

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 23, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1682 - REQUEST TO VACATE A PLATTED UTILITY
EASMENT LOCATED NORTH OF 37TH STREET NORTH AND WEST OF ROCK
ROAD, IN WILLOWBEND THIRD ADDITION.
(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 in order to construct a garage. There are no utilities located in the area for 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

OCT 23 1990

This

1166 PAGE 1731

Page 1 of 2

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 37TH ST.)
NORTH AND WEST OF ROCK RD., IN WILLOW-)
BEND 3RD ADDITION. (V-1682))
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 23rd day of October, 1990, comes on for hearing the petition for vacation filed by Golf Courses of America, Inc., praying for the vacation of the following described platted utility easement, to-wit:

The 10 foot utility easement lying along the south 5 feet of Lots 22, Block 3, and the north 5 feet of Lot 21, Block 3, Willowbend Third Addition, an addition to Wichita, Sedgwick County, Kansas, except the west 10 feet and the east 10 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 OCT 9 1990 + OCT 16 1990
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.

Back

City Clerk

MICROFILMED
OF RECORD

Vacation Order
V-1682
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23rd day of October, 1990, 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.



ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

STATE OF KANSAS } ss
SEDCWICK COUNTY }
FILED } RECORD AT
8-00 A M

DEC 12 1990

PAUL TITLER
REGISTER OF DEEDS

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 Nov. 26, 1990
Pat Burnett Deputy City Clerk



