

City of Wichita
City Commission Meeting
September 2, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1410 - REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of a portion of the building setback.

Background: Fox Meyer Drug Company, P.O. Box 7701, Wichita, KS 67277, is requesting this vacation to clear area for placement of electrical equipment. The property is zoned "E" (light industrial). A 15-foot wide building setback will remain from Minneapolis Street after vacation.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk; and
3. All proceedings being without cost to the City, County or any utility company.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PORTION
OF A BUILDING SETBACK.

GENERALLY LOCATED ON THE WEST SIDE OF
MINNEAPOLIS, IN AN AREA SOUTH OF NORTHERN.
(V-1410)

MORE FULLY DESCRIBED BELOW

Approved by Board of Commissioners
this SEP 2 1986

STATE OF KANSAS { 33
SEDGWICK COUNTY
FILED FOR RECORD AT 2:00 PM

MICROFILMED
OF RECORD

SEP 16 1986

VACATION ORDER

Ed Peral
Deputy

NO. 8 32667

PAT KETTLER
REGISTER OF DEEDS

NOW on this 2nd day of September, 1986, comes on for hearing the
petition for vacation filed by Fox Meyer Drug Company, praying for the vacation of
the following described portion of a platted building setback, to-wit:

Commencing at the northeast corner of Lot 2, Block C,
Industrial Addition, Wichita, Sedgwick County, Kansas; thence
west along the north line of said Lot 2, 60 feet; thence south
parallel with the east line of said Lot 2, 58 feet for a place of
beginning; thence south parallel with the east line of said Lot
2, 44 feet; thence east at right angles, 45 feet; thence north
at right angles, 44 feet; thence west 45 feet to the place of
beginning. (V-1410)

The City Commission, 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 Record of notice of this vacation proceeding for
consecutive weeks on AUG 22 1986 and AUG 29 1986.

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.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this
2nd day of September, 1986, 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.

ATTEST:

Tony Casador
Tony Casador, Mayor

Donald C. Gislek
Donald C. Gislek, City Clerk

Approved as to Form:

John Dekker
John Dekker, Director of Law

City Clerk

5.00

PARTIAL VACATION OF BUILDING SETBACK LINE

N

$$1'' = 20'$$
