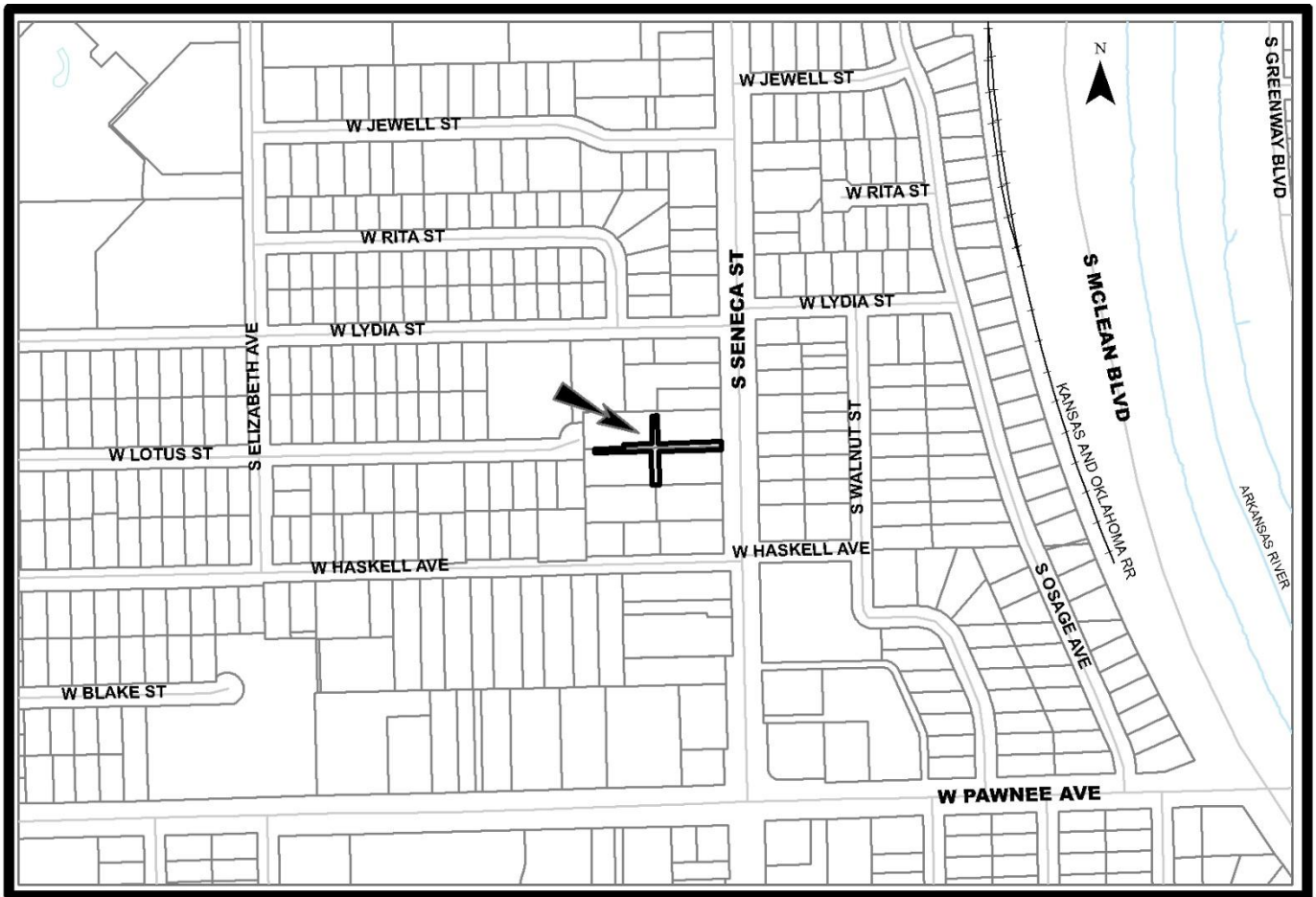


STAFF REPORT

- CASE NUMBER:** VAC2018-00027 - City Vacation of 16-foot platted utility easement
- OWNER/APPLICANT:** Car Par Property I LLC; O'Reilly Auto Enterprises, LLC; Edsel Remainder I, LLC (Applicant) Anderson Engineering Inc. (Agent)
- LEGAL DESCRIPTION:** See Attached
- LOCATION:** Generally located northwest of South Seneca Street and West Pawnee Avenue (2219 South Seneca)
- REASON FOR REQUEST:** To allow for the construction of a building addition
- CURRENT ZONING:** LC Limited Commercial
- VICINITY MAP:**



The applicant has requested the vacation of a portion of the 16-foot platted utility easement on property addressed 2219 South Seneca. The applicant would like to construct a building addition on the property requiring the vacation of a portion of the easement.

There are no public utilities located within the easement. Westar has no objections to this vacation. The Simon Addition and Redburn Addition were recorded April 23, 2009.

