

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
316-268-4421
FAX 316-268-4390

March 14, 1997

FILE COPY

Raytheon Aircraft Company
C/O Joe D. Freeman, P.E.
Manager - Plant Engineering
P. O. Box 85
Wichita, KS 67201

Re: V-2021 Vacation of Street Right-of-Way

Dear Mr. Freeman:

At the March 13, 1997 meeting of the Metropolitan Area Planning Commission the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of March 7, 1997. This request will be scheduled for City Council review after all conditions in our letter of March 7, 1997 have been completed.

If approved by the City Council, this case will be scheduled for the required hearing before the County Commission at the first available hearing date following the required publications of the hearing notice.

If you have any questions about this matter, please call (268-4421).

Sincerely,

Lawrence P. Mitchell
Senior Planner

LPM\lfb

cc: Jim Weber, County Engineering, 1250 South Seneca, Wichita, KS 67213
Board of County Commissioners Sedgwick County
Mike Lindebak, City Engineer
Jerome D. Holt, Fastenair Corp., 10800 E. Central, Wichita, Ks 67206
Beech Employees Trust, P. O. Box 85, Wichita, Ks 67201
Jerome D. & Yvonne I Holt, 8320 Brookhollow Lane, Wichita, Ks 67206
Homer D. & Margaret B. Miller, 3437 Kinkaid Ct., Wichita, KS 67218
Mar Wong Enterprises, Inc., c/o AVTAX Inc. - #383, P. O. Box 35527, Tulsa, OK 74153

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
316/258-4421
FAX 316/258-4390

FILE COPY

March 7, 1997

Raytheon Aircraft Company
C/O Joe D. Freeman, P.E.
Manager - Plant Engineering
P. O. Box 85
Wichita, KS 67201

Re: V-2021 Vacation of street right-of-way

Dear Mr. Freeman:

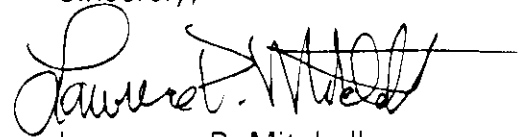
At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, Thursday, March 6, 1997, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

- A. The vacated portions of Byrd, Goebel, Hoyt, Mellor and Old Central Avenue from Webb Road to Greenwich shall be retained as a utility easements.
- B. The applicant shall construct or guarantee the construction of approved turnarounds at the south ends of Byrd and Goebel and at the north end of Beech. County Engineering shall approve and accept the design of these turnarounds. The vacation will not be forwarded to the governing body until the Planning Department has been notified that the turnarounds have been constructed or guarantees have been provided as required by County Engineering.
- C. The applicant shall covenant all lots together that will no longer have access to public streets. The covenant shall indicate that the lots cannot be conveyed individually unless public access is provided.
- D. The applicant shall be responsible for the relocation or reconstruction of any utilities made necessary by this vacation.

V - 2021 - Request to vacate street rights-of-way
March 7, 1997
Page 2

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 13, 1997, at 1:30 p.m. If you have any questions, please call - 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence P. Mitchell", with a long horizontal line extending to the right.

