

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 9, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1596 - VACATION OF A PLATTED UTILITY EASEMENT LOCATED EAST
OF GATEWOOD AND NORTH OF ELM
(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 easement was platted to cover an existing private sanitary sewer line, which was to be abandoned upon completion of public improvements. The public sanitary sewer improvements have been completed and this easement and private sewer line are no longer needed. City Engineering supports this 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 the vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Order, recording costs to be billed to:

150029-2909

Approved _____ Accepted By City Council
 This MAY 9 1989 STATE OF KANSAS } SS
 SEDGWICK COUNTY }
 FILED FOR RECORD AT
9:00 AM

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

MAY 11 89 1008300

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

PAT KETTLER
 REGISTER OF DEEDS

GENERALLY LOCATED EAST OF GATEWOOD IN)
 AN AREA NORTH OF ELM (V-1596).)

Ed R. Reed
City Clerk

MORE FULLY DESCRIBED BELOW)

MICROFILMED
 OF RECORD

VACATION ORDER

NOW on this 9th day of May, 1989, comes on for hearing the
 petition for vacation filed by the Lake Point Co., praying for the
 vacation of the following described platted utility easement, to-wit:

A 20 foot easement centered on the following
 described line, beginning at a point lying on the
 south line of Lot 5, Block 1 Gatewood, an addition
 to Wichita, Sedgwick County, Kansas, said point
 lying 33.12 feet east of the southwest corner of
 said lot; thence northerly to a point on the north
 line of said lot; lying 56.95' east of the
 northwest corner of said lot.

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:

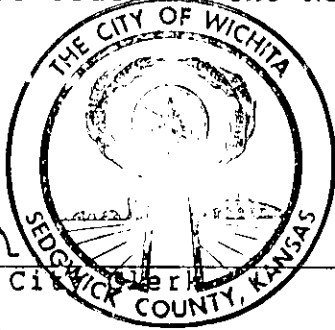
1. That due and legal notice has been given by publication
 as required by law, by publication in the Daily Record of notice of
 this vacation proceeding for consecutive weeks on 4/26 & 5/3, 1989.
2. No private rights will be injured or endangered by the
 vacation of the above-described platted utility 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 north 10 feet of the above described utility
 easement is to be retained as a utility easement.
6. The vacation of the platted utility easement described
 herein should be approved.

8.00

City Clerk

Vacation Order
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of May, 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 Sedgewick County.



ATTEST:

John Moir
John Moir, City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgewick County) ss
City of Wichita)
Dale E. Rea, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is attached 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 MAY 10 1989
Dale E. Rea Deputy City Clerk

