

Planning Agenda # _____

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

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1984 REQUEST TO VACATE A BUILDING SETBACK
LOCATED IN AN AREA WEST OF SENECA AND SOUTH OF PAWNEE,
(District #4)

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 30-foot portion of a 90-foot platted building setback adjacent to Pawnee in order to enclose an existing playground area attached to the business on the site. No objections have been received from nearby property owners. City Engineering and the utility representatives of the Subdivision committee indicated 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

SEAL OF SEDGWICK COUNTY, KANSAS
FILED FOR RECORD AT
4:30p

D. Manheimer
Deputy

MICROFILMED
OF RECORD

This SEP 17 1996

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1561303 8-88

PAT KETTLER
REGISTER OF DEEDS

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



IN THE MATTER OF THE VACATION OF
BUILDING SETBACK

GENERALLY LOCATED
WEST OF SENECA AND
SOUTH OF PAWNEE

MORE FULLY DESCRIBED BELOW

)
)
)
) Case No. V-1984
)
)
)
)

VACATION ORDER

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

The south 30 feet of the north 90 feet of the following described parcel: Part of Lot 1, Block 1, Westway Addition to Wichita, Sedgwick County, Kansas described as beginning at a point 427 feet west and 60 feet south of the N.E. corner of the N.E. 1/4 of Section 6, T28S, R1E; thence west along the north line of said Lot 1, 184.67 feet; thence south at right angles 80 feet to the P.C. of a curve to the right having a radius of 120.27 feet and a central angle of 18°53'; thence along said curve a distance of 39.64 feet to the P.T. of said curve, thence along tangent of said curve 6.35 feet to the P.C. of a curve to the left having a radius of 120.27 feet and a central angle of 18°53'; thence along said curve 39.64 feet to the P.T. of said curve; thence south along tangent of said curve 5 feet; thence with an angle to the left of 80°38'22" a distance of 177.2 feet to the P.C. of a curve to the right having a radius 57.63 feet and a central angle of 49°25'22"; thence along said curve a distance of 24.99 feet; thence north 207.20 feet to 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 9/3/96 & 9/10/96.

8.00

City Clerk

Em

*\$8.00
150029-2909*

Vacation Order
V - 1984

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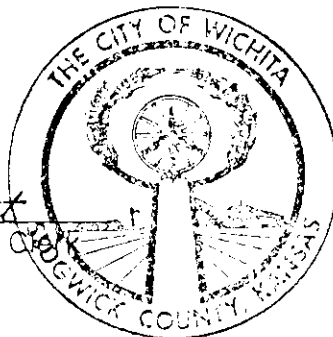
2. No private rights will be injured or endangered by the vacation of the above-described building setback, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been 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.

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.

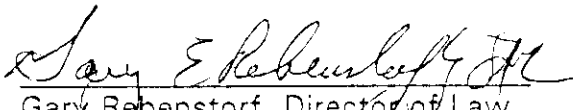

Bob Knight, Mayor

ATTEST:


Pat Burnett, ~~Deputy~~ City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

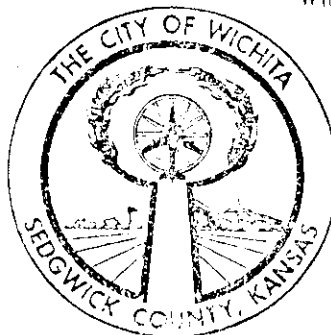
State of Kansas)
Sedgwick County) ss
City of Wichita)

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 of the City Clerk.
Given under my hand and seal of the City of

Wichita, this SEP 17 1996



City Clerk



PAYNEE

AVE

OUR
MOUNT
HILL

GARLAND
HILL

SENECA

AVE

BROWN'S

AVE

SAVANNAH

WESTWAY

ADD.

