Wichita-Sedgwick County Metropolitan Area Planning Department

March 16, 2022

Evans Building Co. Inc.
PO Box 249
Maize, KS 67101

K.E. Miller Engineering
Attn: Kirk Miller
117 E. Lewis St.
Wichita, KS 67202

RE: **VAC2022-00036** – A request in the City to vacate a platted 35-foot building setback and a portion of complete access control; Generally located east of Maize Road, on the North side of West MacArthur Road (9801 West York Street).

Dear Applicant;

At its regular meeting on **Tuesday, March 14,** the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE the vacation request.**

If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

E. Ebach

Eryn Ebach
Associate Planner

Wichita-Sedgwick County Metropolitan Area Planning Department

February 9, 2023

K.E. Miller Engineering
Attn: Kirk Miller
117 E. Lewis St
Wichita, KS 67202

Ref: VAC2022-00036: Vacation request in the City to vacate access control and building setback, generally located on the southwest corner of West York Street and South Norman Street (9801 West York Street).

Mr. Miller,

At the Thursday, February 9, 2023, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the platted utility easements shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

(2) As needed provide Planning with dedications of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.

(3) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.

(4) All improvements shall be according to City Standards and at the applicants' expense.

(5) Provide Planning with a legal description of the vacated platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Commission for final action.

(6) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **February 23, 2023,** (end of the two-week protest period). This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

Eryn Ebach-Freund
Associate Planner

cc: Evans Building Co. Inc., PO Box 249, Maize, KS 67101

Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30227207
Receipt #: 2372419
Pages Recorded: 2
Recording Fee: $0.00
Authorized By
Cashier: ghunt
Date Recorded: 03/17/2023 03:07:19 PM

BEFORE THE CITY COUNCIL OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A PLATTED BUILDING SETBACK AND A PORTION OF COMPLETE ACCESS CONTROL	)	
GENERALLY LOCATED ON THE SOUTHWEST CORNER OF WEST YORK STREET AND SOUTH NORMAN STREET	)	**VAC2022-00036**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 14th day of March, 2023, comes on for hearing the petition for vacation filed by Evans Building Co. Inc. (owner), praying for the vacation of the described platted building setback and portion of complete access control, to wit:

> The platted 35-foot setback and the west 64 feet of the platted complete access control, all located along/parallel to the south lot line of Lot 1, Block A, Mid-Continent Industrial Addition, Wichita, Sedgwick County Kansas, and MacArthur Road.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on January 19, 2023, which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the described platted building setback or portion of complete access control and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. 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.

5. The vacation of the described platted building setback and portion of complete access control should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of March, 2023, ordered that the described platted building setback and portion of complete access control are hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

Approved as to Form:

Jennifer Magaña, City Attorney and Director of Law

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IN THE MATTER OF THE VACATION OF A PLATTED BUILDING SETBACK AND A PORTION OF COMPLETE ACCESS CONTROL	)	
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Brandon J. Whipple, Mayor

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_____
Jamie Buster, City Clerk

Approved as to Form:

_____
Jennifer Magaña, City Attorney and Director of Law

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	370865	Print Legal Ad-IPL01055960 - IPL0105596	OCA 150004	$167.79	2	100 L

Attention: MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 150004

Published in The Wichita Eagle on January 19, 2023
(One Time Only)
MAPC/BZA February 9, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 9, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you heve any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2022-00055: Conditional Use request in the City to allow Multi-Family density (with ZON2022-00076 to allow TF-3 zoning); located within one-block south of West 31st Street and one-quarter mile west of South Broadway. (3255 South Waco).

CON2022-00056: Conditional Use request in the City to permit a carwash on property zoned GC General Commercial District; generally located on the southwest corner of East Kellogg Drive and South Greenwich Road (11051 East Kellogg Drive).

CON2022-00057: Conditional Use request in the City to an Event Center with live music/ entertainment and alcohol (defined as Night Club in the City) on property zoned LC Limited Commercial; located approximately 0.40 miles east of North Hoover Ave and on the south side of West Central Avenue (4925 W Central Ave).

DER2022-00013: Amendment to Article 3-102 of the Wichita-Sedgwick County Subdivision Regulations Pertaining to Extraterritorial Subdivision Regulation Authority for Darby.

VAC2022-00036: Vacation request in the City to vacate access control and building setback; generally located on the southwest corner of West York Street and South Norman Street (9801 West York Street).

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ZON2022-00077: Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for duplex development; generally located on the northeast corner of North 63rd Street South and South Clifton Avenue.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Topic: Wichita-Sedgwick County Metropolitan Planning Commission
Time: 1:30 PM
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on January 19, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0105596
Jan 19 2023

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
01/19/23

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 01/19/2023 to 01/19/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 01/19/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

KU basketball bench struggles in key moments vs. K-State

BY SHREYAS LADDHA
sladdha@kcstar.com

MANHATTAN

Kansas basketball coach Bill Self had no choice.

Star KU freshman Gradey Dick had committed his fifth and final foul with 1:31 left in overtime on Tuesday at Bramlage Coliseum.

Dick sauntered over to the bench and joined fellow starters KJ Adams and Kevin McCullar, who had also fouled out.

As K-State forward Keyontae Johnson sank both free throws to tie the score at 80-all, Kansas' lineup at game point looked bizarre:

The lineup featured point guards Dajuan Harris and Bobby Pettiford, combo guard Joseph Yesufu, forward Jalen Wilson and center Zach Clemence.

The trio of Pettiford, Yesufu and Clemence has averaged 15.7, 12.4 and 5.7 minutes per game, respectively, this year.

Self hasn't trusted his bench all season long. Often, KU plays only seven or eight players in its rotation. When bench players play, it's usually for dire situations ... or in garbage time. Kansas ranks 343rd in the country in bench minutes percentage (22.7%), per KenPom.

On Tuesday, it finally caught up with the Jayhawks.

The trio struggled in the clutch moments in Kansas' 83-82 overtime loss to K-State at Bramlage Coliseum.

They combined for only seven points while shooting 3-for-7 from the floor.

On the game's final play, KU had the ball down one (83-82) with 11 seconds left. Coming off a timeout, Pettiford inbounded the ball to Harris. Harris then drove, but the Wildcats collapsed onto him and the KU guard lost the ball. Harris dove on the floor to try to regain possession, but Ismael Massoud came away with the ball as the clock expired.



RICH SUGG rsugg@kcstar.com

KU coach Bill Self pleads with his team during the first half of Tuesday night's Big 12 Conference game at Bramlage Coliseum. KSU beat KU 83-82 in overtime.

"We talked about what exactly to do," Self said of the final play. "Bobby's never thrown it in side-out (meaning in a sideline-out-of-bounds setting). When we called timeout with (11 seconds) left in overtime, we didn't get the ball to the guy we wanted to.

"Then at the end we tried to run some fake stuff just to throw the ball to J-Will on the block, and I thought he was open. Bobby makes the safe play and throws it to 'Juan. But he's never been in that situation before. I really don't know what you can say at game point like that to three guys that hadn't been out there before. I mean, they've just got to play. We practice stuff, but they haven't been out there in those situations before."

The lack of experience wasn't the only issue, though. KU's most viable scoring option behind Wilson — and possibly the next two — sat on the bench.

