

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 11, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1607 - REQUEST TO VACATE ACCESS CONTROL,
LOCATED AT THE SOUTHEAST CORNER OF 31ST STREET SOUTH AND
TURNPIKE DRIVE, IN AN AREA WEST OF OLIVER.
(District #3)

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 is requested in order to permit an opening to Turnpike Drive so as to provide access to a property prior to submitting a lot split. The Vacation Order is retaining access control except for one opening to Turnpike Drive. 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:
150029-2909

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 AT THE SOUTHEAST)
CORNER OF 31ST STREET SOUTH AND TURN-)
PIKE DRIVE, IN AN AREA WEST OF OLIVER)
(V-1607).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 11th day of July, 1989, comes on for hearing the petition for vacation filed by Oliver R. Anderson and C.W. Potter, praying for the vacation of the following described platted utility easement, to-wit:

The south 80-feet of the north 150-feet of access control to Turnpike Drive along the west line of Lot 1, Caro Third Addition to 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 JUN 28 1989 + JUL - 5 1989.
2. No private rights will be injured or endangered by the vacation of the above-described platted utility easement, 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 to Turnpike Drive shall be retained.
6. The vacation of the access control described herein should be approved.

8.00 LA

City Clerk

Vacation Order
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 11th day of July, 1989, 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.



Bob Knight
Bob Knight, Mayor

John Moir
John Moir, City Clerk

Approved as to Form:

Thomas Powell
Thomas Powell, Director of Law

State of Kansas)
Sedgwick County) ss
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 the the City Clerk.
Given under my hand and seal of the City of
Wichita, this *JUL 13 1989*

Dale E. Rea
Deputy City Clerk

STATE OF KANSAS) ss
SEDGWICK COUNTY)
FILED *12-30-89* AT

JUL 17 1989

PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Rasmussen
Deputy



