

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 9, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1676 - REQUEST TO VACATE A PLATTED BUILDING
SETBACK LOCATED SOUTH OF 13TH STREET AND WEST OF WOODLAWN.
(District #2A)

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 request is being requested for the expansion of a garage needed for handicap accessibility. It is for the area of expansion only. 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:

150029-2909

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

IN THE MATTER OF THE VACATION OF)
PLATTED BUILDING SETBACK.)
)
GENERALLY LOCATED SOUTH OF 13TH STREET)
AND WEST OF WOODLAWN. (V-1676))
)
)
MORE FULLY DESCRIBED BELOW)

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 9th day of October, 1990, comes on for hearing the petition for vacation filed by Todd E. Parker, praying for the vacation of the following described platted building setback, to-wit:

That portion of building setback area on Lot 5, Block 1, McEwen 2nd Addition, Wichita, Sedgwick County, Kansas, described as commencing at the southwest corner of said Lot 5; thence north, along the west line of said Lot 5, 30.41 feet more or less to the intersection of the 30 foot building setback line; thence easterly, along said building setback line (being a curve to the right, having a radius of 309.73 feet), 10.1 feet to a point 10 feet east of the west line of said Lot 5, for a place of beginning; thence continuing easterly, along said building setback line and said curve, 26.60 feet to a point 36.5 feet east of the west line of said Lot 5; thence south, parallel with the west line of said Lot 5, 15.97 feet; thence west, at right angles, 26.5 feet; thence north, at right angles, 13.82 feet to the place 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 SEP 19 1990 SEP 26 1990
2. No private rights will be injured or endangered by the vacation of the above-described platted 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.

ack

city clerk

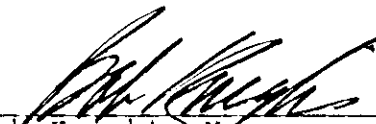
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V-1676
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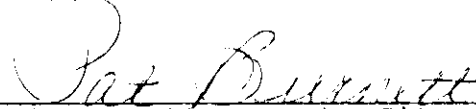
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

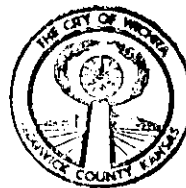
5. The vacation of the platted building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of October, 1990, ordered that the above-described platted 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.


Bob Knight, Mayor

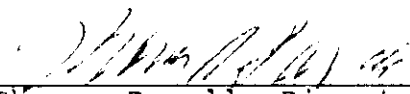
ATTEST:


Pat Burnett, Deputy City Clerk



STATE OF KANSAS) ss
SEDGWICK COUNTY)
FILED & RECORDED AT
DEC 12 1990 1109254

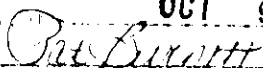
Approved as to Form:


Thomas Powell, Director of Law

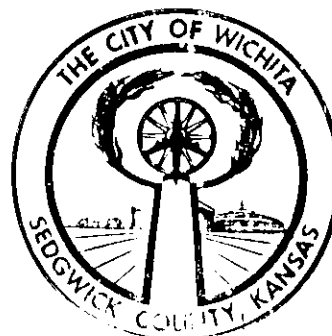
PAUL WITTLER
REGISTER OF DEEDS

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Pat Burnett, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the documents to which this is affixed to a true and correct copy of the original on file in the office of the City Clerk.

Given under my hand and seal of the City of Wichita, Kansas, this 9th day of October, 1990.

Pat Burnett, Deputy City Clerk

Form 1020



13th St. No.

