

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 20, 2001**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: VAC2001-00005 - REQUEST TO VACATE ACCESS
CONTROL LOCATED ON THE WEST SIDE OF RIDGE
ROAD AND SOUTH OF NORTH 37TH STREET.
(District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

M. Kroust

Staff Recommendation: Approve vacation of access control.

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

Background: The applicant proposes to add an additional point of access for Lot 1, Block 1, Hoskinson Addition. If approved, the applicant will split this lot into two smaller lots. As originally proposed the new access point would be located at the lot southern 30-foot of the lot.

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, but requiring the applicant to move the proposed access point 250 feet north of the south lot line, to provide adequate separation from a street to the south. 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.

David

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

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

**GENERALLY LOCATED)
ON THE WEST SIDE OF RIDGE ROAD AND)
SOUTH OF NORTH 37TH STREET)**

Case No. VAC2001-00005

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 20th day of March, 2001, comes on for hearing the petition for vacation filed by Solomon Investments LLC, praying for the vacation of the following described access control, to-wit:

Access control except for one (1) opening shall be allowed 250' north of the south line of Lot 1, Block 1, Hoskinson 2nd Addition, 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 Wichita Eagle on February 2, 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.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of March 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.



Bob Knight, Mayor

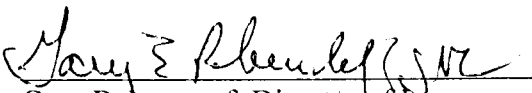
ATTEST:



Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law

FILED

APR 1 2001

