

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1300 VACATION OF A PLATTED BUILDING SETBACK GENERALLY
LOCATED ON THE EAST SIDE OF WATER STREET BETWEEN 2ND AND 3RD
STREETS.

NOTE: The City Clerk will certify as to proper publication of notice of hearing and filing of written protest.

A petition for the above identified vacation request has been filed in the office of the City Clerk. The Planning Commission recommends that the Board of City Commissioners find that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by granting by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being without cost to the City, County, or any utility company.

Bayouth moved, Banzer seconded and it carried unanimously. Chisholm, Crockett and Hansen were absent. (11/15/84)

ACTION: Close the public hearing, approve the vacation request, authorize the Mayor to sign the vacation order and instruct the City Clerk to file a certified copy of the order with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: TRACT 1 - From the Southeast Corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, North along the East line of said Block 2, a distance of 20.42'; thence West at an included angle of 90°00'00", a distance of 259.71' to the point of beginning; thence continuing West, a distance of 24.45'; thence North 8.33'; thence West 11.67'; thence North 11'67'; thence West 9.67'; thence North 13.15' to a point on a curve to the left having a radius of 65.00'; thence Southeast-erly along said curve to the left and through a central angle of 51°32'43", a distance of 58.48' to the point of beginning.

TRACT 2 - From the Southeast Corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, North along the East line of said Block 2, a distance of 106.59'; thence West at an included angle of 90°00'00", a distance of 331.92' to the point of beginning; thence continuing West, a distance of 14.91'; thence North 23.16' to a point on a curve to the right having a radius of 372.83'; thence Southeasterly along said curve to the right and through a central angle of 04°14'02", a distance of 27.55' to the point of beginning. (MAPC No. V-1300)

Applicant: EPIC CENTER, INC.
c/o Jack Allen
1530 S. Oliver, Suite 200
Wichita, Kansas 67218

Protestors: None before the Subdivision Committee or MAPC.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF
A PLATTED BUILDING SETBACK
(MAPC NO. V-1300)

GENERALLY LOCATED ON THE EAST SIDE OF
WATER STREET BETWEEN 2ND AND 3RD
STREETS

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
this DEC 11 1984

VACATION ORDER

NOW on this 11th day of December, 1984, comes on for hearing the petition for vacation filed by EPIC CENTER, INC., praying for the vacation of the following described platted building setback, to-wit:

TRACT 1 - From the Southeast Corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, North along the East line of said Block 2, a distance of 20.42'; thence West at an included angle of 90°00'00", a distance of 259.71' to the point of beginning; thence continuing West, a distance of 24.45'; thence North 8.33'; thence West 11.67'; thence North 11'67'; thence West 9.67'; thence North 13.15' to a point on a curve to the left having a radius of 65.00'; thence Southeasterly along said curve to the left and through a central angle of 51°32'43", a distance of 58.48' to the point of beginning.

TRACT 2 - From the Southeast Corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, North along the East line of said Block 2, a distance of 106.59'; thence West at an included angle of 90°00'00", a distance of 331.92' to the point of beginning; thence continuing West, a distance of 14.91'; thence North 23.16' to a point on a curve to the right having a radius of 372.83'; thence Southeasterly along said curve to the right and through a central angle of 04°14'02", a distance of 27.55' to the point of beginning. (MAPC No. V-1300)

The City Commission, 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 Record of notice of this vacation proceedings for consecutive weeks on 11/28 & 12/5/84.
2. No private rights will be injured or endangered by the vacation of the above-described platted 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 platted building setback described herein should be approved.

City Clerk

STATE OF KANSAS } ss
SEDGWICK COUNTY
FILED FOR RECORD AT
8-000

JAN 9 1985

NO. 7 27361
BETTE F. MCCART
REGISTER OF DEEDS

Lat Kettles
Dispute

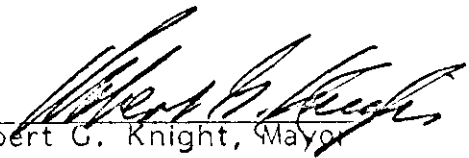
MICROFILMED
OF RECORD

6.00

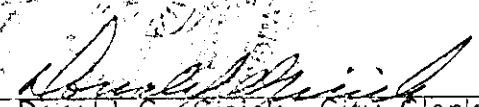
Vacation Order

Page two

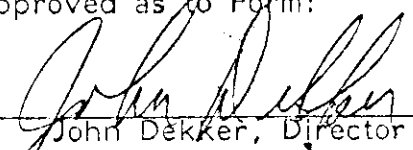
IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 11th day of December, 1984, ordered that the above-described platted building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Robert G. Knight, Mayor

ATTEST:


Donald C. Giesick, City Clerk

Approved as to Form:


John Dekker, Director of Law

