

Planning Agenda # _____

**City of Wichita
City Council Meeting
September 22, 1998**

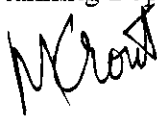
Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2097 REQUEST TO VACATE PLATTED SETBACK
LOCATED IN AN AREA SOUTH OF PAWNEE AND WEST OF SENECA.
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of the platted setback.

MAPC Recommendation: Approve vacation of the platted setback. (unanimous)

Background: The applicant is requesting to vacate a portion of a platted setback to allow the placement of an ATM.

Public Works and Traffic Engineering has indicated that this vacation request is acceptable. The vacation request has been reviewed and approved by the Planning Commission. No members of the public addressed the MAPC in opposition to this request.

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.

Approved / Accepted By City Council

This SEP 22 1998

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

IN THE MATTER OF THE VACATION OF
PLATTED SETBACK

GENERALLY LOCATED
SOUTHWEST CORNER OF PAWNEE
AND SENECA

MORE FULLY DESCRIBED BELOW



Case No. V-2097

STATE OF KANSAS) SS
SEDGWICK COUNTY)

Nov 2 8 03 AM '98

Pat Hyatt
Deputy

VACATION ORDER

JILL M. BROWN
REGISTER OF DEEDS

NOW on this 22nd day of September, 1998, comes on for hearing the petition for vacation filed by Nationsbank, praying for the vacation of the following described platted setback, to-wit:

Commencing at the northeast corner of Lot 1, Block 1, Westway, an addition to Wichita, Sedgwick County, Kansas, said point of commencement located 208 feet west and 60 feet south of the northeast corner of the northeast quarter of Section 6, T 28 S, R 1 E of the 6th P.M.; thence west along the north line of said Lot 1, 512.1 feet; thence at a deflection angle left of 90 deg., 41.2 feet to the point of beginning; thence at a deflection angle left of 31 deg. 21 min., 18 feet; thence at a deflection angle right of 90 deg., 11 feet; thence at a deflection angle right of 90 deg., 18 feet; thence at a deflection angle right of 90 deg., 11 feet to the point 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 Reporter of notice of this one time 9-1-1998, which was at least 20 days prior to this public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described platted 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
CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

MICROFILMED
OF RECORD

Vacation Order
V-2097

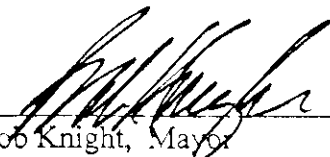
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5. The vacation of the platted setback described herein should be approved, subject to the following condition:

- A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 22nd day of September, 1998, ordered that the above-described platted 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, City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



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

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

Given under my hand and seal of the City of Wichita, this SEP 22 1998

City Clerk

WESTWAY

WICHITA, SEDGWICK COUNTY, KANSAS

LIBRARY COPY
SEDGWICK COUNTY, KANSAS
REGISTER OF DEEDS

N.E. Cor. N.E. 1/4
Sec. 6, T28S, R1E
of the 6th P.M.

