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# Sedgwick County

525 North Main Street 3rd  
Floor  
Wichita, KS 67203

## Legislation Details (With Text)

**File #:** 17-302      **Version:** 1      **Name:**  
**Type:** Consent      **Status:** Consent Agenda  
**File created:** 3/6/2017      **In control:** Board of Sedgwick County Commissioners  
**On agenda:** 3/15/2017      **Final action:**  
**Title:** Set Public Hearing for Initiation of Road Vacation Pursuant to Charter Resolution Number 64 for 71st St. South West of 143rd St. East. (District 5)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map of Area Proposed to be Vacated, 2. Notice of Public Hearing for Charter Res No 64

Date	Ver.	Action By	Action	Result
3/15/2017	1	Board of Sedgwick County Commissioners	Approved on the Consent Agenda	

### Set Public Hearing for Initiation of Road Vacation Pursuant to Charter Resolution Number 64 for 71st St. South West of 143rd St. East. (District 5)

Recommended Action: Initiate the vacation matter, set the public hearing on May 3, 2017, and direct the County Counselor's Office to send notices required within Charter Resolution No. 64.

As a result of the expansion of the Cook Airfield, that occurred due to zoning actions, including CON2010-00038 and ZON2010-00040, a portion of 71<sup>st</sup> Street South to the west of its intersection with 143<sup>rd</sup> Street East was re-routed further to the south. Construction of that re-routed portion of 71<sup>st</sup> Street South was completed late in 2016. Much of the former portion of 71<sup>st</sup> Street South, that includes land owned by Crosswinds Aviation Inc. (the owner of record for the real property that includes Cook Airfield), is no longer County road right-of-way. However, a roughly 450 foot portion of 71<sup>st</sup> Street South that is closest to its intersection with 143<sup>rd</sup> Street East remains County road right-of-way.

Sedgwick County Charter Resolution No. 64 allows for the vacation of County roads. These vacations can be initiated by the Board of County Commissioners or by the adjoining landowners. In this instance, the vacation is proposed to be initiated by the Board of County Commissioners.

Charter Resolution No. 64 provides that, "[t]he Board of County Commissioners (the Board) may vacate any road in the unincorporated area of the county whenever the board determines such road is not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes where such road as a public utility does not justify the expenditure of the necessary funds to repair such road or put the same in condition for public travel."

If the Board of County Commissioners takes the recommended action, a public hearing will be set for the Board's regular meeting on May 3, 2017, and a notice of hearing will be published and mailed to the parties indicated within Charter Resolution No. 64.

Alternatives: Not to set the public hearing, or to refer the matter to the Metropolitan Area Planning Commission.

Financial Considerations: N/A

Legal Considerations: If the Board of County Commissioners initiates a road vacation matter, the setting of a public hearing, publication of notice of hearing, and the mailing of such notices are all required within Charter Resolution No. 64. Any approval would be by simple majority vote.

Policy Considerations: N/A