

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 1, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1614 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT, LOCATED SOUTH OF 27TH STREET NORTH AT THE SOUTH
END OF WILDERNESS CIRCLE
(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

Approved / Accepted By City Council

This AUG 1 1989

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 PLATTED UTILITY EASEMENT)
GENERALLY LOCATED SOUTH OF 29TH STREET)
NORTH AT THE SOUTH END OF WILDERNESS)
CIRCLE (V-1614).)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 1st day of August, 1989, comes on for hearing the petition for vacation filed by Ritchie Development Corp., et al., praying for the vacation of the following described platted utility easement, to-wit:

The 10 foot utility easement common to Lots 8 and 9, Block 1, Wilderness 4th Addition to Wichita, Sedgwick County Kansas; except the westerly 30 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 JUL 19 1989 JUL 26 1989
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
ca

City Clerk

Vacation Order
V-1614
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of August, 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.



ATTES

Bob Knight
Bob Knight, Mayor

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PATRICIA L. BURDET, 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 AUG 1 1989

Patricia L. Burdet, Deputy City Clerk



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

AUG 9 1989 1022510

PAT KETTLER
REGISTER OF DEEDS

Pat Kettler

MICROFILMED
OF RECORD

