



Wichita-Sedgwick County Metropolitan Area Planning Department

July 3, 2007

Raytheon Aircraft Company
Attention: Pam Bailey
P.O. Box 85
Wichita, KS 67201-0085

Re: **VAC2007-00004** - Request to vacate a platted subdivision, generally located approximately 1/4-mile south of Central Avenue, on the west side of Greenwich Road, Sedgwick County/3-mile ring.

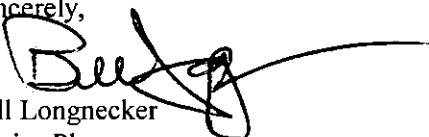
Dear Ms. Bailey:

At its regular meeting on Tuesday, June 12, 2007, the Wichita City Council considered the request. The action of the City Council was to APPROVE subject to the recommendation by the MAPC.

At its regular meeting on Wednesday, June 27, 2007, the Board of County Commission considered request. The action of the Board of County Commissioners was to APPROVE subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4494.

Sincerely,


Bill Longnecker
Senior Planner

BL:le

cc: Jim Armour, City Engineer, Public Works Department, Mail Stop 1-71
Paul Gunzelman/Carla Jones, Public Works Engineering, Mail Stop 1-71
Baughman Company, Attn: Russ Ewy, 315 Ellis, Wichita, KS 67211
Canyon Properties Inc., Ste 400, 727 N. Waco, Wichita, KS 67203
Sedgwick County, Raytheon aircraft Company, P.O. Box 85, Wichita, KS 67201
Canyon Properties, Inc., P O Box 2907, Wichita, KS 67020
Sedgwick County Electric Coop, Attention: Allen Henning & Wayne Voss, P.O. Box 220,
Cheney, KS, 67205-0220
Jim Weber, Sedgwick County Engineer, Public Works Department, 1144 S. Seneca, Wichita, KS
67213



Sedgwick County
Register of Deeds - Bill Meek
DOC.#/FLM-PG: 28892471

Receipt #: 1659036
Pages Recorded: 2
Cashier Initials: KRG

Authorized By:  Recording Fee: 00H

Date Recorded: 6/19/2007 10:20:26 AM



CITY CLERK'S ORIGINAL
RETURN TO CITY CLERK

BEFORE THE CITY COUNCIL OF THE Approved / Accepted By City Council
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS 6-12-07

IN THE MATTER OF THE VACATION OF
A RECORDED PLAT

GENERALLY LOCATED APPROXIMATELY
1/4-MILE SOUTH OF CENTRAL AVENUE, ON THE
WEST SIDE OF GREENWICH ROAD

MORE FULLY DESCRIBED BELOW

MAPD CASE NO.
VAC2007-00004

VAC 2007-00004

VACATION ORDER

NOW on this 12th day of June, 2007 comes on for hearing the petition for vacation filed by Raytheon Aircraft Company, c/o Walter W. Wallace, Vice-President – General Counsel praying for the vacation of the following described recorded plat, to-wit:

All lots, blocks, streets and easements as platted and recorded in the Barth Addition, Wichita, Sedgwick County, Kansas, except that part dedicated for Greenwich Road.

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 Derby Reporter on March 15, 2007, which was at least 20 days prior to the public hearing.

07-0568

2. No private rights will be injured or endangered by the vacation of the above-described recorded plat, and the public will suffer no loss or inconvenience thereby.

3. Retain the dedications by separate instruments for "Easement for Right-of-Way," as recorded on FILM729/PAGE2211, FILM745/PAGE250, FILM745/PAGE251, and for a "Contingent Dedication," as recorded on FILM378/PAGES142, 143, 144, 145, 146, 147.

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 recorded plat described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 12th day of June 2007 ordered that the above-described recorded plat 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.

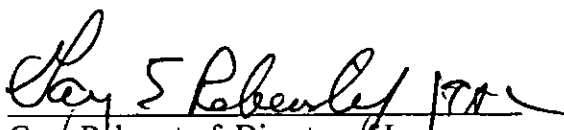

Carl Brewer, Mayor

ATTEST:

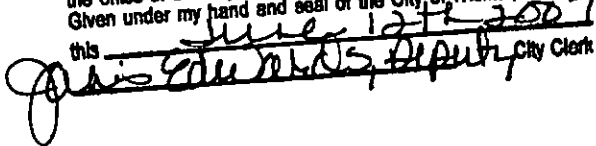

Karen Sublett, City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

State of Kansas
Sedgwick County
City of Wichita

I, **Janis Edwards** 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
the office of the City Clerk.
Given under my hand and seal of the City of Wichita, Kansas
this June 12th 2007
 Deputy City Clerk



