

Planning Agenda # _____

**City of Wichita
City Council Meeting
November 21, 2000**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: **VAC2000-00049 - REQUEST TO AMEND THE PLATTOR'S
TEXT LOCATED NORTH OF KELLOGG, EAST OF 151ST
STREET.
(District V)**

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation to amend the plattor's text.

MAPC Recommendation: Approve vacation to amend the plattor's text. (unanimous)

Background: The applicant is requesting to amend the dedicated usages of Reserve "H," Auburn Hills 5th Addition, to include golf course and golf course-related facilities.

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 structures on Reserve "H" Auburn Hills 5th Addition, shall be limited to golf course and golf course-related facilities. 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
REQUEST TO AMEND THE PLATTOR'S TEXT**

Case No. VAC2000-00049

MORE FULLY DESCRIBED BELOW

NOW on this 21st day of November, 2000, comes on for hearing the petition for vacation filed by West Wichita Development, Inc., c/o Jay Russell, praying for the vacation of the following described request to amend the platlor's text, 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 October 20, 2000, 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 request to amend the platlor's text, 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 request to amend the plattor's text described herein should be approved, subject to the following condition:

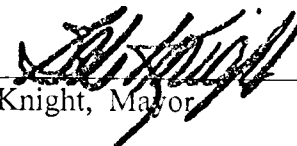
- A) Structures on Reserve "H" Auburn Hills 5th Addition, shall be limited to golf course and golf course-related facilities.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of November 2000, ordered that the above-described request to amend them plattor's text 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.

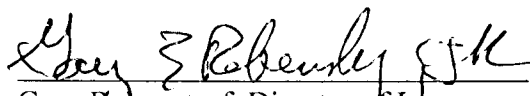
ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

Approved as to Form:

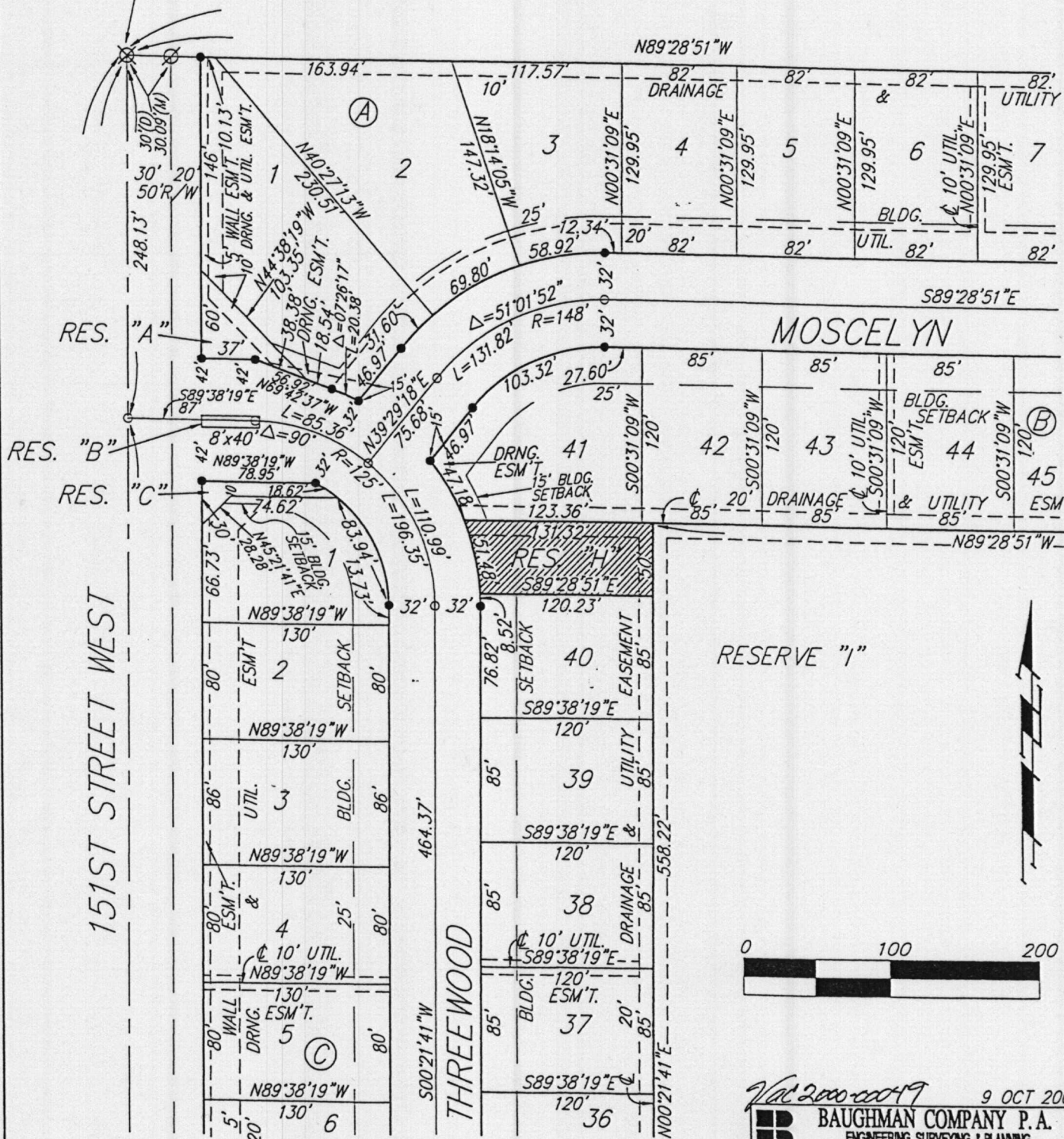

Gary Rebenstorf, Director of Law

PART OF AUBURN HILLS 5TH ADDITION



= AREA FOR PROPOSED
MODIFICATION
(RESERVE "H")

NW COR., SW1/4,
SEC. 26, T27S, R2W



Val 2000-0049

9 OCT 200

BAUGHMAN COMPANY P.A.

ENGINEERING SURVEYING & PLANNING