

City of Wichita
City Council Meeting
November 10, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1479 - REQUEST TO VACATE PORTIONS OF PLATTED UTILITY EASEMENTS, A WATER EASEMENT AND A SEWER EASEMENT, LOCATED IN AN AREA NORTH OF 17TH STREET NORTH AND WEST OF OLIVER. (District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of easements.

MAPC Recommendation: Approve vacation of easements. (unanimous)

Background: This vacation case has been requested in order to provide additional buildable area for construction of additional facilities for Wichita State University's Physical Plan Complex. The Utility Advisory Committee has verified that the easements are not needed for either existing or planned utilities. 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

NOV 10 1987

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

IN THE MATTER OF THE VACATION OF PORTIONS OF PLATTED EASEMENTS AND EASEMENTS GRANTED BY SEPARATE INSTRUMENTS. GENERALLY LOCATED IN AN AREA NORTH OF 17TH STREET NORTH AND WEST OF OLIVER. (V-1479) MORE FULLY DESCRIBED BELOW

STATE OF KANSAS SEDGWICK COUNTY FILED FOR RECORD AT 8:00 AM NOV 30 1987 NO. 9 20160 PAT KETTLER REGISTER OF DEEDS

MICROFILMED OF RECORD VACATION ORDER

NOW on this 10th day of November, 1987, comes on for hearing the petition for vacation filed by the Wichita Public Building Commission, praying for the vacation of the following described portions of platted easements and easements granted by separate instruments, to-wit:

The platted utility easement legally described as: The west 10.00 feet of the north 301.50 feet of Lot 1, Wheatshocker Addition to Wichita, Sedgwick County, Kansas.

The platted utility easement legally described as: The north 115.00 feet of the east 20.00 feet of the west 320.00 feet of Lot 1, Wheatshocker Addition to Wichita, Sedgwick County, Kansas.

The portion of a water easement granted on Misc. Bk. 557, page 544, legally described as the north 115 feet of the following described tract: Beginning at a point 320 feet east and 40 feet north of the southwest corner of the NE 1/4, section 11, township 27 south, range 1 east, said point being on the north line of 17th Street; thence north along a line parallel with the west line of the Wheatshocker Addition, a distance of 611.5 feet to the south line of 18th Street; thence east along said south line of 18th Street, a distance of 10 feet; thence south along a line parallel with the west line of the Wheatshocker Addition, a distance of 611.5 feet to the north line of 17th Street; thence west along said north line of 17th Street, a distance of 10 feet to the point of beginning.

The portion of a sewer easement granted on Misc. Bk. 559, page 105, legally described as follows: That part of Lot 1, Wheatshocker Addition, described as follows: Beginning at a point on the north line of Lot 1 and two hundred eighty-five (285) feet east of the northwest corner of said Lot 1; thence east fifteen (15) feet; thence south parallel to the west line of said Lot 1, a distance of one hundred ten (110) feet, thence northwesterly to a point fifty (50) feet south and two hundred sixty (260) feet east of the northwest corner of said Lot 1; thence northeasterly to the point of beginning. (V-1479)

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 OCT. 21 & 23, 1987.
2. No private rights will be injured or endangered by the vacation of the above-described easements, 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 easements described herein should be approved.

6.00 city clerk

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of November, 1987, ordered that the above-described easements are 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.


Robert G. Knight, Mayor

ATTEST:


Dale E. Rea, Deputy City Clerk

Approved as to Form:

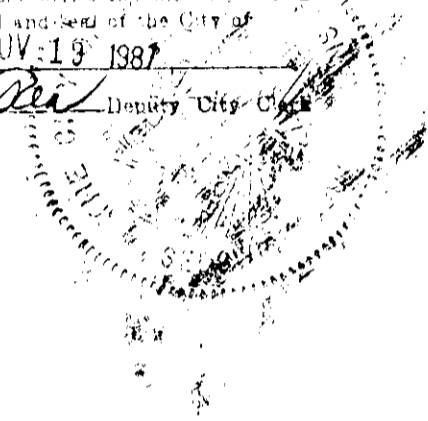

Thomas Powell, Interim Director of Law

(State of Kansas)
(Sedgwick County) ss
(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 NOV 13 1987


Dale E. Rea, Deputy City Clerk



ST.

V-0944

FAIRMOUNT

4TH

ADDITION



WATER TOWER

EXCEPTION

NEWMAN

CENTER

ADDITION

PART OF
RESERVE B
FAIRMOUNT
FOURTH

WHEATSHOCKER
ADD.

17th ST. NO.

PART OF
FAIRMOUNT
UNIT 3rd

DR.

1

20

VE.

1

20

VE.

1

1

14