

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

August 16, 1994

James E. Sloan, Etux
2515 N. Governour Cir.
Wichita, KS 67226

Re: V-1881 Request to vacate a portion of a utility easement

Dear Mr. Sloan:

At the August 11, 1994 meeting of the Metropolitan Area Planning Commission, the MAPC upheld the recommendation by the Subdivision Committee on August 4, 1994 to deny this request to vacate a portion of a utility easement. You may, however, formally file an appeal of the Planning Commission's decision. Such appeal would be to the City Council, who could then determine if your vacation case should be brought before them for consideration.

If you have any questions about this matter, please call - 268-4459.

Sincerely,


Don Losew
Senior Planner

DL:rh

cc: Mike Lindebak, City Engineer

August 4, 1994

STAFF REPORT

CASE NUMBER: V-1881 Request to vacate a portion of a utility easement

OWNER/APPLICANT: James E. Sloan, Etux, 2515 N. Gouverneur Cir., Wichita, KS 67226

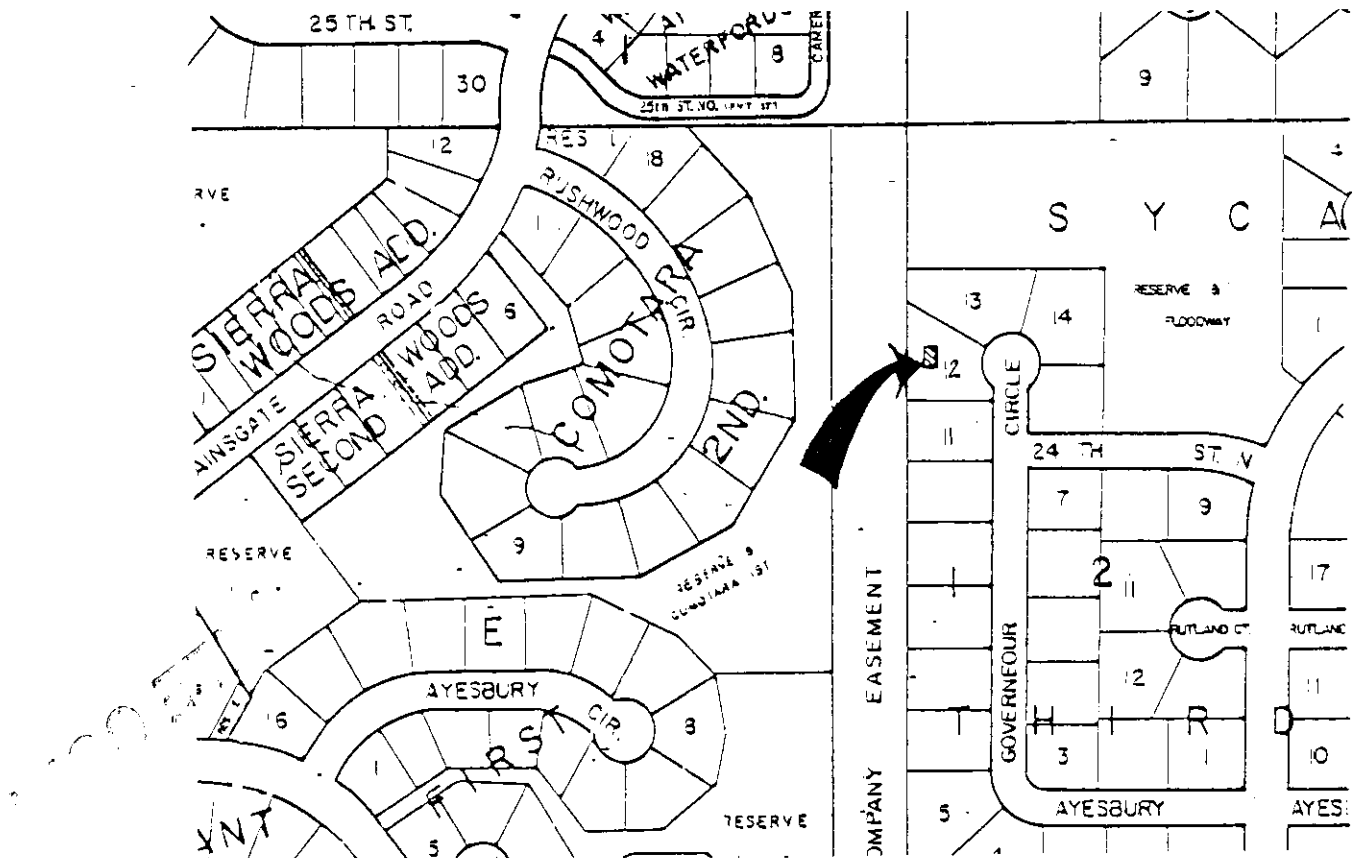
LEGAL DESCRIPTION: Part of a 45 foot wide utility easement on the West side of Lot 12, Block 1, "SYCAMORE VILLAGE THIRD ADDITION" to Wichita, Sedgwick County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of said Lot 12; thence Easterly, on the south line of said Lot 12, on a platted bearing of North 89°05'28" East, a distance of 45.00 feet; thence Northerly, on the East line of said easement, North 0°54'32" West, a distance of 58.45 feet to the POINT OF BEGINNING; thence North 89°07'02" West, a distance of 12.58 feet; thence North 0°52'58" East, a distance of 24.30 feet; thence South 89°07'02" East, a distance of 11.82 feet to a point on the East line of said easement; thence Southerly, on said East line, South 0°54'32" East, a distance of 24.31 feet to the POINT OF BEGINNING. V-1881

LOCATION: West of Rock Road and north of 21st Street North

REASON FOR REQUEST: To clear title due to encroachment into utility easement.

CURRENT ZONING: "AA"

VICINITY MAP:



NOTE: Based upon the City's sewer books, a City sewer line runs directly under the area requested for vacation.

SUBDIVISION COMMITTEE RECOMMENDATIONS:

- I. Deny the vacation,

or
- II. Approve the vacation providing the following conditions are met:
 - A. City Engineering verifies that a sewer line is not involved with or located in or near the area requested for vacation or if a sewer line is involved, the applicant guarantees the relocation of such sewer line.
 - B. The utilities verify that no utilities are impacted by the vacation or if utilities are involved that the applicant make satisfactory arrangements for the relocation of any such utilities.
 - C. The applicant shall be solely responsible of the reconstruction and/or relocation of any utilities made necessary by this vacation.
 - D. The applicants shall submit a revised, signed vacation petition.