

STAFF REPORT

CASE NUMBER: VAC2018-00014 - City Vacation of a platted utility easement to allow two buildings to be connected

OWNER/APPLICANT: Michael J Casamento Revocable Trust (Applicant)

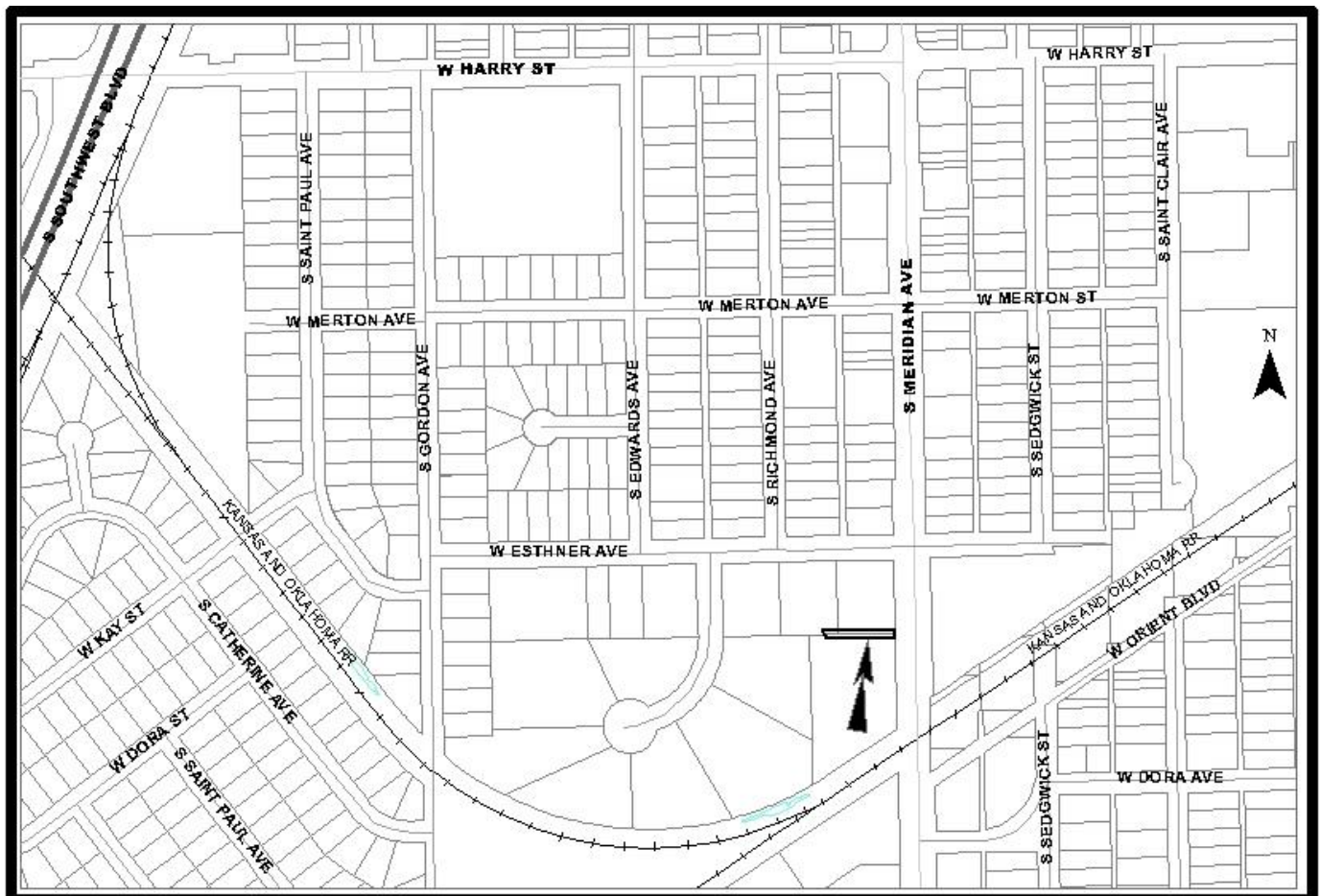
LEGAL DESCRIPTION: See Attached

LOCATION: Generally located on the west side of South Meridian Avenue and two blocks south of West Harry Street (1819, 1825 South Meridian)

REASON FOR REQUEST: To allow for a building to be built over the utility easement which would connect two parcels

CURRENT ZONING: LI Limited Industrial

VICINITY MAP:



The applicant has requested the vacation of a portion of a twenty-foot platted utility easement on property addressed 1819 and 1825 South Meridian. There is a sewer in the subject portion of the easement that will need to be relocated at the applicant's expense.

