

City of Wichita
City Commission Meeting
August 19, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1404 - REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT,
LOCATED ON THE EAST SIDE OF COUNTRY ACRES, IN AN AREA
NORTH OF SCHOOL.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of utility easement.

Background: Rick Kirkland, 966 Country Acres, Wichita, KS 67212, is requesting this vacation to create more 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 COUNTRY
ACRES, IN AN AREA NORTH OF SCHOOL. (V-1404)

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
this AUG 19 1986

MICROFILMED
OF RECORD

STATE OF KANSAS
SEDGWICK COUNTY } 33
FILED FOR RECORD AT
8:00 A.M.

SEP 5 1986

VACATION ORDER

Ed Rea
Deputy

NO 8 30566
PAT KETTLER
REGISTER OF DEEDS

NOW on this 19th day of August, 1986, comes on for hearing the petition for vacation filed by Rick L. Kirkland, praying for the vacation of the following described utility easement, to-wit:

The northerly five (5) feet of Lot 13, Block 28, Country Acres Second Addition, Sedgwick County, Kansas, except the easterly 8 feet thereof. (V-1404)

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 6 & 13, 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 19th day of August, 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

5.00

C.7 Clerk

