

City of Wichita
City Commission Meeting
January 6, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1430 - REQUEST TO VACATE PLATTED ACCESS CONTROL, LOCATED ON THE SOUTH SIDE OF 37TH STREET NORTH, IN AN AREA WEST OF WEBB ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of access control.

Background: Woodlawn Development Company, 151 N. Main, Suite 300, Wichita, KS 67201, is requesting this vacation to allow additional access points to 37th Street North. The subject street is no longer classified as an arterial street, therefore the retaining of access control in the Vacation Order is not required.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing, approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
JAN 14 1987

IN THE MATTER OF THE VACATION OF PLATTED
ACCESS CONTROL.

GENERALLY LOCATED ON THE SOUTH SIDE OF 37TH
STREET NORTH, IN AN AREA WEST OF WEBB ROAD.
(V-1430)

MORE FULLY DESCRIBED BELOW

MICROFILMED
OF RECORD

JAN 14 1987
NO. 8 57518
PAT KETTLER
REGISTER OF DEEDS

Ed Rea
Approved by Board of Commissioners
This JAN 6 1987

VACATION ORDER

NOW on this 6th day of January, 1987, comes on for hearing the petition for vacation filed by Woodlawn Development Company, praying for the vacation of the following described platted access control, to-wit:

The access control platted to 37th Street North across the north lines of Lot 9, except the west 55.86 feet thereof, Lot 10, and the west 5.57 feet of Lot 11, all within Comotara Industrial Park Fourth Addition, an addition to Wichita, Sedgwick County, Kansas. (V-1430)

The City Commission, 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 Record of notice of this vacation proceeding for consecutive weeks on DEC. 23 & 30, 1986.
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.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 6th day of January, 1987, 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.

Tony Casado
Tony Casado, Mayor

ATTEST:

Dale E. Rea
Dale Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

city clerk

37TH STREET NORTH

CEMETERY

6

7

8

9

10

11

12

INDUSTRIAL
18

24

PARK

ROAD

35TH STREET NORTH

H

29

ADDITION

35

WESB