

Agenda Item # _____

City of Wichita
City Commission Meeting
December 17, 1985

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1360 - VACATION OF PLATTED ACCESS CONTROL, GENERALLY
LOCATED ON THE EAST SIDE OF SENECA IN AN AREA SOUTH OF
29TH STREET SOUTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning & Zoning

MAPC Recommendation: Approve vacation of access control.

Background: Wichita Trust, c/o Grant Tideman, 150 North Market, Wichita, KS 67202, has requested a vacation of access control to allow two (2) openings to Seneca, one entrance and one exit.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company; and
4. The Vacation Order shall retain "access control except for two (2) openings to Seneca Street over and across the west line of the Lot. The Vacation Order shall specify that one (1) opening will be used to enter the site and the other opening will be used to exit the site (one way in and one way out).

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

Recommendations/Action: Close public hearing, approve vacation, authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

DEC 17 1985

IN THE MATTER OF THE VACATION OF PLATTED
ACCESS CONTROL.

GENERALLY LOCATED ON THE EAST SIDE OF SENECA
IN AN AREA SOUTH OF 29TH STREET SOUTH.
(V-1360)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
JAN 22 1986

JAN 22 1986

NO. 7 86805

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Resal
Deputy

VACATION ORDER

NOW on this 17th day of December, 1985, comes on for hearing the petition for vacation filed by Wichita Trust, praying for the vacation of the following described access control, to-wit:

Access control except for one (1) opening to Seneca Street over and across the west line of Lot 1, Gibbs Third Addition, Wichita, Sedgwick County, Kansas

The City Commission, 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:

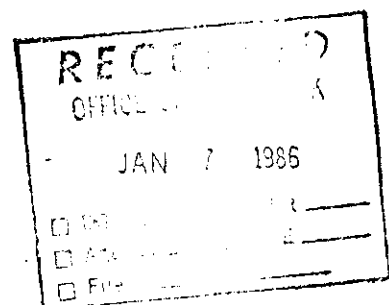
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Record of notice of this vacation proceeding for consecutive weeks on DEC 4 & 11, 1985.
2. No private rights will be injured or endangered by the vacation of the above-described access control, 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 order shall retain access control except for two (2) openings to Seneca Street over and across the west line of the lot. One (1) opening shall be used to enter the site and the other opening shall be used to exit the site (one way in and one way out).
6. The vacation of the access control described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 17th day of December, 1985, ordered that the above-described access control 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:

R. C. Brown
R. C. Brown, Mayor

Donald C. Gisick
Donald C. Gisick, City Clerk



500

D BR

C

L. KUHLMAN

6

STEVENSON- 2

1 RYAN- ADD.

9

WALNUT

1 KUNKLES
1ST ADD.
082.35-173
HARDLEY

TWENTY NINTH

GIBBS
THIRD
ADD. 2

1
SELLERS
ADD.

WALNUT

GIBBS

1
SECOND A
AD

MARLBORO

2

3

ROBSON

HEIG

THIRTIETH

SENECA