



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Flm-Pg: 30275226

Receipt #: 2104228
Pages Recorded: 2

Recording Fee: \$0.00

Cashier: s2emith

Authorized By: Tonya Buckingham

Date Recorded: 11/13/2023 02:16:09 PM



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

**IN THE MATTER OF THE VACATION OF A PORTION)
OF A PLATTED 20-FOOT ALLEY)**

**GENERALLY LOCATED BETWEEN NORTH SANTA)
FE AND ST. FRANCIS AVENUES AND BETWEEN)
EAST PINE STREET AND EAST MURDOCK AVENUE)**

VAC2023-00017

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 7th day of November 2023, comes on for hearing the petition for vacation filed by ZK Holdings, LLC (owner) praying for the vacation of a portion of a platted alley, to wit:

Vacating a portion of a platted 20-foot alley described as the south 46 feet of said alley abutting Lot 41 and the south one-half of Lot 43, on 4th Street—now Saint Francis, AND ABUTTING the west 35 feet of Lots 40 and 42, on 5th Street – now Santa Fe, all together in the J.P. Hilton’s 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 May 18, 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 portion of the platted alley, and the public will suffer no loss or inconvenience thereby.
3. A dedication of a 20-foot utility easement, by separate instrument, shall be recorded with the Vacation Order, at the Register of Deeds of Sedgwick County to cover all utilities within the

November 7, 2023
VAC2023-00017

described portion of the platted alley.

4. In justice to the petitioner(s), the prayer of the petition ought to be granted.

5. 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.


6. The vacation of the described portion of the platted alley should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of November 2023, ordered that the above-described portion of the platted alley is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order and the dedication of a utility easement by separate instrument to the Sedgwick County Register of Deeds for recording.

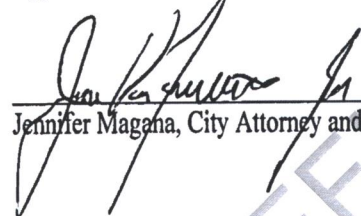



Brandon J. Whipple, Mayor, City of
Wichita

ATTEST:


Jamie Buster, City Clerk

Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

November 7, 2023
VAC2023-00017



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Film-Pg: 30275813
Receipt #: 2404597
Pages Recorded: 1
Recording Fee: \$72.00

Cashier: KVENATOR
Authorized By: *Tonya Buckingham*
Date Recorded: 11/15/2023 01:34:30 PM



UTILITY EASEMENT

THIS EASEMENT made this 11 day of October,
2023, by and between, ZK Holdings LLC, a Kansas limited liability company, Grantor,
and the City of Wichita, Kansas, a municipal corporation, Grantee.


WITNESSETH: That the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the Grantee or the franchised utility entity, a perpetual easement for the purpose of constructing, operating, maintaining, and repairing all other public and/or franchised utilities, and any appurtenances thereto, over, along, and under the following described real estate situated in Sedgwick County, Kansas, to-wit:

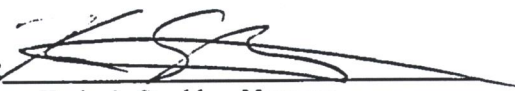
See Exhibit 'A' for legal description.

And said Grantee and/or agents of the franchised utilities are hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such utility, and any appurtenances thereto.

IN WITNESS WHEREOF: The said Grantor has signed this document the day and year first written.

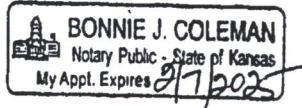
ZK HOLDINGS LLC

By: 
Zachary J. Fugate, Manager

By: 
Kevin A. Steckley, Manager

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

This instrument was acknowledged before me on 10/11,
2023, by Zachary J. Fugate, Manager of ZK Holdings, a Kansas limited liability
company.



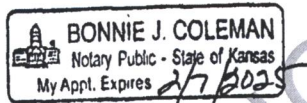
Bonnie J. Coleman
Notary Public

(seal)

(My Appointment Expires: 2/7/2025)

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

This instrument was acknowledged before me on 10/11,
2023, by Kevin A. Steckley, Manager of ZK Holdings, a Kansas limited liability
company.



