

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 3, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1663 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT LOCATED EAST OF HILLSIDE AND NORTH OF PAWNEE.
(District #3)

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: A retaining wall and portion of a swimming pool were constructed within the easement. City Engineering and the utility representatives of the Utility Advisory Subcommittee have indicated that this segment of easement can be vacated with no adverse impacts. 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

Approved / Accepted By City Council

This JUL 3 1990

MICROFILMED
OF RECORD

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF A)
PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED EAST OF HILLSIDE AND)
NORTH OF PAWNEE (V-1663).)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 3rd day of July, 1990, comes on for hearing the petition for vacation filed by John W. Dorman, et al., praying for the vacation of the following described platted utility easement, to-wit:

The east 8 feet of Lot 1, Elmwood Park 2nd
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:

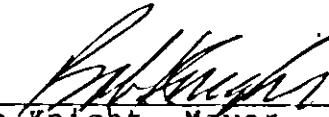
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on JUN 18 1990 JUN 25 1990
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, 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.

Book City Clerk

255 1000000 2809

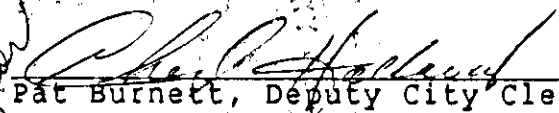
Vacation Order
V-1663
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of July, 1990, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.



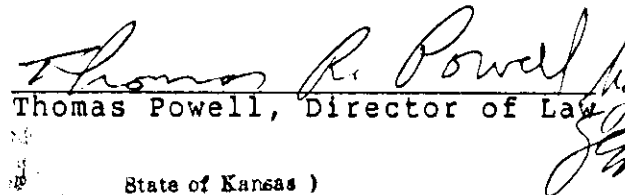
Bob Knight, Mayor

ATTEST:



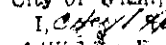
Pat Burnett, Deputy City Clerk

Approved as to Form:

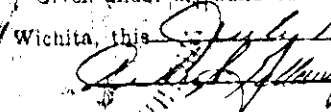


Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I,  Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed 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

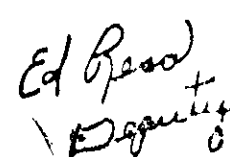
Wichita, this  July 12, 1990

Deputy City Clerk

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
2:00 PM

SEP 10 1990 1092412

PAT KETTLER
REGISTER OF DEEDS


Ed Reed
Deputy

