

STAFF REPORT

CASE NUMBER: VAC2009-00018: Request to vacate platted drainage & utility easements

OWNER/APPLICANT: Palladio Developers, Inc., c/o Gene Vitarelli

AGENT: Ruggles and Bohm PA c/o Chris Bohm

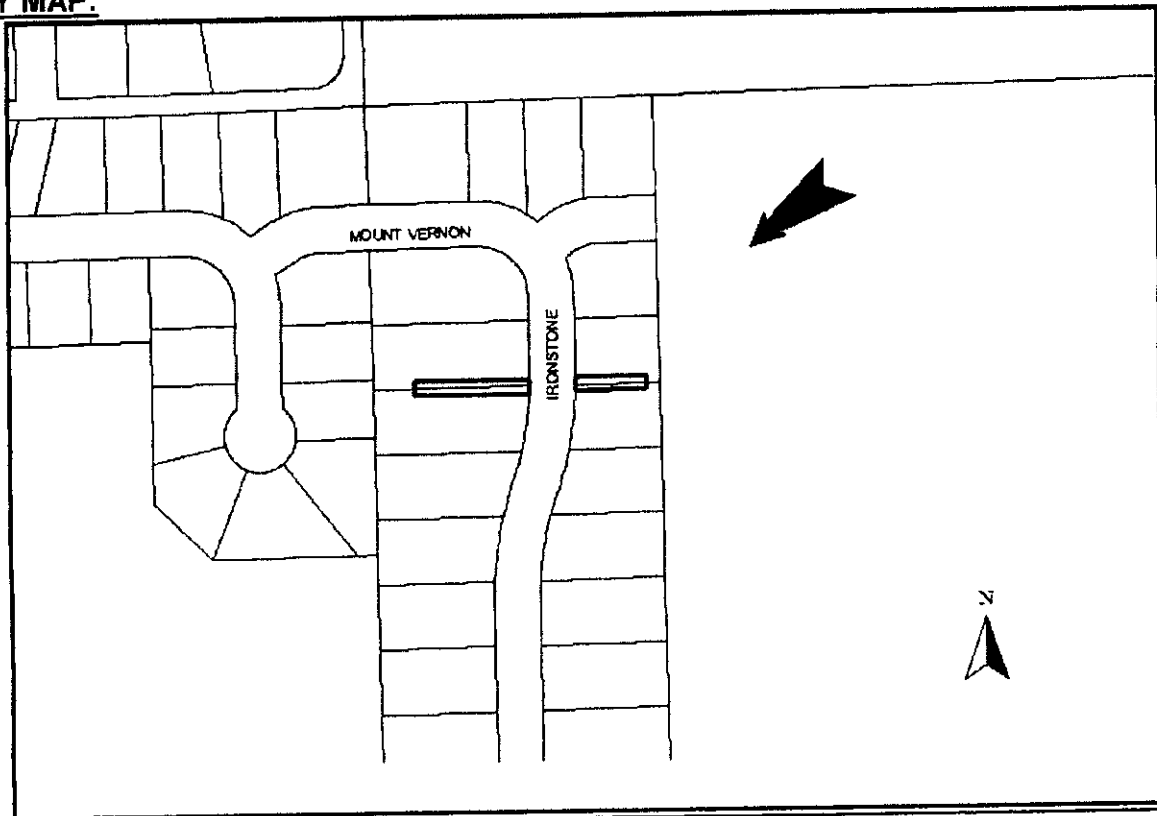
LEGAL DESCRIPTION: The platted 20-foot drainage & utility easements located evenly on both sides of the common, interior, side yard lot lines of Lots 42 & 43, Block 3, and Lots 2 & 3, Block 5, all in the Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located midway between 143rd and 127th Streets East, north of Pawnee Avenue, south of Mount Vernon Street, on both sides of Ironstone Street. (WCC #II)

REASON FOR REQUEST: Relocate easements for more room to build

CURRENT ZONING: Subject properties, abutting/adjacent southern, western and northern properties are zoned SF-5 Single-family Residential ("SF-5"). Abutting property located east of the subject properties is zoned SF-20 Single-family Residential ("SF-20").

