

Agenda Item # _____

City of Wichita
City Commission Meeting
January 7, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1362 - VACATION OF A PORTION OF A BUILDING SETBACK,
GENERALLY LOCATED ON THE SOUTH SIDE OF 25TH STREET NORTH,
IN AN AREA EAST OF MASCOT.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning & Zoning

MAPC Recommendation: Approve vacation of building setback.

Background: Charles T. Laham, 6301 Jacqueline, Wichita, KS 67208, has requested this vacation in order to reduce the platted 56-foot building setback to a 35-foot building setback, typically required for commercially-zoned property.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company; and
4. The vacation order shall exclude from vacation the west 20 feet thereof and shall amend the legal description to read "the south 21 feet of the north 56 feet."

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing, approve vacation, authorize the Mayor to sign the Vacation Order, and record certified copy of Order, recording costs to be billed to owner.

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

IN THE MATTER OF THE VACATION OF A PORTION OF
A PLATTED BUILDING SETBACK.

GENERALLY LOCATED AT THE SOUTHEAST CORNER OF
25TH STREET NORTH AND MASCOT. (V-1362)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT
8:00 A.M.

JAN 24 1986

NO. 7 87225
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Resal
Deputy

VACATION ORDER

NOW on this 7th day of January, 1986, comes on for hearing the petition for vacation filed by Charles T. Laham, praying for the vacation of the following described building setback, to-wit:

The south 21 feet of the north 56 feet of Lot 1, Laham Addition, Wichita, Sedgwick County, Kansas, except the west 20 feet thereof.

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 proceeding for consecutive weeks on Dec. 19 & 26, 1985.
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.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 7th day of January, 1986, 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.

R. C. Brown
R. C. Brown, Mayor

ATTEST:

Donald C. Cisick
Donald C. Cisick, City Clerk

500

city clerk

