

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1930 REQUEST TO VACATE A UTILITY EASEMENT
IN AN AREA LOCATED SOUTH OF 37TH STREET NORTH AND WEST OF
ROCK ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a utility easement.

MAPC Recommendation: Approve vacation of a utility easement. (unanimous)

Background: The applicant desires to vacate a utility easement in order to create a larger buildable area among the involved lots through a boundary shift. City Engineering and the representatives of the utilities on the Subdivision Committee have indicated that the utilities have been installed outside of the area of easement being requested for vacation and no harm should result due to this vacation. 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

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

Apr 9d Accepted By City Council

This OCT 10 1995

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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 37TH STREET NORTH
AND WEST OF ROCK ROAD

MORE FULLY DESCRIBED BELOW

Case No. V-1930



STATE OF KANSAS, SS
SEDGWICK COUNTY, SS
FILED FOR RECORD AT

8:00 a.m.

1488048 2-6 2

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 10th day of October, 1995, comes on for hearing the petition for vacation filed by Leewood Homes, Inc., praying for the vacation of the following described utility easement, to-wit:

The east 5 feet of Lot 17, Block 1, Leewood Village at Northrock Second, an addition to Wichita, Sedgwick County, Kansas, EXCEPT the north 10 feet thereof,

and the west 5 feet of Lot 18, Block 1, of said addition, EXCEPT the north 10 feet thereof.

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 9-22-95 & 9-29-95.

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.

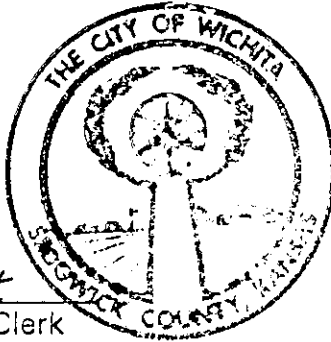
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

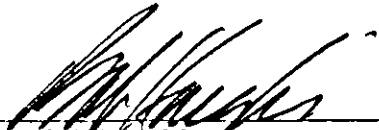
5. The vacation of the utility easement described herein should be approved.

Vacation Order
V -1930

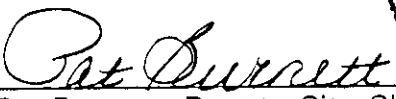
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of October, 1995, ordered that the above-described utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

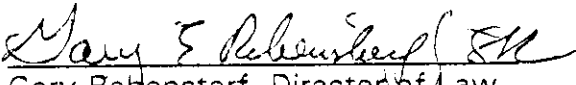



Bob Knight, Mayor

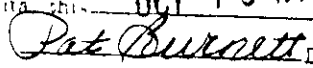
ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Rebenstorf, 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 seal of the City of
Wichita, this OCT 10 1995
 Deputy City Clerk

COMOTARA
SUBSTATION

PARCEL

NO. 104

INWOOD

DRAINAGE

DEDICATION

INWOOD

CT.

INWOOD CT.

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LEEWOOD
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