

Planning Agenda # _____

City of Wichita
City Council Meeting
January 4, 2000

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2210 - REQUEST TO VACATE ACCESS CONTROL
LOCATED EAST SIDE OF HOOVER BETWEEN HARRY
AND KELLOGG (1400 BLOCK OF SOUTH HOOVER)
(District V)

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 is requesting to vacate access control along Hoover Road for Lots 1 and 2. Additional access control will be dedicated, which will allow for two separate openings on Lot 1 and two openings for the entire frontage of Lot 2 with a minimum of 100 feet between the center of any two openings.

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, subject to the applicant shall dedicate, by separate instrument, access control along Hoover Road, as indicated on the submitted site plan. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order and Dedication 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 Dedication and authorize the Mayor to sign.

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

IN THE MATTER OF THE VACATION OF	)	
ACCESS CONTROL	)	
	)	
	)	
GENERALLY LOCATED	)	Case No. V-2210
EAST SIDE OF HOOVER BETWEEN HARRY	)	
AND KELLOGG (1400 BLOCK OF SOUTH	)	
HOOVER)	)	
	)	
	)	
<u>MORE FULLY DESCRIBED BELOW</u>	)	

VACATION ORDER

NOW on this 4th day of January 2000, comes on for hearing the petition for vacation filed by Midwest Environmental Contractors, Inc., praying for the vacation of the following described access control, to-wit:

Lots 1 and 2, West Towne Industrial 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 Daily Reporter on November 23, 1999, 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 the access control described herein should be approved, subject to the following condition:

- A) The applicant shall dedicate, by separate instrument, access control along Hoover Road as indicated on the submitted site plan.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 4th day of January 2000, 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.

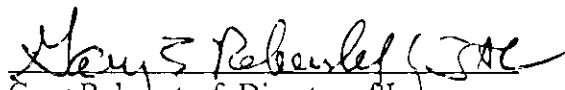

Bob Knight, Mayor

ATTEST:

Pat Burnett, City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

AT & SF RR

WEST



TOWNE

2

INDUSTRIAL

3

ADD.

4

FLOOD

CONTROL



V-2210
#5146C

HOOVER RD.

HARRY

1-235 R/W

CLARA

ST.

PEARL

W

2

1

K

9

LO

2

ADD

W

MOORE

W

3