

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 5, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1648 - REQUEST TO VACATE A PORTION OF A
PLATTED DRAINAGE AND SEWER EASEMENT, LOCATED EAST OF
HYDRAULIC ON THE SOUTH SIDE OF TULSA STREET.
(District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage and sewer
easement.

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

Background: The applicant has leased this property from the City of
Wichita, and requires this vacation to allow the placement of footings
for a building expansion. City Engineering has verified that this
request will not adversely affect existing storm or sanitary sewer
systems in the area. 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

This DEC 5 1989

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

IN THE MATTER OF THE VACATION OF A)
 PORTION OF DRAINAGE AND SEWER EASEMENT)
)
 GENERALLY LOCATED AT THE EAST OF)
 HYDRAULIC ON THE SOUTH SIDE OF TULSA ST.)
 (V-1648).)
)
 MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 5th day of December, 1989, comes on for hearing the petition for vacation filed by The City of Wichita, praying for the vacation of the following described platted drainage and sewer easement, to-wit:

That part of the existing 35 foot drainage and sewer easement, described as the south 5 feet of the north 35 feet of the east 330 feet of the west 562.2 feet of Lot 1, Block 2, Santa Fe Midland Industrial District an Addition to Wichita, Kansas.

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 Nov. 22 & 29, 1989.
2. No private rights will be injured or endangered by the vacation of the above-described drainage and sewer 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 and sewer easement described herein should be approved.

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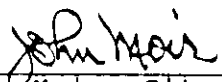
city clerk

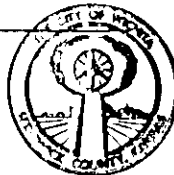
Vacation Order
V-1648
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of December, 1989, ordered that the above-described drainage and sewer easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:

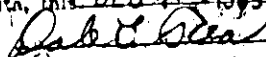

John Moir, City Clerk



Approved as to Form:


Thomas Powell, Director of Law

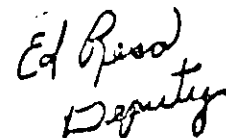

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Dale E. Roa, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk.
Given under my hand and seal of the City of Wichita, this DEC 2, 1989

 Deputy City Clerk

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

DEC 28 89 1044762

PAT KETTLER
REGISTER OF DEEDS


Deputy

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OF RECORD

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