

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 9, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1594 - REQUEST TO VACATE A PLATTED DRAINAGE EASEMENT
LOCATED IN AN AREA NORTH OF 32ND STREET NORTH AND WEST OF ROCK ROAD
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted drainage easement.

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

Background: In order to provide additional buildable area at this site, the applicant has initiated drainage improvements along a revised alignment. City Engineering has approved these changes in the drainage plan for the site, and a substitute easement has been provided for the new alignment. 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 the Order and the dedication, recording costs to be billed to:

150029-2909

Approved / Accepted by City Council STATE OF KANSAS } SS
 SEDGWICK COUNTY }
 This MAY 9 1989 FILED FOR RECORD AT
 9:00 AM

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

PAT KETTLER
 REGISTER OF DEEDS

*Ed Resa
 Deputy*

IN THE MATTER OF THE VACATION OF A
 PLATTED DRAINAGE EASEMENT.

GENERALLY LOCATED NORTH OF 32ND ST. N.
 AND WEST OF ROCK ROAD (V-1594).

MORE FULLY DESCRIBED BELOW

MICROFILMED
 OF RECORD

VACATION ORDER

NOW on this 9th day of May, 1989, comes on for hearing the
 petition for vacation filed by Midland Residential Ventures, Inc.,
 praying for the vacation of the following described platted drainage
 easement, to-wit:

The 80.00 foot drainage easement as platted on Lot
 2, Block 1, Killarney Plaza Third, 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 4/23 & 5/3, 1989.

2. No private rights will be injured or endangered by the
 vacation of the above-described platted 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.

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 platted drainage easement described
 herein should be approved.

8.00 LA

City clerk

Vacation Order
V-1594
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of May, 1989, ordered that the above-described platted 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:

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

Bob Knight
Bob Knight, Mayor

State of Kansas)
Sedgwick County)
City of Wichita, Kansas)
I, Dale E. Rea, 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, Kansas, this MAY 10 1989
Dale E. Rea Deputy City Clerk

KILLARNEY