

Planning Agenda # _____

**City of Wichita
City Council Meeting
October 10, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1904 REQUEST TO VACATE ALLEY RIGHT-OF-WAY IN AN AREA BETWEEN 1ST AND 2ND STREETS, WEST OF WATER
(District #6)

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.

Background: The applicant desires to vacate the alley in order to allow for the reconfiguration of USD 259 parking, thus reducing the need to lease parking and thus saving the school district considerable annual expenses. Although the alley is being vacated, the alley right-of-way will be retained as an 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/Actions:

Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to: 150029-2909

This OCT 10 1995

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 1ST AND 2ND STREETS,
WEST OF WATER**

MORE FULLY DESCRIBED BELOW



Case No. V-1904

STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT
8:00 AM

1488046 2-6 95

PAT KETTLER
REGISTER OF DEEDS

*Hydew Bernand
Deputy*

VACATION ORDER

NOW on this 10th day of October, 1995, comes on for hearing the petition for vacation filed by City of Wichita, Etal, praying for the vacation of the following described alley right-of-way, to-wit:

an alley right-of-way adjacent to odd Lots 95 through 49 on Water Street Greiffensteins Original Town, Wichita, 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 9-22-95 & 9-29-95
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. The alley right-of-way will be retained as an utility easement.
5. 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.
6. The vacation of the alley right-of-way described herein should be approved.

200.1

City Clerks Office

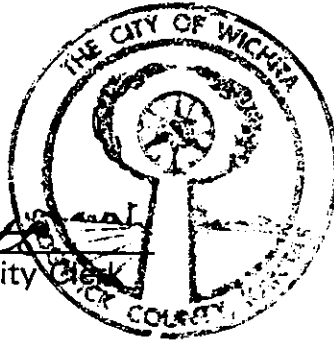
455 N. Main - 12th Floor
Wichita, KS 67202

MICROFILMED
OF RECORD

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of October, 1995, 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.

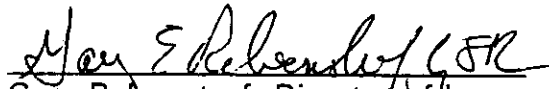
ATTEST:


Pat Burnett, Deputy City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

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 of the City Clerk.
Given under my hand and seal of the City of
Wichita, this OCT 10 1995
 Deputy City Clerk