Lawrence P. Mitchell
Senior Planner

LPM:lfb

cc: Mike Lindebak, City Engineer
Jerome D. Holt, Fastenair Corp., 10800 E. Central, Wichita, Ks 67206
Beech Employees Trust, P. O. Box 85, Wichita, Ks 67201
Board of County Commissioners Sedgwick County
Jerome D & Yvonne I Holt, 8320 Brookhollow Lane, Wichita, Ks 67206
Homer D. & Margaret B. Miller, 3437 Kinkaid Ct., Wichita, KS 67218
Mar Wong Enterprises, Inc., c/o AVTAX Inc. - #383, P. O. Box 35527,
Tulsa, OK 74153
Sylvia P. & David N. Cowell, 559 Byrd, Wichita, Ks 67206
Mario & Rebecca Meza, 9817 Mellor, Wichita, KS 67206
Estate of Cleveland H. Bryant, 555 Byrd, Wichita, KS 67206
Stephen D. & Patricia D. Gordon, 5759 E. Central, Wichita, KS 67208
Florence Sawyer, 537 Byrd, Wichita, Ks 67206
International Assoc Machinists, Aero Lodge 733, 3830 S. Meridian,
Wichita, Ks 67217
Carrie C. Longhofer, Etal, c/o Jim Brawner, 1828 S. 125th St. East,
Wichita, Ks 67207
Jim L. & Deloris Brawner, 1828 S. 125th St. East, Wichita, Ks 67207
Joseph H. & Rebecca A. Egbert, 1930 Arkansas, Wichita, KS 67203
Algie L. & Rena E. Hall, 2300 W. 51st St. North, Wichita, KS 67204
Alfred Lawrence, 560 Byrd, Wichita, Ks 67206

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 1

March 6, 1997

STAFF REPORT

CASE NUMBER: V-2021 - Request to vacate street right-of-way

OWNER/APPLICANT: Raytheon Aircraft Company, C/O Joe D. Freeman, P.E., Manager - Plant Engineering, P. O. Box 85, Wichita, KS 67201
Jerome D. Holt, Fastenair Corporation, 10800 E. Central, Wichita, KS 67206

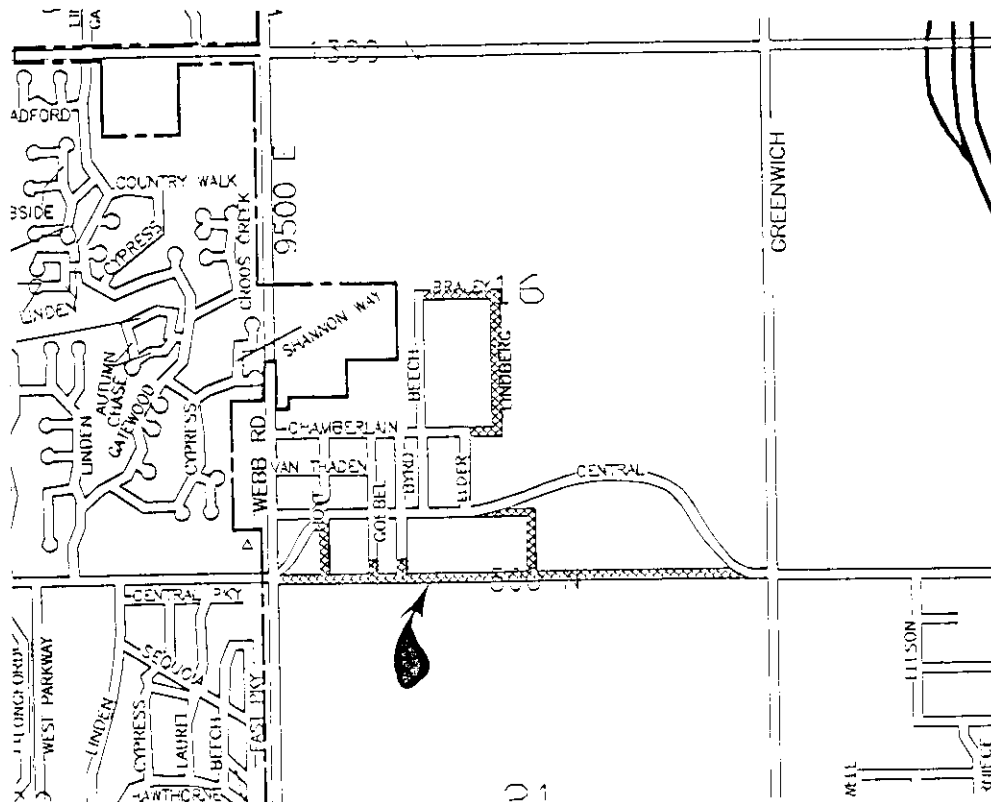
LEGAL DESCRIPTION: Vacating street rights-of-way within the following described area:
(See attached Exhibit "A".)

