

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 10, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1633 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT LOCATED IN AN AREA NORTH OF CENTRAL AND WEST OF
WEBB STREET
(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: The applicant desires to construct a home that will encroach into the easement. City Engineering and the Utility Advisory Committee indicate that the vacation is acceptable. 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:

150029-2909

KANSAS
RECORD AT
8:00 A.M.

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

Nov 15 89 1038351

IN THE MATTER OF THE VACATION OF)
A PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED IN AN AREA NORTH OF)
CENTRAL AND WEST OF LINDEN (V-1633).)
)
)
MORE FULLY DESCRIBED BELOW)

PAT KETTLER
REGISTER OF DEEDS

Pat Kettler
Register of Deeds

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 10th day of October, 1989, comes on for hearing the petition for vacation filed by R. Larry and Lynda K. Roberts, praying for the vacation of the following described utility easement, to-wit:

The south 167.53 feet of north 177.53 feet of the west 10 feet of Lot 11, Block 1, Woodland Estates, 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 SEP 17 1989 & OCT 4 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.

RECEIVED

NOV 27 1989


METROPOLITAN PLANNING
ROUTE _____

8.00

city clerk

Vacation Order
V-1633
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of October, 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

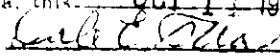


Approved as to Form:



Thomas Powell, Director of Law

Form 1020

State of Kansas)
Sedgwick County) ss
Dale E. Rog, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
hereto attached is a true and correct copy of
the original as it appears in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, this OCT 11 1989

Deputy City Clerk

