

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 26, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1697 - REQUEST TO VACATE A PORTION OF A
PLATTED UTILITY EASEMENT; LOCATED WEST OF WEBB RD. AND NORTH
OF 13TH ST. NORTH; COUNTRY PLACE ESTATES
(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: The applicant requests the vacation in order to construct a new residence over the common lot lines shared by this easement. The City Engineer and the utility companies have indicated there is nothing in the easement and have approved 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

FEB 26 1991

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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 UTILITY EASE-)
MENT.)
)
GENERALLY LOCATED WEST OF WEBB ROAD)
AND NORTH OF 13TH ST. NORTH. (V-1697))
)
)
MORE FULLY DESCRIBED BELOW)

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 26th day of February, 1991, comes on for hearing the petition for vacation filed by Dan A. Francisco, praying for the vacation of the following described utility easement, to-wit:

The 10 foot utility easement sharing the common lot lines, except for the north 10 feet thereof, of Lots 8 and 9, Block 1, Country Place Estates Addition, to Wichita, Sedgwick County, KS.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 2/12/91 & 2/19/91.
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.

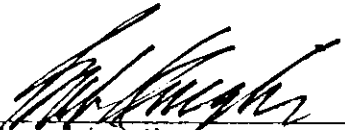
for

City Clerk

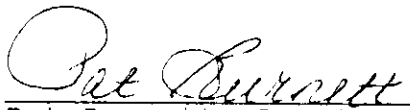
202

Vacation Order
V-1697
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of February, 1991, 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.

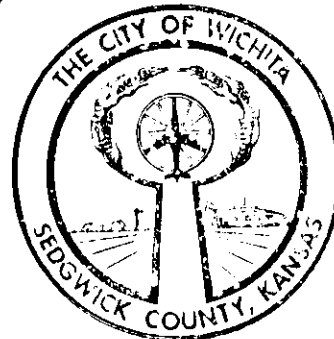

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

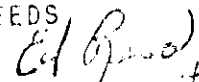
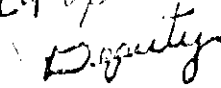
Approved as to Form:

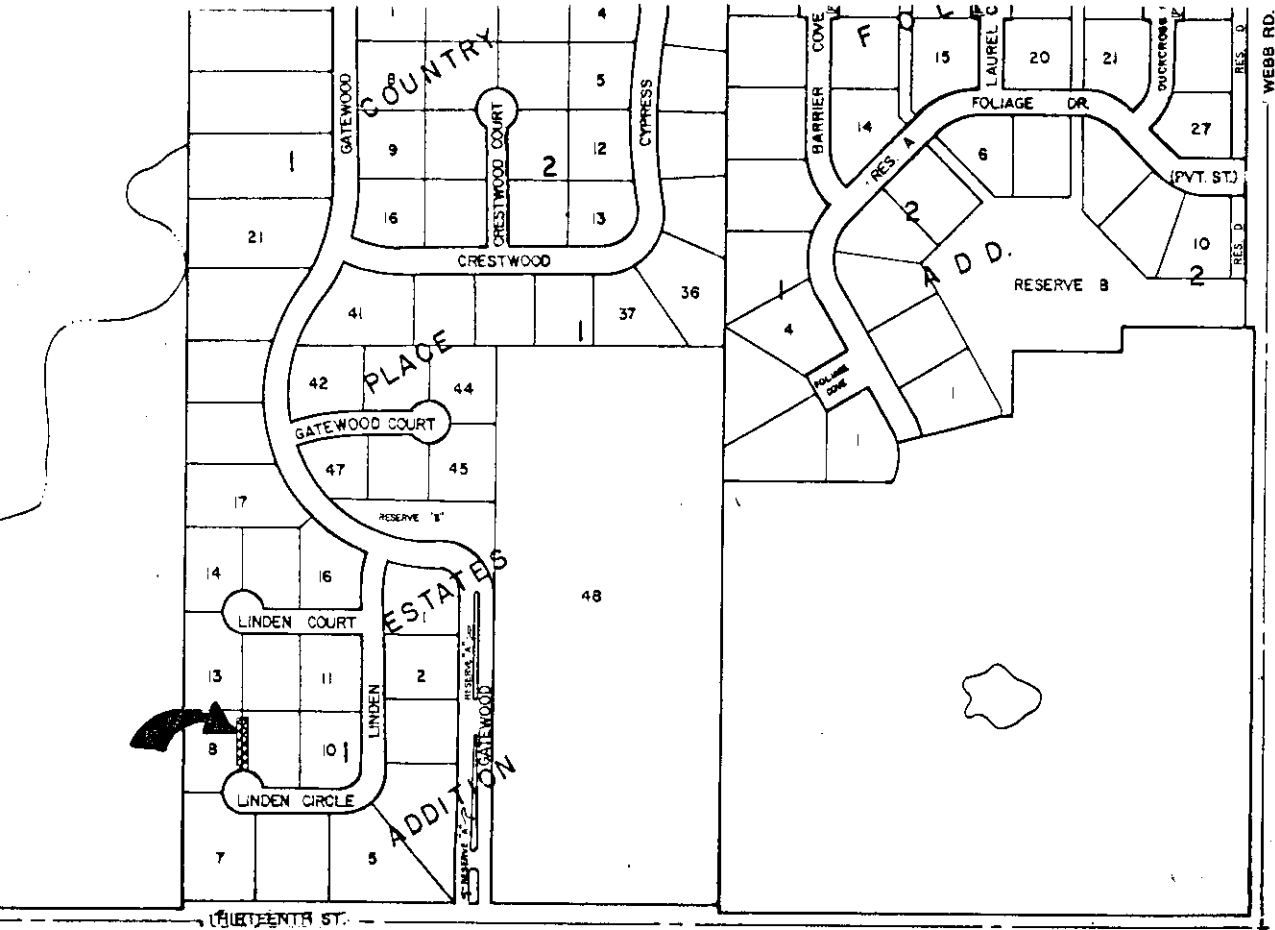

Thomas Powell, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT Deputy City Clerk of the City
of Wichita, Kansas, do 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 FEB 26 1991
PAT BURNETT Deputy City Clerk

RECEIVED
FEB 26 1991
8:00 AM
191 1126904
PAT EITLER
REGISTER OF DEEDS



Application Filed 1/4/91
 S/D Comm. Action 1/24/91
Approved
 M.A.P.C. Action 1/23/91
Approved

W.C.C. Action 2/26/91
Approved
 Bd. Co. Co. Action _____
 Order to Vacate Recorded 2/26/91