

Planning Agenda Item # _____

**City of Wichita
City Council Meeting
February 8, 1994**

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1850 REQUEST TO VACATE A UTILITY
EASEMENT LOCATED NORTH OF CENTRAL AND WEST OF RIDGE
(District #5)

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: This easement is a stub type extension of another easement. However, no utility lines, poles, etc. were installed in the easement and City Engineering and the utility representatives of the Subdivision Committee indicate there is no present or future need for the easement. As requested by City Engineering, the applicant has agreed to dedicate two (2) feet of additional utility easement adjacent to another easement on this property, which was platted under the older eight (8) foot standard. 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 the public hearing, accept the utility easement; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order and the utility easement; recording costs to be billed to:

150029-2909

FILE COPY

Approved: _____
 Accepted by the Council:
FEB 8 1994
 Title: _____

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

**MICROFILMED
OF RECORD**

IN THE MATTER OF THE VACATION OF
A UTILITY EASEMENT

GENERALLY LOCATED NORTH OF CENTRAL
AND WEST OF RIDGE ROAD

MORE FULLY DESCRIBED BELOW

Case No. V-1850



STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT
— 800 —

7-2-94 1367526

DAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 8th day of February, 1994, comes on for hearing the petition for vacation filed by Dorothy M. Ragland, praying for the vacation of the following described utility easement, to-wit:

That portion of utility easement described as:

All of the 10-foot stub utility easement lying east of a line 8 feet east of the west line of Lot 1, Block 2, Country Acres Addition, Sedgwick County, Kansas.

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 1/25/94 & 2/1/94.
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.

Vacation Order
V - 1850

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of February, 1994, 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.

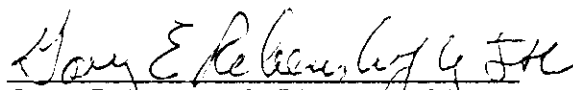

Elma Broadfoot, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

PAT BURNETT

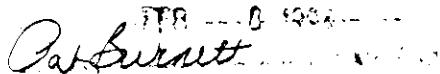
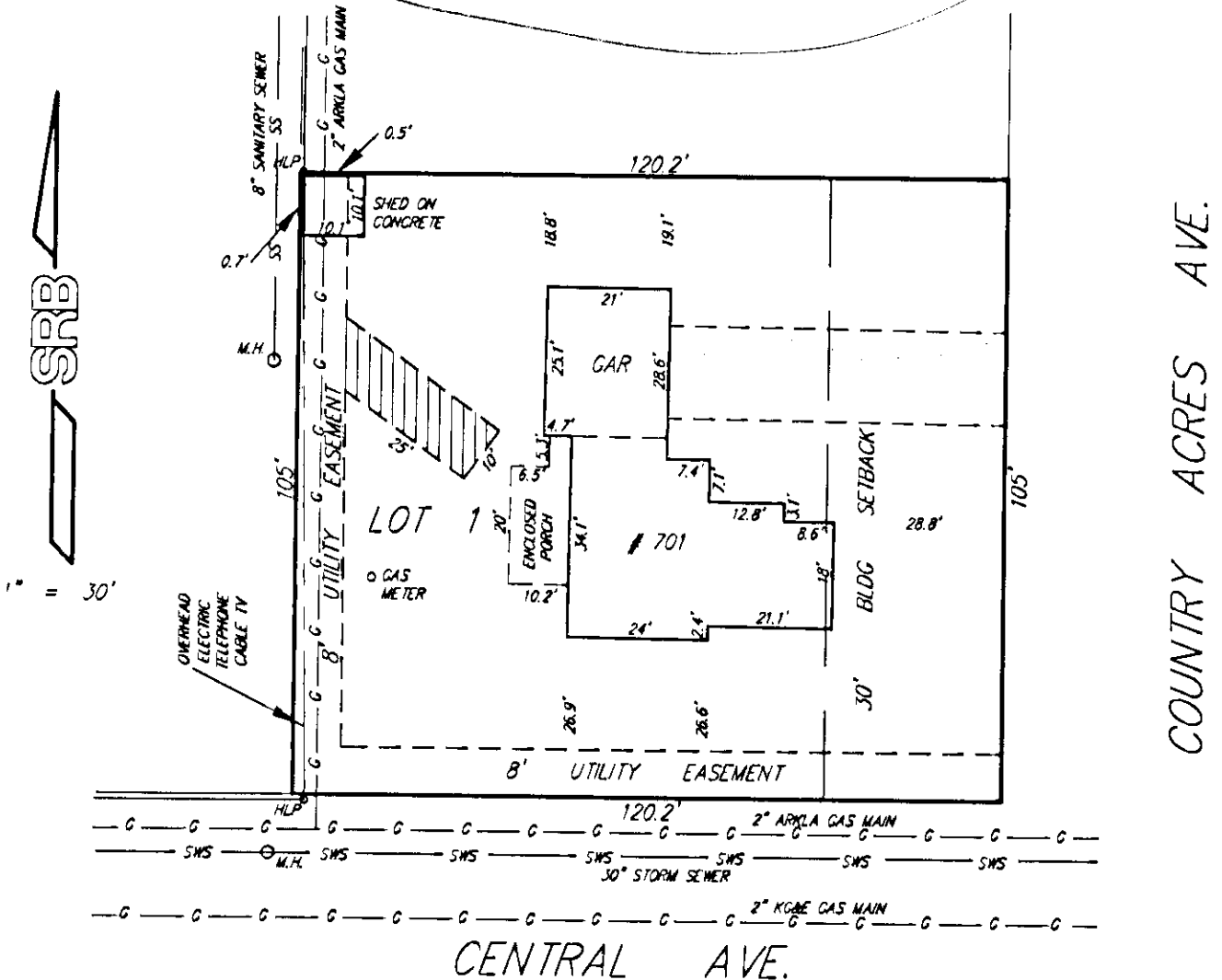
FEB 10 1994




EXHIBIT EASEMENT VACATION

V-1850
Legal for
stake
report, etc

ALL OF THE 10 FOOT STUB UTILITY EASEMENT
LYING EAST OF A LINE 8 FEET EAST OF THE
WEST LINE OF LOT 1, BLOCK 2, COUNTRY ACRES
ADDITION, SEDGWICK COUNTY, KANSAS.



LOT 1, BLOCK 2, COUNTRY ACRES ADDITION,
SEDGWICK COUNTY, KANSAS.