

City of Wichita
City Council Meeting
July 13, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1817; Request to vacate utility easement, generally located north of 37th Street North and east of Rock Rd., (District #2).

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of a platted utility easement. The site is owned and operated by Rent-A-Center, with the vacation requested to further the expansion of existing facilities. The vacation of utility easement will increase the amount of buildable space for light-industrial uses. Because water lines presently exist in the utility easement, an alternate utility easement was requested of Rent-A-Center, and granted by separate instrument. Staff and MAPC have recommended approval because public utilities will continue to be available for this site, development of the area will be served by the alternate easement, and the vacation will not adversely affect the public interest.

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; accept the Utility Easement; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the Easement and certified copy of the Order, recording costs to be billed to:

150029-2909.

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT

GENERALLY LOCATED EAST OF ROCK
ROAD AND NORTH OF 37TH STREET
NORTH

MORE FULLY DESCRIBED BELOW

)
)
)
)
)
)
)

Case No. V-1817

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 13TH day of July, 1993, comes on for hearing the petition for vacation filed by Rent-A-Center of America, Inc., praying for the vacation of the following described utility easement, to-wit:

Vacation of a utility easement in Lot 1, Block 2, Rent-A-Center, an Addition to Wichita, Sedgwick County, Kansas, described as: Commencing at the S.W. corner of Lot 1, block 2, in Rent-A-Center Addition; thence along the southerly line of said Lot 1, along a curve to the right having a radius of 310.00 feet, through a central angle of 13°04'28" an arc distance of 70.74 feet; thence bearing S49°44'15"E a distance of 150.00 feet to the P.C. of a curve to the left having a radius of 465.00 feet and a chord of 179.68 feet bearing S60°52'39"E; thence along said curve through a central angle of 22°16'48" an arc distance of 180.82 feet; thence bearing N21°44'36" E a distance of 220.86 feet; thence bearing N5°15'24" W a distance of 146.41 feet to the point of beginning; thence continuing bearing N5°15'24" W a distance of 148.40; thence bearing S84°44'36"W a distance of 90.00 feet; thence bearing N5°15'24"W a distance of 10.00 feet; thence bearing S84°44'36"W a distance of 73.12 feet; thence bearing N5°15'24"W a distance of 10.00 feet; thence bearing N84°44'36"E a distance of 73.12 feet; thence bearing N5°15'24"W a distance of 15.00 feet; thence bearing N84°44'36"E a distance of 120.00 feet; thence bearing S5°15'24"E a distance of 183.40 feet; thence bearing S84°44'36"W a distance of 30.00 feet to the point of beginning. (V-1817)

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 6/29/93 + 7/6/93.

S.P. [Signature]

City Clerk

150037 2909 8-

Vacation Order
V-1817
Page 2 of 2

2. No private rights will be injured or endangered by the vacation of the above-described utility 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.

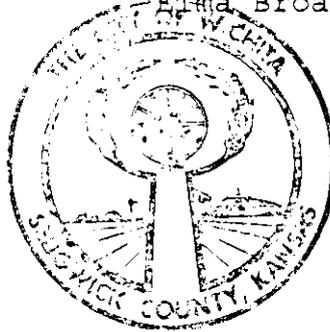
5. The vacation of the utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of July, 1993, ordered that the above-described utility 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
Elma Broadfoot, Mayor

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk



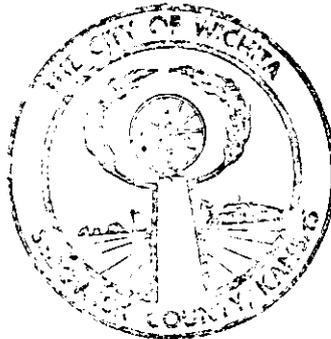
Approved as to Form:

Gary E. Rebenstorff
Gary Rebenstorff, 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 the seal of the City of

