

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 13, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1542 - REQUEST TO VACATE ACCESS CONTROL, LOCATED ON THE SOUTH SIDE OF CENTRAL IN AN AREA WEST OF TYLER ROAD (District #5).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve plat. *Vacation*

MAPC Recommendation: Approve plat. (unanimous)

Background: This vacation case has been requested in order to permit an additional driveway to Central from Westlink Shopping Center. Presently, the lot upon which the shopping center is located is restricted to two openings. The applicant also owns the lot located to the east at the southwest corner of Central and Tyler Road. This adjacent lot is permitted one driveway to Central, but the applicant has chosen to access this lot only to Tyler. At the request of the Traffic Engineer, the applicant is dedicating "complete access control" to Central from the adjacent corner lot so an additional opening can be obtained for the lot, subject to this vacation case. This trade-off assures that no more than the original three permitted openings will occur between the Tyler/Central intersection and the west line of the subject lot. 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; accept access control dedication; authorize the Mayor to sign Vacation Order; and record certified copy of Order and access control dedication, recording costs to be billed to:

755-68-360-50000-295-000-000.

✓ D-1527

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

STATE OF KANSAS
SEP 13 1988
FILED FOR RECORD AT
8-00 AM

OCT 3 1988 0972661

PAT KETTLER
REGISTER OF DEEDS

Ed Raza Deputy

IN THE MATTER OF THE VACATION OF
PLATTED ACCESS CONTROL.

GENERALLY LOCATED ON THE SOUTH SIDE OF
CENTRAL IN AN AREA WEST OF TYLER ROAD
(V-1542).

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 13th day of September, 1988, comes on for
hearing the petition for vacation filed by W. A. Michaelis, Jr.,
praying for the vacation of the following described platted access
control, to-wit:

Access control except for two openings, platted
to Central Avenue, across the north line of Lot 1,
Westlink Center 4th Addition, Wichita, 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 AUG 31 1988 SEP 7 1988

2. No private rights will be injured or endangered by the
vacation of the above-described platted 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 three openings is hereby
retained.

6. The vacation of the platted access control described
herein should be approved.

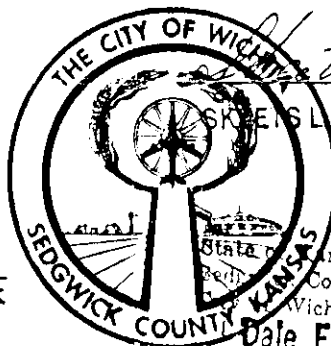
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of
September, 1988, ordered that the above-described platted access
control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk
shall certify a copy of this order to the Register of Deeds of
Sedgwick County.

ATTEST: THE CITY OF WICHITA

Dale E. Raza
Dale E. Raza, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law



John L. Winkler
JOHN L. WINKLER VICE MAYOR

Dale E. Raza
Dale E. Raza, 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 SEP 13 1988
Dale E. Raza Deputy City Clerk

city clerk

MICROFILMED
OF RECORD

CENTRAL

TYLER

ROLLING HILLS
EIGHTH ADD. 2

PART OF
WESTLINK
CENTER 2nd
ADDITION 4

2

ROLLING HILLS
9th ADD. 1

ST. MATTHIAS
ADD. 1

AVE. 9
PETERSON
LOLA ADD. 1
5
4
3

WESTLINK
AVE. 20
1

WESTLINK
CENTER 1
4TH ADD.

JOY
ADD. 1

WESTLINK
CENTER 1
3rd.

PART OF
WESTLINK
CENTER
2 ND. 3

20
1

ADD. 20
13
1

AVE. 1

REPLAT

5TH