

City of Wichita
City Commission Meeting
December 23, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1428 - REQUEST TO VACATE A BUILDING SETBACK, LOCATED EAST OF ROCK ROAD, IN AN AREA SOUTH OF CENTRAL AVENUE.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of building setback.

Background: Andeel and Andeel Company, 350 N. Rock Road, Wichita, KS 67206, are requesting this vacation to provide additional buildable area. After vacation, building setbacks on subject site will be governed by the Community Unit Plan approved for this commercially zoned property.

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.

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.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A BUILDING
SETBACK ESTABLISHED ON BOOK 87, PAGES 977
THROUGH 982 BY LOT SPLIT (L/S-0189).

GENERALLY LOCATED IN AN AREA EAST OF ROCK
ROAD AND SOUTH OF CENTRAL (V-1428).

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
WICHITA

JAN 14 1987

8 57520

NO. PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Rea
Deputy

VACATION ORDER

NOW on this 23rd day of December, 1986, comes on for hearing the petition for vacation filed by Andeel and Andeel Company, praying for the vacation of the following described building setback, to-wit:

The 15-foot wide building setback, established by Lot Split (L/S-0189) on Book 87, Pages 977 through 982, legally described as the south 15 feet of the west 110 feet of Lot 1, Block A, Dean Rupert Second Addition, to Wichita, Sedgwick County, Kansas. (V-1428)

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 DEC 10TH & 17TH, 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 23rd day of December, 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.

Tony Casado
Tony Casado, Mayor

ATTEST:

Dale Rea
Dale Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law
City Clerk

Use For Legal on Notice of Order for

The 15-foot wide building setback, established by Lot Split (L/S-0189) on Book 87, Pages 977 through 982, legally described as the south 15 feet of the west 110 feet of Lot 1, Block A, Dean Rupert Second Addition, to Wichita, Sedgwick County, Kansas.

