

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
February 13, 1990

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1653 - REQUEST TO VACATE A PORTION OF A  
PLATTED DRAINAGE EASEMENT, LOCATED ON THE NORTH SIDE OF  
MORNING DEW IN AN AREA NORTH OF 21ST STREET  
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Staff Recommendation: Approve vacation of drainage easement.

MAPC Recommendation: Approve vacation of drainage easement.  
(unanimous)

Background: A proposed roof overhand will extend into a drainage easement. City Engineering has no objections to the vacation. 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

MICROFILMED  
OF RECORD

FILM 1099 PAGE 1513

Approved / Accepted By City Council

This STATE FEB 13 1990  
SEDCWICK COUNTY KANSAS  
FILED IN RECORD AT  
8:00 AM

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BEFORE THE CITY COUNCIL OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS  
MAR 21 90 1057981

IN THE MATTER OF THE VACATION OF A )  
PORTION OF A PLATTED DRAINAGE EASEMENT. )  
 )  
GENERALLY LOCATED ON THE NORTH SIDE OF )  
MORNING DEW IN AN AREA NORTH OF 21ST )  
STREET (V-1653). )  
 )  
MORE FULLY DESCRIBED BELOW )

PAT KETTLER  
REGISTER OF DEEDS

VACATION ORDER

NOW on this 13th day of February, 1990, comes on for hearing the petition for vacation filed by Barbara Wohlgemuth, praying for the vacation of the following described platted drainage easement, to-wit:

Vacation of part of a drainage easement in Lot 37, Block 1, Reflection Ridge, an Addition to Wichita, Sedgwick County Kansas, described as: Commencing at the southeast corner of said Lot 37; thence bearing N32°10'21"E along the east line of said Lot 37, a distance of 37.00 feet; thence bearing N57°49'39"W, a distance of 9.00 feet to the point of beginning; thence bearing N32°10'21"E, parallel to and 9.00 feet west of the east line of said Lot 37, a distance of 14.41 feet; thence bearing N62°10'21"E, parallel to and 7.00 feet west of the easterly line of said Lot 37, a distance of 48.00 feet; thence bearing N27°49'39"W, a distance of 3.00 feet; thence bearing S62°10'21"W, a distance of 44.80 feet; thence bearing S32°10'21"W, a distance of 18.68 feet; thence bearing S57°49'39"E, a distance of 1.00 feet to the point of beginning.

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 31 1990 & FEB 2 1990
2. No private rights will be injured or endangered by the vacation of the above-described drainage 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.

800

City clerk.

Vacation Order  
V-1653  
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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 drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of February, 1990, ordered that the above-described drainage 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.



ATTEST:

