

Planning Agenda # _____

**City of Wichita
City Council Meeting
February 11, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2012 REQUEST TO VACATE BUILDING SETBACK
LOCATED IN AN AREA SOUTH OF 34TH STREET NORTH AND WEST OF
WEBB ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

*M. Krent
by KE*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of building setback.

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

Background: The applicant is requesting the vacation of a portion of a building setback in order to clear the title to this property. The building on this lot was inadvertently built 3.3 feet into the 35 foot platted building setback along Webb Road. City Engineering has indicated that this vacation is acceptable.

The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. No members of the public addressed the MAPC in opposition to this request.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to: 150029-2909

MICROFILMED
OF RECORD

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COPY

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

| | | |
|-----------------------------------|---|-----------------|
| IN THE MATTER OF THE VACATION OF |) | |
| BUILDING SETBACK |) | |
| |) | |
| GENERALLY LOCATED |) | Case No. V-2012 |
| SOUTH OF 34TH STREET NORTH AND |) | |
| WEST OF WEBB ROAD |) | |
| |) | |
| <u>MORE FULLY DESCRIBED BELOW</u> |) | |

VACATION ORDER

NOW on this 11th day of February, 1997, comes on for hearing the petition for vacation filed by Quick Print, Inc., praying for the vacation of the following described building setback, to-wit:

Commencing at the SE corner of Lot 24, Comotara Industrial Park Fifth Addition to Wichita, Sedgwick County, Kansas; thence N01°05'53"W along the east line of said Lot 24, 40 feet to the north line of a 40 foot railroad, drainage, and utility easement as platted in said Lot 24; thence S89°16'26"W along the north line of said 40 foot railroad, drainage, and utility easement, 35 feet to a 35 foot building setback line as platted in said Lot 24; thence N01°05'53"W along said 35 foot building setback line, 138.38 feet for a point of beginning; thence continuing N01°05'53"W along said 35 foot building setback line, 147 feet; thence N89°24'11"E, 3.28 feet; thence S00°35'49"E, 146.99 feet; thence S89°24'11"W, 1.99 feet to the point of beginning.

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 1/31/97 & 2/7/97.

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.

B.ck

City of Wichita City Clerk

150029
2909
809

COPY

Vacation Order
V - 2012

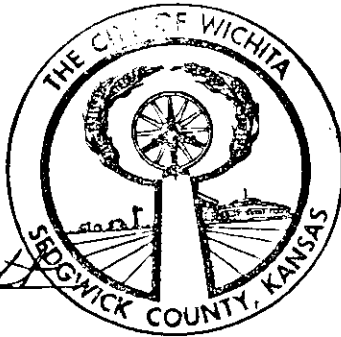
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- 3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
- 4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
- 5. The vacation of the building setback described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of February, 1997, 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.

ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT

2:02 P M

1597150 & 156

LARRY CONSOLVER
REGISTER OF DEEDS

Approved as to Form:


Gary Rebenstorf, Director of Law




Deanna Spinkman
Deputy



state of Kansas)
Sedgwick County) ss
City of Wichita)

I, **Pat Burnett** 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 **JAN 28 1997**


Pat Burnett City Clerk

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