

City of Wichita
City Commission Meeting
March 18, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1378 - VACATION OF A PORTION OF A PLATTED BUILDING
SETBACK, GENERALLY LOCATED AT THE SOUTHWEST CORNER
OF 29TH STREET NORTH AND SALINA.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of building setback.

Background: Donald G. and Sherry L. Abraham, 1043 West 29th Street North, Wichita, KS 67204, have requested this vacation in order to allow more buildable area. After vacation, a 15-foot wide building setback will remain.

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; and
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.

Approved by Board of Commissioners
MAR 18 1986

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

MICROFILMED

IN THE MATTER OF THE VACATION OF A PORTION OF RECORD
OF A PLATTED BUILDING SETBACK.

GENERALLY LOCATED AT THE SOUTHWEST CORNER
OF 29TH STREET NORTH AND SALINA. (V-1378)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } 83
SEDGWICK COUNTY }
FILED FOR RECORD AT
1:00 P M

MAR 27 1986

NO. 7 96852
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

Ed Resal
Deputy

NOW on this 18th day of March, 1986, comes on for hearing the petition for vacation filed by Donald G. and Sherry L. Abraham, praying for the vacation of the following described building setback, to-wit:

The west 20 feet of the east 35 feet of Lot 1, Feller's Addition to Wichita, Sedgwick County, Kansas, except the north 35 feet thereof.

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 MARCH 5 & 12, 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 18th day of March, 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. Cisick
Donald C. Cisick, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

R. C. Brown
R. C. Brown, Mayor

City Clerk

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