

Planning Agenda # _____

**City of Wichita
City Council Meeting
September 18, 2001**

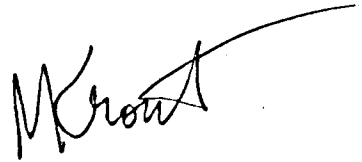
Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00039 - REQUEST TO VACATE PLATTED
UTILITY EASEMENT LOCATED SOUTHWEST OF 31ST
STREET SOUTH - OLIVER INTERSECTION.
(District III)

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 consideration to vacate the south 894.74-ft of a 20-ft utility easement on the east side of a part of Lot 1, the Turnpike Industrial 3rd Addition, recorded November 1988. The applicant is proposing the vacation to construct private power lines at this location.

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 necessary signatures.

**IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT**

**GENERALLY LOCATED
SOUTHWEST OF 31ST STREET SOUTH -
OLIVER INTERSECTION**

Case No. VAC2001-00039

MORE FULLY DESCRIBED BELOW

RECEIVED

OCT 03 2001

METROPOLITAN PLANNING
ROUTE ☐ _____
☐ _____

VACATION ORDER

NOW on this 18th day of September, 2001, comes on for hearing the petition for vacation filed by The Boeing Company, %Michael D. Felix, praying for the vacation of the following described platted utility easement, to-wit:

The 20-ft utility easement described as follows: The east 20-ft of the south 894.74 feet of Lot 1, Turnpike Industrial 3rd Addition to 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 Wichita Eagle on August 16, 2001, 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 platted 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.

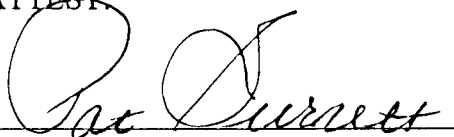
5. The vacation of platted utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of September 2001, ordered that the above-described platted 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

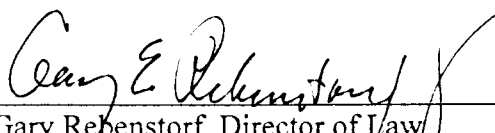
ATTEST:



Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

7-6-93 F.1353, P.16317



THIS SHEET PREPARED UNDER SUPERVISION OF