LOCATION: Generally located north of old Central Avenue between Webb Road and Greenwich Road.

REASON FOR REQUEST: Central Avenue has been relocated.

CURRENT ZONING: "LI" Limited Industrial

VICINITY MAP:



NOTE: The relocation of Central Avenue has created this situation, in which the former Central Avenue and surrounding streets are no longer needed for public use. Raytheon Aircraft Company owns all adjoining land, except for one lot. There are numerous public utilities located within the areas proposed for vacation.

Consider the request based upon information provided by Staff.

- A. City Engineering and Water and Sewer Department Staff need to indicate if any public utilities are impacted by this vacation and consequently if any relocation of utilities is required. Specifically, City Engineering needs to address the issue of retaining all street rights-of-way in this area as utility easement.
- B. Utility Representatives need to indicate if any of their facilities would be impacted by this vacation.
- C. City and County Fire Departments need to address any concerns regarding safety and emergency access issues.
- D. County Engineering needs to comment regarding the closing of the street as part of the vacation and indicate any requirements for turn-arounds.
- E. The applicant shall covenant all lots together that will no longer have access to public streets. The covenant shall indicate that the lots cannot be conveyed individually unless public access is provided.
- F. The applicant shall be responsible for the relocation or reconstruction of any utilities made necessary by this vacation.

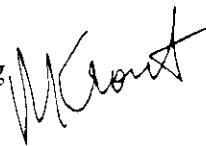
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

2000

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS: V- 2021 Public hearing request to vacate street right-of-way located north of old Central Avenue between Webb Road and Greenwich Road.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: October 13, 1999

COMMISSION DISTRICT #1

MAPC Recommendation: Approve, subject to conditions. (unanimous)

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: The relocation of Central Avenue has created this situation, in which the former Central Avenue and surrounding streets are no longer needed for public use. Raytheon Aircraft Company owns all adjoining land, except for one lot. There are numerous public utilities located within the areas proposed for vacation. All vacated right-of-way will be retained as utility easements.

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.

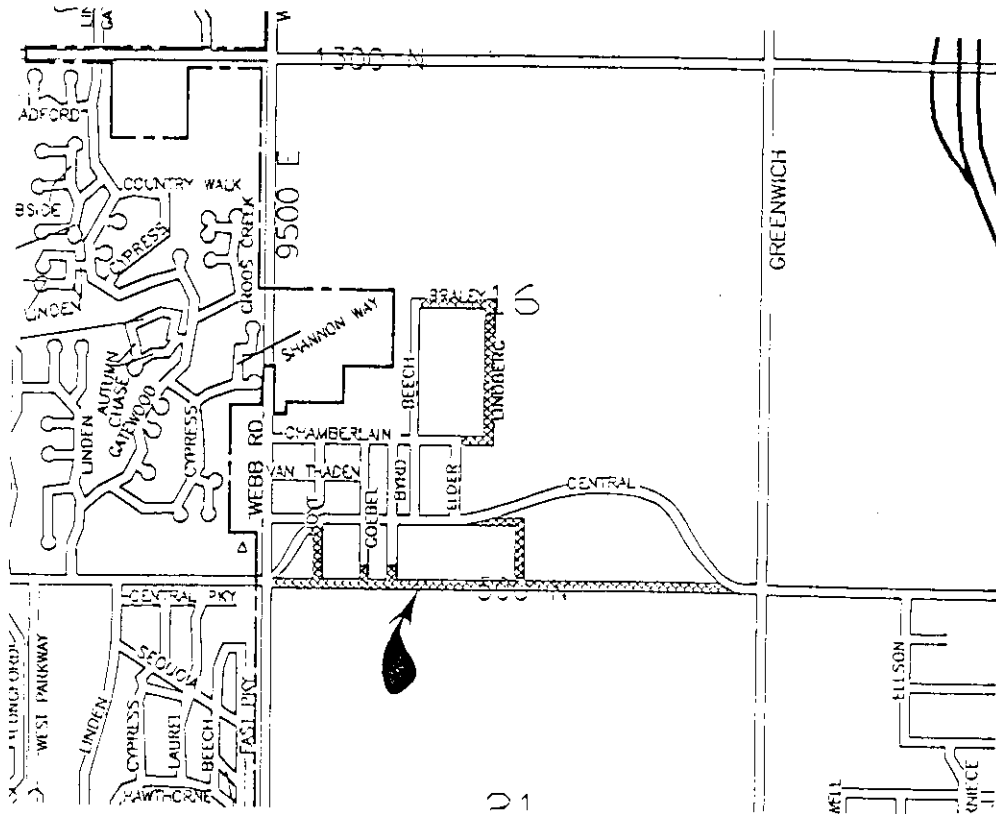
Recommended Action: 1. Open the public hearing to receive public comments; close public hearing; approve the vacation order and authorize the chair to sign.

