

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 12, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1626 - REQUEST TO VACATE A PORTION OF A
PLATTED DRAINAGE EASEMENT LOCATED SOUTH OF HEDGETREE IN AN
AREA NORTH OF 29TH STREET NORTH AND WEST OF ROCK ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: An existing roof overhang of a house extends into the drainage easement. City Engineering has no objections to the vacation. 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

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF A
PORTION OF A PLATTED DRAINAGE EASEMENT.

GENERALLY LOCATED SOUTH OF HEDGETREE IN
AN AREA NORTH OF 29TH STREET NORTH AND
WEST OF ROCK ROAD (V-1626).

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 Leewood Homes, Inc.,
praying for the vacation of the following described drainage easement,
to-wit:

That part of a drainage easement described as the
east 3-feet of the west 10-feet of the south
40-feet of the north 85-feet of Lot 3, Block 2,
Cottonwood Village Eighth, an 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 drainage 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 described herein should be
approved.

Vacation Order

V-1626

Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of
September, 1989, ordered that the above-described drainage 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
Bob Knight, Mayor



ATTEST:

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas } ss
Sedgwick County }
City of Wichita }
I, Dale E. Red, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
on 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, Kansas, this SEP 18 1989
Dale E. Red Deputy City Clerk

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
11 009 M

SEP 20 1989 1029515

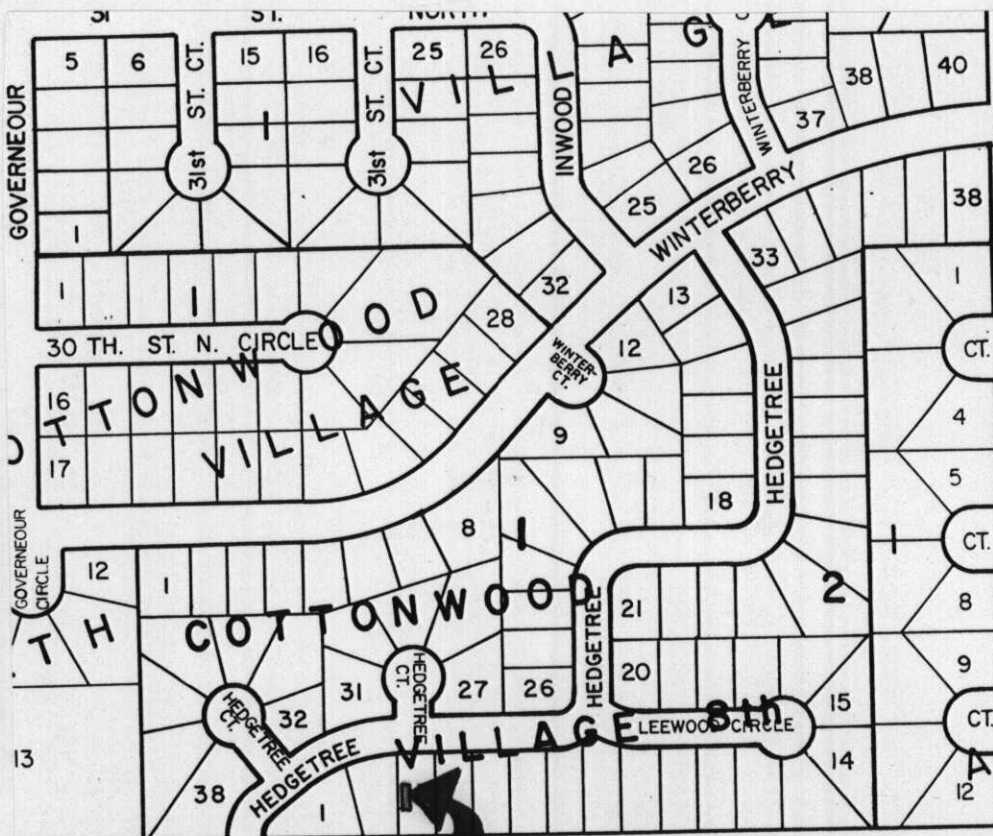
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

800 City Clerk

13

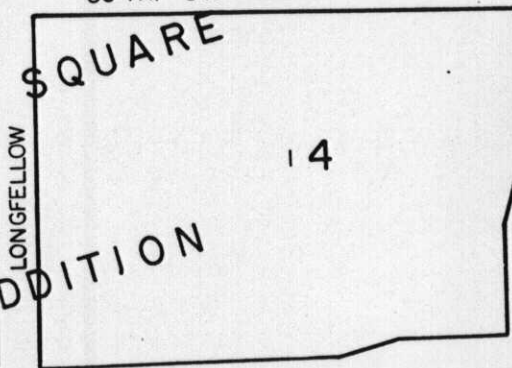
VENTY NINTH ST. NO.



31ST ST. NORTH



30 TH. ST. NO.



FIRST
ADD.

ROCK