

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 14, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1585 REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT (District #1)

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: In order to better position a planned house on the lot, the applicant is requesting vacation of a portion of a platted utility easement. City Engineering and the Utility Advisory Committee have indicated that the vacation will have no adverse effects. 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:

300210-9024.

Approved / Accepted By City Council

STAT MOF KANSAS)
This SEDGWICK COUNTY) SS

FILED FOR RECORD AT

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

12:30 P M

MAR 24 1989 1000663

IN THE MATTER OF THE VACATION OF)
A PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED SOUTHWEST CORNER OF)
BEACON HILL AND BEACON HILL COURT,)
LOCATED IN AN AREA EAST OF OLIVER AND)
SOUTH OF 29TH NORTH. (V-1585))
)
MORE FULLY DESCRIBED BELOW)

PAT KETTLER
REGISTER OF DEEDS

El Paso Deputy

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 14th day of March, 1989, comes on for hearing the petition for vacation filed by Stephen Critchfield, praying for the vacation of the following described utility easement, to-wit:

The North 5-feet of the South 10-feet of the West 42-feet of the East 62-feet of Lot 27, Block 3, Beacon Hill, an addition to Wichita, Sedgwick County, Kansas.

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 .
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 14th day of March, 1989, 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:

John Moir
John Moir, City Clerk

S. Kamen
Sheldon Kamen, Mayor

Approved as to Form:

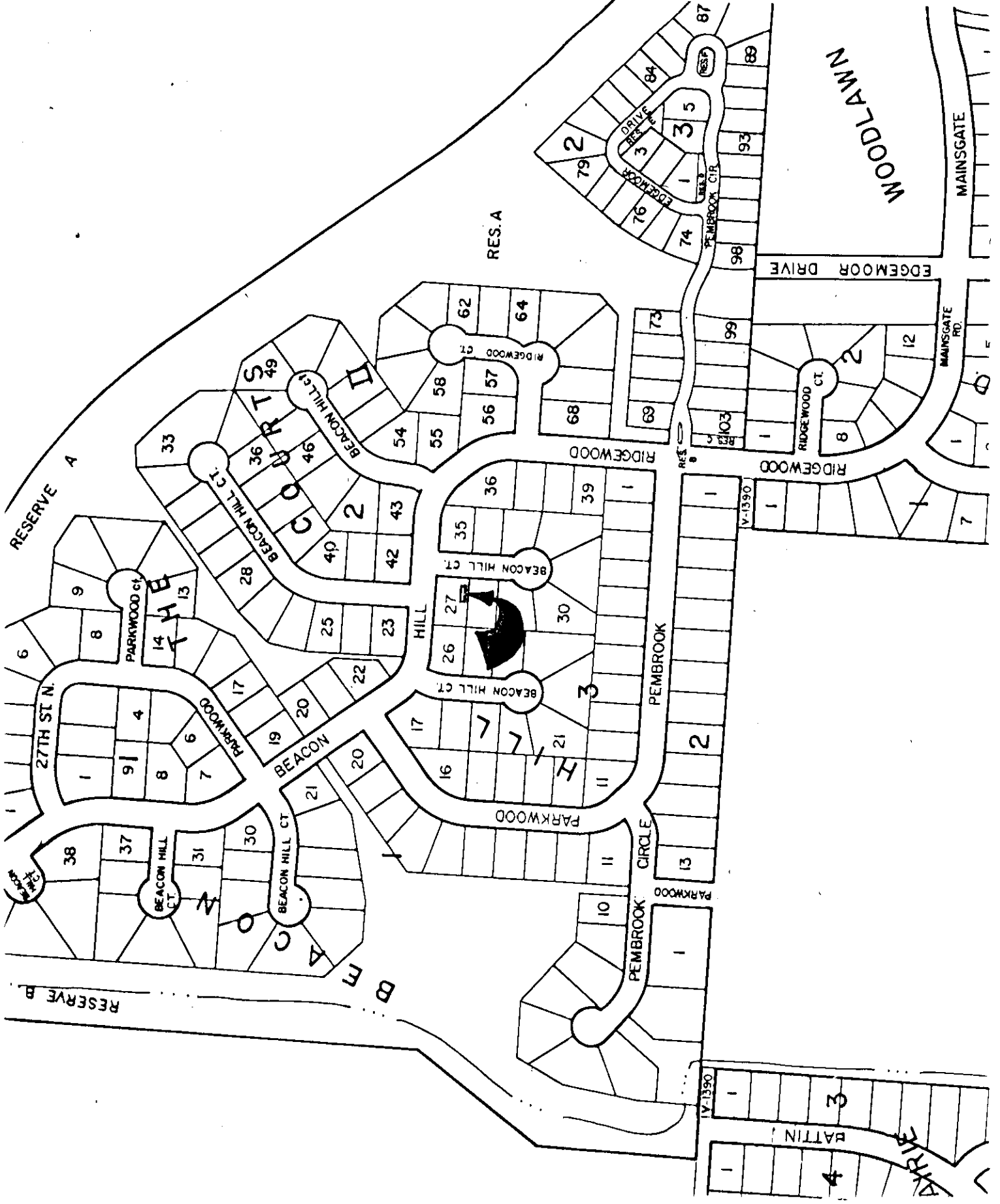
Thomas Powell
Thomas Powell, Director of Law

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 of the City Clerk. Given under my hand and seal of the City of Wichita, this MAR 16 1989

Dale E. Rea
Deputy City Clerk
SEDGWICK

CA
6.00

city clerk



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RESERVE B

V-1390

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