

City of Wichita
City Council Meeting
November 10, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1497 - REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT,
LOCATED ON THE EAST SIDE OF RUSHWOOD, IN AN AREA NORTH OF
34TH STREET NORTH. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

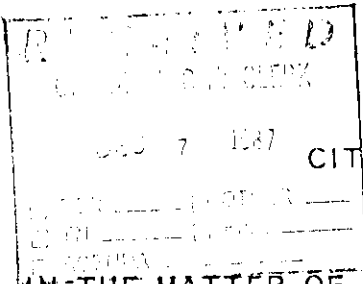
Background: This vacation case has been requested in order to provide more buildable lot area. The Utility Advisory Committee has verified that the portion of utility easement requested for vacation is not needed for existing or planned utilities. After vacation, a 17-foot utility easement will remain. 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

This NOV 10 1987



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

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

GENERALLY LOCATED ON THE EAST SIDE OF
RUSHWOOD, IN AN AREA NORTH OF 34TH
STREET NORTH. (V-1497)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT

NOV 30 1987

NO. 9 20163
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 10th day of November, 1987, comes on for hearing the
petition for vacation filed by Leewood Homes, Inc., praying for the vacation of the
following described portion of a platted utility easement, to-wit:

The east 3 feet of the west 20 feet of Lot 35, Block 1,
Willowood, an addition to Wichita, Sedgwick County, Kansas,
except the north 10 feet thereof. (V-1497)

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 10/28 & 11/4, 1987.
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 10th day of
November, 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 G. Knight, Mayor

State of Kansas)
County of Sedgwick) ss
Dale E. Rea, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
above described is a true and correct copy of
the original on file in the City Clerk's
office, and is a true and correct copy of
the original on file in the City of
Wichita.
NOV 12 1987
Dale E. Rea, Deputy City Clerk

