

City of Wichita  
City Council Meeting  
December 8, 1987

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

TO: Mayor and City Council Members

SUBJECT: V-1505 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK, LOCATED IN AN AREA SOUTH OF GREENBRIAR, ON THE EAST SIDE OF ROCK ROAD. (District #2)

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 wishes to construct houses closer to the masonry wall that buffers the subject building sites from Rock Road. This vacation case will reduce the setback down to the standard 15-foot sideyard setback. The planned houses will not be constructed so as to front onto or be accessed from Rock Road. 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/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order; recording costs to be billed to:

755-68-360-50000-295-000-000.

FILED 949 PAGE 379  
RECEIVED  
OFFICE OF CITY CLERK  
FEB 10 1988  
INDEX \_\_\_\_\_ OTHER \_\_\_\_\_  
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BEFORE THE CITY COUNCIL OF THE  
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

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

GENERALLY LOCATED ON THE EAST SIDE OF  
ROCK ROAD, IN AN AREA SOUTH OF  
GREENBRIAR. (V-1505)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council  
FEB 2 1988

This \_\_\_\_\_  
STATE OF KANSAS  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
8:00 AM

MICROFILMED  
OF RECORD

FEB 23 1988

NO. 9 32697  
PAT KETTLER  
REGISTER OF DEEDS

VACATION ORDER

*Ed Rea  
Deputy*

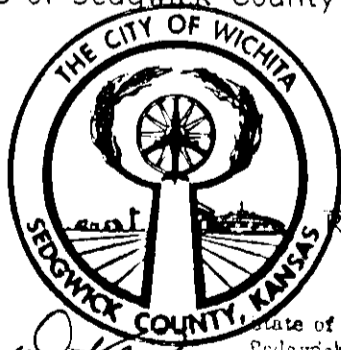
NOW on this 8th day of December, 1987, comes on for hearing the petition for vacation filed by Slawson Investment Corporation, praying for the vacation of the following described portion of a platted building setback, to-wit:

The east 5 feet of the 25-foot setback along the west line of Lots 13, 14, 19 and 20, Block 1, Penstemon 4th Addition to Wichita, Sedgwick County, Kansas, except the north 50 feet of Lots 14 and 20 and the south 50 feet of Lots 13 and 19.

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 Record of notice of this vacation proceeding for consecutive weeks on NOV. 25 & DEC 2, 1987.
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 CITY COUNCIL, on this 8th day of December, 1987, 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:

*Dale E. Rea*  
Dale E. Rea, Deputy City Clerk

*Robert G. Knight*  
Robert G. Knight, Mayor

Approved as to Form:

*Thomas Powell*  
Thomas Powell, Interim Director of Law

(State of Kansas )  
(Sedgwick County) ss  
DALE E. REA, Deputy City Clerk of the City  
of Wichita, hereby certify that the document  
presented to me 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  
Wichita, this FEB 12 1988  
*Dale E. Rea* Deputy City Clerk

5.00 ca  
PL/7810/5

city clerk

