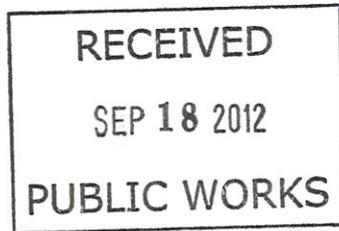


Application for the Vacation of
Public Right of Way or Easement
City of Lawrence, Kansas



Date Application Submitted: September 14, 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.

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

Name of Property Owner(s): William L. Ray Trust & Sharon L. Ray Trust
Address of Property Owner: William L. Ray & Sharon L. Ray Trustees
1891 N. 1000 Road, Lawrence, KS 66046
Telephone Number: 785-542-2621

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

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).

FRONTAGE ROAD EASEMENT

B) Describe the purpose or reason for seeking the proposed vacation:
SEE ATTACHMENT 1

C) Attach a copy of the plat of record of the property, indicating the location of the proposed vacation. SEE ATTACHMENT 2

D) Attach a copy of the **legal description** for the portion of the easement or right-of-way which is to be vacated. SEE ATTACHMENT 3

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.

(B) PURPOSE OR REASON FOR SEEKING VACATION:

We are requesting that the easement be vacated so we can have unrestricted use of the area for parking and merchandise display as needed without concerns of City code violations. It is a large part of our parking lot.

The frontage road easement has been on this property since March 1977, over 35 years, and no plans have been discussed or presented to develop a road, and there are no plans in the foreseeable future to do so.

AERIAL VIEW



Douglas County

Ray Property 1209 E. 23 Street

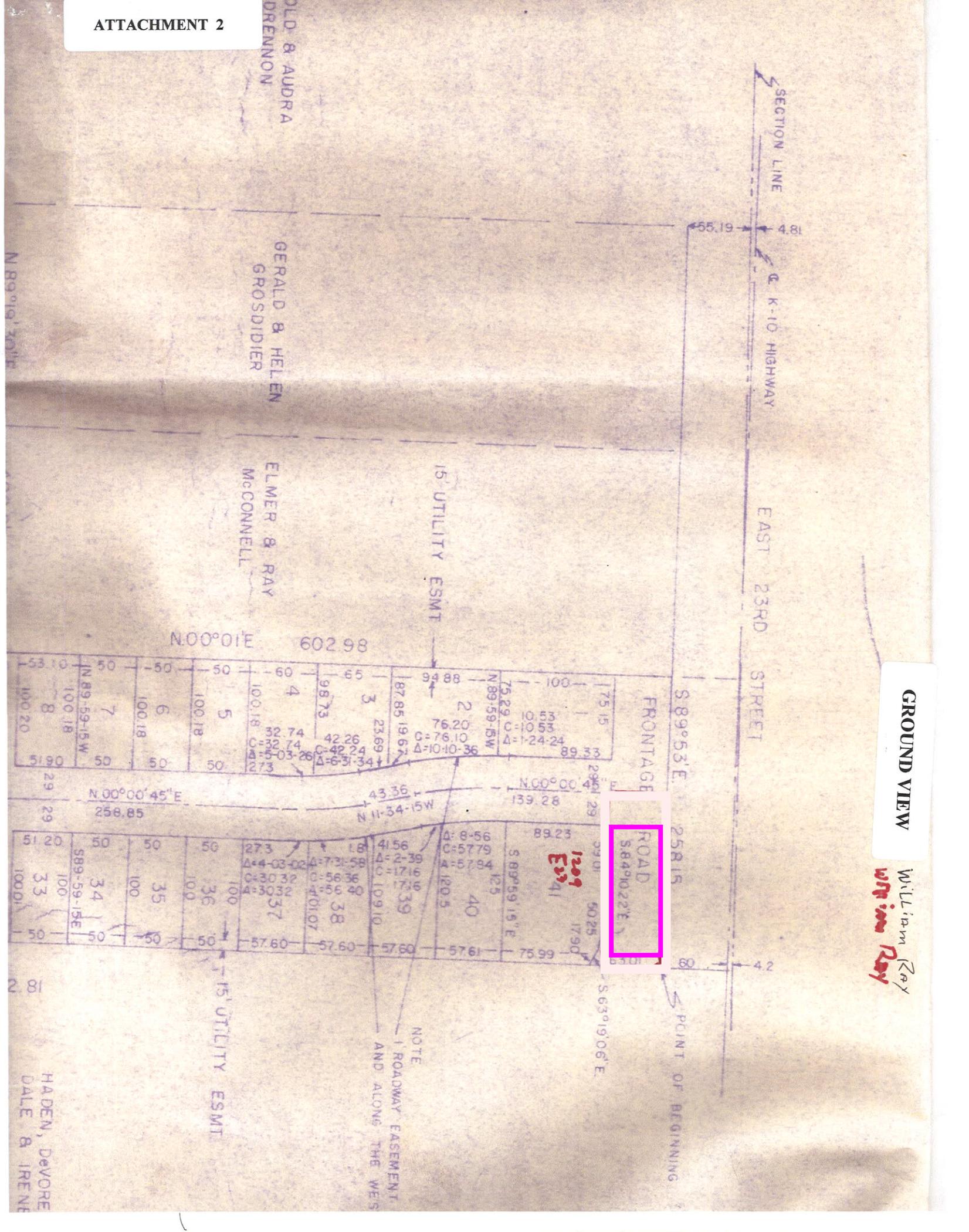
This map is to be used for reference purposes only, and no other use or reliance on the same is authorized. Parcel lines are shown for tax purposes only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract. Parcels shown do not necessarily constitute a legal lot of record.

Printed: Sep 13, 2012

 FRONTAGE ROAD AREA

GROUND VIEW

William Ray
Wm Ray



OLD & AUDRA DRENNON

GERALD & HELEN GROSSIDIER

ELMER & RAY MCCONNELL

N 00° 00' 00" E 602.98

SECTION LINE

K-10 HIGHWAY

EAST 23RD STREET

FRONTAGE ROAD

ROAD

POINT OF BEGINNING

15' UTILITY ESMT

15' UTILITY ESMT

NOTE
ROADWAY EASEMENT
AND ALONG THE WES

HADEN, DEVORE
DALE & IRENE

ATTACHMENT 3

DESCRIPTION OF AREA TO BE VACATED:

Description for vacation of Kansas Highway No. 10 (East 23rd Street) right-of-way for Commerce Park East an addition in the City of Lawrence, Douglas County, Kansas.

Beginning at the Northeast corner of Lot 41 of a final plat of Commerce Park East an Addition in the City of Lawrence, Douglas County, Kansas; thence continuing along the North line of Lot 41, North 63° 19' 06" West a distance of 17.90 feet; thence continuing along the North line of Lot 41, North 84° 10' 22" West a distance of 50.25 feet; thence continuing along the North line of Lot 41, North 89° 53' 00" West a distance of 58.01 feet, said point being 1.0 foot East of the Northwest corner of said Lot 41; thence North 00° 00' 45" East parallel to the centerline of Ponderosa Avenue a distance of 50.00 feet; thence South 89° 53' 00" East a distance of 124.00 feet; thence South 00° 00' 45" West a distance of 63.01 feet to the Point of Beginning, containing 0.148 acre more or less, all in the City of Lawrence, Douglas County, Kansas, subject to rights-of-way, easements and restrictions of record.