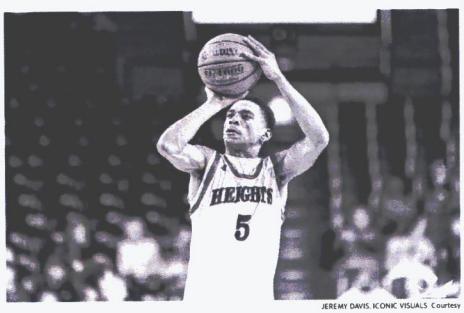
Everyone in the arena knew the primary option would be Wilson for the final shot, and the Wildcats wisely put extra attention on him. The minute Harris received the ball and began to drive, it was a win for K-State.

The other options didn't inspire much confidence. Earlier in regulation, with 1:21 left in a tie game, Clemence received a pass in the post and went up for the bucket. K-State guard Markquis Nowell stole the ball and converted the other way.

Perhaps one plausible option would've been Yesufu. As Harris drove, Yesufu was open in the corner. Still, putting the ball in a player's hands who averages 3.8 points per game is a tall order.

Despite a tough loss, Wilson didn't make any excuses.

"It's very difficult seeing guys getting fouled out like that," Wilson said. "No matter who's out there, we've got to find a way to come out with a win and have success."



JEREMY DAVIS, ICONIC VISUALS Courtesy

Senior guard Marcus Zeigler helped the Wichita Heights boys basketball team defeat Kapaun Mt. Carmel for the first time since 2019 in Tuesday's 51-36 win.

FROM PAGE 1B

CITY LEAGUE

ing two defenders.

"When you have guys who have been part of state championship success, they're pretty mature and they understand there are many ways to win a game."

Sure enough, right out of halftime Zeigler passed ahead to Williams on a fastbreak for a layup and foul. A minute later, Zeigler again found Williams in transition for a bucket. A four-point halftime advantage was stretched to 31-18 before Kapaun had to call for timeout to regroup.

Williams, a promising recruit in the class of 2024, scored all 16 of his team-high points in the second half, while adding 14 rebounds, five assists and a block in a complete performance. Zeigler added eight points, six rebounds, three assists and a steal.

Up against a talented center in Kapaun 6-foot-6 senior Will Anciaux, Heights managed to limit his impact by the stout defense played inside by senior Jordan Okon.

The Crusaders managed to close to within 37-31 in the first two minutes of the fourth quarter, but Zeigler followed with two free throws and Williams found Qyree Holt in the corner for a three to extend the lead back to double-digits, 42-32, within the next minute. Kapaun never threatened again.

Auer was particularly pleased with his team's rebounding effort, as his assistants tracked that the Falcons grabbed 85% of available defensive rebounds against Kapaun with a team effort put forth by Williams, Zeigler, Okon, Holt, Amalachi Wilkins (five blocks), Jordan Alford and Chase Robinson.

"Those were two of the best defensive teams in the state of Kansas and baskets were hard to come by," Auer said. "We knew it was going to be a low-scoring game and we made some plays on defense that allowed us to finally get some transition buckets in the second half. It was a great team effort and a heck of a City League battle.

Taylor Eldridge: 316-268-6270, @tayloreldridge

The Wichita Eagle
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316.268.6000

Legals

LEGAL PUBLICATION
(_____) Published in The Wichita Eagle Thursday January 19, & Thursday January 26, 2023
FORMAL BID – 233014

Sealed bids will be received in the office of the City Purchasing Manager, 12th Floor, City Hall, 455 North Main, Wichita, Kansas, prior to TEN O'CLOCK A. M., FRIDAY, FEBRUARY 3, 2023. "Request for Formal Bid" forms MUST be used to submit your bid unless you are submitting your bid on our website at (https://selfservice.wichita.gov) using your secure login/password.
HOUSING & COMMUNITY SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION
Interior & Exterior Modifications of Twelve (12) Single Family Homes
AS PER PLANS AND SPECIFICATIONS
F.O.B. – Wichita, Kansas
Bids will be opened after ten o'clock a. m., in the in the Board Room, 1st Floor, City Hall, 455 North Main, Wichita, Kansas.
A PRE-BID CONFERENCE Due to the ongoing pandemic conditions this meeting will only be held through written questions, clarifications, or modifications submitted to Jason Brogden at jbrogden@wichita.gov no later than 3:00 P.M. on Friday, January 27, 2023. The purpose of the meeting will be to answer questions from vendors regarding the specifications and bid procedure.
BID SECURITY in the amount of five per cent (5%) of the bid MUST be submitted with each bid. Bid Security shall be by a Bid Bond written by a Bonding Company approved by the United States Treasury Department and licensed to do business in the State of Kansas. Electronic Bids online (http://ep.wichita.gov) must have the Bid Bond submitted to the City Purchasing Manager prior to bid opening. Bid Bond envelope must be marked "BID BOND ENCLOSED", reference the formal bid number and the due date.
PERFORMANCE BOND FORMS, included in the bid package are to be used, in the amount of one hundred per cent (100%) of the contract must be furnished by the successful vendor
LABOR & MATERIAL PAYMENT BOND FORMS, included in the bid package are to be used, running to the State of Kansas in a sum of not less than the total of the contract, must be furnished by the successful vendor
The material and/or work to be purchased and/or performed under this contract on a project assisted under a program providing direct Federal Financial Assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3, of the Housing and Urban Development Act of 1968, as amended 12 U.S.C. 1701U.
This project is governed by Davis-Bacon and Related Acts. All contractors and subcontractors shall comply with all aspects of General Wage Decision number KS2022002 02/25/2022) for residential construction.
Dated at Wichita, Kansas, this 11th day of January 2023
Melinda A. Walker
Purchasing Manager

ATTENTION
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3:00 PM
ON
FRIDAY, JANUARY 27, 2023
THE PURPOSE OF THE MEETING WILL BE TO REVIEW REQUIREMENTS AND SPECIFICATIONS CONTAINED IN THIS BID PACKAGE AND TO CORRECT ANY ERRORS OR TO MAKE ANY NECESSARY CHANGES
****
IPL0105870
Jan 19,26 2023

LEGAL PUBLICATION
DCA 180004
Published in The Wichita Eagle on January 19, 2023
(One Time Only)
MAPC/SEZA February 9, 2023
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Participate Virtually
Topic: Wichita-Sedgwick County Metropolitan Planning Commission
Time 1:30 PM
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID 408 986 6967
Passcode: 094136
Find your local number https://us06web.zoom.us/u/kc65codfb1
Attend In-Person
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Attn Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764
WITNESS MY HAND on January 19, 2023
Scott Wadle, Secretary
Wichita Sedgwick County
Metropolitan Area Planning Commission
IPL0105596
Jan 19 2023

LEGAL PUBLICATION
Abandoned Property
of Rashaunda Butts&Larry Stewart at 401 W Sarah LN Apt D02 will be disposed of on 2/18/2023
IPL0105930
Jan 19 2023

LEGAL PUBLICATION
Abandoned Property
The abandon property of Bridgett Woods, 1517 S Main St., Wichita, KS 67213, will be stored for 30 Days and disposed of on February 18, 2023 Please contact Green Apple Management at 316-841-5324 to claim
IPL0106043
Jan 19 2023

