CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

August 19, 2025

Wesleyan Holiness Alliance
3950 South Baehr Street
Wichita, KS 67215

Ref: VAC2025-00022: Vacation request in the City of a utility easement, generally located on the north side of West MacArthur Road and one-half mile east of South Hoover Road (3950 South Baehr Street).

Dear Applicant,

At the **Tuesday, August 19, 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,

Samuel Deetz
Current Plans
Associate Planner

CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

July 24, 2025

Wesleyan Holiness Alliance
3950 South Baehr St.
Wichita, KS 67215

Ref: VAC2025-00022: Vacation request in the City of a utility easement, generally located on the north side of West MacArthur Road and one-half mile east of South Hoover Road (3950 South Baehr Street).

Dear Applicant,

At the **Thursday, July 24, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Provide Planning Staff with a legal description of the vacated portion of the drainage easement 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 City Council for final action.
(2) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described drainage easement 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 the case going to City 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, August 19, 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.

Sincerely,

Samuel Deetz
Current Plans
Associate Planner

Document #: 2025-041226
Date Recorded: 08/25/2025 01:36:44 PM
Pages: 2 Recording Fee: 0.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

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

IN THE MATTER OF THE VACATION OF A UTILITY EASEMENT	)	
GENERALLY LOCATED ON THE NORTH SIDE OF WEST MACARTHUR ROAD AND ONE-HALF MILE EAST OF SOUTH HOOVER ROAD	)	**VAC2025-00022**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 19th day of August, 2025, comes on for hearing the petition for vacation filed by Wesleyan Holiness Alliance (owner), praying for the vacation of described utility easement, to wit:

> Part of Block 1, Original Townsite of Oatville, Sedgwick County, Kansas, described as BEGINNING at the Northeast corner of Lot 9, in said Block 1; THENCE West along the North line of Lots 9, 10, 11, 12, 13, and 14, in said Block 1, a distance of 150.0 feet more or less to the Northwest corner of said Lot 14; THENCE Northwesterly a distance of 22.5 feet more or less to the Southeast corner of Lot 21, in said Block 1; THENCE North along the East line of Lots 21 and 22, in said Block 1, a distance of 100.0 feet more or less to the Northeast corner of said Lot 22; THENCE East a distance of 20.0 feet more or less to the Northwest corner of Lot 7, in said Block 1; THENCE South along the West line of Lots 7 and 8, in said Block 1, a distance of 100.0 feet more or less to the Southwest corner of said Lot 8; THENCE East along the South line of said Lot 8, a distance of 140.0 feet more or less to the Southeast corner of said Lot 8; THENCE South a distance of 20.0 feet more or less 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 on June 19, 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 private drainage easement, 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 utility easement, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 19th day of August, 2025, ordered that the described utility easement is 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

Lily Wu, Mayor

ATTEST:

Shinita Rice, Deputy City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO. 3.1
July 24, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-00022** - Request to vacate a 20-foot utility easement.

OWNER/APPLICANT: Wesleyan Holiness Alliance (Applicants)

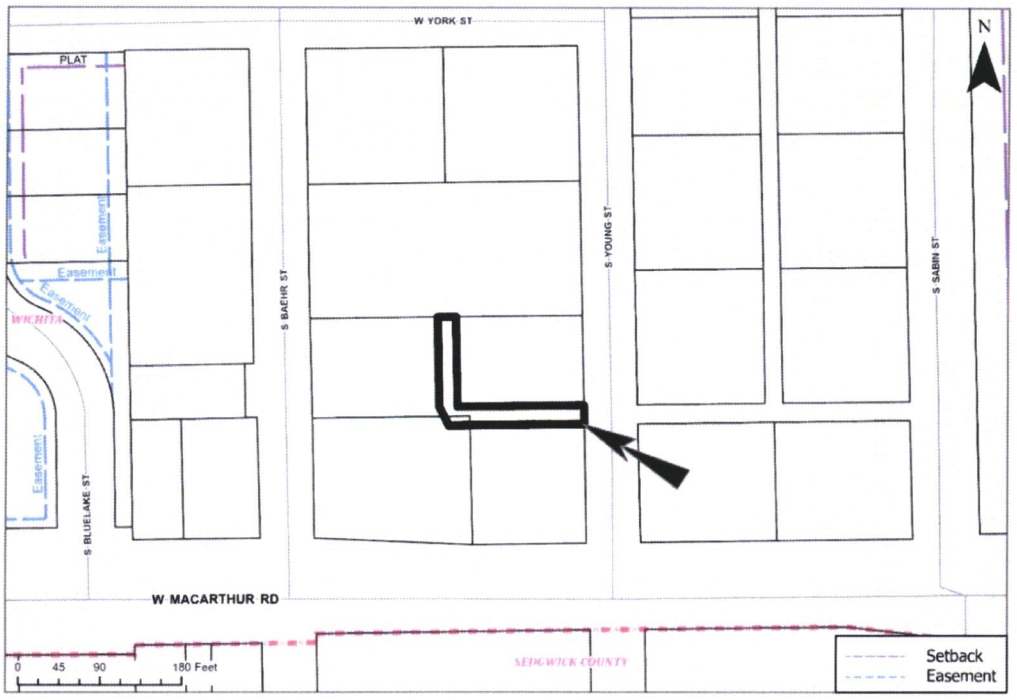
LEGAL DESCRIPTION: Generally described as vacating the 20-foot utility easement running east-west through the center of the easterly portion of the property together with vacating the adjoining 20-foot utility easement running north-south through the center of the northerly portion of the property on Lots 7, 8, 9, 10, 11, 12, 13, 14, 21 and 22, Block 1, Oatville Addition, Wichita, Sedgwick County, Kansas. (See attached legal description)

