

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1307 VACATION OF A PORTION OF A PLATTED UTILITY EASEMENT
GENERALLY LOCATED ON THE WEST SIDE OF ERIE IN AN AREA SOUTH
OF MT. VERNON.

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 entirely at the expense of the applicant.

Bayouth moved, Chisholm seconded and it carried unanimously. (1/10/85)

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: The east 17 feet of the 10-foot by 25-foot stub utility easement platted at the northwest corner of Lot 4, El-Nita Addition, Wichita, Sedgwick County, Kansas (MAPC No. V-1307).

Applicant: Glenn M. Smith
2015 South Erie
Wichita, Kansas 67211

Protestors: None before the Subdivision Committee or MAPC.

FEB 05 1985

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED UTILITY)
EASEMENT)
GENERALLY LOCATED ON THE WEST SIDE OF)
ERIE IN AN AREA SOUTH OF MT. VERNON)
(MAPC NO. V-1307))
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
1:00 P.M.

FEB 14 1985

NO. 7 32340

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

*Ed Reed
Deputy*

VACATION ORDER

NOW on this 5th day of February, 1985, comes on for hearing the petition for vacation filed by Glen M. Smith, praying for the vacation of the following described utility easement, to-wit:

The east 17 feet of the 10-foot by 25-foot stub utility easement platted at the northwest corner of Lot 4, El-Nita Addition, Wichita, Sedgwick County, Kansas (MAPC No. V-1307).

The City Commission, 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, by publication in the Daily Record of notice of this vacation proceedings for consecutive weeks on January 23 and 30, 1985.
2. No private rights will be injured or endangered by the vacation of the above-described 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 utility easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 5th day of February, 1985, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Robert G. Knight
Robert G. Knight, Mayor

ATTEST:

Donald C. Gisick
Donald C. Gisick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

RECEIVED
OFFICE OF CITY CLERK
FEB 20 1985
 DR
 JE

City Clerk

5.00

ESTELLE

FAK	
ADD.	
11	12

CEDAR	
14	13
2ND. ADL	
19	15

CEDARDAI	
11	5
10	6

MT. VERNON

22

ESTELLE AVE.

1	22
ADD.	
4	
11	12

VOLUTSIA AVE.

KLEPINGER	
2	ADD. 1
3	EL-NITA 4
2	ADD. 1
SHUKER	
2	ADD. 1
1	RED ARROW
	ADD. 2
2	GASTON 1
	ADD.

ERIE

3	HUGGINS	1
2		ADD.

CHAUTAQUA

CLARK