

City of Wichita
City Council Meeting
February 3, 2004

Agenda Report No.

TO: Mayor and City Council

SUBJECT: VAC2003-00059 REQUEST TO VACATE UTILITY EASEMENT
LOCATED EAST OF TYLER AND NORTH OF MEADOW PARK
STREET.
(District V)

INITIATED BY: Metropolitan Area Planning Department *ALS*

AGENDA: Planning (Consent)

Staff Recommendation: Approve.

MAPC Recommendation: Approve. (unanimous)

Background: The applicant is requesting consideration for the vacation of a platted 10-foot utility easement, which runs parallel to the property line between Lots 4 & 5, Block C, Fossil Rim Estates Addition. Half of the platted 10-foot easement is on Lot 4 and the other half is on Lot 5. There are no sewer or water lines in the platted easement. The Fossil Rim Estates Addition was recorded with the Register of Deeds May 31, 2002.

Analysis: Half of the platted 10-foot easement is on Lot 4 and the other half is on Lot 5. There are no sewer or water lines in the platted easement. There are no sewer, water or other utilities in the platted easement. There are no plans for water, sewer or utility equipment in the easement in the future. 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

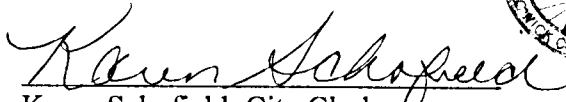
Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds

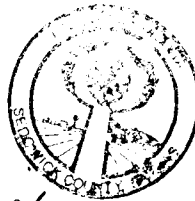
Recommendation/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

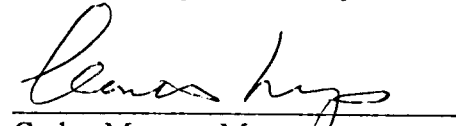
2. No private rights will be injured or endangered by the vacation of the above-described utility easement, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of February, ²⁰⁰⁴ 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.

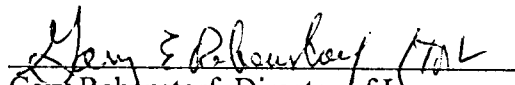
ATTEST:


Karen Schofield, City Clerk




Carlos Mayans, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law



29TH ST N

UNINCOR

PEPPER RIDGE

FOSSIL RIM

MEADOW PARK

MEADOW PARK

PEPPER RIDGE

MEADOW PASS

TYLER



EXHIBIT

