

City of Wichita
City Council Meeting
November 10, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1500 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK, LOCATED AT THE NORTHWEST CORNER OF SHEFFORD AND MERRIDALE. (District #5)

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: This vacation case has been requested in order to clear an existing building encroachment. After vacation, a 15-foot building setback will remain. 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

This NOV 10 1987

RECEIVED
OFFICE OF CITY CLERK
DEC 7 1987
CLERK
FILE

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 AT THE NORTHWEST CORNER
OF MERRIDALE AND SHEFFORD. (V-1500)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS
SEDGWICK COUNTY

FILED FOR RECORD AT

NOV 30 1987

NO 9 20165

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 10th day of November, 1987, comes on for hearing the petition for vacation filed by Wesley H. Little, praying for the vacation of the following described portion of a platted building setback, to-wit:

Commencing at a point on the west line of Lot 8, Block 7, Briarwood Estates, said point being 25 feet north of the southwest corner of said Lot 8; thence east parallel to the south line of said Lot 8, a distance of 25 feet to the point of beginning; thence continuing east along said line extended, a distance of 41 feet; thence left at 90°, a distance of 14.8 feet to a point on a curve to the right having a radius of 64.2 feet and a central angle of 39° 41' 23"; thence southwesterly along said curve, a distance of 44.47 feet to the point of beginning. (V-1500)

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 10/28 & 11/4, 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 10th day of November, 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, Deputy City Clerk

Approved as to form:

Thomas Powell, Interim Director of Law

Robert G. Knight, Mayor

(State of Kansas)
(Sedgwick County) ss
(City of Wichita)

Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed 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 10th day of November, 1987.

Dale E. Rea, Deputy City Clerk

City Clerk

