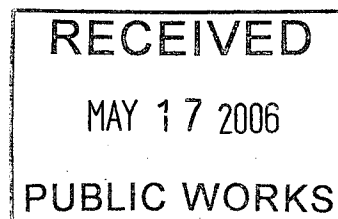


**Application for the Vacation of
Public Right of Way or Easement
City of Lawrence, Kansas**



Date Application Submitted: _____

Procedures for Vacation Application:

1. Complete Vacation Application Form, including legal description.
2. Provide ownership list form Douglas County Clerk's Office for property owners within 200 feet of proposed vacation.
3. For vacation requests that are not initiated by City staff or the City Commission, please provide a check made payable to "City of Lawrence, Kansas" in the amount of \$200.00. This check should accompany the completed application, and is non-refundable. The application fee covers staff work and publication costs for the notices.

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Section 1. Property Owner Information. Provide information on property owner(s) adjoining proposed vacation requesting the vacation:

Name of Property Owner(s): Lawrence Board of Realtors
Address of Property Owner: 3838 W. 6th St.
Lawrence, KS 66049
Telephone Number: 785-842-1843

If the owner is represented by a third party (engineer, architect, attorney) who will serve as the applicant's representative, provide contact information:

Mr. John E. Selk, PE, PLS
Landplan Engineering
1310 Wakarusa, Lawrence, KS 66049 785-843-7530

Section 2. Background Information.

- A) Describe the proposed vacation. What is proposed to be vacated? (e.g. Right-of-way, utility easement, drainage easement).

25' gas easement along South line of Lot 2, Brackett School addition.

- B) Describe the purpose or reason for seeking the proposed vacation:

Originally, the gas easement was shown on the final plat of Brackett School Addition. Since then, the gasoline has been abandoned and proposed improvements to the LBOR site will encroach on the easement. Aquila has indicated they will also execute a release so there will be no question as to the validity of the vacation. Legals of the original easement, subsequent assignment, and abandonment are attached.

- C) Attach a copy of the plat of record of the property, indicating the location of the proposed vacation.
- D) Attach a copy of the legal description for the portion of the easement or right-of-way which is to be vacated.

Section 3. City Staff Review. The following items will be reviewed by City staff in the Public Works, Utilities and Planning Departments, as applicable.

- A) Will the proposed vacation impair access to a public street by any adjoining property owners? Yes or No, explain:

- B) Are utilities currently located in the easement or right-of-way?

Water	Yes or No
Sanitary Sewer	Yes or No
Stormsewer	Yes or No
Gas	Yes or No
Electric	Yes or No
Telephone	Yes or No
Cable	Yes or No

- C) Will the proposed vacation impair the ability of utilities to deliver services to the adjoining property and surrounding area?

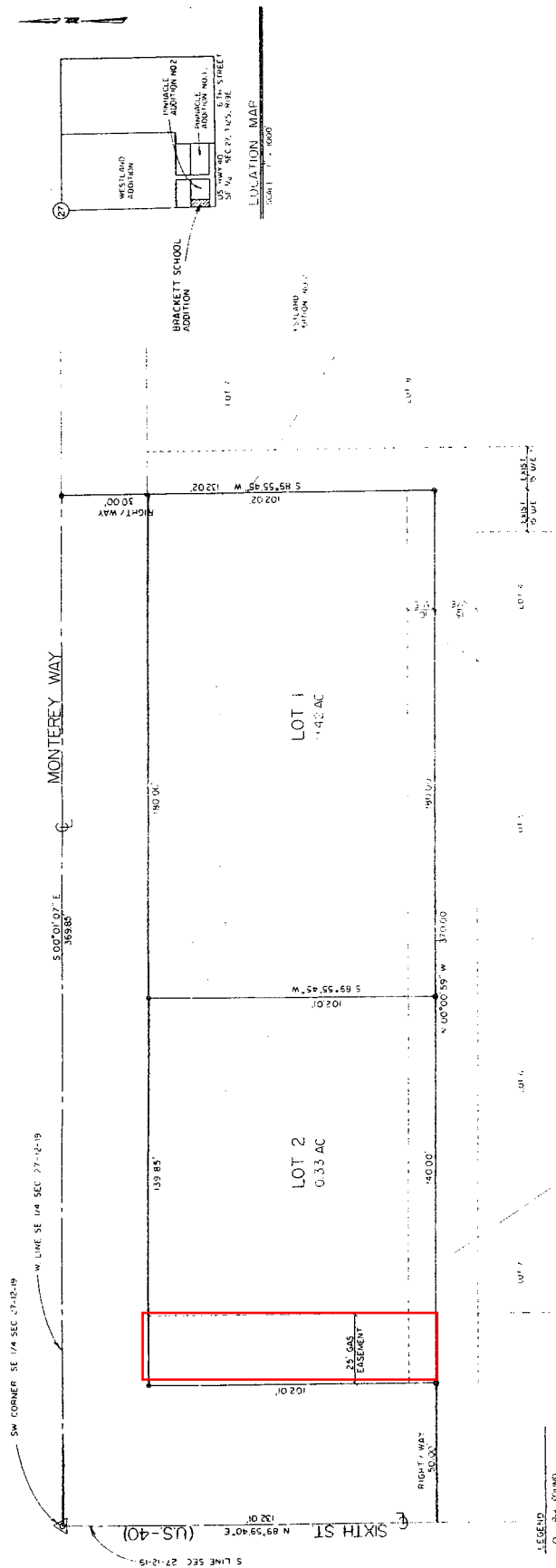
- D) Should the vacation reserve any City rights?

