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

IN THE MATTER OF THE VACATION OF)
)
A PORTION OF A)
UTILITY EASEMENT DEDICATED)
BY SEPARATE INSTRUMENT)
)
)
GENERALLY LOCATED SOUTH OF EAST 13TH STREET) **VAC2018-00018**
NORTH ON THE EAST SIDE OF K-96)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 5th day of February, 2019, comes on for hearing the petition for vacation filed by BDW LLC (applicant), praying for the vacation of the described portion of a platted portion of a utility easement dedicated by separate instrument, to-wit:

A Utility Easement


The centerline of a 20-foot sanitary sewer easement being 10 feet both sides of a line being more particularly described as:
Beginning at a point 24.73 feet east and 33.41 feet north of the southwest corner of Lot 2, Block 1, The Executive at White Tail 2nd Addition, to Wichita, Sedgwick County, Kansas; thence north, parallel with the west line of said Lot 2, a distance of 131.59 feet, to a point 15 feet north and 24.73 feet east of the southwest corner of Lot 1; said point being the end of the 20-foot easement.


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 July 19, 2018, 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 utility easement dedicated by separate instrument and the public will suffer no loss or inconvenience thereby.

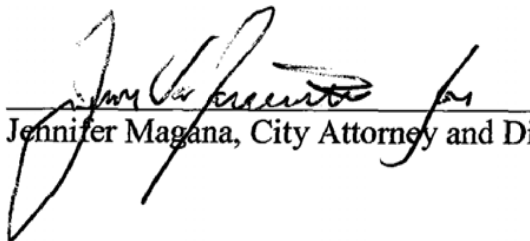
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the described portion of the platted utility easement dedicated by separate instrument, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of February, 2019, ordered that the described portions of the platted utility easement dedicated by separate instrument are hereby 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