

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
September 13, 1988

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1550 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT,  
LOCATED IN AN AREA WEST OF DUGAN AND NORTH OF KELLOGG (District #5).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve plat. *Vacation*

MAPC Recommendation: Approve plat. (unanimous)

Background: This vacation case has been requested in order to permit the applicant to build across a lot line. The applicant owns not only the subject lot, but also the lot to the west. This vacation is needed to clear buildable area for planned construction. The Utility Advisory Committee has verified 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.

This SEP 13 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 NORTH OF KELLOGG )  
AND WEST OF DUGAN (V-1550). )

MORE FULLY DESCRIBED BELOW )

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

Oct 388 0972662

VACATION ORDER

PAT KETTLER  
REGISTER OF DEEDS

*Ed Rea Deputy*

NOW on this 13th day of September, 1988, comes on for hearing the petition for vacation filed by Income Producing Properties, a joint venture, praying for the vacation of the following described platted utility easement, to-wit:

The west 5 feet of Lot 1, Fleming's First Addition, Wichita, Sedgwick County, Kansas, except the north 10 feet thereof (V-1550).

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 AUG 31 1988 SEP 7 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 13th day of September, 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

*Heeta S. Winkler*  
HEETA S. WINKLER VICE MAYOR

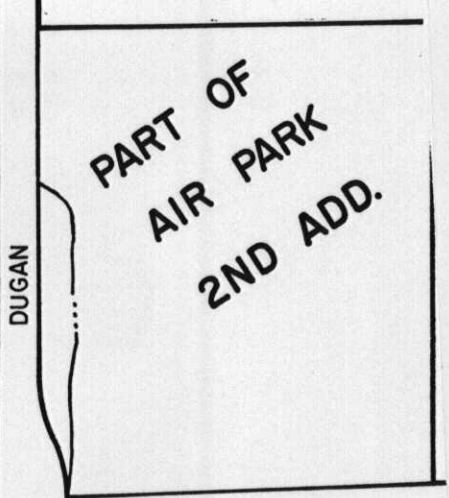
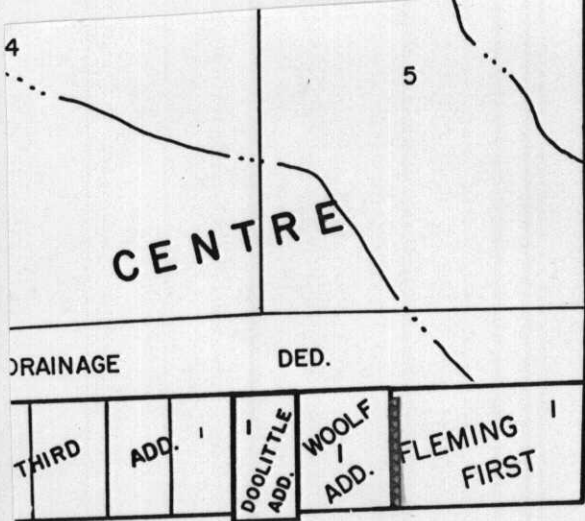
Approved as to Form:

*Thomas Powell*  
Thomas Powell, Director of Law

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 SEP 19 1988  
*Dale E. Rea* Deputy City Clerk

5.00 A

City Clerk



KELLOGG

US. 54

