

Planning Agenda Item # _____

City of Wichita
City Council Meeting
August 16, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING, V-1547 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING
SETBACK, LOCATED EAST OF LONGFELLOW AND SOUTH OF 32ND STREET NORTH
(District #2).

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 has been requested in order to create additional buildable lot area for a proposed duplex. The Vacation Order vacates only that amount of setback that is actually needed for construction. After vacation, a minimum 20-foot-wide setback will remain. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify 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:

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

Approved / Accepted by _____
 This _____
 FILED FOR RECORD AT _____

BEFORE THE CITY COUNCIL OF THE
 CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

PAT KETTLER
 REGISTER OF DEEDS

Ed Rasmussen
 Deputy

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

GENERALLY LOCATED EAST OF LONGFELLOW AND
 SOUTH OF 32ND STREET NORTH (V-1547)

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 16th day of August, 1988, comes on for hearing the petition for vacation filed by Burgess Manufacturing, praying for the vacation of the following described portion of a platted building setback, to-wit:

A tract of land lying in Lot 14, Block 3, Cottonwood Village 5th Addition, an addition to Wichita, Sedgwick County, Kansas; more particularly described as follows:

Beginning at a point lying 41.00 feet south and 24.00 feet east of the northwest corner of said Lot 14, Block 3, said point lying on the platted 25-foot building setback line; thence N 89° 04' 12" E, 25.00 feet; thence S 0° 55' 48" E, 4.98 feet to a point on the said building setback line and a curve to the right; thence along said curve 25.61 feet, said curve having a central angle of 19° 33' 53", a radius of 75.00 feet, and a long chord of 25.49 feet, bearing N 79° 40' 39" W to the point of beginning.

The City Council, 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 AUG 9 & 15, 1988.
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 CITY COUNCIL, on this 16th day of August, 1988, 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.

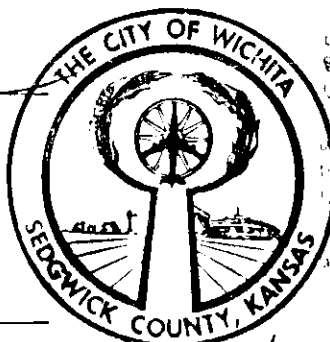
ATTEST:

Dale E. Rea
 Dale E. Rea, Deputy City Clerk

S. Kamen
 Sheldon Kamen, Mayor

Approved as to Form:

Thomas Powell
 Thomas Powell, Director of Law



State of Kansas)
 Sedgwick County) ss
 City of Wichita)
 I, _____, Deputy City Clerk of the City of Wichita, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk.
 Witness my hand and seal of the City of Wichita, Kansas, this AUG 24, 1988 day of August, 1988.
Dale E. Rea
 Deputy City Clerk

MICROFILMED
 OF RECORD



SCALE: 1" = 20'

LONGFELLOW CT.

