



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

April 10, 2025

Wondering Oaks, LLC
Attn: Brock Beran
8401 E. Oak Knoll
Wichita, KS 67207

Ref: VAC2024-00040: Vacation request in the County to vacate a platted drainage easement on property zoned RR Rural Residential District, generally located within one-half mile east of South Greenwich Road and within one-half mile south of East 47th Street North.

Dear Applicant,

At the **Wednesday, April 9, 2025**, meeting of the Sedgwick County Board of County Commissioners, the above-referenced vacation request was **approved**.

If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen
Current Plans
Division Manager

PZ: JM



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

September 12, 2024

Wondering Oaks, LLC
Attn: Brock Beran
8401 E. Oak Knoll
Wichita, KS 67207

Ref: VAC2024-00040: Vacation request in the County to vacate a platted drainage easement on property zoned RR Rural Residential District, generally located within one-half mile east of South Greenwich Road and within one-half mile south of East 47th Street North.

Dear Applicant,

At the **Thursday, September 12, 2024**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Per the approval of County Public Works, vacate the described portion of the platted drainage easement. Provide planning staff with legal descriptions of the approved drainage easement on a Word document via e-mail to be used on the Vacation Order. The legal descriptions must be provided to planning staff prior to the case going to the Sedgwick County Board of County Commissioners for final action.
- (2) Per County Public Works, a cross-lot drainage agreement between Lots 3 and 4, Block 3, Estates at Wandering Oaks Addition and shall include language that prevents the property owner of Lot 4 from berming, blocking, or obstructing the natural flow of runoff from Lot 3 to Lot 4. The document shall be provided to Planning prior to the case going to the Sedgwick County Board of County Commissioners for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be to County Standards and the responsibility of the owner and at the expense of the owner, including the relocation of any power poles, equipment, or public utilities and drainage. Provide approval from those utilizes of any relocation of those impacted utilities prior to the case going to the Sedgwick County Board of County Commissioners for final action.
- (4) All improvements shall be according to County Standards and at the applicant's expense.
- (5) 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.

VAC2024-00040: Vacation request in the County to vacate a platted drainage easement on property zoned RR Rural Residential District, generally located within one-half mile east of South Greenwich Road and within one-half mile south of East 47th Street North.
Page 2

When all of the above conditions have been completed—namely the dedication of a new cross lot drainage agreement, this case will be scheduled for final action by the Sedgwick County Board of County Commissioners. 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,

A handwritten signature in blue ink, appearing to read "Philip Zevenbergen", with a stylized flourish extending to the right.

Philip Zevenbergen
Current Plans
Division Manager

PZ: JM

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF A
PLATTED DRAINAGE EASEMENT



Document #: 2025-013079
Date Recorded: 04/11/2025 02:10:09 PM
Pages: 2 Recording Fee: 0.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

GENERALLY LOCATED WITHIN ONE-HALF MILE
EAST OF SOUTH GREENWICH ROAD AND WITHIN
ONE-HALF MILE SOUTH OF EAST 47TH STREET
SOUTH

CASE NO. VAC2024-00040

VACATION ORDER

NOW on this 9th day of April 2025, at 9:00 o'clock A.M., comes the petition filed by Wandering Oaks, LLC, owner(s) of the subject property, praying for the vacation of the following-described portion of a platted drainage easement to-wit:

40-foot drainage easement on Lots 3 and 4, Block 3, Wandering Oaks Addition, Sedgwick County, Kansas.

UPON the filing of the petition, the Metropolitan Area Planning Commission ("Planning Commission") set the petition for hearing on September 12, 2024 at 1:30 P.M., and gave notice of said hearing by publication in the official county newspaper on August 22, 2024. On September 12, 2024, the Planning Commission held a public hearing on the petition. The Planning Commission recommends approval of the vacation requested to the Board.

After being duly advised in the premises, the Board of County Commissioners of Sedgwick County, Kansas finds that:

1. notice has been given as required by K.S.A. 58-2613 and amendments thereto;
2. no written objections have been filed with the County Clerk by adjoining properties or any municipality whose subdivisions are applicable;
3. the public will suffer no loss or inconvenience by such vacation; and
4. no private rights will be injured or endangered thereby.

[balance of this page intentionally left blank, signature page follows]

IT IS THEREFORE ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS that:

- A. the platted drainage easement described above is hereby vacated;
- B. this order shall be entered on the records of proceedings of the Board;
- C. the County Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County; and
- D. all property rights of public utilities, rights-of-ways, and easements for public service facilities then in existence and use within the vacated area shall remain and are protected.

