

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 21, 1995**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-1896 REQUEST TO VACATE ACCESS CONTROL
TO 21ST ST. NORTH WEST OF TYLER
(District #5)

INITIATED BY: Metropolitan Area Planning Department

M. Krout

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

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

Background: This vacation request is essentially being proposed in order to relocate an opening rather than create an additional one. A dedication of access control on a lot immediately east of the area involved in the vacation will eliminate the opening originally allowed for that lot. This lot will now share the new opening location with another lot. Both City and Traffic Engineering have agreed that the change in access locations should have no adverse impacts. 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/Actions:

Accept the dedication of access control; close the public hearings, approve the vacation; authorize the Mayor to sign the vacation order and record a Certified Copy of the Vacation Order and the dedication of access control; recording costs to be billed to:
150029-2909

MICROFILMED
OF RECORD

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



IN THE MATTER OF THE VACATION OF
ACCESS CONTROL

GENERALLY LOCATED NORTH OF 21ST
STREET AND WEST OF TYLER

Case No. V-1896

MORE FULLY DESCRIBED BELOW

Ernest Hernandez
City Clerk

STATE OF KANSAS
SEDGWICK COUNTY, KS
FILED FOR RECORD AT
10:00 a.m.

1446730 & 144

PAT KETTLER
REGISTER OF DEEDS

VACATION ORDER

NOW on this 21st day of March, 1995, comes on for hearing the petition for vacation filed by Kessler Enterprises, A Trust, praying for the vacation of the following described access control, to-wit:

Beginning at the southwest corner of lot 5, block 6, Sterling Farms an addition to Wichita, Sedgwick County, Kansas, also being a point on the south line of lot 4, block 6, of said addition, thence west along the south line of said lot 4, 35 feet to the point of ending.

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:

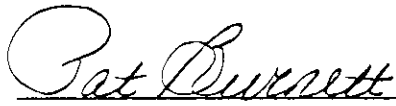
1. That due and legal notice has been given by publication as required by law, by publication in the Daily Reporter of notice of this vacation proceeding for consecutive weeks on 3/10/95 & 3/17/95
2. No private rights will be injured or endangered by the vacation of the above-described access control, 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. The vacation of the access control described herein should be approved.

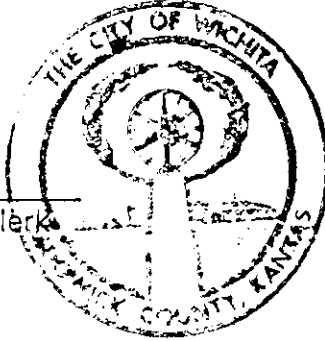
City Clerk

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of March, 1995, 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.

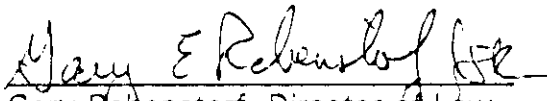

Elma Broadfoot, Mayor

ATTEST:


Pat Burnett, Deputy City Clerk



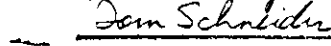
Approved as to Form:

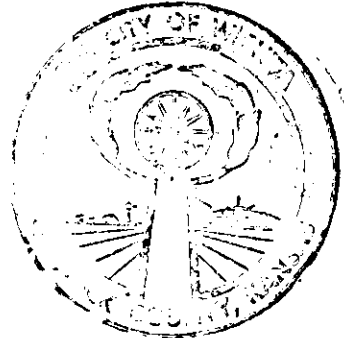

Gary Rebenstorf, Director of Law

State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Tom Schneider, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is attached 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 30th day of March, 1995

 Deputy City Clerk
TOM SCHNEIDER



LOT SPLIT

LOT 4, BLOCK 6, STERLING FARMS AN ADDITION
TO WICHITA, SEDGWICK COUNTY, KANSAS

SCALE: 1"=150'

JUNE, 1994

ADDITIONAL BUILDING SETBACK REQUIREMENTS
AS PER C.U.P. DP-177 ON FILE WITH THE
WICHITA-SEDGWICK COUNTY METROPOLITAN AREA
PLANNING DEPARTMENT.

