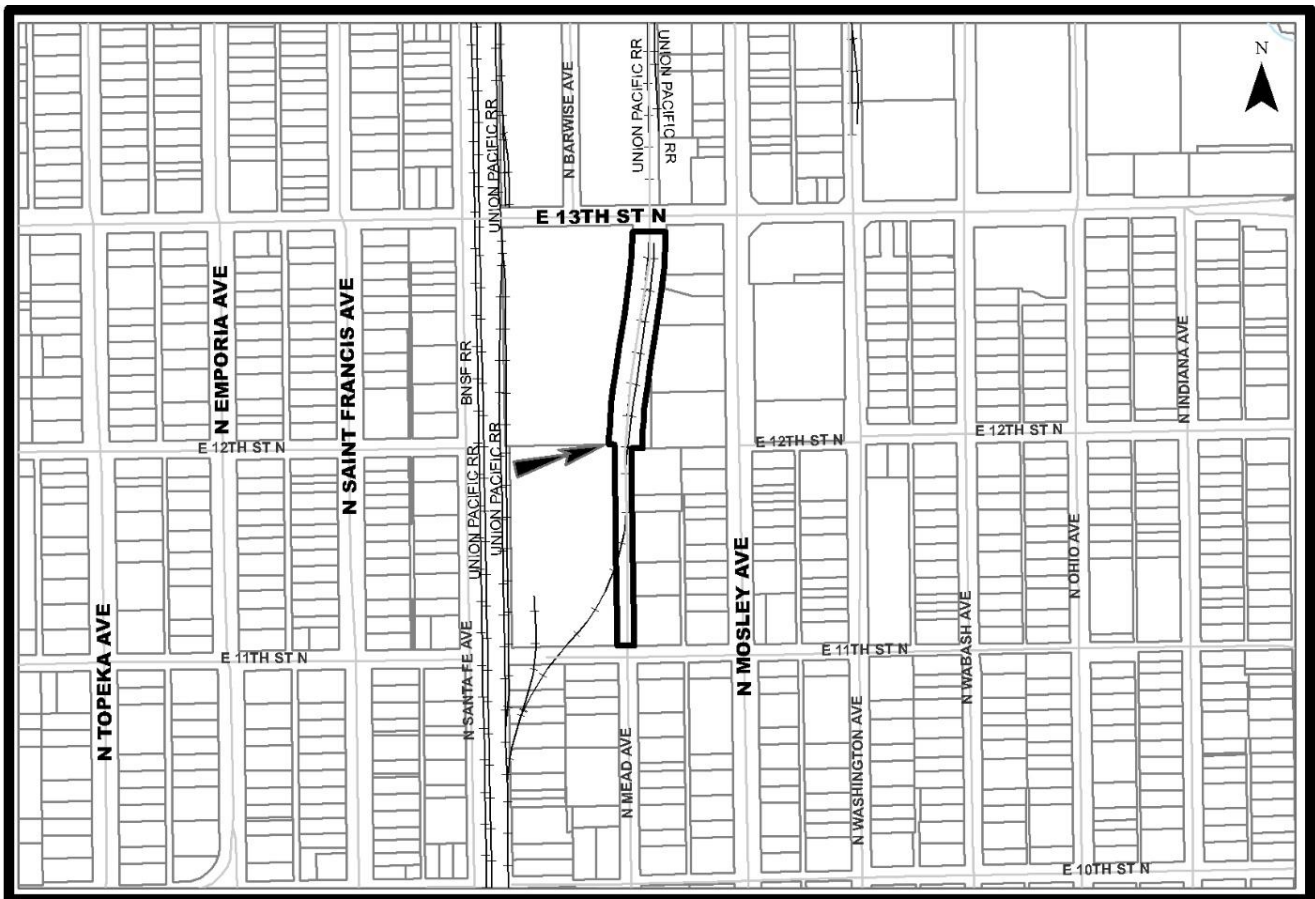


STAFF REPORT

- CASE NUMBER:** VAC2018-00034 – City Vacation of a portion of Mead Avenue
- APPLICANT:** Cargill AM Holdco LLC, Next HQ, LLC, Wesco Real Estate II, LLC (applicants), Garver LLC Attn: Will Clevenger (agent)
- LEGAL DESCRIPTION:** Generally described as vacating a portion of the platted North Mead Avenue public street right-of-way from 11th Street North to 13th Street North
- LOCATION:** Generally located along Mead Avenue between 11th Street North and 13th Street North. (WCC VI)
- REASON FOR REQUEST:** To prohibit through traffic for safety and security.
- CURRENT ZONING:** Abutting and adjacent properties are zoned LI Limited Industrial.
- VICINITY MAP:**