Bonnie J. Coleman
Notary Public

(seal)

(My Appointment Expires: 2/7/2025)

Reviewed and approved by the Interim City Engineer:

Paul Gunzelman
Paul Gunzelman, PE

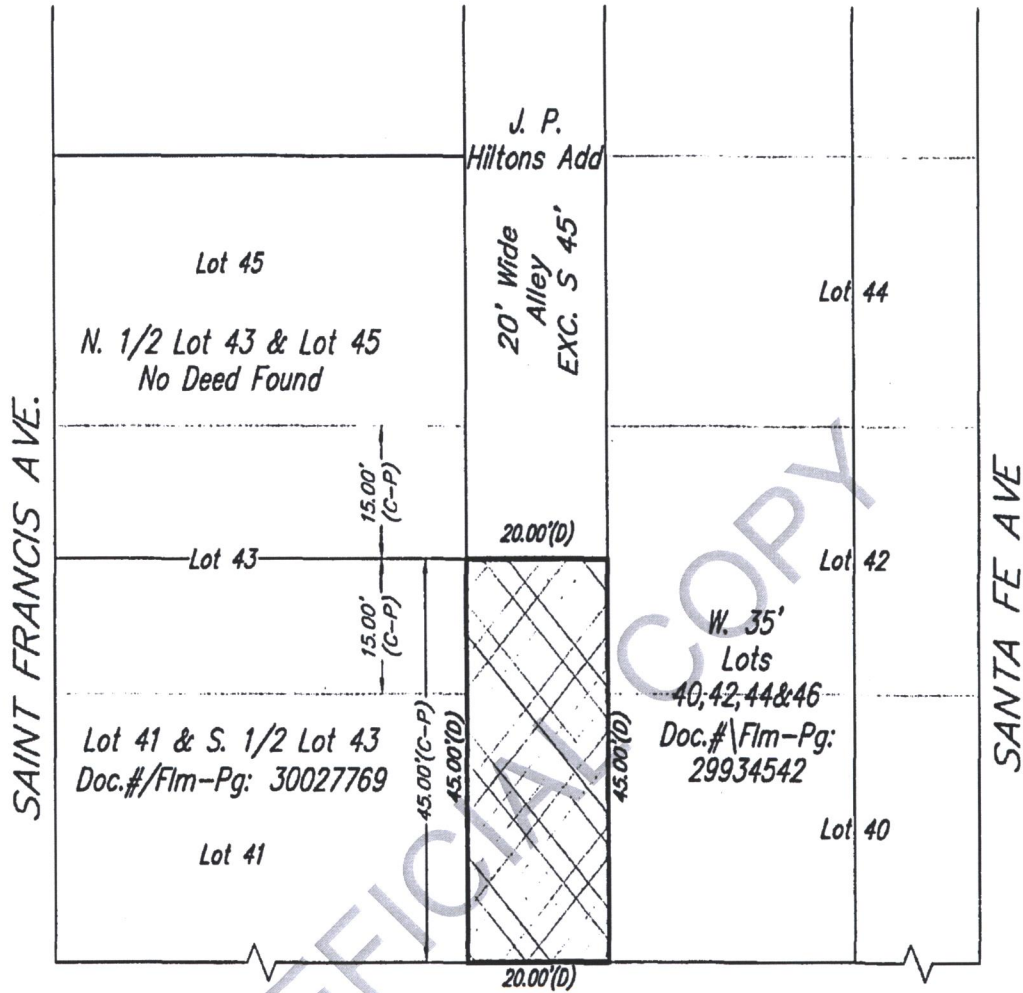
EXHIBIT 'A'

Legal Description of Utility Easement

A portion of the platted 20-foot alley described as the south 45 feet of said alley abutting Lot 41 and the south 1/2 of Lot 43, on 4th Street, now Saint Francis, and abutting the west 35 feet of Lots 40 and 42, on 5th Street, now Santa Fe, all together in the J.P. Hilton's Addition to Wichita, Sedgwick County, Kansas.

