

Planning Agenda # _____

**City of Wichita
City Council Meeting
April 29, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2025 REQUEST TO VACATE UTILITY EASEMENT
LOCATED IN AN AREA SOUTH OF HARRY AND EAST OF YALE.
(District #3)

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 the utility easement in order to expand an existing building on the site. The easement was not used for the development of the site and is not needed to serve adjacent development. City Engineering and the utility representatives have indicated that the vacation is 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; 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

MICROFILMED
OF RECORD

Page 1 of 2

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSASIN THE MATTER OF THE VACATION OF
UTILITY EASEMENTGENERALLY LOCATED
SOUTHEAST CORNER OF HARRY AND
EAST OF YALEMORE FULLY DESCRIBED BELOW

Case No. V-2025

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
11:30 A.M.

1606305 E 285

LARRY CONSOLVER
REGISTER OF DEEDS

VACATION ORDER

Deputy

NOW on this 29th day of April, 1997, comes on for hearing the petition for vacation filed by Kenneth D. Denton, praying for the vacation of the following described utility easement, to-wit:

That portion of a platted utility easement described as: Beginning at the southwest corner of Lot 1, All Saints Addition, to Wichita, Kansas, thence east along the south line of said Lot 1, 127.47 feet; thence north 16 feet; thence west along a line parallel with the south line of said Lot 1, 127.47 feet; thence south 16 feet to the place of beginning.

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 4-11-97 & 4-18-97.

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.

Return to City Clerk

150029

3.00 ck

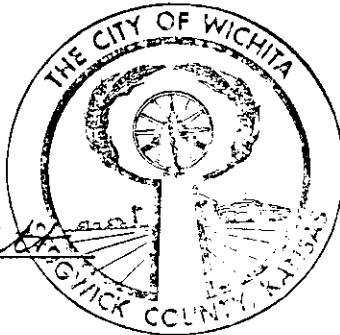
Vacation Order
V - 2025

Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th 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:

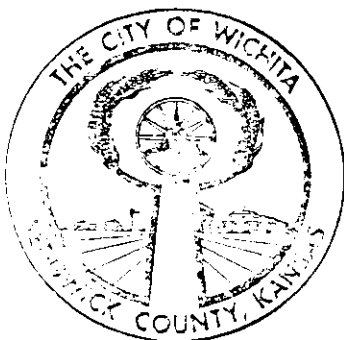
Pat Burnett
Pat Burnett, City Clerk



Bob Knight
Bob Knight, Mayor

Approved as to Form:

Gary E. Rebenstorf
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 of the City Clerk.
Given under my hand and seal of the City of
Wichita, this APR 29 1997
Pat Burnett City Clerk

HARRY

ST.

AVE

AVE.

YALE

ROOSEVELT

