

Planning Agenda # _____

**City of Wichita
City Council Meeting
July 12, 1994**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1873 REQUEST TO VACATE A DRAINAGE
EASEMENT LOCATED WEST OF MERIDIAN AND NORTH OF
KEYWEST
(District #6)

INITIATED BY: Metropolitan Area Planning Department

Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of drainage easement.

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

Background: A redesign of the drainage plan for this site made this drainage easement unnecessary. The City Engineer confirmed that the easement can be vacated and would have no 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

FILE COPY

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

IN THE MATTER OF THE VACATION OF
DRAINAGE EASEMENT

GENERALLY LOCATED WEST OF
MERIDIAN AND NORTH OF KEYWEST

MORE FULLY DESCRIBED BELOW

Case No. Y-1873

STATE OF KANSAS
BEDGWICK COUNTY

STATE
BEDFORD COUNTY
FILED FOR RECORD
4 0 0

AUG 23 1994

AUG 23 1994
NO. 1404661
PAT KETTLER
REGISTER OF DEEDS

Ed Ross
Deputy

VACATION ORDER

NOW on this 12TH day of July, 1994, comes on for hearing the petition for vacation filed by Eric J. and Debra D. Larson and David L. and Patricia L. Fancher praying for the vacation of the following described drainage easement, to-wit:

The 20 foot wide drainage easement platted along the common lot line of Lots 14 and 15, Block 1, The Moorings 7th 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 7/1/94 & 7/8/94.
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.
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.

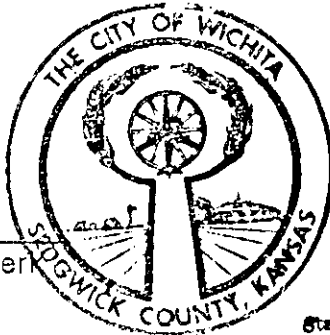
Vacation Order
V - 1873

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of July, 1994, 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.

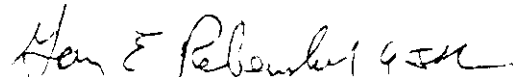
ATTEST:

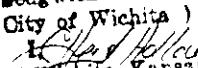

Pat Burnett, Deputy City Clerk

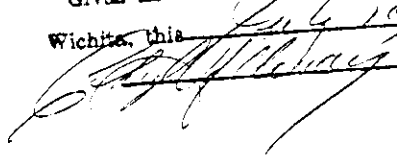


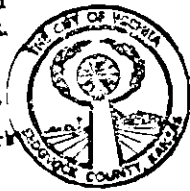

Elma Broadfoot, Mayor

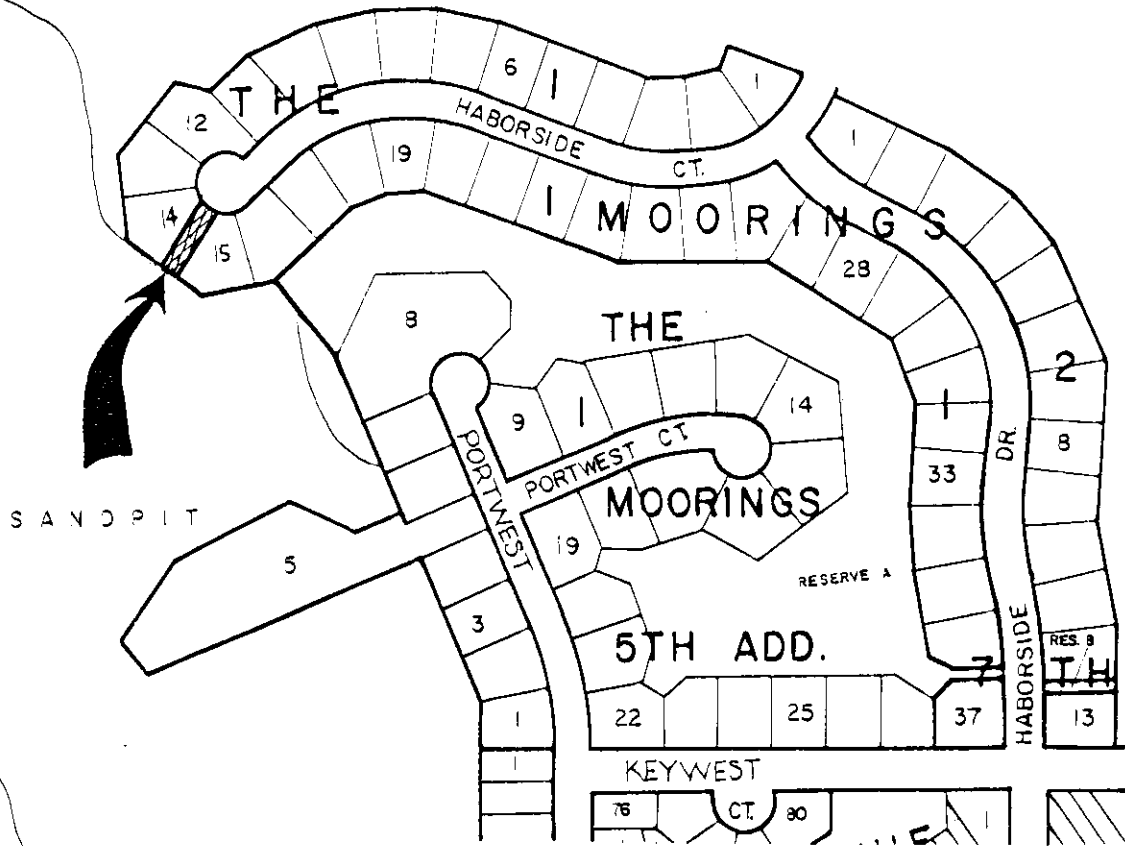
Approved as to Form:


Gary Rebenstorf, Director of Law

State of Kansas,
Sedgwick County) ss
City of Wichita)
I,  Deputy City Clerk of the City
of Wichita, Kansas, 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 July 10 1994

 Deputy City Clerk





Application Filed 5/9/94

S/D Comm. Action 5/26/94

Approved (4-0)

M.A.P.C. Action >

6-2-94 (11-0) approved,

W.C.C. Action 7-12-94 Approved

Bd. Co. Co. Action _____

Order to Vacate Recorded August 23, 1994