

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 11, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1557 - Request to vacate a portion of a platted utility and drainage easement located north of 21st St. North and west of Ridge Road. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility and drainage easement.

MAPC Recommendation: Approve vacation of utility and drainage easement (unanimous)

Background: The applicant has requested the vacation in order to provide greater buildable area for a planned house. Engineering has agreed to the vacation, provided the applicant dedicates a substitute utility and drainage easement. This dedication has been provided by the applicant. 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, resulting costs to be billed to 755-68-360-50000-295-000-000.

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

Approved / Accepted By City Council

This OCT 11 1988

IN THE MATTER OF THE VACATION OF)
A PLATTED UTILITY AND DRAINAGE)
EASEMENT.)
)
GENERALLY LOCATED NORTH OF 21ST STREET)
NORTH AND WEST OF RIDGE ROAD. (V-1557))
)
MORE FULLY DESCRIBED BELOW)

MICROFILMED
OF RECORD

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM

VACATION ORDER

Oct 18 88 0975238

PAT KETTLER
REGISTER OF DEEDS

Ed Resal Deputy

NOW on this 11th day of October, 1988, comes on for hearing the petition for vacation filed by Dennis L. Hesselbarth, praying for the vacation of the following described portion of a platted utility and drainage easement, to-wit:

A utility easement in Lots 19 and 20, Block 1, Reflection Ridge, an addition to Wichita, Sedgwick County, Kansas, described as: Commencing at the southeast corner of Lot 20, Block 1, in said Reflection Ridge Addition; thence bearing N30°57'59"W along the east line of said Lot 20, a distance of 42.93 feet; thence bearing S59°02'01"W a distance of 10.00 feet to the point of beginning; thence bearing N30°57' 59"W parallel to and 10.00 feet west of the east line of said Lot 20 a distance of 43.43 feet; thence bearing N58° 23'17"W a distance of 100.50 feet; thence bearing S89°36' 01"W parallel to and 25.00 feet south of the north line of said Block 1 a distance of 37.73 feet to a point in the southerly right-of-way line of a 100 feet Arkla Pipeline easement (Film 918, Page 266); thence bearing S58°23'17"E along said southerly right-of-way line a distance of 171.04 feet to the point of beginning. (V-1557)

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 SEPT 28 & OCT 5, 88.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted 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 and drainage easement described herein should be approved.

6.00ck

city clerk

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of October, 1988, ordered that the above-described portion of a platted utility and 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.

S Kamen
Sheldon Kamen, Mayor

ATTEST:

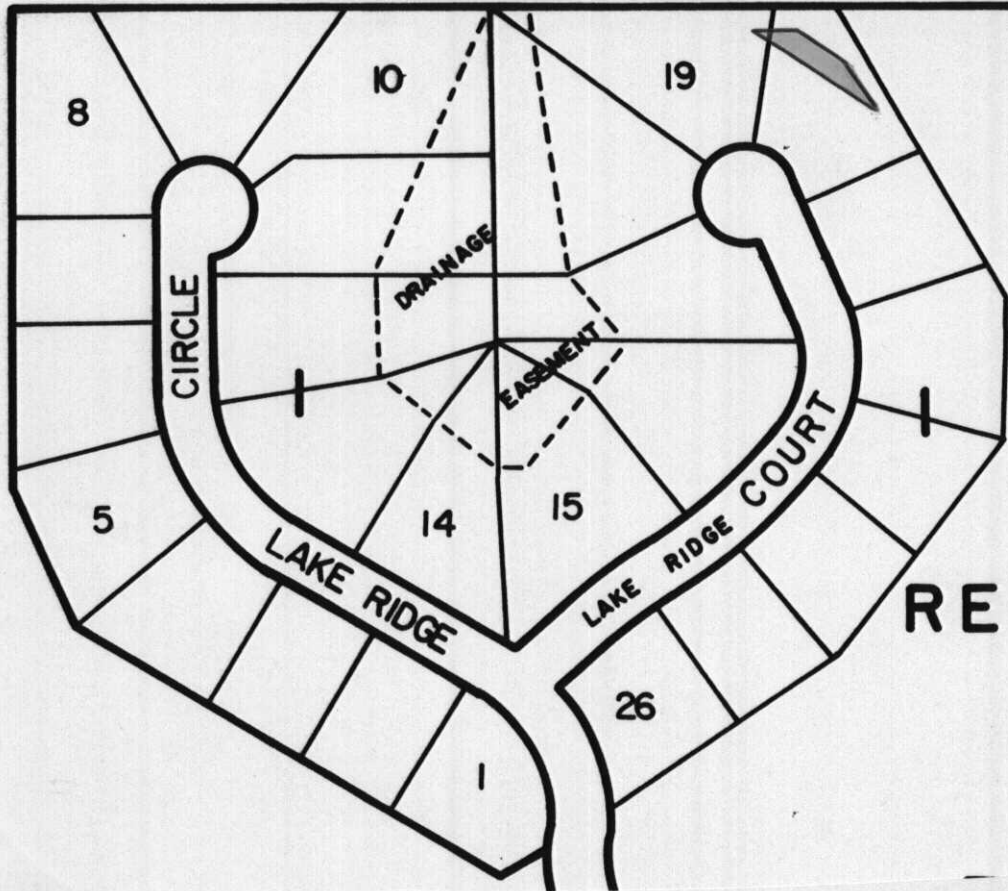
Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, 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, Kas. OCT 14 1988
Dale E. Rea Deputy City Clerk



REFLECT

RESERVE "A"