Planning Agenda Item #_____

City of Wichita
City Council Meeting
November 16, 1993

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: V- 1838; Request to vacate building setback, generally located north of 13th Street North and east of Tyler. (District # 5).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of a portion of platted 25-foot front yard building setbacks for similarly situated lots located on cul-de-sacs. Staff and MAPC have recommended approval because no utilities, public or private, will be compromised at this site, adequate setback area will remain for the benefit of these and neighboring lots, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

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

150029-2909.

FIL. 413 PAGE 314

STATE OF KANSAS) SS
SEDGWICK COUNTY)
FILED
8:00 A.M.
JAN 25 94 1354349
PAT KETTLER
REGISTER OF DEEDS
Ed Reed
Deputy

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

IN THE MATTER OF THE VACATION OF BUILDING SETBACKS	)	
GENERALLY LOCATED EAST OF TYLER AND NORTH OF 13TH STREET NORTH	)	Case No. V-1838
MORE FULLY DESCRIBED BELOW	)	

MICROFILMED OF RECORD

VACATION ORDER

NOW on this 16TH day of November, 1993, comes on for hearing the petition for vacation filed by Socora Village Company, praying for the vacation of the following described building setbacks, to-wit:

The following described building setback, to-wit:

> The west 5 feet of the 25-foot front yard building setback line for Lots 5, 18, and 31, Block 1, Socora Village; Wichita, Kansas,
> and
> The east 5 feet of the 25-foot front yard building setback line for Lots 22 and 35, Block 1, Socora Village, Wichita, Kansas. (V-1838).

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 10-25-93 & 11-1-93

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

Sec
CK

City Clerk

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 setbacks described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of November, 1993, ordered that the above-described building setbacks are 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.

Elma Broadfoot, Mayor

ATTEST:

Pat Burnett, Deputy City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Approved as to Form:

Gary Rebenstorf, Director of Law

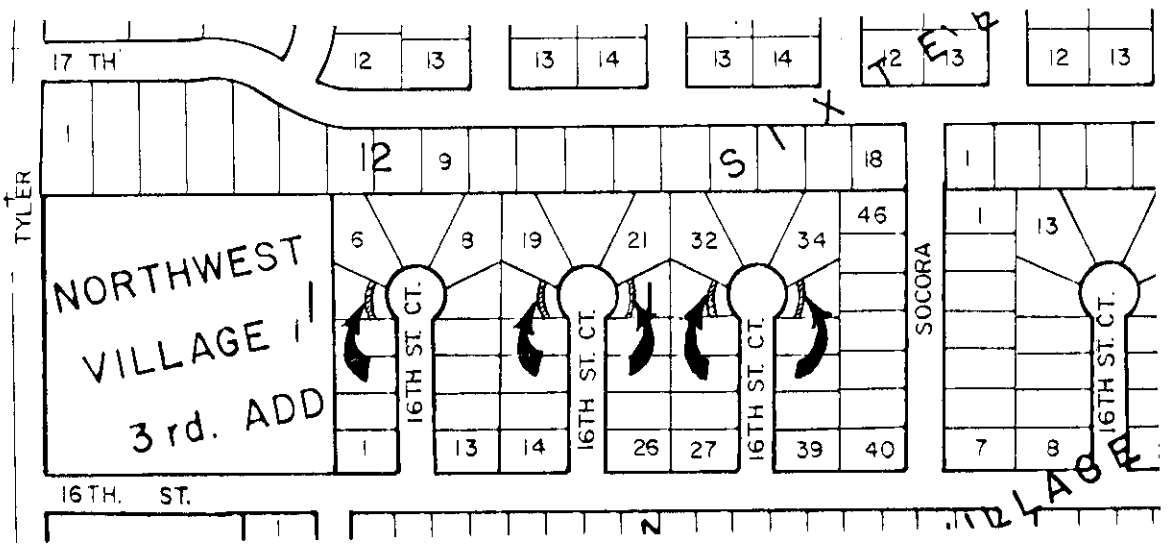
State of Kansas }
Sedgwick County } ss

I, Pat Burnett, Deputy City Clerk of the City of Wichita, do hereby certify that the document to which this certificate is attached is a true and correct copy of the original on file in the office the the City Clerk. In witness whereof I have hereunto set my hand and seal of the City of Wichita, Kansas this NOV 16 1993

Pat Burnett Deputy City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Sketch.



Application Filed 9/13/93
S/D Comm. Action 09/30/93
APP
M.A.P.C. Action 10/07/93
APP

W.C.C. Action 11-16-93 Approved

Bd. Co. Co. Action

Order to Vacate Recorded

January 25 1994