

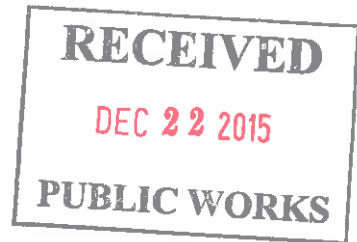


**KAW VALLEY ENGINEERING**

Originating Office: ☒ JC ☐ KC ☐ LX ☐ SA ☐ EM ☐ WH

## Letter of Transmittal

TO: City of Lawrence  
Public Work Engineering Dept.  
PO BOX 708  
Lawrence, KS 66044



Attention: Public Works Engineering Dept.  
Tel: 785-832-3143  
Dept.: Public Works

Date: 12/21/15 Job No.: A15S7522  
Ref: Application for the Vacation of Public Right of Way  
or Easement

**We are sending you**  
☐ Shop Drawings  
☐ Copy of Letter  
☒ Plans  
☐ Samples  
☐ Specifications

☒ Attached  
☒ Prints  
☐ Change Order

**Information sent via:**  
☐ US Mail ☐ Fax ☐ Courier  
☒ Federal Express [☒ Priority ☐ Standard ☐ 2-Day ]  
☐ Other \_\_\_\_\_

Copies	Date	No.	Description
1	12/21/15		Complete Vacation Application Form
1	12/21/15		Ownership list from Douglas Co. Clerks Officeq
1	12/21/15		Check #62129 for \$200.00

These are transmitted as checked below:

☐ For Approval ☐ Resubmit \_\_\_\_\_ Copies ☐ Return \_\_\_\_\_ Corrected Prints  
☒ For Your Use ☐ \_\_\_\_\_ ☐ Submit \_\_\_\_\_ Copies for Distrib.  
☒ As Requested ☐ Returned For Corrections ☐ Prints Returned After Loan To Us  
☐ For Review and Comment ☐ For Bids Due (Enter Date) \_\_\_\_\_

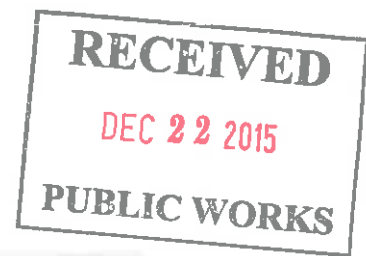
Remarks: Should you have any questions or require additional information, please do not  
hesitate to contact me.

Copy To: \_\_\_\_\_ Signed: Jason R. Loader, RLS: ks

KVETrans 01.15

2319 N. Jackson, PO Box 1304 • Junction City, Kansas 66441 • Tel: 785-762-5040 • Fax: 785-762-7744  
8040 N. Oak Trafficway • Kansas City, Missouri 64118 • Tel: 816-468-5858 • Fax: 816-468-6651  
14700 West 114th Terrace • Lenexa, Kansas 66215 • Tel: 913-894-5150 • Fax: 913-894-5977  
742 Duvall Ave. • Salina, Kansas 67401 • Tel: 785-823-3400 • Fax: 785-823-3411  
1104 East 12th Avenue • Emporia, Kansas 66801 • Tel: 620-208-5240  
200 N. Emporia Suite 100 • Wichita, Kansas 67202 • Tel: 316-440-4304 • Fax: 316-440-4309

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



Date Application Submitted: 12/14/15

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): Dillon Real Estate Co., Inc.  
Address of Property Owner: 734 E 4th Ave.  
Hutchinson, KS 67501  
Telephone Number: Russell Robben (620) 694-6346

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

Jason Loader, 785-762-5040, Kaw Valley Engineering, 2319 N Jackson St, Junction City, KS, 66441

**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).

The west 5 feet of a 10 foot platted utility easement along the east property line of 3440 W. 6th St.

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

To remove the encroachment of the building into the existing easement.

- 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. A portion of the easement will remain and there is also a platted 7.5 feet easement adjacent to the east.

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- 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	<input checked="" type="radio"/> Yes or No
Electric	Yes or <input checked="" type="radio"/> No
Telephone	<input checked="" type="radio"/> Yes or 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. It appears the the gas and telephone in the portion to be vacated are services to the building.

