

Planning Agenda # _____

City of Wichita
City Council Meeting
July 13, 1999

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V- 2177 - REQUEST TO VACATE 10 FOOT UTILITY
EASEMENT LOCATED IN AT THE SOUTHEAST CORNER
OF 21ST STREET NORTH AND RIDGE ROAD.
(District V)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of the 10-foot utility easement.

MAPC Recommendation: Approve vacation of the 10-foot utility easement. (unanimous)

Background: The applicant is requesting to vacate the utility easement located on the south line of Lawrence Development 1st Addition. This would allow for the combined development of Lawrence Development 1st Addition and the Seiler Addition located to the south. The applicant's agent has indicated that a lot split will be submitted in the future for these two lots to split them north and south.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the Mayor to sign.

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

IN THE MATTER OF THE VACATION OF)
10 FOOT UTILITY EASEMENT)
)
GENERALLY LOCATED) Case No. V-2177
SOUTHEAST CORNER OF 21ST STREET NORTH)
AND RIDGE ROAD)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 13th day of July, 1999, comes on for hearing the petition for vacation filed by Lawrence Development, LLC, c/o Christian Ablah, praying for the vacation of the following described 10 foot utility easement, to-wit:

The south 10 feet of the utility easement except the westernmost 10 feet on Lawrence Development 1st 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 on May 18, 1999, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described 10-foot 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 10-foot utility easement described herein should be approved, subject to the following condition:

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of July 1999, ordered that the above-described 10-foot 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.

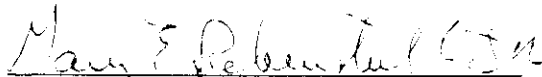
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

BRIDGE RD

