

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 5, 2002**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00037 - REQUEST TO VACATE UTILITY
EASEMENTS AND PORTION OF A RESERVE LOCATED
NORTH OF 29TH STREET NORTH, WEST OF RIDGE ROAD.
(District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicant is requesting consideration to vacate four (4) 10-foot utility easements, a portion of a 20-foot utility easement, a portion of a 30-foot utility easement and a portion of a reserve located in the Forest Lakes Addition. The plat was recorded April 1993. The applicant proposes to create larger lots, by boundary shift. The applicant was required to dedicate replacement utility easements for those vacated. The Forrest Lake Masters Association, owner of the reserve agreed to the vacation of a portion of the reserve.

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 and Dedication of Utility Easements 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.

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

**IN THE MATTER OF THE VACATION OF
ACCESS CONTROL**

**GENERALLY LOCATED
NORTHEAST OF THE GEORGE WASHINGTON
BLVD. – 31ST STREET SOUTH INTERSECTION**

MORE FULLY DESCRIBED BELOW

Case No. VAC2001-00045

RECEIVED

MAR 21 2002

METROPOLITAN PLANNING
ROUTE **8** _____

VACATION ORDER

NOW on this 5th day of March, 2002, comes on for hearing the petition for vacation filed by John H. Tasset, praying for the vacation of the following described access control, to-wit:

An additional 15-ft located north of the south 15-ft of Parcel B, which is the southeasterly 40-ft of Lot 3, Block 2, Washington Heights 5th 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 Wichita Eagle on October 18, 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 access control, 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.

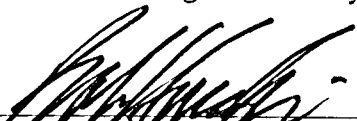
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of access control described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of March 2002, ordered that the above-described access control 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.

ATTEST




Pat Burnett, City Clerk


Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

