City Manager's Agenda Item Page

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

REQUEST FOR VACATION

CASE NO. V- 1171

CONSIDERED BY:
SUBDIVISION COMMITTEE: 2-3-83
PLANNING COMMISSION: 2-10-83

REQUEST FOR VACATION OF: utility easement

LOCATION: east side of Sheridan in an area north of Taft

LEGALLY DESCRIBED AS: the five-foot utility easement on the north side of Lot 3, Block A, Pate and Vestering Replat of Part of Stewart's Subdivision, Sedgwick County, Kansas

REASON FOR REQUEST: to be able to reconstruct a carport

NAME OF APPLICANT: James W. Mueller
422 S. Sheridan
wichita, Kansas 67213

REPRESENTATIVE FOR APPLICANT: None

PROTESTORS, IF ANY: None

PLANNING COMMISSION RECOMMENDATION: Approve the vacation 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.
C. In the vacation ordinance, the legal description of the easement to be vacated shall be amended to exclude the east 10 feet.

Gardner moved, Goebel seconded and it carried unanimously. Cazel and Chisholm were absent.

ATTACHMENTS: Ordinance (Approved as to form by the Department of Law)

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

(97063) (Published in The Daily Record March 4, 1983)

ORDINANCE NO. 38-298

AN ORDINANCE VACATING THE FIVE-FOOT UTILITY EASEMENT ON THE NORTH SIDE OF LOT 3, BLOCK A, PATE AND VESTERING REPLAT OF PART OF STEWART'S SUBDIVISION, SEDGWICK COUNTY, KANSAS, EXCEPT THE EAST TEN FEET THEREOF.

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 five-foot utility easement on the north side of Lot 3, Block A, Pate and Vestering Replat of Part of Stewart's Subdivision, Sedgwick County, Kansas, except the east ten feet thereof; (MAPC NO. V-1171);

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.

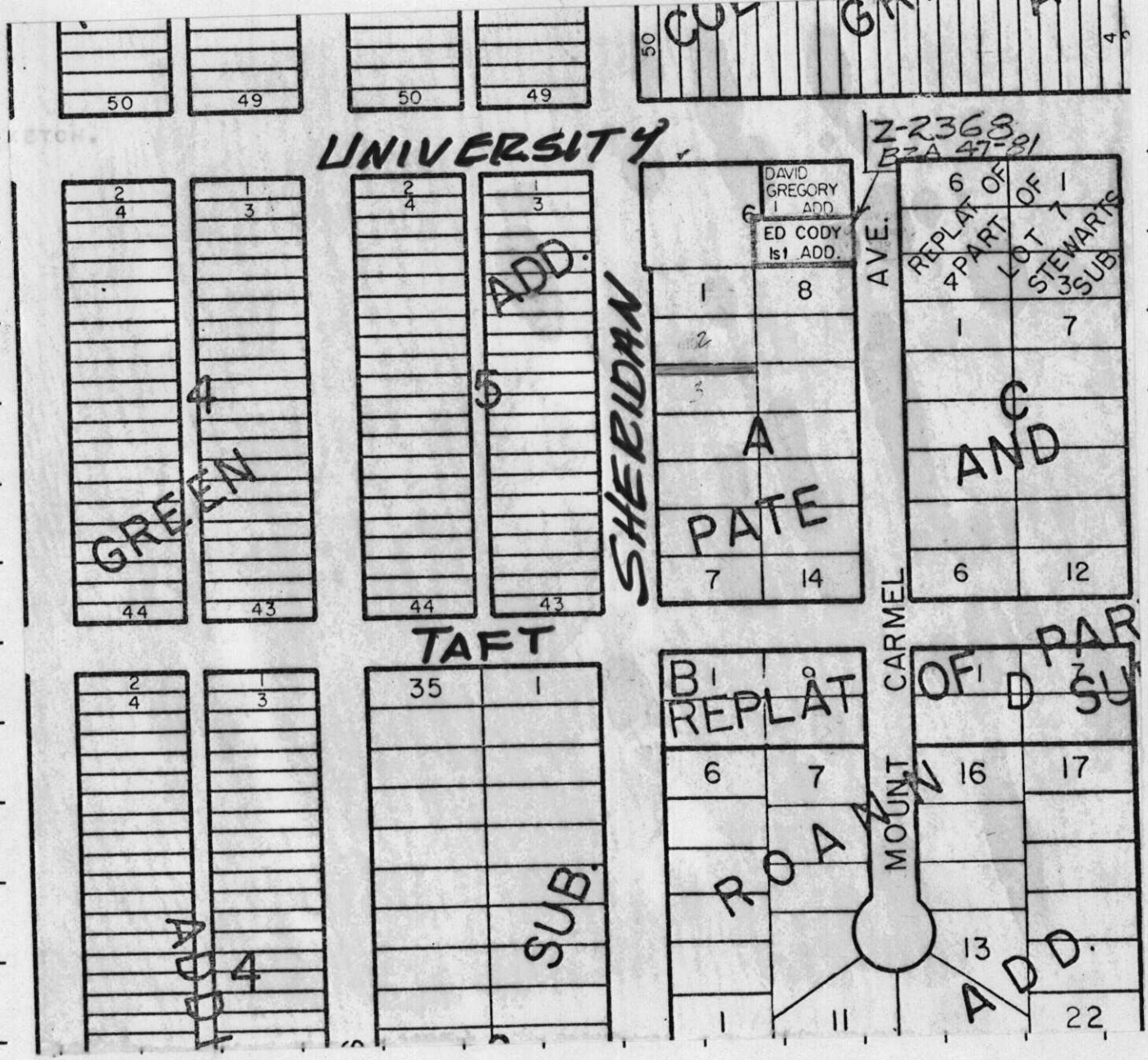
PASSED AND APPROVED at Wichita, Kansas, this 1ST day of March, 1983.

ATTEST:

Albert J. Kirk, Mayor

Donald C. Gisick, City Clerk

SEAL



UNIVERSITY
Z-2368
BZA 47-81
DAVID GREGORY 1 ADD
ED CODY 1st ADD.
REPLAT OF PART OF LOT 7 STEWARTS SUB
SHERIDAN
GREEN
ADD.
A
PATE
C
AND
TAFT
SUB.
B
REPLAT
OF
D
PAR
SU
ROANN
MOUNT CARMEL
AVE.
ADD.