



Wichita-Sedgwick County Metropolitan Area Planning Department

November 14, 2016

Baughman Company, P.A.
Attn: Phil Meyer
315 Ellis
Wichita, KS 67211

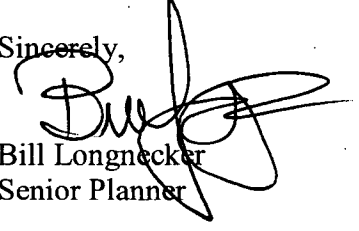
Ref: VAC2016-00005 - Request to vacate a portion of platted access control on property generally located on the west side of North Webb Road between East 34th and 35th Streets North (District II)

Mr. Meyer

At its regular meeting on Tuesday, November 1, 2016, the Wichita City Council considered the above-referenced request. The action of the City Council was to **APPROVE** subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4421.

Sincerely,


Bill Longnecker
Senior Planner

BL:klw

cc: Sedgwick County c/o Rob Lawrence, 525 N Main, Suite 315, Wichita KS 67203



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 29652129

Receipt #: 1998061
Pages Recorded: 2

Recording Fee: \$0.00

Cashier: dhawzipt

Authorized By: *Tonya Buckingham*

Date Recorded: 11/16/2016 10:45:37 AM



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

IN THE MATTER OF THE VACATION OF A PORTION)
OF PLATTED ACCESS CONTROL)

GENERALLY LOCATED BETWEEN 35TH AND 34TH)
STREETS NORTH ON THE WEST SIDE OF WEBB ROAD)

VAC2016-00005

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 1st day of November, 2016, comes on for hearing the petition for vacation filed by Sedgwick County, c/o Rob Lawrence (owner), praying for the vacation of a described portion of platted access control, to-wit:

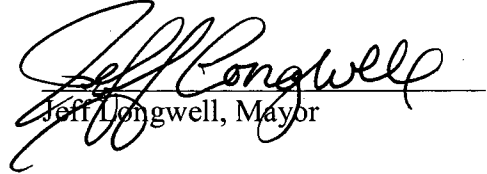
The south 219.65 feet of the east line of Lot 35, Comotara Industrial Park Fourth Addition, Wichita, Sedgwick County, Kansas, to allow one full movement drive for Parcel B as described on the Commercial Lot Split of said Lot 35 recorded on January 11, 2016; LSP2016-00001, DOC.#/Flm-Pg: 29581935.

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, in The Wichita Eagle on February 25, 2016, 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 described portion of platted access control and the public will suffer no loss or inconvenience thereby.
3. Dedication of access control by separate instrument shall be filed with the Vacation Order at the Sedgwick County Register of Deeds.
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.

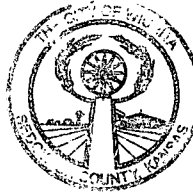
- 20552129
6. The vacation of the described portion of platted access control, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of November, 2016, ordered that the described portion of platted access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

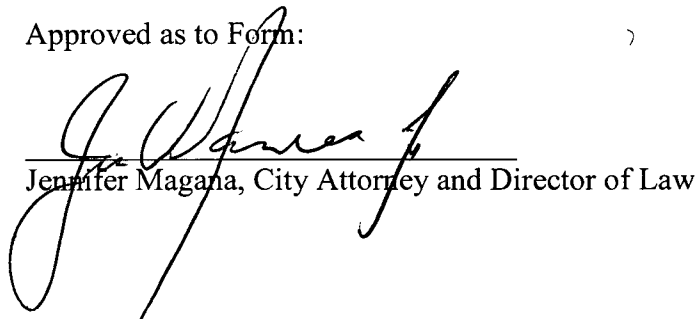

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

22-E 1-H

FINAL PLAT OF COMOTARA INDUSTRIAL PARK FOURTH ADDITION

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

I, Steven E. Anderson a Land Surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "Comotara Industrial Park Fourth Addition" to Wichita, Sedgwick County, Kansas, into lots and a street, the same being accurately set forth in the accompanying plat and described as follows:

A replat of part of Blocks 3 and 4, Comotara Business Park Addition to Wichita Sedgwick County, Kansas described as follows:

Beginning at a point on the west line of the northeast quarter, Section 32, T 26 S, R 2 E of the 6th P.M., 50.00 feet south of the northwest corner of said quarter; thence east along the south line of 37th Street North bearing N 89° 07' 32" E, 2435.41 feet; thence S 1° 05' 53" E, 158.00 feet; thence N 89° 07' 32" E, 149.00 feet to the west line of Webb Road; thence south along said west line bearing S 1° 05' 53" E, 1427.00 feet; thence S 89° 07' 32" E, 2588.56 feet to the east line of Comotara Industrial Park Second Addition; thence north along said east line bearing N 0° 56' 53" W, 1585.00 feet to the point of beginning. Containing 93.57 acres, more or less.

