

Planning Agenda # _____

**City of Wichita
City Council Meeting
June 11, 1996**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1966 REQUEST TO VACATE A PORTION OF A BUILDING SETBACK IN AN AREA NORTH OF KELLOGG AND WEST OF WEST STREET.
(District # 4)

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 applicant desires to vacate a 19-foot portion of a 35-foot platted building setback adjacent to Florence in order to construct an addition onto the existing building on the site. No objections have been received from nearby property owners. City Engineering and the utility representatives of the Subdivision Committee indicated that no utilities are impacted by the vacation. 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

FILM 1619 PAGE 1812

COPY

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

IN THE MATTER OF THE VACATION OF
BUILDING SETBACK

GENERALLY LOCATED
NORTH OF KELLOGG AND WEST
OF WEST STREET

MORE FULLY DESCRIBED BELOW

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Case No. V-1966

STATE OF KANSAS)
SEDGWICK COUNTY) ss
FILED FOR RECORD AT
9:00 AM



1538082 4-18

PAT RUTLER
REGISTER OF DEEDS

D. Manheimer
Deputy

VACATION ORDER

NOW on this 11th day of June, 1996, comes on for hearing the petition for vacation filed by Robert Patel, praying for the vacation of the following described building setback, to-wit:

The east 19 feet of the west 35 feet as platted to Florence street on Lot 3, Block 1, Eureka Addition to Wichita, Sedgwick County, Kansas.

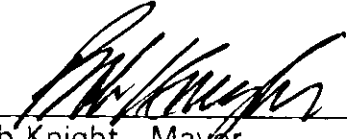
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

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 5-24-96 & 5-31-96.
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.

Vacation Order
V - 1966


Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of June, 1996, 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.



Bob Knight, Mayor

ATTEST:



Pat Burnett, City Clerk



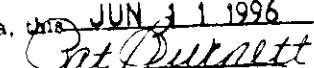
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Approved as to Form:



Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) as
City of Wichita)
I, Pat Burnett 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 the the City Clerk.
Given under my hand and seal of the City of
Wichita, this JUN 11 1996


City Clerk

SECOND

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ADD.

ADDITION 3

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TAFT

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ADDITION

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McMILLEN
2nd ADD.

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