CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

October 7, 2025

Westway Plaza, LLC
220 Newport Center Drive, Suite 11-252
Newport Beach, CA 92660

2569 Seneca, LLC
220 Newport Center Drive, Suite 11-252
Newport Beach, CA 92660

Baughman Company, P.A.
315 South Ellis Avenue
Wichita, KS 67211

Ref: VAC2025-00025: Vacation request in the City to vacate a utility easement; generally located west of South Seneca Street and 1,100 feet south of West Pawnee Avenue.

Dear Applicants,

At the **Tuesday, October 7, 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

August 14, 2025

Westway Plaza, LLC
220 Newport Center Drive, Suite 11-252
Newport Beach, CA 92660

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Baughman Company, P.A.
315 South Ellis Avenue
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Ref: VAC2025-00025: Vacation request in the City to vacate a utility easement; generally located west of South Seneca Street and 1,100 feet south of West Pawnee Avenue.

Dear Applicant,

At the **Thursday, August 14, 2025**, 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 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) Dedicate a utility easement, by separate instrument, for recording with the Vacation Order at the Sedgwick County Register of Deeds. This must be provided to Planning prior to this application proceeding to City Council for final action.
(4) 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.
(5) 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.

The above conditions must be met before this case can have final approval. Therefore, this case is scheduled for final action by the Wichita City Council at an appropriate meeting after Planning has received the conditions. 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 #: 2025-052726
Date Recorded: 10/21/2025 02:39:43 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 WEST SIDE OF SOUTH SENECA STREET AND ONE-THOUSAND ONE-HUNDRED FEET SOUTH OF WEST PAWNEE AVENUE	)	**VAC2025-00025**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 7th day of October, 2025, comes on for hearing the petition for vacation filed by Westway Plaza, LLC, and 2569 Seneca, LLC (owners), praying for the vacation of described utility easement, to wit:

That portion of Lot 1, Block A, Westway 2nd Addition, Wichita, Sedgwick County, Kansas, described as follows: COMMENCING at the Southeast corner of said Westway 2nd Addition, said corner lying 30.00 feet north of the south boundary of the Northeast Quarter of Section 6, Township 28 South, Range 1 East, of the Sixth Principal Meridian, Sedgwick County, Kansas, and 49.86 feet west of the east boundary of said Northeast Quarter; THENCE North 00°02'06" West, an assumed bearing according to the plat of said Westway 2nd Addition, being coincident with the east boundary of said Lot 1, a distance of 212.53 feet, to a Point-of-Deflection; THENCE North 03°57'17" West, coincident with the east boundary of said Lot 1, a distance of 126.22 feet; THENCE North 90°00'00" West, perpendicular to the east boundary of said Northeast Quarter, a distance of 82.99 feet, to a point lying 368.35 feet north and 141.68 feet west of the Southeast Corner of said Northeast Quarter, and the POINT-OF-BEGINNING; THENCE South 14°20'17" West, a distance of 41.85 feet; THENCE North 75°39'43" West, a distance of 20.00 feet; THENCE North 14°20'17" East, a distance of 41.85 feet; THENCE South 75°39'43" East, a distance of 20.00 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 on July 24, 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 utility 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 7th day of October, 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

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 WEST SIDE OF SOUTH SENECA STREET AND ONE-THOUSAND ONE-HUNDRED FEET SOUTH OF WEST PAWNEE AVENUE	)	**VAC2025-00025**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 7th day of October, 2025, comes on for hearing the petition for vacation filed by Westway Plaza, LLC, and 2569 Seneca, LLC (owners), praying for the vacation of described utility easement, to wit:

