

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 14, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1747 - REQUEST TO VACATE ACCESS CONTROL AND
A BUILDING SETBACK IN AN AREA SOUTH OF MAPLE AND WEST OF
MAIZE ROAD.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

McKroul

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control and
building setback.

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

Background: This vacation involves the site for a planned Fire station. The original platted lot was only allowed two access openings, the Firestation itself will require two openings and the vacation of access control is being requested to allow the remaining portion of the original lot to continue having two openings as previously allowed. The vacation of the building setback will only involved the poriton of the lot to be used for the Firestation. The Subdivision Committee has indicated support for the vacaition and that no adverse effects should result. 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

Date 1-14-92

Approved & Filed

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

IN THE MATTER OF THE VACATION OF)
ACCESS CONTROL AND BUILDING SETBACK)
ON LOT 3, BLOCK 1, SUMMERFIELD III)
COMMERCIAL ADDITION.)

GENERALLY LOCATED ON SOUTH SIDE OF)
MAPLE, WEST OF MAIZE.)
(V-1747))

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 14th day of January, 1992, comes on for hearing the petition for vacation filed by City of Wichita and Summerfield Inc., praying for the vacation of the following described access control and building setback, to-wit:

The access control except for two openings as
platted across the north line of Lot 3, Block 1,
Summerfield III Commercial an Addition to Wichita,
Sedgwick County, Kansas

and

That portion of the 65 foot platted building
setback described as the south 35 feet of the
north 65 feet of the west 325 feet of Lot 3, Block
1, Summerfield III Commercial an Addition to
Wichita, Sedgwick County, Kansas.

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 12/30/91 & 1/6/92.

2. No private rights will be injured or endangered by the vacation of the above-described access control and 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.

800 c.k City Clerk

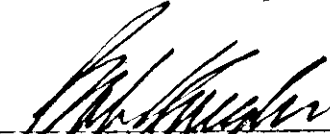
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OF RECORD

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5. The vacation of the access control and building setback described herein should be approved.

6. Access control except for four openings is retained across the north line of the subject lot 3, Block 1, Summerfield III Commercial Addition to Wichita, Sedgwick County, Kansas.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of January, 1992, ordered that the above-described access control and 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.

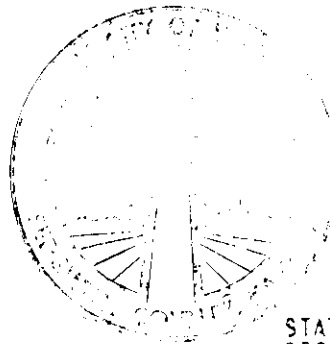

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:


Gary Reberstorf, Director of Law



STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 A.M.

MAR 5 1992

PAT KETTLER
REGISTER OF DEEDS

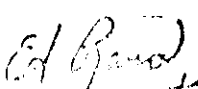
State of Kansas)
Sedgwick County) ss
City of Wichita)

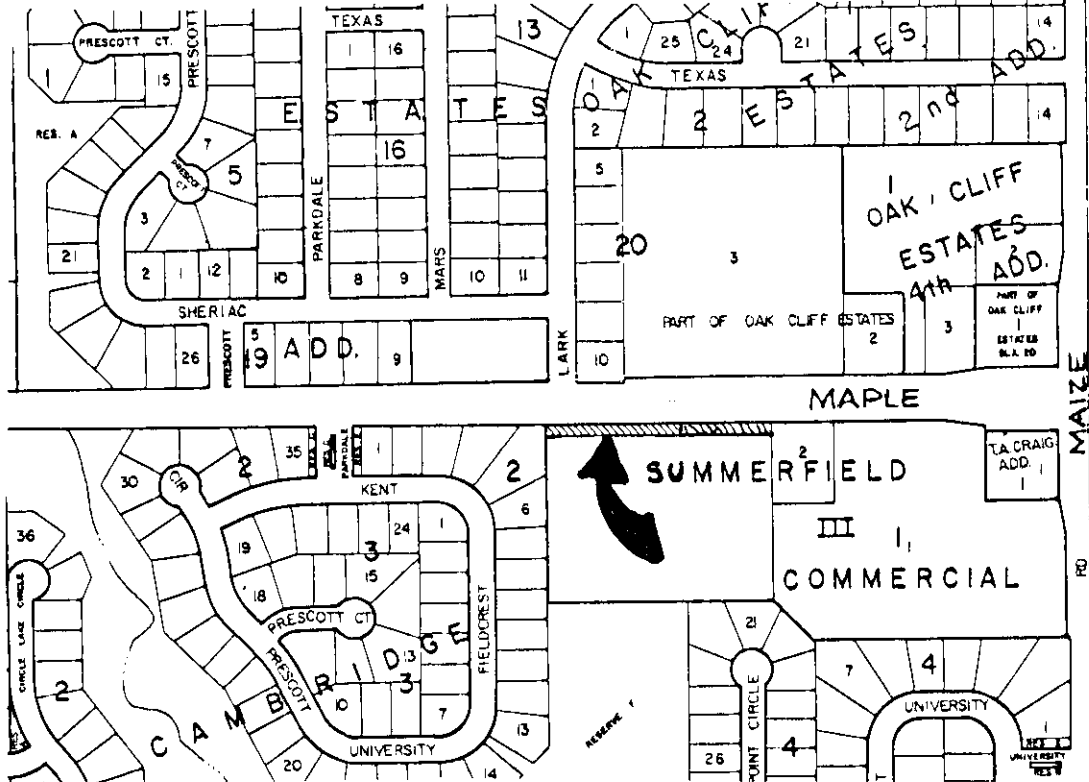
I, Pat Burnett, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is attached is a true and correct copy of the original on file in the office of the City Clerk.

Given under my hand and seal of the City of Wichita, this 1-14-92


Pat Burnett, Deputy City Clerk




Ed Bond
Deputy



Application Filed 11/22/91
 S/D Comm. Action 11/12/12/91
 M.A.P.C. Action 12/19/91 - App.

W.C.C. Action 1-14-92
 Bd. Co. Co. Action Approved

Order to Vacate Recorded

March 5 1992