

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS: V-2015 Request to vacate Pawnee and Woodlawn located in an area southeast of I-35.

PRESENTED BY: Marvin S. Krout, Director of Planning. *MS Krout*

PROPOSED AGENDA DATE: February 26, 1997

COMMISSION DISTRICT #5

MAPC Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: The applicant is requesting to vacate a portion of Pawnee and Woodlawn in an area southeast of I-35. The applicant desires to use this area for the development of and access to the Cessna Aircraft Company. The street right-of-way for Pawnee and Woodlawn will no longer be used because of the realignment of Pawnee, therefore freeing this area up for development by Cessna, which owns the property adjacent to the area proposed to be vacated. County Engineering indicated that this vacation is acceptable. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions. Those conditions; 1) The entire vacated street right-of-way will be retained as a utility easement. 2) The requested vacation shall remain a public street right-of-way until Pawnee relocations completed as determined by County engineering and 3) Any relocation and/or reconstruction of utilities made necessary by this vacation will be the responsibility of the applicant, are included in the vacation order for this request. No members of the public addressed the MAPC in opposition to these requests.

This request is within 3-miles of the City of Wichita and consequently was scheduled for review by the Wichita City Council. The Wichita City Council heard and approved this vacation.

Recommended Action: Open public hearing to receive public comments; close public hearing, approve the vacation order and authorize the chair to sign.

Applicants: The Cessna Aircraft Company, c/o T.W. Wakefield, and/or Craig Lynch, 5800 E. Pawnee, Wichita, KS 67218

Protestors: None



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

STATE OF KANSAS }
SEDGWICK COUNTY } SS
FILED FOR RECORD AT

2-00 M

1597146 & 155

LARRY CONSOLVER,
REGISTER OF DEEDS

Deanna M. Schaefer
Deputy

IN THE MATTER OF THE VACATION OF
PAWNEE AND WOODLAWN

GENERALLY LOCATED IN AN AREA
SOUTH AND EAST OF INTERSTATE I-35

MAPD CASE NO. V-2015

VACATION ORDER

NOW on this 26th day of February, 1997, at 9:00 A.M. comes on for
hearing a petition praying for the vacation of county roads described as:

See Attached Legal Description

WHEREUPON, it is shown that proper notice has been given by
publication once each week for three consecutive weeks in the official
county paper, the first such publication having occurred on February 5,
1997, and it is further shown that proper proof of such publication has
been filed herein. The Board finds that such notice is in lawful form
and that it conforms to K.S.A. 58-2613.

THEREAFTER, the Board, having heard all interested parties and being
otherwise duly advised in the premises, finds and determines that no private
rights will be injured or endangered by such vacation; that the public
will suffer no loss or inconvenience thereby; that no written objections
hereto have been filed with the Sedgwick County Clerk; and that, in justice
to the petitioner, the petition's prayer should be granted. The Board
further finds that on the 16th day of January, 1997, the Metropolitan Area
Planning Commission recommended that the vacation petition herein be
approved; and on the 11th day of February, 1997, the Governing Body of

MICROFILMED
OF RECORD

10.00

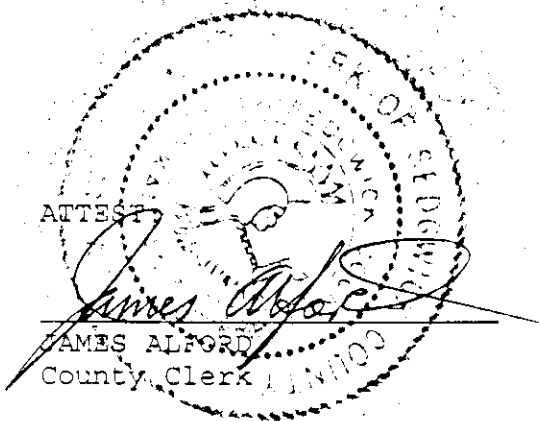
City of Wichita - City Clerk

150029-2909
\$10.00

the City of Wichita recommended that the said petition be approved subject to certain conditions hereinafter set forth.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT the county roads hereinabove described be and the same are hereby vacated, subject, however, to the following conditions and limitations, to wit:

- The entire right-of-way of said roads will be retained as a public utility easement;
- The entire road right-of-way will remain open for public travel until the Pawnee relocation is complete and opened for public travel as determined by the County Engineer;
- Any relocation and/or reconstruction of utilities made necessary by this vacation shall be the responsibility of the petitioner.



