

City of Wichita  
City Commission Meeting  
September 30, 1986

Agenda Report # \_\_\_\_\_

TO: Mayor and City Commissioners

SUBJECT: V-1415 - REQUEST TO VACATE UTILITY EASEMENTS, LOCATED NORTH OF ELM, IN AN AREA WEST OF MAIN.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

-----  
MAPC Recommendation: Approve vacation of utility easements.

Background: The Board of Sedgwick County Commissioners are requesting this vacation in order to clear additional building area for a public parking garage.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to any utility company; and
4. Any relocation of utilities necessitated by this vacation shall be at the sole expense of the applicant.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign Vacation Order; and record certified copy of Order, recording costs to be billed to 755-68-360-50000-295-000-000.

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

IN THE MATTER OF THE VACATION OF UTILITY  
EASEMENTS. )

GENERALLY LOCATED NORTH OF ELM, IN AN  
AREA WEST OF MAIN. (V-1415) )

MORE FULLY DESCRIBED BELOW )

Approved by Board of Commissioners  
this SEP 30 1986

VACATION ORDER

NOW on this 30th day of September, 1986, comes on for hearing the  
petition for vacation filed by the Board of Sedgwick County Commissioners, praying  
for the vacation of the following described utility easements, to-wit:

TRACT I

Beginning at the southwest corner of Lot 30 on vacated Water  
Street (was Church Street) as platted in Munger's Original  
Town, now the City of Wichita, Kansas; thence north along the  
east line of vacated Water Street, a distance of 154.33'; thence  
west 19.5'; thence south 154.33' to a point in the north line of  
vacated Elm Street; thence east 19.5' to the point of  
beginning.

STATE OF KANSAS } 53  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
8:00 AM

OCT 13 1986  
8 38419  
NO.  
PAT KETTLER  
REGISTER OF DEEDS

TRACT II

Beginning at the southwest corner of Lot 33 on Main Street  
(was Court Street) as platted in Mungers' Original Town, now  
the City of Wichita, Kansas, said point being on the east line  
of the vacated north-south alley between Main and Water  
Streets and between Elm and Pine Streets; thence north along  
the east line of said vacated alley, a distance of 154.33';  
thence west 20.0' to a point in the west line of said vacated  
alley; thence south 154.33'; thence east 20.0' to the point of  
beginning. (V-1415)

*Ed Reed  
Deputy*

MICROFILMED  
OF RECORD

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 SEPT. 17 & 24, 1986.
2. No private rights will be injured or endangered by the vacation of the  
above-described utility easements, 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 easements described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this  
30th day of September, 1986, ordered that the above-described utility easements are  
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:

*Tony Casado*  
\_\_\_\_\_  
Tony Casado, Mayor

*Donald C. C. Sick*  
\_\_\_\_\_  
Donald C. C. Sick, City Clerk

Approved as to Form:  
*John Dekker*  
\_\_\_\_\_  
John Dekker, Director of Law

*City Clerk*

3.00

