

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 2, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1707 - REQUEST TO VACATE PLATTED UTILITY EASEMENTS; LOCATED WEST OF MERIDIAN AND SOUTH OF 61ST ST. NORTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted utility easements.

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

Background: Fox Meadows Addition was platted in 1988 with a Restrictive Covenant which tied lots together in order to provide the 40,000 square footage per building site required for private well. The applicant is requesting the vacation of 7 utility easements in order to construct homes over lot lines that are tied together. A substitute utility easement is being dedicated by separate instrument for K.G. & E. utilities. County Engineering and the utility companies have indicated their approval of 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: Approve vacation.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

STATE OF KANSAS)
SEDGWICK COUNTY)
FILED FOR RECORD AT)
1:00 P.M.)
AUG 22 31 1155633

IN THE MATTER OF THE VACATION OF
PLATTED UTILITY EASEMENTS

PAT KETTLER
REGISTER OF DEEDS

*Ed Bond
Deputy*

GENERALLY LOCATED
1/4 MILE WEST OF MERIDIAN AND
SOUTH OF 61st STREET NORTH
V-1707

VACATION ORDER

NOW on this 21st day of August, 1991, at 9:00
o'clock A.M. comes on for hearing the petition for vacation
filed by V. Harley Miles, praying for the vacation of the
following described platted utility easements.

SEE ATTACHMENT A.

the said petitioners being represented by their attorney,
_____.

WHEREUPON, it is shown that proper notice has been given by
publication in the Mercury Daily Reporter a newspaper printed in the
State of Kansas and being published in and for general
circulation in Sedgwick County, Kansas, the first publication
being made on the 22d day of July, 1991, and
proper proof of such publication being filed herein. The Board
being advised in the premises find that such notice is in due
legal form and conforms to K.S.A. 58-2613.

THEREAFTER, the matter is presented to the Board and the
Board finds that no private rights will be injured or endangered
by such vacation and that the public will suffer no loss or
inconvenience thereby, and that in justice to the petitioners,
their prayer should be granted and that no written objections
have been filed hereto with the County Clerk.

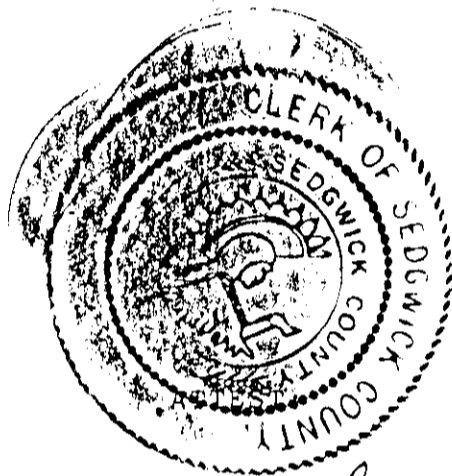
MICROFILMED
OF RECORD

ODH

County Clerk

The Board further finds that the Governing Body of the City of Wichita, by Resolution, at its regular meeting held on the 2nd day of July, 1991, recommended and approved the vacation of the above-described utility easements.

IT IS, THEREFORE, BY THE BOARD OF COUNTY COMMISSIONERS, in regular session duly assembled, ordered that the above-described utility easements are _____ hereby vacated.



Billy Q. McCray
BILLY Q. McCRAY, CHAIRMAN

Don Wright
DON WRIGHT, COUNTY CLERK

APPROVED AS TO FORM:

Richard Euson
for RICHARD EUSON, ASST. COUNTY COUNSELOR

Attachment A

TO 380

A 10 foot wide utility easement sharing the common lot line between Lots 5 and 6, Block 3 in Fox Meadows Addition to Sedgwick County, Kansas; except for the existing 30 foot wide utility easement on the south line of said Lots 5 and 6.

A 10 foot wide utility easement sharing the common lot line between Lots 7 and 8, Block 3 in fox Meadows Addition to Sedgwick County, Kansas; except for the existing 20 foot wide utility easement centered on the east line of said Lot 7 and the southeasterly line of Lot 8.

