CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

June 10, 2025

Pinnacle Builders, LLC
1551 N. Waterfront Pkwy. Ste., 110
Wichita, KS 67206

Ref: VAC2025-00012: Vacation request in the City to vacate an entire pipeline easement on property zoned SF-5 Single-Family Residential District; generally located one-block west of North Webb Road, within one-half mile south of East 29th Street North (9422 Woodspring Ct.).

Dear Applicant,

At the **Tuesday, June 10, 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,

Philip Zevenbergen
Current Plans
Division Manager

Wichita-Sedgwick County Metropolitan Area Planning Department

May 8, 2025

Pinnacle Builders, LLC
1551 N. Waterfront Pkwy. Ste., 110
Wichita, KS 67206

Ref: VAC2025-00012: Vacation request in the City to vacate an entire pipeline easement on property zoned SF-5 Single-Family Residential District; generally located one-block west of North Webb Road, within one-half mile south of East 29th Street North (9422 Woodspring Ct.).

Dear Applicant,

At the **Thursday, May 8, 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) Provide Planning with a legal description of the vacated portion of the pipeline 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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, June 10, 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,

Philip Zevenbergen
Current Plans
Division Manager

5. The vacation of the described pipeline easement dedicated by separate instrument, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of June 2025, ordered that the above-described pipeline easement dedicated by separate instrument 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 Leeker, 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 PIPELINE EASEMENT DEDICATED BY SEPARATE INSTRUMENT	)	
GENERALLY LOCATED ONE-BLOCK WEST OF NORTH WEBB ROAD AND WITHIN ONE-HALF MILE SOUTH OF EAST 29TH STREET NORTH	)	**VAC2025-00012**

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 10th day of June 2025, comes on for hearing the petition for vacation filed by Pinnacle Builders, LLC (owner) praying for the vacation of a portion of a pipeline easement dedicated by separate instrument, to wit:

Portion of the building setback to be vacated:
The East 4 feet of the West 30 feet of the North 6 feet of the South 17 feet of Lot 3, Block 22, Purcell's Eleventh Addition, Wichita, Sedgwick County, Kansas.

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 April 17, 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 pipeline easement dedicated by separate instrument, 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.

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 pipeline easement dedicated by separate instrument, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of June 2025, ordered that the above-described pipeline easement dedicated by separate instrument 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 Leeker, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

McClatchy

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	Cols	Depth
16399	653253	Print Legal Ad-IPL02274940 - IPL0227494		2	76 L

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

MHEBERT@wichita.gov

MAPC/BZA May 8, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, May 8, 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.**

BZA2025-00019: Variance request in the City to allow a rooftop sign on property zoned CBD Central Business District and the National Register of Historic Places, generally located on the southwest corner of East Douglas Avenue and South Broadway Avenue (105 South Broadway).

BZA2025-00021: Variance request in the City to reduce the rear setback to 1 foot and the side setback to 4 feet on property zoned SF-5 for accessory sheds and a carport, generally located on the west side of North Park Place, within 400 feet north of West 30th Street North (3135 North Park Place).

CON2025-00062: Conditional Use request in the City to allow Entertainment Establishment (with ZON2025-00013), generally located on the southwest corner of West Saint Louis Avenue and North West Street (445 North West Street).

CON2025-00064: Conditional Use request in the City for Animal Care, Limited; generally located within one-block north of East Waterman Street and on the west side of South Hillside Avenue (223 South Hillside Avenue).

CUP2025-00014: Amendment to CUP DP-200 to allow Personal Improvement Services on Parcel 4; generally located on the south side of East 21st Street North and within 400 feet west of North Webb Road (9449 East 21st Street North).

PUD2025-00004: Zone Change request in the City from LC Limited Commercial District to PUD Planned Unit Development to create the Falcon Crest PUD #139 for residential infill, generally located on the northwest corner of West Burton Avenue and South Meridian Avenue.

PUD2025-00005: Amendment to Planned Unit Development #78 to allow one (1) LED sign measuring 4' x 50' on the north (side) elevation on the third floor of the residential building, generally located on the east side of North Fairmount Avenue, within 350 feet south of East 17th Street North.

VAC2025-00012: Vacation request in the City to vacate an entire pipeline easement on property zoned SF-5 Single-Family Residential District, generally located one block west of North Webb Road, within one-half mile south of East 29th Street North (9422 Woodspring Court).

