Wichita-Sedgwick County Metropolitan Area Planning Department

July 14, 2026

Newmarket Office, LLC
245 N. Waco Ave., Ste. 400
Wichita, KS 67202

Ref: VAC2026-00020: Vacation request in the City to vacate an unused utility easement to reduce the building setback on property zoned LC Limited Commercial District, generally located on the north side of East 21st Street North, within one-quarter mile east of North Webb Road.

Dear Applicants,

At the **Tuesday, July 14, 2026**, 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

Wichita-Sedgwick County Metropolitan Area Planning Department

June 25, 2026

Newmarket Office, LLC
245 N. Waco Ave., Ste. 400
Wichita, KS 67202

Ref: VAC2026-00020: Vacation request in the City to vacate an unused utility easement to reduce the building setback on property zoned LC Limited Commercial District, generally located on the north side of East 21st Street North, within one-quarter mile east of North Webb Road.

Dear Applicant,

At the **Thursday, June 25, 2026**, 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 portions of the utility easement and building setback 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, July 14, 2026**. 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 #: 2026-041742
Date Recorded: 07/21/2026 09:08:21 AM
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 AND BUILDING SETBACK	)	
GENERALLY LOCATED NORTH OF EAST 21ST STREET NORTH AND WITHIN 1,000 FEET EAST OF NORTH WEBB ROAD	)	**VAC2026-00020**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 14th day of July, 2026, comes on for hearing the petition for vacation filed by Newmarket Office, LLC (owners), praying for the vacation of described portion of a utility easement and building setback, to wit:

Legal Description of Building Setback to be Vacated:
The west 20.00 feet of the east 55.00 feet, Lot 3, Block 1, Tallgrass East Commercial 2nd Addition, Wichita, Sedgwick County, Kansas, EXCEPT the south 35.00 feet thereof.

Legal Description of Utility Easement to be Vacated:
The west 10.00 feet of the east 55.00 feet, Lot 3, Block 1, Tallgrass East Commercial 2nd Addition, Wichita, Sedgwick County, Kansas, EXCEPT the south 20.00 feet thereof.

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 4, 2026, 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 portion of a utility easement and building setback, 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 portion of a utility easement, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 14th day of July, 2026, ordered that the described portion of a utility easement and building setback 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:

Shnita Rice, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
June 25, 2026

STAFF REPORT

CASE NUMBER: **VAC2026-00020 -** Request to vacate a utility easement and building setback.

OWNER/APPLICANT: Newmarket Office, LLC (Applicant) / Baughman Company, P.A. (Agent)

