

Planning Agenda # \_\_\_\_\_

**City of Wichita  
City Council Meeting  
June 5, 2001**

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council

**SUBJECT:** VAC2001-00019 - REQUEST TO VACATE UTILITY EASEMENTS, DRAINAGE EASEMENT, & RESERVE LOCATED NORTH OF 29<sup>TH</sup> STREET NORTH, WEST OF RIDGE ROAD.  
(District V)

**INITIATED BY:** Metropolitan Area Planning Department *MK/out  
D/ff*

**AGENDA ACTION:** Planning

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**Staff Recommendation:** Approve vacation of utility easements, drainage easement, & reserve.

**MAPC Recommendation:** Approve vacation of utility easements, drainage easement, & reserve (unanimous)

**Background:** The applicant is requesting consideration to vacate two 10-foot side yard utility easements a 15-foot drainage easement and a portion of Reserve "E", all in the Forest Lakes Addition. Reserve "E" is platted for irrigation systems, landscaping, lakes (retention & detention), drainage structures, walks, docks and utilities confined to easements. The lots affected are not developed. The south section of this subdivision is developed with single-family houses. The applicant proposes to create fewer, larger lots if the vacations are approved.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, subject to the dedication of substitute utility easements, and adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

**Legal Considerations:** The instrument dedicating the substitute utility easements and 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, authorize the necessary signatures, and accept the dedication of the substitute utility easements.



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 Wichita Eagle on April 19, 2001, 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 easements, drainage easement, & reserve, 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 utility easements, drainage easement & reserve described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5<sup>th</sup> day of June 2001, ordered that the above-described utility easements, drainage easement, & reserve 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.

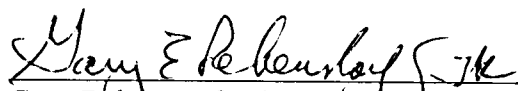
ATTEST:

  
Pat Burnett, City Clerk



  
Bob Knight, Mayor

Approved as to Form:

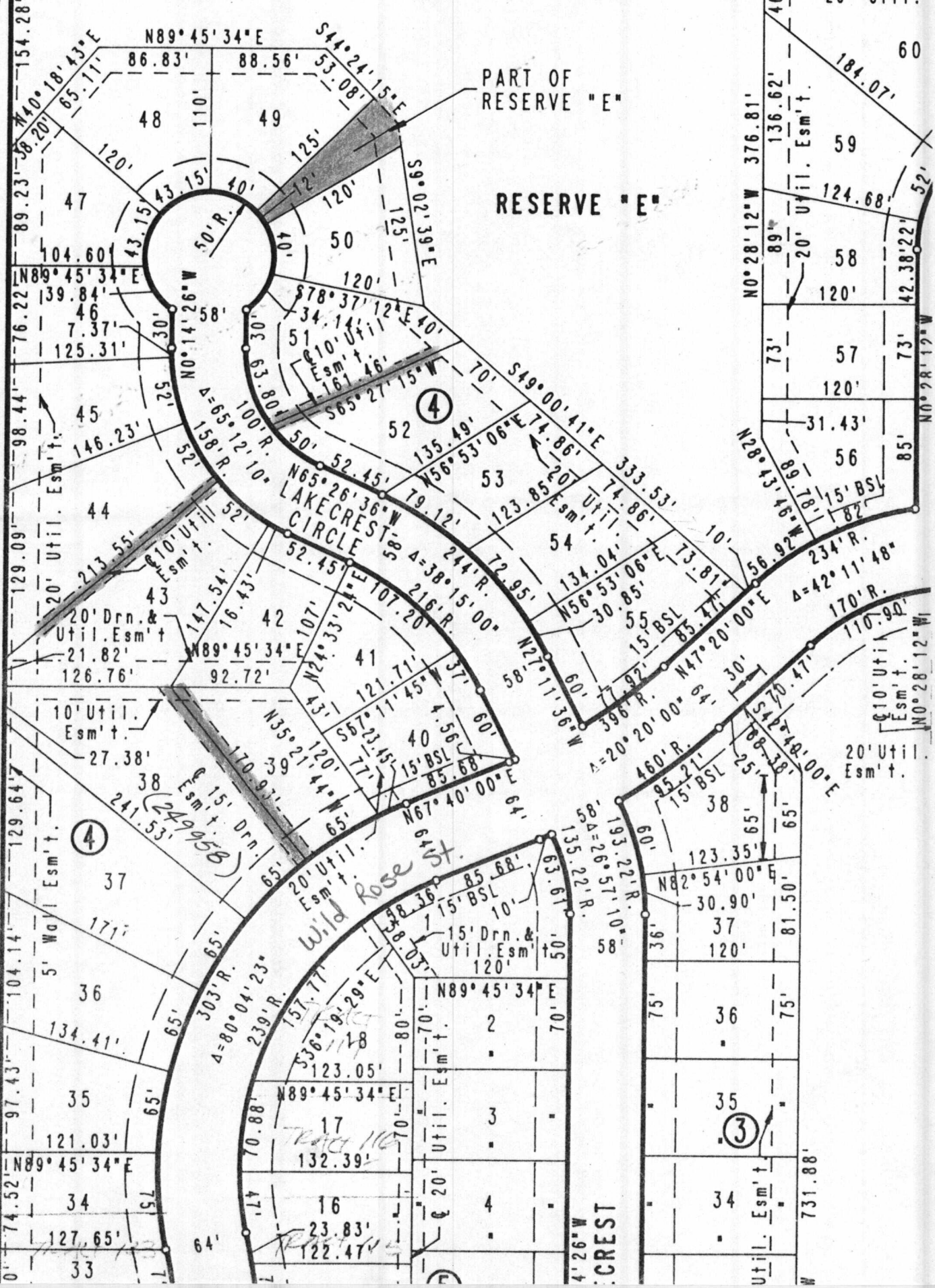
  
Gary Rebanstorf, Director of Law

N89°31'48"E 1004.91' (CALC. MEAS.)

579.88'

5' Wall Esm't.

125'  
20' Util.



PART OF RESERVE "E"

RESERVE "E"

LAKECREST CIRCLE

Wild Rose St.

CREST

④

③

60

59

58

57

56

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