VAC2025-00013: Vacation request in the City of a platted drainage easement, located approximately 750 feet north of the intersection of E. Central Avenue and N. Greenwich Road (600 N. Greenwich Rd.).

ZON2025-00012: Zone Change request in the City from B-Multi-Family Residential to LC-Limited Commercial to allow for warehousing and parking, generally located 200-feet north of East 1st Street North on the west side of North Ash Street (213 N Ash St.).

ZON2025-00013: Zone Change request from B Multi-Family Residential to LC Limited Commercial (with CON2025-00062) to allow for Personal Care Service and Entertainment Establishment in the City, generally located on the southwest corner of West Saint Louis and North West Street (445 North West Street).

ZON2025-00015: Zone Change request in the City from SF-5 Single Family Residential to GC General Commercial District; located within one-quarter mile north of East Central Avenue and on the east side of North Greenwich Road (600 North Greenwich Road).

ZON2025-00016: Zone Change request in the City from SF-5 Single Family Residential and GC General Commercial District to CBD Central Business District; located on the southeast corner of West Maple Street and South Osage Street (721 West Maple Street).
IPL0227494
Apr 16 2025

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

1 insertion(s) published on:
04/16/25

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 04/16/2025 to 04/16/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/16/2025

Amy Robbins

Notary Public in and for the state of South Carolina, residing in Beaufort County

AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
May 8, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-000012 -** Request to vacate a portion of a pipeline easement dedicated by separate instrument.

OWNER/APPLICANT: Pinnacle Builders, LLC (Applicant)

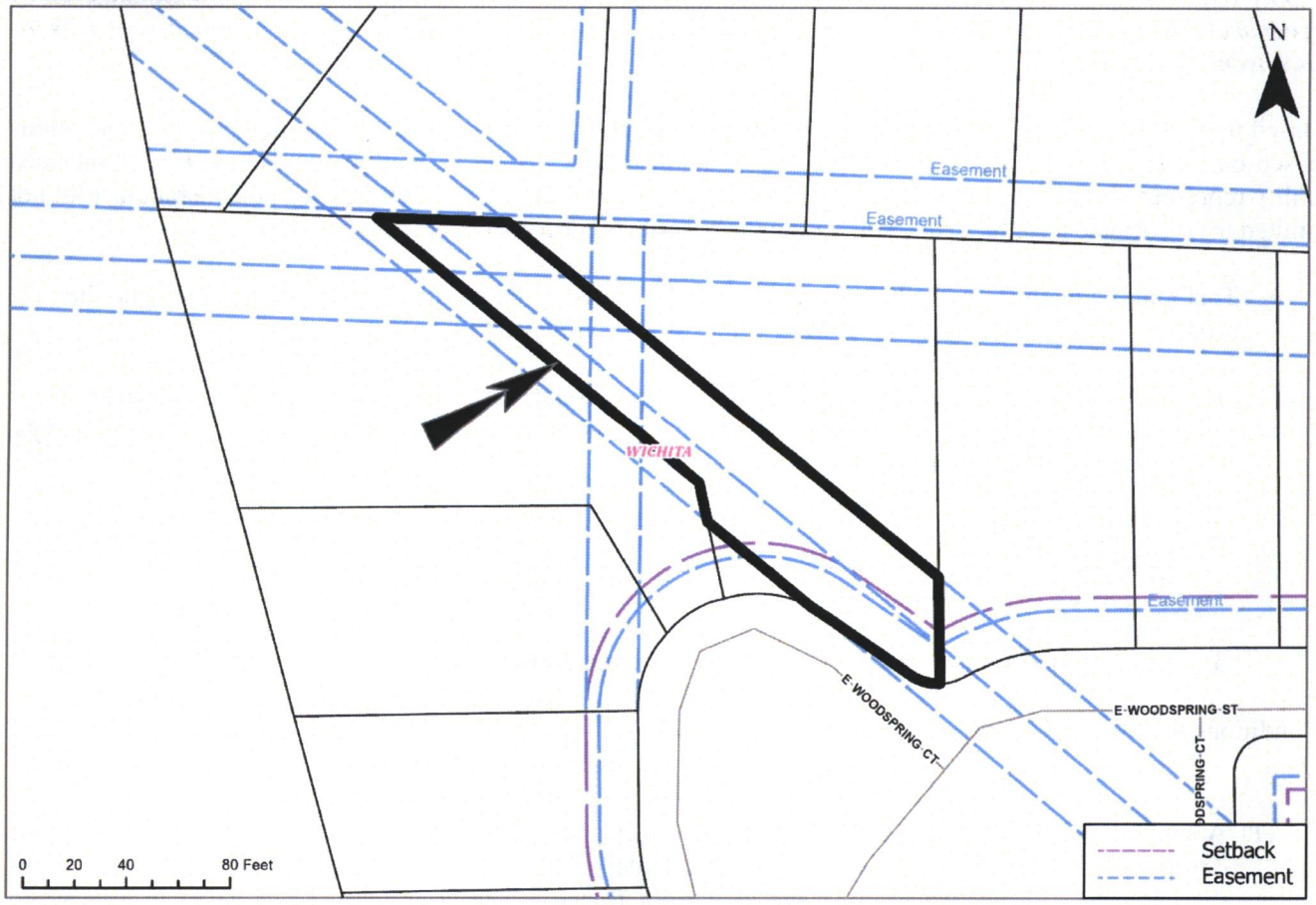
LEGAL DESCRIPTION: Vacating the entire 40-foot pipeline easement recorded on Misc. Book 444 pg. 182 platted diagonally across Lot 6, Block 1, Woodspring 3rd Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located one block west of North Webb Road and within one-half mile south of East 29th Street North (9422 E. Woodspring Ct.). (WCC II).

