

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 3, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1739 - REQUEST TO VACATE PLATTED UTILITY
EASEMENTS LOCATED SOUTH OF MAPLE AND WEST OF WEST STREET.
(District #4)

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 applicant wishes to vacate the easements so that a unified building site, unencumbered by these easements, can be created. Arrangements have been made for the relocation of some utility lines and a substitute easement has been submitted to allow for any future need to extend sanitary sewer to the site. City Engineering and the utilities have indicated that they have no objection to the vacation. 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 substitute utility easement and record the easement; 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)
PLATTED UTILITY EASEMENTS)
)
GENERALLY LOCATED SOUTH OF MAPLE AND)
WEST OF WEST STREET (V-1739))
)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 3rd day of December, 1991, comes on for hearing the petition for vacation filed by Gary Wiley for Star Lumber & Supply Co., Inc., praying for the vacation of the following described utility easement, to-wit:

The west 8 feet and the south 8 feet of the west 91.1 feet of Lot 1, Star Lumber Company Addition; Wichita, Kansas

And

The south 10 feet of Lots 1 and 2, Star Lumber Company 4th Addition; Wichita, Kansas

And

The west, north, and south 10 feet of the west 231.1 feet of the north 360 feet of Lot 1, Star Lumber Company 5th Addition; Wichita, Kansas

And

The north, south, and east 10 feet of Star Lumber Company 6th Addition; Wichita, Kansas

And

The south and east 10 feet of Lot 1, Star Lumber Company 7th Addition, Wichita, Kansas.

MICROFILMED
OF RECORD

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 11-19-91 & 11-26-91.

City Clerk

8.00 k

200 150000 5000 8 ^{cc}

Vacation Order
V-1739
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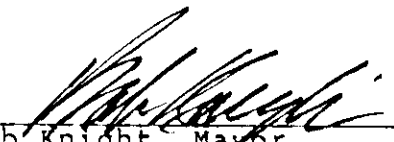
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

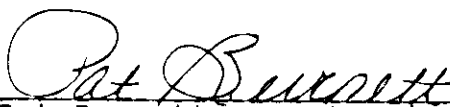
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of the utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of December, 1991, 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.

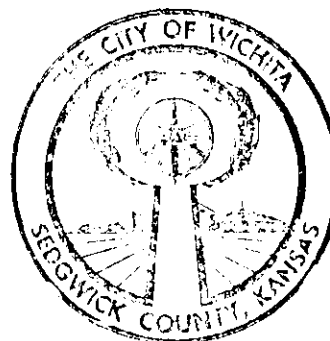

Bob Knight, Mayor

ATTEST:

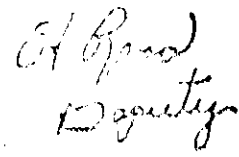

Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



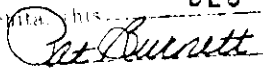
STATE OF KANSAS, 1st
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 PM
MAR 592 1192200
PAT KETTLER
REGISTER OF DEEDS





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 attached 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 DEC 3 1991
 Deputy City Clerk

N.E. 1/4 SEC. 26 TWP. 27 R. 1 W.

