

City of Wichita  
City Council Meeting  
September 27, 1994

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council

SUBJECT: V-1788 REQUEST TO VACATE PORTIONS OF PLATTED DRAINAGE  
AND UTILITY EASEMENTS AND A BUILDING SETBACK

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

---

Staff Recommendation: Approve vacation of portions of platted drainage and utility easements and a building setback.

MAPC Recommendation: Approve vacation of portions of platted drainage and utility easements and a building setback. (unanimous)

Background: This request to vacate portions of platted drainage and utility easements, as well as a building setback, is to allow additional space to be added to an existing house. The Subdivision Committee of the Planning Commission and the full MAPC have reviewed this request and recommend approval, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation.

FILE COPY

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

MICROFILMED  
OF RECORD

IN THE MATTER OF THE VACATION OF )  
A PLATTED DRAINAGE AND UTILITY EASEMENT, )  
AND A BUILDING SETBACK )  
 )  
GENERALLY LOCATED ON NORTH SPRINGDALE )  
PARALLEL TO 143RD STREET EAST )

MAPD CASE NO. V-1788

VACATION ORDER

NOW on this 7th day of December, 1994, at 9:00 o'clock A.M. comes on for hearing a petition praying for the vacation of the following-described real property, to wit:

See legal description marked Exhibit "A" and drawing marked Exhibit "B" each attached hereto and incorporated herein by reference.

WHEREUPON, it is shown that proper notice has been given by publication once each week for three consecutive weeks in the official county paper, the first such publication having occurred on November 14, 1994, and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and being otherwise duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

12<sup>00</sup> W

City Clerk

150029 8009

12<sup>5</sup>

The Board further finds that on 5th day of November, 1992, the Metropolitan Area Planning Commission recommended that the vacation petition herein be approved; and on the 27th day of September, 1994, the City Council of the City of Wichita recommended that the said petition be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described real property be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

*Betsy Gwin*  
Betsy Gwin, Chair 12-07-94

ATTEST:  
*Susan D. Crockett-Spoon*  
Susan D. Crockett-Spoon  
County Clerk

APPROVED AS TO FORM:

*Richard A. Euson*  
Richard A. Euson  
Assistant County Counselor

STATE OF KANSAS }  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
1:00 P M



FEB 22 1995  
1137592  
NO.  
PAT KETTLER  
REGISTER OF DEEDS

*Patricia Hernandez*  
Deputy

A. Easement Vacation:

All existing platted utility easements and utility and drainage easements on Lot 5, Block 6, Crestview Country Club Estates - East Meadows Addition, Sedgwick County, Kansas except for that portion of existing platted easements situated upon the following described part of said Lot 5:

Beginning at the northerly corner of said Lot 5, said corner being the corner common to Lot 5 and Lot 4, Block 6 in said addition, northwesterly line of said Lot 5 having a platted bearing of S 49 deg. 29' 19" W; thence southeasterly along the line common to Lots 5 and 4 bearing S 52 deg. 31' 20" E, 115.20 feet to the common front corner of said Lots 4 and 5; thence southwesterly along the westerly right of way line of Cascade Court, 4.96 feet (arc distance); thence N 51 deg. 00' 20" W, 95.55 feet; thence parallel to the northwesterly line of said Lot 5 bearing S 49 deg. 29' 19" W, 86.69 feet; thence southeasterly parallel to the southwesterly line of said Lot 5 bearing S 12 deg. 47' 10" E, 38.12 feet; thence S 2 deg. 14' 24" W, 27.00 feet; thence S 27 deg. 48' 44" E, 27.00 feet; thence southeasterly parallel to the southwesterly line of said Lot 5 bearing S 12 deg. 47' 10" E, 50.00 feet to a point on the line common to said Lot 5 and adjacent Lot 6; thence southwesterly along said common line bearing S 56 deg. 16' 51" W, 21.41 feet to the southerly corner of said Lot 5; thence northwesterly along the southwesterly line of said Lot 5 bearing N 12 deg. 47' 10" W, 160.01 feet; thence northeasterly along the northwesterly line of said Lot 5 bearing N 49 deg. 29' 19" E, 97.00 feet to the point of beginning.

