Planning Agenda #_____

City of Wichita
City Council Meeting
December 16, 1997

Agenda Report #_____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2051 REQUEST TO VACATE A UTILITY EASEMENT LOCATED IN AN AREA WEST OF WALDEN DRIVE SOUTH OF BRAMBLEWOOD.
(District #1)

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 proposes to construct office buildings on to the property line of the lots in question. These lots adjoin reserves that are available for extension of utilities as needed. The vacation of the 10 foot platted utility easements and the north 5 feet of reserve area will not harm the ability to extend utilities into this area because of the presence of the reserves. All utility representatives thoroughly reviewed this request prior to action by the Subdivision Committee. The homeowner association responsible for the reserve area adjoining one of the lots was notified of the Subdivision Committee meeting, but did not appear.

The Subdivision Committee and MAPC both approved the vacation. No members of the public addressed the MAPC in opposition to this request.

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

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Approved / Accepted By City Council
This DEC 16 1997

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

MICROFILMED
OF RECORD

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

IN THE MATTER OF THE VACATION OF)
UTILITY EASEMENT)
)
GENERALLY LOCATED) Case No. V-2051
ON THE WEST SIDE OF WALDEN DRIVE)
SOUTH OF BRAMBLEWOOD

MORE FULLY DESCRIBED BELOW

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

STATE OF KANSAS) SS
SEDGWICK COUNTY)
JAN 29 9 42 AM '98
REGISTER OF DEEDS
LARRY CONSOLVER
Deputy

VACATION ORDER

NOW on this 16th day of December, 1997, comes on for hearing the petition for vacation filed by Circle C., L.P., a Kansas Limited Partnership, praying for the vacation of the following described utility easement, to-wit:

The southwesterly and westerly 10 feet of Lot 4, the south 5 feet of Lots 4 and 5, and the north 5 feet of Reserve B lying west of the east line of Lot 5 as extended southerly, all in Comotara Villages 3rd Addition, Wichita, Sedgwick County, Kansas.

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 11-25-97.

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.

15003 9
8.00

8.00 Ck

RETURN ABOVE

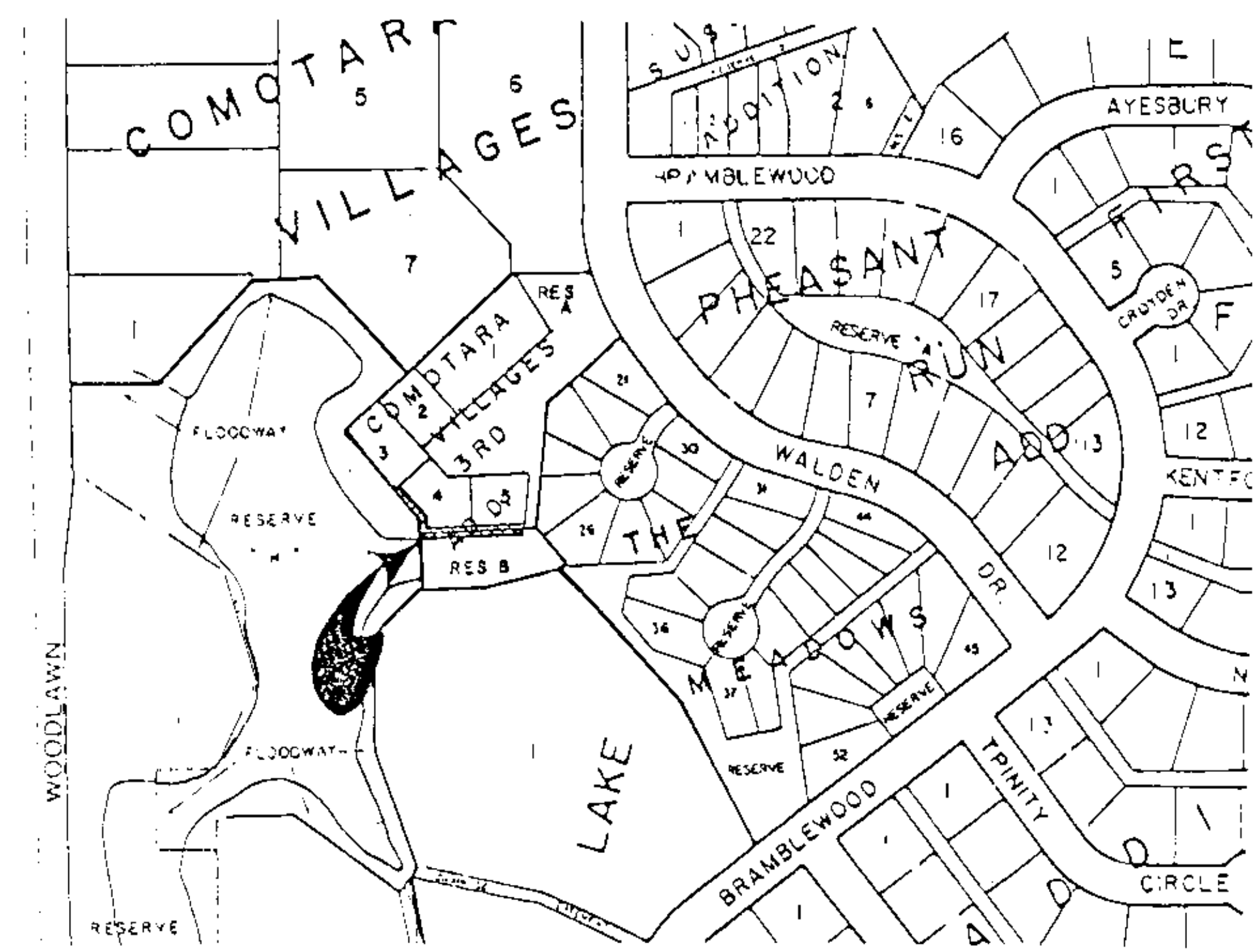
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of December, 1997, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Bob Knight, Mayor

