

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

Date Application Submitted: _____

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):	<u>Richard and Linda Finger</u>	<u>Brian E. Lambright</u>
Address of Property Owner:	<u>4117 Wimbledon Drive</u>	<u>4121 Wimbledon Drive</u>
Telephone Number:	<u>785-842-0684</u>	<u>816-294-1722</u>

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).

The proposed vacation is for a 15' utility easement that is located along the mutual side lot line of lots 23 and 24 in Racquet Club Subdivision No. 2, A Replat of Racquet Club Subdivision & A Portion of the Alvamar Golf Course.

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

Currently, a private french drain exists within the easement. It was established over 10 years ago to meet immediate drainage needs of both the adjacent property owners. Recent weather and drainage issues – and the need to clean out/enlarge the french drain – have led us to seek additional grading options, including a small wall, for the side yard between both our properties. In preparation for regarding, owners had a survey of Lot 24 completed, which identified existence of this unused utility easement. Adjacent property owners are seeking resolution to a shared drainage problem. It is in our best interests to have the full utilization of the 20' between our homes to make the necessary grading and drainage improvements. For this reason, we are seeking vacation of the existing utility 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. The utility easement is not used for any existing utilities or to provide access to Wimbledon Drive, the only public street adjacent to our lots and this utility easement. Adjoining property to the west is a private golf course and access to that is from public streets farther to the west and /or northeast.

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

Water	Yes or No
Sanitary Sewer	Yes or No
Storm Sewer	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 properties and surrounding area?

No. The requested vacation would have no impact on the delivery of services to adjoining properties as existing utilities utilize the street right-of-way or easement along the rear (west) property lines for this purpose.

- 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.

ADDITIONAL INFORMATION REQUESTED IN THE APPLICATION

Legal Descriptions for properties adjacent to, and inclusive of, the utility easement:

Lot 23, Racquet Club Subdivision No.2, A Replat of Racquet Club Subdivision & A Portion of Alvamar Golf Course	Lot 24, Racquet Club Subdivision No.2, A Replat of Racquet Club Subdivision & A Portion of Alvamar Golf Course
Owner: Brian E. Lambright	Owners: Richard and Linda Finger

Legal Description for Easement proposed for vacation:

~~The 15' utility easement is 143.69' long and is centered on the mutual property line [N 71°12' 34" W] of lots 23 and 24 in Racquet Club Subdivision No. 2, A Replat of Racquet Club Subdivision & A Portion of Alvamar Golf Course.~~

Richard W. Finger
Linda M. Finger
4117 Wimbledon Drive
Lawrence, KS 66047

Racquet Club No. 2 Subdivision a replat of Racquet Club Subdivision & a portion of the Alvamar Golf Course lot 24

Beginning at the Southeast Corner of Lot 24 of Racquet Club No. 2 Subdivision a Replat of Racquet Club Subdivision & a portion of the Alvamar Golf Course in the City of Lawrence, Douglas County, Kansas; thence North 71°12'34" West on the Southerly line of said Lot 24, a distance of 133.63 feet to the Easterly line of an existing 10 foot Utility Easement; thence North 12°37'11" East on the Easterly line of an existing 10 foot Utility Easement, a distance of 7.54 feet; thence South 17°12'34" East, a distance of 134.30 feet to the Easterly line of said Lot 24; thence South 17°39'36" West on the Easterly line of said Lot 24, a distance of 7.50 feet to the Point of Beginning; containing 1004.72 Square Feet more or less all in the City of Lawrence, Douglas County, Kansas; Subject to Rights-of-way, Easements and Restrictions of Record

Brian E. Lambright
4121 Wimbledon Drive
Lawrence, KS 66047

Racquet Club No. 2 Subdivision a replat of Racquet Club Subdivision & a portion of the Alvamar Golf Course lot 23

Beginning at the Northeast Corner of Lot 23 of Racquet Club No. 2 Subdivision a Replat of Racquet Club Subdivision & a portion of the Alvamar Golf Course in the City of Lawrence, Douglas County, Kansas; thence North 71°12'34" West on the Northerly line of said Lot 23, a distance of 133.63 feet to the Easterly line of an existing 10 foot Utility Easement; thence South 12°37'11" West on the Easterly line of an existing 10 foot Utility Easement, a distance of 7.54 feet; thence South 17°12'34" East, a distance of 132.97 feet to the Easterly line of said Lot 23; thence North 17°39'36" East on the Easterly line of said Lot 23, a distance of 7.50 feet to the Point of Beginning; containing 999.2 Square Feet more or less all in the City of Lawrence, Douglas County, Kansas; Subject to Rights-of-way, Easements and Restrictions of Record



JAMIE SHEW
DOUGLAS COUNTY CLERK
1100 Massachusetts
Lawrence, KS 66044

Marni Penrod-Chief Deputy Clerk
Heather Dill-Deputy Clerk Elections

May 31, 2016

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 200 FT OF 4117 WIMBLEDON
DR (U15759Y). 05/31/2016. REQUESTED BY LINDA FINGER.

