

(Published in *The Ark Valley News* on August 10, 2023)

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING THE RECOMMENDATION OF THE BEL AIRE PLANNING COMMISSION CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS LOCATED IN THE CITY OF BEL AIRE, KANSAS UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY.**

WHEREAS, the Governing Body of the City of Bel Aire, Kansas (the "City") has received a recommendation from the Bel Aire Planning Commission on Case No. ZON-23-01; and

WHEREAS, the Governing Body finds proper notice was given and a public hearing was held on Case No. ZON-23-01 on July 13, 2023, all as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City.

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

SECTION 1. The Governing Body supports the recommendation of the Bel Aire Planning Commission and approves the rezoning of the tract of land from AGRICULTURAL ZONING (AG) TO PLANNED UNIT DEVELOPMENT - INDUSTRIAL (M-1) ZONING USES.

**Legal Description**

That part of the West Half (W/2) of the Northwest Quarter (NW/4) of Sec. 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT that part described as beginning at the Northwest Corner of said Northwest Quarter; thence South along the West line of said Northwest Quarter, 731.00 feet; thence East, parallel with the North line of said Northwest Quarter, 120.00 feet; thence Northeasterly to a point on the East line of said West Half, said point being 175.00 feet South of the Northeast Corner of said West Half; thence North along said East line, 175.00 feet to said Northeast corner; thence West along said North line to the place of beginning, AND EXCEPT the West 50.00 feet; ALSO EXCEPT that portion of said West Half Commencing at the Southwest corner of said Northwest Quarter; THENCE N89°27'14"E, coincident with the south line of said Northwest Quarter, a distance of 60 feet for a Point of Beginning; THENCE N00°43'51"W, coincident with the East Right-of-Way of Rock Road as described in document titled "Easement for Right-of-Way" recorded in the office of the Sedgwick County Register of Deeds as DOC.#/FLM-PG: 29201718, a distance of 1035.76 feet; THENCE N89°27'14"E, parallel with the south line of said Northwest Quarter, a distance of 1261.88 feet, to the east line of said West Half; THENCE

S00°43'13"E, coincident with the east line of said West Half, a distance of 1035.75 feet, to the south line of said Northwest Quarter; THENCE S89°27'14"W, coincident with the south line of said Northwest Quarter, a distance of 1261.69 feet, to the point of beginning. Subject to any road rights of way of record.

AND

That portion of the West Half of the Northwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas; more particularly described as Commencing at the Southwest corner of said Northwest Quarter; THENCE N89°27'14"E, coincident with the south line of said Northwest Quarter, a distance of 60 feet for a Point of Beginning; THENCE N00°43'51"W, coincident with the East Right-of-Way of Rock Road as described in document titled "Easement for Right-of-Way" recorded in the office of the Sedgwick County recorded in the office of the Sedgwick County Register of Deeds as DOC.#/FLM-PG: 29201718, a distance of 1035.76 feet; THENCE N89°27'14"E, parallel with the south line of said Northwest Quarter, a distance of 1261.88 feet, to the east line of said West Half; THENCE S0°43'13"E, coincident with the east line of said West Half, a distance of 1035.75 feet, to the south line of said Northwest Quarter; THENCE S88°27'14"W, coincident with the south line of said Northwest Quarter, a distance of 1261.69 feet, to the point of beginning. Subject to any road rights of way of record.

Section 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map is hereby reincorporated as a part of the Zoning Regulations as amended.

Section 3. This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City, approval by the Mayor and publication once in the official newspaper of the City.

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PASSED AND APPROVED by the Governing Body of the City of Bel Aire, Kansas  
this 1st day of August, 2023.

CITY OF BEL AIRE, KANSAS

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Jim Benage, Mayor

ATTEST:

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Melissa Krehbiel, City Clerk