

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 8, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1446 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT,
LOCATED NORTH OF K-42 HIGHWAY AND EAST OF MAIZE ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Applicant: John Dugan, RR 1, Box 37, Clearwater, KS 67026

Site Size: 10 ft. x 690 ft.

Existing Zoning: "R-1" Suburban Residential

Proposed Zoning: "E" Light Industrial (SCZ-0578)

Background: The area to the north of the utility easement to be vacated was recently platted as Dugan Industrial Third Addition. The applicant has requested this vacation to allow construcion across the common lot line. The Utility Advisory Committee has verified that the easement being vacated is not required for existing or future public utilities. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

150029-2909

(_____) (Published in the Daily Record _____, 19__)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A PLATTED UTILITY EASEMENT DESCRIBED AS:

The north 10 feet of Lot 1, Block 1, Dugan Industrial Second Addition, Sedgwick County, Kansas, except the east 20 feet thereof.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a platted utility easement described as:

The north 10 feet of Lot 1, Block 1, Dugan Industrial Second Addition, Sedgwick County, Kansas, except the east 20 feet thereof; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 19, 1987;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the utility easement, described as follows, to-wit:

CASE NO. V-1446

The north 10 feet of Lot 1, Block 1, Dugan Industrial Second Addition, Sedgwick County, Kansas, except the east 20 feet thereof.

Vacation Resolution
Page 2 of 2

Be and same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the above-described utility easement be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 8th day of May, 1990.

ATTEST:

Bob Knight, Mayor

John Moir, City Clerk (Seal)

Form MAPD 127/Aug. 1989

103 RD ST W. (MADE RD.)

DUGAN
INDUSTRIAL
SECOND
ADD.

HIGHWAY

K-42

R.R.

A.T.

A

INDUSTRIAL

MID - CONTINENT

PARK

B₁

MIDCO ST.