

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 12, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1629 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT, LOCATED ON THE EAST SIDE OF LINDEN CIRCLE, NORTH
OF SHANNON WAY
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Background: In order to construct a house over a common lot line the applicant has initiated this vacation request. The Utility Advisory Committee has indicated that no adverse effects will result by the vacation of this utility easement. 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

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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 ON THE EAST SIDE OF
LINDEN CIRCLE, NORTH OF SHANNON WAY
(V-1629).)

MORE FULLY DESCRIBED BELOW)

Approved / Accepted By City Council

This SEP 12 1989

VACATION ORDER

NOW on this 12th day of September, 1989, comes on for hearing the petition for vacation filed by Donald C-S & Josephine O-B Tan and John C. III & Luanne Neely, praying for the vacation of the following described utility easement, to-wit:

The west 118-feet of the east 128-feet of the 10-foot utility easement common to Lots 15 and 16, Block 1, Woodland Estates Second Addition to Wichita, Sedgwick County, 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 8/30 & 9/6/89.
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.

800
City Clerk

Vacation Order
V-1629

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September, 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

John Moir
John Moir, City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas }
Sedgwick County } ss
City of Wichita }
I, Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the documents in which this is utilized 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, Kansas, this SEP 12 1989
Dale E. Rea
Deputy City Clerk

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
11:00 AM
SEP 20 1989 1029517
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

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