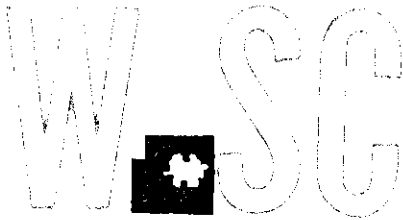


WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL -- TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1538
316/268-4421
FAX 316/268-4390

March 4, 1999

Schofield Brothers, Inc
c/o Steve Hatchett
7633 E. Kellogg
Wichita, KS 67207

Re: V-2154 - Request to vacate a portion of a platted utility easement

Dear Mr. Hatchett:

At the Thursday, February 11, 1999, meeting of the Metropolitan Area Planning Commission the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of February 5, 1999. This case will be scheduled for final action by the Wichita City Council at the first appropriate date after all conditions have been met.

If you have any questions about this matter, please call -- 268-4495.

Sincerely,

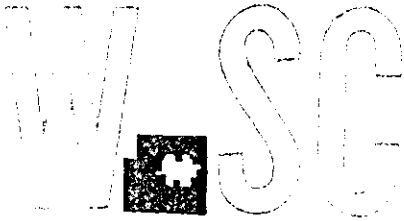

Keith Gooch
Senior Planner

KG:le

cc: Mike Lindebak, City Engineer, Public Works (1-71)
Baughman Company, P.A., c/o Russ Ewy, 315 Ellis, Wichita, KS 67211
Market Parking Inc., c/o Tom & Mike Boyd, 128 S. Dellrose, Wichita, KS 67218



WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL -- TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1388
(316) 268-4421

FAX (316) 268-4390
February 5, 1999

Schofield Brothers, Inc
c/o Steve Hatchett
7633 E. Kellogg
Wichita, KS 67207

Re: V-2154 - Request to vacate a portion of a platted utility easement

Dear Mr. Hatchett:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, February 4, 1999, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

- A) The applicant shall guarantee the abandonment of the sewer line in the portion of the utility easement they wish to vacate. A temporary easement shall be provided, or the work shall be completed prior to the request being heard by City Council.
- B) The applicant shall dedicate four feet of additional utility easement for the easement running north and south between Lot 1, Replat of Kellogg Crest Addition and Lot 1, Block 2 East Side Center.
- C) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

This matter is set for public hearing by the Metropolitan Area Planning Commission on Thursday, February 11, 1999, at 1:30 p.m. in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas. If you have any questions, please call at 268-4421.

Sincerely,

Keith Gooch
Senior Planner

KG:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Baughman Company, P.A., c/o Russ Ewy, 315 Ellis, Wichita, KS 67211
Market Parking Inc., c/o Tom & Mike Boyd, 128 S. Dellrose, Wichita, KS 67218

STAFF REPORT

CASE NUMBER: V-2154 Request to vacate a platted utility easement

OWNER/APPLICANT: Schofield Brothers, Inc., c/o Steve Hatchett (Owner)

AGENT: Baughman Co. c/o Russ Ewy

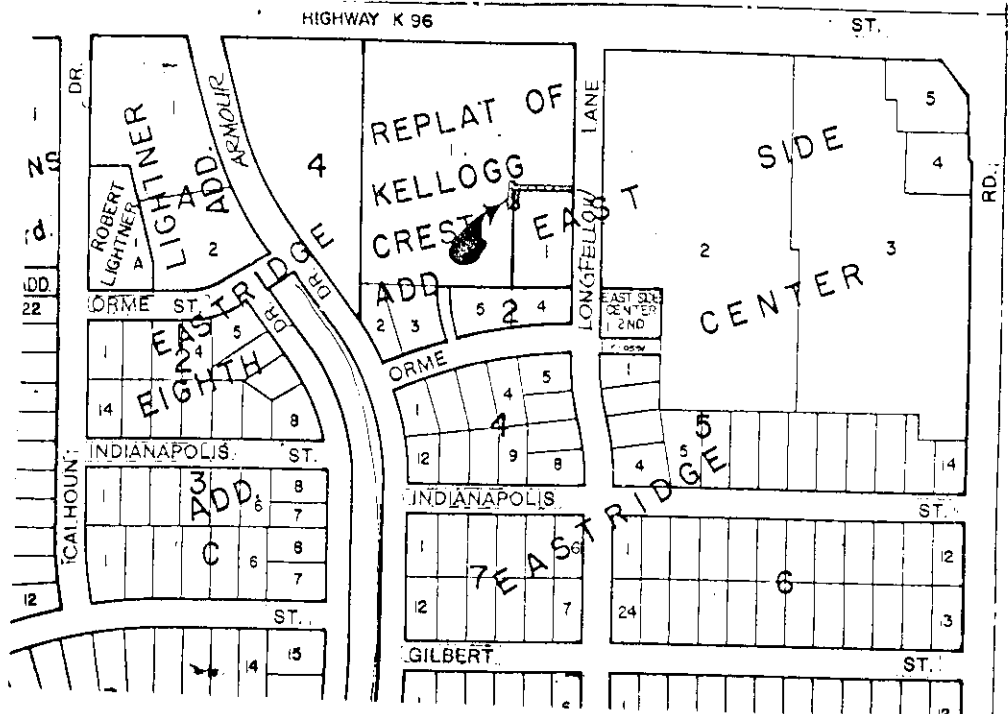
LEGAL DESCRIPTION: Beginning at the northeast corner of Lot 1, East Side Center Addition, Wichita, Sedgwick County, Kansas; thence west along the north line of said Lot 1 to a point 8 feet east of the northwest corner of said Lot 1; thence south parallel with the west line of said Lot 1, 38.87 feet; thence west parallel with the north line of said Lot 1, 16 feet; thence north parallel with the west line of said Lot 1, 53.83 feet; thence east parallel with the north line of said Lot 1, 8 feet; thence south parallel with the west line of said lot 1, 7 feet; thence east parallel with the north line of said Lot 1, 125 feet to a point on the east line of Lot 1, Block 1, Replat of Block 1, Kellogg Crest Addition, Wichita, Sedgwick County, Kansas; thence south 8 feet to the beginning.

LOCATION: South of Kellogg and west of Longfellow Lane

REASON FOR REQUEST: To allow for expansion of an existing building

CURRENT ZONING: "LC" Limited Commercial

VICINITY MAP:



The applicant is requesting to vacate a portion a platted utility easement. This would allow the expansion of an existing building.

Based upon the information available prior to the public hearing, staff recommends the MAPC make the following findings and recommendation to the City Council:

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC 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 one time on January 15, 1999, which was at least 20 days prior to this public hearing.
 - 2. That no private rights will be injured or endangered by the vacation of the above-described vacation of a platted 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.
- B. Therefore, the vacation of the portion of the utility easement described in the petition should be approved, subject to the following conditions:
 - 1. The applicant shall guarantee the abandonment of the sewer line in the portion of the utility easement they wish to vacate. A temporary easement shall be provided, or the work shall be completed prior to the request being heard by City Council.
 - 2. The applicant shall dedicate four feet of additional utility easement for the easement running north and south between Lot 1, Replat of Kellogg Crest Addition and Lot 1, Block 2 East Side Center.
 - 3. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommended approval, subject to the following:

- A. The applicant shall guarantee the abandonment of the sewer line in the portion of the utility easement they wish to vacate. A temporary easement shall be provided, or the work shall be completed prior to the request being heard by City Council.
- B. The applicant shall dedicate four feet of additional utility easement for the easement running

north and south between Lot 1, Replat of Kellogg Crest Addition and Lot 1, Block 2 East Side Center.

- C. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.