

The applicant has requested the vacation of a portion of the 10-foot platted utility easement and a portion of the 20-foot platted drainage easement Lot 1 of the Union Station Addition. The applicant would like to vacate a portion of each of these easements because a new utility easement will be created as part of this project and will be dedicated by separate instrument.

There are no public utilities in the 10-foot utility easement. There is a storm sewer in the 20-foot drainage easement that will need to be relocated at the applicant's expense and to City standards. Westar has no objections to this vacation. Shane Price is the area representative who is already working with the applicant and can be contacted at 316-261-6315 for this item. The Union Station Addition was recorded March 2, 1982.

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 the platted utility easement.

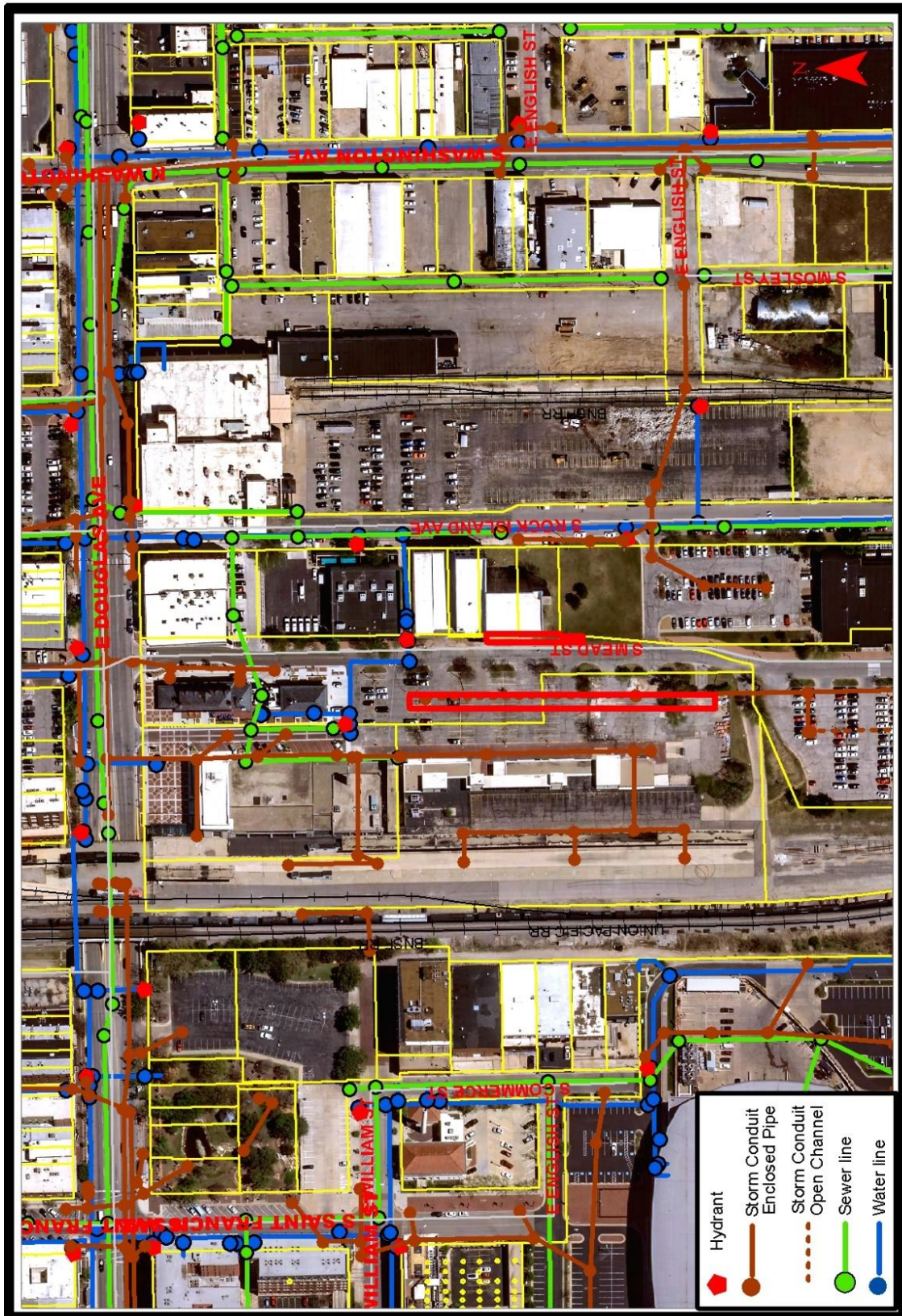
- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time January 17, 2019, 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 and drainage easements 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 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.
- (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