LOCATION: Generally located on the north side of West MacArthur Road and one-half mile east of South Hoover Road (3950 South Baehr Street).

REASON FOR REQUEST: To allow for a 44-foot by 80-foot building.

CURRENT ZONING: The subject site along with properties to the north, south, and west are zone LI Limited Industrial (LI). Property to the east is zoned SF-5 Single-Family Residential District (SF-5). Property to the west is developed with a commercial use, property to the south is developed with an agricultural use while properties to the north and east are developed with single-family dwellings.

VICINITY MAP:



The applicant proposes to vacate a platted 20-foot utility easement running east-west from the east property line via the center of the property, thence north-south to the north property line. The subject site was platted as Lots 7, 8, 9, 10, 11, 12, 13, 14, 21 and 22, Block 1, Oatville Addition. It is addressed as 3950 South Baehr Street, which is generally located on the north side of West MacArthur Road and one-half mile east of South Hoover Road. The site is zoned LI Limited Industrial (LI) and developed with a place of worship. The purpose of the vacation is to allow for construction of a 44-foot by 80-foot building. There are no additional easements, nor public water or sewer lines on the property which will be affected by this request.

There are no public utilities in the vacation area. Wichita Public Works and Utilities, Fire, Stormwater, or Traffic Engineering do not object to this vacation. Comments from franchised utilities have been received. Kansas Gas has no lines or equipment in the vacation area and therefore has no objections. Cox has no objection to this vacation, but has aerial lines on S Young St. Any relocation will be at the applicant's expense.

Evergy has reviewed the request, and has no objection, but Evergy does have an overhead line crossing the road to 4552 W McArthur Rd which is dedicated as road of right-of- way. The 12.47 KV 3 phase transmission line located south of the property across McArthur Rd should not affect this vacation request. Samantha Whalen, Area Design Representative, will be the contact for this vacation request and any project associated with it. She can be contacted at (316) 261-6334 for any questions or discussion. Standard language will apply: **Any relocation or removal of existing Evergy equipment will need to be discussed and will be at the applicant's expense.**

The Oatville Addition was recorded on March 29, 1885.

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 utility easement.

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 19, 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 utility easement 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) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described utility easement 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) All improvements shall be according to City Standards and at the applicants' expense.

(3) Provide Planning with a legal description of the vacated portion of the 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 Council for final action.

