

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 5, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1643 - REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK, LOCATED AT THE SOUTHWEST CORNER OF
11TH STREET AND 11TH STREET COURT, IN AN AREA WEST OF MAIZE
AND SOUTH OF 13TH STREET NORTH.
(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 applicant desires relief from a platted building setback on a corner lot to allow the construction of a house. 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

DEC 5 1989

This _____

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BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSASIN THE MATTER OF THE VACATION OF)
A PLATTED BUILDING SETBACK.)))
GENERALLY LOCATED AT THE SOUTHWEST)
CORNER OF 11TH STREET AND 11TH STREET)
COURT (V-1643).)))
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

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

The northwesterly 7-feet of the southeasterly 25-foot platted building setback of Lot 21, Block 1, Huntington Place 3rd Addition, an Addition to Wichita, Sedgwick County, Kansas.

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.

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.

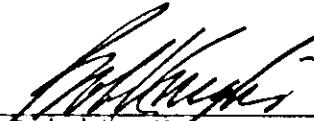
5. The vacation of the building setback described herein should be approved.

8.00

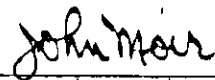
City clerk

Vacation Order
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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

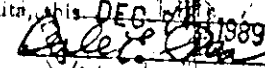
ATTEST:


John Moir, City Clerk



Approved as to Form:

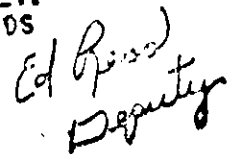

Thomas Powell, Director of Law

State of Kansas)
Sedgwick County)
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 attached 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 15 1989.

Dale E. Rea, Deputy City Clerk

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

DEC 28 89 1044759

PAT KETTLER
REGISTER OF DEEDS


Ed Rissel
Deputy

MICROFILMED
OF RECORD

PROPOSED SITE PLAN

LOT 21 BLOCK 1 HUNTINGTON PLACE 3RD

