

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1305 VACATION OF A PORTION OF A PLATTED SETBACK GENERALLY
LOCATED AT THE SOUTHWEST CORNER OF WILLOW OAK AND WILLOW
OAK COURT.

The Planning Commission recommends approval subject to:

- A. Any relocation or reconstruction of utilities necessitated by this vacation shall be entirely at the expense of the applicant.
- B. All proceedings shall be without cost to the City, County or any utility company
- C. The vacation resolution shall vacate only that position of the 15-foot building setback on which the encroachment exists (the east four feet of the west 15 feet of Lot 38, Block 2, Timber Valley Estates 3rd Addition, Sedgwick County, Kansas, except the south 84 feet thereof).

Bayouth moved, Chisholm seconded and it carried unanimously. (1/10/85).

ACTION: Approve the request, as recommended by the Metropolitan Area Planning Commission and adopted the resolution.

VACATION CASE DATA

Legal Description: The east four feet of the 15 foot building setback platted from Willow Oak on Lot 38, Block 2, Timber Valley Estates 3rd Addition, Sedgwick County, Kansas, except the south 84 feet thereof.

Applicant: Jean A. Beck and Mark A. Beck
1668 Willow Oak Court
Wichita, Kansas 67230

Protestors: None before the Subdivision Committee or MAPC.

Comments: This request for vacation is located on property outside the City of Wichita, but within three miles thereof. As such, no petition, publication of notification, or public hearing is required before the Board of City Commissioners. The procedure for handling such requests is the same as it was prior to the July 1, 1984 change in State Law concerning City vacation requests. Requests located in the three-mile ring of the City are considered by the Board of City Commissioners and, if acceptable, approved by resolution. Title to the property is subsequently cleared by petition, publication and hearing before the Board of Sedgwick County Commissioners.

(_____) (Published in the Daily Record _____, 19__)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF
A BUILDING SETBACK DESCRIBED AS THE EAST
FOUR FEET OF THE WEST 15 FEET OF LOT 38,
BLOCK 2, TIMBER VALLEY ESTATES 3RD ADDITION,
SEDGWICK COUNTY, KANSAS, EXCEPT THE SOUTH
84 FEET THEREOF.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a building setback described as the east four feet of the west 15 feet of Lot 38, Block 2, Timber Valley Estates 3rd Addition, Sedgwick County, Kansas, except the south 84 feet thereof; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on January 10, 1985;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the building setback, described as follows, to-wit:

CASE NO. V-1305

The east four feet of the west 15 feet of Lot 38, Block 2, Timber Valley Estates 3rd Addition, Sedgwick County, Kansas, except the south 84 feet thereof.

Be and the same is approved for vacation.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described building setback be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this _____ day
of _____, 19__.

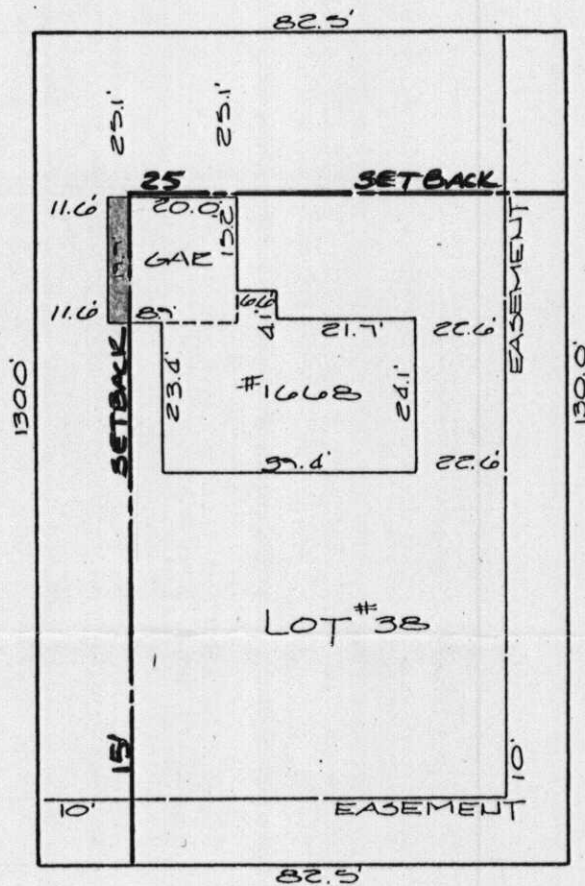
Robert G. Knight, Mayor

ATTEST:

Donald C. Cisick, City Clerk (Seal)



WILLOW OAK



V-1305