



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

March 19, 2025

Jose Antonio Vera-Calindo &
Diana Gexabel Esalante
1908 S. Palisade
Wichita, KS 67213

Jill Burke
801 E. Douglas Ave., 2nd Floor
Wichita, KS 67202

Ref: VAC2024-00063: Vacation request in the City for a portion of platted right-of-way; generally located on the west side of South Hydraulic Avenue and within one-half mile north of East 63rd Street South.

Dear Applicant,

At the **Tuesday, March 18, 2025**, meeting of the Wichita City Council, the above-referenced vacation request was **approved**.

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,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen
Current Plans
Division Manager



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

February 13, 2025

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Diana Gexabel Esalante
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Ref: VAC2024-00063: Vacation request in the City for a portion of platted right-of-way; generally located on the west side of South Hydraulic Avenue and within one-half mile north of East 63rd Street South.

Dear Applicant,

At the **Thursday, February 13, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacate the described portion of the East 59th Street South right-of-way as described herein.
- (2) Provide planning staff with legal descriptions of the approved vacated portion of the platted right-of-way on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, March 18, 2025**. 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.

VAC2024-00063: Vacation request in the City for a portion of platted right-of-way; generally located on the west side of South Hydraulic Avenue and within one-half mile north of East 63rd Street South.
Page 2

Sincerely,

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Philip Zevenbergen
Current Plans
Division Manager



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

**IN THE MATTER OF THE VACATION OF
A PLATTED RIGHT-OF-WAY**

**GENERALLY LOCATED ON THE WEST SIDE OF SOUTH
HYDRAULIC AVENUE AND WITHIN ONE-HALF MILE
NORTH OF EAST 63RD STREET SOUTH**

VAC2024-00063

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 18th day of March 2025, comes on for hearing the petition for vacation filed by Jose Antonio Vera-Galindo and Diana Gexabel Escalante Escobar (owners) praying for the vacation of a platted right-of-way, to wit:

Platted right-of-way to be vacated:

That part of East 59th Street South right-of-way, described as Beginning at the Northwest Corner of Lot 1, Block 1, Mar Addition, Wichita, Sedgwick County, Kansas; thence north along the extended West line of said Lot 1, 40 feet, thence east, parallel with the North line of said Lot 1, 200 feet; thence south 40 feet to the Northeast corner of said Lot 1, thence west along the North line of said Lot 1, 200 feet to the Point of Beginning.

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 and at www.wichita.gov/LegalNotices on January 23, 2025, 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 right-of-way and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner, the prayer of the petitioner ought to be granted.

March 18, 2025
VAC2024-00063

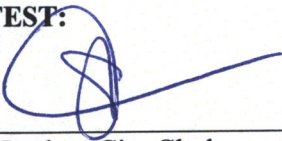
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of the described platted right-of-way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of March 2025, ordered that the above-described platted right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Sedgwick County Register of Deeds for recording.


Lily Wu, Mayor, City of Wichita

ATTEST:

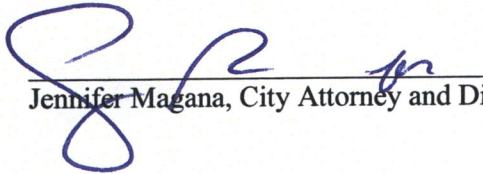


Paul Lecker, City Clerk

GERRI FORO, DEPUTY CITY
CLERK



Approved as to Form:



Jennifer Magana, City Attorney and Director of Law

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

**IN THE MATTER OF THE VACATION OF
A PLATTED RIGHT-OF-WAY**

**GENERALLY LOCATED ON THE WEST SIDE OF SOUTH
HYDRAULIC AVENUE AND WITHIN ONE-HALF MILE
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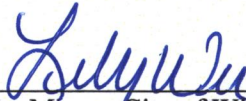
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March 18, 2025
VAC2024-00063

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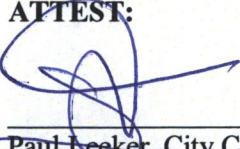
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Lily Wu, Mayor, City of Wichita

ATTEST:

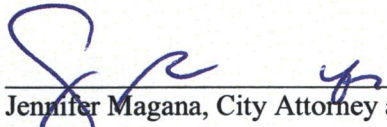


Paul Becker, City Clerk



GERRI FORD, DEPUTY CITY
CLERK

Approved as to Form:



Jennifer Magana, City Attorney and Director of Law



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	628504	Print Legal Ad-IPL02129750 - IPL0212975	2/13 Meeting	\$24.60	1	40 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle
on January 22, 2025
(One Time Only)
MAPC/BZA February 13, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 13, 2025, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. Full notice can be found at www.wichita.gov/LegalNotices.

