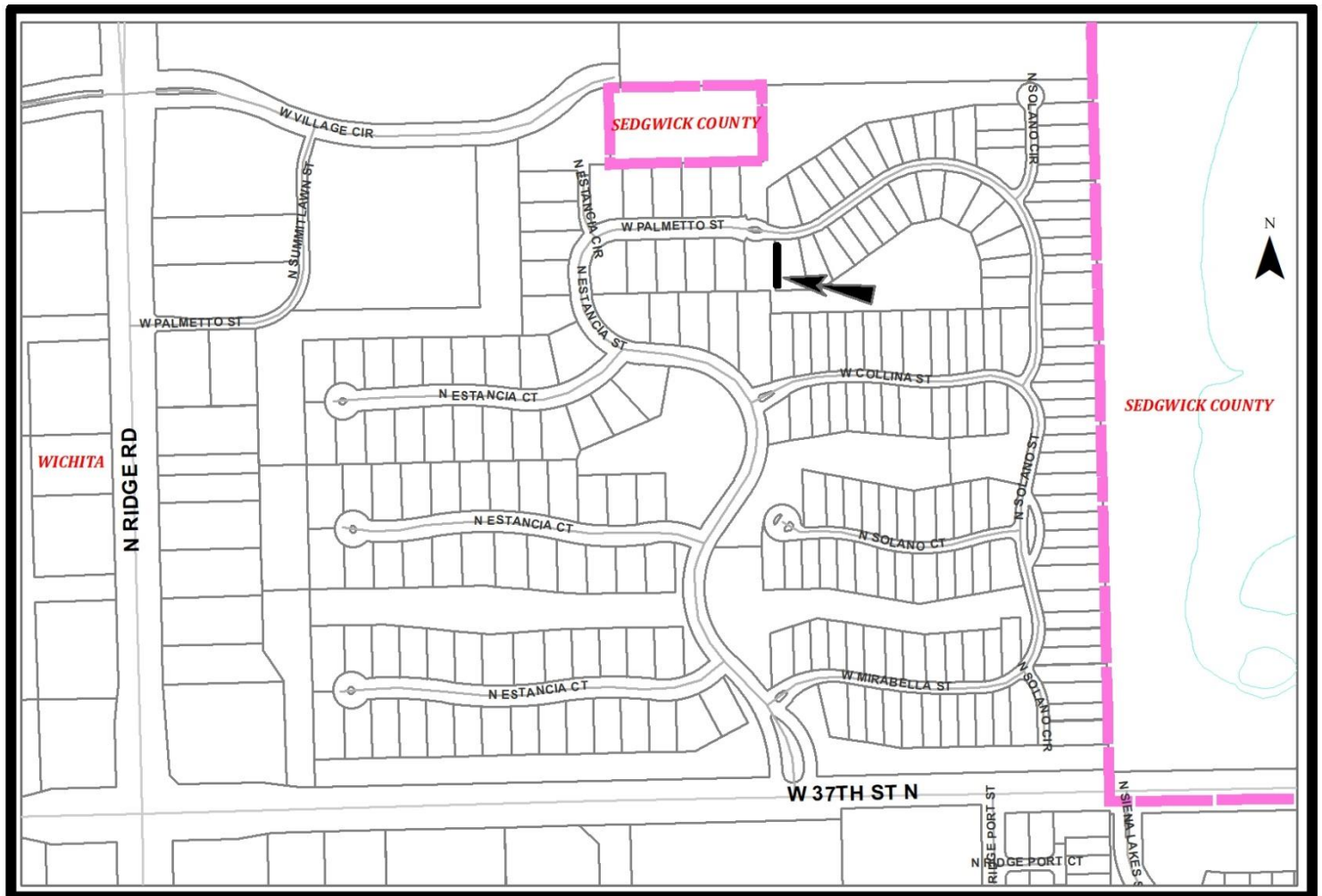


STAFF REPORT

- CASE NUMBER:** VAC2020-00019 - City Vacation of platted utility easement
- OWNER/APPLICANT:** Ronald and Marcia Weddle (Applicants)/ MKEC Engineering, Inc. (Agent)
- LEGAL DESCRIPTION:** Described as vacating the west 10.00 feet of Lot 6, Block 1, Estancia 2nd Addition, Wichita, Sedgwick County, Kansas, EXCEPT the north 15.00 feet and the south 10.00 feet thereof.
- LOCATION:** Generally located a quarter mile east of North Ridge Road and a quarter mile north of West 37th Street North.
- REASON FOR REQUEST:** To vacate a non-utilized easement on property.

VICINITY MAP:



The applicant has requested the vacation of a portion of the ten-foot platted utility easement on described as Lot 6, Block 1, Estancia 2nd Addition. This property is generally located one-quarter mile east of North Ridge Road and one-quarter mile north of West 37th Street North. The purpose of this request is to vacate a non-utilized easement on the property.

