

Planning Agenda # _____

**City of Wichita
City Council Meeting
December 13, 1994**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1886 Request to vacate street right-of-way and building setbacks located north of 13th St. N. and west of Meridian.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation of street right-of way and building setback.

MAPC Recommendation: Approve vacation of street right-of-way and building setback.
(unanimous)

Background: This site was involved in a recent platting of an Addition along the east side of Edwards. Since Edwards north of 14th St. was never constructed and this new Addition and existing Additions and developments do not need Edwards for access, a condition of the recent platting was for the applicant to apply for a vacation of 14th St. North. This, however, required that a turn around be provided for the termination of 14th St. at Edwards. Such a turn around has now been constructed, completing the requirements for the vacation to now be approved. 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/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

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

IN THE MATTER OF THE VACATION OF	)	
Street right-of-way and building setbacks	)	
	)	
GENERALLY LOCATED North of 13th St. N.	)	Case No. V-1886
and west of Meridian	)	
	)	
	)	
<u>MORE FULLY DESCRIBED BELOW</u>	)	

VACATION ORDER

NOW on this 13th day of December, 1994, comes on for hearing the petition for vacation filed by William L. Culp, praying for the vacation of the following described street right-of-way and building setback, to-wit:

A street and platted building setback described as Edwards Avenue from the north line of 14th Street North to the south line of 15th Street North, as platted in Sandlian's Third Addition, to Wichita, Sedgwick County, Kansas, and the 20-foot platted setback line along the west side of Lot 1, Block A, Maude Carpenter Park, Wichita, Sedgwick County, Kansas. All located south of 15th Street North and west of Meridian.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 11-21-94 & 11-28-94.
2. No private rights will be injured or endangered by the vacation of the above-described street right-of-way and 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. Provided however, that the north 300 feet of the above described street right-of-way shall be retained as utility easement.

Vacation Order
V -1886

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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 street right-of-way and building setbacks described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of December, 1994, ordered that the above-described street right-of-way and 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.

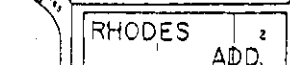
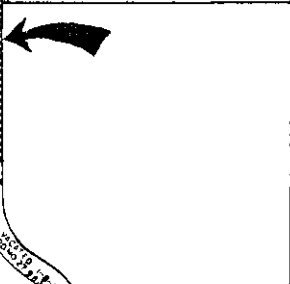
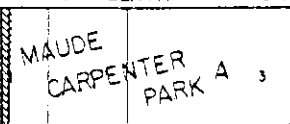
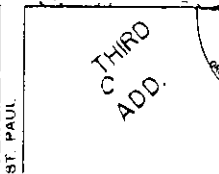
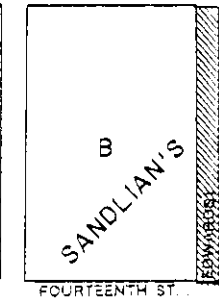
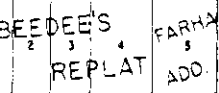
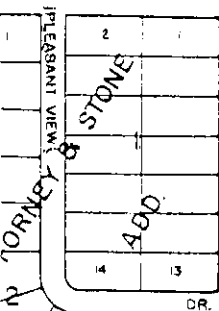
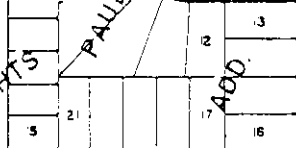
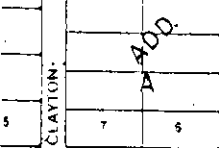
Elma Broadfoot, Mayor

ATTEST:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Gary Rebenstorf, Director of Law



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