

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 8, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1567 - REQUEST TO VACATE A PLATTED
UTILITY EASEMENT, LOCATED AT THE N.E. CORNER OF
ENGLISH AND PERSHING AVE.

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: This vacation has been requested in order to construct a type of fence not allowed within easements. City Engineering and the Utility Advisory Committee have indicated that the vacation of this easement will have no adverse effects. 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

This NOV 8 1988

MICROFILMED
OF RECORD

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 AT THE N.E. CORNER OF)
ENGLISH AND PERSHING AVE. (V-1567))
)
)
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED TO BE RECORDED AT
8:00 AM
Nov 15 88 0900219

VACATION ORDER

PATRICIA L. TILLEY
REGISTERED CLERK
Ed Rea Deputy

NOW on this 8th day of November, 1988, comes on for hearing the petition for vacation filed by Gregory Wright, etux., praying for the vacation of the following described utility easement, to-wit:

The east 5 feet of Lot 12, Block 2, Lincoln Heights Addition, Wichita, Sedgwick County, Kansas, Except the north 10 feet thereof.

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 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.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of November, 1988, 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

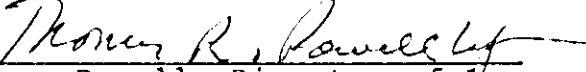
ATTEST:
Dale E. Rea
Dale E. Rea, Deputy City Clerk

State of Kansas)
Sedgwick County) ss
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
NOV 10 1988
Dale E. Rea Deputy City Clerk

city clerk

V-1567
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Approved as to Form:


Thomas Powell, Director of Law