VICINITY MAP:



The applicant is requesting consideration for the vacation of the described platted drainage & utility easements. The applicant proposes to relocate the 20-foot drainage & utility easements (provided dedication by separate instrument; see exhibit), along the common interior side yard lot lines of larger lots located south of the subject properties. There are no manholes, sewer or water lines located in the described platted easements. Comments from franchised utilities and Storm Water have not been received and are needed to determine if they have utilities located within the described platted easements. The Sierra Hills 2nd Addition was recorded with the Register of Deeds June 10, 2008.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works/Water & Sewer/Storm Water, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described platted easements.

- (1) Provide Staff with all required additional easement(s) (with original signatures) dedicated by separate instrument, as needed and approved by Public Works; the applicant has provided. These easements will go with the Vacation Order to City Council for final action and recording with the Register of Deeds.
- (2) Provide Planning staff with the legal description of the vacated easements on a Word document, via e-mail, to be used on the Vacation Petition and the Vacation Order.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. If necessary provide Storm Water and franchised utilities with any needed plans for review for location of their utilities and retain the easement(s) until utilities are relocated. Provided any needed guarantees for relocation of utilities. Completion of the listed project (give project number) can be used in lieu of guarantees.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

Drainage & Utility Easements to be Vacated

The north 10.00 feet of Lot 42, EXCEPT the east 20.00 feet, Block 3, Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

The south 10.00 feet of Lot 43, EXCEPT the east 20.00 feet, Block 3, Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

The south 10.00 feet of Lot 2, EXCEPT the west 60.00 feet, Block 5, Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

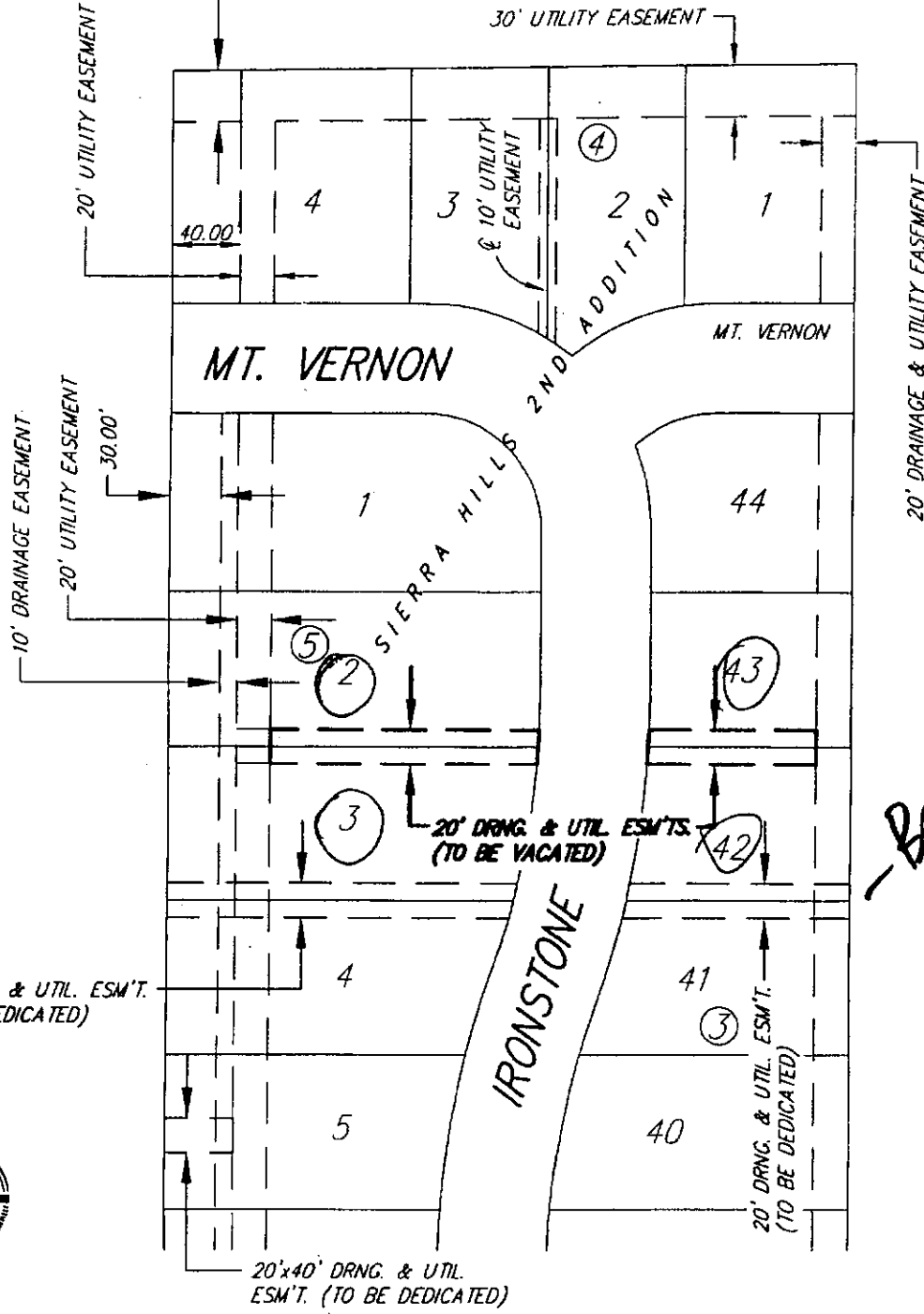
The north 10.00 feet of Lot 3, EXCEPT the west 60.00 feet , Block 5, Sierra Hills 2nd Addition, Wichita, Sedgwick County, Kansas.

