

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 15, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1729 - REQUEST TO VACATE A PORTION OF A
PLATTED DRAINAGE EASEMENT LOCATED NORTH OF 37TH ST. N. AND
EAST OF HILLSIDE.
(District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

MAPC Recommendation: Approve vacation of drainage easement.
(unanimous)

Background: Additional area for parking, landscaping and lighting is needed along the south line of a platted drainage easement. The applicant has submitted a substitute easement to the north to compensate for the area vacated. City Engineering has indicated that the substitute easement is sufficient to off-set the area requested 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: Accept the substitute drainage dedication, close the public hearing, approve vacation; authorize the Mayor to sign the Vacation Order; and record the Certified copy of the order and drainage easements, recording costs to be billed to:

150029-2909

proved / Accepted By City Council
This OCT 15 1991

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF)
THE VACATION OF A PORTION OF A PLATTED)
DRAINAGE EASEMENT.)

GENERALLY LOCATED NORTH OF 37TH ST.)
NORTH AND EAST OF HILLSIDE.)
(V-1729))

MORE FULLY DESCRIBED BELOW)

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 15th day of October, 1991, comes on for hearing the petition for vacation filed by Koch Industries Inc., praying for the vacation of the following described drainage easement, to-wit:

A tract of land lying in Lot 1, Block 1, Koch Office Park Third Addition, an addition to Wichita, Sedgwick County, Kansas, more particularly described as follows:

Commencing at the southwest corner of said Lot 1; thence N45°00'00"E, 254.32 feet along the platted drainage easement, to the point of beginning; thence N45°00'00"E, 14.14 feet; thence N90°00'00"E, 365.17 feet to the east line of said drainage easement; thence S00°00'00"E, 10.00 feet to the southeast corner of said drainage easement; thence S90°00'00"W, 375.17 feet along said south line to the point of beginning.

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 10/2/91 & 10/9/91.
2. No private rights will be injured or endangered by the vacation of the above-described drainage 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.

g.c.c.k

City Clerk

266 150067 7207

208

Vacation Order
V-1729
Page 2 of 2

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 drainage easement described herein should be approved.

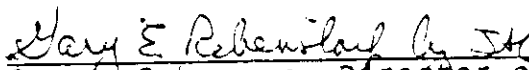
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of October, 1991, ordered that the above-described drainage easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary E. Rebenstorf, Director of Law



STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT
8:00 A.M.

JAN 392 1179364

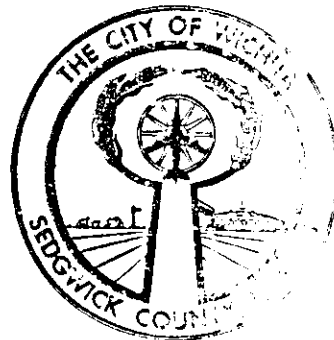
PAT KETTLER
REGISTER OF DEEDS

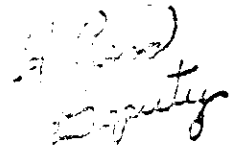
State of Kansas)
Sedgwick County) ss
City of Wichita)

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 October 15, 1991


Pat Burnett, Deputy City Clerk





KOCH
OFFICE
PARK
THIRD
ADDITION

THIRTY SEVENTH ST.

37th ST. NO.

Application Filed 8/5/91
S/D Comm. Action 8/22/91 A/A
M.A.P.C. Action 8/29/91

W.C.C. Action _____
Bd. Co. Co. Action _____
Order to Vacate Recorded _____