

Planning Agenda # _____

**City of Wichita
City Council Meeting
September 12, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2000-00031 - REQUEST TO VACATE UTILITY EASEMENT ON PROPERTY GENERALLY LOCATED APPROXIMATELY ½ MILE SOUTH OF KELLOGG AND ½ MILE EAST OF HILLSIDE. (714 S. ROOSEVELT) (District II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

*M. K. HOUSTON
D. H. H. E.*

Staff Recommendation: Approve vacation of utility easement.

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

Background: The applicants are requesting to vacate a portion of the 10-foot utility easement along their north property line for construction of a storage shed.

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.

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

**IN THE MATTER OF THE VACATION OF)
UTILITY EASEMENT)**

**GENERALLY LOCATED)
APPROXIMATELY ½ MILE SOUTH OF)
KELLOGG AND ½ MILE EAST OF HILLSIDE)
(714 S. ROOSEVELT))**

Case No. VAC2000-00031

MORE FULLY DESCRIBED BELOW)

RECEIVED

SEP 19 2000

METROPOLITAN PLANNING
ROUTE _____

VACATION ORDER

NOW on this 12th day of September, 2000, comes on for hearing the petition for vacation filed by Ronald and Terry Butts, praying for the vacation of the following described utility easement , to-wit:

Utility easement described as the west 12 feet of the east 22 feet of the north 5 feet o Lot 6, Block L, Longview Terrace, an 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 Eagle on July 26, 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

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 utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September 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.

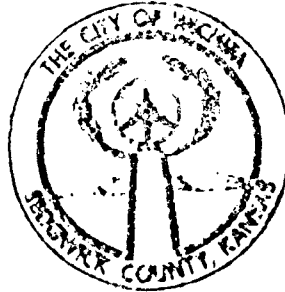


Bob Knight, Mayor

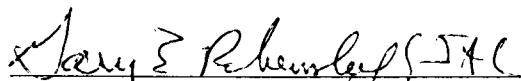
ATTEST:



Pat Burnett, City Clerk



Approved as to Form:

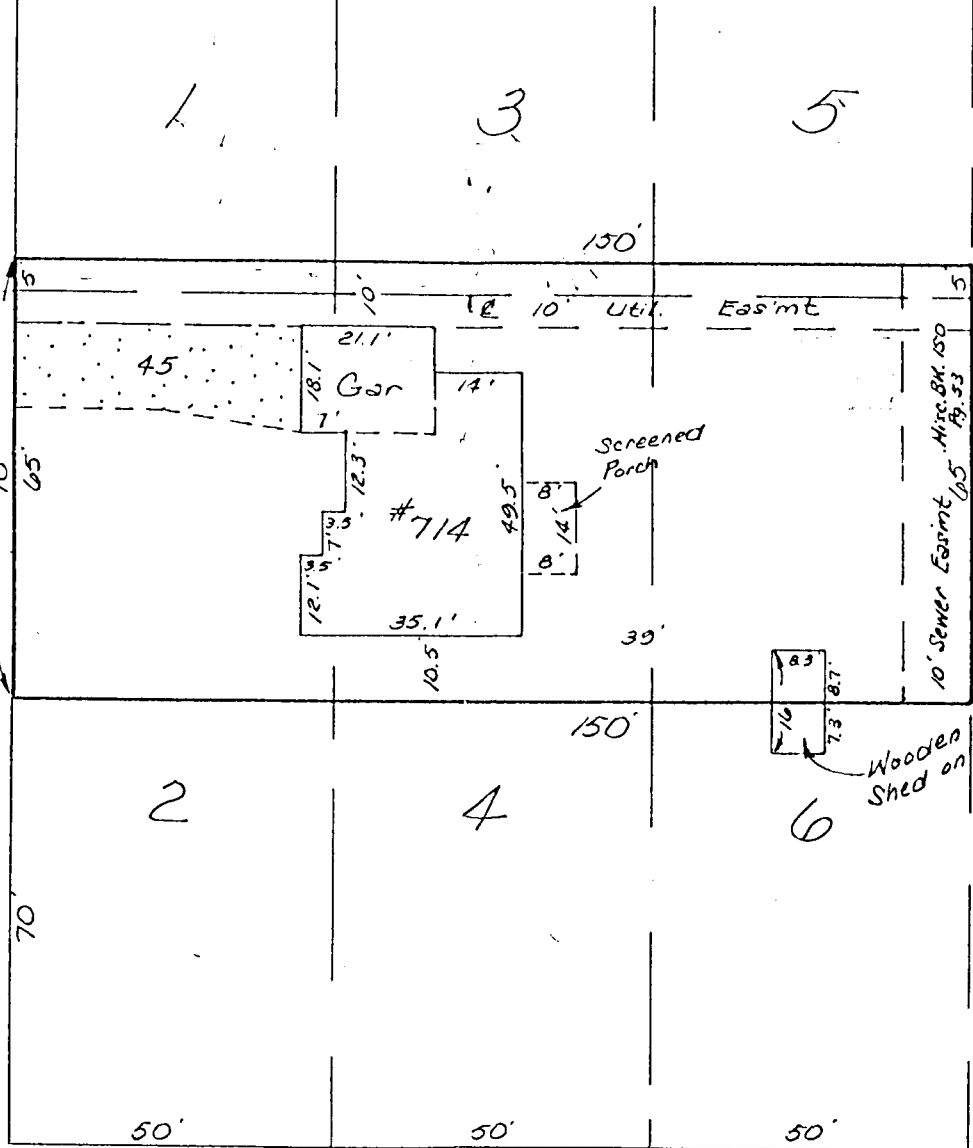


Gary Rebenstorf, Director of Law



Roosevelt Ave.

Ave.



Morris

St.