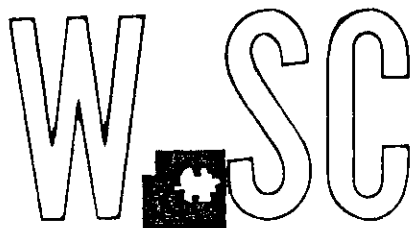


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1588
(316) 268-4421
FAX (316) 268-4390

November 30, 1999

BENCOR
90 S. Cascade Avenue
Suite 330
Colorado Springs, CO 80903

Re: V-2190 - Request to vacate building setback and contingent dedication generally located at the northeast corner of Central and West Street.

Dear Sirs:

At the Thursday, November 29, 1999, meeting of the Metropolitan Area Planning Commission the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of November 22, 1999. This case will be scheduled for final action by the Wichita City Council at the first appropriate date after all conditions have been met.

If you have any questions about this matter, please call -- 268-4495.

Sincerely,

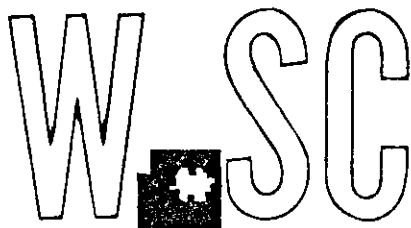
A handwritten signature in cursive script, appearing to read 'Lisa A. Verts'.

Lisa A. Verts
Senior Planner

LAV:le

cc: Mike Lindebak, City Engineer, Public Works (1-71)
Bencor Investment LLC, Suite 308, 6000 Upton NE, Albuquerque, NM 87110
Baughman Company, 315 Ellis, Wichita, KS 67211
Michaelis Real Estate #5, P.O. Box 247, Wichita, KS 67201
NBW Building Corp Inc., c/o Emprise Bank, P.O. Box 2970, Wichita, KS 67201

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1588
(316) 268-4421
FAX (316) 268-4390

November 22, 1999

BENCOR
90 S. Cascade Avenue
Suite 330
Colorado Springs, CO 80903

Re: V-2190 - Request to vacate building setback and contingent street dedication generally located at the northeast corner of Central and West Street.

Dear Sirs:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, November 18, 1999, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

- A. The vacation will be subject to the dedication of 10 feet along each street (60 feet to street center line), plus a triangular 'corner clip' at the intersection measuring 15 feet on each leg of the triangle, for future street improvements.

This matter is set for public hearing by the Metropolitan Area Planning Commission on Monday, November 29, 1999 at 1:30 p.m. in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas. If you have any questions, please call at 268-4421.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lisa A. Verts', is written over the typed name.

Lisa A. Verts
Senior Planner

LAV:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-71
Bencor Investment LLC, Suite 308, 6000 Upton NE, Albuquerque, NM 87110
Baughman Company, 315 Ellis, Wichita, KS 67211
Michaelis Real Estate #5, P.O. Box 247, Wichita, KS 67201
NBW Building Corp Inc., c/o Emprise Bank, P.O. Box 2970, Wichita, KS 67201



STAFF REPORT

CASE NUMBER: V-2190 Request to vacate 25-foot contingent street dedication and platted building setbacks

OWNER/APPLICANT: Bencor, c/o Rex Marrison

AGENT: Baughman Company

LEGAL DESCRIPTION: Contingent Street Dedication: The west 25 feet and the south 25 feet of the following described tract of land: The south 125 feet of the west 125 feet of Lot 1, Rexstiller Addition to Wichita, Sedgwick County, Kansas.

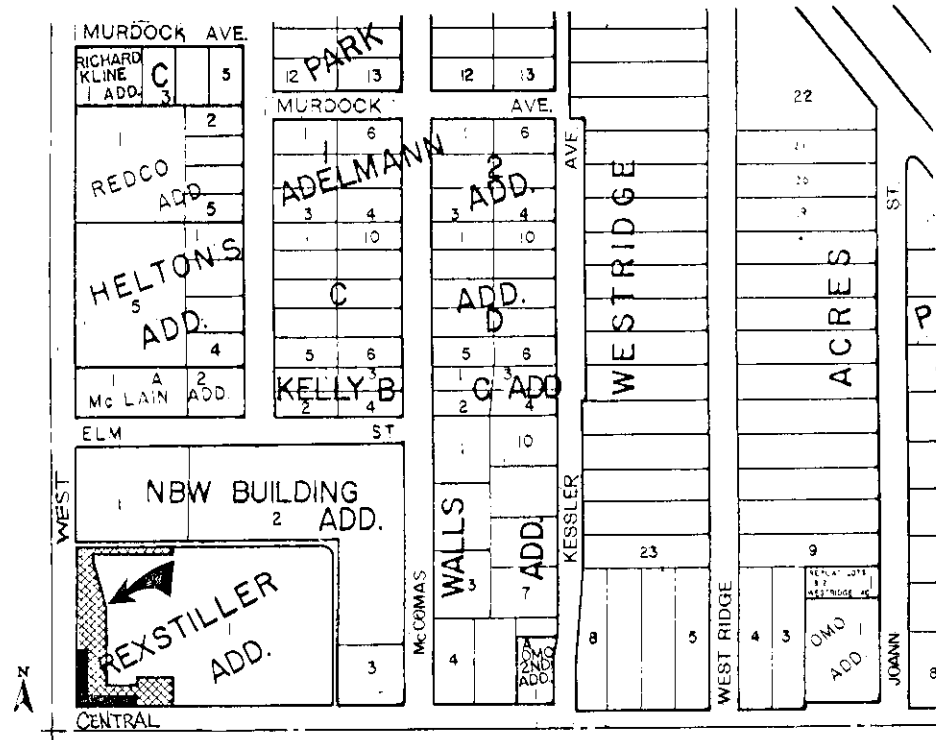
Building Setbacks: as shown on the Lot Splits recorded on Film 566, Page 402 and Misc. Book 690, Page 425, lying on part of Lot 1, Rexstiller Addition of Wichita, Sedgwick

LOCATION: Northeast corner of Central and West Street

REASON FOR REQUEST: For future site development

CURRENT ZONING: "LC" Limited Commercial

VICINITY MAP:



The applicant is requesting to vacate 25 feet of the existing contingent street dedication along the south and west sides of the northeast corner of Central and West Street. The applicant will dedicate 10 feet of the vacated easement on both sides of the corner back to the City of Wichita. The applicant wishes to vacate the platted building setbacks, but will adhere to the required zoning setbacks. The applicant is requesting this vacation for future site development.

Based upon the information available prior to the public hearing, staff recommends the MAPC make the following findings and recommendation to the City Council:

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC 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 one time November 5, 1999, which was at least 20 days prior to this public hearing.
 - 2. That no private rights will be injured or endangered by the vacation of the above-described drainage easement, 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.
- B. Therefore, the vacation alley right-of-way as described in the petition should be approved, subject to the following condition:
 - 1. The vacation will be subject to the dedication of 10 feet along each street (60 feet to street center line), plus a triangular 'corner clip' at the intersection measuring 15 feet on each leg of the triangle, for future street improvements.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval, subject to the following condition:

- 1. The vacation will be subject to the dedication of 10 feet along each street (60 feet to street center line), plus a triangular 'corner clip' at the intersection measuring 15 feet on each leg of the triangle, for future street improvements.