

Planning Agenda # _____

**City of Wichita
City Council Meeting
January 10, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1892 REQUEST TO VACATE PORTIONS OF
UTILITY EASEMENTS LOCATED SOUTH OF 21ST ST. NORTH AND
EAST OF ROCK ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easements..

MAPC Recommendation: Approve vacation of utility easements.. (unanimous)

Background: The vacation is being requested in order to provide additional area for a planned structure. Both City Engineering and the utility representatives of the Subdivision Committee have indicated that the portions of easement requested for vacation can be vacated without any negative impacts. 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/Actions:

Close the public hearing, approve the vacation;
authorize the Mayor to sign the Vacation Order; and
record the certified copy of the Vacation Order;
recording costs to be billed to: 150029-2909

This JAN 10 1995

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MICROFILMED
OF RECORD

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



IN THE MATTER OF THE VACATION OF
Utility Easement

GENERALLY LOCATED South of 21st Street
North and East of Rock Rd.

Case No. V-1892

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
JAN 18 1995

NO. 1432075
PAT KETTLER
REGISTER OF DEEDS

*Ed Reed
County*

VACATION ORDER

NOW on this 10th day of January, 1995, comes on for hearing the petition for vacation filed by Venture East Development, a Kansas Corporation, praying for the vacation of the following described utility easements, to-wit:

Those portions of utility easements described :

The south 123.1 feet of the North 168.1 feet of the East 16.34 feet of Lot 3, Block 1, Bradley Fair, an addition to Wichita, Sedgwick County, Kansas

and also:

The South 17 feet of the West 10 feet of Lot 1, Block 1, Bradley Fair, an addition to 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 12-16-94 & 12-23-94.

2. No private rights will be injured or endangered by the vacation of the above-described utility easements, and the public will suffer no loss or inconvenience thereby.

*800 City Clerk's office
Cheryl Holloway*

Vacation Order
V - 1892

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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 easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of January, 1995, 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.

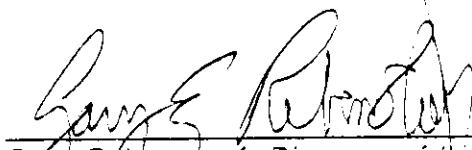
ATTEST:

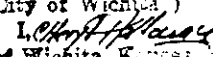

Pat Burnett, Deputy City Clerk




Alma Broadfoot, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

State of Kansas :
Sedgwick County) ss
City of Wichita,)
I,  Deputy City Clerk of the City
of Wichita, Kansas, do hereby certify that the document
to which this is attached 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 January 18, 1995
 Deputy City Clerk



