

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

Date Application Submitted: 5-18-10

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): Foust, LLC - Owen Foust, Managing Member
Address of Property Owner: 3600 SW 29th St.
Topeka, KS 66614
Telephone Number: 785-273-5550

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

Cornerstone Regional Surveying, LLC Attn: Gary Walker
1921 N. Penn Ave. Independence, KS 67301
Ph. 620.331.6767 FAX 620.331.6776 g.walker@cornerstoneregionalsurveying.com

Section 2. Background Information.

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

utility Easements platted in Lots 1-4 of North
Lawrence Addition Number 14

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

A Minor Plat consolidating Lots 1-4 is in process. The existing
easements are unused and cross the proposed building location.
New easements encompassing existing utilities are being
proposed.

- 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?

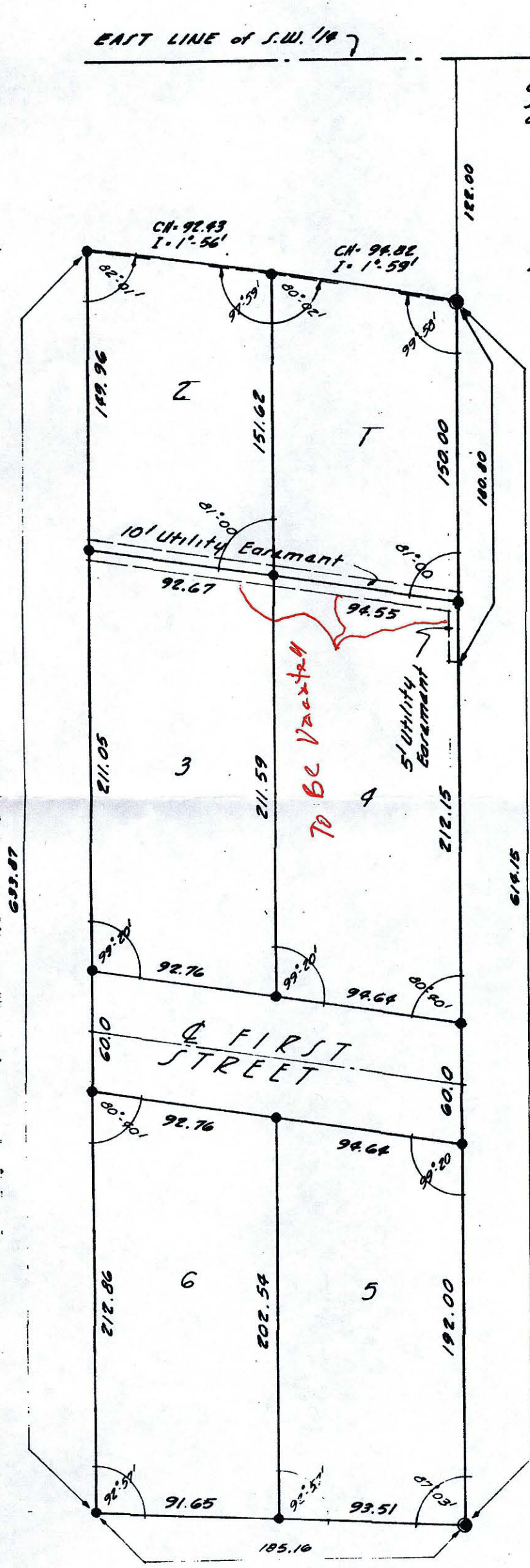
- E)** City staff recommendation for the proposed vacation:

Public Works	_____
Planning	_____
Utilities	_____

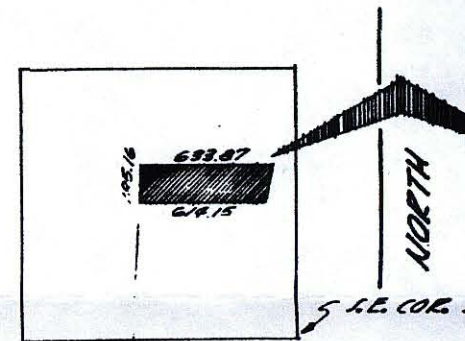
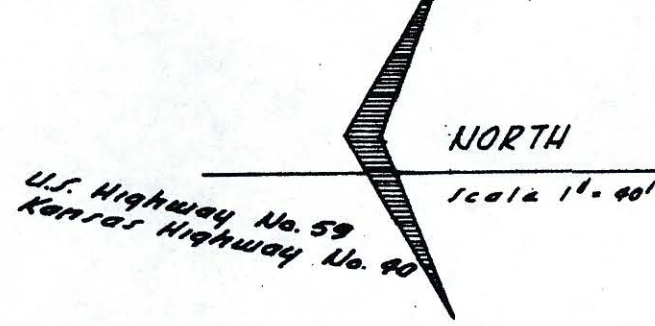
Section 4. After City staff approval, the property owner must execute a Petition for Vacation which will be prepared by City staff. Once a petition has been received, notice of the hearing on vacation will be published. The City Commission will consider the proposed vacation at the hearing, and if appropriate,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

Boundary Description of Easements proposed for vacation:

The West 5 feet of Lots 1 and 2; along with the East 5 feet of Lots 3 and 4; along with the South 5 feet of the East 30.8 feet of Lot 4, all in North Lawrence Addition Number Fourteen, A Sub-Division in the City of Lawrence, Kansas.



663.3 Feet To The Southeast Cor. of Southwest 1/4 of Section 19-T12-R20.



Southeast 1/4 of Southwest 1/4 of Section 19-
LOCATION MAP Scale

NORTH LAWRENCE NUMBER FOUR

A SUB-DIVISION IN THE CITY OF LAWRENCE

- LEGEND:
- 1/2" x 18" Steel Pin Set
 - Steel Pin Found : From County Survey No. 154

State of Kansas
County of Douglas

This is To Certify That I, C.E. Radmond, C.
In And For Said County Have Checked
Shown And That I Do Hereby Approve
In The County Records.

C.E. Radmond
C.E. Radmond
County