Westar has no objection to this vacation. The Meridian Industrial Park Addition was recorded May 13th, 1975.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of platted utility easement.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time July 5, 2018, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted utility easement and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

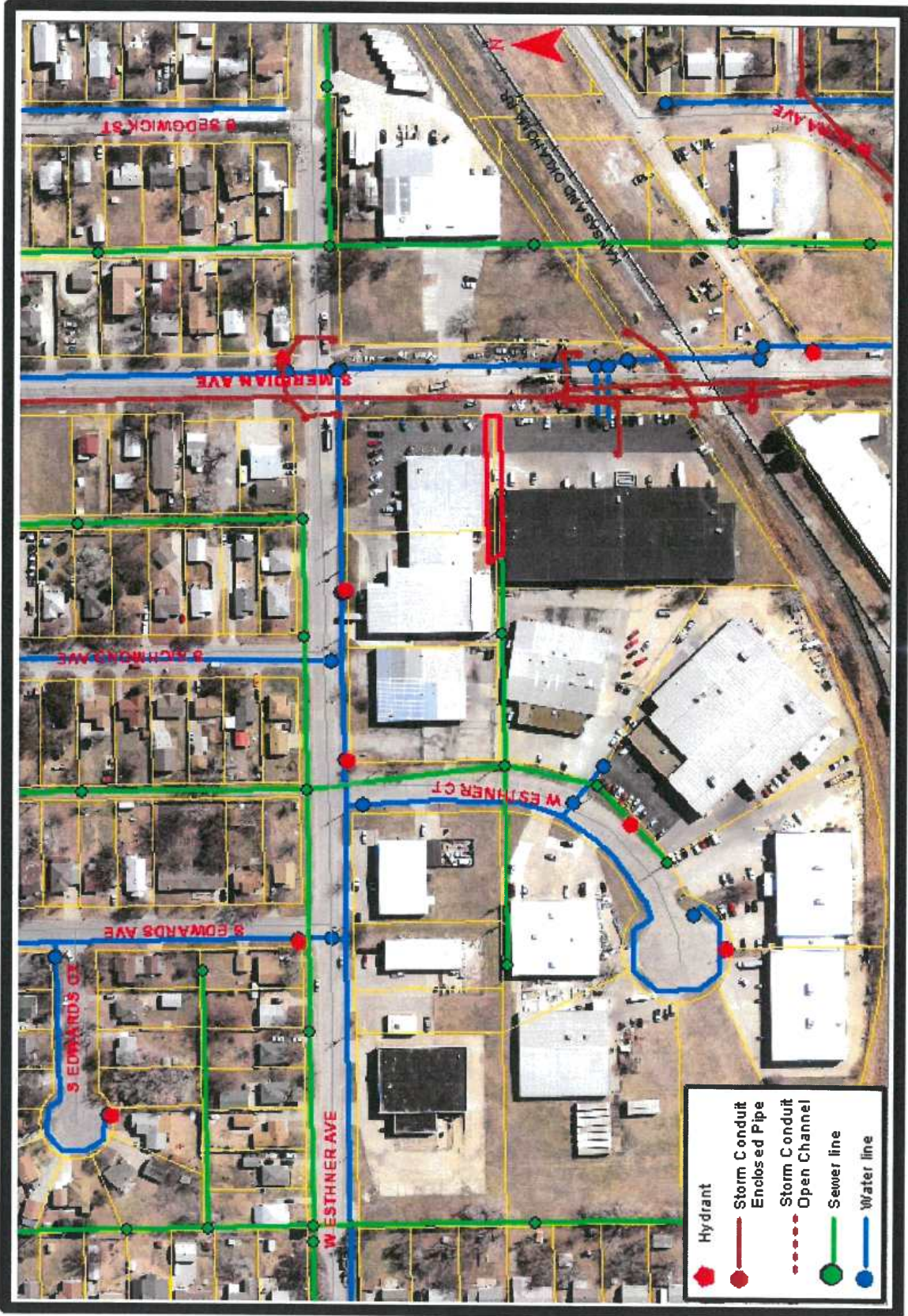
Conditions (but not limited to) associated with the request:

