

Planning Agenda # _____

**City of Wichita
City Council Meeting
April 11, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **V-2218 - REQUEST TO VACATE A DEED RESTRICTION
LINE LOCATED ON THE WEST SIDE OF ROCK ROAD
BETWEEN 21ST STREET NORTH AND 29TH STREET NORTH
(2525 N. ROCK ROAD).
(District III)**

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a deed restriction.

MAPC Recommendation: Approve vacation of a deed restriction. (unanimous)

Background: The applicant is requesting to vacate a platted deed restriction line for the future development of a church. Required building setbacks per the Unified Zoning Code and 10-foot utility easement will remain in place.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures to sign.

This APR 11 2000

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

IN THE MATTER OF THE VACATION OF
A DEED RESTRICTION

**MICROFILMED
OF RECORD**

GENERALLY LOCATED
ON THE WEST SIDE OF ROCK ROAD
BETWEEN 21ST STREET NORTH AND 29TH
STREET NORTH (2525 N. ROCK ROAD)

Case No. V-2218

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } ss
SEDGWICK COUNTY }

MAY 19 11 19 AM '00



BILL MEEK
REGISTER OF DEEDS

S. Christensen
Deputy

VACATION ORDER

NOW on this 11th day of April, 2000, comes on for hearing the petition for vacation filed by Calvary United Methodist Church of Wichita, c/o Tammy Kenagy, praying for the vacation of the following described a deed restriction line, to-wit:

Deed restriction line as platted in lot 11, Block 4 sycamore Village 3rd 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 on February 22, 2000, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described a deed restriction line, 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.

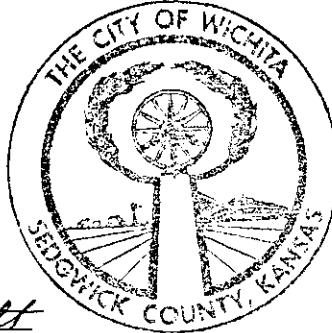
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RETURN ABOVE

Vacation Order
V-2218

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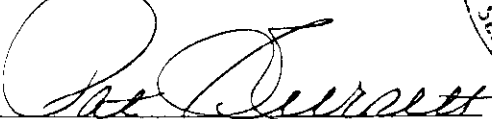
5. The vacation of a deed restriction line described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of April 2000, ordered that the above-described a deed restriction line 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.

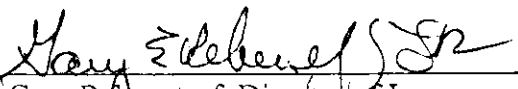



Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk

Approved as to Form:

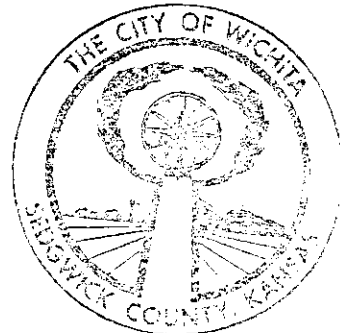

Gary Regenstorf, Director of Law

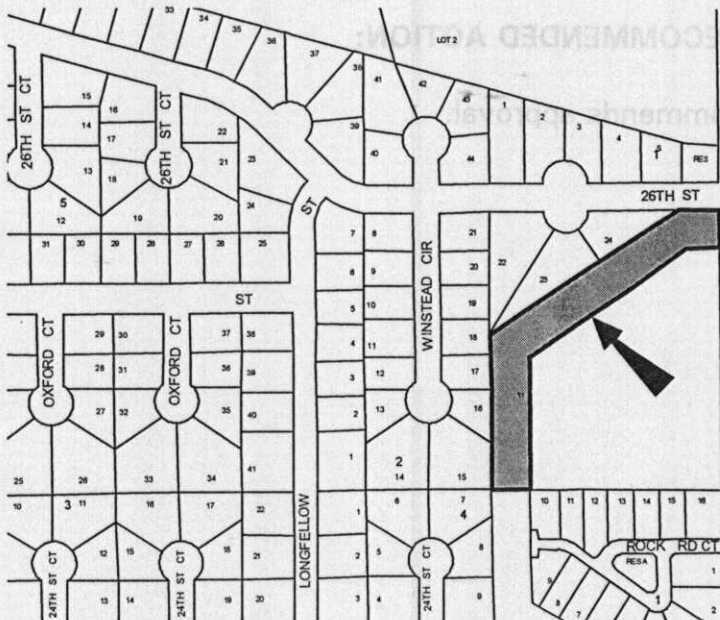
State of Kansas)
Sedgwick County) ss
City of Wichita)

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 my office.

