

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1298 VACATION OF PORTIONS OF ACCESS CONTROL GENERALLY LOCATED ON THE EAST SIDE OF WATER STREET BETWEEN 2ND AND 3RD STREETS.

NOTE: The City Clerk will certify as to proper publication of notice of hearing and filing of written protest.

A petition for the above identified vacation request has been filed in the office of the City Clerk. The Planning Commission recommends that the Board of City Commissioners find that no private rights will be injured or endangered and the public will suffer no loss or inconvenience by granting by order the vacation request subject to:

- A. Proper publication of notice of public hearing.
- B. The absence of proper written protest filed with the City Clerk.
- C. All proceedings being without cost to the City, County, or any utility company.
- D. The vacation order shall omit the vacation of the "complete access control" described in Part 2 of the vacation request (the break request nearest 3rd street).
- E. The applicant shall dedicate, by separate instrument, "complete access control" to Water Street across the west line of this lot where "access control except for one opening" was originally platted.

Bayouth moved, Banzer seconded and it carried unanimously. Chisholm, Crockett and Hansen were absent. (11/15/84)

ACTION: Close the public hearing, accept the dedication, approve the vacation request, authorize the Mayor to sign the vacation order and instruct the City Clerk to file the dedication and a certified copy of the order with the Sedgwick County Register of Deeds.

VACATION CASE DATA

Legal Description: From the southeast corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, west along the south line of said Block 2, a distance of 248.08' to the point of beginning, said point being the P.C. of a curve to the right having a radius of 85.0'; thence along said curve to the right and through a central angle of 16°51'06", a distance of 25.00'; and, from the northwest corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, south along the west line of said Block 2, a distance of 90.0' to the P.C. of a curve to the left having a radius of 352.83'; thence along said curve to the left and through a central angle of 55°40'14", a distance of 342.82' to the P.T. of said curve and the P.C. of a curve to the right having a radius of 352.83'; thence along said curve to the right and through a central angle of 04°03'35", a distance of 25.0' to the point of beginning; thence continuing along said curve to the right having a radius of 352.83' and through a central angle of 16°14'20", a distance of 100.0'. (MAPC NO. V-1298)

Applicant: EPIC CENTER, INC.
c/o Jack Allen
1530 South Oliver, Suite 200
Wichita, Kansas 67218

Protestors: None before the Subdivision Committee or MAPC.

Comments: The applicant has by separate instrument dedicated the required "complete access control" described in approval condition "E" above. The dedication should be accepted by the Board of City Commissioners and recorded with the Sedgwick County Register of Deeds.

BEFORE THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF
PLATTED ACCESS CONTROL (MAPC NO.
V-1298)

GENERALLY LOCATED ON THE EAST SIDE
OF WATER STREET BETWEEN 2ND AND
3RD STREETS

MORE FULLY DESCRIBED BELOW

STATE OF KANSAS } 83
SEDGWICK COUNTY }
FILED FOR RECORD AT
2:00 PM
JAN 21 1985
NO. 7 28976
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Rea
Deputy

VACATION ORDER

NOW on this 8th day of January, 1985, comes on for hearing the petition for vacation filed by EPIC CENTER, INC., praying for the vacation of the following described PLATTED ACCESS CONTROL, to-wit:

From the southeast corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, west along the south line of said Block 2, a distance of 248.08' to the point of beginning, said point being the P.C. of a curve to the right having a radius of 85.0'; thence along said curve to the right and through a central angle of 16°51'06", a distance of 25.00'; and, from the northwest corner of Block 2, ADMINISTRATIVE CENTER to Wichita, Sedgwick County, Kansas, south along the west line of said Block 2, a distance of 90.0' to the P.C. of a curve to the left having a radius of 352.83'; thence along said curve to the left and through a central angle of 55°40'14", a distance of 342.82' to the P.T. of said curve and the P.C. of a curve to the right having a radius of 352.83'; thence along said curve to the right and through a central angle of 04°03'35", a distance of 25.0' to the point of beginning; thence continuing along said curve to the right having a radius of 352.83' and through a central angle of 16°14'20", a distance of 100.0'. (MAPC NO. V-1298)

The City Commission, 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 proceedings for consecutive weeks on 12/24/84 - 1/2/85.
2. No private rights will be injured or endangered by the vacation of the above-described platted access control, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner 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 order shall retain access control except two openings to 2nd Street across the south line of this Block and access control except one opening to Water Street across the west line of this Block described herein.
6. The vacation of the platted access control described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 8th day of January, 1985, ordered that the above-described platted access control is hereby vacated. IT IS FURTHER ORDERED that access

City Clerk

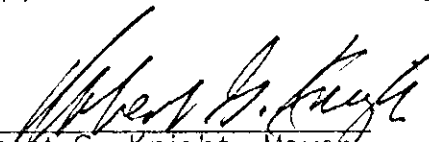
VACATION ORDER

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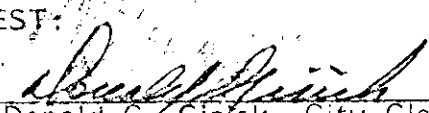
age 2

MAPC No. V-1298

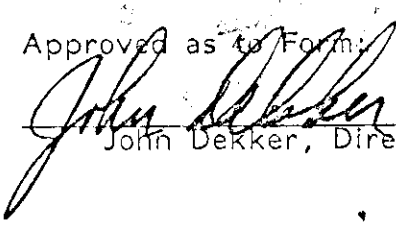
control except two openings to 2nd Street across the south line of Block 2, Administrative Center to Wichita, Kansas, more particularly described as beginning at the Southeast corner of Block 2, "ADMINISTRATIVE CENTER" to Wichita, Sedgwick County, Kansas; thence west along the south line of said Block 2, a distance of 248.08' to the P.C. of a curve to the right having a radius of 85.0'; thence along said curve to the right and through a central angle of 16°51'06", a distance of 25.00', and access control except one opening to Water Street across the west line of Block 2, Administrative Center to Wichita, Kansas, as described herein, is hereby retained. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Robert G. Knight, Mayor

ATTEST:


Donald C. Gistick, City Clerk

Approved as to Form:


John Dekker, Director of Law

V-1298

VACATION REQUEST

PORTION OF ACCESS CONTROL, IN
BLOCK 2, ADMINISTRATIVE CENTER

Proposed

