

City of Wichita
City Council Meeting
April 26, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1525 - REQUEST TO VACATE MURDOCK STREET RIGHT-OF-WAY
AND PLATTED ACCESS CONTROL, GENERALLY LOCATED WEST OF
MCLEAN, IN AN AREA NORTH OF CENTRAL. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of street right-of-way and access control.

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

Background: The Osteopathic Hospital owns the property on each side of the subject portion of Murdock Street right-of-way. This street right-of-way has never been opened or used as a street and the hospital desires to incorporate the right-of-way into their long-range development plans. The access control vacation is requested in order to allow construction of a major entrance to McLean Boulevard from the hospital site. The street improvement petition is 100% and guarantees construction of needed medial improvements on McLean Boulevard and a southbound decel lane. The Vacation Order retains needed drainage and utility easements within the vacated street right-of-way. 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 the street improvement petitions and instruct staff to prepare resolution; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to:

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

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

IN THE MATTER OF THE VACATION OF STREET
RIGHT-OF-WAY AND ACCESS CONTROL.

GENERALLY LOCATED ON THE WEST SIDE OF
McLEAN BOULEVARD, IN AN AREA NORTH OF
CENTRAL. (V-1525)

MORE FULLY DESCRIBED BELOW

Approved / Accepted By City Council

This APR 26 1988

VACATION ORDER

NOW on this 26th day of April, 1988, comes on for hearing the petition for vacation filed by Osteopathic Hospital of Wichita, praying for the vacation of the following described street right-of-way and access control, to-wit:

STREET RIGHT-OF-WAY

That portion of Murdock Avenue platted adjacent to the north line of Block 1, Osteopathic Addition to Wichita, Kansas.

ACCESS CONTROL

The platted "complete access control" to McLean Boulevard across the easterly line of Block 1, Osteopathic Addition, to Wichita, Kansas. (V-1525)

STATE OF KANSAS
SEDGWICK COUNTY }
FILED FOR RECORD AT
12:30 PM

MAY 10 1988

NO. 9 46470
PAT KETTLER
REGISTER OF DEEDS

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 APR 13 & 20, 1988.
2. No private rights will be injured or endangered by the vacation of the above-described street right-of-way and 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 south 30 feet of the north 35 feet of the vacated street is hereby retained as a drainage easement.
6. The west 20 feet of the south 10 feet of the north 53 feet of the vacated street is hereby retained as a utility easement.
7. "Access control except for one opening" is hereby retained to McLean Boulevard.
8. The vacation of the street right-of-way and access control described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of April, 1988, ordered that the above-described street right-of-way and access control are 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:

Dale E. Rea, Deputy City Clerk
Approved as to Form:
500A Thomas R. Powell
Thomas Powell, Director of Law
City clerk
Sheldon Kamen
SHELDON KAMEN, Mayor
State of Kansas)
Sedgwick County)
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 his office as the City Clerk. Given under my hand and seal of the City of Wichita, this MAY 9 1988
Dale E. Rea
Deputy City Clerk

