



Sedgwick County  
 Register of Deeds - Tonya Buckingham  
 Doc.#/Flm-Pg: 30278152  
 Receipt #: 2406190  
 Pages Recorded: 2  
 Recording Fee: \$0.00

Cashier: e2smith  
 Date Recorded: 11/30/2023 10:32:10 AM  
 Authorized By: *Tonya Buckingham*

**BEFORE THE CITY COUNCIL OF THE  
 CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION )  
 OF PLATTED RIGHT-OF-WAY AND A PLATTED )  
 15-FOOT SETBACK )**

**GENERALLY LOCATED WITHIN ONE-QUARTER )  
 MILE WEST OF SOUTH SENECA STREET AND WITHIN )  
 ONE-HALF MILE NORTH OF WEST 47<sup>TH</sup> STREET )  
 SOUTH )**

**VAC2023-00037**

**MORE FULLY DESCRIBED BELOW**

**VACATION ORDER**

NOW on this 21st day of November 2023, comes on for hearing the petition for vacation filed by SC44-Holdings, LLC (owner) praying for the vacation of a portion of platted right-of-way and a platted 15-foot setback, to wit:

**Right-of-way**

All of the Dodge Avenue right-of-way abutting Lots 1, Block A and Lot 4, Block B, Gerald Seibel Addition, Wichita, Sedgwick County, Kansas.

**Setback**

The platted 15-foot setback along the west property line of Lot 1, Block A, Gerald Seibel 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 on September 21, 2023, 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

platted right-of-way and a platted 15-foot setback, and the public will suffer no loss or inconvenience thereby.

3. A restrictive covenant, binding the described right-of-way to Lot 1, Block A, Gerald Seibel Addition, shall be recorded along with this Vacation Order with the Register of Deeds of Sedgwick County, Kansas.

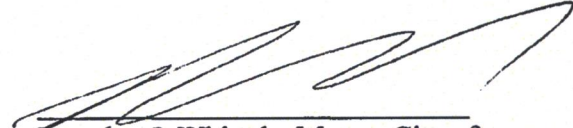
4. A 15-foot utility easement, by separate instrument, shall be dedicated along the north portion of the described right-of-way and shall be recorded along with this Vacation Order with the Register of Deeds of Sedgwick County, Kansas.

5. In justice to the petitioner, the prayer of the petitioner ought to be granted.


6. 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.

7. The vacation of the described platted right-of-way and a platted 15-foot setback should be approved.

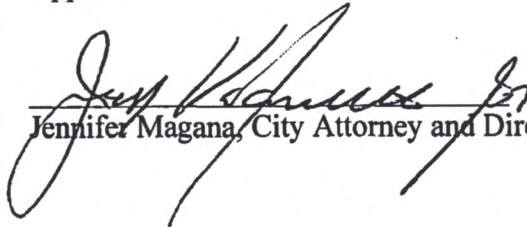
IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of November 2023, ordered that the above-described platted right-of-way and a platted 15-foot setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order, Restrictive Covenant, and Utility Easement to the Sedgwick County Register of Deeds for recording.

  
Brandon J. Whipple, Mayor, City of  
Wichita

**ATTEST:**

  
Jamie Buster, City Clerk

Approved as to Form:

  
Jennifer Magana, City Attorney and Director of Law



November 21, 2023  
VAC2023-00037

**BEFORE THE CITY COUNCIL OF THE  
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION )  
OF PLATTED RIGHT-OF-WAY AND A PLATTED )  
15-FOOT SETBACK )**

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MILE WEST OF SOUTH SENECA STREET AND WITHIN )  
ONE-HALF MILE NORTH OF WEST 47<sup>TH</sup> STREET )  
SOUTH )**

**VAC2023-00037**

**MORE FULLY DESCRIBED BELOW**

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Setback

The platted 15-foot setback along the west property line of Lot 1, Block A, Gerald Seibel 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 on September 21, 2023, 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

November 21, 2023  
VAC2023-00037

platted right-of-way and a platted 15-foot setback, and the public will suffer no loss or inconvenience thereby.

3. A restrictive covenant, binding the described right-of-way to Lot 1, Block A, Gerald Seibel Addition, shall be recorded along with this Vacation Order with the Register of Deeds of Sedgwick County, Kansas.

