

City of Wichita
City Council Meeting
June 23, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1465 - REQUEST TO VACATE A PORTION OF A UTILITY EASEMENT

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Location: Northeast corner of Central and Woodchuck (District #5).

Applicant: O.J. Baalman, 612 S. Maize Road, Wichita, Kansas 67209

Site Size: An 8-foot wide piece of a utility easement measuring 40 feet in length.

Current Zoning: "BB" (office)

Background: This vacation case has been requested in order to permit the installation of a permanent sign for a business located on the property. That portion of the easement which is not being vacated is needed for public utilities.

The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Staff Recommendation: Approve vacation of utility easement

MAPC Recommendation: Approve vacation of utility easement (unanimous)

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

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

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

GENERALLY LOCATED AT THE NORTHWEST
CORNER OF CENTRAL AND WOODCHUCK. (V-1465)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD)

Approved / Accepted By City Council
This JUN 23 1987

STATE OF KANSAS }
SEDGWICK COUNTY } ss
FILED FOR RECORD AT
8-00-87 18

JUL 13 1987

NO. 8 94123
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 23rd day of June, 1987, comes on for hearing the petition for vacation filed by O.J. Baalman, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The west 40 feet of the south 8 feet of Lot 11, Block 1,
Country Acres, Sedgwick County, Kansas. (V-1465)

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 3 & 10, 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 23rd day of June, 1987, 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.

Robert G. Knight
Robert G. Knight, Mayor

ATTEST:

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

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
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 25 1987
Dale E. Rea
Deputy City Clerk

