

City of Wichita
City Council Meeting
April 6, 2004

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: VAC2003-00062 Request to vacate a platted drainage easement located southeast of Norman and South Midco.
(District V)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicant is requesting consideration for the vacation of a platted 40-foot drainage easement, which runs parallel to the south property line of Lot 4, Block A, Mid-Continent Industrial Park 2 Addition. The Mid-Continent Industrial Park 2 Addition was recorded with the Register of Deeds February 1, 1978.

Analysis: There are no sewer or water lines in the platted easement, but the easement does service drainage on the property. The applicant has approval from City Public Works/Strom Water for relocation of the drainage easement. The vacation of the platted drainage easement will stop short of its intersections with the platted easements on its east and west sides. No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation. No written protests have been filed.

Financial Considerations: None.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds and a dedication of a drainage easement by separate instrument provided to be recorded with the Register of Deeds.

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

METROPOLITAN PLANNING
ROUTE 5

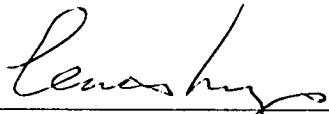
This 4-6-04

))))))))))

1. That due and legal notice has been given by publication as required by law, by publication in The Derby Reporter on January 15, 2004, which was at least 20 days prior to the public hearing.

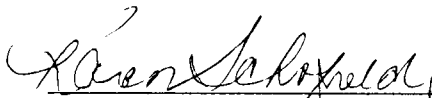
2. No private rights will be injured or endangered by the vacation of the above-described platted drainage easement, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation 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 platted drainage easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of April, 2004 ordered that the above-described platted drainage 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.



Carlos Mayans, Mayor

ATTEST:



Karen Schofield, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

