

Planning Agenda # _____

**City of Wichita
City Council Meeting
August 7, 2001**

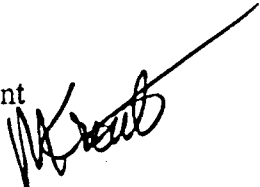
Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00021 - REQUEST TO VACATE ACCESS
CONTROL LOCATED ON EDMOOR DRIVE AND
PEMBROOK CIRCLE.
(District I)

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 proposes to provide access to Blocks 2 & 3 of The Courts II Addition. The applicant will dedicate Lot 98, Block 2, The Courts II Addition for right-of-way, thus extending Edgemoor Drive north to the platted 24 lots in the subdivision.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

**IN THE MATTER OF THE VACATION OF
ACCESS CONTROL**

**GENERALLY LOCATED
EDGEMOOR DRIVE AND PEMBROOK
CIRCLE**

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Case No. VAC2001-00021

MORE FULLY DESCRIBED BELOW

NOW on this 7th day of August, 2001, comes on for hearing the petition for vacation filed by Bryan Lagaly Homes, Inc., praying for the vacation of the following described access control, to-wit:

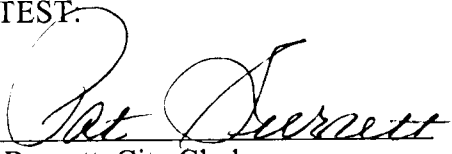
The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle on May 3, 2001, 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 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.

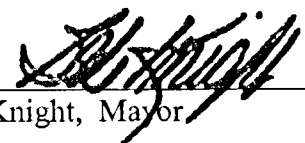
5. The vacation of access control described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of August 2001, 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.

ATTEST.


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:


Gary Rebenstorf, Director of Law

E PEMBROOK ST

N RIDGEWOOD DR

N EDEGEMOOR DR

