

Planning Agenda # _____

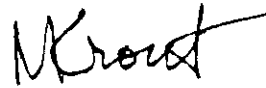
City of Wichita
City Council Meeting
July 13, 1999

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2178 - REQUEST TO VACATE STREET RIGHT-OF-WAY
LOCATED IN AN AREA NORTH OF MURDOCK AND EAST OF
TOPEKA.
(District VI)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of street right-of-way.

MAPC Recommendation: Approve vacation of street right-of-way. (unanimous)

Background: The applicant is requesting to vacate the northernmost 167 feet of Emporia Circle to allow for a parking lot and also to provide better access to the new emergency center for Via Christi St. Francis. The applicants own both sides of the vacated right-of-way, and the vacated roadway will revert back to St. Francis Hospital.

The applicants agent has stated that in the future there will be a request to vacate Emporia Circle adjacent to Lot 1, Block 2, St. Francis Regional Medical Center and maybe the remainder of Emporia to Murdock. However at this time, the applicant only needs the area being requested to be vacated.

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 subject to the applicant providing a temporary easement until such time the water line is abandoned, the applicant relocating the existing sprinkler system and any other facilities as required in a matter deemed appropriate by the City of Wichita Fire Department.

The applicant has submitted a temporary easement for the water line which will be abandoned and the City of Wichita Fire Department has approved this request. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and accept the temporary water line easement, approve the Vacation Order, and authorize the Mayor to sign.

181-134-298
CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

Vacation Order
V - 2178

Approved / Attested By City Council

This JUL 23 1999

STATE OF KANSAS) ss
SEDGWICK COUNTY)
Page 1 of 2

JUL 23 4 18 PM '99

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

BILL H. HARRIS
REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF
STREET RIGHT-OF-WAY

GENERALLY LOCATED
NORTH OF MURDOCK AND EAST OF TOPEKA

MORE FULLY DESCRIBED BELOW

) *Debra McHugh*
) Deputy

) Case No. V-2178

MICROFILMED
OF RECORD



VACATION ORDER

NOW on this 13th day of July, 1999, comes on for hearing the petition for vacation filed by St. Francis Regional Medical Center, Inc., c/o Bob Lavelle, praying for the vacation of the following described street right-of-way, to-wit:

The vacation of Emporia Circle from the north line of Lot 1, Block 2, St. Francis Regional Medical Center Addition to the north line of Emporia Circle.

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 on May 18, 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 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.
5. The vacation of the street right-of-way described herein should be approved, subject to the following condition:

8.00 RETURN ABOVE

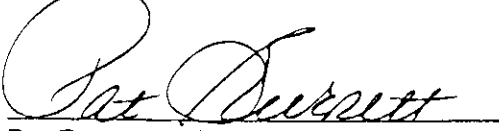
Vacation Order
V - 2178

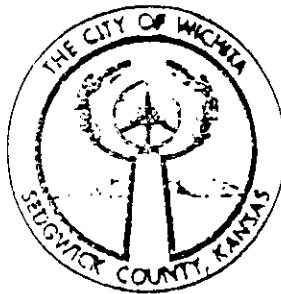
Page 2 of 2

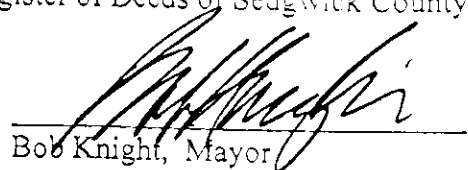
- A) The applicant shall either guarantee the abandonment of the water line prior to the request going to City Council, abandon the water line prior to the case being heard by City Council, or provide a temporary easement until such time the water line is abandoned.
- B) The applicant shall relocate the existing sprinkler system and any other facilities as required in a matter deemed appropriate by the City of Wichita Fire Department.
- C) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of July, 1999, ordered that the above-described 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.

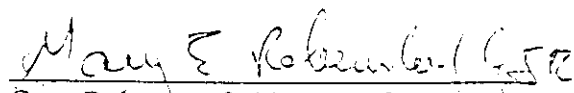
ATTEST:


Pat Burnett, City Clerk



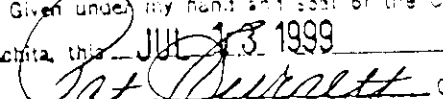

Bob Knight, Mayor

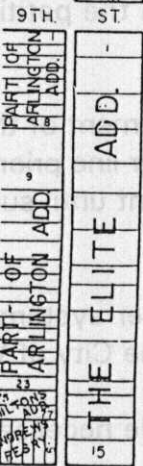
Approved as to Form:


Gary Rebenstorf, Director of Law

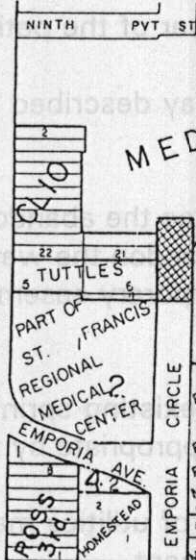
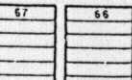


State of Kansas)
Sedgwick County) ss
City of Wichita)
Pat Burnett City Clerk of the City of Wichita,
Kansas, hereby certify that the document to which
this is affixed is a true and correct copy of the orig-
inal on file in my office.

Given under my hand and seal of the City of
Wichita, this JUL 13 1999
 City Clerk



MURDOCK



MEDICAL

CENTER

MURDOCK GROVE