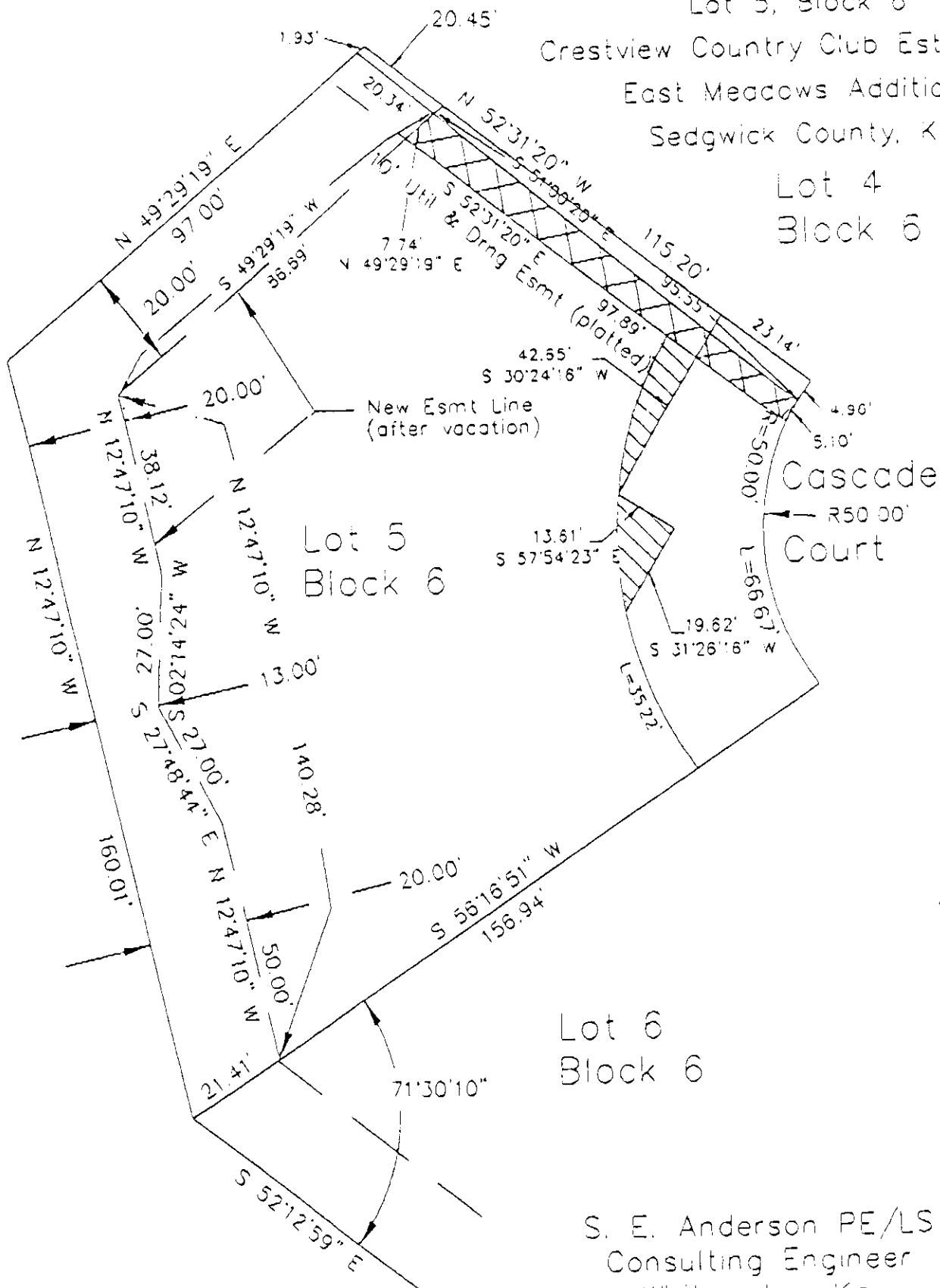
B. Building Setback Vacation:

All that part of the platted 30' building setback line situated northwesterly of, westerly of and southwesterly of the following described line: Beginning at a point on the northeasterly line of Lot 5, Block 6, Crestview Country Club Estates - East Meadows Addition, Sedgwick County Kansas, said line being the common line between Lots 5 and 4 in said addition and having a platted bearing of N 52 deg. 31' 20" W, said point of beginning being 23.14 feet northwesterly of the front common corner of said Lots 5 and 4; thence S 30 deg. 24' 16" W, 42.65 feet; thence S 57 deg. 54' 23" E, 13.61 feet; thence S 31 deg. 26' 16" W, 19.62 feet to a point on said platted 30' building setback line, said point being 35.22 feet (arc distance) from the southeasterly line of said Lot 5, as measured along said 30' building setback line.

