

City of Wichita
City Commission Meeting
December 9, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1426 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY
EASEMENT, LOCATED ON THE EAST SIDE OF WEST STREET, IN AN
AREA SOUTH OF 17TH STREET NORTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of utility easement.

Background: Reo E. Swafford, 1634 N. West Street, Wichita, KS 67203, is requesting this vacation to obtain additional buildable lot area.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company; and
4. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

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 EAST SIDE OF WEST
STREET, IN AN AREA SOUTH OF 17TH STREET
NORTH. (V-1426)

Approved by Board of Commissioners
this DEC 9 1986

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
Wichita, Kansas

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

DEC 18 1986

8 52429

NO.
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 9th day of December, 1986, comes on for hearing the petition
for vacation filed by Reo E. Swafford, praying for the vacation of the following
described platted utility easement, to-wit:

The 10-foot easement centered on the lot line common to Lots 7
and 8, Block 1, Westbriar Addition to Wichita, Sedgwick
County, Kansas, except the east 10 feet thereof. (V-1426)

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 Nov 26 & Dec 3, 1986.

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
9th day of December, 1986, 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:

Dale E. Rea
Dale Rea, Deputy City Clerk

Tony Casado
Tony Casado, Mayor

Approved as to Form:

Thomas R. Powell
Thomas Powell, Interim Director of Law

90 City Clerk

WESTPORT

DR.

ST.

1									10
20									11

McCOMAS

10	11
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THIRD

10	11
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SEVENTEENTH

WEST

1	20
6	
7	
8	
9	10
3	7
4	

AVE.

1	16
8	9
1	6
3	4
11	15
8	12

VOC 8-5-66
ord. no. 28-803

AVE.

McCOMAS

1	RIVERSIDE	6
4	2nd	5
1	8	
FLOYD		
MOORE		
4	5	

1	3
4	5
1	8
4	5

WILMYER'S ADD.

J. H. JARRETT

KESSLER

1	8	HEIGHTS
4	ADD.	5
1	FLOYD	5
MOORE		
2nd		
7	ADD.	8
1	7	
4	A	5
1	8	
4	5	

ADD.

ADD.

WEST RIDGE

FIFTEENTH

1	3
2	5

1	4
3	6

1	ANTIOCH
	ADD.