

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 15, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1789 REQUEST TO VACATE A PORTION OF A
PLATTED BUILDING SETBACK
(District #3)

INITIATED BY: Metropolitan Area Planning Department

M. Kroul

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of the platted building setback.

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

Background: In order to provide additional area for expansion of an existing attached garage, vacation of two (2) feet of a sideyard setback is being requested. The Subdivision Committee and Traffic Engineering have indicated that the vacation should have no adverse impacts.

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 the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

FILE COPY

Page 1 of 2

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

IN THE MATTER OF THE VACATION OF A)
PORTION OF A PLATTED BUILDING SETBACK)
)
GENERALLY LOCATED SOUTH OF MT. VERNON)
AND WEST OF WEBB ROAD (V-1789))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 15th day of December, 1992, comes on for hearing the petition for vacation filed by Gale & Lisa Anschutz, praying for the vacation of the following described platted building setback, to-wit:

That portion of a platted building setback described as:
The East 2 feet of the west 15 feet of the south 34 feet of
the north 60.30 feet of Lot 14, Block 3, Hedgecliff 3rd
Addition to Wichita, Kansas, 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 Reporter of notice of this vacation proceeding for consecutive weeks on 11/27/92 + 12/4/92.
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.
5. The vacation of the platted building setback described herein should be approved.

MICROFILMED
OF RECORD

3.00
CL

City Clerk

150029 2209

8-

Vacation Order
V-1789
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of December, 1992, 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.

Frank M. Ojile, Mayor

ATTEST:

Pat Burnett
Pat Burnett, Deputy City Clerk



Approved as to Form:

Gary Rebenstorf
Gary Rebenstorf, Director of Law

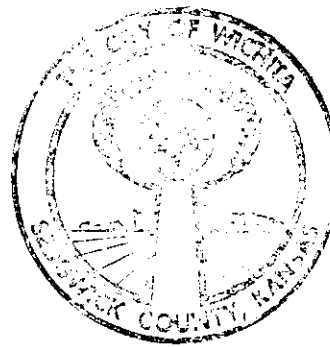
STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED 8-00 R

FEB 4 1993 1267509

PAT KETTLER
REGISTER OF DEEDS

Handwritten signature

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, this 15th day of December, 1992.
Pat Burnett Deputy City Clerk



COOPER

COOPER CT.