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- D)** Should the vacation reserve any City rights?

No.

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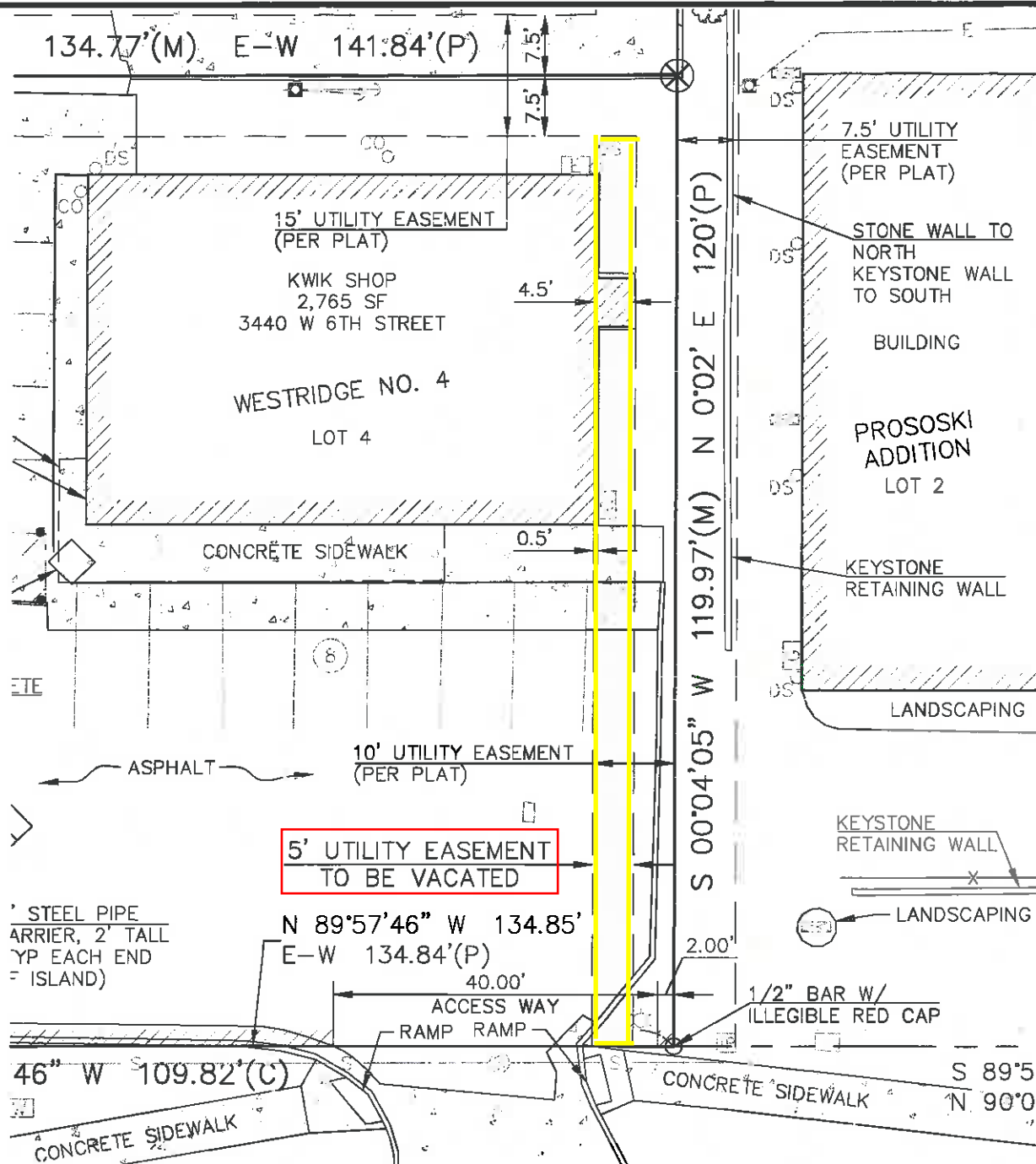
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- E)** City staff recommendation for the proposed vacation:

