RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

REQUEST FOR VACATION

CASE NO. V- 1184

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

REQUEST FOR VACATION OF: a 30-foot street easement

LOCATION: east of Garland in an area north of 22nd Street North

LEGALLY DESCRIBED AS:

The north 30 feet of Lot 15 in Replat of Lots 23, 24, 26 and 28, Guthrie's Subdivision of the E 1/2 SE 1/4 Section 6, T 27 S, R 1 E, Sedgwick County, Kansas.

REASON FOR REQUEST: to allow for construction of a garage

NAME OF APPLICANT: Amy L. Helms
2358 Garland
Wichita, Kansas 67204

REPRESENTATIVE FOR APPLICANT: --

PROTESTORS, IF ANY: None

PLANNING COMMISSION RECOMMENDATION: Approve the vacation subject to:

A. The north ten feet shall be retained as a utility easement in the vacation ordinance. (Note: easement has been retained).
B. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
C. 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.

(97414) (Published in The Daily Record June 10, 1983)

ORDINANCE NO. 38-361

AN ORDINANCE VACATING THE THIRTY-FOOT STREET EASEMENT ON THE NORTH SIDE OF LOT 15 IN REPLAT OF LOTS 23, 24, 26 AND 28, GUTHRIE'S SUBDIVISION OF THE E 1/2 SE 1/4 SEC. 6, T27S, R1E, SEDGWICK COUNTY, KANSAS.

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

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

The thirty-foot street easement on the north side of Lot 15 in Replat of Lots 23, 24, 26 and 28, Guthrie's Subdivision of the E 1/2 SE 1/4 Sec. 6, T27S, R1E, Sedgwick County, Kansas; (MAPC NO. V-1184):

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 there is hereby retained a utility easement for all public utilities over, under, and across the north ten feet of the above-described thirty-foot street easement in accordance with K.S.A. 12-512 (a).

SECTION 3. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described street 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 4. That this Ordinance shall be in force and take effect from and after its passage and publication once in the official city paper.

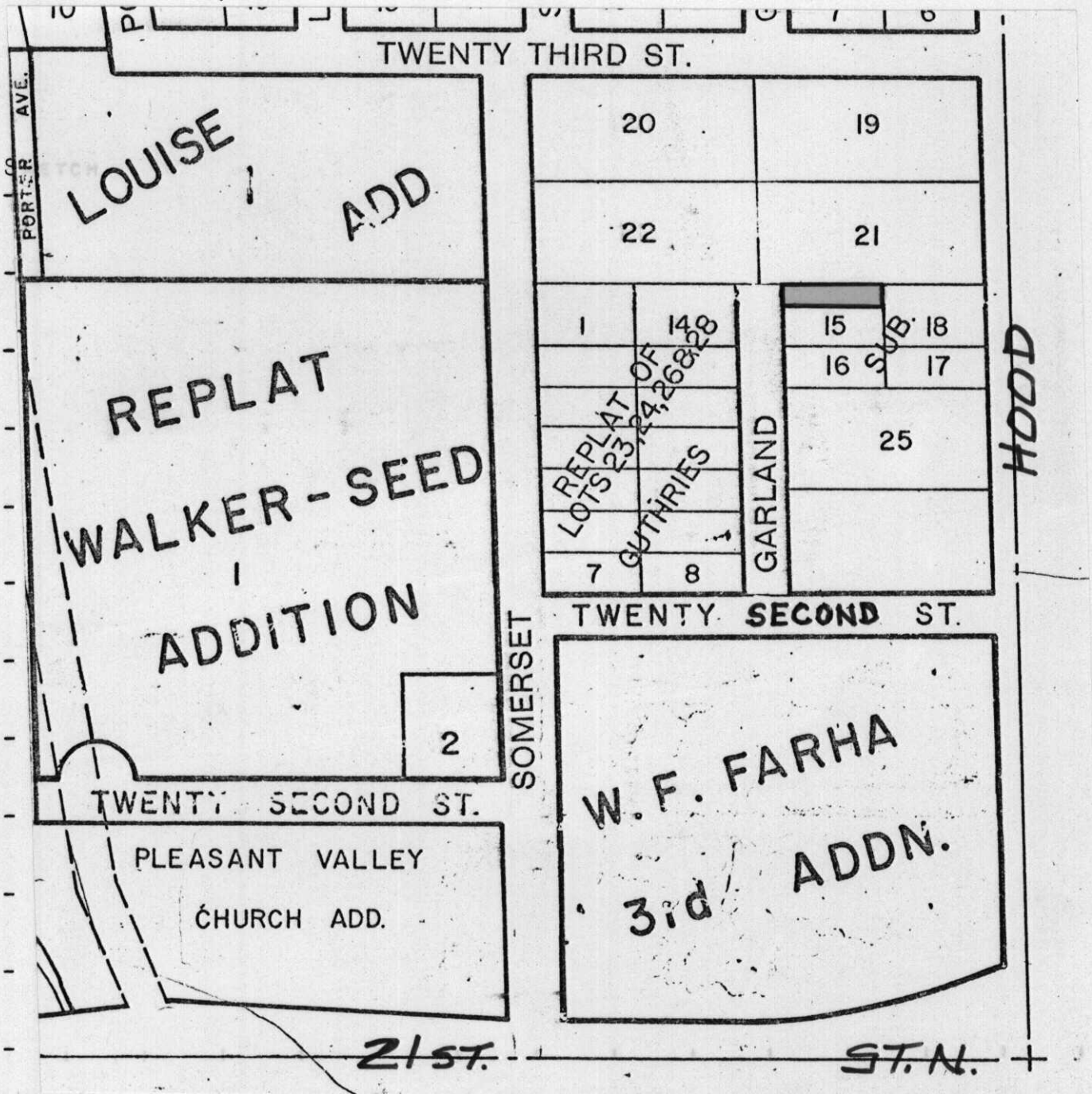
PASSED AND APPROVED at Wichita, Kansas this 7th day of June, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)


TWENTY THIRD ST.
PORTER AVE.
LOUISE ADD
REPLAT WALKER-SEED ADDITION
2
TWENTY SECOND ST.
PLEASANT VALLEY CHURCH ADD.
SOMERSET
20
19
22
21
1
14
15
SUB
18
16
17
REPLAT OF LOTS 23,24,26&28 GUTHRIES
GARLAND
25
HOOD
7
8
TWENTY SECOND ST.
W. F. FARHA 3rd ADDN.
21ST.
ST. N.