

City of Wichita
City Commission Meeting
June 24, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1382 - REQUEST TO VACATE THE UTILITY EASEMENTS,
FIRELANE, DRAINAGE, WALL CONSTRUCTION, RECREATION,
CART PATHS, BUFFER ZONE AND OPEN SPACE USES OF A
PORTION OF A RESERVE, GENERALLY LOCATED NORTH OF
BENT TREE CIRCLE, IN AN AREA WEST OF WEBB ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of uses platted for Reserve.

Background: Bent Tree Company, 8100 East 22nd Street North, Bldg. 1900, Wichita, KS 67219, is requesting this vacation in order to provide more buildable area.

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;
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant;
5. The firelane easement needed to connect Bent Tree Circle to Plumthicket Circle shall be constructed prior to the scheduling of this vacation case before the Board of City Commissioners; and
6. The Vacation Order shall exclude from vacation that portion of the application area which is needed for an existing K.G. & E. transformer. The transformer is located at the southwest corner of the application area and requires the excluding of a 5-foot by 5-foot area.

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.

Approved by Board
this JUN 24 1986

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

File 811 Page 0798

IN THE MATTER OF THE VACATION OF THE USES
PLATTED FOR A PORTION OF A RESERVE.

STATE OF KANSAS } 53
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM

GENERALLY LOCATED NORTH OF BENT TREE CIRCLE,
IN AN AREA WEST OF WEBB ROAD. (V-1382)

JUL 3 1986

MICROFILMED
OF RECORD

NO. 8 16246
PAT KETTLER
REGISTER OF DEEDS

MORE FULLY DESCRIBED BELOW

VACATION ORDER

MICROFILMED
OF RECORD

*Ed Peralta
Deputy*

NOW on this 24th day of June, 1986, comes on for hearing the petition for vacation filed by Bent Tree Company, praying for the vacation of the utility easements, firelane, drainage, wall construction, recreation, cart paths, buffer zone and open space uses platted for the following-described portion of a Reserve, to-wit:

That portion of Reserve "A", Plumthicket Second, an addition to Wichita, Sedgwick County, Kansas, described as follows:

Beginning at the northeast corner of Lot 11, Block 1, Bent Tree, an addition to Wichita, Sedgwick County, Kansas; thence S 89°12'44" W, 100.00 feet along the north line of said Lot 11, this also being the south line of Reserve "A", Plumthicket Second Addition, to a point 5.00 feet east of the northwest corner of said Lot 11; thence N 0°47'16" W, 5.00 feet; thence S 89°12'44" W, 5.00 feet; thence N 0°47'16" W, 10.00 feet; thence N 89°12'44" E, 105.00 feet; thence S 0°47'16" E, 15.00 feet to the point of beginning.

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 11, 15, 1986.

2. No private rights will be injured or endangered by the vacation of the above-described uses platted for a portion of the Reserve, 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 uses platted for a portion of the Reserve described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 24th day of June, 1986, ordered that the above-described uses platted for a portion of the Reserve 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