WANT TO TURN YOUR UNUSED ITEMS INTO CASH?
Let Classifieds Help
The Wichita Eagle

LEGAL PUBLICATION
DIVORCE
In the Matter of the Marriage of Jaunita Walker, Petitioner and Keith Walker, Defendant Case No. 22DM6346 PETITION FOR DIVORCE in Sedgwick County Court. An answer must be filed by defendant on or before 01/30/2023 If no answer, this petition will be taken as true and the Petitioner will be granted a Journal Entry of Judgment and Decree of Divorce.
IPL0104377
Jan 6,8-13,15-20,22-27,29-30 2023

LEGAL PUBLICATION
NOTICE OF NEW BRANCH LOCATION
Legacy Bank, 3711 N Ridge Rd, Wichita, Kansas has filed an application with the State Bank Commissioner and the FDIC for permission to establish a branch, known as the East Harry Branch located at 7711 E Harry St, Wichita, Kansas The State Bank Commissioner considers a number of factors in deciding whether to approve the application. Any person wishing to comment on this application may file his or her comments, in writing, with the State Bank Commissioner, at 700 SW Jackson Street, Suite 300, Topeka, Kansas 66603 and the Regional Director of the Federal Deposit Insurance Corporation, 1100 Walnut St, Suite 2100, Kansas City, Missouri, 64106. The application's non-confidential portions are on file at the same address and are available for public inspection during regular business hours. Photocopies will be made available upon request. Comments will be considered if received on or before February 6, 2023. Public comments may be subject to disclosure pursuant to the Kansas Open Records Act, K.S.A 45-201 et seq. For information about submitting a request for records, please refer to: http://www.osbckansas.org/consumers/open-records-requests/
IPL0105989
Jan 19,26 2023

LEGAL PUBLICATION
FORECLOSURE
IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS LAKEVIEW LOAN SERVICING, LLC PLAINTIFF Case No. 2022-CV-002220-CM Div. No K.S.A. 60 Mortgage Foreclosure TERRI SPECKHARDT, et. al.; DEFENDANTS NOTICE OF SUIT The State of Kansas to. THE HEIRS AND DEVISEES OF TERRI L SPECKHARDT and the unknown heirs, executors, administrators, devisees, trustees, creditors, and assigns of such of the defendants as may be deceased, the unknown spouses of the defendants, the unknown officers, successors, trustees, creditors and assigns of such defendants as are existing, dissolved or dormant corporations, the unknown guardians and trustees of such of the defendants as are minors or are in anywise under legal disability; and all other persons who are or may be concerned: You are hereby notified that a petition has been filed in the District Court of Sedgwick County, Kansas, by Lakeview Loan Servicing, Llc for judgment in the sum of $102,214.95, plus interest, costs and other relief; judgment that plaintiff's lien is a first lien on the said real property and sale of said property to satisfy the indebtedness, said property described as follows, to wit: LOT 47, BLOCK ONE, WHISPERING BROOK ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS. Commonly known as 8303 East Brookview Court, Wichita, Kansas 67220 and you are hereby required to plead to said petition in said Court at Wichita, Kansas on or before the 16th of February, 2023 Should you fail therein judgment and decree will be entered in due course upon said petition. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE LOGS LEGAL GROUP LLP Attorneys for Plaintiff 6811 Shawnee Mission Parkway - Suite 309 Overland Park, KS 66202 (913) 831-3000 Fax No (913) 831-3320 Our File No 22-013473
IPL0103934
Jan 5,12,19 2023

Announcements

Announcements

Disposal of Personal Property
Goshen Property Management hereby gives notice that the property/abandoned at 1432 N Vassar Wichita, Kansas 67208 by Mark Richetti will be disposed of on 01/20/2023

Disposal of Personal Property
Goshen Property Management hereby gives notice that the property/abandoned at 2008 S Topeka Wichita, Kansas 67211 by Angela Holmes will be disposed of on 01/20/2023

Auctions

Estate Sales

At Your Service Estate Sales
6321 Peach Tree off Woodlawn
Thurs 9-5 Fri 9-5 Sat 8-2 Sun 10-1
Exceptional sale

Animals

Dogs

MINI DACHSHUND/DOTSON PUPPIES. REGISERED FROM A LOVING HOME. $600-800 TEXT 620-892-1172

Mini Bernedoodle, Mini Poodle
& Cockapoo pups! 816-383-0489
Midwestdoodleranch.com $900+

Mini F1b Goldendoodles
Born 12/6 $1200-$1600 Brown, Tri and Sable Contact @ 9132377360

Service Directory

Cleaning & Janitorial

Housecleaning
Thorough cleaning and disinfecting All supplies included 20 yrs exp. Call or Text, Jessie 316-347-3079

NEED SOMETHING?
Let Classifieds Help
The Wichita Eagle

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
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Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA KS 67202

MEMO INVOICE	
Order No.:	370865
Memo Date:	01/19/2023
Bill-To Account:	16399
Sales Rep:	Hayley Martin

Dates	Order No.	Description	Product	Size	Billed Units	Times Run	Net Amount
01/19/2023 - 01/19/2023	370865	Print Legal Ad-IPL01055960 IPL0105596 PO: OCA 150004	WIC-Wichita Eagle Legal | Legals & Public Notices CLS	2 x 100 L	200 L	1	$167.79

Please Return This Portion With Your Payment (Thank You)

McClatchy Company LLC
PO Box 510150
Livonia MI 48151

*** MEMO INVOICE ***

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA KS 67202

MEMO INVOICE	
Order No.:	370865
Account No.:	16399
Account Name:	CITY OF WICHITA/PLANNING DEPT
Order Amount:	$167.79

Email questions to ssccreditandcollections@mcclatchy.com

McClatchy Company LLC
PO Box 510150
Livonia MI 48151

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
February 9, 2023

STAFF REPORT

CASE NUMBER: **VAC2022-00036**- Request in the City to vacate a platted 35-foot building setback and complete access control