UNOFFICIAL COPY

**EASEMENT EXHIBIT
J.P. HILTON'S ADDITION
Wichita, Sedgwick County, Kansas**



UNOFFICIAL COPY

F:\survey\Exhibits\J P Hiltons Alley Vacation_23-07-G03823-07-G036.dwg



INDICATES AREA OF LEGAL DESCRIPTION



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

**IN THE MATTER OF THE VACATION OF A PORTION)
OF A PLATTED 20-FOOT ALLEY)**

**GENERALLY LOCATED BETWEEN NORTH SANTA)
FE AND ST. FRANCIS AVENUES AND BETWEEN)
EAST PINE STREET AND EAST MURDOCK AVENUE)**

VAC2023-00017

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 7th day of November 2023, comes on for hearing the petition for vacation filed by ZK Holdings, LLC (owner) praying for the vacation of a portion of a platted alley, to wit:

Vacating a portion of a platted 20-foot alley described as the south 46 feet of said alley abutting Lot 41 and the south one-half of Lot 43, on 4th Street—now Saint Francis, AND ABUTTING the west 35 feet of Lots 40 and 42, on 5th Street – now Santa Fe, all together in the J.P. Hilton’s 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:

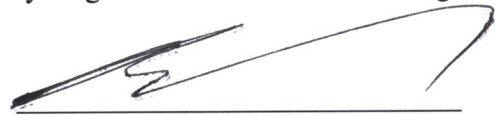
1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on May 18, 2023, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portion of the platted alley, and the public will suffer no loss or inconvenience thereby.
3. A dedication of a 20-foot utility easement, by separate instrument, shall be recorded with the Vacation Order, at the Register of Deeds of Sedgwick County to cover all utilities within the

November 7, 2023
VAC2023-00017

described portion of the platted alley.

4. In justice to the petitioner(s), the prayer of the petition ought to be granted.
5. 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.
6. The vacation of the described portion of the platted alley should be approved.


IT IS, THEREFORE, BY THE CITY COUNCIL, on this 7th day of November 2023, ordered that the above-described portion of the platted alley is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order and the dedication of a utility easement by separate instrument to the Sedgwick County Register of Deeds for recording.



Brandon J. Whipple, Mayor, City of
Wichita

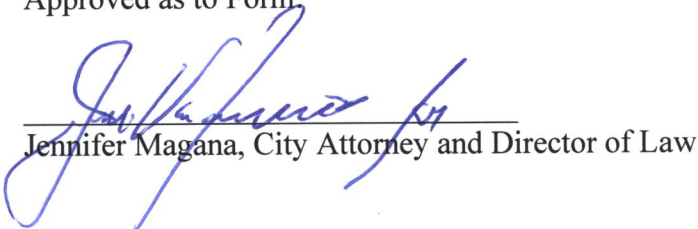


ATTEST:



Jamie Buster, City Clerk

Approved as to Form:



Jennifer Magana, City Attorney and Director of Law



Wichita-Sedgwick County Metropolitan Area Planning Department

November 8, 2023

ZK Holdings LLC
Attn: Kevin Steckley
110 N. 127th St E.
Wichita, KS 67206

Apex Outdoors LLC
Attn: Zach Fugate
14820 W. 70th Ct. N.
Colwich, KS 67030

Ref: VAC2023-00017: Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

Dear Applicant;

At its regular meeting on **November 7, 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



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

June 9, 2023

ZK Holdings LLC
Attn: Kevin Steckley
110 N. 127th St E.
Wichita, KS 67206

Apex Outdoors LLC
Attn: Zach Fugate
14820 W. 70th Ct. N.
Colwich, KS 67030

Ref: VAC2023-00017: Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

At the Thursday, June 8, 2023, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacate a portion of the platted 20-foot alley described as the south 46 feet of said alley abutting Lot 41 and the south ½ of Lot 43, on 4th Street—now Saint Francis, AND ABUTTING the west 35 feet of Lots 40 and 42, on 5th Street – now Santa Fe, all together in the J.P. Hilton's Addition to Wichita, Sedgwick County, Kansas.
- (2) Provide planning staff with legal descriptions of the approved vacated portion of the platted alley on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (3) Abandonment or relocation/reconstruction of any/all utilities, made necessary by the vacation of the described portion of the platted alley right-of-way shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide an approved private project plan number for the abandonment /relocation of public utilities. 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.
- (4) Provide Planning with any needed easements dedicated by separate instrument with original signatures for recording with the Register of Deeds. Public works shall have gated access to equipment located within any needed easements. All original dedications will go with the Vacation Order to City Council for final action and filing with the Sedgwick County Register of Deeds. These conditions must be completed prior to the case going to Council for final action.

