

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 11, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1561 - Request to vacate a portion of a platted drainage and utility easement located south of Autumn Ridge and west of 119th Street West. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage and utility easement.

MAPC Recommendation: Approve vacation of drainage and utility easement (unanimous)

Background: A garage and patio of the applicant's house has been found to encroach the easement. City Engineering and the Utility Advisory Committee have indicated that vacation of a portion of this easement and will have no adverse impacts. 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

Approved / Accepted By City Council

OCT 11 1988

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

IN THE MATTER OF THE VACATION OF)
A PLATTED UTILITY AND DRAINAGE)
EASEMENT.)

GENERALLY LOCATED IN AN AREA SOUTH OF)
OF AUTUMN RIDGE AND WEST OF 119TH)
STREET WEST. (V-1561))

MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT

8-00 AM

OCT 18 1988 0975239

VACATION ORDER

Ed Reed Deputy

PAT KENTLER
REGISTER OF DEEDS

NOW on this 11th day of October, 1988, comes on for hearing the petition for vacation filed by James and Patricia Pawelek, praying for the vacation of the following described portion of a platted utility and drainage easement, to-wit:

The north 90 feet of the east five feet of the drainage and utility easement located on the west 15 feet of Lot 14, Block 1, Autumn Ridge Addition to the City of Wichita, Sedgwick County, Kansas. (V-1561)

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 SEPT 28 & OCT 5, 1988.

2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted 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 CITY COUNCIL, on this 11th day of October, 1988, ordered that the above-described portion of a platted 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.

S. Kamen

Sheldon Kamen, Mayor

6.00ck

city clerk

WICHITA
OF RECORD

V-1557 Vacation Orde
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ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)

I, 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 original on file in the office of the City Clerk.
Given under my hand and seal of the City of

Wichita, this OCT 14 1988

Dale E. Rea Deputy City Clerk



N. S. 4611