

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 19, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V- 1834; Request to vacate access control, generally located east of West Street and north of 31st Street South. (District # 4).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



Staff Recommendation: Approve vacation.

MAPC Recommendation: Approve vacation (unanimous).

Background: This is the vacation of platted access control for a lot in a light industrial zoning district. The lots in this area were platted with access control to West Street, relying instead on an internal network of collector streets. Past development proposals for some of the sites within this area zoned "light industrial" have included direct access to West Street, and have been approved in the past. Staff has recommended, as agreed to by applicant and approved by MAPC, that access to West Street should be limited to one opening. Therefore, complete access control except for one opening has been retained in the Vacation Order by the City for this site. Staff and MAPC have recommended approval because access from this site should not unduly burden or interrupt traffic flow on West Street, and the vacation will not adversely affect the public interest.

This vacation has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

RECOMMENDATIONS/ACTIONS: Close the public hearing; approve the vacation; authorize the Mayor to sign the Vacation Order; and record the certified copy of the 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)
THAT PORTION OF ACCESS CONTROL)

GENERALLY LOCATED NORTH OF)
31ST STREET SOUTH AND EAST)
WEST STREET)

MAPD CASE NO. V-1834

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 19th day of October, 1993, comes on for hearing the petition for vacation filed by Alfred & Olivia Hampel praying for the vacation of the following described portion of access control, to-wit:

MICROFILMED
OF RECORD

That portion of complete access control as platted across the west line of Lot 9, Block 2, Kessler-Koch Addition, Wichita, Sedgwick County, Kansas. (V-1834)

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 Reporter of notice of this vacation proceeding for consecutive weeks on 10/4 & 11/93.
2. No private rights will be injured or endangered by the vacation of the above-described portion of 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.

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ch

City Clerk

10/19/93 - 2000 8'

Vacation Order
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- 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. Complete access control except for one opening shall be retained by the City.
- 6. The vacation of the portion of access control described herein should be approved.

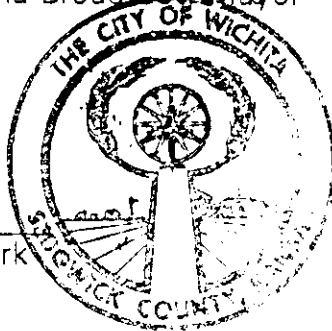
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of October, 1993, ordered that the above-described portion of access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Elma Broadfoot
Elma Broadfoot, Mayor

STATE OF KANSAS
REGISTER OF DEEDS
80009
DEC 16 1993
DAN TITLER
REGISTER OF DEEDS

ATTEST:

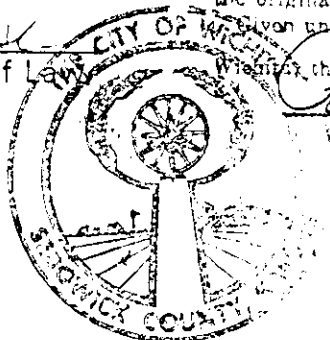
Pat Burnett
Pat Burnett, Deputy City Clerk



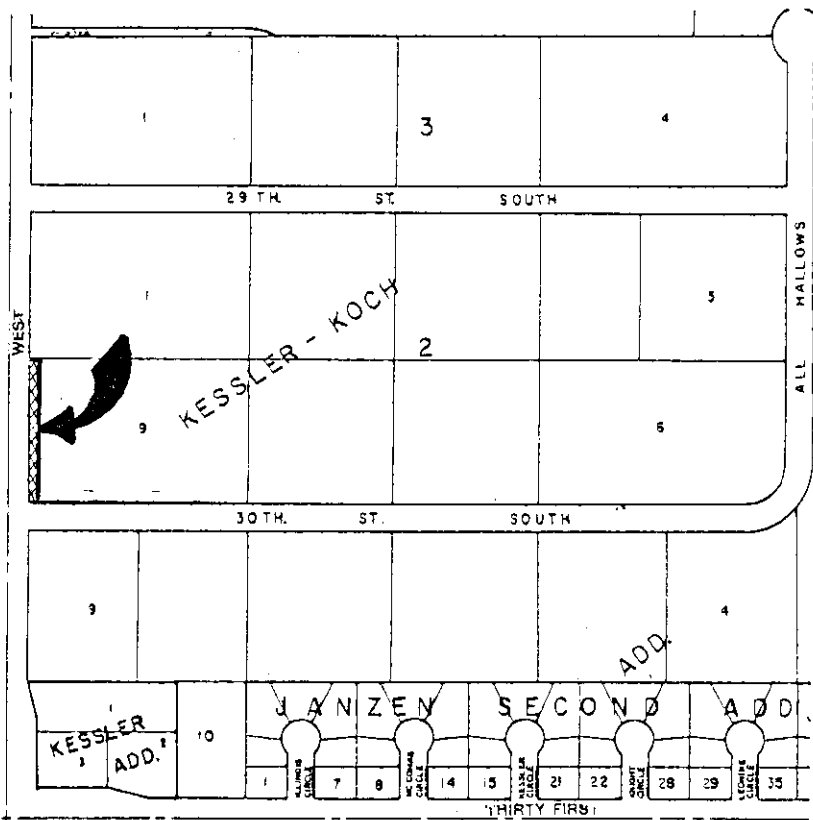
Approved as to Form:

State of Kansas)
Sedgwick County) as
City of Wichita)
I, *Pat Burnett*, 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

Gary Rebenstorf
Gary Rebenstorf, Director of Law



Pat Burnett
Pat Burnett, Deputy City Clerk



Application Filed 8/16/93
 S/D Comm. Action 9/2/93
Approved
 M.A.P.C. Action 9/9/93
Approved

W.C.C. Action 110-19-93 Approved
 Bd. Co. Co. Action _____
 Order to Vacate Recorded
December 13, 1993