

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 12, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1627 - REQUEST TO VACATE A PLATTED UTILITY
EASEMENT, LOCATED NORTH OF PAWNEE AND EAST OF HILLSIDE
(District #3)

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 applicant desires to build a structure across the utility easements. An additional easement has been provided to bring the remaining easement up to standard. City Engineering and the Utility Advisory Committee indicate that the vacation and substitute easement are 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; and adopt dedication; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, and dedication, 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 NORTH OF PAWNEE AND
EAST OF HILLSIDE (V-1627).

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council
This SEP 12 1989

VACATION ORDER

NOW on this 12th day of September, 1989, comes on for hearing the petition for vacation filed by Grace Lutheran Congregation, praying for the vacation of the following described utility easement, to-wit:

The south 175-feet of the north 185-feet of the 10-foot utility easements common to Lots 4 and 5 and Lots 6 and 7, Elmwood 2nd Addition to Wichita, 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 8/22 & 9/16/89.
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-1627
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of September, 1989, 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.



ATTEST

John Moir

John Moir, City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Thomas Powell

Thomas Powell, Director of Law

Form 1020

State of Kansas)
Sedgwick County)
City of Wichita)
I, Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the documents 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, Kansas, this SEP 12 1989 day of September, 1989.
Dale E. Rea
Dale E. Rea, Deputy City Clerk

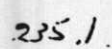
STATE OF KANSAS) SS
SEDCWICK COUNTY)
FILED FOR RECORD AT
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SEP 20 1989 1029516
PAT KETTLER
REGISTER OF DEEDS

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OF RECORD

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City Clerk

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TO WICHITA, KANSAS.



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