VAC2009-18

SITE PLAN

VAC2009-18

30'x40' DRNG. & UTIL. ESM'T. (TO BE DEDICATED)



*- Because of
Near Hand
5 Poles
- Moved Sump*

20' DRNG. & UTIL. ESM'T. (TO BE DEDICATED)



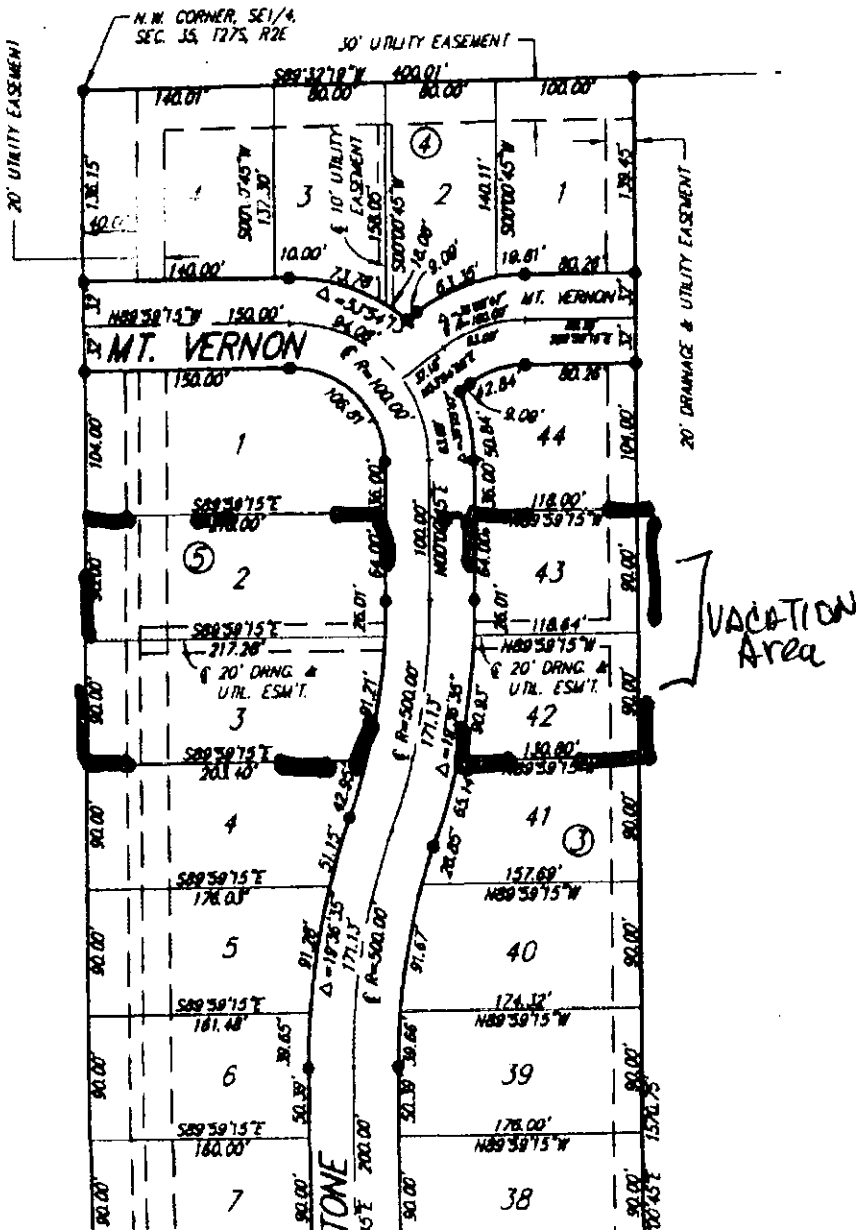
SIERRA HILLS

Wichita, Sedgwick

VAC 2009-18

State of Kansas)
Sedgwick County) SS

We, Ruggles & Bohm, P.A., Land Surveyors in do hereby certify that, under the supervision surveyed and platted "SIERRA HILLS 2ND A County, Kansas, and that the accompanying exhibit of the property surveyed, described as:



The Southeast Quarter of Section 35, Towns of the Sixth Principal Meridian, Sedgwick Coun at the southeast corner of said Section 35; line 1372 feet; thence with an angle of 106 distance of 302 feet; thence with an angle the right for a distance of 198 feet; thenc 35 minutes to the right for a distance of 46 to the left of 48 degrees 15 minutes for a with an angle to the right of 79 degrees 3 104 feet; thence with an angle to the right a distance 535 feet; thence with an angle 30 minutes to a distance of 322 feet; then of 95 degrees 10 minutes for a distance of thence with an angle of 94 degrees 17 minu for a distance of 856.3 feet to place of l of the SE 1/4 of Sec. 35, T27S, R2E of the Kansas described as being the North 1187.86 the West 400.00 feet and EXCEPT the East 60.00 acres more or less, AND EXCEPT Tho 35, T27S, R2E of the 6th P.M., Sedgwick C beginning at the N.E. corner of said SE 1/4 the east line of said SE 1/4, 1809.20 feet; feet; thence N00°47'54"E, 322.00 feet; then thence S79°52'54"W, 104.00 feet; thence S north line of said SE 1/4, 1760.97 feet to thence N00°00'45"E along said west line, 15; of said SE 1/4; thence N89°32'19"E along t. 2639.29 feet to the place of beginning; EX and EXCEPT the West 400.00 feet thereof.

