

Planning Agenda # _____

City of Wichita
City Council Meeting
October 18, 1994

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1885 REQUEST TO VACATE ACCESS CONTROL
LOCATED ON THE EAST SIDE OF HILLSIDE IN AN AREA NORTH
OF CENTRAL.
(District #1)

INITIATED BY: Metropolitan Area Planning Department *MK*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

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

Background: Four access points to/from Hillside are now permitted within the 930 feet of frontage on Wesley Medical Center Addition. One additional access point is needed to provide an exit from a new handicapped van parking area to be located just south of the skywalk. The Traffic Engineer has reviewed and approved the proposed circulation plan. 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/Actions: Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the Vacation Order; recording costs to be billed to:

150029-2909

150029-2909

Approved / Accepted By City Council

This OCT 18 1994

BOYER, DONALDSON & STEWART
1030 First National Bank Building
Wichita, Kansas 67202-3395
(316) 264-7321

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

IN THE MATTER OF THE VACATION OF)
PLATTED ACCESS CONTROL.)

GENERALLY LOCATED ON THE EASTSIDE)
OF HILLSIDE IN AN AREA NORTH OF)
CENTRAL)

MORE FULLY DESCRIBED BELOW)

MAPD CASE NO. V-1885

VACATION ORDER

NOW on this 18th day of October, 1994, comes on for hearing the petition for vacation filed by HCA Health Services of Kansas, Inc., praying for the vacation of the following described access control, to-wit:

All abutters rights of access to or from Hillside Avenue over and across the west line of Lot 1, Wesley Medical Center Addition, except for four (4) openings, heretofore reserved to the City of Wichita by Vacation Order approved by the Wichita City Council on the 7th day of January, 1992, and filed of record with the Sedgwick County Register of Deeds on Film 1229 at Page 1003.

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

10-7-94 + 10-14-94.

0.00 d City Clerk

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.

6. Access control except for five (5) openings is retained across the west line of Lot 1, Wesley Medical Center Addition, Wichita, Kansas.

IT IS THEREFORE BY THE CITY COUNCIL, on this 18th day of October, 1994, 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, Kansas.


Elma Broadfoot, Mayor



ATTEST:

Pat Burnett
Pat Burnett, City Clerk Dep.

Approved as to form:

Gary Ebenstorf
Gary Ebenstorf, Director of Law

36:JANAP:VACATION

MICROFILMED
OF RECORD



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

NOV 23 1994
NO. 1422751
PAT KETTLER
REGISTER OF DEEDS

Ed Reed
Deputy

ORCHARD

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DATE _____

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PROSPECT

YALE