

Planning Agenda Item # _____

**City of Wichita
City Council Meeting
August 10, 1993**

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1824; Request to vacate right-of-way, generally located south of Harry and west of Seneca. (District # 4).

INITIATED BY: Metropolitan Area Planning Department

M. Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of an alley right-of-way. Applicant intends to construct multi-family dwellings, and use the vacated alley area for parking and open space. Staff and MAPC have recommended approval because the alley has limited use and is unpaved, the vacated right-of-way will be retained as public utility easement, 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

MICROFILMED
OF RECORD

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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 SOUTH OF	)	Case No. V-1824
HARRY AND WEST OF SENECA	)	
	)	
	)	
<u>MORE FULLY DESCRIBED BELOW</u>	)	

VACATION ORDER

NOW on this 10th day of August, 1993, comes on for hearing the petition for vacation filed by Crew Partnership and Schraft Corporation, praying for the vacation of the following described portion of street right-of-way, to-wit:

The alley in Princess Addition to Wichita, Sedgwick County, Kansas, adjacent to Lots 17 through 32, Block N of said Addition for a total length of 194 feet, beginning 3 feet east of the west line extended of Lot 17 and ending 3 feet west of the east line extended of Lot 31.

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.
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.

City Clerk

8.00ck

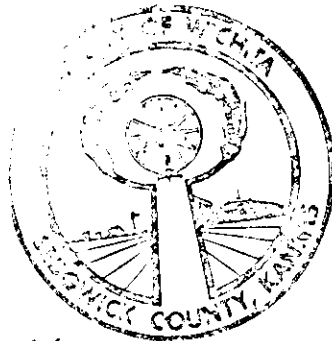
93041502
Sen. C.

Vacation Order
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5. The above-described street right-of-way being vacated shall be retained as public utility easement.

6. 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

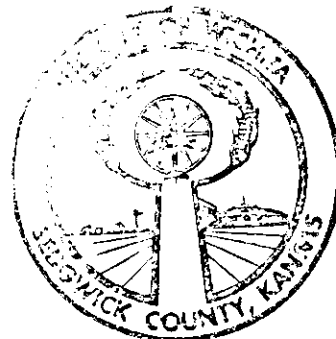
Approved as to Form:

