CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

February 27, 2025

Paul Woods
2170 N. Riverside Blvd.
Wichita, KS 67203

BHC
Attn: Matthew Tucker
165 S. Rock Island Ave., Ste. 150
Wichita, KS 67202

Ref: VAC2024-00043: Vacation request in the City to vacate a right-of-way to incorporate an existing drive into the owner's property; generally located at the northeast corner of North Riverside Boulevard and North Salina Avenue (2170 North Riverside Boulevard).

Dear Applicant,

At the **Tuesday, February 25, 2025**, meeting of the Wichita City Council, the above-referenced vacation request was approved.

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

Wichita-Sedgwick County Metropolitan Area Planning Department

October 25, 2024

Paul Woods
2170 N. Riverside Blvd.
Wichita, KS 67203

BHC
Attn: Matthew Tucker
165 S. Rock Island Ave., Ste. 150
Wichita, KS 67202

Ref: VAC2024-00043: Vacation request in the City to vacate a right-of-way to incorporate an existing drive into the owner's property; generally located at the northeast corner of North Riverside Boulevard and North Salina Avenue (2170 North Riverside Boulevard).

Dear Applicant,

At the **Thursday, October 10, 2024**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Vacate the described portion of the North Salina Avenue right-of-way as described herein.

(2) Provide planning staff with legal descriptions of the approved vacated portion of the platted right-of-way on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.

(3) The applicant shall record a restrictive covenant, binding and tying the respective portion of the subject right-of-way to the abutting Lots. The restrictive covenants shall be provided to Planning prior to the case going to Council for final action.

(4) The applicant shall record a 20-foot utility easement, by separate instrument centerline along the storm sewer within the subject right-of-way. The easement shall be provided to Planning prior to the case going to Council for final action.

(5) All improvements shall be according to City Standards and at the applicant's expense.

(6) Per MAPC Policy Statement #7, all conditions shall 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.

These conditions of this application have not been met—specifically the restrictive covenant and the dedication of a utility easement. Once these conditions have been met, this case will be schedule for City Council for final action. 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

Document #: 2025-004880
Date Recorded: 02/28/2025 12:04:22 PM
Pages: 2 Recording Fee: 0.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

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

IN THE MATTER OF THE VACATION OF A PORTION OF A PLATTED RIGHT-OF-WAY	)	
GENERALLY LOCATED WITHIN ONE-QUARTER MILE SOUTH OF WEST 21ST STREET NORTH AND ONE-HALF MILE WEST OF NORTH ARKANSAS AVENUE	)	**VAC2024-00043**

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 25th day of February 2025, comes on for hearing the petition for vacation filed by Paul F. Woods (owner) praying for the vacation of a portion of a platted right-of-way, to wit:

> Portion of a platted right-of-way to be vacated:
> That part of Salina Avenue described as; Beginning at the Southeast Corner of Lot 3, Replat of Lots 3-4-5, Fords Second Addition to Wichita, Sedgwick County, Kansas; thence N00°51'07"W, along the East line of said Lot 3, 157.76 feet to the centerline of Vacated Ferrell Drive; thence Southeasterly along said centerline, being a curve to the right having a radius of 384.36 feet through a central angle of 03°52'16", an arc distance of 25.97 feet to the centerline of Salina Avenue; thence N00°51'07"W, along said centerline, 24.37 feet; thence N89°47'27"E, 36.19 feet to the Northwest Corner of Lot 1, Block A, North Riverside Boulevard Addition to the City of Wichita, Sedgwick County, Kansas; thence S00°12'33"E, along the East line of said Lot 1, 99.23 feet to the P.C. of a curve; thence Southerly and Southeasterly, along said curve to the left having a radius of 100.00 feet through a central angle of 48°22'32", an arc distance of 84.43 feet to the North line of North Riverside Boulevard as extended East from the Southeast Corner of Lot 3, in said Replat of Lots 3-4-5 Fords, Second Addition; thence S88°55'28"W, along the North line of North Riverside Boulevard as extended, 92.81 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 and at www.wichita.gov/LegalNotices on September 19, 2024, 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 described portion of a platted right-of-way and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petitioner 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 described portion of a platted right-of-way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 25th day of February 2025, ordered that the above-described portion of a platted right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Sedgwick County Register of Deeds for recording.

Lily Wu, Mayor, City of Wichita

ATTEST:

Paul Leeker, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

February 25, 2025
VAC2024-00043

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

IN THE MATTER OF THE VACATION OF A PORTION OF A PLATTED RIGHT-OF-WAY	)	
GENERALLY LOCATED WITHIN ONE-QUARTER MILE SOUTH OF WEST 21ST STREET NORTH AND ONE-HALF MILE WEST OF NORTH ARKANSAS AVENUE	)	**VAC2024-00043**

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 25th day of February 2025, comes on for hearing the petition for vacation filed by Paul F. Woods (owner) praying for the vacation of a portion of a platted right-of-way, to wit:

> Portion of a platted right-of-way to be vacated:
> That part of Salina Avenue described as; Beginning at the Southeast Corner of Lot 3, Replat of Lots 3-4-5, Fords Second Addition to Wichita, Sedgwick County, Kansas; thence N00°51'07"W, along the East line of said Lot 3, 157.76 feet to the centerline of Vacated Ferrell Drive; thence Southeasterly along said centerline, being a curve to the right having a radius of 384.36 feet through a central angle of 03°52'16", an arc distance of 25.97 feet to the centerline of Salina Avenue; thence N00°51'07"W, along said centerline, 24.37 feet; thence N89°47'27"E, 36.19 feet to the Northwest Corner of Lot 1, Block A, North Riverside Boulevard Addition to the City of Wichita, Sedgwick County, Kansas; thence S00°12'33"E, along the East line of said Lot 1, 99.23 feet to the P.C. of a curve; thence Southerly and Southeasterly, along said curve to the left having a radius of 100.00 feet through a central angle of 48°22'32", an arc distance of 84.43 feet to the North line of North Riverside Boulevard as extended East from the Southeast Corner of Lot 3, in said Replat of Lots 3-4-5 Fords, Second Addition; thence S88°55'28"W, along the North line of North Riverside Boulevard as extended, 92.81 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 and at www.wichita.gov/LegalNotices on September 19, 2024, 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 described portion of a platted right-of-way and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petitioner 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 described portion of a platted right-of-way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 25th day of February 2025, ordered that the above-described portion of a platted right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Sedgwick County Register of Deeds for recording.

Lily Wu, Mayor, City of Wichita

ATTEST:

Paul Leeker, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

February 25, 2025
VAC2024-00043

Document #: 2025-004183
Date Recorded: 02/25/2025 02:04:49 PM
Pages: 2 Recording Fee: 38.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

UTILITY EASEMENT

THIS EASEMENT made this 24 day of January, 2025, by and between Paul F. Woods and Tina R. Woods, owners of the below described property.

