

Planning Agenda # _____

City of Wichita
City Council Meeting
October 19, 1999

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2197 - REQUEST TO VACATE A PORTION OF A UTILITY
EASEMENT LOCATED AT MEADOW PASS AND
LAKERIDGE (2718 N. LAKERIDGE)
(District V)

INITIATED BY: Metropolitan Area Planning Department *M. K. Hart*
by

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a portion of a utility easement.

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

Background: The applicant is requesting to vacate the west 10 feet of the 20-foot utility easement along the east property line. The applicant wishes to build part of his home and a retaining wall into the existing easement.

Utility and engineering representatives had no objection to this request. 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 Mayor to sign.

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CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

Approved / Accepted By City Council
This OCT 19 1999

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

IN THE MATTER OF THE VACATION OF)
UTILITY EASEMENT)

GENERALLY LOCATED)
MEADOW PASS & LAKERIDGE)
(2718 N. LAKERIDGE))

MORE FULLY DESCRIBED BELOW)

Case No. V-2197



STATE OF KANSAS
SEDGWICK COUNTY

Nov 19 11 56 AM '99

BILL MEEK
REGISTER OF DEEDS

S. Christman
Deputy

VACATION ORDER

NOW on this 19th day of October, 1999, comes on for hearing the petition for vacation filed by Larry & Jeanine McKee, praying for the vacation of the following described a portion of a utility easement, to-wit:

The west 10 feet of the east 20 feet of Lot 23, Block 3, Northridge Lakes 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 September 7, 1999, 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 a portion of a 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.

8.00 RETURN ABOVE

1500003
8.00

Vacation Order
V-2197

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5. The vacation of a portion of a utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of October, 1999, ordered that the above-described a portion of a 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)

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 my office.

Given under my hand and seal of the City of Wichita, this OCT 19 1999


Pat Burnett City Clerk

