

Planning Agenda # _____

**City of Wichita
City Council Meeting
September 17, 1996**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1985 REQUEST TO VACATE A BUILDING SETBACK
LOCATED IN AN AREA EAST OF HYDRAULIC AND NORTH OF 31ST
STREET SOUTH.
(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: The applicant desires to vacate a 9-foot portion of a 60-foot platted building setback adjacent to Hydraulic in order to construct a 9' x 14' entrance vestibule onto their existing building on the site. No objections have been received from nearby property owners. City Engineering and the utility representatives of the Subdivision committee indicates that no utilities are impacted by 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/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

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75-3103-35

PATENT CITY
REGISTER OF SEEDS

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

IN THE MATTER OF THE VACATION OF
BUILDING SETBACK

GENERALLY LOCATED
EAST OF HYDRAULIC AND NORTH
OF 31ST STREET SOUTH

MORE FULLY DESCRIBED BELOW

Case No. V-1985



VACATION ORDER

NOW on this 17th day of September, 1996, comes on for hearing the petition for vacation filed by Southcliff Shopping Center Associates, praying for the vacation of the following described building setback, to-wit:

Vacate a portion of a building setback: Vacate the east 9' of the 60' platted setback to Hydraulic beginning 158.0' north of the south property line and continuing north for 14'0" for Lot 1, Block 1, Santa Fe Midland Industrial District, an Addition to Wichita, 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 9/3/96 & 9/10/96.
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.

gick

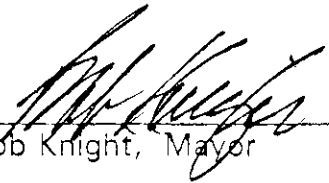
City Clerk

ved. 50-150029
2409

Vacation Order
V - 1985

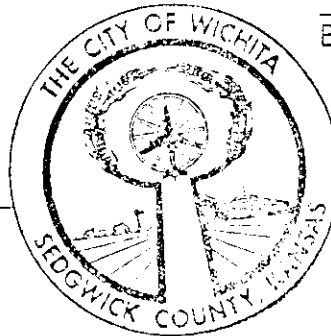
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of September, 1996, ordered that the above-described building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:


Pat Burnett, ~~Secretary~~ City Clerk



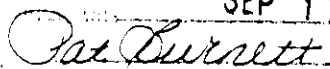
Approved as to Form:


Gary Rebenstorf, Director of Law

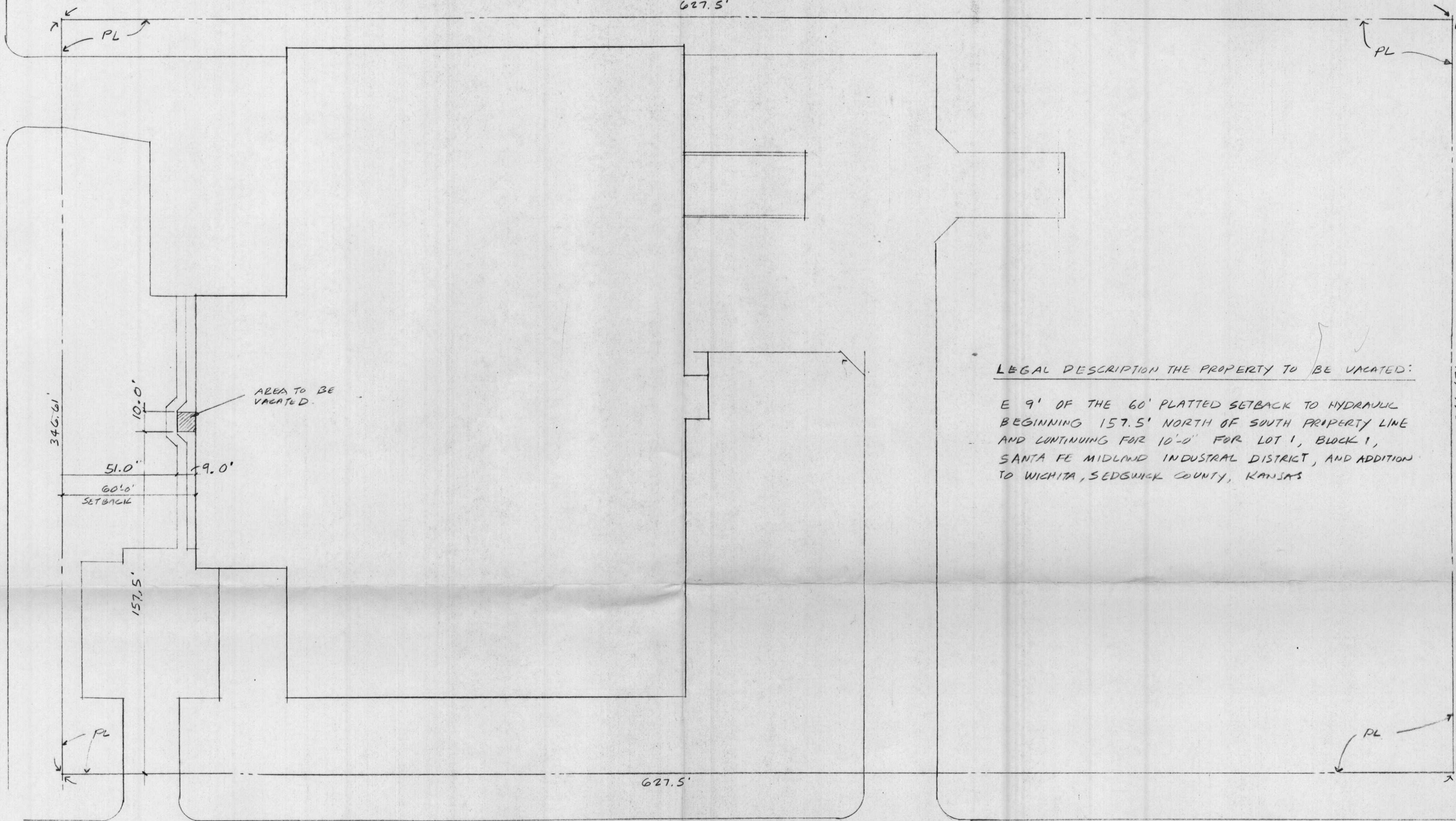


State of Kansas)
Sedgwick County)
City of Wichita)

I, Pat Burnett City Clerk of the City
of Wichita, do hereby certify that the foregoing
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

SEP 17 1996

City Clerk

HYDRAULIC AVENUE



LEGAL DESCRIPTION THE PROPERTY TO BE VACATED:

E 9' OF THE 60' PLATTED SETBACK TO HYDRAULIC
BEGINNING 157.5' NORTH OF SOUTH PROPERTY LINE
AND CONTINUING FOR 10'-0" FOR LOT 1, BLOCK 1,
SANTA FE MIDLAND INDUSTRIAL DISTRICT, AND ADDITION
TO WICHITA, SEDGWICK COUNTY, KANSAS



TULSA AVENUE