

City of Wichita
City Commission Meeting
March 4, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1375 - VACATION OF A PORTION OF A PLATTED 70-FOOT WIDE
UTILITY AND DRAINAGE EASEMENT, GENERALLY LOCATED IN AN
AREA EAST OF ROCK ROAD, SOUTH OF 35TH STREET NORTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of utility and drainage easement.

Background: Keith L. Anderson, 1125 S. Rock Road, Wichita, KS 67207, requests this vacation of utility and drainage easement 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; and
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

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.

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

MICROFILMED
OF RECORD

STATE OF KANSAS }
SEDGWICK COUNTY } ES
FILED FOR RECORD AT
MAR 4 1986

MAR 27 1986

NO. 7 96855

PAT KETTLER
REGISTER OF DEEDS

Ed Peral
Deputy

IN THE MATTER OF THE VACATION OF A PORTION OF A)
PLATTED 70-FOOT WIDE UTILITY AND DRAINAGE)
EASEMENT.)

GENERALLY LOCATED IN AN AREA EAST OF ROCK)
ROAD, SOUTH OF 35TH STREET NORTH. (V-1375))

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 4th day of March, 1986, comes on for hearing the petition for vacation filed by Keith L. Anderson, praying for the vacation of the following described utility and drainage easement, to-wit:

A portion of a 70-foot utility and drainage easement within Lot 1, Block 5, Stonehedge, an Addition to Wichita, Sedgwick County, Kansas described as follows:

Beginning at a point on the north line of said Lot 1, said point of beginning being 44.00 feet west of the northeast corner of said Lot 1; thence on a bearing of S3°30'50"E, 425.38 feet; thence S88°54'41"W, 44.00 feet; thence N1°05'19"W, 425.00 feet; thence N88°54'41"E, 26.00 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 FEB. 19 & 26, 1986.

2. No private rights will be injured or endangered by the vacation of the above-described utility and drainage 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 and drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 4th day of March, 1986, ordered that the above-described utility and drainage 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. Cisick
Donald C. Cisick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

City Clerk

ROCK

STONE HEDGE

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RESERVE "I"

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RESERVE "G"

RESERVE "E"