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PUBLIC WORKS

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

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City County Planning Office
Lawrence, Kansas

Date Application Submitted: 4/1/10

Procedures for Vacation Application:

1. Complete Vacation Application Form, including legal description.
2. Provide ownership list from 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): Martin Moore, 9-10 L.C.
Address of Property Owner: 1441 Wakarusa Dr Ste 200
Lawrence KS 66049
Telephone Number: (785) 841.6584

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

Aaron Gaspers, P.E. Peridian Group, Inc
265 N. Stone Creek Drive Gardner KS 66030
(913) 856-7899

Section 2. Background Information.

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

An unused utility Easement on the north side of
Lot 2 Downtown 2000 Addition

(927 New Hampshire)

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

This is an unused easement, within the limits of the easement
agreement between City of Lawrence (Lot 2) + 9-10 L.C. (Lot 1)
This Easement agreement allows for use as an outside courtyard/seating
area, which would like to be put where this U/E is located.

- 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:

*See Site Plan. It looks like the easement was
platted across Lot 2 for Lot 1.*

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

Water	Yes or <input checked="" type="radio"/> No
Sanitary Sewer	Yes or <input checked="" type="radio"/> No
Stormsewer	Yes or <input checked="" type="radio"/> No
Gas	Yes or <input checked="" type="radio"/> No
Electric	Yes or <input checked="" type="radio"/> No
Telephone	Yes or <input checked="" type="radio"/> No
Cable	Yes or <input checked="" type="radio"/> No

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

No

- D) Should the vacation reserve any City rights?

No

- 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.

Description of the portion of 10 foot Utility Easement to be vacated:

Beginning at the Northwest Corner of Lot One, Downtown 2000 Addition in the City of Lawrence, Douglas County, Kansas; Thence $S01^{\circ}46'41''E$ along the West line of said Lot One, 10.00 feet; Thence $S88^{\circ}13'11''W$, 32.39 feet; thence $N01^{\circ}46'41''W$, 10.00 feet to a point on the North line of Lot Two of said Addition; Thence $N88^{\circ}13'11''E$ along said North line, 32.39 feet to the Point of Beginning; Containing, 323.9 Square Feet, more or less.

