

Planning Agenda # _____

**City of Wichita
City Council Meeting
August 30, 1994**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1878 REQUEST TO VACATE A BUILDING
SETBACK AND UTILITY EASEMENT LOCATED NORTH OF 13TH
STREET NORTH AND EAST OF 119TH STREET WEST
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of a building setback and utility easement.

MAPC Recommendation: Approve vacation of a building setback and utility easement.
(unanimous)

Background: The street originally platted north of Lots 19 and 20 has been vacated, thus eliminating the need for this 25-foot building setback. Utility companies have stated they have no need for the portion of utility easement being vacated. 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/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

Approved / Accepted By City Council:

This AUG 30 1994

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

IN THE MATTER OF THE VACATION OF
A BUILDING SETBACK AND UTILITY
EASEMENT

GENERALLY LOCATED NORTH OF 13TH
STREET NORTH AND EAST OF 119TH
STREET WEST

MORE FULLY DESCRIBED BELOW

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Case No. V-1878



STATE OF KANSAS }
SEDGWICK COUNTY } 36
FILED FOR RECORD AT
1:00 P M

OCT 5 1994

1413506

NO. 1445000
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 30TH day of August, 1994, comes on for hearing the petition for vacation filed by Stephen J. Favitta, praying for the vacation of the following described building setback and utility easement, to-wit:

The building setback and utility easement described as:

The 25-foot building setback platted adjacent to the north line of Lot 19 and the east 10 feet of Lot 20, Block 15, Echo Hills Addition to Wichita, Sedgwick County, Kansas, except the east 15-feet thereof.

The east 65 feet of the 10-foot utility easement platted along the south line of Lot 19, Block 15, Echo Hills 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 8/19/94 & 8/26/94.

2. No private rights will be injured or endangered by the vacation of the above-described building setback and utility easement, and the public will suffer no loss or inconvenience thereby.

MICROFILMED
OF RECORD

100

City Clerk

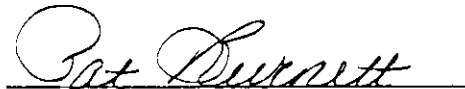
Vacation Order
V - 1878

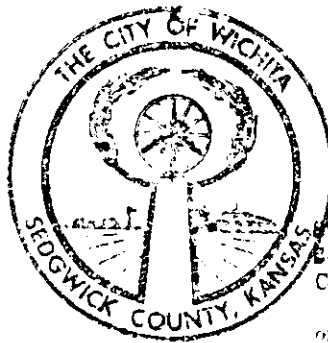
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the building setback and utility easement described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 30th day of August, 1994, ordered that the above-described building setback and utility easement 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.

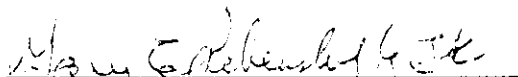

Elma Broadfoot, Mayor

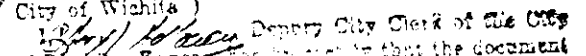
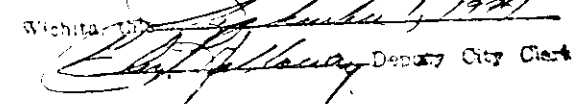
ATTEST:


Pat Burnett, Deputy City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

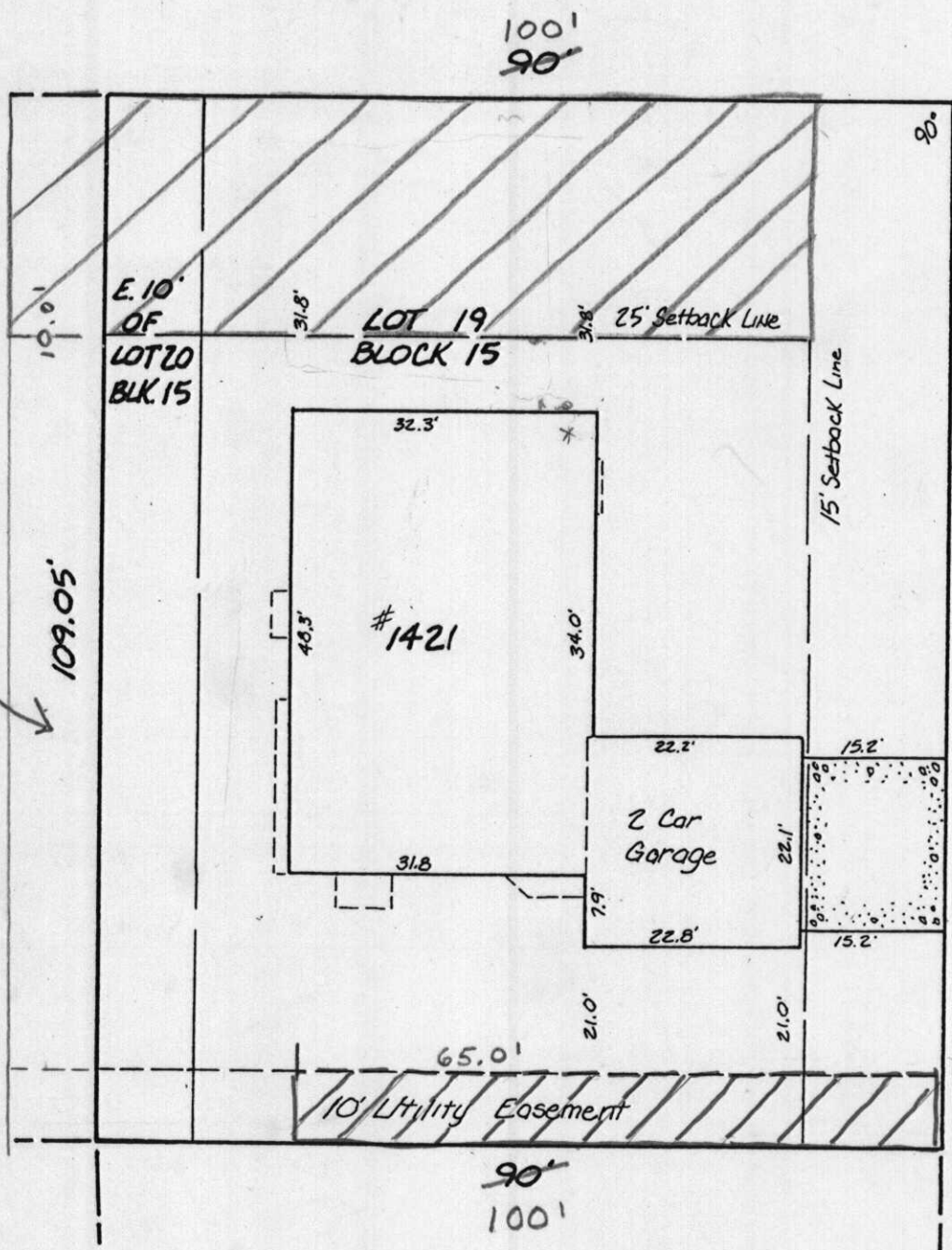
State of Kansas)
Sedgwick County) ss
City of Wichita)
I,  Deputy City Clerk of the City of Wichita, Kansas, do hereby certify that the document to which is attached is a true and correct copy of the ordinance of the City of Wichita, Kansas, as the City Clerk. Given under my hand and seal of the City of Wichita, Kansas, this 30th day of August, 1994.
 Deputy City Clerk



- REQUESTED SETBACK VACATION
- REQUESTED UTILITY EASEMENT VACATION (E 65 FT)

WEST MEADOWS PARK
~~PARKRIDGE COURT~~

PART OF LOT 1 BEG 195 FT E SW COR
 N 109.5 FT E 10 FT S 109.5 FT TO S LI
 W 10 FT TO BEG BLOCK 1



FILE #P871189
 17 APRIL 1987