

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR VACATION

CASE NO. V- 1194

CONSIDERED BY:

SUBDIVISION COMMITTEE: 6-9-83

PLANNING COMMISSION: 6-16-83

REQUEST FOR VACATION OF: utility easements

LOCATION: between Ida and Laura north of Mt. Vernon.

LEGALLY DESCRIBED AS:

The 10-foot utility easement (formerly alley right-of-way) east of and adjacent to the south nine feet of Lot 166 and all of even Lots 168 through 192 on Ida in Ranson and Kay's 3rd Addition; AND the five-foot utility easement platted on the rear of the south nine feet of Lot 21 and odd Lots 23 through 31 on Laura in Walter Morris and Son's Fifth Addition, all in Wichita, Sedgwick County, Kansas.

REASON FOR REQUEST: So an addition to Gardiner Elementary School building may be built over the easements.

NAME OF APPLICANT: U.S.D. 259

REPRESENTATIVE FOR APPLICANT: Dr. Richard Holstead, Director,
School Plant Planning & Operation Services
U.S.D. 259, 3850 N. Hydraulic, 67219

PROTESTORS, IF ANY:

None

PLANNING COMMISSION RECOMMENDATION:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- B. All proceedings shall be without cost to the City, County, or any utility company.

Goebel moved, Chisholm seconded and it carried unanimously. Lofton and Parsons were absent. One vacancy.

ATTACHMENTS: Ordinance (Approved as to form by the Department of Law)

ACTION: Approve the request as recommended by the Metropolitan Area Planning Commission and place the ordinance on its first reading.

(97553) (Published in The Daily Record July 8th, 1983)

ORDINANCE NO. 38-401

AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS
IN THE BLOCK BOUNDED BY IDA, SKINNER, LAURA AND
MT. VERNON STREETS IN WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF WICHITA, KANSAS:

SECTION 1. That the utility easements described
as follows, to-wit:

The 10-foot utility easement (formerly alley
right-of-way) east of and adjacent to the
south nine feet of Lot 166 and all of even
Lots 168 through 192 on Ida in Ranson and
Kay's 3rd Addition; AND the five-foot utility
easement platted on the rear of the south nine
feet of Lot 21 and odd Lots 23 through 31 on
Laura in Walter Morris and Son's Fifth Addition,
all in Wichita, Sedgwick County, Kansas.
(MAPC No. V-1194);

be and the same are hereby vacated in accordance with K.S.A. 13-443,
subject, however, to the concurrence in such vacation by the Board
of County Commissioners as by law provided.

SECTION 2. That it is hereby recommended to the Board of
County Commissioners of Sedgwick County, Kansas, that said above
described easements be vacated by said Board in case a proper petition
is filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A.
12-506.

SECTION 3. That this Ordinance shall be in force and
take effect from and after its passage and publication once in
the official city paper.

PASSED AND APPROVED at Wichita, Kansas this 5th
day of July, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

5545A

LOCATION MAP

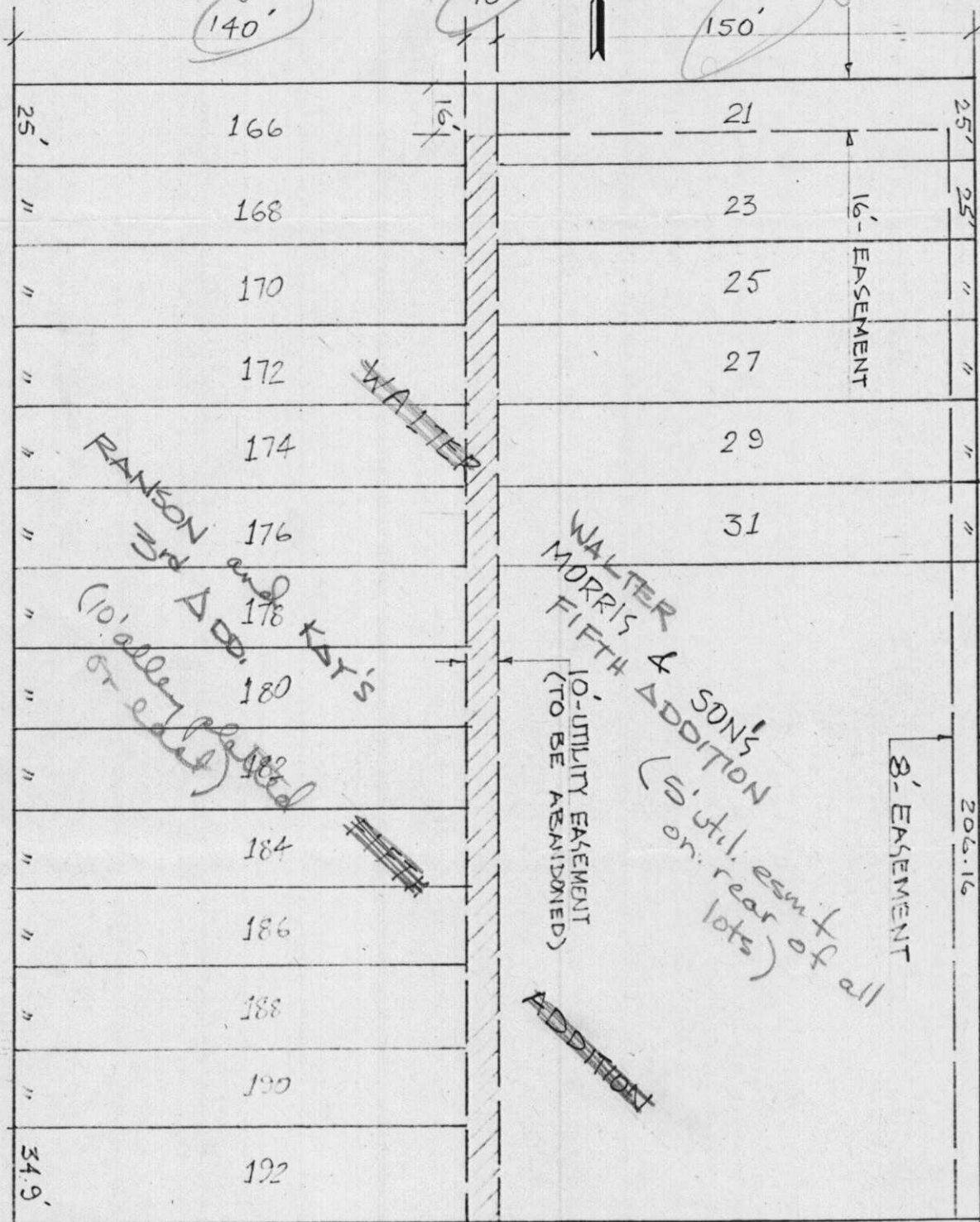


SCALE: 1" = 50'

platted lot
dimension

must be:
the alley - 10' 0"

platted lot
dimension



LAURA AVE.

8. EASEMENT

31

WALTER A. MORRIS
FIFTH ADDITION
(S'util. esmt of all on rear lots)

10-UTILITY EASEMENT
(TO BE ABANDONED)

ADDITION

MT. VERNON ROAD

A
zoned

B
zoned

GARDINER ELEMENTARY SCHOOL

WICHITA, KANSAS

IDA AVE.

alley vacated
ord 13-121