

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 14, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1577 REQUEST TO VACATE PORTIONS OF TWO PLATTED UTILITY EASEMENTS LOCATED SOUTH OF KELLOGG AND EAST OF LIGHTNER DRIVE.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements.

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

Background: This vacation is being requested to provide a more buildable area for expansion of an existing business. City Engineering and Sewer Maintenance have no objections to the abandonment of an existing sewer line located in one of the easements. The Utility Advisory Committee indicates that this vacation will have no adverse effect. 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:

300210-9024

FEB 14 1989

This _____

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

IN THE MATTER OF THE VACATION OF)
PLATTED UTILITY EASEMENTS.)
)
GENERALLY LOCATED SOUTH OF KELLOGG AND)
EAST OF LIGHTNER (V-1577).)
)
)
MORE FULLY DESCRIBED BELOW)

RECEIVED

MAR 10 1989

METROPOLITAN PLANNING
ROUTE _____

VACATION ORDER

NOW on this 14th day of February, 1989, comes on for hearing the petition for vacation filed by Sam L. Mobley, agent for T.G. Davis Jr., praying for the vacation of the following described platted utility easement, to-wit:

The east west 16 foot utility easement across Lot 1, Davis-Moore 5th Addition, Wichita, Kansas, being north of and adjacent to the following described line: Beginning 131.58 feet south of the northwest corner of said Lot 1; thence east along the south line of said 16 foot utility easement, 198 feet; thence southeasterly 46.94 feet; thence east 71 feet.

and

The north south 10 foot utility easement described as follows: Beginning at a point on the south line of Lot 1, Davis-Moore 5th Addition, Wichita, Kansas, said point being 290 feet east of the southwest corner of said Lot 1, and the east line of Lightner as platted in said Addition; thence north 65 feet; thence east 5 feet; thence south 10 feet; thence east 5 feet; thence south 55 feet; thence west 10 feet to beginning.

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 .
2. No private rights will be injured or endangered by the vacation of the above-described utility 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 utility easements described herein should be approved.

8.00

city clerk

V-1577
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of February, 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.



S. Kamen
Sheldon Kamen, Mayor

ATTEST:

John Moir

John Moir, City Clerk

Approved as to Form:

Thomas R. Powell

Thomas Powell, Director of Law

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM

MAR 6 1989 0997388

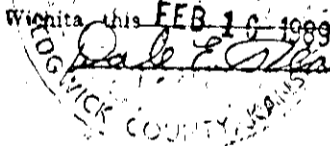
PAT KETTLER
REGISTER OF DEEDS

Ed Bernal
Deputy

MICROFILMED
OF RECORD

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 FEB 16 1989
Dale E. Rea Deputy City Clerk



KELLOGG

ENGLWOOD

1	20
10	11

MANOR

CHRISTINE

1	22
11	12

PARK

LIGHTNER

1	40

SAIRIE

LEXINGTON RD.

1	35

1	15
7	9
8	

WAVERLY DR.

BROOKSIDE DR.

2	11
6	7

ADD.

AVE.

2	11
6	7

A. J. CHRISTMAN

ADD.

20	11
16	15

DRIVER'S

HUDSON

LOW'S ADD.

10	1
6	5

ADD.

V. 0651

UNIVERSALS
FIRST
ADD.

COURTLEIGH V-1365 -JR.