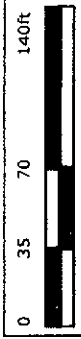
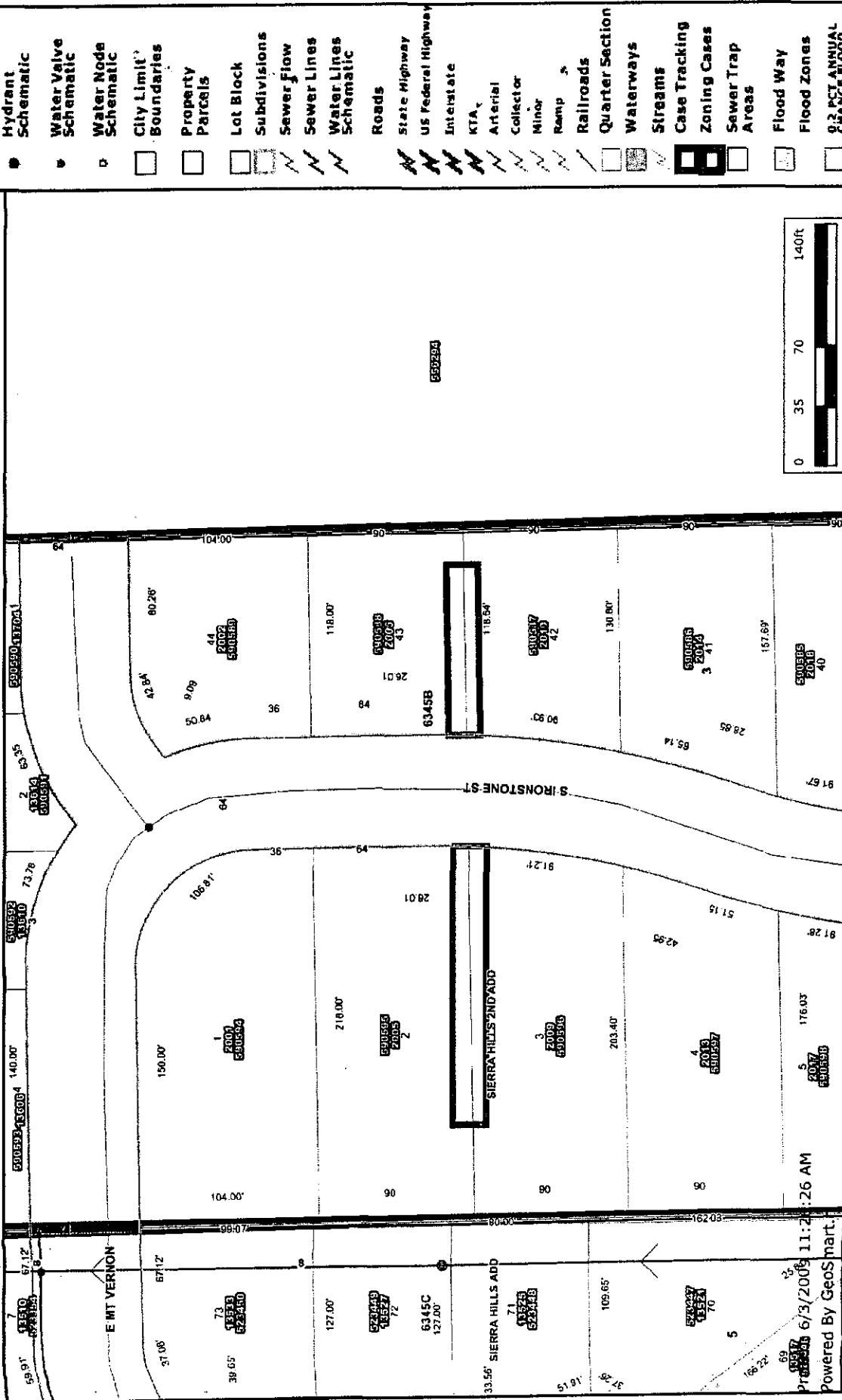
All public easements and dedications are here 12-512(b).

Shirley L. Bohm



vac2009-18

sewer and water



- Sewer Manholes
- Sewer Observation Manholes
- Hydrant Schematic
- Water Valve Schematic
- Water Node Schematic
- City Limit
- Boundaries
- Property Parcels
- Lot Block
- Subdivisions
- Sewer Flow
- Sewer Lines Schematic
- Water Lines Schematic
- Roads
- State Highway
- US Federal Highway
- Interstate
- KTA
- Arterial
- Collector
- Minor
- Ramp
- Railroads
- Quarter Section
- Waterways
- Streams
- Case Tracking
- Zoning Cases
- Sewer Trap Areas
- Flood Way
- Flood Zones
- 8.2 MCT ANNUAL FINANCE PLAN

