

City of Wichita  
City Council Meeting  
March 17, 1992

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

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1749 - REQUEST TO VACATE AN ALLEY LOCATED  
EAST OF WASHINGTON AND NORTH OF 16TH ST. NORTH.  
(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 alley is not now nor has it been used as an alley for many years. The applicant(s) desire to establish private drives and or parking over the present alley right-of-way. Although utilities, including sanitary sewer, are located in this alley City Engineering and the utilities have no objection to the vacation provided that the right-of-way is retained as a utility easement. Since the alley is only 16 feet wide, City Engineering requested and the applicants have submitted a dedication of 4-feet of additional utility easement. The vacation order will retain the right-of-way as a utility easement. 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; accept the utility easement; and record easement and certified copy of Order, recording costs to be billed to:

FILE 3-17-92

Page 1 of 2

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

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

GENERALLY LOCATED BETWEEN WASHINGTON AVE.)  
AND WABASH AVE. AND 16TH AND 17TH )  
STREETS NORTH. (V-1749) )

V-1749

MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 17th day of March, 1992, comes on for hearing  
the petition for vacation filed by Timothy Farrell, praying for the  
vacation of the following described alley right-of-way, to-wit:

The platted north-south alley in Block 7,  
Washington Avenue Addition to the City of Wichita,  
Kansas, Sedgwick County, Kansas.

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 2/25/92 & 3/3/92.
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 above described alley right-of-way shall be retained  
as a utility easement.
6. The vacation of the alley right-of-way described herein  
should be approved.

8.002k

City Clerk

150029 2909

Vacation Order  
V-1749  
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of March, 1992, 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.

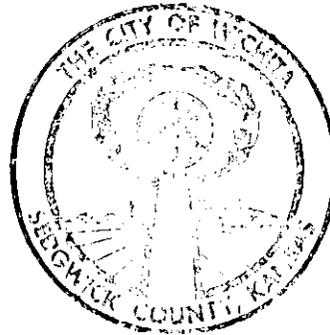
  
\_\_\_\_\_  
Bob Knight, Mayor

ATTEST:

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

Approved as to Form:

  
\_\_\_\_\_  
Gary E. Rebenstorf, Director of Law



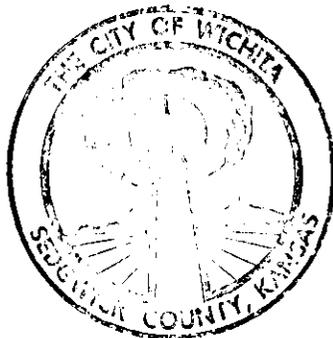
STATE OF KANSAS } SS  
SEDGWICK COUNTY }  
FILED }  
10:00 a

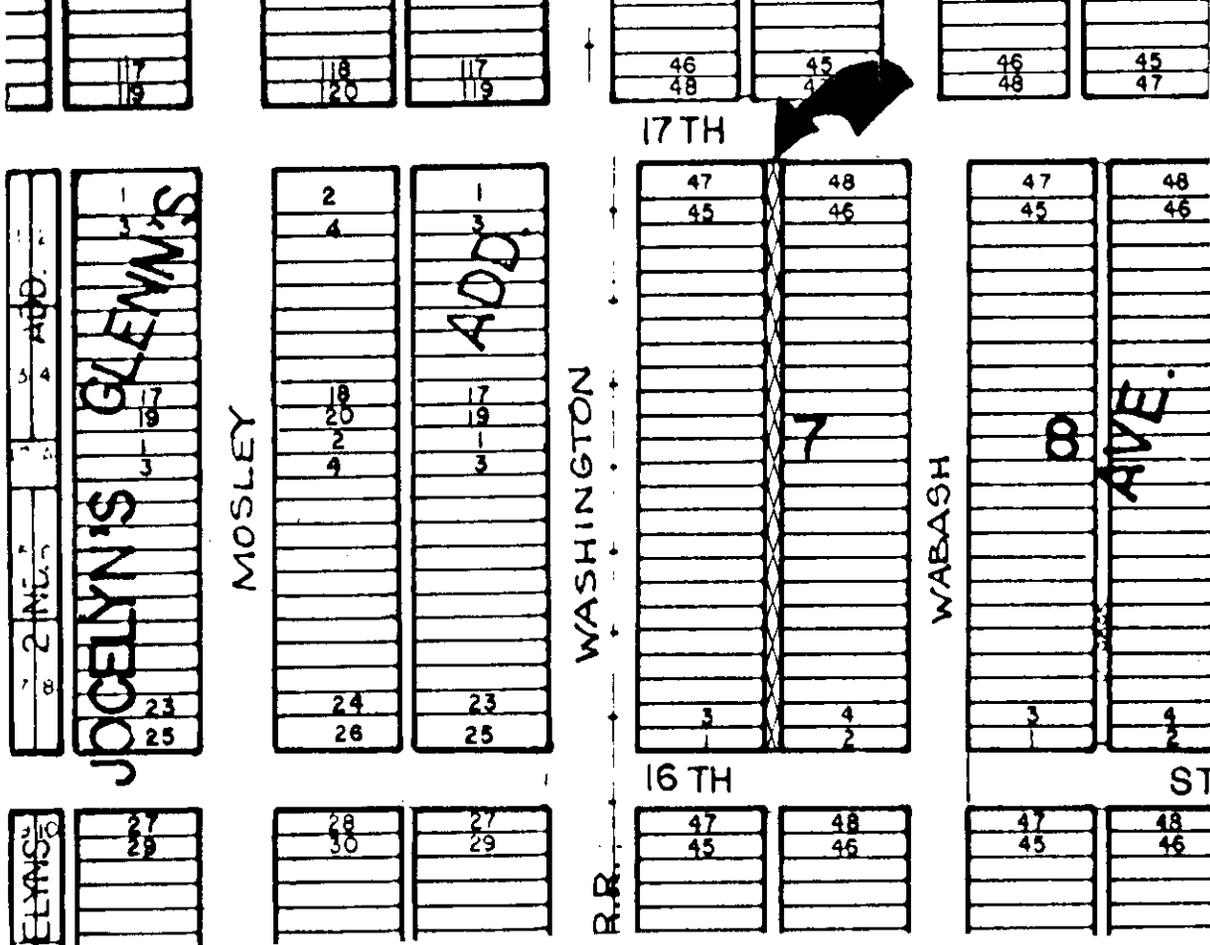
MICROFILMED  
OF RECORD

MAR 24 12 13 1992  
PAT KETTLER  
REGISTER OF DEEDS

  
\_\_\_\_\_  
Ed Reed  
Deputy

State of Kansas }  
Sedgwick County }  
City of Wichita }  
I, Pat Burnett, Deputy City Clerk of the City of Wichita, Kansas, do hereby certify that the document to which reference is made herein and current copy of the original are true and correct copies of the original as shown to me by the City Clerk.  
Witness my hand and seal of the City of Wichita, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 1992.  
March 17, 1992  
  
\_\_\_\_\_  
Pat Burnett, Deputy City Clerk





Application Filed 12/30/91  
 S/D Comm. Action 1/23/92  
 M.A.P.C. Action Approved  
1-30-92  
Approved

W.C.C. Action 3-17-92  
Approved  
 Bd. Co. Co. Action \_\_\_\_\_  
 Order to Vacate Recorded \_\_\_\_\_

March 17 1992  
June 24 1992