

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1537 - REQUEST TO VACATE A PORTION OF
A PLATTED UTILITY EASEMENT, LOCATED EAST OF TYLER ROAD
AND NORTH OF 13TH STREET NORTH. (District #5)

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: This vacation has been requested in order to permit the installation of a sign for a restaurant that is being constructed on the subject lot. The City Engineer's Office and the Utility Advisory Committee has verified that the portion of easement being vacated is not needed for 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

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

STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT
8-00-A H

JUN 30 88 0955517

IN THE MATTER OF THE VACATION OF A PORTION OF
A PLATTED UTILITY EASEMENT.

GENERALLY LOCATED IN AN AREA EAST OF
TYLER, ON THE NORTH SIDE OF CENTRAL
AVENUE. (V-1537)

PAT KETTLER
Approved/ Accepted By City Council
This JUN 21 1988

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

Ed Rea
Deputy

VACATION ORDER

NOW on this 21st day of June, 1988, comes on for hearing the petition for vacation filed by S.P. Allen's Partnership, praying for the vacation of the following described portion of a platted utility easement, to-wit:

The south 10 feet of Lot 2, Block 1, Northwest Village, Wichita, Sedgwick County, Kansas, except the east 15 feet and the west 10 feet thereof. (V-1537)

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 JUNE 8 & 15, 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 21st day of June, 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
Dale E. Rea, Deputy City Clerk

Approved, as to Form:

Thomas R. Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
IDALE 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 the the City Clerk. Given under my hand and seal of the City of Wichita, this JUN 28 1988
Dale E. Rea Deputy City Clerk

700-A

City Clerk

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2
1
ROBIN
3
NORTHWEST
13
ADD.

THURMAN
VILLAGE
16 16
EVERGREEN
22

6
15th. ST.
NORTHWEST
15

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22
NORTHWEST
VILLAGE
2nd ADD.
12
13
NANTUCKET

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VILLAGE
14 3

TYLER
PART OF
NORTHWEST
4
1
VILLAGE
ADD
2 3

13th ST. NO.