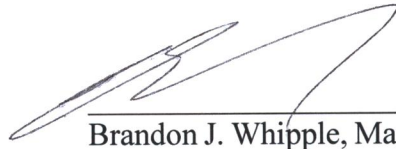
4. A 15-foot utility easement, by separate instrument, shall be dedicated along the north portion of the described right-of-way and shall be recorded along with this Vacation Order with the Register of Deeds of Sedgwick County, Kansas.

5. In justice to the petitioner, the prayer of the petitioner ought to be granted.

6. 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.

7. The vacation of the described platted right-of-way and a platted 15-foot setback should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 21st day of November 2023, ordered that the above-described platted right-of-way and a platted 15-foot setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order, Restrictive Covenant, and Utility Easement to the Sedgwick County Register of Deeds for recording.

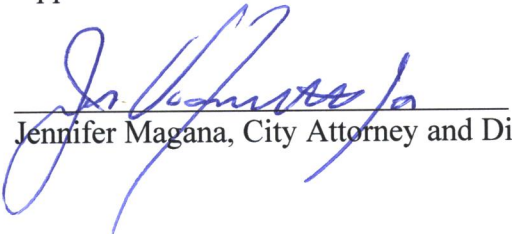
  
\_\_\_\_\_  
Brandon J. Whipple, Mayor, City of  
Wichita

**ATTEST:**

  
\_\_\_\_\_  
Jamie Buster, City Clerk



Approved as to Form:

  
\_\_\_\_\_  
Jennifer Magana, City Attorney and Director of Law

November 21, 2023  
VAC2023-00037



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

October 13, 2023

SC 44-Holdings, LLC  
Attn: Gary Hamm  
PO Box 12965  
Wichita, KS 67277

**Ref: VAC2023-00037:** Vacation request within the City to allow vacation of a portion of the platted Right of Way and a platted building setback to build duplex on property, generally located at the intersection of South Dodge Avenue and West 44th Street South (1132w 44th St South, 1206 W and 44th St S).

Mr. Hamm,

At the **Thursday, October 12, 2023**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

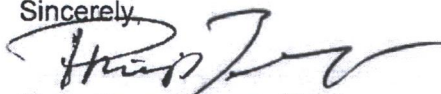
- (1) Provide a covenant, with original signatures, binding and tying the described vacated public street right-of-way to Lot 1, Block A, Gerald Seibel Addition. This must be provided to Planning prior to VAC2023-00037 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (2) Dedicate a 15-foot utility easement by separate instrument, with original signatures along the north line of the vacated South Dodge Avenue right-of-way. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds
- (3) As needed, provide easement dedications, by separate instrument, with original signatures for any other utilities not covered by Condition #2. Any dedications must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (4) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (5) All improvements shall be according to City Standards and at the applicants' expense.
- (6) 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

**VAC2023-00037:** Vacation request within the City to allow vacation of a portion of the platted Right of Way and a platted building setback to build duplex on property, generally located at the intersection of South Dodge Avenue and West 44th Street South (1132 W 44th St South, 1206 W and 44th St S).  
October 13, 2023  
Page 2

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.

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 **October 26, 2023**, (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,



Philip Zevenbergen, AICP  
Current Plans Division Manager

PZ:kw



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

November 27, 2023

Gary Hamm  
SC 44-Holdings, LLC  
PO Box 12965  
Wichita, KS 67277

**RE: VAC2023-00037:** Request in the City to vacate to a portion of the platted right-of-way and a platted building setback to build a duplex on property, generally located at the intersection of South Dodge Avenue and West 44<sup>th</sup> Street South (1132 W 44<sup>th</sup> Street, 1206 W 44<sup>th</sup> Street South).

Dear Applicant;

At its regular meeting on **November 21, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the vacation request.

Sincerely,

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

Philip Zevenbergen, AICP  
Current Plans  
Division Manager



Beaufort Gazette  
 Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
 Fresno Bee

The Herald - Rock Hill  
 Herald Sun - Durham  
 Idaho Statesman  
 Island Packet  
 Kansas City Star  
 Lexington Herald-Leader  
 Merced Sun-Star  
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el Nuevo Herald - Miami  
 Modesto Bee  
 Raleigh News & Observer  
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 Sacramento Bee  
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 Sun Herald - Biloxi

Sun News - Myrtle Beach  
 The News Tribune Tacoma  
 The Telegraph - Macon  
 San Luis Obispo Tribune  
 Tri-City Herald  
 Wichita Eagle

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	468101	Print Legal Ad-IPL01401430 - IPL0140143		\$218.92	3	87 L

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

MHEBERT@wichita.gov

### LEGAL PUBLICATION

OCA 150004  
 Published in The Wichita Eagle on September 21, 2023

(One Time Only)  
 MAPC/BEA October 12, 2023  
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 12, 2023, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). 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.

