

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1314 VACATION OF A PLATTED UTILITY EASEMENT GENERALLY  
LOCATED WEST OF FIELDCREST IN AN AREA SOUTH OF JEWELL

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. The legal description on the vacation order shall exclude the west 20 feet of the easement from vacation.
- E. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

Peters moved, Moore seconded and it carried unanimously. Chisholm was absent. Hansen was not yet present. (2/12/85)

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: The 10.00 foot utility easement centered on the lot line common to Lots 3 and 4, Block 18, Pawnee Mesa Addition, an addition to Wichita, Sedgwick County, Kansas, except the west 20 feet thereof.  
(MAPC No. V-1314)

Applicant: Builders Development, Inc.  
1530 South Oliver  
Wichita, Kansas 67218

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  
(MAPC NO. V-1314)  
  
GENERALLY LOCATED WEST OF FIELDCREST  
IN AN AREA SOUTH OF JEWELL

MORE FULLY DESCRIBED BELOW

MICROFILMED  
OF RECORD

Approved by Board of Commissioners  
this MAR 19 1985  
STATE OF KANSAS } 85  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
8:00 A.M.

MAR 29 1985

VACATION ORDER

NO. 7 38438  
PAT KETTLER  
REGISTER OF DEEDS

*Ed. Reed*  
*Secretary*

NOW on this 19th day of March, 1985, comes on for hearing the petition for vacation filed by Builders Development, Inc., praying for the vacation of the following described platted utility easement, to-wit:

The 10.00 foot utility easement centered on the lot line common to Lots 3 and 4, Block 18, Pawnee Mesa Addition, an addition to Wichita, Sedgwick County, Kansas, except the west 20 feet thereof.

(MAPC No. V-1314)

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 MARCH 8-15, 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 19th day of March, 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.

*Robert G. Knight*  
Robert G. Knight, Mayor

ATTEST:

*Donald C. Gisick*  
Donald C. Gisick, City Clerk

Approved as to Form:

*John Dekker*  
John Dekker, Director of Law

City Clerk

5.00

ATTACHMENT "A"  
 LOT SPLITS  
 FOR  
 LOTS 3 - 6 OF BLOCK 18  
 PAWNEE MESA ADDITION

*Sq. footage new building sites*

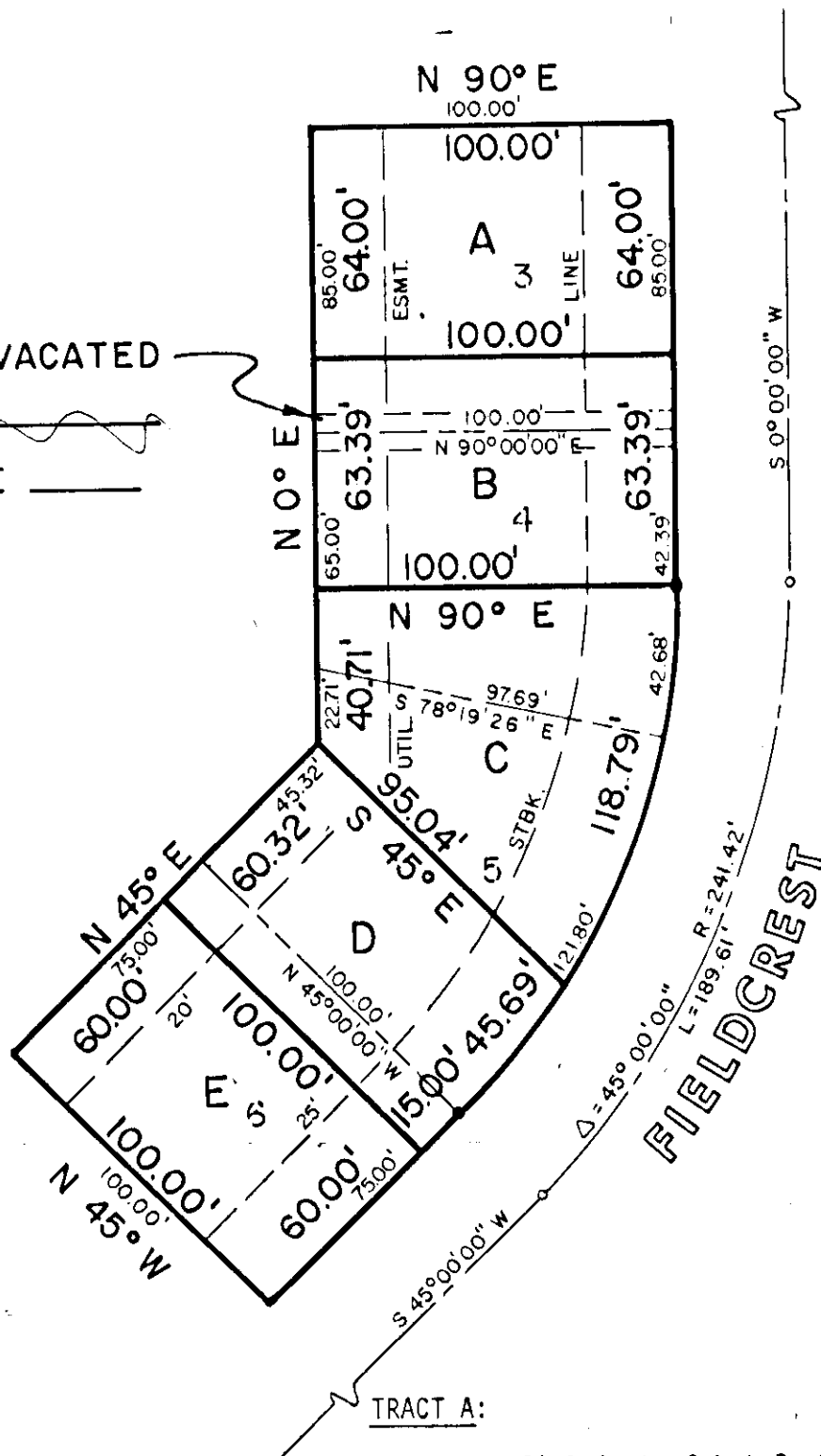
10' UTIL. ESMT. VACATED  
 BY ORDER NO. \_\_\_\_\_  
 FILM \_\_\_\_\_ PAGE \_\_\_\_\_



SCALE: 1" = 50'

**LEGEND**

- OLD LOT LINES
- NEW LOT LINES



TRACT A:

The north 64.0 feet of Lot 3, Block 18, Pawnee Mesa Addition to Wichita, Sedgwick County, Kansas.

TRACT B:

The south 21 feet of Lot 3, Block 18, and the north 42.39 feet of Lot 4, Block 18, Pawnee Mesa Addition to Wichita, Sedgwick County, Kansas.

TRACT C:

All of lots 4 and 5, Block 18 except the north 42.39 feet of Lot 4 and the southwest 45.32 feet of Lot 5, Pawnee Mesa Addition to Wichita, Sedgwick County, Kansas.

TRACT D:

The northeast 15 feet of Lot 6, Block 18 and the southwest 45.32 feet of Lot 5, Block 18, Pawnee Mesa Addition to Wichita, Sedgwick County, Kansas.

TRACT E:

The southwest 60 feet of Lot 6, Block 18, Pawnee Mesa Addition to Wichita, Sedgwick County, Kansas.