

City of Wichita
City Council Meeting
April 26, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1526 - REQUEST TO VACATE PORTIONS OF UTILITY EASEMENTS
LOCATED IN AN UNINCORPORATED AREA OF THE COUNTY ON THE
NORTH SIDE OF HARRY, IN AN AREA WEST OF 143RD STREET EAST.

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: This vacation case has been requested in order to provide an area for construction of a masonry wall along Harry Street. The utility easement was required by the County Engineer's Office in order to maintain adequate easement for a sanitary sewer line. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; accept utility easement; adopt resolution; record resolution, recording cost to be billed to:

755-68-360-50000-295-000-000

STATE OF KANSAS)
SEDGWICK COUNTY)
FILED FOR RECORD AT

(Published in the Daily Record APR 29 1988

Approved & Accepted by City Council

RESOLUTION

APR 26 1988

MAY 23 1988 0948333

A RESOLUTION APPROVING THE VACATION OF PLATTED UTILITY EASEMENTS DESCRIBED AS:

PAT KEITLER
REGISTER OF DEEDS

Vacation of the following described portions of platted utility easements:

1. The south three (3) feet of Lot 1, Block 1, Springhollow 3rd Addition, Sedgwick County, Kansas, except the east ten (10) feet thereof.
2. The south three (3) feet of Lot 24, Block 1, Springhollow 3rd Addition, Sedgwick County, Kansas.
3. The south three (3) feet of Lots 6 and 7, Springhollow 4th Addition, Sedgwick County, Kansas.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of platted utility easements described as:

Vacation of the following described portions of platted utility easements:

1. The south three (3) feet of Lot 1, Block 1, Springhollow 3rd Addition, Sedgwick County, Kansas, except the east ten (10) feet thereof.
2. The south three (3) feet of Lot 24, Block 1, Springhollow 3rd Addition, Sedgwick County, Kansas.
3. The south three (3) feet of Lots 6 and 7, Springhollow 4th Addition, Sedgwick County, Kansas; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 17, 1988;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the platted utility easements, described as follows, to wit:

CASE NO. V-1526

Vacation of the following described portions of platted utility easements:

1. The south three (3) feet of Lot 1, Block 1, Springhollow 3rd Addition, Sedgwick County, Kansas, except the east ten (10) feet thereof.
2. The south three (3) feet of Lot 24, Block 1, Springhollow 3rd Addition, Sedgwick County, Kansas.
3. The south three (3) feet of Lots 6 and 7, Springhollow 4th Addition, Sedgwick County, Kansas.

Be and the same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described platted utility easements are vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 26th day of April, 1988.

ATTEST:

Sheldon Kamen
Sheldon Kamen, Mayor

Dale E. Rea
Dale E. Rea, Deputy City Clerk (Seal)

PL/8478/5

