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CITY COUNCIL PROCEEDINGS

The MAPC voted (12-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Paving petition is required
Ensure efficient infrastructure

A certified copy of the Vacation Order, dedication by separate instrument for public street right-of-way, dedication by separate instrument for contingent street right-of-way and dedication by separate instrument for street, drainage and utility easement and a restrictive covenant will be recorded with the Register of Deeds.

Motion--
--carried

Brewer moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

VAC2007-00047

VAC2007-00047 REQUEST TO VACATE PORTIONS OF PLATTED COMPLETE ACCESS CONTROL--GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 21ST STREET NORTH AND 127TH STREET EAST (DISTRICT II)

GARY -
GREG A. WILL
SUBMIT A NEW
DOCUMENT
(DEDICATION OF
ACCESS CONTROL)
TO LONGNECKER
I THINK THIS IS
TAKEN CARE OF
WOG

Agenda Item No. 43

Staff Recommendation: Approve
MAPC Recommendation: Approve (unanimously)

The applicant has applied for the vacation of the complete access control along the site's 21st Street and 127th Street East frontages. The platted access control allows one right in-right out driveway onto the site's 127th Street frontage, located 160 feet south of the 21st Street and 127th Street East intersection, while a full movement driveway is allowed 150 feet south of the right in-right out driveway. The applicant proposes one right in-right out driveway along the site's 127th Street frontage, located 83 76 feet south of the intersection and one full movement drive located 349 24 feet south of the intersection. The platted access control allows one right in-right out driveway onto the site's 21st Street frontage, located 160 feet east of the intersection. The applicant proposes one full movement driveway onto 21st Street, located 217 58 feet east of the intersection. There will be a median strip in the 127th Street ROW that will insure that the proposed right in-right out driveway along 127th Street functions as just that, a right in-right out driveway. Per the Subdivision Regulations, 10-104 - Modification of Design Criteria, the MAPC may modify design criteria. In the past staff has recommended modified design criteria, which has been approved by the MAPC. The Recd Commercial Addition was recorded with the Register of Deeds on January 14, 2003.

The MAPC voted (12-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Ensure efficient infrastructure

A certified copy of the Vacation Order and dedication by separate instrument for access control will be recorded with the Register of Deeds.

Motion--
--carried

Brewer moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

DED2008-01

DED 2008-01 AND DED 2008-02-DEDICATION OF UTILITY EASEMENTS LOCATED EAST OF MAIZE ROAD AND NORTH OF MACARTHUR ROAD. (DISTRICT IV)

City of Wichita
City Council Meeting
February 12, 2008

TO: Mayor and City Council

SUBJECT: VAC2007-00047 Request to vacate portions of platted complete access control
Generally located at the southeast corner of 21st Street North and 127th Street
East (District II)

INITIATED BY: Metropolitan Area Planning Department *JS*

AGENDA: Planning (Consent)

Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimously)

Background: The applicant has applied for the vacation of the complete access control along the site's 21st Street and 127th Street East frontages. The platted access control allows one right in-right out driveway onto the site's 127th Street frontage, located 160 feet south of the 21st Street and 127th Street East intersection, while a full movement driveway is allowed 150 feet south of the right in-right out driveway. The applicant proposes one right in-right out driveway along the site's 127th Street frontage, located 83.76 feet south of the intersection and one full movement drive located 349.24 feet south of the intersection. The platted access control allows one right in-right out driveway onto the site's 21st Street frontage, located 160 feet east of the intersection. The applicant proposes one full movement driveway onto 21st Street, located 217.58 feet east of the intersection. There will be a median strip in the 127th Street ROW that will insure that the proposed right in-right out driveway along 127th Street functions as just that, a right in-right out driveway. Per the Subdivision Regulations, 10-104 - Modification of Design Criteria, the MAPC may modify design criteria. In the past staff has recommended modified design criteria, which has been approved by the MAPC. The Reed Commercial Addition was recorded with the Register of Deeds on January 14, 2003.

Analysis: The MAPC voted (12-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Financial Considerations: None

Goal Impact: Ensure efficient infrastructure

Legal Considerations: A certified copy of the Vacation Order and dedication by separate instrument for access control will be recorded with the Register of Deeds.

Recommendation/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

Attachments: Dedication by separate instrument for access control

Janzen, Gary

From: Jason Mohler [Jason Mohler@craftontullsparks.com]
Sent: Sunday, March 09, 2008 10:31 PM
To: Janzen, Gary
Subject: RE: 21st St N & 127th St E - QT

Gary – Thanks for the email. I'm working Kalli Clark, civil engineer at QT to figure this out. I don't know the answer this very moment but I will get back to you asap.