The applicant is requesting the vacation of a portion of the platted North Mead Avenue public street right-of-way located generally between 11th Street North and 13th Street North. The portion of the site between 11th Street and the 12th Street corridor is dedicated on the Hodson Addition. The portion of the site between the 12th Street corridor and 13th Street is not platted. The proposed vacation will make Mead Avenue in this area a private drive by prohibiting through traffic from traversing between 11th and 13th Streets. This vacation does not impact the functions of East 13th Street or East 11th Street. There is a water line located along the center line of Mead Avenue that runs approximately 368 feet north of 11th Street. An additional water line is located along the western boundary of the right-of-way and runs south approximately 235 feet south of 13th Street. There is a service line and meter located 118 feet north of 11th Street serving 800 East 11th Street North. Finally, a sewer and storm sewer line run east to west along the vacated 12th Street North corridor and bisect the proposed vacated right-of-way. These public utilities will be required to have utility easements. Westar has no existing facilities in the platted street right-of-way in the southern portion between 11th Street and the 12th Street corridor being vacated. Westar does have existing facilities in the unplatted northern portion between the 12th Street corridor and 13th street being vacated. Richard Aitken is the area representative and can be contacted at 261-6734 for this item. The Hodson Addition was recorded with the Register of Deeds August 5, 1885.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described public street right-of-way.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time January 3, 2019, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted street right-of-way between 11th Street and the 12th Street corridor and the unplatted street right-of-way between the 12th Street corridor and 13th Street and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

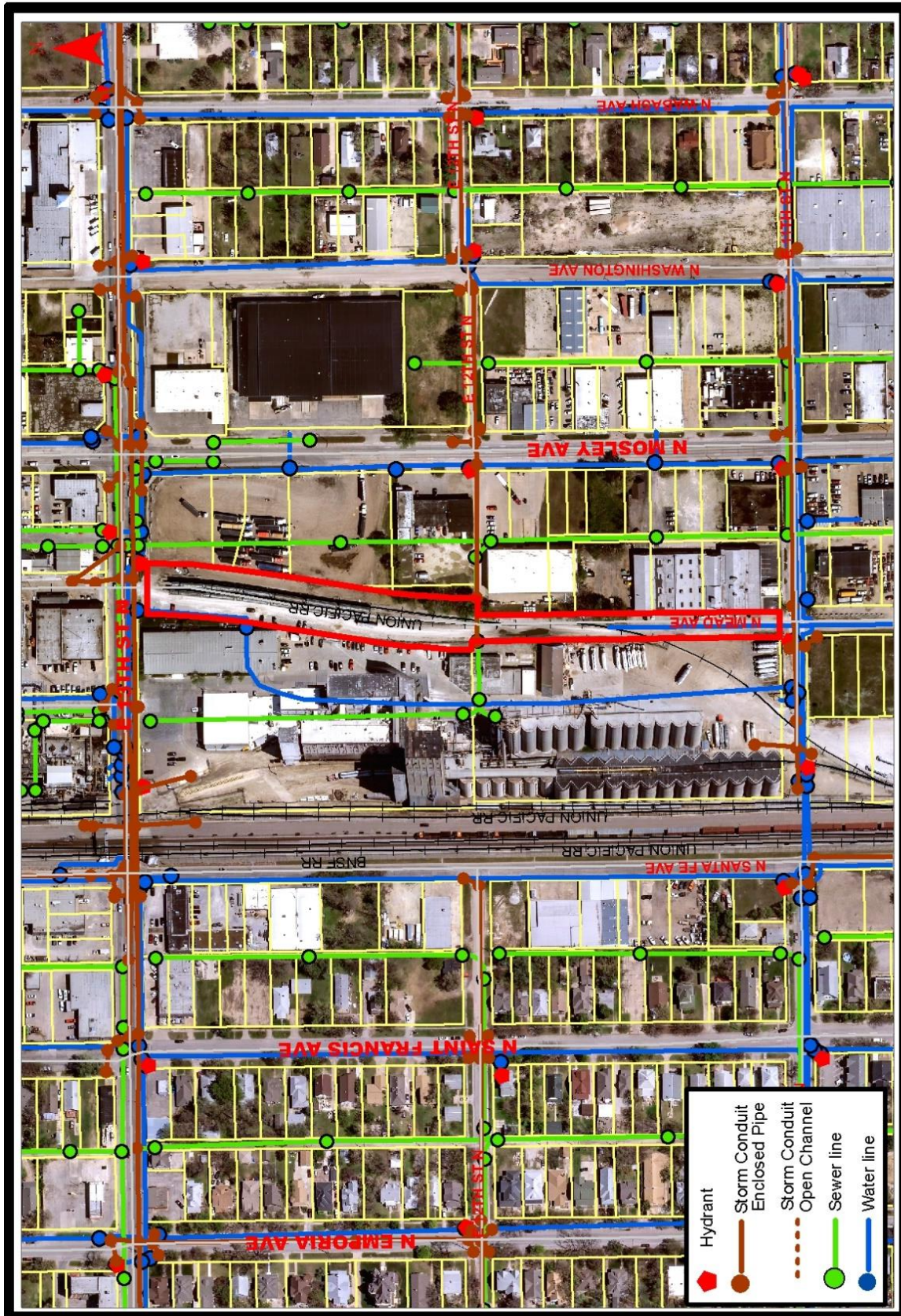
Conditions (but not limited to) associated with the request:

