Planning Agenda Item #_____

City of Wichita
City Council Meeting
August 11, 1992

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **PUBLIC HEARING V-1775 REQUEST TO VACATE A PORTION OF A PLATTED BUILDING SETBACK LOCATED SOUTH OF PAWNEE AND WEST OF WEBB**
(District #3)

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: A small portion of an attached garage was found to be within the building setback. The vacation is needed to clear the title of the property. City Engineering and the utility representatives of the Subdivision Committee indicate no objections to the 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 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

FILM 1282 PAGE 0787

Approved / Accepted By City Council
AUG 1 1 1992
This _____

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 PAWNEE AND WEST OF WEBB (V-1775)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8:00 a
Oct 7 92 1240320
PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 11th day of August, 1992, comes on for hearing the petition for vacation filed by I.T.J. Investments, Inc., praying for the vacation of the following described building setback, to-wit:

> The east 22 feet of the west 29.4 feet of the north 1 foot of the south 25 feet of Lot 14, Block 3, Towne Parc Addition, Wichita, 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:

MICROFILMED OF RECORD

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 7/24/92 + 7/31/92.

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.

City Clerk

8.00 ck

Vacation Order
V-1775
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of August, 1992, 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:

Pat Burnett, Deputy City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Approved as to Form:

Gary Rebenstorf, Director of Law

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 the the City Clerk.

Given under my hand and seal of the City of Wichita, this August 11, 1992

Pat Burnett Deputy City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

II. Application Filed 6/12/92
S/D Comm. Action App 9/9/92
M.A.P.C. Action 9/16/92 App

W.C.C. Action 8-11-92
Bd. Co. Co. Action
Order to Vacate Recorded
October 7, 1992