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

Abstain
Aye
Aye
Aye
Aye

Dated this 9th day of April, 2025.

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Ryan Baty
RYAN BATY, Chairman
Commissioner, Fourth District

Peter F. Meitzner
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

Jeff Blubaugh
JEFF BLUBAUGH
Commissioner, Second District

Stephanie Wise
STEPHANIE WISE
Commissioner, Third District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Samantha Seang 3/21/25
SAMANTHA SEANG
Assistant County Counselor

IT IS THEREFORE ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS that:

- A. the platted drainage easement described above is hereby vacated;
- B. this order shall be entered on the records of proceedings of the Board;
- C. the County Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County; and
- D. all property rights of public utilities, rights-of-ways, and easements for public service facilities then in existence and use within the vacated area shall remain and are protected.

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

A08tain
AUE
AUE
AUE
AUE

Dated this 27th day of April, 2025.

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

R. B.
RYAN BATY, Chairman
Commissioner, Fourth District

Peter F. Meitzner
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

Jeff Blubaugh
JEFF BLUBAUGH
Commissioner, Second District

Stephanie Wise
STEPHANIE WISE
Commissioner, Third District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Samantha Seang 3/21/25
SAMANTHA SEANG
Assistant County Counselor



Document #: 2025-006718

Date Recorded: 03/10/2025 03:45:11 PM

Pages: 2 Recording Fee: 38.00

Sedgwick County Kansas

Tonya Buckingham,

Register of Deeds

Tonya Buckingham

RECORDED

Instrument Number: 2025-006718

Document Type: AGREEMENT

Number of Pages: 2

Recording Date and Time: 03/10/2025 3:45:11 PM

I hereby certify that this instrument was RECORDED on the date
and time stamped above in the OFFICIAL PUBLIC RECORDS of
the REGISTER OF DEEDS, Sedgwick County, Kansas.

Tonya Buckingham

Tonya Buckingham, Register of Deeds
Sedgwick County, Kansas

This cover page is PAGE 1 of your document and is part of the Official Public Record.

CROSS LOT DRAINAGE AGREEMENT

THIS AGREEMENT made this 10 day of March, 2025, by Wandering Oaks, LLC, hereinafter referred to as the "Grantor".

WHEREAS the Grantors is the owner of the Following described real estate:

Lot 3, Block 3, Estates At Wandering Oaks, Sedgwick County, Kansas

WHEREAS, the Grantors desire to provide a perpetual cross lot drainage agreement over and across Lot 4, Block 3, Estates At Wandering Oaks, Wichita, Sedgwick County, Kansas.

NOW THEREFORE, in consideration of the premises:

Grantor hereby subjects the above described real property to allow that subject lots may drain over, under, and across each other as necessary in accordance with a final drainage plan filed with the City of Wichita, and shall not berm, block, or obstruct natural flow.

This covenant shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title to the above described real property.

Owner (Lot 3 & 4, Block 3, Estates At Wandering Oaks)


Brock Beran, Owner

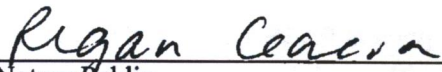
STATE OF Kansas
COUNTY OF Sedgwick

SS

BE IT REMEMBERED, that on this 10th day of March, 2025, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Brock Beran, Owner, of Wandering Oaks, LLC, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.




Notary Public

My Commission Expires 7127127

Sedgwick Co. public notice

(Published in The Ark Valley News Aug. 22, 2024.)

MAPC September 12, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, September 12, 2024, 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.

VAC2024-00040: Vacation request in the County to vacate a plat-tered 40-foot drainage easement due to changed final drainage plans on property zoned RR Rural Residential; generally located within one-half mile east of South Greenwicks Road and within one-half mile south of

East 47th Street South).

ZON2024-00039: Zone Change request in the County from SF-20 Single-Family Residential to LI Limited Industrial, generally located on the southwest corner of West Kellogg Drive and South 151st Street West.

ZON2024-00041: Zone Change request in the County from SF-20 Single-Family Residential to TF-3 Two Family Residential; generally located on the southeast corner of West Kellogg Drive and South 155th Street West.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the Wichita Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) - using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) for- mats be submitted at least 3 days prior to the MAPC meeting. The

comments should indicate which item they pertain to and be less than three (3) minutes in duration.

Email: Planning@wichita.gov
Mailing Address: Wichita - Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street - Suite 201
Wichita, KS 67202
Phone: 316.268.4421
Fax: 316.858.7764

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/Planning>.

