Planning Agenda #_____

City of Wichita
City Council Meeting
May 2, 2000

Agenda Report #____

TO: Mayor and City Council

SUBJECT: **VAC2000-00002- - REQUEST TO VACATE A UTILITY EASEMENT ON LOT 1 RALLS 3RD ADDITION AND LOT 2 RALLS 3RD ADDITION LOCATED NORTH OF HARRY AND EAST OF TERRACE DRIVE.**
(District III)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a utility easement.

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

Background: The applicant is requesting to vacate two 8-foot utility easements for the future development of Lots 1 and 2, Ralls 3rd Addition.

No one spoke in opposition to this request at the MAPC's advertised public hearing. Both the city engineers and the utility companies reviewed this request and noted no utilities in the easements, nor were the easements needed for the future. 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 necessary signatures to sign.

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 HARRY STREET AND EAST OF TERRACE DRIVE	)	**Case No. VAC2000-00002**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 2nd day of May, 2000, comes on for hearing the petition for vacation filed by Two Days Properties, LLC, c/o Douglas Day, praying for the vacation of the following described utility easement, to-wit:

The south 8 feet of Lot 1 and the north 8 feet of Lot 2, Ralls 3rd Addition, Wichita, 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 March 21, 2000, 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 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 a utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of May 2000, 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

THE CITY OF WICHITA
SEDGWICK COUNTY, KANSAS

Approved as to Form:

Gary Rebenstorf, Director of Law

WILMA STREET

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COMPLETE ACCESS CONTROL

25' 30' 30' 25'

30'

80.00'

45.18'

27' DRIVE EASEMENT

HILLTOP MANOR 4

5' DRIVE EASEMENT

N00°15'01"E 40.15

S89°59'40"E 235.50

N90°E 80.00

35' BUILDING SETBACK LINE

LOT 1
RALLS 3RD ADDITION

152.22'

HILLTOP MANOR 16

45.13

16' DRIVE EASEMENT

10' DRIVE EASEMENT 45.11'

152.24'

120.00'

115.13'

S00°05'00"W

SETBACK

BUILDING

20'

N00°15'01"E 75.00'

DRIVE

8' UTILITY EASEMENT

135.50' S90°W

315.50'

8' UTILITY EASEMENT

8' UTILITY 150' EASEMENT

30.00' S90°W

℄ TERRACE

SETBACK

BUILDING

20'

RALLS 2ND ADDITION 1

155.3'

N00°15'01"E 155.3'

LOT 2
RALLS 3RD ADDITION

30' PRIVATE ACCESS AND DRAINAGE EASEMENT FILM 400, PG. 237

S00°05'00"W 155.3'

UTILITY EASEMENT

LOT 3
RALLS 3RD ADDITION

230.3'

35' BUILDING SETBACK LINE

35' BUILDING SETBACK LINE

20'

35' BUILDING SETBACK LINE

20' UTILITY EASEMENT

20' UTILITY EASEMENT

20' UTILITY EASEMENT

30'

135.50'

150' S90°W

150'

60' ACCESS CONTROL EXCEPT ONE OPENING

ACCESS CONTROL EXCEPT ONE OPENING

ACCESS CONTROL EXCEPT ONE OPENING 60'

HARRY STREET

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EXHIBIT

EASEMENT VACATION

LEGAL DESCRIPTION:

Lots 1 and 2, Ralls 3rd Addition, Wichita, Sedgwick County, Kansas.

SRB

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