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 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 November 15, 2018, 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) If any utility services are found to be located within the area of the proposed Vacation, these services shall be relocated at the owner's expense, to city standards, and the applicant shall provide Planning with the dedication of utility easements by separate instruments to go with the Vacation Order to be filed with the Register of Deeds. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place.
- (2) 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.

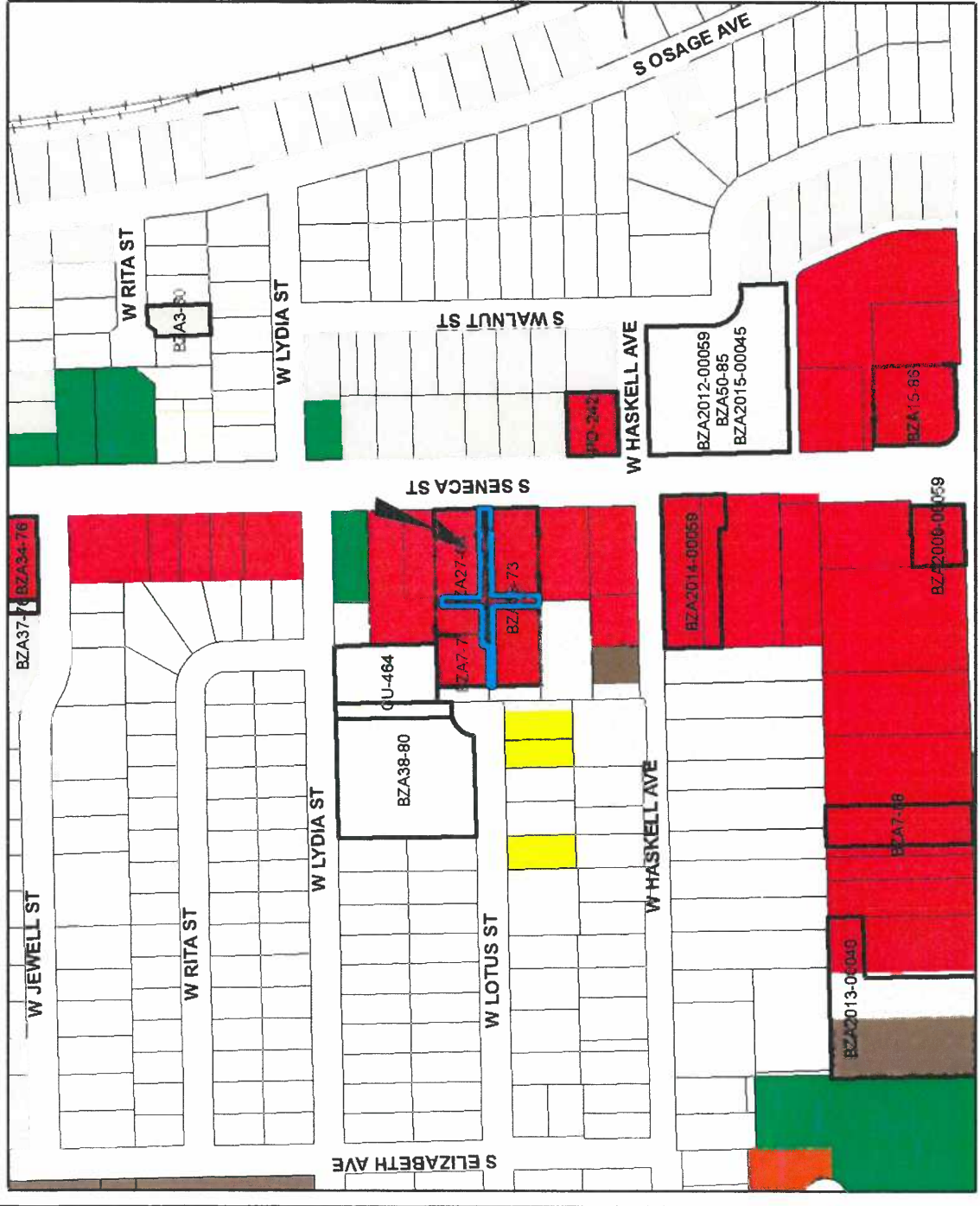
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

