

Planning Agenda Item # \_\_\_\_\_

**City of Wichita  
City Council Meeting  
January 11, 1994**

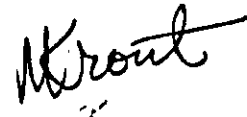
Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** PUBLIC HEARING V-1849 REQUEST TO VACATE A UTILITY  
EASEMENT LOCATED NORTH OF CENTRAL AND EAST OF TYLER  
(District #5)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning



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**Staff Recommendation:** Approve vacation of utility easement.

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

**Background:** The applicant is attempting to consolidate several smaller lots with an adjoining larger lot in order to accommodate a development and associated parking being planned for the site. Since the vacation of the easement would eliminate access to sanitary sewer for some of the smaller lots, the applicant has submitted a covenant which ties these lots into or with the larger lot such that these lots cannot be developed separate from the larger lot unless an easement and sewer are again provided for these lots. City Engineering and the Utility representatives of the Subdivision Committee have indicated that the easement can be vacated. 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, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order and the Restrictive Covenant; recording costs to be billed to:

150029-2909



Vacation Order  
V - 1849

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of January, 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.



*Joan B. Cole*  
JOAN B. COLE VICE MAYOR

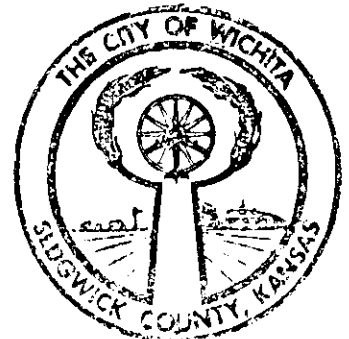
ATTEST:

*Pat Burnett*  
Pat Burnett, Deputy City Clerk

Approved as to Form:

*Gary E. Rebenstorf*  
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, Kansas, this  
JAN 11 1994  
*Pat Burnett* Deputy City Clerk



$\Delta = 25^{\circ}14'08''$   
 $104.60' R.$   
 $LC = 45.70'$   
 $N 77^{\circ}36'06'' E$

NE Cor.  $S\frac{1}{2}$  SW $\frac{1}{4}$   
 Sec. 16-27-1W

SCHOOL CIR.

BEKEMEYER

Complete Access Control

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 Film. 548, Pg. 727

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 77.

$\Delta = 27^{\circ}09''$   
 $970' R.$   
 $LC = 75.36'$   
 $N 2^{\circ}13'35'' E$

SOCORA

WOODCHUCK

CENTRAL

AVE.

SE Cor. SW $\frac{1}{4}$   
 Sec. 16-27-1W

