

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1468 - REQUEST TO VACATE A PORTION OF
A PLATTED DRAINAGE EASEMENT, LOCATED IN AN AREA SOUTH OF
PAWNEE AND WEST OF OLIVER. (District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: This vacation has been requested in order to clear additional buildable area for construction of a masonry wall required by the Spencer Gardens Commercial Community Unit Plan (DP-169). The City Engineer's Office has verified that the drainage easement vacation will not adversely affect drainage for this area. 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 8:00 AM

JUN 30 0955513

IN THE MATTER OF THE VACATION OF A PORTION OF A)
PLATTED DRAINAGE EASEMENT.)

GENERALLY LOCATED IN AN AREA SOUTH OF PAWNEE)
AND WEST OF OLIVER. (V-1468))

MORE FULLY DESCRIBED BELOW)

PAT KETTLER
REGISTER OF DEEDS

Ed Rea Deputy

Approved / Accepted By City Council

This JUN 21 1988

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 21st day of June, 1988, comes on for hearing the petition for vacation filed by Karl Solomon, praying for the vacation of the following described portion of a platted drainage easement, to-wit:

The west 5 feet of a 30-foot drainage easement with a centerline being described as follows: Beginning on the north line of Lot 2, Block A, Spencer Gardens Addition to Wichita, Sedgwick County, Kansas and 130 feet west of the northeast corner of said Lot 2; thence south to the southeast corner of said Lot 2. (V-1468)

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 8 & 15, 1988.
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 21st day of June, 1988, 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:

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

S. Kamen
Sheldon Kamen, Mayor

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 of the City Clerk. Given under my hand and seal of the City of Wichita, this JUN 28 1988
Dale E. Rea Deputy City Clerk

Approved as to Form:
Thomas R. Powell by gap
Thomas Powell, Director of Law

5.00 CA

city clerk

PAWNEE

GARDENS

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ADDITION

OLIVER

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