

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1327 VACATION OF A PORTION OF A PLATTED UTILITY EASEMENT
GENERALLY LOCATED ON THE SOUTHWEST CORNER OF 31ST STREET
SOUTH AND ST. CLAIR.

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.
- E. The vacation order shall exclude the vacation of the south 44 feet of the subject easement.

Bayouth moved, Peters seconded and it carried unanimously. Crockett,
Gardner and Wilson were absent. (5/30/85)

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 10 foot utility easement centered on the lot line common to Lots 1 and 2, Boggs Addition to Wichita, Sedgwick, County, Kansas, except the south 44 feet thereof. (MAPC No. V-1327)

Applicant: Orville A. Brown
2419 Greenwood
Wichita, Kansas 67216

Protestors: None before the Subdivision Committee or MAPC.

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

IN THE MATTER OF THE VACATION OF
A PLATTED UTILITY EASEMENT

GENERALLY LOCATED AT THE SOUTHWEST
CORNER OF 31ST STREET SOUTH AND
ST. CLAIR (MAPC NO. V-1327)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT
8:00 AM

JUL 15 1985

NO. 7 56277

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Ressa
Deputy

VACATION ORDER

NOW on this 25th day of June, 1985, comes on for hearing the petition for vacation filed by Mr. Ike Lambert, praying for the vacation of the following described utility easement, to-wit:

The 10 foot utility easement centered on the lot line common to Lots 1 and 2, Boggs Addition to Wichita, Sedgwick, County, Kansas, except the south 44 feet thereof. (MAPC No. V-1327)

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 JUNE 12 & 19, 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 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 25th day of June, 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.

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

ATTEST:

Donald C. Giesek
Donald C. Giesek, City Clerk

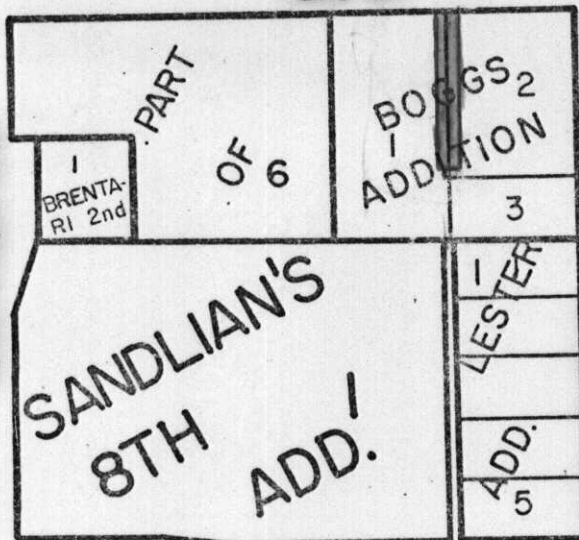
Approved as to Form:

John Dekker
John Dekker, Director of Law

City Clerk

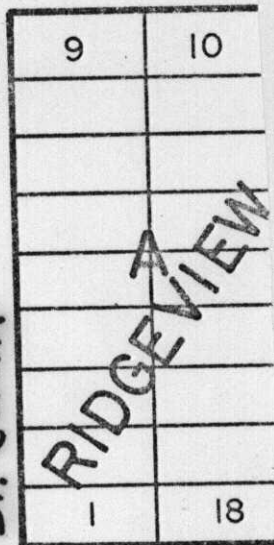
31ST

MERIDIAN

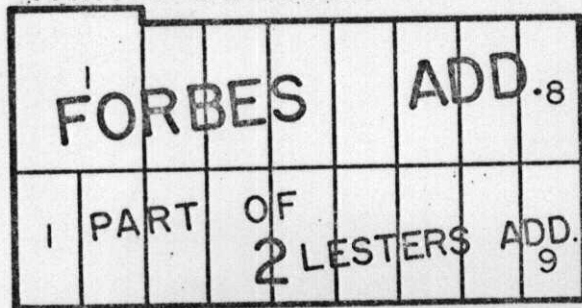


AVE.

ST. CLAIR



THIRTY SECOND



HEUETT

ST.

