

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 8, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1565 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT, LOCATED SOUTH OF 13TH STREET NORTH AND WEST OF ROCK ROAD (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted utility easement.

MAPC Recommendation: Approve vacation of platted utility easement.

Background: This vacation is requested in order to provide area for the construction of a masonry wall. A substitute dedication of utility easements to the south of the area being vacated, has been provided. The Utility Advisory Committee has verified that this vacation will not adversely affect existing or planned utilities. 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.

NOV 8 1988

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

MICROFILMED OF RECORD

IN THE MATTER OF THE VACATION OF A PLATTED UTILITY EASEMENT. GENERALLY LOCATED SOUTH OF 13TH STREET NORTH AND WEST OF ROCK ROAD (V-1565). MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } ss SEDGWICK COUNTY } FILED IN RECORD AT 8:00 AM Nov 15 08 0980216

VACATION ORDER

PAT KETTLER REGISTERED CLERK

Ed Rea Deputy

NOW on this 8th day of November, 1988, comes on for hearing the petition for vacation filed by Charles G. Koch Charitable Foundation, praying for the vacation of the following described platted utility easement, to-wit:

The south 10 feet of Lot 1, Block 1, Fairfield Estates, 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 8th day of November, 1988, 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.



S Kamen Sheldon Kamen, Mayor

ATTEST: Dale E. Rea, Deputy City Clerk

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 NOV 15 1988

Approved as to Form: Thomas Powell, Director of Law

5.00

city clerk

13TH ST. NO.

BROADMOOR

FAIRFIELD

ESTATE

RES. A

POLO

RES. C

CYUB

RES. D

10th ST. CIRCLE

10th ST. Circle E

ADD

RES. E

POLO

MAGILL

ROCK

FAIRFIELD

