

City of Wichita
City Commission Meeting
August 5, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1400 - REQUEST TO VACATE SEWER AND UTILITY EASEMENTS,
LOCATED SOUTH OF DOUGLAS AND WEST OF KNIGHT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of easements.

Background: Miklos and Gabriella Lorik, 109 S. Knight, Wichita, KS 67213, are requesting this vacation to clear building encroachments.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company; and
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
5. The applicant is advised that, after vacation, the existing sewer line in the easement being vacated will become a private line for which the City has no maintenance responsibilities.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of order, recording costs to be billed to owner.

This AUG 5 1986

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

IN THE MATTER OF THE VACATION OF SEWER AND
UTILITY EASEMENTS

GENERALLY LOCATED AT THE SOUTHWEST CORNER OF
KNIGHT AND DOUGLAS. (V-1400)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
Wichita
AUG 19 1986
NO. 8 26846
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER
MICROFILMED
OF RECORD

Ed Reed
Deputy

NOW on this 5th day of August, 1986, comes on for hearing the petition for vacation filed by Miklos and Gabriella Lorik, praying for the vacation of the following described sewer and utility easements, to-wit:

sewer easement

The 16-foot sewer easement existing across Lot 1, Thurman Moore Addition to Wichita, Kansas, more particularly described as the south 16 feet of the north 110 feet, except the west 10 feet thereof.

utility easement

The 5-foot utility easement as platted across Lot 1, Thurman Moore Addition to Wichita, Kansas, more particularly described as the south 5 feet, except the west 10 feet thereof.

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 JULY 23 & 30, 1986.
2. No private rights will be injured or endangered by the vacation of the above-described easements, 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 sewer and utility easements described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 5th day of August, 1986, ordered that the above-described easements are 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:

Tony Casado
Tony Casado, Mayor

Donald C. Gisick
Donald C. Gisick, City Clerk

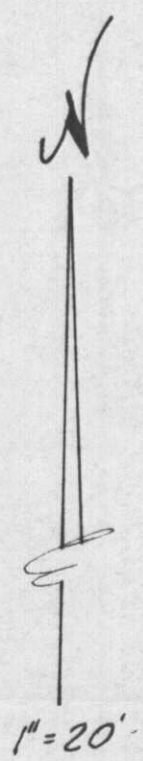
Approved as to Form:

John Dekker
John Dekker, Director of Law

city clerk

5.00

£



LOT 1, THURMAN MOORE ADDITION TO WICHITA, KANSAS