Wichita, this 13th day of July, 1993.
Pat Burnett Deputy City Clerk



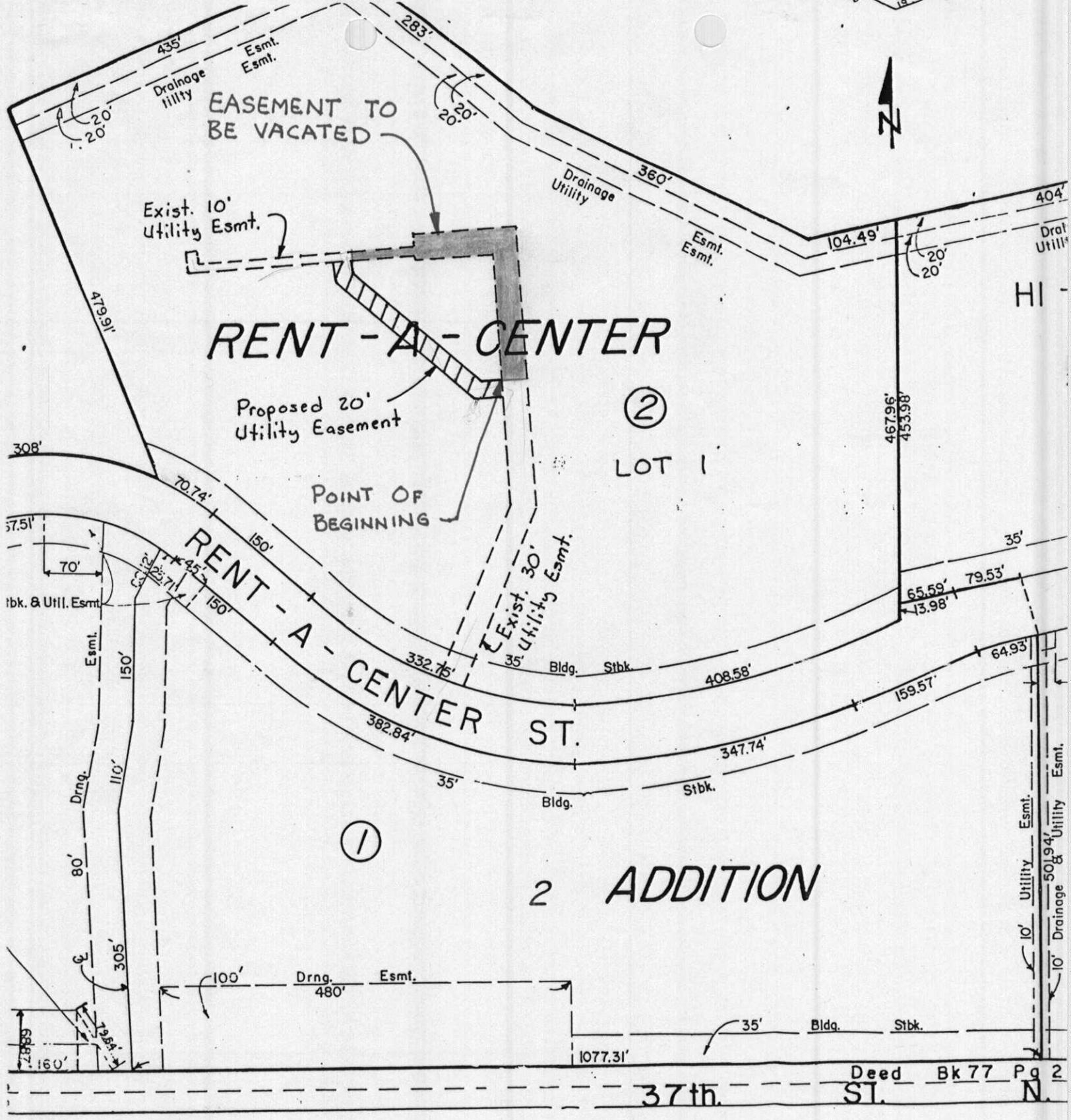
STATE OF KANSAS
REGISTER OF DEEDS

8:00 a

1993 1313114

PLT KETTLER
REGISTER OF DEEDS

[Handwritten signature]



EASEMENT TO BE VACATED

RENT-A-CENTER

②

LOT 1

RENT-A-CENTER ST.

2 ADDITION

①