VAC2023-00017: Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

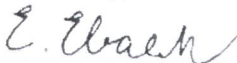
June 9, 2023

Page 2

- (5) Provide approval from City Traffic Engineering of proper signage made necessary by the vacation of the described portion of the platted alley right-of-way.
- (6) All improvements shall be according to City Standards and at the applicant's expense.
- (7) 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.

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 June 22, 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,



Eryn Ebach
Associate Planner

EE:kw

cc: Via Christi Regional Medical Center Inc. 929 N St Francis Ave, Wichita KS 67214



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
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Bixby

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	421232	Print Legal Ad-IPL01228220 - IPL0122822	OCA 150004	\$221.44	3	88 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 May 18, 2023
 (One Time Only)
 MAPC/BZA June 8, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 8, 2023, no earlier than 1:30 p.m., the WichitaSedgwick 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 WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

BZA2023-00026: Variance request in the City to reduce the side and the rear setback to bring carport into compliance and permit an addition on the rear, on property zoned SF-5 Single-Family; located within one-block north of West 1st Street North and one-quarter mile west of North Seneca (212 N. Elizabeth).

CON2023-00020: Request in the City for a Conditional Use to permit Nightclub in the City and Mobile Food Unit on property zoned LC Limited Commercial District; generally located on the southeast corner of West 21st Street North and North Waco Avenue (366 W. 21st St. N.)

CON2023-00022: Conditional Use request in the City to expand existing electric substation on property zoned LI Limited Industrial; generally located within one block south of East Central Avenue, and two-blocks west of North Washington Avenue (402 N. Mead).

CUP2023-00016: CUP Minor Amendment in the City to CUP DP-268 to allow on-site advertising on an off-site billboard; generally located on the northwest side of West Kellogg Drive, within 300 feet west of North Tyler Road.

VAC2023-00016: Request in the City to vacate 25-foot front building setback on property zoned TF-3 Two-Family Residential; located within one-quarter mile north of East Douglas Avenue, one-half mile west of North 127th Street East.

VAC2023-00017: Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

VAC2023-00018: Vacation request in the City of a portion of complete access control to open a new access point and close an existing access point on property zoned LC & GC with PO-36; generally located on the west side of North Maize Road, within one-quarter mile north of West 21st Street North.

ZON2023-00021: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Hillside Avenue and within one-half mile north of East 45th Street North.

ZON2023-00026: Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District with Protective Overlay #411; generally located on the north side of West Maple Street, within 500 feet west of North Tyler Road (8924 W. Maple St).

ZON2023-00027: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Tyler Road, within one-half mile north of West 29th Street North (3320 N. Tyler Rd).

ZON2023-00028: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to permit development of duplexes on property; generally located on the east side of South Maize Road, within one-half mile north of West 31st Street South (2815 S. Maize Rd).

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 WichitaSedgwick 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=a0k3bW0ySjBnbFJQTDFvO0xPVDExUT09>
 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 (316-2684464) 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.
 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
 WITNESS MY HAND on May 18, 2023
 Scott Wadle, Secretary
 WichitaSedgwick County
 Metropolitan Area Planning Commission
 IPL0122822
 May 18 2023

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

1 insertion(s) published on:
 05/18/23

STATE OF KANSAS)

SS

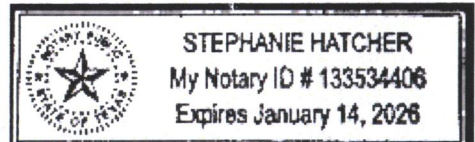
County of Sedgwick)

