

Planning Agenda # _____

City of Wichita
City Council Meeting
April 20, 1999

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2125 REQUEST TO VACATE A PORTION OF COMPLETE ACCESS CONTROL LOCATED ON THE SOUTH SIDE OF 21ST STREET NORTH BETWEEN TYLER AND WOODCHUCK (8333 W. 21ST STREET) (District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

*M. KROUPT
5/1/99*

Staff Recommendation: Approve vacation of access control.

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

Background: The applicant is requesting to vacate a portion of access control for the redevelopment of Golf Park West. The applicant has submitted an administrative adjustment to the Golf Park Community Unit Plan to allow an additional access opening to 21st Street North and other items to allow for redevelopment of this complex.

No one spoke in opposition to this request at the MAPC's hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order and subject to the applicant guaranteeing a deceleration lane along 21st Street North. The applicant has already submitted this guarantee to Public Works, and the project is expected to be let shortly.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest. A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Close the public hearing; approve the Vacation Order, and authorize the Mayor to sign.

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CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

1792324 2108
Approved / Accepted By City Council
APR 20 1999
This _____

11917 PAGE 0105

STATE OF KANSAS) ss
Page 1 of 2) SEDGWICK COUNTY)

MAY 10 10 13 AM '99

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

IN THE MATTER OF THE VACATION OF)
ACCESS CONTROL)
GENERALLY LOCATED)
ON THE SOUTH SIDE OF 21ST STREET)
NORTH BETWEEN TYLER AND WOODCHUCK)
MORE FULLY DESCRIBED BELOW)

Case No. V-2125



Debra M. ...
Deputy

VACATION ORDER

NOW on this 20th day of April, 1999, comes on for hearing the petition for vacation filed by Ron Comejo R.R.M., L.L.C., praying for the vacation of the following described access control, to-wit:

The west 30 feet of the east 150 feet of complete access control abutting and adjoining the north line of Lot 2, Block 1, Golf Park West to Sedgwick County, Kansas, according to the recorded plat thereof.

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 one time 3-10-99, which was at least 20 days prior to this 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 the access control described herein should be approved, subject to the following condition:
 - A) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

8.00
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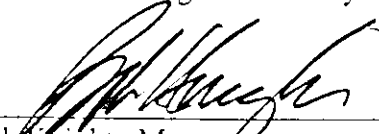
City Clerk

MICROFILMED
OF RECORD

Vacation Order
V - 2125

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of April, 1999, 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:

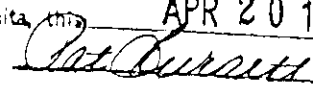


Gary Rebenstorf, Director of Law



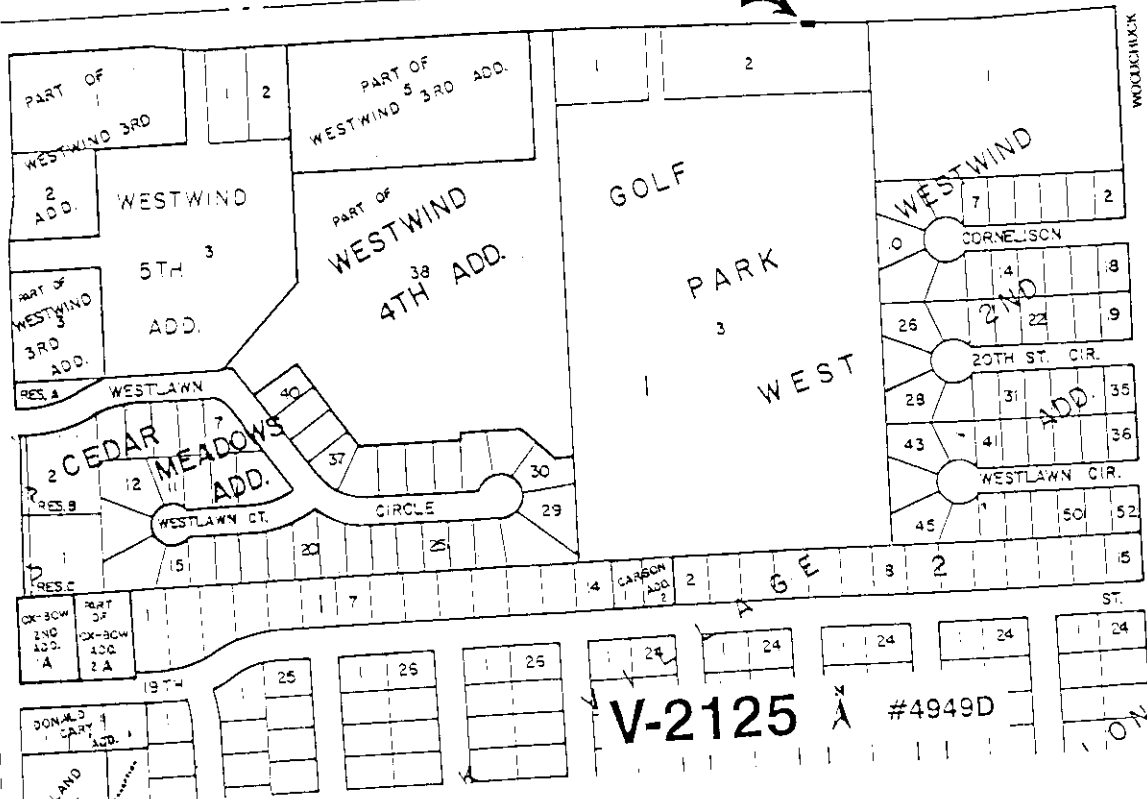
State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Pat Burnett, City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is affixed is a true and correct copy of the original on file in my office.

Given under my hand and seal of the City of Wichita, this APR 20 1999
 City Clerk

TREH

WOCKCHICK



V-2125

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ON