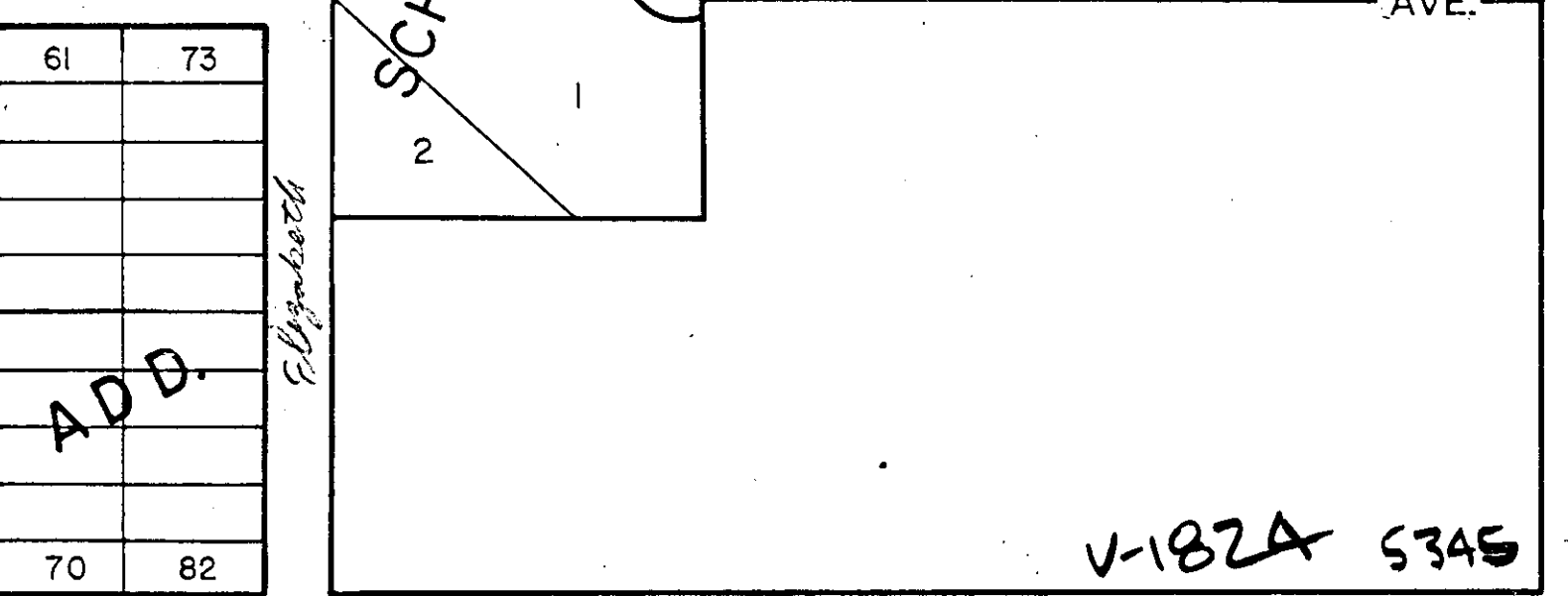
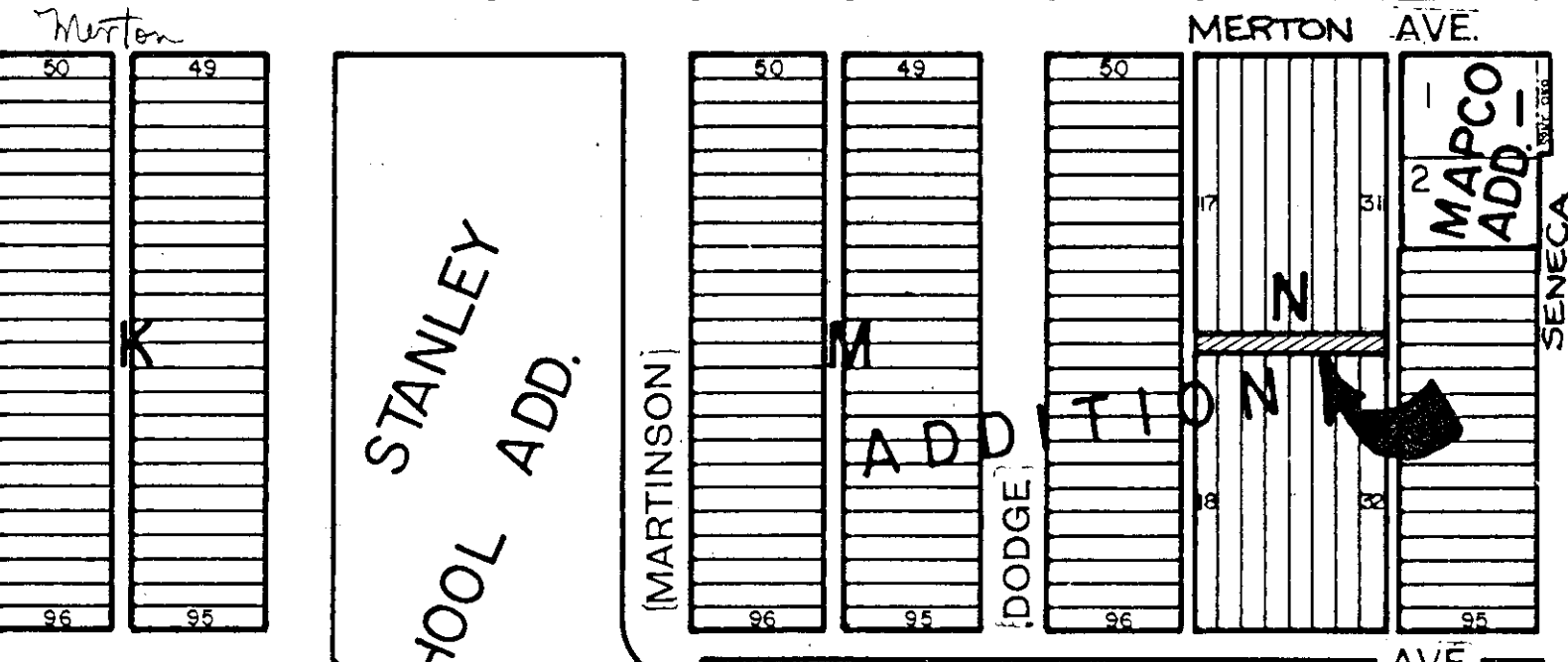
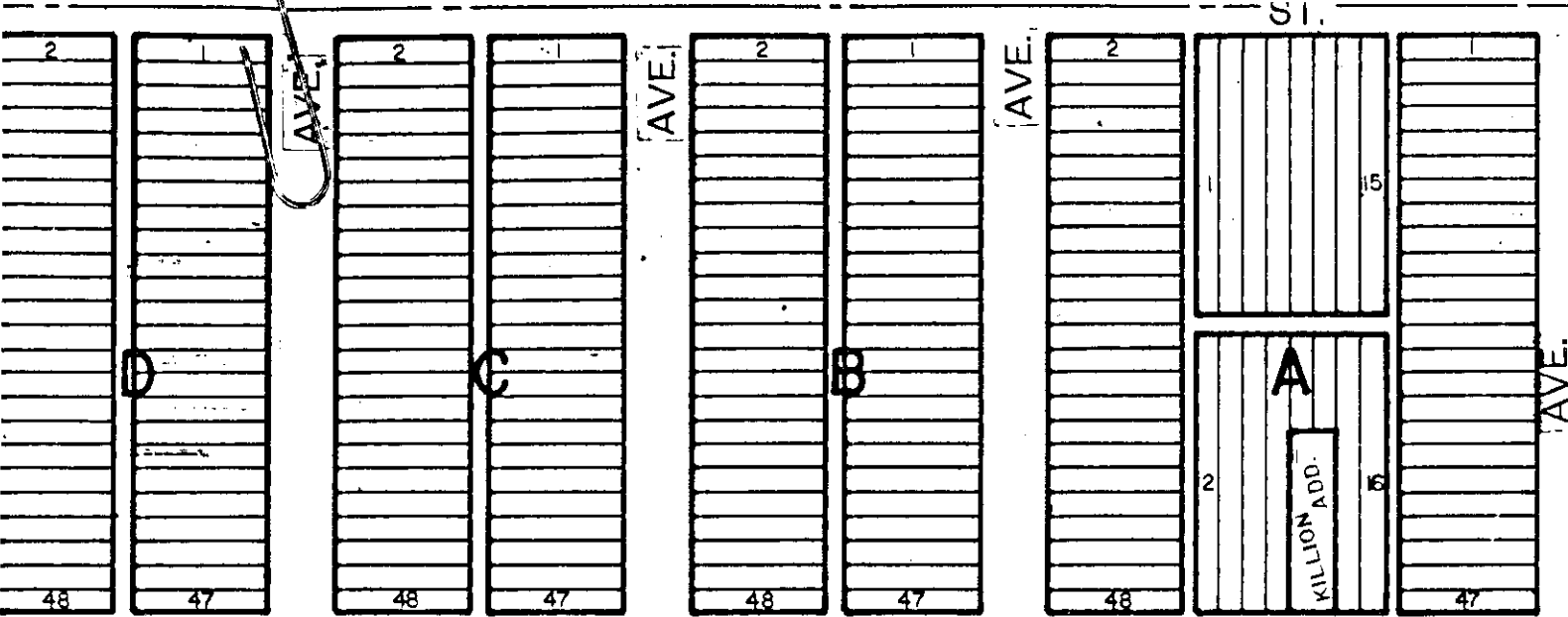
Gary E. Rebenstorf
Gary Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita
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 of the City Clerk.
Given under my hand and seal of the City of
Wichita, this AUG 17 1993

Pat Burnett Deputy City Clerk

STATE OF KANSAS) ss
SEDDWICK COUNTY
FILED FOR RECORD AT
2:30 P.M.
AUG 20 1993 1314920
PAT KETTLER
REGISTER OF DEEDS





STANLEY
SCHOOL ADD.

(MARTINSON)

(DODGE)

MAPCO
ADD.

V-182A 5345