

City of Wichita
City Commission Meeting
June 10, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1391 - VACATION OF A PORTION OF A STORM SEWER
AND DRAINAGE EASEMENT. GENERALLY LOCATED WEST
OF RUTGERS, IN AN AREA NORTH OF NANTUCKET.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of storm sewer and drainage easement.

Background: Clarence W. Rymer, etux, 1453 North Rutgers, Wichita, KS 67212 are requesting this vacation of storm sewer and drainage easement to clear an existing building encroachment.

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 Vacation 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 A PORTION
OF STORM SEWER AND DRAINAGE EASEMENT.

GENERALLY LOCATED WEST OF RUTGERS, IN AN
AREA NORTH OF NANTUCKET. (V-1391)

MORE FULLY DESCRIBED BELOW

RECORDED
INDEXED

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
JUL 16 1986
NO. 8 18886
PAT KETTLER
REGISTER OF DEEDS

CORRECTED
VACATION ORDER

Ed Pera
Deputy

NOW on this 10th day of June, 1986, comes on for hearing the petition for vacation filed by Clarence W. Rymer, etux., praying for the vacation of the following described portion of storm sewer and drainage easement, to-wit:

The west 41 feet of the east 70 feet of the south 9 feet of the north 27 feet of Lot 2, Block B, Westlink Village 20th Addition to Wichita, Sedgwick County, Kansas.

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 storm sewer and drainage 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 storm sewer and drainage easement 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 storm sewer and drainage 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. Glick
Donald C. Glick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

Tony Casado
Tony Casado, Mayor

5.00

City Clerk

20

PART OF
WEST-
LINK
VILLAGE

20th 3
ADD. B

8

18

17

13TH ST. CT.

1

13

8

RUTGERS

14 TH ST.

6

7

PRESCOTT

11

THIRTEENTH ST.