Planning Agenda Item #_____

City of Wichita
City Council Meeting
August 14, 1990

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1668 - REQUEST TO VACATE UTILITY EASEMENT LOCATED IN AN AREA NORTH OF 37TH STREET NORTH AND WEST OF COMOTARA.
(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 20 foot wide utility easement is located north of Rent-A-Center off of Comotara Drive and is in the Hi-Tech Industrial Addition. The Vacation is being requested to allow for the construction of a new building. The City Engineers and utility Advisory Committee find this vacation acceptable. 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

BK 1135 PAGE 1380

MICRO FILMED OF RECORD

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
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Oct 5 90 1097198

PAT KETTLER
REGISTER OF DEEDS

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

IN THE MATTER OF THE VACATION OF A UTILITY EASEMENT.

GENERALLY LOCATED IN HI-TECH INDUSTRIAL PARK 2ND ADDITION, NORTH OF 37TH STREET NORTH AND WEST OF COMOTARA (V-1668).

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 14th day of August, 1990, comes on for hearing the petition for vacation filed by Gary & Bernice Adamson, praying for the vacation of the following described utility easement, to-wit:

> The south 20.00 feet of the north 40.00 feet of Lot 6, Block 1, Hi-Tech Industrial Park Second Addition, an addition to Wichita, Sedgwick County, Kansas, except the west 150.00 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 AUG 1 1990 AUG 8 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.

City Clerk

Vacation Order
V-1668
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of August, 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.

Bob Knight, Mayor

ATTEST:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Thomas Powell, Director of Law

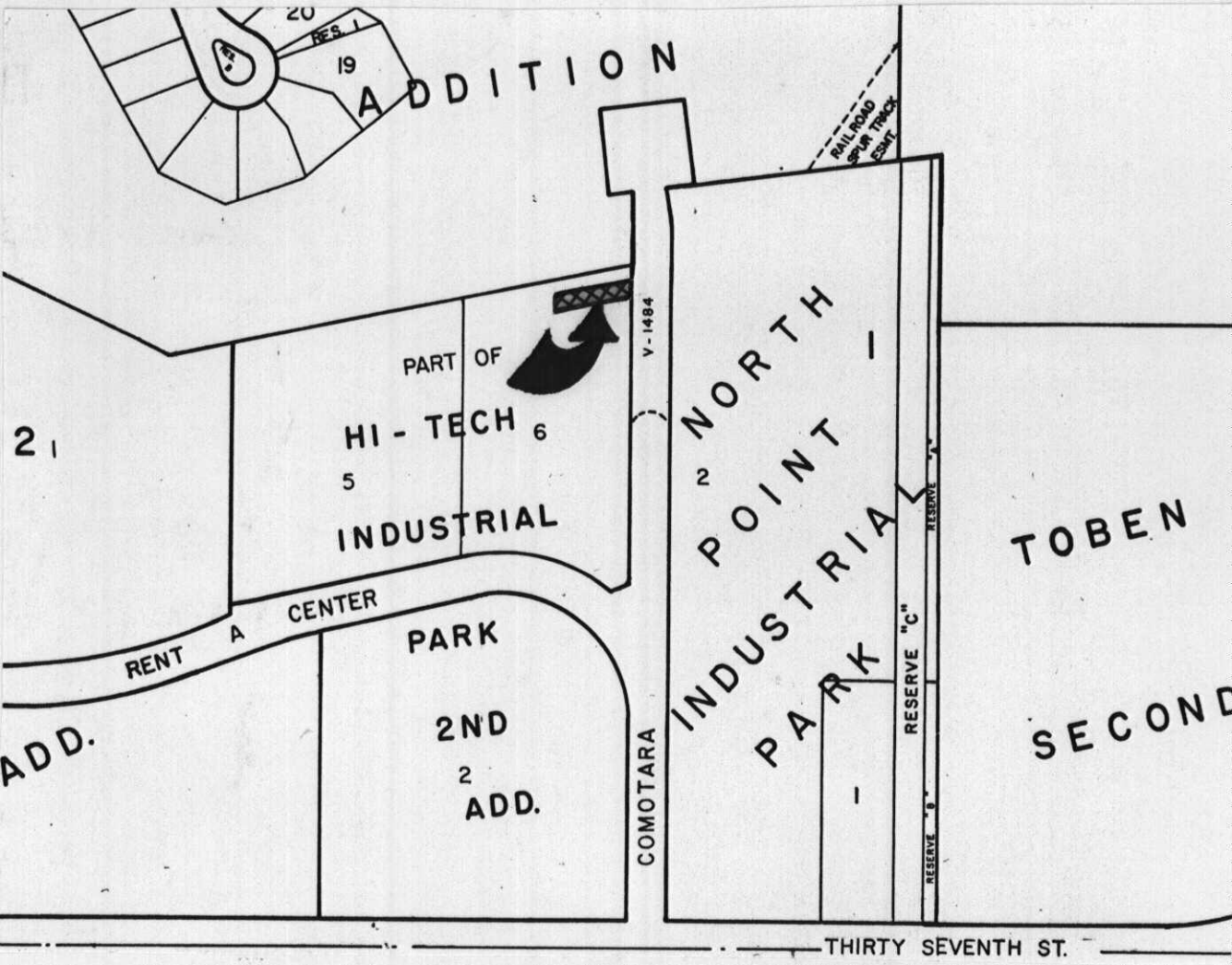
Form 1020

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 the the City Clerk.

Given under my hand and seal of the City of Wichita, this AUG 14 1990

Deputy City Clerk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RES. 1
19
ADDITION
RAILROAD SPUR TRACK ESMT.
V-1484
PART OF
HI-TECH
INDUSTRIAL
6
5
2
1
NORTH POINT INDUSTRIAL PARK
2
1
RESERVE "A"
RESERVE "B"
RESERVE "C"
TOBEN
SECOND
RENT A CENTER
PARK
2ND
ADD.
2
ADD.
COMOTARA
THIRTY SEVENTH ST.