

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 13, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1529 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT, LOCATED ON THE EAST SIDE OF MOSLEY IN AN AREA SOUTH OF 52ND STREET SOUTH (District #4).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve plat.

MAPC Recommendation: Approve plat. (unanimous)

Background: This vacation case has been requested in order to provide additional lot area. 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

SEP 13 1988

FILED FOR RECORD AT
8:00 AM

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

GENERALLY LOCATED ON THE EAST SIDE OF
MOSLEY, SOUTH OF 52nd STREET SOUTH
(V-1529).

MORE FULLY DESCRIBED BELOW

OCT 3 88 0972660

PAT KETTLER
REGISTER OF DEEDS

Ed Rea Deputy

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 13th day of September, 1988, comes on for hearing the petition for vacation filed by Woodbury Homes, Inc., praying for the vacation of the following described platted utility easement, to-wit:

The north 8.5 feet of the south 10 feet of Lot 27, Block 2, Orchard Park Lake Estates, and the south 1.5 feet of the north 10 feet of Lot 28, Block 2, Orchard Park Lake Estates, Wichita, Kansas, except the east 20 feet of each lot (V-1529).

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 AUG 31 1988 SEP 7 1988.

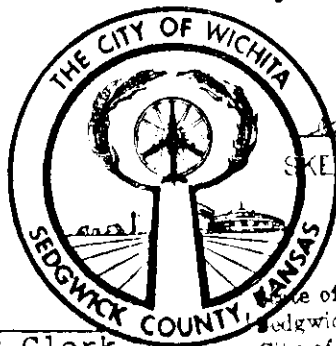
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, and the public will suffer no loss or inconvenience thereby.

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 13th day of September, 1988, 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.



Skets L. Winkler
SKEETS L. WINKLER VICE MAYOR

ATTEST:

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

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

City Clerk

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 SEP 19 1988
Dale E. Rea Deputy City Clerk

5.00
A

WILLIAM L. KORBER, L.S.
JOHN E. LUNDBLADE, L.S.
N. BRENT WOOTEN, P.E.



BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

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

52ND ST SO

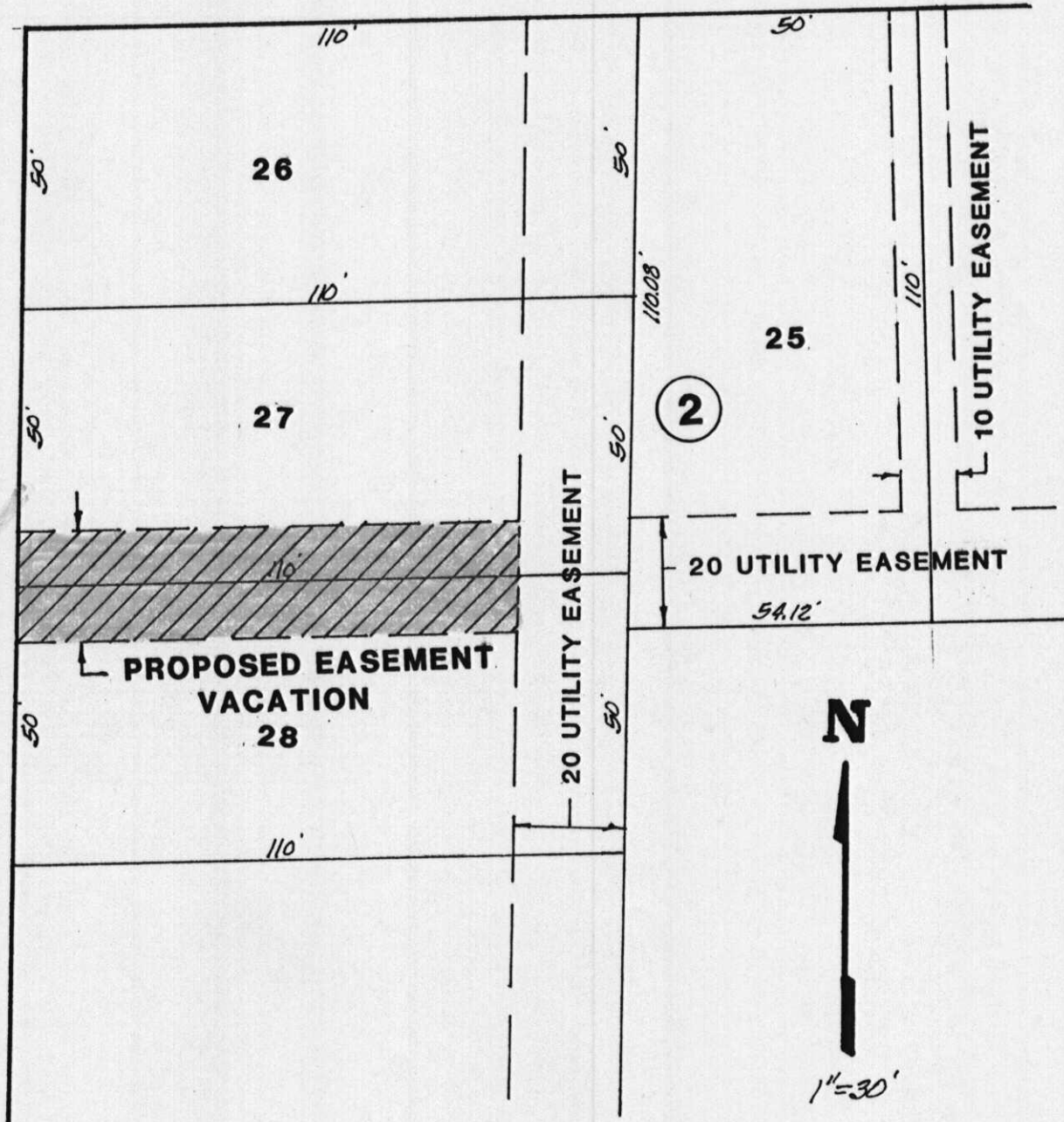


EXHIBIT
PART OF ORCHARD PARK LAKE ESTATES

21 MARCH 1988

V-1529