

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1196 - VACATION OF A PORTION OF A UTILITY EASEMENT ON LOT 21, BLOCK 2,  
MILES LAKEWOOD VILLAGE SECOND ADDITION

The Planning Commission recommends approval subject to:

1. The applicant obtaining an easement from the property to the east in order to provide a minimum easement width of 20 feet.
2. Any relocation or reconstruction of utilities necessitated by this vacation being at the sole expense of the applicant.
3. All proceedings being without cost to the City, County, or any utility company.

Goebel moved, Chisholm seconded and it carried unanimously. Lofton and Parsons absent. One Vacancy. (6-16-83)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and place the ordinance on first reading; accept the substitute easement and instruct the City Clerk to file the easement with the Register of Deeds, the recording cost of which shall be billed to the applicant.

VACATION CASE DATA

Legal Description: Commencing at the S.E. corner of Lot 21; Block 2, Miles Lakewood Village Second Addition, Wichita, Sedgwick County, Kansas; thence northwesterly along the southerly line of said Lot 21, 20.51 feet to the west line of the utility easement as granted in said Addition; thence northeasterly along the west line of said easement, 26.5 feet for a place of beginning; thence southeasterly at right angles, 10 feet; thence northeasterly at right angles, 57 feet; thence northwesterly at right angles, 10 feet to the westerly line of said easement; thence southwesterly, 57 feet to the place of beginning.

General Location: west of Seville in an area north of U.S. 54 Highway.

Applicant: Leewood Homes  
6131 Legion, 67204

Protestors (If any): None

Attachments: Vacation Ordinance  
Easement

(97841) (Published in The Daily Record Sept. 2, 1983)

ORDINANCE NO. 38-494

AN ORDINANCE VACATING A PORTION OF THE PLATTED UTILITY EASEMENT ON THE REAR OF LOT 21, BLOCK 2, MILES LAKEWOOD VILLAGE SECOND ADDITION, WICHITA, SEDGWICK COUNTY, KANSAS.

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

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

Commencing at the southeast corner of Lot 21, Block 2, Miles Lakewood Village Second Addition, Wichita, Sedgwick County, Kansas; thence northwesterly along the southerly line of said Lot 21, 20.51 feet to the west line of the utility easement as granted in said Addition; thence northeasterly along the west line of said easement, 26.5 feet for a place of beginning; thence southeasterly at right angles, 10 feet; thence northeasterly at right angles, 57 feet; thence northwesterly at right angles, 10 feet to the westerly line of said easement; thence southwesterly, 57 feet to the place of beginning, (MAPC NO. V-1196);

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 30<sup>TH</sup> day of AUGUST, 1983.

ATTEST:

Margalee Wright, Mayor

Donald C. Gisick, City Clerk

(SEAL)

