

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 26, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1699 - REQUEST TO VACATE A PLATTED FIRE
LANE EASEMENT, LOCATED NORTH OF KELLOGG AND WEST OF WEBB
ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted fire lane
easement.

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

Background: The applicant requests a vacation of a portion of a fire
lane easement at K-Mart in order to construct a new garden center.
This is an old plat and City Engineering and the Utility Committee
have indicated their approval of this vacation along with the Fire
Dept. 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

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

IN THE MATTER OF THE VACATION OF)
A PLATTED FIRE LANE EASEMENT. (V-1699))
)
GENERALLY LOCATED NORTH OF KELLOGG AND)
WEST OF WEBB ROAD.)
)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 26th day of March, 1991, comes on for hearing the petition for vacation filed by K-Mart Corporation/Glenn D. Insana, praying for the vacation of the following described Fire Lane Easement, to-wit:

The south 253 feet of the north 293 feet of the east 35 feet of the west 117 feet of Lot 1, Block 1, WIDEMANN ADDITION, 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 Reporter of notice of this vacation proceeding for consecutive weeks on _____.

2. No private rights will be injured or endangered by the vacation of the above-described Fire Lane 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 Fire Lane Easement described herein should be approved.

FILE COPY

Vacation Order
V-1699
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of March, 1991, ordered that the above-described Fire Lane 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.

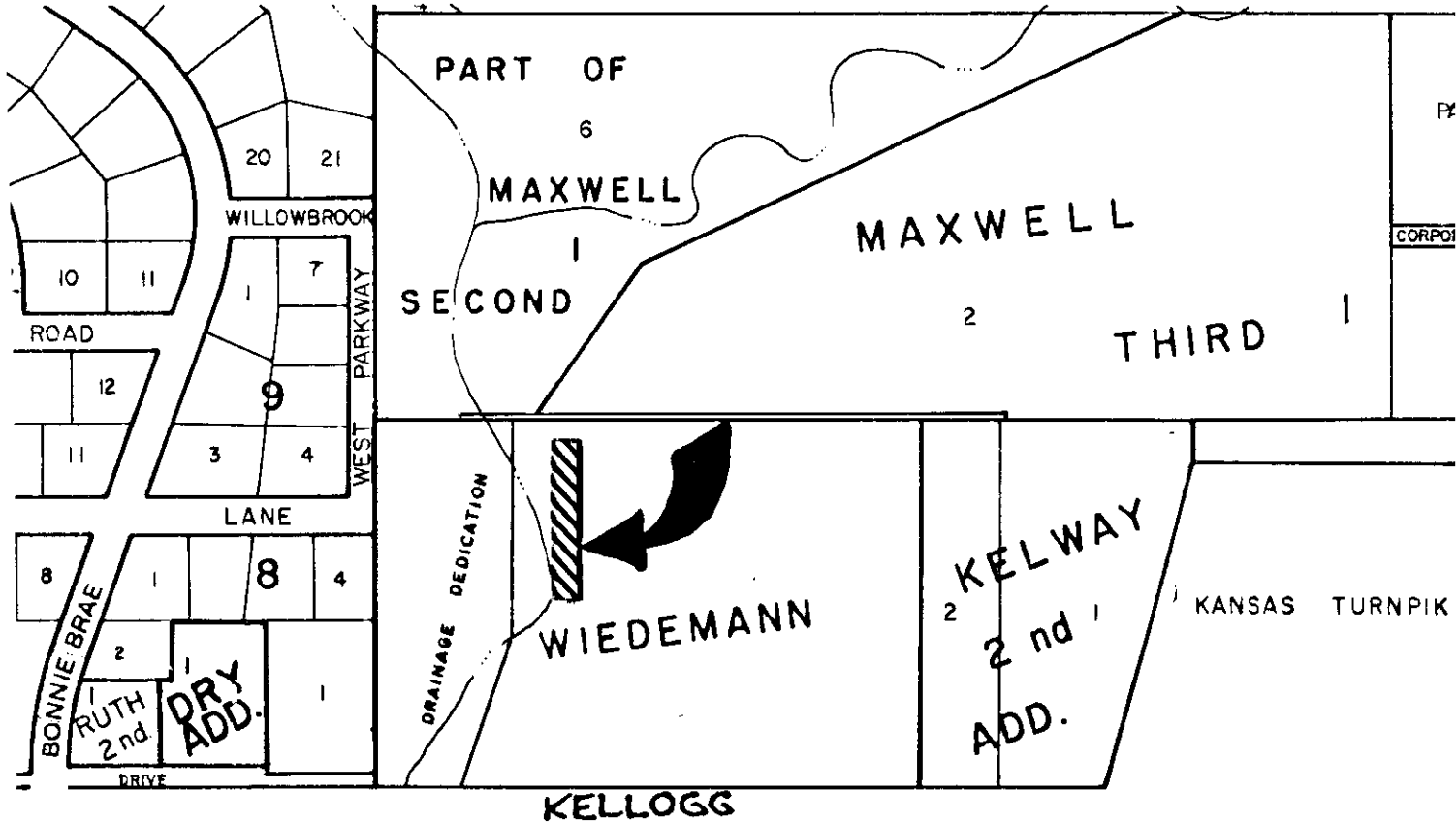
Bob Knight, Mayor

ATTEST:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Thomas Powell, Director of Law



III. Application Filed 2/1/91
S/D Comm. Action 2/21/91
Approved
M.A.P.C. Action 2/28/91
Approved

W.C.C. Action 3/26/91
Approved
Bd. Co. Co. Action _____
Order to Vacate Recorded _____