CON2025-00001: Conditional Use request in the City for Vehicle and Equipment Sales on property zoned LC Limited Commercial District, generally located on the northwest corner of East Mount Vernon Road and South Grove Street (2320 East Mount Vernon Road).

VAC2024-00063: Vacation request in the City of platted right-of-way, generally located on the west side of South Hydraulic Avenue and within one-half mile north of East 63rd Street South.
IPL0212975
Jan 22 2025

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

1 insertion(s) published on:

01/22/25

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 01/22/2025 to 01/22/2025.

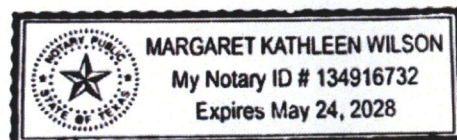
Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 01/22/2025

Margaret K. Wilson

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



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

METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

CASE NUMBER: VAC2024-00063- Request to vacate a portion of unimproved right-of-way.

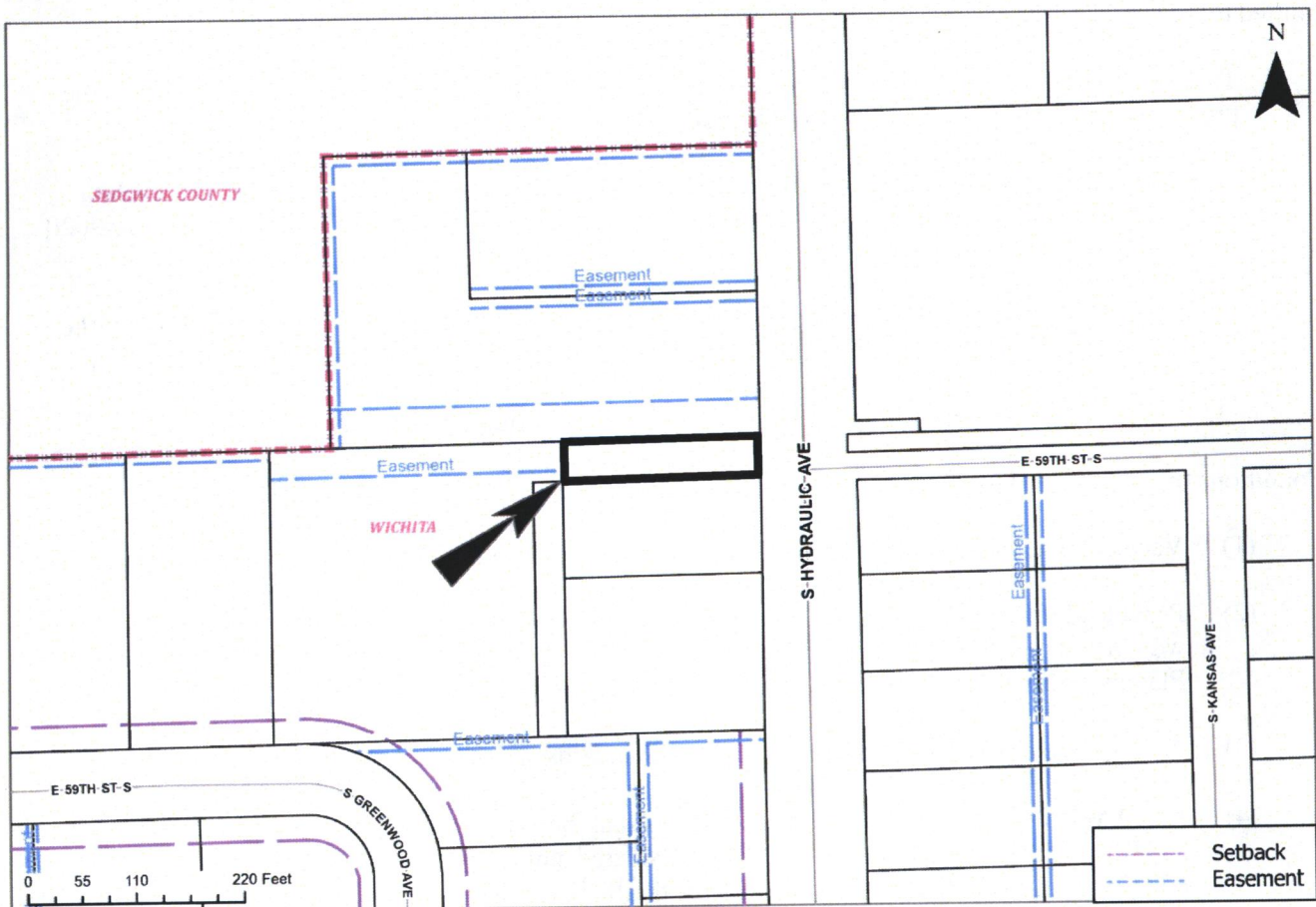
APPLICANT/AGENT: Jose Antonio Vera-Galindo and Diana Gexabel Escalante (Applicants) / Jill Burke (Agent)