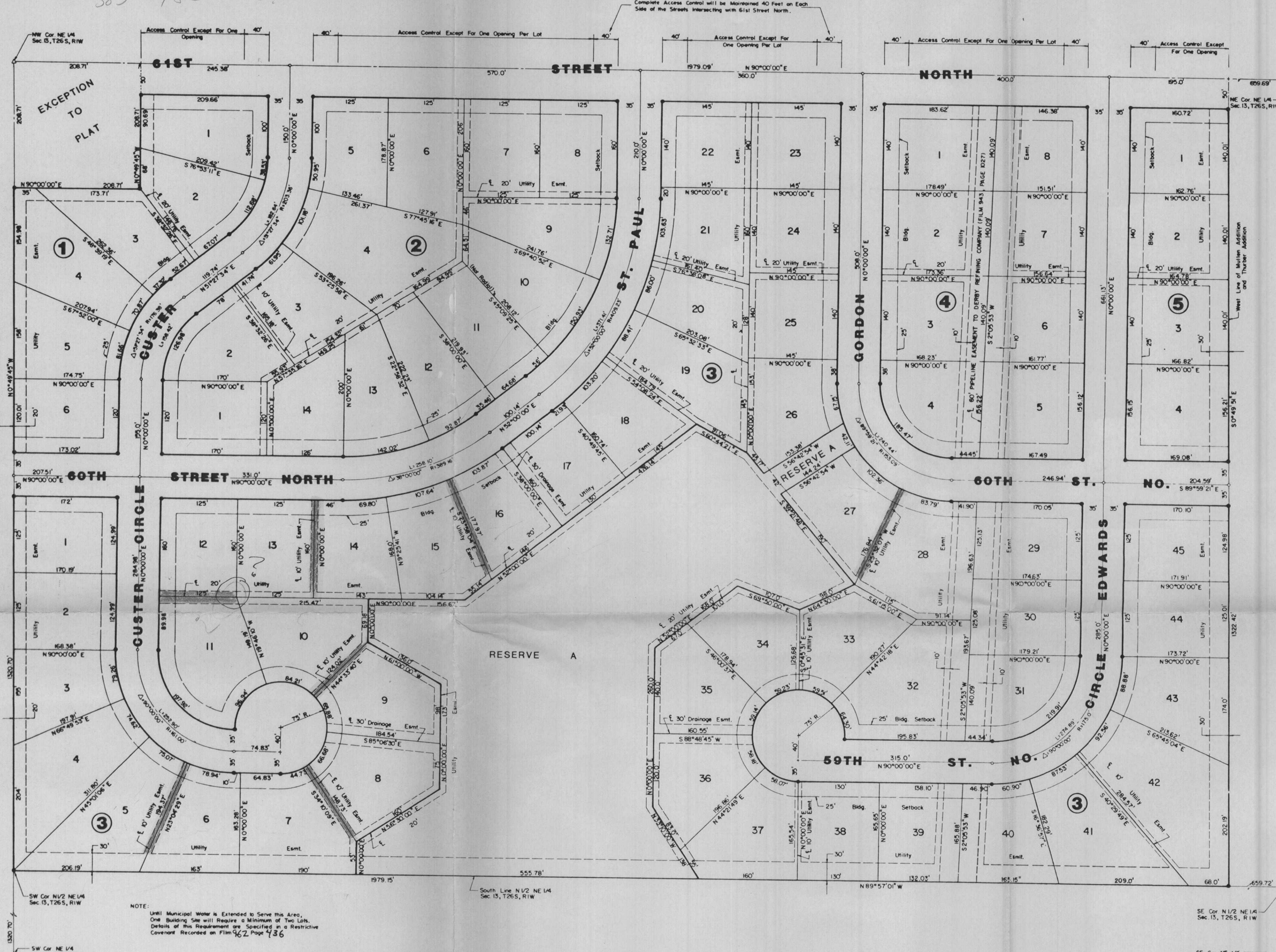
A 10 foot wide utility easement sharing the common lot line between Lots 9 and 10, Block 3 in Fox Meadows Addition to Sedgwick County, Kansas; except for the existing 20 foot wide utility easement centered on the east line of said Lot 10 and the northeasterly line of Lot 9.

A 20 foot wide utility easement sharing the common lot line between Lots 11 and 12, Block 3 in Fox Meadows Addition to Sedgwick County, Kansas; except the east 10 feet thereof.

A 10 foot wide utility easement sharing the common lot line between Lots 13 and 14, Block 3 in Fox Meadows Addition to Sedgwick County, Kansas; except for the existing 20 foot wide utility easement centered on the south line of said Lots 13 and 14.

A 10 foot wide utility easement sharing the common lot line between Lots 15 and 16, Block 3 in Fox Meadows Addition to Sedgwick County, Kansas; except for the existing 20 foot wide utility easement centered on the southeasterly line of said Lots 15 and 16.

A 10 foot wide utility easement sharing the common lot line between Lots 27 and 28, Block 3 in Fox Meadows addition to Sedgwick County, Kansas; except for the existing 20 foot wide utility easement centered on the southwesterly line of said Lots 27 and 28.



Complete Access Control will be Maintained 40 Feet on Each Side of the Streets Intersecting with 61st Street North.

NOTE:
Until Municipal Water is Extended to Serve this Area,
One Building Site will Require a Minimum of Two Lots.
Details of this Requirement are Specified in a Restrictive
Covenant Recorded on Film 962 Page 436

SE Cor N 1/2 NE 1/4
Sec. 13, T26S, R1W

SE Cor NE 1/2
Sec. 13, T26S, R1W

SW Cor NE 1/4
Sec. 13, T26S, R1W

SW Cor N 1/2 NE 1/4
Sec. 13, T26S, R1W

South Line N 1/2 NE 1/4
Sec. 13, T26S, R1W

NW Cor NE 1/4
Sec. 13, T26S, R1W

NE Cor NE 1/4
Sec. 13, T26S, R1W