

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 12, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1581 - REQUEST TO VACATE A PORTION OF A
PLATTED UTILITY EASEMENT LOCATED, IN AN AREA EAST OF
HILLSIDE AND ON THE NORTH SIDE OF HARRY
(District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Background: The applicant desires to build a structure across the utility easement. A substitute easement has been provided, City Engineering and the Utility Advisory Committee indicate that the vacation and substitute easement are acceptable. 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; and adopt dedication; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, and dedication, recording costs to be billed to:

150029-2909

1069 74

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

IN THE MATTER OF THE VACATION OF A PLATTED UTILITY EASEMENT.)
)
)
GENERALLY LOCATED IN AN AREA EAST OF)
HILLSIDE AND NORTH OF HARRY (V-1581).)
)
)
MORE FULLY DESCRIBED BELOW)

Approved / Accepted By City Council
This SEP 12 1989

VACATION ORDER

NOW on this 12th day of September, 1989, comes on for hearing the petition for vacation filed by Quick Trip Corporation, praying for the vacation of the following described platted utility easement, to-wit:

The rear or east 5-feet of the south 25-feet of Lot 3 and the rear or east 5-feet of Lot 4, and the north 5-feet of the west 51.66 feet of Lot 5, Block A, Pineridge Addition to Wichita, Sedgwick County, Kansas

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 8/30 & 9/6/89.
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.

ck
8.00
City Clerk

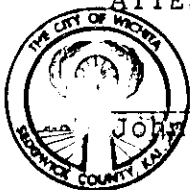
Vacation Order
V-1581
Page 2 of 2

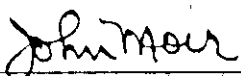
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September, 1989, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.



Bob Knight, Mayor

ATTEST:





John Moir, City Clerk

Approved as to Form:



Thomas Powell, Director of Law

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED & RECORDED AT
11:00 A.M.

SEP 15 89 1028669

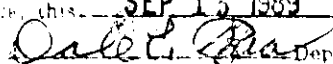
PAT HETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

*Ed Powell
Deputy*

Form 1020

State of Kansas)
Deed (etc. County), ss
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 SEP 15 1989


Dale E. Rea, Deputy City Clerk

