

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
September 12, 1989

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1626 - REQUEST TO VACATE A PORTION OF A  
PLATTED DRAINAGE EASEMENT LOCATED SOUTH OF HEDGETREE IN AN  
AREA NORTH OF 29TH STREET NORTH AND WEST OF ROCK ROAD.  
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of drainage easement.

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

Background: An existing roof overhang of a house extends into the drainage easement. City Engineering has no objections to the vacation. 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

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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 DRAINAGE EASEMENT. )  
 )  
GENERALLY LOCATED SOUTH OF HEDGETREE IN )  
AN AREA NORTH OF 29TH STREET NORTH AND )  
WEST OF ROCK ROAD (V-1626). )  
 )  
MORE FULLY DESCRIBED BELOW )

Approved / Accepted By City Council  
This SEP 12 1989

VACATION ORDER

NOW on this 12th day of September, 1989, comes on for hearing the petition for vacation filed by Leewood Homes, Inc., praying for the vacation of the following described drainage easement, to-wit:

That part of a drainage easement described as the east 3-feet of the west 10-feet of the south 40-feet of the north 85-feet of Lot 3, Block 2, Cottonwood Village Eighth, 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 8/30 & 9/6/89.
2. No private rights will be injured or endangered by the vacation of the above-described drainage 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 described herein should be approved.

Vacation Order  
V-1626  
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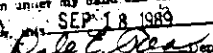
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September, 1989, ordered that the above-described drainage easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

  
\_\_\_\_\_  
Bob Knight, Mayor

ATTEST:  
  
  
\_\_\_\_\_  
John Moir, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Thomas Powell, Director of Law

CITY OF WICHITA  
State of Kansas }  
Sedgwick County }  
City of Wichita }  
Dale E. Red, Deputy City Clerk of the City of Wichita, Kansas, hereby certifies that the document on which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. I have under my hand and seal of the City of Wichita, this SEP 12 1989  
  
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Dale E. Red, Deputy City Clerk

STATE OF KANSAS } SS  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
11:00 A.M.  
SEP 20 1989 1029515  
PAT KETTLER  
REGISTER OF DEEDS

MICROFILMED  
OF RECORD

800 City Clerk

