

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 3, 1991

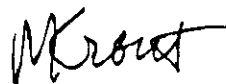
Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1735 - REQUEST TO VACATE A PORTION OF A
UTILITY EASEMENT LOCATED EAST OF HYDRAULIC AND SOUTH OF
PAWNEE
(District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of portion of utility
easement.

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

Background: While this property (lot) is over 223 feet deep approximately the eastern 130 feet is encumbered by a utility easement. Standard utilities are located in the more or less 20 westerly feet of this easement, with a large, 60 inch sanitary sewer disposal line in the eastern portion. City Engineering and the utilities have agreed, however, that a central portion of this easement can be vacated to allow the applicant to construct a garage. 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

Approved & Accepted By City Council

This DEC 3 1991

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED EAST OF HYDRAULIC)
AND SOUTH OF PAWNEE.)
(V-1735))
)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 3rd day of December, 1991, comes on for hearing the petition for vacation filed by Michelle W. Salazar, praying for the vacation of the following described utility easement, to-wit:

The easement as platted on the rear of and adjacent to the east rear property line of lot 19, Block 2, Classen Parked Addition to Sedgwick County, Kansas; except the westerly 20 feet and easterly 50 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 11-19-91 & 11-26-91.

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.

MICROFILMED
OF RECORD

8.00ck

City Clerk

cc 11-26-91

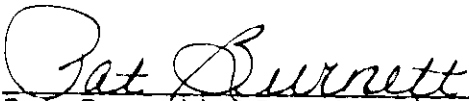
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Vacation Order
V-1735
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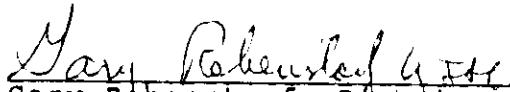
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of December, 1991, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

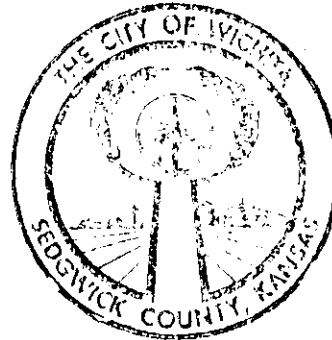

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law

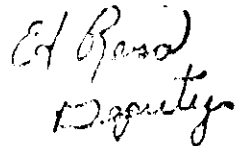


State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Pat Burnett, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of
Wichita, this DEC 3 1991

 Deputy City Clerk

STATE OF KANSAS) ss
SEDGWICK COUNTY)
FILED FOR
8-002
MAR 5 92 1192198

PAT KETTLER
REGISTER OF DEEDS


Ed Bass
Deputy



SCOTT, AVE

DINNING

MARION AVE.

ADDITION

CLABEN AVE.

GLASSEN

3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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3

~~MARKED~~

12
DENKER

GORDON

PARK
ADD.

QUEEN CITY -

3801

MASON

CLASSEN

WASSALL

ST

BCOTT AVE.

GLEN OAKS DR.

ADD'N "

JENNINGS			(3)
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MARION, RD.

SOUTHEAST

DENKER

ADD'N