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CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

October 6, 2022

Kenton Schoonover
10111 E. 21st St. N.
Wichita, KS 67206

RE: VAC2022-00022 – Request in the City to Vacate a Portion of Platted Complete Access Control; Generally Located approximately one-third of a mile south of East 21st Street North, on the Northwest Corner of North Greenwich Road and North Oak Creek Parkway.

Dear Applicant;

At its regular meeting on **Tuesday, October 4th,** the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE the vacation request.**

If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

E. Ebach Freund

Eryn Ebach Freund
Associate Planner

cc: SPT Architecture, Renae Slusser, 312 S Broadway, Wichita KS 67202

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Wichita-Sedgwick County Metropolitan Area Planning Department

September 1, 2022

Kenton Schoonover
10111 E. 21st St. N.
Wichita, KS 67206

Ref: VAC2022-00022: Vacation request in the City to vacate a portion of platted complete access control on property zoned LC Limited Commercial generally located approximately one-third of a mile south of East 21st Street North, on the northwest corner of North Greenwich Road and North Oak Creek Parkway.

Mr. Schoonover,

At the Thursday, September 1, 2022, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Per the approval of the Traffic Engineer vacate the north 50.9 feet of access control on Lot 5, Block 1, Oak Creek 4th Addition's North Greenwich Road frontage to allow a right-in/right/out drive. The drive shall be constructed to City Standards and at the owner's expense. Provide planning staff with legal descriptions of the approved vacated portion of the platted setback on a Word document via e-mail to be used on the Vacation Order. The legal descriptions must be provided to planning staff prior to the case going to Council for final action.

(2) The reconstruction of the sidewalk and the replacement of any right-of-way trees shall be the applicant's responsibility, at the applicant's expense and to City Standards.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be to City Standards and the responsibility of the owner and at the expense of the owner, including the relocation of any power poles, equipment, or public utilities and drainage. Provide approval from those utilizes of any relocation of those impacted utilities prior to the case goes to City Council for final action.

(4) Provide Planning with any needed easements dedicated by separate instrument with original signatures for recording with the Register of Deeds. All original dedications will go with the Vacation Order to City Council for final action and filling with the Sedgwick County Register of Deeds. These conditions must be completed prior to the case going to Council for final action.

(5) All improvements shall be according to City Standards and at the applicant's expense.

(6) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC, or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council, or the Sedgwick County Board of County Commissioners have taken final action on the request and the Vacation Order, and all required documents have been provided to the City, County, and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30197875
Receipt #: 2348831
Pages Recorded: 2
Recording Fee: $0.00
Cashier: vbunch
Authorized By: Tonya Buckingham
Date Recorded: 10/12/2022 09:11:22 AM

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

IN THE MATTER OF THE VACATION OF ACCESS CONTROL	)	
GENERALLY LOCATED APPROXIMATELY ONE-THIRD OF A MILE SOUTH OF EAST 21ST STREET NORTH, ON THE NORTHWEST CORNER OF NORTH GREENWICH ROAD AND NORTH OAK CREEK PARKWAY	)	**VAC2022-00022**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 4th day of October, 2022, comes on for hearing the petition for vacation filed by Kenton Schoonover (owner), praying for the vacation of described portion of platted access control, to wit:

The North 50.9 feet of Platted Complete Access Control on the East Line of Lot 5, Block 1, Oak Creek 4th 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, in The Wichita Eagle on August 11, 2022, which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the 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 described access control should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 4th day of October, 2022, ordered that the described access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law