Grantor and the City of Wichita, Kansas, a municipal corporation, Grantee.

WITNESSETH: That the Grantor, in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the Grantee or the franchised utility entity a perpetual 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 Sedgwick, County, Kansas to wit:

'Exhibit A'

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.

IN WITNESS WHEREOF: The said Grantor has signed this document the day and year first written.

Paul F. Woods, owner

Tina R. Woods, owner

State of Kansas
County of Sedgwick } ss.

This instrument was acknowledged before me on January 24, 2025 by Paul F. Woods and Tina R. Woods as owners of the property described on Exhibit 'A'.

(seal)

Notary Public
My Commission expires: 08/30/2028

Reviewed and approved by the City Engineer:

MATT SCHLITTLER 2/7/25

FOR Paul Gunzelman, P.E.

KRYSTLE ANDRADE
Notary Public, State of Kansas
My Appointment Expires
08/30/2028

Document #: 2025-004184
Date Recorded: 02/25/2025 02:04:50 PM
Pages: 1 Recording Fee: 21.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED Paul F. Woods and Tina R. Woods, are the owners of the following described real property:

Lot 1, Block A, North Riverside Boulevard Addition, Wichita, Sedgwick County, Kansas.

NOW THEREFORE, in connection with the vacation of the following described right-of-way:

That part of Salina Avenue described as; Beginning at the Southeast Corner of Lot 3, Replat of Lots 3-4-5 Fords Second Addition to Wichita, Sedgwick County, Kansas; thence N00°51'07"W, along the East line of said Lot 3, 157.76 feet to the centerline of Vacated Ferrell Drive; thence Southeasterly along said centerline, being a curve to the right having a radius of 384.36 feet through a central angle of 3°52'16" an arc distance of 25.97 feet to the centerline of Salina Avenue; thence N00°51'07"W, along said centerline, 24.37 feet; thence N89°47'27"E, 36.19 feet to the Northwest Corner of Lot 1, Block A, North Riverside Boulevard Addition to the City of Wichita, Sedgwick County, Kansas; thence S00°12'33"E, along the East line of said Lot 1, 99.23 feet to the P.C. of a curve; thence Southerly and Southeasterly, along said curve to the left having a radius of 100.00 feet through a central angle of 48°22'32" an arc distance of 84.43 feet to the North line of North Riverside Boulevard as extended East from the Southeast Corner of Lot 3, in said Replat of Lots 3-4-5 Fords Second Addition; thence S88°55'28"W, along the North line of North Riverside Boulevard as extended, 92.81 feet to the Point of Beginning.

The undersigned agrees and covenants the aforementioned vacated street shall be retained, held and bound together with the platted lot adjoining and having ownership in common with such vacated street tracts.

It is understood that this covenant shall be binding upon the undersigned, their heirs, or successors and assigns and is a covenant running with the land until such time the property is replatted.

The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita, Kansas. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

Paul F. Woods, owner

Tina R. Woods, owner

STATE OF KANSAS)
) SS
COUNTY OF SEDGWICK)

BE IT REMEMBERED, That on this 24 day of January, 2025, before me, the undersigned, a Notary Public in and for the county and state aforesaid, came Paul F. Woods and Tina R. Woods, owners of the above described property, personally known to me and they have executed this instrument of writing on the date above first written.

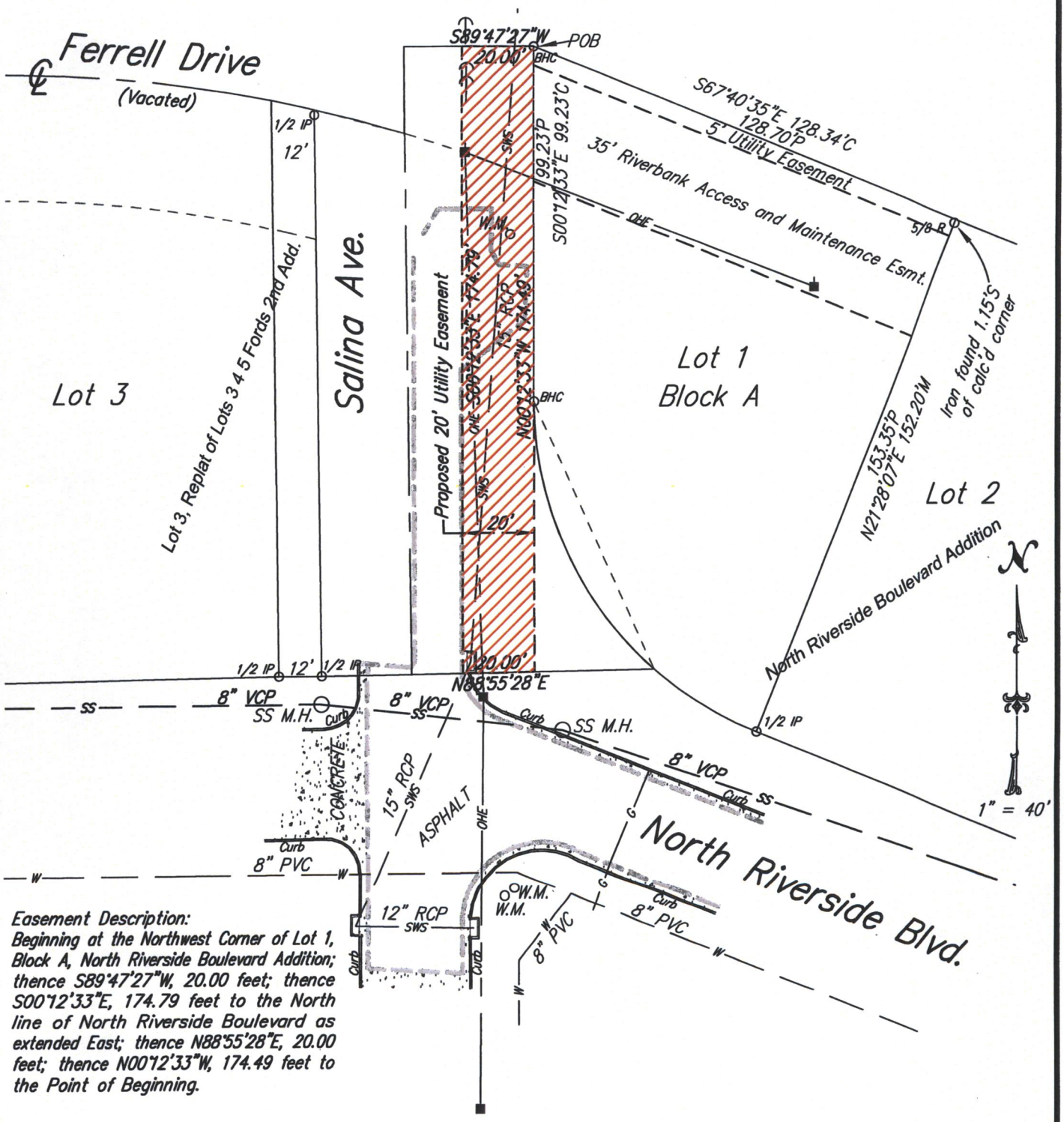
IN TESIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.

