

City of Wichita
City Commission Meeting
January 21, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1364 - VACATION OF BUILDING SETBACK, LOCATED AT
THE SOUTHEAST CORNER OF PERTH AND PERTH COURT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning & Zoning

MAPC Recommendation: Approve vacation of building setback.

Background: G. Ronald Tyler, Residence Inn Company, 257 North Broadway, Wichita, KS 67202 has requested this vacation to allow additional buildable area for a garage. The setback is being reduced from 30 feet to 15 feet.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company;
and

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing, approve vacation, authorize the Mayor to sign the Vacation order; and record certified copy of Order, recording costs to be billed to owner.

BEFC : THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PORTION
OF A PLATTED 30-FOOT BUILDING SETBACK.

GENERALLY LOCATED AT THE SOUTHEAST CORNER OF
PERTH AND PERTH COURT. (V-1364)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS { 85
SEDGWICK COUNTY {
FILED FOR RECORD AT
8:00 AM

FEB 6 1986

NO. 7 88985

PAT KETTLER
REGISTER OF DEEDS

**MICROFILMED
OF RECORD**

VACATION ORDER

NOW on this 21st day of January, 1986, comes on for hearing the petition for vacation filed by G. Ronald Tyler, praying for the vacation of the following described building setback, to-wit:

A tract of land located in Lot 6, Block 2, Perthshire 2nd Addition to Wichita, Sedgwick County, Kansas, described as commencing at the point of curvature for a cul-de-sac on Perth Court in Lot 6, Block 2, Perthshire 2nd Addition; thence S 62°22'06" W along a radial line a distance of 15.00 feet to the point of beginning; thence southeasterly along a curved line to the left whose chord bears S 50°21'17" E and radius of 65 feet, an arc distance of 51.12 feet; thence S 10°14'55" E, a distance of 16.48 feet; thence along a curved line to the right whose chord bears N 53°03'15" W and radius of 80 feet, an arc distance of 70.55 feet; thence N 62°22'06" E along a radial line a distance of 15.00 feet to the point of beginning. Encompassing 913.195 square feet more or less.

The City Commission, 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, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on JAN. 8 & 15, 1986.
2. No private rights will be injured or endangered by the vacation of the above-described building 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 building setback described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 21st day of January, 1986, ordered that the above-described building setback 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

Donald C. Gisick
Donald C. Gisick, City Clerk

R. E. Brown
R. E. Brown, Mayor

Approved as to Form

John Dekker
John Dekker, Director of Law

City Clerk