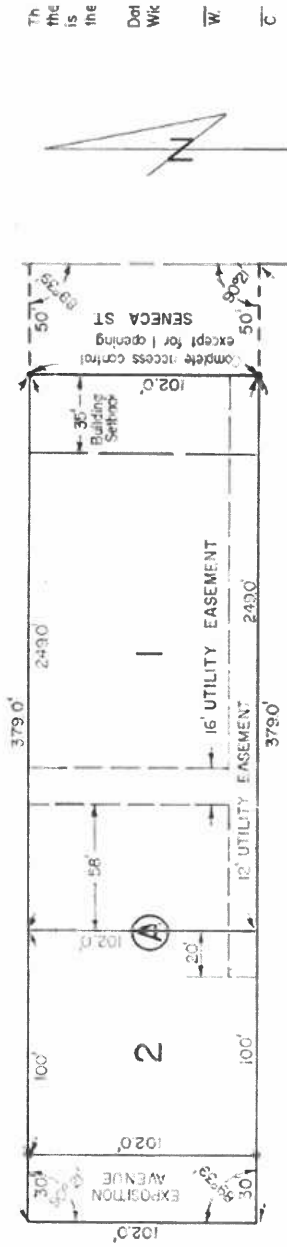


ZONING

- RR
- SF-20
- SF-10
- SF-5
- TF-3
- MF-18
- MF-29
- B
- MH
- NO
- GO
- NR
- LC
- GC
- CBD
- OW
- IP
- LI
- IP-A
- GI
- AFB
- U
- PUD
- AIRPORT
- OLD TOWN



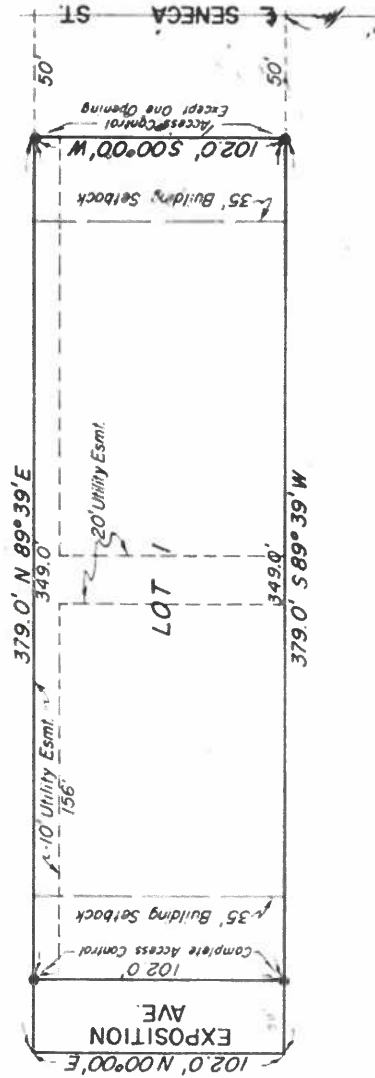
SIMON ADDITION
TO
WICHITA, SEDGWICK COUNTY, KANSAS



This plat is filed with the Sedgwick County Clerk's Office for recording.



REDBURN ADDITION
TO WICHITA, SEDGWICK COUNTY, KANSAS



We, the undersigned, being the duly qualified and authorized officers of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the Secretary of State.

Union Notary Public
attest
Norman Marjor

STATE OF KANSAS
Secretary of State

DESCRIPTION:

PART OF LOT 1 REDBURN ADDITION, A SUBDIVISION OF LAND IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF, AND PART OF LOTS 1 & 2, SIMON ADDITION, A SUBDIVISION OF LAND IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF, BEING ALL OR PART OF THE PLATTED EASEMENTS LYING WITHIN SAID LOTS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 IN REDBURN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 88°29'18" WEST, 173.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 88°29'18" WEST, 20.00 FEET; THENCE LEAVING SAID SOUTH LOT LINE, NORTH 01°09'42" WEST, 92.00 FEET; THENCE SOUTH 88°29'18" WEST, 156.00 FEET, TO THE EAST RIGHT-OF-WAY OF VACATED EXPOSITION AVENUE; THENCE ALONG SAID EAST LINE, NORTH 01°09'42" WEST, 10.00 FEET, TO THE NORTHWEST CORNER OF LOT 1 IN SAID SUBDIVISION, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 2 IN SIMON ADDITION; THENCE ALONG THE SOUTH LINE OF SAID LOT 2, NORTH 88°29'18" EAST, 80.00 FEET; THENCE LEAVING SAID SOUTH LOT LINE, NORTH 01°09'42" WEST, 12.00 FEET; THENCE NORTH 88°29'18" EAST, 78.00 FEET; THENCE NORTH 01°09'42" WEST, 76.20 FEET; THENCE NORTH 88°52'54" EAST, 16.00 FEET; THENCE SOUTH 01°09'42" EAST, 76.09 FEET; THENCE NORTH 88°29'18" EAST, 175.00 FEET, TO THE EAST LINE OF LOT 1 IN SAID SUBDIVISION; THENCE ALONG SAID LOT LINE, SOUTH 01°09'42" EAST, 22.00 FEET; THENCE LEAVING SAID LOT LINE, SOUTH 88°29'18" WEST, 173.00 FEET; THENCE SOUTH 01°09'42" EAST, 92.00 FEET, TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 27 SOUTH, RANGE 1 EAST, SEDGWICK COUNTY, KANSAS. CONTAINING 0.224 ACRES, MORE OR LESS.