

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
April 9, 1991

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1702 - REQUEST TO VACATE A PLATTED UTILITY  
EASEMENT; LOCATED NORTH OF KELLOGG AND WEST OF 119TH ST.  
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of platted utility easement.

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

Background: The applicant is requesting to vacate an easement sharing two common lot lines. Two substitute utility easements have been submitted for dedication. The City Engineer and the utility companies have indicated their approval of 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, accept the dedications for utility easements; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and dedications, recording costs to be billed to:

150029-2909

Approved / Accepted By City Council

This APR 9 1991

STATE OF KANSAS }  
SEDGWICK COUNTY }  
FILED FOR RECORD }  
12-30 P

MICROFILMED  
OF RECORD

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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 NORTH OF KELLOGG AND  
WEST OF 119TH STREET WEST. (V-1702)

MORE FULLY DESCRIBED BELOW

MAY 991 1133864

PAT KETTLER  
REGISTER OF DEEDS

*Ed Bass*  
*Deputy*

VACATION ORDER

NOW on this 9th day of April, 1991, comes on for hearing the petition for vacation filed by Howard R. Moore, et al., praying for the vacation of the following described utility easement, to-wit:

The 16 foot wide easement lying 8 feet either side of the property line between Lots 3 and 4, Block 2, Wheatridge addition, Sedgwick County, Kansas, except the north 10 feet and the south 10 feet thereof. (V-1702)

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 3-27-91 & 4-3-91.

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.

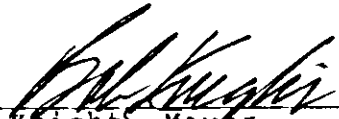
5. The vacation of the utility easement described herein should be approved.

*800k*

*City Clerk*

Vacation Order  
V-1702  
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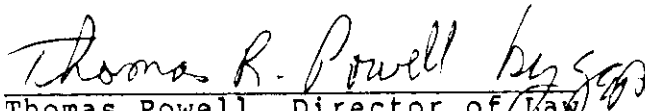
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of April, 1991, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

  
Bob Knight, Mayor

ATTEST:

  
Pat Burnett, Deputy City Clerk

Approved as to Form:

  
Thomas Powell, 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 April 9, 1991  
 Deputy City Clerk



Bottom Gary  
10'  
Need another 2'  
N end of Plat

5' W. Corner of  
Fut 3 Bottom

WHEATRIDGE  
DRIVE  
AVE.

865.07'

165'

59.47'

158.33'

Easement 267.27'

2

3

4

move (along  
parking)  
except w/  
48.9'

moor

165'

217.8'

267.27'

120'  
16'

Utility

10' x 25'  
Stub Easmt.

575.07'

Easement

10' x 25'  
Stub Easmt.

50'

15' x 15'

WEST

550' ST.

119TH

25'-27'-21d.

91.5'

Access Control Eas. 1 opening  
25' x 15'

Access Control Eas. 2 openings  
25' x 15'

258.5'

25'

91.5'

35' Bldg. Set-back

35' Bldg. Set-back

35' Bldg.

Set-back

470.07'

Access Control

60'

80'  
19' x 15'-15'

80'  
19' x 15'-15'

IVE

Kellogg

S.E. Cor. St 4 25-27-21d.