

Planning Agenda # _____

**City of Wichita
City Council Meeting
August 1, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1924 REQUEST TO VACATE ACCESS CONTROL
TO HILLSIDE, NORTH OF 29TH ST. NORTH.
(District #1)

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 industrially zoned site, while having over 740 feet of frontage to Hillside, was platted with only one (1) allowed opening. The applicant has purchased a portion of the site (lot) and desires a separate opening to Hillside for his planned development. Traffic Engineering has indicated a second opening for such a large lot should not cause traffic problems. However, in regard to this specific portion of the site. The requested opening needs to be restricted to the southern 30 feet of the tract because of a nearby bridge. 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/Actions: Close the public hearing; approve the vacation and authorize the Mayor to sign the Vacation Order; record a certified copy of the Vacation 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)
ACCESS CONTROL)
)
GENERALLY LOCATED)
WEST SIDE OF HILLSIDE, NORTH OF)
29TH ST. NORTH)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-1924

STATE OF KANSAS)
SEDGWICK COUNTY) SS
FILED FOR RECORD AT

2:00 P M

1472832 222 SS

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 1st day of August, 1995, comes on for hearing the petition for vacation filed by David C. Walk, praying for the vacation of the following described access control, to-wit:

Access Control as platted to:

Lot 3, Block A, lying N. of the following described line: Beginning on the E. line of said Lot 3, a distance of 89.47' S. of the N.E. Cor. of said Lot 3, thence West parallel with the N. line of the S. E. 1/4 of Sec. 34, Township 26 S, Range 1E of the 6th P.M., to a point on the Northwesterly line of Lot 3, North University Addition, Wichita, Sedgwick County, 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 Reporter of notice of this vacation proceeding for consecutive weeks on 7/14/95 & 7/21/95
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.

8.00
ck

Vacation Order
V -1924

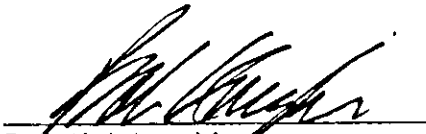
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3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

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. That in regard to the above described tract, one (1) opening will be allowed and that such opening will be restricted to the southern 30 feet of the tract. Further, the originally platted opening is retained for use by the remaining portion of lot 3, Block A, North University Addition, Wichita, Sedgwick County, Kansas.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 1st day of August, 1995, 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, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk



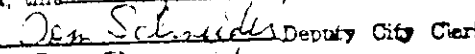
Approved as to Form:


Gary Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Tom Schneider, 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 August 4, 1995


Tom Schneider Deputy City Clerk



SUBSTATION

2

ADDITION

MO. PAC. R. R.

NORTH

4 2
DRAINAGE DEDICATION

UNIVERSITY

3
ADD.

HILLSIDE