

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 8, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1564 - REQUEST TO VACATE A PLATTED
UTILITY EASEMENT LOCATED NORTH OF 29TH STREET NORTH
AND EAST OF ROCK ROAD. (District #2)

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: The owner of the two adjoining lots involved in the vacation, desires to build a structure across the common lot line. The Utility Advisory Committee and City Engineering have indicated that the easement is not needed for existing or future 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.

Approved Accepted By City Council
NOV 8 1988
This _____

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 AT THE NORTH OF 29TH)
STREET NORTH AND EAST OF ROCK ROAD)
(V-1564))
)
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED)
8:00 a

Nov 15 88 0980218

VACATION ORDER

PAT KUTTLER
REGISTER OF DEEDS

Ed Powell
Deputy

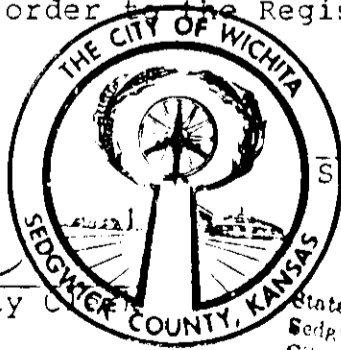
NOW on this 8th day of November, 1988, comes on for hearing the petition for vacation filed by Woodlawn Development Company, praying for the vacation of the following described utility easement, to-wit:

The 20-foot utility easement centered on the lot line common to Lots 1 and 2, Block 2, Mediterranean Plaza, an addition to Wichita, Sedgwick County, Kansas, except the north 20 feet and south 20 feet thereof.

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 OCT 26 + NOV 2, 1988.
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.



ATTEST:

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

Sheldon Kamen
Sheldon Kamen, Mayor

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) as
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 NOV 10 1988
Dale E. Rea
Deputy City Clerk

city clerk

5.00

RESERVE "A"
(CONTINGENT DEDICATION)

2

ST. NO.

32 NO

M E D I T E R

MEDITERRANEAN

17

ROCK

PLAZA

2

16

COMMERCIAL

PENSTEMON

29th ST. NO.