There are no public utilities located within the easement. Evergy has no objection to this request. Heide Bryan is the Subdivision Representative. She has been working with the agent for the applicant on this case. She can be contacted at 261-6354 with any questions. The Estancia 2nd Addition was recorded September 6, 2019.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted utility easement.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time June 18, 2020 which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted utility easement and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

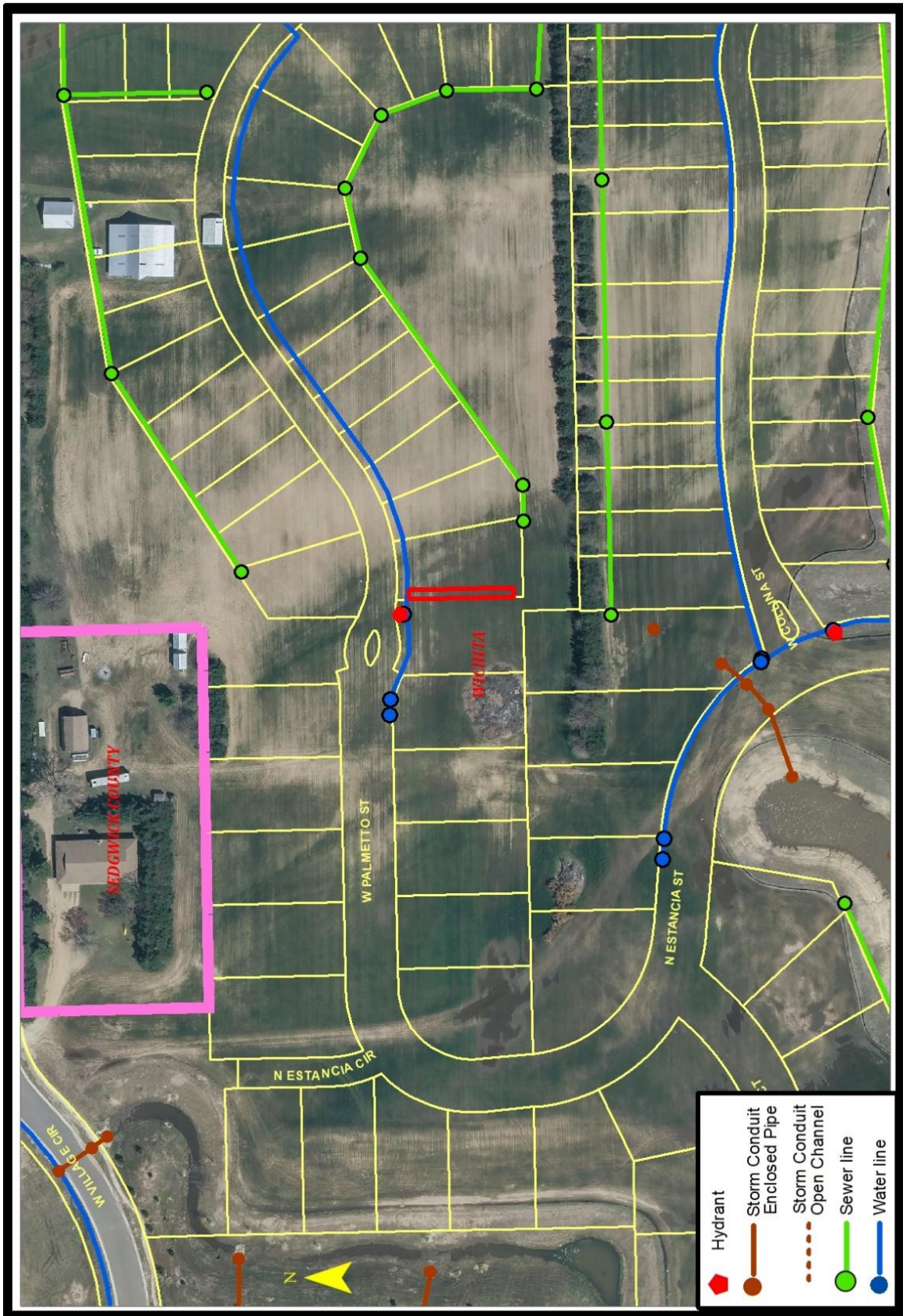
- (1) If any utility services are found to be located within the area of the proposed Vacation, these services shall be relocated at the owner's expense, to city standards, and the applicant shall provide Planning with the dedication of utility easements by separate instruments to go with the Vacation Order to be filed with the Register of Deeds. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place.
- (2) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

