

City of Wichita
City Council Meeting
December 22, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1514 - REQUEST TO VACATE ACCESS CONTROL TO 37TH STREET
NORTH, LOCATED ON THE NORTH SIDE OF 37TH STREET NORTH,
IN AN AREA EAST OF ROCK ROAD. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

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

Background: This vacation case proposes the vacation of the "complete access control" platted to 37th Street North across the south line of the subject property. It is requested in conjunction with construction of a Southwestern Bell Telephone switching facility. If approved, the owner will be able to construct one driveway to serve the site. The Vacation Order retains "access control except for one opening". 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; 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

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

IN THE MATTER OF THE VACATION OF PLATTED "COMPLETE ACCESS CONTROL".

GENERALLY LOCATED ON THE NORTH SIDE OF 37TH STREET NORTH, BETWEEN ROCK ROAD AND COMOTARA STREET. (V-1514)

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS SEDGWICK COUNTY FILED FOR RECORDS AT 11:15 AM

DEC 23 1987
 RECEIVED
 OFFICE OF CITY CLERK
 NO. 9 24101
 PAT KETTLER
 REGISTER OF DEEDS
 DEC 4 1988

DER OTHER
 TN FILE
 AGENDA

Ed Reas Deputy

VACATION ORDER

NOW on this 22nd day of December, 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 "complete access control" platted to 37th Street North across the south line of the west 130 feet of Lot 2, Block 2, HI-Tech Industrial Park Second Addition, an addition to Wichita, Sedgwick County, Kansas. (V-1514)

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 DEC. 11 & 18, 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 one opening" is hereby retained.
6. The vacation of the access control described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 22nd day of December, 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: THE CITY CLERK

Dale E. Rea
Dale E. Rea, Deputy City Clerk

Approved as to Form:

Thomas R. Powell
Thomas Powell, Interim Director of Law

Robert C. Knight
Robert C. Knight, Mayor

State of Kansas)
Sedgwick County)
City of Wichita)
I, Dale E. Rea, 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 DEC 23 1988
Dale E. Rea Deputy City Clerk

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