

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 20, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1782 REQUEST TO VACATE ACCESS CONTROL
LOCATED EAST OF WATER AND SOUTH OF THIRD STREET
(District #6)

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 of this vacation is also involved in a lot split which has been submitted in order to create a separate building site. The Plan for the proposed building at this location indicates a need for access along the property's frontage to Water. The Subdivision Committee along with Traffic and City Engineering indicate that the additional access opening should have no adverse traffic impacts. 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 the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of the Vacation Order ~~and restrictive covenant~~; recording costs to be billed to:

150029-2909

This OCT 20 1992

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

IN THE MATTER OF THE VACATION OF ACCESS)
CONTROL)
)
GENERALLY LOCATED ON THE EAST SIDE OF)
WATER SOUTH OF THIRD STREET (V-1782))
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 20th day of October, 1992, comes on for hearing the petition for vacation filed by Dominion Cipe Partnership, praying for the vacation of the following described access control, to-wit:

Commencing at the N.W. Corner of Block 2, Administrative Center, Wichita, Sedgwick County, Kansas; thence south and southerly, along the west line of said Block 2, 190.68 feet for a place of beginning; thence southerly along the west line of said Block 2, 60 feet for a point of termination.

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 10/2/92 & 10/9/92.
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. The vacation of the access control described herein should be approved.

MICROFILMED
OF RECORD

8.000k City clerk

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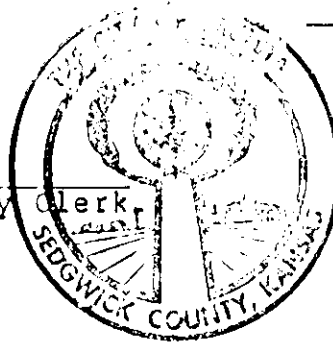
Vacation Order
V-1782
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of October, 1992, ordered that the above-described 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.


FRANK M. OJILE, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk



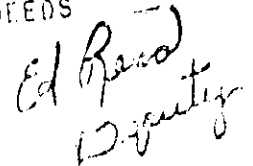
Approved as to Form:


Gary Rebenstorf, Director of Law

STATE OF KANSAS } SS
SEDGWICK COUNTY }
FILED FOR RECORD AT
8-00 A M

DEC 1 '92 1255608

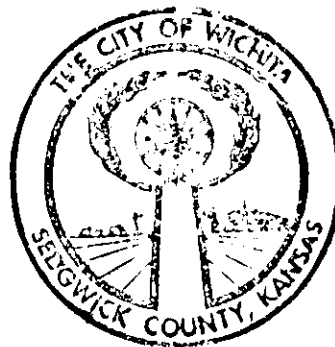
PAT KETTLER
REGISTER OF DEEDS

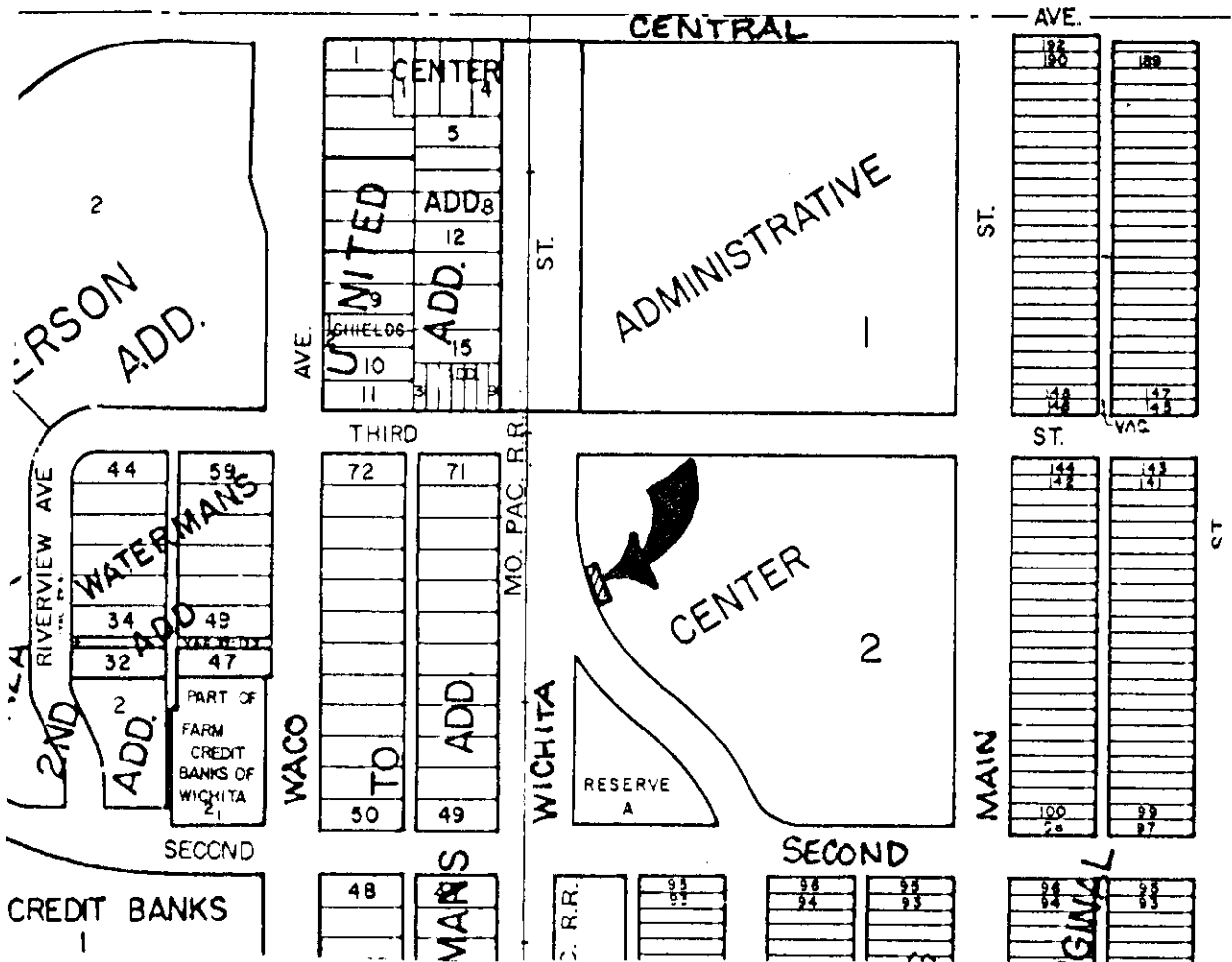

Ed Basso
Deputy

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.

Witness my hand and seal of the City of
OCT 20 1992
 Deputy City Clerk





Application Filed 8/4/92
 S/D Comm. Action 8/20/92 App
 M.A.P.C. Action 8/27/92
 Approved

W.C.C. Action 10-20-92 Approved
 Bd. Co. Co. Action
 Order to Vacate Recorded
 December 1, 1992