

Planning Agenda # _____

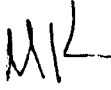
**City of Wichita
City Council Meeting
October 8, 2002**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2000-00050- REQUEST TO VACATE PLATTED UTILITY
EASEMENT LOCATED NORTHWEST OF THE K-96 – ROCK
ROAD INTERSECTION.**
(District I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning 

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimous).

Background: The applicant is building a restaurant. The applicant is applying for vacation of the platted 20-foot utility easement that runs adjacent and parallel to a platted 50-foot pipeline easement. As a condition of the vacation, the applicant has recorded a dedication (by separate instrument, recorded 06-10-30, Film 2459, Page 145) of a 20-foot utility easement within the 50-foot pipeline easement to cover the existing sanitary sewer line and manholes within the 50-foot pipeline easement. The applicant has supplied a letter from the Farmland Industries Pipeline and Transportation Company, stating their acceptance of the location of the sanitary sewer and manholes within their easement. The applicant has completed a lot split, a condition of the vacation, and recorded it with the County; SUB2000-00007, recorded 09-10-02, Film 2526, Page 164

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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) **Case No. VAC2000-00050**
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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.

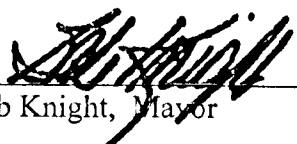
5. The vacation of the platted utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of October 2002, ordered that the above-described platted 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



ROCK

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(EAST EXPRESSWAY)

K-96

K-96

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