WITNESS MY HAND on August 22, 2024

Scott Wadle, Secretary
Wichita Sedgwick County
Metropolitan Area Planning Commission

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 22nd day of August, 2024, with subsequent publications being made on the following dates:

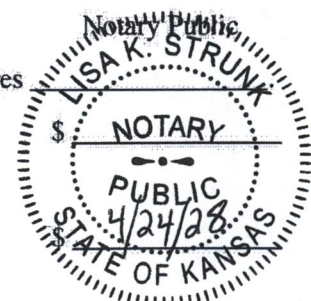
_____, 2024 _____, 2024
_____, 2024 _____, 2024
_____, 2024 _____, 2024

Subscribed and sworn to before me this 22nd day of August, 2024.

My commission expires

Additional copies

Printer's fee



METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
September 12, 2024**

STAFF REPORT

CASE NUMBER:

VAC2024-00040- Request in the County to vacate a platted 40-foot drainage easement.

APPLICANT/AGNET:

Wandering Oaks, LLC (applicant)

LEGAL DESCRIPTION:

Generally described as vacating a 40-foot platted drainage easement on Lots 3 and 4, Block 3, Estates at Wandering Oaks Addition, Sedgwick County, Kansas.

LOCATION:

Generally located within one-half mile east of South Greenwich Road and within one-half mile south of East 47th Street South.

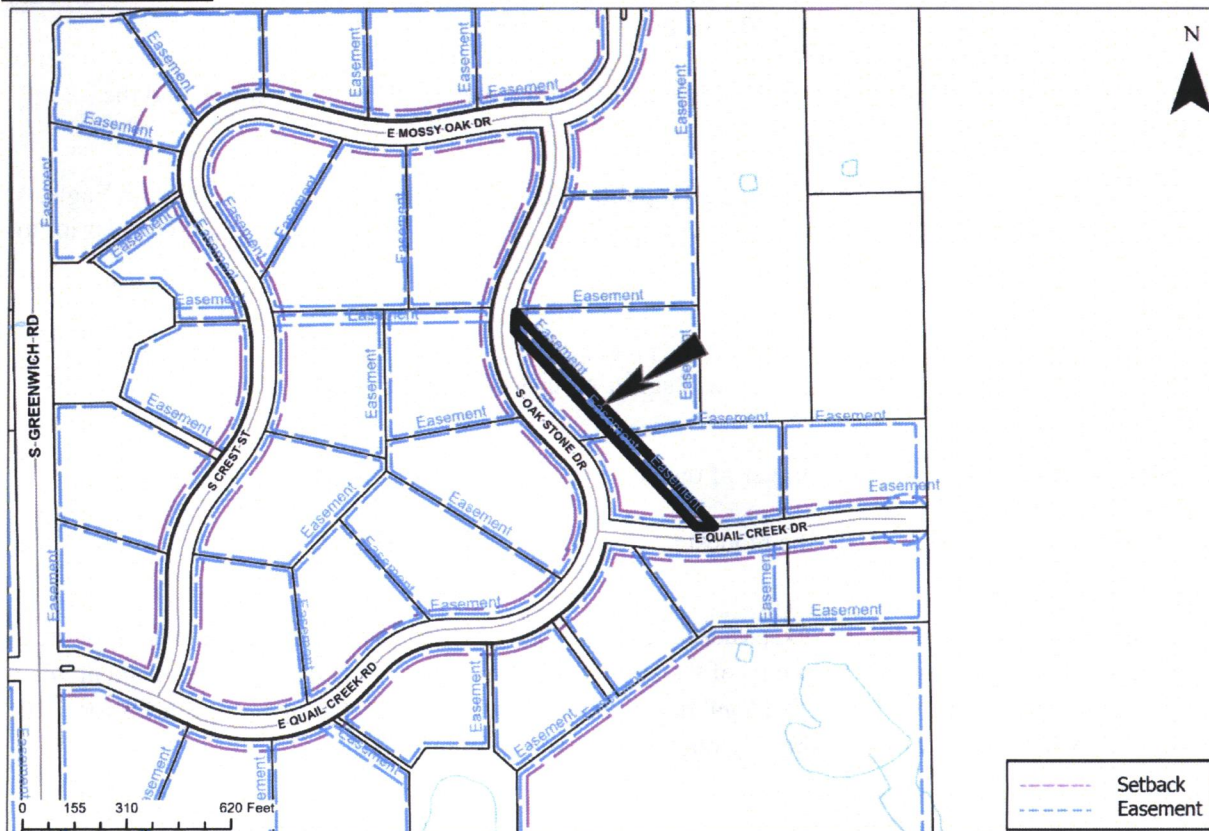
REASON FOR REQUEST:

To remove unnecessary easement.