Notary Public

KRYSTLE ANDRADE
Notary Public, State of Kansas
My Appointment Expires
08/30/2028

My Commission Expires: 08-30-2028

Exhibit A



Easement Description:
Beginning at the Northwest Corner of Lot 1, Block A, North Riverside Boulevard Addition; thence S89°47'27"W, 20.00 feet; thence S00°12'33"E, 174.79 feet to the North line of North Riverside Boulevard as extended East; thence N88°55'28"E, 20.00 feet; thence N00°12'33"W, 174.49 feet to the Point of Beginning.

Sheet:	1 OF 1
Drawn By:	RC
Project No:	039960
Field Date:	08/28/2024
Issue Date:	08/29/2024

Project:
Proposed Utility Easement
Salina Ave.
From N. line of Riverside Blvd.
to Centerline of Ferrell Drive

Client:
Paul Woods
2170 North Riverside Blvd.
Wichita, Ks. 67203

BHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
165 S. Rock Island Ave., Suite 150, Wichita, KS 67202
Phone: (316) 265-0005

Aug 29, 2024 - 1:17pm Plotted by: ron.cecil S:\Survey\RECORDED PLATS\N\North Riverside Boulevard Addition\Block A\SALINA AVE VACATION\Salina Ave Vacation.dwg

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	592711	Print Legal Ad-IPL01942930 - IPL0194293	MAPC/BZA October 10	$53.85	1	64 L

Attention: Mandy Hebert

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on September 18, 2024
(One Time Only)
MAPC/BZA October 10 , 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 10, 2024, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. Full notice can be found at www.wichita.gov/LegalNotices.

BZA2024-00061: Variance request in the City to reduce and modify screening and landscaping requirements located approximately 700 feet east of North Tyler Road and 370 feet north of West 21st Street North (8558 West 21st Street North, Suite 100).

VAC2024-00043: Vacation request in the City to vacate a right-of-way to incorporate an existing drive into the owner's property, generally located at the northeast corner of North Riverside Boulevard and North Salina Avenue (2170 North Riverside Boulevard).

ZON2024-00044: Zone Change request in the City from SF-5 Single Family to MF-18 Multi-family for redevelopment to multi-family housing; generally located on the north side of West Maple Street and within one-half mile west of South Ridge Road (7722 West Maple Street).

ZON2024-00045: Zone Change request in the City from SF-5 Single-Family Residential District to GO General Office District, generally located on the southwest corner of West 9th Street North and North Tyler Road (996 North Tyler Road).

ZON2024-00046: Zone Change request in the City from SF-5 Single-Family Residential to LC Limited Commercial for future commercial development, located at the northwest corner of West Central Ave. and North 119th Street West (705 North 119th Street West).

IPL0194293
Sep 18 2024

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

1 insertion(s) published on:
09/18/24

STATE OF KANSAS)
SS
County of Sedgwick)

Mary Castro, 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 09/18/2024 to 09/18/2024.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 09/18/2024

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!

CITY OF WICHITA

AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Jamie Buster, City Clerk

Being first duly sworn, deposes and says:

That Mandy Hebert, Administrative Aide I, from the Planning Department of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No. 240 effective September 4, 2024.

That the attached Notice of Public Hearing / Ordinance No. _____ / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 19th day of September 2024.

Signature

SUBSCRIBED AND SWORN to before me this 19th day of September, 2024.

GERRI D. FORD
Notary Public
State of Kansas
My Appointment Expires 11-21-27
(seal)

Notary Public
Gerri Ford

City Clerk's Office
Jamie Buster – City Clerk
City Hall • 13th Floor • 455 N. Main • Wichita, Kansas 67202
316.268.4529 ext. 2805
www.wichita.gov

Published www.wichita.gov/LegalNotices on September 19, 2024

MAPC/BZA October 10, 2024

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, October 10, 2024, no earlier than 1:30 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. **If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.**

BZA2024-00061: Variance request in the City to reduce and modify screening and landscaping requirements located approximately 700 feet east of North Tyler Road and 370 feet north of West 21st Street North (8558 West 21st Street North, Suite 100).

VAC2024-00043: Vacation request in the City to vacate a right-of-way to incorporate an existing drive into the owner's property, generally located at the northeast corner of North Riverside Boulevard and North Salina Avenue (2170 North Riverside Boulevard).

ZON2024-00044: Zone Change request in the City from SF-5 Single Family to MF-18 Multi-family for redevelopment to multi-family housing; generally located on the north side of West Maple Street and within one-half mile west of South Ridge Road (7722 West Maple Street).

ZON2024-00045: Zone Change request in the City from SF-5 Single-Family Residential District to GO General Office District, generally located on the southwest corner of West 9th Street North and North Tyler Road (996 North Tyler Road).

ZON2024-00046: Zone Change request in the City from SF-5 Single-Family Residential to LC Limited Commercial for future commercial development, located at the northwest corner of West Central Ave. and North 119th Street West (705 North 119th Street West).

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 Wichita-Sedgwick 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:

1) **Attend In-Person** at the **Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.** Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) **Submit Comments Ahead of Time** regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. **Written Comments** should be submitted by 5:00 PM the day before the meeting. **Video and Audio Comments** (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) **If you need accommodations pursuant to the ADA, please contact Planning Staff <u>within one week prior to the scheduled meeting.</u>**

<u>Option to View Remotely (Not Participate)</u>
The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: https://www.wichita.gov/Planning.

WITNESS MY HAND on September 19, 2024
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
October 10, 2024

STAFF REPORT

CASE NUMBER: **VAC2024-00043**- Request to vacate a portion of North Salina Ave.

