

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
May 8, 1990

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1659 - REQUEST TO VACATE A PLATTED UTILITY  
EASEMENT, LOCATED AT THE SOUTHWEST CORNER OF STONEYBROOK AND  
CLUBHOUSE, IN AN AREA NORTH OF 21ST STREET NORTH AND EAST OF  
WEBB ROAD.  
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of utility easement.

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

Background: This vacation request is made to allow the construction of a "ranch" style home on a narrow platted lot. The Utility Advisory Committee has verified that the easement being vacated is not required for existing or future public 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:

150029-2909

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

IN THE MATTER OF THE VACATION OF )  
A PLATTED UTILITY EASEMENT. )  
 )  
GENERALLY LOCATED AT THE SOUTHWEST )  
CORNER OF STONEYBROOK AND CLUBHOUSE, IN )  
AN AREA NORTH OF 21ST STREET NORTH AND )  
EAST OF WEBB ROAD. (V-1659) )  
 )  
MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 8th day of May, 1990, comes on for hearing the petition for vacation filed by Ritchie Development Corporation, praying for the vacation of the following described platted utility easement, to-wit:

The west 5-feet of the east 10-feet of Lot 31,  
Block 1, Tallgrass East 2nd Addition; except the  
south 10-feet thereof.

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 \_\_\_\_\_.
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.

Vacation Order  
V-1659  
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of May, 1990, 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.

\_\_\_\_\_  
Bob Knight, Mayor

ATTEST:

\_\_\_\_\_  
John Moir, City Clerk

Approved as to Form:

\_\_\_\_\_  
Thomas Powell, Director of Law

Form 1020