> That portion of Lot 1, Block A, Westway 2nd Addition, Wichita, Sedgwick County, Kansas, described as follows: COMMENCING at the Southeast corner of said Westway 2nd Addition, said corner lying 30.00 feet north of the south boundary of the Northeast Quarter of Section 6, Township 28 South, Range 1 East, of the Sixth Principal Meridian, Sedgwick County, Kansas, and 49.86 feet west of the east boundary of said Northeast Quarter; THENCE North 00°02'06" West, an assumed bearing according to the plat of said Westway 2nd Addition, being coincident with the east boundary of said Lot 1, a distance of 212.53 feet, to a Point-of-Deflection; THENCE North 03°57'17" West, coincident with the east boundary of said Lot 1, a distance of 126.22 feet; THENCE North 90°00'00" West, perpendicular to the east boundary of said Northeast Quarter, a distance of 82.99 feet, to a point lying 368.35 feet north and 141.68 feet west of the Southeast Corner of said Northeast Quarter, and the POINT-OF-BEGINNING; THENCE South 14°20'17" West, a distance of 41.85 feet; THENCE North 75°39'43" West, a distance of 20.00 feet; THENCE North 14°20'17" East, a distance of 41.85 feet; THENCE South 75°39'43" East, a distance of 20.00 feet, to the POINT-OF-BEGINNING.

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2. No private rights will be injured or endangered by the vacation of the described utility 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 7th day of October, 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

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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.
August 14, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-00025 -** Request to vacate a utility easement.

OWNER/APPLICANT: Westway Plaza, LLC, and 2569 Seneca, LLC (Applicants)

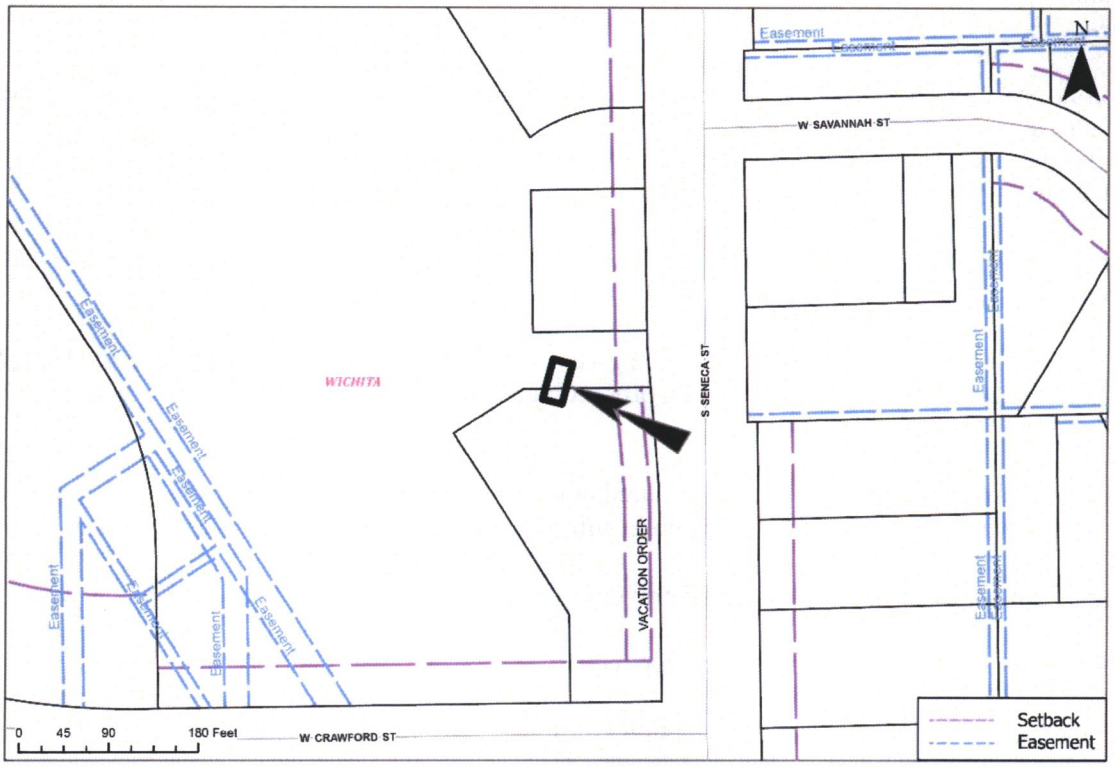
LEGAL DESCRIPTION: Generally described as vacating the utility easement running north-south 100 feet west of the east property line of Lot 1, Block A, Westway 2nd Addition, Wichita, Sedgwick County, Kansas. (See attached legal description)

LOCATION: Generally located west of South Seneca Street and 1,100 feet south of West Pawnee Avenue (2491 South Seneca Street).

