

Planning Agenda # _____

City of Wichita
City Council Meeting
February 5, 2002

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00057 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT AND A PLATTED DRAINAGE EASEMENT, GENERALLY LOCATED NORTHEAST OF THE EAST CENTRAL AVENUE - NORTH HILLSIDE AVENUE INTERSECTION.
(District I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant proposes to vacate a platted utility and platted drainage easement as dedicated on the Wesley Medical Center Addition, Lot 2. The applicant proposes to re-develop the property with a 4 storey Intensive Care Unit addition to the existing hospital.

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 and the Drainage Easement 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.

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

**IN THE MATTER OF THE VACATION OF A)
PLATTED UTILITY EASEMENT AND A)
PLATTED DRAIN EASEMENT)
)
)
GENERALLY LOCATED NORTHEAST OF THE)
NORTH HILLSIDE AVENUE – EAST CENTRAL)
AVENUE INTERSECTION)
)
MORE FULLY DESCRIBED BELOW)**

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FEB 08 2002

**METROPOLITAN PLANNING
ROUTE _____**

Case No. VAC2001-00057

VACATION ORDER

NOW on this 5th day of February, 2002, comes on for hearing the petition for vacation filed by Wesley Medical Center, praying for the vacation of the following described platted utility and drainage easements:

Platted utility and drainage easements Vacation Description:


The dedicated drainage and utility easements as recorded on Lot 2 of the Wesley Medical Center 2nd Addition, Wichita, Sedgwick County, Kansas, August 7th, 1974.

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 December 13, 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 platted utility and drainage easements, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner, 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 the platted utility and drainage easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day February of 2002, ordered that the above-described platted utility and drainage easements are 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.



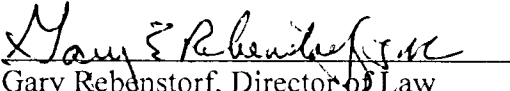
Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

