

City of Wichita
City Council Meeting
March 1, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1519 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT, LOCATED IN AN UNINCORPORATED AREA OF THE COUNTY NORTH OF 48TH STREET NORTH AND EAST OF WACO.

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: The person who has submitted this vacation request owns the property on either side of the utility easement. This case has been requested in order to permit the property owner to build across the lot line upon which the easement is centered. The Utility Advisory Committee has verified that the portion of easement being vacated is 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: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

755-68-360-50000-295-000-000

RESOLUTION MICROFILMED OF RECORD

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

MAR 15 1988
9 36246

NO. PAT KETTLER
REGISTER OF DEEDS
Ed Rea Deputy

A RESOLUTION APPROVING THE VACATION OF A PLATTED UTILITY EASEMENT, DESCRIBED AS:

The ten (10) foot wide north/south utility easement centered on the common property line of Lot 18 and Reserve A of Northern Acres, Sedgwick County, Kansas, except the north eight (8) feet thereof.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a platted utility easement described as:

The ten (10) foot wide north/south utility easement centered on the common property line of Lot 18 and Reserve A of Northern Acres, Sedgwick County, Kansas, except the north eight (8) feet thereof; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on January 21, 1988;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the platted utility easement, described as follows, to wit:

CASE NO. V-1519

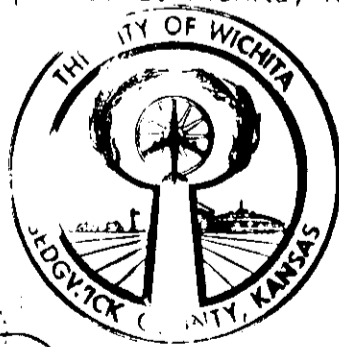
The ten (10) foot wide north/south utility easement centered on the common property line of Lot 18 and Reserve A of Northern Acres, Sedgwick County, Kansas, except the north eight (8) feet thereof.

Be and the same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described platted utility easement be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 15th day of MARCH, 1988.



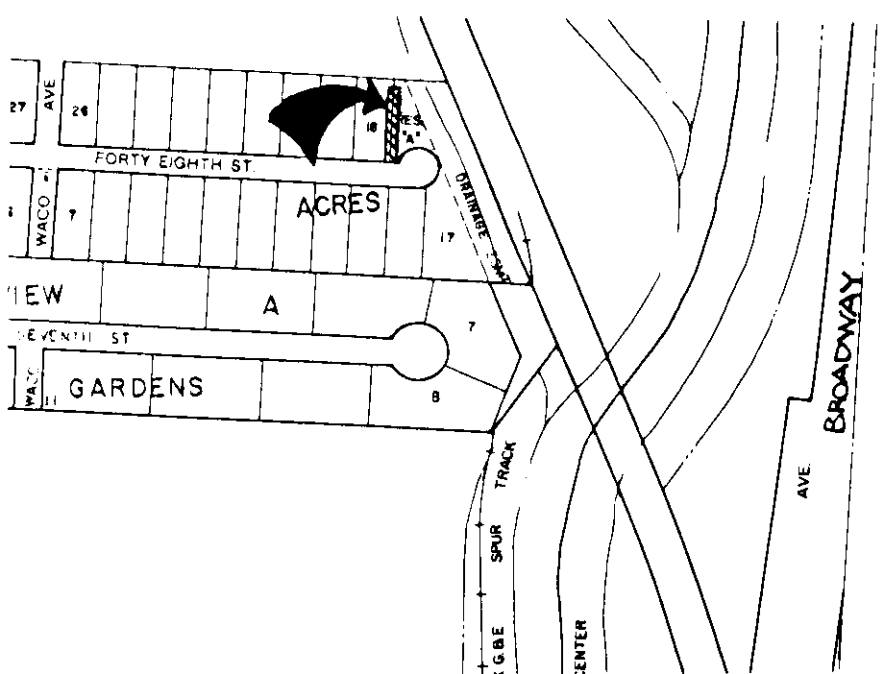
Robert C. Knight
Robert C. Knight, Mayor

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 the the City Clerk.
Given under my hand and seal of the City of
Wichita, this _____

ATTEST:
Dale E. Rea
Dale E. Rea, Deputy City Clerk (Seal)

city clerk

00H



27

WACO AVE

26

18

ACRES

FORTY EIGHTH ST.

ACRES

17

DRAINAGE SPUR

WACO

7

VIEW

A

7

SEVENTH ST

B

GARDENS

WACO

TRACK

SPUR

G B E

CENTER

AVE

BROADWAY