Planning Agenda Item #_____

City of Wichita
City Council Meeting
May 19, 1992

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **PUBLIC HEARING V-1754 - REQUEST TO VACATE SANITARY SEWER EASEMENTS IN AN AREA NORTH OF MAPLE AND EAST OF TYLER.** (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of sanitary sewer easements.

MAPC Recommendation: Approve vacation of sanitary sewer easements. (unanimous)

Background: While when platted, these sanitary sewer easements were provided for the extension of sewer, the actual extension of sewer to the adjoining lots has been by means of other easements. City Engineering has confirmed that these easements are no longer needed for sanitary sewer. 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; record certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

V 1754

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

IN THE MATTER OF THE VACATION OF)
PLATTED SANITARY SEWER EASEMENTS.)
)
GENERALLY LOCATED NORTH OF MAPLE AND)
EAST OF TYLER. (V-1754))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 19th day of May 1992, comes on for hearing the petition for vacation filed by Earl M. Sayler, praying for the vacation of the following described sanitary sewer easements, to-wit:

The 20-foot sanitary sewer easement over the west 20 feet of Lot 1, EXCEPT the north 10 feet thereof, Sayler Addition, Wichita, Sedgwick County, Kansas.

The 8-foot sanitary sewer easement over the east 8 feet of Lot 6, EXCEPT the south 10 feet and the northerly 20 feet thereof, Sayler Addition, Wichita, Sedgwick County, Kansas.

The 12-foot sanitary sewer easement over the west 12 feet of Lot 7, which extends northerly through said Lot 7 and intersects with a 20-foot utility easement granted adjoining Evergreen Court, EXCEPT the south 10 feet thereof and EXCEPT the 20 feet adjoining Evergreen Court, Sayler Addition, 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 MAY 4 1992 & MAY 1 1 1992

2. No private rights will be injured or endangered by the vacation of the above-described sanitary sewer easements, 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.

8.00 ck

City Clerk

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 sanitary sewer easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of May 1992, ordered that the above-described sanitary sewer easements are 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

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

STATE OF KANSAS) SS
SEDGWICK COUNTY
FILED FOR RECORD
10:00 A.M.
MAY 12 1992
PAT KETTLER
REGISTER OF DEEDS
Ed Rosa
Deputy

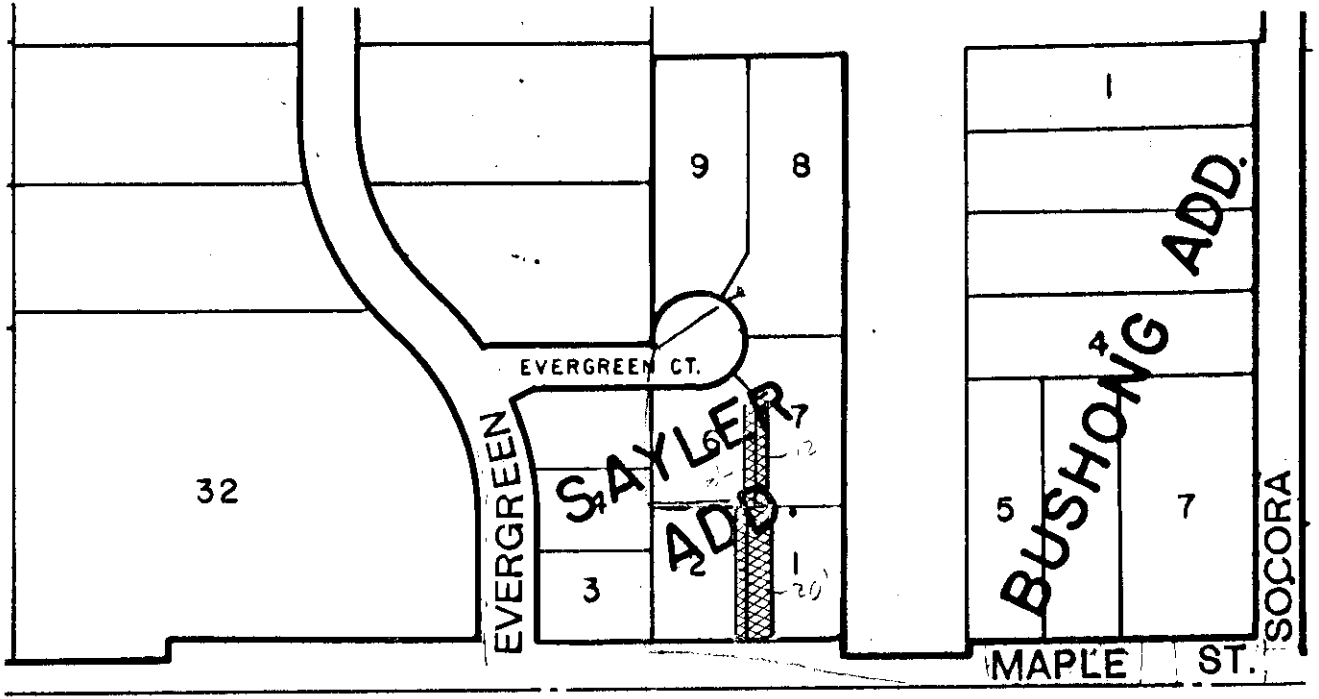
Approved as to Form:

Gary E. Rebenstorf, Director of Law

MICROFILMED
OF RECORD

State of Kansas)
Sedgwick County) ss
Office of the City Clerk
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 this date of
Wichita, this May 19, 1992
Pat Burnett Deputy City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS



II. Application Filed 2/14/92
S/D Comm. Action App. 3/5/92

M.A.P.C. Action 3/12/92 App.

W.C.C. Action 5-19-92 Approved

Bd. Co. Co. Action

Order to Vacate Recorded

Recorded May 19, 1992