

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1239 - VACATION OF A UTILITY EASEMENT ON LOT 1, JOHN DEERE ACRES LOCATED WEST OF K-42  
IN AN AREA SOUTH OF RITA, IF EXTENDED FROM THE WEST.

The Planning Commission recommends approval subject to:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- B. All proceedings shall be without cost to the City, County, or any utility company.

Bayouth moved, Goebel seconded and it carried unanimously. Chisholm and Gardner not yet present. Banzer absent. (1-12-84)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on first reading.

VACATION CASE DATA

Legal Description: The platted ten-foot utility easement along the easterly line of Lot 1 and along the east 137.5 feet of the north line of Lot 1, John Deere Acres, Wichita, Sedgwick County, Kansas.

Applicant: Jerry D. Livingston, et. al.  
2235 Southwest Boulevard 67213

Protestors (If any): None

(98445) (Published in The Daily Record Feb. 3, 1984)

ORDINANCE NO. 38-648

AN ORDINANCE VACATING A UTILITY EASEMENT ON  
LOT 1, JOHN DEERE ACRES, WICHITA, SEDGWICK  
COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE  
CITY OF WICHITA, KANSAS:

SECTION 1. That the utility easement described as follows,  
to-wit:

The platted ten-foot utility easement along the easterly  
line of Lot 1 and along the east 137.5 feet of the north  
line of Lot 1, John Deere Acres, Wichita, Sedgwick County,  
Kansas; (MAPC NO. V-1239);

be and the same is hereby vacated in accordance with K.S.A. 13-443,  
subject, however, to the concurrence in such vacation by the Board  
of County Commissioners as by law provided.

SECTION 2. That it is hereby recommended to the Board of  
County Commissioners of Sedgwick County, Kansas, that said above  
described easement be vacated by said Board in case a proper petition is  
filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A.  
12-506.

SECTION 3. That this Ordinance shall be in force and  
take effect from and after its passage and publication once in  
the official city paper.

PASSED AND APPROVED at Wichita, Kansas this 31<sup>ST</sup>  
day of January, 1984.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

WILLIAM L. KORBER L.S.  
JOHN E. LUNGBLADE L.S.  
BRENT WOOTEN P.E.

# BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

316 262-7271 • 330 LAURA • WICHITA, KANSAS 67211

State of Kansas )  
                  ) SS  
County of Sedgwick )

June 17, 1983

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we did on this 17th day of June, 1983, survey part of Lot 1, John Deere Acres, Wichita, Sedgwick County, Kansas, described as beginning at the N.E. Corner thereof; thence southeasterly along the easterly line of said Lot 1, 308.22 feet to the easterly most corner of said Lot 1; thence northwesterly 406.82 feet more or less to a point on the north line of said Lot 1, said point being 137.50 feet west of the N.E. Corner thereof; thence east 137.50 feet to the place of beginning.

The accompanying plat is a true and correct exhibit of said survey.

*William L. Korber*  
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Surveyor

