

City of Wichita
City Council Meeting
January 29, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1690 - REQUEST TO VACATE A UTILITY
EASEMENT; LOCATED NORTH OF 19TH STREET NORTH AND EAST OF
WOODCHUCK.
(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: The applicant seeks a vacation of a portion of a platted utility easement on either side of a common lot line in order to create a larger building site. A substitute utility easement has been submitted for this site. The utility companies and City Engineering have indicated their approval of this 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, accept dedication, approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and dedication, 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 UTILITY EASEMENT.)
)
GENERALLY LOCATED NORTH OF 19TH STREET)
NORTH AND EAST OF WOODCHUCK. (V-1690))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 29th day of January, 1991, comes on for hearing the petition for vacation filed by James R. Loyd, praying for the vacation of the following described utility easement, to-wit:

The 20 foot utility easement, being 10 feet on either side of the common lot line between Lots 2 and 3, Block 11, Westwood Heights 2nd Addition, Wichita, Kansas, except the north 20 feet thereof.

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 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.

FILED

Vacation Order
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th day of January, 1991, 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

ATTEST:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Thomas Powell, Director of Law

