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Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Details (With Text)

File #:	17-113	Version:	1	Name:	
Type:	Consent	Status:		Consent Agenda	
File created:	12/20/2016	In control:	Board of Sedgwick County Commissioners		
On agenda:	1/4/2017	Final action:			
Title:	VAC2016-00006 - Request to vacate the east half-mile of the public road East 93rd Street North beginning on the west side of North 127th Street East (County District 1).				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. VAC2016 06 -map, 2. VAC2016 06 -VO signed by co law, 3. VAC2016 06 -support doc -BoCC 010417				

Date	Ver.	Action By	Action	Result
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VAC2016-00006 - Request to vacate the east half-mile of the public road East 93rd Street North beginning on the west side of North 127th Street East (County District 1).

Recommended Action: Follow the recommendation of the Metropolitan Area Planning Commission, approve the Vacation Order and authorize the necessary signatures.

Background: The applicant is requesting the vacation of what generally can be described as the 60-foot wide, east half-mile of East 93rd Street North, beginning at its intersection with the west side of North 127th Street East. 93rd Street North appears to have been established in 1884, which is prior to the 1908 mass production of the Ford Model T. There was a road viewing at the time the road was established in 1884. There was a decision made at that time to relocate the west end of the road to the north.

The undeveloped road is located in a rural, unincorporated portion of northeast Sedgwick County. A 1938 aerial (the oldest found) shows that the road was no longer in public usage. Given the number of creek crossings, it is unlikely that the township wanted to try to maintain the road in any condition that would be useful to motorized vehicles. Property ownerships or cooperation between owners may have made the road less important well before 1938. The applicant owns all of the abutting property along the east, half-mile section of 93rd Street North. The west half of 93rd Street North has two different abutting ownership. The vacation will create a dead-end road, but keep in mind that no road exist except on paper and the expense of building bridges across the many creeks running over it makes its development unlikely. The vacation request would not deny any properties access to public roads. The vacation will not alter traffic patterns, as there is no visible road and thus no vehicular traffic. The surrounding properties are agricultural fields. There are no utilities located within the described road.

Alternatives: Not applicable.

Financial Considerations: Division of Finance; complies with Kansas Budget Law and Cash Basis

Law
Not applicable.

Legal Considerations: Approved as to form and signed by County Counselor's Office
The Board of County Commissioners is authorized by K.S.A. 58-2613, et seq. to grant petitions for vacation of platted streets, alleys, public easements and public reservations. The Vacation Order is approved as to form and signed by County Counselor's Office. The original Vacation Order and a covenant binding and tying the described portion of the vacated road to the abutting properties will be recorded with the Register of Deeds.

Policy Considerations: Not applicable.