CON2023-00048: Conditional Use request to allow a detached Accessory Apartment to a single-family dwelling in the TF-3 Two-Family Residential District; generally located on the southwest corner of East 2nd Street North and North Yale Avenue (247 North Yale).

CON2023-00049: Conditional Use request in the City for Accessory Apartment; located within one-half mile southwest of the intersection of West Central Avenue and North Tyler Road (357 North Westfield).

CUP2023-00030: CUP Amendment in the City to remove residential property from the Neville Property CUP DP-241 (associated with ZON2023-52 from LC to GC), permit indoor/outdoor storage, and permit billboards; generally located on the northeast corner of West Kellogg Drive and South 167th Street West.

FUD2023-00009: Amendment to FUD #115 to add two parcels to reflect the approved plat; generally located one-quarter mile west of West 135th Street, on the south side of West 21st Street North.

VAC2023-00037: Vacation request within the City to allow vacation of a portion of the platted Right of Way and a platted building setback to build duplex on property, generally located at the intersection of South Dodge Avenue and West 44th Street South (1132 W 44th St South, 1206 W and 44th St S).

VAC2023-00038: Vacation request in the city to vacate 42 feet of platted 67 feet front building setback to allow for redevelopment of the property, in LC Limited Commercial Zone; generally located on the North of E Harry Street and 666 feet East of South Clifton Avenue (3802 E Harry).

VAC2023-00039: Vacation request in the city to vacate an existing Roadway easement, zoned SF-5 Single Family Residential; generally located to the east of Jackson Heights Street and 690 feet north of E Douglas Avenue (200 N Jackson Heights Street, 250 N Jackson Heights Street).

ZON2023-00052: Zone change request in the City from LC Limited Commercial to GC General Commercial to permit Vehicle Storage Yard as a permitted use within CUP DP-241 (with CUP2023-30); generally located on the northeast corner of West Kellogg and South 167th Street West.

ZON2023-00053: Zone change request in the City from SF-5 Single Family Residential to TF-3 Two Family Residential to build duplexes on Lots 28-41, Block C, Angel Fire Addition; generally to the east of South Kessler Street and south of West Angel Street.

ZON2023-00054: Zone change request in the City from LC Limited Commercial to GC General Commercial to permit a microbrewery in the existing restaurant/bar; located on the northeast corner of East Douglas Avenue and North Oliver Avenue (4800 East Douglas Avenue).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. 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 (see below):  
 1) Participate virtually  
 2) Attend in-person at the Ronald Reagan Building  
 3) Submit comments ahead of time

Participate Virtually  
 Join Zoom Meeting  
<https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySjE5bFJQTDFyV0xPVDExUT09>  
 Meeting ID: 408 986 6967  
 Passcode: 094136

One tap mobile  
 +16699006833, 4089866967#...\*094136# US (San Jose)  
 +17193594580, 4089866967#...\*094136# US

Meeting ID: 408 986 6967  
 Passcode: 094136  
 Find your local number: <https://us06web.zoom.us/j/4089866967>

Attend In-Person  
 You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time  
 You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff 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.

Witness My Hand on September 21, 2023  
 Scott Wadle, Secretary  
 Wichita-Sedgwick County  
 Metropolitan Area Planning Commission  
 #PL0140143  
 Sep 21 2023

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 Sep 21 2023

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

1 insertion(s) published on:  
 09/21/23

STATE OF KANSAS)

SS

County of Sedgwick)

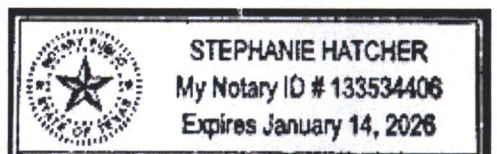
Stefani Beard, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 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 09/21/2023 to 09/21/2023.

