

City of Wichita
City Commission Meeting
October 14, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1419 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK, LOCATED AT THE SOUTHEAST CORNER OF TAYLOR AND MILSTEAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of building setback.

Background: Joe E. Mathews, 219 S. Milstead, Wichita, KS 67209, is requesting this vacation to increase the amount of buildable lot area. After vacation, a 20-foot wide building setback will remain.

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; and
3. All proceedings being without cost to the City, County or any utility company.

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 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 TAYLOR AND MILSTEAD. (V-1419)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY

FILED FOR RECORD AT

NOV 4 1986

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NO.

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Reed
Deputy

VACATION ORDER

NOW on this 14th day of October, 1986, comes on for hearing the petition for vacation filed by Joe E. Mathews, III, praying for the vacation of the following described portion of a platted building setback, to-wit:

The south five (5) feet of the north 25 feet of the east 50 feet of Lot 1, Block 9, Westlink Nineteenth Addition, Wichita, Sedgwick County, Kansas. (V-1419)

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 OCT. 12, 13, 14, 15, 1986.

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 14th day of October, 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.

Tony Casado

Tony Casado, Mayor

ATTEST:

Donald C. Giesler
Donald C. Giesler, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

g.c.c.

city clerk

JENNIE

ESTLINK

CIR.

JUDITH

MILSTEAD

TAYLOR

MARK ALLEN

PARKRIDGE

BINTER

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