Pl ıing Agenda Item #_____

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1502 - REQUEST TO VACATE A PORTION OF A PLATTED DRAINAGE AND UTILITY EASEMENT, LOCATED ON THE SOUTH SIDE OF 29TH STREET NORTH, IN AN AREA WEST OF WILDERNESS. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage and utility easement.

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

Background: This vacation of easement has been requested in order to provide buildable area for construction of a masonry wall along 29th Street North. The City Engineer's Office and the Utility Advisory Committee have verified that the subject portion of easement is not needed for existing or future utilities or drainage. 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

PL/8698/5

FILM 0977 PAGE 0925

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 A.M.
JUN 30 88 0955514
PAT KETTLER
REGISTER OF DEEDS

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

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

GENERALLY LOCATED ON THE SOUTH SIDE OF 29TH STREET NORTH, IN AN AREA WEST OF WILDERNESS. (V-1502)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council
This JUN 21 1988
Ed Rea Deputy

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 21st day of June, 1988, comes on for hearing the petition for vacation filed by Tony Heatherly, et al, praying for the vacation of the following described portion of a platted drainage and utility easement, to-wit:

The north 15 feet of the west 87 feet of Lot 2, Block 3, Wilderness, an addition to Wichita, Sedgwick County, Kansas. (V-1502)

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 JUNE 6 & 15, 1988.

2. No private rights will be injured or endangered by the vacation of the above-described drainage and 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 drainage and utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of June, 1988, ordered that the above-described drainage and 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.

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

S Kamen
Sheldon Kamen, Mayor

ATTEST:

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

Approved as to Form:

Thomas R. Powell by GER
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, DALE E. REA Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office the the City Clerk.

Given under my hand and seal of the City of Wichita, this JUN 28 1988

Dale E. Rea Deputy City Clerk

5.00 A

PL/8696/5

City Clerk

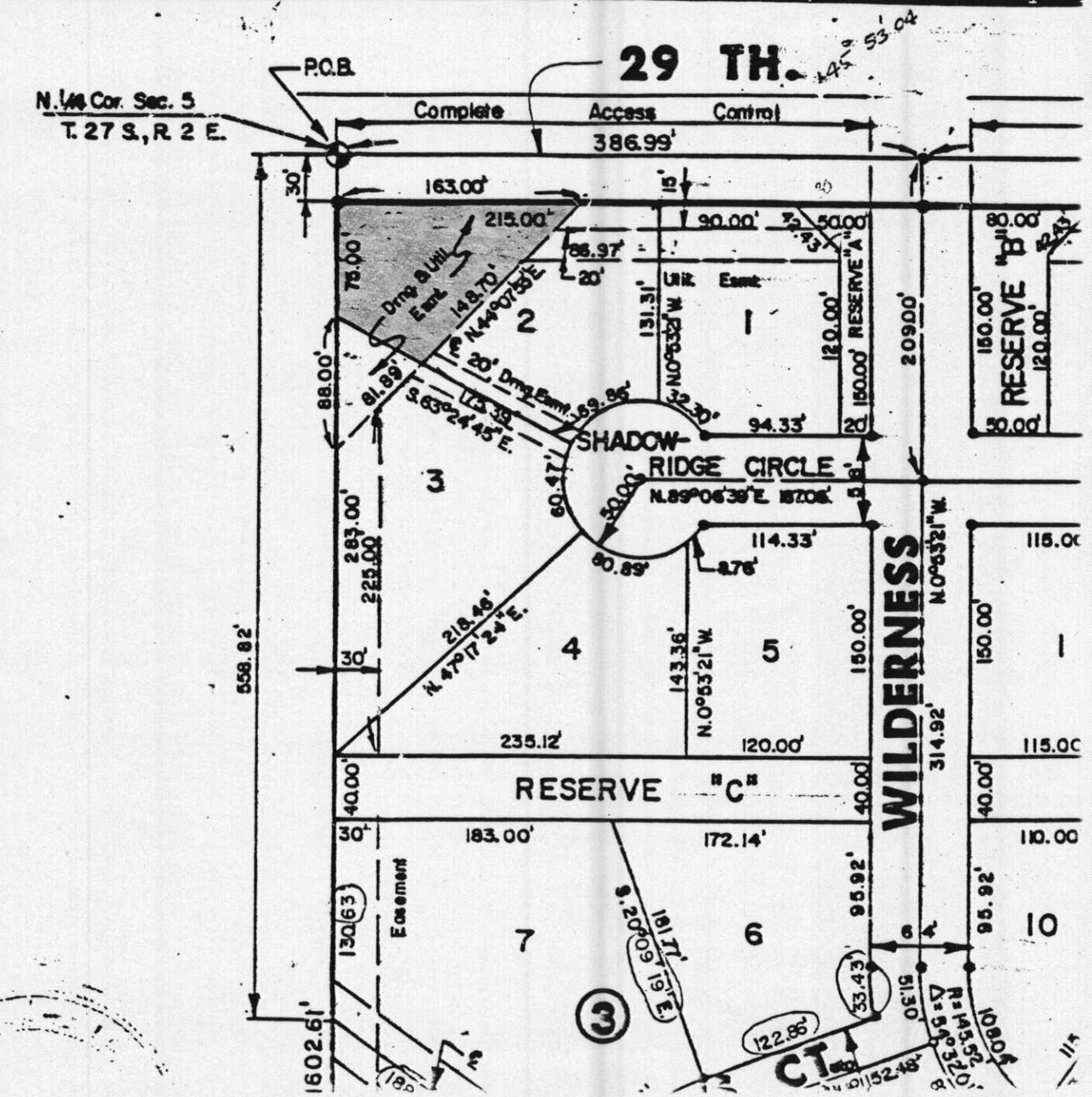
OF

NESS

GWICK COUNTY, KANSAS

This plat approved and all dedications shown hereon, if any, accepted by the Board of County Commissioners of Sedgwick County, Kansas, this 11 day of August, 1983.

Jack Spratt, Chairman

Donald E. Gragg, Commissioner

Donald E. Gragg