

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1539 - REQUEST TO VACATE A PLATTED
DRAINAGE EASEMENT, LOCATED IN AN AREA EAST OF HYDRAULIC
AND SOUTH OF MACARTHUR ROAD. (District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: A substitute drainage easement is being dedicated in order to permit this vacation and for the subject lot to be developed as a mobile home park. The City Council approved an associated zone case for "G" (mobile home) zoning earlier this year. 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; accept substitute drainage easement; approve vacation; authorize the Mayor to sign the Vacation Order; and record drainage easement and 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

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM

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

JUN 30 08 0955519

GENERALLY LOCATED IN AN AREA EAST OF
HYDRAULIC AND SOUTH OF MACARTHUR ROAD.
(V-1539)

PAT KETTLER
REGISTER OF DEEDS
Approved & Accepted By City Council

MICROFILMED this JUL 21 1988
OF RECORD

MORE FULLY DESCRIBED BELOW

VACATION ORDER

Ed Rea Deputy

NOW on this 21st day of June, 1988, comes on for hearing the petition for vacation filed by Willowood Mobile Home Park, Inc., praying for the vacation of the following described platted drainage easement, to-wit:

A drainage easement in Lot 1, Block A, Camelot Addition to Wichita, Sedgwick County, Kansas, described as:

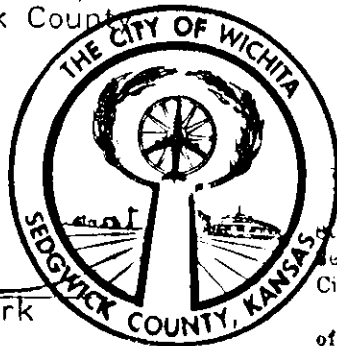
Beginning at the northwest corner of said Lot 1, thence bearing S 0° 00' 00" E along the west line of said Lot 1, a distance of 60.00 feet; thence bearing N 89° 59' 00" E parallel with the north line of said Lot 1, a distance of 577.53 feet; thence bearing S 45° 01' 00" E, a distance of 268.70 feet; thence bearing N 89° 59' 00" E, a distance of 45.00 feet; thence bearing N 44° 59' 00" E, a distance of 325.25 feet; thence bearing N 0° 00' 00" E, a distance of 220.0 feet; thence bearing N 90° 00' 00" W, a distance of 50.00 feet to a point in the westerly line of said Lot 1; thence bearing S 0° 00' 00" E along said westerly line a distance of 199.89 feet; thence bearing S 89° 59' 00" W, a distance of 992.50 feet to the point of beginning. Except the west 10 feet; except the north 10 feet of the west 992.50 feet and except the west 10 feet of the north 209.89 feet of the east 50 feet of the above described tract platted as a 10-foot utility easement. (V-1539)

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 JUNE 8 & 15, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described 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 drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of June, 1988, ordered that the above-described 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.

ATTEST:



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

S. Kamen
Sheldon Kamen, Mayor

(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 JUN 28 1988
Dale E. Rea Deputy City Clerk

Approved as to Form:
Thomas R. Powell
Thomas Powell, Director of Law
City Clerk
PL/8684/5

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