Donald C. Glack
Donald C. Glack, City Clerk

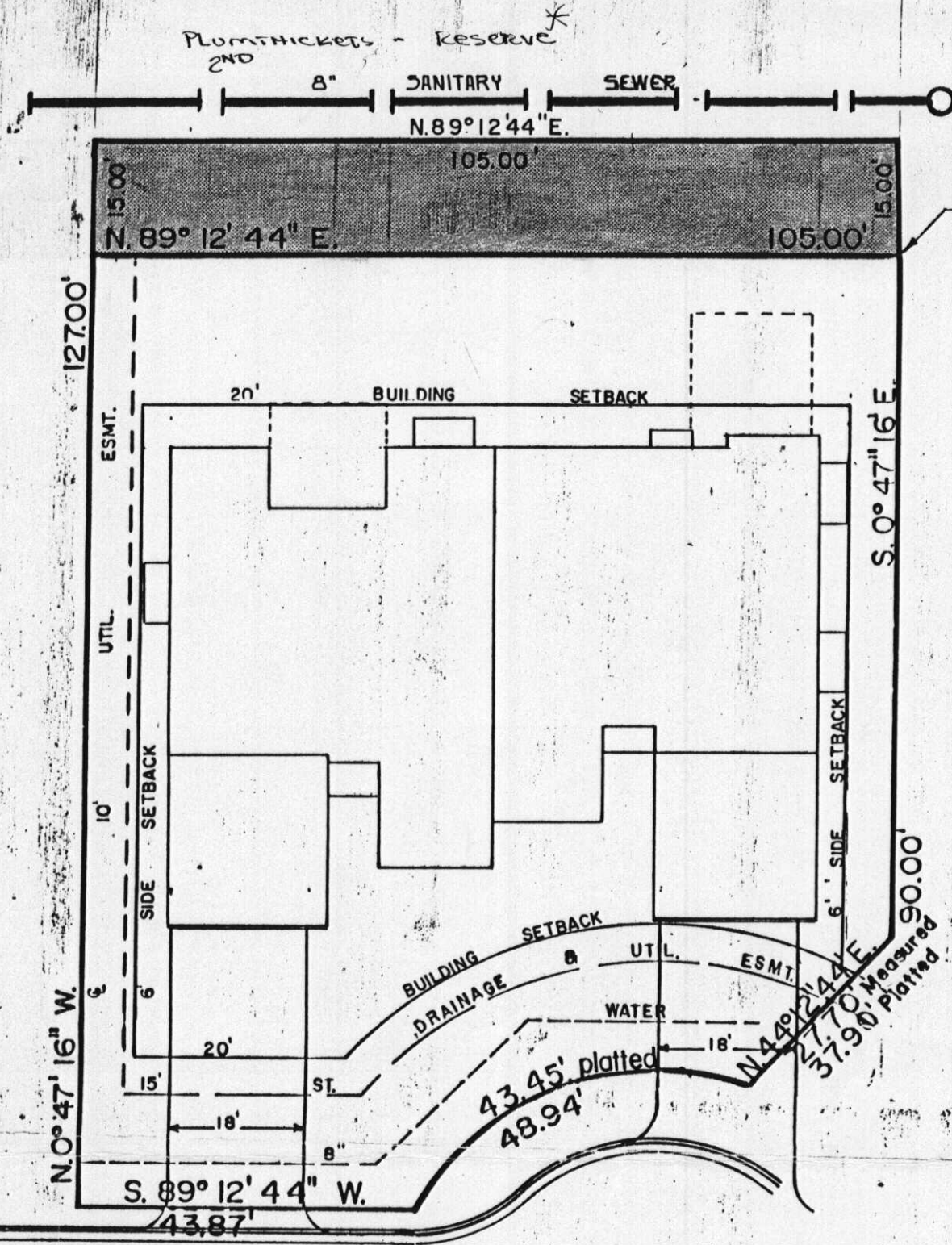
Approved as to Form:

John Dekker
John Dekker, Director of Law

3.00

city clerk

Tony Casado
Tony Casado, Mayor



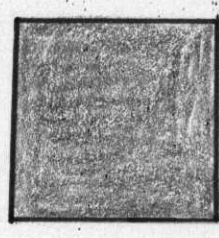
TOP M.H. = 214.30
 R. OUT (W) = 204.13
 R. IN = 204.46

P.O.B



SCALE 1" = 20'

DENT TREE CIRCLE



= Portion of Reserve affected by vacation.



PLOT PLAN
LOT II BLK. I
DENT TREE

MID-KANSAS ENGINEERING CONSULTANTS PA
 240 NORTH ROCK ROAD
 SUITE 120
 WICHITA, KANSAS 67206

682-6561

Design
 Drawn by
 Checked by
 Date
 Job no.

Sheet