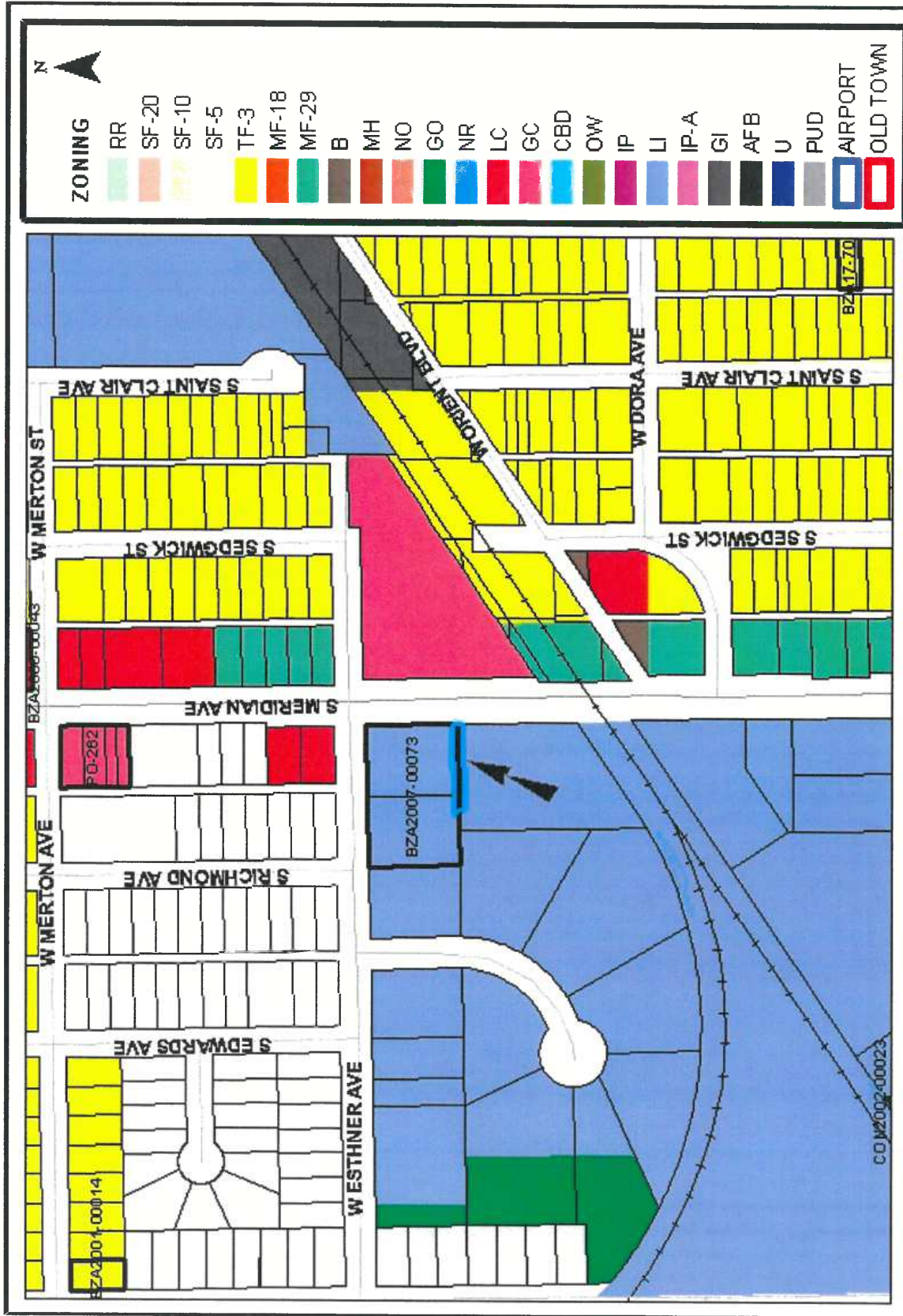
- (1) The sewer line located within the area of the proposed Vacation shall be relocated at the owner's expense, to city standards, the applicant shall provide Public Works with a Private Project, and the applicant shall provide Planning with the dedication of any necessary utility easements by separate instruments to go with the Vacation Order to be filed with the Register of Deeds. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place. And submit private project to public works.
- (2) If any other utility services are found to be located within the area of the proposed Vacation, these services shall also be relocated at the owner's expense, to city standards, and the applicant shall provide Planning with the dedication of utility easements by separate instruments to go with the Vacation Order to be filed with the Register of Deeds. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place. And submit private project to public works.
- (3) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

