

City of Wichita
City Council Meeting
April 10, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1655 - A REQUEST TO VACATE A PLATTED
UTILITY EASEMENT, LOCATED NORTHEAST OF TIPPERARY AND
LONGFORD LANE, IN AN AREA NORTH OF CENTRAL AND EAST OF ROCK
ROAD
(District #2)

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 request is made because, the applicant desires to build a house across two common lot lines encumbered by utility easements. A 1965 vacation request has also been incorporated into this case as that previous request, though approved by the city, was never approved by the County. The Utility Advisory Committee and City Engineering have indicated that no adverse effects will result by the vacation of this utility easement. 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:

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

IN THE MATTER OF THE VACATION OF A)
PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED NORTHEAST OF TIPPERARY)
AND LONGFORD LANE, IN AN AREA NORTH OF)
CENTRAL AND EAST OF ROCK ROAD (V-1655).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 10th day of April, 1990, comes on for hearing the petition for vacation filed by Thomas V. & Kyle M. Futo, et al., praying for the vacation of the following described platted utility, to-wit:

The 16-foot platted utility easement common to Lots 1 and 2, except the east 16-feet, AND the 10-foot platted utility easement common to Lots 2 and 3, except the east 16-feet, AND the 10-foot platted utility easement common to Lots 3 and 4, except the east 16-feet, all in Block 6, Second Addition to Vickridge, Sedgwick County, Kansas.

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 _____.
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.

Vacation Order
V-1655
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of April, 1990, 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.

Bob Knight, Mayor

ATTEST:

John Moir, City Clerk

Approved as to Form:

Thomas Powell, Director of Law

