

(Published at www.belaireks.gov on April, _____, 2025.)

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE VACATION OF A TWENTY-FOOT (20') WIDE UTILITY EASEMENT LOCATED ON LOTS 7 AND 8, BLOCK 1, SUNFLOWER COMMERCE PARK 3RD ADDITION, BETWEEN WEBB AND GREENWICH ROAD, IN THE CITY OF BEL AIRE, SEDGWICK COUNTY, KANSAS.

WHEREAS, a petition for vacation of a twenty-foot wide Utility Easement in VAC-25-01, to construct a parking lot for the development of a warehouse on the subject property, was filed with the City of Bel Aire, Kansas; and

WHEREAS, a public hearing on such petition was held before the Planning Commission of the City of Bel Aire, Kansas, on the 18th day of March, 2025; and

WHEREAS, the Planning Commission voted to recommend to the Governing Body that the petition for vacation of a twenty-foot wide Utility Easement in VAC-25-01 be approved.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

Section 1. Findings and Conclusions. The Governing Body determines from the evidence presented:

(A) That due and legal notice has been given as required under K.S.A. 12-504, by publication on the City of Bel Aire Municipal Website at www.belaireks.gov.

(B) No private rights will be injured or endangered by the vacation .

(C) The public will suffer no loss or inconvenience thereby.

(D) In justice to the Petitioner, the request of the petition ought to be granted.

(E) 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.

36 Section 2. Order of Vacation. The following described 20-foot wide Utility Easement located
37 within the corporate limits of the City of Bel Aire, Kansas is hereby ordered vacated, to-wit:

38 A platted twenty-foot (20') wide Utility Easement along the south property line of lot 7 and
39 the north property line of lot 8, Block 1, Sunflower Commerce Park 3rd Addition, Bel Aire,
40 Sedgwick County, Kansas.

41 General Location: 5440 Sunflower Court – East 53rd Street and Webb Road

42 The City of Bel Aire, Kansas reserves to itself any property rights it may hold in the area that are
43 not expressly vacated herein.

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45 Section 3. Recording. The City Clerk shall certify a copy of this Ordinance to the Register of Deeds
46 of Sedgwick County, Kansas.

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48 Section 4. Publication. The City Clerk shall cause this Ordinance, as soon as practicable after it
49 has been passed and approved, to be published on the City's website as the designated official city
50 newspaper.

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52 Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its
53 publication in the official city newspaper.

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66 Passed by the Governing Body of the City of Bel Aire, Kansas on the 1st day of April,
67 2025.

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69 Approved by the Mayor on the _____ day of April, 2025.

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72 CITY OF BEL AIRE, KANSAS
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77 Jim Benage, Mayor
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79 ATTEST:
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83 _____
84 Melissa Krehbiel, City Clerk
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87 APPROVED AS TO FORM ONLY:
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91 _____
92 Maria A. Schrock, City Attorney