*Stefani Beard*

I certify (or declare) under penalty of perjury that the foregoing is true and correct.  
 DATED: 09/21/2023

*Stephanie Hatcher*

Notary Public in and for the state of Texas, residing in Dallas County



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

**STAFF REPORT**

**CASE NUMBER:** VAC2023-00037 – City Vacation of a portion of platted public street right-of-way and building setback.

**APPLICANT:** SC44-Holdings, LLC—Gary Hamm (applicant)

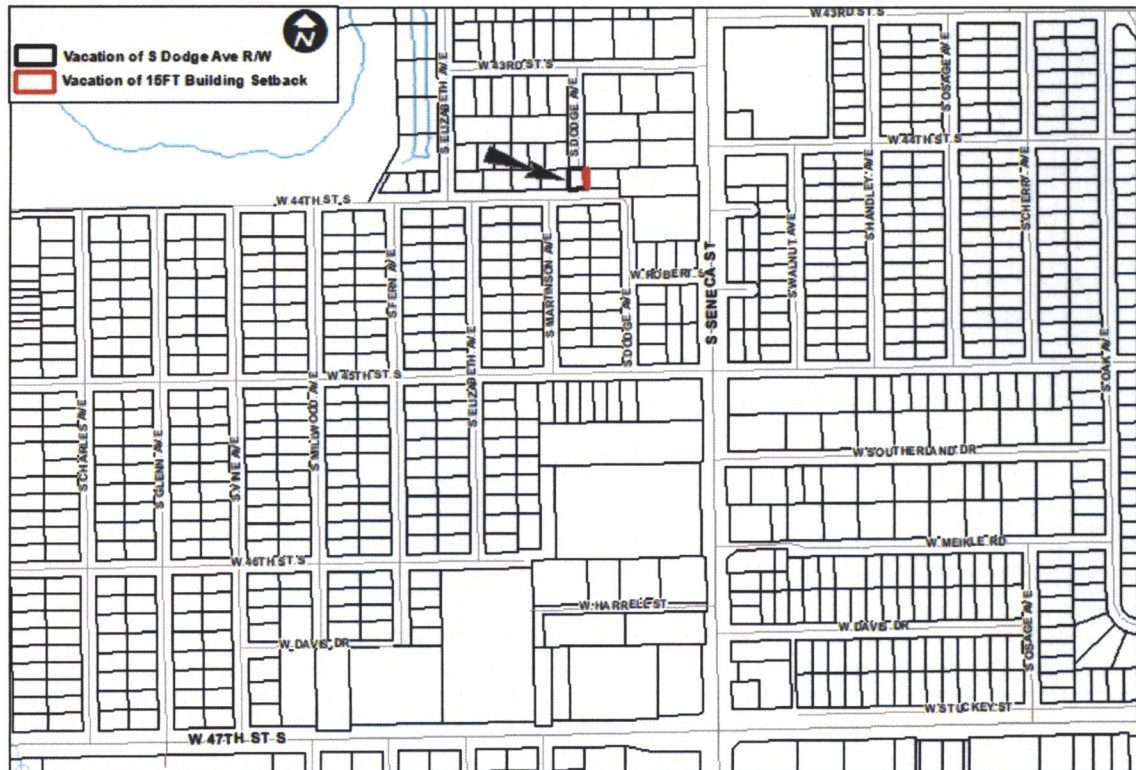
**LEGAL DESCRIPTION:** Generally described as vacating the platted South Dodge Avenue right-of-way abutting Lots 1 and 4, Block A, Gerald Seibel Addition and the 15-foot platted street side setback on the west side of Lot 1, Block A, Gerald Seibel Addition.

**LOCATION:** Generally located within one-quarter mile west of South Seneca Street and within one-half mile north of West 47<sup>th</sup> Street South. (WCC IV)

**REASON FOR REQUEST:** To create a new buildable parcel for a new duplex.

**CURRENT ZONING:** Properties abutting to the east and west are zoned TF-3 Two-Family Residential District and developed with duplexes. Property adjacent to the south is zoned SF-5 Single-Family Residential District and developed with a single-family residence. Properties to the northwest and northeast are zoned MF-18 Multi-Family Residential District and SF-5 and developed with duplexes and a single-family residence respectively.

**VICINITY MAP:**



**Background:** The applicant is requesting two things:

- 1) vacate the South Dodge Avenue right-of-way abutting Lots 1 and 4, Block A, Gerald Seibel Addition; and
- 2) vacate the 15-foot platted setback along the west side of Lot 1, Block A, Gerald Seibel Addition.