*Bob Knight*  
\_\_\_\_\_  
Bob Knight, Mayor

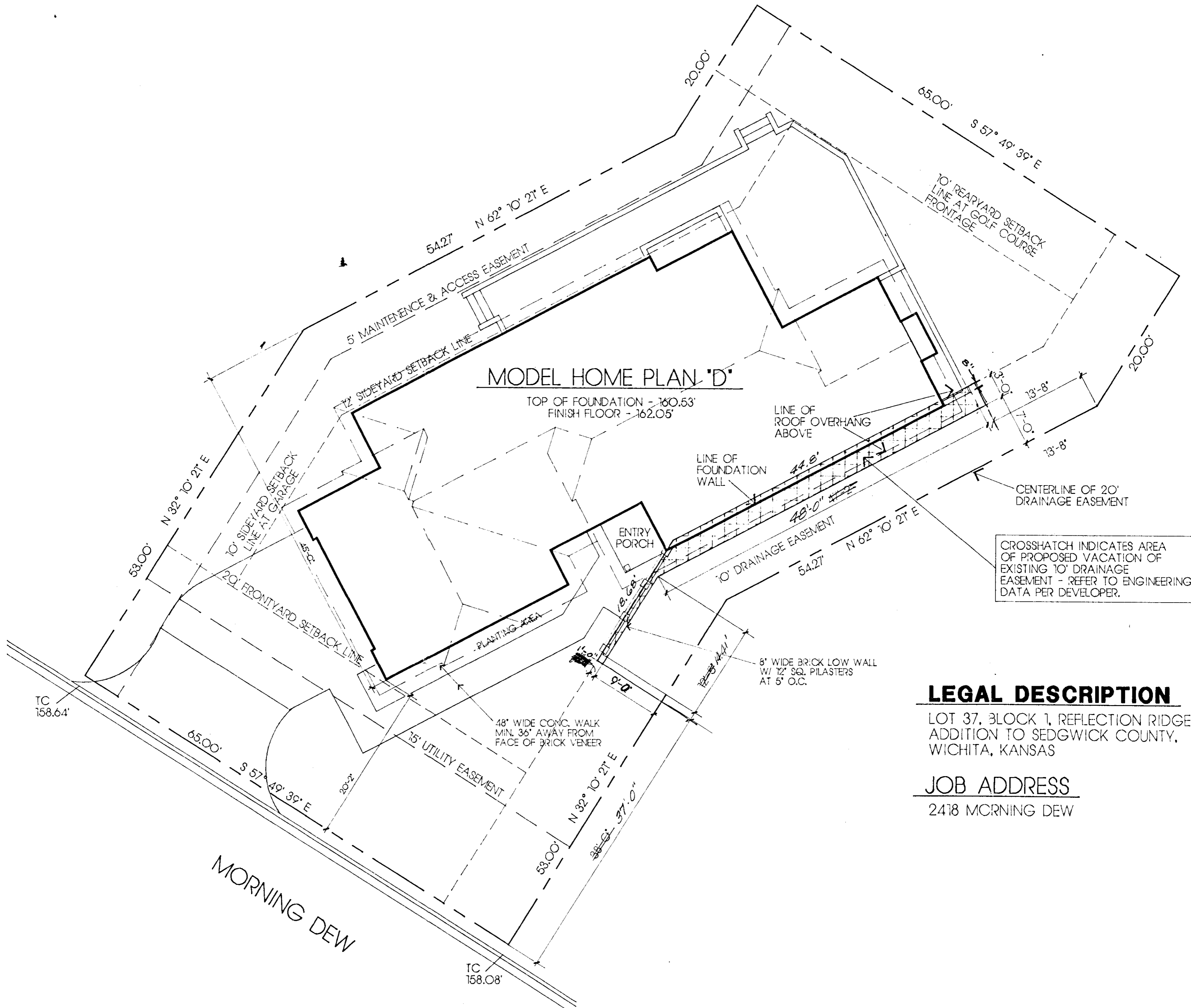
*John Moir*  
\_\_\_\_\_  
John Moir, City Clerk

Approved as to Form:

*Thomas R. Powell by GER*  
\_\_\_\_\_  
Thomas Powell, Director of Law

State of Kansas )  
Sedgwick County) as  
City of Wichita )  
I, PAT BURNOIT, Deputy City Clerk of the City of  
Wichita, Kansas, hereby certify that the document  
to which this is attached 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, this February 13, 1990  
*Pat Burnoit*  
Deputy City Clerk

THE CITY OF WICHITA, KANSAS  
CLERK'S OFFICE



**MODEL HOME PLAN 'D'**

TOP OF FOUNDATION - 160.53'  
FINISH FLOOR - 162.05'

CROSSHATCH INDICATES AREA OF PROPOSED VACATION OF EXISTING 10' DRAINAGE EASEMENT - REFER TO ENGINEERING DATA PER DEVELOPER.

**LEGAL DESCRIPTION**

LOT 37, BLOCK 1, REFLECTION RIDGE ADDITION TO SEDGWICK COUNTY, WICHITA, KANSAS

**JOB ADDRESS**

2418 MORNING DEW