

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 5, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1646 - REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK, LOCATED NORTH OF 1ST STREET IN AN
AREA EAST OF 119TH STREET WEST.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of platted building setback.

MAPC Recommendation: Approve vacation of platted building setback.
(unanimous)

Background: An attached garage encroaches the platted building setback and in order to clear title to the property this vacation is desired. 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:

150029-2909

Approved / Accepted By City Council

This DEC 5 1989

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

IN THE MATTER OF THE VACATION OF)
A PLATTED BUILDING SETBACK.)
)
GENERALLY LOCATED NORTH OF 1ST STREET IN)
AN AREA EAST OF 119TH STREET WEST)
(V-1646).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 5th day of December, 1989, comes on for hearing the petition for vacation filed by Clarence and Sharon Coppenbarger, praying for the vacation of the following described platted building setback, to-wit:

Part of Lot 19; Block 3, Westlink Village
Eighteenth Addition, Wichita, Sedgwick County,
Kansas, more particularly described as follows:

Beginning at a point on the platted building setback line, a chord distance of 14.61 feet from the intersection of said building setback line and the westerly line of said Lot: (all bearings recited herein are derived from the platted bearings) thence on said building setback line, on a curve to the left with a radius of 178.46, a chord bearing of North 70°55'38" East, a chord distance of 13.20 feet; thence South 59°46'50" west, parallel with the front line of house numbered 11826 on said Lot, a distance of 12.95 feet; thence North 30°13'10" west, parallel with the Westerly line of said house, a distance of 2.55 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. 22 & 29, 1989.

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.

8.00

city clerk

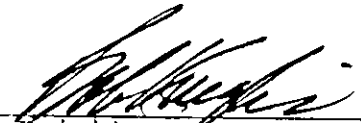
Vacation Order
V-1646
Page 2 of 2

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 5th day of December, 1989, 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.

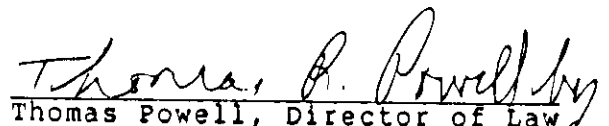

Bob Knight, Mayor

ATTEST:


John Moir, City Clerk



Approved as to Form:

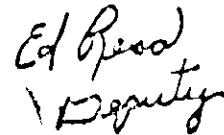

Thomas Powell, Director of Law

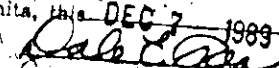
STATE OF KANSAS } ss
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 AM

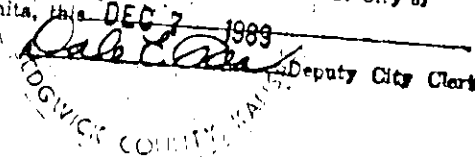
DEC 28 89 1044760

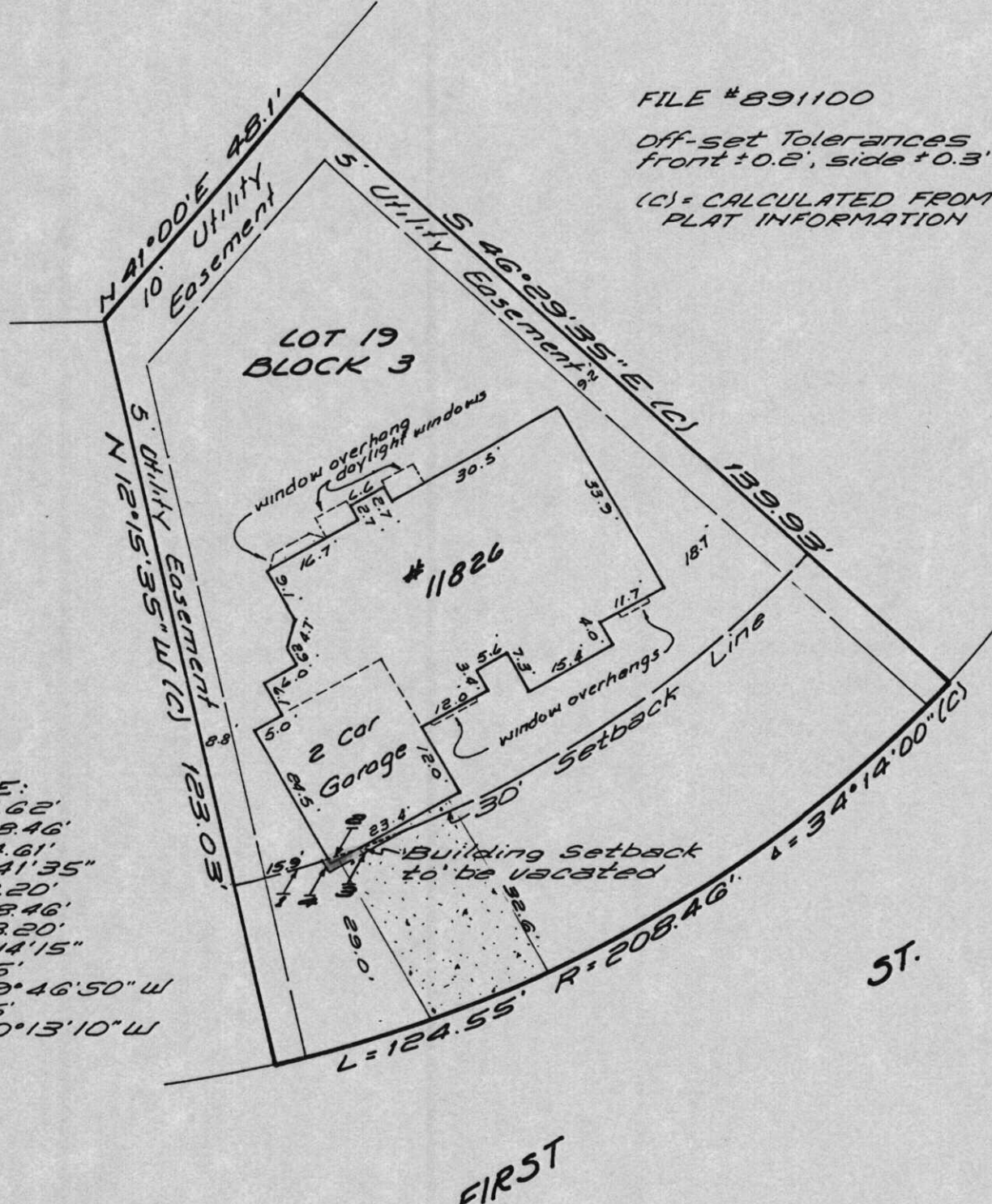
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD


Ed Reed
Deputy

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Dale E. Rea, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed 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 DEC 7 1989

Dale E. Rea, Deputy City Clerk





(C) = CALCULATED FROM
PLAT INFORMATION

LOT 19
BLOCK 3

#11826

2 car
Garage

Building Setback
to be vacated

FIRST

ST.

$1 = L = 14.62'$
 $R = 178.46'$
 $CH = 14.61'$
 $\Delta = 4^{\circ}41'35''$
 $2 = L = 13.20'$
 $R = 178.46'$
 $CH = 13.20'$
 $\Delta = 4^{\circ}14'15''$
 $3 = 12.95'$
 $S\ 59^{\circ}46'50''\ W$
 $4 = 2.55'$
 $N\ 30^{\circ}13'10''\ W$