The purpose of the requests is to create a new developable parcel for future construction of a duplex. This portion of South Dodge Avenue was never constructed. South Dodge Avenue, as platted in the Vilm Gardens 2<sup>nd</sup> Addition to the north, currently dead ends at the subject site.

If the vacation is approved, the vacated right-of-way will revert to the respective Lots 1 and 4, Block A, Gerald Seibel Addition to the east and west, owned by the applicant. The applicant intends to tie the two halves of the vacated right-of-way together in order to create a separate, buildable lot for future construction of an additional duplex. The vacated South Dodge Avenue right-of-way would assume the TF-3 zoning of the abutting lots. The area the subject site is 4,514.4 square feet in size. This meets the minimum lots size of 3,500 square feet for a single-family dwelling in the TF-3 District. However, this does not meet the minimum lot size of 6,000 square feet for duplex development in the TF-3 District. In order to create a lot that meets the minimum size requirement, the applicant intends to do a boundary shift to move the west property line of Lot 1 farther east, which will add at least 1,500 square feet of land to the vacated South Dodge Avenue land in order to meet the minimum 6,000 square foot lot size for duplex development.

Lot 1 has a 15-foot platted setback along the west property line. In order to complete the boundary shift and permit that land to be built upon, the setback needs to be vacated. Upon vacation of the setback, the zoning setback will apply. With the vacation of South Dodge Avenue right-of-way, this will create an interior side setback, which is six feet in the TF-3 District.

The north 10 feet of the setback area has a platted 10-foot utility easement with a sewer line located in it. This easement is not part of the vacation request. The sewer line traverses to the west, across the north 10 feet of the South Dodge Avenue right-of-way. There is also the stub of a water line in the South Dodge Avenue right-of-way. Based on the location of the sewer line, Public Works and Utilities is requiring a 15-foot utility easement will need to be dedicated by separate instrument in order to protect these and any other utilities in the area.

Wichita Traffic Engineering and Wichita Fire do not oppose this request. Additionally, they do not require any portion of the right-of-way to be retained for a turn-around. Based on accessibility in the area, a turn-around was not needed at this location.

Neither Evergy nor Cox object to the vacation. Their equipment is on poles near the vacation area. Any relocation of the equipment is at the applicant's expense. Whitney Rusk, Area Design Representative will be the contact for this item and any project related to it. She can be contacted at (785) 508-2695 for this vacation request and any project related to it. Conditions 1-4 covers Evergy and Cox.

As seen in Attachment #3, AT&T has equipment in the vacation area. AT&T does not object to the vacation. AT&T provided the attached letter (Attachment #4) granting permission to encroach over their facilities in the vacation area. Any relocation of equipment or damage to the facilities is at the applicant's expense. Stephen LeBrun with AT&T can be contacted at 316-268-2192 regarding this project.

The Gerald Seibel Addition was recorded on April 1, 1982.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, 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 public street right-of-way and platted 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 September 21, 2023, 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 right-of-way and platted 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) Provide a covenant, with original signatures, binding and tying the described vacated public street right-of-way to Lot 1, Block A, Gerald Seibel Addition. This must be provided to Planning prior to VAC2023-00037 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (2) Dedicate a 15-foot utility easement by separate instrument, with original signatures along the north line of the vacated South Dodge Avenue right-of-way. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds
- (3) As needed, provide easement dedications, by separate instrument, with original signatures for any other utilities not covered by Condition #2. Any dedications must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (4) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (5) All improvements shall be according to City Standards and at the applicants' expense.
- (6) 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. Site Plan
2. Aerial Map
3. AT&T Equipment Location
4. AT&T Encroachment Letter