REASON FOR REQUEST: To replace current easement with separate easement to match site plans.

CURRENT ZONING: The subject site along with properties to the north and west are zone LC Limited Commercial (LC) with CUP DP-21. Property to the east is zoned LC. Property to the south is zoned NO Neighborhood Office (NO) with Protective Overlay #105 and SF-5 Single-Family Residential District (SF-5). Properties to the north and east are developed with commercial uses, properties to the south are developed with an office and residential uses. Property to the west is undeveloped.

VICINITY MAP:



The applicant proposes to vacate a platted utility easement running north-south approximately 100 feet west of the east property line. The subject site was platted as Lot 1, Block A, Westway 2nd Addition. The subject easement crosses the proposed property line of the original Lot 1, Block A, as well as Parcel A, which is concurrently proposed by LSP2025-00020 as a newly created parcel. It is addressed as 2491 South Seneca Street, which is generally located on the west side of South Seneca Street and 1,100 feet south of West Pawnee Avenue. The site is zoned LC Limited Commercial (LC) with CUP DP-21 and developed with commercial uses. The subject utility easement is not identified on the CUP drawing, therefore, no adjustment to the CUP will be necessary. The purpose of the vacation is to replace the current easement with a separate easement to match the site plan. There are no additional easements, nor public water or sewer lines on the property which will be affected by this request.

A sewer main terminates at the northern end of the vacation area. A new easement will be dedicated to accommodate sewer access to Parcel A. 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 and Cox have no lines or equipment in the vacation area and therefore have no objections.

Evergy has no items in the vacation area and therefore has no objection. 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 Westway 2nd Addition was recorded on March 27, 2014.

When determining a recommendation to be made to the Metropolitan Area Planning Commission (MAPC), the Subdivision and Utility Advisory Committee should consider the legal findings that are required to be made by the MAPC and Governing Body in order to grant the request. These findings are detailed in the subsequent MAPC report. *In particular, the Committee should consider whether any private rights will be injured or endangered by recommending approval of the vacation request, and whether or not the public will suffer any loss or inconvenience thereby.*

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 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 July 24, 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 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) Dedicate a utility easement, by separate instrument, for recording with the Vacation Order at the Sedgwick County Register of Deeds. This must be provided to Planning prior to this application proceeding to City Council for final action.

(4) 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.

