

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1213 - VACATION OF A PORTION OF THE PLATTED UTILITY EASEMENT ALONG THE SOUTH-EASTERLY LINE OF LOT 5, BLOCK H, PLANEVIEW SUBDIVISION NO. 2, SEDGWICK COUNTY, KANSAS.

The Planning Commission recommends approval subject to:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- B. All proceedings shall be without cost to the City, County, or any utility company.

Bayouth moved, Hansen seconded and it carried unanimously. Gardner and Goebel were absent. (9-22-83)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on first reading.

VACATION CASE DATA

Legal Description: The utility easement platted along the southeasterly line of Lot 5, Block H, Planeview Subdivision No. 2, except the southeasterly 16.5 feet thereof and except the northeasterly 70.0 feet thereof.

General Location: east of Davidson in an area north of Dunham.

Applicant: Edward G. and Nava J. Castleberry
3112 Davidson, 67210

Protestors (if any): None

(97991) (Published in The Daily Record October 14, 1983)

ORDINANCE NO. 38-530

AN ORDINANCE VACATING A PORTION OF THE PLATTED UTILITY EASEMENT ALONG THE SOUTHEASTERLY LINE OF LOT 5, BLOCK H, PLANEVIEW SUBDIVISION NO. 2, SEDGWICK COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the portion of utility easement described as follows, to-wit:

The utility easement platted along the southeasterly line of Lot 5, Block H, Planeview Subdivision No. 2, Sedgwick County, Kansas, except the southeasterly 16.5 feet thereof and except the northeasterly 70.0 feet thereof; (MAPC NO. V-1213);

be and the same is hereby vacated in accordance with K.S.A. 13-443, subject, however, to the concurrence in such vacation by the Board of County Commissioners as by law provided.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described easement be vacated by said Board in case a proper petition is filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A. 12-506.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage and publication once in the official city paper.

PASSED AND APPROVED at Wichita, Kansas this 11th day of OCTOBER, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

