

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 7, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1641 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT IN AN AREA SOUTH OF 31ST STREET SOUTH ON THE WEST
SIDE OF WICHITA STREET.
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a platted utility
easement.

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

Background: The applicant desires to construct a building over the
common lot line. The applicant has granted an additional easement to
bring an area with sanitary sewer up to standard. City Engineering
and the Utility Advisory Committee indicate that the vacation and the
additional easement are acceptable. 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 and
adopt the dedication; authorize the Mayor to
sign the Vacation Order; and record
certified copy of Order, and dedication
recording costs to be billed to:

150029-2909

Approved / Accepted By City Council

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This NOV 7 1989 KANSAS } SS
 SEDGWICK COUNTY }
 FILED RECORD AT
 12:30 PM

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

Nov 21 89 1039464

PAT KETTLER
 REGISTER OF DEEDS

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

GENERALLY LOCATED SOUTH OF 31ST STREET
 SOUTH ON THE WEST SIDE OF WICHITA STREET
 (V-1641).

MORE FULLY DESCRIBED BELOW

Ed Bass
Deputy

MICROFILMED
 OF RECORD

VACATION ORDER

NOW on this 7th day of November, 1989, comes on for hearing
 the petition for vacation filed by Builders Inc., praying for the
 vacation of the following described platted utility easement, to-wit:

The east 179 feet of the 10 foot utility easement
 centered on the common lot line between Lots 13 &
 14, Block 1, Roe 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 10/25 & 11/1, 89.
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.

8.00

City clerk

Vacation Order
V-1641
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of November, 1989, 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.

ATTEST:



Bob Knight
Bob Knight, Mayor

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

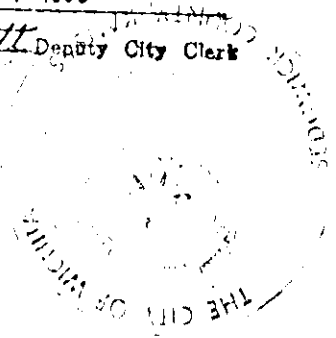
I, PAT BURNETT, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office the the City Clerk.

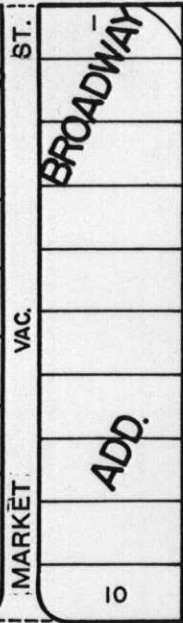
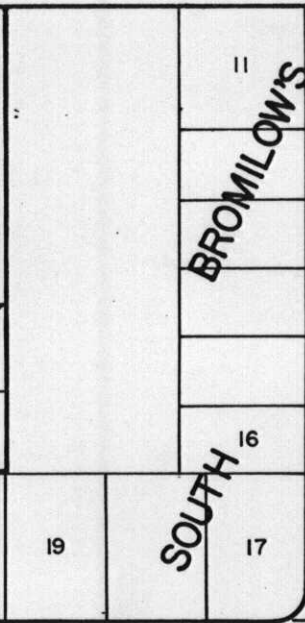
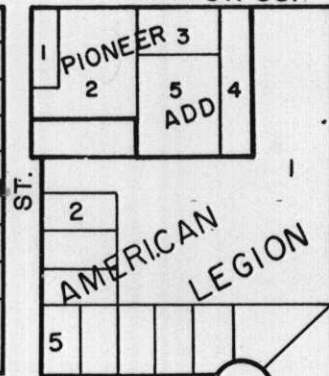
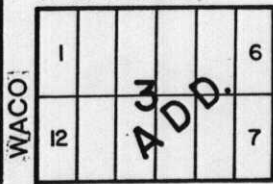
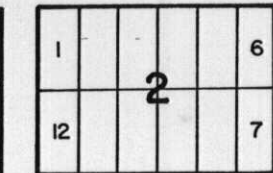
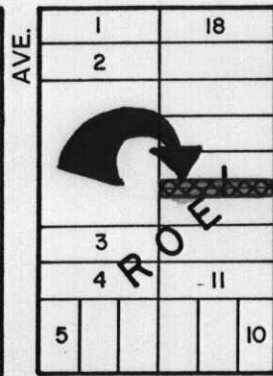
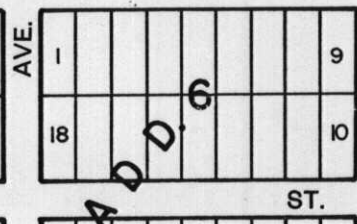
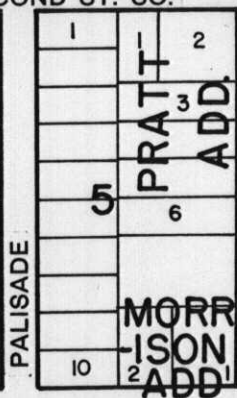
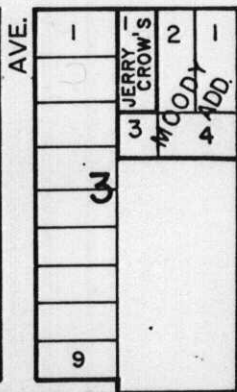
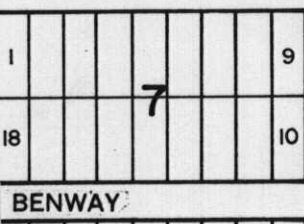
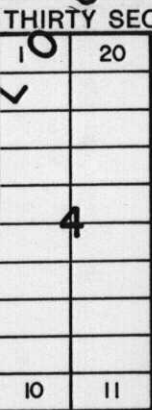
Given under my hand and seal of the City of

Wichita, this NOV 7 1989

Pat Burnett Deputy City Clerk

Form 1020





BROADWAY