



**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION)
OF A PLATTED STREET YARD SETBACK)**

**GENERALLY LOCATED SOUTHWEST OF THE SOUTH)
HYDRAULIC AVENUE – EAST 47TH STREET SOUTH)
INTERSECTION ON THE NORTHWEST CORNER OF EAST)
49TH STREET SOUTH & SOUTH VICTORIA STREET)**

VAC2021-00043

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of January 2022, comes on for hearing the petition for vacation filed by Toon Investments, LLC., c/o Edward Toon (owner), praying for the vacation of a described portion of the platted street side yard setback, to wit:

All of the platted 35 foot street side yard setback located in and running parallel to the south property line of Lot 1, Overholt Addition*, Wichita, Sedgwick County, Kansas.

*That portion of Lot 1, Overholt Addition owned by Toon Investments, LLC, described as: Beginning at the Southeast corner of Lot 1, Overholt Addition, a subdivision in Wichita, Sedgwick County, Kansas; thence North along the East line of said Lot 1, 293.00 feet; thence West at 90' to the East line of said Lot 1, 578.87 feet to the West line of said Lot 1; thence South on said West line 379.08 feet to the Southwest corner of said Lot 1; thence Easterly along the South line of said Lot 1, 585.23 feet to the point of beginning.

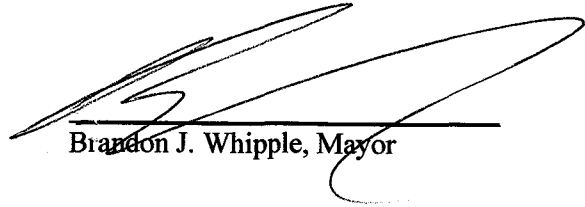
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on October 28, 2021, 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 described portion of the platted street side yard setback, 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.

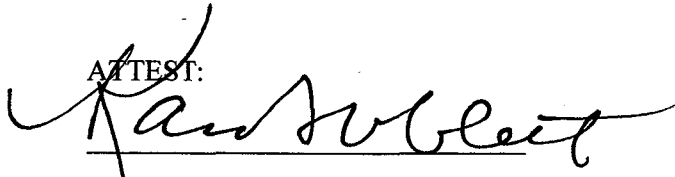
5. The vacation of the described portion of the platted street side yard setback, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of January 2022, ordered that the described portion of the platted street side yard setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order for recording to the Registrar of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

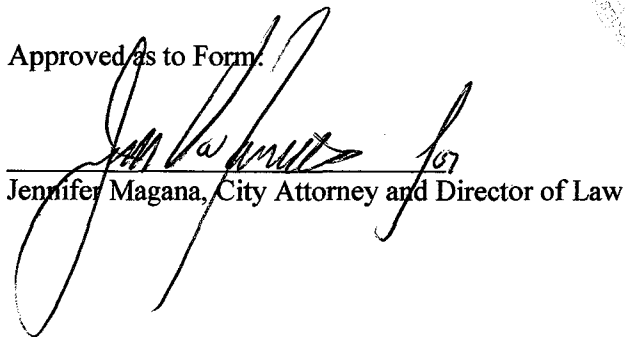


Brandon J. Whipple, Mayor

ATTEST:


Karen Sublett, City Clerk

Approved as to Form.



Jennifer Magana, City Attorney and Director of Law