The purpose of our meeting with Joe was to look at the current grades at the access drives versus the future grades when 21st is constructed. Joe has given us what we need to coordinate both the access and the grades, so we'll continue the process and be in touch with you soon.

Jason Mohler, P.E.
Vice President Wichita Office

Direct: 316-634-6776 | Fax: 316-634-6777 | Mobile: 316-200-1678
8200 East 34th Street N
Building 1600 Suite 1603 | Wichita, KS 67226 | www.craftontullsparks.com

Crafton Tull Sparks -- Anticipating needs. Providing solutions.

From: Janzen, Gary [mailto:GJanzen@wichita.gov]
Sent: Sunday, March 09, 2008 10:22 PM
To: Jason Mohler
Cc: Joe.Surmeier@pec1.com, Gunzelman, Paul; Lindebak, Scott
Subject: 21st St N & 127th St E - QT

Jason – Joe said he was at a meeting with you and QT week before last, to discuss their plans, as well as ours. Indication was made that the "City Council" gave approval to a rt in/rt out drive on 21st, and two full movement, unrestricted access drives off of 127th? I need to know what the deal is here ASAP, please. Paul and Jim Armour met with George Laham and Greg Allison not too long ago to discuss this same issue – result was the exact opposite of this, if this is supposedly the set-up now. We re-designed this intersection to shorten the median on 21st, allowing full movement access there, then extended 127th south, added a raised median to make rt in/rt out access there.

I'm confident with our current plans for access mgmt for this property, and we're just about ready to get this out the door for bidding. Joe mentioned some concern with proposed grades and drainage from this lot – have we seen a drainage plan here, and are you designing to fit with our 21st St SWS system final design? No way can we make a change at this point to accommodate drainage from this site. This site really needs to fit our proposed plan.

Get ahold of me as soon as you can, please.

Thanks,
GJ

Gary Janzen, P.E.

3/10/2008

DEDICATION OF ACCESS CONTROL

KNOW ALL MEN BY THESE PRESENTS

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, **Reed 127TH/Commercial, LLC, a Kansas limited liability company (as to Tract B) AND, Venture Seven Development, L.L.C., a Kansas limited liability company (as to Tract C)**, being the owners of the following described real estate in Wichita, Sedgwick County, Kansas, to-wit:

Tract B A tract of land lying in portions of Lots 1 and 2, Block 1, Reed Commercial Addition, an addition to Wichita, Sedgwick County, Kansas, being located in the Northwest Quarter of Section 11, Township 27 South, Range 2 East of the 6th Principal Meridian, and being more particularly described as follows:
BEGINNING at a westerly corner of said Lot 2 being 125.00 feet north of the southwest corner of said Lot 2, thence on a platted bearing of N88°33'26"E, parallel with the south line of said Lot 1, a distance of 468.05 feet, thence S00°51'36"E, parallel with the west line of said Lot 1, a distance of 533.18 feet to the south line of said Lot 1, thence S88°33'26"W, along the south line of said Lot 1, a distance of 468.05 feet to the southwest most corner of said Lot 1, thence N00°51'36"W along the west lines of said Lots 1 and 2, a distance of 533.18 feet to the POINT OF BEGINNING
Containing 5.73 acres more or less

TRACT C A tract of land lying in a portions of Lots 1, 2 and 3 in Block 1, Reed Commercial Addition, an addition to Wichita, Sedgwick County, Kansas, being located in the Northwest Quarter of Section 11, Township 27 South, Range 2 East of the 6th Principal Meridian, and being more particularly described as follows:
BEGINNING at the northwest corner of Lot 3, Block 1, Reed Commercial Addition, thence on a platted bearing of N88°33'26"E, along the north line of said Lot 3, a distance of 175.00 feet, thence continuing along the northerly line of said Lot 3, N80°01'35"E, a distance of 101.12 feet to a point on the north line of Lot 1, Block 1 of said Reed Commercial Addition, thence along said north line, N88°33'26"E, a distance of 178.20 feet, thence S00°51'36"E, parallel with the west line of said Lot 3, a distance of 289.85 feet, thence S88°33'26"W, parallel with the north line of said Lot 1, a distance of 468.05 feet to a point on the westerly line of Lot 2, Block 1 of said Reed Commercial Addition, thence along said westerly line

VAC 2007-47

N07°40'15"E, a distance of 101.12 feet, thence along the west line of said Lot 3,
N00°51'36"W, a distance of 175.00 feet to the POINT OF BEGINNING
Containing 2.95 acres more or less

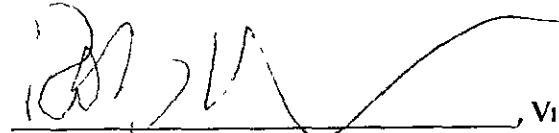
Do hereby transfer and convey to the City of Wichita all abutters' right of access, ingress and egress to said property from or to 21st Street North and East 127th Street over and across the north and east lines of the above described Tracts B and C, located within the north 474.24 feet of the west 495.00 feet of the Northwest Quarter of Section 11, Township 27 South, Range 2 East of the 6th Principal Meridian, provided however, the following full-movement access points shall be allowed.

