

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1342 VACATION OF A THIRTY-FOOT WIDE FIRE LANE AND ACCESS EASEMENT GENERALLY LOCATED EAST OF ARMOUR AND NORTH OF KELLOGG.

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. The applicant is advised that once this vacation has been completed, the associated Community Unit Plan (DP-12) will need to be adjusted since the C.U.P. depicts the fire lane as part of Parcel II.

Bayouth moved, Banzer seconded and it carried unanimously. Crockett was not yet present. (8/8/85)

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 north 30 feet of Lot 2, Rockwood South Third Addition to the City of Wichita, Sedgwick County, Kansas. (MAPC No. V-1342)

Applicant: Robert W. Moore
2727 First Oklahoma Tower
210 West Park Avenue
Oklahoma City, Oklahoma 73102

Protestors: None before the Subdivision Committee or MAPC.

SEP 30 1985
7 69497
NO. PAT KETTLER
REGISTER OF DEEDS

Ed Pasa
Deputy

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

IN THE MATTER OF THE VACATION OF
A THIRTY-FOOT WIDE FIRE LANE
AND ACCESS EASEMENT

GENERALLY LOCATED EAST OF ARMOUR
AND NORTH OF KELLOGG

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
SEP 03 1985
this _____

VACATION ORDER

NOW on this 3rd day of September, 1985, comes on for hearing the petition for vacation filed by Robert W. Moore, praying for the vacation of the following described fire lane and access easement, to-wit:

The north 30 feet of Lot 2, Rockwood South Third Addition to the City of Wichita, Sedgwick County, Kansas. (MAPC No. V-1342)

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 proceeding for consecutive weeks on AUG 21 & 28, 1985.
2. No private rights will be injured or endangered by the vacation of the above-described fire lane and access easement, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner 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 fire lane and access easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 3rd day of September, 1985, ordered that the above-described fire lane and access 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.

R. C. Brown
R. C. Brown, Mayor

ATTEST
Donald C. Cisicki
Donald C. Cisicki, City Clerk

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

city clerk

