

Planning Agenda # _____

City of Wichita
City Council Meeting
July 2, 2002

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2002-00017 - REQUEST TO VACATE A PORTION OF A
PLATTED 50-FOOT STREET SIDE SETBACK LOCATED
NORTHEAST OF THE MAIZE AND MACARTHUR
INTERSECTION.
(District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning *MX*

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimous)

Background: The applicant proposes to add to the existing structure. The applicant requests to vacate the west 10-feet, of the platted 50-foot setback running parallel and adjacent to Norman Street, on Lot 5, Block C, Mid-Continent Industrial Park I Addition, 9800 West York.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

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

**IN THE MATTER OF THE VACATION OF)
A PORTION OF A PLATTED 50-FOOT)
STREET SIDE SETBACK)**

**GENERALLY LOCATED NORTHEAST)
OF THE MAIZE AND MACARTHUR)
INTERSECTION)**

Case No. VAC2002-0017

MORE FULLY DESCRIBED BELOW)

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JUL 03 2002

METROPOLITAN PLANNING
ROUTE _____

VACATION ORDER


NOW on this 2nd day of July, 2002, comes on for hearing the petition for vacation filed by William Johnson, praying for the vacation of the following described a portion of a platted 50-foot street side setback, to-wit:

The west 10-feet of the platted 50-foot street side setback running parallel and adjacent to the east property line of Lot 5, Block C, Mid-Continent Industrial Park I Addition.

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 Wichita Eagle on May 16, 2002, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described portion of a platted 50-foot street side 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 a 10-foot portion of a platted 50-foot street side setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of July 2002, ordered that the above-described a portion of a platted 50-foot street side 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:

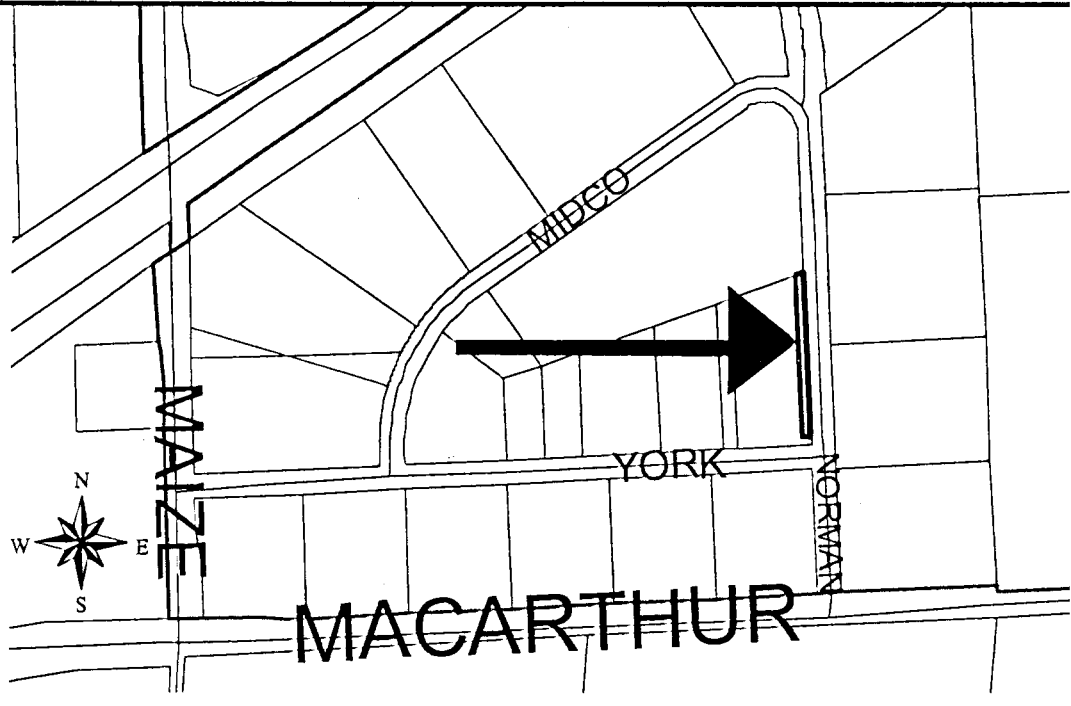

Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law



MIDCO

MACARTHUR

YORK

NORMAN

MACARTHUR