REASON FOR REQUEST: To allow construction of a dwelling.

CURRENT ZONING: The subject site and all surrounding properties are zoned SF-5 Single-Family Residential District with CUP DP-96. The subject site is undeveloped. All surrounding properties are developed with single-family dwellings.

VICINITY MAP:



The applicant proposes to vacate the entire 40-foot pipeline easement recorded on Misc. Book 444 pg. 182 and platted diagonally across Lot 6, Block 1, Woodspring 3rd Addition. The subject site is zoned SF-5 Single-Family Residential District with CUP DP-96 and undeveloped. The subject site is generally located one-block west of North Webb Road and within one-half mile south of East 29th Street North (9422 E. Woodspring Ct.). The applicant initiated the vacation application upon receiving documentation that the owner of the subject pipeline easement had released it (see attached). If approved the applicant intends to construct a single-family dwelling. The Woodspring 3rd Addition was recorded on October 6, 1986.

The subject pipeline is not identified on the CUP drawing, therefore, no adjustment to the CUP will be necessary. In addition to the subject pipeline easement, Lot 6 was platted with a 40-foot (and associated 50-foot pipeline setback) along the north property line, a platted 20-foot storm drainage & utility easement along the western side of the property, and a platted 20-foot front building setback along E. Woodspring Ct. All said encumbrances will remain and are not part of the vacation request.

There are no public utilities in the subject portion of the easement. Wichita Public Works, Fire, Stormwater, and Traffic Engineering do not object to the request. Comments from franchised utilities have been received. Neither Cox, Evergy, nor Kansas Gas have any lines or equipment in the vacation area and do not object to the request.

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 pipeline 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 April 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 pipeline easement by separate instrument 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 pipeline 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.

