

City of Wichita  
City Commission Meeting  
March 31, 1987

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

TO: Mayor and City Commissioners

SUBJECT: V-1441 - REQUEST TO VACATE A PORTION OF A PLATTED ~~UTILITY~~ <sup>Building</sup> ~~EASEMENT~~ <sub>Setback</sub> LOCATED IN AN AREA EAST OF CAPRI AND SOUTH OF MT. VERNON, IF EXTENDED FROM THE WEST.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve vacation of building setback.

Background: Fidelity Investment Company, Attention: Bill Suter, 100 E. English, Wichita, KS 67202, is requesting this vacation to create more buildable lot area. That portion of the setback not being vacated is needed for a perpendicular building setback.

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 PLATTED BUILDING SETBACK.

Approved by Board of Commissioners  
MAR 31 1987

GENERALLY LOCATED IN AN AREA EAST  
OF CAPRI, AND SOUTH OF MT. VERNON, IF  
EXTENDED FROM THE WEST (V-1441).

MICROFILMED  
OF RECORD

STATE OF KANSAS }  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
100 P

MORE FULLY DESCRIBED BELOW

APR 16 1987  
8 75678

NO. PAT KETTLER  
REGISTER OF DEEDS

VACATION ORDER

*Ed Rea  
Deputy*

NOW on this 31st day of March, 1987, comes on for hearing the petition for vacation filed by Fidelity Investment Company, praying for the vacation of the following described building setback, to-wit:

The southwesterly 10 feet of the northeasterly 25 feet of Lot 2, Block 1, Hedgecliff Addition, Wichita, Kansas, except the southeasterly 25 feet thereof. (V-1441)

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 MARCH 18 & 25, 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 BOARD OF CITY COMMISSIONERS, on this 31st day of March, 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

*Tony Casado*  
Tony Casado, Mayor

Approved as to Form:

*Thomas Powell*  
Thomas Powell, Interim Director of Law

5.00

PL/6362/5

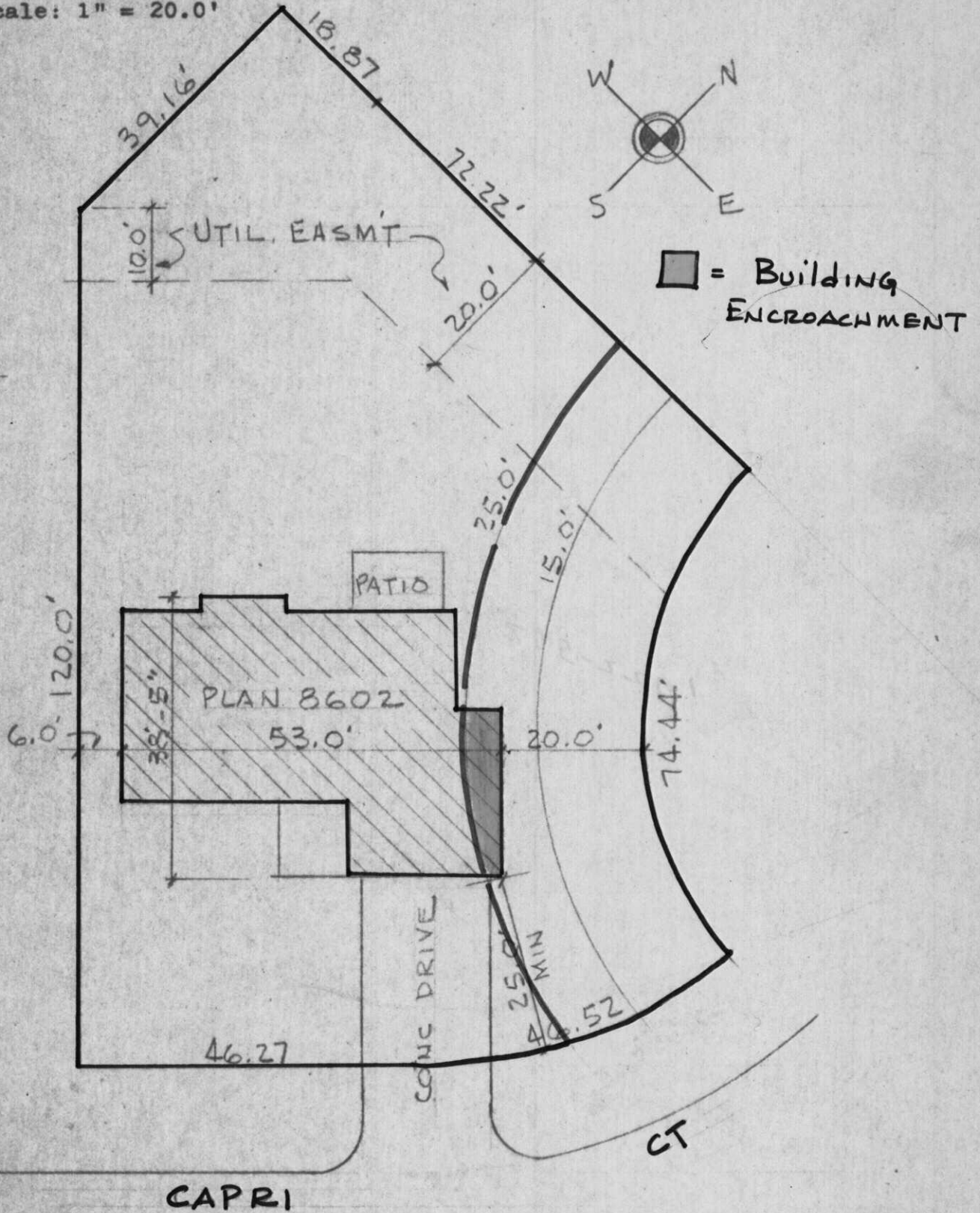
city clerk

RESIDENTIAL PLOT PLAN

Address: 2008 CAPRI COURT Permit No. \_\_\_\_\_

Lot 2 Block 1 of HEDGECLIFF ADDITION Zoning: \_\_\_\_\_

Scale: 1" = 20.0'



I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

Garage  Carport  Open Parking

Signed: Christina Lavette, Inc.  
Applicant  
Shawn Bonney