

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 4, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1805; Vacation of Utility Easement located north of
Central and west of 143rd Street East.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve plat.

MAPC Recommendation: Approve plat. (unanimous)

Background: This is the vacation of a utility easement that currently exists across a common lot line. Both lots adjacent to the common lot line are owned by the applicant, who plans to construct a single-family house. Staff and MAPC have recommended approval because currently there are no utilities in the easement, and none are anticipated in the future. Because this site is located in an unincorporated area of the county, but within three-miles of the City of Wichita, and pending Council approval, this vacation will be scheduled for final public hearing by the Board of County Commissioners.

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

RECOMMENDATIONS/ACTIONS: Approve the vacation.

FILED

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF	)	
A UTILITY EASEMENT,	)	
	)	
	)	
GENERALLY LOCATED NORTH OF CENTRAL	)	MAPD CASE NO. V-1805
AND WEST OF 143RD STREET EAST	)	
	)	
	)	

VACATION ORDER

NOW on this 9th day of June, 1993, at 9:00 o'clock A.M. comes on for hearing a petition praying for the vacation of the following-described real property, to wit:

The 10-foot utility easement described as follows: The north 135 feet of the east 5 feet of Lot 16, and the north 135 feet of the west 5 feet of Lot 17, Block 2, The Pinnacle at Crestview, Sedgwick County, Kansas.

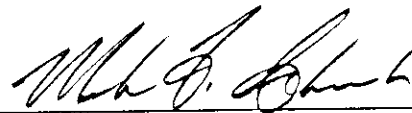
WHEREUPON, it is shown that proper notice has been given by publication once each week for three consecutive weeks in the official county paper, the first such publication having occurred on May 14, 1993; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and being otherwise duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

The Board further finds that on April 8, 1993, the Metropolitan Area Planning Commission recommended that the vacation petition herein be approved; and on May 4, 1993, the Governing Body of the City of Wichita recommended that the said petition be approved.

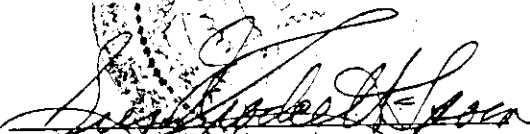
THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described real property be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS



Mark F. Schroeder, Chairman

ATTEST

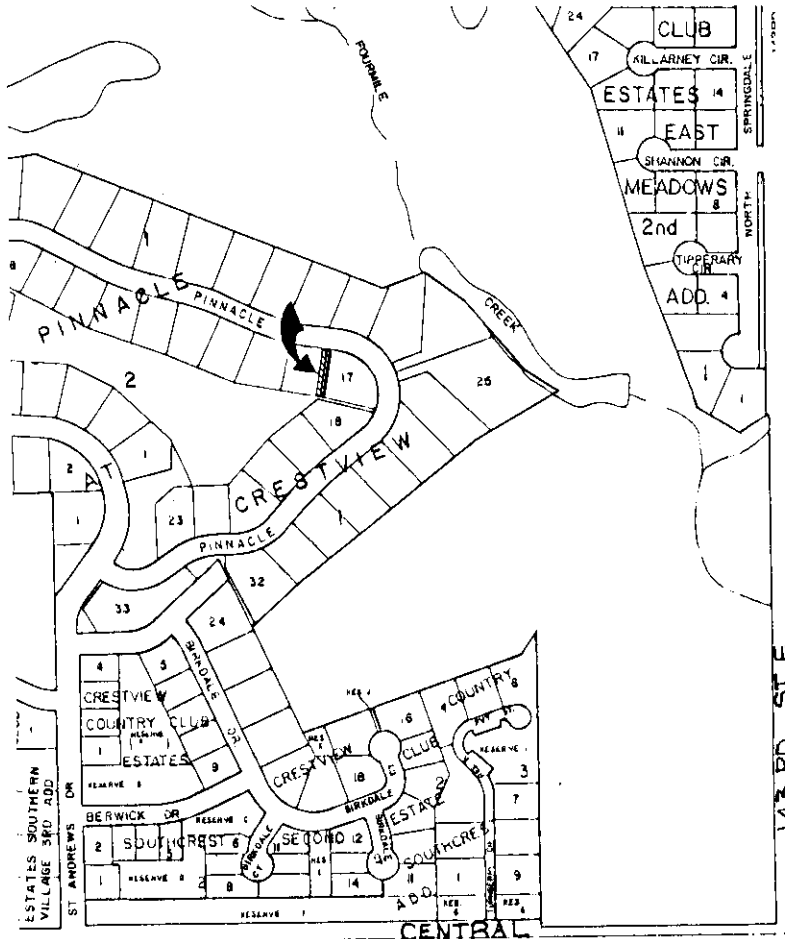


Susan E. Grockett-Spoon
County Clerk

APPROVED AS TO FORM:



Richard A. Euson
Assistant County Counselor



Application Filed 3/15/93
 S/D Comm. Action 4/1/93
 M.A.P.C. Action 4/8/93
Approved

W.C.C. Action 5-4-93 Approved
 Bd. Co. Co. Action 6-9-93
Approved
 Order to Vacate Recorded
August 13 1993