

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1889 REQUEST TO VACATE UTILITY
EASEMENTS IN AN AREA NORTH OF HARRY AND EAST
OF ROCKROAD.
(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: A platted easement and additional easement granted by separate instrument were provided on the involved property in order to accommodate a planned sanitary sewer line. Revisions, however, in the sewer plans made these easements unnecessary. Both City Engineering and the utility representatives of the Subdivision Committee indicated that the easements were 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/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

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 NORTH OF HARRY
AND EAST OF ROCK ROAD

MORE FULLY DESCRIBED BELOW



Case No. V-1889

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
1:00 P M

FEB 22 1995

1137614

NO.
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

*Christina Hernandez
Deputy*

NOW on this 10th day of January, 1995, comes on for hearing the petition for vacation filed by John W. McKay, Jr., praying for the vacation of the following described utility easement, to-wit:

Those portions of utility easements described as: The west 10 feet of Lot 1, Block A, Hedgewood 2nd Addition, Wichita, Sedgwick County, Kansas, except the south 10 feet, together with the east 5 feet of the west 15 feet of said Lot 1, as recorded on film 1355, page 1298.

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

*8.00
ck*

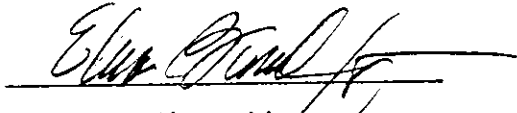
City Clerk

Vacation Order

V - 1389

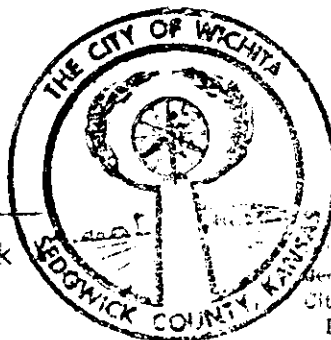
2. No private rights will be injured or endangered by the vacation of the above-described utility easements, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been 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.

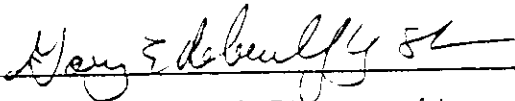

Elma Broadfoot, Mayor

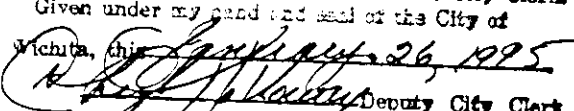
ATTEST:


Pat Burnett, Deputy City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

I, Carol 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 January 26, 1995.

Carol Holloway, Deputy City Clerk

