

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

RECEIVED

OCT 17 2007

PUBLIC WORKS

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.**

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

Name of Property Owner(s):	Robert Lewis	Scott Watson
Address of Property Owner:	1105 W. Hills Parkway Lawrence, KS 66044	1117 W. Hills Parkway Lawrence, KS 66044
Telephone Number:	785-856-3060	785-843-2169
	Jerry Nossaman 1116 W. Hills Parkway Lawrence, KS 66044 785-842-7181	

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).
Unused utility easements.

- B) Describe the purpose or reason for seeking the proposed vacation:
Easements are unused and are encroached by existing homes. The subdivision is in excess of 70 years and the easements would seriously compromise the natural setting of the neighborhood if used.

- 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.

LEGAL DESCRIPTION FOR UTILITY EASEMENTS TO BE VACATED IN BLOCK 4, WEST HILLS.

ALL 8 FOOT UTILITY EASEMENTS RUNNING ALONG THE SIDE AND REAR LINES OF LOTS 1, 2, 15, 16, AND 17 IN BLOCK 4, WEST HILLS, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; EXCEPT THE SOUTH AND EAST LINES OF LOT 15, THE SOUTH LINE OF LOT 2, AND THE SOUTH 4 FEET OF THE EAST 4 FEET OF LOT 16.



PLAT OF BLOCK 4, SIXTH LOTS 4TH & 5TH OF COLONIAL COURT
ALSO, DEDICATION OF THE "STREETS" AS SHOWN HEREON FOR PUBLIC USE

July, 1931.



Beginning of	End of	Description
725	736	South of the corner of
736	747	191 st East to 191 st East on the North and South
747	758	Center line of road section three South 254 feet.
758	769	thence north 122° 15' 30" East 122 feet, thence
769	780	West 264 feet, thence south 142 feet, thence
780	791	West 593 feet, thence on a curve of 1480 ft radius 157° 35'
791	802	thence right, thence N 10° 43' E 128.45 feet, thence on
802	813	a curve of 1300 radius right 70.3 feet, thence north
813	824	41° 01' E 79.44 feet, thence on a curve of 120 ft radius
824	835	to left 75.24 feet, thence on a curve of 120 ft radius
835	846	to left 75.24 feet, thence on a curve of 120 ft radius
846	857	to left 75.24 feet, thence on a curve of 120 ft radius
857	868	to left 75.24 feet, thence on a curve of 120 ft radius
868	879	to left 75.24 feet, thence on a curve of 120 ft radius
879	890	to left 75.24 feet, thence on a curve of 120 ft radius
890	901	to left 75.24 feet, thence on a curve of 120 ft radius
901	912	to left 75.24 feet, thence on a curve of 120 ft radius
912	923	to left 75.24 feet, thence on a curve of 120 ft radius
923	934	to left 75.24 feet, thence on a curve of 120 ft radius
934	945	to left 75.24 feet, thence on a curve of 120 ft radius
945	956	to left 75.24 feet, thence on a curve of 120 ft radius
956	967	to left 75.24 feet, thence on a curve of 120 ft radius
967	978	to left 75.24 feet, thence on a curve of 120 ft radius
978	989	to left 75.24 feet, thence on a curve of 120 ft radius
989	1000	to left 75.24 feet, thence on a curve of 120 ft radius

This plat represents Block 4 West Hills and lots 4 and 5 of Colonial Court, West Hills (West Hills being a tract of land recorded and known as "West Hills") in a residential district and recorded in book 108, p. 334, Register of Deeds Office, Douglas County.

197 M
5
ONIAL
N2:10W 64.79
The plot and property as shown shall be subject to the same plot and property as indicated on the plat for blocks 1 and 2, and except for blocks 3 and 4, of the "Acacia" is hereby and all roads and streets as shown here on are hereby dedicated to the public use of the vehicles only, except for commercial deliveries to the above described tract.

w-7

Approved by
E.E. Trueblood
County Engineer

No. 5089
Indexed
Numerical Index
State of Arizona
Douglas County
Filed and Entered in Vol.
Page 37 of 400, October 1931
Aug 5, 1931
Elsie F. Armstrong
Register of Deeds

S. J. Hunter

In witness whereof I have hereunto subscribed my name
the day and year last
above written
John C. Erickson
Notary Public
Nov. 13 1932

12 1033

12 1033

12 1033