

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 14, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1669 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT LOCATED IN AN AREA WEST OF MAIZE ROAD, AND NORTH OF
MAPLE
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted utility easement.

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

Background: This 10-foot platted utility easement is centered on the common lot line of Lots 5 and 6 and the vacation is being requested in order to realign 3 present lots into 2 building sites. K.G. & E. has an underground electrical line in the easement and has agreed to relocate the line contingent upon a substitute easement being provided. Staff has received the substitute easement. 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: Accept easement, close public hearing, approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and utility easement, recording costs to be billed to:

150029-2909

MICROFILMED
OF RECC

135 1382

STATE OF KANSAS }
SEDGWICK COUNTY } ss
FILED FOR RECORD AT
M

Page 1 of 2

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

500 1097199

IN THE MATTER OF THE VACATION OF
A PLATTED UTILITY EASEMENT

PAT KETTLER
REGISTER OF DEEDS

GENERALLY LOCATED IN OAK CLIFF ESTATES
3RD ADDITION IN AN AREA WEST OF MAIZE
ROAD, AND NORTH OF MAPLE. (V-1669)

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 14th day of August, 1990, comes on for hearing the petition for vacation filed by Harry D. Bledsoe for Resthaven Gardens of Memory, Inc., praying for the vacation of the following described platted utility easement, to-wit:

The platted 10-foot utility easement centered on the common lot line of Lots 5 and 6, Block 9, Oak Cliff Estates 3rd Addition to Wichita, Sedgwick County, Kansas, except the west 15-feet thereof. (V-1669)

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 AUG 1 1990 AUG 8 1990
2. No private rights will be injured or endangered by the vacation of the above-described platted 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 platted utility easement described herein should be approved.

gcock

City Clerk

560-150080-000

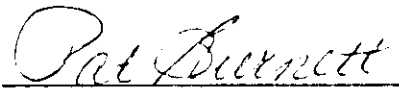
56

Vacation Order
V-1669
Page 2 of 2

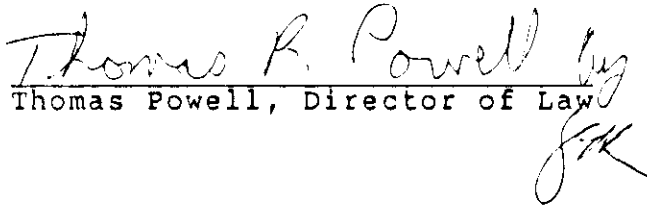
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of August, 1990, ordered that the above-described platted utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Thomas Powell, Director of Law



Form 1020

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 AUG 14 1990
 Deputy City Clerk

