

City of Wichita
City Council Meeting
April 26, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1527 - REQUEST TO VACATE A PORTION OF A SANITARY SEWER EASEMENT, LOCATED IN AN AREA NORTH OF 37TH STREET NORTH AND WEST OF JASMINE. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of sanitary sewer easement.

MAPC Recommendation: Approve vacation of sanitary sewer easement. (unanimous)

Background: This vacation has been requested in order to clear the subject lots of an easement which was granted by separate instrument when an adjacent subdivision was platted. When the subject lots were platted, a new easement was granted which replaces the portions of the easement now requested for vacation. 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

IN THE MATTER OF THE VACATION OF PORTIONS OF A SANITARY SEWER EASEMENT.

) Approved / Accepted By City Council
) This APR 26 1988

GENERALLY LOCATED IN AN AREA NORTH OF 37TH STREET NORTH AND WEST OF JASMINE. (V-1527)

) STATE OF KANSAS } ss
) SEDGWICK COUNTY }
) FILED FOR RECORD AT
) 12:30 P M

MORE FULLY DESCRIBED BELOW

Ed Rea
Deputy

MAY 10 1988

NO. 9 46469
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 26th day of April, 1988, comes on for hearing the petition for vacation filed by Golf Courses of America, praying for the vacation of the following described portions of a sanitary sewer easement, to-wit:

A portion of a sanitary sewer easement, granted by separate instrument, legally described as follows:

That portion of the sanitary sewer easement granted on Film 783, Page 898, lying within Lots 4, 5, 6, 7 and 8, Block 4, and Lot 25, Block 6, Willowbend Third Addition, an addition to Wichita, Sedgwick County, Kansas. (V-1527)

THIS VACATION ORDER IN NO WAY VACATES EASEMENTS THAT WERE PLATTED.

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 APR 13 & 20, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described sanitary sewer 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 sanitary sewer easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of April, 1988, ordered that the above-described portions of a sanitary sewer easement are 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.

MICROFILMED
OF RECORD



Sheldon Kamen
SHELDON KAMEN, Mayor

ATTEST:

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

(State 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 MAY 9 1988

Approved as to Form:

Thomas R Powell
Thomas Powell, Director of Law

Dale E. Rea
Deputy City Clerk
City Clerk

5.00
CA

