

City of Wichita
City Council Meeting
January 5, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1509 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT, LOCATED IN AN AREA SOUTH OF McCORMICK AND EAST OF TYLER. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

MAPC Recommendation: Approve vacation of utility easement. (unanimous)

Background: The applicant owns both of the subject lots and desires to construct a building over the common lot line, thereby necessitating the vacation of the side lot line utility easement. The Utility Advisory Committee has verified that the portion of easement being vacated is not needed for existing or future utilities. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify 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:

755-68-360-50000-295-000-000

STATE OF KANSAS } ss
SEDGWICK COUNTY }

BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

FILED FOR RECORD AT
11:30 PM

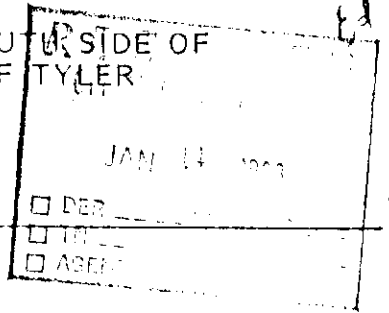
JAN 12 1988

IN THE MATTER OF THE VACATION OF A PORTION OF A
PLATTED UTILITY EASEMENT.

NO. 9 26728

PAT KETTLER
REGISTER OF DEEDS

GENERALLY LOCATED ON THE SOUTH SIDE OF
McCORMICK, IN AN AREA EAST OF TYLER
ROAD. (V-1509)



Approved / Accepted By City Council

This JAN 5 1988

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 5th day of January, 1988, comes on for hearing the petition for vacation filed by League Services Corporation, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The east 5 feet of Lot 1, Garman Addition, Wichita, Kansas, except the north ten feet and the south ten feet thereof. (V-1509)

The City Council, 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 DEC. 23 & 30, 1987.
2. No private rights will be injured or endangered by the vacation of the above-described utility 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 utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of January, 1988, ordered that the above-described 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

Robert C. Knight
Robert C. Knight, Mayor

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form

Thomas R. Powell
Thomas Powell, ~~City~~ Director of Law

State of Kansas } ss
Sedgwick County }
City of Wichita }
Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that this document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita, Kansas, this 11th day of January, 1988.
Dale E. Rea
Deputy City Clerk

city clerk

TYLER CT.

HOL

TOPAZ

PLAZA

6 SEC

ADDITION

TYLER

5 2

HENDRYX

1 4

McCORMICK

AVE.

PART OF LOT 28

GARMAN ADD. 1

THE FIRST CREDIT UNION

2

PART OF LOT 16

HIGHWAY

27

18

27

19

BARBER 2nd ADD. 2 1 3

14

13

GRAHAM-CASADO 1 ADD.

AVE.

GRAHAM-CASADO 2nd ADD. 1 12

RAY THACKERY ADDITION 1

IRVING

20

28

FAIRLAWN

21

RECA

2

1

A

1 A

ND

ISLAND ND ADD