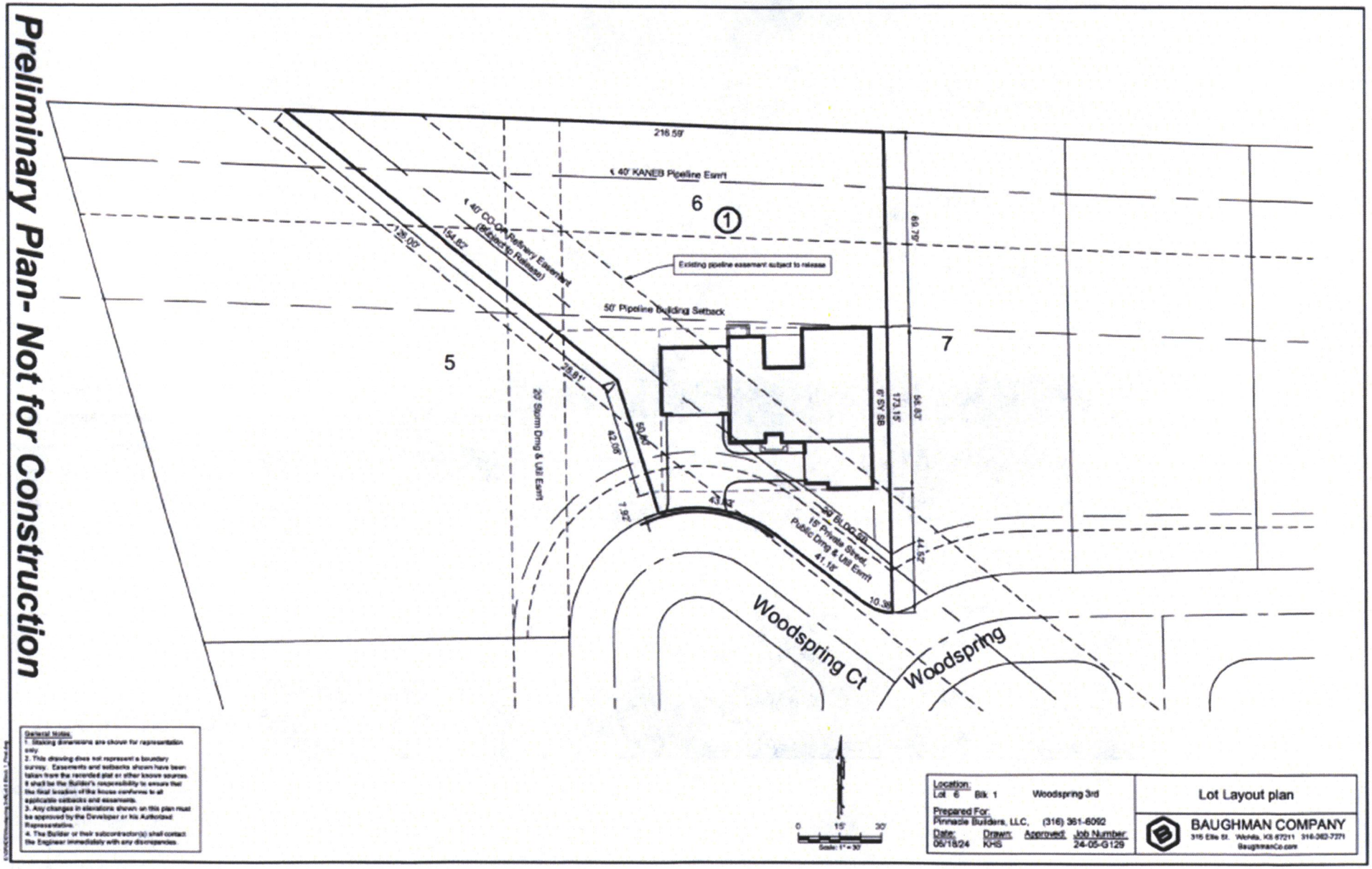
(4) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken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

Vacation Exhibit



Aerial Map


VAC2025-12
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
WICHITA
E WOODSPRING CT
E WOODSPRING ST
E WOODSPRING CT

Pipeline Release

Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30331211
Receipt #: 2441736 Recording Fee: $55.0
Pages Recorded: 3
Authorized By: Tonya Buckingham
Cashier: cwitchf
Date Recorded: 08/30/2024 01:53:56 PM

Return to: Coffeyville Resources Crude Transportation, LLC
c/o ROW Department
101 S. Willow St.
Pauls Valley, OK 73075

PARTIAL MUTUAL RELEASE OF RIGHT OF WAY AND EASEMENT

STATE OF KANSAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF SEDGWICK)

THIS MUTUAL RELEASE OF RIGHT OF WAY AND EASEMENT is made effective the 15th day of June, 2024, by and between Coffeyville Resources Crude Transportation, LLC ("CRCT"), a limited liability company organized under the laws of the State of Delaware, and Pinnacle Builders, LLC ("Landowner"), an individual.

WITNESSETH:

WHEREAS, on the 15th day of October 1948, Charles D. Mahlandt and Freida G. Mahlandt, husband and wife, executed and delivered to Cooperative Refinery Association, its successors and assigns, a certain RIGHT OF WAY CONTRACT, for the following described lands, to wit:

The Northeast Quarter of Section 5, Township 27 South, Range 2 East, (the "Easement")

said Easement being filed of record 15th day of October 1948 Volume 241, Page 483 in Sedgewick County, Kansas.

WHEREAS, the real property upon which all of the Easement is located is currently owned by Landowner, and Landowner represents and warrants to CRCT that it is the true and lawful owner of the surface estate on which the Easement is located and agrees to fully defend, indemnify, and to hold CRCT harmless from any claims whatsoever by any other party(s), including any surface owners, claiming an ownership interest in the real property upon which the Easement is located.

