

City of Wichita
City Council Meeting
December 8, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1504 - REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK, LOCATED ON THE EAST SIDE OF AUTUMN RIDGE, IN AN AREA WEST OF 119TH STREET WEST. (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 purpose of this case is to clear an existing building encroachment caused by a surveying error. After vacation, the minimum point of the retained setback will be 17.15 feet. 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

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.

) Approved / Accepted By City Council

) This DEC 8 1987

GENERALLY LOCATED ON THE EAST SIDE OF
AUTUMN RIDGE, IN AN AREA WEST OF 119TH
STREET WEST. (V-1504)

STATE OF KANSAS }
SEDGWICK COUNTY }

FILED FOR RECORD AT

MICROFILMED
OF RECORD

8:00 AM

MORE FULLY DESCRIBED BELOW

DEC 22 1987

9 23892

*Ed Rea
Deputy*

NO.
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

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

Commencing at the southwest corner of Lot 3, Block 1, Autumn Ridge, an addition to Wichita, Sedgwick County, Kansas; thence S 86° 33' 30" E, along the south line of said Lot 3, 32.42 feet; thence northeasterly on a curve to the left having a radius of 190 feet, a distance of 22.92 feet to a point of beginning; thence N 60° 58' 15" W, 7.95 feet; thence N 29° 01' 45" E, 68.44 feet; thence southwesterly on a curve to the right having a radius of 190 feet, a distance of 69.28 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 Record of notice of this vacation proceeding for consecutive weeks on NOV. 25-DEC. 2, 87.
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

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

Robert G. Knight
Robert G. Knight, Mayor

State of Kansas }
Sedgwick County }
City of Wichita }
Dale E. Rea, Deputy City Clerk of the City of Wichita, Kansas, hereby certifies that the document to which this is affixed is a true and correct copy of the original on file in the City Clerk's office.
Given under my hand and seal of the City of Wichita, Kansas, this 13th day of December, 1987.
Dale E. Rea
Dale E. Rea, Deputy City Clerk

October 9, 1987

State of Kansas)
County of Sedgwick) SS

RE: 12017 Autumn Ridge

I, Lowell D. High, Land Surveyor in the State of Kansas do hereby certify that I did on the 9th day of October, 1987, survey the following described property:

Lot 3, Block 1, Autumn Ridge, an Addition to Wichita, Sedgwick County, Kansas.

On said lot is a house with an attached garage which is in the clear of all boundary lines. There are no encroachments on said lot by buildings on adjacent lots.

The accompanying plat is a true and correct exhibit of said survey, for mortgagee title insurance only.

Lowell D. High
Lowell D. High, L.S.