(V-1788)

Partial Easement and  
Building Setback Vacation  
Lot 5, Block 6  
Crestview Country Club Estates  
East Meadows Addition  
Sedgwick County, Ks.

Lot 4  
Block 6

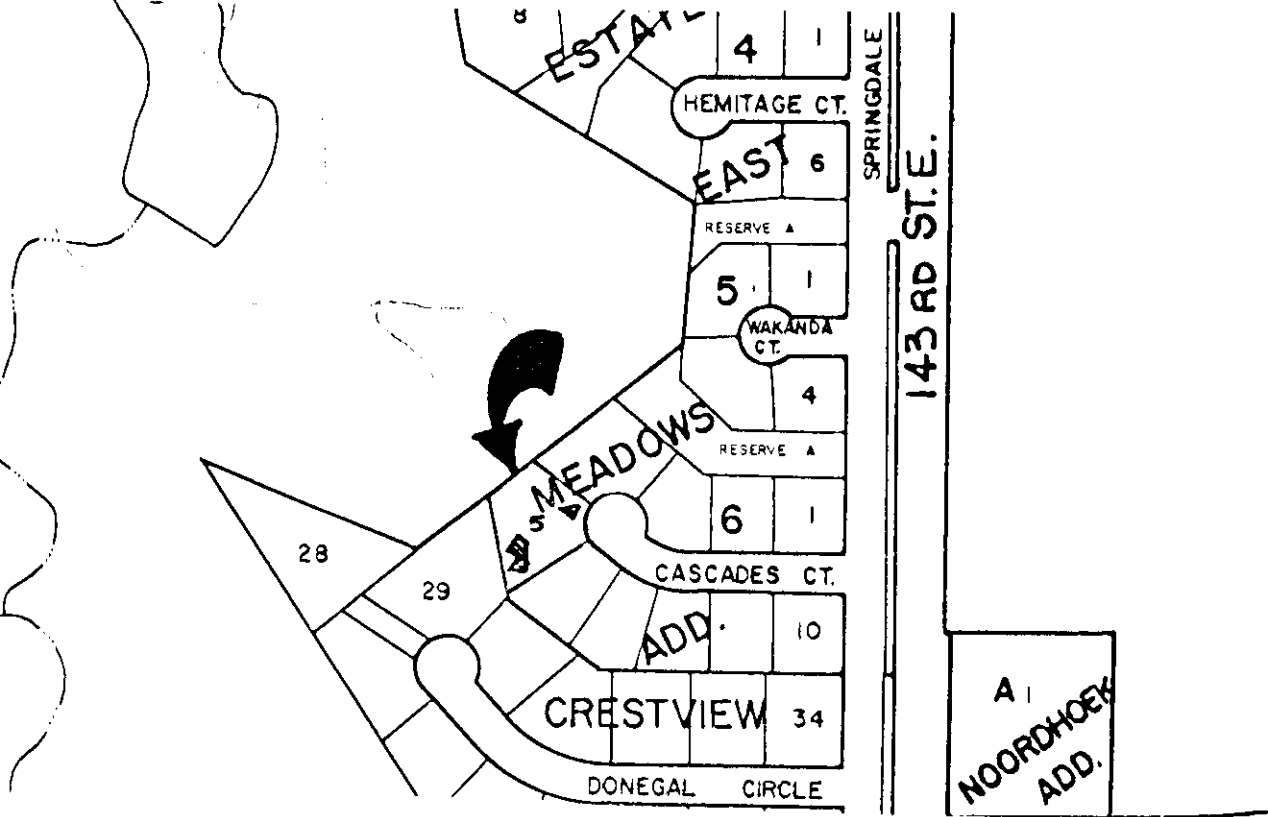


1" = 30'

Lot 6  
Block 6

S. E. Anderson PE/LS  
Consulting Engineer  
Whitewater, Ks.

November, 1994



II. Application Filed 10/21/92  
 S/D Comm. Action 10/29/92 App.  
 M.A.P.C. Action 11/5/92 App

W.C.C. Action ~~10/21/92~~ 9/27/94 Approve  
 Bd. Co. Co. Action ~~10/21/92~~ 13/7/94  
 Order to Vacate Recorded