

Planning Agenda # _____

**City of Wichita
City Council Meeting
April 1, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1983 REQUEST TO VACATE UTILITY EASEMENT
LOCATED IN AN AREA SOUTH OF MAPLE AND WEST OF 119TH STREET
WEST.
(District #5)

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: The applicant is requesting the vacation of a utility easement in order to construct an inground swimming pool on the west end of this lot. The utility easement was not used for the development of this site. The applicant has dedicated an alternate easement. City Engineering has indicated that the vacation and easement dedication are acceptable.

The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. No members of the public addressed the MAPC in opposition to this request.

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 order and accept the easement dedication; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order and easement dedication; recording costs to be billed to: 150029-2909

Approved / Accepted by City Council

MICROFILMED APR 1 1997
OF RECORD

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COPY

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT

GENERALLY LOCATED
SOUTH OF MAPLE AND WEST OF
119TH STREET WEST

MORE FULLY DESCRIBED BELOW

Case No. V-1983



STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT

8-30 A M

1602073 E-75

LARRY CONSOLVÉ
REGISTER OF DEEDS

VACATION ORDER

Debra Markheim
Deputy

NOW on this 1st day of April, 1997, comes on for hearing the petition for vacation filed by Mary Ann Rorebeck, praying for the vacation of the following described utility easement, to-wit:

The east ten feet of the west thirty feet of utility easement platted on Lot 56, Block B, Maple Valley Addition, Wichita, Sedgwick County, Kansas, except the North 13 feet thereof.

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 3/17/97 & 3/24/97.
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.

City Clerk

\$ 8.00
150029
2909

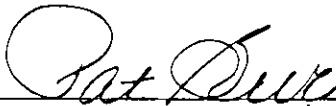
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Vacation Order
V - 1983

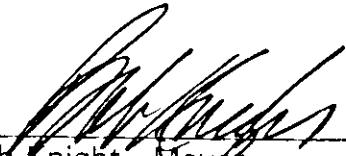
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of April, 1997, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

ATTEST:

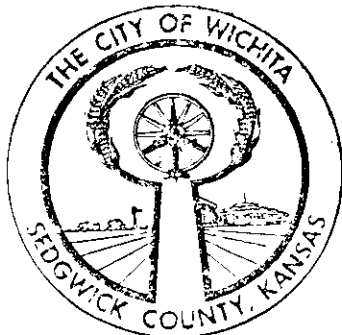

Pat Burnett, City Clerk



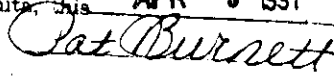

Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law



state of Kansas)
Sedgwick County) ss
City of Wichita)
I, **Pat Burnett** City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the original on file in the office the the City Clerk.
Given under my hand and seal of the City of
Wichita, this **APR 3 1997**


Pat Burnett City Clerk

