

Planning Agenda # \_\_\_\_\_

**City of Wichita  
City Council Meeting  
September 17, 1996**

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council

**SUBJECT:** PUBLIC HEARING V-1985 REQUEST TO VACATE A BUILDING SETBACK  
LOCATED IN AN AREA EAST OF HYDRAULIC AND NORTH OF 31ST  
STREET SOUTH.  
(District #3)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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Staff Recommendation: Approve vacation of building setback.

MAPC Recommendation: Approve vacation of building setback. (unanimous)

Background: The applicant desires to vacate a 9-foot portion of a 60-foot platted building setback adjacent to Hydraulic in order to construct a 9' x 14' entrance vestibule onto their existing building on the site. No objections have been received from nearby property owners. City Engineering and the utility representatives of the Subdivision committee indicates 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

RECEIVED  
CITY CLERK  
4.30p

*A. Lanheimer  
Deputy*

MICROFILMED OF RECORD Approved & Recorded By City Council Official  
FILM 645 PAGE 0738  
This is SEP 17 1996

1561310 8-8 1/2

PAT RYAN REGISTER OF DEEDS

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

IN THE MATTER OF THE VACATION OF )  
BUILDING SETBACK )  
 )  
GENERALLY LOCATED ) Case No. V-1985  
EAST OF HYDRAULIC AND NORTH )  
OF 31ST STREET SOUTH )  
 )  
MORE FULLY DESCRIBED BELOW )



VACATION ORDER

NOW on this 17th day of September, 1996, comes on for hearing the petition for vacation filed by Southcliff Shopping Center Associates, praying for the vacation of the following described building setback, to-wit:

Vacate a portion of a building setback: Vacate the east 9' of the 60' platted setback to Hydraulic beginning 158.0' north of the south property line and continuing north for 14'0" for Lot 1, Block 1, Santa Fe Midland Industrial District, an 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 9/3/96 & 9/10/96.
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.

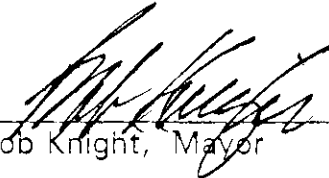
*S. C. K.  
City Clerk*

*Sec 150029  
2409*


Vacation Order  
V - 1985

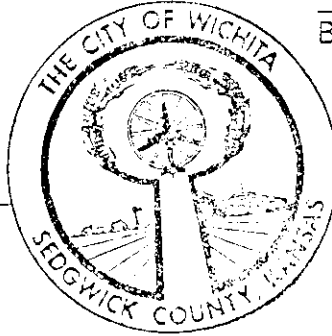
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of September, 1996, ordered that the above-described building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


  
Bob Knight, Mayor

ATTEST:

  
Pat Burnett, ~~Mayor~~ City Clerk



Approved as to Form:

  
Gary Rebenstorf, Director of Law

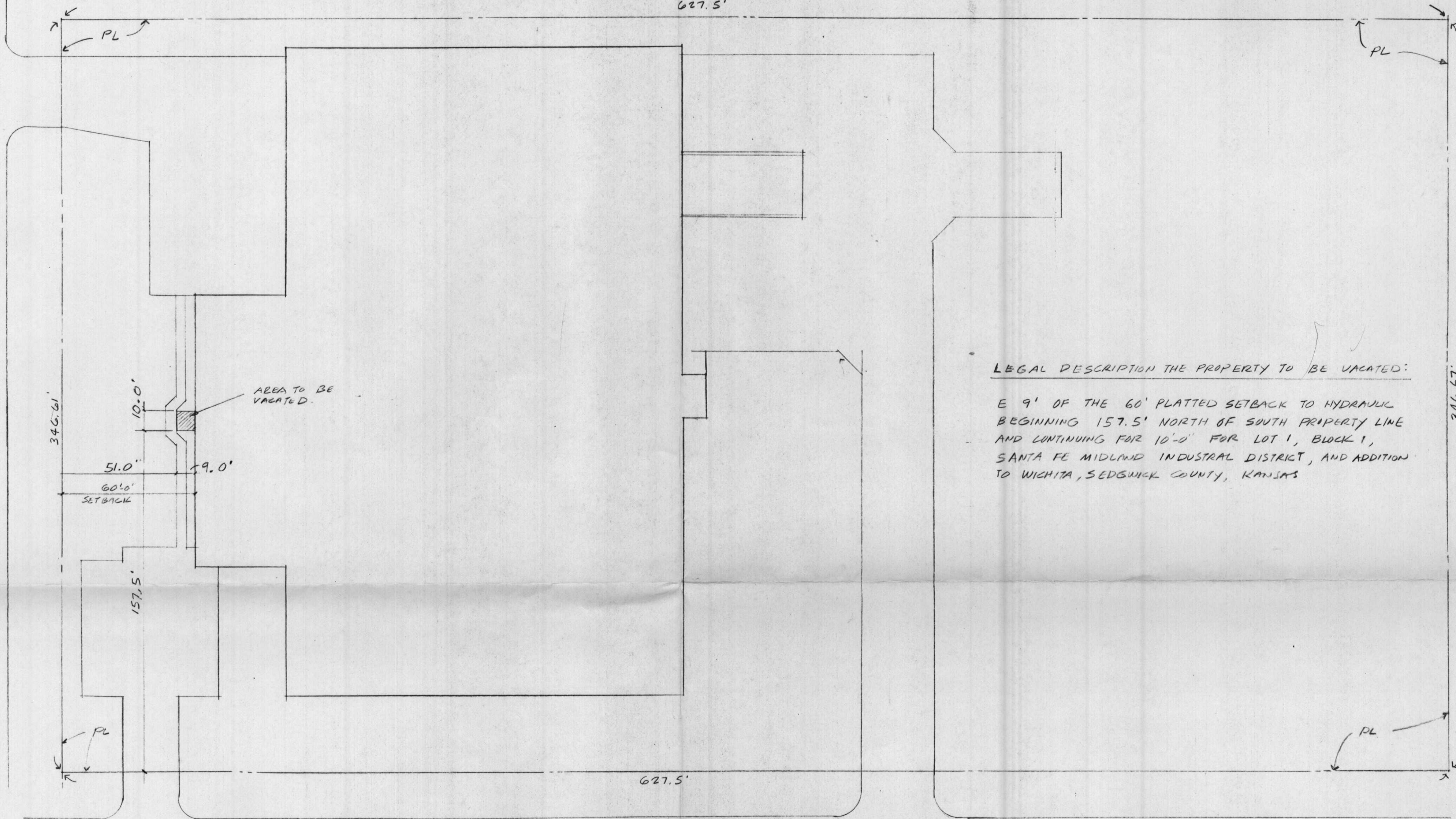


State of Kansas )  
Sedgwick County )  
(City of Wichita )

I, Pat Burnett City Clerk of the City of Wichita, do 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

SEP 17 1996  
  
City Clerk

HYDRAULIC AVENUE



LEGAL DESCRIPTION THE PROPERTY TO BE VACATED:

E 9' OF THE 60' PLATTED SETBACK TO HYDRAULIC BEGINNING 157.5' NORTH OF SOUTH PROPERTY LINE AND CONTINUING FOR 10'-0" FOR LOT 1, BLOCK 1, SANTA FE MIDLAND INDUSTRIAL DISTRICT, AND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



TULSA AVENUE