

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 30, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: PUBLIC HEARING V-1719 - REQUEST TO VACATE ACCESS CONTROL OF
LOT 1, STAR LUMBER CO. 5TH ADDITION, WICHITA, KS; LOCATED
SOUTH OF MAPLE AND WEST OF WEST STREET
(District #4)

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: This site was platted in 1977 with 2 access openings. The applicant plans to sell off the southern portion of the lot and the buyer would like an additional opening. The vacation will vacate access control along the east line, however, the vacation order will retain access control except for three openings. As a condition of this vacation, the applicant is guaranteeing the extension of a decel lane adjacent to the east line of this property by petition. City Engineering and the utility companies have indicated approval of this vacation. 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 the decel petition and vacation and adopt the resolution; authorize the Mayor to sign the petition and Vacation Order; and record certified copy of Order, recording costs to be billed to:

150029-2909

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

IN THE MATTER OF THE VACATION OF
ACCESS CONTROL.

GENERALLY LOCATED SOUTH OF MAPLE AND
WEST OF WEST STREET. (V-1719)

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 30th day of July, 1991, comes on for hearing the petition for vacation filed by Christopher J. Goebel, praying for the vacation of the following described access control, to-wit:

Access control to West Street along the east line of Lot 1, Star Lumber Co. 5th Addition, Wichita, Sedgwick County, KS.

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 Reporter of notice of this vacation proceeding for consecutive weeks on 7/19/91 & 7/26/91.

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 openings along the east line of Lot 1 shall be retained.

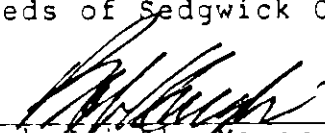
6. The vacation of the access control described herein should be approved.

MICROFILMED
OF RECORD

cf. ch. 1

Vacation Order
V-1719
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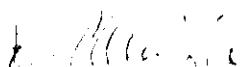
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 30th day of July, 1991, ordered that the above-described access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Bob Knight, Mayor

ATTEST:

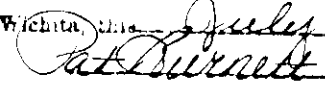

Pat Burnett, Deputy City Clerk

Approved as to Form:

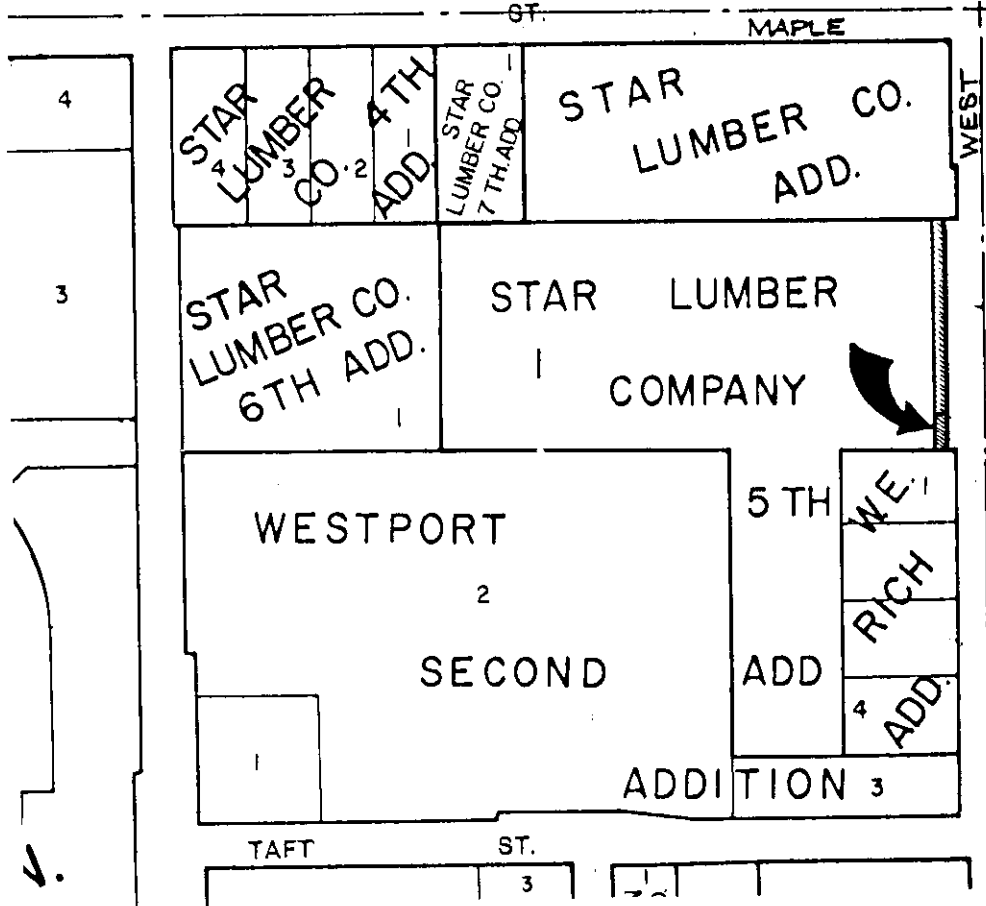

Joe Lang Acting Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)
I, PAT BURNETT, Deputy City Clerk of the City
of Wichita, Kansas, hereby certify that the document
to which this is affixed is a true and correct copy of
the original on file in the office of the City Clerk.
Given under my hand and seal of the City of

Wichita, this July 30, 1991
 Deputy City Clerk





Application Filed 5/22/91

S/D Comm. Action 6/13/91

M.A.P.C. Action _____

W.C.C. Action _____

Bd. Co. Co. Action _____

Order to Vacate Recorded

July 30, 1991