Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30301664
Receipt #: 2422117
Pages Recorded: 2
Recording Fee: $0.00
Authorized By: Tonya Buckingham
Cashier: KVENATOR
Date Recorded: 04/11/2024 01:58:48 PM

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

| | | |
|---|---|---|
| **IN THE MATTER OF THE VACATION OF A PORTION OF A PLATTED TAXIWAY EASEMENT** | ) | |
| **GENERALLY LOCATED LESS THAN ONE-BLOCK SOUTH OF WEST HARRY STREET AND ONE BLOCK WEST OF SOUTH HOOVER STREET** | ) | **VAC2023-00012** |

**MORE FULLY DESCRIBED BELOW**

## VACATION ORDER

NOW on this 9th day of April 2024, comes on for hearing the petition for vacation filed by 1631 Eisenhower, LLC (owner) praying for the vacation of a portion of a platted taxiway easement, to wit:

Vacated Portion of the Platted Taxiway Easement

All of the Taxiway Easement along the North Line of Lot 2, Block 1, Airport Industrial Park Addition, Wichita, Sedgwick County, Kansas, more particularly described as follows: Beginning at the Northwest corner of Lot 2, Block 1, Airport Industrial Park Addition, Wichita, Sedgwick County, Kansas, thence East on the North line of said Lot 2, Block 1 on an assumed bearing of North 90°00'00" East for a distance of 275.00 feet to the Northeast corner of said Lot 2, Block 1; thence South 00°34'50" West on the East line of said Lot 2, Block 1 for a distance of 50.00 feet to a point on the south line of the Taxiway Easement; thence on the Southerly line of the Taxiway Easement on a circular curve to the Northwest having a radius of 50.00 feet, a Chord bearing of North 59°42'35" West, a Chord distance of 49.56 feet for an arc distance of 51.85 feet; thence North 90°00'00" West on the South line of the Taxiway Easement for a distance of 231.95 feet to a point on the West line of said Lot 2, Block 1; thence North 00°34'50" East on the West line of said Lot 2, Block 1 for a distance of 25.00 feet to the Point of Beginning.

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, in The Wichita Eagle on May 4, 2023, which was at least 20 days prior to the public hearing.

UNOFFICIAL COPY

2. No private rights will be injured or endangered by the vacation of the described portion of the platted taxiway easement and the public will suffer no loss or inconvenience thereby.

3. Dedicate a two-foot-wide utility easement that will run parallel to the west side of the platted eight-foot-wide utility easement located on and running parallel to the east property line of Lot 2, Block 1, Airport Industrial Addition.

4. In justice to the petitioner(s), the prayer of the petition ought to be granted.

5. 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.

6. The vacation of the described portion of the platted taxiway easement should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 9th day of April 2024, ordered that the above-described portion of the platted taxiway easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order and the Dedication of a Utility Easement to the Register of Deeds of Sedgwick County for recording.

Lily Wu, Mayor, City of Wichita

**ATTEST:**

Jamie Buster, City Clerk

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

UNOFFICIAL COPY

Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30304708
Receipt #: 2424156
Pages Recorded: 1
Recording Fee: $21.00
Authorized By: Tonya Buckingham
Cashier: vbunch
Date Recorded: 04/26/2024 12:41:33 PM

**UTILITY EASEMENT**

THIS EASEMENT made this 18th day of March, 2024.

by and between 1631 Eisenhower, LLC ("Grantor") and the City of Wichita, Kansas, a municipal corporation, ("Grantee").

WITNESSETH:

Grantor, in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the Grantee or the franchised utility entity a perpetual utility easement for the purpose of constructing, operating, maintaining, and repairing all public and/or franchised utilities, and any appurtenances thereto, over, along and under the following described real estate situated in the City of Wichita, Sedgwick, County, Kansas to wit:

The West 2 feet of the East 10 feet of Lot 2, Block 1, Airport Industrial Park Addition, Wichita, Sedgwick County, Kansas.

And said Grantee and/or agents of the franchised utilities are hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such utility, and any appurtenances thereto.

IT IS AGREED AND UNDERSTOOD between the parties that Grantor retains the fee title to said real estate and may have the use of the surface thereof as superior right to that of Grantee when the same does not conflict or interfere with the right and privilege granted to Grantee herein and that this grant is binding upon and extends to the successors and assigns of Grantor.

IN WITNESS WHEREOF, Grantor has caused this indenture to be signed by its duly authorized officers, all on the day and year fist above written.

**1631 Eisenhower, LLC**
**Leadfoot Holdings, LLC, Administrative Member of 1631 Eisenhower, LLC**

By: Cody Ast

Name: Cody Ast

Title: Administrative Member of Leadfoot Holdings, LLC

STATE OF KANSAS )
) SS
COUNTY OF SEDGWICK )

SEAN BABJAK
Notary Public, State of Kansas
My Appointment Expires
1/6/2029

BE IT REMEMBERED, That on this 18th day of March, 2024, before me, the undersigned, a Notary Public in and for the county and state aforesaid, came Cody Ast, the Administrative Member of 1631 Eisenhower, LLC, personally known to me and he/she has executed this instrument of writing on the date above first written.

