

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 8, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1563 REQUEST TO VACATE A DRAINAGE AND UTILITY EASEMENT
LOCATED ON THE EAST SIDE OF LINDEN, SOUTH OF SHANNON WAY
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve Vacation of drainage and utility easement.

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

Background: The owner of the two adjoining lots involved in the vacation, desires to build a home across the common lot line. The Utility Advisory Committee and City Engineering have indicated that the easement is not needed for existing or future utilities and drainage. 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 cost to be billed to:

755-68-360-50000-295-000-000.

NOV 8 1988

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

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
a platted drainage and utility easement.)
)
GENERALLY LOCATED ON THE EAST SIDE)
OF LINDEN, SOUTH OF SHANNON WAY)
(V-1563))
)
)
)
)
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT

Nov 15 00 0980217

VACATION ORDER

PAT KESTLER
REGISTER OF DEEDS

Ed Reed
County

NOW on this 8th day of November, 1988, comes on for hearing the petition for vacation filed by David and Janet Murfin, etal, praying for the vacation of the following described platted drainage and utility easement, to-wit:

The south 15 feet of Lot 6, Block 2, Woodland Estates (drainage easement) AND the north 10 feet of Lot 5, Block 2, Woodland Estates, except the west 20 feet thereof (utility easement).

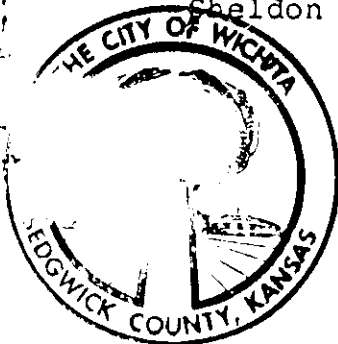
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

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. 26 & NOV. 2, 88.
2. No private rights will be injured or endangered by the vacation of the above-described drainage and 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 drainage and 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 drainage and 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.

State of Kansas)
Sedgwick County) ss
City of Wichita)
DALE E. REA Mayor
I, DALE E. REA, Mayor of the City of Wichita, Kansas, do hereby certify that a copy of this order was filed for record in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 10th day of November, 1988.

SKamen
Sheldon Kamen, Mayor



city clerk

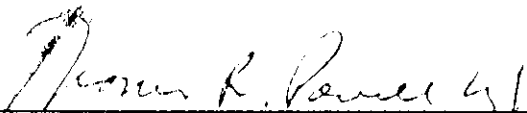
6.00

V-1563 Vacation Order
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ATTEST:


Dale E. Rea, Deputy City Clerk

Approved as to Form:


Thomas Powell, Director of Law

LANE

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13

1

SHANNON WAY

ESTATE

I II

10

SECOND

LINDEN

20

RESERVE F

7

LONGFORD

1

29

27

RES. D

26

6

LINDEN CT.

21

WOODLAND

20

2

RES. B

6

LINDEN CT.

13

LINDEN

G A

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