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

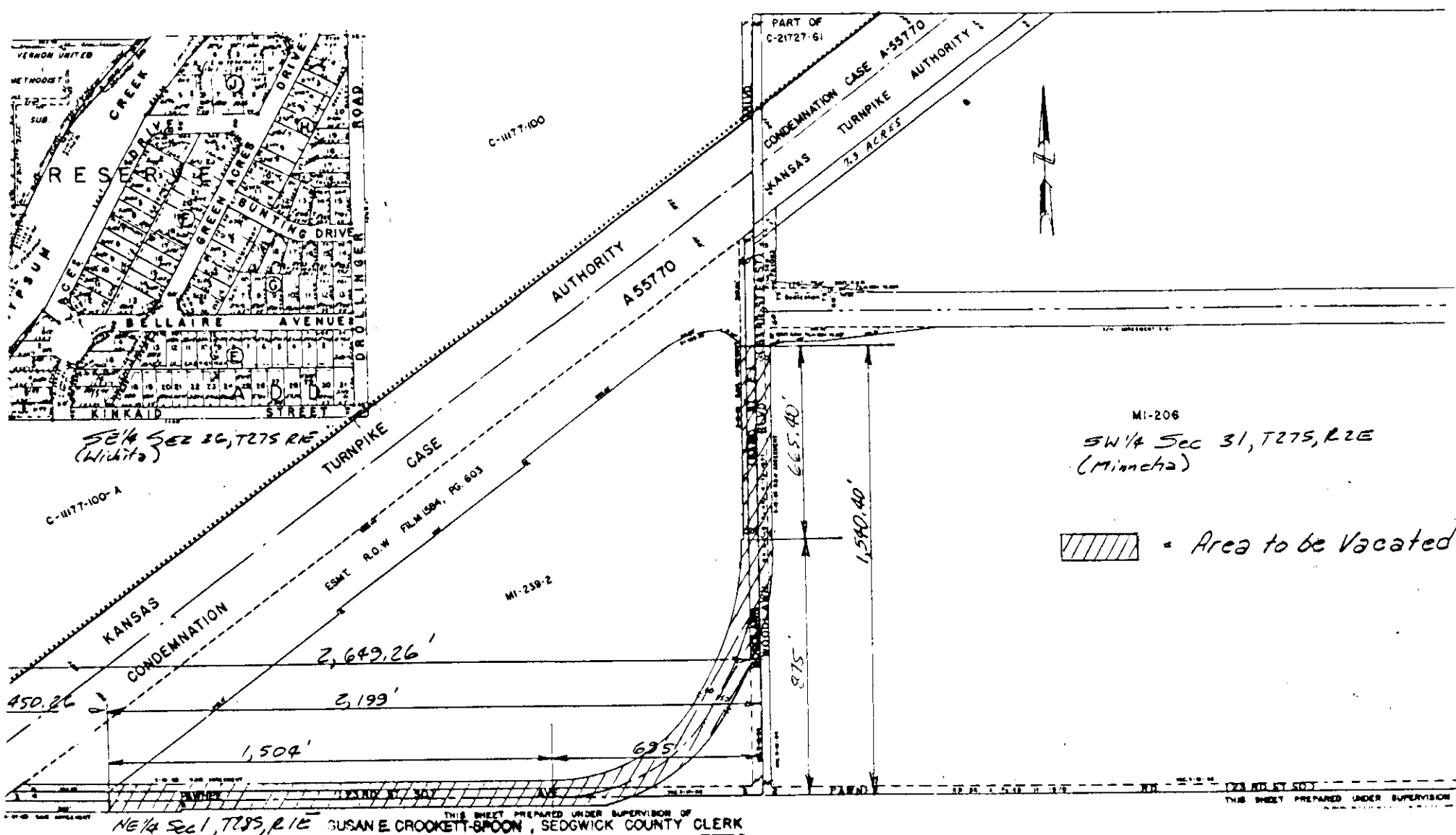
Thomas G. Winters
THOMAS G. WINTERS, Chairman

APPROVED AS TO FORM:

Richard A. Euson
RICHARD A. EUSON
Assistant County Counselor

A tract of land located in the SE 1/4 Sec. 36, T27S, R1E, the SW 1/4 Sec. 31, T27S, R2E, and the NE 1/4 Sec. 1, T28S, R1E, of the 6th P.M., Sedgwick County Kansas described as:

The south 60 feet of the west 1,504 feet of the east 2,199 feet of the SE 1/4, Sec. 36, T27S, R1E; AND the east 50 feet of the north 665.40 feet of the south 1,540.40 feet of the SE 1/4 Sec. 36, T27S, R1E; AND the west 50 feet of the north 665.40 feet of the south 1,540.40 feet of the SW 1/4 Sec. 31, T27S, R2E; AND the north 30 feet of the west 1,504 feet of the east 2,199 feet of the NE 1/4 Sec. 1, T28S, R1E; AND the south 10 feet of the north 40 feet of the east 249.74 feet of the west 700 feet of the NE 1/4 Sec. 1, T28S, R1; AND a tract of land 60 feet left and 50 feet right of a centerline described as beginning at point 695 feet west of the S.E. corner of the SE 1/4 Sec. 36, T27S, R1E; thence northeasterly on a curve to the left with a radius of 609.09 feet and a delta angle of $56^{\circ}10'$ for a distance of 597.52 feet to the tangent of said curve; thence northeasterly on tangent 12.15 feet; thence northeasterly on a curve to the left with a radius of 1063.03 feet and a delta angle of $33^{\circ}59'$ for a distance of 629.31 feet to the tangent of said curve, said point being 875 feet north of the S.E. corner of SE 1/4 Sec. 36, T27S, R1E.



PART OF
C-21727-61

C-11177-100

CONDEMNATION CASE A-55170
KANSAS
TURNPIKE AUTHORITY
2.3 ACRES



MI-206

SW 1/4 Sec 31, T27S, R2E
(Minch)



= Area to be Vacated

MI-239-2

2,642.26'

3,199'

1,504'

695'

665.40'

1,540.40'

975'

NE 1/4 Sec 1, T28S, R1E
THIS SHEET PREPARED UNDER SUPERVISION OF
SUSAN E. CROCKETT-SPOON, SEDGWICK COUNTY CLERK

THIS SHEET PREPARED UNDER SUPERVISION