

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 20, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1572 REQUEST TO VACATE A PORTION OF A PLATTED BUILDING
SETBACK LOCATED EAST OF 119TH WEST AND NORTH OF DELANO
(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: A corner of a garage for an existing house was constructed within the 20-foot platted front yard building setback. The vacation is needed to clear a "cloud" on the property title, caused by the encroachment. Only the area of the encroachment is to be vacated. The vacation request has been reviewed and approved by the Planning Commission.

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:

300210-9024

This DEC 20 1988
STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 PM

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 EAST OF 119TH STREET)
WEST AND NORTH OF DELANO STREET (V-1572).)
)
)
MORE FULLY DESCRIBED BELOW)

MICROFILMED
OF RECORD

JAN 11 89 0989545

PAT KETTLER
REGISTER OF DEEDS

Ed Bond

VACATION ORDER

NOW on this 20th day of December, 1988, comes on for hearing the petition for vacation filed by Edward A. Bond, etux., praying for the vacation of the following described portion of a platted building setback, to-wit:

Commencing at the southeast corner of Lot 20, Block 2, Golden Hills 4th Addition to Wichita, Sedgwick County, Kansas; thence north 3 degrees 40' 36" W along the east line of said Lot 20, 23.00 feet; thence south 65 degrees 56' 39" west, 10.82 feet to the point of beginning; thence south 65 degrees 56' 39" west, 18.29 feet; thence north 24 degrees 03' 21" west, 1.47 feet; thence northeasterly along a curve to the right with a radius of 70 feet and a chord that bears north 70 degrees 32' 16" east, 18.46 feet along the curve to the point of beginning.

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
2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted 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 platted building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of December, 1988, ordered that the above-described platted 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

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

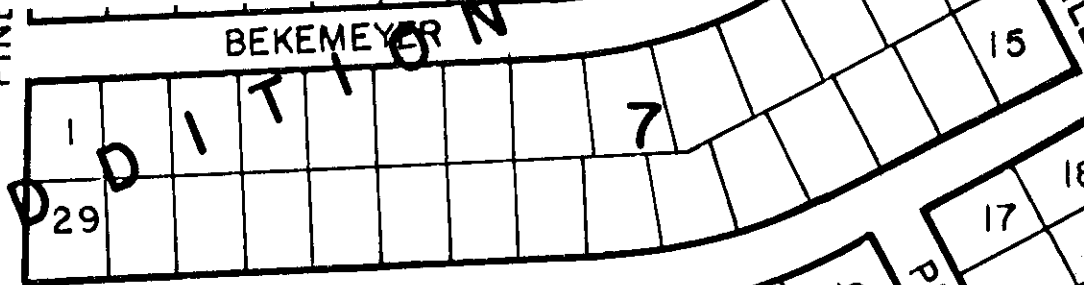
City Clerk

Sheldon Kamen
Sheldon Kamen, Mayor

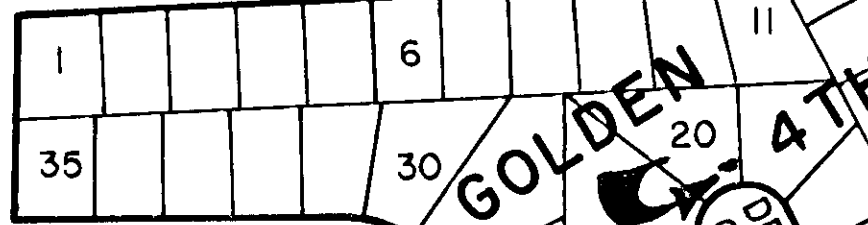
State of Kansas }
Sedgwick County } ss
City of Wichita)
DALE E. REA, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document herein filed is a true and correct copy of the original on file in the office of the City Clerk. Witness my hand and seal of the City of Wichita, Kansas, on JAN 6 1989.
Dale E. Rea
SEDGWICK COUNTY

PINE

BEKEMEYER



CINDY

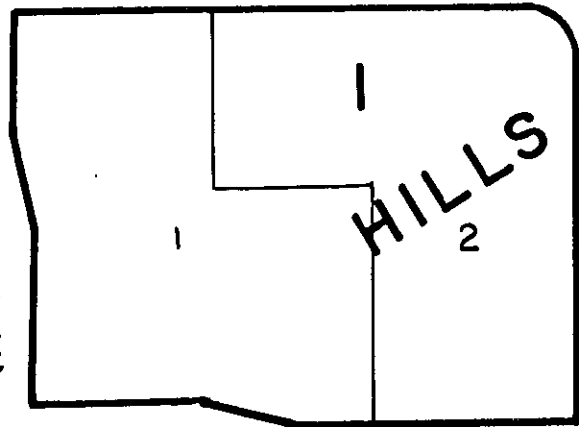


PARKRIDGE

GOLDEN 4TH

DELANO C.T.

PINE



HILLS

CENTRAL



GOLDEN HILLS
THIRD

119th ST.W.