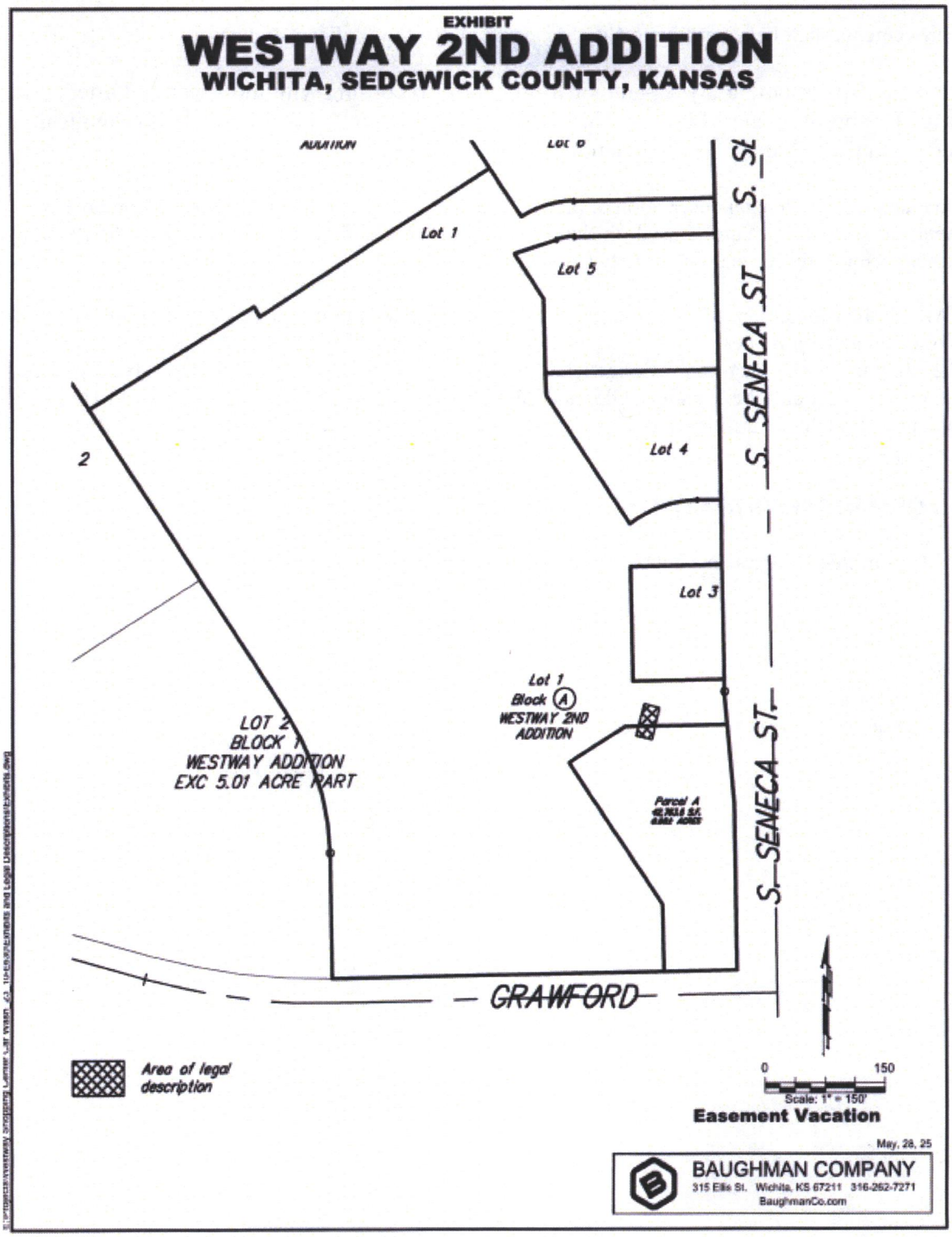
(5) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken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

Vacation Exhibit



Aerial Map


VAC2025-25
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
WICHITA
S SENECA ST

Legal Description

LEGAL DESCRIPTION

The Utility Easement executed on February 28, 2024, and recorded in the Office of the Sedgwick County Register of Deeds under Doc.#/Flm-Pg: 30295123, granted and conveyed as follows:

That portion of Lot 1, Block A, Westway 2nd Addition, Wichita, Sedgwick County, Kansas, as prepared by Baughman Co. P.A. Professional Surveyors, CLS 58, in aforesaid County and State, on the 19th of February, 2024, and being described as follows: COMMENCING at the Southeast corner of said Westway 2nd Addition, said corner lying 30.00 feet north of the south boundary of the Northeast Quarter of Section 6, Township 28 South, Range 1 East, of the Sixth Principal Meridian, Sedgwick County, Kansas, and 49.86 feet west of the east boundary of said Northeast Quarter; THENCE North 00°02'06" West, an assumed bearing according to the plat of said Westway 2nd Addition, being coincident with the east boundary of said Lot 1, a distance of 212.53 feet, to a Point-of-Deflection; THENCE North 03°57'17" West, coincident with the east boundary of said Lot 1, a distance of 126.22 feet; THENCE North 90°00'00" West, perpendicular to the east boundary of said Northeast Quarter, a distance of 82.99 feet, to a point lying 368.35 feet north and 141.68 feet west of the Southeast Corner of said Northeast Quarter, and the POINT-OF-BEGINNING; THENCE South 14°20'17" West, a distance of 41.85 feet; THENCE North 75°39'43" West, a distance of 20.00 feet; THENCE North 14°20'17" East, a distance of 41.85 feet; THENCE South 75°39'43" East, a distance of 20.00 feet, to the POINT-OF-BEGINNING. (Subject tract containing 837 square feet, more or less.)

Proposed Easement

