

Planning Agenda # _____

**City of Wichita
City Council Meeting
April 1, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2020 REQUEST TO VACATE UTILITY EASEMENT
LOCATED IN AN AREA WEST OF WEBB ROAD ON EAST 13TH STREET.
(District #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement.

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

Background: The applicant is requesting the vacation of a utility easement in order to construct a stone fence around the house on this site. The utility easement was not used for the development of this site and remains unused. City Engineering has indicated that this vacation is acceptable.

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

MICROFILMED ^{Approved / Accepted By City Council}
OF RECORD APR 1 1997

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COPY

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

IN THE MATTER OF THE VACATION OF
UTILITY EASEMENT

GENERALLY LOCATED
WEST OF WEBB ROAD ON EAST 13TH
STREET

MORE FULLY DESCRIBED BELOW

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Case No. V-2020

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT

8-30A M

1602072 E-75



LARRY CONSULVE
REGISTER OF DEEDS

Debra Markiewicz
Deputy

VACATION ORDER

NOW on this 1st day of April, 1997, comes on for hearing the petition for vacation filed by C. Robert Buford, etux, praying for the vacation of the following described utility easement, to-wit:

Vacating all utility easements within the following described area: The north 10.00 feet of the south 60.00 feet of the southeast quarter of the southeast quarter of the southeast quarter of Section 8, Township 27 south, Range 2 east of the 6th P.M., Sedgwick County, Kansas, along the south line of Lot 1, Block 1, Foilage Second Addition, Wichita, Sedgwick County Kansas, except that portion within the right of way of Webb Road.

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 3/17/97 & 3/24/97.
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.

City Clerk

*\$8.00
1500 299*

B.O.C.

~~COPY~~

Vacation Order
V - 2020

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of April, 1997, 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
Bob Knight, Mayor

ATTEST:

Pat Burnett
Pat Burnett, City Clerk

Approved as to Form:

Gary E. Rebenstorf
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 the office of the City Clerk.

Given under my hand and seal of the City of Wichita, this APR 3 1997

Pat Burnett City Clerk

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2ND

ADD.

(1/2 1/4)

FOLIAGE

THIRTEENTH ST.

WEEK RD