

Planning Agenda # _____

**City of Wichita
City Council Meeting
June 16, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2085 REQUEST TO VACATE A BUILDING SETBACK
LOCATED IN AN AREA NORTH OF 13TH AND EAST OF ST. PAUL
(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 applicant is seeking the vacation of a portion of the platted building setback line to allow for the placement of an ATM.

The Metropolitan Area Planning Commission approved the Subdivision Committee recommendation that the vacation petition be approved as requested subject to the following:

- A. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

No members of the public spoke in opposition to this request.

Recommendations/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; record the certified copy of the vacation order.

1708840 #208

FILM 1808 PAGE 1027

Approved / Accepted By City Council

This JUN 16 1998

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

STATE OF KANSAS) SS

Page 1 of 2

JUL 20 8 17 AM '98

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

REGISTER OF DEEDS

IN THE MATTER OF THE VACATION OF)
BUILDING SETBACK)
)
GENERALLY LOCATED)
NORTH OF 13TH AND EAST OF ST PAUL)
)
)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-2085

MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 16th day of June, 1998, comes on for hearing the petition for vacation filed by Twin Lakes National Bank, Attention: Steve Cain, praying for the vacation of the following described building setback, to-wit:

The east 12 feet of the west 111 feet of the north 26 feet of the south 35 feet of the following described tract: Part of Block C and vacated Edwards Avenue in Sandlian's third Addition to Wichita, Sedgwick County, Kansas described as beginning 50 feet north and 605 feet west of the SE corner of the SE 1/4 of Section 12, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas; thence west along the extended south line of said Block C, 183.3 feet; thence north 200 feet; thence east parallel with the south line of said Block C, 153.46 feet; thence southeasterly 46.5 feet; thence west .2 feet along the north line of Rhodes Addition to Wichita, Kansas; thence south 165 feet 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 Reporter of notice of this one time May 22, 1998, which was at least 20 days prior to this public hearing.
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.

g.c.

City Clerk

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800*

Vacation Order
V - 2085

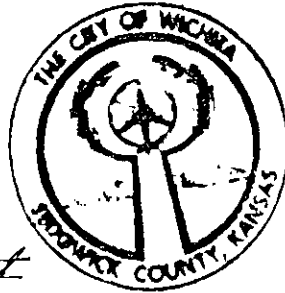
Page 2 of 2

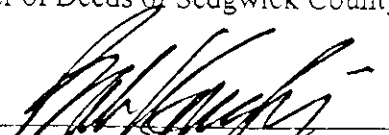
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of the building setback described herein should be approved, subject to the following condition:

A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of June, 1998, 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.



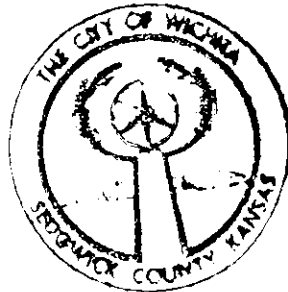

Bob Knight, Mayor

ATTEST:

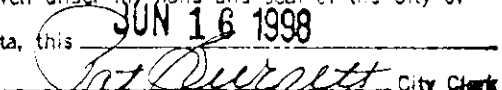

Pat Burnett, City Clerk

Approved as to Form:


Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
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 my office.

Given under my hand and seal of the City of
Wichita, this **JUN 16 1998**
 City Clerk

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STONE
ADD.
4 13

B
SANDLIAN'S

MAUDE
CARPENTER
PARK A 3

MAUDE
CARPENTER
FIRST
ADD.
A₁

DR.
11

FOURTEENTH ST.

EDWARDS

C
THIRD
ADD.
ST. PAUL

VACATED
ORD. NO. 27,287-53

EE'S
EPLAT
FARHA
ADD.

RHODES
ADD. 2

13TH ST. NO.