

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 11, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1774 REQUEST TO VACATE A PORTION OF A
PLATTED DRAINAGE EASEMENT LOCATED WEST OF OLIVER AND SOUTH
OF NORWOOD (NORTH OF 29TH STREET NORTH)
(District #1)

INITIATED BY: Metropolitan Area Planning Department *W Kraus*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: An existing house has been found to encroach a small portion of a platted drainage easement. The vacation is requested in order to clear the property's title. City Engineering has indicated the minor area requested for vacation will cause no harm. The utility representatives of the Subdivision Committee have indicated that none of their facilities are included.

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

150029-2909

Approved / Accepted by City Council

This AUG 11 1992

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

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED IN RECORD AT

8:00 a M

Oct 7 92 1240319

PAT KETTLER
REGISTER OF DEEDS

Pat Kettler Deputy

IN THE MATTER OF THE VACATION OF A)
PORTION OF A PLATTED DRAINAGE EASEMENT)
GENERALLY LOCATED WEST OF OLIVER AND)
SOUTH OF NORWOOD (NORTH OF 29TH STREET)
NORTH) (V-1774))
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of August, 1992, comes on for hearing the petition for vacation filed by Alexander and Julie Mitchell, praying for the vacation of the following described drainage easement, to-wit:

A portion of the 10 foot wide drainage easement on the westerly side of Lot 6, Block D, "LOST ACRES" to Wichita, Sedgwick County, Kansas, being more particularly described as:

From the front corner common to Lots 15 and 16 in said Block D; thence southeasterly, on the westerly line of said Lot 16, on an assumed bearing of south 30°00'19" east, a distance of 36.95 feet; thence north 59°59'41" east, a distance of 10.00 feet to a point on the easterly line of said 10 foot drainage easement, said point being the POINT OF BEGINNING; thence south 51°32'18" west, a distance of 3.70 feet; thence south 38°27'42" east, a distance of 24.89 feet to a point on the easterly line of said 10 foot drainage easement; thence, on said easterly line, north 30°00'19" west, a distance of 25.16 feet to the POINT OF BEGINNING. (V-1774)

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 7/24/92 & 7/31/92.
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.

city clerk

MICROFILMED
OF RECORD

8.00
ck

11/24/92 11/24/92

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of August, 1992, 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.



Bob Knight

Bob Knight, Mayor

ATTEST:

Pat Burnett

Pat Burnett, Deputy City Clerk

Approved as to Form:

Gary Rebenstorf

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, Kansas, this August 11, 1992
Pat Burnett Deputy City Clerk