LEGAL DESCRIPTION: Vacating the platted East 59th Street South Right-of-Way abutting to the north of Lot 1, Block 1, Mar Addition, Sedgwick County, Kansas.

LOCATION: Generally located on the west side of South Hydraulic Avenue and within one-half mile north of East 63rd Street South (6005 South Hydraulic Avenue).

REASON FOR REQUEST: To vacate unimproved right-of-way for private use of the property owner.

CURRENT ZONING: Properties to the north, west, and east are zoned SF-5 Single-Family Residential District (SF-5) and developed with single-family dwellings. Property to the south is zoned LC Limited Commercial District (LC) and has an accessory structure to the single-family dwelling on the SF-5 zoned property to the south.



The applicants are requesting the vacation of the unimproved East 59th Street South right-of-way located on the west side of South Hydraulic Avenue and within one-half mile north of East 63rd Street South. The East 59th Street South right-of-way was constructed on the east side of South Hydraulic Avenue. The purpose of the vacation to vacated the unimproved right-of-way for the personal use of the applicants.

In 1965, the subject Mar Addition was platted with this portion of East 59th Street South. At the time, it abutted unplatted property to the west. In 1978, the L.R. Stevens Addition was platted south and west of the subject site and included the East 59th Street South right-of-way, which veers south as South Greenwood Avenue and intersects East 60th Street South. In 2006, the Weingartner Addition was platted abutting to the west of the subject right-of-way, but did not include any right-of-way dedication for East 59th Street South. The dwelling within this one-lot subdivision has ccess off of the constructed East 59th Street South across its south property line. Therefore, if approved, no property will be deprived of access.

There are no public utilities located within the subject right-of-way. There is a public storm sewer inlet within the South Hydraulic Avenue right-of-way abutting directly to the east. This asset will not be impacted by the subject vacation. Wichita Public Works, Traffic Engineering, Fire, and Stormwater do not have any objection to the vacation request. Comments from franchise utilities have been received. No franchise utility object to the request as there are no franchise utilites in the subject right-of-way.

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 portion of the platted street right-of-way.

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 23, 2025, 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 portion of the platted street right-of-way 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) Vacate the described portion of the East 59th Street South right-of-way as described herein.
- (2) Provide planning staff with legal descriptions of the approved vacated portion of the platted right-of-way on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (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

VAC2024-00063- Request to vacate a unimproved platted right-of-way.

February 13, 2025

Page 3

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 per staff recommendations.