- One 60.00 foot full movement opening along 21st Street North, centered 321.82 feet east of the northwest corner of said Section 11
- One 60.00 foot full-movement opening along 127th Street East, centered 188.00 feet south of the northwest corner of said Section 11
- One 60.00 foot full-movement opening along 127th Street East, centered 349.24 feet south of the northwest corner of said Section 11

It is understood that this conveyance is a covenant running with the land and prohibits all subsequent owners thereof and all members of the public from entering upon said property from East 21st Street North and North 127th Street East over and across the north and west lines, except for the described aforementioned one opening to East 21st Street North and two openings to North 127th Street East thereto

Executed this ____ day of _____, 2007

REED 127TH/COMMERCIAL, LLC, a Kansas limited liability company


 Vice President

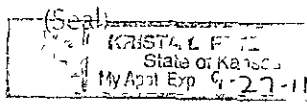
Rob Ramseyer, Vice President
Ritchie Investment Company, Inc, as manager

STATE OF KANSAS, SEDGWICK COUNTY) ss

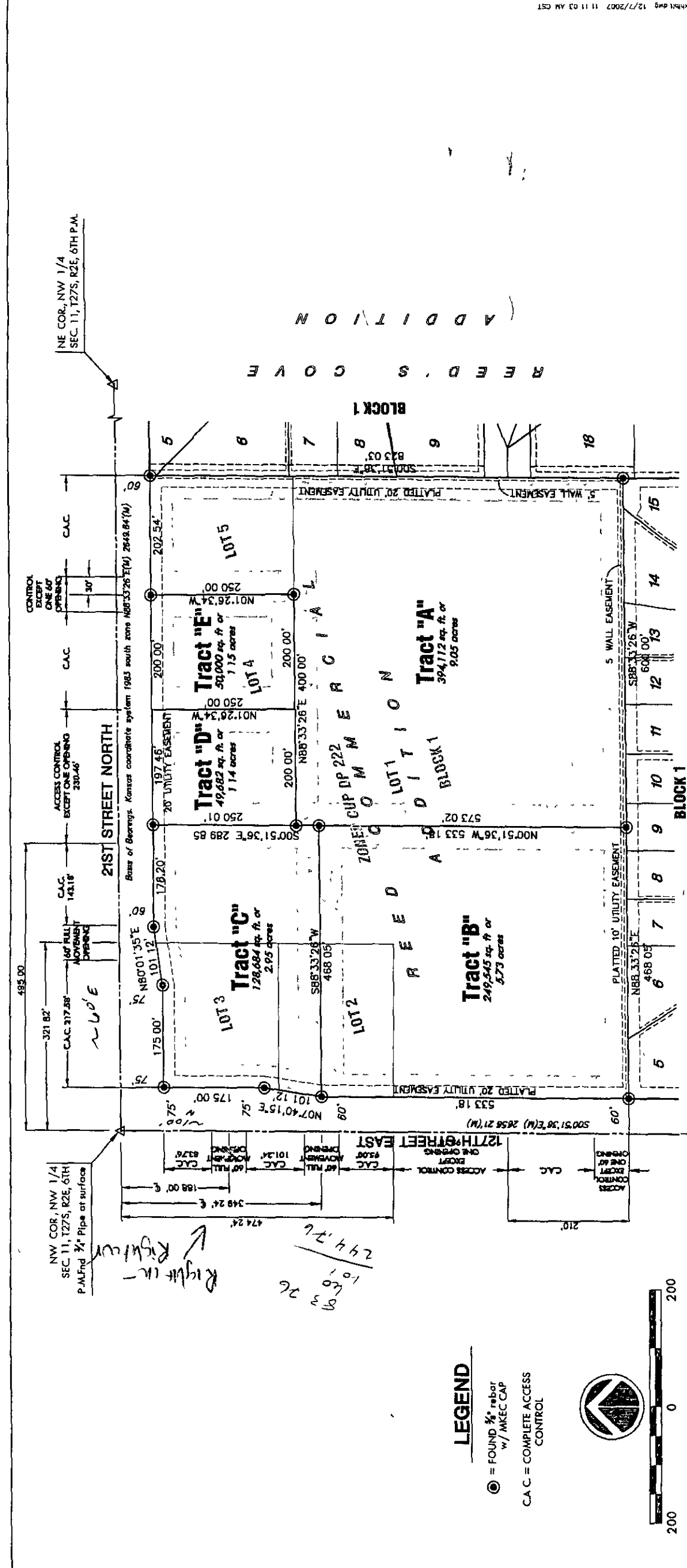
BE IT REMEMBERED, That on this 17 day of December, 2007, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Rob Ramseyer, Vice President, Ritchie Investment Company, Inc, manager, Reed 127TH/Commercial, LLC, a Kansas limited liability company** personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same for and on behalf, and as the act and deed of said Fox Pointe Addition of Wichita

