

Planning Agenda # \_\_\_\_\_

City of Wichita  
City Council Meeting  
April 6, 1999

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council

**SUBJECT:** V-2160 - REQUEST TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED AT THE SOUTHEAST CORNER OF DORA AND 119TH STREET WEST. (District V)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

*M. K. Hall  
Director*

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Staff Recommendation: Approve vacation of a portion of a drainage easement.

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

Background: The applicant is requesting to vacate a drainage easement. The applicant has stated that the drainage easement is no longer needed, and City Engineering verified that statement.

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. No written protests have been filed.

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

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the Mayor to sign.

*Amph*

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

**IN THE MATTER OF THE VACATION OF )  
THE PLATTED DRAINAGE EASEMENT )  
LYING BETWEEN LOTS 2 AND 3, BLOCK A ) Case No. V-2160  
LARK 6TH ADDITION )  
 )  
GENERALLY LOCATED )  
SOUTHEAST CORNER OF DORA AND 119TH )  
STREET WEST )  
 )  
**MORE FULLY DESCRIBED BELOW** )**

**VACATION ORDER**

NOW on this 6th day of April, 1999, comes on for hearing the petition for vacation filed by Don Klausmeyer Construction, praying for the vacation of the following described the platted drainage easement, to-wit:

The 20 foot drainage easement lying on each side of the common lot line of Lots 2 and 3, Block A, Lark 6th 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 on February 15, 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 the platted 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 platted drainage easement described herein should be approved, subject to the following condition:

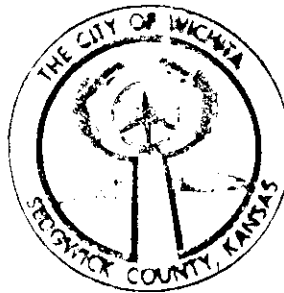
- A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of April, 1999, ordered that the above-described the platted 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.

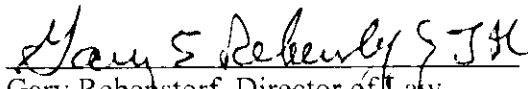
  
\_\_\_\_\_  
Bob Knight, Mayor

ATTEST:

  
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Pat Burnett, City Clerk



Approved as to Form:

  
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Gary Rebenstorf, Director of Law

119TH ST W

