

City of Wichita
City Commission Meeting
June 10, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1394 - REQUEST TO VACATE THE UTILITY AND DRAINAGE
EASEMENT USES OF A PORTION OF A RESERVE. GENERALLY
LOCATED NORTH OF MILLPOND AND WEST OF MESA.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of utility easement and drainage easement
uses platted for reserve.

Background: Inland Investment Company, Inc., 10300 West Central, Wichita, KS
67212, is requesting this vacation in order to provide buildable area for a swimming
pool and related permanent structures.

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 the City, County or any utility company;
and
4. Any relocation or reconstruction 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 the Vaca-
tion Order; and record certified copy
of Order, recording costs to be billed
to owner.

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

IN THE MATTER OF THE VACATION OF THE UTILITY
AND DRAINAGE EASEMENT USES PLATTED FOR A POR-
TION OF A RESERVE.

GENERALLY LOCATED NORTH OF MILLPOND AND WEST
OF MESA. (V-1394)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS {
SEDGWICK COUNTY {
FILED FOR RECORD AT
8:00 A.M.

JUN 30 1986

NO. 8 15080
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

MICROFILMED
OF RECORD

Ed Peral
Deputy

NOW on this 10th day of June, 1986, comes on for hearing the petition for vacation filed by Inland Investment Company, Inc., praying for the vacation of the utility and drainage easement uses platted for the following described portion of a reserve, to-wit:

That portion of Reserve "H", Block 10, Oak Cliff Estates 3rd Addition to Wichita, Sedgwick County, Kansas, described as follows:

Commencing at the easterly corner of Lot 11, Block 10, of said addition; thence northeasterly along the southeasterly line of said Lot 11 extended, a distance of 50 feet to the point of beginning; thence continuing northeasterly along said southeasterly line of Lot 11 extended, a distance of 80 feet; thence northwesterly at 90°, a distance of 65 feet; thence southwesterly at 90°, a distance of 80 feet; thence southeasterly at 90°, a distance of 65 feet to the point of beginning.

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 MAY 28 & JUNE 4, 1986.
2. No private rights will be injured or endangered by the vacation of the above-described uses platted for a portion of the Reserve, 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 and drainage easement uses platted for a portion of the Reserve described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 10th day of June, 1986, ordered that the above-described uses platted for a portion of the Reserve 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.

Tony Casado
Tony Casado, Mayor

ATTEST:

Donald C. Giesick
Donald C. Giesick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

city clerk

