

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 15, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1803; Request to vacate portions of utility easement and building setback, generally located south of Harry and west of Webb.
(District #2).

INITIATED BY: • Metropolitan Area Planning Department

M. Kroat

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of portions of pipeline utility easement, and building setback from that easement. Area at one time reserved for pipeline easement through these six lots is no longer necessary. The vacation of easement will increase the amount of buildable space for single-family houses fronting along Stacey. Staff and MAPC have recommended approval because pipeline is not located in the this easement, and as such, related building setbacks are not needed, nor will their vacation 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 Easements; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the Easements and certified copy of the Order, recording costs to be billed to:

150029-2909.

MICROFILMED
OF RECORD

Approved / Accepted By City Council

This JUN 15 1993

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

IN THE MATTER OF THE VACATION OF A)
UTILITY EASEMENT AND BUILDING SETBACK)

GENERALLY LOCATED WEST OF WEBB AND)
SOUTH OF HARRY)

Case No. V-1803

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 15th day of JUNE, 1993, comes on for hearing the petition for vacation filed by Roger Williams, Etal., praying for the vacation of the following described utility easement and building setback, to-wit:

BUILDING SETBACK VACATION

The west 18.0 feet of the east 41 feet of Lot 12, Block 1, Fourth Addition to Cedar Ridge, Wichita, Kansas, except the north 10 feet and the south 25 feet thereof.

The west 20.4 feet of the east 43.4 feet of Lots 1 thru 5, inclusive, Block 4, Fourth Addition to Cedar Ridge, Wichita, Kansas, except the north 15 feet of said Lot 1 and the south 15 feet of said Lot 5 thereof.

UTILITY EASEMENT VACATION

The west 10 feet of the east 33 feet of Lot 12, Block 1, Fourth Addition to Cedar Ridge, Wichita, Kansas, except the north 10 feet thereof.

The west 10 feet of the east 33 feet of Lots 1 thru 5, inclusive, Block 4, Fourth Addition to Cedar Ridge, Wichita, 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 5/14/93 + 5/21/93.

2. No private rights will be injured or endangered by the vacation of the above-described utility easement and building setback, 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.

3.5k

City Clerk

1993 JUN 15

Vacation Order
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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 and building setback described herein should be approved.

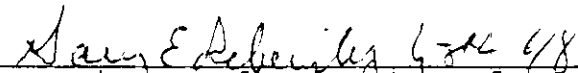
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of June, 1993, ordered that the above-described utility easement and building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

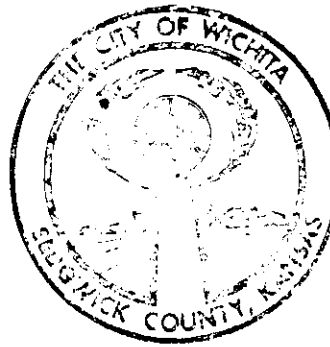

Elma Broadfoot, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

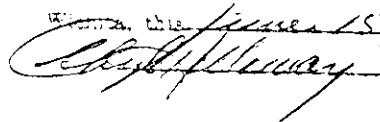
Approved as to Form:


Gary Rebenstorf, Director of Law

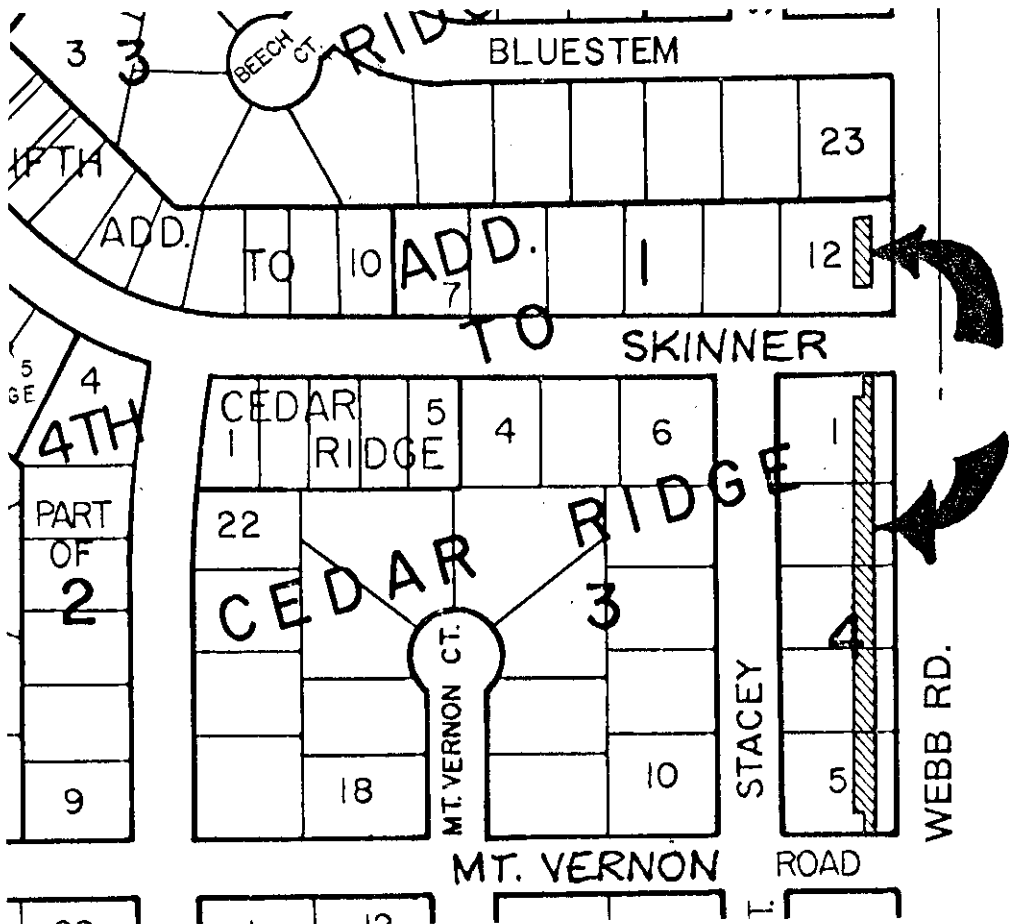


STATE OF KANSAS
RECORD CLERK
FILED
JUN 27 1993
JUL 27 1993
PAT KETTLER
REGISTER OF DEEDS
Ed Broad
County

State of Kansas
Sedgwick County, ss
City of Wichita, ss
I, Cheryl Hollenbeck 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 June 15, 1993
 Deputy City Clerk





Application Filed 1/15/93
 S/D Comm. Action 2/4/93 *AP*
 M.A.P.C. Action 2/11/93 *AP*

W.C.C. Action 6-15-93
Approved
 Bd. Co. Co. Action _____

Order to Vacate Recorded
July 27, 1993