Hayley Martin, 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 mail 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 05/18/2023 to 05/18/2023.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 06/22/2023

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: VAC2023-00017- Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

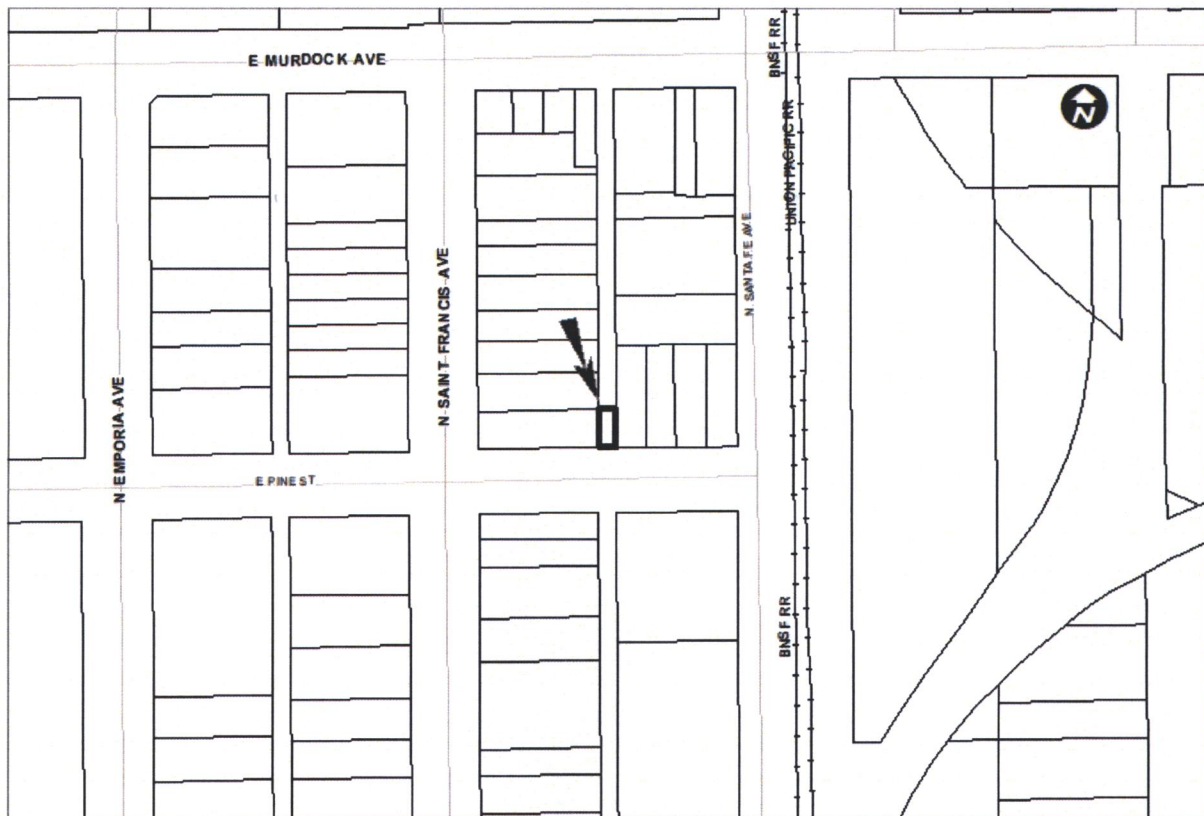
APPLICANTS: ZK Holdings, LLC (applicant), Zach Fugate (agent).

LEGAL DESCRIPTION: Generally described as vacating a portion of a platted alley as dedicated in J.P. Hilton's Addition to Wichita, Sedgwick County, Kansas (see attached legal).

