

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 15, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1713 - REQUEST TO VACATE BLANKET UTILITY
AND DRAINAGE EASEMENTS LOCATED IN AN AREA EAST OF MAIZE ROAD
BETWEEN MAPLE AND CENTRAL.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of blanket easements.

MAPC Recommendation: Approve vacation of blanket easements.
(unanimous)

Background: In order to construct garages for existing townhouses, the applicant has requested that the utility and drainage easements platted as uses in certain Reserves be vacated. Both City Engineering and the Utility Advisory Subcommittee have indicated that no harm will be caused by such a 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

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

IN THE MATTER OF THE VACATION OF)
THE BLANKET UTILITY AND DRAINAGE)
EASEMENT PLATTED IN RESERVES "B", "C",)
"D", BLOCK 1, ROLLING HILLS COUNTRY)
CLUB ESTATES FOURTH ADDITION.)
)
GENERALLY LOCATED EAST OF MAIZE ROAD,)
BETWEEN MAPLE STREET AND CENTRAL)
AVENUE. (V-1713))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 15th day of October, 1991, comes on for hearing the petition for vacation filed by Rolling Hills Country Club Estates 4th Addition Homeowners Association, praying for the vacation of the following described blanket utility and drainage easement, to-wit:

Blanket utility and drainage easement uses platted in Reserves "B", "C", "D", Block 1, Rolling Hills Country Club Estates Fourth Addition, 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 Reporter of notice of this vacation proceeding for consecutive weeks on 10/2/91 & 10/9/91.
2. No private rights will be injured or endangered by the vacation of the above-described blanket utility and 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 blanket utility and drainage easement described herein should be approved.

MICROFILMED
OF RECORD

8.00

City Clerk

Vacation Order
V-1713
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of October, 1991, ordered that the above-described blanket utility and 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, Mayor

ATTEST:

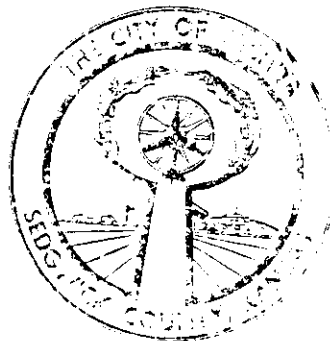

Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary E. Rebenstorff, Director of Law



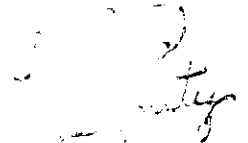
State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk.
Given under my hand and seal of the City of Wichita, this October 15, 1991
 Deputy City Clerk



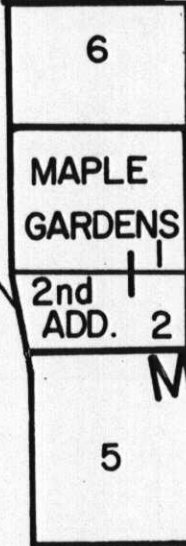
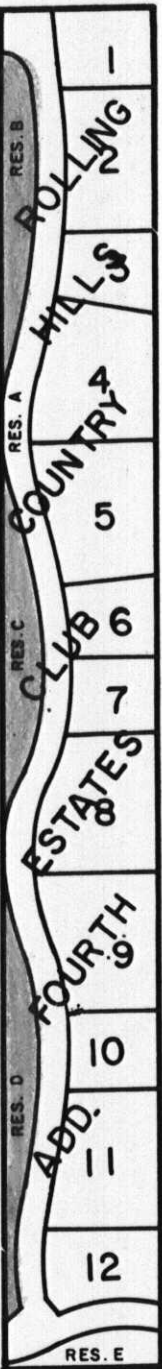
STATE OF KANSAS) ss
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 AM

JAN 392 1179859

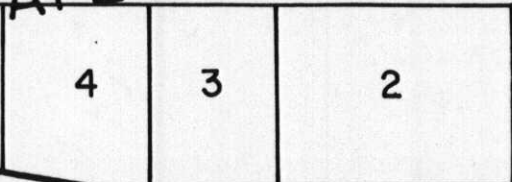
PAT KETTLER
REGISTER OF DEEDS



MAIZE RD.



MAPLE



GARDENS

ADDIT

MAPLE