



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

August 6, 2019

Professional Engineering  
Consultants P.A.  
Attn: Charlie Brown  
303 S. Topeka  
Wichita, KS 67202

**Ref:** VAC2019-00004: City Vacation of two, 10-foot utility easements to allow site improvements for a convenience store on property generally located east of South West Street and north of West Kellogg Drive (656 South West Street).

Dear Charlie,

At the Thursday, July 25, 2019, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (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. The easement shall be provided to Planning prior to VAC2019-00004 being scheduled for Wichita City Council.
- (2) A "use of right-of-way" permit shall be obtained from Public Works. Verification of this permit shall be provided to Planning prior to VAC2019-00004 being scheduled for Wichita City Council.
- (3) 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.

VAC2019-00004: City Vacation of two, 10-foot utility easements to allow site improvements for a convenience store on property generally located east of South West Street and north of West Kellogg Drive (656 South West Street).

August 6, 2019

Page 2

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after August 8, 2019 (end of the two-week protest period). 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 large, stylized flourish at the end.

Philip Zevenbergen  
Associate Planner

PZ:kw

cc: Kellogg & West LLC, Christian Ablah, 8110 E 32<sup>nd</sup> St N, Ste 150, Wichita KS 67226