



Sedgwick County...  
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# Sedgwick County

525 North Main Street 3rd  
Floor  
Wichita, KS 67203

## Legislation Details (With Text)

**File #:** 11-1020      **Version:** 1      **Name:** Webb Road Vacation Petition  
**Type:** Other      **Status:** New Business  
**File created:** 9/26/2011      **In control:** Board of Sedgwick County Commissioners  
**On agenda:** 10/5/2011      **Final action:**  
**Title:** RECEIPT AND REVIEW OF PETITION FOR VACATION OF ROAD UPON OR ALONG A SECTION LINE UNDER KSA 68-102, ET SEQ.  
Presented by: Kelly B. Arnold, County Clerk.

**RECOMMENDED ACTION:** Make appropriate findings and approve the order.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. MAPD Report VAC 2010 35.pdf, 2. Petition for Vacation.pdf, 3. Roadway Vacation Bond.pdf, 4. Proof of mailing.pdf, 5. Web Rd Vacation Notice.pdf, 6. Vacation00266195.pdf, 7. Publication Affidavit.pdf

Date	Ver.	Action By	Action	Result
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## RECEIPT AND REVIEW OF PETITION FOR VACATION OF ROAD UPON OR ALONG A SECTION LINE UNDER KSA 68-102, ET SEQ.

Presented by: Kelly B. Arnold, County Clerk.

**RECOMMENDED ACTION:** Make appropriate findings and approve the order.

This petition for road vacation was filed under KSA 68-102, et. seq. which requires that the petition must state the beginning, intermediate and ending points of the road. The statute also requires the Board to approve any bond required to cover the costs of the road vacation process. This request was previously considered by the MAPC in December 2010, and unanimously recommended for approval. No one spoke in opposition to the request. The request presented to the BoCC is the same request presented to the MAPC. Due to legal procedural requirements, the petition must now be considered by the BoCC.

Although generally the next action for the BoCC would be to set a road viewing, and appoint three disinterested householders as road viewers; where the proposed vacation is located on or upon a section line, and the owners have agreed in writing to the change in the road, the BoCC can dispense with the road viewing if it is determined that change is practicable and can be made without any unreasonable expense. In this case the requested vacation is for 10 feet of the 75 foot radius of a sand and gravel cul de sac located at the end of Webb Road, immediately south of 55th St. S.

### Alternatives:

- A) Receive petition, find to be in legal form, approve bond, dispense with road viewing, grant the petition subject to conditions recommended by the MAPC;
- B) Receive petition, find to be in legal form, approve bond, set the road viewing and appoint three

disinterested householders as road viewers;

C) Find the petition is not in legal form, or the bond is not proper form, and take no further action; or

D) Take any other action deemed appropriate

Policy Considerations:

Outside Attendees:

Multimedia Presentation: Powerpoint