LOCATION: Generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

REASON FOR REQUEST: To construct a fence

CURRENT ZONING: All lots abutting the alley are zoned LI Limited Industrial District



The applicant is requesting the vacation of 46 feet of a platted 20-foot alley right-of-way as dedicated in J.P. Hilton's Addition to Wichita, Sedgwick County, Kansas. The alley is located between North Santa Fe Avenue and North St. Francis Avenue and between East Pine Street and East Murdock Avenue. ZK Holdings, LLC owns 614 E. Pine Street which abuts the alley to the east and 700 N. St. Francis which abuts the alley to west. The applicant proposes to build a fence west from the east side of the building at 700 N. St. Francis Street connecting to the existing fence along the perimeter of their abutting property. The applicants have stated the fence is necessary to improve security.

All lots abutting the application area are zoned LI Limited Industrial District. North of the application area, properties on both sides of the alley are owned by Via Christi St. Francis and are developed as off-street parking. South of the application area, on the south side of East Pine Street, are properties developed with the Sedgwick County EMS Post 10, and a Kansas Gas and Electric substation.

The requested vacation would dead-end the alley and would prevent access from the north parking lots going south to East Pine Street. Traffic Engineering has stated they will require signage signaling the dead-end for southbound traffic and the fence. The applicant shall contact City Traffic Engineering regarding proper signage.

City sanitary sewer is located in the subject alley and the vacation area. Should this request be approved, the applicant will be required to dedicate an easement by separate instrument for recording with the vacation order. Additionally, Public Works has requested that gated access be provided to the sewer main. City water and stormwater are located in the East Pine Street right-of-way. Every poles are located in the subject alley and appear to be directly north of the vacaiton area. Comments from all franchised utilities have not been received and are needed to determine whether franchise equipment is located within the described portion of the alley. Conditions #2 and #3 cover all utilities.

The J.P. Hilton's Addition was recorded with the Sedgwick County Register of Deeds on December 31, 1869.

This vacation request may have a negative impact on vehicular and pedestrian traffic circulation in the vicinity. Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Stormwater, Water and Sewer, Traffic, Fire, franchised utility representatives, and other interested parties, planning staff recommends denial of this application.

Should the Metropolitan Area Planning Commission determine that this application be approved, staff recommends that it shall be subject to the following considerations (but not limited to) associated with the request to vacate the described portion of the platted alley:

- 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 May 18, 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 alley right-of-way 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. Vacate a portion of the platted 20-foot alley described as the south 46 feet of said alley abutting Lot 41 and the south ½ of Lot 43, on 4th Street—now Saint Francis, AND ABUTTING the west 35 feet of Lots 40 and 42, on 5th Street – now Santa Fe, all together in the J.P. Hilton’s Addition to Wichita, Sedgwick County, Kansas.
2. Provide planning staff with legal descriptions of the approved vacated portion of the platted alley on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
3. Abandonment or relocation/reconstruction of any/all utilities, made necessary by the vacation of the described portion of the platted alley right-of-way shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide an approved private project plan number for the abandonment /relocation of public utilities. 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.
4. Provide Planning with any needed easements dedicated by separate instrument with original signatures for recording with the Register of Deeds. Public works shall have gated access to equipment located within any needed easements. All original dedications will go with the Vacation Order to City Council for final action and filing with the Sedgwick County Register of Deeds. These conditions must be completed prior to the case going to Council for final action.
5. Provide approval from City Traffic Engineering of proper signage made necessary by the vacation of the described portion of the platted alley right-of-way.
6. All improvements shall be according to City Standards and at the applicant’s expense.
7. 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