Given under my hand and seal of the City of Wichita, this APR 11 2000

 City Clerk



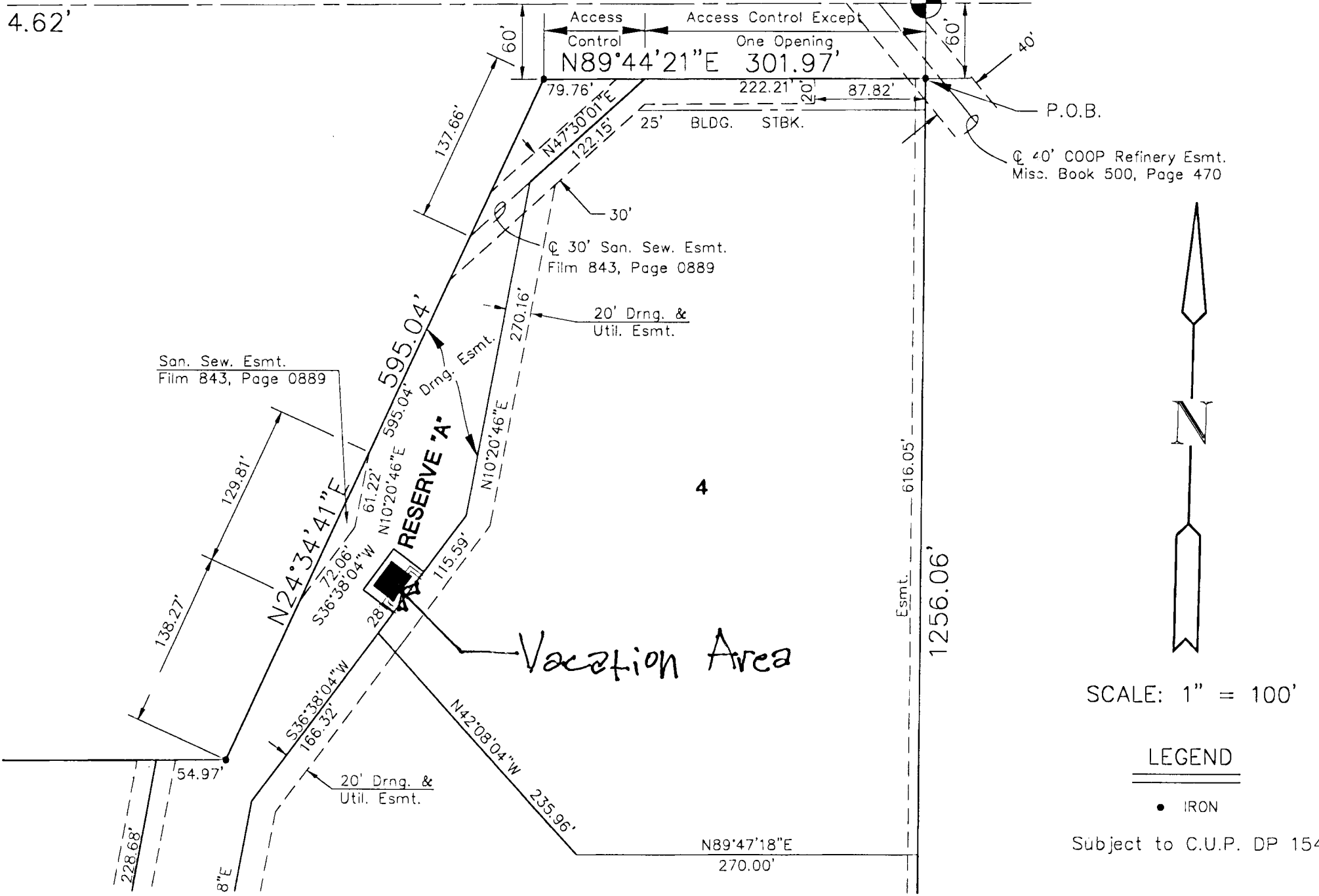


1287±

ET NORTH

4.62'

N.E. COR., WEST 1/2, NW 1/4
SEC. 9, T 27 S, R 2 E
OF THE 6TH. P.M.



SCALE: 1" = 100'

LEGEND

• IRON

Subject to C.U.P. DP 154