

Planning Agenda # _____

**City of Wichita
City Council Meeting
May 21, 1996**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1960 REQUEST TO VACATE A UTILITY
EASEMENT IN AN AREA WEST OF ROCK AND SOUTH OF 37TH
STREET NORTH.
(District # 2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of utility easement.

MAPC Recommendation: Approve vacation of utility easement. (11-1)

Background: The applicant desires to vacate an unused water line easement, since the existing water line in the easement was abandoned and recolated. According to City Engineering and the utility representatives of the Subdivision Committee the easement being requested for vacation is not necessary to serve the application area nor surrounding properties. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. The reason given for the one dissenting vote was that the commissioner was opposed to any development or re-development in a flood plain.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Actions: Close the public hearing, approve the vacation;
authorize the Mayor to sign the Vacation Order;
and record the certified copy of the Vacation Order;
recording costs to be billed to: 150029-2909

Vacation Order
V - 1960

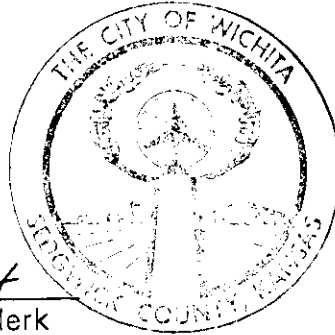
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3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

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.


IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of May, 1996, 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, City Clerk


COPY

Approved as to Form:



Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Pat Burnett 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 MAY 21 1996


City Clerk

34TH ST. N.

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ROCK RD

K-96