

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 9, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1590 REQUEST TO VACATE PLATTED DRAINAGE EASEMENT LOCATED
WEST OF ROCK ROAD, IN AN AREA NORTH OF 13TH STREET NORTH
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: A building being planned for this site requires the relocation of the drainage easement. City Engineering has reviewed and approved substitute easements to replace the one being vacated. The Utility Advisory Committee 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 and adopt dedications; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and dedications, recording costs to be billed to:

150029-2909

Approved / Accepted By City Council
 This MAY 9 1989
 FILED FOR RECORD AT
9:00 AM

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

MAY 11 1989 1008295

PAT KETTLER
 REGISTER OF DEEDS

MICROFILMED
 OF RECORD

IN THE MATTER OF THE VACATION OF A)
 PLATTED DRAINAGE EASEMENT.)
)
 GENERALLY LOCATED IN AN AREA WEST OF)
 ROCK ROAD NORTH OF 13TH STREET NORTH)
 (V-1590))
)
MORE FULLY DESCRIBED BELOW)

Ed Raza Deputy

VACATION ORDER

NOW on this 9th day of May, 1989, comes on for hearing the petition for vacation filed by Stephen L. Clark of C.C.R. Associates, praying for the vacation of the following described platted drainage easement, to-wit:

The 40-foot drainage easement crossing Lots 1, 2, and 3, as shown and granted on the recorded plat of C.C.R. Addition, Wichita, Kansas, being more particularly described as being 20-feet on either side of the following described centerline: Commencing at the S.E. corner of said Lot 3; thence N 00° E, along the east line of said Lot 3, 133.35-feet for a place of beginning; thence N 60° 00' W, 167.75-feet; thence N 32° 45' 54" W, 301.71-feet to a point on the north line of said Lot 2, said point being 58.58-feet west of the northerly most N.E. Corner of said Lot 2.

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 & 5/2, 1989.
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.

LA
 8.00

city clerk

1500 22- 2707

Vacation Order
V-1590
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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 9th day of May, 1989, 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:



John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

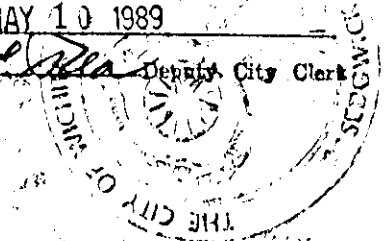
Bob Knight
Bob Knight, Mayor

State of Kansas)
Sedgwick County) ss
City of Wichita

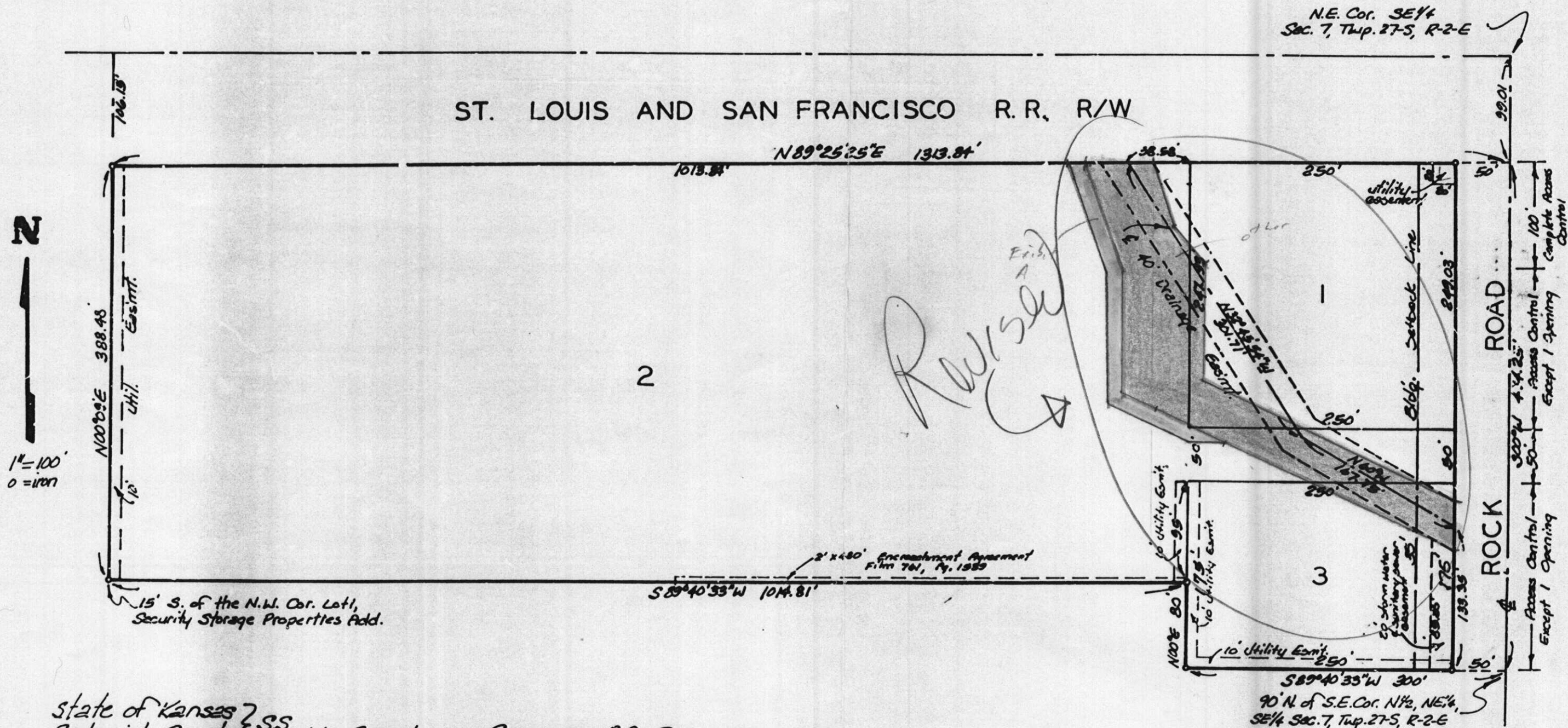
Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk.
Given under my hand and seal of the City of

Wichita, this MAY 10 1989

Dale E. Rea, Deputy City Clerk



WICHITA, KANSAS



State of Kansas }
 Sedgwick County } S.S. We, Baughman Company, P.A., Surveyors
 in aforesaid county and state do hereby certify that we
 have surveyed and plotted "C.C.R. ADDITION", Wichita,
 Kansas and that the accompanying plat is a true and
 correct exhibit of the property surveyed described as
 commencing at the S.E. corner of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of
 the SE $\frac{1}{4}$ of Sec. 7, Twp. 27-S, R-2-E of the 6th P.M., Sedg-
 wick County, Kansas; thence north 90 feet for a point
 of beginning; thence west 300 feet; thence north 95
 feet; thence west to a point on the west line of the N $\frac{1}{2}$
 of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 7 which is 185 feet
 north of the S.W. corner of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the

This plat of "C.C.R. ADDITION",
 Wichita, Kansas, has been submitted to and approved
 by the Wichita-Sedgwick County Metropolitan Area Plan-
 ning Commission, Wichita, Kansas.

Dated this 8th day of August 1985.
 Wichita-Sedgwick County Metropolitan Area Planning Commission.

James C. Wilson Chairman
 James C. Wilson