

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 6, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1686 - REQUEST TO VACATE A PORTION OF A PLATTED UTILITY EASEMENT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted utility easement.

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

Background: This vacation case is being requested to allow for the construction of a swimming pool. The applicant is willing to pay for the relocation of any utility lines, and has obtained letters from the utility companies involved, allowing any needed relocation. The Utility Advisory Committee has verified that this vacation will not adversely affect existing or planned utilities. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification or public hearing is required before the Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution; record resolution, recording cost to be billed to:

300210-9024

Page 1 of 2

() (Published in the Daily Reporter November 9, 1990)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A PORTION OF A PLATTED UTILITY EASEMENT DESCRIBED AS:

That portion of a platted utility easement described as, the west 25 feet of the east 30 feet, except the north 60 feet of the east 30 feet, of Lot 4, Block A, in Fountain Hills Addition to Sedgwick County, KS.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a platted utility easement described as:

That portion of a platted utility easement described as, the west 25 feet of the east 30 feet, except the north 60 feet of the east 30 feet, of Lot 4, Block A, in Fountain Hills Addition to Sedgwick County, KS.

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on October 11, 1990;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the platted utility easement, described as follows, to-wit:

CASE NO. V-1686

That portion of a platted utility easement described as, the west 25 feet of the east 30 feet, except the north 60 feet of the east 30 feet, of Lot 4, Block A, in Fountain Hills Addition to Sedgwick County, KS.

MICROFILMED
OF RECORD

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Vacation Resolution
Page 2 of 2

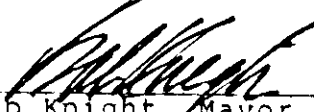
Be and same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the above-described platted utility easement be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

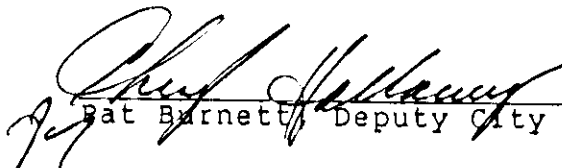
SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 6th day of November, 1990.

ATTEST:


Bob Knight, Mayor



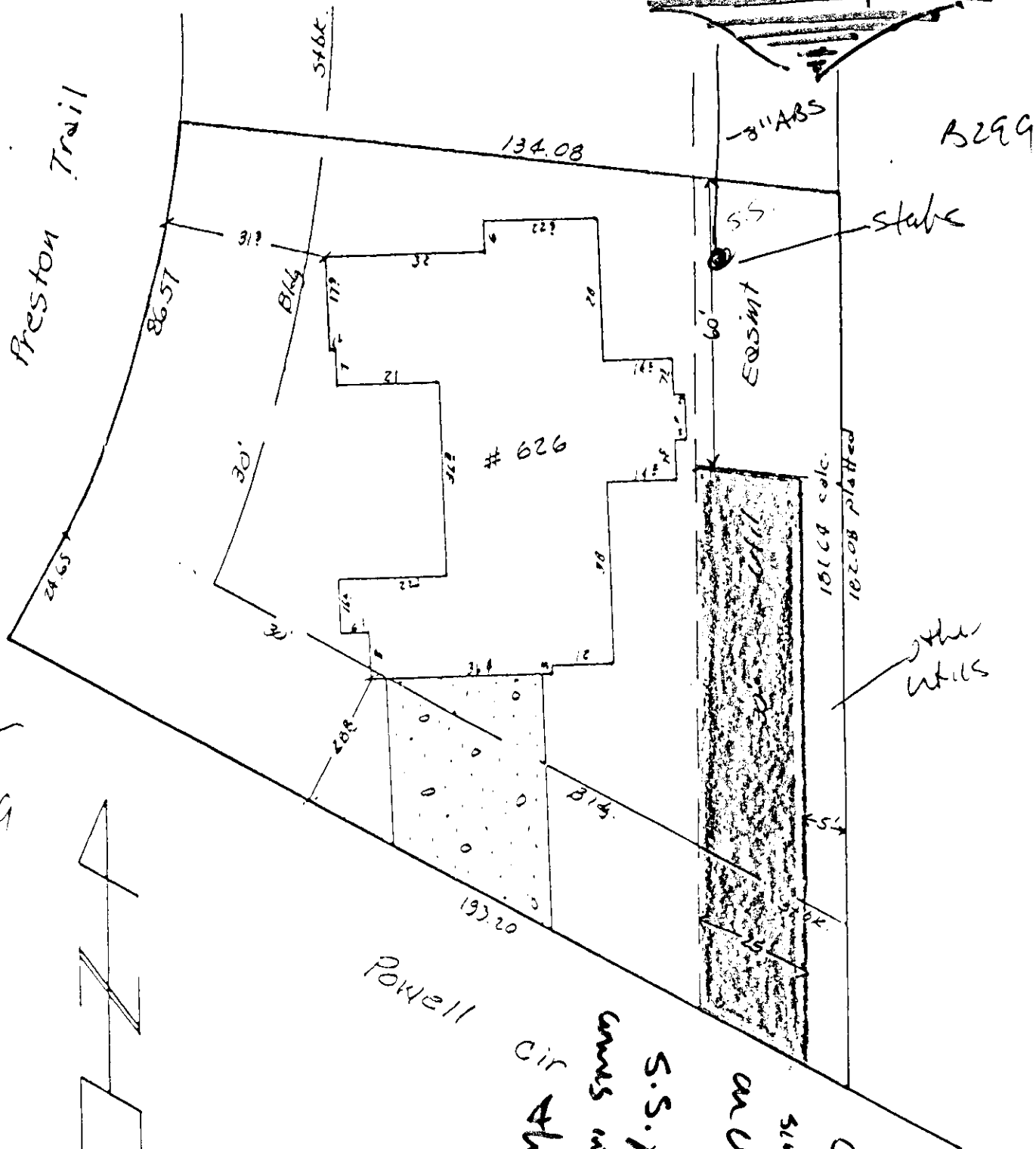

Pat Barnett, Deputy City Clerk (Seal)
Form MAPD 127/Aug. 1989

DATE OF FILING 7 SS
SCHOOL COUNTY 1
FILED FOR RECORD AT
8:00 AM
12-11-90 269
CLERK
RECORDS



U-1686

County Case



Powell

S.S. probably
comes into Gulf from
S. The north

OK-3

side of stem &
on top of the leaves