

Planning Agenda # _____

**City of Wichita
City Council Meeting
February 24, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2056 REQUEST TO VACATE FIRE LANE EASEMENT
LOCATED IN AN AREA ON 21ST STREET AND NORTH OF AMIDON.
(District #6)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of fire lane easement.

MAPC Recommendation: Approve vacation of fire lane easement. (unanimous)

Background: The Sweetbriar Shopping Center, when originally platted, provided a fire lane within an easement to provide assured access between proposed buildings within the center. Subsequently, plans have been changed in the configuration of the buildings. The Fire Department is working directly with the owners to assure accessibility of fire equipment in and around the proposed buildings. This is being done through the permitting process and it has been determined that the fire lane easement is both a restriction in the design and layout of the buildings, as well as no longer being needed.

The Subdivision/Utility Committee and the MAPC both recommended the vacation be approved. No members of the public spoke in opposition to this request.

Recommendations/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; record the certified copy of the Vacation Order, recording costs to be billed to:
150003-2909

1679866 2-68

FILE 1774 PAGE 1568

STATE OF KANSAS } SS
SEDGWICK COUNTY }CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

Approved _____ Accepted By City Council

This FEB 24 1998

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APR 6 3 55 PM '98

Pat. H. J. [Signature]
DeputyBEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSASIN THE MATTER OF THE VACATION OF
FIRE LANE EASEMENT)GENERALLY LOCATED)
21ST STREET AND NORTH AMIDON)

Case No. V-2056

MORE FULLY DESCRIBED BELOW)MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 24th day of February, 1998, comes on for hearing the petition for vacation filed by Bonanza, Inc., praying for the vacation of the following described fire lane easement, to-wit:

The 30-foot Fire Lane Easement on Lot 2, Block A, Sweetbriar Addition and replat of part of Benjamin Hills Second Addition, 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:

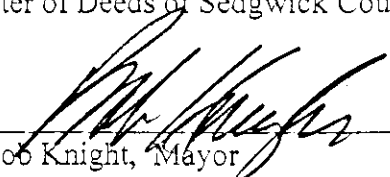
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Reporter of notice of this one time 1-30-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described fire lane 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 fire lane easement described herein should be approved.

8:02
OK
RETURN ABOVE

Vacation Order
V -2056

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 24th day of February, 1998, ordered that the above-described fire lane 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.

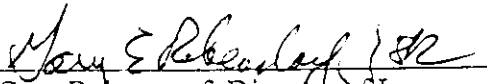

Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk



Approved as to Form:

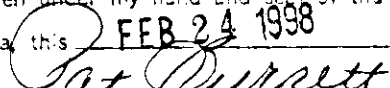

Gary Rebenstorf, Director of Law



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 FEB 24 1998

 City Clerk

