

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 24, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1751 - REQUEST TO VACATE A UTILITY EASEMENT
LOCATED SOUTH OF 13TH ST. NORTH AND EAST OF HOOVER.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

M. Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Background: The utility easement along this property's north line is typical of older easements intended for sanitary sewer. No sewer is, however, located in the easement and City Engineering and the utilities indicate that a two foot portion can be vacated. Sanitary sewer is located along the property's west line and additional easement has been granted by the applicant to bring the easement in that location up to present standards. 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: Accept the dedication of additional easement; close public hearing, approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and utility easement, 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 13th St.
NORTH AND EAST OF HOOVER. (V-1751)

MORE FULLY DESCRIBED BELOW

V-1751

VACATION ORDER

NOW on this 24th day of March, 1992, comes on for hearing the petition for vacation filed by Louis E. Highfill, praying for the vacation of the following described utility easement, to-wit:

The south two (2) feet of the north eight (8) foot easement platted along the north property line of Lot 8, Block 1, Replat of part of Lots 23 and 24 R.A. Morris Tracts, Wichita, Kansas, except the west ten (10) 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 3/10/1992 & 3/17/1992.

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

150024 2909

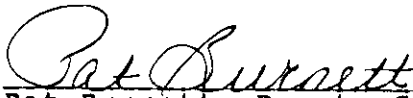
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Vacation Order
V-1751
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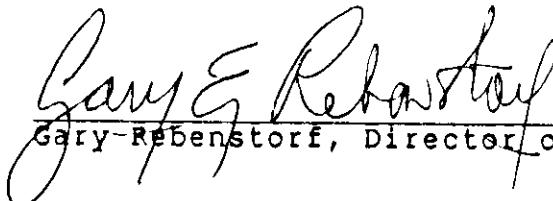
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 24th day of March, 1992, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



STATE OF KANSAS) SS
SEDGWICK COUNTY)
FILED FOR RECORD AT
10:00 AM

JUN 24 1992 1218137

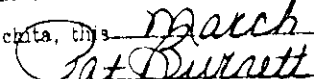
PAT KETTLER
REGISTER OF DEEDS

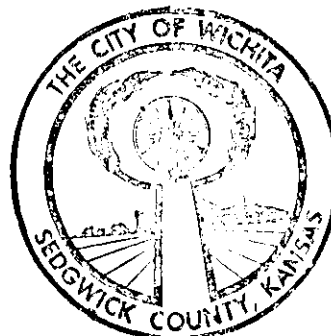
MICROFILMED
OF RECORD


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 March 24, 1992
 Deputy City Clerk



ELEVENTH

CARL	SMITH	
2ND	ADD. 6	
REPLAT	1 PART	LOTS 8 9

1	STENGER	30	SC
	2nd ADD. 3		
1	MEMORY	LANE	
	TWIN	HOME	
MEMORY			

2	1	DONNA'S	5	1	2	2
					23	8
	PART OF	FIRST		HIGHFILL	4	24
	R.A. 24	7	6	2	1	ADD
	MORRIS					
	TRACTS					

SMITH

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III. Application Filed 1/2/9/92
 S/D Comm. Action 2/20/92
 M.A.P.C. Action 2-27-92
 Approved
 Approved

W.C.C. Action 3-24-92
 Approved
 Bd. Co. Co. Action

Order to Vacate Recorded
 Recorded March 24 1992