

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

**PROPOSED AGENDA ITEMS:** VAC2001-00013 Request to vacate utility easement generally located North of 31<sup>st</sup> Street and east of 143<sup>rd</sup> Street East.

**PRESENTED BY:** Marvin S. Krout, Director of Planning.

*M. Krout  
Date*

**PROPOSED AGENDA DATE:** May 9, 2001

**COMMISSION DISTRICT #5**

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MAPC Recommendation: Approve, subject to conditions. (unanimous)

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: The applicant is requesting to vacate a 16-foot wide, 305-foot long platted utility easement. The easement is in the way of proposed new home construction. The applicant has dedicated a new 20-ft utility easement along the east lot line to replace the vacated easement.

No members of the public addressed the MAPC in opposition to these requests.

Recommended Action: 1. Approve the vacation order to vacate a utility easement and authorize the Chair to sign.

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Applicants: Dudley and Teresa Morris, 2059 Lori Lane, Wichita, KS 67207

Protestors: None

Vacation Order  
VAC2001-00013

RECEIVED  
MAY 11 2001  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

BEFORE THE COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF )  
UTILITY EASEMENT )

GENERALLY LOCATED )  
NORTH OF 31<sup>ST</sup> STREET AND EAST OF 143<sup>RD</sup> )  
STREET EAST )

)MAPD CASE NO. VAC2001-00013

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VACATION ORDER

NOW on this 9<sup>th</sup> day of May, 2001, at 9:00 o'clock A.M., comes the petition filed by Dudley and Teresa Morris, praying for the vacation of the following-described portion of utility easement, to-wit:

Lot 5, Pony Acres, Sedgwick County, Kansas. A 16-ft utility easement lying in Lot 3, Pony Acres, Sedgwick County, Kansas, more particularly described as follows: The east 16-ft of the west 305-ft except the north 8-ft and the south 8-ft of said lot.

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the official county newspaper, such publication having occurred on March 29, 2001; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613, and amendments thereto.

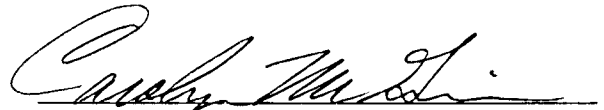
Vacation Order  
VAC2001-00013

THEREAFTER, the Board, being duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

The Board further finds that the Metropolitan Area Planning Commission held a public hearing on the 19<sup>th</sup> day of April 2001, and recommended that the vacation petition herein be approved; and on the 9<sup>th</sup> day of May 2001, the Governing Body Sedgwick County the said petition be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that utility easement hereinabove described be and the same is hereby vacated.

**BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS**


  
Carolyn McGinn, Chair

ATTEST:

  
Don Brace, County Clerk



APPROVED AS TO FORM:

  
Richard A. Euson  
County Counselor

# VAC 201-00013

