

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1354 - VACATION OF A PORTION OF A PLATTED UTILITY EASEMENT,
GENERALLY LOCATED SOUTH OF 13TH STREET NORTH IN AN AREA WEST
OF 119TH STREET WEST.

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

A petition for the above-identified vacation request has been filed in the Office of the City Clerk. The Planning Commission recommends that the Board of City Commissioners find that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by granting by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being 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.

ACTION: Close the public 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 5 feet of the north 10 feet of the east
22.5 feet of the west 62.0 feet of Lot 8, Block 1,
Walnut Creek Addition to Wichita, Sedgwick
County, Kansas. (V-1354)

APPLICANT: John Monteith, 1326 Coach House, Wichita, KS 67235

PROTESTORS: None before Subdivision Committee or Planning
Commission.

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

IN THE MATTER OF THE VACATION OF A PORTION
OF A PLATTED UTILITY EASEMENT.

GENERALLY LOCATED SOUTH OF 13TH STREET
NORTH IN AN AREA WEST OF 119TH STREET WEST.
(V-1354)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

Approved by Board of Commissioners

NOV 12 1985

STATE OF KANSAS
SEDGWICK COUNTY } 33

FILED FOR RECORD AT

NOV 19 1985

7 77525

NO.
PAT KETTLER
REGISTER OF DEEDS

*Ed Peraz
Deputy*

VACATION ORDER

NOW on this 12th day of November, 1985, comes on for hearing the petition for vacation filed by John Monteith, praying for the vacation of the following described utility easement, to-wit:

The south 5 feet of the north 10 feet of the east 22.5 feet of the west 62.0 feet of Lot 8, Block 1, Walnut Creek Addition to Wichita, Sedgwick County, Kansas. (V-1354)

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 required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on OCT 30 & NOV 6, 1985.
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.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 12th day of November, 1985, 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.

ATTEST:

Donald C. Gistick
Donald C. Gistick, City Clerk

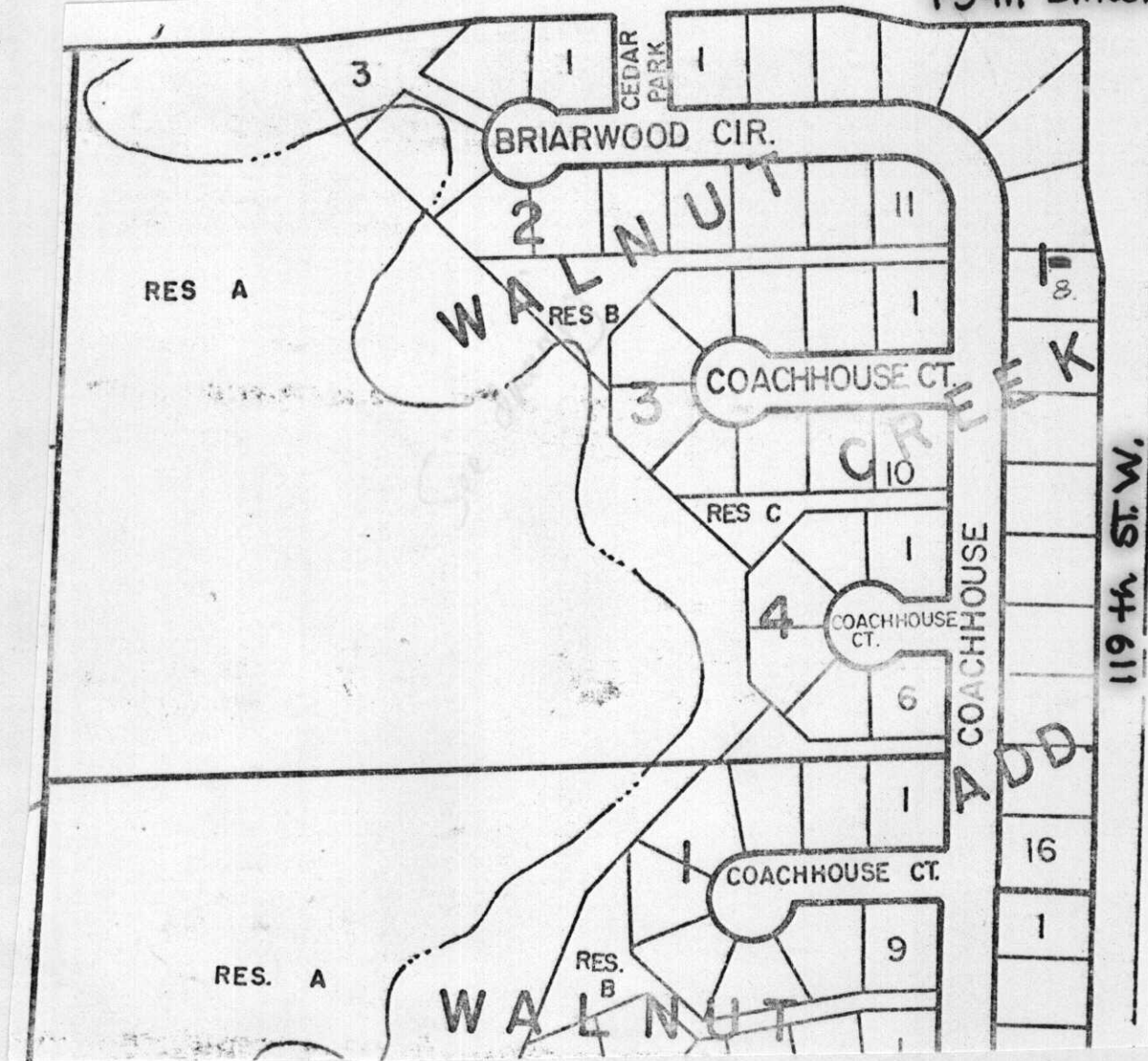
Approved as to Form:

John Dekker
John Dekker, Director of Law

R. C. Brown
R. C. Brown, Mayor

City Clerk

SKETCH.



APPLICATION FILED 9/27/85
POSTED TO ATLAS
NOTICES SENT
S/D COMM. ACTION 10/10/85 *approved*
DEPT. REPORT
M.A.P.C. ACTION 10/17/85 *approval*
DEPT. REPORT

ORD/RES. SUBMITTED
APPROVED BY DEPT OF LAW
B.C.C. ACTION 11-12-85 *Approved*
ORD/RES 777525 PUBLISHED 11-12-85
BD. CO. CO. ACTION
Film 764 Page 418
ORDER TO VACATE RECORDED