

Planning Agenda # _____

**City of Wichita
City Council Meeting
April 11, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **V-2221 - REQUEST TO VACATE A 20-FOOT SANITARY SEWER EASEMENT LOCATED SOUTH OF KELLOGG AND WEST OF 111TH STREET WEST.**
(District V)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

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

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

Background: The applicant is requesting to vacate a 20-foot sanitary sewer easement. This easement was platted to cover an existing private sewer in anticipation of connecting to the City public sewer system. Since that time the applicant has decided to retain the sewer line as a private line.

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.

APR 11 2000

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

**IN THE MATTER OF THE VACATION OF)
A 20-FOOT SANITARY SEWER EASEMENT)**

**GENERALLY LOCATED -)
SOUTH OF KELLOGG AND WEST OF 111TH)
STREET WEST)**

Case No. V-2221

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of April, 2000, comes on for hearing the petition for vacation filed by Blasi Tire Center, Inc., c/o Vernon J. and Theresa C. Blasi, praying for the vacation of the following described a 20-foot sanitary sewer easement, to-wit:

A 20 foot sanitary sewer easement lying in the NE ¼ of the NW ¼ of Sec. 31, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, with a line 10 feet each side of the following described centerline: Commencing at the SW corner of Lot 1, Block A, Blasi Park, Wichita, Sedgwick County, Kansas; thence east to the left, 22.84 feet for a point of beginning; thence continuing along the last described course, as extended northwesterly, 47.15 feet; thence at an angle of 132⁰01'48" to the right, 225.44 feet, said point being 10 feet north of the south line of said Lot 1; thence easterly parallel with and 10 feet normally distant north of the south line of said Lot 1, 403.60 feet; thence at an angle of 67⁰42'42" to the left, 435.10 feet a point 2.04 feet west and 77.05 feet north of the NE corner of said Lot 1, and there ending.

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 February 22, 2000, which was at least 20 days prior to the public hearing.

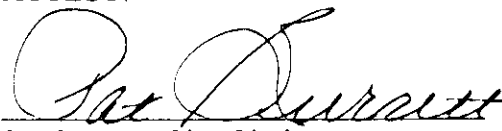
2. No private rights will be injured or endangered by the vacation of the above-described a 20-foot sanitary sewer easement and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said 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 sanitary sewer easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of April, 2000, ordered that the above-described a 20-foot sanitary sewer 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.

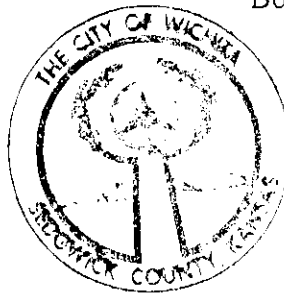


Bob Knight, Mayor

ATTEST:



Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

U-2221

EXHIBIT A

U.S. Highway 54 (KELLOGG)

