

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1319 VACATION OF A PLATTED UTILITY EASEMENT GENERALLY
LOCATED ON THE NORTH SIDE OF NOTTINGHAM CIRCLE IN AN AREA
EAST OF PORTER.

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, Chisholm seconded and it carried unanimously. Moore was not yet present. (4/4/85)

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: A 10 foot utility easement located on the lot line common to Lots 3 and 4, Sherwood Glen Fifth Addition to Wichita, Kansas except the north 20 feet and the south 20 feet thereof. (MAPC No. V-1319)

Applicant: Inn-Sher Development Company
2224 Columbine
Wichita, Kansas 67204

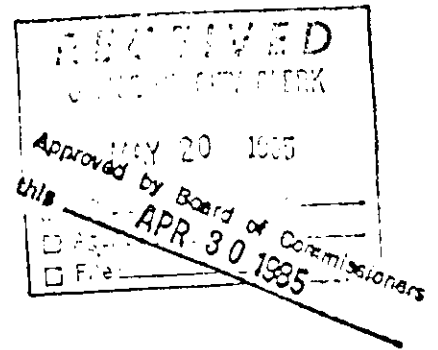
Protestors: None before the Subdivision Committee or MAPC.

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

IN THE MATTER OF THE VACATION OF
A PLATTED UTILITY EASEMENT

GENERALLY LOCATED ON THE NORTH SIDE
OF NOTTINGHAM CIRCLE IN AN AREA
EAST OF PORTER

MORE FULLY DESCRIBED BELOW



VACATION ORDER

NOW on this 30th day of April, 1985, comes on for hearing the petition for vacation filed by Inn-Sher Development Company, praying for the vacation of the following described platted utility easement, to-wit:

A 10 foot utility easement located on the lot line common to Lots 3 and 4, Sherwood Glen Fifth Addition to Wichita, Kansas except the north 20 feet and the south 20 feet thereof. (MAPC No. V-1319)

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 required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on APR 17 & 24 1985.
2. No private rights will be injured or endangered by the vacation of the above-described platted utility easement, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner 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 platted utility easement described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 30th day of April, 1985, ordered that the above-described platted 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.

ATTEST:

Donald C. Gisick
Donald C. Gisick, City Clerk

Approved as to Form

John Dekker
John Dekker, Director of Law

Robert C. Brown
Robert C. Brown, Mayor

MICROFILMED
OF RECORD

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
10:00 A.M.
MAY 15 1985

NO. 7 45955
PAT KETTLER
REGISTER OF DEEDS

Ed Perea
Deputy

5.00 City Clerk

1-235

