

City of Wichita
City Council Meeting
May 24, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1528 - REQUEST TO VACATE PORTIONS OF A PLATTED UTILITY
EASEMENT, LOCATED IN AN AREA WEST OF GATEWOOD, SOUTH OF
13TH STREET NORTH. (District #2)

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 clear additional buildable lot area. The Utility Advisory Committee has verified that vacation of the two portions of the easement will not adversely affect existing or planned utility lines. 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

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

IN THE MATTER OF THE VACATION OF PORTIONS OF A)
PLATTED UTILITY EASEMENT.)

GENERALLY LOCATED IN AN AREA WEST OF GATEWOOD,)
AND SOUTH OF 13TH STREET NORTH. (V-1528))

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 24th day of May, 1988, comes on for hearing the petition for vacation filed by Dwane and Velma Wallace, praying for the vacation of the following described portions of a platted utility easement, to-wit:

The north 2.50 feet of the south 10.00 feet of the east 20.00 feet of the west 60.00 feet of Lot 8, Block 1, Autumn Chase, an addition to Wichita, Sedgwick County, Kansas.

AND ALSO:

The north 1.50 feet of the south 10.00 feet of the west 20.00 feet of the east 45.00 feet of Lot 8, Block 1, Autumn Chase. (V-1528)

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 portions of a platted 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 portions of a platted utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 24th day of May, 1988, ordered that the above-described portions of a platted utility easement are 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.

Sheldon Kamen, Mayor

ATTEST:

Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell, Director of Law

