

City of Wichita
City Council Meeting
May 24, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1530 - REQUEST TO VACATE UTILITY EASEMENTS, LOCATED IN
AN AREA WEST OF WOODCHUCK, ON THE NORTH SIDE OF CENTRAL.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements.

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

Background: The applicant owns all affected lots. This vacation has been requested in order to remove the easement which is centered on the lot line and thereby permit the construction of a building over the common lot line. The Utility Advisory Committee has verified that this vacation will not adversely affect existing or planned 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

IN THE MATTER OF THE VACATION OF PLATTED
UTILITY EASEMENTS.

GENERALLY LOCATED IN AN AREA WEST OF WOOD-
CHUCK, ON THE NORTH SIDE OF CENTRAL AVENUE.
(V-1530)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council

This MAY 24 1988

STATE OF KANSAS } ss
SEDGWICK COUNTY }

FILED FOR RECORD AT

8:00 A M

JUN 6 1988

NO. 9 50779

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

Ed Rea Deputy

NOW on this 24th day of May, 1988, comes on for hearing the petition for vacation filed by Edward T. Neville, praying for the vacation of the following described platted utility easement, to-wit:

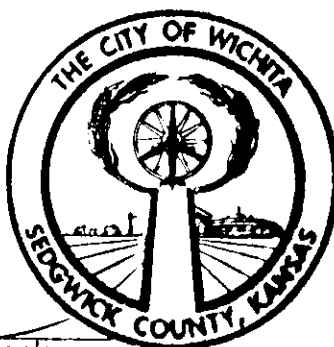
The 10-foot utility easement platted adjacent to the east line of Lot 2, Tyler Acres Sixth Addition, Wichita, Kansas, and the 10-foot utility easement platted adjacent to the west line of Lot 1, Tyler Acres Third Addition, Wichita, Kansas, except the north 10 feet thereof. (V-1530)

MICROFILMED
OF RECORD

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 MAY 11 & 18, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described platted utility easements, 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 platted utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 24th day of May, 1988, ordered that the above-described platted utility easements are 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.



Sheldon Kamen

Sheldon Kamen, Mayor

ATTEST:

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

Approved as to Form:

Thomas 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 JUN 2 1988

Dale E. Rea Deputy City Clerk

PL/8502/5

city clerk

N. BRENT WOOTEN, P.E.



316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

V-1530