

City of Wichita
City Council Meeting
September 29, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1482 - REQUEST TO VACATE PLATTED ACCESS CONTROL.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

MAPC Recommendation: Approve vacation of access control. (unanimous)

Location: At the southeast corner of West Street and 30th Street South.
(District #4).

Applicant: Jim Koester, 1740 S. Baehr, Wichita, KS 67209

Site Size: 380 feet of frontage to West Street.

Current Zoning: "E" (Light Industrial)

Background: This vacation case has been requested in order to permit a second driveway from the applicant's lot to West Street. When the original plat was approved in 1975, complete access control was required to West Street. In 1986, this applicant requested two access points and was granted one. Although two access points are again being requested, he has suggested a future desire to have three access points to West Street. Based upon the recommendation of the City Engineer and after considering the number of access points all along West Street, the Planning Commission unanimously voted to recommend approval of the request. However, the Planning Commission has stipulated that they will not recommend any further reductions in the access control. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. This case was previously scheduled for consideration on September 15, 1987, but was struck from the agenda because of a publication error.

Legal Considerations: The City Clerk needs to certify 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:

755-68-360-50000-295-000-000

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
1:00 P M

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

OCT 8 1987

IN THE MATTER OF THE VACATION OF PLATTED
ACCESS CONTROL.

NO. 9 11547
PAT KETTLER
REGISTER OF DEEDS

Ed Reas
Deputy

GENERALLY LOCATED ON THE EAST SIDE OF
WEST STREET, IN AN AREA NORTH OF
31ST STREET SOUTH. (V-1482)

Approved / Accepted By City Council
SEP 28 1987

MORE FULLY DESCRIBED BELOW

VACATION ORDER

MICROFILMED
OF RECORD

NOW on this 29th day of September, 1987, comes on for hearing the petition for vacation filed by Jim Koester, praying for the vacation of the following described platted access control, to-wit:

The "complete access control" platted to West Street across the west line of Lot 9, Block 1, Kessler-Koch Addition, Wichita, Sedgwick County, Kansas. (V-1482)

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 Record of notice of this vacation proceeding for consecutive weeks on SEPT. 15 & 22, 1987.

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 except for two openings" is hereby retained.

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

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 29th day of September, 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.

ATTEST:

Robert G. Knight
Robert G. Knight, Mayor

Dale E. Reas
Dale E. Reas, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Interim Director of Law

State of Kansas
Sedgwick County
City of Wichita
DALE E. REAS
Deputy City Clerk of the City of Wichita, Kansas, hereby certifies that the document to which this is attached is a true and correct copy of the original on file with the City Clerk.

for Dale E. Reas

city clerk

30 TH.

ST.

WEST ST.

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JANZEN

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ILLINOIS
CIRCLE

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MC COMAS
CIRCLE

31ST St So