

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS: V- 2186 Request to vacate a portion of a utility easement located at 143rd Street East and Central Avenue (14821 Sharon Lane)

PRESENTED BY: Marvin S. Krout, Director of Planning.

*M. Krout
Dyke*

PROPOSED AGENDA DATE: September 1, 1999

COMMISSION DISTRICT #1

MAPC Recommendation: Approve, subject to conditions. (unanimous)

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: The applicant is requesting to vacate 15 feet of the 40-foot platted utility easement for the construction of a swimming pool.

County Engineering and private utilities do not object to this vacation request. No members of the public addressed the MAPC in opposition to this request at the advertised public hearing, and no written protests have been filed.

This request is within 3-miles of the City of Wichita and consequently was scheduled for review by the Wichita City Council. The Wichita City Council heard and approved this vacation.

Recommended Action: 1. Approve the vacation order to vacate a portion of a utility easement, and authorize the Chairman to sign.

Applicants: Charles W. Grauel, 14821 Sharon Lane, Wichita, KS 67230

Protestors: None

RECEIVED
OCT 27 1999

1826571 8-28

1960 PAGE 2432

STATE OF KANSAS } ss
SEDCWICK COUNTY }

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

SEP 2 4 13 PM '99

BILL HEEK
REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF
A PORTION OF A UTILITY EASEMENT)

GENERALLY LOCATED)
143RD STREET EAST AND CENTRAL AVENUE)
(14821 SHARON LANE))

MAPD CASE NO. V-2186

VACATION ORDER

James L. Stewart
DEPUTY



NOW on this 1st day of September, 1999, at 9:00 o'clock A.M. comes the petition filed by Charles W. Grauel, praying for the vacation of the following-described portion of a utility easement, to wit:

The north 15 feet of the south 40 feet of the west 122.33 feet except the west five feet thereof, Lot 8, Block 1, Crestview Country Club Estates, Overbrook 3rd Addition, Wichita, Sedgwick County, Kansas.

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the official county newspaper, such publication having occurred on July 6, 1999; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613, and amendments thereto.

THEREAFTER, the Board, being duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

MICROFILMED
OF RECORD

MICROFILMED
OF RECORD

DA.

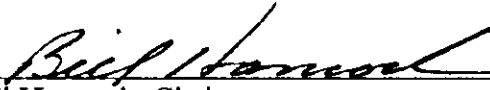
(Handwritten signature)

The Board further finds that the Metropolitan Area Planning Commission held a public hearing on the 12th day of August, 1999, and recommended that the vacation petition herein be approved; and on the 24th day of August, 1999, the Governing Body of the City of Wichita recommended that the said petition be approved.

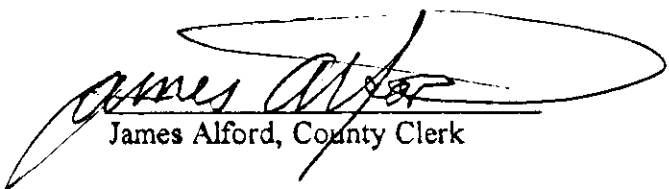
THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that a portion of the utility easement hereinabove described be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

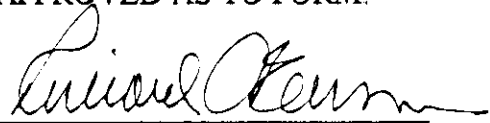


Bill Hancock, Chairman



James Alford, County Clerk

APPROVED AS TO FORM:



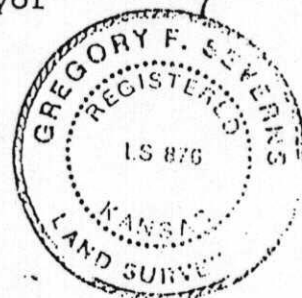
Richard A. Euson
County Counselor

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we did on this 2nd day of February, 1989, survey Lot 8, Block 1, Crestview Country Club Estates, Overbrook Third Addition, an addition to Sedgwick County, Kansas.

On said Lot is house No. 14821 with an attached garage which is in the clear of all boundary lines. There are no encroachments on said Lot by buildings on the adjacent lots.

The accompanying plat is a true and correct exhibit of said survey for mortgagee title insurance.

Gregory F. Sevens
Surveyor



Sharon Lane

