

City of Wichita
City Council Meeting
September 10, 2002

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2168 - REQUEST TO VACATE UTILITY EASEMENT
LOCATED NORTHWEST OF WILD ROSE & FOREST
LAKES.
(District V)

INITIATED BY: Metropolitan Area Planning Department *M. Kautz*
DLK

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements.

MAPC Recommendation: Approve vacation of utility easements. (unanimous)

Background: The applicant is requesting to vacate a utility easement to allow for property line shifts for Lots 69-87 of the Forest Lakes Addition, which was platted in 1993.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. The approval was subject to the conditions that the north 10-feet of the utility easement between Lots 70 & 71 and the north 20-feet of the utility easement between Lots 80 & 81 be retained as a utility easement and that new utility easements be dedicated between Lots 171 & 172 and 180 & 181, Block 4, Forest Lakes Addition. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds along with the dedication instruments.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

This SEP 10 2002

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on April 8, 1999, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described utility easements, 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. Retain the north 10-feet of the utility easement between Lots 70 & 71, Block 4, Forest Lakes Addition and retain the north 20-feet between Lots 80 & 81, Block 4, Forest Lake Addition, an addition to Wichita, Sedgwick County, Kansas

6. The vacation of the utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of September 2002, ordered that the above-described utility easements are 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.

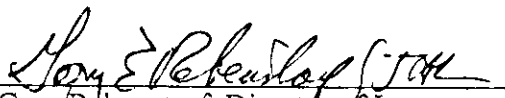
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

