

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 13, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Public Hearing V-1542 - REQUEST TO VACATE ACCESS CONTROL, LOCATED ON THE SOUTH SIDE OF CENTRAL IN AN AREA WEST OF TYLER ROAD (District #5).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve plat. *Vacation*

MAPC Recommendation: Approve plat. (unanimous)

Background: This vacation case has been requested in order to permit an additional driveway to Central from Westlink Shopping Center. Presently, the lot upon which the shopping center is located is restricted to two openings. The applicant also owns the lot located to the east at the southwest corner of Central and Tyler Road. This adjacent lot is permitted one driveway to Central, but the applicant has chosen to access this lot only to Tyler. At the request of the Traffic Engineer, the applicant is dedicating "complete access control" to Central from the adjacent corner lot so an additional opening can be obtained for the lot, subject to this vacation case. This trade-off assures that no more than the original three permitted openings will occur between the Tyler/Central intersection and the west line of the subject lot. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

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; accept access control dedication; authorize the Mayor to sign Vacation Order; and record certified copy of Order and access control dedication, recording costs to be billed to:

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

✓ D-1527

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

STATE OF KANSAS
SEP 13 1988
FILED FOR RECORD AT
8-00 AM

OCT 3 1988 0972661

PAT KETTLER
REGISTER OF DEEDS

Ed Raza Deputy

IN THE MATTER OF THE VACATION OF)
PLATTED ACCESS CONTROL.)
)
)
GENERALLY LOCATED ON THE SOUTH SIDE OF)
CENTRAL IN AN AREA WEST OF TYLER ROAD)
(V-1542).)
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

MICROFILMED
OF RECORD

NOW on this 13th day of September, 1988, comes on for hearing the petition for vacation filed by W. A. Michaelis, Jr., praying for the vacation of the following described platted access control, to-wit:

Access control except for two openings, platted to Central Avenue, across the north line of Lot 1, Westlink Center 4th Addition, Wichita, Kansas.

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 AUG 31 1988 SEP 7 1988
2. No private rights will be injured or endangered by the vacation of the above-described platted 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 three openings is hereby retained.
6. The vacation of the platted access control described herein should be approved.

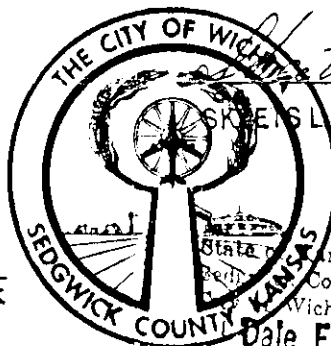
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 13th day of September, 1988, ordered that the above-described platted access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

ATTEST: THE CITY OF WICHITA

Dale E. Raza
Dale E. Raza, Deputy City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law



John L. Winkler
JOHN L. WINKLER VICE MAYOR

Dale E. Raza
Dale E. Raza, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in the office of the City Clerk. Given under my hand and seal of the City of Wichita, this SEP 13 1988
Dale E. Raza Deputy City Clerk

city clerk

CENTRAL

TYLER

ROLLING HILLS
EIGHTH ADD. 2

ROLLING HILLS
9th ADD. 1

ST. MATTHIAS
ADD. 1

PART OF
WESTLINK
CENTER 2nd
ADDITION 4

2

WESTLINK
CENTER 1
4TH ADD.

AVE. 9
PETERSON
LOLA ADD. 1
5
4
3

WESTLINK
AVE.

WESTLINK
CENTER 1
3rd.

JOY
ADD. 1

PART OF
WESTLINK
CENTER
2 ND. 3

20

20

K
ADD.

13

AVE.

1

8
REPLAT
E
5TH