

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR VACATION

CASE NO. V-1197

CONSIDERED BY:

SUBDIVISION COMMITTEE: 6-23-83

PLANNING COMMISSION: 6-30-83

REQUEST FOR VACATION OF: utility easement

LOCATION: south of Deerfield in an area west of Cumberland

LEGALLY DESCRIBED AS:

The utility easement platted on the west side of Lot 2, Block 5, Sunview Heights, a Subdivision in Sedgwick County, Kansas, from the north lot line to the north line of the platted east-west utility easement located on the rear of said Lot 2.

REASON FOR REQUEST: To allow construction of a garage.

NAME OF APPLICANT:

Don Baker
4323 Deerfield
Wichita, Ks. 67216

REPRESENTATIVE FOR APPLICANT:

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PROTESTORS, IF ANY:

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PLANNING COMMISSION RECOMMENDATION: Approve the vacation request 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.

Parsons moved, Chisholm seconded and it carried unanimously.
Goebel, Hanson, and Lofton were absent.

ATTACHMENTS: Resolution (Approved as to form by the Department of Law)

ACTION: Approve the request as recommended by the Metropolitan Area Planning Commission and adopt the Resolution.

(97574) Published in the Daily Record July 15, 1983)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF THE UTILITY EASEMENT PLATTED ON THE WEST SIDE OF LOT 2, BLOCK 5, SUNVIEW HEIGHTS, A SUBDIVISION IN SEDGWICK COUNTY, KANSAS, FROM THE NORTH LOT LINE TO THE NORTH LINE OF THE PLATTED EAST-WEST UTILITY EASEMENT LOCATED ON THE REAR OF SAID LOT 2.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a utility easement described as the utility easement platted on the west side of Lot 2, Block 5, Sunview Heights, A Subdivision in Sedgwick County, Kansas, from the north lot line to the north line of the platted east-west utility easement located on the rear of said Lot 2; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on June 30, 1983;

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

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

CASE NO. V-1197

The utility easement platted on the west side of Lot 2, Block 5, Sunview Heights, A Subdivision in Sedgwick County, Kansas, from the north lot line to the north line of the platted east-west utility easement located on the rear of said Lot 2;

Be and the same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above described easement be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution 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 12th day of July, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