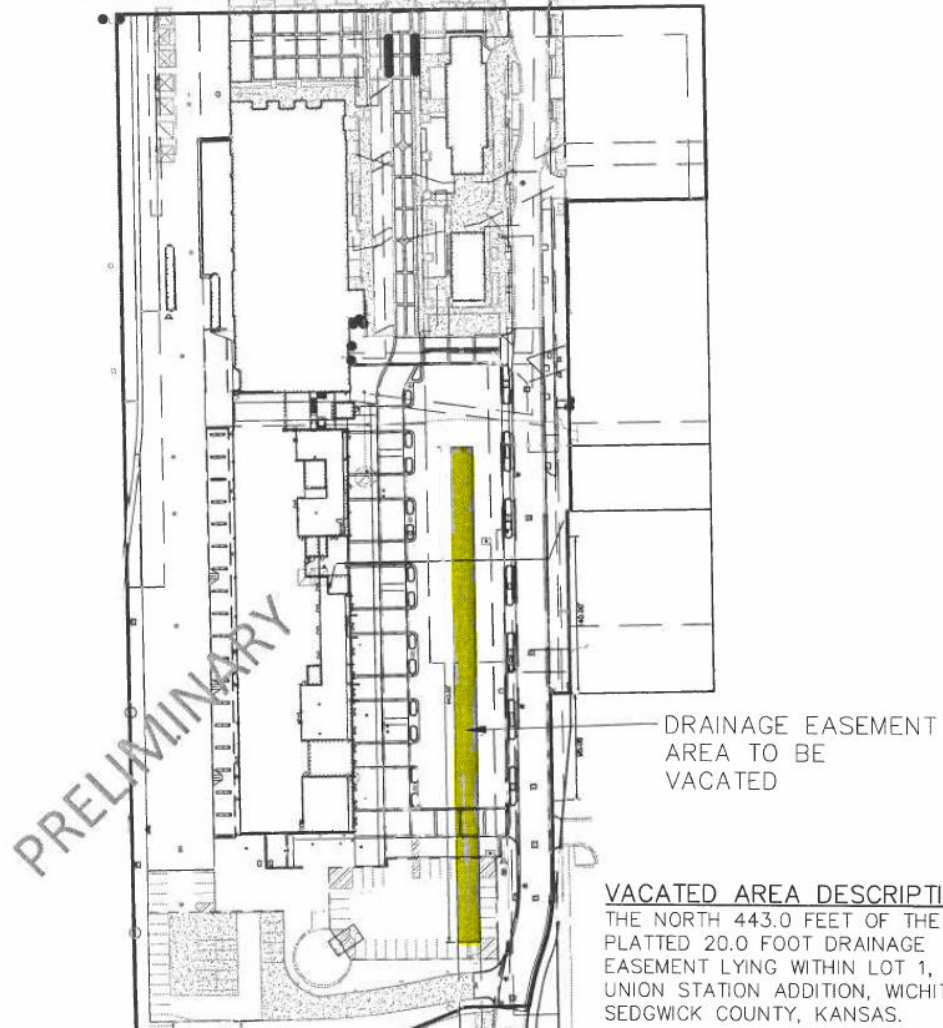
The Subdivision Committee recommends approval per staff recommendations.





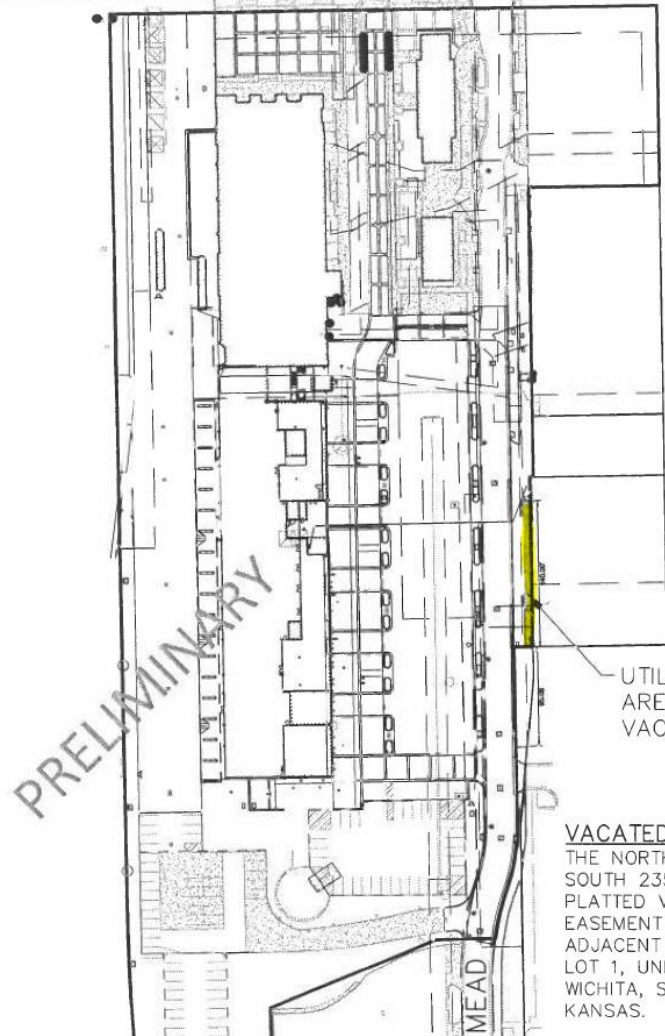
PLATTED DRAINAGE
EASEMENT – EXHIBIT A

DOUGLAS



PLATTED UTILITY
EASEMENT – EXHIBIT A

DOUGLAS



UTILITY EASEMENT
AREA – TO BE
VACATED

VACATED AREA DESCRIPTION:

THE NORTH 140.00 FEET OF THE
SOUTH 235.08 FEET OF THE
PLATTED VARIABLE WIDTH UTILITY
EASEMENT LYING WEST OF AND
ADJACENT TO THE EAST LINE OF
LOT 1, UNION STATION ADDITION,
WICHITA, SEDGWICK COUNTY,
KANSAS.