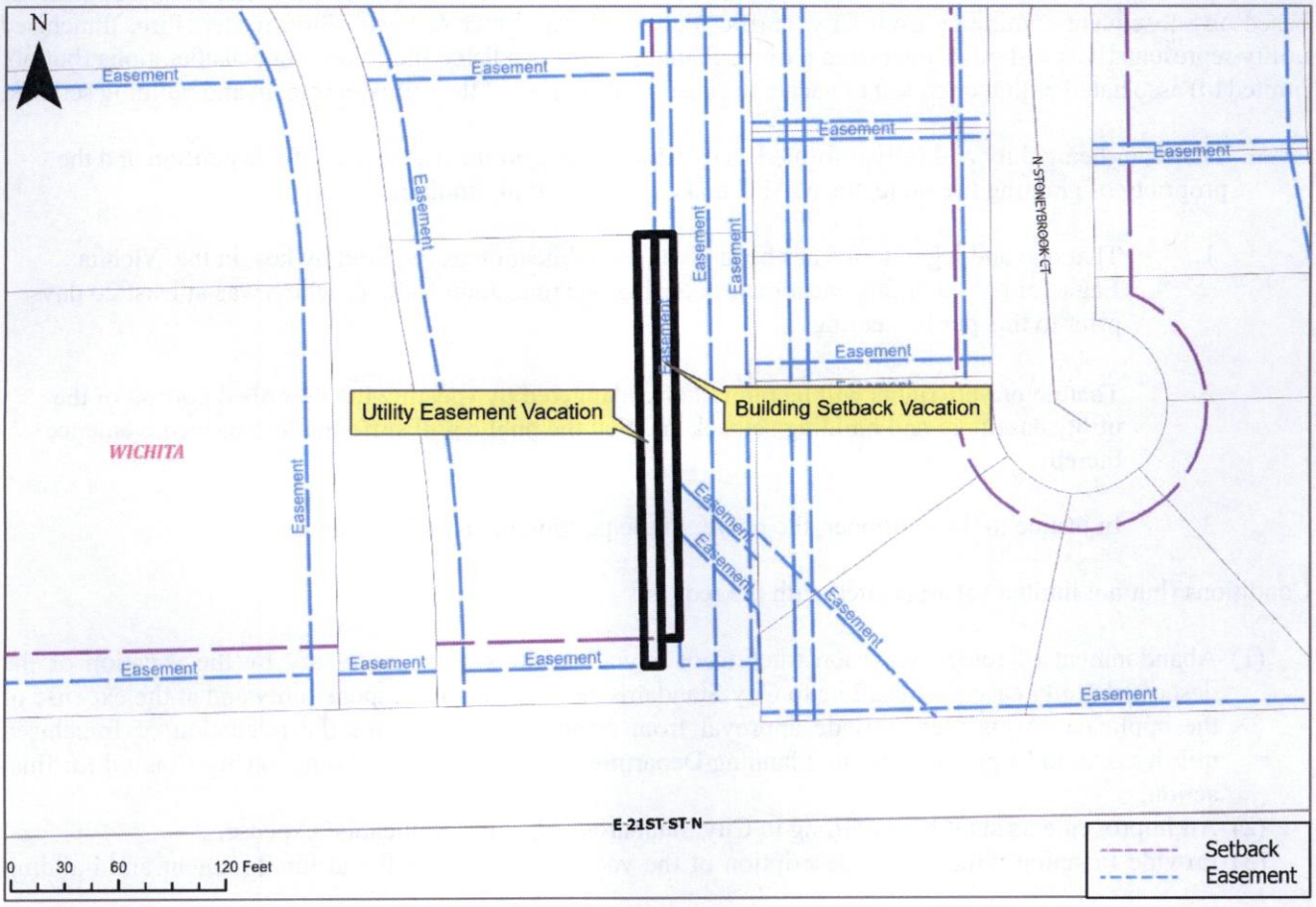
LEGAL DESCRIPTION: Generally described as vacating a 20-foot portion of a building setback and a 10-foot utility easement on Lot 3, Block 1, Tallgrass East Commercial 2nd Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located north of East 21st Street North and within 1,000 feet east of North Webb Road.

REASON FOR REQUEST: To remove encumbrances to development since the pipeline easement was released.

CURRENT ZONING: The subject site is zoned LC Limited Commercial District (LC) with CUP DP-168 and is undeveloped.

VICINITY MAP:



The applicant proposes to vacate a 20-foot portion of a building setback and a 10-foot utility easement running north-south across Lot 3, Block 1, Tallgrass East Commercial 2nd Addition. The site is generally located north of East 21st Street North and within 1,000 feet east of North Webb Road. The subject site is zoned LC Limited Commercial District (LC) with CUP DP-168 and is undeveloped. The easement and setback are shown on the face of the CUP drawing; therefore a CUP adjustment will be necessary. The purpose of the vacation is remove encumbrances to development since the pipeline easement was released. 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 within the subject easement. Wichita Public Works & Utilities, Fire, Stormwater, or Traffic Engineering do not object to this vacation. Comments from franchised utilities have been received. Black Hills Energy, Cox, and Evergy have no objection to this vacation. Standard language will apply: **any relocation or removal of existing equipment will need to be discussed and will be at the applicant's expense.**

The Tallgrass East Commercial 2nd Addition was recorded on August 3, 2016.

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 and building 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 4, 2026, 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 building setback 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 portions of the utility easement and building

setback 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.

