



A summary of this ordinance was published in the *Clarion* on June 19, 2025.]

### **ORDINANCE NO.1093**

#### **AN ORDINANCE VACATING A PORTION OF:**

**THE 20-FOOT UTILITY EASEMENT AND 25-FOOT BUILDING SETBACK COMMON TO LOT 4 AND N 1/2 VACATED 32<sup>nd</sup> ST ADJ ON S BLOCK 1, CREEKSIDE ESTATES, MAIZE, SEDGWICK COUNTY, KANSAS.**

#### **RECITALS**

On June 5, 2025, the Planning Commission of the City of Maize, Kansas (the "Planning Commission") held a public hearing concerning a petition (the "Petition") filed by Matthew S. and Heather M. Percival at 3300 N 124<sup>th</sup> St W, Maize, Kansas praying for the vacation of the following described land:

The 20-foot utility easement and 25-foot building setback common to lot 4 and N ½ Vacated 32<sup>nd</sup> St Adj on S Block 1, Creekside Estates, Maize, Sedgwick County, Kansas,

(the "utility easement and building setback").

After the public hearing was concluded, the Planning Commission recommended that the City Council of Maize, Kansas (the "City") accept the Petition and adopt this Ordinance.

In the Petition, the Planning Commission, after being duly and fully informed as to understanding the true nature of the Petition and the propriety of granting the vacation of the utility easement and building setback, made the following findings:

- "1. That due and legal notice has been given by publication as required by law, by publication in *The Mount Hope Clarion* on May 15, 2024, 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 drainage and 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.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MAIZE, SEDGWICK COUNTY, KANSAS:**

Section 1. The findings made by the Planning Commission in the Vacation Ordinance numbered 1 through 5 as cited above are adopted as the findings of the Governing Body.

Section 2. Based upon the findings numbered 1 through 5 of the Vacation Ordinance as cited above and pursuant to authority set forth in K.S.A. 12-505 the utility easement and building setback are vacated.

Section 3. This ordinance is effective from and after a publication of a summary of this ordinance in the official city newspaper. Once this ordinance is effective, the City Clerk will file a copy of this ordinance with the Sedgwick County Register of Deeds.

ADOPTED BY THE GOVERNING BODY and APPROVED BY THE MAYOR on the 16<sup>th</sup> day of June, 2025.

CITY OF MAIZE, KANSAS

By Pat Stivers  
Pat Stivers, Mayor

ATTEST:

By Sue Villarreal  
Sue Villarreal, City Clerk

APPROVED:

By Mitch Young  
Mitch Young, Planning Administrator

APPROVED AS TO FORM:

By Tom Powell  
Tom Powell, City Attorney