35th Street, as dedicated in plat of Comotara Business Park Addition, is hereby vacated by virtue of K.S.A. 12-512-B.

I hereby certify that the details of the plat are correct to the best of my knowledge and belief this 27th day of September, 1978.

By: Steven E. Anderson
Steven E. Anderson
Van Doren-Hazard-Stallings
Architects-Engineers
280 North Rock Road
Wichita, Kansas



Know all men by these presents, that we the undersigned property owners of the land as above set forth in the Land Surveyor's Certificate, have caused the same to be surveyed and platted into lots and a street, the same to be known as "Comotara Industrial Park Fourth Addition" to Wichita, Sedgwick County, Kansas. The street "Industrial Park Fourth Addition" is hereby dedicated to and for the use of the public. Easements for drainage, and control and maintenance of public utilities, as indicated on the accompanying "Plat", are hereby granted. All abutter's rights of access across the south line of 37th Street North and across the west line of Rock Road are hereby granted to the City of Wichita, Kansas, provided, however, that the subdivision shall have access to 37th Street North at one location per lot and shall have access to Webb Road at one location per lot.

Wichita Development Company

By: Robert R. Fox
Robert R. Fox
Attorney in Fact for Wichita Development Company

State of Kansas, County of Sedgwick, SS:

Be it remembered that on this 27th day of September, 1978 before me, a Notary Public in and for said State and County, came the Wichita Development Company, by Robert R. Fox, Attorney in Fact for Wichita Development Company, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

By: Carolyn R. Owen Notary Public
Carolyn R. Owen

My Commission Expires May 22, 1982

We, the Citibank, N.A., New York City, New York, mortgagees on the above described property do hereby consent to the plat of "Comotara Industrial Park Fourth Addition".

The Citibank, N.A., New York, New York.

By: Robert R. Fox
Robert R. Fox
Attorney in Fact for Citibank, N.A.

Be it remembered that on this 27th day of September, 1978 before me, a Notary Public in and for said State and County, came the Citibank, N.A., New York City, New York, by Robert R. Fox, Attorney in Fact for Citibank, N.A., to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

By: Carolyn R. Owen Notary Public
Carolyn R. Owen

My Commission Expires May 22, 1982

This plat of "Comotara Industrial Park Fourth Addition" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this 22nd day of June, 1978.

Wichita-Sedgwick County Metropolitan Area Planning Commission

By: James A. Lingo Vice-Chairman
James A. Lingo

By: Robert W. Peterson Secretary
Robert W. Peterson

This plat approved and all dedications shown hereon, if any, accepted by the City Commission of the City of Wichita, Kansas this 10th day of October, 1978.

By: Walter A. Peters Mayor
Walter A. Peters

By: Donald C. Gislack City Clerk
Donald C. Gislack

Entered on transfer record this 16th day of October, 1978.

By: Stephen D. Wright County Clerk
Stephen D. Wright

By: Pat Kettler Deputy
Pat Kettler

By: Pat Kettler Deputy
Pat Kettler

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Pat Kettler

By: Pat Kettler Deputy
Pat Kettler

This plat approved and all dedications shown hereon, if any, accepted by the Board of Commissioners of Sedgwick County, Kansas this 10th day of October, 1978.

By: Robert W. Peterson Chairman
Robert W. Peterson

By: John Hall Commissioner
John Hall

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John Hall

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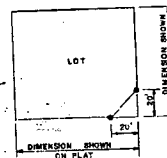
By: John Hall Commissioner
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John Hall

TYPICAL INTERSECTION
RIGHT OF WAY DETAILS

409014

STATE OF KANSAS

SEDGWICK COUNTY

This is to certify that this plat was refiled for record in the office of the Register of Deeds this 27th day of NOVEMBER, 1978 to change the legal description in the Surveyor's Certificate from "Beginning at the northwest corner of Lot 2, Block 3 of Comotara Business Park Addition" to "Beginning at a point on the west line of the northeast quarter, Section 32, T 26 S, R 2 E of the 6th P.M., 50.00 feet south of the northwest corner of said quarter".

By: Steven E. Anderson
Steven E. Anderson
VAN DORN-HAZARD-STALLINGS

By: Bette F. McArt
Bette F. McArt
Register of Deeds

By: Pat Kettler
Pat Kettler
Deputy

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Pat Kettler
Deputy

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Registration Comment F-334 pg. 147

Vacation Order F-114 pg. 779

H-1 3-22