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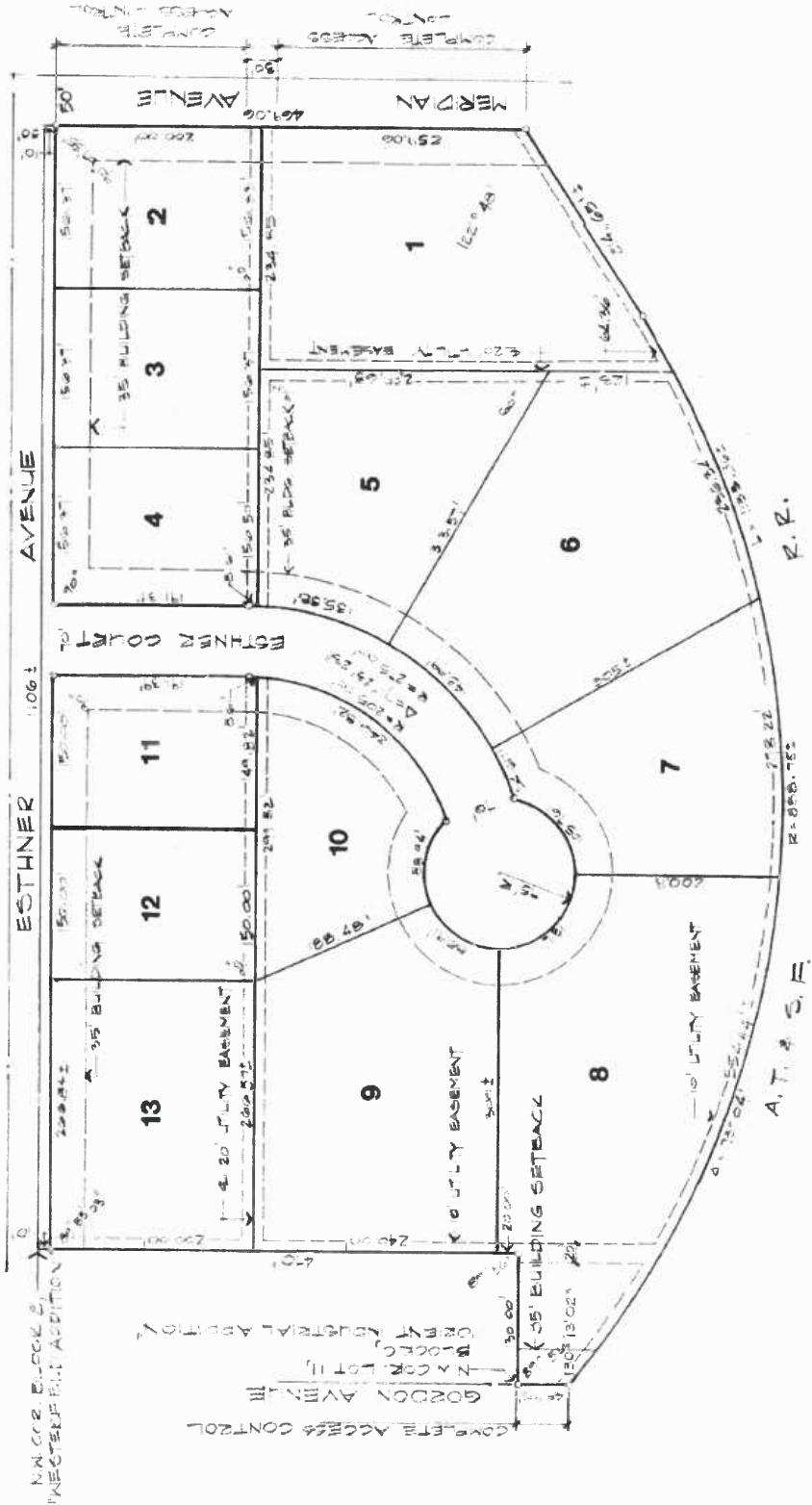




VAC2018 14



SCALE: 1" = 100'
0" = IRON PIPE





Revised June 18, 2018

Meridian Industrial Park: Utility Easement Vacation

Legal Description

A portion of the 20.00 feet utility easement centered upon the lot line common to Lot 1 and Lot 2 and Lot 1 and Lot 3 in Meridian Industrial Park Addition, to Wichita, Sedgwick County, Kansas, more particularly described as follows: Beginning at the southeast corner of said Lot 2; thence N01°13'42"W, 10.00 feet along the east line of said Lot 2; thence S88°54'13"W(Assumed) parallel with the north line of said Lot 1, 198.75 feet; thence S34°34'22"E, 17.68 feet; thence S01°05'47"E perpendicular to the north line of said Lot 1, 5.25 feet to a point 10.00 feet normally distant south of the north line of said Lot 1; thence N88°54'13"E parallel with the north line of said Lot 1, 189.05 feet to a point in the east line of said Lot 1; thence N01°13'42"W along the east line of said Lot 1, 10.00 feet to the point of beginning.