IN TESIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year las above written,

Notary Public
My Commission Expires: 9/6/29

Shawn Mellies
for Paul Gunzelman, P.E., City Engineer

Cody Ast executed the document as the Administrative Member of 1631 Eisenhower LLC, Leadfoot Holding LLC. SB

**Wichita-Sedgwick County Metropolitan Area Planning Department**

April 10, 2024

Discreet Build, LLC
Attn: Wes Morgan
1440 E. English
Wichita, KS 67211

**RE: VAC2023-00012:** Request in the City to vacate a portion of a platted taxiway easement; generally located approximately 750 feet south of West Harry Street, West of South Hoover Road, on the West side of South Eisenhower Ave., on the northwest side of Eisenhower Court (1631 S. Eisenhower Ct.).

Dear Applicant;

At its regular meeting on **April 9, 2024,** the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the vacation request.

Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

cc: Forty Five Enterprises, LLC., Drew Pelz, 1711 S. Hoover Rd., Wichita, KS 67209

**Wichita-Sedgwick County Metropolitan Area Planning Department**

May 26, 2023

Discreet Build, LLC
Attn: Wes Morgan
1440 E. English
Wichita, KS 67211

**RE: VAC2023-00012:** Request in the City to vacate a portion of a platted taxiway easement; generally located approximately 750 feet south of West Harry Street, West of South Hoover Road, on the West side of South Eisenhower Ave., on the northwest side of Eisenhower Court (1631 S. Eisenhower Ct.).

Wes,

At the Thursday, May 25, 2023, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Confirm the physical location of any and all utilities located in the platted taxiway easement. Provide this information to all utilities for examination and approval of the request. This must be provided to Planning prior to the case to City Council for final action.

(2) Provide all easements needed for dedicated by separate instruments, with original signatures. Dedicate an additional 2 feet of easement to the 8 foot wide portion of the platted 16 foot wide utility easement that runs south – north parallel to the east lot line of the subject site. This dedication with original signatures 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.

(3) Provide Planning with an approved legal description of the vacated platted taxiway easement on a Word document that can be copied and used on the Vacation Order.

(4) As needed provide utilities with project plans for relocation of any utilities for review and approval. Relocation of the utilities will be the responsibility and at the expense of the applicant and to City standards. The approved project number must be provided to Planning prior to the case foes to City Council for final approval.

(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.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **June 8, 2023,** (end of the two-week protest period). This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

Philip Zevenbergen
Current Plans
Division Manager

PZ:kw

cc: Forty Five Enterprises, LLC., Drew Pelz, 1711 S. Hoover Rd., Wichita, KS 67209

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

# AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification | Order PO | Amount | Cols | Depth |
|---|---|---|---|---|---|---|
| 16399 | 415548 | Print Legal Ad-IPL01207300 - IPL0120730 | | $246.64 | 3 | 98 L |

**Attention:** MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

twells@wichita.gov

## LEGAL PUBLICATION

**OCA 150004**

Published in The Wichita Eagle on May 4, 2023
(One Time Only)
MAPC/BZA May 25, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, May 25, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2 nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2023-00014: Conditional Use request in the City to allow Vehicle and Equipment Sales, Outdoor for trailer rentals, generally located on the southwest corner of West 37th Street North and North Arkansas Avenue (3733 North Arkansas Avenue).

CON2023-00015: Conditional Use request in the City to allow a neighborhood swimming pool on property zoned TF-3 Two-Family Residential District, generally located one-half mile west of North127th Street East and one-quarter mile south of Central Avenue.

CON2023-00016: Conditional Use request to permit Night Club in the City associated with an Event Center on property zoned GC General Commercial within 300 feet of a residential zoning; located on the east side of South Washington Avenue and approximately 140 feet south of East Lincoln Street (1208 S. Washington).

CON2023-00018: Conditional Use request in the City to permit a Personal Care Service on property zoned GO General Office with PO-170 (with ZON2023-00024); generally located south of East 21st Street North and west of North Cranbrook Street (10111 East 21st Street North).

CUP2023-00014: CUP Amendment in the City to allow Taverns and Drinking Establishments, Nightclubs in the City as an accessory use, and Restaurant Drive-Thrus; generally located on the west side of North Greenwich Road, within one-half mile south of East 13th Street North.

CUP2023-00015: Request in the City to amend the Maize and 29th Community Unit Plan CUP DP-327 to modify the architectural controls and landscaping requirements; generally located approximately 400 feet north of West 29th Street North and east of North Maize Road.

VAC2023-00011: Request in the City to vacate a portion of platted street right-of-way (reprocess of VAC2020-00033); generally located approximately 970 feet south of West 13th Street North, two blocks east of North West Street, on the southwest corner of West Ponderosa and North Nelson Streets.

VAC2023-00012: Request in the City to vacate a portion of a platted taxiway easement; generally located approximately 750 feet south of West Harry Street, west of South Hoover Road, on the west side of South Eisenhower Avenue, on the northwest side of Eisenhower Court, (1631 S. Eisenhower Court).

