

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 17, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1787 REQUEST TO VACATE A UTILITY EASEMENT
(District #5)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a utility easement.

MAPC Recommendation: Approve vacation of a utility easement.
(unanimous)

Background: In order to obtain additional building area for a proposed garage, the applicant is requesting to vacate a portion of an easement. City Engineering and the representatives of the Utility Advisory Subcommittee of the Subdivision Committee have indicated that the portion of easement is not needed and may be vacated.

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 the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

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

IN THE MATTER OF THE VACATION OF A)
UTILITY EASEMENT)
)
GENERALLY LOCATED NORTH OF 21ST STREET)
NORTH AND WEST OF RIDGE (V-1787))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 17TH day of November, 1992, comes on for hearing the petition for vacation filed by Kendall Chance, praying for the vacation of the following described utility easement, to-wit:

The north 5 feet of the south 10 feet of Lot 21,
Block 1, Reflection Ridge 4th Addition to Wichita,
Sedgwick County, Kansas; except the east 10 feet.
(V-1787)

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. 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.

Vacation Order
V-1787
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of November, 1992, 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.

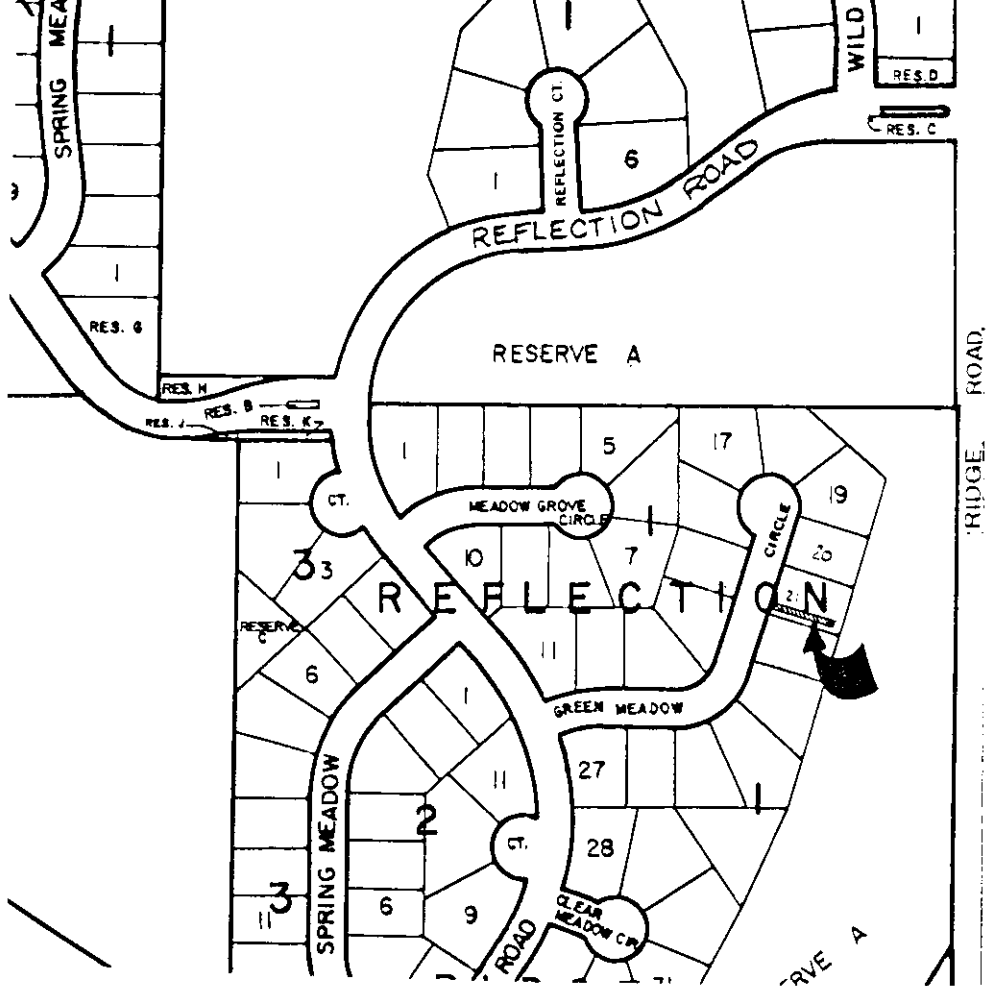
Frank M. Ojile, Mayor

ATTEST:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Gary Rebenstorf, Director of Law



Application Filed 9/24/92
S/D Comm. Action 10/15/92
Approved
M.A.P.C. Action 10-22-92
Approved

W.C.C. Action 11-12-92
Approved
Bd. Co. Co. Action _____
Order to Vacate Recorded _____