

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2024 REQUEST TO VACATE UTILITY EASEMENT
LOCATED IN AN AREA NORTH OF 21ST STREET AND EAST OF TYLER.
(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 applicant is requesting the vacation of the utility easement in order to extend 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

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 21ST STREET AND EAST
OF TYLER

MORE FULLY DESCRIBED BELOW

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Case No. V-2024



STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT
11:30 AM

Carrie Harpman
Deputy

1606304 285

VACATION ORDER

LARRY CONSOLVER
REGISTER OF DEEDS

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

The 20-foot utility easement centered between Lots 2 and 3 of Village Charters Addition, to Sedgwick County, Kansas; except the north 20 feet thereof.

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.

B.00
ck

Return to City Clerk

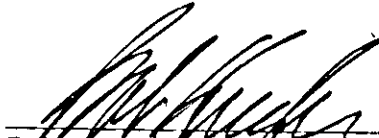
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Vacation Order
V - 2024

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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.

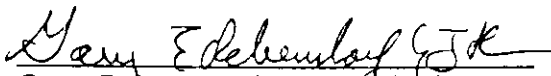

Bob Knight, Mayor

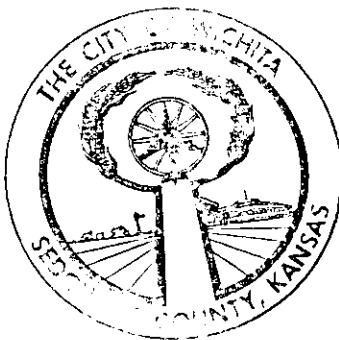
ATTEST:


Pat Burnett, City Clerk



Approved as to Form:


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

 **APR 29 1997**
City Clerk

Return to City Clerk

TYLER RD

²
VILLAGE

³
CHARTERS
ADD. 1

REFLECTION
RIDGE 3
(PART OF)
THIRD ADD.

21ST ST. NO.

JOE CIRCLE

42

REFL

53

REFLECTION RD

21ST ST

NEW
CREATION
CHRISTIAN
CHURCH
ADD.

REFLECTION
HIGH

RIDGE RES. B

GARDEN RD

6

5TH

HIGH