Applicants: Raytheon Aircraft Company, c/o Joe D. Freeman, P.E., Manager, Plant Engineering, P.O. Box 85, Wichita, KS 67201

Jerome D. Holt, Fastenair Corp., 10800 E. Central, Wichita, KS 67206

Protestors: None

Vicinity Map:



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF
STREETS RIGHT-OF-WAY**

**GENERALLY LOCATED IN AN AREA
NORTH OF OLD CENTRAL AVENUE BETWEEN
WEBB ROAD AND GREENWICH ROAD**

)
)
) **MAPD CASE NO. V-2021**
)
)
)
)
)

VACATION ORDER

NOW on this 13th day of October, 1999, at 9:00 o'clock A.M., comes on for hearing a petition praying for the vacation of street right-of-way on the following described real estate, to wit:

That portion of Central Avenue right-of-way in Section 21, T27S, R2E, 6th PM, from a line 75 feet East of the West line of said Section to a line 789.69 feet West of the East line of said Section; ALSO, beginning at a point on the North line of said Section 789.69 feet West of the Northeast corner of said Section; Thence East along said North line, a distance of 81.29 feet; Thence Southeasterly to a point 627.11 feet West and 40 feet South of the Northeast corner of said Section; Thence West parallel with said North line, a distance of 162.58 feet; Thence North parallel with the East line of said Section, a distance of 40 feet to the point of beginning.

That portion of Central Avenue right-of-way in Section 16, T27S, R2E, 6th PM, from a line 214.50 feet East of the West line of said Section to a line 789.69 feet West of the East line of said Section; ALSO, beginning at a point on the South line of said Section, a distance of 75.00 feet East of the Southwest Corner of said Section; Thence East along said South line, a distance of 139.50 feet; Thence North parallel with the West line of said Section, a distance of 104.00 feet; Thence Southwesterly along a curve to the right with a radius of 552.13 feet, a distance of 167.63 feet to a point 12.07 feet North and 75.00 feet East of the Southwest Corner of said Section; Thence South parallel with the West line of said Section a distance of 12.07 feet to the point of beginning; ALSO, beginning at a point on the South line of said Section 16 a distance of 789.69 feet West of the Southeast Corner of said Section; Thence North

parallel with the East line of said Section, a distance of 40.00 feet; Thence Southeasterly to a point on said South line, 708.40 feet West of the Southeast Corner of said Section; Thence West along said South line a distance of 81.29 feet to the point of beginning.

Vacated Portion of Hoyt Avenue

That portion of Hoyt Avenue in Travel Air City Addition to Sedgwick County, Kansas, from the Southwest corner of Lot 20, Block 8, to the South line of Lot 1, Block 6, extended; Also beginning at the Southeast Corner of Lot 1, Block 6; Thence East to the West line of Flight Training Center

Addition; Thence North to a point 33 feet South of the Northwest Corner of Lot 1, Block 1, Flight Training Center Addition; Thence Southwesterly to a point on the East line of Lot 1, Block 6, Travel Air City Addition; 50.41 feet North of the Southeast Corner of said Lot 1; Thence South along the East line of said Lot 1 a distance of 50.41 feet to the point of beginning.