WHEREAS, through a series of conveyances CRCT now owns the rights to the Easement.

WHEREAS, to the extent there exists a pipeline and any related appurtenances whatsoever, including but not limited to above-ground valve sites, located in the Easement, said pipeline and appurtenances are no longer in use (collectively, the "Abandoned Pipeline") and it is the intent of CRCT to abandon in place said Abandoned Pipeline; and

WHEREAS, it is the intent of CRCT to fully and unconditionally release the Easement and Abandoned Pipeline on Landowner's property, more particularly described as:

Lot 6, Block 1 of the Woodspring 3rd Addition to the City of Wichita lying in The Northeast Quarter of Section 5, Township 27 South, Range 2 East (the "Release Area")

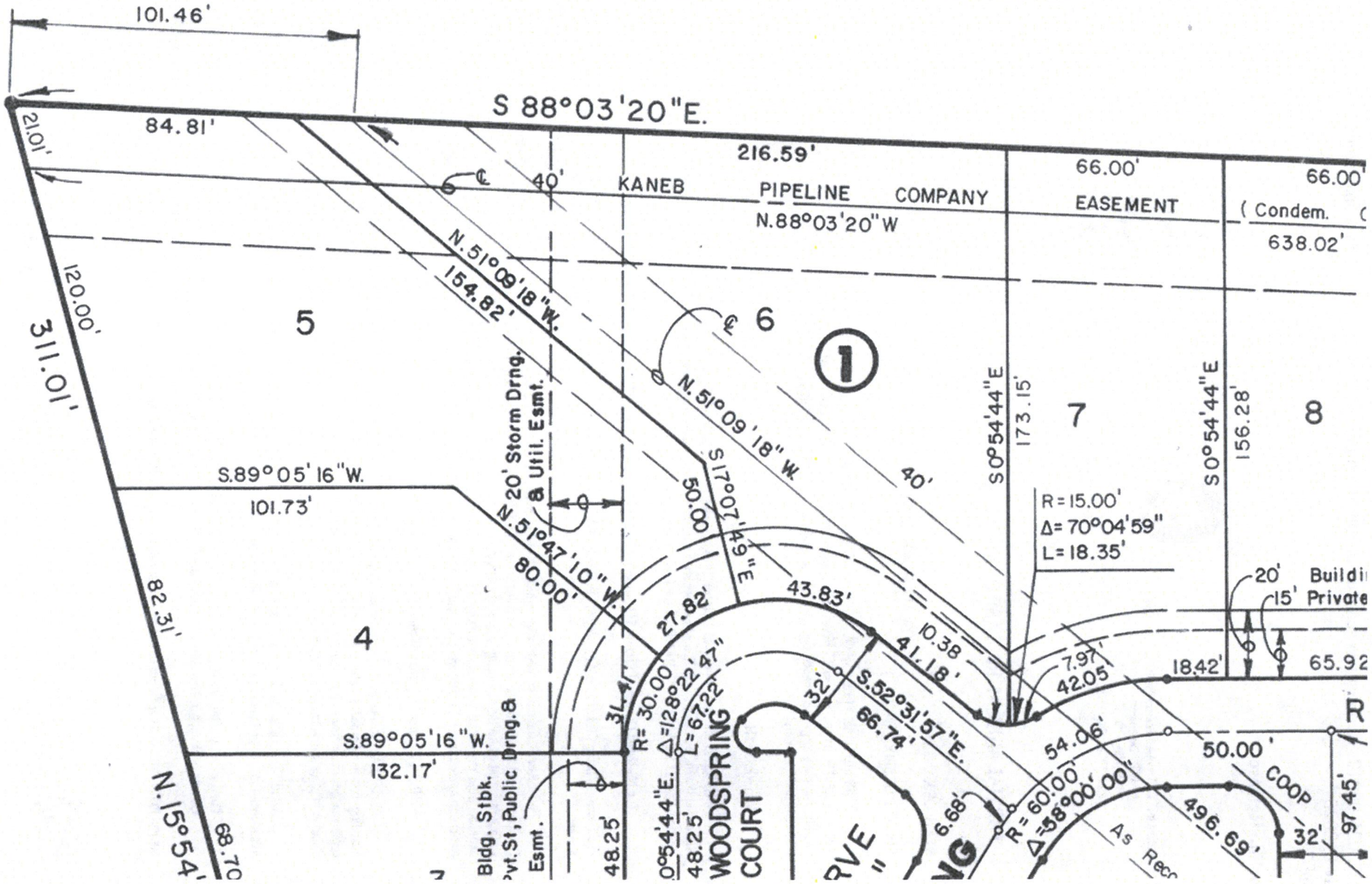
subject to the terms and conditions of this Mutual Release of Right of Way and Easement; and

