

September 4, 1984

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1279 - VACATION OF AN 8-FOOT UTILITY EASEMENT GENERALLY LOCATED
ON THE EAST SIDE OF MCCOMAS SOUTH OF HARRY STREET.

Note: The City Clerk will certify as to proper publication
of notice of hearing and filing of written protest.

A petition for the above identified vacation request has been filed
in the office of the City Clerk. The Planning Commission recommends that
the Board of City Commissioners find that no private rights will be injured
or endangered and the public will suffer no loss or inconvenience by granting
by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being without cost to the City, County, or any
utility company.
- D. Any relocation or reconstruction of utilities necessitated by this
vacation shall be at the sole expense of the applicant.

Bayouth moved, Goebel seconded and it carried unanimously. Banzer was
absent. Gardner was not yet present (8-9-84).

ACTION:

Close the public hearing, approve the
vacation request, authorize the Mayor
to sign the vacation order and instruct
the City Clerk to file a certified copy
of the order with the Sedgwick County
Register of Deeds.

VACATION CASE DATA

Legal Description: The 8-foot utility easement adjacent to the south line
of Lot 1, except the east 8 feet thereof, Eaton Addition to Wichita, Kansas
(MAPC No. V-1279).

Applicant: P.B. Hoidale Co., Inc.
Attention: R.D. Dixon, President
P.O. Box 12104, Wichita, Ks. 67277

Protestors: None before the Subdivision Committee or MAPC

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A
UTILITY EASEMENT (MAPC NO V-1279)

CENERALLY LOCATED ON THE EAST SIDE
OF McCOMAS SOUTH OF HARRY STREET

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
2:30 P.M.

SEP 12 1984

NO. 7 11034
BETTE F. McCART
REGISTER OF DEEDS

MICROFILMED
OF RECORD

VACATION ORDER

Ed Rera
Deputy

NOW on this 4th day of September, 1984, comes on for hearing
the petition for vacation filed by P. B. Holdale Company, Inc., praying
for the vacation of the following described utility easement,
to-wit:

The 8-foot utility easement adjacent to the south line
of Lot 1, except the east 8 feet thereof, Eaton Addition
to Wichita, Kansas (MAPC No. V-1279).

The City Commission, after being duly and fully informed as to
fully understand the true nature of this petition and the propriety of
granting the same, makes the following findings:

1. That due and legal notice has been given by publication as re-
quired by law, by publication in the Daily Record of notice of this vaca-
tion proceedings for consecutive weeks on 8/22 & 29/84.

2. No private rights will be injured or endangered by the vacation
of the above-described utility easement, and the public will suffer no
loss or inconvenience thereby.

3. In justice to the petitioner(s) the prayer of the petition ought
to be granted.

4. No written objection to said vacation has been filed with the
City Clerk by any owner or adjoining owner who would be a proper party to
the petition.

5. The vacation of the utility easement described herein should be
approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS,
on this 4th day of September, 1984, ordered that the above-described
utility easement is hereby vacated. IT IS FURTHER ORDERED that the City
Clerk shall certify a copy of this order to the Register of Deeds of
Sedgwick County.

Robert C. Knight
Robert C. Knight, Mayor

ATTEST:

Donald C. Gisick
Donald C. Gisick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

city clerk

HARRY

BRANAM
ADD.

AVE.

EATON
ADD.

2

DAN
HALEY
ADD.

BUBLITZ

2

McCOMAS

9

10

2

BOUNOUS

ST.

7

MERTON

MERTON

VACATED ORD. 30-323

AVE.

ORD. 30-324 AVE.