

Planning Agenda # _____

**City of Wichita
City Council Meeting
November 19, 2002**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2002-00033 - REQUEST TO VACATE A PORTION OF
PLATTED WATER AND UTILITY EASEMENTS,
GENERALLY LOCATED NORTHWEST OF THE KELLOGG
- WEST STREET INTERSECTION, 4600 W. KELLOGG
DRIVE, TOWNE WEST SQUARE.
(District IV)**

INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA ACTION: Planning

Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant is requesting consideration for the vacation of a portion of the platted 10-foot water and 20-foot utility easements as recorded on Lot 9, Towne West 2nd Addition. The applicant proposes to demolish the existing building and build a Dick's Sporting Goods.

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 with the condition that certified copies of dedications by separate instruments will be recorded with the Register of Deeds for water and utility easements and the applicant provide a guarantee of the relocation of water and sewer.

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

METROPOLITAN PLANNING
ROUTE ☐ _____
☐ _____

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on August 22, 2002, 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 portion of the platted water and utility easements, and the public will suffer no loss or inconvenience thereby.

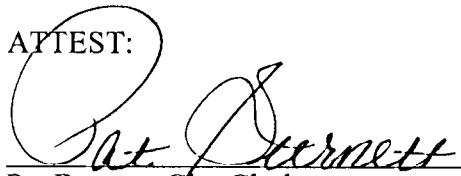
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

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.

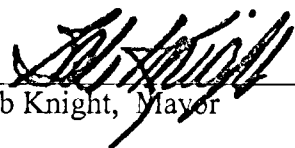
5. The vacation of a portion of the platted water and utility easements described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of November 2002, ordered that the above-described a platted 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.

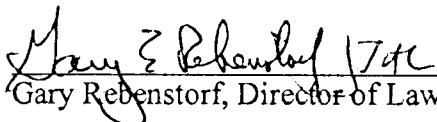
ATTEST:

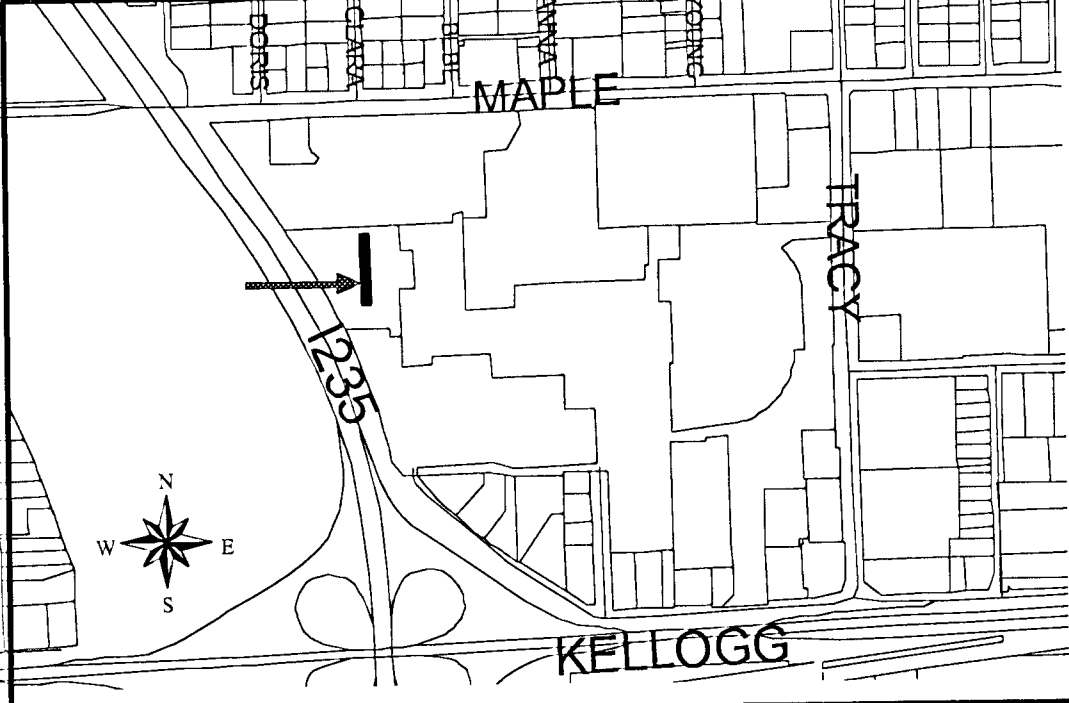

Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law



DORIS

CLARA

ELBE

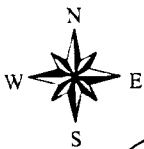
ANNA

JOHN

MAPLE

TRACY

1235



KELLOGG

VAC 02-33

