

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 15, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1794 REQUEST TO VACATE A PORTION OF A
BUILDING SETBACK LOCATED NORTH OF 13TH STREET NORTH AND
WEST OF 119TH STREET WEST.
(District #5)

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 buildable area of the property is limited by being on a cul-de-sac and additional site characteristics of the building site. The portion of setback requested for vacation is needed to better orient a planned house. The Subdivision Committee indicates that no adverse effects should result from the vacation. 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 the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

FILED

This DEC 15 1992

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

IN THE MATTER OF THE VACATION OF A
PLATTED BUILDING SETBACK

GENERALLY LOCATED NORTH OF 13TH STREET
NORTH AND WEST OF 119TH STREET WEST
(V-1794)

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 15th day of December, 1992, comes on for hearing the petition for vacation filed by Donald Cary, praying for the vacation of the following described building setback, to-wit:

A portion of the platted building setback described as: That part of Lot 6, Block 2, Autumn Ridge to Wichita, Sedgwick County, Kansas, described as commencing at the N.W. Corner of said Lot 6; thence N 65° 10' 23" E, along the northwesterly line of said Lot 6, 25 feet; thence southeasterly, along a curve concentric with the west line of said Lot 6, and having a radius of 75 feet, a central angle of 6° 11' 03", an arc length of 8.09 feet and a chord bearing of S 21° 44' 18" E, 8.09 feet to the place of beginning; thence continuing southerly, along said curve and through a central angle of 25° 54' 30", an arc distance of 33.91 feet and having a chord bearing S 5° 41' 32" E, 33.63 feet; thence N 75° 25' 44" W, 11.65 feet; thence N 14° 34' 16" E, 31.54 feet to the place of beginning.

MICROFILMED
OF RECORD

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 11/27/92 & 12/4/92.
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.

3.00 ck

City Clerk

150029 2909

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Vacation Order
V-1794
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of December, 1992, 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.

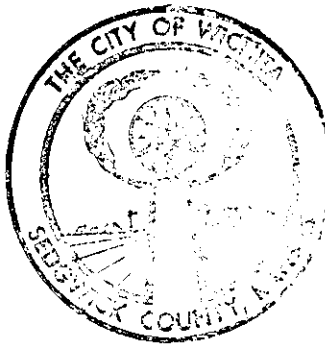
ATTEST:

Frank M. Ojile, Mayor

Pat Burnett
Pat Burnett, Deputy City Clerk

Approved as to Form:

Gary Rebenstorf PHA
Gary Rebenstorf, Director of Law



STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR DEEDS)
8-002

FEB 4 93 1267514

PAT KETTLER
REGISTER OF DEEDS

Ed Bess
Deputy

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

Pat Burnett, Deputy City Clerk of the City of Wichita, Kansas, hereby certifies 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, Kansas, this 15th day of December, 1992.

Pat Burnett Deputy City Clerk



AUTUMN RIDGE CT

13.35'

N 65°10'23" E
25'

N 65°10'23" E
126.29'

$\Delta = 06^{\circ}11'03"$
 $R = 75.00'$
 $L = 8.09'$

S 21°44'18" E
8.09'

N 14°34'16" E
31.54'

$\Delta = 25^{\circ}54'30"$
 $R = 75.00'$
 $L = 33.91'$

S 05°41'32" E
33.63'

11.65'
N 75°25'44" W

25' SETBACK LINE

74.51'

25'

92.94'
N 68°34'48" W

10'

UTILITY

S 19°02'33" E
83.63'

EASEMENT

UTILITY EASEMENT

UTILITY

105.14'
N 46°26'30" E

10'



1" = 20'