

City of Wichita
City Council Meeting
September 29, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1485 - REQUEST TO VACATE A PORTION OF A PLATTED DRAINAGE EASEMENT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of portion of drainage easement.

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

Location: In an area south of Autumn Chase and west of Gatewood. (District #2).

Applicant: Lakepoint Company, 8100 E. 22nd Street North, Bldg. 500,
Wichita, KS 67226

Site Size: The east 2½ feet and the west 2½ feet of a 20-foot drainage easement measuring approximately 113 feet in length.

Current Zoning: "AA" (Single-Family)

Background: This vacation case has been requested in order to provide additional buildable lot areas. The applicant has stated that this is necessary in order to construct the size and shape of planned dwelling units. The Utility Advisory Committee has verified that the portions of the easement recommended for vacation is not needed for existing or planned utility lines. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. This case was previously scheduled for consideration on September 15, 1987, but was struck from the agenda because of a publication error.

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/7353/5

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 EASEMENT.)

GENERALLY LOCATED IN AN AREA WEST OF)
GATEWOOD AND SOUTH OF AUTUMN CHASE.)
(V-1485))

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council

SEP 29 1987

This

STATE OF KANSAS }
SEDGWICK COUNTY }

FILED FOR RECORD AT

1:00 P M

MICROFILMED
OF RECORD

OCT 8 1987

9 11548

NO.

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

Ed Reed
Register

NOW on this 29th day of September, 1987, comes on for hearing the petition for vacation filed by Lakepoint Company, praying for the vacation of the following described portion of a platted drainage easement, to-wit:

The east 2.5 feet and the west 2.5 feet of the platted 20-foot drainage easement centered on the common lot line of Lots 3 and 4, Block 1, Autumn Chase, an addition to Wichita, Sedgwick County, Kansas. (V-1485)

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 SEPT. 15 & 22, 1987.
2. No private rights will be injured or endangered by the vacation of the above-described 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 drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th day of September, 1987, ordered that the above-described 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:

Robert C. Knight
Robert C. Knight, Mayor

E. Reed
Date: E. Reed, Deputy City Clerk

Approved as to Form:
Thomas Powell
Thomas Powell, Interim Director of Law

State of Kansas)
Sedgwick County)
City of Wichita)
I, *E. Reed*, 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 of the City Clerk. Given under my hand and seal of the City of Wichita on October 7, 1987.
Charles M. [unclear] Deputy City Clerk
Joe Carl B. Reed

RESERVE F

GATEWOOD

6

AUTUMN

18

15

1

13

KILLARNEY

9

K

5

2

RESERVE D

11

RES. J

S. A

S

AUTUMN CHASE

3

1

C

AUTUMN CHASE

RES B

7

CHASE

RESERVE F