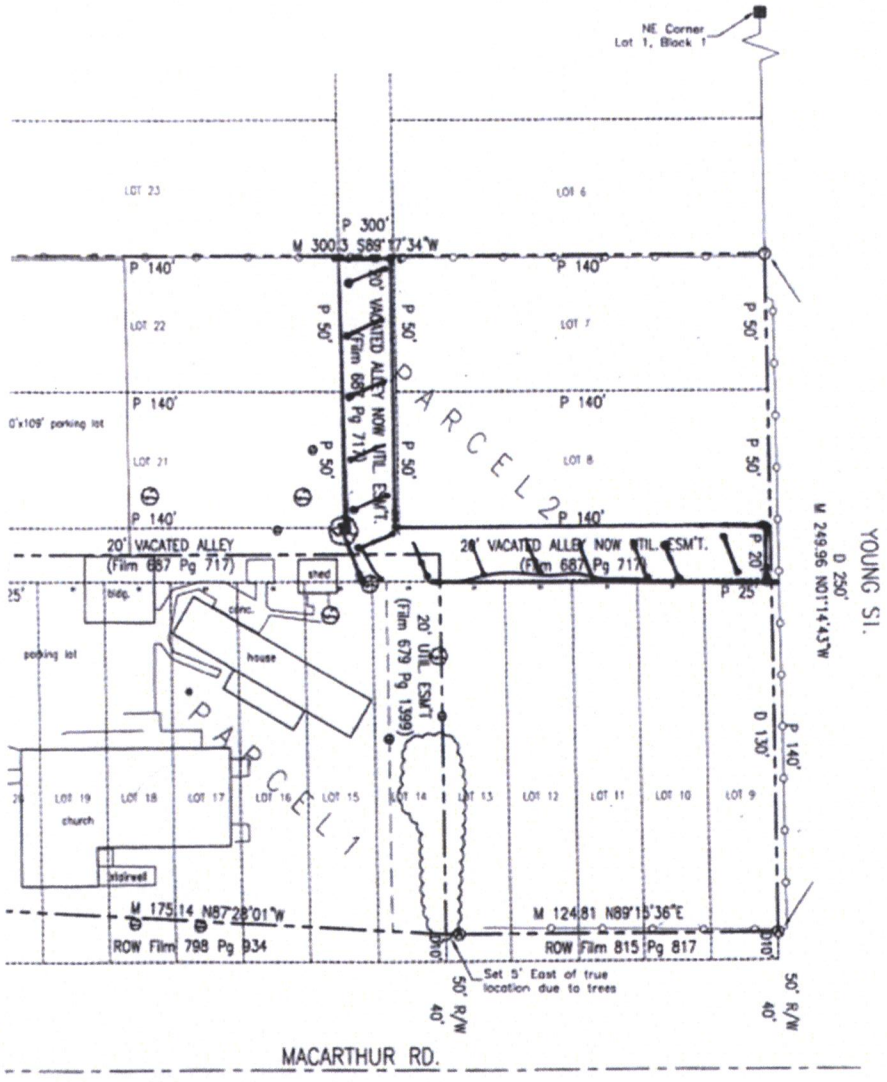
(4) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken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

Attachments:
1. Vacation Exhibit
2. Aerial Map
3. Legal Description

Vacation Exhibit



BOUNDARY SURVEY

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, & 22, Block 1, Original Townsite of Oatville, Sedgwick County, Kansas
3950 S Baehr St, Wichita, KS 67215

PARCEL 1: Lots 14, 15, 16, 17, 18, 19, and 20, Block 1, Original Townsite of Oatville, Sedgwick County, Kansas; TOGETHER WITH Half of a vacated alley adjacent on the North as described in Vacation Order on Film 687 Page 717; AND EXCEPT that part taken for Right of Way Adjacent on the South as described in Right Of Way Agreement on Film 798 Page 934

PARCEL 2: Lots 7, 8, 9, 10, 11, 12, 13, 21, and 22, Block 1, Original Townsite of Oatville, Sedgwick County, Kansas; TOGETHER WITH All of the vacated alley lying between Lots 7, 8, 21, and 22, All of the vacated alley lying North of Lots 9, 10, 11, 12, and 13, and the North Half of the vacated alley lying North of Lots 14, 15, 16, 17, 18, 19, and 20, as described in Vacation Order on Film 687 Page 717; AND EXCEPT that part taken for Right of Way Adjacent on the South as described in Right Of Way Agreement on Film 815 Page 817

- ⊗ – "ARMSTRONG" capped rebar set
- ◉ – "ARMSTRONG" capped rebar found
- ■ – ⌀5 rebar found
- ⊙ – illegible capped rebar found
- M – measured
- P – plat
- D – described

