

City of Wichita
City Council Meeting
December 8, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1505 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING
SETBACK, LOCATED IN AN AREA SOUTH OF GREENBRIAR, ON THE
EAST SIDE OF ROCK ROAD. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback

MAPC Recommendation: Approve vacation of building setback. (unanimous)

Background: The applicant wishes to construct houses closer to the masonry wall that buffers the subject building sites from Rock Road. This vacation case will reduce the setback down to the standard 15-foot sideyard setback. The planned houses will not be constructed so as to front onto or be accessed from Rock Road. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify 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:

755-68-360-50000-295-000-000.

FILED 949 PAGE 379
RECEIVED
OFFICE OF CITY CLERK
FEB 10 1988
INDEXED _____
FILED _____
FEB 10 1988

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

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

GENERALLY LOCATED ON THE EAST SIDE OF
ROCK ROAD, IN AN AREA SOUTH OF
GREENBRIAR. (V-1505)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council
FEB 2 1988

This
STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 A M

MICROFILMED
OF RECORD

FEB 23 1988

NO. 9 32697
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

Ed Rea
Deputy

NOW on this 8th day of December, 1987, comes on for hearing the petition for vacation filed by Slawson Investment Corporation, praying for the vacation of the following described portion of a platted building setback, to-wit:

The east 5 feet of the 25-foot setback along the west line of Lots 13, 14, 19 and 20, Block 1, Penstemon 4th Addition to Wichita, Sedgwick County, Kansas, except the north 50 feet of Lots 14 and 20 and the south 50 feet of Lots 13 and 19.

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 Record of notice of this vacation proceeding for consecutive weeks on NOV. 25 & DEC 2, 1987.

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 CITY COUNCIL, on this 8th day of December, 1987, 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.



ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Robert G. Knight
Robert G. Knight, Mayor

(State of Kansas)
Sedgwick County) ss

DALE E. REA, Deputy City Clerk of the City
do hereby certify that the document
above is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of

Wichita, this FEB 12 1988

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

5.00 ca
PL/7810/5

city clerk

