

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 14, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1583 - REQUEST TO VACATE STREET RIGHT-OF-WAY FOR SIERRA DRIVE LOCATED IN AN AREA SOUTH OF IRVING STREET.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of street right-of-way.

MAPC Recommendation: Approve vacation of street right-of-way. (unanimous)

Background: This section of Sierra Drive is presently unimproved and terminates in a dead end at its south end due to the presence of railroad tracks. By vacating this street, a car rental facility at this site, will be able to provide direct access to Airport Road for rental customers. City Engineering has indicated that this right-of-way is no longer needed and the Airport Authority has also agreed to the vacation and opening in access to Airport Road. The Utility advisory Committee has also indicated that no adverse effects should result from 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/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:

300210-9024

proved / Accepted By City Council
 This FEB 14 1989 STATE OF KANSAS } ss
 FILED FOR RECORD AT 8:00 AM
 MAR 6 89 0997391

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

IN THE MATTER OF THE VACATION OF)
 STREET RIGHT-OF-WAY.)
)
 GENERALLY LOCATED AT SIERRA DRIVE IN AN)
 AREA SOUTH OF IRVING (V-1583).)
)
)
 MORE FULLY DESCRIBED BELOW)

PAT KETTLER
 REGISTER OF DEEDS

Ed Raza
 Deputy

MICROFILMED
 OF RECORD

VACATION ORDER

NOW on this 14th day of February, 1989, comes on for hearing the petition for vacation filed by James R. Gustman, President of Midwest Car Corporation, praying for the vacation of the following described street right-of-way, to-wit:

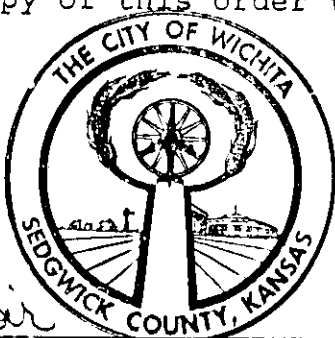
The 50' of street right-of-way platted for Sierra Drive adjacent to the west line of Lot 1, Mesker's Airport Addition, Wichita, Sedgwick County, Kansas.

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 Record of notice of this vacation proceeding for consecutive weeks on
2. No private rights will be injured or endangered by the vacation of the above-described street right-of-way, 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 north five (5) feet of the vacated street right-of-way as indicated in the above legal description is hereby retained as street right-of-way.
6. The vacation of the street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of February, 1989, ordered that the above-described street right-of-way 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:



John Moir
 JOHN MOIR, City Clerk

Approved as to Form:

Thomas R. Powell
 Thomas Powell, Director of Law

Sheldon Kamen
 Sheldon Kamen, Mayor

State of Kansas)
 Sedgwick County)
 City of Wichita)
 I, *Dale E. Rea*, Deputy 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, Kansas, this FEB 14 1989
Dale E. Rea
 Deputy City Clerk

City clerk

KELLOGG

ST.

HIGHWAY

CLINTON
ADD.

WESTAIR
ADD.

WESTERN

THIRD

ADD.

DOOLITTLE
ADD.

WOOLF
ADD.

DIAMOND
2nd
ADD.

DIAMOND
THIRD
ADDITION

DIAMOND
ADD.

PART OF
WICHITA
MUNICIPAL
AIRPORT
RESERVE
C

THRIFTY
2nd
ADD.

BRANDING
IRON
ADD.

IRVING

MESKERS, AIRPORT ADD.

A.T.

AIRPORT

A

INDUSTRIAL

PUEBLO

DR.

IRPORT