

City of Wichita
City Council Meeting
February 2, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1516 - REQUEST TO VACATE PORTIONS OF A PLATTED UTILITY
EASEMENT, LOCATED IN AN AREA NORTH OF O'NEIL AND EAST OF
119TH STREET WEST. (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: The purpose of this case is to eliminate unused utility easement. The Utility Advisory Committee has verified that the portions of easement being vacated are 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

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

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

IN THE MATTER OF THE VACATION OF PORTIONS OF
PLATTED UTILITY EASEMENTS.

GENERALLY LOCATED IN AN AREA NORTH OF O'NEIL,
EAST OF 119TH STREET WEST. (V-1516)

MORE FULLY DESCRIBED BELOW

MAR 15 1988

9 36252

NO.
PAT KETTLER
REGISTER OF DEEDS

Ed Resal Deputy

CORRECTED VACATION ORDER

NOW on this 2nd day of February, 1988, comes on for hearing the petition for vacation filed by Shade Investment Company, praying for the vacation of the following described portions of platted utility easements, to-wit:

The south 20 feet of the north 30 feet of Lots 1 through 15, inclusive, Block 1 of Westlink Village Eighteenth Addition, Wichita, Sedgwick County, Kansas, except for the following:

- The east 5 feet of said Lot 2;
- The east 5 feet and the west 5 feet of said Lot 3;
- The west 5 feet of said Lot 4;
- The east 5 feet of said Lot 5;
- The west 5 feet of said Lot 6;
- The east 5 feet of said Lot 9;
- The west 5 feet of said Lot 10;
- The east 5 feet of said Lot 11;
- The west 5 feet of said Lot 12;
- The east 5 feet of said Lot 13; and
- The west 5 feet of said Lot 14. (V-1516)

MICROFILMED
OF RECORD

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 JAN 20TH & 27TH, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described 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 utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of February, 1988, ordered that the above-described 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. Resal
Dale E. Resal, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

PL/8026/5

City clerk

Robert C. Knight
Robert C. Knight, Mayor

State of Kansas)
Sedgwick County)
City of Wichita)
I, DALE E. RESAL, Deputy City Clerk of the City of Wichita, Kansas, do hereby certify that the document to which this is affixed is a true and correct copy of the original on file with the City Clerk. Given under my hand and seal of the City of Wichita, this FEB 25, 1988.

Dale E. Resal
Dale E. Resal, Deputy City Clerk

