Planning Agenda #_____

City of Wichita
City Council Meeting
September 13, 1994

Agenda Report #_____

TO: Mayor and City Council

SUBJECT: V-1877 - REQUEST TO VACATE A UTILITY EASEMENT SOUTH OF HARRY AND EAST OF 143RD STREET EAST

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 site is in the County within Arbor Lakes Estates. The applicant owns both lots and is requesting vacation of a common lot line utility easement to permit construction of a house across the common lot line. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation.

FILE COPY

MICROFILMED
OF RECORD

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A UTILITY EASEMENT,	
GENERALLY LOCATED SOUTH OF HARRY AND EAST OF 143RD STREET EAST	MAPD CASE NO. V-1877

VACATION ORDER

NOW on this 19th day of October, 1994, 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 platted along the common lot line of Lots 9 and 10, Block 1, Arbor Lakes Estates to Sedgwick County, Kansas, except the north 20 feet of the west 20 feet thereof.

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 September 30, 1994, 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.

8.00 ck City Clerk

15M27 270 ck

The Board further finds that on 11th day of August, 1994, the Metropolitan Area Planning Commission recommended that the vacation petition herein be approved; and on the 13th day of September, 1994, the City Council 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

Betsy Gwin

Betsy Gwin, Chair 10-19-94

ATTEST:

for Susan B. Crockett-Spoon
County Clerk

APPROVED AS TO FORM:

for Richard A. Euson
Assistant County Counselor

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

STATE OF KANSAS
SEDGWICK COUNTY } ss

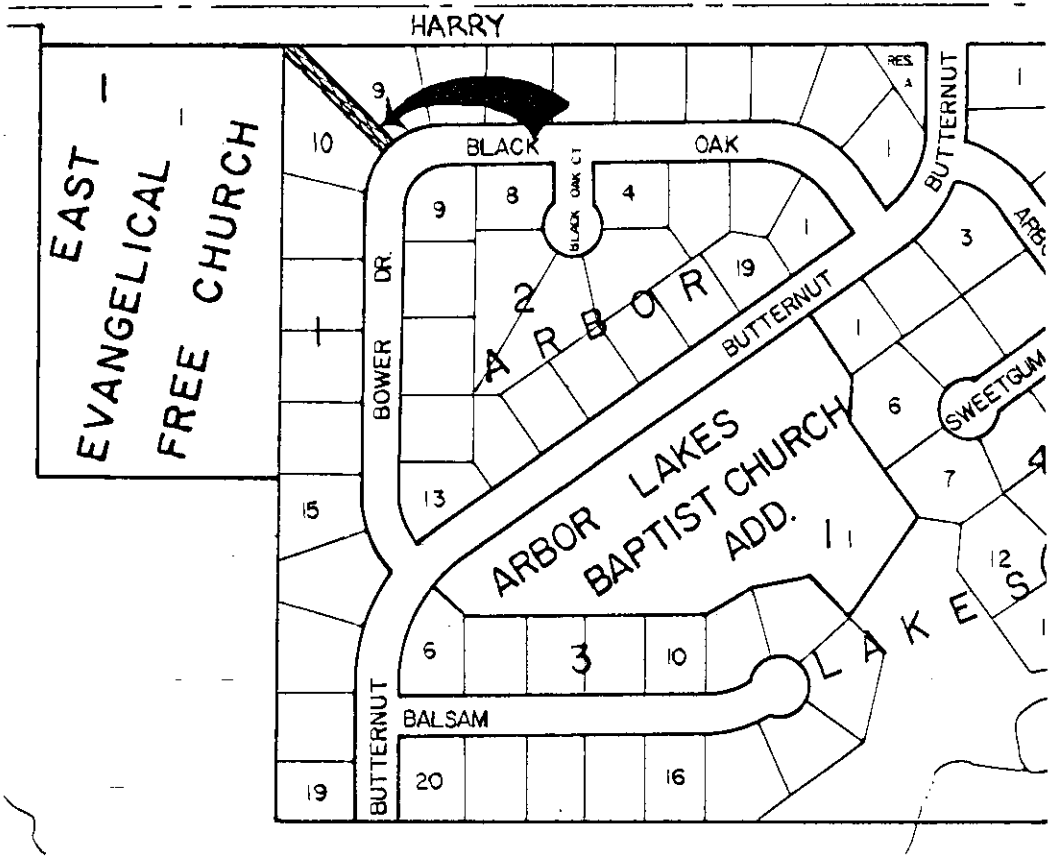
FILED FOR RECORD AT
1:00 P M

FEB 22 1995
1437593
NO.

PAT KETTLER
REGISTER OF DEEDS

Lydia Hernandez
Deputy

Sketch.



Application Filed 6/13/94
S/D Comm. Action 7/7/94 8-4-94
M.A.P.C. Action 8-11-94 approved

W.C.C. Action 9-13-94 Approved
Bd. Co. Co. Action 10-19-94 Approved
Order to Vacate Recorded