

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 27, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1725 - REQUEST TO VACATE A PORTION OF A
UTILITY EASEMENT LOCATED NORTH OF PEMBROOK CIRCLE AND EAST
OF RIDGEWOOD.
(District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Background: City Engineering has indicated that sanitary sewer is not planned for this easement. Members of the Utility Advisory Committee also indicate that no harm will be caused by vacating a 5 foot portion of the 20 foot easement at this location. 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

Page 1 of 2

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 EASE-
MENT.

GENERALLY LOCATED NORTH OF PEMBROOK
CIRCLE AND EAST OF RIDGEWOOD
(V-1725)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council

This AUG 27 1991

VACATION ORDER

NOW on this 27th day of August, 1991, comes on for hearing the petition for vacation filed by Critchfield Real Estate Limited Partnership, 1985, praying for the vacation of the following described utility easement, to-wit:

The west 5 feet of the east 10 feet of Lot 73,
Block 2, The Courts II, an addition to Wichita,
Sedgwick County, Kansas, EXCEPT the south 15 feet
thereof, and EXCEPT the north 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 8/13/91 & 8/20/91.
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

800k

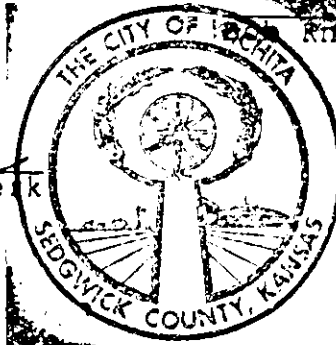
City Clerk

Vacation Order
V-1725
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 27th day of August, 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.

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk



Approved as to Form:

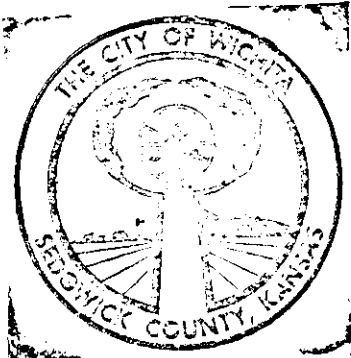
Joe Lang
Joe Lang, Acting Director of Law

State of Kansas }
Sedgwick County) ss
City of Wichita)

Cheryl Hallaway, 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

Cheryl Hallaway, Deputy City Clerk
October 2, 1991

Form 1020



STATE OF KANSAS }
SEDGWICK COUNTY } ss
FILED FOR RECORD AT

392 1179861

PAT KETTLER
REGISTER OF DEEDS

Cheryl Hallaway
Deputy City Clerk

map-58504
Y-1785
58504

RIDGEWOOD

