City Manager's Agenda Item Page

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

REQUEST FOR VACATION

CASE NO. V- 1185

CONSIDERED BY:
SUBDIVISION COMMITTEE: 5-12-83
PLANNING COMMISSION: 5-19-83

REQUEST FOR VACATION OF: portion of utility easement

LOCATION: south of Maple in an area west of West Street

LEGALLY DESCRIBED AS:

Beginning at a point 360 feet south and 345 feet east of the northwest corner of Lot 1, Star Lumber Company 5th Addition; thence east 50 feet; thence north 10 feet; thence west 50 feet; thence south 10 feet to the point of beginning.

REASON FOR REQUEST: to permit construction of a building

NAME OF APPLICANT: Star Lumber and Supply Company Co., Inc.
P.O. Box 7712
Wichita, Kansas 67277

REPRESENTATIVE FOR APPLICANT: Michael G. Goebel

PROTESTORS, IF ANY: None

PLANNING COMMISSION RECOMMENDATION:
Approve the vacation subject to:

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.

Lofton moved, Chisholm seconded and it carried unanimously. Goebel was 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.

(97415) (Published in The Daily Record June 10, 1983)

ORDINANCE NO. 38-362

AN ORDINANCE VACATING A PORTION OF A PLATTED UTILITY EASEMENT ON LOT 1, STAR LUMBER COMPANY 5TH ADDITION, WICHITA, KANSAS.

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

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

Beginning at a point 360 feet south and 345 feet east of the northwest corner of Lot 1, Star Lumber Company 5th Addition, Wichita, Kansas; thence east 50 feet; thence north 10 feet; thence west 50 feet; thence south 10 feet to the point of beginning; (MAPC NO. V-1185);

be and the same is 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 utility easement 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.

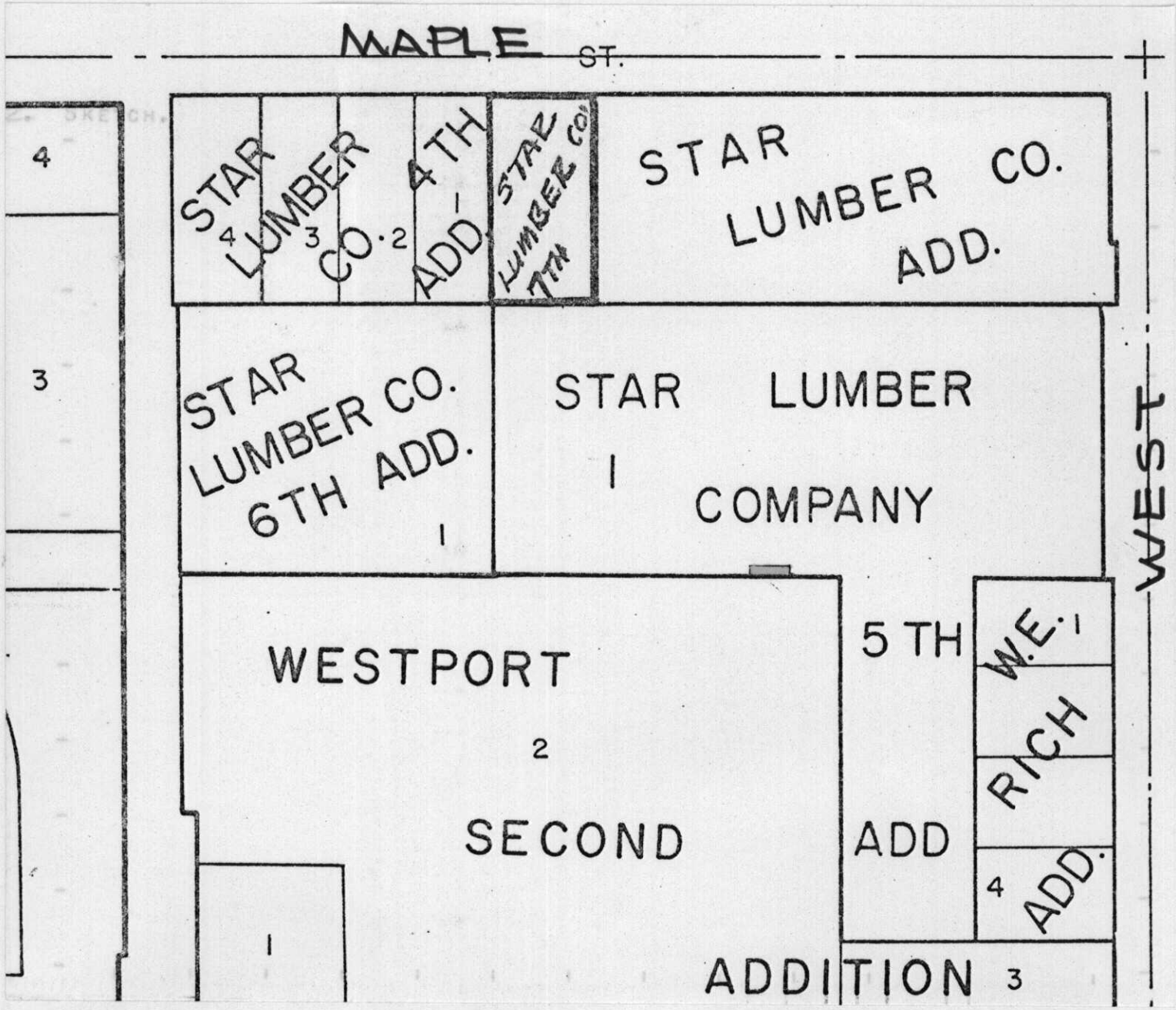
PASSED AND APPROVED at Wichita, Kansas this 7th day of June, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)


MAPLE ST.
STAR LUMBER CO. 4
STAR LUMBER CO. 3
STAR LUMBER CO. 2
4TH ADD. 1
STAR LUMBER CO. 7TH
STAR LUMBER CO. ADD.
STAR LUMBER CO. 6TH ADD. 1
STAR LUMBER COMPANY 1
WESTPORT 2 SECOND ADD
5TH W.E. 1
RICH ADD. 4
ADDITION 3
WEST
4
3
1