STAFF REPORT

CASE NUMBER: VAC2007-00004: Request to vacate a plat

OWNER/APPLICANT: Raytheon Aircraft Company, c/o Pam Bailey

AGENT: Baughman Company, PA, c/o Russ Ewy

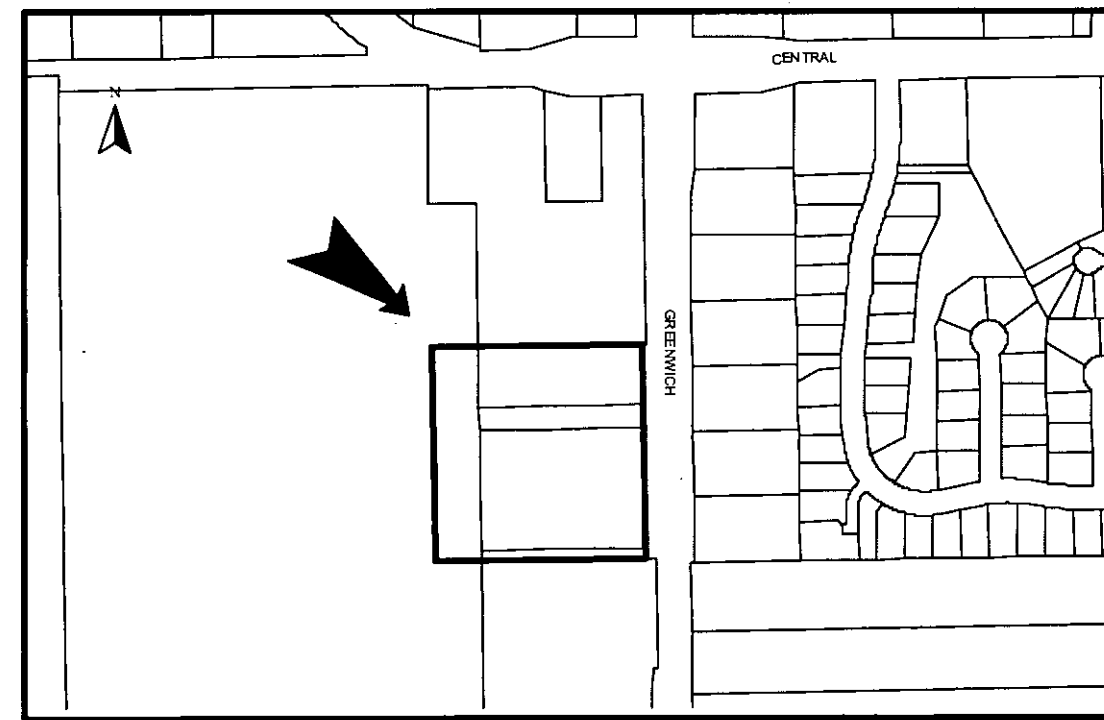
LEGAL DESCRIPTION: All of the Barth Addition, except all of the Greenwich Road right-of-way (ROW), as recorded on the plat and as dedicated by separate instrument, Wichita, Sedgwick County, Kansas

LOCATION: Generally located approximately ¼-mile south of Central Avenue on the west side of Greenwich Road. (Sedgwick County, 3-mile ring, BoCC #1& WCC #2)

REASON FOR REQUEST: Never developed

CURRENT ZONING: Subject property and abutting north, west and south properties are zoned "LI" Limited Industrial. Adjacent properties located east of the site, across Greenwich Road, are "LC" Limited Commercial and "SF-5" Single-family Residential.

VICINITY MAP:



The applicant is requesting consideration for the vacation of the nine (9) lots, easements, setbacks, and street ROW (except for the dedicated 40-foot wide Greenwich Road ROW and ROW dedicated by separate instrument) that is the Barth Addition. The Barth Addition was platted for residential development, but was never developed for that use. The site is currently part of the grounds/facilities of the Raytheon/Beechcraft aircraft company, with a portion of it used as paved parking. There is a private sewer line and manholes running diagonally, northwest to southeast, through approximately half of the plat. There are no franchised utilities, public manholes, sewer or water lines located in the plat. The Barth Addition was recorded with the Register of Deeds August 2, 1951. The site is located in Sedgwick County, and surrounded by the City of Wichita, thus the 3-mile ring process will apply.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from County/City Public Works and other utility representatives, Planning Staff recommends approval to vacate the plat as described in the legal description with conditions.

