Planning Agenda Item #_____

City of Wichita
City Council Meeting
October 9, 1990

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: V-1680 - REQUEST TO VACATE PLATTED BUILDING SETBACK LOCATED SOUTH OF KELLOGG AND EAST OF 143RD STREET EAST.

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: The applicant is seeking to tear down an old storage shed and build a new one and expand it. He is requesting the vacation of 10 feet of the setback along 143rd. The owner is dedicating by separate instrument, complete access control across the west line of the property along 143rd St. 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:

300210-9024

FILM 142 PAGE 044

STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
10:00 A.M.
Nov 15 90 104433
PAT KETTLER
REGISTER OF DEEDS

Ed Reed Deputy

MICROFILMED OF RECORD

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF)
Building Setback)
)
GENERALLY LOCATED)
Springdale Country Club Estates)

VACATION ORDER

NOW on this 14th day of November, 1990, at 9:00 o'clock A.M. comes on for hearing the petition for vacation filed by Larnard E. Smith, praying for the vacation of the following described building setback.

The east 10 feet of the south 30 feet of the west 20 feet of Lot 10, Block 6, Springdale Country Club Estates, Sedgwick County, Kansas V-1680

the said petitioners being represented by their attorney, -------.

WHEREUPON, it is shown that proper notice has been given by publication in the Daily Reporter, a newspaper printed in the State of Kansas and being published in and for general circulation in Sedgwick County, Kansas, the first publication being made on the 18th, day of October, 1990, and proper proof of such publication being filed herein. The Board being advised in the premises find that usch notice is in due legal form and conforms to K.S.A. 58-2613.

THEREAFTER, the matter is presented to the Board and the Board finds that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience thereby, and that in justice to the petitioners, their prayer should be granted and that no written objections have been filed hereto with the County Clerk.

8.00 ck

County Clerk

The Board further finds that the Governing Body of the City of Wichita, by Resolution, at its regular meeting held on the 9th day of October, 1990, recommended and approved the vacation of the above-described building setback.

IT IS, THEREFORE, BY THE BOARD OF COUNTY COMMISSIONERS, in regular session duly assembled, ordered that the above-described building setback is hereby vacated.

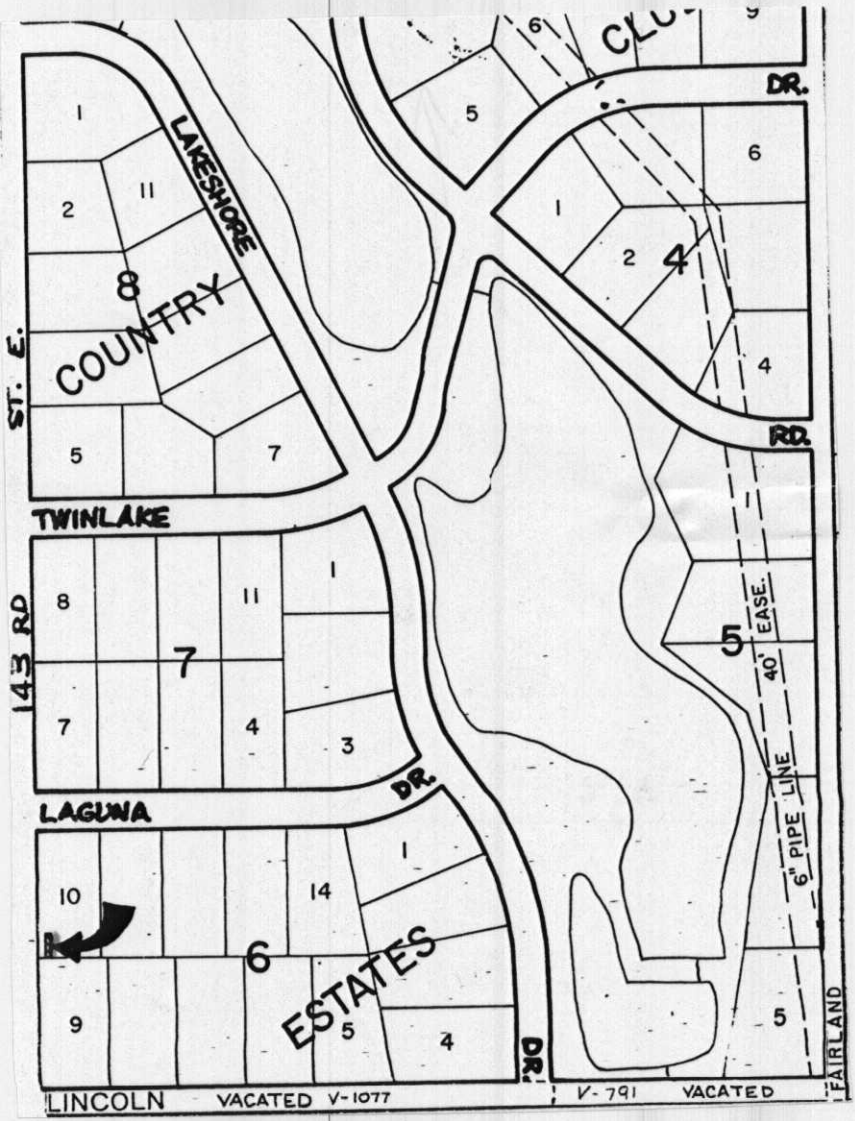
MARK F. SCHROEDER, CHAIRMAN

ATTEST:

DON WRIGHT, COUNTY CLERK

APPROVED AS TO FORM:

for RICHARD EUSON, ASST. COUNTY COUNSELOR



LAKESHORE
COUNTRY
8
1
2
11
5
7
ST. E.
TWINLAKE
143 RD
8
11
1
7
7
4
3
LAGUNA
DR.
10
14
1
6
ESTATES
9
5
4
DR.
LINCOLN
VACATED V-1077
V-791
VACATED
FAIRLAND
DR.
6
5
1
2
4
6
4
RD.
5
40' EASE.
6" PIPE LINE
5