

VACATION HEARING

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1282 VACATION OF ACCESS CONTROL GENERALLY LOCATED AT THE
SOUTHWEST CORNER OF 33RD STREET SOUTH AND WEST STREET.

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 retain "access control except two openings."

Bayouth moved, Goebel seconded and it carried unanimously. Hansen was absent. (8/23/84)

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

VACATION CASE DATA

Legal Description: "Complete access control" to West Street across to east line of Lot 8, Block 1, Commerce and Industrial Park 2nd Addition, Wichita, Sedgwick County, Kansas (MAPC No. V-1282)

Applicant: Ted Toon
Price Truck Line, et.al.
3221 South West St.
Wichita, Kansas 67205

Protestors: None before the Subdivision Committee or MAPC.

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

IN THE MATTER OF THE VACATION OF)
ACCESS CONTROL (MAPC NO. V-1282))
)
)
GENERALLY LOCATED AT THE SOUTHWEST)
CORNER OF 33RD STREET SOUTH AND WEST)
STREET)
)
)
MORE FULLY DESCRIBED BELOW)

STATE OF KANSAS }
SEDGWICK COUNTY } 55
FILED FOR RECORD AT
8:00 AM
JAN 21 1985
NO 7 28977
PAT KETTLER
REGISTER OF DEEDS

MICROFILMED
OF RECORD

Ed Reed
Deputy

VACATION ORDER

NOW on this 8th day of January, 1985, comes on for hearing the petition for vacation filed by Ted Toon, Price Truck Line, et. al, praying for the vacation of the following described access control, to-wit:

"Complete access control" to West Street across to east line of Lot 8, Block 1, Commerce and Industrial Park 2nd Addition, Wichita, Sedgwick County, Kansas (MAPC No. V-1282)

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 12/26/85 - 1/2/85.
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. That the vacation order shall retain "access control except two openings."
6. The vacation of the 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 access control is hereby vacated. IT IS FURTHER ORDERED that "access control except two openings" 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
Robert G. Knight, Mayor

ATTEST:
Donald C. Gistick
Donald C. Gistick, City Clerk

Approved as to Form:
John Dekker
John Dekker, Director of Law

5.00

city clerk

AN

PARK

COMMERCE
4

PARK

5

INDUSTRIAL

2

DRAINAGE R/W

33RD. ST. S. CIRCLE

2ND.

8

R.R.

HWY 1-235

ST.

WEST

ST.