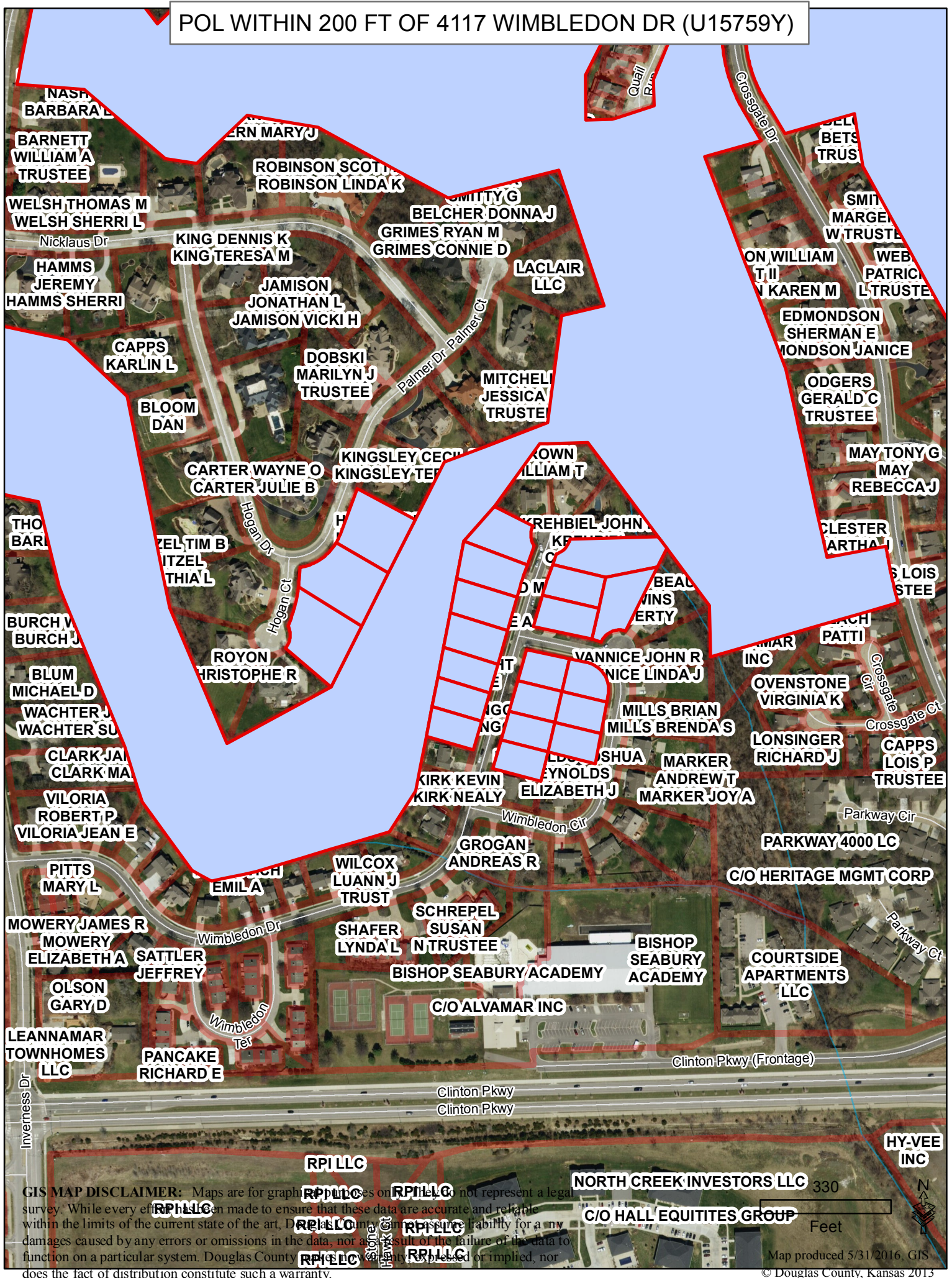
JOHN R. NICHOLS
DOUGLAS COUNTY CLERK'S OFFICE
1100 MASSACHUSETTS ST
LAWRENCE, KS 66044

785-832-5147

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.

POL WITHIN 200 FT OF 4117 WIMBLEDON DR (U15759Y)



GIS MAP DISCLAIMER: Maps are for graphical purposes only and do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, Douglas County is not responsible for any damages caused by any errors or omissions in the data, nor as a result of the failure of the data to function on a particular system. Douglas County hereby disclaims any warranty, expressed or implied, nor does the fact of distribution constitute such a warranty.