VAC2023-00013: Request in the City to vacate a joint access easement dedicated by separate instrument; generally located on the south side of West 53rd Street North and one-quarter mile west of North Meridian Avenue.

VAC2023-00014: Request in the City to vacate platted access controls to permit a 50-foot drive onto West 53rd Street North (together with VAC2023-00015); generally located on the south side of West 53rd Street North and one-quarter mile west of North Meridian Avenue.

VAC2023-00015: Request in the City to vacate platted access controls to permit a 50-foot drive onto West 53rd Street North (together with VAC2023-00014); generally located on the south side of West 53rd Street North and one-quarter mile west of North Meridian Avenue.

ZON2023-00023: Zone change request in the City from SF-5 to TF-3 for duplex development; generally located east of North Jackson Heights Street and approximately 675 feet north of East Douglas Avenue (200 North Jackson Heights Street).

ZON2023-00024: Request in the City to amend Protective Overlay PO-170 to permit Personal Care Service on property zoned GO General Office (with CON2023-00018); generally located on the south side of East 21st Street North and west of North Cranbrook Street (10111 East 21st Street North).

ZON2023-00025: Zone change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for fourplex development; generally located south of North Hoover Road and west of North Curtis Street.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on May 4, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0120730
May 4 2023

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
05/04/23

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 05/04/2023 to 05/04/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 05/04/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

**Extra charge for lost or duplicate affidavits.**
**Legal document please do not destroy!**

**METROPOLITAN AREA PLANNING COMMISSION**

**AGENDA REPORT NO. 3.2**
**May 25, 2023**

## STAFF REPORT

**CASE NUMBER:** **VAC2023-00012 –** Request in the City to vacate a portion of a platted taxiway easement.

**OWNER - APPLICANT:** Forty Five Enterprises, LLC, c/o Drew Pelz (owner) Discreet Building, LLC c/o Wes Morgan (applicant)

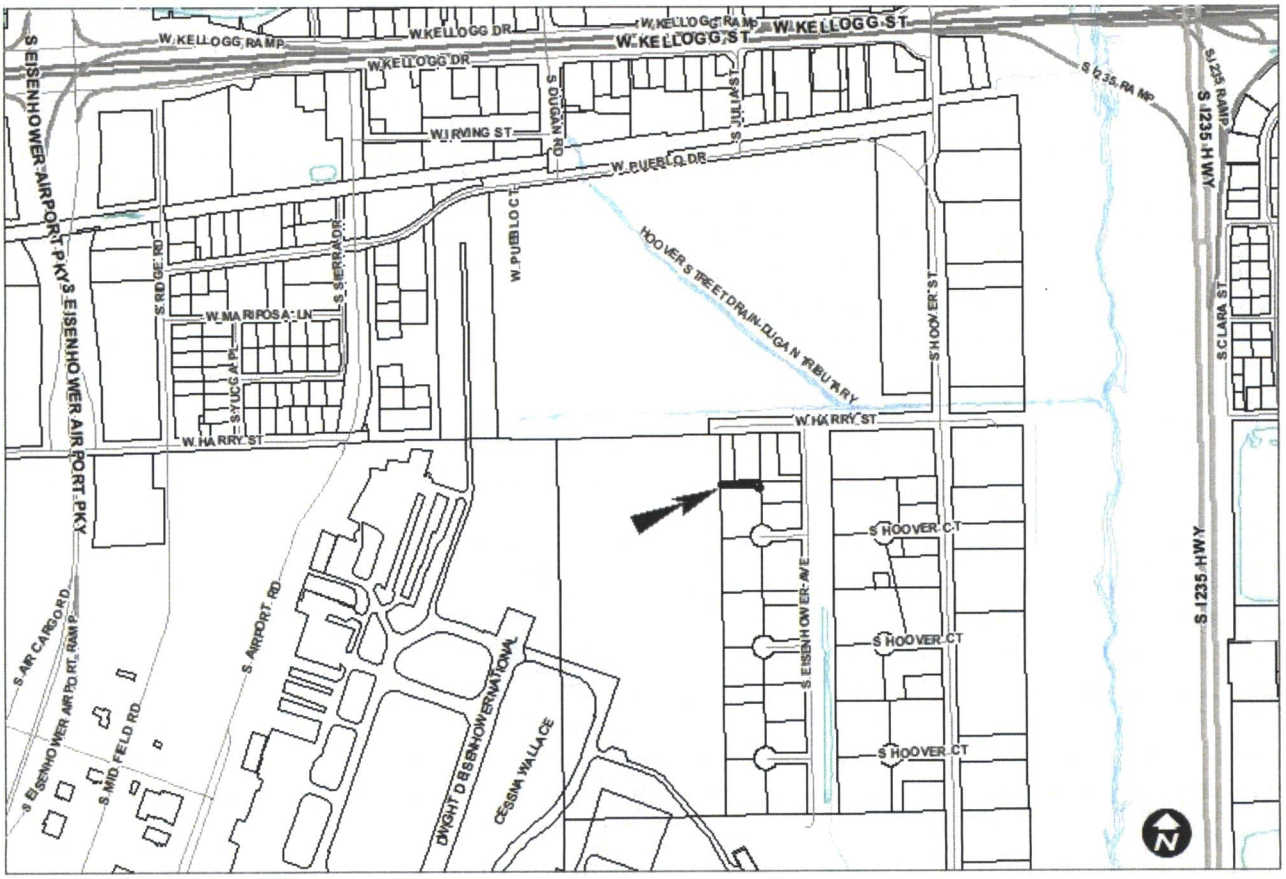
**LEGAL DESCRIPTION:** Generally described as vacating the south 25 feet of the platted 50-foot wide taxiway easement running parallel, east - west, along the north property line of Lot 2, Block 1, Airport Industrial Park Addition, including that portion of the cul-de-sac of the platted taxiway located on the subject property, Wichita, Sedgwick County, Kansas.

