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

IN THE MATTER OF THE VACATION OF A PORTION
OF A PLATTED STREET RIGHT-OF-WAY

GENERALLY LOCATED AT THE SOUTHEAST CORNER
WEST KELOOG DRIVE AND SOUTH CYPRESS DRIVE

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 6th day of December, 2016, comes on for hearing the petition for vacation
filed by Steven Enterprises, LLC., c/o Brandon Steven (applicant/abutting property owner),
praying for the vacation of described portion of a platted street right-of-way, to-wit:

That part of Cypress Drive and that part of Kellogg Drive as dedicated in Lankin Addition in
Wichita, Sedgwick County, Kansas lying within and being coincident with the following described
tract of land: Commencing at the southeast corner of Lot 1, Block 1, in said Lankin Addition, said
southeast corner also being on the west line of said Cypress Drive; thence north along the west
line of said Cypress Drive, (and along the east line of said Lot 1), 504.33 feet (platted), to the point
of curvature of a curve to the left in the west line of said Cypress Drive, (said point of curvature
also being the point of curvature in the east line of said Lot 1), and for a point of beginning; thence
northerly, northwesterly, and westerly along the northeast line of said Lot 1, (said northeast line
also being the west line of said Cypress Drive and the south line of said Kellogg Drive), said curve
having a radius of 35.00 feet and tangent lengths of 29.98 feet (platted), 30.25 feet (calculated per
measured information), to the point of compound curvature in the south line of said Kellogg Drive,
(and in the north line of said Lot 1), as originally dedicated in said Lankin Addition, said point of
compound curvature also being a radius point as described in the Vacation Order recorded in
DOC.#/FLM-PG: 28834270, and also being a point of compound curvature as described in the
Quit Claim Deed recorded in DOC.#/FLM-PG: 29510731; thence easterly along the south line of
that part of said vacated street right-of-way, (Vacation Order, Case No. VAC2006-00031, recorded
in DOC.#/FLM-PG:28834270), described in said Quit Claim Deed recorded in DOC.#/FLM-PG:
29510731, 29.98 feet (platted), 30.25 feet (calculated per measured information), to the southeast

December 6, 2016

VAC2016-00040
corner of the parcel described in said Quit Claim Deed; thence south to the point of beginning. Containing 185.6 Sq. Ft., (calculated)

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.

2. No private rights will be injured or endangered by the vacation of the described portion of the platted street right-of-way and the public will suffer no loss or inconvenience thereby.

3. A restrictive covenant binding and tying the described vacated portion of street right-of-way to the abutting property will be recorded with the Vacation Order at the Register of Deeds of Sedgwick County. The restrictive covenant will also be recorded at the Appraiser’s Office of Sedgwick County.

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

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 described portion of the platted street right-of-way, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of December, 2016, ordered that the described portion of the platted street right-of-way is vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law