

City of Wichita
City Commission Meeting
September 16, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1414 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY
EASEMENT, LOCATED SOUTH OF ROLLING HILLS, IN AN AREA EAST
OF PARKDALE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of utility easement.

Background: Kenneth Evans, 902 N. West Street, Wichita, KS 67203, is requesting this vacation to increase the amount of 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 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

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT }
1:00 P.M.

SEP 26 1986

NO. 8 35223

PAT KETTLER
REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF A PORTION OF
A PLATTED UTILITY EASEMENT.

GENERALLY LOCATED SOUTH OF ROLLING HILLS,
IN AN AREA EAST OF PARKDALE. (V-1414)

EL Reed
Deputy

Approved by Board of Commissioners

this SEP 16 1986

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 16th day of September, 1986, comes on for hearing the petition for vacation filed by M. Clark Bastian and Kenneth E. Evans, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The east 5 feet of the north 105 feet of Lot 33, and the west 5 feet of the north 105 feet of Lot 32, all in Block 5, Westlink Seventeen, Wichita, Sedgwick County, Kansas. (V-1414)

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 SEPT 30th 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 16th day of September, 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.

Tony Casado
Tony Casado, Mayor

ATTEST:

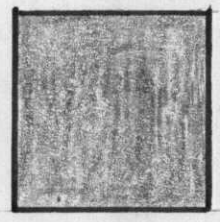
Donald C. Gisick
Donald C. Gisick, City Clerk

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

560 City Clerk

LOT SPLIT
 Lots 31, 32, & 33, Block 5
 Westlink Seventeen
 Wichita, Sedgwick County, Kansas

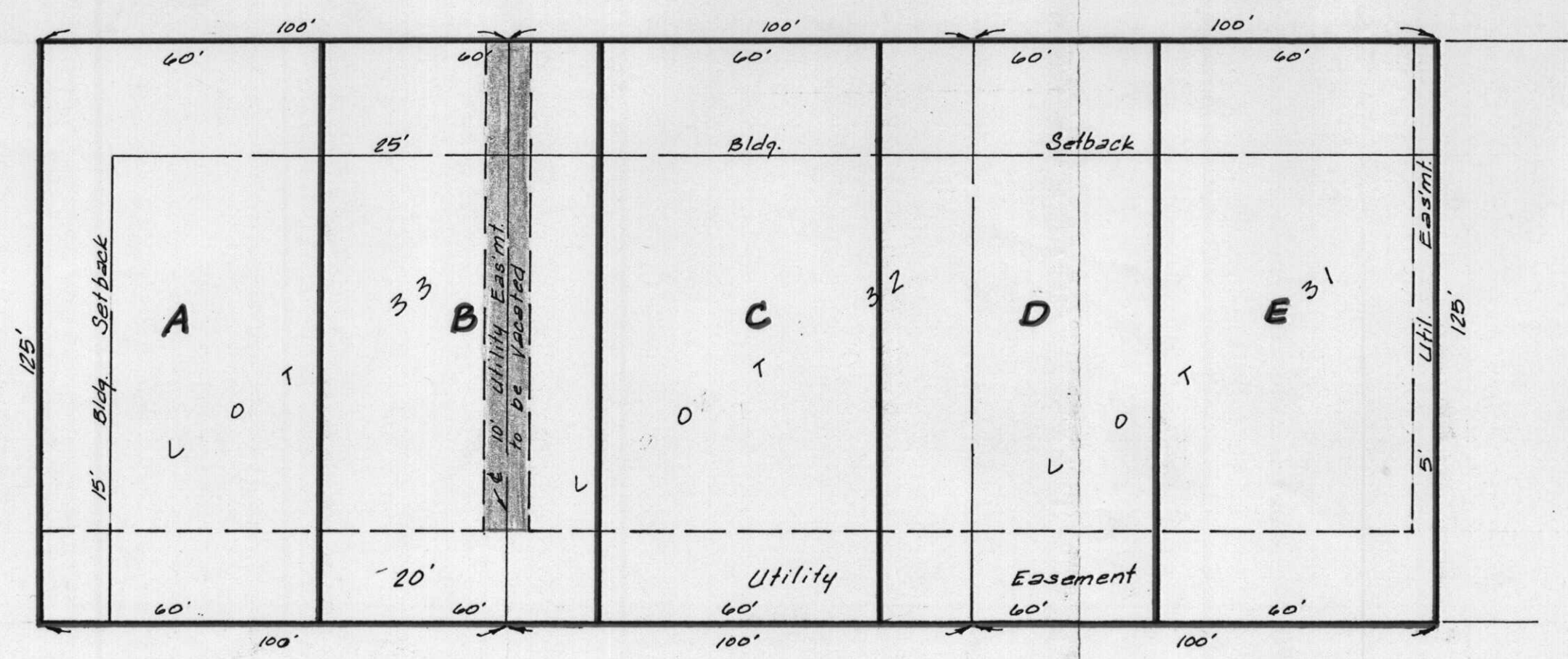
1" = 30'



= SIDE LOT LINE EASMT'
 PROPOSED FOR VACATION

ROLLING HILLS

PARKDALE



- A. The west 60 feet of Lot 33, Block 5.
- B. Lot 33 except the west 60 feet, together with the west 20 feet of Lot 32, Block 5.
- C. The east 60 feet of the west 80 feet of Lot 32, Block 5.
- D. Lot 32, except the west 80 feet, together with the west 40 feet of Lot 31, Block 5.
- E. Lot 31, except the west 40 feet thereof, Block 5.