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.**



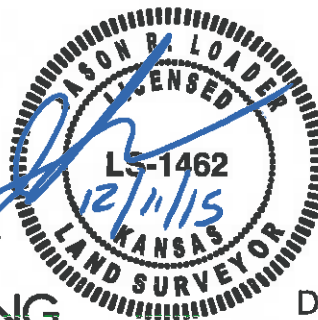
#### DESCRIPTION:

THE WEST 5 FEET OF THE PLATTED 10 FOOT WIDE UTILITY EASEMENT ON THE EAST LINE OF LOT 4 OF WESTRIDGE NO. 4, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, LYING SOUTH OF THE PLATTED 15 FOOT WIDE UTILITY EASEMENT ON THE NORTH LINE OF SAID LOT 4..

#### LEGEND:



EASEMENT TO BE VACATED



SCALE: 1" = 20'



**KAW VALLEY ENGINEERING**

2319 NORTH JACKSON | P.O. BOX 1304  
JUNCTION CITY, KANSAS 66441  
PH. (785) 762-5040 | FAX (785) 762-7744  
jc@kveng.com | www.kveng.com

DECEMBER 11, 2015  
7522EXBA ESMT VACATE



JAMIE SHEW  
DOUGLAS COUNTY CLERK  
1100 Massachusetts  
Lawrence, KS 66044

Marni Penrod-Chief Deputy Clerk  
Benjamin Lampe-Deputy Clerk Elections

December 14, 2015

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 200 FT OF 3440 W 6TH ST  
(U13825E). 12/14/2015. REQUESTED BY JASON LOADER OF KAW VALLEY  
ENGINEERING..

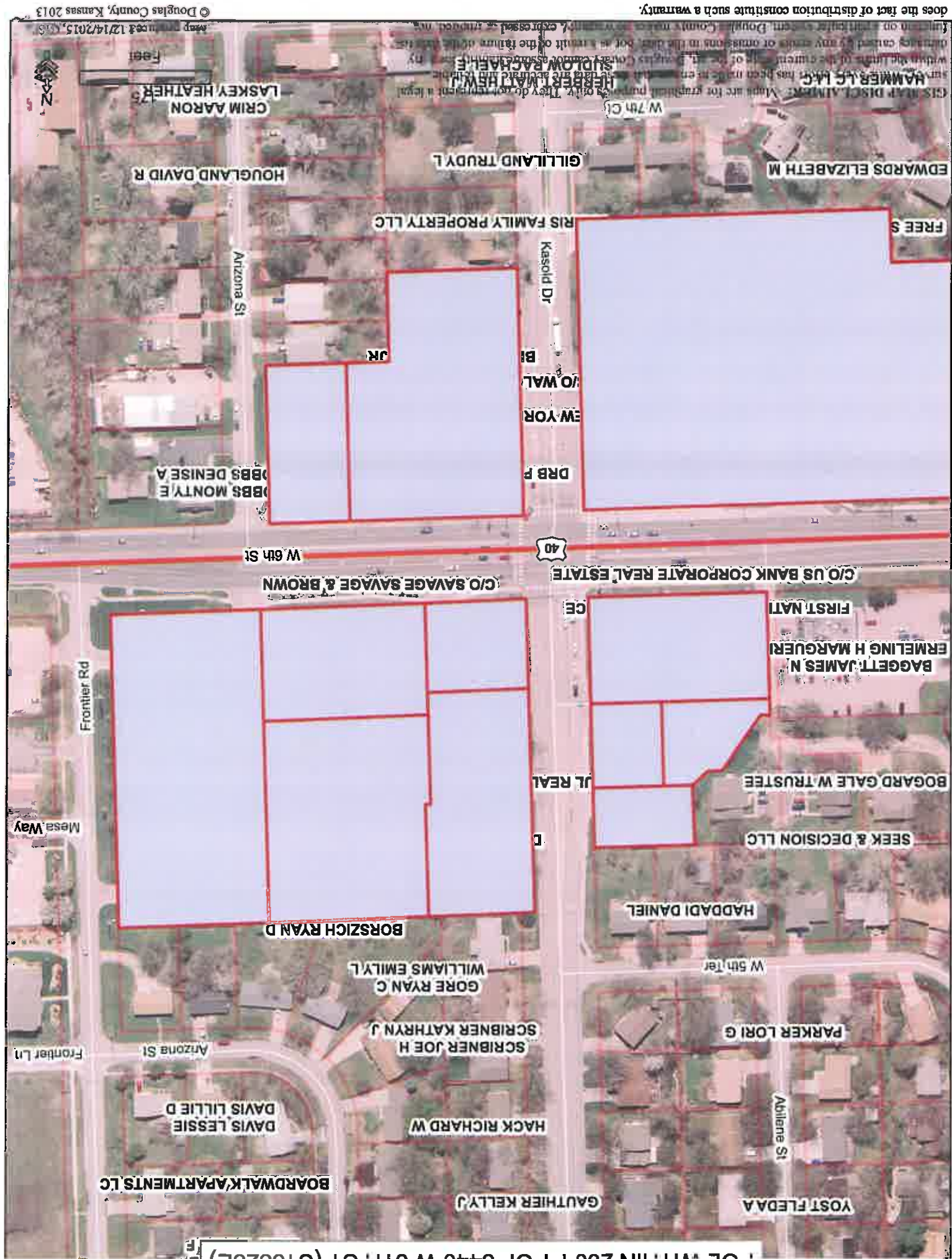
JOHN R. NICHOLS  
DOUGLAS COUNTY CLERK'S OFFICE  
1100 MASSACHUSETTS ST  
LAWRENCE, KS 66044.