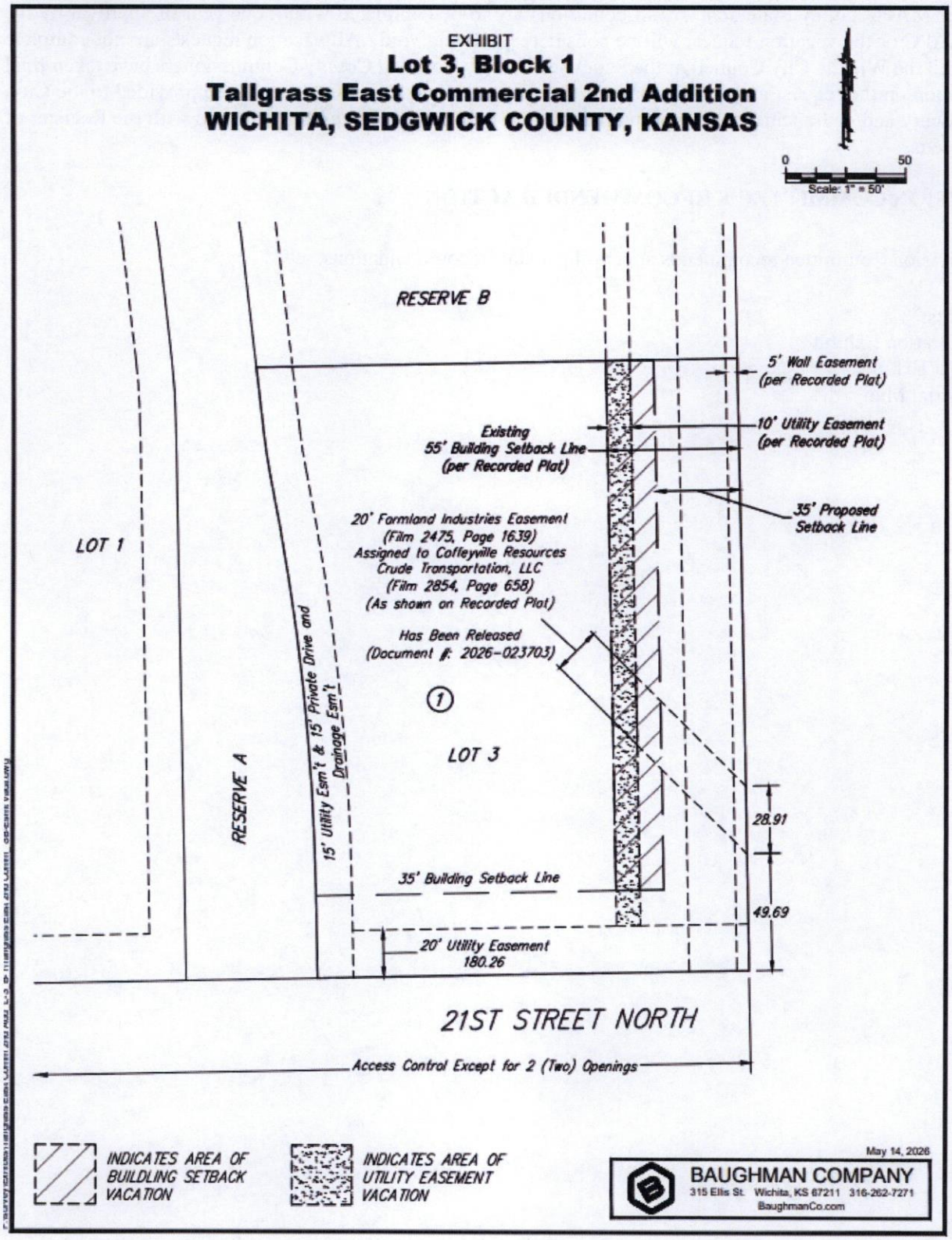
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