UNOFFICIAL COPY

55.00 Sec/St check

Kristy Clark

Plat Detail


101.46'
S 88°03'20"E.
84.81'
21.01'
216.59'
66.00'
66.00'
℄ 40'
KANEB PIPELINE COMPANY
EASEMENT
(Condem.
N.88°03'20"W
638.02'
N.51°09'18"W.
154.82'
120.00'
311.01'
5
6
1
7
8
℄
N.51°09'18"W.
40'
S0°54'44"E
173.15'
S0°54'44"E
156.28'
20' Storm Drng. & Util. Esmt.
S.89°05'16"W.
101.73'
N.51°47'10"W.
80.00'
S17°07'49"E
50.00'
R=15.00'
Δ=70°04'59"
L=18.35'
20' Buildi
15' Private
82.31'
4
27.82'
43.83'
10.38'
41.18'
7.97'
42.05'
18.42'
65.92
S.89°05'16"W.
132.17'
R=30.00'
Δ=128°22'47"
L=67.22'
31.41'
32'
S.52°31'57"E.
66.74'
54.06'
50.00'
COOP
N.15°54'
68.70
Bldg. Stbk.
Pvt. St, Public Drng.&
Esmt.
48.25'
0°54'44"E.
48.25'
WOODSPRING
COURT
6.68'
R=60.00'
Δ=58°00'00"
496.69'
32'
97.45'
As Recr

Return to: Coffeyville Resources Crude Transportation, LLC
c/o ROW Department
101 S. Willow St.
Pauls Valley, OK 73075

WHEREAS, it is the intent of Landowner, its successors and assigns, to fully and unconditionally release CRCT from any and all claims and liabilities of every kind and character associated with the Easement and Abandoned Pipeline, including any and all claims and liabilities associated with abandoning in place.

NOW, THEREFORE, for and in good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CRCT does by these presents fully and unconditionally release, relinquish, and surrender, all of its right, title, and interest in, under and by virtue of the Easement and Abandoned Pipeline insofar and only to the extent that said Easement and Abandoned Pipeline affect Landowner's property;

AND FURTHERMORE, Landowner, its successors and assigns, for the above-mentioned consideration received, does hereby fully and unconditionally release CRCT from any and all claims of every kind of character that Landowner, its successors and assigns may have or claim to have against CRCT, it being the intent of this Mutual Release of Right of Way and Easement to fully discharge any and all rights, demands or cause of action accrued or hereafter accruing, attributable to, growing out of or in any manner connected to the Easement and Abandoned Pipeline, including abandoning in place.

IN WITNESS THEREOF, CRCT and Landowner have hereunto set their hands the date first above written.

Coffeyville Resources Crude Transportation, LLC

Signature: Don Sloan

Title: VP & Pipeline

Pinnacle Builders, LLC

Signature:

Print Name: Rich Rhea Managing Partner

UNOFFICIAL COPY

Return to: Coffeyville Resources Crude Transportation, LLC
c/o ROW Department
101 S. Willow St.
Pauls Valley, OK 73075

ACKNOWLEDGEMENT

STATE OF Oklahoma)
) SS.
COUNTY OF Kay)

This instrument is acknowledged before me on the 12th day of June, 2024, by Don Slagle, as VP of Pipeline of Coffeyville Resources Crude Transportation, LLC, a Delaware limited liability company.

Notary Public
Commission No.: 21007931

My Commission Expires:

06-15-25

ACKNOWLEDGEMENT

STATE OF Kansas)
) SS.
COUNTY OF Sedgwick)

This instrument is acknowledged before me on the 27 day of August, 2024, by Rich Rhea, Landowner.
managing partner of Pinnacle Builders, LLC
vc

Notary Public
Commission No.: 1159185

My Commission Expires:

(SEAL)

KRISTY L. CLARK
NOTARY PUBLIC
STATE OF KANSAS
My Appt Exp. 4/12/27

UNOFFICIAL COPY