**LOCATION:** Generally located approximately less than 780 feet south of West Harry Street, one block west of South Hoover Street, on the west side of South Eisenhower Avenue and the northwest side of South Eisenhower Court; 1631 South Eisenhower Avenue (City Council District IV).

**REASON FOR REQUEST:** Allow for more building area.

**CURRENT ZONING:** The undeveloped subject site and all abutting and adjacent properties are zoned LI Limited Industrial. All abutting and adjacent LI zoned properties are mostly developed as small manufacturing and/or office warehouse.

**VICINITY MAP:**



The undeveloped LI Limited Industrial zoned subject site is located in a near west part of the City, approximately 780 feet south of West Harry Street, one block west of South Hoover Street, on the west side of Eisenhower Avenue and the northwest side of Eisenhower Court; Lot 2, Block 1, Airport Industrial Addition, 1631 South Eisenhower Avenue. On December 18, 1964, the Airport Industrial Addition was recorded with the Sedgwick County Register of Deeds.

The applicant proposes to vacate the south 25 foot wide portion of the platted 50 foot wide taxiway easement located on and running parallel, east – west, to the subject site's north, rear property line. The common property line of the subject property and the LI zoned north abutting property, Lot 1, Block 1, Airport Industrial Addition, is the center line of the platted 50 foot wide taxiway easement. The platted taxiway easement ends in a cul-de-sac that is split evenly between these two properties. If approved the remaining 25 foot wide portion of the platted 50 foot wide taxiway easement would remain on the north abutting property. Portions of this cul-de-sac also extends into the abutting LI zoned northeast and east properties; Lots 13 and 14, Block1, Airport Industrial Addition. This portion of the cul-de-sac will remain. Staff has received no comments from the abutting property owners.

There are no platted setbacks located along the common lot line of the above mentioned properties; setbacks are according to the Unified Zoning Code's LI zoning district. If the vacation request is approved it would allow more building area for the applicant.

The subject site abuts an undeveloped east portion of the LI zoned Dwight D. Eisenhower National Airport complex. The taxiway easement is not developed and there is no knowledge that it has ever been used as a taxiway. There is no specific mention of the taxiway easement(s) in the plattor's text, although as drawn and labeled on the plat, the taxiway's intent would seem to allow small aircraft direct access onto the west abutting airport property.

Half (8 feet) of a platted 16 foot wide utility easement runs south – north along the east, side yard of the subject site and through the cul-de-sac portion of the taxiway. Current Subdivision (SD) standards require 10 feet of utility easement when located along a side yard lot line; SD Art.7-205(a). A sewer line is located in this easement. Neither the sewer line nor the platted easement will be encroached into by this request. City water is located in the unpaved Eisenhower Court right-of-way. The applicant has contacted Evergy, which has no objection to this request. Ennidh Allender is the Evergy Design Representative for this area and can be contacted at (316) 261-6359 for any projects associated with this request. Conditions #1, #2, #3, and #4, cover all utilities. Vehicular traffic, pedestrian traffic, and public safety should not be negatively impacted by this vacation request if approved with the listed conditions.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff recommends **Approval** with the following considerations (but not limited to) associated with the request to vacate the described 25-foot wide portion of the platted 50 foot wide taxiway easement.

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 May 4, 2023, 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 taxiway easement 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) Confirm the physical location of any and all utilities located in the platted taxiway easement. Provide this information to all utilities for examination and approval of the request. This must be provided to Planning prior to the case to City Council for final action.

(2) Provide all easements needed for dedicated by separate instruments, with original signatures. Dedicate an additional 2 feet of easement to the 8 foot wide portion of the platted 16 foot wide utility easement that runs south – north parallel to the east lot line of the subject site. This dedication with original signatures 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.

(3) Provide Planning with an approved legal description of the vacated platted taxiway easement on a Word document that can be copied and used on the Vacation Order.

(4) As needed provide utilities with project plans for relocation of any utilities for review and approval. Relocation of the utilities will be the responsibility and at the expense of the applicant and to City standards. The approved project number must be provided to Planning prior to the case foes to City Council for final approval.

