

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 10, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1727 REQUEST TO VACATE A PORTION OF A
PLATTED DRAINAGE EASEMENT LOCATED SOUTH OF HARRY ST. AND
WEST OF ANNA AND EAST OF I-235.
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: Rather than following this portion of a platted drainage easement, the actual drainage improvement was made in a direct alignment, through an easement obtained by separate action. City Engineering has indicated that this section of drainage easement is no longer needed. 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; and record certified copy of Order, recording costs to be billed to:

150029-2909

This SEP 10 1991

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED DRAINAGE)
EASEMENT.)
)
GENERALLY LOCATED SOUTH OF)
HARRY ST. WEST OF ANNA)
AND EAST OF I-235. (V-1727))
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 10th day of September, 1991, comes on for hearing the petition for vacation filed by James D. Winter, etux, praying for the vacation of the following described drainage easement, to-wit:

Beginning at a point on the east line of Lot 2, Block 2, "R & P Addition," Wichita, Sedgwick County, Kansas, said point being 483 feet south of the northeast corner of said Lot 2; thence Westerly, parallel with the south line of said Lot 2, a distance of 72.5 feet; thence southerly, parallel with the east line of said Lot 2, a distance of 117 feet; thence easterly, parallel with said south line, a distance of 30 feet to a point on the east line of said Lot 2; thence northerly, on said east line, a distance of 87 feet; thence easterly, on the southerly line of said Lot 2, a distance of 42.5 feet; thence northerly, on the east line of said Lot 2, a distance of 30 feet to the point of beginning.

MICROFILMED
OF RECORD

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 8/27/91 & 9/3/91.
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.

10.00ck

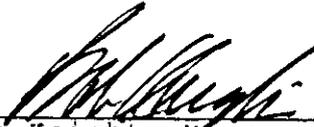
City Clerk

Vacation Order
V-1727
Page 2 of 2

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 drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of September, 1991, 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, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:

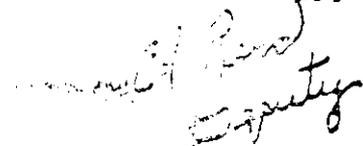

Joe Lang, Acting Director of Law

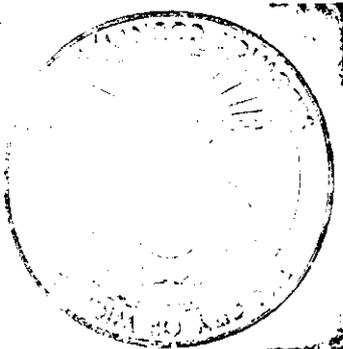


STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8-00

JUN 3 92 1179863

PAT KETTLER
REGISTER OF DEEDS

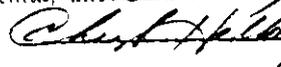




State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Cheryl Holloway, 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 8th day of October, 1991


Cheryl Holloway, Deputy City Clerk

V-1727

Attachment A

Beginning at a point on the east line of Lot 2, Block 2, "R & P Addition," Wichita, Sedgwick County, Kansas, said point being 483 feet south of the northeast corner of said Lot 2; thence Westerly, parallel with the south line of said Lot 2, a distance of 72.5 feet; thence southerly, parallel with the east line of said Lot 2, a distance of 117 feet; thence easterly, parallel with said south line, a distance of 30 feet to a point on the east line of said Lot 2; thence northerly, on said east line, a distance of 87 feet; thence easterly, on the southerly line of said Lot 2, a distance of 42.5 feet; thence northerly, on the east line of said Lot 2, a distance of 30 feet to the point of beginning.

FLOOD CONTROL

'HWY I-235

PART
OF
R & P
ADD. 1

ESTHNER AVE.

R & P
2ND
ADD.

PART
OF
LOT 1
BLK 2
R & P
ADD.

PART OF LOT 1 BLK 2 R & P ADD.

PART
OF
2
R & P
ADD.

AL

ESTHNER

ST.

2

PINAIR

ANNA

3

