

City of Wichita
City Council Meeting
January 13, 2004

Agenda Report No.

TO: Mayor and City Council

SUBJECT: VAC2003-00056 REQUEST TO VACATE A PLATTED EASEMENT
LOCATED SOUTHEAST OF THE TYLER ROAD – 29TH STREET
NORTH INTERSECTION.
(District V)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicant is requesting consideration for the vacation of a platted 20-foot utility easement, which runs parallel to the south property line of Lot 8, Block B, Fossil Rim Estates Addition. The Fossil Rim Estates Addition was recorded with the Register of Deeds May 31, 2002.

Anaylsis: The applicant requests the vacation to allow for more building square footage. There is no sewer, water or utility equipment in the easement. There are no plans for water, sewer or utility equipment in the easement in the future. 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.

Financial Considerations: None

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

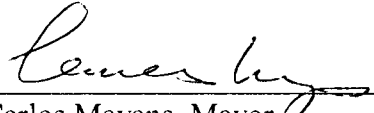
Recommendation/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

METROPOLITAN PLANNING
ROUTE ☐ _____

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on November 20, 2003, 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 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 platted easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of January 2004, ordered that the above-described platted 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.

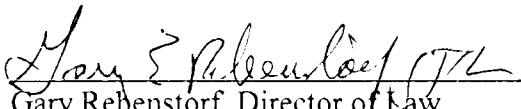

Carlos Mayans, Mayor

ATTEST:


Karen Schofield, City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

