

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS: V-2001 Request to vacate a drainage and utility easement located West of Scottsdale and south of Central.

PRESENTED BY: Marvin S. Krout, Director of Planning. *MKzam*

PROPOSED AGENDA DATE: December 11, 1996

COMMISSION DISTRICT #1

MAPC Recommendation: Approve, subject to condition. (unanimous)

Staff Recommendation: Approve, subject to condition.

Background/Discussion: The applicant desires to remove 5 feet of a platted 25 foot drainage and utility easement. The easement was provided for in the original development to provide sufficient area for drainage, sanitary sewer, and other utilities. Both County Engineering and the utility representatives of the Subdivision Committee indicate that no facilities are located in the easement and the remaining 20 feet of easement is adequate to serve the area. Therefore, the drainage and utility easement may be vacated so as to allow the applicant to further develop in this area.

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.

Recommended Action: 1. Open public hearing to receive public comments; close public hearing, approve the vacation order and authorize the Chair to sign.

Applicants: Scott Land Developers, Inc., Attn: Don Scott, P.O. Box 781528, Wichita, KS 67278

Protestors: None

MICROFILMED
OF RECORD

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STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

1589618 105

IN THE MATTER OF THE VACATION OF
DRAINAGE AND UTILITY EASEMENT



LARRY CONSOLVANT
REGISTER OF DEEDS

Quinn Markiewicz
Deputy

GENERALLY LOCATED ON NORTH SPRINGDALE
WEST OF SCOTTSDALE AND SOUTH OF CENTRAL

MAPD CASE NO. V-2001

VACATION ORDER

NOW on this 11th day of December, 1996, at 9:00 o'clock A.M.
comes on for hearing a petition praying for the vacation of the
following-described real property, to wit:

that portion of a drainage and utility easement
described as:

the north 5 feet of the south 15 feet of Lot 8,
Block 1, Scottsdale at Shadybrook Farm, Sedgwick
County, Kansas, except the west 30 feet thereof.

WHEREUPON, it is shown that proper notice has been given by
publication once each week for three consecutive weeks in the official
county paper, the first such publication having occurred on November
20, 1996, and it is further shown that proper proof of such
publication has been filed herein. The Board finds that such notice
is in lawful form and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and
being otherwise duly advised in the premises, finds and determines

8:00
City Hall - City Clerk

8:00 150029

that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Sedgwick County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted.

The Board further finds that on 31st day of October, 1996, the Metropolitan Area Planning Commission recommended that the vacation petition herein be approved; and on the 3rd day of December, 1996, the City Council of the City of Wichita recommended that the said petition be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the above-described real property be and the same is hereby vacated.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

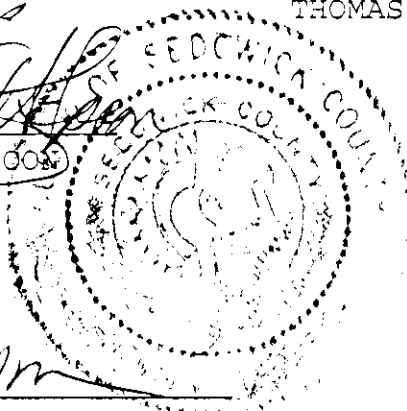
Thomas G. Winters
THOMAS G. WINTERS, Chairman

ATTEST:

Susan E. Crockett-Spoon
SUSAN E. CROCKETT-SPOON
County Clerk

APPROVED AS TO FORM:

Richard A. Euson
RICHARD A. EUSON
Assistant County Counselor



145 RD SE 4

KANSAS

TURNPIKE

DRAINAGE
EASEMENT

RESERVE 8

CENTRAL

SCOTTSDALE

SCOTTSDALE

SHADYBROOK

FARM

STAGECOACH

RES. A

SHADYBROOK

2 FARM

RESERVE

SHADYBROOK

RES. A

FARM

SANDPIPER

RES. A

SANDPIPER

WOOD