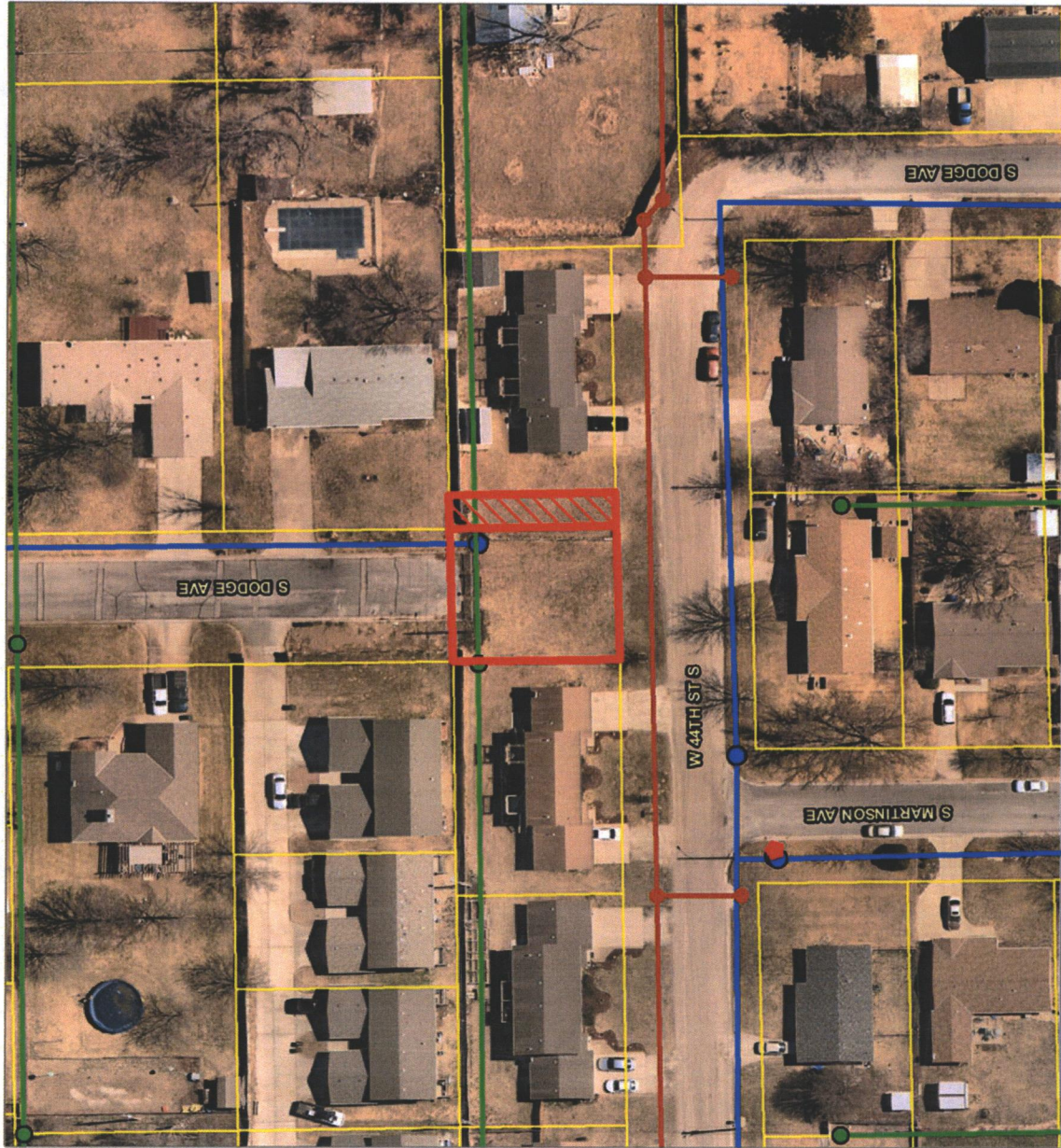
-  Vacation of S Dodge Ave RW
-  Vacation of 15FT Building Setback
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains



