WICHITA — SEDGWICK COUNTY
WSC
METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

February 26, 1998

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

Re: V-2066 - Request to vacate a 30' Sanitary Sewer Easement

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission, Thursday, February 26, 1998, the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of February 20, 1998. Since you have completed all the approval conditions, we will be scheduling this case for review by the Wichita City Council at the first appropriate date.

If you have any questions, please call at 268-4421.

Sincerely,

Keith Gooch

Keith Gooch
Senior Planner, Current Plans Division

KG\lfb

cc: EMIR, IV, LLC, Attn.: Doug Malone-Member, 150 N. Market, Wichita, KS 67202
Box Development, LLC, 128 S. Dellrose, Wichita, KS 67218
Emira IV, LLC, 818 N. Emporia, #200, Wichita, KS 67214
Arizona Funding Corp., 10000 N. 31st Street, Phoenix, AZ 85051-6702
Mike Lindebak, City Engineering, City of Wichita, Mail Stop (1-71)

WICHITA — SEDGWICK COUNTY

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February 20, 1998

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

Re: V-2066 - Request to vacate a 30' Sanitary Sewer Easement

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, February 19, 1998, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

A. Applicant shall relocate the utilities located in the sanitary sewer easement by private contract and dedicate another sanitary sewer easement on the subject property.

B. The vacation order shall not be forwarded to the City Council until the work stated above is completed and accepted by the City.

C. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, February 26, 1998, at 1:30 p.m. If you have any questions, please call at 268-4421.

Sincerely,

Keith Gooch

Keith Gooch
Senior Planner, Current Plans Division

KG/lfb

cc: EMIR, IV, LLC, Attn.: Doug Malone-Member, 150 N. Market, Wichita, KS 67202
Box Development, LLC, 128 S. Dellrose, Wichita, KS 67218
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METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 1-2
February 26, 1998

STAFF REPORT

CASE NUMBER: V-2066 - Request to vacate a 30' Sanitary Sewer Easement

OWNER/APPLICANT: EMIR, IV, LLC, Attn.: Doug Malone - Member 150 N. Market, Wichita, KS 67202

AGENT: Baughman Company, P.A. 315 Ellis, Wichita, KS 67211

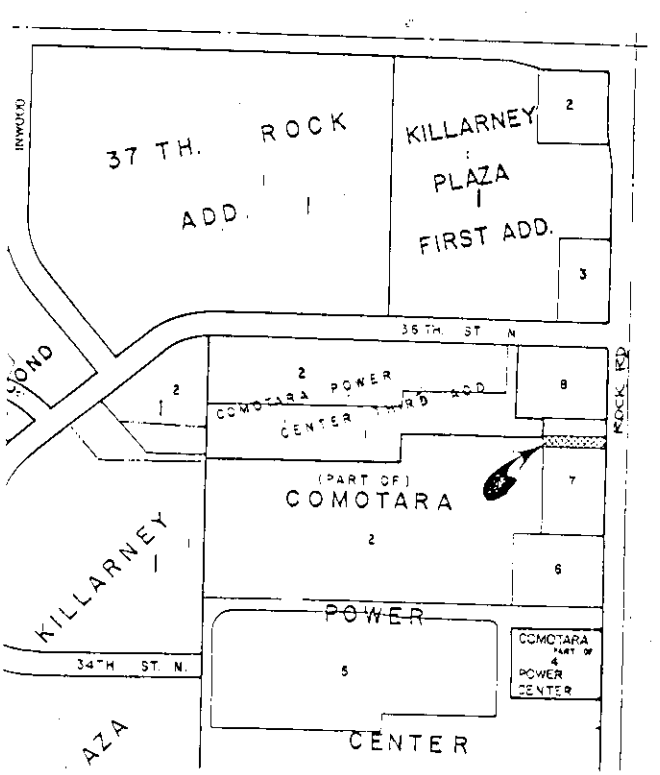
LEGAL DESCRIPTION: That part of a 30 foot sanitary sewer easement lying within Lot 7, block 1, Comotara Power Center 2nd Addition, an Addition to the City of Wichita, Sedgwick County, Kansas, described as follows: Commencing at the NE corner of said Lot 7; thence S01° 05' 22" E along the east line of said Lot 7, 49 feet to the intersection with the north line of said sanitary sewer easement and for a point of beginning; thence continuing S01° 05' 22" E along the east line of said Lot 7, 30 feet to the intersection with the south line of said sanitary sewer easement; thence S89° 18' 58" W along the south line of said sanitary sewer easement, 173.19 feet to the intersection with the west of said Lot 7; thence N01° 05' 22"W along the west line of said Lot 7, 30 feet to the intersection with the north line of said sanitary sewer easement; thence 89° 18' 58"E along the north line of said sanitary sewer easement, 173.19 feet to the point of beginning.

LOCATION: West side of Rock Road, south of 36th Street North

REASON FOR REQUEST: To relocate the sanitary sewer easement

CURRENT ZONING: "LC" Limited Commercial

VICINITY MAP:



The applicant is requesting vacating the 30' sanitary sewer easement in order to relocate the sanitary sewer line on property located west of Rock Road and south of 36th St. North. Dedication of a substitute sanitary sewer easement is being submitted by the applicant.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

Approve the request to vacate the 30' Sanitary Sewer Easement unanimously, subject to the following conditions:

A. Applicant shall relocate the utilities located in the sanitary sewer easement by private contract and dedicate another sanitary sewer easement on the subject property.

B. The vacation order shall not be forwarded to the City Council until the work stated above is completed and accepted by the City.

C. Any relocation or reconstruction of any other utilities made necessary by this vacation shall be the responsibility of the applicant.