

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 7, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1900 REQUEST TO VACATE A DRAINAGE
EASEMENT LOCATED EAST OF WOODLAWN AND SOUTH OF 21ST
ST. NORTH.
(District #2)

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: A planned expansion to an existing building requires the relocation of a drainage improvement and vacation of the associated easement. The applicant has submitted a substitute easement and will be responsible for installing the needed drainage improvements in the new easement. City Engineering has agreed that the change in easement locations is acceptable. As requested by City Engineering the applicant is submitting a temporary easement that corresponds to the area requested for vacation. This temporary easement will remain in place until the substitute improvement is completed. 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/Actions:

Accept the substitute and temporary easements; close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the Certified Copy of the Vacation Order and the utility easements; recording costs to be billed to:
150029-2909

Approved / Accepted By Council

This MARCH 7, 1995

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MICROFILMED
OF RECORD

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

IN THE MATTER OF THE VACATION OF
A DRAINAGE EASEMENT

GENERALLY LOCATED EAST OF WOODLAWN
AND SOUTH OF 21ST ST. NORTH

MORE FULLY DESCRIBED BELOW

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Case No. V-1900



STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT
10:00 a.m.

1446729 & 148

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 7th day of March, 1995, comes on for hearing the petition for vacation filed by Devlin Properties, L.T.C, praying for the vacation of the following described drainage easement, to-wit:

Beginning at a point 55 feet east and 5 feet north of the Southwest Corner of Lot 1; thence east parallel with the south line of Lot 1 to a point 270 feet south and 70 feet west of the northeast corner of Lot 2, thence south parallel with the east line of Lot 2, a distance of 20 feet; thence west parallel with the south line of Lot 1 to a point 55 feet east and 15 feet south of the southwest corner of Lot 1, thence north 20 feet to the point of beginning; Chelsea North Addition to Wichita, Kansas. (V-1900)

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 2/17/95 & 2/24/95.

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.

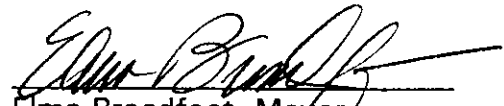
800
ck City Clerk

Vacation Order
V - 1990

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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 drainage easement described herein should be approved.

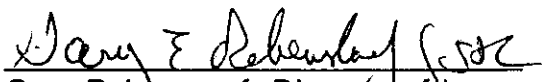
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of March, 1995, ordered that the above-described drainage easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

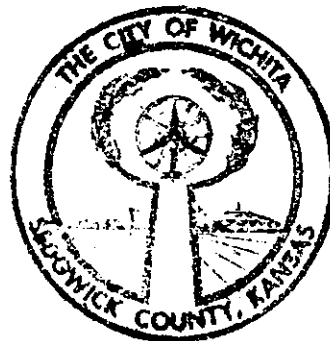
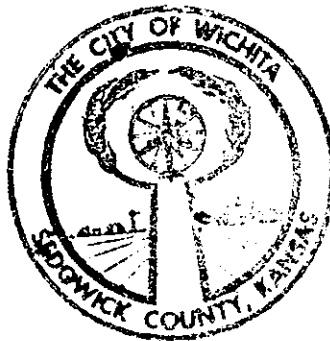

Elma Broadfoot, Mayor

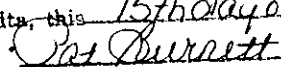
ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, Deputy City Clerk of the City
of Wichita, Kansas, do 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, this 15th day of MARCH, 1995
 Deputy City Clerk
PAT BURNETT

NW Cor. NE 1/4
Sec. 7-27-25

21 ST

ST.

Complete Access Control

Com

1090'



Scale: 1" = 100'

• Iron

te: Building setback
conform to assoc-
ted Community
it Plan (DP 62)

ESMT.

Common Access
Easement
Film 449, Pg. 1150

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628.01'

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VACATE

Drain.

Esmt.

20'

20'

2

SUBSTITUTE EASEMENT

K. G. & E.

353.01'

20'

90°16'04"

10'

387.3'

1087.03'

Util.

449'

20'

63'

290'

628.01'

103.5'

110'

90°

275'

30'

36.5'

60'

21 ST

ST.

Complete Access Control

Com

1090'

Common Access
Easement
Film 449, Pg. 1150

ESMT.

55'

628.01'

275'

278'

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CHELSEA NORTH ADDITION

State of Kansas } S.S.
Sedgwick County } We, Boughman Company,
P.A., Surveyors in aforesaid county and state,
do hereby certify that we have surveyed
and plotted "CHELSEA NORTH," Wichita,
Kansas and that the accompanying plat