

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 10, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1742; Request to vacate right-of-way, generally located north of 55th Street South and west of Broadway. (District # 4).

INITIATED BY: Metropolitan Area Planning Department

W. Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of a street right-of-way. As a result of the plat review and approval process for property to the north of this proposed right-of-way vacation (platted as Stoneborough Addition), the need for this street was eliminated. Submission of this vacation case for final hearing and approval was conditioned upon applicant's satisfactory completion of all platting requirements. Staff and MAPC have recommended approval because all platting requirements have been satisfied, alternate access for this site has been provided, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS: Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Order, recording costs to be billed to:

150029-2909.

Approved / Accepted By City Council
This AUG 10 1993

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

IN THE MATTER OF THE VACATION OF)
THAT PORTION OF STREET RIGHT-OF-)
WAY)
)
GENERALLY LOCATED NORTH OF)
55TH STREET SOUTH AND WEST)
OF BROADWAY)
)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-1742

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 10th day of August, 1993, comes on for hearing the petition for vacation filed by Stoneborough Corp., praying for the vacation of the following described portion of street right-of-way, to-wit:

A strip of land 70 feet in width lying 35 feet on each side of the following described center line: Beginning at a point on the east line of the SE 1/4 of Section 20, Township 28S, Range 1E, Sedgwick County, Kansas, said point being 635 feet north of the SE corner of said SE 1/4; thence westerly, parallel to and 635 feet north of the south line of said SE 1/4, 602.99 feet; thence along a curve to the right with a radius of 103 feet, a central angle of 60°27'37" and an arc length of 108.69 feet to the end point; except the east 58.5 feet thereof.

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 7-23-93, 7-30-93.
2. No private rights will be injured or endangered by the vacation of the above-described portion of street 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.

8.00

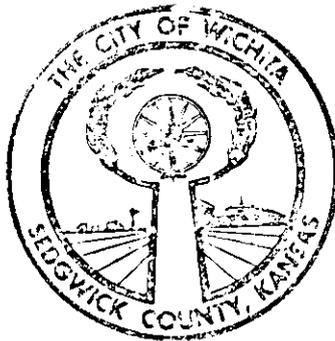
City Clerk

Vacation Order
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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 portion of street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of August, 1993, ordered that the above-described portion of street 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.



Elma Broadfoot
Elma Broadfoot, Mayor

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk

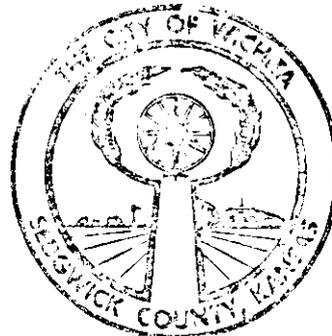
State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Pat Burnett Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office the the City Clerk. Given under my hand and seal of the City of Wichita, this AUG 17 1993
Pat Burnett Deputy City Clerk

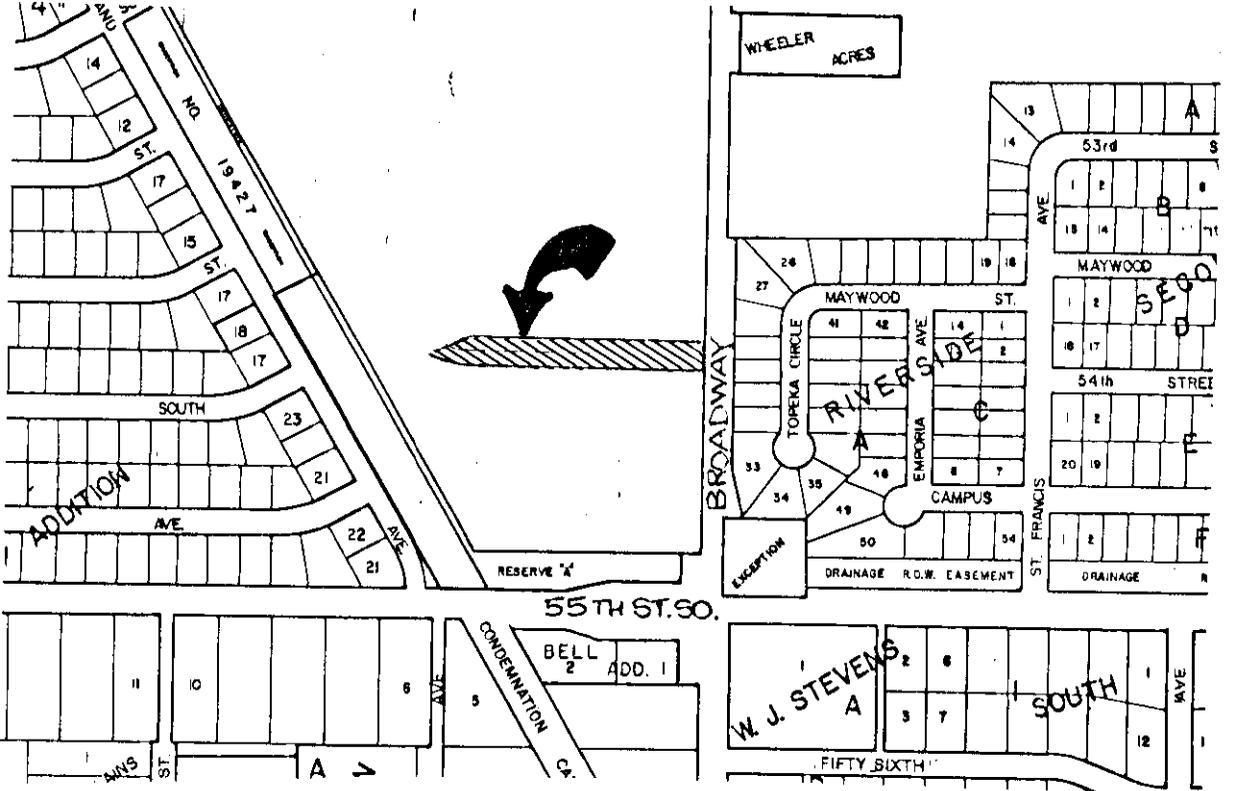
Approved as to Form:

Gary E. Rebenstorf
Gary Rebenstorf, Director of Law

STATE OF KANSAS
SEDGWICK COUNTY
8:00 a
901 2593 1329522
PAT KETTLER
REGISTER OF DEEDS

Ed Reed
County





Application Filed 11/6/91
 S/D Comm. Action 11/25/91 *ALL*
 M.A.P.C. Action 12/5/91 - *APP*

W.C.C. Action _____
 Bd. Co. Co. Action _____
 Order to Vacate Recorded _____

August 10, 1993