

Planning Agenda Item # _____

City of Wichita
City Council Meeting
April 7, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1753 - REQUEST TO VACATE A UTILITY EASEMENT
LOCATED SOUTH OF DOUGLAS AND WEST OF ROCK ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

W. K. Brown

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Background: The applicant intends to build across a common lot line. Both City Engineering and the utility representatives of the Subdivision and Utility Advisory Committee indicate the easement is not needed. 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

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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 SOUTH OF DOUGLAS)
AND WEST OF ROCK ROAD.)
(V-1753))

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 7th day of April, 1992, comes on for hearing the petition for vacation filed by Roger Forrow for OMNI INC., praying for the vacation of the following described utility easement, to-wit:

The platted 10 foot utility easement centered along the common lot line of Lot 8 and Lot 9, Block 1, Rockwood South Fifth Addition, Wichita, Sedgwick County, Kansas, except for the east 20 feet and west 15 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 3/20/92 + 3/27/92.
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.

8.00

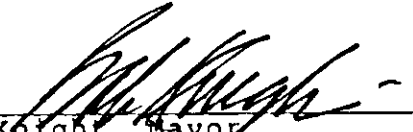
City Clerk

15-0029 2909

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Vacation Order
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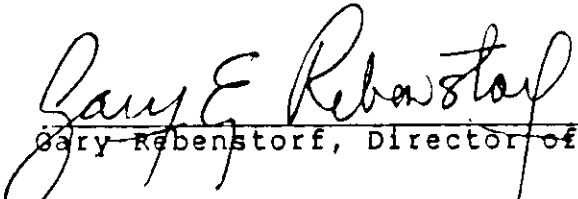
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of April, 1992, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

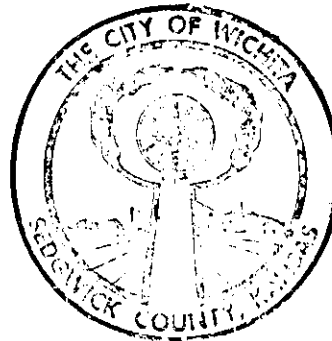

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

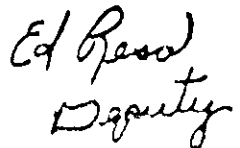
Approved as to Form:


Gary E. Rebenstorf, Director of Law



DATE OF FILING 1992
FILED 10:00 A
APR 17 1992
ED KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD


Ed Reed
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 April 7, 1992
 Deputy City Clerk

