Planning Agenda Item #_____

City of Wichita
City Council Meeting
January 26, 1993

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1799 REQUEST TO VACATE ACCESS CONTROL, EAST OF ROCK ROAD AND NORTH OF HARRY
(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: Applicant requests the vacation of six (6) feet of access control to increase the current access control opening. The stated vacation would pose no harm to this or adjacent properties, as stated and recommended for approval by Traffic Engineering, City Engineering and the utility companies.

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; recording costs to be billed to:

150029-2909

FILM 1320 PAGE 0889

Approved / Accepted by City Council

This JAN 26 1993

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

IN THE MATTER OF THE VACATION OF ACCESS CONTROL)
)
GENERALLY LOCATED EAST OF ROCK ROAD, NORTH OF HARRY AND SOUTH OF GRAIL (V-1799))
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 26TH day of January, 1993, comes on for hearing the petition for vacation filed by Joseph L. Murphy, Pizza Hut, Inc., praying for the vacation of the following described access control, to-wit:

The vacation of access control described as: The south six (6) feet of complete access control as platted to Rock Road across the west lot line of Lot 1, Triple J 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 Reporter of notice of this vacation proceeding for consecutive weeks on 1/5/93 & 1/12/93.

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

$8.00 CK City Clerk

Vacation Order
V-1799
Page 2 of 2

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 26th day of January, 1993, 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

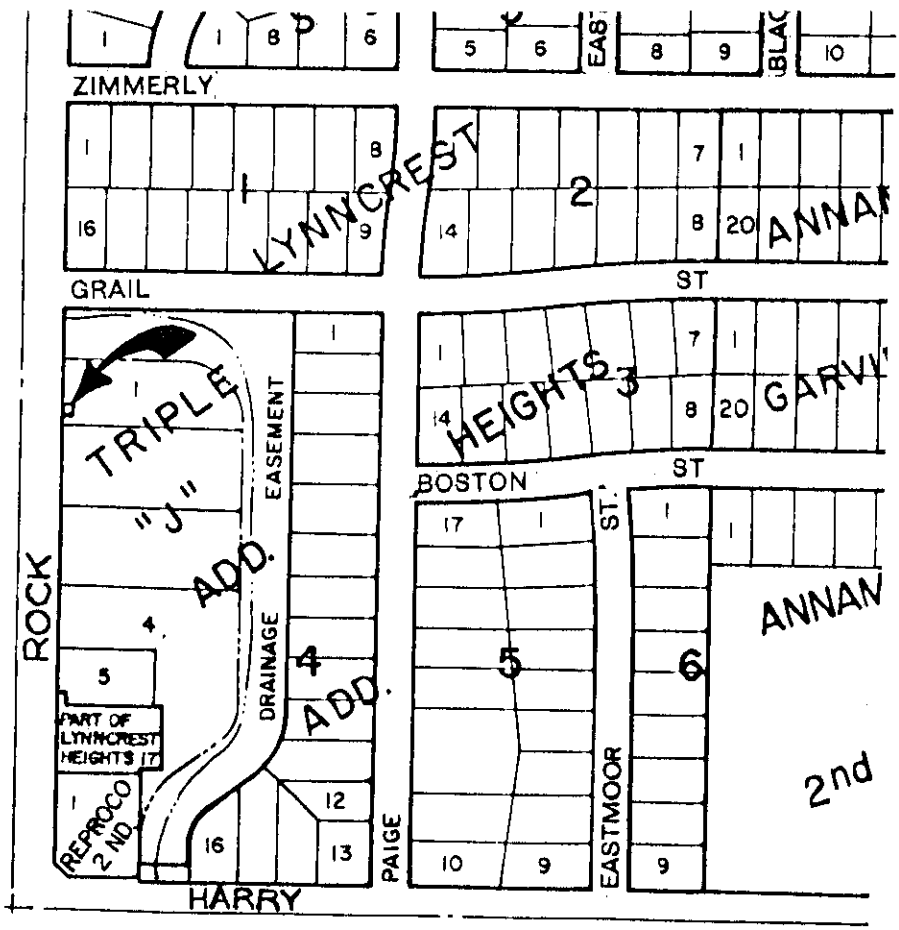
State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Pat Burnett, Deputy City Clerk of the City of Wichita, Kansas, 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 of the City of Wichita and was filed on JAN 26 1993

Pat Burnett Deputy City Clerk

STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT
8-00A
MAR 10 93 1274588
PAT KETTLER
REGISTER OF DEEDS
Ed Reed
Deputy

Sketch.



Application Filed 12/2/92
S/D Comm. Action 12/23/92 A/P

M.A.P.C. Action 12/3/92 A/P

W.C.C. Action 1-26-93 Approved

Bd. Co. Co. Action

Order to Vacate Recorded March 10 1993