- (1) Dedicate a 20-foot wide utility easement from 13th Street North to 220 feet south over the waterline, a 20-foot wide utility easement from 11th Street North to 390 feet north over the waterline, a 20-foot wide east/west utility easement over the sewer/storm sewer in the former 12th Street Right-of-way, and a 10-foot wide east/west water utility easement the width of the vacate at 118 feet north of 11th Street over the service line and meter, all by separate instrument, with original signatures. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.

- (2) Provide a covenant, with original signatures, binding and tying the described vacated public street right-of-way to the applicants' abutting property. This must be provided to Planning prior to VAC2018-00034 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) Per MAPC Policy Statement #7, all conditions are to 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.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

- (6) The Subdivision Committee recommends approval per staff recommendations.



H2-3-5

HOPSON'S Addition TO WICHITA

Explanations

All lots are 25ft. by 140ft. each.
Streets and Alleys are indicated
by figures on the plat.

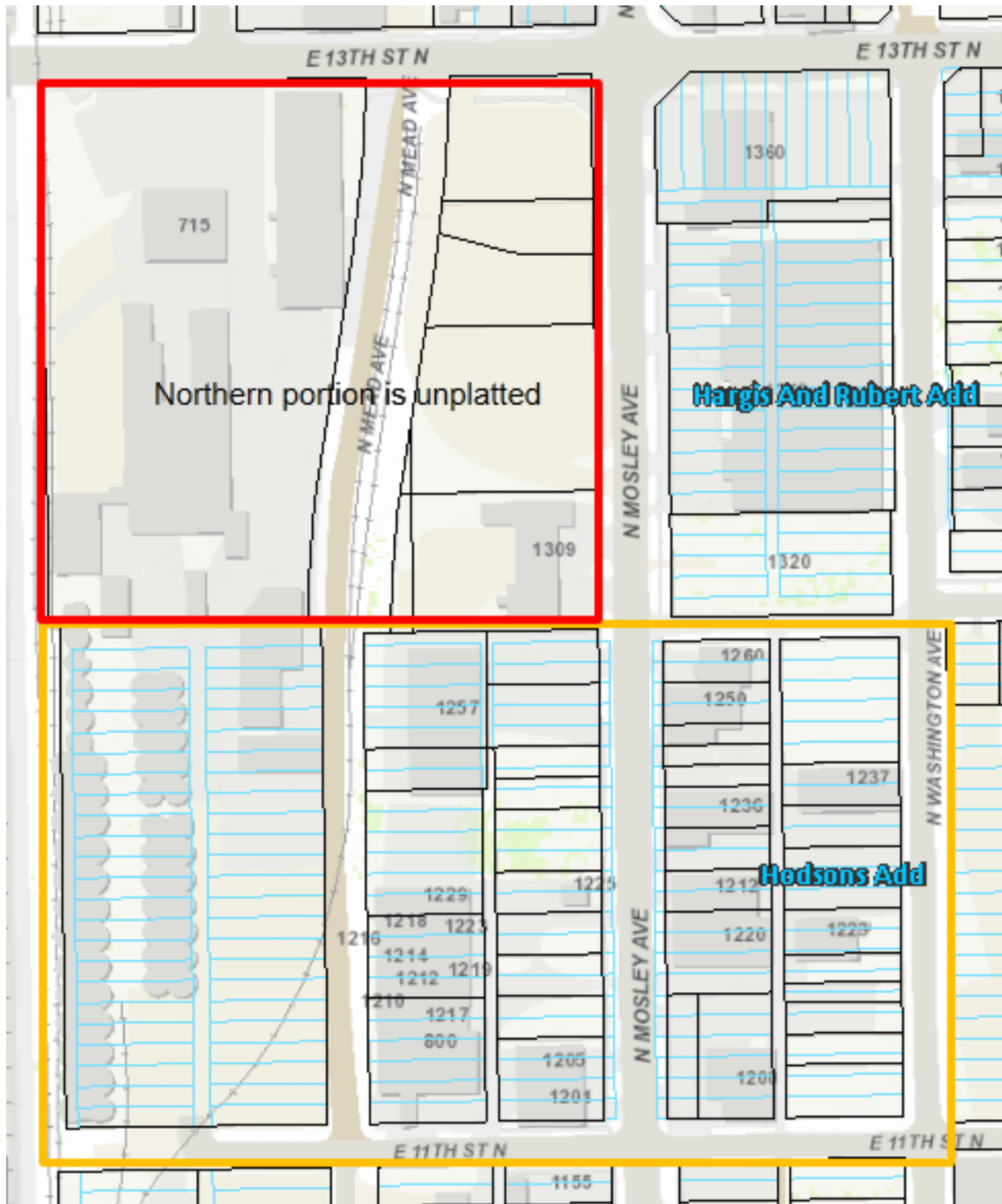
I, C. T. Hulvey surveyor do hereby
certify that I have surveyed and
platted Hopson's Addition to the
City of Wichita, Kansas, and that the
accompanying map is a correct
exhibit of said survey of the property
described as follows, to wit:
Beginning at a point 683 feet South
of the North East corner of the North
West Quarter (1/4) of Section 16, Township
27 South, Range 1 East of the 6th
Principal Meridian Kansas.
Thence West parallel with the
North boundary line of the section
to the limit of the Right of Way of
the Atchison, Topeka & St. Paul Rail Road,

