

BEFORE THE COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF VACATION OF PORTIONS)	
OF PLATTED FLOODWAY EASEMENTS AND)	
THE MINIMUM PAD ELEVATIONS)	
)	
)	
GENERALLY LOCATED WEST OF 127 TH STREET)	CASE NO. VAC2015-00031
EAST ON THE SOUTH SIDE OF 37 TH STREET)	
NORTH)	
)	
)	

VACATION ORDER

NOW on this 14th day of October, 2015, at 9:00 o'clock A.M., comes the petition filed by Jon C. & Andrea C. Parks (owners), praying for the vacation of the following-described portions of platted floodway easements and the minimum pad elevations, to-wit:

That part of the Floodway Easement lying within Lot 1 as granted in Four Oaks Addition, Sedgwick County, Kansas described as follows: Commencing at the northwest corner of said Lot 1, (the northwest corner of said Lot 1 also being the northwest corner of that part of said Floodway Easement lying within said Lot 1); thence S00°18'09"E, (platted basis of bearings), along the west line of said Lot 1, (and along a segment of the west line of that part of said Floodway Easement lying within said Lot 1), 68.31 feet to a deflection corner in the west line of said Floodway Easement; thence S62°36'04"E along a segment of the west line of said Floodway Easement, 344.44 feet for a point of beginning; thence continuing S62°36'04"E along said

segment of the west line of said Floodway Easement, 548.04 feet to a deflection corner in said west line; thence S23°59'03"W along a segment of the west line of said Floodway Easement, 143.38 feet to a deflection corner in said west line; thence S46°26'13"E along a segment of the west line of said Floodway Easement, 195.32 feet; thence N04°40'01"E, 39.71 feet; thence N32°42'15"E, 71.27 feet; thence N45°27'39"W, 29.26 feet; thence S61°03'21"W, 37.77 feet; thence N73°24'25"W, 72.99 feet; thence N43°41'10"W, 19.51 feet; thence N03°54'27"W, 47.79 feet; thence N37°51'45"E, 56.46 feet; thence N08°46'56"W, 46.23 feet; thence N73°05'28"W, 57.91 feet; thence N50°55'23"W, 101.17 feet; thence N25°45'15"W, 101.67 feet; thence N75°30'30"W, 49.01 feet; thence N52°03'28"W, 146.27 feet; thence S85°02'00"W, 56.66 feet; thence N67°27'18"W, 57.58 feet; thence N00°00'00"W, 54.78 feet; thence S39°00'28"W, 44.19 feet; thence S16°19'12"W, 71.80 feet to the point of beginning.

And

That part of the Floodway Easement lying within Lot 2 as granted in Four Oaks Addition, Sedgwick County, Kansas described as follows: Beginning at the northwest corner of said Lot 2, (the northwest corner of said Lot 2 also being the northwest corner of that part of said Floodway Easement lying within said Lot 2); thence N89°39'18"E, (platted basis of bearings), along the north line of said Lot 2, (and along the north line of that part of said Floodway Easement lying within said Lot 2), 295.43 feet to the northeast corner of that part of said Floodway Easement lying within said Lot 2; thence S29°10'04"E along a segment of the northeast line of said Floodway Easement, 386.42 feet to a deflection corner in said northeast line; thence S15°44'51"W along a segment of the northeast line of said Floodway Easement, 129.50 feet to a deflection corner in said northeast line; thence S31°57'20"E along a segment of the northeast line of said Floodway Easement, 150.81 feet; thence N45°45'24"W, 68.23 feet; thence N90°00'00"W, 46.21 feet; thence N31°20'30"W, 22.21 feet; thence N54°50'59"E, 44.40 feet; thence N19°23'19"W, 37.53 feet; thence N08°58'22"W, 41.80 feet; thence N16°50'10"E, 96.04 feet; thence N48°01'48"W, 77.69 feet; thence N90°00'00"W, 86.64 feet; thence N00°00'00"W, 78.34 feet; thence N15°39'06"W, 107.05 feet; thence N05°54'37"E, 48.09 feet; thence S34°45'35"W, 62.23 feet; thence S13°42'53"W, 104.41 feet; thence N48°35'38"W, 93.51 feet; thence N43°44'40"W, 78.76 feet; thence N64°25'37"W, 96.58 feet to a point on the southwest line of said Lot 2, (the southwest line of said Lot 2 also being the southwest line of that part of said Floodway Easement lying within said Lot 2); thence N34°45'26"W along the southwest line of said Lot 2, (and along the southwest line of that part of said Floodway Easement lying within said Lot 2), 46.75 feet to the point of beginning.

And

The minimum pad elevation depicted on the plat for Lot 1, Four Oaks Addition, Sedgwick County, Kansas, except that a minimum pad elevation for Lot 1 shall be retained and based on flood elevations as shown on the effective Federal Emergency Management Agency Flood Insurance Rate Map, or best information available, with a minimum 2 foot freeboard requirement. The minimum pad elevation shall be determined by the officially designated floodplain manager for the governing body with jurisdiction at the time building permits are requested on said lot.

And

The minimum pad elevation depicted on the plat for Lot 2, Four Oaks Addition, Sedgwick County, Kansas, except that a minimum pad elevation for Lot 2 shall be retained and based on flood elevations as shown on the effective Federal Emergency Management Agency Flood Insurance Rate Map, or best information available, with a minimum 2 foot freeboard requirement. The minimum pad elevation shall be determined by the officially designated floodplain manager for the governing body with jurisdiction at the time building permits are requested on said lot.

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, the Wichita Eagle, such publication having occurred on July 30, 2015; 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, being 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 the Metropolitan Area Planning Commission held a public hearing on the 20th day of August 2015, and recommended that the vacation petition herein be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that the portions of the platted floodway easements and the minimum pad elevations, hereinabove described be the same and are hereby vacated. It is further ordered that County Clerk shall send this Vacation Order to the Register of Deeds of Sedgwick County.

Commissioners present and voting were:

DAVID M. UNRUH	_____
TIM R. NORTON	_____
KARL PETERJOHN	_____

RICHARD RANZAU
JAMES M. HOWELL

Dated this _____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

RICHARD RANZAU, Chairman
Commissioner, Fourth District

APPROVED AS TO FORM:

Robert W. Parnacott

ROBERT W. PARNACOTT,
Assistant County Counselor