY }  
FILED 8-000-11

Nov 392 1247282

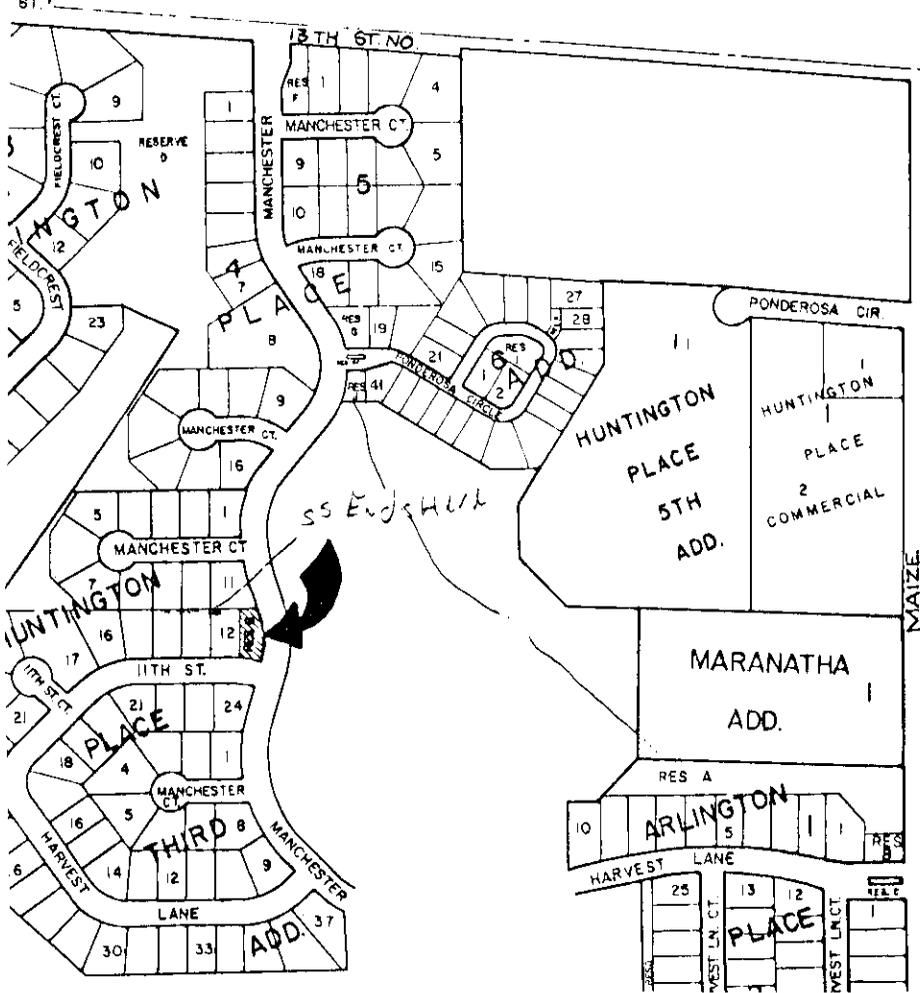
PAT KETTLER  
REGISTER OF DEEDS

*Ed Beard  
County Clerk*

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 SEP 22 1992

  
\_\_\_\_\_  
Deputy City Clerk





SS End of Hill

Application Filed 4/13/92  
 S/D Comm. Action APP 4/30/92  
 M.A.P.C. Action 5/7/92

W.C.C. Action \_\_\_\_\_  
 Bd. Co. Co. Action \_\_\_\_\_  
 Order to Vacate Recorded \_\_\_\_\_

September 22, 1992