

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1317 VACATION OF A PLATTED UTILITY EASEMENT GENERALLY LOCATED ON THE NORTH SIDE OF DOUGLAS IN AN AREA EAST OF ROCK ROAD.

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 exclude the vacation of the south 15 feet of the application area.

Peters moved, Bayouth seconded and it carried unanimously. Chisholm, Banzer and Goebel were absent. Moore was not yet present. (3/21/85)

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 10 feet of Lot 2, Block A, Nestor's Addition to Wichita, Sedgwick County, Kansas, except the north 10 feet and the south 15 feet thereof. (MAPC No. V-1317)

Applicant: Karl Solomon
5900 East Central
Wichita, Kansas 67208

Protestors: None before the Subdivision Committee or MAPC.

IN THE MATTER OF THE VACATION OF A
PLATTED UTILITY EASEMENT

GENERALLY LOCATED ON THE NORTH SIDE
OF DOUGLAS IN AN AREA EAST OF
ROCK ROAD (MAPC NO. V-1317)

GENERALLY LOCATED ON THE NORTH SIDE
OF DOUGLAS IN AN AREA EAST OF
ROCK ROAD (MAPC NO. V-1317)

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
this APR 16 1995

VACATION ORDER

NOW on this 16th day of April, 1985, comes on for hearing the petition for vacation filed by Karl Solomon, praying for the vacation of the following described platted utility easement, to-wit:

The east 10 feet of Lot 2, Block A, Nestor's Addition to Wichita, Sedgwick County, Kansas, except the north 10 feet and the south 15 feet thereof. (MAPC No. V-1317)

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 APRIL 3 & 10, 1985.
2. No private rights will be injured or endangered by the vacation of the above-described platted 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 platted utility easement described herein should be approved.

2. No private rights will be injured or endangered by the vacation of the above-described platted 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 platted utility easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 16th day of April, 1985, ordered that the above-described platted 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. Giesick, City Clerk

Approved as to form:

John Decker, Director of Law

City Clerk

Robert C. Brown, Mayor

STATE OF KANSAS } 23
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 a.m.

MAY 7 1985
7 44571

NO. PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Ross
Deputy

ROAD

VICKERS
ROCK RD.
ADD. 1

NESTOR'S
ADD. 2

B, & H ADD.
2

DOUGLAS

ROCK

CHAMFLIN
1

8

15

1

21

1

ADD.
2

BONNIE
BRAE
2ND

9

EAST

LOCHINVAR.

BONNIE BRAE

14