

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 12, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1902 REQUEST TO VACATE AN ALLEY
LOCATED NORTH OF 17TH STREET NORTH AND WEST OF
HYDRAULIC.
(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 right-of-way vacation was a requirement of an associated plat, S/D 94-55, St. Mary's Missionary Baptist Church. The plat essentially vacated the south third of this alley and the remained two thirds will be vacated with this request. The alley right-of-way will be retained 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/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

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

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

GENERALLY LOCATED
NORTH OF 17TH STREET NORTH
AND WEST OF HYDRAULIC

MORE FULLY DESCRIBED BELOW



Case No. V-1902 STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT

Christina Hernandez
Deputy

1504551 E-28

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 12th day of December, 1995, comes on for hearing the petition for vacation filed by Greater St. Marys Missionary Baptist Church, etal, praying for the vacation of the following described alley right-of-way, to-wit:

The portion of alley right-of-way described as extending from the south line of Lot 7 on Hydraulic Avenue, H. Robinson's Addition to Wichita, Kansas, northward to the south right-of-way line of 18th Street North; that also being the north line of Lot 1 on Hydraulic Avenue, *Karr's* Addition to Wichita, 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 12/1/95 & 12/8/95
2. No private rights will be injured or endangered by the vacation of the above-described an alley, 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.

Vacation Order
V -1902

Page 2 of 2

4. The above described alley right-of-way shall be retained as an utility easement.

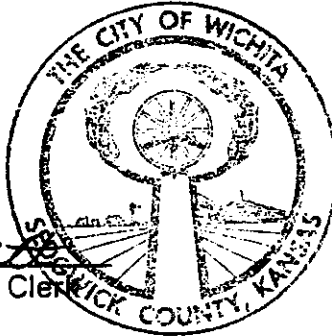
5. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

6. The vacation of the an alley right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of December, 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
Pat Burnett, Deputy City Clerk



Bob Knight
Bob Knight, Mayor

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
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PAT KETTLER
REGISTER OF DEEDS



Approved as to Form:

Gary E. Rebenstorf
Gary Rebenstorf, Director of Law

Ernest Hernandez
Ernest Hernandez, Deputy



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 DEC 12 1995
Pat Burnett Deputy City Clerk

