

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 2, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1716 - REQUEST TO VACATE PLATTED
MAINTENANCE EASEMENTS AND BUILDING SETBACKS
(District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of maintenance easements and building setbacks.

MAPC Recommendation: Approve vacation of maintenance easements and building setbacks. (unanimous)

Background: A BZA condition for a variance to allow zero lot line development required the plat to establish maintenance access easements and side yard building setbacks. The applicant desires this vacation in order to build two homes on three lots. City Engineering and the utility companies have indicated their approval of this vacation. 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

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

IN THE MATTER OF THE VACATION OF)
A REQUEST TO VACATE MAINTENANCE EASE-)
MENTS AND BUILDING SETBACKS. (V-1716))
)
GENERALLY LOCATED SOUTH OF HARRY AND)
WEST OF WEBB RD.)
)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 2nd day of July, 1991, comes on for hearing the petition for vacation filed by Larry D. Rickard, et al., praying for the vacation of the following described platted maintenance easements and setbacks, to-wit:

The platted maintenance access ^{then} easements and twelve foot side yard setbacks ~~for~~ Lots 2 and 3, Block A, Cedar Ridge Fifth Addition, Wichita, Sedgwick County, KS.

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 Reporter of notice of this vacation proceeding for consecutive weeks on _____.

2. No private rights will be injured or endangered by the vacation of the above-described maintenance easements and setbacks, 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 maintenance easements and setbacks described herein should be approved.

Vacation Order
V-1716
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of July, 1991, ordered that the above-described maintenance easements and setbacks 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:

Pat Burnett, Deputy City Clerk

Approved as to Form:

Thomas Powell, Director of Law

FUNSTON

CYPRESS

FIRST

TO ADDITION

LAUREL

CEDAR

BEECH

THIRD ADD.

LOGLAKE

CEDAR RIDGE

STACEY CT.

TO

STACEY

BLUESTEM

WEBB

SKINNER

SKINNER

ADD.

TO

ADD.

TO

COOPER

CT.

PART OF

2

CEDAR RIDGE

CEDAR RIDGE

3