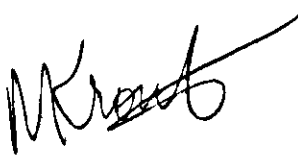


City of Wichita
City Council Meeting
January 15, 2002

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC-2149 - REQUEST TO VACATE A PORTION OF
KESSLER STREET, GENERALLY LOCATED BETWEEN
ESTHNER STREET AND DORA STREET AND VACATE A
PORTION OF DORA STREET GENERALLY LOCATED
EAST OF THE DORA STREET - KESSLER STREET
INTERSECTION.
(District IV)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant is requesting consideration to vacate that portion of Kessler Street between Dora (on the south) and Esthner (on the north) Streets. This is a short block, two lots long of approximately 420-feet in length and is not developed/paved. The section of Dora that the applicant is requesting consideration to vacate is not developed/paved and dead-ends into undeveloped property on the east side. This section of Dora is approximately 200-feet in length. The proposed vacation of the portions of Kessler and Dora Streets does not adversely affect traffic circulation, nor does it cut-off access to any other properties.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds. Dedication by separate instrument of easements will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

Dupl

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF KESSLER STREET)

GENERALLY LOCATED)
BETWEEN ESTHNER STREET AND DORA)
STREET)

MORE FULLY DESCRIBED BELOW)

Case No. V-2149

RECEIVED

JAN 23 2002

METROPOLITAN PLANNING
ROUTE _____

VACATION ORDER

NOW on this 15th day of January, 2002, comes on for hearing the petition for vacation filed by Don Coleman, Wayne J. Ferguson, The BF Company and Andale Investments, praying for the vacation of the following described portion of Kessler Street and its right-of-way and the following described portion of Dora Street and its right-of-way, to-wit:

Portion of Kessler Street and its right-of-way:

That portion of Kessler Street and its ROW lying east of and abutting Lots 5, 6 & 11 Block 4, West Warehouse Addition and lying west of and abutting Lots 1, 2 & 3, Block 8, West Warehouse Addition, Wichita, Sedgwick County, Kansas.

Portion of Dora Street and its right-of-way:

That portion of Dora Street and its ROW lying north of and abutting Lot 1, Block 7, West Warehouse Addition and lying south of and abutting Lot 3, Block 8, West Warehouse Addition, 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 Wichita Eagle on January 15, 1999, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described portions of Kessler Street and Dora Streets and their right-of-ways, 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 portions of Kessler Street and Dora Street and their right-of-ways described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of January 2002, ordered that the above-described portions of Kessler Street and Dora Street and their right-of-ways 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, City Clerk


Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

MERTON

VACATED ORD. 33-323

AVE.

KESSELY VAC. ORD. 30-324

REDMONL
3rd ADD.

KNIGHT

WEST 3

ESTNER

AVE

39

FRE

32

33

DORA

WAREHOUSE 5

ADD.

KESSELY

AVE.

6

5

5

48

38

ST.

ST.