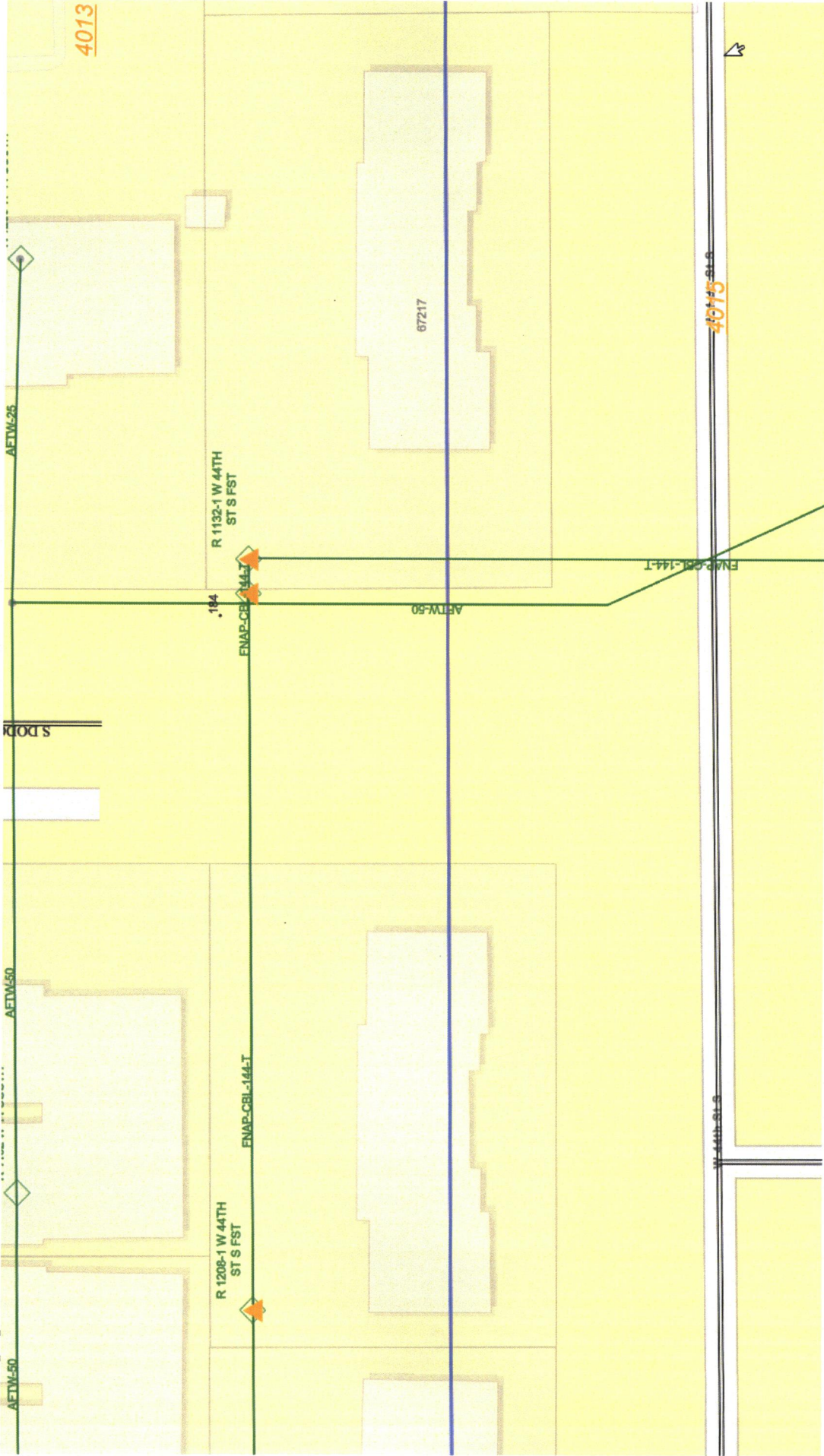
Software: ArcGIS  
 Map Data Sources:  
 City of Wichita  
 Sedgewick County

Prepared: 9/13/2023

It is understood that while the City of Wichita Data Center Geographical Information Systems Department have no indication and reason to believe that there are inaccuracies in the information incorporated in this base map, the Data Center GIS is not a warranty of accuracy or representation, either expressed or implied, with respect to the information or data displayed.  
 Note: Public property represented on this map is not intended to be inclusive.



**AT&T Equipment Location**





AT&T Wichita OSP Planning and Engineering Design  
154 N. Broadway, Rm. 210  
Wichita, Ks 67202

SC44-HOLDINGS, LLC  
GARY HAMM  
P.O. BOX 12965  
Wichita, KS 67277

RE: Permission for Encroachment of Proposed Structure into AT&T Communications Plant -VAC2023-0037-  
Property Located Between 1132 W 44<sup>th</sup> St S and 1206 W 44<sup>th</sup> St S.

Thanks for reaching out to AT&T to discuss your building plans that involve crossing AT&T copper and fiber lines. Working around the existing fiber and copper seems to be the most cost-effective option rather than vacating and rerouting part of the AT&T plant your expense. AT&T has no objection to the encroachment of the proposed structure into copper and fiber plant located between 1132 W 44<sup>th</sup> St S and 1206 W 44<sup>th</sup> St S, Wichita, KS.

Owner agrees to pay for any relocation of AT&T facilities if deemed necessary and any damage associated with construction should it occur.

If you have any further questions, please call me at 316-268-2192.

Sincerely,

Stephen LeBrun  
Mgr.-OSP Planning and Engineering Design  
Wichita Design Center  
AT&T Kansas