

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1326 VACATION OF A PORTION OF A UTILITY EASEMENT GENERALLY LOCATED ON THE EAST SIDE OF ROCK ROAD IN AN AREA NORTH OF PAWNEE.

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.

Bayouth moved, Moore seconded and it carried unanimously. Chisholm was absent. (5/16/85)

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 south five (5) feet of the north 20 feet of Lot 1, Block 1, Eighth Addition to Cherry Creek Hills, Wichita, Kansas (MAPC No. V-1326)

Applicant: Ted R. Milligan
2336 S. Ridgewood
Wichita, Kansas 67218

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
PORTION OF A UTILITY EASEMENT

GENERALLY LOCATED ON THE EAST SIDE
OF ROCK ROAD IN AN AREA NORTH OF
PAWNEE

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
this JUN 11 1985

VACATION ORDER

NOW on this 11th day of June, 1985, comes on for hearing the petition for vacation filed by Ted R. Milligan, praying for the vacation of the following described portion of a utility easement, to-wit:

The south five (5) feet of the north 20 feet of Lot 1, Block 1, Eighth Addition to Cherry Creek Hills, Wichita, Kansas (MAPC No. V-1326)

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 5/29 & 6/5/1985.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a 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 portion of a utility easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 11th day of June, 1985, ordered that the above-described portion of a 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.

MICROFILMED
OF RECORD

Tony Casado
TONY CASADO VICE MAYOR

ATTEST:

Donald C. Clisick
Donald C. Clisick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

STATE OF KANSAS } 55
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 AM

JUN 20 1985

NO. 7 52385
PAT KETTLER
REGISTER OF DEEDS

Ed Pasa
Deputy

5.00

City Clerk

LANE

DRAINAGE **DEDICATION**

DEDICATION

WHITE OAK DR.

CHALET DR.

BLUESTEM
COURT

8TH. ADD. TO
CHERRY CREEK
HILLS

CHERRY
CREEK
HILLS

3 CEDAR

DAKES

ERRY 7