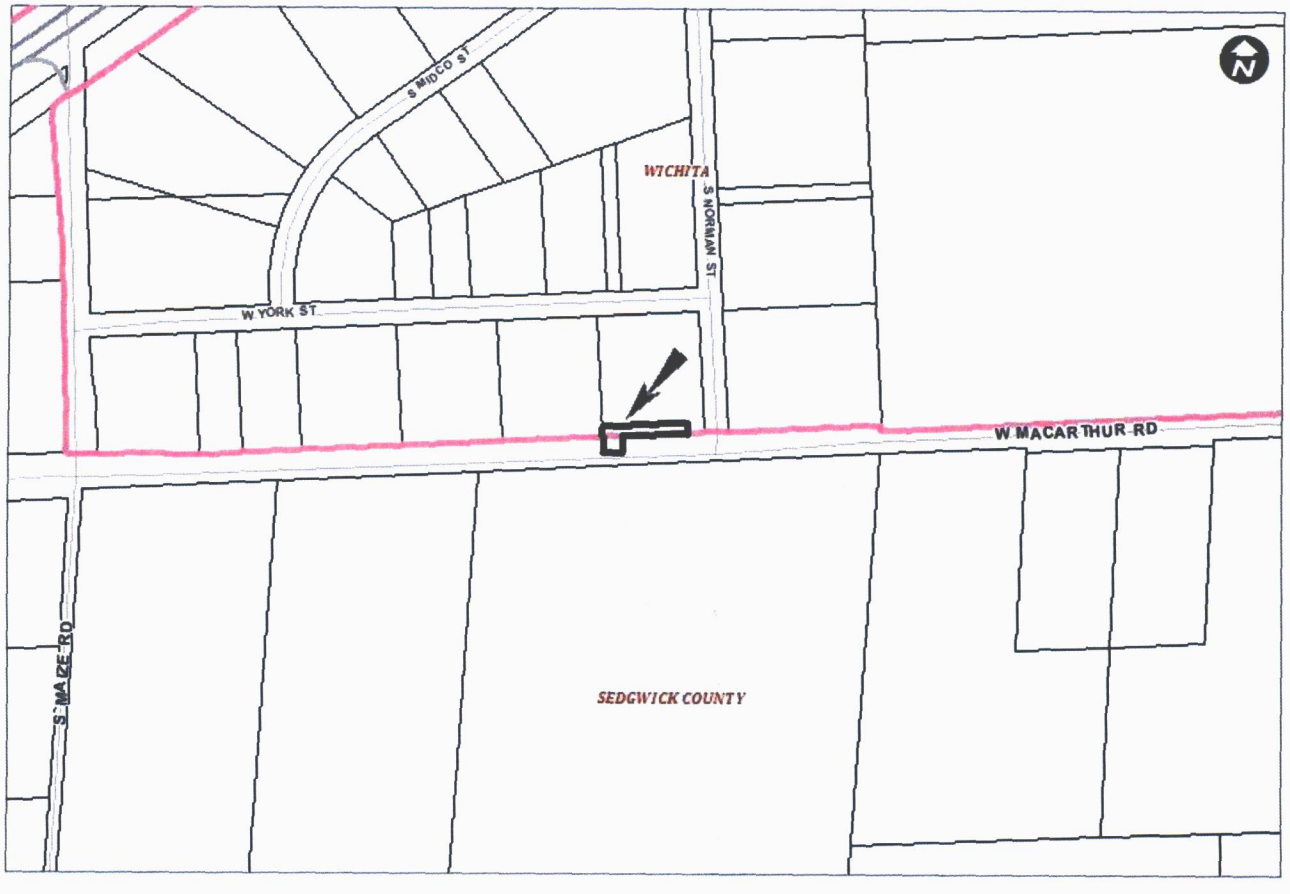
APPLICANTS: Evans Building Co. Inc. (applicant), K.E. Miller Engineering, P.A. (Agent)

LEGAL DESCRIPTION: Generally described as vacating the platted 35-foot setback and a portion of the platted complete access control, located parallel to the south lot line of Lot 1, Block A, Mid-Continent Industrial Addition (see attached legal).

LOCATION: Generally located east of Maize Road, on the north side of MacArthur Road, on the southwest corner of West York Street and South Norman Street (9801 West York Street).

REASON FOR REQUEST: To bring the existing building and drive onto West Macarthur Road into compliance.

CURRENT ZONING: The subject property and abutting properties to the north, east, and west are zoned LI Light Industrial District. Abutting property to the south is zoned SF-20 Single-Family Residential District.



The applicant has requested the reprocessing of VAC2009-00022, a request to vacate the platted 35-foot building setback and the platted complete access control generally located on the southwest corner of West York Street and South Norman Street (9801 West York Street). On March 2, 1976, the subject site and all abutting properties were platted as the Mid-Continent Industrial Addition to Wichita, Sedgwick County, Kansas.

The subject site is developed with an office/warehouse and complete access control is platted along the south lot line, permitting no drives onto West Macarthur Road from the property (See attachment 3, Excerpt from Mid-Continent Industrial Addition). The applicant requested a vacation of the platted access control and platted building setback to allow for building expansion and access onto West Macarthur Road.

On July 9, 2009, the Metropolitan Area Planning Commission approved this request subject to the following conditions:

1. Vacate the portion of the platted complete access control along the site's MacArthur Road frontage to allow one 40-foot wide, right in – right out drive, as approved by the County Traffic Engineer. The drive must be located a minimum of 200 feet from the Norman Street – MacArthur intersection, per the Access Management Regulations. Provide Planning Staff with a legal description of the approved vacated portion of the complete access control on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All provided to Planning prior to the case going to Council for final action.

2. Vacate the platted 35-foot setback that runs parallel the south lot line of Lot 1, Block A, Mid- Continent Industrial Addition and MacArthur Road, where the proposed building expansion will be located. Waive or reduce the compatibility setback, where there is a proposed building expansion located within it.

3. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense, including any relocation, rebuilding, or improvements to the drainage culvert located along the site's MacArthur Road side.

4. All improvements shall be according to City/County Standards and at the applicant's expense, including the new drive from the site onto public ROW. Provide City/County Public Works with a guarantee to ensure that these improvements will be made. If the drive is not being immediately constructed, provide a drive approach certificate, which will be recorded with the Register of Deeds. Either the guarantee(s) and/or the drive approach certificate must be provided to Public Works (guarantee) or Planning (drive approach certificate) prior to the case going to Council for final action.

5. Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

An excerpt of the MAPC meeting minutes regarding this item is attached.

MAPD staff did not receive the required legal description of the proposed drive or a drive approach certificate within a year of the MAPC's approval. Failure to comply with condition #5, MAPC Policy Statement #7, nullified MAPC's recommendation for approval of the request, and it was not forwarded to the governing body for final action. A building permit was issued in error, and in 2013 an addition projecting into the setback was constructed, as well as a drive on to West MacArthur Road. The applicant is now resubmitting the application to bring the improvements into compliance.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, Fire, franchised utility representatives, and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portions of the platted utility easement and complete access control.

A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:

1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time January 19, 2023, which was at least 20 days prior to this public hearing.

2. That no private rights will be injured or endangered by vacating the described platted 35-foot setback and a portion of the platted completed access control, and that the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

1. As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.

2. All improvements shall be according to City Standards and at the applicants' expense.

3. Vacation of the west 64 feet of the platted complete access control located on and running parallel with the east property line of Lot 1, Block A, Mid-Continent Industrial Addition, is contingent on approval by the Traffic Engineer and the Fire Department. The applicant shall provide Planning with a dedication of access control by separate instrument with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.

4. Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval subject to the following conditions:

1. As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.

2. All improvements shall be according to City Standards and at the applicants' expense.

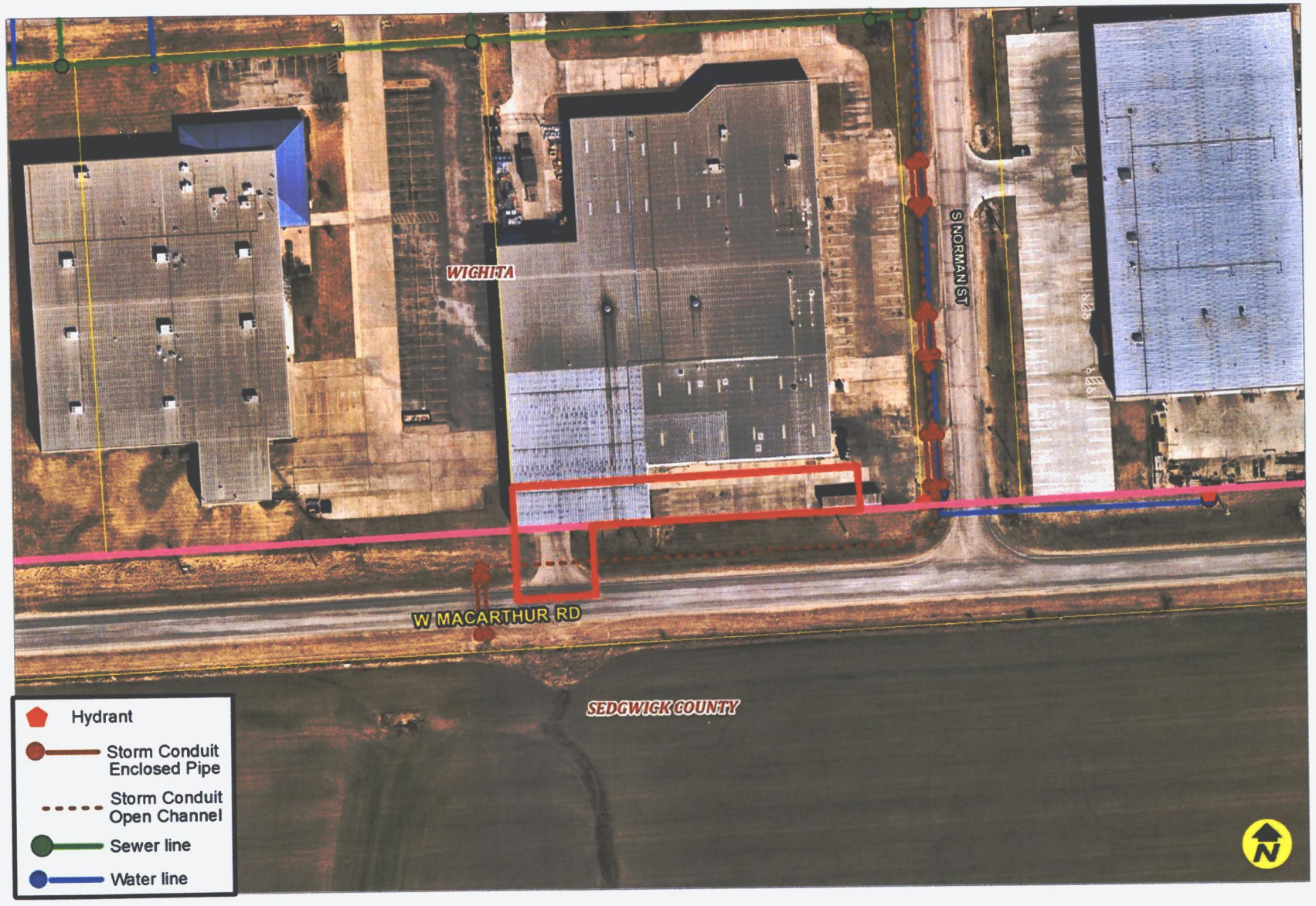
3. Vacation of the west 64 feet of the platted complete access control located on and running parallel with the east property line of Lot 1, Block A, Mid-Continent Industrial Addition, is contingent on approval by the Traffic Engineer and the Fire Department. The applicant shall provide Planning with a dedication of access control by separate instrument with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.

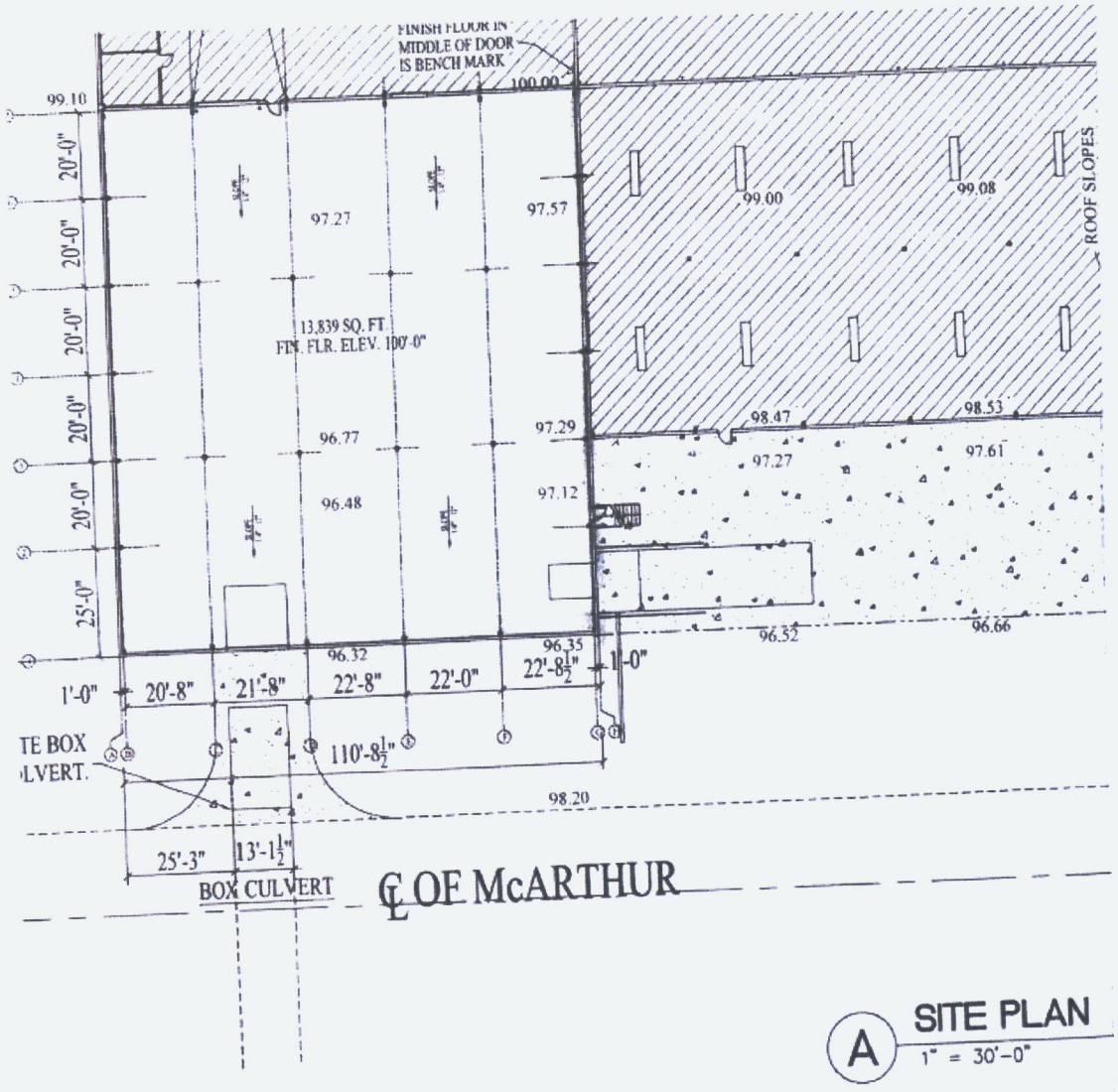
4. Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order

