

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 12, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1625 - REQUEST TO VACATE A PORTION OF A
PLATTED UTILITY EASEMENT LOCATED AT THE NORTHEAST CORNER OF
WESTRIDGE AND 19TH STREET NORTH
(District #5)

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 vacation is requested to allow the construction of a house that would encroach into the utility easement. The Utility Advisory Committee has 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:

150029-2909

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED UTILITY EASEMENT.)
)
GENERALLY LOCATED AT THE NORTHEAST)
CORNER OF WESTRIDGE AND 19TH STREET)
NORTH (V-1625).)
)
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 Thunderbird Realty Service, Inc., praying for the vacation of the following described utility easement, to-wit:

The west 9 feet of the east 15 feet of the south 60 feet of Lot 4, Block 1, Thunderbird 5th 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:

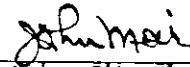
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on 8/30 & 9/6/89.
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, and 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-1625
Page 2 of 2


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.

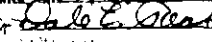

Bob Knight, Mayor



TESTE:

John Moir, City Clerk

Approved as to Form:


Thomas Powell, Director of Law

STATE OF KANSAS }
SEDGWICK COUNTY }
City of Wichita, Kansas }
Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certifies 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 SEP 18 1989

Dale E. Rea, Deputy City Clerk

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
11:00 A.M.

SEP 20 1989 1029514

PAT KETTLER
REGISTER OF DEEDS

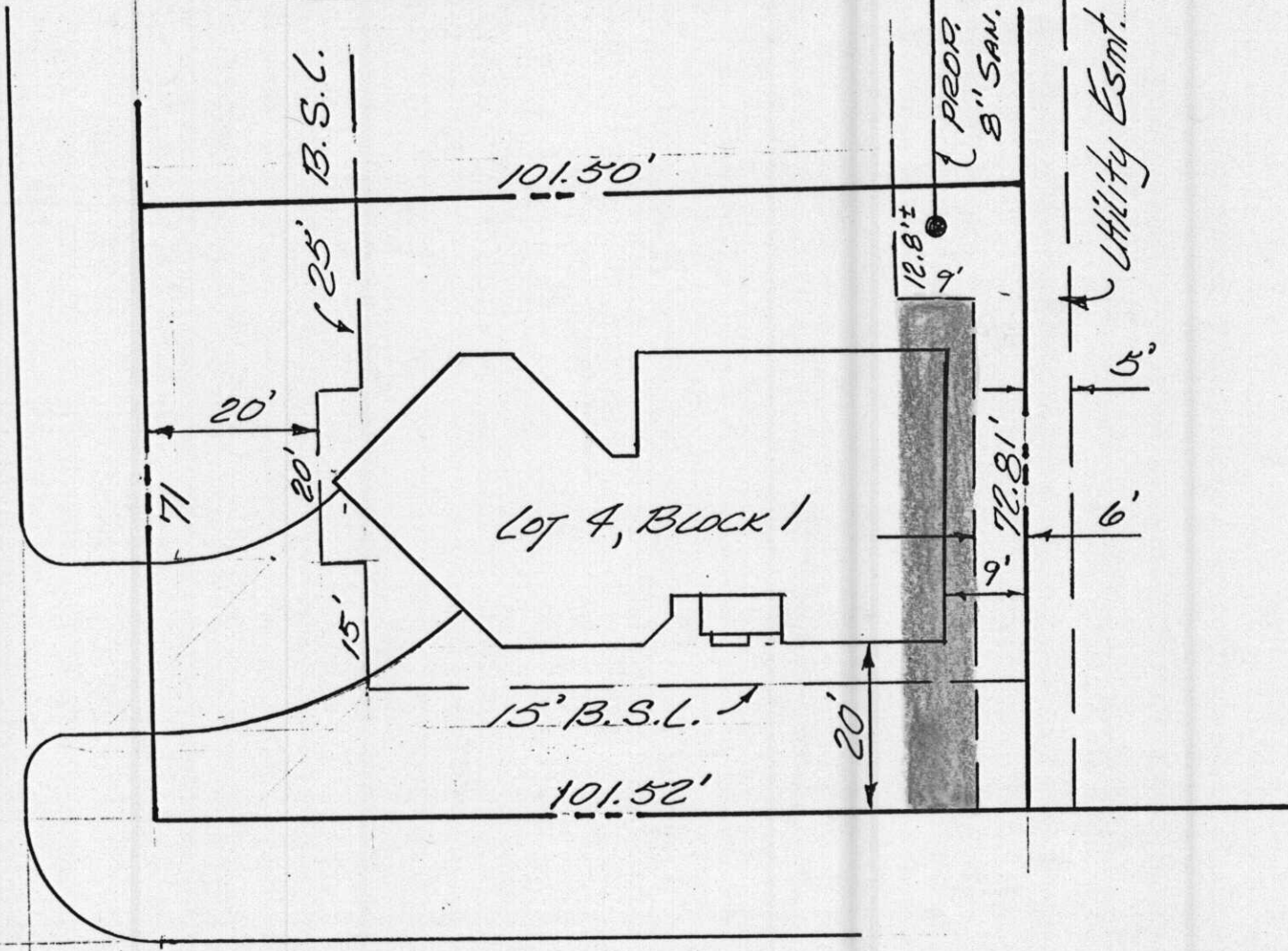
MICROFILMED
OF RECORD

500
City Clerk

THUNDERBIRD 5TH. ADD.

WESTREID 6E 7

1" = 20'



19TH. ST. No. 7