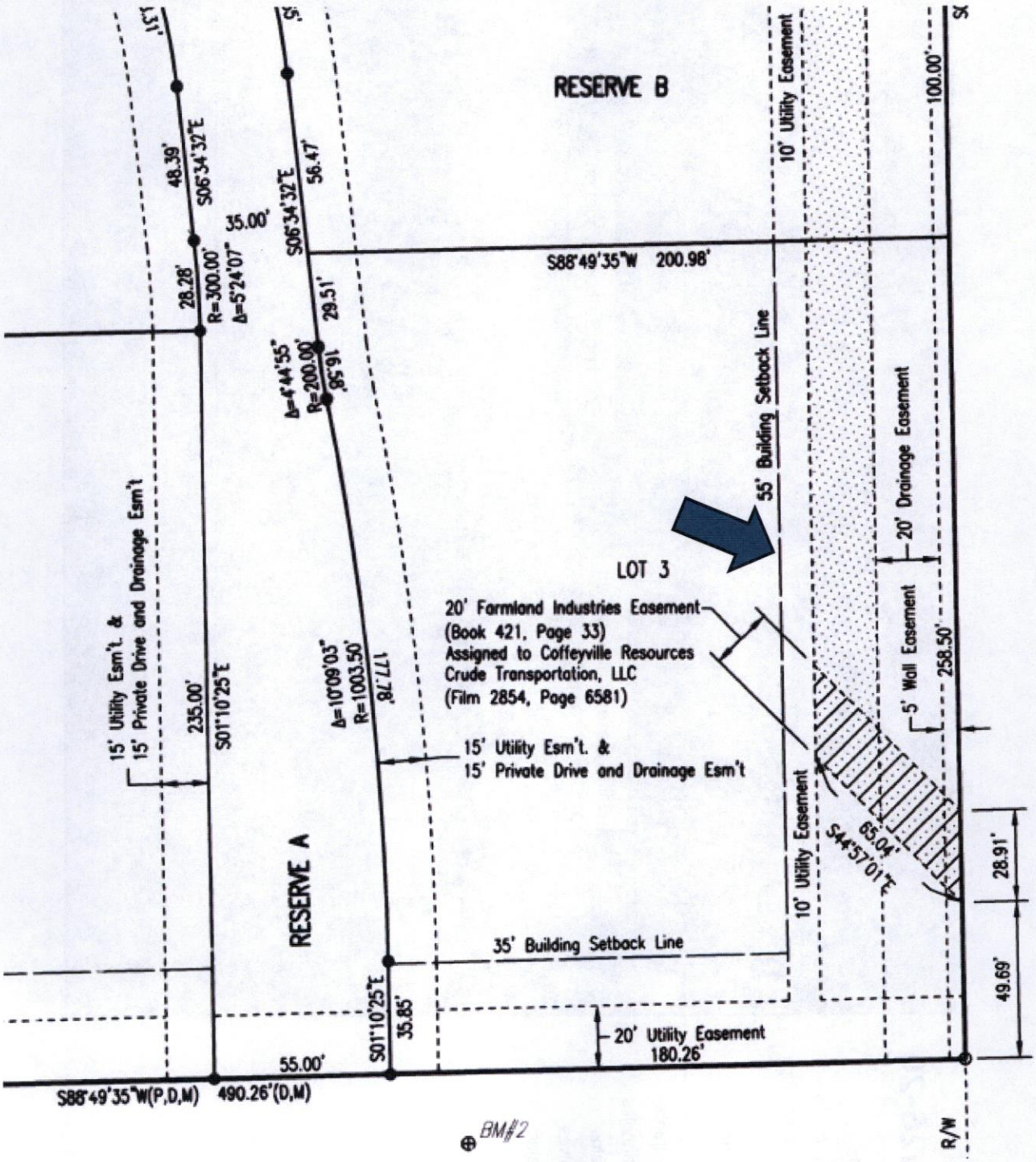
Attachments:

1. Vacation Exhibit
2. Plat Exhibit
3. Aerial Map

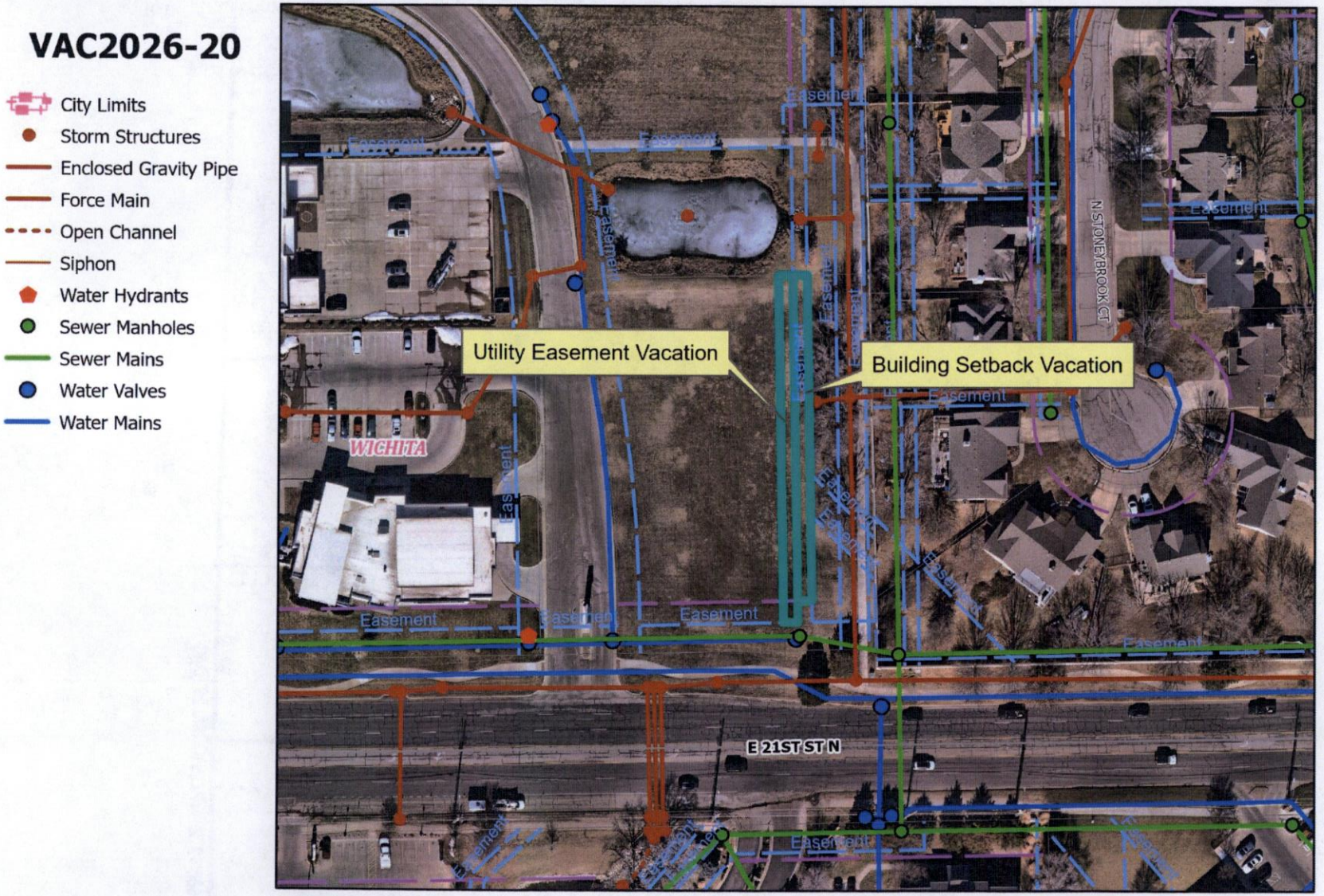
Vacation Exhibit



Plat Exhibit



Aerial Map


VAC2026-20
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
Utility Easement Vacation
Building Setback Vacation
WICHITA
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Easement