

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1228 - VACATION OF PLATTED ACCESS CONTROLS TO HYDRAULIC AND TO 63RD STREET SOUTH FROM LOTS 9 AND 10, BLOCK 1, ORCHARD VIEW 2ND ADDITION LOCATED AT THE NORTHEAST CORNER OF HYDRAULIC AND 63RD STREET SOUTH.

The Planning Commission recommends approval subject to:

- A. Retaining within the vacation resolution complete access control within 40 feet of the intersection, access control except for one opening to 63rd Street South, and access control except for one opening to Hydraulic from each lot;
- B. Approval of the applicant's request for commercial zoning on these lots (SCZ-0527);
- C. Granting complete access control to Kansas Avenue from these lots;
- D. All proceedings being without cost to the City, County, or any utility company.

Goebel moved, Bayouth seconded and it carried unanimously. Banzer and Chisholm were absent. (11-17-83)

Note: The vacation resolution retains appropriate access controls to 63rd and to Hydraulic; complete access control to Kansas Avenue has been granted by separate instrument; and SCZ-0527 has been recommended for approval by MAPC and will be on the County Commission agenda 12-14-83.

ACTION:

Accept the dedication of abutters' access rights to Kansas Avenue and instruct the City Clerk to file the document with the Register of Deeds, the recording cost of which shall be billed to the applicant; approve the vacation request and adopt the resolution; instruct the City Clerk to withhold publication of the resolution until the associated zone change request has been approved by the County Commission.

VACATION CASE DATA

Legal Description: The platted "complete access control" to Hydraulic and to 63rd Street South from Lots 9 and 10, Block 1, Orchard View 2nd Addition, except across the south 40 feet of the west line of said Lot 10 and except across the west 40 feet of the south line of said Lot 10.

General Location: Northeast corner of 63rd Street South and Hydraulic.

Applicant: George W. Nicholson
c/o 6346 S. Broadway, 67216

Protestors (If any): None

RESOLUTION

A RESOLUTION APPROVING THE VACATION OF PLATTED ACCESS CONTROLS DESCRIBED AS THE "COMPLETE ACCESS CONTROL" TO HYDRAULIC AND TO 63RD STREET SOUTH FROM LOTS 9 AND 10, BLOCK 1, ORCHARD VIEW 2ND ADDITION, SEDGWICK COUNTY, KANSAS, EXCEPT ACROSS THE SOUTH 40 FEET OF THE WEST LINE OF SAID LOT 10 AND EXCEPT ACROSS THE WEST 40 FEET OF THE SOUTH LINE OF SAID LOT 10.

WHEREAS, there has been filed in the office of the Wichita-Sedgwick County Metropolitan Area Planning Department, proceedings for the vacation of platted access controls described as the platted "complete access control" to Hydraulic and to 63rd Street South from Lots 9 and 10, Block 1, Orchard View 2nd Addition, Sedgwick County, Kansas, except across the south 40 feet of the west line of said Lot 10 and except across the west 40 feet of the south line of said Lot 10; and

WHEREAS, said Department has given notice of such proceedings to all adjoining property owners of a public hearing to be held before the Wichita-Sedgwick County Metropolitan Area Planning Commission; and

WHEREAS, such a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on November 17, 1983;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That the platted access controls described as follows, to-wit:

CASE NO. V-1228

The platted "complete access control" to Hydraulic and to 63rd Street South from Lots 9 and 10, Block 1, Orchard View 2nd Addition, Sedgwick County, Kansas, except across the south 40 feet of the west line of said Lot 10 and except across the west 40 feet of the south line of said Lot 10;

Be and the same is approved for vacation, subject however, to retention of the following partial access controls:

Access control except for one opening to Hydraulic over and across the west line of Lot 9, Block 1, Orchard View 2nd Addition, Sedgwick County, Kansas;

Access control except for one opening to Hydraulic over and across the west line of Lot 10, Block 1, Orchard View 2nd Addition, Sedgwick County, Kansas, except the south 40 feet thereof;

Access control except for one opening to 63rd Street South over and across the south line of Lot 10, Block 1, Orchard View 2nd Addition, Sedgwick County, Kansas, except the west 40 feet thereof.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that the said above described platted access controls be vacated in the event that a proper petition is filed under the provisions of Kansas Statutes Annotated, 58-2613, 58-2614 and 58-2615.

SECTION 3. That this resolution shall be in force and take effect from and after its passage and publication once in the official city paper.

Passed and approved at Wichita, Kansas, this 13th day
of December, 1983.

Margalee Wright, Mayor

ATTEST:

Donald C. Gisick, City Clerk

SEAL

HYDRAULIC

owner: Geo.
Nicholson

owner: Geo.
& Nicholson

137.99

10

106.72

175

35.02

KANSAS

6

KANSAS

CT.

14

V I E W

15

2 nd

2

KANSAS

CT.

23

A D D .

20

SIXTY THIRD ST. SO.