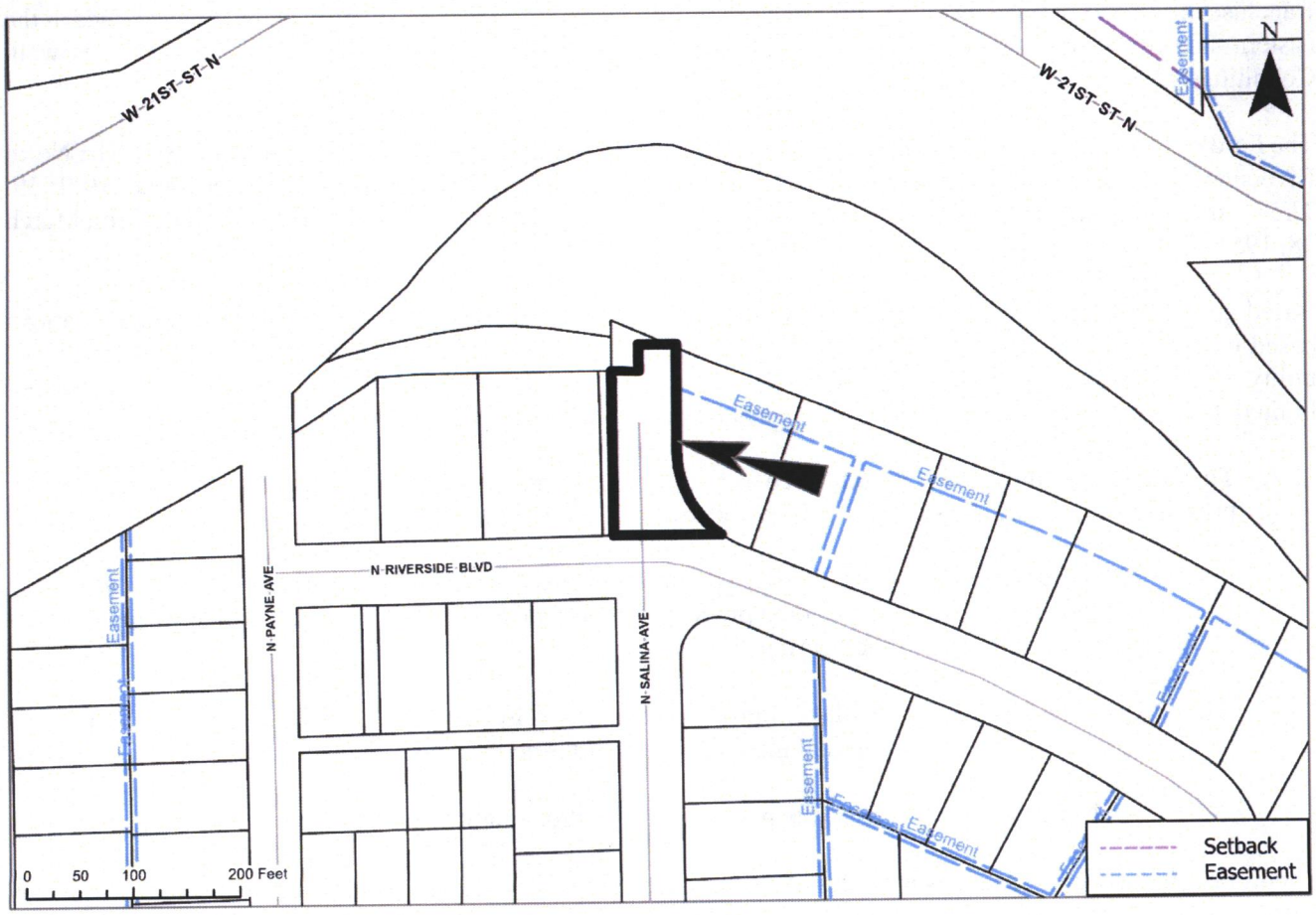
APPLICANT/AGENT: Paul Woods (Applicant) / BHC—Matthew Tucker (Agent)

LEGAL DESCRIPTION: Generally described as vacating the North Salina Ave. Right-of-Way as platted between Lot 1, Block A, North Riverside Blvd. Addition, and Lot 3, Fords 2nd Addition Lots 3-4-5, Wichita, Sedgwick County, Kansas. (See attached Legal Description).

LOCATION: Generally located within one-quarter mile south of West 21st Street North and within one-half mile west of North Arkansas Avenue (2170 N. Riverside Blvd.).

REASON FOR REQUEST: To privatize the applicant's driveway and unify the applicant's two parcels on either side.

CURRENT ZONING: Properties east, south, and west are zoned SF-5 and developed with single-family dwellings. Property to the north is City land abutting the Little Arkansas River.



The applicant is requesting the vacation of a portion of the North Salina Avenue right-of-way located within one-quarter mile south of West 21st Street North and within one-half mile West of North Arkansas Avenue. The applicant's property is addressed as 2170 North Riverside Boulevard. The applicant owns Lot 1, Block A, North Riverside Boulevard Addition on the east side of the subject right-of-way, and the applicant owns the east 12 feet of Lot 3, Fords 2nd Addition on the west side of the subject right-of-way. The subject right-of-way spearates these two parcels, it is not constructed to City standards for streets, and functionally acts as the applicant's driveway. The subject right-of-way dead-ends into land owned by the City that directly abuts the Little Arkansas River. The right-of-way could act as a point of access in order to enter and maintain the land next to the river. This land can also be accessed via North Payne Avenue (one-block to the west) and from North Woodland Avenue (two-blocks to the east). Toward the north end of the subject right-of-way, property that abuts to the west is owned by the City. This City is not party to the application, therefore, the west half of that portion of the right-of-way would not be vacated.

The right-of-way was originally platted between Lots 5 & 6, Block 20 of the Ford's 2nd Addition. The area of Lot 5 was replated as part of the Ford's 2nd Addition replat of Lots 3-4-5, and the area of Lot 6 was replatted as part of the North Riverside Boulevard Addition. If it is approved, no property would be deprived of access. As stated above, all City-owned land along the river can be accessed at two other locations. Neither the Park and Recreation Department nor the Park Board object to this request.

There is a public storm water line in the subject portion of the right-of-way. Wichita Public Works, Traffic Engineering, Fire, and Stormwater do not have any objection to the vacation request. The applicant will be required to dedicate an easement for that portion of the right-of-way for the stormwater line.Comments from franchise utilities have been received. No franchise utility object to the request. Evergy and Cox have lines in the eastern side of the right-of-way. The easement for the stormwater line will also cover these utilties as well. Conditions #3 and #4 cover all utilities.

The Ford's 2nd Addition was recorded with the Sedgwick County Register of Deeds on March 22, 1886. The North Riverside Boulevard Addition was recorded with the Sedgwick County Register of Deeds on September 19, 1939. The Ford's 2nd Addition replat of Lots 3-4-5 was recorded with the Sedgwick County Register of Deeds on March 28, 1951.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, 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 portion of the platted 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 September 19, 2024, 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 right-of-way 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) Vacate the described portion of the North Salina Avenue right-of-way as described herein.

(2) Provide planning staff with legal descriptions of the approved vacated portion of the platted right-of-way on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.

(3) The applicant shall record a restrictive covenant, binding and tying the respective portion of the subject right-of-way to the abutting Lots. The restrictive covenants shall be provided to Planning prior to the case going to Council for final action.

