


Planning Agenda # _____

**City of Wichita
City Council Meeting
September 11, 2001**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2001-00032 - REQUEST TO VACATE 10-FOOT UTILITY EASEMENT LOCATED SOUTHEAST OF THE HARRY - WEBB INTERSECTION.**
(District II)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of 10-foot utility easement.

MAPC Recommendation: Approve vacation of 10-foot utility easement. (unanimous)

Background: The applicant is requesting consideration to vacate a 10-ft utility easement between Lots 13 & 14, Block 4, Brentwood Village Addition. The applicant proposes to reduce the number of lots and make larger lots, this will be accomplished by a boundary shift.

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.

RECEIVED

SEP 19 2001

METROPOLITAN PLANNING
ROUTE _____

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

**IN THE MATTER OF THE VACATION OF)
10-FOOT UTILITY EASEMENT)**

**GENERALLY LOCATED)
SOUTHEAST OF THE HARRY - WEBB)
INTERSECTION)**

Case No. VAC2001-00032

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of September, 2001, comes on for hearing the petition for vacation filed by Brentwood Development Inc., Steve Miller, praying for the vacation of the following described 10-foot utility easement, to-wit:

10-foot utility easement between lots 13 & 14, Block 4, Brentwood Village Addition.

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 July 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 10-foot utility easement, 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. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant. All improvements shall be according to City Standards.


5. 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.
6. The vacation of the 10-utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of September 2001, ordered that the above-described 10-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.

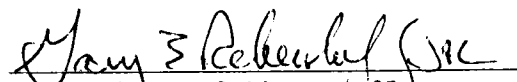
ATTEST:


Pat Burnett, City Clerk



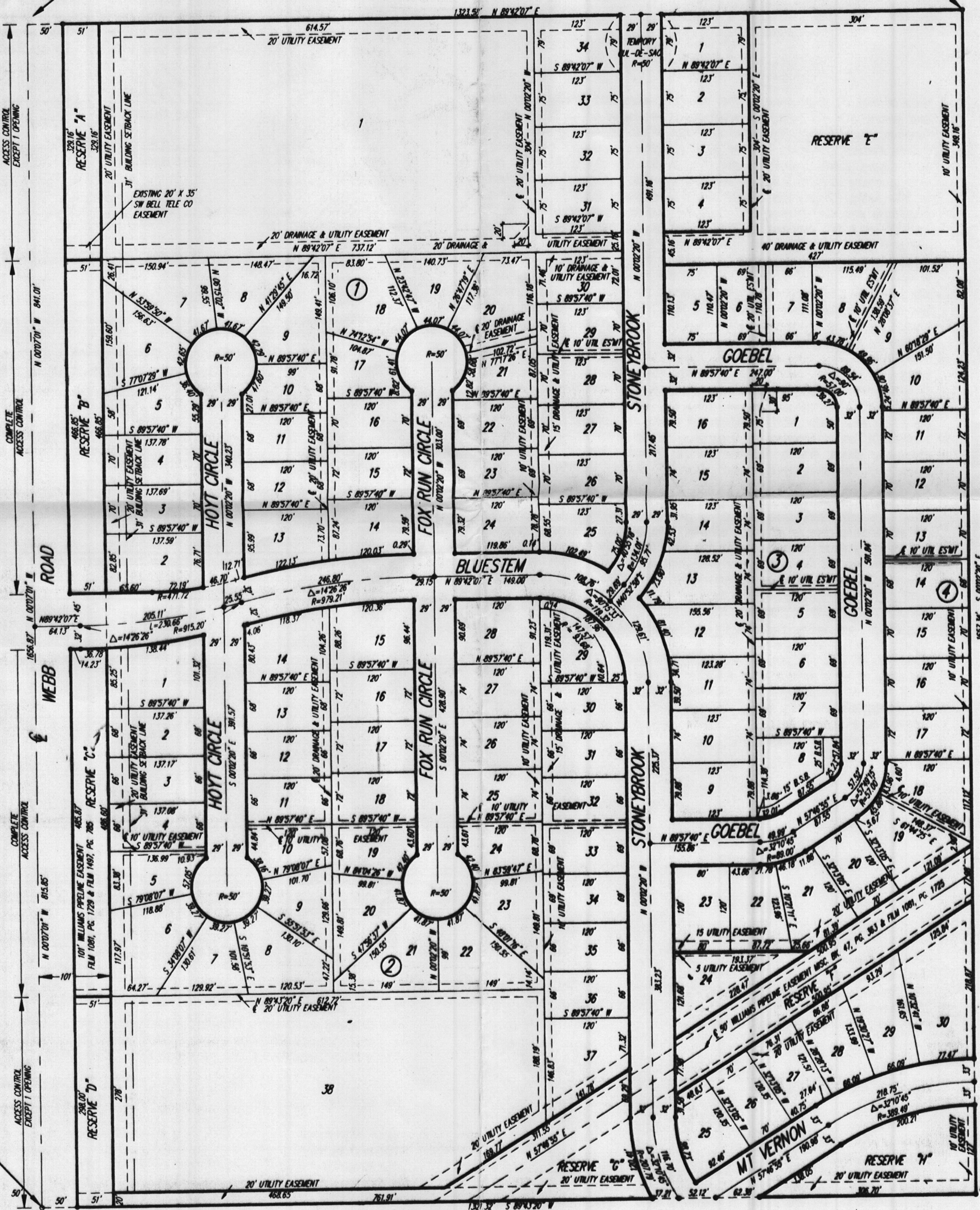

Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

N.W. COR S 10 AC, NW1/4
NW1/4 SEC 33-27S-2E

N.E. COR S 10 AC, NW1/4
NW1/4 SEC 33-27S-2E



S.W. COR SW1/4, NW1/4
SEC 33-27S-2E

S.E. COR SW1/4, NW1/4
SEC 33-27S-2E