

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 7, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1632 - REQUEST TO VACATE A PLATTED UTILITY EASEMENT AND BUILDING SETBACK, LOCATED IN AN AREA NORTH OF SHANNON WAY AND WEST OF SHANNON WAY COURT, IN AN AREA NORTH OF CENTRAL AND WEST OF WEBB ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement and building setback.

MAPC Recommendation: Approve vacation of utility easement and building setback. (unanimous)

Background: A proposed structure will extend into a 20-foot utility easement and a platted 25-foot sideyard building setback. City Engineering and the Utility Advisory Committee indicate that the vacation of the utility easement 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

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
12:30 PM

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

Nov 21 89 1039458

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
A PLATTED UTILITY EASEMENT AND BUILDING)
SETBACK.)

GENERALLY LOCATED NORTH OF SHANNON WAY)
AND WEST OF SHANNON WAY COURT, IN AN)
AREA NORTH OF CENTRAL AND WEST OF WEBB)
ROAD (V-1632).)

MORE FULLY DESCRIBED BELOW)

Approved / Accepted By City Council

This NOV 7 1989

Ed Ross
Deputy

VACATION ORDER

NOW on this 7th day of November, 1989, comes on for hearing the petition for vacation filed by Duane Equities, Inc., praying for the vacation of the following described platted utility easement and building setback, to-wit:

Building Setback: The west 12 feet of the east 25 feet except the south 75 feet of Lot 1, Block 1, Woodland Estates Second, an addition to Wichita, Sedgwick County, Kansas.

Utility Easement: The west 7 feet of the east 20 feet except the south 75 feet of Lot 1, Block 1, Woodland Estates Second, an addition to Wichita, 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 10/25 & 11/1, 89.
2. No private rights will be injured or endangered by the vacation of the above-described utility easement and building setback, 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 and building setback described herein should be approved.

8.00

City Clerk

Vacation Order
V-1632
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of November, 1989, ordered that the above-described utility easement and building setback 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
Bob Knight, Mayor

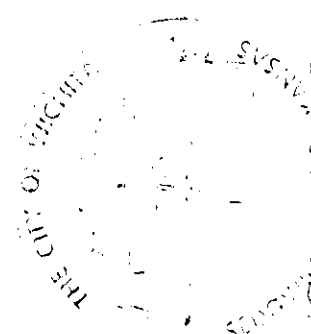
ATTEST:

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law

Form 1020



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 of the City Clerk.
Given under my hand and seal of the City of Wichita, this NOV 7 1989
Pat Burnett Deputy City Clerk