That portion of Hoyt Avenue in Section 16, T27S, R2E, 6th PM.,; Beginning 514.5 feet East of the Southwest Corner of said Section 16; Thence North parallel with the West line of said Section 16 a distance of 528 feet; Thence East 30 feet; Thence South 514.5 feet to the South line of said Section 16; Thence West 30 feet along said South line to the point of beginning.

That portion of Relocated Central Avenue right-of-way beginning at the Southeast Corner of Lot 1, Block 6, Travel Air City Addition to Sedgwick County, Kansas; Thence North along the East line of said Lot 1 a distance of 50.41 feet; Thence Southwest to the Southwest corner of said Lot 1; Thence East along the South line of said Lot 1 a distance of 29.50 feet to the point of beginning.

Vacated Portion of Goebel Avenue

That portion of Goebel Avenue in Travel Air City Addition to Sedgwick County, Kansas, from the Southeast Corner of Lot 6, Block 8, to the Northeast Corner of said Lot 6; ALSO from the Southwest Corner of Lot 28, Block 9, to the Northwest Corner of said Lot 28.

Vacated Portion of Byrd Avenue

That portion of Byrd Avenue from the Southeast Corner of Lot 19, Block 9, Travel Air City Addition to the Northeast Corner of said

Lot 19; ALSO from the Southwest Corner of Lot 28, Block 5, McClaren Addition to the Northwest Corner of said Lot 28.

Vacated Portion of Mellor Street

That portion of Mellor Street from the West line of Elder Avenue in McClaren Addition to Sedgwick County, Kansas, to the North line of Central Avenue, EXCEPT that portion beginning at the Northeast Corner of Lot 1, Block 6, McClaren Addition; Thence East long the South line of Mellor Street, a distance of 221.47 feet; Thence Northeasterly, a distance of 128.49 feet to the North line of Mellor Street; Thence West along said North line, a distance of 331.76 feet to the Southeast Corner of Lot 23, Block 3, McClaren Addition; Thence South a distance of 60 feet to the point of beginning.

Vacated Portion of Chamberlin Street

That portion of Chamberlin Street from the West line of Elder Street in McClaren Addition to

Sedgwick County, Kansas, to the East Line of Lindbergh Avenue.

Vacated Portion of Lindbergh Avenue

That portion of Lindbergh Avenue from the South line of Chamberlin Street to the North line of Braley Avenue, in Lynch Addition to Sedgwick County, Kansas.

Vacated Portion of Braley Street

That portion of Braley Street from the Northwest Corner of Lot 24, Block 2, Lynch Addition to Sedgwick County, Kansas, to the East line of Lindbergh Avenue.

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the official county newspaper, such publication having occurred on September 22, 1999, 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, and amendments thereto.

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 petitions prayer should be granted.

The Board further finds that the Metropolitan Area Planning Commission, at its regular meeting held on the 13th day of March, 1997, recommended that the vacation petition herein be approved; and on the 28th day of September, 1999, the Governing Body of the City of Wichita recommended that said petition be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT the street right-of-way hereinabove described be and the

same are hereby vacated, subject, however, to the following conditions and limitations, to wit:

1. The applicant shall guarantee the installation of, 3 turnarounds, to the south ends of Byrd and Goebel and the north end of Beech;
2. The applicant shall covenant all lots together that will no longer have access to public streets. The covenant shall indicate that the lots cannot be conveyed individually unless public access is provided.

**BOARD OF COUNTY
COMMISSIONERS OF SEDGWICK
COUNTY, KANSAS**

Bill Hancock, Chairman

ATTEST:

James Alford, County Clerk

APPROVED AS TO FORM:

Richard A. Euson
County Counselor