

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 9, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2038 REQUEST TO VACATE UTILITY EASEMENT
LOCATED IN AN AREA NORTH OF K-42, EAST OF HOOVER,
(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 applicants owns the properties on both sides of the utility easement being vacated and wishes to expand his business as if this was all one lot. The Subdivision Committee and MAPC both approved the vacation, subject to the owner paying for any expenses incurred if any utilities must be relocated. 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

Approved / Accepted By City Council
2007

Approved: _____
This DEC 9 1997

MICROFILMED
OF RECORD

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT

**GENERALLY LOCATED
NORTH OF K-42, EAST OF HOOVER**

MORE FULLY DESCRIBED BELOW

)
)
)
)
)
)
)

Case No. V-2038

S Chaitanani
Deputy

STATE OF KANSAS } SS
SEDERBERG COUNTY }

JAN 29 9 45 AM '98

REGISTER OF DEEDS
LARRY CONSLVER



VACATION ORDER

NOW on this 9th day of December, 1997, comes on for hearing the petition for vacation filed by Ralph Vautravers, praying for the vacation of the following described utility easement, to-wit:

A 10-foot utility easement along the south line of Vautravers Addition, Wichita, Sedgwick county, Kansas, being described as the south 10 feet of the west 258.21 feet except the west 20 feet.

and

A 10-foot utility easement along the north line of A.M.F. Addition, Wichita, Sedgwick County, Kansas, being described as the north 10 feet of the west 175 feet except the west 20 feet.

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 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.

g.°ch

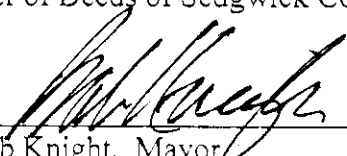
City Clerk

800-1-50029

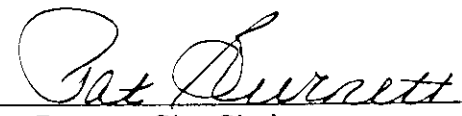
Vacation Order
V - 2038

Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th 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.

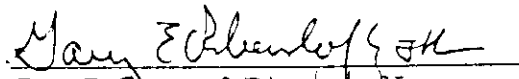

Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk



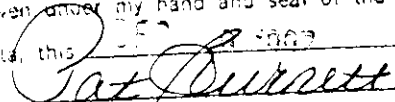
Approved as to Form:


Gary ReGenstorf, 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 my office.

Given under my hand and seal of the City of Wichita, this 9th day of December, 1997.
 City Clerk

HOOVER

VAUTRAVERS

FLOODWAY

WICHITA-VALLEY
CENTRAL FLOOD
CONTROL

A.M.F.

ADD.

FLOODWAY

CENTER

A.T.

X-42

AT & SF RR

FLOOD