

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 17, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1750 - REQUEST TO VACATE STREET
RIGHT-OF-WAY AND BUILDING SETBACKS LOCATED EAST OF MAIZE
ROAD AND NORTH OF 21ST ST. NORTH.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of street rights-of-way and building setbacks.

MAPC Recommendation: Approve vacation of street rights-of-way and building setbacks. (unanimous)

Background: Platting of a residential development in this area has made these street segments and the associated building setbacks unnecessary. City Engineering and the utility advisory committee representatives have also indicated that the right-of-way is not needed nor does any of the right-of-way need to be retained for a utility easement. 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 Vacation 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
STREET RIGHTS-OF-WAY AND BUILDING
SETBACKS.

GENERALLY LOCATED EAST OF MAIZE ROAD
AND NORTH OF 21ST ST. NORTH. (V-1750)

MORE FULLY DESCRIBED BELOW

V-1750

VACATION ORDER

NOW on this 17th day of March, 1992, comes on for hearing the petition for vacation filed by Robert J. Rue, et al. for the Free Methodist Church of North America, praying for the vacation of the following described street rights-of-way and building setbacks, to-wit:

That portion of 23rd St. North and Crestline as platted in Agape Addition to Sedgwick County, Kansas, lying east of the west line of Lot 1, Block A, in said addition, and the 30 foot building setback lines adjacent to said 23rd St. North and Crestline.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 2/25/92 & 3/3/92.
2. No private rights will be injured or endangered by the vacation of the above-described street rights-of-way and building setbacks, 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 street rights-of-way and building setbacks described herein should be approved.

8.072

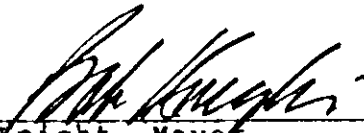
City Clerk

150029. 2909

8'

Vacation Order
V-1750
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of March, 1992, ordered that the above-described street rights-of-way and building setbacks 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:

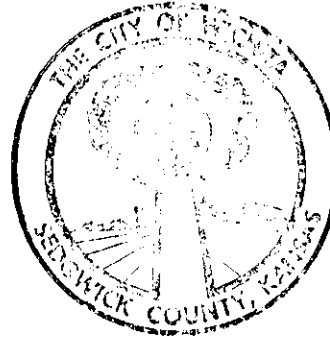


Pat Burnett, Deputy City Clerk

Approved as to Form:



Gary Rebenstorf, Director of Law

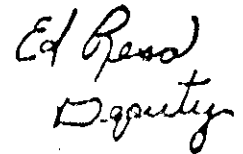


STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED)
10:00 A

JUN 24 1992 1218136

MICROFILMED
OF RECORD

PAT KETTLER
REGISTER OF DEEDS


Ed Reso
Deputy



STATE OF KANSAS)
SEDGWICK COUNTY) ss
City of Wichita)
I, Pat Burnett

being the City Clerk of the City of Wichita, do hereby certify that the document to which this certificate is attached is a true and correct copy of the original filed for record in the office of the City Clerk.

Given under my hand and the seal of the City of Wichita, Kansas, this March 17, 1992 day of March.

Pat Burnett, Deputy City Clerk

WICHITA A
KENNEL CLUB
ADD.

2395 ST Y

MAIZE

AGAPÉ A
ADD.

CRESTLINE



21 ST ST NO

Application Filed 1/13/92
S/D Comm. Action 2/6/92
Approved
M.A.P.C. Action 2-13-92
Approved

W.C.C. Action 3-17-92
Approved
Bd. Co. Co. Action _____
Order to Vacate Recorded _____
Recorded March 17, 1992