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written


Notary Public



My Appointment Expires 9-27-11



NE COR. NW 1/4
SEC. 11, 127S, R2E, 6TH P.M.
ADDITION

SW COR. NW 1/4
SEC. 11, 127S, R2E, 6TH P.M.
Found 4" Pipe at surface

SW COR. NW 1/4
SEC. 11, 127S, R2E, 6TH P.M.
Found 4" Pipe at surface

Right in
Right in
244.76
101
60
3
26

LEGEND

- ⊙ = FOUND 4" PIPE at surface w/ M&EC CAP
- CA C = COMPLETE ACCESS CONTROL



REED COMMERCIAL ADDITION

MIKEC
PROJECT NAME
VACATION CASE VAC2007-
ENGINEERING
CONSULTANTS, INC. SHEET TITLE
LOTS 1 & 3, BLOCK 1

DATE: DECEMBER, 2007 10/21/07
DRAWN BY: BDL/SMZ
CHECKED BY: JGA
SCALE: AS SHOWN
PROJECT NO: 0706
SHEET NO: 1 / 1



Sedgwick County
 Register of Deeds - Bill Meek
 DOC #/FLM-PG 28961330
 Receipt # 1682796
 Pages Recorded 3
 Cashier Initials BLB
 Recording Fee \$16.00
 Authorized By *[Signature]*

Date Recorded 3/21/2008 2:54:22 PM



CITY CLERK'S ORIGINAL
 RETURN TO CITY CLERK

DEDICATION OF ACCESS CONTROL

Approved / Accepted By City Council
 This 2-12-08 #143

KNOW ALL MEN BY THESE PRESENTS

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Reed 127TH/Commercial, LLC, a Kansas limited liability company (as to Tract B) AND, Venture Seven Development, L.L.C., a Kansas limited liability company (as to Tract C), being the owners of the following described real estate in Wichita, Sedgwick County, Kansas, to-wit

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*MISC DEED
 16 54 3/8
 as part*

VAC 2007-47

000025811320

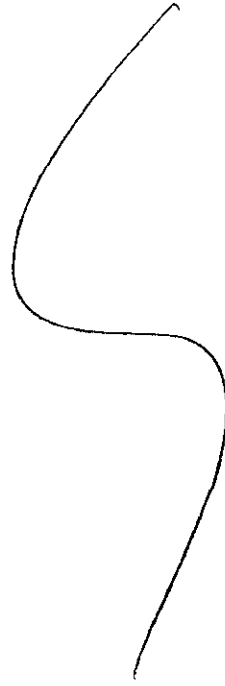
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Executed this 17th day of December, 2007

A large, stylized handwritten signature in black ink, appearing to be 'S' or similar, is written in the center of the page.

1 That due and legal notice has been given by publication as required by law, by publication in The Wichita Eagle and the Derby Reporter on January 3, 2008, which was at least 20 days prior to the public hearing

2 No private rights will be injured or endangered by the vacation of the above-described portions of platted complete access control, and the public will suffer no loss or inconvenience thereby

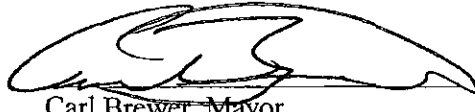
3 Dedication of access control by separate instrument will be recorded with the Sedgwick County Register of Deeds, with the Vacation Order

4 In justice to the petitioner(s), the prayer of the petition ought to be granted.

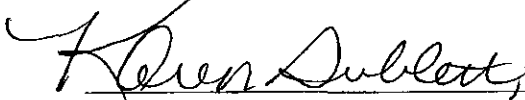
5 No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition

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

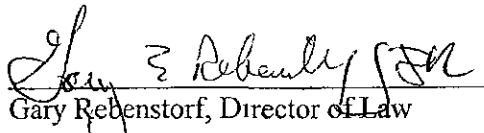
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of February ordered that the above-described portions of platted complete access control are hereby vacated IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County


Carl Brewer, Mayor



ATTEST,

Katen Sublett, City Clerk

Approved as to Form


Gary Rebenstorf, Director of Law