- 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, by publication in the Derby Reporter of notice of this vacation proceeding one time March 15, 2007 which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by the vacation of the above-described plat and the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Therefore, the vacation of the plat described in the petition should be approved with conditions;

- (1) Provide all dedications by separate instruments of all right-of-way to Greenwich Road that abut the plat, to be used in the legal description; provide Film & Page numbers of the dedication as recorded with the Register of Deeds.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants.
- (3) All improvements shall be according to City Standards and at the owner's expense. If needed provide the City with a guarantee/petition for these improvements. These must be provided to Staff prior to the case going to WCC for final action.
- (4) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request 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) Provide all dedications by separate instruments of all right-of-way to Greenwich Road that abut the plat, to be used in the legal description; provide Film & Page numbers of the dedication as recorded with the Register of Deeds.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants.
- (3) All improvements shall be according to City Standards and at the owner's expense. If needed provide the City with a guarantee/petition for these improvements. These must be provided to Staff prior to the case going to WCC for final action.
- (4) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request 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

VAC 2007-04

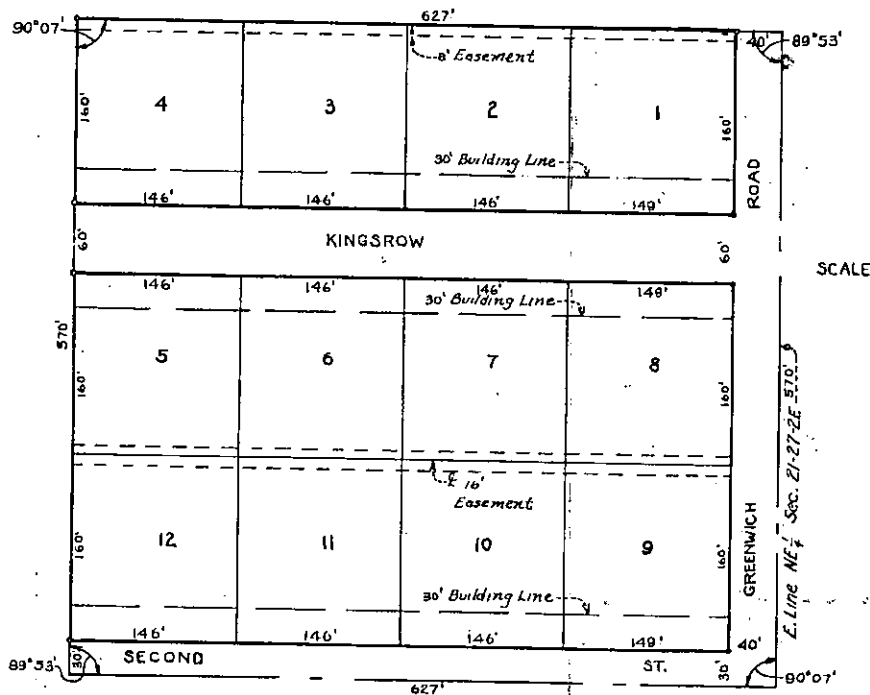
B-1-2-12

B-1-2-12

BARTH

ADDITION

SEDGWICK COUNTY, KANSAS



SCALE

1" = 100'

State of Kansas }
County of Sedgwick } SS

I, Kenneth O. Taylor, civil engineer in and for said county and state do hereby certify that I have surveyed and plotted "BARTH ADDITION," Sedgwick County, Kansas and that the accompanying plat is a true and correct exhibit of said survey described as follows: A tract in the NE $\frac{1}{4}$ of Section 21, T27S, R2E of the 6th P.M., in Sedgwick County, Kansas and beginning 743.5 feet south of the NE corner of said NE $\frac{1}{4}$, thence south on the east line of said quarter section 570 feet, thence west parallel to the north line of said quarter section 627 feet, thence north parallel to the west line of said quarter section 570 feet, thence east parallel to the north line of said quarter section 627 feet to the place of beginning.

Kenneth O. Taylor, Civil Engineer

Know all men by these presents that we, Sherrill E. Boucher and Virginia Lee Boucher, his wife and John R. Barth and Ursel G. Barth, his wife, have caused the land described in the civil engineer's certificate to be platted into lots, blocks, streets and a road to be known as "BARTH ADDITION," Sedgwick County, Kansas. Easements are hereby granted as indicated on the plat for the construction and maintenance of all public utilities. The streets and road are hereby dedicated to and for the use of the public.

