

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 16, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2049 REQUEST TO VACATE A PORTION OF A
PLATTED DRAINAGE EASEMENT LOCATED IN AN AREA NORTH OF
MORRIS BETWEEN CRANBROOK AND LINDBERG AND BETWEEN
LINDBERG AND TODD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

MAPC Recommendation: Approve vacation of drainage easement. (unanimous)

Background: The applicants are developing the lots in this subdivision. Actual construction of the development has shown that the drainage easement is wider than actually needed. The intent is to vacate 5 feet of the 15 foot platted drainage easement so that the full rear yard area is open and unencumbered for use by the lot owners.

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

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

Approved / Accepted By City Council
This **DEC 16 1997**

**MICROFILMED
OF RECORD**

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

**IN THE MATTER OF THE VACATION OF
A PORTION OF PLATTED DRAINAGE
EASEMENT**

**GENERALLY LOCATED
NORTH OF MORRIS BETWEEN CRANBROOK
AND LINDBERG AND BETWEEN LINDBERG
AND TODD**

MORE FULLY DESCRIBED BELOW

Case No. V-2049



STATE OF KANSAS }
Sedgewick County } SS

JAN 29 9 43 AM '98

REGISTER OF DEEDS
LARRY CONSLVER
S Christian
Deputy

VACATION ORDER

NOW on this 16th day of December, 1997, comes on for hearing the petition for vacation filed by drainage easement, praying for the vacation of the following described>, to-wit:

The east 5 feet of the platted 15 foot drainage easement on Lots 78, 79 and 80, Block 1, and the east 5 feet of the platted 15 foot drainage easement on Lots 102, 103, 104, 105, 106 and 107, except the north 7.5 feet of Lot 107, Block 1, Harrison Park 2nd 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 drainage 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 drainage easement described herein should be approved.

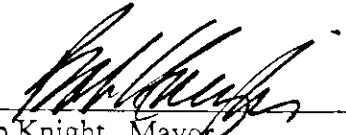
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RETURN ABOVE

Vacation Order
V -2049

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of December, 1997, ordered that the above-described drainage 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



Approved as to Form:

KANSAS TURNPIKE AUTHORITY RIGHT-OF-WAY
CONDEMNATION CASE NO. A-55770