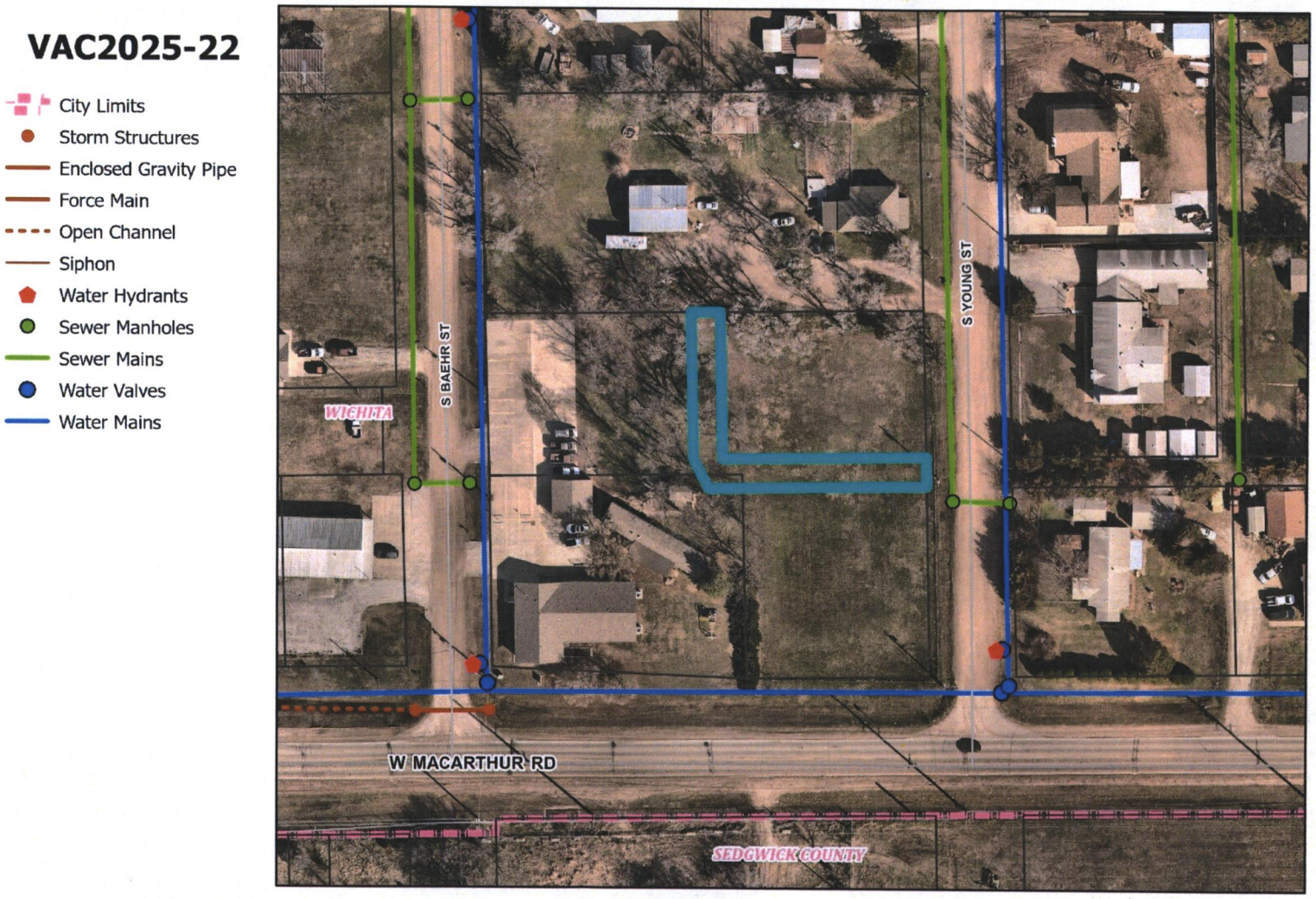
– subject property line
– adjacent property line
– original lot line
– easement line
– chainlink fence

N

Boundary control established April 24, 2025
Date of Drawing: May 6, 2025
SCALE 1"=40'
WO#43701

ARMSTRONG LAND SURVEY, P.A.
P.O. Box 191033
WICHITA, KS 67219
Ph. (316) 263-0082
info@armstrongsurvey.com

Aerial Map


VAC2025-22
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
WICHITA
S BAEHR ST
S YOUNG ST
W MACARTHUR RD
SEDGWICK COUNTY

Legal Description

Part of Block 1, Original Townsite of Oatville, Sedgwick County, Kansas, described as BEGINNING at the Northeast corner of Lot 9, in said Block 1; THENCE West along the North line of Lots 9, 10, 11, 12, 13, and 14, in said Block 1, a distance of 150.0 feet more or less to the Northwest corner of said Lot 14; THENCE Northwesterly a distance of 22.5 feet more or less to the Southeast corner of Lot 21, in said Block 1; THENCE North along the East line of Lots 21 and 22, in said Block 1, a distance of 100.0 feet more or less to the Northeast corner of said Lot 22; THENCE East a distance of 20.0 feet more or less to the Northwest corner of Lot 7, in said Block 1; THENCE South along the West line of Lots 7 and 8, in said Block 1, a distance of 100.0 feet more or less to the Southwest corner of said Lot 8; THENCE East along the South line of said Lot 8, a distance of 140.0 feet more or less to the Southeast corner of said Lot 8; THENCE South a distance of 20.0 feet more or less to the Point of BEGINNING.