(4) The applicant shall record a 20-foot utility easement, by separate instrument centerline along the storm sewer within the subject right-of-way. The easement shall be provided to Planning prior to the case going to Council for final action.

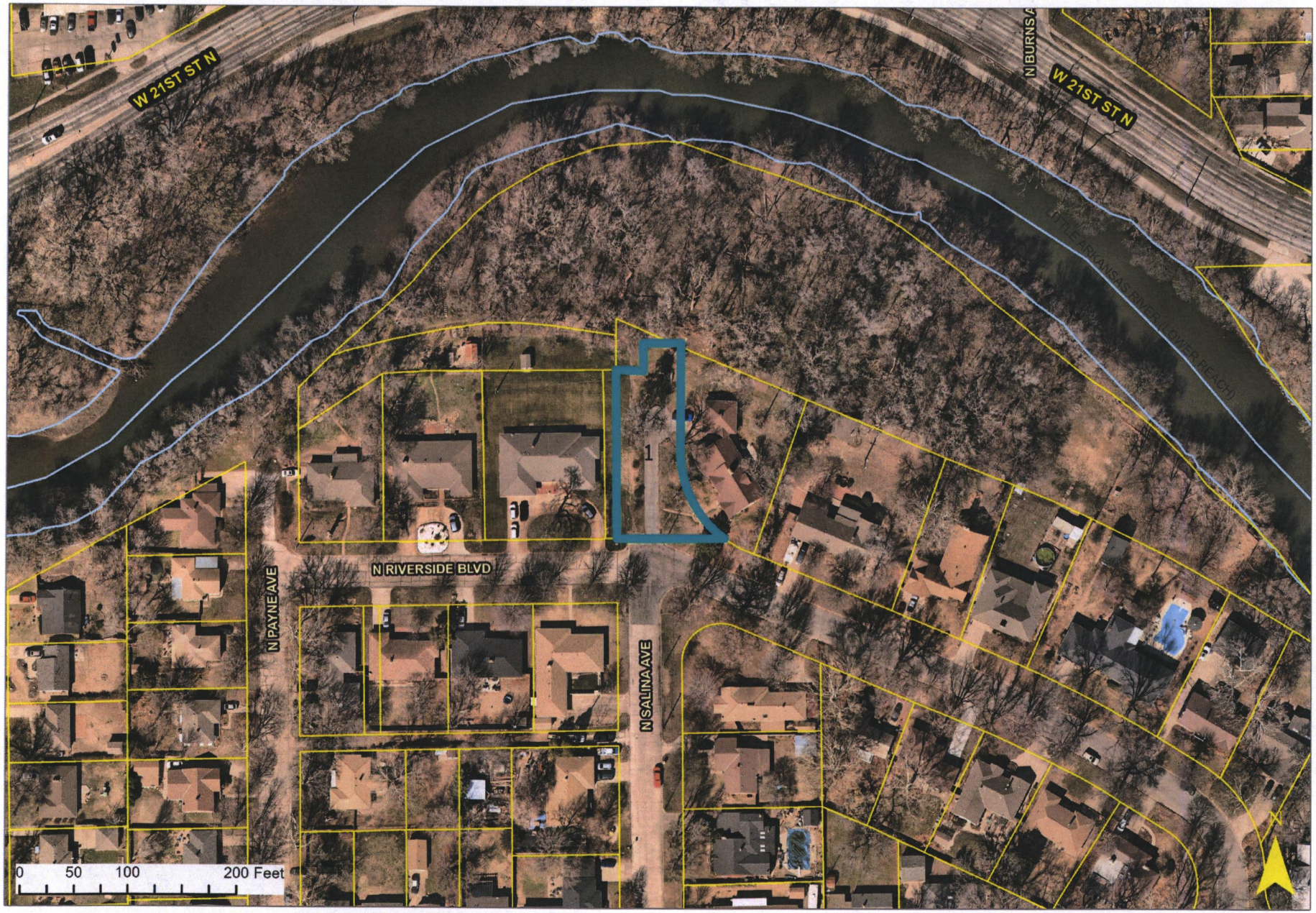
(5) All improvements shall be according to City Standards and at the applicant's expense.

(6) Per MAPC Policy Statement #7, all conditions shall 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.

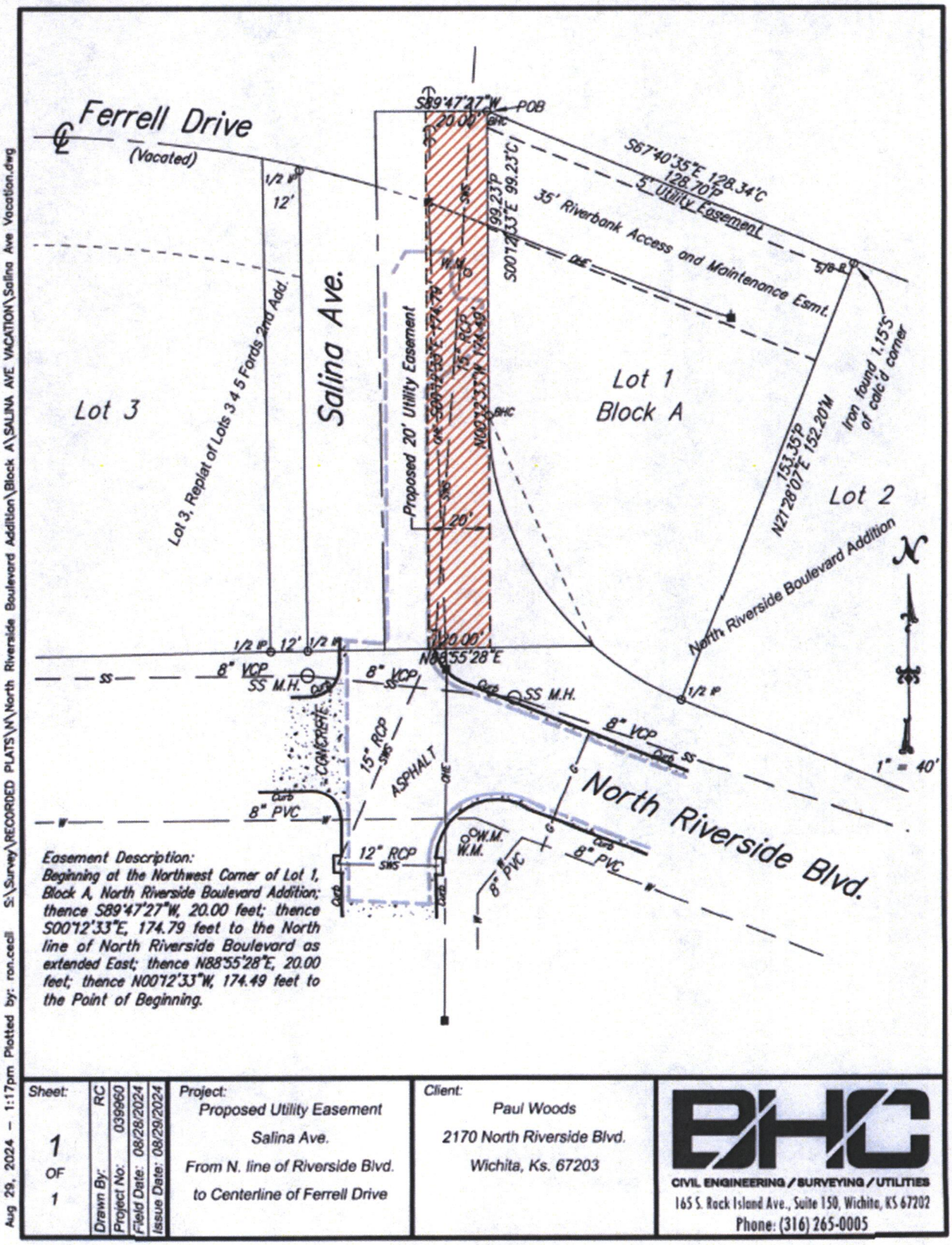
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:
1. Aerial Map
2. Applicant's Exhibit 1
3. Applicant's Exhibit 2
4. Applicant's Exhibit 3
5. Ford's 2nd Addition Plat
6. Ford's 2nd Addition replat Lot 3-4-5
7. North Riverside Boulevard Addition Plat
8. Legal Description


