

City of Wichita
City Council Meeting
May 26, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1457 - REQUEST TO VACATE A PORTION OF A BUILDING SETBACK,
LOCATED IN AN AREA SOUTH OF 18TH STREET NORTH AND WEST OF
TYLER ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of building setback.

Background: Gregory Sager is requesting this vacation to clear a building which encroaches 1.7 feet into a portion of a 25-foot front yard setback.

Analysis: The Planning Commission recommends the City Council 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. Any relocation or reconstruction of utilities necessitated by this vacation shall be at the sole expense of the applicant.

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

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 IN AN AREA SOUTH OF
18TH STREET NORTH AND WEST OF TYLER
ROAD. (V-1457)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

Approved / Accepted by City Council
This MAY 26 1987

STATE OF KANSAS }
SEDGWICK COUNTY }
FILED FOR RECORD AT
1:00 P.M.

MAY 28 1987

NO. 8 84540
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 26th day of May, 1987, comes on for hearing the petition for vacation filed by Gregory and Kerry Sager, praying for the vacation of the following described portion of a platted building setback, to-wit:

That portion of the platted 25-foot front building setback line across Lot 19, Block B, Jamesburg Park 2nd Addition, Wichita, Sedgwick County, Kansas, described as commencing at the northwest corner thereof; thence S 21° 36' 15" W, along the west line of said lot, 23.3 feet for a place of beginning; thence S 68° 56' 18" E, 28.39 feet to a point on the platted 25-foot building setback line; thence westerly along said setback line, 28.51 feet to the west line of said Lot 19; thence N 21° 36' 15" E, 1.7 feet to the place of beginning. (V-1457)

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 MAY 13 1987 MAY 20 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 26th day of May, 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:

Robert G. Knight, Mayor

Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell, Interim Director of Law

PL/6677/5

State of Kansas }
Sedgwick County }
City of Wichita }
I, Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is attached 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 27th day of May, 1987.
Dale E. Rea Deputy City Clerk

WILLIAM L. KORBER, L.S.

JOHN E. LUNDBLADE, L.S.

N. BRENT WOOTE, P.E.



BAUGHMAN COMPANY, P.A.

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