

City of Wichita
City Council Meeting
January 9, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1645 - A REQUEST TO VACATE A PORTION OF A
PLATTED UTILITY EASEMENT, LOCATED AT THE SOUTH WEST CORNER
OF 31ST STREET SOUTH AND EXPOSITION AVENUE.
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted utility easement.

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

Background: This vacation is requested in order to eliminate the encroachment conflict created by an existing structure in a utility easement. The Utility Advisory Committee and City Engineering has indicated that no adverse effects will result by the vacation of this utility easement. 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:

Approved, Accepted By City Council

This JAN 9 1990

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED AT THE SOUTHWEST)
CORNER OF 31ST STREET SOUTH AND)
EXPOSITION AVENUE (V-1645).)
)
MORE FULLY DESCRIBED BELOW)

CLERK } ss
RECORD AT
JAN 23 1990
CLERK

OF RECORD

VACATION ORDER

NOW on this 9th day of January, 1990, comes on for hearing the petition for vacation filed by Richstreet Realty Co., praying for the vacation of the following described platted utility easement, to-wit:

The east 4.9-feet of the south 43.7-feet of the north 115.78-feet of the 8-foot utility easement as platted in Lot 1, Suburban Homes Addition to Wichita, 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 JAN 3 1990 DEC 27 1989
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.

2.00
66

City Clerk

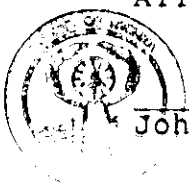
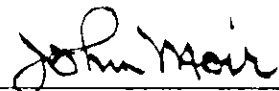
Vacation Order
V-1645
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of January, 1990, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.



Bob Knight, Mayor

ATTEST:

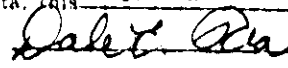
John Moir, City Clerk

Approved as to Form:



Thomas Powell, Director of Law


Form 1020

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Dale E. Ruz, 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 the the City Clerk.
Given under my hand and seal of the City of
Wichita, this JAN 11 1990
 Deputy City Clerk