785-832-5147

[jnichols@douglas-county.com](mailto:jnichols@douglas-county.com)

Douglas County Real Estate Division  
County Clerk's Office. I do hereby certify  
the Property Ownership listed hereto, to be  
true and accurate.





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Map data © 2013 Google

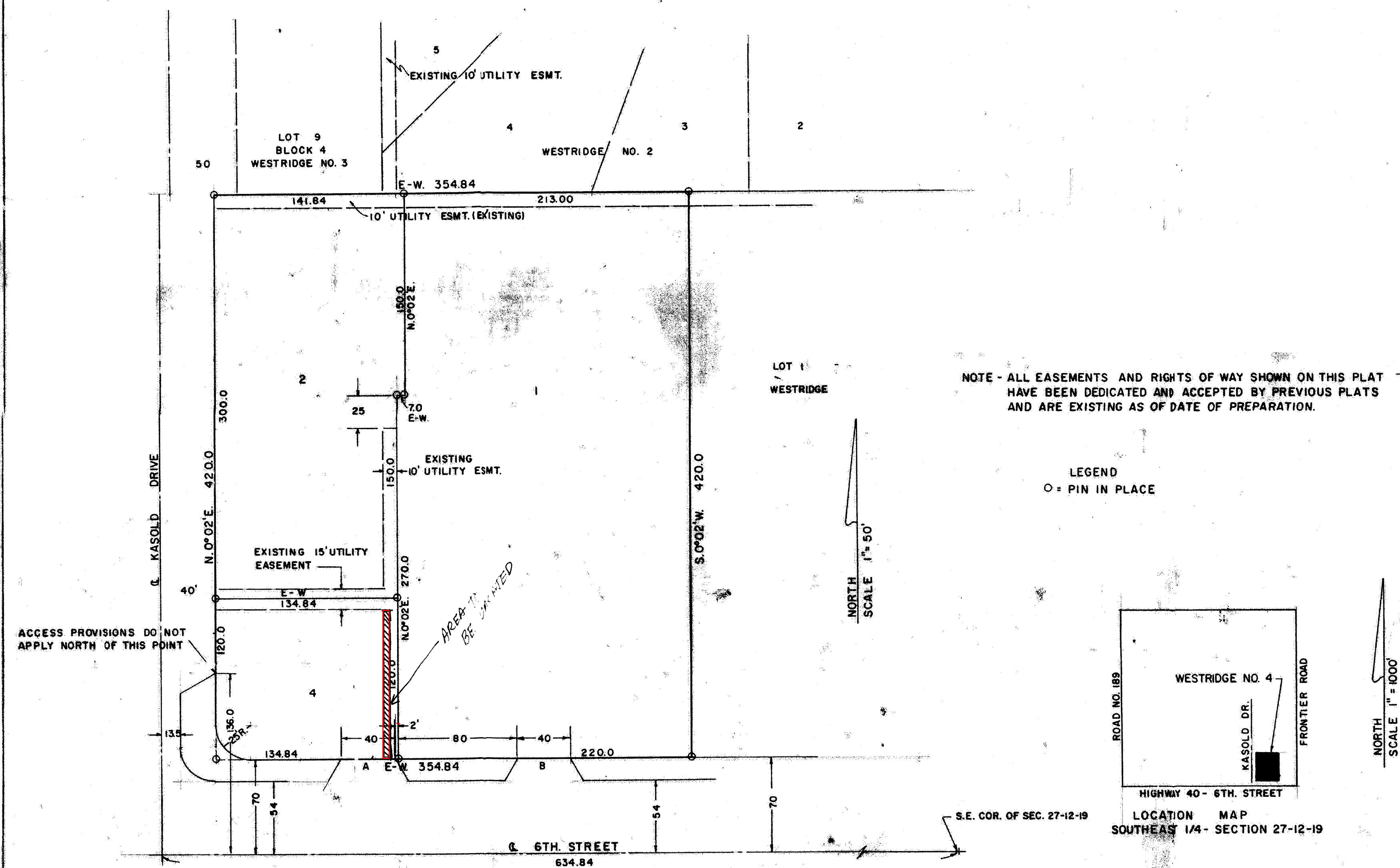
EDWARDS ELIZABETH M  
GILLILAND TRUDY L  
RIS FAMILY PROPERTY LLC  
FREE S  
Kasold Dr  
BI  
O WAL  
EW YOR  
DRB P  
W 6th St  
C/O US BANK CORPORATE REAL ESTATE  
BAGGETT JAMES N  
ERMELING H MARGUERITE  
FIRST NATI  
BOGARD GALE W TRUSTEE  
SEEK & DECISION LLC  
HADDADI DANIEL  
W 5th St  
PARKER LORI G  
YOST FLEDA A  
GAUTHIER KELLY J  
HACK RICHARD W  
DAVIS LESSIE D  
FRONTIER LN  
MESA WAY  
BORSZICH RYAN D  
C/O SAVAGE SAVAGE & BROWN  
W 6th St  
BOBBS MONTY E  
BOBBS DENISE A  
CRIM AARON  
LASKEY HEATHER  
HARRIS RACHAEL E  
HAMMER LC LLC  
GIS MAP DISCLAIMER: Map data for graphical purposes only. They do not represent a legal survey. The user assumes all liability for any errors or omissions in the data, not a result of the failure of the data.

does the fact of distribution constitute such a warranty.

