

City of Wichita
City Council Meeting
October 13, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1491 - REQUEST TO VACATE A PORTION OF A PLATTED
UTILITY EASEMENT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

MAPC Recommendation: Approve vacation of utility easement. (unanimous)

Location: In an area east of 119th Street West and north of 13th Street North.
(District #5).

Applicant: Slawson Residential Development Company, Attention: Terry Smythe,
10300 W. Central, Wichita, KS 67212

Site Size: A two-foot wide portion of an 8-foot utility easement measuring 45 feet in
length.

Current Zoning: "AA" (Single-Family)

Background: This vacation case has been requested to clear an existing roof overhang
encroachment. The Utility Advisory Committee has verified that the portion of
easement recommended for vacation is not needed for existing or planned utility lines.
The vacation request has been reviewed and approved by the Planning Commission,
subject to conditions.

Legal Considerations: The City Clerk needs to certify 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:

755-68-360-50000-295-000-000

Approved / Accepted By City Council

BEFORE THE CITY COUNCIL 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 PINE
GROVE, SOUTH OF PARKRIDGE. (V-1491)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDCWICK COUNTY
FILED FOR RECORD AT
7:00 P.M.

OCT 22 1987

NO. 9 14011
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 13th day of October, 1987, comes on for hearing the petition for vacation filed by Slawson Residential Development Company, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The southwesterly 2 feet of the northeasterly 8 feet of Lot 3, Block 8, Echo Hills, an addition to Wichita, Sedgwick County, Kansas; except the northwesterly 23 feet and the southeasterly 52 feet thereof. (V-1491)

The City Council, 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 30 & OCT 7, 1987
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 CITY COUNCIL, on this 13th day of October, 1987, 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 E. Rea, Deputy City Clerk

Approved as to Form:

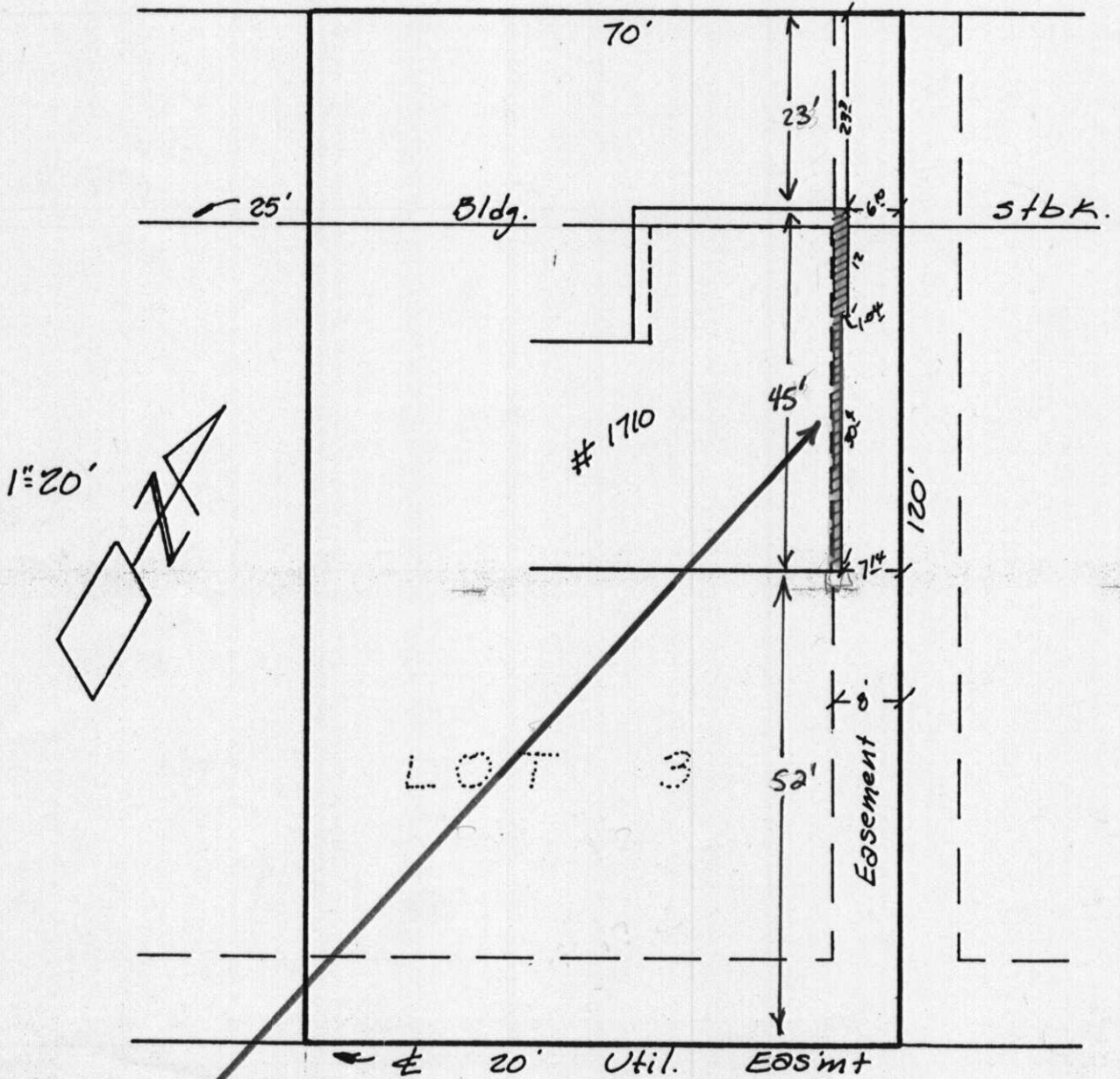
Thomas Powell
Thomas Powell, Interim Director of Law

Robert G. Knight
Robert G. Knight, Mayor

State of Kansas)
Sedgwick County)
City of Wichita)
I, Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita, this OCT 19 1987
Dale E. Rea Deputy City Clerk

City Clerk

Pine Grove



Utility easement needing to be vacated to clear existing roof overhang.