

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 8, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1658 - REQUEST TO VACATE PLATTED ACCESS CONTROL, LOCATED SOUTH OF DOUGLAS AVENUE; APPROXIMATELY 1/4 MILE EAST OF ROCK ROAD.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

MAPC Recommendation: Approve vacation of access control.
(unanimous)

Background: The applicant desires to construct an internal private street system within their property that will necessitate the construction of an additional driveway. This drive will provide additional access to an existing private school and a proposed swimming club. The applicant has conveyed by separate instrument complete access control for a portion of their property on Douglas Avenue. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

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

Recommendations/Action: Close public hearing, approve vacation and accept the dedication of complete access control; authorize the Mayor to sign the Vacation Order; and record certified copy of Order and the dedication, recording costs to be billed to:

150029-2909

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

IN THE MATTER OF THE VACATION OF)
PLATTED ACCESS CONTROL.)
)
GENERALLY LOCATED SOUTH OF DOUGLAS)
AVENUE; APPROXIMATELY 1/4 MILE EAST OF)
ROCK ROAD (V-1658).)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 8th day of May, 1990, comes on for hearing the petition for vacation filed by The Independent School, Inc., and Jean K. Garvey, praying for the vacation of the following described platted access control, to-wit:

The west 772.5 feet of access control except for two (2) openings, to and from Douglas Avenue along the north line of Lot 1, Block 1, Bonnie Brae Third Addition to 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 Record of notice of this vacation proceeding for consecutive weeks on _____.
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 three (3) openings is hereby retained for the west 695 feet of Lot 1, Block 1, Bonnie Brae Third Addition to Wichita, Sedgwick County, Kansas.
6. The vacation of the access control described herein should be approved.

Vacation Order
V-1658
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 8th day of May, 1990, 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:

John Moir, City Clerk

Approved as to Form:

Thomas Powell, Director of Law

Form 1020

DOUGLAS

AVE.

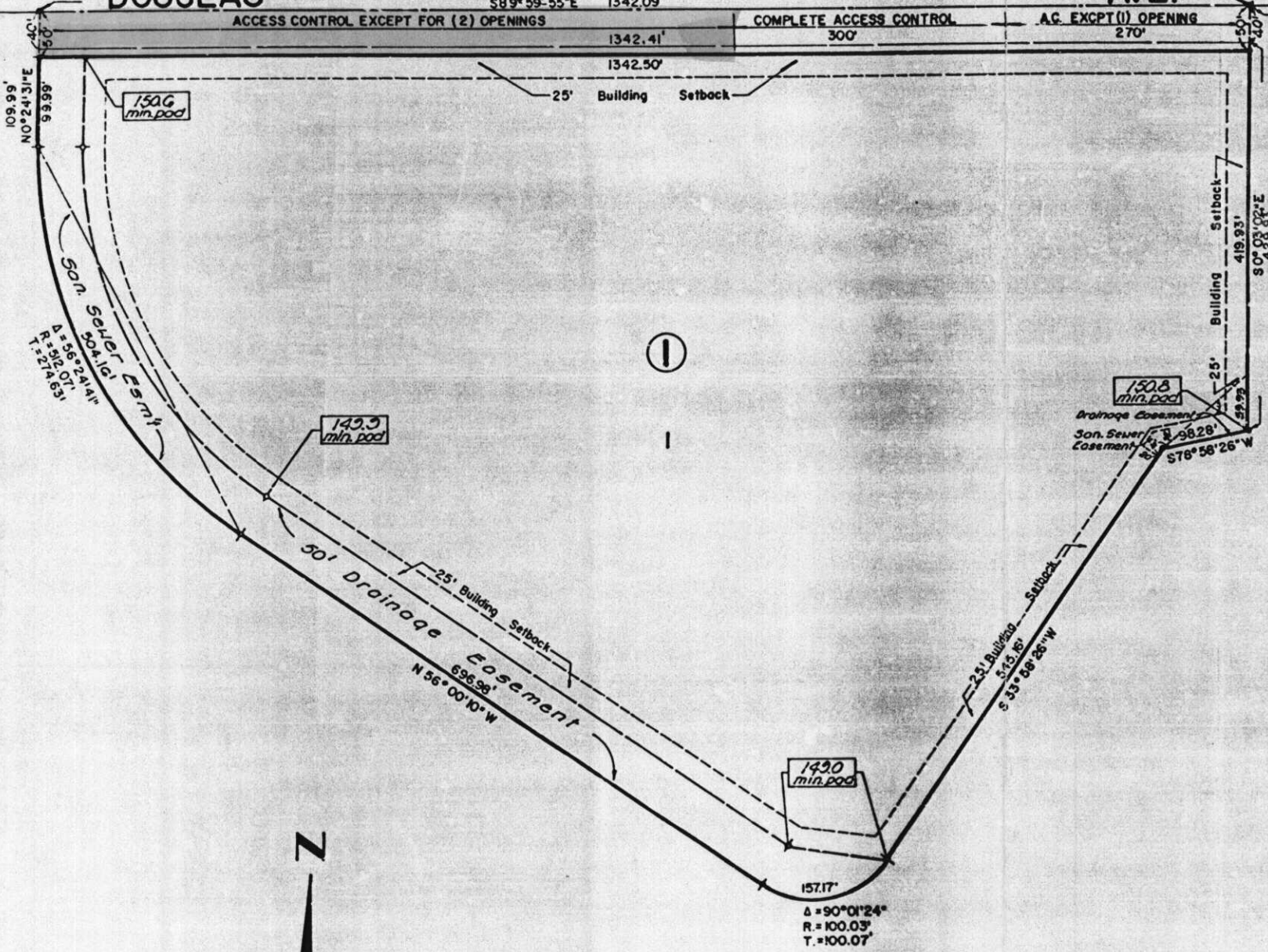
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ACCESS CONTROL EXCEPT FOR (2) OPENINGS

COMPLETE ACCESS CONTROL

A.G. EXCPT (1) OPENING

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