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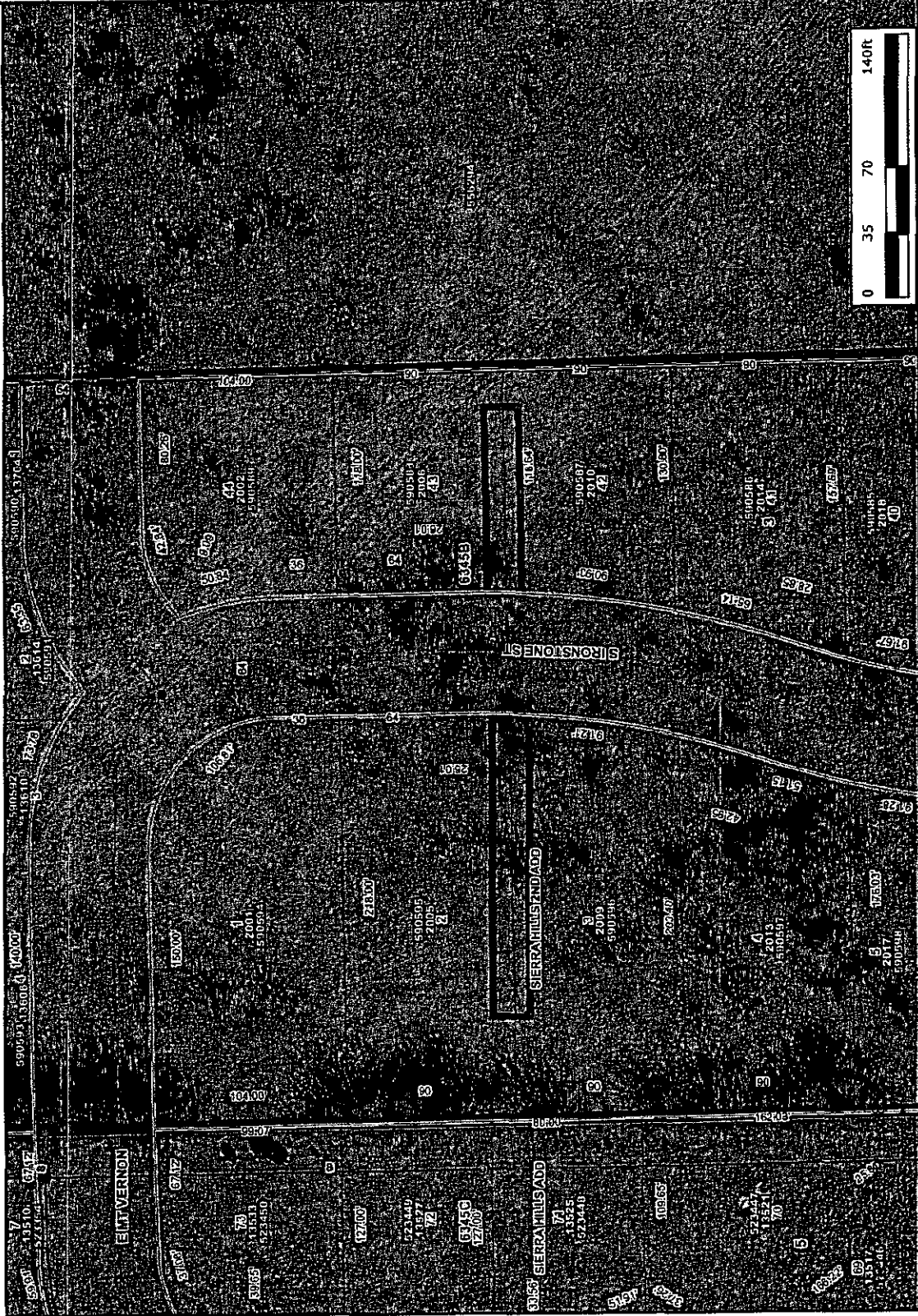


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2006 development



	Sewer Manholes
	Sewer Observation Manholes
	Hydrant Schematic
	Water Valve Schematic
	Water Node Schematic
	City Limit Boundaries
	Property Parcels
	Lot Block
	Subdivisions
	Sewer Flow
	Sewer Lines Schematic
	Roads
	State Highway
	US Federal Highway
	Interstate
	KTA
	Arterial
	Collector
	Minor
	Ramp
	Railroads
	Quarter Section
	Waterways
	Streams
	Case Tracking
	Zoning Cases
	Sewer Trap Areas
	Flood Way
	Flood Zones
	9.2 DCT ANNUAL CHANGE FLOOD



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