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NEARING STAATS PRELOGAR & JONES AIA CHARTERED
ARCHITECTS

Mr. David Corliss
City Manager
City of Lawrence Kansas
City Hall, PO Box 708
Lawrence, Kansas 66044

May 13, 2008

**Re: The Oread Inn;
Request for a vacation of a portion of the Right-of-way on the East side of
Indiana Street.**

Mr. Corliss,

This letter is to give explanation to the request for vacation of a portion of the City of Lawrence's Right-of-way beginning at the South end of the West property line of the Project and extending to the North end of the West property line. We would like to request moving the West property line, parallel to its existing configuration, exactly three (3)-feet to the West.

This vacation would allow the entire building, as a whole, to shift three (3)-feet to the West.

The reason behind the shift of the building is a result of limited options by which the East edge of the property could be safely shored during excavation and construction of the underground parking structure.

An existing concrete retaining wall on the adjacent property to the East (2'-14' tall, and extending 2/3 of the length of the Oread's East property line) needs to be safely supported at its base during the excavation of the underground parking structure. The adjacent property owner has denied the Oread Developer the use of any standard shoring techniques that would encroach onto his property. Even below grade.

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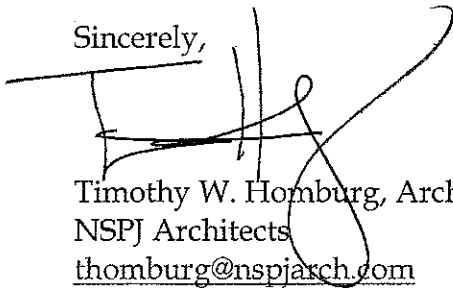
So rather than being able to secure back into the sidewall of the excavation to the East, the Developer is limited to constructing a vertically cantilevered shoring design that is entirely on his property.

The design, done by a Soils Engineer specializing in shoring design, has a minimum required distance from the building to the existing retaining wall. This minimum distance is needed so that the existing retaining wall will not fail and collapse into the excavation, not only risking the safety of the employees of the Developer, but also the safety of the apartment's tenants.

In preliminary discussions with the City Staff, it was agreed on to keep the existing East curb line of Indiana Street as well as the sidewalk in the Right-of-way in it's current location. There would only be a loss of lawn area between the building and the sidewalk. The approved planting proposal along Indiana would not be affected.

I hope this provides you with the necessary information in making this determination. Please do not hesitate to call or E-mail if you have any additional questions.

Sincerely,



Timothy W. Homburg, Architect
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cc. file

Thomas Fritzel
Paul Werner