(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**

The Subdivision Committee recommends approval subject to the following conditions:

(1) Confirm the physical location of any and all utilities located in the platted taxiway easement. Provide this information to all utilities for examination and approval of the request. This must be provided to Planning prior to the case to City Council for final action.

(2) Provide all easements needed for dedicated by separate instruments, with original signatures. Dedicate an additional 2 feet of easement to the platted 16 foot wide utility easement that runs south – north parallel to the east lot line of the subject site. This dedication with original signatures 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.

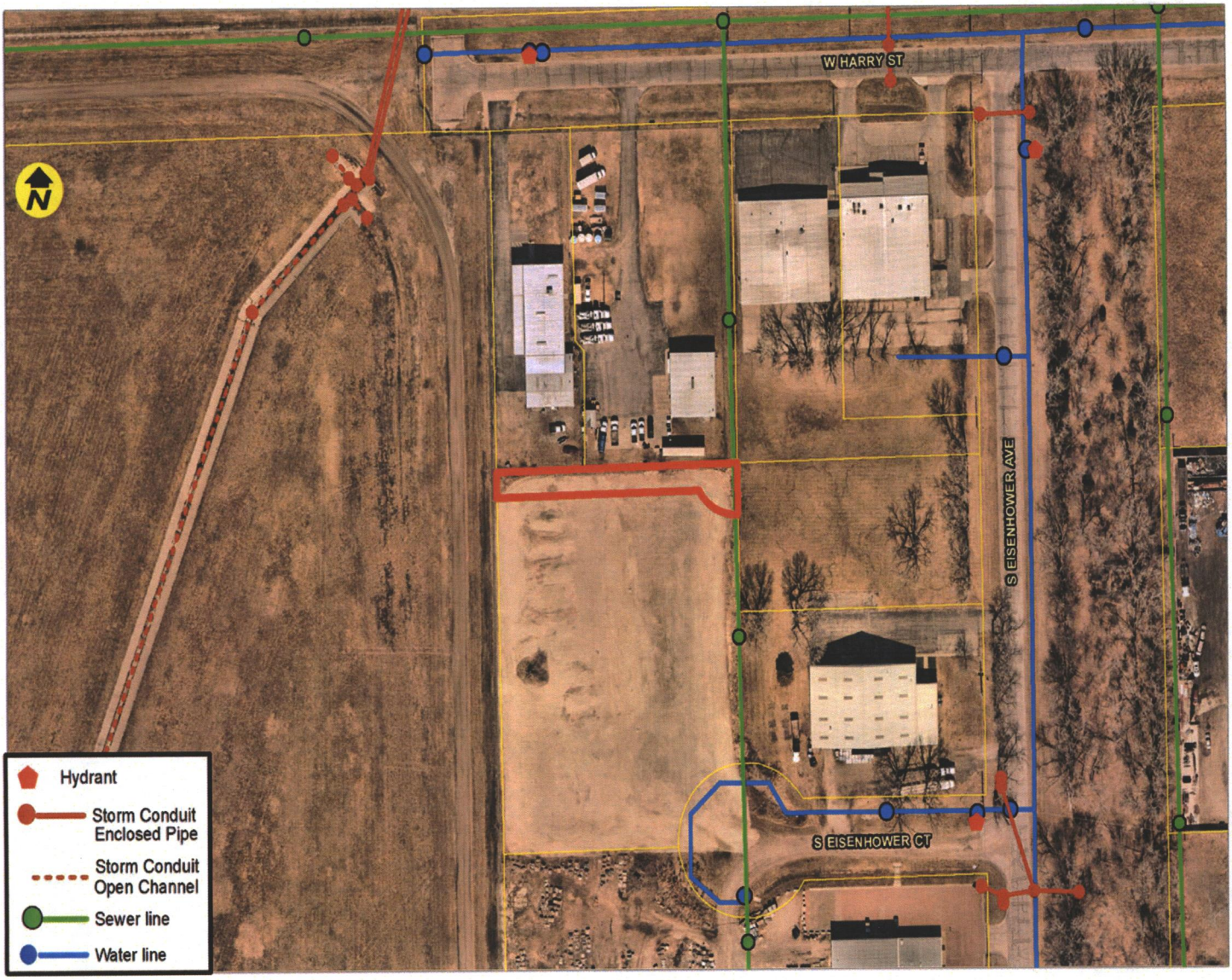
(3) Provide Planning with an approved legal description of the vacated platted taxiway easement on a Word document that can be copied and used on the Vacation Order.

(4) As needed provide utilities with project plans for relocation of any utilities for review and approval. Relocation of the utilities will be the responsibility and at the expense of the applicant and to City standards. The approved project number must be provided to Planning prior to the case foes to City Council for final approval.

(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.

