

Planning Agenda # _____

**City of Wichita
City Council Meeting
September 10, 2002**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2002-00029 - REQUEST TO VACATE AN EASEMENT
LOCATED SOUTHWEST OF THE HILLSIDE- PAWNEE
INTERSECTION.**
(District III)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

*M. K. Kuntz
D. J. Kuntz*

Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant is requesting the platted 10-foot utility easement be vacated. The placement of the easement discourages future development of the residential property. There are no utilities in the easement nor is there a future need for the easement for utilities.

The Planning Staff recommends approval of this request to vacate the platted 10-foot easement, as recorded on Lot 20, Block 11, Pawnee Ranch Addition.

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.

Approved / Accepted By City Council
This SEP 10 2002

Page 1 of 2

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

**IN THE MATTER OF THE VACATION OF
AN EASEMENT**

**GENERALLY LOCATED
SOUTHWEST OF THE HILLSIDE AVENUE
SOUTH - PAWNEE AVENUE EAST
INTERSECTION**

MORE FULLY DESCRIBED BELOW

Case No. VAC2002-00029

RECEIVED

SEP 13 2002

**METROPOLITAN PLANNING
ROUTE 8**

VACATION ORDER

NOW on this 10th day of September, 2002, comes on for hearing the petition for vacation filed by Randall C. & Sandra L. Jones, praying for the vacation of the following described an easement, to-wit:

The platted 10-foot easement dedicated on Lot 20, Block 11, Pawnee Ranch 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:

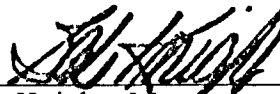
1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on August 1, 2002, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described an easement, and the 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 an easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of September 2002, ordered that the above-described an 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.

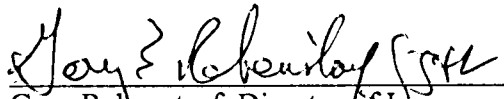
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

PAWNEE



1135

POPLAR

CLOVER

CHEXENINE

GLEN OAKS

CLOVER

