

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 14, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1579 REQUEST TO VACATE A PLATTED UTILITY EASEMENT, LOCATED NORTH OF SHANNON WAY IN AN AREA EAST OF ROCK ROAD. (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: Planned improvements associated with a swimming pool would encroach an existing utility easement used by K.G. & E. The applicant has made arrangements for the relocation of existing utilities within this easement and the utility Advisory Committee and City Engineering have indicated that no adverse effects will result from this vacation. 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:

300210-9024

Approved / Accepted By City Council

This STATE OF KANSAS FILED FOR RECORD AT
8:00 A.M.
MAR 6 1989 0997383

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

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

GENERALLY LOCATED NORTH OF SHANNON WAY
 AND EAST OF LANGFORD LANE. (V-1579)

MORE FULLY DESCRIBED BELOW

PAT KETTLER
 REGISTER OF DEEDS

Ed Kamen
City Clerk

VACATION ORDER

NOW on this 14th day of February, 1989, comes on for hearing the petition for vacation filed by Greg Allison, agent for Sara Dunn, praying for the vacation of the following described platted utility easement, to-wit:

The utility easement lying west of and adjacent to the East line of Lot 13, Block 2, Second Addition to Vickeridge, Sedgwick County, Kansas.

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:

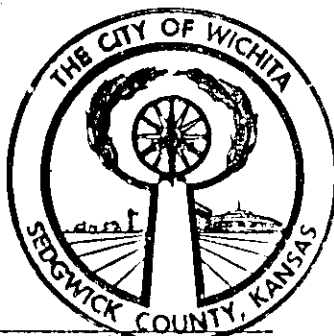
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, and the public will 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 north eight (8) feet of utility easement as described in the above legal description shall be retained as a utility easement.
6. The vacation of the utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of February, 1989, 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:

John Moir

John Moir, City Clerk



Sheldon Kamen
 Sheldon Kamen, Mayor

Approved as to Form:

Thomas R. Powell
 Thomas Powell, Director of Law

State of Kansas)
 Sedgwick County) ss
 City of Wichita)
 I, Dale E. Ragsdale, 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 original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita, Kansas, this FEB 16 1989
Dale E. Ragsdale
 Deputy City Clerk

city clerk

MICROFILMED
 OF RECORD

