

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1218 - VACATION OF A PORTION OF A PLATTED EASEMENT ON LOT 56, BLOCK P, PLANEVIEW SUB-DIVISION NO. 1, SEDGWICK COUNTY, KANSAS.

The Planning Commission recommends approval subject to:

- A. The applicant shall grant a 20-foot utility easement centered on the existing sanitary sewer line where no easement presently exists.
- B. The applicant shall grant an appropriate utility easement to cover the existing public water main on this property which is presently not covered by an easement.
- C. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.
- D. All proceedings shall be without cost to the City, County, or any utility company.

Bayouth moved, Hansen seconded and it carried unanimously. Gardner and Goebel were absent. (9-22-83)

ACTION: Accept the two utility easements and instruct the City Clerk to file them with the Register of Deeds, the recording costs of which shall be billed to the applicant; 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 portion of the platted 16-foot easement crossing Lot 56, Block P, Planeview Subdivision No. 1, Sedgwick County, Kansas, described as beginning at a point 56 feet south of the N.E. Corner of said Lot 56; thence northwesterly along the northerly line of said easement 68 feet to the easterly line of the north-south 22-foot easement; thence south along the easterly line of said 22-foot easement to the south line of said 16-foot easement; thence southeasterly 70 feet to the east line of said Lot 56; thence north to beginning.

General Location: west of Ross Parkway in an area south of Whitney Lane.

Applicant: Jo Ellen Brewster
4271 Whitney Lane, 67210

Protestors (If any): None

(98045) (Published in The Daily Record Oct. 28, 1983)

ORDINANCE NO. 38-541

AN ORDINANCE VACATING A PORTION OF A PLATTED EASEMENT ON LOT 56, BLOCK P, PLANEVIEW SUB-DIVISION NO. 1, SEDGWICK COUNTY, KANSAS.

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

SECTION 1. That the portion of the platted 16-foot easement crossing Lot 56, Block P, Planeview Subdivision No. 1, Sedgwick County, Kansas, described as beginning at a point 56 feet south of the N.E. Corner of said Lot 56; thence northwesterly along the northerly line of said easement 68 feet to the easterly line of the north-south platted 22-foot easement; thence south along the easterly line of said 22-foot easement to the south line of said 16-foot easement; thence southeasterly 70 feet to the east line of said Lot 56; thence north to beginning; (MAPC NO. V-1218);

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 25th day of October, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