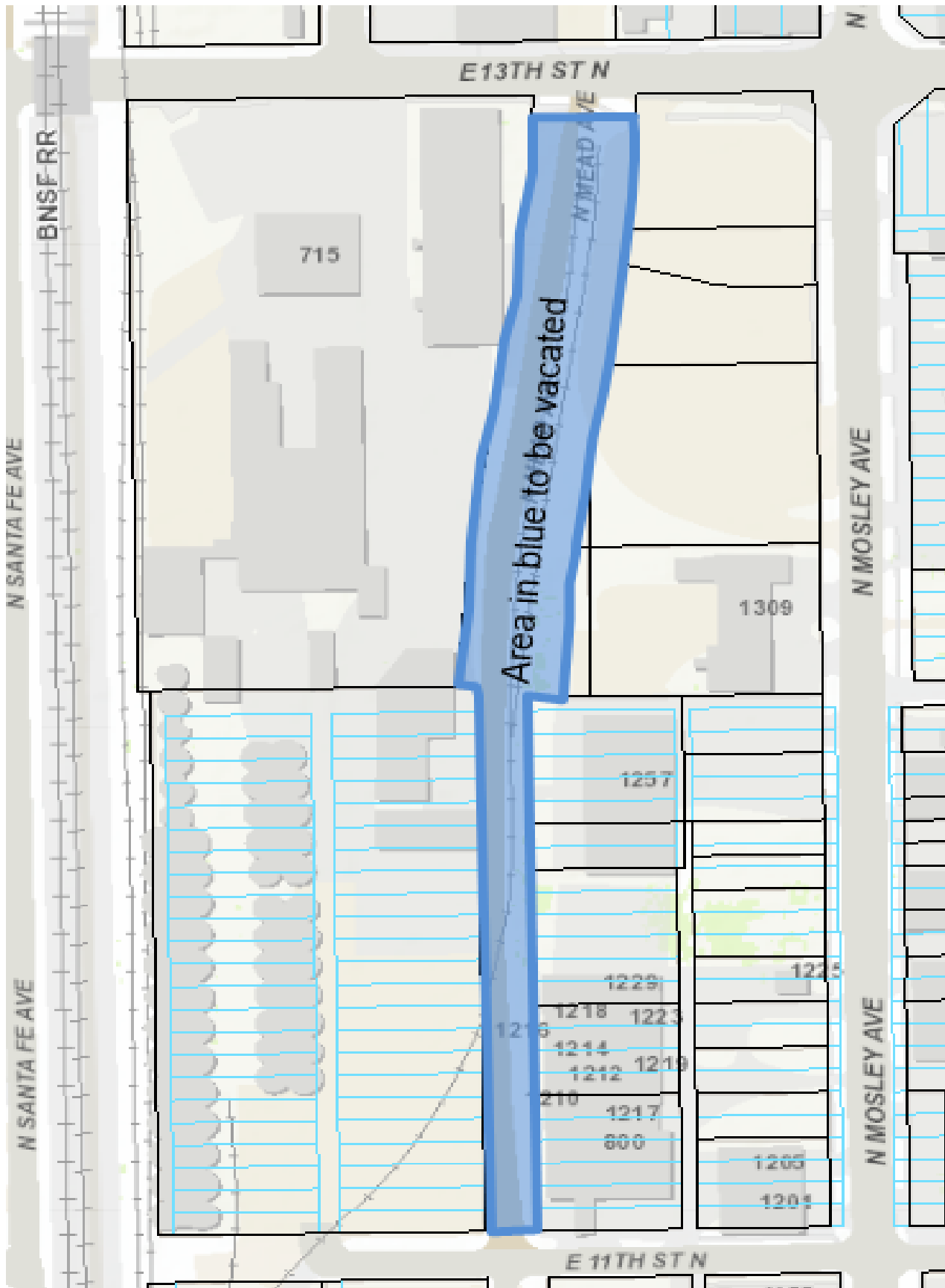
TWELFTH STREET		MEAD AVENUE		MOSBY AVENUE		WASHINGTON AVENUE	
46	45	46	45	46	45	46	45
44	43	44	43	44	43	44	43
42	41	42	41	42	41	42	41
40	39	40	39	40	39	40	39
38	37	38	37	38	37	38	37
36	35	36	35	36	35	36	35
34	33	34	33	34	33	34	33
32	31	32	31	32	31	32	31
30	29	30	29	30	29	30	29
28	27	28	27	28	27	28	27
26	25	26	25	26	25	26	25
24	23	24	23	24	23	24	23
22	21	22	21	22	21	22	21
20	19	20	19	20	19	20	19
18	17	18	17	18	17	18	17
16	15	16	15	16	15	16	15
14	13	14	13	14	13	14	13
12	11	12	11	12	11	12	11
10	9	10	9	10	9	10	9
8	7	8	7	8	7	8	7
6	5	6	5	6	5	6	5
4	3	4	3	4	3	4	3
2	1	2	1	2	1	2	1

Scale 100ft = 1 inch

C. T. Hulvey C. E.

2-3-2





Right-Of-Way Vacation

Mead Avenue from the north right of way of 11th Street North to 50.00 feet south of and parallel with the north line of the NW1/4 of Sec. 16, T27S, R1E of the 6th P.M., Sedgwick County, Kansas.