ATTEST:

Pat Burnett, City Clerk

THE CITY OF WICHITA
SEDGWICK COUNTY, KANSAS


COMOTARA
VILLAGES
COMOTARA VILLAGES 3RD
ADDITION
BRAMBLEWOOD
AYESBURY
PHEASANT RUN ADD
RESERVE "A"
RES A
RES B
FLOODWAY
RESERVE "H"
WALDEN DR.
THE MEADOWS
LAKE
BRAMBLEWOOD
TPINITY
CIRCLE
CROYDEN DR
KENTFO
WOODLAWN
RESERVE

Planning Agenda #_____

City of Wichita
City Council Meeting
December 9, 1997

Agenda Report #_____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2050 REQUEST TO VACATE ALLEYS LOCATED IN AN AREA BETWEEN OR ADJACENT TO 3RD STREET NORTH, 2ND STREET SOUTH, ST. FRANCIS AVENUE WEST AND SANTA FE AVENUE EAST.
(District #6)

INITIATED BY: Metropolitan Area Planning Department MKlatt

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of alleys.

MAPC Recommendation: Approve vacation of alleys. (unanimous)

Background: The applicants own the entire block in question, most of which is occupied by the operations of Printing, Inc. They wish to increase the on-site, night-time security of their operations by fencing their ownership from access by way of the present alleys. In order to do this, the alleys must be vacated.

The Subdivision Committee and MAPC both approved the vacation, subject to several conditions, all of which have been met. No members of the public addressed the MAPC in opposition to this request.

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

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Approved / Adopted By City Council
This DEC 9 1997

MICROFILMED
OF RECORD

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

IN THE MATTER OF THE VACATION OF ALLEYS)
)
)
GENERALLY LOCATED) Case No. V-2050
BETWEEN OR ADJACENT TO 3RD STREET)
NORTH, 2ND STREET SOUTH, ST. FRANCIS)
AVENUE WEST AND SANTA FE AVENUE)
EAST)
)
)
MORE FULLY DESCRIBED BELOW)

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

STATE OF KANSAS) SS

JAN 23 9 45 AM '98

REGISTER OF DEEDS
LARRY CHRISTOPHER

Deputy

VACATION ORDER

NOW on this 9th day of December, 1997, comes on for hearing the petition for vacation filed by Printing Inc., and The Coleman Co., Inc., praying for the vacation of the following described alleys, to-wit:

The alleys in the Block described as: All of Odd Lots 43-65, inclusive, St. Francis Avenue, and All of large Lots 16, 18, 20, and 22, Santa Fe Avenue,
All located in J.R. Mead's Addition to the City of Wichita, Sedgwick County, Kansas

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 one time on 11-18-97, which was at least 20 days prior to the date set for public hearing thereon.

2. No private rights will be injured or endangered by the vacation of the above-described alleys, and the public will suffer no loss or inconvenience thereby.

3. The north/south alley right-of-way shall be retained as a utility easement.

4. In justice to the petitioner(s), the prayer of the petition ought to be granted.

5. 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.

8.00/150029

6. The vacation of the alleys described herein should be approved.

8.00 Ck

City Clerk

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of December, 1997, ordered that the above-described alleys are hereby vacated, and the north/south alley right-of-way is retained as a utility easement. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Bob Knight, Mayor

ATTEST:

Pat Burnett, City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Approved as to Form:

Gary Rebenstorf, Director of Law

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

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 seal is affixed is a true and correct copy of the original on file in my office.

Given under my hand and seal of the City of Wichita, this DEC 9 1997

Pat Burnett City Clerk

AVE.
AVE.
ADD.
AVE.
HINTON AVE.
SUB.
24
69
68
67
THIRD ST
SANTA FE
65
66
65
22
20
18
16
43
44
43
ST. FRANCIS
SECOND ST
41
42
41
43
43
PART
AVE.
WICHITA
39
39
E
37
ADD.
37
HOWE
WEST
SUB.
TAYLOR'S
GEORGE'S
SUB.
25
25