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

IN THE MATTER OF THE VACATION OF THE
PLATTOR'S TEXT

GENERALLY LOCATED NORTH OF EAST CENTRAL AVENUE ON THE EAST SIDE OF NORTH 127TH STREET EAST

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 6th day of December 6, 2016, comes on for hearing the petition for vacation filed by Villas at Crestview Homeowners Association, co Rick Slater, President (owner) & the Minneha Township, c/o Donald E. Gragg, Trustee (applicant), praying for the vacation of the plattor’s text, to allow the following uses in a platted reserve, to wit:

Reserve A, Villas at Crestview Addition will now allow; private drives, parking areas, and open spaces, walls, fences, monuments, landscaping, irrigation, and utilities confined to easements. All private drives in Reserve A are hereby granted as fire lane easements. The west 30 feet of Reserve A is for open spaces buffer zone

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, in The Wichita Eagle on September 29, 2016, which was at least 20 days prior to the public hearing.

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2. No private rights will be injured or endangered by the vacation of the described plattor’s text to allow the described uses in the described platted reserve and the public will suffer no loss or inconvenience thereby.

3. An affidavit stating consent and acceptance by Minneha Township of long term maintenance of a wall, a recorded Temporary Construction Easement, Doc/Flm-Pg: 29608110, and a recorded Permanent Wall Easement, Doc/Flm-Pg: 29608111, both recorded May 13, 2016, will be recorded with the Vacation Order at the Register of Deeds of Sedgwick County.

4. Because this vacation case is located in Sedgwick County, but within the City of Wichita’s 3-Mile Subdivision Jurisdiction it will proceed to the December 7, 2016, Sedgwick County Board of County Commissioner’s for final action, after today’s recommendation by the Wichita City Council.

5. In justice to the petitioner(s), the prayer of the petition ought to be granted.

6. 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.

7. The vacation of the described plattor’s text to allow the described uses in the described platted reserve should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of December, 2016, ordered that the above-described plattor’s text is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

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Jeff Longwell, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Jennifer Magana, City Attorney and Director of Law

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