

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1276 - VACATION OF THE PLATTED UTILITY EASEMENT ON THE SOUTH PART OF LOT 3, BLOCK 3, RIVERSIDE RANCH 2ND ADDITION LOCATED ON THE WEST SIDE OF GARLAND IN AN AREA SOUTH OF 17TH STREET.

Note: The City Clerk will specify as to proper publication of notice of hearing and filing of written protest.

The Planning Commission finds that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by approval of the vacation request and recommends approval subject to:

- A. Proper publication notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings shall be without cost to the City, County, or any utility company
- D. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- E. The vacation order shall except out the west 10 feet of the subject easement from the vacation request.
- F. The applicant shall grant by separate instrument the east 2 1/2 feet of the west 10 feet of this lot as additional utility easement.

Bayouth moved, Hansen seconded and it carried unanimously. Moore was not yet present. Goebel and Wilson were absent. (7-19-1984)

ACTION:

Close the vacation hearing, approve the vacation request, authorize the Mayor to sign the vacation order and instruct the City Clerk to file a certified copy of the order with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: The south 7 1/2 feet of Lot 3, Block 3, Riverside Ranch Second Addition to Wichita, Sedgwick County, Kansas, except the west 10 feet thereof.

Applicant: Paul David and Penny B. Weddle
1747 Garland, Wichita, Kansas 67203

Protestors: None before the Subdivision Committee or MAPC

Comments: The applicant has submitted the required utility easement which was scheduled for review by the Subdivision Committee on August 16, 1984.

Planning

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A UTILITY
EASEMENT ON LOT 3, BLOCK 3, RIVERSIDE RANCH
SECOND ADDITION TO WICHITA, SEDGWICK COUNTY,
KANSAS (MAPC No. V1276)
GENERALLY LOCATED ON THE WEST SIDE OF GAR-
LAND IN AN AREA SOUTH OF 17TH STREET

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
5 0000

AUG 24 1984

NO. 7 08341

BETTE F. MCART
REGISTER OF DEEDS

MICROFILMED
OF RECORD

MORE FULLY DESCRIBED BELOW:

VACATION ORDER

Lat Kettles
Deputy

NOW ON THIS 21st day of August, 1984, comes on for hearing the
petition for vacation filed by Paul David and Penny B. Weddle, praying
for the vacation of the following described utility easement, to-wit:

The south 7 1/2 feet of Lot 3, Block 3, Riverside Ranch Second
Addition to Wichita, Sedgwick County, Kansas, except the west
10 feet thereof. (V-1276)

The City Commission 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 re-
quired by law, by publication in the Daily Record of notice of this
vacation proceedings for consecutive weeks on 8/8 & 8/15/84

2. No private rights will be injured or endangered by the vacation
of the above-described utility easement, and the public will suffer no
loss or inconvenience thereby.

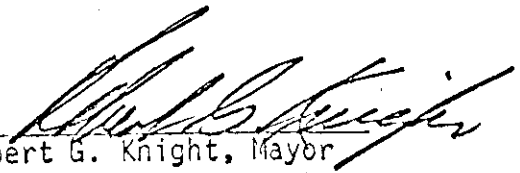
3. In justice to the petitioner(s) the prayer of the petition
ought to be granted.

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.

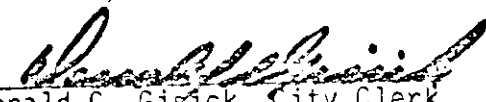
5. The vacation of the utility easement described herein should be
approved.

600 City Clerk

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS,
on this 21st day of August, 1984, ordered that the above-described
utility easement is hereby vacated. IT IS FURTHER ORDERED that the
City Clerk shall certify a copy of this order to the Register of Deeds
of Sedgwick County.


Robert G. Knight, Mayor

ATTEST:


Donald C. Gisick, City Clerk

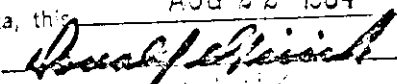
Approved as to Form:


John Dekker, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Donald C. Gisick, City Clerk of the City of Wichita,
Kansas, hereby certify that the document to which
this is affixed is a true and correct copy of the orig-
inal on file in my office.

Given under my hand and seal of the City of
Wichita, this AUG 22 1984

 City Clerk

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