

City of Wichita
City Council Meeting
July 28, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1773 REQUEST TO VACATE UTILITY EASEMENTS
LOCATED WEST OF ROCK ROAD AND NORTH OF 13TH STREET NORTH.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements.

MAPC Recommendation: Approve vacation of utility easements.
(unanimous)

Background: The Wichita Racquet and Swim Club has plans to expand its facilities on property to the north. Existing facilities would be linked to the new facilities across the common lot line. However, utility easements presently encumber the full length of the joint lot line. City Engineering and the utility representatives of the Subdivision Committee indicate that no facilities are located in the section of easements being requested for vacation, nor is it necessary to retain these sections for future use. 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

Approved: JUL 28 1992
This document is a true and correct copy of the original as filed with the City Clerk.

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENTS

GENERALLY LOCATED
WEST OF ROCK ROAD AND NORTH OF 13TH
STREET NORTH (V-1773)

MORE FULLY DESCRIBED BELOW

V-1773

VACATION ORDER

NOW on this 28th day of July, 1992, comes on for hearing the petition for vacation filed by the Wichita Racquet and Swim Club, praying for the vacation of the following described utility easements, to-wit:

The 10-foot utility easement as platted along the north line of Lot 2, Block 1, Ruby J. Third Addition, An Addition to Wichita, Sedgwick County, Kansas, except the west 10-feet thereof and the east 158-feet thereof and
The 10-foot utility easement as platted along the south line of Lot 1, Southwestern Bell Telephone Company Addition, Wichita, Kansas, except the west 10-feet and east 225-feet 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 Reporter of notice of this vacation proceeding for consecutive weeks on 7-17-92 & 7-24-92.
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.

B. CO

City Clerk

100-100000-200-8-

Vacation Order
V-1773
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 28th day of July, 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.

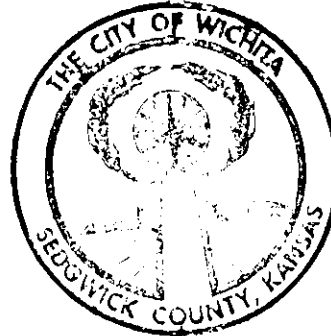
Bob Knight for
Bob Knight, Mayor

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk

Approved as to Form:

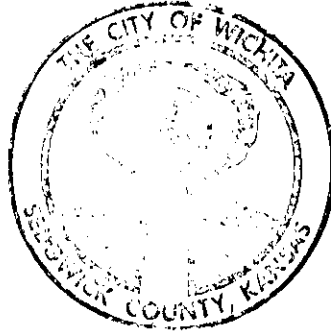
Gary Rebenstorf, Director of Law



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OF RECORD

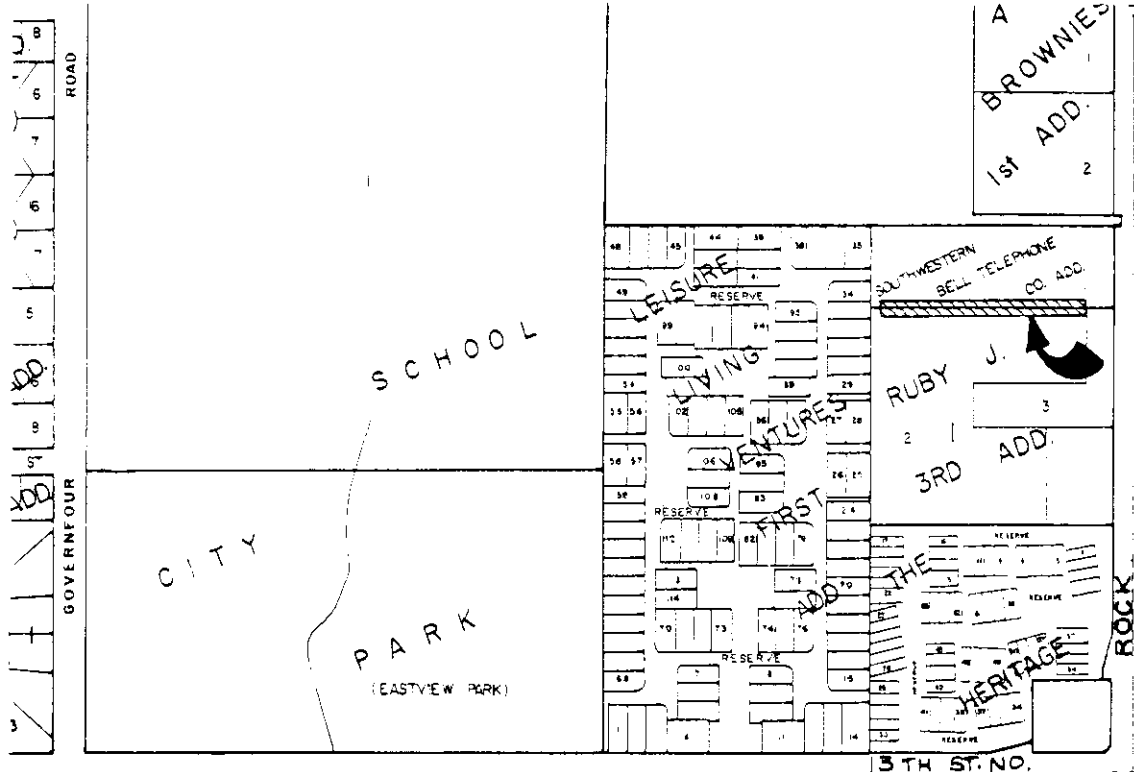
STATE OF KANSAS
JUL 28 1992
8:00 AM
163 212 1231653
SETTLER
REDS

Pat Burnett
JUL 28, 1992
Pat Burnett



Pat Burnett
Deputy City Clerk

Sketch.



V-177

Application Filed 6/5/92
 S/D Comm. Action 6/25/92
Approved
 M.A.P.C. Action 7-2-92
Approved

W.C.C. Action 7-28-92
Approved
 Bd. Co. Co. Action
 Order to Vacate Recorded
August 27 1992