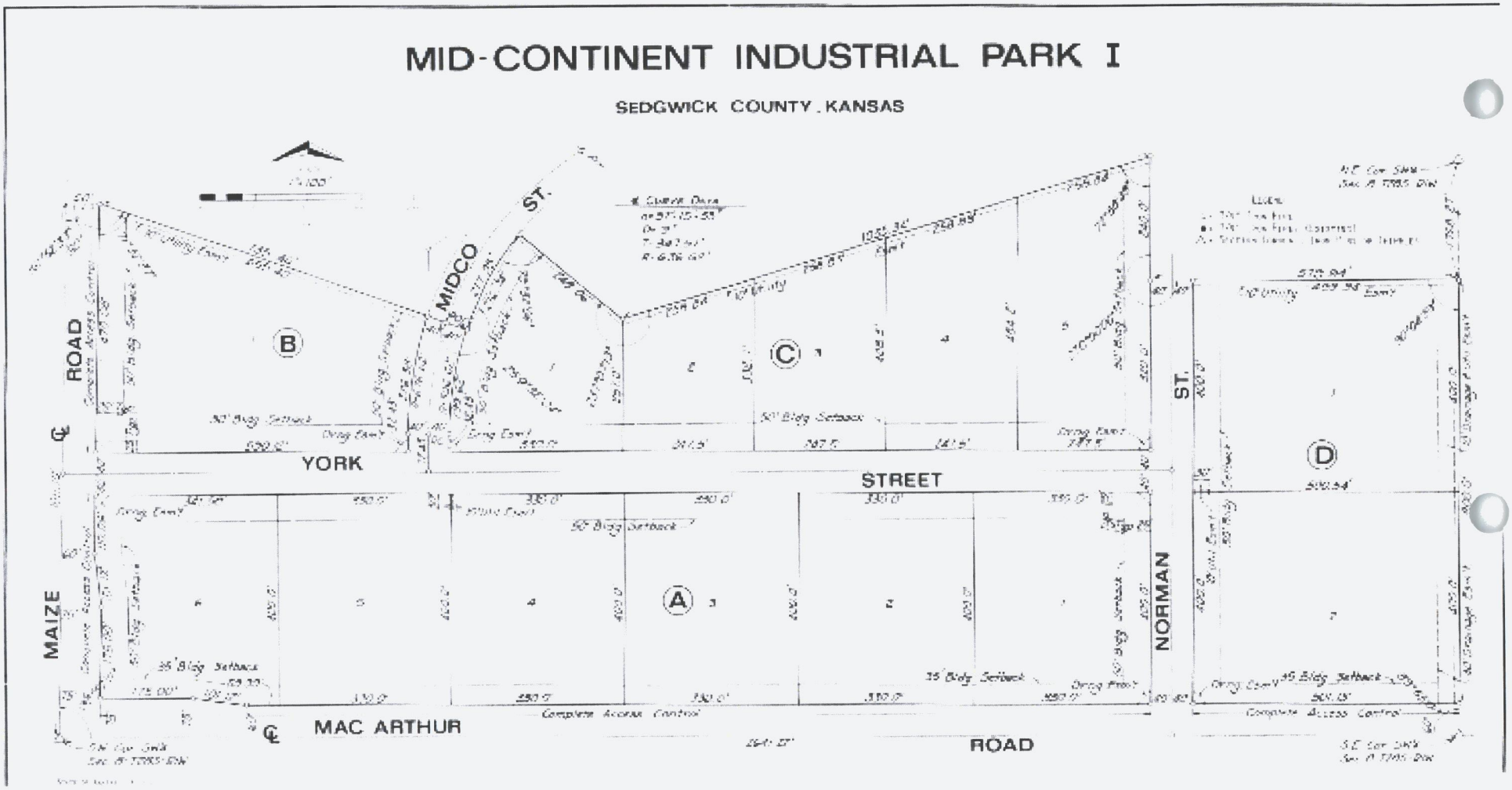
and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

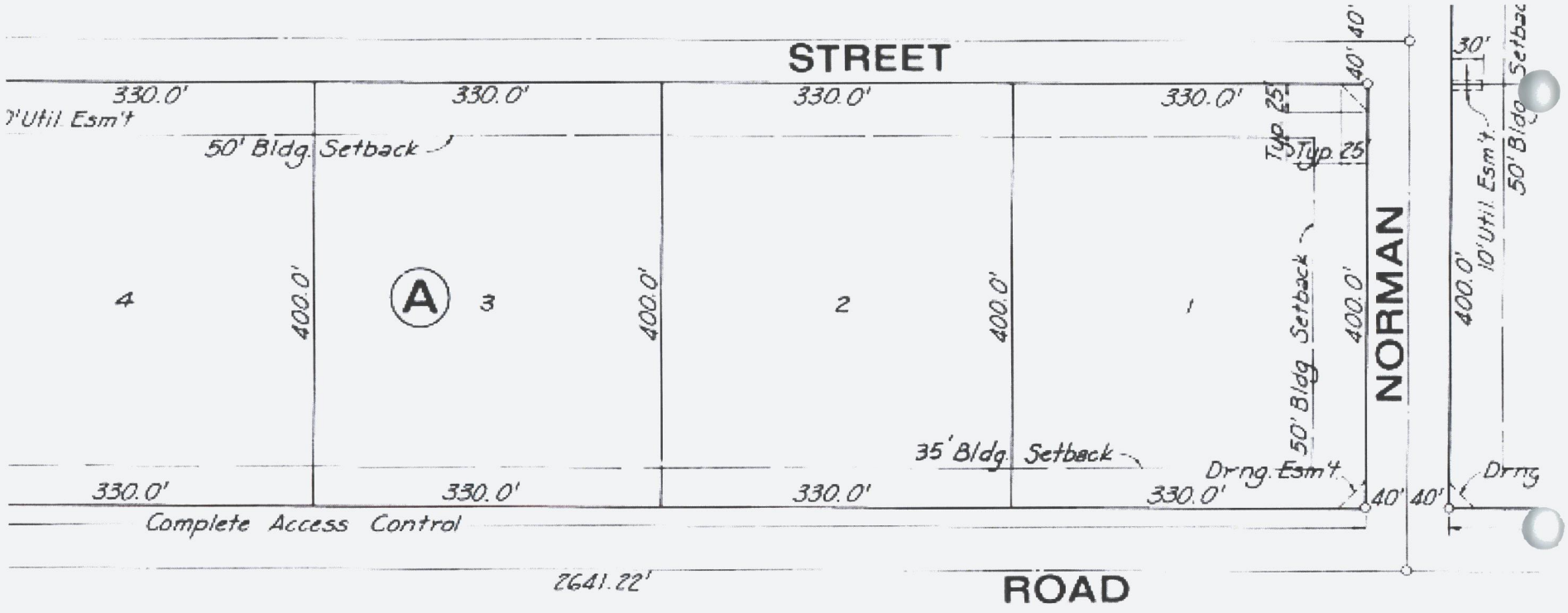
Attachments:

