

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 20, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1654 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT, LOCATED ON THE SOUTH SIDE OF 29TH STREET NORTH, IN AN AREA WEST OF PORTER.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a platted utility easement.

MAPC Recommendation: Approve vacation of a platted utility easement. (unanimous)

Background: The applicant owns property on both sides of a common lot line and desires to build across the utility easement. The Vacation Order retains the east 10 feet of the vacation request as a utility easement. City Engineering and the Utility Advisory Committee indicate that the vacation with the 10 foot retention is acceptable. 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:

150029-2909

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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 ON THE SOUTH SIDE OF)
29TH STREET NORTH, IN AN AREA WEST OF)
PORTER (V-1654).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 20th day of March, 1990, comes on for hearing the petition for vacation filed by Luther Fewin, praying for the vacation of the following described platted utility easement, to-wit:

The south 5-feet of Lot 2, Gilders Court, 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 March 2, 1990 March 9, 1990.
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 east 10 feet shall be retained as a utility easement.
6. The vacation of the utility easement described herein should be approved.

B.00

city clerk

Vacation Order
V-1654
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of March, 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 *by JGR*

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED IN RECORD AT
8:00 A.M.

APR 4 90 1060609

PAT KETTLER
REGISTER OF DEEDS

Ed Pass
Deputy

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, 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 MAR 20 1990
Pat Burnett Deputy City Clerk



29 TH ST. NO.

ST.
AVE.

C. HERMANN
ADD. 1

5

4

3

2

1

PERRY AV.

9

20

21

32

CONNER
3 RD ADD. 1

GILDER'S

WEDGEWOOD

1
SNODGRASS
4th 2

14

RIVER

AMIDON

GILDER'S

COOLIDGE

COURT

14

15

26

27

1
WINEFIELD
3
2
ADD.

10

PART OF
LOT 15
GILDER'S
RIVERBEND

GILD

7

ST.

PART OF G
RIVER FRONT
6

PART OF
GILDER'S RIVER
FRONT
6

TWEN
AVE.
LITCHFIELD AVE.

