

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 23, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1673 - REQUEST TO VACATE SANITARY SEWER
EASEMENTS AND A BUILDING SETBACK LOCATED BETWEEN ST. FRANCIS
AND SANTA FE, SOUTH OF 9TH STREET.
(District #1A)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of setback and easements.

MAPC Recommendation: Approve vacation of setback and easements.
(unanimous)

Background: This vacation is being requested by St. Francis Medical Center in order to construct additional medical facilities and a parking garage adjacent to the existing hospital facilities. A requirement before this vacation could go to Council was that the applicant seal off and abandon the east/west sanitary sewer. This has been satisfied by the applicant. 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 ... OCT 23 1990

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

IN THE MATTER OF THE VACATION OF PLATTED)
BUILDING SETBACK AND SANITARY SEWER)
EASEMENTS.)

GENERALLY LOCATED SOUTH OF 9TH STREET)
NORTH AND WEST OF SANTA FE. (V-1673))

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 23 day of October, 1990, comes on for hearing the petition for vacation filed by St. Francis Regional Medical Center, Inc., praying for the vacation of the following described sanitary sewer easements and a portion of a platted building setback, to-wit:

See Attachment A

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 platted building setback and sanitary sewer easements, 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 platted building setback and sanitary sewer easements described herein should be approved.

MICROFILMED
OF RECORD

10.000

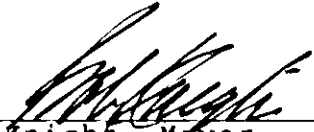
City Clerk

200 10000 200 10000

Vacation Order
V-1673
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23 day of October, 1990, ordered that the above-described platted building setback and sanitary sewer easements 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.

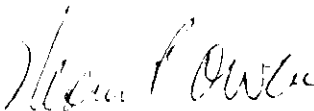


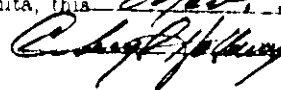

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:

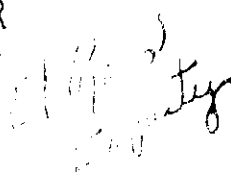

Thomas Powell, Director of Law

State of Kansas }
Sedgwick County) ss
City of Wichita)
I, Cheryl A. Hawn Deputy City Clerk of the City
of Wichita, Kansas, do hereby certify that the document
to which this is attested 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 26, 1990
 Deputy City Clerk



STATE OF KANSAS } ss
Sedgwick County) ss
FILED FOR RECORD AT
7-00 A M
OCT 26 1990

CLERK
REGISTER OF DEEDS



Attachment A
V-1673

A 20 foot sanitary sewer easement in Lot 1, Block 1, St. Francis Regional Medical Center 2nd Addition to Wichita, Sedgwick County, Kansas, described as follows:

Beginning at a point on the west line of Santa Fe Avenue, 163 feet south of the south line of ninth street; thence bearing in N $89^{\circ}45'07''$ W, a distance of 137.5 feet; thence bearing N $00^{\circ}14'53''$ E, a distance of 20 feet; thence bearing S $89^{\circ}45'07''$ W, a distance of 137.5 feet to the west line of Santa Fe Avenue; thence south, along the west line of Santa Fe Avenue, 20 feet to the point of beginning.

Another sanitary sewer easement being 8.50 feet in width and immediately west of the following described line: Commencing at the intersection of the north line of Murdock Avenue with the west line of St. Francis Avenue as shown in St. Francis Regional Medical Center 2nd Addition to Wichita, Sedgwick County, Kansas; thence bearing N $0^{\circ}35'33''$ E along the west line of St. Francis Avenue extended north a distance of 482.91 feet to the point of beginning; thence continuing bearing N $0^{\circ}35'33''$ E a distance of 223.30 feet to the point of ending.

The West 13 feet of the 20 foot building setback in Lot 1, Block 1, St. Francis Regional Medical Center 2nd Addition to Wichita, Sedgwick County, Kansas, adjacent to Santa Fe Avenue and described as beginning at the south line of ninth street, thence south 585 feet.

