

City of Wichita
City Council Meeting
March 1, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1520 - REQUEST TO VACATE PLATTED UTILITY EASEMENTS,
LOCATED IN AN AREA EAST OF MCLEAN AND NORTH OF 15TH
STREET NORTH. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements.

MAPC Recommendation: Approve vacation of utility easements. (unanimous)

Background: This vacation case has been requested in order to eliminate unneeded utility easements and thereby provide more buildable lot area. The subject lot has recently been divided into two building sites. The Utility Advisory Committee has verified that the two easements being vacated are not needed for existing or future public 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

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

GENERALLY LOCATED IN AN AREA EAST OF MCLEAN
AND NORTH OF 15TH STREET NORTH. (V-1520)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council
This MAR 1 1988

VACATION ORDER

NOW on this 1st day of March, 1988, comes on for hearing the petition for vacation filed by Wilbur F. Kruse, praying for the vacation of the following described portion of platted utility easements, to-wit:

The 10-foot wide, north/south, platted utility easement on Lot 9, Hankins Addition to Wichita, Sedgwick County, Kansas, except the south 30 feet thereof, that lies adjacent to the west line of the Flood Control, River Beautification, Riverbank Construction and Maintenance Easement that was recorded of record on Film 612, Page 208.

MICROFILMED
OF RECORD

AND

Ed Rea
Deputy

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

The 10-foot wide, east/west, platted utility easement on said lot, whose centerline is perpendicular to the westerly line of said lot, and whose beginning point is located on the westerly line of said lot, 32 feet south of the northwest corner of said Lot 9, except the west 8 feet thereof. (V-1520)

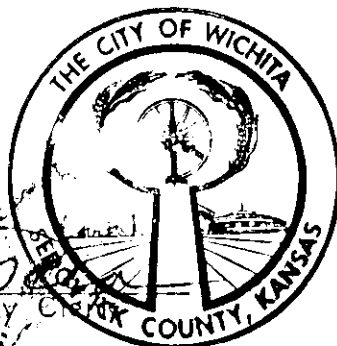
MAR 15 1988
9 36253
PAT KETTLER
REGISTER OF DEEDS

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 FEB 17 & 24, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described platted utility easements, 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 platted utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of March, 1988, ordered that the above-described portion of platted utility easements 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.

ATTEST:



Dale E. Rea, Deputy City Clerk

Approved as to Form

Thomas Powell

Thomas Powell, Director of Law

PL/8071/5

Robert G. Knight
Robert G. Knight, Mayor

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, Kan.

Dale E. Rea
Deputy City Clerk

City Clerk

9.00
CA

1"=50' ————— N —————

McLEAN BOULEVARD

CHARLES ST.

Complete Access Control
(to be granted by separate instrument)
382
Utility

Easement 306' N. of
S.W. Cor.

37,822 (A.)

10 de granted by
SEK (state ministry)

Easynt for Flood Control River Beautification
River bank construction and maintenance
(Film 612 Page 208)

Established Bank Line
(per plat of Hankins Add.)

ARKANSAS RIVER

April 24, 1987