- E) City staff recommendation for the proposed vacation:

Public Works	_____
Planning	_____
Utilities	_____

Section 4. After City staff approval, the property owner must execute a Petition for Vacation which will be prepared by City staff. Once a petition has been received, notice of the hearing on vacation will be published. The City Commission will consider the proposed vacation at the hearing, and if appropriate, authorize the Mayor to execute the Order of Vacation which vacates the easement or right-of-way.

SCALE 1" = 20'



NOTE: ACCESS TO LOT 2 SHALL BE RESTRICTED TO MONTEREY WAY

DEDICATION

BE IT KNOWN TO ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND, HAVE HAD CAUSE FOR THE SAME TO BE SURVEYED AND PLATTED UNDER THE NAME OF BRACKETT SCHOOL ADDITION.

AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN BY THIS PLAT AND FULLY DEFINED ON THIS PLAT, ALL STREETS, DRIVES, ROADS, ETC. SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF LAWRENCE AND PUBLIC UTILITIES UPON, OVER, AND UNDER THOSE AREAS OUTLINED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E".

Robert B. Broun
ROBERT B. BROUN
H.R. BROWNE

Becky M. Peak
BECKY M. PEAK
H.R. BROWNE

ACKNOWLEDGEMENT
STATE OF KANSAS
COUNTY OF DOUGLAS
BE IT REMEMBERED, THAT ON THIS 14th DAY OF February, 1988, BEFORE ME THE UNDER-SIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME
Marion E. Broun and Robert B. Broun

WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND ONLY ACKNOWLEDGE THE EXECUTION OF THE SAME.

ENDORSEMENTS

RIGHTS-OF-WAY AND EASEMENTS
ACCEPTED BY
CITY COMMISSION
LAWRENCE, KANSAS

Robert B. Broun
DATE 5/19/88
CHAIRMAN

Becky M. Peak
DATE 5/19/88
CHAIRMAN

FILING RECORD
STATE OF KANSAS
COUNTY OF DOUGLAS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY REGISTER OF DEEDS ON THIS 18th DAY OF 1988, AND IS DULY RECORDED

REGISTER OF DEEDS

CERTIFICATION

DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN; A DISTANCE OF 01.07' ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 369.85 FEET; THENCE N89°55'45"E, A DISTANCE OF 132.02 FEET, TO THE NORTHWEST CORNER OF LOT 4, PINNACLE ADDITION NO. 2, IN LOT 2, TO THE SOUTHWEST CORNER OF LOT 2, PINNACLE ADDITION NO. 2, IN LOT 2, ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 59.40' ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 132.01 FEET TO THE POINT OF BEGINNING, CONTAINING 11.2 ACRES, ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

A FINAL PLAT OF

BRACKETT SCHOOL ADDITION

IN THE CITY OF

101552
0071788
101552