

Planning Agenda # _____

**City of Wichita
City Council Meeting
February 11, 1997**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2013 REQUEST TO VACATE ACCESS CONTROL
LOCATED IN AN AREA EAST OF ROCK ROAD IN AN AREA SOUTH 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: This request is being made in order to vacate access control in an area on the east side of Rock Road and south of Harry. The applicant has indicated that this vacation is necessary to alleviate traffic circulation problems for the businesses located on this lot. Due to heavy traffic at the intersection of Rock Road and Harry, ingress and egress from the northern part of this site is quite difficult especially at peak traffic times. An additional access at the south part of the lot will alleviate the congestion associated with this busy intersection. Traffic Engineering has indicated that this vacation of access control is acceptable.

The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. No members of the public addressed the MAPC in opposition to this request.

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

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

COPY

UNRECORDED
OF RECORD

IN THE MATTER OF THE VACATION OF ACCESS CONTROL)

GENERALLY LOCATED)
EAST SIDE OF ROCK ROAD IN AN AREA)
SOUTH OF HARRY)

Case No. V-2013

MORE FULLY DESCRIBED BELOW)



VACATION ORDER

NOW on this 11th day of February, 1997, comes on for hearing the petition for vacation filed by L.N.S. Investments of Kansas, Inc., praying for the vacation of the following described access control, to-wit:

Vacate access control except for three openings to Rock Road as platted for Lot 1, Silver Spur East an Addition to Wichita, Kansas, except beginning at the Northwest corner thereof, thence East 105', thence South 275 feet, thence W 115 feet, thence northerly to the point of Beginning.

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 1/31/97 & 2/7/97.

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. Access control shall be maintained except for four (4) openings, one of which must be located in the south 55 feet of the site.

6. The vacation of the access control described herein should be approved.

B.ck

City of Wichita

City Clerk

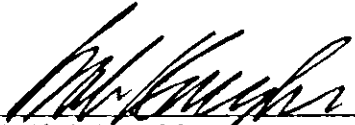
150029
2909 8/20

Vacation Order
V - 2013

Page 2 of 2

COPY

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of February, 1997, 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.

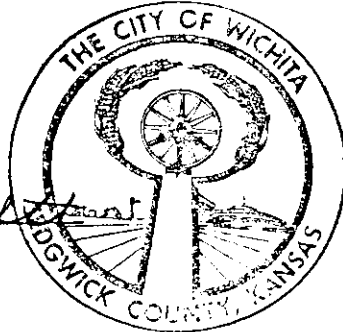


Bob Knight, Mayor

ATTEST:



Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT

2:00p M

1597151 & 156

LARRY CONSOLVER
REGISTER OF DEEDS




Deputy



state of Kansas)
Sedgwick County))
City of Wichita)

I, **Pat Burnett** 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 the the City Clerk. Given under my hand and seal of the City of

Wichita, this JAN 28 1997


City Clerk

ROCK RD

HARRY

SILVER

SPUR

EAST DRAINAGE

R/W

IIJSKI
ADD.

CEEDAR

DRAINAGE

REG. D.

LAKES

2

VILLAGE

3RD.

RESERVE