JOINPIN	SYSALACRE	owner1	owner2	owner3	address	city	sta	zip	plate	PID	Quickrefid	situs
068-27-0-40-10-014.00-0		1.92878436 66 FEDERAL CREDIT UNION			PO BOX 1358	BARTLESVILLE	OK	74005	U13823	023-068-27-0-40-10-014.00-0	R9315	3400 W 6TH ST
068-27-0-40-10-013.00-0		1.33943582 DORSEY-LIBERTY POST #14 THE AMERICAN LEGION			PO BOX 157	LAWRENCE	KS	66044	U13824B	023-068-27-0-40-10-013.00-0	R9313	3408 W 6TH ST
068-27-0-40-10-011.00-0		0.95270540 U-HAUL REAL ESTATE CO			PO BOX 29046	PHOENIX	AZ	85038	U13825D	023-068-27-0-40-10-011.00-0	R9311	540 KASOLD DR
068-27-0-40-13-015.00-0		0.24679859 ELLIS MICHAEL W	ELLIS PAULA S		531 KASOLD DR	LAWRENCE	KS	66049	U13863A	023-068-27-0-40-13-015.00-0	R9385	531 KASOLD DR
068-27-0-40-13-016.00-0		0.24526922 ROARK MICHAEL L TRUSTEE			PO BOX 123	LAWRENCE	KS	66044	U13861KA	023-068-27-0-40-13-016.00-0	R9366	3500 WESTRIDGE DR
068-27-0-40-13-017.00-0		0.26793291 ROARK MICHAEL L TRUSTEE			PO BOX 123	LAWRENCE	KS	66044	U13861LA01	023-068-27-0-40-13-017.00-0	R9367	3504 WESTRIDGE DR
068-27-0-40-10-013.01-0		0.75756889 JDL LC		C/O MEDEXPRESS	370 SOUTHPOINT BLVD STE 100	CANONSBURG	PA	15317	U13824BA	023-068-27-0-40-10-013.01-0	R9314	3420 W 6TH ST
068-27-0-40-13-025.00-0		0.78677236 FIRST NATIONAL BANK OF LAWRENCE		C/O US BANK CORPORATE REAL ESTATE	505 N 7TH ST STE 200	SAINT LOUIS	MO	63101	U13861J	023-068-27-0-40-13-025.00-0	R9376	3500 W 6TH ST
068-27-0-40-10-012.00-0		0.37144586 JELL INC		C/O SAVAGE SAVAGE & BROWN	PO BOX 22845 STE F	OKLAHOMA CITY	OK	73123	U13825E	023-068-27-0-40-10-012.00-0	R9312	3440 W 6TH ST
068-34-0-10-02-001.00-0		0.52318575 DRB PROPERTIES LLC			1100 PARKSIDE CIR	LAWRENCE	KS	66049	U10602	023-068-34-0-10-02-001.00-0	R11292	3401 W 6TH ST
068-34-0-10-02-002.00-0		1.61363189 NEW YORK-KANSAS BLDG CO L P		C/O WALGREEN CO-TAX DEPT	PO BOX 1159	DEERFIELD	IL	60015	U10601	023-068-34-0-10-02-002.00-0	R11293	3421 W 6TH ST
068-34-0-10-03-001.00-0		5.40892057 HIRD ELIZABETH T TRUSTEE			601 KASOLD DR STE D101	LAWRENCE	KS	66049	U15173A01	023-068-34-0-10-03-001.00-0	R11308	601 KASOLD DR



27



NOTE - THE RIGHT IS RESERVED TO CHANGE, ALTER, DELETE OR ADD TO THE ENTRANCE OR ACCESS WAY DESIGNATED "A" AND "B" AS SHOWN HEREON, PROVIDED HOWEVER THAT ANY SUCH CHANGE, ALTERATIONS, DELETION OR ADDITION SHALL BE SUBJECT TO THE APPROVAL BY THE OWNERS OF 80% OF THE LOTS OF THIS PLAT, AS HEREON SHOWN, AND BY THE OWNERS OF LOT 1, WESTRIDGE, AN ADDITION IN THE CITY OF LAWRENCE, KANSAS, AND BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, AFTER A HEARING BEFORE THE PLANNING COMMISSION OF SAID CITY.

## ACKNOWLEDGEMENT

STATE OF KANSAS  
COUNTY OF DOUGLAS

BE IT REMEMBERED, THAT ON THIS 22nd DAY OF December, 1981, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME WILLIAM MEDARIS, COMMANDER, DORSEY LIBERTY POST NO. 14, AMERICAN LEGION, AND WILLIAM B. BEELER, SECRETARY AND LINDLEY A. BRIEN, FINANCE OFFICER OF SAID POST NO. 14, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

Patricia L. Bayle  
NOTARY PUBLIC

September 8, 1984  
MY COMMISSION EXPIRES

## ACKNOWLEDGEMENT

STATE OF KANSAS  
COUNTY OF Lawrence

BE IT REMEMBERED, THAT ON THIS 2 DAY OF December, 1981, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME RICHARD W. DILLON, VICE PRESIDENT OF DILLON REAL ESTATE CO., INC., WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

