

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 16, 1991
30

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1714 - REQUEST TO VACATE AN AREA OF PLATTED
COMPLETE ACCESS CONTROL
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of complete access control.

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

Background: The applicant is requesting an opening to Gold Street in order to alleviate traffic congestion to the south along MacArthur, which has two access openings. The City agreed to allow the vacation of an area of complete access control with the vacation order retaining "access control except for one opening for the north 300 feet." In return the applicant has submitted a contingent dedication which rededicates the access control being vacated by this case. The contingent dedication is subject to the City improving Mclean Boulevard and installing a turn lane from the south and a decel lane from the north. City Engineering and the utility companies have indicated their approval of this 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, accept the dedication; authorize the Mayor to sign the Vacation Order; record certified copy of Order and dedication recording costs to be billed to:

150029-2909

Approved by City Council
This 7-30-91

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

IN THE MATTER OF THE VACATION OF A)
PORTION OF PLATTED ACCESS CONTROL.)
(V-1714))
)
GENERALLY LOCATED NORTH OF MACARTHUR RD.)
AND WEST OF GOLD ST.)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 16th day of July, 1991, comes on for hearing the petition for vacation filed by Mobile Home Resorts, Inc., praying for the vacation of the following described platted access control, to-wit:

The north 300 feet of platted complete access control along the east line of Lot 1, Block A, Pacesetter 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 Reporter of notice of this vacation proceeding for consecutive weeks on 7/16/91 & 7/23/91.
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 one opening shall be retained for the north 300 feet.
6. The vacation of the platted access control described herein should be approved.

MICROFILMED
OF RECORD

Rec'd City Clerk

242 1500-9 2007

200

Vacation Order
V-1714
Page 2 of 2

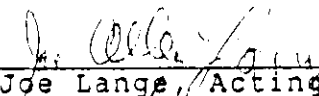
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of July, 1991, ordered that the above-described platted access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

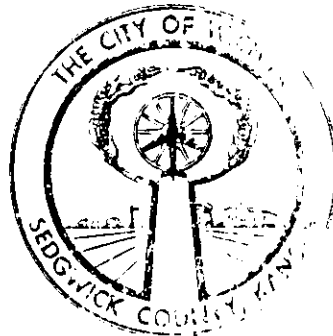

Bob Knight, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk

Approved as to Form:

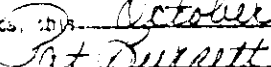

Joe Lange, Acting Director of Law

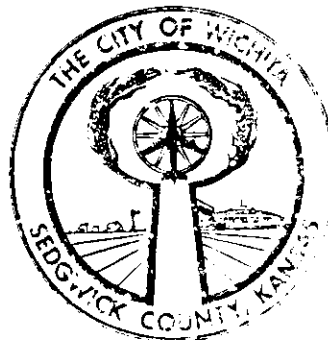


STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
8:00 AM

JAN 392 1173850

PAT KETTLER
REGISTER OF DEEDS

State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, 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 October 9, 1991
 Deputy City Clerk



1	DON
2	ADDITION
3	
4	
4	
2	TES
2	ERS

Proposed
 PACESETTER
 ADDITION

EXISTING CURB & GUTTER AND
 ASPHALT PAVING

GOLD STREET

Proposed
 Opening
 235'

EXISTING METAL
 STRUCTURE

EXISTING DRIVE
 ENTRANCE

EXISTING CURB
 INLET

ADDITION

V-1714

V-1714