**Attachments:**

- Aerial showing water, sewer, storm water & location of proposed vacated taxiway easement.
- Legal description
- Applicant's exhibit
- Excerpt from the Airport Industrial Park Addition plat showing Lot 2, Block 1, and abutting and adjacent lots.
- Applicant's site plan
- Photos of site


W HARRY ST
S EISENHOWER AVE
S EISENHOWER CT
N
Hydrant
Storm Conduit Enclosed Pipe
Storm Conduit Open Channel
Sewer line
Water line

*Main Office*
*2908 North Plum Street*
*Hutchinson, KS 67502*
*Office: (620) 665-7032*
*Fax: (620) 663-7401*

**Garber Surveying Service, P.A.**

*Branch Offices*
*Abilene 785-320-4810*
*McPherson 620-241-4447*
*Newton 316-283-5053*
*Salina 785-404-6302*
*Wichita 316-260-9933*

**SURVEY FOR:** FORTY FIVE ENTERPRISES, LLC

**Project No.** G2023-163
SHEET 1 OF 2

**TAXIWAY EASEMENT DESCRIPTION:**

All of the Taxiway Easement along the North line of Lot 2, Block 1 as platted in Airport Industrial Park, Wichita, Sedgwick County, Kansas, more particularly described by William P. Fox PS #799, on March 3rd, 2023, as follows:

Beginning at the Northwest corner of Lot 2, Block 1 Airport Industrial Park, Wichita, Sedgwick County, Kansas, thence East on the North line of said Lot 2, Block 1 on an assumed bearing of North 90°00'00" East for a distance of 275 feet to the Northeast corner of said Lot 2, Block 1; thence South 00°34'50" West on the East line of said Lot 2, Block 1 for a distance of 50.00 feet to a point on the South line of the Taxiway Easement; thence on the Southerly line of the Taxiway Easement on a circular curve to the Northwest having a radius of 50.00 feet, a Chord bearing of North 59°42'35" West, a Chord distance of 49.56 feet for an arc distance of 51.85 feet; thence North 90°00'00" West on the South line of the Taxiway Easement for a distance of 231.95 feet to a point on the West line of said Lot 2, Block 1; thence N 00°34'50" East on the West line of said Lot 2, Block 1 for a distance of 25.00 feet to the Point of Beginning.

**SURVEYOR'S CERTIFICATE:**
I hereby certify this plat to be a true, correct and complete representation of the property described above.

*William P. Fox PS# 799*

WILLIAM P. FOX LICENSED PS-799 KANSAS PROFESSIONAL SURVEYOR

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*Main Office*
2908 North Plum Street
Hutchinson, KS 67502
Office: (620) 663-7032
Fax: (620) 663-7401

**Garber Surveying Service, P.A.**

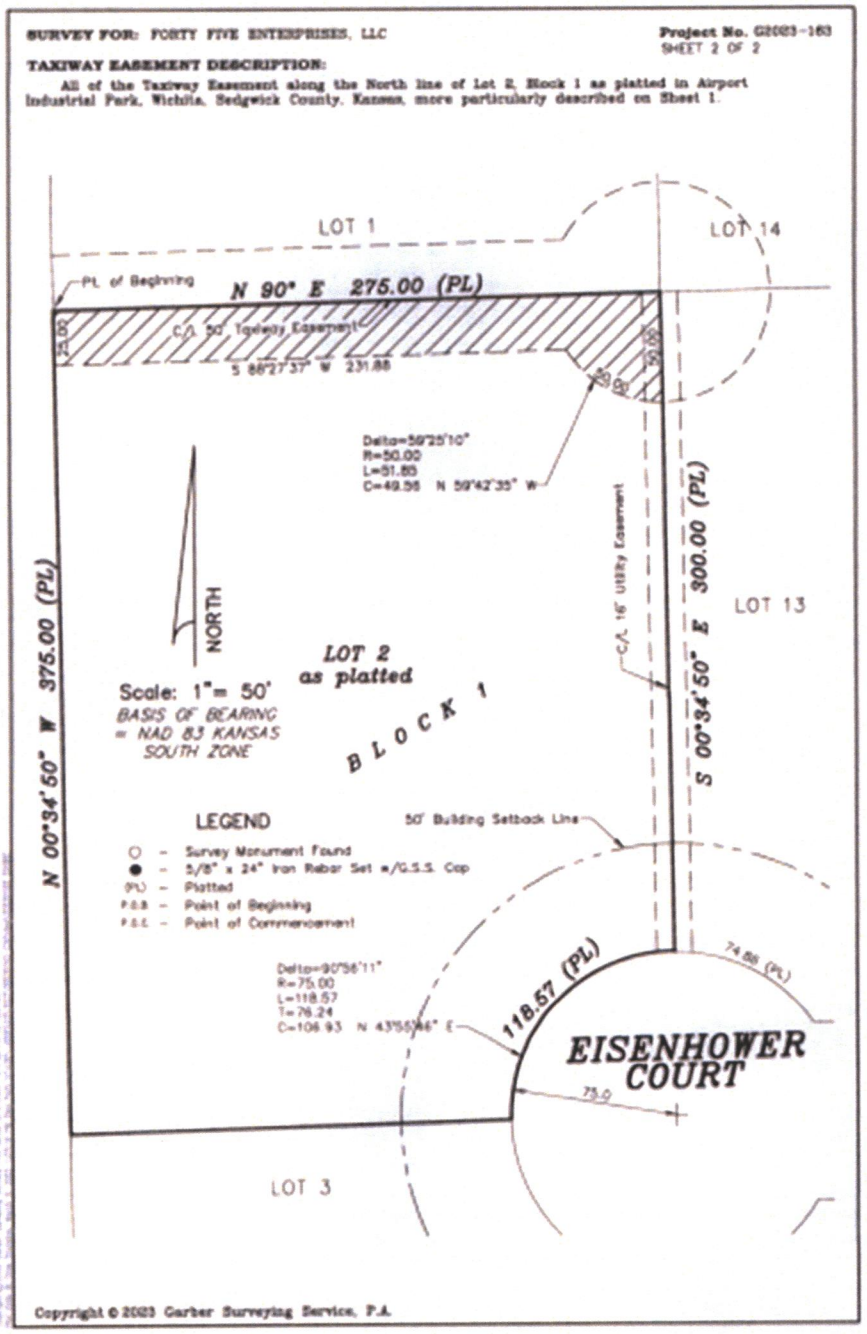
*Branch Offices*
Manhattan 785-320-4519
McPherson 620-241-4443
Newton 316-283-3853
Salina 785-404-8302
Wichita 316-265-9913

