

City of Wichita
City Council Meeting
November 20, 2001

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00028 - REQUEST TO VACATE A PORTION OF THE PLATTED 20-FOOT UTILITY EASEMENT ON LOTS 14 & 15, SHERWOOD ESTATES ADDITION, GENERALLY LOCATED SOUTHEAST OF THE N AMIDON AVENUE - 37TH STREET N INTERSECTION.
(District VI)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of the platted 20-foot utility easement on Lots 14 & 15, Sherwood Estates Addition.

MAPC Recommendation: Approve vacation of a portion of the platted 20-foot utility easement on Lots 14 & 15, Sherwood Estates Addition. (unanimous)

Background: The applicant is requesting consideration to vacate a portion of the platted (Sherwood Estates Addition, recorded 07-31-1980) 20-foot utility easement along the rear of the property line for a garage. The proposed 24-foot x 36-foot garage will encroach 6 -feet into the 20-foot utility easement for a distance of 24-feet. The applicant proposes to house antique cars in the garage.

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.

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This NOV 20 2001

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

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

**GENERALLY LOCATED
NORTHEAST OF THE 37TH STREET N –
AMIDON INTERSECTION**

MORE FULLY DESCRIBED BELOW

RECEIVED

DEC 03 2001

**METROPOLITAN PLANNING
ROUTE ☐**

Case No. VAC2001-00028

VACATION ORDER

NOW on this 20th day of November, 2001, comes on for hearing the petition for vacation filed by Philip Knighton, praying for the vacation of the following described the platted 20-foot utility easement, to-wit:

Utility Easement Vacation Description:

The north 37 feet and the east 10 feet of the platted 20 foot utility easement beginning at the south 4 feet of Lot 14, Sherwood Estates Addition and into Lot 15, Sherwood Estates Addition.

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:

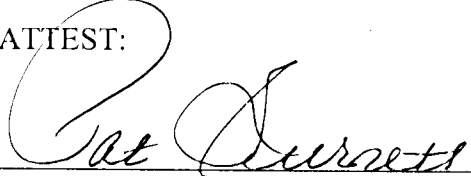
1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on June 14, 2001, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described portion of the platted 20-foot 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 the portion of the platted 20-foot utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of November 2001, ordered that the above-described portion of the platted 20-foot 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.

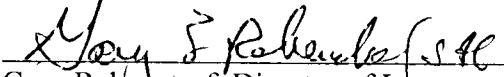
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