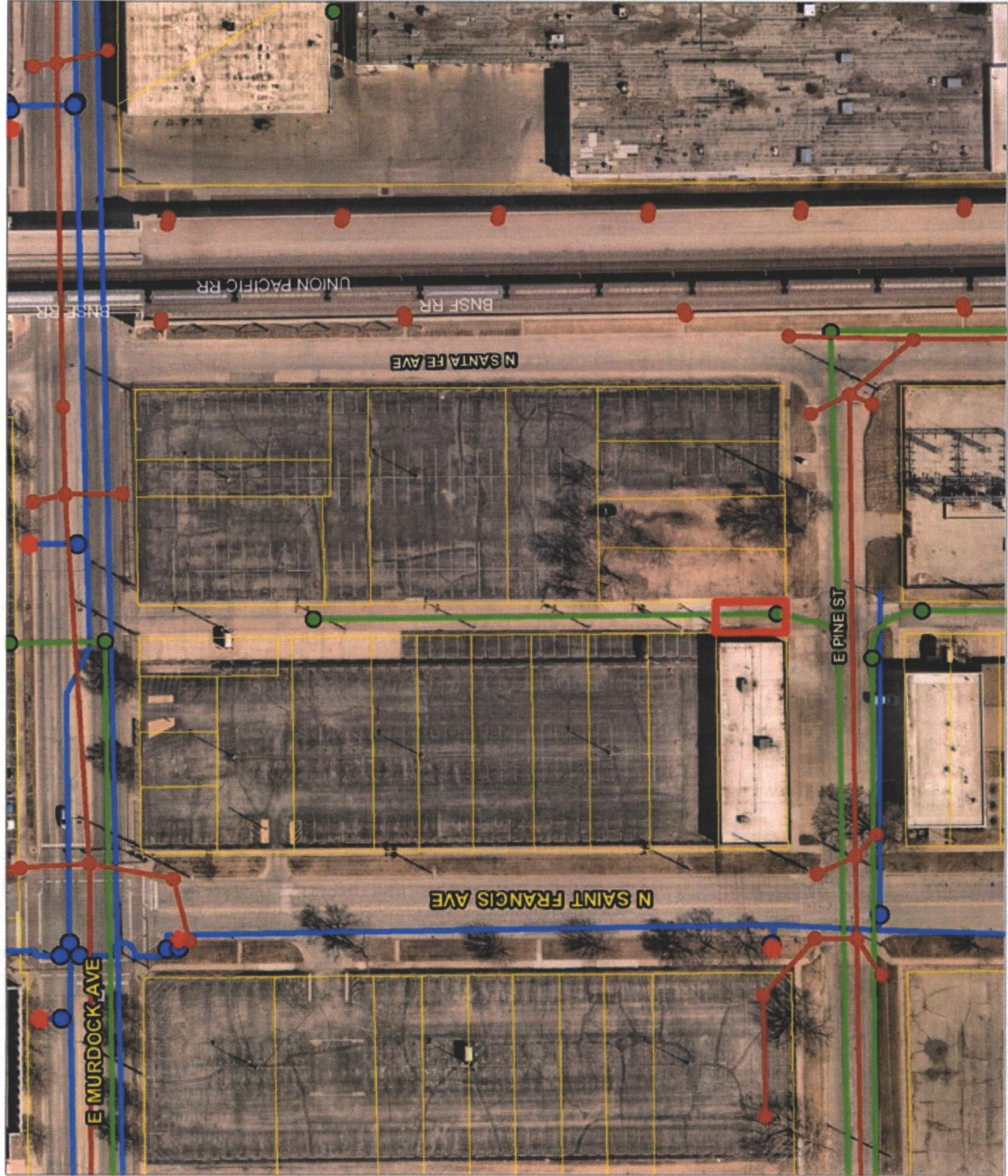
The Subdivision Committee recommends approval subject to the following conditions:

1. Vacate a portion of the platted 20-foot alley described as the south 46 feet of said alley abutting Lot 41 and the south ½ of Lot 43, on 4th Street—now Saint Francis, AND ABUTTING the west 35 feet of Lots 40 and 42, on 5th Street – now Santa Fe, all together in the J.P. Hilton’s Addition to Wichita, Sedgwick County, Kansas.

2. Provide planning staff with legal descriptions of the approved vacated portion of the platted alley on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
3. Abandonment or relocation/reconstruction of any/all utilities, made necessary by the vacation of the described portion of the platted alley right-of-way shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide an approved private project plan number for the abandonment /relocation of public utilities. 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.
4. Provide Planning with any needed easements dedicated by separate instrument with original signatures for recording with the Register of Deeds. Public works shall have gated access to equipment located within any needed easements. All original dedications will go with the Vacation Order to City Council for final action and filing with the Sedgwick County Register of Deeds. These conditions must be completed prior to the case going to Council for final action.
5. Provide approval from City Traffic Engineering of proper signage made necessary by the vacation of the described portion of the platted alley right-of-way.
6. All improvements shall be according to City Standards and at the applicant's expense.
7. 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.

