



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

**IN THE MATTER OF THE VACATION OF A PORTION )  
OF PLATTED UTILITY EASEMENT )**

**GENERALLY LOCATED NORTHWEST OF SOUTH )  
SENECA STREET AND WEST PAWNEE AVENUE )**

**VAC2018-00027**

**MORE FULLY DESCRIBED BELOW )**

**VACATION ORDER**

NOW on this 8<sup>th</sup> day of January, 2019, comes on for hearing the petition for vacation filed by Car Par Property I LLC; O'Reilly Auto Enterprises, LLC; Edsel Remainder I LLC (applicants), praying for the vacation of described portion of platted utility easement, to-wit:

**A portion of the platted Utility Easement:**

PART OF LOT 1 REDBURN ADDITION, A SUBDIVISION OF LAND IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF, AND PART OF LOTS 1& 2, SIMON ADDITION, A SUBDIVISION OF LAND IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF, BEING ALL OR PART OF THE PLATTED EASEMENTS LYING WITHIN SAID LOTS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 IN REDBURN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 88°29' 18" WEST, 173. 00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 88°29' 18" WEST, 20.00 FEET; THENCE LEAVING SAID SOUTH LOT LINE, NORTH 01°09' 42" WEST, 92. 00 FEET; THENCE SOUTH 88°29' 18" WEST, 156.00 FEET, TO THE EAST RIGHT-OF- WAY OF VACATED EXPOSITION AVENUE; THENCE ALONG SAID EAST LINE, NORTH 01°09' 42" WEST, 10. 00 FEET, TO THE NORTHWEST CORNER OF LOT 1 IN SAID SUBDIVISION, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 2 IN SIMON ADDITION; THENCE ALONG THE SOUTH LINE OF SAID LOT 2, NORTH 88° 29' 18" EAST, 80.00 FEET; THENCE LEAVING SAID SOUTH LOT LINE, NORTH 01° 09'42" WEST, 12.00 FEET; THENCE NORTH 88° 29' 18" EAST, 78.00 FEET; THENCE NORTH 01° 09' 42" WEST, 76.20 FEET; THENCE NORTH 88°52' 54" EAST, 16.00 FEET; THENCE SOUTH 01°09' 42" EAST, 76.09 FEET; THENCE NORTH 88°

29' 18" EAST, 175. 00 FEET, TO THE EAST LINE OF LOT 1 IN SAID SUBDIVISION; THENCE ALONG SAID LOT LINE, SOUTH 01°09'42" EAST, 22. 00 FEET; THENCE LEAVING SAID LOT LINE, SOUTH 88° 29' 18" WEST, 173. 00 FEET; THENCE SOUTH 01°09' 42" EAST, 92.00 FEET, TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 27 SOUTH, RANGE 1 EAST, SEDGWICK COUNTY, KANSAS. CONTAINING 0. 224 ACRES, MORE OR LESS.

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, in The Wichita Eagle on November 15, 2018, 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 described portion of the platted com 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 described portion of the platted utility easement should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8<sup>th</sup> day of January, 2019, ordered that the described portion of the platted comp utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.



  
Jeff Longwell, Mayor

ATTEST:

  
Karen Sublett, City Clerk

Approved as to Form:

  
Jennifer Magana, City Attorney and Director of Law