

VACATION HEARING

1-25

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1294 VACATION OF A UTILITY EASEMENT GENERALLY LOCATED TO THE NORTH OF CENTRAL ON THE EAST SIDE OF EDGEWOOD.

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 applicant shall guarantee the relocation of the sanitary sewer from the easement being vacated.
- F. The applicant shall submit a signed vacation petition.
- G. The applicant shall meet with City Engineering regarding an amended legal description for the easement being vacated.
- H. The applicant shall grant, by separate instrument, the necessary substitute utility easement for the sanitary sewer relocation.

Bayouth moved, Peters seconded and it carried unanimously. Moore and Crockett were not yet present. Chisholm and Wilson were absent. (10/4/84)

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: North 20 feet of the South 190 feet of the West 190 feet, SE 1/4, Section 13, T27S, R1E, Sedgwick County, Kansas, except the West 60 feet thereof. (MAPC No. V-1294)

Applicant: Karl Solomon
5900 E. Central
Wichita, Kansas 67208

Protestors: None before the Subdivision Committee or the MAPC.

4-0
Karl Solomon

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT (MAPC NO. V-1294)

GENERALLY LOCATED NORTH OF CENTRAL
ON THE EAST SIDE OF EDGEWOOD

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
this NOV 13 1984

VACATION ORDER

NOW on this 13th day of November, 1984, comes on for hearing the petition for vacation filed by Karl Solomon, praying for the vacation of the following described utility easement, to-wit:

North 20 feet of the South 190 feet of the West 190 feet, SE 1/4, Section 13, T27S, R1E, Sedgwick County, Kansas, except the West 60 feet thereof. (MAPC No. V-1294)

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 OCT 31 & NOV 7, 1984.
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 13th day of November, 1984, 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.

ATTEST:

Donald C. Osick
Donald C. Osick, City Clerk

Approved as to Form:
John Dekker
John Dekker, Director of Law

City Clerk

MICROFILMED
OF RECORD

Robert C. Knight
Robert C. Knight, Mayor

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 A.M.

NOV 29 1984

NO. 7 22065

BETTE F. McCART
REGISTER OF DEEDS

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EDGE MOOR

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RUFFIN

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ADD.

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PLAZA

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CARRIAGE PARKWAY

AVENUE

CENTRAL