



Wichita-Sedgwick County Metropolitan Area Planning Department

December 8, 2000

Harold Copeland
P.O. Box 720527
Oklahoma City, OK 73142-0527

Re: **VAC2000-00057**- Request to vacate 10-foot utility easement generally located at Pawnee and West Street.

Dear Mr. Copeland:

At the Thursday, December 7, 2000, 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 December 1, 2000. 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 -- 268-4421.

Sincerely,

Barry L. Carroll
Barry L. Carroll
Associate Planner

BLC:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mailstop 1-71
Professional Engineering Consultants, P.A., c/o Rob Hartman, 303 S. Topeka, Wichita,
KS 67202
Harold D. Copeland, 8008 NW 131st Circle, Oklahoma City, OK 73142



Wichita-Sedgwick County Metropolitan Area Planning Department

December 1, 2000

Harold Copeland
P.O. Box 720527
Oklahoma City, OK 73142-0527

Re: **VAC2000-00057**- Request to vacate 10-foot utility easements generally located at Pawnee and West Street.

Dear Mr. Copeland:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, November 30, 2000, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

- A. A guarantee shall be submitted for the abandonment and construction of the relocated utility lines.
- B. A temporary easement shall be dedicated, by separate instrument, until relocation of the utility lines is complete.
- 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, December 7, 2000 at 1:00 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,

Barry L. Carroll

Barry L. Carroll
Associate Planner

BLC:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Professional Engineering Consultants, P.A., c/o Rob Hartman, 303 S. Topeka, Wichita, KS 67202
Harold d. Copeland, 8008 NW 131st Cr., Oklahoma City, OK 73142

METROPOLITAN AREA PLANNING COMMISSION

December 7, 2000

STAFF REPORT

CASE NUMBER: VAC2000-00057 - Request to vacate 10-foot utility easements

OWNER/APPLICANT: Harold Copeland

AGENT: Rob Hartman, PEC, P.A.

LEGAL DESCRIPTION:

A 10' utility easement centered on the common lot line between Lots 5 and 6 Pawnee Industrial park second addition to Wichita, Sedgwick County, Kansas from the south right-of-way line of west street court to a point 10 feet north of the south lot lines of said Lots 5 and 6.

A 10' utility easement centered on the common lot line between Lots 6 and 7 Pawnee and west Industrial Park second addition to Wichita, Sedgwick County, Kansas, from the south right-of-way line of west street court to a point 10 feet north of the south lot lines of said Lots 6 and 7.

A 10' utility easement centered on the common lot line between Lots 9 and 10 Pawnee and west Industrial Park second addition to Wichita, Sedgwick County, Kansas from the north right-of-way line of Pawnee Avenue to a point 10 feet south of the north lot lines of said Lots 9 and 10.

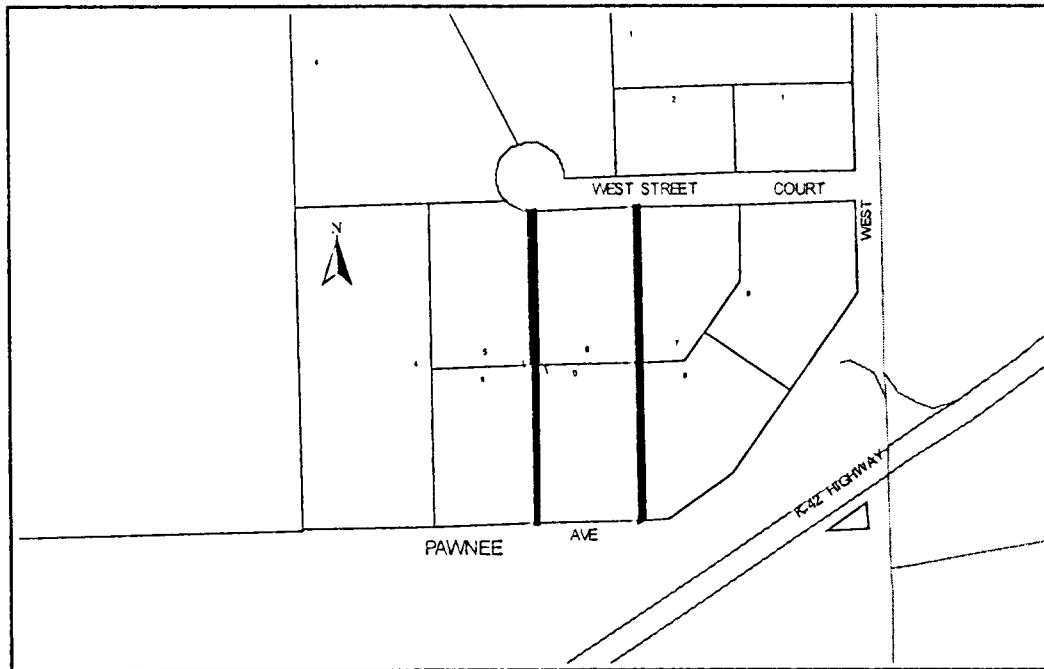
A 10' utility easement centered on the common lot line between Lots 10 and 11 Pawnee and west Industrial Park second addition to Wichita Sedgwick County, Kansas from the north right-of-way line of Pawnee Avenue to a point 10 feet south of the north property lines of said Lots 10 and 11.

LOCATION: Pawnee and West Streets

REASON FOR REQUEST: To construct buildings across lot lines

CURRENT ZONING: Right-of-way surrounded by "LI" Limited Industrial

VICINITY MAP:



The applicant is requesting to vacate 10-foot utility easements that are interior to property that he owns. The applicant wishes to construct buildings across lot lines.

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 November 17, 2000, 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 utility easements, 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 utility easements described in the petition should be approved subject to the following conditions:

1. 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 recommends approval subject to the following conditions:

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