

City of Wichita  
City Council Meeting  
September 29, 1987

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: V-1485 - REQUEST TO VACATE A PORTION OF A PLATTED DRAINAGE EASEMENT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of portion of drainage easement.

MAPC Recommendation: Approve vacation of portion of drainage easement.  
(unanimous)

Location: In an area south of Autumn Chase and west of Gatewood. (District #2).

Applicant: Lakepoint Company, 8100 E. 22nd Street North, Bldg. 500,  
Wichita, KS 67226

Site Size: The east 2½ feet and the west 2½ feet of a 20-foot drainage easement measuring approximately 113 feet in length.

Current Zoning: "AA" (Single-Family)

Background: This vacation case has been requested in order to provide additional buildable lot areas. The applicant has stated that this is necessary in order to construct the size and shape of planned dwelling units. The Utility Advisory Committee has verified that the portions of the 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. This case was previously scheduled for consideration on September 15, 1987, but was struck from the agenda because of a publication error.

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

BEFORE THE CITY COUNCIL OF THE  
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

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

GENERALLY LOCATED IN AN AREA WEST OF  
GATEWOOD AND SOUTH OF AUTUMN CHASE.  
(V-1485)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council  
This SEP 29 1987  
STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
1:00 P M

MICROFILMED  
OF RECORD

OCT 8 1987  
9 11548

VACATION ORDER

NO. PAT KETTLER  
REGISTER OF DEEDS

NOW on this 29th day of September, 1987, comes on for hearing the  
petition for vacation filed by Lakepoint Company, praying for the vacation of the  
following described portion of a platted drainage easement, to-wit:

The east 2.5 feet and the west 2.5 feet of the platted 20-  
foot drainage easement centered on the common lot line of  
Lots 3 and 4, Block 1, Autumn Chase, an addition to Wichita,  
Sedgwick County, Kansas. (V-1485)

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. 15 & 22, 1987.
2. No private rights will be injured or endangered by the vacation of the  
above-described drainage 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 drainage easement described herein should be  
approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th day of  
September, 1987, ordered that the above-described drainage 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 )  
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, Kansas, October 7, 1987.  
Charles M. Liska Deputy City Clerk  
for Dale E. Rea

RESERVE F

15

S

GATEWOOD

6

AUTUMN

18

1

13

KILLARNEY

9

K

5

2

RESERVE D

11

RES. J

S. A

C

AUTUMN CHASE

3

AUTUMN CHASE

RES B

G E

7

CHASE

RESERVE F