NORTH CREEK INVESTORS LLC

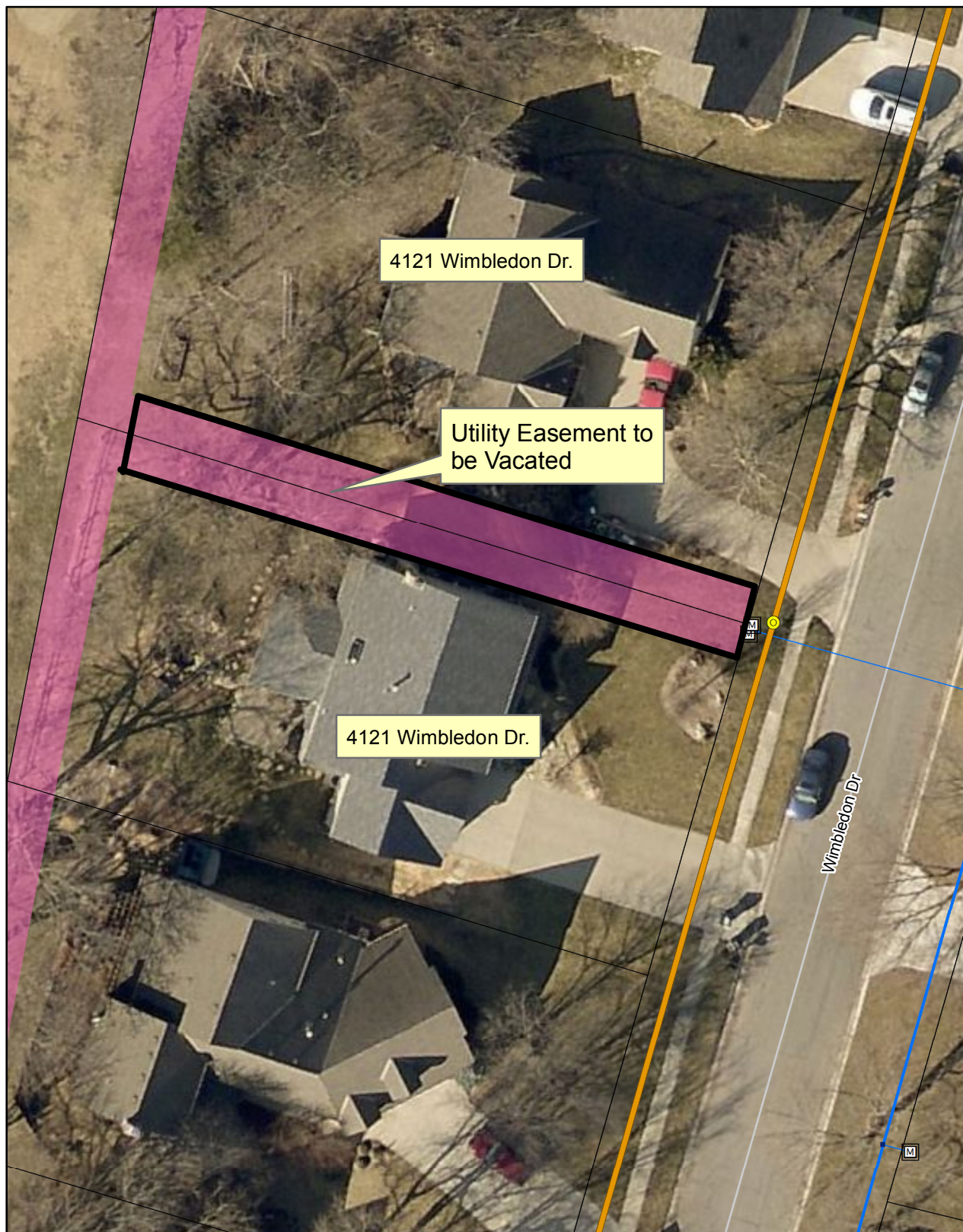
C/O HALL EQUITITES GROUP

330

Feet

Map produced 5/31/2016, GIS
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JOINPIN	SYSCALACRE	owner1	owner2	owner3	address	city	sta	zip	plate	PID	Quickrefid	situs
112-03-0-20-02-028.01-0	301.52230526	ALVAMAR INC			1809 CROSSGATE DR	LAWRENCE	KS	66047	U15557A02	023-112-03-0-20-02-028.01-0	R29536	2021 CROSSGATE DR
112-03-0-30-06-017.00-0	0.53741936	HEDGES BRYAN C	HEDGES LAURA P		2024 PALMER DR	LAWRENCE	KS	66047	U15751-17	023-112-03-0-30-06-017.00-0	R29763	2024 PALMER DR
112-03-0-30-04-024.02-0	0.33773157	WEDEL RYAN B	DAY WEDEL CAITLIN M		4105 WIMBLEDON DR	LAWRENCE	KS	66047	U15760B	023-112-03-0-30-04-024.02-0	R29666	4105 WIMBLEDON DR
112-03-0-30-04-027.00-0	0.50218759	KREHBIEL JOHN R	KREHBIEL CAROYLN M		4108 WIMBLEDON DR	LAWRENCE	KS	66047	U15760F	023-112-03-0-30-04-027.00-0	R29670	4108 WIMBLEDON DR
112-03-0-30-04-024.01-0	0.33952338	HOFFMAN CHAD A REVOCABLE TRUST			4109 WIMBLEDON DR	LAWRENCE	KS	66047	U15760A	023-112-03-0-30-04-024.01-0	R29665	4109 WIMBLEDON DR
112-03-0-30-06-018.00-0	0.60223794	RUDDY THOMAS R II	SOULE SHARON E		1700 UNIVERSITY DR	LAWRENCE	KS	66044	U15751-18	023-112-03-0-30-06-018.00-0	R29764	2028 PALMER DR
112-03-0-30-04-028.00-0	0.26340343	DALRYMPLE JOSHUA A	DALRYMPLE LISA A		4112 WIMBLEDON DR	LAWRENCE	KS	66047	U15760G	023-112-03-0-30-04-028.00-0	R29671	4112 WIMBLEDON DR
112-03-0-30-04-030.00-0	0.35924368	ADAMSON BOBBY J JR	ADAMSON DIANE A		4106 WIMBLEDON CIR	LAWRENCE	KS	66047	U15760I	023-112-03-0-30-04-030.00-0	R29673	4106 WIMBLEDON CIR
