

Planning Agenda # _____

City of Wichita
City Council Meeting
May 8, 2001

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00014 - REQUEST TO VACATE UTILITY EASEMENT LOCATED AT THE SOUTHWEST CORNER OF KELLOGG AND MAIN.
(District I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

*M. West
baker*

Staff Recommendation: Approve vacation of utility easement.

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

Background: The applicant proposes construction of 4 new buildings, 2 of which would encroach on the utility easement. There is currently an encroachment on the easement by an existing building.


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. The Clerk will need to record two (2) substitute easements that were required as conditions of approval.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

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.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of May 2001, 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, Mayor

ATTEST:


Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

KELLOGG

S WATER ST

S MAIN ST

W ORME ST

