

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1333 VACATION OF A UTILITY EASEMENT GENERALLY LOCATED EAST OF EDGEWOOD IN AN AREA NORTH OF CENTRAL.

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 shall grant, by separate instrument, the east two (2) feet of the west 22 feet of the subject lot as a substitute utility easement.
- E. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

Bayouth moved, Moore seconded and it carried unanimously. Chisholm was absent. (6/27/85)

**ACTION:** Close the public hearing, accept the dedication, 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 and the dedication with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: The west 2 feet of Lot 1, Block 1, Central Avenue Plaza, an addition to Wichita, Sedgwick County, Kansas. (MAPC No. V-1333)

Applicant: Mr. Karl Solomon  
5900 East Central  
Wichita, Kansas 67208

Protestors: None before the Subdivision Committee or MAPC.

Comments: The substitute easement specified in item "D" above has, by separate instrument, been dedicated by the applicant. The dedication should be accepted by the Board of Wichita City Commissioners. (Associated Dedication Case No. D-1307)

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

IN THE MATTER OF THE VACATION OF  
A UTILITY EASEMENT

GENERALLY LOCATED EAST OF EDGEWOOD  
IN AN AREA NORTH OF CENTRAL

MORE FULLY DESCRIBED BELOW

MICROFILMED  
OF RECORD

Approved by Board of Commissioners  
AUG 06 1985

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

*Ed Pera*  
Deputy  
VACATION ORDER

AUG 15 1985  
NO. 7 61820  
PAT KETTLER  
REGISTER OF DEEDS

NOW on this 6th day of August, 1985, comes on for hearing the petition for vacation filed by Mr. Karl Solomon, praying for the vacation of the following described utility easement, to-wit:

The west 2 feet of Lot 1, Block 1, Central Avenue Plaza, an addition to Wichita, Sedgwick County, Kansas. (MAPC No. V-1333)

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 July 30 - Aug 5, 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 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 6th day of August, 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.

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

ATTEST:

*Donald C. Cisick*  
Donald C. Cisick, City Clerk

Approved as to Form:

*John Dekker*  
John Dekker, Director of Law

5.00

city clerk

CARRIAGE PARKWAY

NAGE

DEDICATION

3

AVENUE

CARRIAGE PARKWAY

HUSTON

2ND

PLAZA

4

2

3

RUFFIN  
3RD  
ADD.

HUSTON

DRAINAGE — RIGHT-OF-WAY

BROOKSIDE

CENTRAL

EDGE MOOR