

City of Wichita
City Council Meeting
December 8, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1508 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING
SETBACK, LOCATED IN AN UNINCORPORATED AREA OF THE COUNTY
ON THE EAST SIDE OF SAGEBRUSH, NORTH OF CENTRAL.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

MAPC Recommendation: Approve vacation of building setback. (unanimous)

Background: This vacation case has been requested in order to remove a "cloud" from the property's title. A surveying error caused the dwelling unit on the subject property to encroach the building setback. After vacation, a building setback of approximately 25 feet will exist. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: 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 Wichita City Council.

Recommendations/Action: Approve vacation; adopt resolution;
record resolution, recording cost to be
billed to:

755-68-360-50000-295-000-000

() (Published in the Daily Record DEC 11, 1987)

STATE OF KANSAS
SEDGWICK COUNTY

FILED FOR RECORD AT
8:00 AM

MICROFILMED
OF RECORD

Approved / Accepted By City Council

RESOLUTION

This DEC 8 1987

DEC 22 1987

9 23903

Ed Reas
Deputy

NO. PAT KETTLER
REGISTER OF DEEDS

A RESOLUTION APPROVING THE VACATION OF A PORTION
OF A PLATTED BUILDING SETBACK DESCRIBED AS:

The east 2.2 feet of the south 19.8 feet of the north 39.5 feet and the east 5.2 feet of the south 10.5 feet of the north 19.7 feet of the platted setback area across the west 30 feet of Lot 24, Block 1, "The Trees Second Addition", 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 the portion of the building setback described as:

The east 2.2 feet of the south 19.8 feet of the north 39.5 feet and the east 5.2 feet of the south 10.5 feet of the north 19.7 feet of the platted setback area across the west 30 feet of Lot 24, Block 1, "The Trees Second Addition", Sedgwick County, Kansas; 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 November 23, 1987;

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

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

CASE NO. V-1508

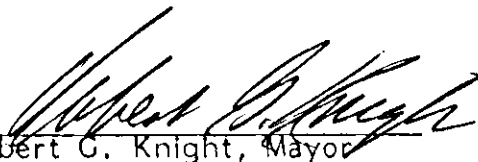
The east 2.2 feet of the south 19.8 feet of the north 39.5 feet and the east 5.2 feet of the south 10.5 feet of the north 19.7 feet of the platted setback area across the west 30 feet of Lot 24, Block 1, "The Trees Second Addition", Sedgwick County, Kansas.

Be and the same is approved for vacation.

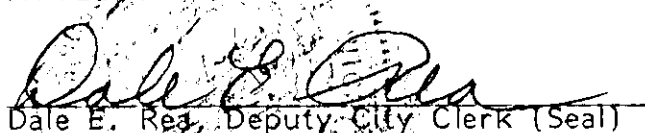
SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above-described portion of platted building setback be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

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 8th day of December, 1987.

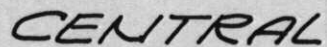

Robert C. Knight, Mayor

ATTEST:


Dale E. Rea, Deputy City Clerk (Seal)

PL/7861/5

City Clerk



AVE