

City of Wichita
City Council Meeting
January 5, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1511 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK, LOCATED ON THE EAST SIDE OF PARKRIDGE, SOUTH OF 21ST STREET NORTH. (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: The purpose of this case is to clear an existing building encroachment in the building setback and thereby remove a "cloud" from the title to the property. After vacation, a 7½-foot building setback will remain. This case provides for vacation of only that part of the 15-foot sideyard setback that has been encroached on by the dwelling structure. 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

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
12:30 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 IN AN AREA EAST OF
PARKRIDGE, SOUTH OF 21ST STREET NORTH,
(V-1511)

MORE FULLY DESCRIBED BELOW

JAN 12 1988

NO. 9 26730

PAT KETTLER
REGISTER OF DEEDS

Approved / Accepted By City Council

This JAN 5 1988

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 5th day of January, 1988, comes on for hearing the petition for vacation filed by Marie S.C. Freeman, praying for the vacation of the following described portion of a platted building setback, to-wit:

Beginning at a point 15 feet north and 25 feet east of the southwest corner of Lot 4, Block 1, Woodbridge 2nd Addition to Wichita, Sedgwick County, Kansas; thence south, parallel with the west line of said Lot 4, bearing S 1° 28' 58" E, a distance of 7.5 feet; thence east, parallel with the south line of said Lot 4, bearing N 86° 37' 02" E, a distance of 42.0 feet; thence north, bearing N 1° 28' 58" W, a distance of 11.12 feet to a point on a curve to the left; thence southwesterly along said curve, with a radius of 65 feet and a chord bearing S 45° 20' 19" W, through an angle of 4° 49' 29", a distance of 5.47 feet; thence west, parallel to and 15 feet north of the south line of said Lot 4, a distance of 38.01 feet to the point of beginning. (V-1511)

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 DEC 23 & 30, 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 5th day of January, 1988, 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

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law

Robert C. Knight
Robert C. Knight, Mayor

State of Kansas, County of Sedgwick, City of Wichita, Kansas, I, 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, Kansas, this JAN 11 1988.

city clerk

WILLIAM L. KORBER, L.S.

JOHN E. LUNDBLADE, L.S.

N. BRENT WOOTE, P.E.



BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

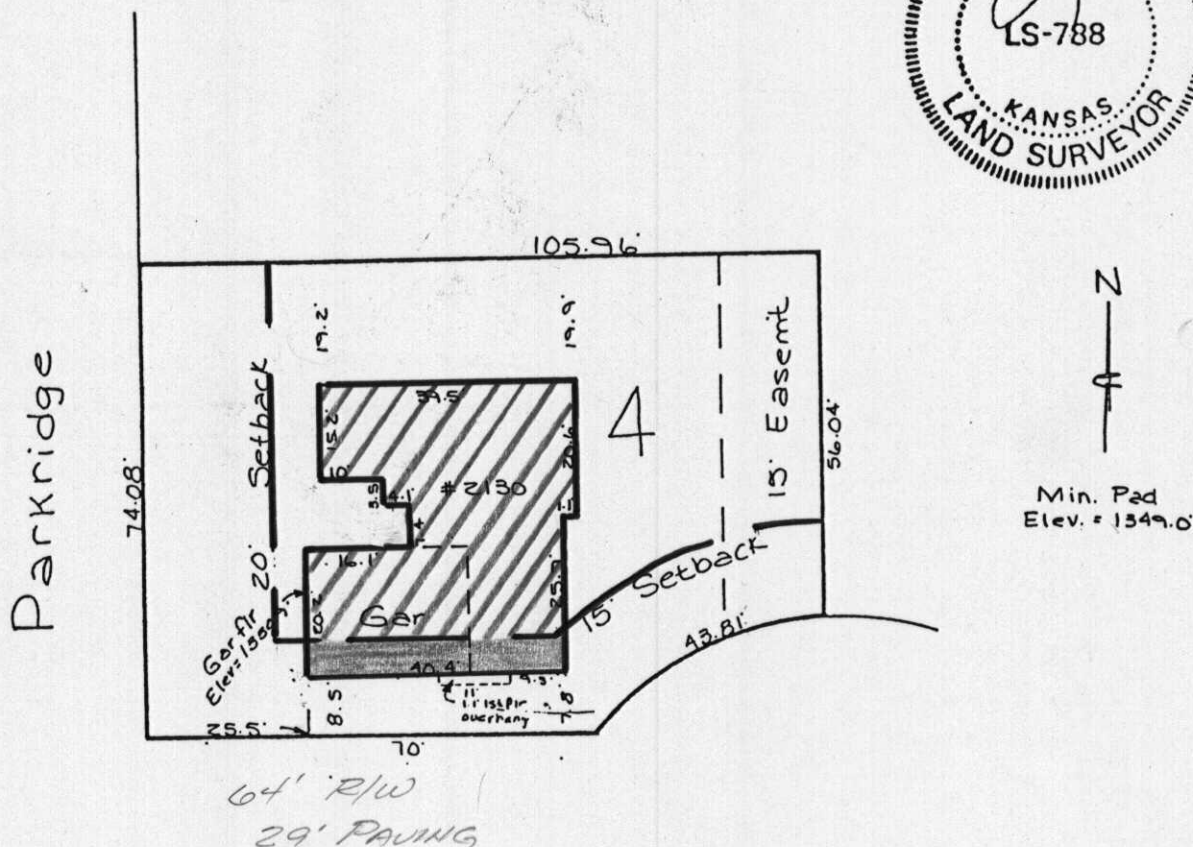
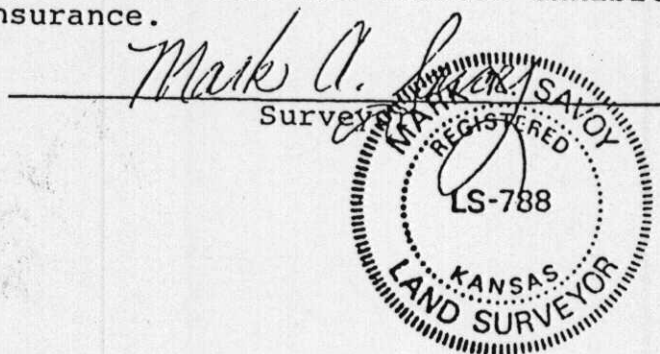
State of Kansas)
) SS
County of Sedgwick)

September 3, 1987

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we did on this 3rd day of September, 1987, survey Lot 4, Block 1, Woodbridge 2nd Addition to Wichita, Sedgwick County, Kansas.

On said lot is house No. 2130 with an attached garage which is in the clear of all boundary lines. There are no encroachments on said lot by buildings on the adjacent lots.

The accompanying plat is a true and correct exhibit of said survey for mortgagee title insurance.



Parkridge Ct.

V-1511