CURRENT ZONING:

The subject site and all surrounding properties are zoned RR Rural Residential District. The subject site and properties to the north, west, and south are undeveloped residential lots. Property to the east is a large lot single-family residential development.

VICINITY MAP



The applicant is requesting to vacate a 40-foot platted pipeline easement on property zoned RR Rural Residential District (RR), located within one-half mile east of South Greenwich Road and within one-half mile south of East 47th Street South. The subject easement traverses across Lots 3 and 4, Block 3, Estates at Wandering Oaks Addition. The purpose of the request is to remove an unnecessary easement. Both subject lots are currently owned by the developer and are undeveloped.

Attached is correspondence from Sedgwick County Stormwater. A stormwater drainage review as conducted after the easement was platted. It was determined that the current drainage patterns are generally sheet flow conditions or shallow concentrated flows and the platted easement is not necessary. County Stormwater does not object to the vacation as long as a cross-lot drainage agreement between Lots 3 and 4 is signed. This is because Lot 3 drains south onto Lot 4. The cross lot drainage agreement would prevent the owner of Lot 4 from berming, blocking, or obstructing the natural flow of runoff from Lot 3 to Lot 4.

County Public Works and County Fire do not object to this vacation. Comments from franchised utilities have been received and do not object to the vacation request. Neither Evergy nor Cox have lines or equipment in the subject easement. The Estates at Wandering Oaks Addition was recorded on September 15, 2023.

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 County 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 40-foot drainage 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 August 22, 2024, 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 drainage 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) Per the approval of County Public Works, vacate the described portion of the platted drainage easement. Provide planning staff with legal descriptions of the approved drainage easement on a Word document via e-mail to be used on the Vacation Order. The legal descriptions must be provided to planning staff prior to the case going to the Sedgwick County Board of County Commissioners for final action.

- (2) Per County Public Works, a cross-lot drainage agreement between Lots 3 and 4, Block 3, Estates at Wandering Oaks Addition and shall include language that prevents the property owner of Lot 4 from berming, blocking, or obstructing the natural flow of runoff from Lot 3 to Lot 4. The document shall be provided to Planning prior to the case going to the Sedgwick County Board of County Commissioners for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be to County Standards and the responsibility of the owner and at the expense of the owner, including the relocation of any power poles, equipment, or public utilities and drainage. Provide approval from those utilizes of any relocation of those impacted utilities prior to the case going to the Sedgwick County Board of County Commissioners for final action.
- (4) All improvements shall be according to County Standards and at the applicant's expense.
- (5) 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.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1. Sedgwick County Stormwater Email Correspondence
2. Aerial Map
3. Vacation Exhibit

Sedgwick County Stormwater Email Correspondence

From: Lindebak, Scott C. <Scott.Lindebak@sedgwick.gov>
Sent: Tuesday, June 18, 2024 8:31 AM
To: Jake Vasa <jvasa@sehinc.com>
Cc: Lloyd Dorzweiler <lloyd@alphalandsurveys.com>; Raymond Bretton <raymond@alphalandsurveys.com>; Samantha Ghareeb <sghareeb@sehinc.com>; Schrant, Daniel <Daniel.Schran@sedgwick.gov>; Zevenbergen, Philip <PZevenbergen@wichita.gov>; Packer, Lynn T. <Lynn.Packer@sedgwick.gov>
Subject: RE: (EXTERNAL)Estates at Wandering Oaks - easement removal

Hello Jake,

I have reviewed the request to vacate the existing 40-ft drainage easement through Lots 3& 4, Block 3 and I am in agreement with the vacation request, subject to the developer/lot owners signing a cross lot drainage agreement between the two lots, since Lot 3 drains south onto Lot 4. The requested agreement would prevent the owner of Lot 4 from berming, blocking, or obstructing the natural flow of runoff from Lot 3 to Lot 4. I understand the current drainage patterns are generally sheet flow conditions or shallow concentrated flows and a platted confined 40-ft drainage easement is not necessary.

To vacate the platted drainage easement, a formal request/application would need to be submitted to the Wichita/Sedgwick County Planning Dept, Philip Zevenbergen and it would need to be approved by the appropriate committees and governing bodies.

If you have any questions, please let me know.

Thank you!!



Scott C. Lindebak, P.E. | Stormwater Manager | Sedgwick County Public Works
p: (316) 660-1754 | f: (316) 660-1875 | scott.lindebak@sedgwick.gov
1144 S. Sencea | Wichita, KS zip 67213 | sedgwickcounty.org

VAC2024-40

-  City Limits
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains

