

Planning Agenda # _____

**City of Wichita
City Council Meeting
January 9, 2001**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2000-00053 - REQUEST TO VACATE 20-FOOT UTILITY
EASEMENT LOCATED AT THE SOUTHWEST CORNER OF
135TH STREET WEST AND MAPLE.
(District V)

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 20-foot utility easement that is interior to property. The applicant wishes to construct a retail building in this area.

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, subject to the City retaining the east 10-feet of the east/west utility easement. 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.

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 20-foot utility easement described herein should be approved, subject to the following condition:

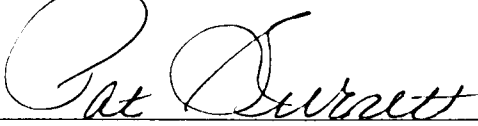
- A) The City shall retain the east 10-foot of the east/west utility easement.
- B) Any relocation of utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of January 2001, ordered that the above-described 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.



Bob Knight, Mayor

ATTEST:



Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

MAPLE



2

1

RESERVE 'A'

135TH ST WEST