

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1346 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK
GENERALLY LOCATED SOUTH OF LINCOLN IN AN AREA EAST OF GREENWICH.

The Planning Commission recommends approval subject to:

- A. All proceedings being without cost to the City, County or any utility company.
- B. The vacation resolution shall except out the vacation of the east 40 feet of the subject building setback.

Bayouth moved, Moore seconded and it carried unanimously. Chisholm and Peters were absent. (5/22/85)

ACTION: Approve the vacation request as recommended by the Metropolitan Area Planning Commission and adopt the resolution.

VACATION CASE DATA

LEGAL DESCRIPTION:

The south ten (10) feet of the north 30 feet of Lot 1, Windsor Park Addition, Sedgwick County, Kansas, except the east 40 feet thereof.

APPLICANT: Elwood Entz, 901 South Dowell Terrace, Wichita, KS 67207

PROTESTORS: None before the Subdivision Committee or M.A.P.C.

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.

The vacation resolution excepts out the east 40 feet of the subject setback as specified in Condition "B" above.

(1055) (Published in the Daily Record September 6, 1985)

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF A PORTION OF A PLATTED BUILDING SETBACK DESCRIBED AS THE SOUTH 10 FEET OF THE NORTH 30 FEET OF LOT 1, BLOCK 1, WINDSOR PARK ADDITION, EXCEPT THE EAST 40 FEET THEREOF, ALL IN SEDGWICK COUNTY, KANSAS.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of a portion of a platted building setback described as the south 10 feet of the north 30 feet of Lot 1, Block 1, Windsor Park Addition, Sedgwick County, Kansas, except the east 40 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 August 22, 1985;

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

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

CASE NO. V-1346

The south 10 feet of the north 30 feet of Lot 1, Block 1, Windsor Park Addition, Sedgwick County, Kansas, except the east 40 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 portion of platted 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 3rd day of September, 1985.

Robert C. Brown, Mayor

ATTEST:

Donald C. Glsick, City Clerk (Seal)

LINCOLN

GREENWICH RD.

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