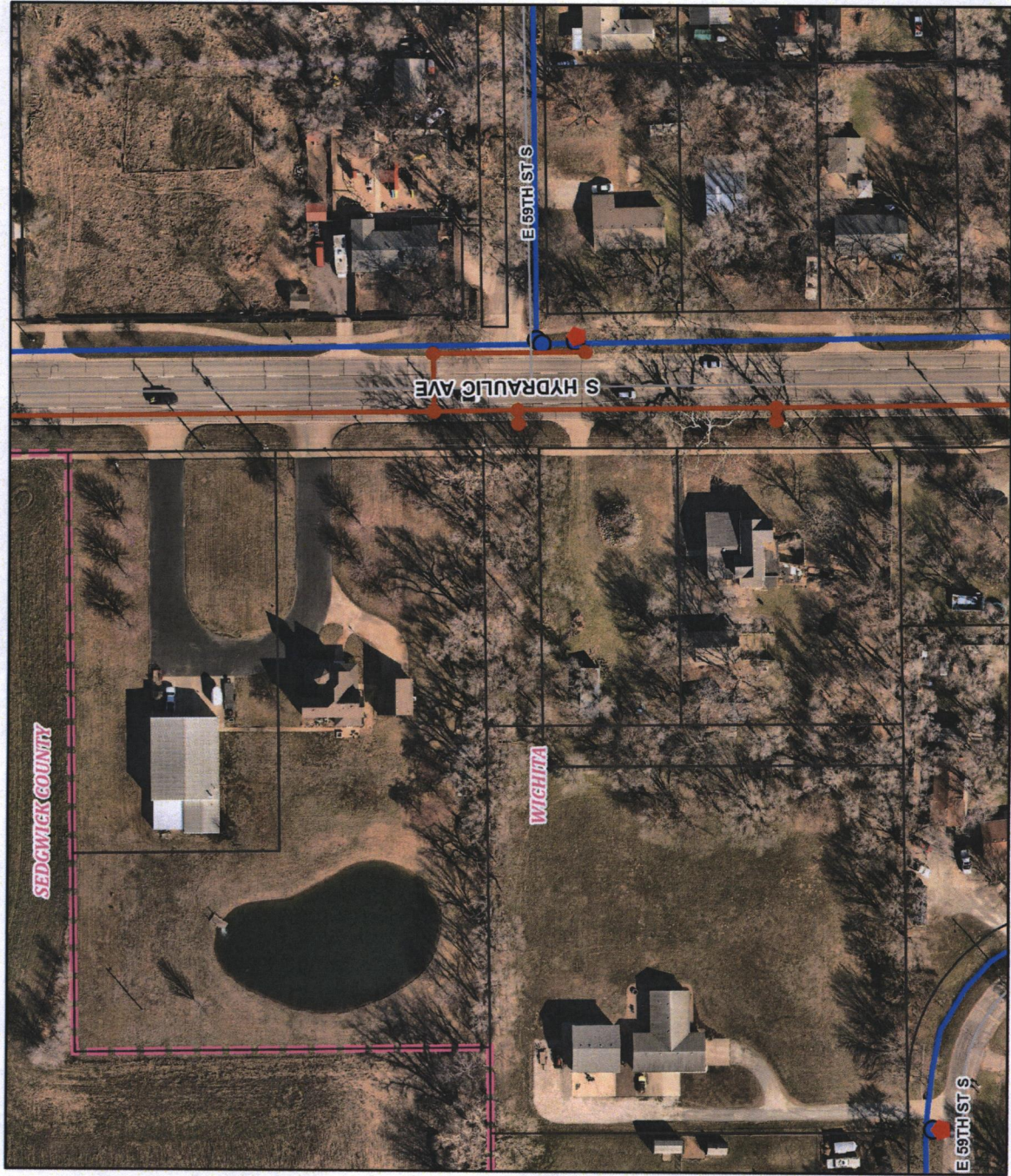
Attachments:

