

Planning Agenda # _____

**City of Wichita
City Council Meeting
May 2, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2000-00003 - REQUEST TO VACATE A 20-FOOT
UTILITY EASEMENT LOCATED EAST OF DOUGHERTY
AND NORTH OF CENTRAL.
(District VI)

INITIATED BY: Metropolitan Area Planning Department *MK*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a 20-foot utility easement.

MAPC Recommendation: Approve vacation of a 20-foot utility easement. (unanimous)

Background: The applicant is requesting to vacate a dead-end easement and convert the existing public sewer line to a private line.

No one spoke in opposition to this request at the MAPC's advertised public hearing. Both the city engineers and the utility companies reviewed this request and noted no utilities in the easements, nor were the easements needed for the future. 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.

Deed

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

**IN THE MATTER OF THE VACATION OF)
20-FOOT UTILITY EASEMENT)**

**GENERALLY LOCATED)
EAST OF DOUGHERTY AND NORTH OF)
CENTRAL)**

Case No. VAC2000-00003

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 2nd day of May, 2000, comes on for hearing the petition for vacation filed by Henry J. & Madeline M. Jacobs, praying for the vacation of the following described 20 foot utility easement, to-wit:

Beginning at a point 1'N and 13.78'W of NE corner of Lot 2, Jacob's Addition, Wichita, Sedgwick County, Kansas, thence west parallel with the north line of said Lot 2, a distance of 97.45', to the west line of said easement.


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 March 21, 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 20-foot 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 a 20-foot utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of May 2000, ordered that the above-described a 20-foot 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.

ATTEST:

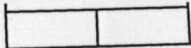

Pat Burnett, City Clerk



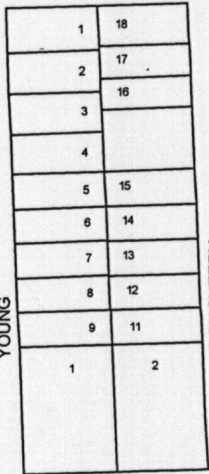

Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

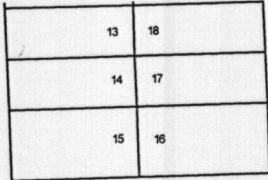


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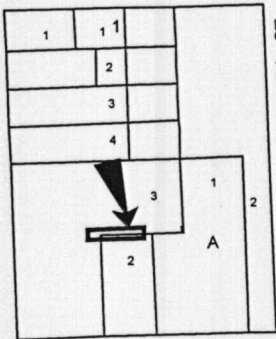


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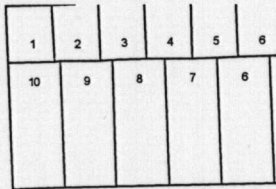
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