

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 16, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1841; Request to vacate utility easement, generally located north of 21st Street North and west of Ridge Road. (District # 5).

INITIATED BY: Metropolitan Area Planning Department

McKroft

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of a platted 20-foot [centerline] utility easement, with 10 feet of easement is located along the side of applicant's property. The purpose of the vacation was to increase the buildable area, for a larger house. Staff and MAPC have recommended approval because no utilities, public or private, will be compromised at this site, adequate easement area will remain, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS:

Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Order; recording costs to be billed to:

150029-2909.

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

IN THE MATTER OF THE VACATION OF	)	
UTILITY EASEMENT	)	
	)	
GENERALLY LOCATED WEST OF RIDGE	)	Case No. V-1841
AND NORTH OF 21ST STREET NORTH	)	
	)	
	)	
<u>MORE FULLY DESCRIBED BELOW</u>	)	

VACATION ORDER

NOW on this 16th day of November, 1993, comes on for hearing the petition for vacation filed by Reflection Ridge, Inc., praying for the vacation of the following described utility easement, to-wit:

That portion of utility easement described as:

The south 5 feet of the north 10 feet of Lot 22, Block 1, Reflection Ridge 4th Addition, Wichita, Sedgwick County, Kansas, except the east 10 feet thereof. V-1841

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 10-25-93 + 11-1-93
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.

5^{cc}
CK

City Clerk

Vacation Order
V - 1841

Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of November, 1993, 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.

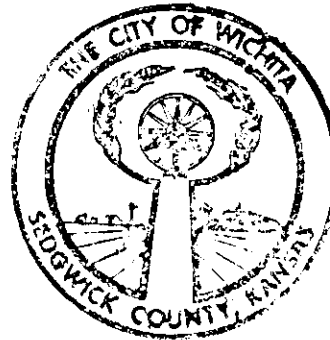
Elma Broadfoot
Elma Broadfoot, Mayor

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk

Approved as to Form:

Gary Rebenstorf
Gary Rebenstorf, Director of Law



8-00

MICROFILMED
OF RECORD

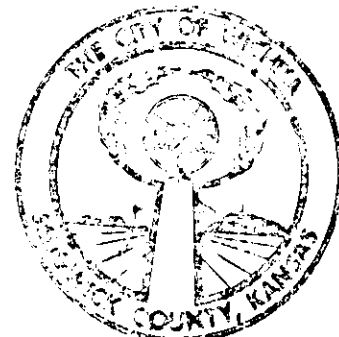
JAN 25 1994 1354351

PAT KETTLER
CLERK OF DEEDS

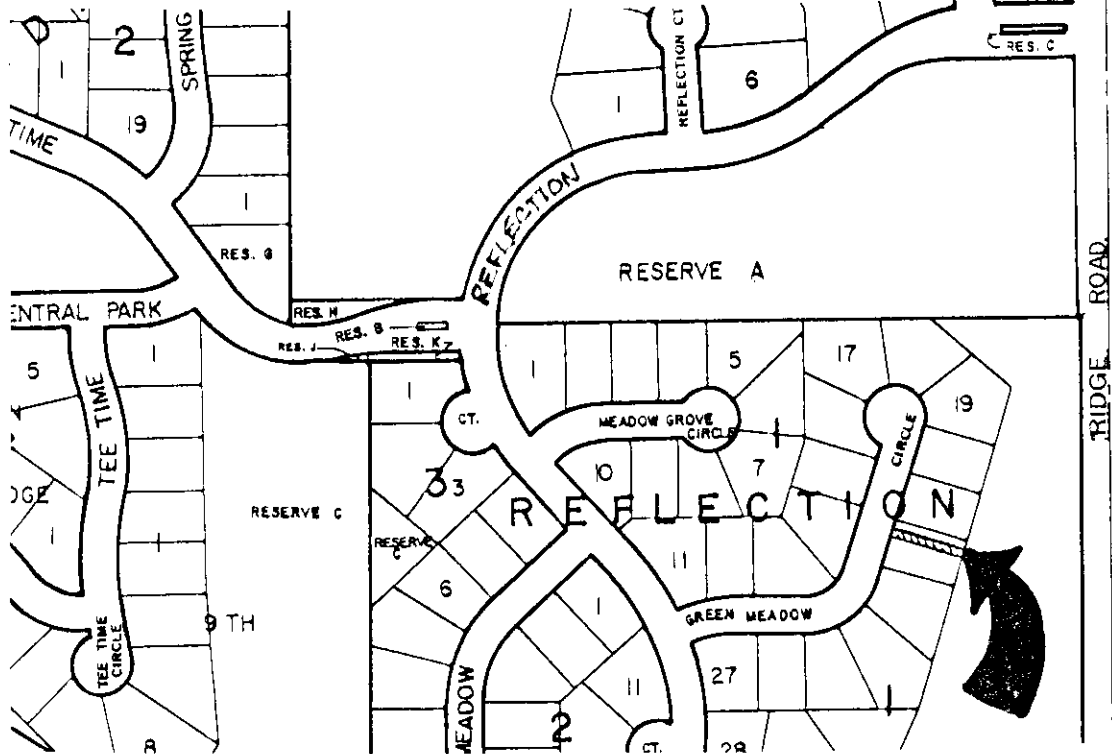
Ed Broad
Deputy

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 attached 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, Kansas, this 16th day of November, 1993.

Pat Burnett Deputy City Clerk



Sketch.



Application Filed 9/27/93
S/D Comm. Action 10/14/93

Approved
M.A.P.C. Action 10/21/93

Approved

W.C.C. Action

11-16-93 *Approved*

Bd. Co. Co. Action

Order to Vacate Recorded

January 25, 1994