

Planning Agenda # _____

**City of Wichita
City Council Meeting
November 19, 1996**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1999 REQUEST TO VACATE ACCESS CONTROL
LOCATED AT THE NORTHWEST CORNER OF WEST STREET AND WEST
STREET COURT
(District #4)

INITIATED BY: Metropolitan Area Planning Department *M. K. K. K.*

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of utility easement

MAPC Recommendation: Approve vacation of utility easement. (unanimous)

Background: The applicant wishes to vacate 50 feet of access control to allow for the construction of one drive entrance to West Street approximately 200 feet north of the centerline of West Street Court. Currently the only access to this lot is located on West Street Court. The applicant wishes to provide access directly from West Street through this vacation request. The Traffic Engineer has indicated that this opening will have no detrimental traffic impacts.

The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. No members of the public addressed the MAPC in opposition to this request.

Legal Consideration: 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 the certified copy of the Vacation Order; recording costs to be billed to: 150029-2909

COPY

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

IN THE MATTER OF THE VACATION OF)
ACCESS CONTROL)
)
GENERALLY LOCATED)
NORTHWEST CORNER OF WEST)
STREET AND WEST STREET COURT)
)
MORE FULLY DESCRIBED BELOW)

Case No. V-1999

STATE OF KANSAS)
SEDGWICK COUNTY)
FILED FOR RECORD AT)
9.00A M)
1580650 3225)
LARRY CONSOLVER)
REGISTER OF DEEDS)

Larry Consolver
Deputy

VACATION ORDER

NOW on this 19th day of November, 1996, comes on for hearing the petition for vacation filed by John Dugan, praying for the vacation of the following described access control, to-wit:

The north 50 feet of access control along the east line of Lot 1, Pawnee and West Industrial Park Second 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:

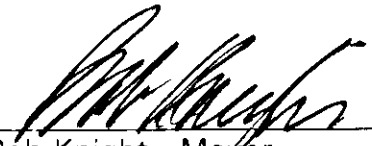
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Reporter of notice of this vacation proceeding for consecutive weeks on 11/8/96 & 11/15/96.
2. No private rights will be injured or endangered by the vacation of the above-described access control, 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. The vacation of the access control described herein should be approved.

COPY

Vacation Order
V - 1999

Page 2 of 2 **COPY**

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of November, 1996, 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.

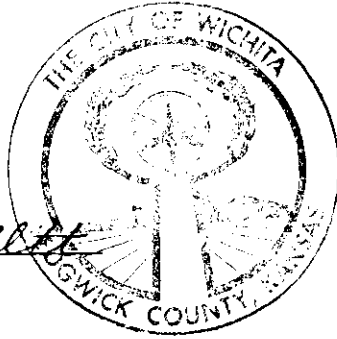


Bob Knight, Mayor

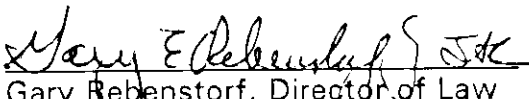
ATTEST:



Pat Burnett, City Clerk



Approved as to Form:




Gary Rebenstorf, Director of Law



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

I, **Pat Burnett** City Clerk of the City of Wichita, do 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 19th day of NOV 1996


City Clerk

LYDIA

PAWNEE 3

PAWNEE AND WEST
1
INDUSTRIAL PARK
PART OF

4

AND

WEST 2



WEST ST. CT

4

PAWNEE AND WEST

5

6
INDUSTRIAL

7

8

WEST