

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

**City of Wichita  
City Council Meeting  
July 16, 2002**

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

**TO:** Mayor and City Council

**SUBJECT:** VAC2002-00009 - REQUEST TO VACATE PORTIONS OF TWO PLATTED 10-FOOT UTILITY EASEMENTS LOCATED NORTHEAST OF THE EAST CENTRAL AVENUE - GREENWICH ROAD INTERSECTION. (District II)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

*M. Knout*

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**Staff Recommendation:** Approve

**MAPC Recommendation:** Approve (unanimous)

**Background:** The applicant proposes vacating the portions (see Exhibit A) of the two 10-foot utility easements that meet in the northwest corner of Lot 1, Block A, Samra 2<sup>nd</sup> Addition. The applicant proposes to build a communication tower. The applicant proposes, per Exhibit A, to dedicate a new utility easement in a location that is acceptable to City Engineering and private utilities.

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.

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

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

**GENERALLY LOCATED )  
NORTHWEST CORNER OF CENTRAL AND )  
GREENWICH ROAD )**

**Case No. VAC2002-00009**

**MORE FULLY DESCRIBED BELOW )**

**VACATION ORDER**

NOW on this 16<sup>th</sup> day of July, 2002, comes on for hearing the petition for vacation filed by First National Bank of Conway Springs, Attention: Chris Anderson, praying for the vacation of the following described a portion of a 10-foot utility easement, to-wit:


That part of Lot 1, Blk A, Samra 2<sup>nd</sup> Add, Sedgwick County, Kansas described as beginning at the NW corner of said Lot 1; thence S 0d2'22" E, a distance 27.06 feet; thence N 45d4'54" E, a distance of 14.11 feet; thence N 0d2'22" W, a distance of 7.06 feet; thence S 89d47'50" E, a distance of 7.06 feet, thence N 45d4'54" E, a distance of 14.11 feet; thence N 89d47'50" W, a distance of 27.06 feet to the point of beginning (containing 341.13 sq-ft or 0.0078 acres)

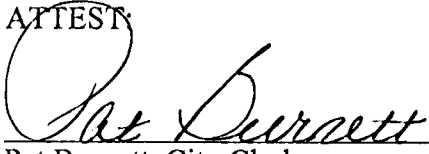
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on March 28, 2002, 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 portions of two platted 10-foot utility easements, 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 the portions of two platted 10-foot utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16<sup>th</sup> day of July 2002, ordered that the above-described portions of two platted 10-foot utility easements 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.