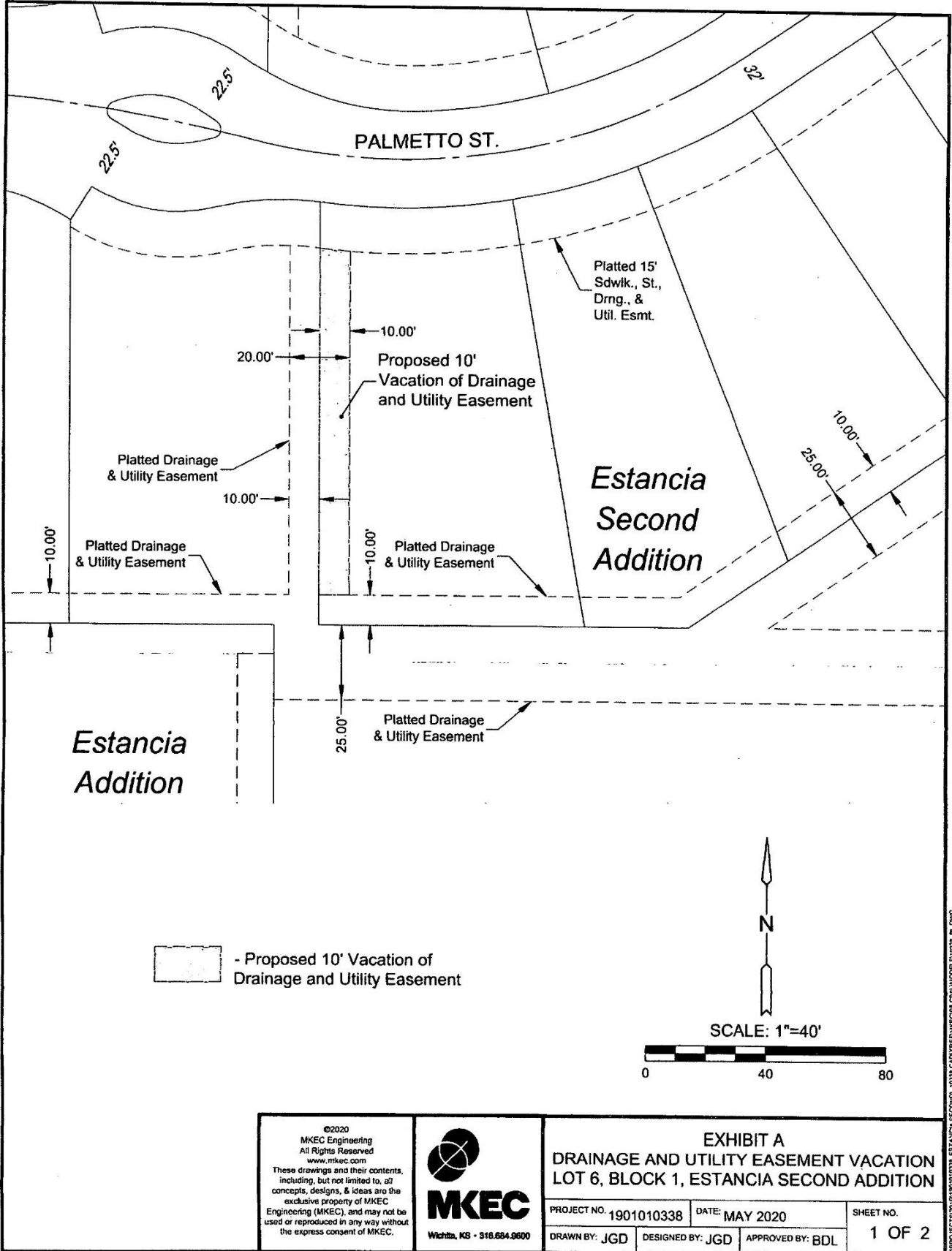
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION


The Subdivision Committee recommends approval per staff recommendations.

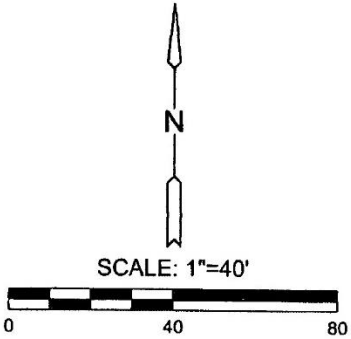
Attachments:

1. Aerial Map
2. Site Plan






 - Proposed 10' Vacation of Drainage and Utility Easement



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MKEC
Wichita, KS • 316.684.9600

EXHIBIT A
DRAINAGE AND UTILITY EASEMENT VACATION
LOT 6, BLOCK 1, ESTANCIA SECOND ADDITION

PROJECT NO. 1901010338	DATE: MAY 2020	SHEET NO.
DRAWN BY: JGD	DESIGNED BY: JGD	APPROVED BY: BDL
		1 OF 2

PROJECT 1901010338, ESTANCIA SECOND, 1038 CADORETAN SEC008, CIVIL WORKS 190338 PL DWG