W 21ST ST N
W 21ST ST N
N BURNSA
N RIVERSIDE BLVD
N PAYNE AVE
N SALINA AVE
1
0 50 100 200 Feet


Street ROW to be vacated - currently has client's private drive and public utilities on it
route for continued city access to city owned Reserve A
proposed easement for utilities (storm and overhead exist here)
Applicant owns this 12' strip of land as well as the property on the other side of the street addressed 2170 N riverside Blvd
RES A
RES B
RIVERSIDE BLVD



Easement Description:
Beginning at the Northwest Corner of Lot 1, Block A, North Riverside Boulevard Addition; thence S89°47'27"W, 20.00 feet; thence S00°12'33"E, 174.79 feet to the North line of North Riverside Boulevard as extended East; thence N88°55'28"E, 20.00 feet; thence N00°12'33"W, 174.49 feet to the Point of Beginning.

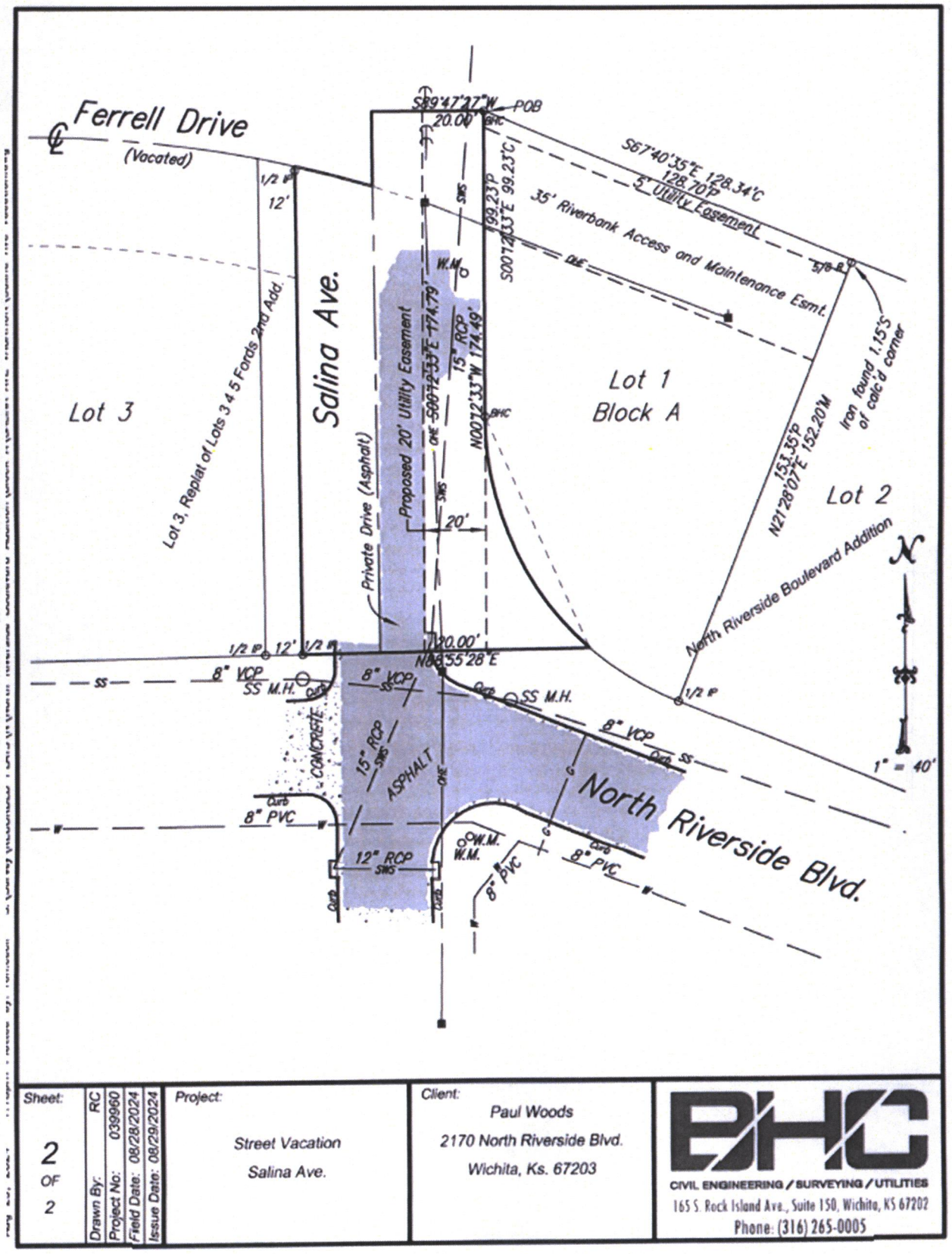
Sheet:	1 OF 1
Drawn By:	RC
Project No:	039960
Field Date:	08/28/2024
Issue Date:	08/29/2024

Project:
Proposed Utility Easement
Salina Ave.
From N. line of Riverside Blvd.
to Centerline of Ferrell Drive

Client:
Paul Woods
2170 North Riverside Blvd.
Wichita, Ks. 67203

BHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
165 S. Rock Island Ave., Suite 150, Wichita, KS 67202
Phone: (316) 265-0005

