

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 25, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V- 1736 - REQUEST TO VACATE STREET
RIGHT-OF-WAY AND A BUILDING SETBACK.
(District #1)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of street and building setback.

MAPC Recommendation: Approve vacation of street and building setback. (unanimous)

Background: A recent plat to the west of this site, B.R. Stephenson Addition, has made this street unnecessary. The vacation of the street also makes the associated building setback unnecessary. The Subdivision Committee, utility advisory subcommittee and City Engineering indicate that this vacation will cause no adverse effects. 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

Date FEB 25 1992
Approve & File

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

IN THE MATTER OF THE VACATION OF)
STREET RIGHT-OF-WAY AND A BUILDING)
SETBACK.)
)
GENERALLY LOCATED SOUTH OF 37TH ST. N.)
& WEST OF BROADWAY. (V-1736))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 25th day of February, 1992, comes on for hearing the petition for vacation filed by Wichita Concrete Pipe, Inc., et al., praying for the vacation of the following described street and building setback, to-wit:

Beginning at the northwest corner of the Victor L. Phillips Addition, Wichita, KS, thence south 530 feet, thence west 35 feet, thence north 530 feet, thence east 35 feet to the point of beginning; together with the 35 feet building setback therefrom, except for the north 35 feet thereof, as platted in the Victor L. Phillips Addition, Wichita, KS.

MICROFILMED
OF RECORD

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 2/11/92 and 2/18/92.
2. No private rights will be injured or endangered by the vacation of the above-described street and 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 street and building setback described herein should be approved.

800 ck

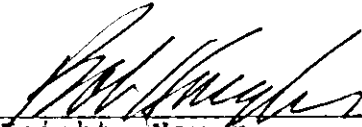
City Clerk

260 110001 2007

200


Vacation Order
V-1736
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 25th day of February, 1992, ordered that the above-described street and 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:

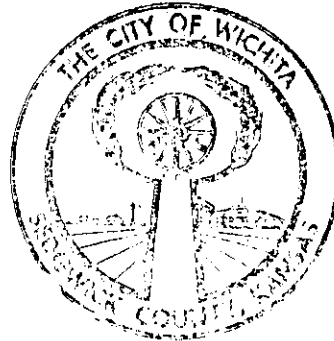


Pat Burnett, Deputy City Clerk

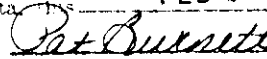
Approved as to Form:



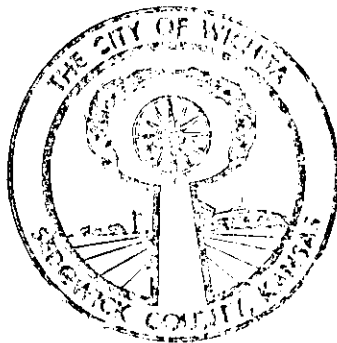
Gary Rebenstorf, Director of Law



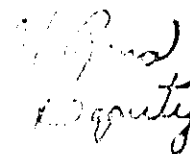
State of Kansas)
Sedgwick County) ss
City of Wichita)
I, Pat Burnett, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is attached is a true and correct copy of the original as the same appears before the City Clerk.
Given under my hand and seal of the City of Wichita, Kansas, this FEB 25 1992



Deputy City Clerk



STATE OF KANSAS) ss
SEDCWICK COUNTY)
FILED FOR DEEDS AT
8:00 A.M.
FEB 3 1992 1198633
PAT KETTLER
REGISTER OF DEEDS


Deputy

ER FLOOD CONTROL

ST.

37TH ST. NO.

AGNES ST.
2 ADD. 6

VICTOR L. PHILLIPS
ADD. -

BROADWAY

RESERVE A 7

RESERVE B 7

THIRTY FIFTH

ST.

II. Application Filed 9/17/91

W.C.C. Action 2-25-92 Appro

S/D Comm. Action *App* 10/3/91

Bd. Co. Co. Action

M.A.P.C. Action 10/10/91 *Approved*

Order to Vacate Recorded

March 31, 1992