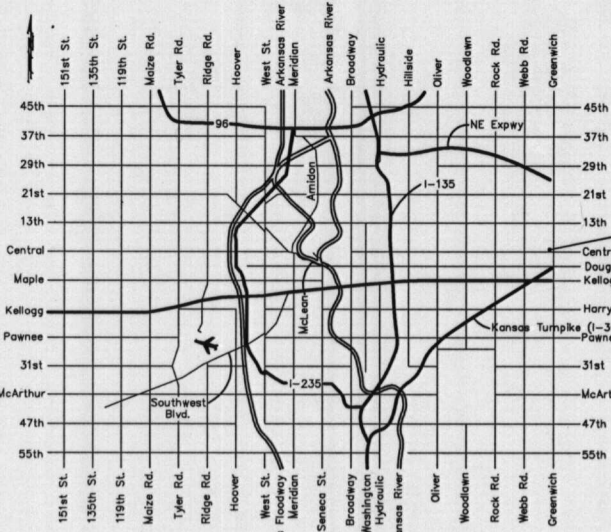
  
\_\_\_\_\_  
Bob Knight, Mayor

ATTEST  
  
\_\_\_\_\_  
Pat Burnett, City Clerk

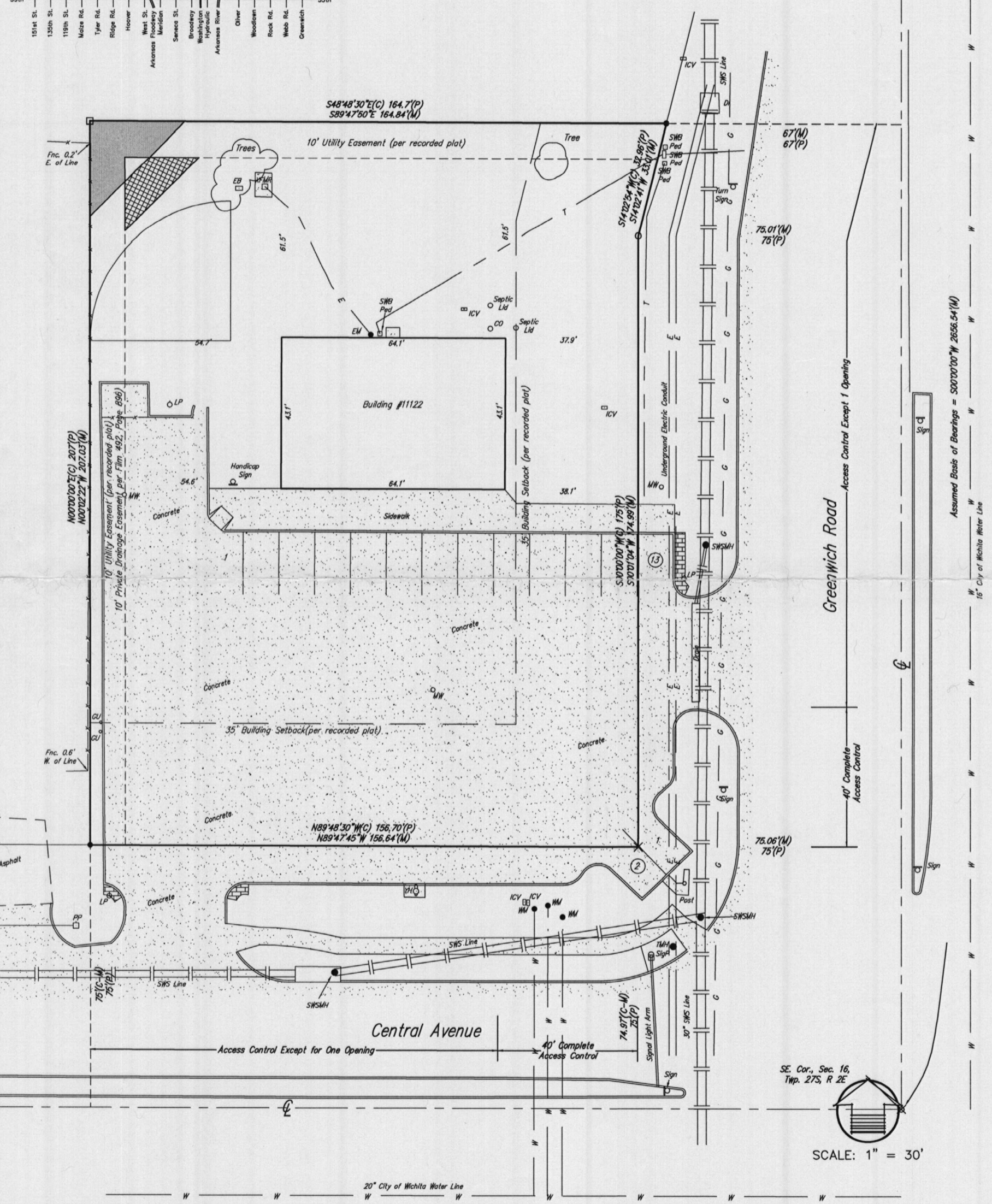


Approved as to Form:

  
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Gary Rebenstorf, Director of Law



LOCATION



Assumed Basis of Bearings = S00°00'00" W 2656.54'(M)  
16" City of Wichita Water Line

SCALE: 1" = 30'

- CO = Cleanout
- DI = Drop Inlet
- EB = Electric Box
- EM = Electric Meter
- GU = Guard Post(Ballard)
- ICV = Irrigation Control Valve - Valve Box
- LP = Light Pole
- MW = Monitoring Well
- PP = Power Pole
- SigP = Signal Pole
- Sign = Sign
- SSMH = Sanitary Sewer Manhole
- SWB Ped = Southwestern Bell Pedestal
- SWSMH = Stormwater Sewer Manhole
- TMH = Traffic Manhole
- WM = Water Meter
- WV = Water Valve
- XFMR = Transformer
- YH = Yard Hydrant(Spigot)

AREA TO BE VACATED

- = #4 Baughman Rebar Set
  - = 3/4" Iron Pipe Found
  - = 1/2" Iron Pipe Found
  - ⊗ = Chiseled Cross Found
  - ⊗ = Chiseled Cross Found over 3/4" Iron Pipe
- (C-M) = Calculated per Measured  
(M) = Measured  
(P) = Platted

# EXHIBIT A

## EASEMENT VACATION CONWAY BANK, N.A.