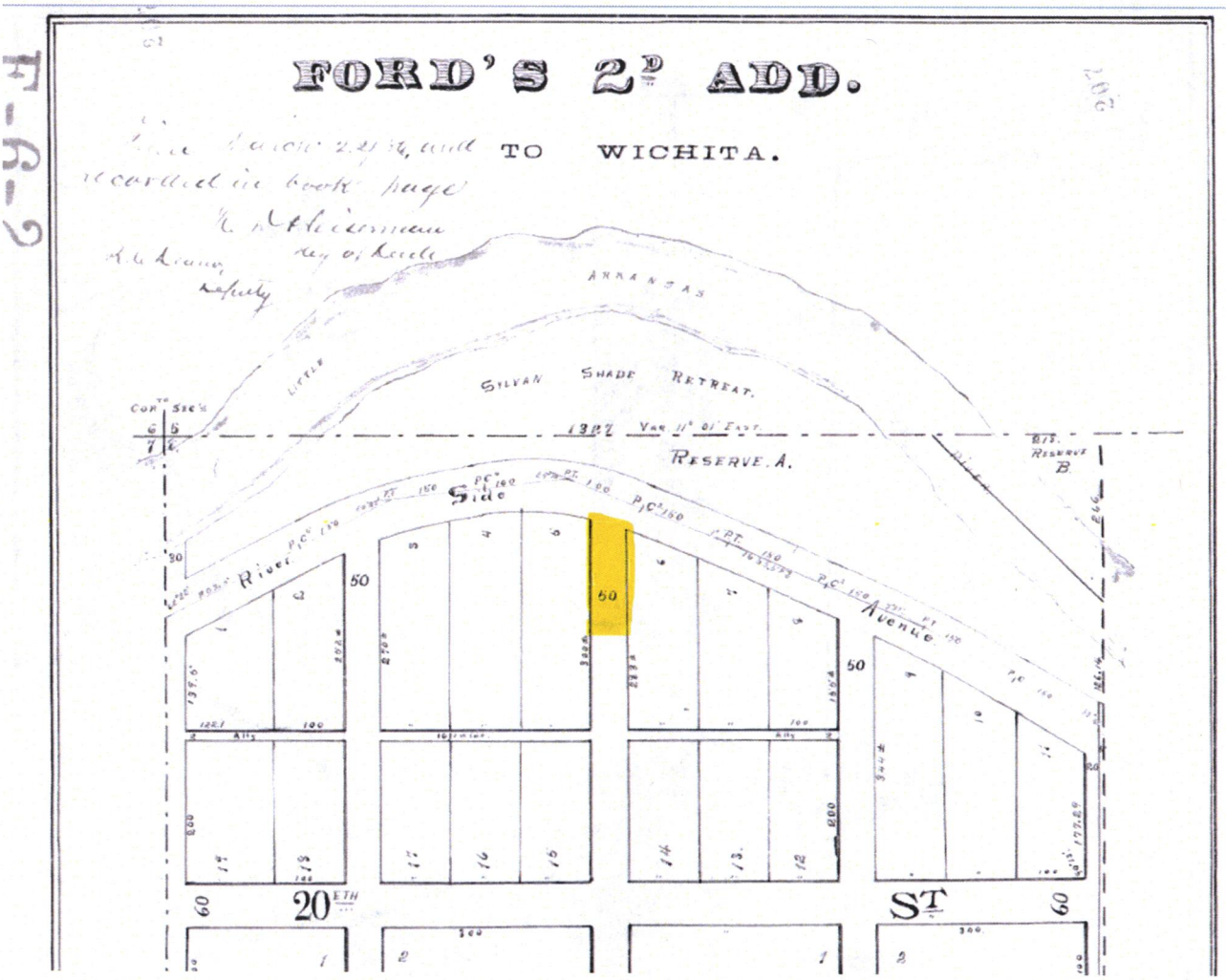
Aug 29, 2024 - 1:17pm Plotted by: ron.cecil S:\Survey\RECORDED PLATS\N\North Riverside Boulevard Addition\Block A\SALINA AVE VACATION\Salina Ave Vacation.dwg



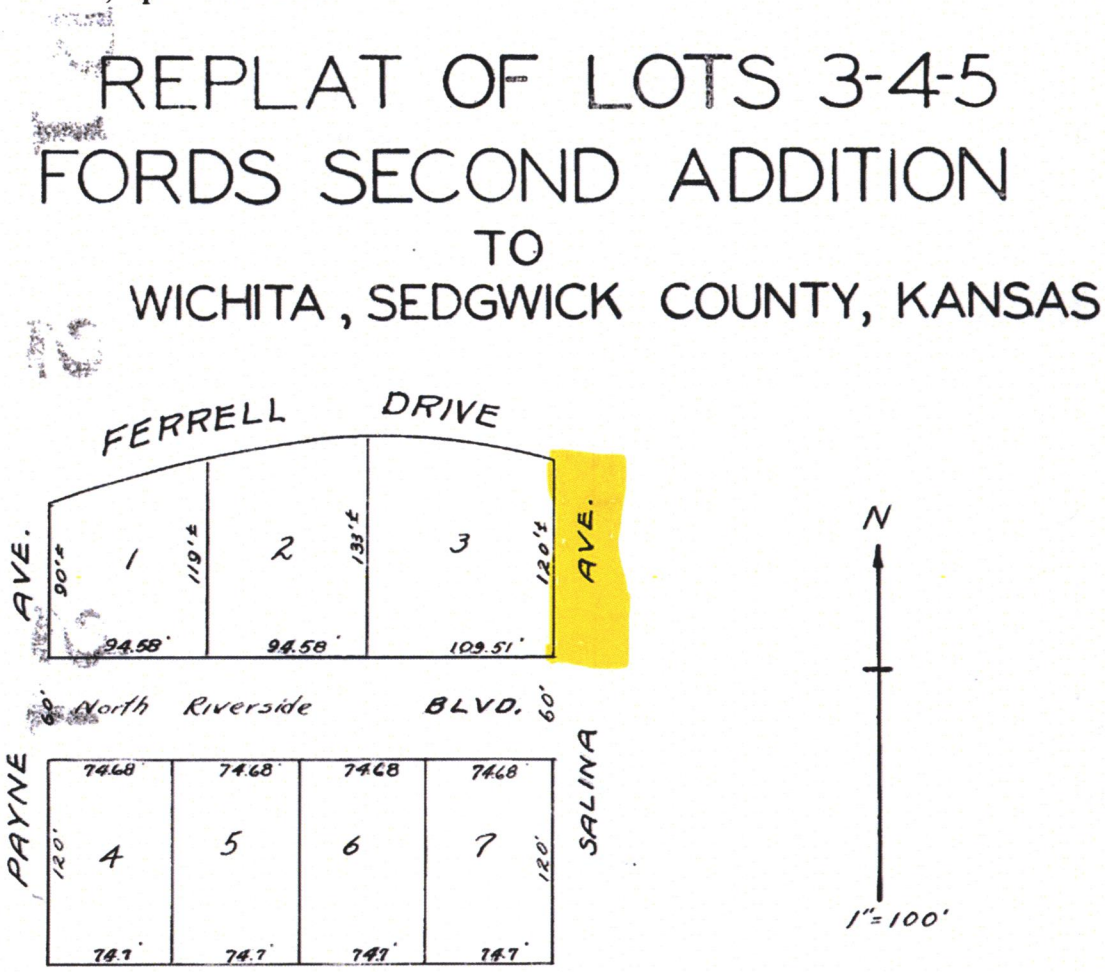
Sheet: 2 OF 2	Project: Street Vacation Salina Ave.	Client: Paul Woods 2170 North Riverside Blvd. Wichita, Ks. 67203	BHC CIVIL ENGINEERING / SURVEYING / UTILITIES 165 S. Rock Island Ave., Suite 150, Wichita, KS 67202 Phone: (316) 265-0005

