

Planning Agenda # \_\_\_\_\_

**City of Wichita  
City Council Meeting  
January 30, 1996**

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

**TO:** Mayor and City Council

**SUBJECT:** PUBLIC HEARING V-1890 REQUEST TO VACATE A PORTION OF A  
PLATTED FLOODWAY IN AN AREA WEST OF MERIDIAN, NORTH OF  
MACARTHUR,  
(District # 4)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

---

Staff Recommendation: Approve vacation of platted floodway.

MAPC Recommendation: Approve vacation of platted floodway. (unanimous)

Background: The applicant desires to vacate a portion of an existing floodway easement in order to construct a building. The applicant was required and has provided by separate instrument the dedication of a substitute floodway to accommodate the reconfiguration of detention ponds on the site. 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:

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

1130377

This JAN 30 1996

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

STATE OF KANSAS } ss  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
10:00 am

PAT KETTLER  
REGISTER OF DEEDS

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:

COPY

Vacation Order  
- V - 1890

Page 2 of 2

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 1/16/96 & 1/23/96.

2. No private rights will be injured or endangered by the vacation of the above-described platted floodway, 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.

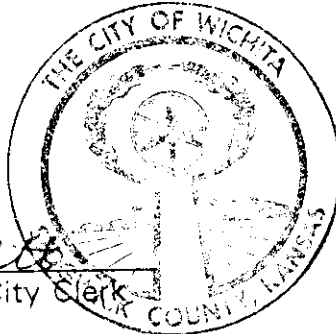
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of the platted floodway described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 30th day of January, 1996, ordered that the above-described platted floodway 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



Approved as to Form:

Gary Rebenstorf  
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 attached 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 JAN 30 1996

Pat Burnett  
PAT BURNETT  
Deputy City Clerk

LOT 1

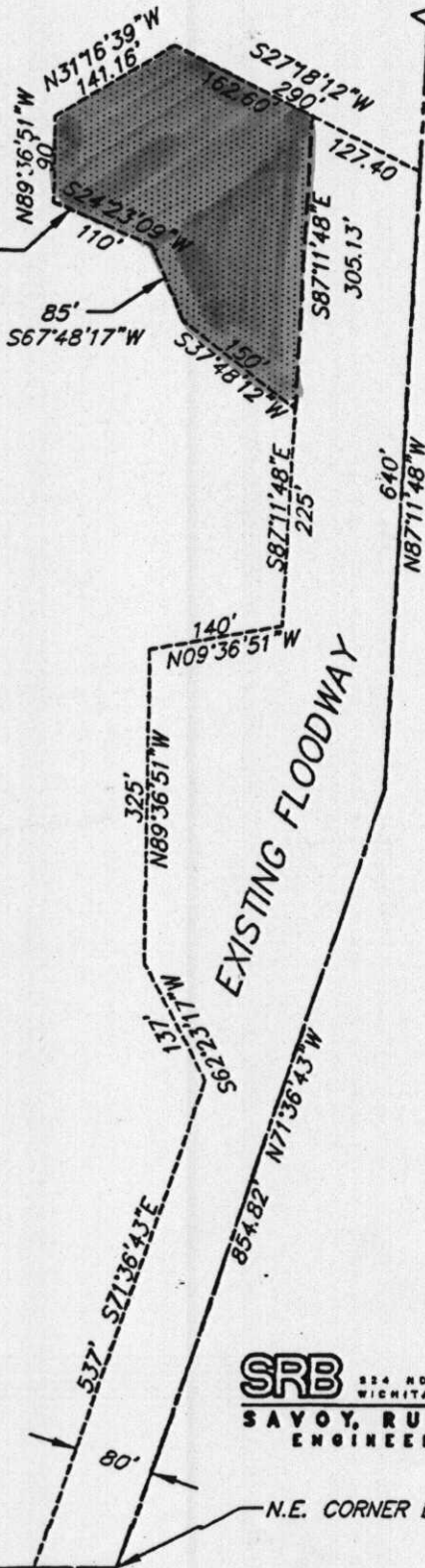
AREA TO BE  
VACATED

BLOCK 1

BETHEL

ASSEMBLY

ADDITION



1" = 200'

EXHIBIT "B"  
V-1890

SRB

524 NORTH MAIN  
WICHITA, KANSAS 67203

318-  
F&E

SAVOY, RUGGLES & BOH  
ENGINEERING & SURVEYING