

Planning Agenda # _____

City of Wichita
City Council Meeting
March 7, 2000

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **V-2213 - REQUEST TO VACATE UTILITY EASEMENT
LOCATED WEST OF STACKMAN DRIVE ON THE SOUTH
SIDE OF PINE STREET.**
(District VI)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a utility easement.

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

Background: The applicant is requesting to vacate a platted 10-foot utility easement. This is the site of the Wichita Art Museum and the City of Wichita plans to expand the main building.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures to sign.

Handwritten signature

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

IN THE MATTER OF THE VACATION OF)	
UTILITY EASEMENT)	
)	
)	
GENERALLY LOCATED)	Case No. V-2213
WEST OF STACKMAN DRIVE ON THE SOUTH)	
SIDE OF PINE STREET)	
)	
)	
<u>MORE FULLY DESCRIBED BELOW</u>)	

VACATION ORDER

NOW on this 7th day of March, 2000, comes on for hearing the petition for vacation filed by City of Wichita, praying for the vacation of the following described utility easement, to-wit:

The westerly 10-foot utility easement as recorded on Lot 1, W.A.M. 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 on January 18, 2000, which was at least 20 days prior to the 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.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of March 2000, 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