Sherrill E. Boucher
Virginia Lee Boucher

John R. Barth
Ursel G. Barth

State of Kansas }
County of Sedgwick } SS

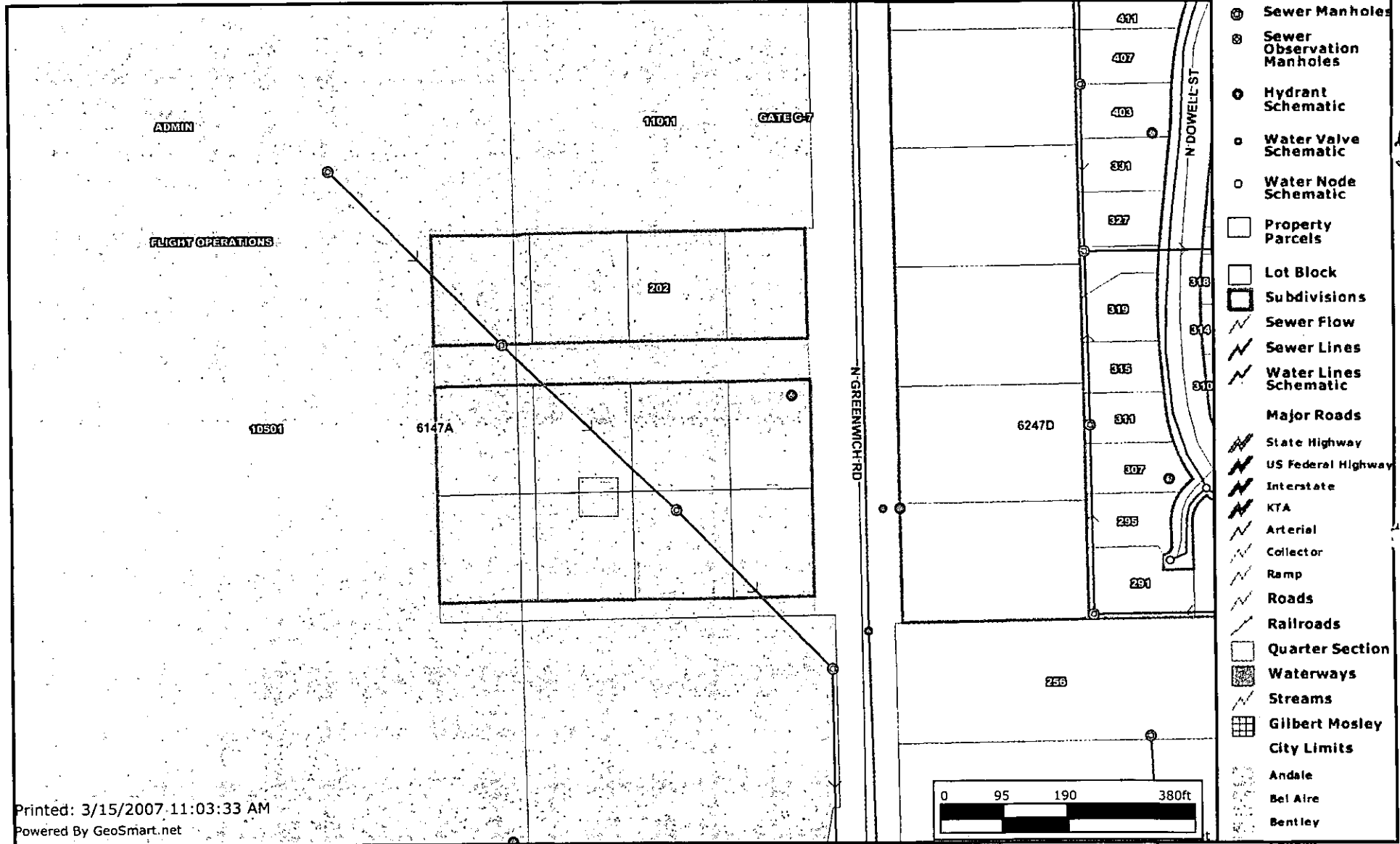
Be it remembered that on this 21st day of July, 1951, before me a notary public in and for said county and state came Sherrill E. Boucher and Virginia Lee Boucher, his wife and John R. Barth and Ursel G. Barth, his wife, to me personally known to be the same persons who executed the

Approved by the Board of City Commissioners this 26th day of June, 1951
John H. Anderson, Mayor
E. E. Green, City Clerk



VAC2007-04

utilities



Printed: 3/15/2007 11:03:33 AM

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