

Planning Agenda # _____

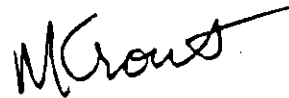
**City of Wichita
City Council Meeting
June 16, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2089 REQUEST TO VACATE UTILITY EASEMENT
LOCATED IN AN AREA NORTH OF REFLECTION ROAD AND EAST OF
LAKE RIDGE, GENERALLY EAST OF TYLER ROAD AND NORTH OF 21ST
STREET NORTH.
(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: The applicant is proposing to vacate the unused utility easement along the rear property line in order to accommodate the construction of a swimming pool that would encroach into the easement. The reserve for the golf course is adjacent to the rear property line and the utilities that are behind the lots are in the reserve. Sanitary sewers are in the front of the lots in this area.

The Metropolitan Area Planning Commission approved the Subdivision Committee recommendation that the vacation petition be approved as requested subject to the following:

- A. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

No members of the public spoke in opposition to this request.

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.

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT

GENERALLY LOCATED
NORTH OF REFLECTION ROAD AND EAST
OF LAKE RIDGE, GENERALLY EAST OF
TYLER ROAD AND NORTH OF 21ST STREET
NORTH

MORE FULLY DESCRIBED BELOW

Case No. Y-2089



STATE OF KANSAS)
) ss

AUG 21 12 35 PM '55

Deputy

REGISTER OF DEEDS

VACATION ORDER

NOW on this 16th day of June, 1998, comes on for hearing the petition for vacation filed by Jeffrey S. Reiswig, praying for the vacation of the following described utility easement, to-wit:

The easterly 10 feet of Lot 23, Block 1, Reflection Ridge Addition to Wichita, 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 one time May 22, 1998, which was at least 20 days prior to this public hearing.
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, subject to the following condition:

RETURN ABOVE

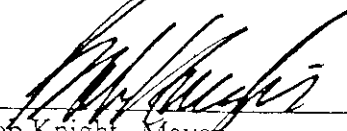
150003
800

Vacation Order
V - 2089

Page 2 of 2

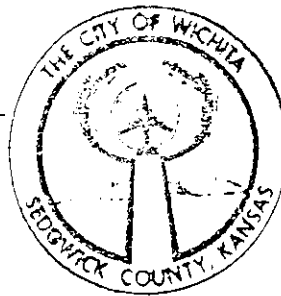
- A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of June, 1998, 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.

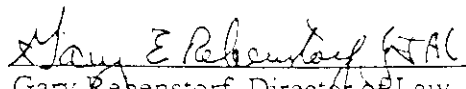

Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk



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 copy to which
this is affixed is a true and correct copy of the orig-
inal on file in my office.

Given under my hand and seal of the City of
Wichita, this JUN 16 1998
 City Clerk