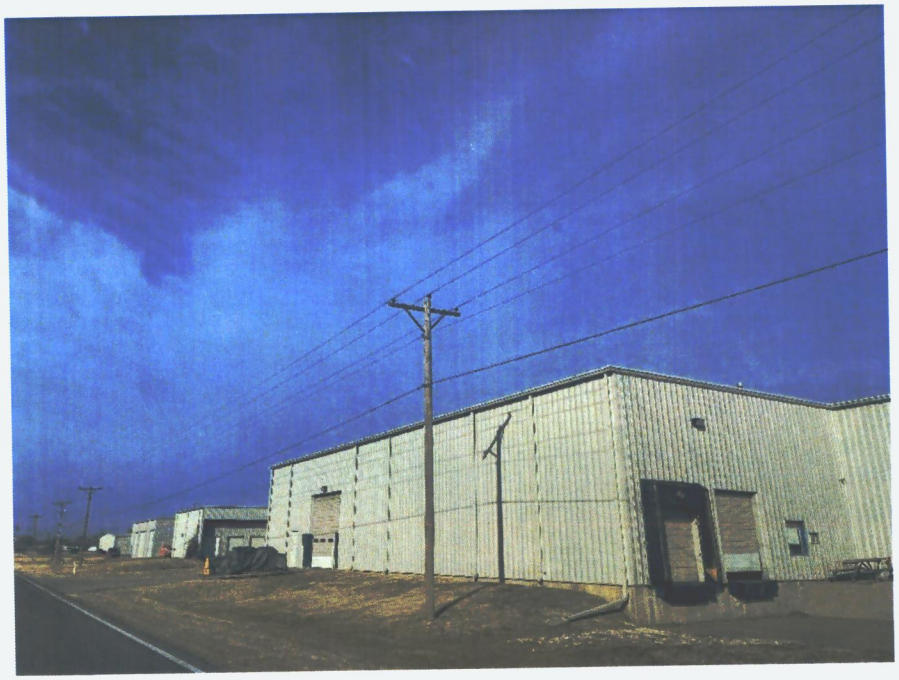
1. Aerial Map
2. Site Plan
3. Excerpt from Mid-Continent Industrial Addition.
4. Excerpt from Mid-Continent Industrial Addition showing access controls and building setback.
5. Site Photos
6. Legal Description
7. Excerpt from the July 9, 2009 MAPC Minutes


WICHITA
S NORMAN ST
W MACARTHUR RD
SEDGWICK COUNTY
Hydrant
Storm Conduit Enclosed Pipe
Storm Conduit Open Channel
Sewer line
Water line
N


FINISH FLOOR IN MIDDLE OF DOOR IS BENCH MARK
100.00
99.10
20'-0"
20'-0"
20'-0"
20'-0"
20'-0"
25'-0"
97.27
97.57
13,839 SQ. FT.
FIN. FLR. ELEV. 100'-0"
96.77
96.48
97.29
97.12
99.00
99.08
ROOF SLOPES
98.47
98.53
97.27
97.61
96.52
96.66
96.32
96.35
1'-0"
20'-8"
21'-8"
22'-8"
22'-0"
22'-8½"
1'-0"
TE BOX
LVERT.
110'-8½"
98.20
25'-3"
13'-1½"
BOX CULVERT
℄ OF McARTHUR
A
SITE PLAN
1" = 30'-0"


MID-CONTINENT INDUSTRIAL PARK I
SEDGWICK COUNTY, KANSAS
MIDCO ST.
ROAD
MAIZE
YORK
STREET
NORMAN
ST.
MAC ARTHUR
ROAD
A
B
C
D
35' Bldg Setback
50' Bldg Setback
Complete Access Control


STREET
330.0'
330.0'
330.0'
330.0'
0' Util Esm't
50' Bldg. Setback
Typ. 25'
Typ. 25'
4
400.0'
A
3
400.0'
2
400.0'
1
400.0'
NORMAN
50' Bldg. Setback
35' Bldg. Setback
Drng. Esm't.
330.0'
330.0'
330.0'
330.0'
40'
40'
Complete Access Control
2641.22'
ROAD
30'
50' Bldg Setback
400.0'
10' Util Esm't.
Drng



The subject site with building addition and drive on to West MacArthur Road.



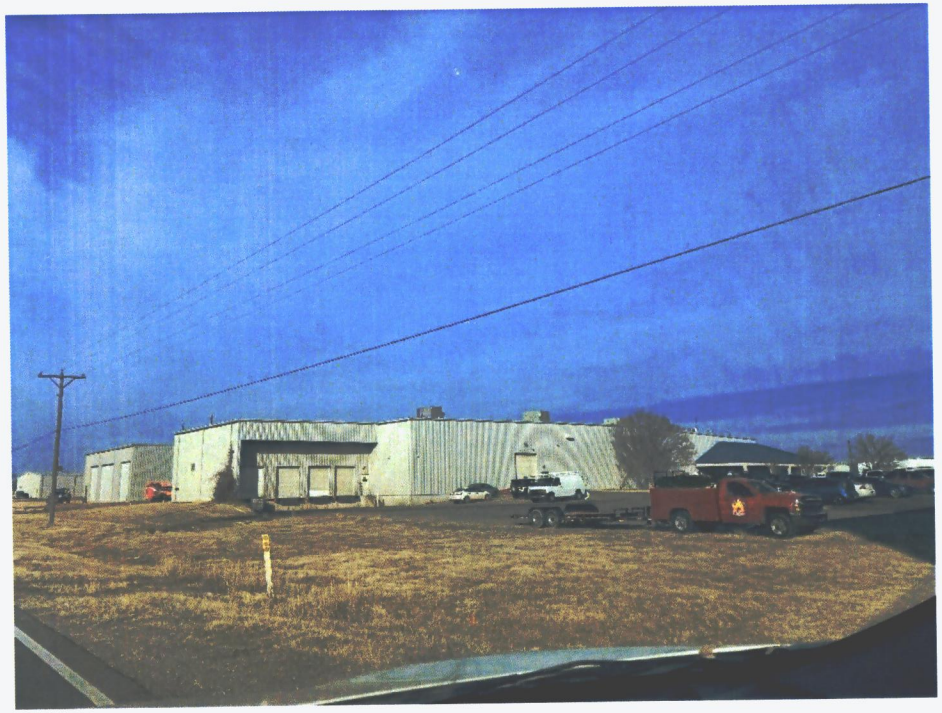
North of the subject site.



South of the subject site.



East of the subject site.



West of the subject site.

LEGAL DESCRIPTION

The platted 35-foot setback and the west 64 feet of the platted complete access control, all located along/parallel the south lot line of Lot 1, Block A, Mid-Continent Industrial Addition, Wichita, Sedgwick County, Kansas, and MacArthur Road.

3-2. VAC2009-22: CITY REQUEST TO VACATE A PORTION OF PLATTED COMPLETE ACCESS CONTROL AND A PLATTED A PLATTED SETBACK

OWNER/APPLICANT: Evans Building Company

LEGAL DESCRIPTION: The platted 35-foot setback and a portion of the platted complete access control, all located along/parallel the south lot line of Lot 1, Block A, Mid-Continent Industrial Addition, Wichita, Sedgwick County, Kansas, and MacArthur Road

LOCATION: Generally located generally located e a s t o f Maize Road, on the north side of Mac Arthur Road, on the southwest side of York & Norman Streets (WCC #IV)

REASON FOR REQUEST: For expansion of building and direct access onto MacArthur Road

CURRENT ZONING: The subject property and abutting northern, eastern and western properties are zoned LI Limited Industrial ("LI"). Adjacent southern property is zoned SF-20 Single-family Residential ("SF-20").

