

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1309 VACATION OF A PORTION OF A PLATTED UTILITY EASEMENT AND BUILDING SETBACK GENERALLY LOCATED ON THE WEST SIDE OF COVINGTON CIRCLE IN AN AREA NORTH OF PONDEROSA.

NOTE: The City Clerk will certify as to proper publication of notice of hearing and filing of written protest.

A petition for the above identified vacation request has been filed in the office of the City Clerk. The Planning Commission recommends that the Board of City Commissioners find that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by granting by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being without cost to the City, County, or any utility company.
- D. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- E. The vacation order shall except out the south five feet of the utility easement from the vacation request.
- F. The applicant shall contact a private engineering firm to locate, in the field, the sanitary sewer main which exists in the subject utility easement. This information shall be submitted to the City Engineer's office for evaluation. Sufficient utility easement shall be retained in order to maintain a 15-foot easement from the sewer main.

Bayouth moved, Coebel seconded and it carried unanimously. Chisholm was absent. (1/24/85)

ACTION: Close the public hearing, approve the vacation request, authorize the Mayor to sign the vacation order and instruct the City Clerk to file a certified copy of the order with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: Utility Easement: The east 5 feet of the west 25 feet of Lot 17, Block 4, Briarwood Estates, Wichita, Sedgwick County, Kansas, except the south 5 feet thereof.

Building Setback: The west 5 feet of the east 25 feet of Lot 17, Block 4, Briarwood Estates, Wichita, Sedgwick County, Kansas. (MAPC No. V-1309)

Applicant: Inland Investment Co., Inc.  
10300 West Central  
Wichita, Kansas 67212

Protestors: None before the Subdivision Committee or MAPC.

Comments: The south five feet of the utility easement has been excepted out of the vacation request as specified in item E above and the City Engineer has evaluated and approved the information required in item F above.



THIRTEENTH ST. N.

