

Planning Agenda # _____

**City of Wichita
City Council Meeting
June 10, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2019 REQUEST TO VACATE UTILITY EASEMENTS
LOCATED IN AN AREA SOUTH OF 21ST STREET 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 applicant desires to develop the site by constructing a building in the utility easement. The applicant has relocated the utilities that were located within the easement to an adjacent easement. This relocation has been accomplished to the satisfaction of the utility companies and City Engineering. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. No members of the public addressed the MAPC in opposition to this request.

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

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENTS

GENERALLY LOCATED
21ST STREET NORTH AND ROCK ROAD

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
1621173 4305
LARRY CONSOLVER
REGISTER OF DEEDS

Case No. V-2019



VACATION ORDER

Quinn Schneider
Deputy

NOW on this 10th day of June, 1997, comes on for hearing the petition for vacation filed by Bradley Fair One, L.L.C., c/o George Laham, praying for the vacation of the following described utility easements, to-wit:

Vacating all utility easements within the following described area: Commencing at the S.E. corner of Lot 6, Block 1, Bradley Fair Addition; thence bearing NO⁰33'40"W along the east line of said addition a distance of 574.94 feet to the point of beginning; thence bearing S89⁰26'20"W a distance of 15.00 feet; thence bearing SO⁰33'40"E parallel to and 15 feet west of the east line of said Lot 5 a distance of 172.00 feet; thence bearing N89⁰26'20"E a distance of 25 feet; thence bearing NO⁰33'40"W a distance of 134.96 feet; thence bearing S89⁰26'20"W a distance of 10 feet to the east line of said Lot 5; thence bearing NO⁰33'40"W a distance of 37.04 feet to the point of beginning. Containing an area of 3930 square feet more or less.
(V-2019)

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 5/22/97 & 5/29/97.
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.

Return to City Clerk

150029
\$8.00
2909

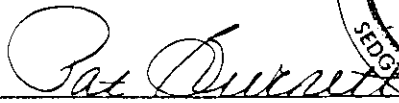
Vacation Order
V-2019

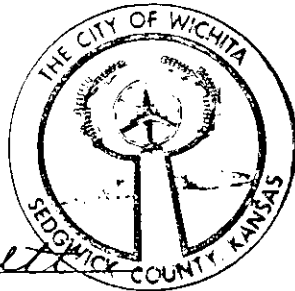
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5. The vacation of the utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of June, 1997, ordered that the above-described utility easements 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.

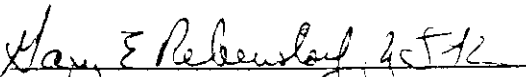
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)

I, **Pat Burnett** 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 my office.

Given under my hand and seal of the City of Wichita, this JUN 10 1997
 City Clerk

21 ST ST NO.

PART OF
WILSON
EST.

1

2

RES. C

4

BRADLEY

3

BRADLEY

3

ROCK RD

5

FAIR

6

1 2 FAIR

RES. A

BRADLEY FAIR PARKWAY