Drawn By:	RC
Project No:	039960
Field Date:	08/28/2024
Issue Date:	08/29/2024

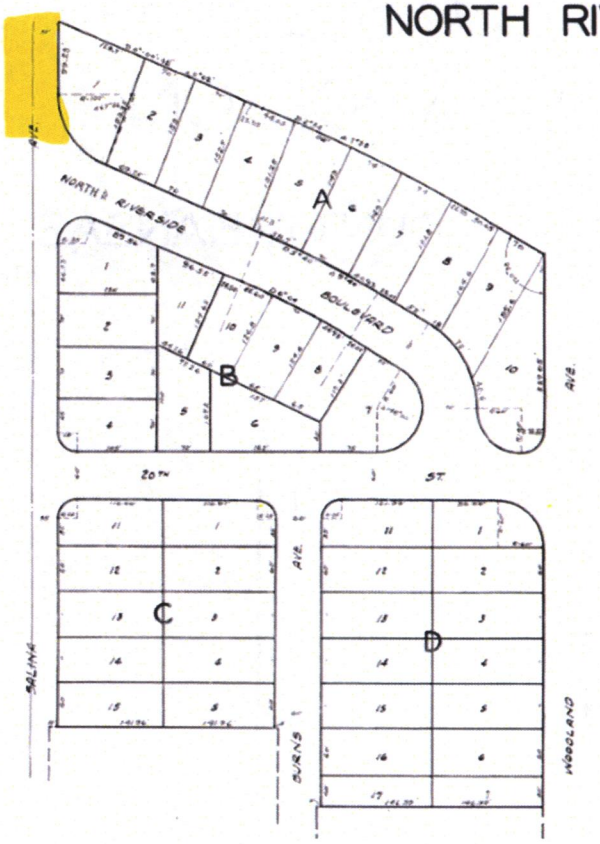
Ford's 2nd Addition Plat



Ford's 2nd Addition, replat of Lots 3-4-5



North Riverside Boulevard Addition



NORTH RIVERSIDE BOULEVARD ADDITION

TO THE CITY OF

WICHITA, SEDGWICK COUNTY,

KANSAS.

STATE OF KANSAS } ss
COUNTY OF SEDGWICK }

I, Don C. Moehring, a Civil Engineer in said State and C
platted NORTH RIVERSIDE BOULEVARD ADDITION to the City of Wichita, Sed
a Street and a Boulevard the same being accurately set forth in the ac
follows: Lots 2-4-6-8, 1-3-5 on Burns Avenue, Lots 6-7-8 on Riverside Aven
Avenue from the West line of Woodland Avenue to the East line of Salina Avenu
to Riverside Avenue, the Alley north of 20th Street from Salina Avenue to Burns Aven
of Wichita Sedgwick County, Kansas, the same having been vacated by order of the Board
under date of July 1939.

Know all men by these presents that we, the undersigned property owners of th
certificate, have caused the same to be surveyed and platted into Blocks, L
same to be known as NORTH RIVERSIDE BOULEVARD ADDITION to the
Avenues, Street and Boulevard are hereby dedicated to and for the use of the
and maintenance of Public Utilities, of five feet on the rear of each and every
the West side of Lots 3 and 8, in Block "A", and upon the East side of Lot Eleventh a
and also an easement of 35 feet on the rear of all lots in Block "A", granting access to the City
river bank adjacent, and on which no buildings shall be erected, and on which, any pl
of trees or shrubs or any landscaping, shall first be approved by the Board o
Park Commissioners of the City of Wichita, Kansas, is hereby granted.

State of Kansas } ss
County of Sedgwick }

Be it remembered, that on this 5th day of June, 1939, before me a N
came Anna M. Blase, and A. H. Blase her husband, to me personally known to be the s
of writing, and duly acknowledged the same to be their voluntary act and deed.

My commission expires Oct. 14th 1940

This plat of NORTH RIVERSIDE BOULEVARD ADDITION
submitted to and considered by the City Planning Commission of the City of Wichita
Commissioners of the City of Wichita Kansas, with the recommendation that such
Dated September 8, 1939. The Ci

Attest: [illegible] Secretary

Approved by the Board of City Commissioners this 25th day of September 1939.

[illegible] City Clerk.

Legal Description:

That part of Salina Avenue described as; Beginning at the Southeast Corner of Lot 3, Replat of Lots 3–4–5 Fords Second Addition to Wichita, Sedgwick County, Kansas; thence N00°51'07"W, along the East line of said Lot 3, 157.76 feet to the centerline of Vacated Ferrell Drive; thence Southeasterly along said centerline, being a curve to the right having a radius of 384.36 feet through a central angle of 3°52'16" an arc distance of 25.97 feet to the centerline of Salina Avenue; thence N00°51'07"W, along said centerline, 24.37 feet; thence N89°47'27"E, 36.19 feet to the Northwest Corner of Lot 1, Block A, North Riverside Boulevard Addition to the City of Wichita, Sedgwick County, Kansas; thence S00°12'33"E, along the East line of said Lot 1, 99.23 feet to the P.C. of a curve; thence Southerly and Southeasterly, along said curve to the left having a radius of 100.00 feet through a central angle of 48°22'32" an arc distance of 84.43 feet to the North line of North Riverside Boulevard as extended East from the Southeast Corner of Lot 3, in said Replat of Lots 3–4–5 Fords Second Addition; thence S88°55'28"W, along the North line of North Riverside Boulevard as extended, 92.81 feet to the Point of Beginning.