

Planning Agenda # _____

**City of Wichita
City Council Meeting
August 13, 1996**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1956 REQUEST TO VACATE UTILITY EASEMENTS
AND STREET RIGHTS-OF-WAY LOCATED NORTH OF CENTRAL AND
WEST OF MAIN STREET.
(District # 6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements and streets right-of-way.

MAPC Recommendation: Approve vacation of utility easements and streets right-of-way.
(unanimous)

Background: To provide for the expansion of the Sedgwick County adult local detention facility and county parking garage, the county is requesting the vacation of two utility easements and several sections of street rights-of-way. The county has made arrangements for the relocation of any public and private utilities impacted by the vacation. The county is also granting a substitute utility easement and a drainage easement as requested by City Engineering and the utilities. These vacations including a number of vacations from previous years, will in essence allow the county to consolidate the area between Central to Pine and Main to Wichita Street (railroad right-of-way) into a unified building site. 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 utility and drainage easements (since these easements have already been recorded, originals may be returned to the County); close the public hearing, approve the vacation; authorize the Mayor to sign the vacation Order; and record the certified copy of the Vacation Order; cost to be billed to 150029-2909

Vacation Order
V - 1956

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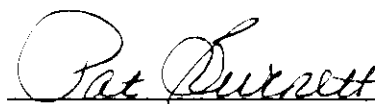
Vacation of Street right-of-way and retain as an easement for public utilities as follows: The West 8.0 feet of the East half of Wichita Street as platted in Munger's Original Town, now the City of Wichita, Kansas, from the South line of Pine Street, South 905.37 feet more or less, to a point 50.0 feet North of the centerline of Central Avenue.

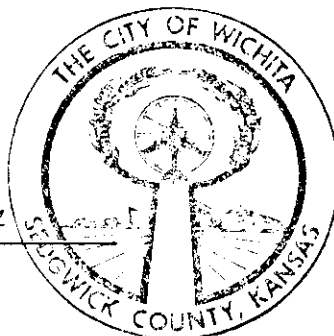
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

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 8-2-96 & 8-9-96.
2. No private rights will be injured or endangered by the vacation of the above-described utility easements and street rights-of-way, 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 easements and street rights-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of August, 1996, ordered that the above-described utility easements and street rights-of-way 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.

ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