**SURVEY FOR:** FORTY FIVE ENTERPRISES, LLC

**Project No. G2023-163**
SHEET 2 OF 2

**TAXIWAY EASEMENT DESCRIPTION:**

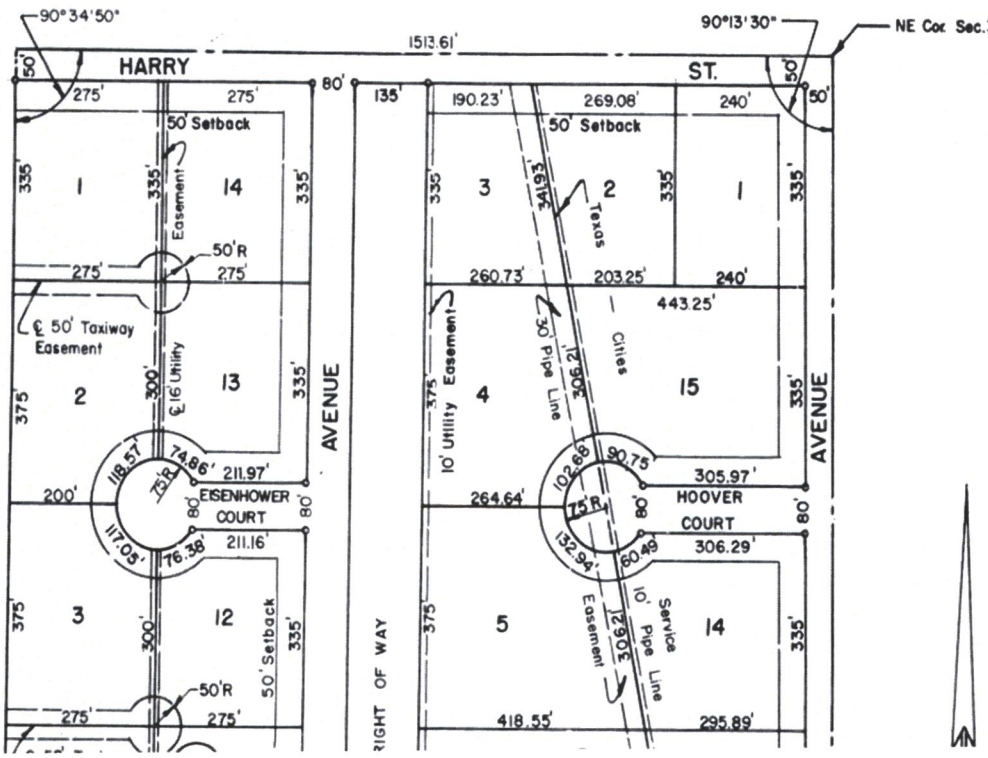
All of the Taxiway Easement along the North line of Lot 2, Block 1 as platted in Airport Industrial Park, Wichita, Sedgwick County, Kansas, more particularly described on Sheet 1.




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# AIRPORT INDUSTRIAL PARK

WICHITA, SEDGWICK COUNTY, KANSAS




Approved by the Board of C
1964.

STATE OF KANSAS )
COUNTY OF SEDGWICK) SS

I, Kenneth O. Taylor, Civil
that I have surveyed and platte
County, Kansas:

