

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 11, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1715 - REQUEST TO VACATE PLATTED UTILITY
EASEMENT; LOCATED SOUTH OF POLO AND WEST OF ROCK RD.
(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)

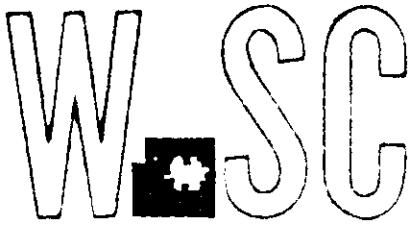
Background: This vacation is being requested as the original utility easement was granted to provide water and sewer to an apartment project that is no longer going to be constructed. City Engineering and the utility companies have indicated their approval of this vacation. The vacation request has been 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

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

May 31, 1991

Gary Wiley
Professional Engineering Consultants
303 South Topeka
Wichita, KS 67202

Re: V-1715 - Request to vacate platted utility easements

Dear Gary:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, May 30, 1991, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

Any relocation of utilities necessitated by this vacation shall be at the sole expense of the applicant.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, June 6, 1991 at 1:30 p.m.

If you have any questions, please call.

Sincerely,

Kandace A. Jones
Associate Planner

KJ:sm

cc: Heart Investment Partners c/o George Sherman, 224 E. Douglas,
Suite 333, Wichita, KS 67202
Mike Lindebak, City Engineer

FILE COPY

V-1715

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WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 1-2

June 6, 1991

STAFF REPORT

CASE NUMBER: V-1715 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT

OWNER/APPLICANT: Heart Investment Partners, c/o George Sherman, 224 E. Douglas, Suite 333, Wichita, KS 67202

AGENT: Professional Engineering Consultants, 303 South Topeka, Wichita, KS 67202

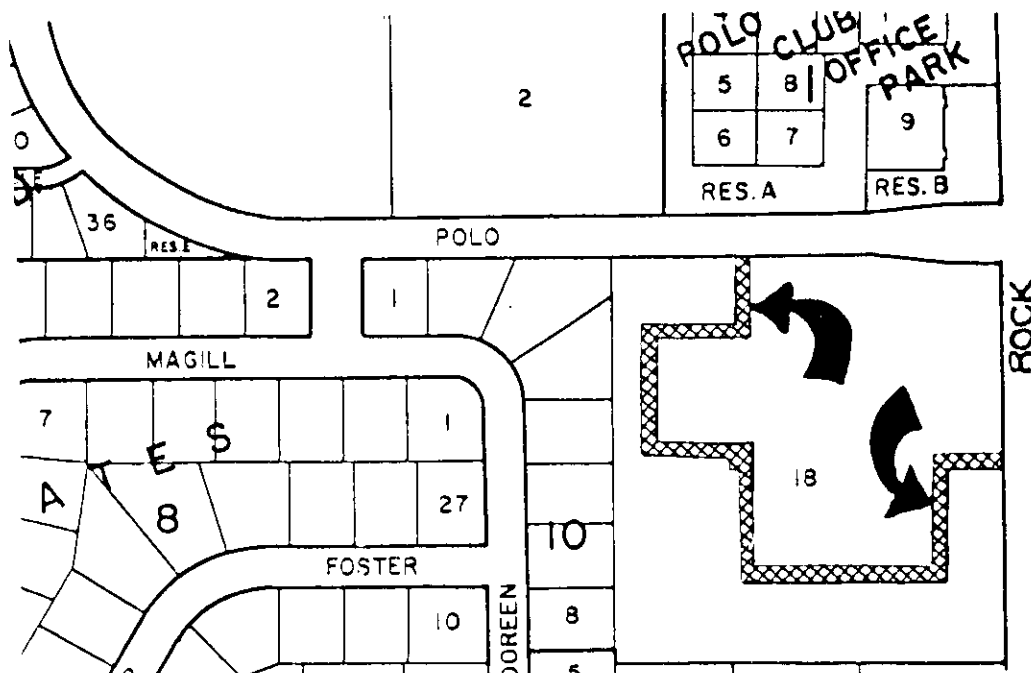
LEGAL DESCRIPTION: See Attachment A

LOCATION: South of Polo and west of Rock Rd., in an area south of 13th St.

REASON FOR REQUEST: The easement was granted for water and sewer to an apartment project that will not be constructed.

CURRENT ZONING: "R-6" General Residence District

VICINITY MAP:



V-1715

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STAFF COMMENTS:

Approve the vacation, subject to the following conditions:

- A. Any relocation of utilities necessitated by this vacation shall be at the sole expense of the applicant.

Attachment A

A 20 foot utility easement established of record on Film 0798, Pg. 1238, Sedgwick County, Kansas, legally described as the following part of Lot 18, Block 10, Fairfield Estates Addition, Wichita, Sedgwick County, Kansas:

Commencing at a point on the east line of Lot 18, Block 10, Fairfield Estates Addition; to Wichita, Sedgwick County, KS, 294.80 feet south of the northeast corner of said Lot 18, said east line having a bearing of $N0^{\circ}00'00''E$, thence $N90^{\circ}00'00''W$ a distance of 10.00 feet to the point of beginning, thence continuing $N90^{\circ}00'00''W$ a distance of 114.56 feet, thence $S0^{\circ}18'40''W$ a distance of 183.58 feet, thence $N89^{\circ}33'53''W$ a distance of 285.93 feet, thence $N0^{\circ}00'00''E$ a distance of 202.00 feet, thence $N90^{\circ}00'00''W$ a distance of 153.50 feet, thence $N0^{\circ}00'00''E$ a distance of 168.33 feet, thence $N90^{\circ}00'00''E$ a distance of 147.15 feet, thence $N0^{\circ}26'07''E$ a distance of 121.04 feet, thence $N89^{\circ}33'53''W$ a distance of 20.0 feet, thence $S0^{\circ}26'07''W$ a distance of 101.19 feet, thence $N90^{\circ}00'00''W$ a distance of 147.30 feet, thence $S0^{\circ}00'00''W$ a distance of 208.33 feet, thence $N90^{\circ}00'00''E$ a distance of 137.50 feet, thence $S0^{\circ}00'00''E$ a distance of 14.73 feet, thence $N90^{\circ}00'00''E$ a distance of 16.00 feet, thence $S0^{\circ}00'00''E$ a distance of 187.11 feet, thence $S89^{\circ}33'53''E$ a distance of 158.72 feet, thence $S0^{\circ}26'07''W$ a distance of 14.83 feet, thence $S89^{\circ}33'53''E$ a distance of 10.00 feet, thence $N0^{\circ}26'07''E$ a distance of 14.83 feet, thence $S89^{\circ}33'53''E$ a distance of 157.60 feet, thence $N0^{\circ}18'40''E$ a distance of 183.73 feet, thence $N90^{\circ}00'00''E$ a distance of 94.67 feet, thence $N0^{\circ}00'00''E$ a distance of 20.00 feet to the point of beginning, except for the east 10 feet thereof.