

Planning Agenda # _____

City of Wichita
City Council Meeting
June 14, 1994

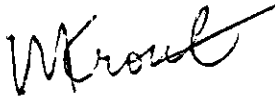
Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1867 REQUEST TO VACATE A UTILITY
EASEMENT LOCATED NORTH OF MACARTHUR AND EAST OF
HYDRAULIC
(District #3)

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: While sanitary sewer was originally expected to be provided by a public line along this easement, the applicant is now planning to use a private line. City Engineering has agreed that a private sewer line can be used for this mobile home development and consequently, the public easement vacated. The utility representatives of the Subdivision Committee also indicated they had no need for the easement. 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:

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

150029-2909

FILE COPY

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

IN THE MATTER OF THE VACATION OF A)
UTILITY EASEMENT)
)
GENERALLY LOCATED NORTH OF) Case No. V-1867
MACARTHUR AND EAST OF HYDRAULIC)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 14th day of June, 1994, comes on for hearing the petition for vacation filed by Larry M. Womack for Mobile Home Living, Inc., praying for the vacation of the following described utility easement to wit:

The north 10 feet of Lot 1, Block 1, Lamplighter Mobile Home Park, Wichita, Sedgwick County, Kansas, except the east 10 feet and the west 10 feet thereof. (V-1867)

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 5/27/94 & 6/3/94.
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.

MICROFILMED
OF RECORD

g.ck

City Clerk

150009 2909

8-

Vacation Order
V - 1867

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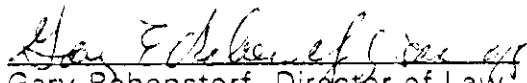
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of June, 1994, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

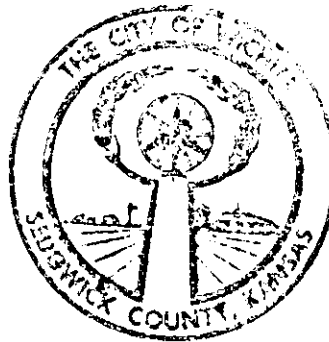

Elma Broadfoot, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

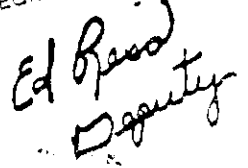
Approved as to Form:


Gary Rebenstorf, Director of Law

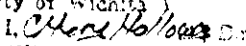
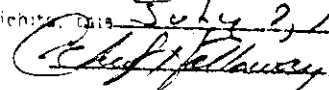


STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 A.M.

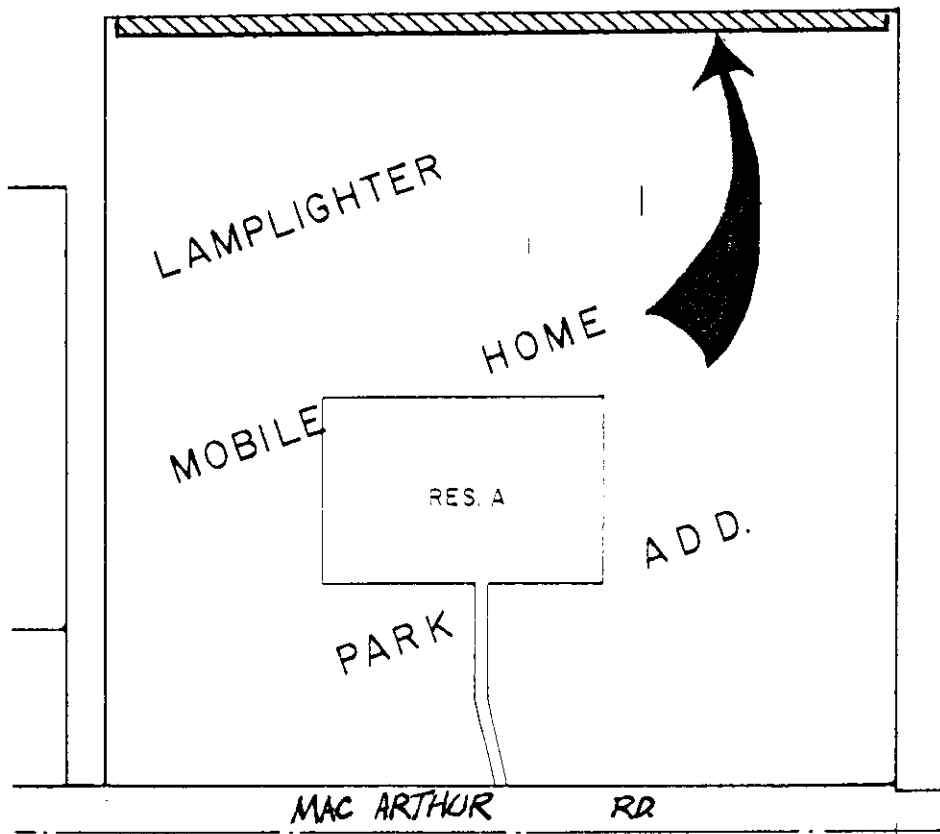
JUL 21 1994
NO 1398240
PAT KETTLER
REGISTER OF DEEDS


Ed Reed
Deputy



State of Kansas }
Sedgwick County) ss
City of Wichita)
I,  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, this July 2, 1994
 Deputy City Clerk

Sketch.



Application Filed 4/8/94
S/D Comm. Action 4/28/94

W.C.C. Action 6-14-94 Approved

App.
M.A.P.C. Action 5-5-94

Bd. Co. Co. Action _____

Order to Vacate Recorded July 27, 1994