

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 5, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1661 - REQUEST TO VACATE A PORTION OF A
PLATTED UTILITY EASEMENT LOCATED NORTH OF 21ST STREET NORTH
AND WEST OF ROCK ROAD.
(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 desires to construct a well, for screening, along 21st Street North. The Utility Advisory Committee and City Engineering have indicated that no adverse effects will result by the vacation of the portion of utility easement. 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

JUN 5 1990

This _____

MICROFILMED
OF RECORD

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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 NORTH OF 21ST STREET)
NORTH AND WEST OF ROCK ROAD (V-1661).)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 5th day of June, 1990, comes on for hearing the petition for vacation filed by Applewood Homeowners Association, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The north 6.00 feet of the south 9.00 feet of the 35 foot utility easement lying north of and adjacent to the south line of Lot B, Sycamore Village Addition, an addition to Wichita, Sedgwick County, Kansas, except the west 10.00 feet described thereof.

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:

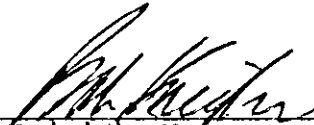
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on MAY 22 1990 MAY 29 1990
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, 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.

8.00% City Clerk

200 1500 2-2 00 00

Vacation Order
V-1661
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of June, 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

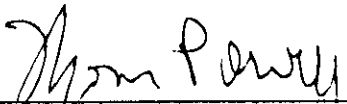
ATTEST:





John Moir, City Clerk

Approved as to Form:

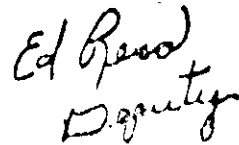


Thomas Powell, Director of Law

STATE OF KANSAS) SS
SEDGWICK COUNTY)
FILED FOR RECORD AT
8:00 A M

SEP 10 30 1092410

PAT KETTLER
REGISTER OF DEEDS


Deputy

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

I, Pat Burnett, 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 JUN 5 1990


Pat Burnett, Deputy City Clerk

