

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

Date Application Submitted: September 18, 2012

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): Immanuel Lutheran Church
Address of Property Owner: 2104 Bob Billings Pkwy
Lawrence, KS 66049-2722
Telephone Number: 785-843-0620

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

David P. Cronin, P.E., City Engineer, PO Box 708, Lawrence, KS 785-832-3130

Section 2. Background Information.

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

Right-of-way (3171 Sq Ft.) is being vacated along north side of Bob Billings Parkway that fronts the south side of Lot 1 of the University Lutheran Center addition in Lawrence, Kansas.

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

To compensate the church for right-of-way acquisition for the Iowa reconstruction project, the city is vacating existing right-of-way along Bob Billings Parkway that is currently being used by the church for an access drive.

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:

No, the vacation does not impact any adjacent property owners.

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?

No

D) Should the vacation reserve any City rights?

No

E) City staff recommendation for the proposed vacation:

Public Works	<u>Yes</u>
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.