

City of Wichita
City Council Meeting
December 5, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1634 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT, LOCATED ON BOTH SIDES OF 32ND STREET NORTH IN AN AREA EAST OF ROCK ROAD AND NORTH OF 29TH STREET NORTH.
(District #2)

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 to accommodate a legal boundary shift. A substitute easement has been provided for the boundary shift. City Engineering and the Utility Advisory Committee have verified that this shift will not adversely affect existing or planned utilities. 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 and adopt dedication; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and the dedication, recording costs to be billed to:

150029-2909

Approved / Accepted By City Council

This DEC 5 1989

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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 ON BOTH SIDES OF 32ND)
STREET NORTH IN AN AREA EAST OF ROCK)
ROAD AND NORTH OF 29TH STREET NORTH)
(V-1634).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 5th day of December, 1989, comes on for hearing the petition for vacation filed by Woodlawn Development, praying for the vacation of the following described platted utility easement, to-wit:

The west 5 feet of Lot 5, Block 2, except the north and south 20 feet thereof; and the west 5 feet of Lot 4, Block 1 and the east 5 feet of Lot 3, Block 1, except the south 10 feet of Lots 4 and 3, Block 1; the above being a part of Mediterranean Plaza an Addition to Wichita, Sedgwick County, 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:

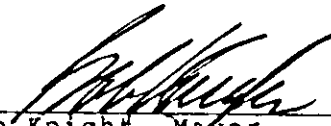
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on Nov 22 & 29, 1989.
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, 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.

8.00

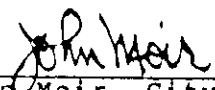
city clerk

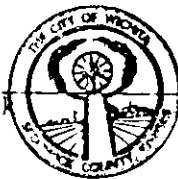
Vacation Order
V-1634
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of December, 1989, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

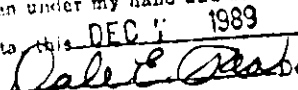
ATTEST:


John Moir, City Clerk



Approved as to Form:

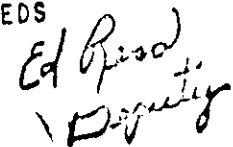

Thomas Powell, Director of Law

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 DEC 7 1989
 Deputy City Clerk

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

DEC 28 89 1044758

PAT KETTLER
REGISTER OF DEEDS


Ed Ried
Deputy

MICROFILMED
OF RECORD

ROCK

32 ND

ST. NO.

MEDITERRANEAN

MEDITERRANEAN

2

PLAZA

4

COMMERCIAL

7

2ND

ADD.

MEDITERRANEAN
PLAZA
COMMERCIAL
ADD.

PENSTEMON

FLOODWAY

29 TH ST. NO.