

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 20, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1574 - REQUEST TO VACATE PLATTED
ACCESS CONTROL ON THE SOUTH SIDE OF DOUGLAS IN AN
AREA EAST OF CLIFTON. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

MAPC Recommendation: Approve vacation of access control. (unanimous)

Background: The site presently has one access opening to Douglas. A new use planned for the site desires an in and out type driveway. City and Traffic Engineering do not oppose the vacation and have requested that the drive be signed for in and out type operations. The Vacation Order indicates the retention of access control except for two openings. 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 hearings; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Order. Recording costs to be billed to:

300210-9024

Approved / Accepted By City Council

This DEC 20 1988

BEFORE THE CITY COUNCIL OF THE STATE OF KANSAS }
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS } ss

FOR RECORD AT 8:00 AM

JAN 11 89 0989546

PAT KETTLER
REGISTER OF DEEDS

Ed [unclear]

MICROFILMED
OF RECORD

IN THE MATTER OF THE VACATION OF)
"ACCESS CONTROL EXCEPT FOR ONE OPENING.")
)
GENERALLY LOCATED ON THE SOUTH SIDE OF)
DOUGLAS IN AN AREA EAST OF CLIFTON,)
(V-1574))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 20th day of December, 1988, comes on for hearing the petition for vacation filed by Kevin Daves and Greg Johnson, praying for the vacation of the following described Access Control except for one opening, to-wit:

Access Control granted by separate instrument on Film 453 and Page 1023, to Douglas Avenue across the north line of the following described property: The East 100 feet of Lot 2, Block A, Merriman Park 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 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 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. "Access control except for two openings: is hereby retained.
6. The vacation of the access control described herein should be approved.

8.00
city clerk

V-1574 Vacation Order
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of December, 1988, ordered that the above-described access control except for one opening 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.

Sheldon Kamen
Sheldon Kamen, Mayor

ATTEST:

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)
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, this JAN 6 1988
Dale E. Rea Deputy City Clerk

DOUGLAS
HEIGHTS
30
31
34
35

ZAKAS
4th - ADD.

YALE

GASSITT
8
3
MAGILL'S ADD
4

2

ROOSEVELT

4

QUENTIN

DOUGLAS

RE
7
25
ADD
23

CLIFTON

R. TRIMBLE
ADD -
SHORT
RIDGE
ADD
MERRIMAN
2
A
3

AVE.

CIRCLE DR.

SARGENTS
TERRACE
16
6
7
MERRIMAN
PARK
LOT 1
24
34
SERVE B MERRIMAN

ER
10
ADD.

B
PARK
PETERSON
ADD. B
6
REABLE
ADD. -