

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

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE VACATION OF A PORTION OF A DRAINAGE AND UTILITY EASEMENT, AND A PLATTED JOINT ACCESS EASEMENT ON LOTS 1-3, BLOCK B, LYCEE ADDITION, LOCATED AT THE NORTHEAST CORNER OF ROCK ROAD AND LYCEE STREET, IN THE CITY OF BEL AIRE, SEDGWICK COUNTY, KANSAS.

WHEREAS, a petition for vacation of a portion of a drainage and utility easement and a platted joint access easement in VAC-25-03, has been filed by the applicant because the existing easements are in conflict with the revised site development plan; and

WHEREAS, a public hearing on such petition was held before the Planning Commission of the City of Bel Aire, Kansas, on November 13, 2025; and

WHEREAS, the Planning Commission voted to recommend to the Governing Body that the petition for vacation of a drainage and utility easement and platted joint easement in VAC-25-03 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.

Section 2. Order of Vacation. The following described portion of a Drainage and Utility Easement, and a Platted Joint Access Easement, located within the corporate limits of the City of Bel Aire, Kansas are hereby ordered vacated, to-wit:

A 10 Foot Utility Easement crossing Lots 2 and 3, Block B, LYCEE, Bel Aire, Sedgwick County, Kansas, as prepared by Baughman Co. P.A. Professional Surveyors, CLS 58, in aforesaid County and State, on September 24, 2025, the center-line being described as COMMENCING at the Northwest Corner of said Lot 2; THENCE North 63°31'22" East, along the north boundary of said Lot 2, a distance of 11.10 feet, to the east line of a 20 foot Drainage and Utility Easement; THENCE South 00°43'15" East, parallel with and 10.00 feet normally distant east of the west boundary of said Lot 2, a distance 174.57 feet, to the POINT OF BEGINNING; THENCE North 89°16'45" East, 64.82 feet; THENCE South 75°41'02" East, crossing the common line of Lots 2 and 3, a distance of 30.98 feet; THENCE North 89°16'45" East, 62.21 feet to the west boundary of a 20 foot Drainage and Utility Easement, and lying South 00°44'15" East, 258.30 feet of the northern boundary of said Lot 3 at the west boundary of said 20 foot Drainage and Utility Easement, and being the POINT OF TERMINATION; the northern and southern boundary of herein described 10 Foot Utility Easement extending or shortening to intersect the adjoining 20 foot Drainage and Utility Easements.

A 32 Foot Joint Access Easement crossing Lots 1, 2 and 3 Block B, LYCEE, Bel Aire, Sedgwick County, Kansas, as prepared by Baughman Co. P.A. Professional Surveyors, CLS 58, in aforesaid County and State, on September 24, 2025, described as COMMENCING at the Southwest Corner of said Lot 1; THENCE North 00°43'15" West, coincident with the west boundary of said Lot 1, a distance of 5.00 feet, to the POINT OF BEGINNING; THENCE North 00°43'15" West, coincident with the west boundary of said Lot 1, 32.00 feet; THENCE North 89°54'29" East, parallel with and 37.00 feet normally distant north of the south line of said Lot 1, crossing the common line of Lots 1 and 2 and the common line of Lots 2 and 3, a distance of 211.29 feet; THENCE South 00°43'15" East, parallel with and 13.00 feet normally distant east of the west boundary of said Lot 3, a distance of 47.96 feet, to the south boundary of said Lot 3; THENCE North 82°42'13" West, coincident with the south boundary of said Lot 3, passing the common south corner of Lots 1 and 2, a distance of 30.30 feet; THENCE North 00°43'15" West, parallel with and 17.00 feet normally distant west of the east boundary of said Lot 2, 12.06 feet; THENCE South 89°54'29" West, passing the common south corner of said Lots 2 and 1, parallel with and 5.00 feet normally distant north of the south boundary of said Lot 1, a distance of 181.29 feet, to the POINT OF BEGINNING.

74 The West 2.00 feet of the East 20.00 feet of a 20 Foot Drainage and Utility Easement lying within
75 Lot 3, Block B, LYCEE, Bel Aire, Sedgwick County, Kansas, as prepared by Baughman Co. P.A.
76 Professional Surveyors, CLS 58, in aforesaid County and State, on September 24, 2025.
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78 General Location: Northeast Corner of Rock Road and Lycee Street, Sedgwick County, Kansas
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80 The City of Bel Aire, Kansas reserves to itself any property rights it may hold in the areas that are
81 not expressly vacated herein.
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83 Section 3. Recording. The City Clerk shall certify a copy of this Ordinance is sent to the Register
84 of Deeds of Sedgwick County, Kansas.
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86 Section 4. Publication. The City Clerk shall cause this Ordinance, as soon as practicable after it
87 has been passed and approved, to be published on the City's website as the designated official city
88 newspaper.
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90 Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its
91 publication in the official city newspaper.
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110 Passed by the Governing Body of the City of Bel Aire, Kansas on the 2nd day of December, 2025.

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112 Approved by the Mayor on the _____ day of December, 2025.

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115 CITY OF BEL AIRE, KANSAS

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120 Jim Benage, Mayor

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122 ATTEST:

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127 Melissa Krehbiel, City Clerk

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130 APPROVED AS TO FORM ONLY:

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135 Maria A. Schrock, City Attorney