The applicant proposes to vacate a portion of the site's south, platted complete access control and the platted 35-foot building setback. The applicant proposes to put a 21-foot 8-inch drive onto MacArthur Road. The site is one of six lots located in the Mid-Continent Industrial Addition, which has platted complete access control along these lots' MacArthur frontage. There are no other drives from this plat onto MacArthur. There are no drives located south, across MacArthur, from the site. Subdivision standards s, page 7-20 G: double frontage lots shall not have drives connection local streets to arterials. Per the Subdivision Regulations, I 0 - 104, Modification of Design Criteria, the MAPC may modify design criteria. In the past staff has recommended modified design criteria, which has been approved by the MAPC. Allowing a drive along the site's MacArthur frontage could trigger more requests on this subdivision's Mac Arthur frontage. There are no utilities, manholes, sewer or water lines along the site's MacArthur side. There is a drainage culvert along the site's MacArthur frontage which goes under MacArthur. The Mid-Continent Industrial Addition was recorded with the Register of Deeds March 2, 1976.

Per the Unified Zoning Co d e (UZC), Art. III. Sec.Ill -E. e, 7: a comer lot shall have a front yard setback along the shorter of its street frontages. In this case the shorter street frontage of the subject site is York Street, which is also the site's mailing address. MacArthur is opposite York and is considered the rear yard. The UZC's minimum rear yard setback for the LI zoning district is zero. However, compatibility setback standards apply to the site's rear yard because it is adjacent, south across MacArthur, to SF-20 zoning: UZC Art. I V, Sec .IV -C. If this was not a platted 35-foot setback, but the UZC's LI zoning district's minimum rear setback, the applicant could have applied for an Administrative Adjustment to waive or reduce the compatibility setback. Considerations for waving the compatibility setback typically includes screening and or landscaping to protect uses in TF-3 Duplex ("TF-3") or more restrictive zoning.

Most of the SF-20 zoned property lo c a ted south of the site is not developed; there are 5 houses strung along MacArthur in this area. The 2030 Wichita Functional Land Use Guide categorizes the land south of MacArthur as " Employment/industry Center ." which is a consideration in regards to waiving or reducing the compatibility ty setback.

Bused upon information available prior to the public hearing and reserving the right to make recommendations base d on subsequent comments from City/County Public Works/Water & Sewer/Storm

Considerations (but not limited to) associated with the request to vacate the described platted setback have been identified, the re fore, the vacation of the platted setback described in the petition should be approved with conditions:

(I) Vacate the south 13 feet of the platted 25-foot setback that runs parallel to the north lot line of Lot 1, Westwind 2nd Addition, Wichita, Sedgwick County, Kansas, and 21st Street North. The approved legal description of the vacated portion of the platted setback will only be where the proposed expansion of the existing building will be located. Send the approved legal description to Planning on a Word document, via e-mail.

(2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant.

(3) All improvements shall be according to City Standards and at the applicant's expense.

(4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City . County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDMSION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

(1) Vacate the south 13 feet of the platted 25-foot setback that runs parallel to the north lot line of Lot 1, Westwind 2nd Addition, Wichita, Sedgwick County, Kansas, and 21st Street North. The approved legal descript ion of the vacated portion of the platted setback will only be where the proposed expansion of the existing building will be located. Send the approved legal description to Planning on a Word document, via e-mail.

(2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant.

(3) All improvements shall be according to City Standards and at the applicant's expense.

(4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City. County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

MCKAY moved, **BENTZEN** seconded the motion, and it carried (13-0-1).
B. JOHNSON - Abstained.

Water, franchised utility representatives and other interested parties. Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate a portion of platted complete access control and the platted setback.

A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:

1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time June 18, 2009, which was at least 20 days prior to this public hearing.

2. That no private rights will be injured or endangered by the vacation of the described portions of platted complete access control and the platted setback and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petition ought to be granted.

Consideration s (but not limited to) associated with the request to vacate the described portions of platted complete access control and the platted setback have been identified, therefore, the vacation of the portions of platted complete access control and the platted setback described in the petition should be approved with conditions:

(I) Vacate the portion of the platted complete access control along the site's MacArthur Road frontage to allow one 40-foot wide, right in - right out drive, as approved by the County Traffic Engineer. The drive must be located a minimum of 200 feet from the Norman Street - MacArthur intersection, per the Access Management Regulations.

(2) Vacate the platted 35-foot setback that runs parallel the south lot line of Lot 1, Block A, Mid Continent Industrial Addition and MacArthur Road, where the proposed building expansion will be located. Waive or reduce the compatibility setback, where there is a proposed building expansion will be located within it. Provide Planning Staff with a legal description of the approved vacated portion of the setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All provided to Planning prior to the case going to Council for final action.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense, including any relocation, rebuilding, or improvements to the drainage culvert located along the site's MacArthur Road side.

(4) All improvements shall be according to County/City Standards and at the applicant's expense, including the new drive from the site onto public ROW. Provide City/County Public Works with a guarantee to ensure that these improvements will be made. If the drive is not being immediately constructed, provide a drive approach certificate, which will be recorded with the Register of Deeds. Either the guarantee(s) and/or the drive approach certificate must be provided to Public Works (guarantee) or Planning (drive approach certificate) prior to the case going to Council for final action.

(5) Per MAPC Policy Statement #7, all condition s shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

(1) Vacate the portion of the platted complete access control along the *site's* MacArthur Road frontage to allow one 40-foot wide, right in - right out drive, as approved by the County Traffic Engineer. The drive must be located a minimum of 200 feet from the Norman Street - MacArthur intersection, per the Access Management Regulations.

(2) Vacate the platted 35-foot setback that runs parallel the south lot line of Lot 1, Block A, Mid- Continent Industrial Addition and MacArthur Road, where the proposed building expansion will be locate d. Waive or reduce the compatibility setback, where there *is* a proposed building expansion will be located within it. Provide Planning Staff with a legal description of the approved vacated portion of the setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All provided to Planning prior to the case going to Council for final action.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense, including any relocation, rebuilding, or improvements to the drainage culvert located along the site's MacArthur Roadside.

(4) All improvements shall be according to City/County Standards and at the applicant's expense, including the new drive from the site onto public ROW. Provide City/County Public Works with a guarantee to ensure that these improvements will be made. If the drive is not being immediately constructed, provide a drive approach certificate, which will be recorded with the Register of Deeds. Either the guarantee(s) and/or the drive approach certificate must be provided to Public Works (guarantee) or Planning (drive approach certificate) prior to the case going to Council for final action.

(5) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/o r franchised utilities and the necessary documents have been recorded with the Register of Deeds.

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

HILLMAN moved, **FARNEY** seconded the motion, and it carried (13-0- 1).
B. **JOHNSON** - Abstained