Planning Agenda #_____

City of Wichita
City Council Meeting
June 16, 1998

Agenda Report #_____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2071 REQUEST TO VACATE COMPLETE ACCESS CONTROL LOCATED IN AN AREA ON THE EAST SIDE OF RIDGE ROAD AND NORTH OF SILVER SPRINGS BOULEVARD, APPROXIMATELY 1/2 MILE NORTH OF CENTRAL.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of a controlled access easement.

MAPC Recommendation: Approve vacation of a controlled access easement. (unanimous)

Background: This site was part of a larger CUP which was approved for two points of access to Ridge Road. The apartment complex to the south of this application area was provided one point of access. Silver Springs Blvd., a private road, accounted for the second point of access permitted by the CUP. The existing apartment complex is to the south of Silver Springs Blvd, and the proposed apartment complex is to the north of this road. Therefore, the applicant is requesting this vacation to allow a third point of access to Ridge Road from the new apartment complex. Currently, all of the traffic generated by this new apartment complex would be placed onto Silver Springs Blvd.

The vacation request has been reviewed and approved by the Planning Commission, subject to the applicant guaranteeing the construction of a left turn lane along Ridge Road from the present left turn lane (constructed for the school) on Ridge Road, south to Silver Springs Blvd. Traffic Engineering has received a bond for the construction of this left turn lane.

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.

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Approved / Accepted By City Council
This JUN 16 1998

CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

STATE OF KANSAS) ss
SEDGWICK COUNTY)

Deputy

JUL 22 8 02 AM '98

BILL MCKAY
REGISTER OF DEEDS

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

REGISTER OF DEEDS SEDGWICK COUNTY KANSAS

IN THE MATTER OF THE VACATION OF CONTROLLED ACCESS EASEMENT	)	
GENERALLY LOCATED EAST SIDE OF RIDGE ROAD AND NORTH OF SILVER SPRINGS BOULEVARD, APPROXIMATELY 1/2 MILE NORTH OF CENTRAL AVENUE	)	Case No. V-2071
MORE FULLY DESCRIBED BELOW	)	

MICROFILMED OF RECORD

VACATION ORDER

NOW on this 16th day of June, 1998, comes on for hearing the petition for vacation filed by Ross Engineering, Inc., Attn: Mike D. Case, The Cotswold, praying for the vacation of the following described a controlled access easement, to-wit:

> Vacate the Complete Access Control along Ridge Road on Lot 1, Block 1 of Silver Springs Addition to the City of Wichita, Sedgwick County, Kansas; and replace with Complete Access Control except for 1 opening 65-feet in width which has its south point located 188.5 feet north of the SW corner of said Lot 1, Block 1 of Silver Springs Addition.

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 one time 5-22-98, which was at least 20 days prior to this public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described a controlled access easement, 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.

8.00

150003 9.00

RETURN ABOVE

5. The vacation of the complete access control described herein should be approved, subject to the following condition:

A) The applicant shall guarantee the construction of a left turn lane along Ridge Road from the present left turn lane (constructed for the school) on Ridge Road, south to Silver springs Blvd.

B) The applicant shall be responsible for any relocation or reconstruction of Southwestern Bell cables, any expenses incurred by Southwestern Bell shall be reimbursed by the applicant.

C) The applicant shall be responsible for any relocation or reconstruction of utilities made necessary by this vacation.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of June, 1998, ordered that the above-described a controlled access easement 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

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

ATTEST:

Pat Burnett

Pat Burnett, City Clerk

Approved as to Form:

Gary Rebenstorf

Gary Rebenstorf, Director of Law

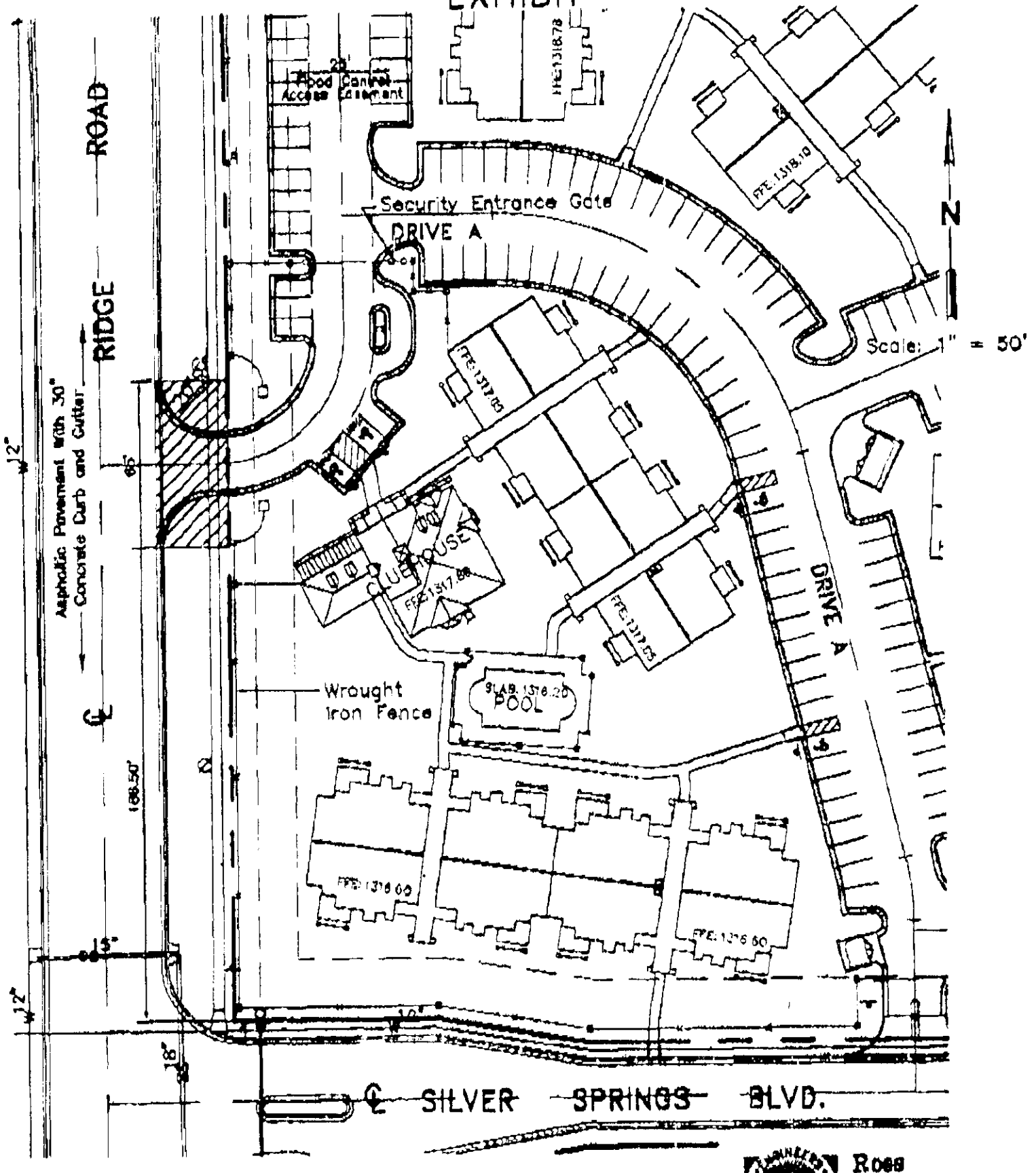
State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Pat Burnett City Clerk of the City of Wichita, Kansas, hereby certify that the above instrument to which this is affixed is a true and correct copy of the original on file in my office.

Given under my hand and seal of the City of Wichita this JUN 16 1998

Pat Burnett City Clerk

CROWNE CHASE APARTMENT
CONTROLLER ACCESS EASEMENT
EXHIBIT



Ross Engineering Inc.

988-10 02/02/98