1. Aerial Map
2. Applicant's Exhibit
3. Mar Addition Plat
4. L.R. Stevens Addition Plat
5. Weingartner Addition Plat

Aerial Map

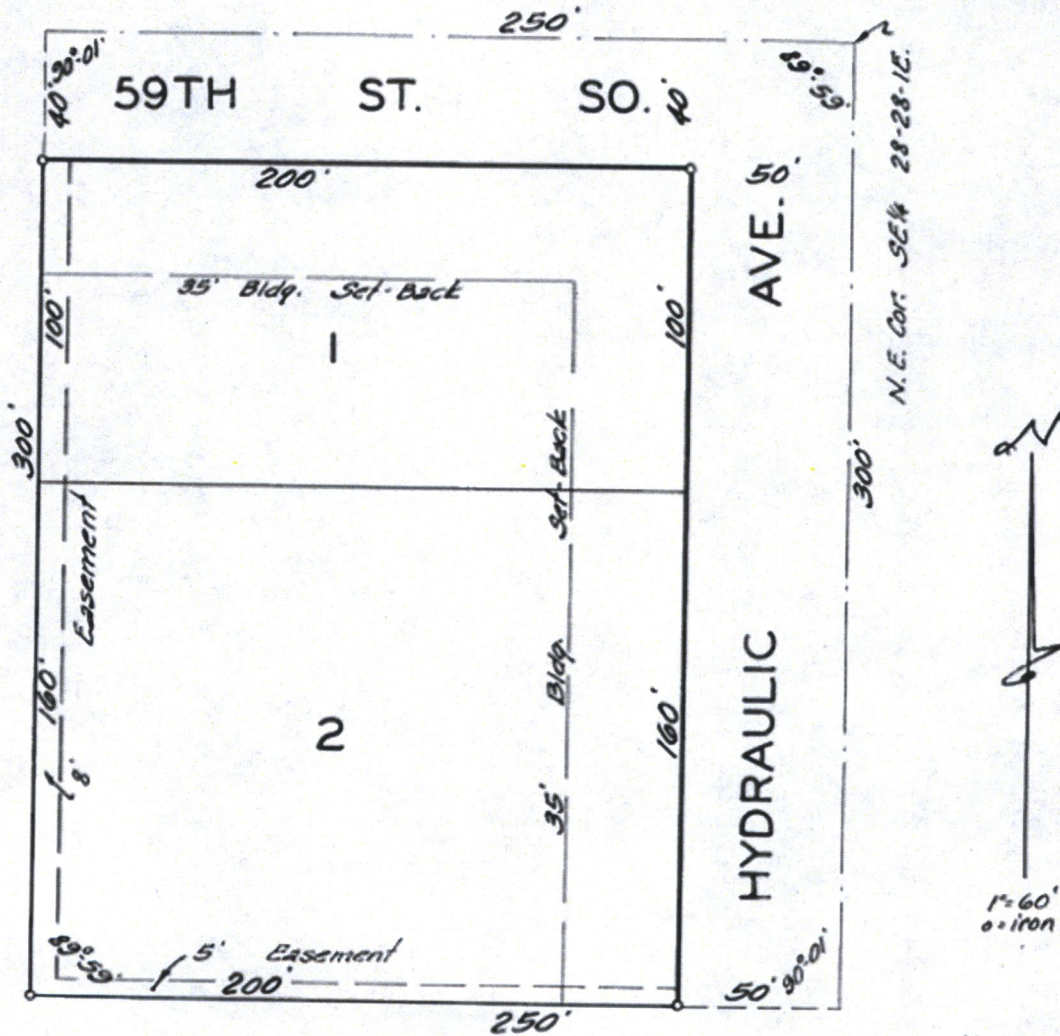
VAC2024-63

-  City Limits
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains



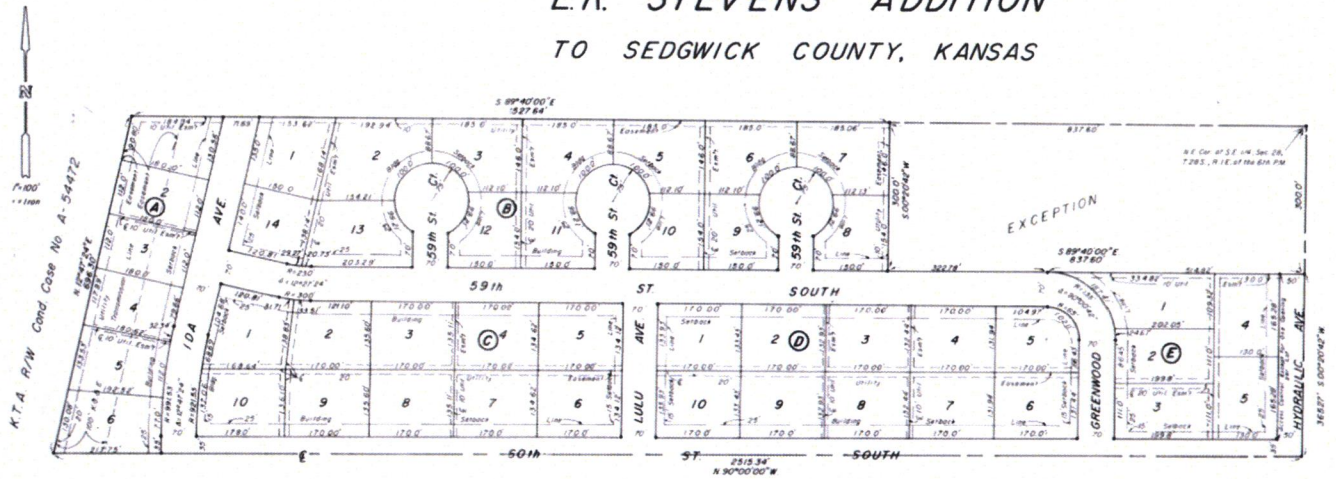
Applicant's Exhibit





L. R. Stevens Addition Plat

**L.R. STEVENS ADDITION
TO SEDGWICK COUNTY, KANSAS**



Weingartner Addition Plat