Attachments: 1) Aerial Map, 2) Applicant's Exhibit, 3) Site Photos, 4) Legal Description

VAC2023-00017- Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).
 June 1, 2023
 Page 5



- VAC2023-00017
- 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 5/2/2023

It is understood that while the City of Wichita Data Center Geographical Information Systems Department makes every effort to ensure the accuracy of the data, the Data Center GIS personnel make no warranty or representation, either expressed or implied, with respect to the accuracy of the data. Public property represented on this map is not intended to be inclusive.

VAC2023-00017 - Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).
June 8, 2023
Page 7



The vacation area.



612 E. Pine.



612 E. Pine facing west.



Facing south toward vacation area.

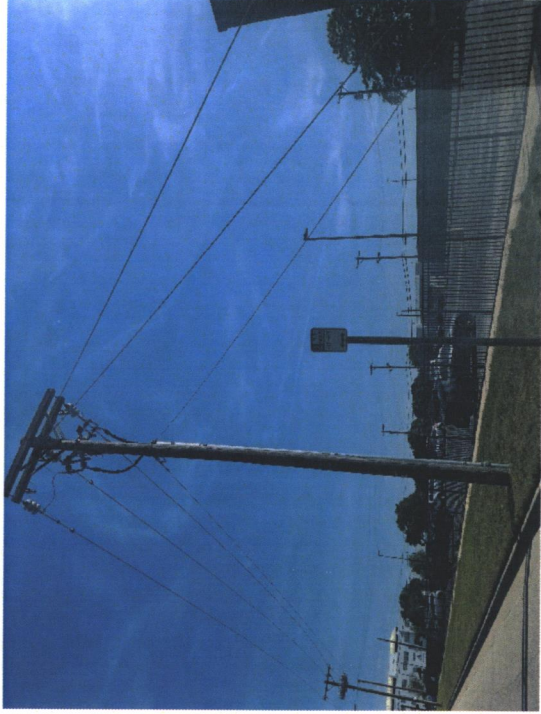
VAC2023-00017- Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

June 8, 2023

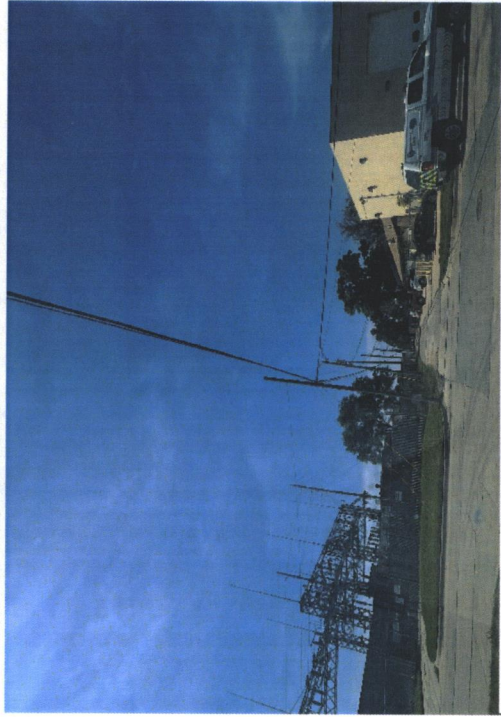
Page 8



Vis Christi parking lot to the north (facing west)



Vis Christi parking lot to the north (facing east)



Alleyway south of E. Pine abutting substation and EMS Post

VAC2023-00017- Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

June 1, 2023

Page 9

Legal Description of Vacated Alley,

Vacating a portion of a platted 20-foot alley described as the south 46 feet of said alley abutting Lot 41 and the south $\frac{1}{2}$ of Lot 43, on 4th Street—now Saint Francis, AND ABUTTING the west 35 feet of Lots 40 and 42, on 5th Street—now Santa Fe, all together in the J.P. Hilton's Addition, Wichita, Sedgwick, County, Kansas.