

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 7, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1640 - REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK IN AN AREA SOUTH OF 13TH STREET AT
THE INTERSECTION OF PRESCOTT AND FIELDCREST.
(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: A portion of an attached garage extends into the platted building setback and the applicant needs the vacation to clear title to the property. 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

STATE OF KANSAS } ss
 SEDGWICK COUNTY }
 FILED } RECORD AT
 12-30-89

Page 1 of 2

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

Nov 21 89 1039453

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

GENERALLY LOCATED IN AN AREA SOUTH OF)
 13TH STREET AT THE INTERSECTION OF)
 PRESCOTT AND FIELDCREST (V-1640).)

MORE FULLY DESCRIBED BELOW)

Approved / Accepted By City Council

This NOV 7 1989

PAT KETTLER
 REGISTER OF DEEDS

Ed Reed
Deputy

VACATION ORDER

NOW on this 7th day of November, 1989, comes on for hearing the petition for vacation filed by Winston C. Brooks and Ann M. Brooks, praying for the vacation of the following described platted building setback, to-wit:

Beginning at a point 27.2 feet east and 114.6 feet south of the northwest corner of Lot 3, Block 2, Huntington Place Second Addition to Wichita, Sedgwick County, Kansas, said point being the southwest corner of a garage on said lot; thence north along the west side of said garage, 2.4 feet more or less to the intersection of said west side of garage and the building setback line on said Lot 3; thence southeasterly along said building setback line 4.3 feet more or less to the intersection of said building setback line and the south side of said garage; thence west along the south side of said garage 3.6 feet more or less 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 10/25 & 11/1, 89.

2. No private rights will be injured or endangered by the vacation of the above-described platted 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.

8.00

City Clerk

MICROFILMED
OF RECORD

Vacation Order
V-1640
Page 2 of 2

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of November, 1989, ordered that the above-described platted 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
John Moir, City Clerk

Approved as to Form:

Thomas R. Powell
Thomas Powell, Director of Law

Form 1020

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, PAT BURNETT, 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, Kansas, NOV 7 1989

Pat Burnett, Deputy City Clerk