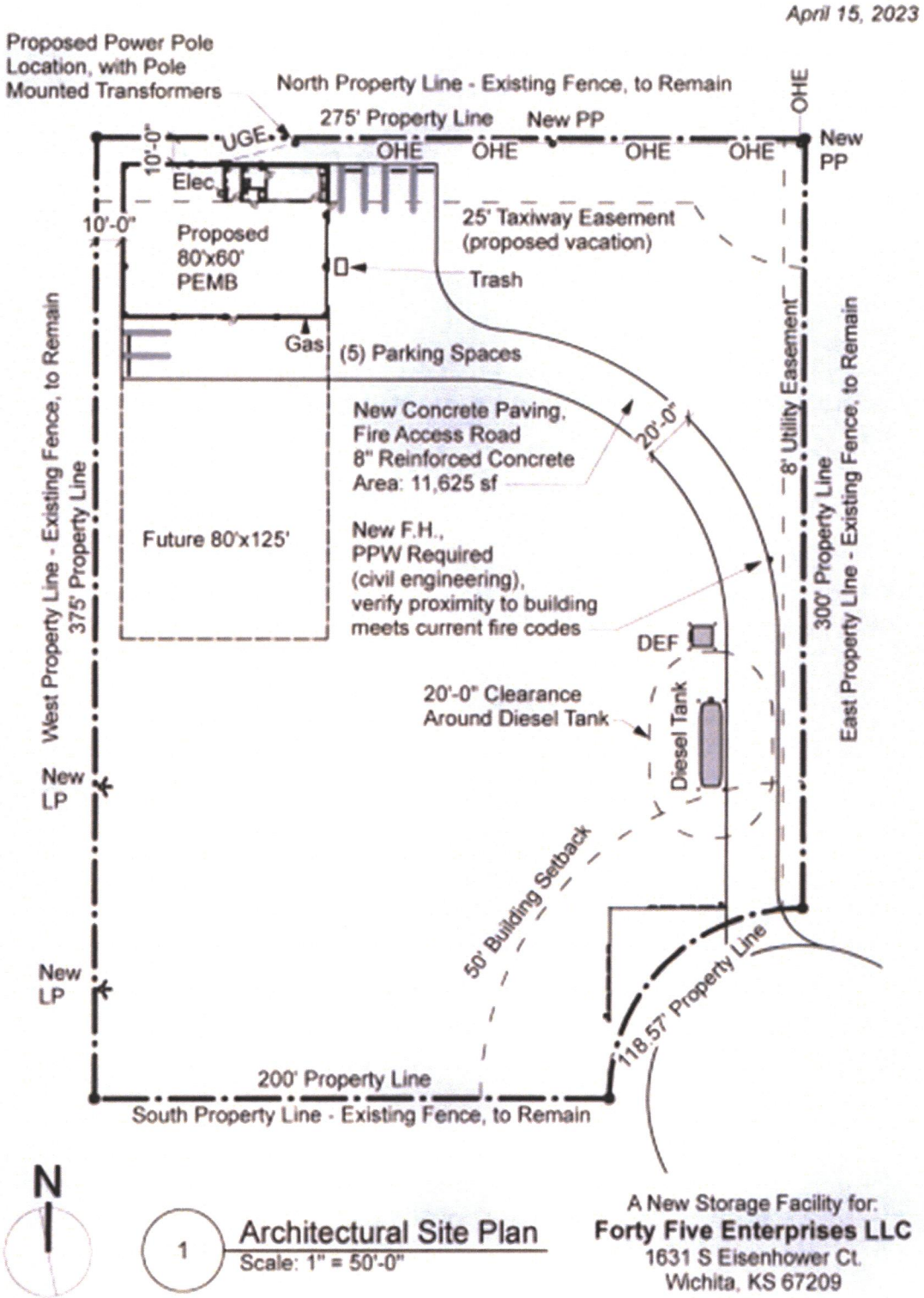
The east 92 acres of the NE¼
described as the NE¼ of Sect
west 1122.83 feet thereof.

Know all men by these presen
wife, have caused the land desc
platted into lots, blocks and s
Wichita, Sedgwick County, Kansas
on the plat for the construction
streets are hereby dedicated to
nel right of way as indicated on
drainage purposes.

Dale Frey

STATE OF KANSAS )
COUNTY OF SEDGWICK) SS

Be it remembered that on this
before me, a Notary Public in an
Betty Frey, husband and wife, to


April 15, 2023
Proposed Power Pole Location, with Pole Mounted Transformers
North Property Line - Existing Fence, to Remain
275' Property Line
New PP
OHE
UGE
10'-0"
Elec
10'-0"
Proposed 80'x60' PEMB
25' Taxiway Easement (proposed vacation)
Trash
Gas
(5) Parking Spaces
New Concrete Paving, Fire Access Road 8" Reinforced Concrete Area: 11,625 sf
20'-0"
8' Utility Easement
West Property Line - Existing Fence, to Remain
375' Property Line
Future 80'x125'
New F.H., PPW Required (civil engineering), verify proximity to building meets current fire codes
DEF
20'-0" Clearance Around Diesel Tank
Diesel Tank
300' Property Line
East Property Line - Existing Fence, to Remain
New LP
New LP
50' Building Setback
118.57' Property Line
200' Property Line
South Property Line - Existing Fence, to Remain
N
1
Architectural Site Plan
Scale: 1" = 50'-0"
A New Storage Facility for:
Forty Five Enterprises LLC
1631 S Eisenhower Ct.
Wichita, KS 67209




Site looking northwest.



Site looking north.



West of site, Dwight D. Eisenhower National Airport



South of site



North of Site



East of site