

City of Wichita
City Council Meeting
December 8, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1503 - REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT,
LOCATED IN AN AREA NORTH OF 25TH STREET NORTH AND EAST OF
MERIDIAN. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

MAPC Recommendation: Approve vacation of utility easement. (unanimous)

Background: The purpose of this case is to provide additional buildable area for construction of an inground swimming pool. The Utility Advisory Committee has verified that the easement is not needed for existing or future utilities. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify 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:

755-68-360-50000-295-000-000

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

DEC 22 1987

NO. 9 23893

PAT KETTLER
REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF A PORTION OF
A PLATTED UTILITY EASEMENT.

GENERALLY LOCATED IN AN AREA NORTH OF
25TH STREET NORTH AND EAST OF
MERIDIAN. (V-1503)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council

This DEC 8 1987

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 8th day of December, 1987, comes on for hearing the petition for vacation filed by Samuel Copeland, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The 20-foot wide utility easement platted adjacent to the north line of Lot 3 and a portion of Lot 2, all in John L. Sullivan Addition to Wichita, Sedgwick County, Kansas, except the east 15 feet and the north 15 feet of said Lot 3.

The City Council, 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 NOV 25-DEC 2, 87.

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(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 easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of December, 1987, 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.

ATTEST

Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell, Interim Director of Law

Robert C. Knight, Mayor

State of Kansas)
Sedgwick County) ss
City of Wichita)
DALE E. REA, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the same as it appears on file in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, Kansas, DEC 13 1987
Dale E. Rea, Deputy City Clerk

5.00

PL/7808/5

city clerk

Armstrong Land Survey, P.A.

DONN C. ARMSTRONG, R.L.S.

1021 E. WATERMAN
SUITE 4
WICHITA, KS 67211
1-316-263-0082

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

I, Donald C. Armstrong, A Registered Land Surveyor in said state and county do hereby certify that I have caused to be surveyed the following: LOTS 2 & 3, JOHN L. SULLIVAN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

On said lot is house number 2402 Lyman which is clear of all boundary lines. There are no encroachments on said lots by buildings on adjacent lots.

The accompanying Sketch is a true and correct exhibit of said survey for mortgagee title insurance.

Date of survey: April 2, 1985

$$A = \frac{1}{2} h (a + b)$$
