

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 18, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1784; Vacation of Drainage Easement located south of
45th Street North and west of Rock Road.
(District #2).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: The applicant seeks to vacate a portion of a drainage easement that currently exists along one of the lot lines, with the intention of increasing the amount of available buildable area for a single-family house. Staff and MAPC have recommended approval because City Engineering has indicated that no adverse effects are anticipated by the reduced amount of drainage easement.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS: Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to:

150029-2909.

Approved / Accepted By City Council

This MAY 18 1993

Page 1 of 2

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

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
DRAINAGE EASEMENT)
)
GENERALLY LOCATED WEST OF ROCK ROAD)
AND SOUTH OF 45TH STREET NORTH (V-1784))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 18TH day of May, 1993, comes on for hearing the petition for vacation filed by John Oxendine, praying for the vacation of the following described drainage easement, to-wit:

The east 1.0' of the west 10.00' of the south 30.00' of the north 55.00' of Lot 5, Block 2, Willowbend 5th, 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.
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.
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.

SEAL
8-009
MAY 18 1993
KETTNER
CITY CLERK

8.00
City Clerk

260 150089 2908 8 -

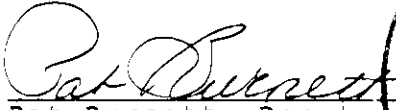
Vacation Order
V-1784
Page 2 of 2

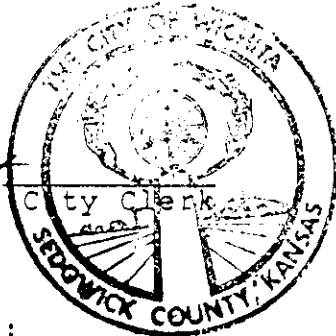
5. The vacation of the drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of May, 1993, 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.


Elma Broadfoot, Mayor

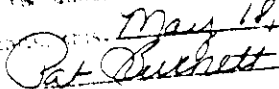
ATTEST:

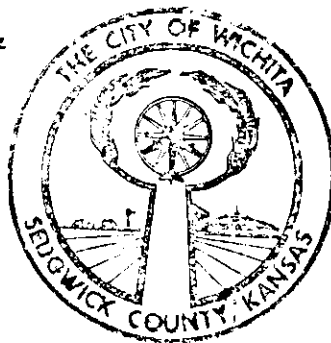

Pat Burnett, Deputy City Clerk

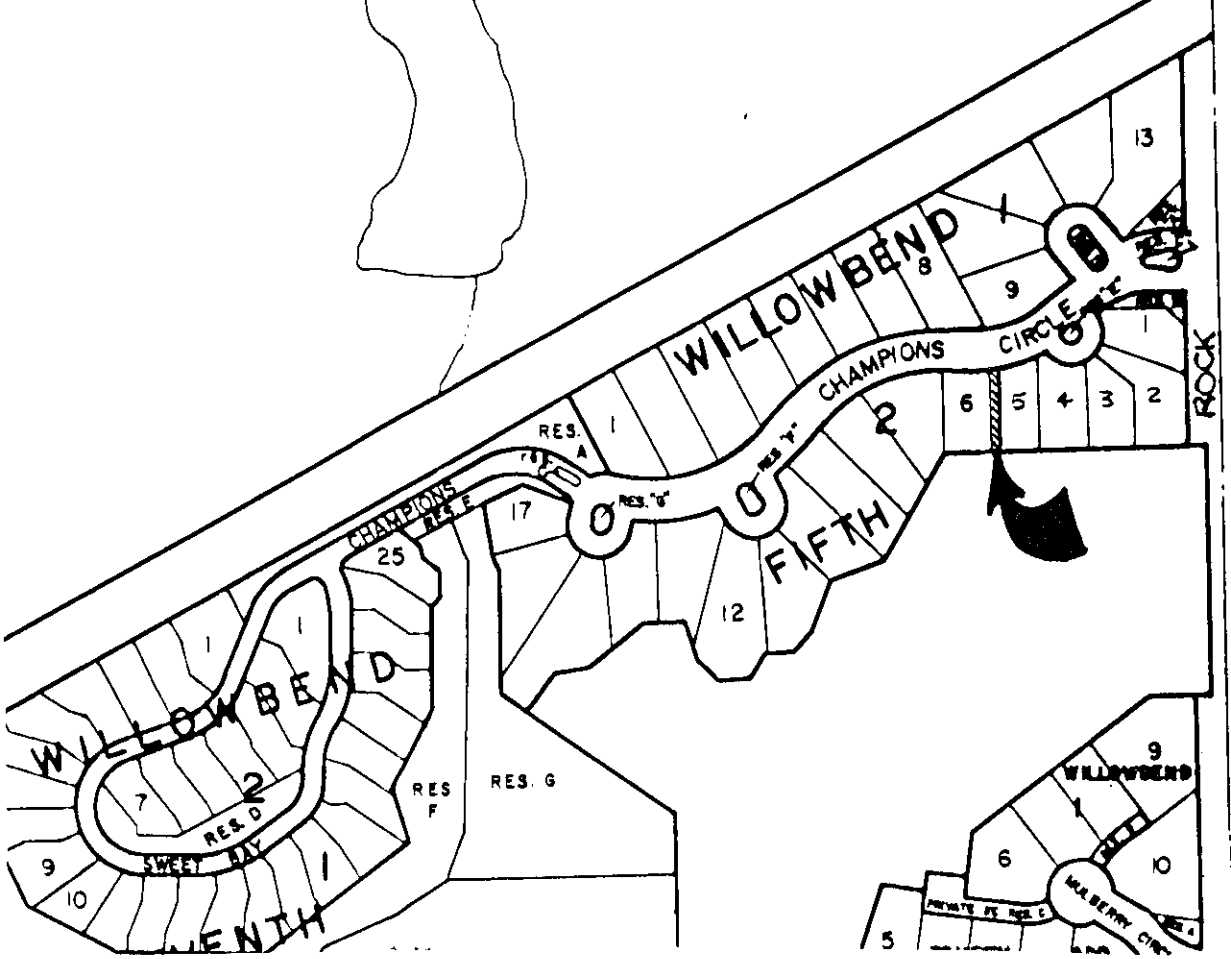


Approved as to Form:


Gary Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, 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 18, 1993
 Deputy City Clerk





Application Filed 9/14/92
 S/D Comm. Action 10/1/92
 M.A.P.C. Action 10-8-92

W.C.C. Action 5-18-93 *Approved*
 Bd. Co. Co. Action _____
 Order to Vacate Recorded _____
June 25 1993