Nancy A. Roberts  
NOTARY PUBLIC

8-15-82  
MY COMMISSION EXPIRES

## DESCRIPTION

THIS IS A RESURVEY AND REPLAT OF LOT 2 AND THE NORTH 175 FEET OF LOT 3, WESTRIDGE, AND THE REPLAT OF THE SOUTH 245 FEET OF LOT 3, WESTRIDGE, AN ADDITION IN THE CITY OF LAWRENCE, KANSAS, AND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH. PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS. CONTAINS 3.42 ACRES, MORE OR LESS.

## DEDICATION

BE IT KNOWN TO ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE HAD CAUSE FOR THE SAME TO BE RESURVEYED AND REPLATTED UNDER THE NAME OF WESTRIDGE NO. 4

AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN BY THIS PLAT AND FULLY DEFINED ON THIS PLAT. ALL STREETS, DRIVES, ROADS, ETC. SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF LAWRENCE AND PUBLIC UTILITY COMPANIES TO ENTER UPON, CONSTRUCT AND MAINTAIN UTILITIES UPON, OVER, AND UNDER THOSE AREAS OUTLINED ON THIS PLAT AS "UTILITY EASEMENT OR U/E". SEE NOTE

OWNER, LOT 4  
DILLON REAL ESTATE CO. INC.

Richard W. Dillon  
RICHARD W. DILLON

OWNERS LOTS 2 & 3

Lawrence Boodle  
LAWRENCE BOODLE  
Lynne Boodle  
LYNNE BOODLE

CONTRACT PURCHASER  
LOTS 2 & 3

Harold Twigg  
HAROLD TWIGG  
Linda Twigg  
LINDA TWIGG

OWNER LOT 1  
DORSEY LIBERTY POST NO. 14  
AMERICAN LEGION

William Medaris  
WILLIAM MEDARIS - COMMANDER  
William B. Beeler  
WILLIAM B. BEELER - SECRETARY  
Lindley A. Brien  
LINDLEY A. BRIEN - FINANCE OFFICER

## ACKNOWLEDGEMENT

STATE OF KANSAS  
COUNTY OF DOUGLAS

BE IT REMEMBERED, THAT ON THIS 12th DAY OF November, 1981, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME LAWRENCE BOODLE AND LYNNE BOODLE, HIS WIFE, HAROLD TWIGG AND LINDA TWIGG, HIS WIFE,

WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

Nancy A. Roberts  
NOTARY PUBLIC

8-14-83  
MY COMMISSION EXPIRES

## ENDORSEMENTS

THE LAWRENCE - DOUGLAS COUNTY PLANNING COMMISSION AT ITS MEETING ON THE 22nd DAY OF April, 1981, HAS EXAMINED THIS PLAT AND HAS APPROVED THE PLAT FOR FILING IN THE COUNTY RECORDS.

Hank Booth  
HANK BOOTH, CHAIRMAN

THE CITY COMMISSION OF THE CITY OF LAWRENCE, KANSAS, AT ITS MEETING ON THE 14th DAY OF April, 1981, HAS EXAMINED THIS PLAT AND HEREBY ACCEPTS DEDICATION OF EASEMENTS AND RIGHTS OF WAY.

NOT APPLICABLE  
MARCI FRANCISCO, MAYOR

ATTEST NOT APPLICABLE  
VERA MERCER, CITY CLERK

## CERTIFICATION

I HEREBY CERTIFY THAT THE PLATTED AREA AND THE LOCATION MAP HEREON SHOWN ARE THE TRUE AND ACCURATE RESULTS OF A FIELD SURVEY AND THAT THE PLAT IS A CLOSED TRAVERSE.

Robert E. Chamberlin  
ROBERT E. CHAMBERLIN  
KANSAS SURVEYOR NO. 185  
PLAT PREPARED JULY 22, 1981

A FINAL PLAT OF

WESTRIDGE NO. 4

AN ADDITION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.