

City of Wichita
City Commission Meeting
January 20, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: V-1432 - REQUEST TO VACATE ACCESS CONTROL, LOCATED ON
THE NORTH SIDE OF 37TH STREET NORTH, IN AN AREA EAST OF
WOODLAWN.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of access control.

Background: William Oliver, Jr., 320 Page Court, Wichita, KS 67202, is requesting this vacation to allow an additional driveway to 37th Street North. After vacation, two driveways to the subject street will be permitted.

Analysis: The Planning Commission recommends the City Commission find: (1) that no private rights will be injured or endangered; and (2) the public will suffer no loss or inconvenience by granting by order the vacation, subject to:

1. Proper publication of notice of public hearing;
2. The absence of proper written protest filed with the City Clerk;
3. All proceedings being without cost to the City, County or any utility company; and
4. The Vacation Order shall retain "access control except for two openings" to 37th Street North.

Legal Considerations: The City Clerk certifies as to proper notification and no filing of written protest.

Recommendations/Action: Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to owner.

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

IN THE MATTER OF THE VACATION OF PLATTED
ACCESS CONTROL

GENERALLY LOCATED AT THE NORTHEAST CORNER
OF 37TH STREET NORTH AND WOODLAWN (V-1432)

MORE FULLY DESCRIBED BELOW

) Approved by Board of Commissioners
) this JAN 20 1987

STATE OF KANSAS }
SEDGWICK COUNTY } 53
FILED FOR RECORD AT
WICHITA

MICROFILMED
OF RECORD

FEB 12 1987

NO. 8 62886

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

*Ed Rea
Deputy*

NOW on this 20th day of January, 1987, comes on for hearing the petition for vacation filed by William Oliver, Jr., praying for the vacation of the following described platted access control, to-wit:

The platted "access control except for one opening" to 37th Street North across the east 135 feet of the south line of Lot B, Block 1, Chisholm Creek Addition to Wichita, Sedgwick County, Kansas. (V-1432)

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 proceeding for consecutive weeks on JAN 7 & 14, 1987.
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. "Access control except for two openings" to 37th Street North across the south line of the subject property is hereby retained.
6. The vacation of the access control described herein should be approved.

IT IS, THEREFORE, BY THE BOARD OF CITY COMMISSIONERS, on this 20th day of January, 1987, 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.

Tony Casado

Tony Casado, Mayor

ATTEST:

Dale Rea

Dale Rea, Deputy City Clerk

Approved as to Form:

Thomas Powell

Thomas Powell, Interim Director of Law

for
3.00
city clerk