112-03-0-30-04-024.00-0	0.31323159	WILSON DAVID M	WILSON CATHERINE A		4113 WIMBLEDON DR	LAWRENCE	KS	66047	U15759Z	023-112-03-0-30-04-024.00-0	R29664	4113 WIMBLEDON DR
112-03-0-30-06-019.00-0	0.60433624	ZHENG MIKE Y			4921 LEGENDS DR	LAWRENCE	KS	66049	U15751-19	023-112-03-0-30-06-019.00-0	R29765	2032 HOGAN CT
112-03-0-30-04-029.00-0	0.27708300	DEBIASSE DAVID M TRUSTEE	DEBIASSE PATRICIA L B TRUSTEE		4102 WIMBLEDON CIR	LAWRENCE	KS	66047	U15760H	023-112-03-0-30-04-029.00-0	R29672	4102 WIMBLEDON CIR
112-03-0-30-04-023.00-0	0.29932597	FINGER RICHARD W	FINGER LINDA M		4117 WIMBLEDON DR	LAWRENCE	KS	66047	U15759Y	023-112-03-0-30-04-023.00-0	R29663	4117 WIMBLEDON DR
112-03-0-30-04-022.00-0	0.24286970	LAMBRIGHT BRIAN E			4121 WIMBLEDON DR	LAWRENCE	KS	66047	U15759X	023-112-03-0-30-04-022.00-0	R29662	4121 WIMBLEDON DR
112-03-0-30-05-001.00-0	0.21331833	PACKARD CHARLES E	PACKARD CHERYL I		4120 WIMBLEDON DR	LAWRENCE	KS	66047	U15760Z	023-112-03-0-30-05-001.00-0	R29737	4120 WIMBLEDON DR
112-03-0-30-05-008.00-0	0.20414763	DOOLEY SEAN	DOOLEY NICOLE		4107 WIMBLEDON CIR	LAWRENCE	KS	66047	U15761A	023-112-03-0-30-05-008.00-0	R29746	4107 WIMBLEDON CIR
112-03-0-30-04-021.00-0	0.23137320	POSLER BRIAN D	POSLER CHRISTINE A		4125 WIMBLEDON DR	LAWRENCE	KS	66047	U15759W	023-112-03-0-30-04-021.00-0	R29661	4125 WIMBLEDON DR
112-03-0-30-05-002.00-0	0.21284759	YOSHIDA TAKESHI	YOSHIDA SUSAN A		4124 WIMBLEDON DR	LAWRENCE	KS	66047	U15760Y	023-112-03-0-30-05-002.00-0	R29738	4124 WIMBLEDON DR
112-03-0-30-05-007.03-0	0.21692958	ROBISON COLE D	ROBISON STACEY L		4111 WIMBLEDON CIR	LAWRENCE	KS	66047	U15761B	023-112-03-0-30-05-007.03-0	R29745	4111 WIMBLEDON CIR
112-03-0-30-04-020.00-0	0.21987740	MARTIN NEAL	KINGSTON MAXINE B		4129 WIMBLEDON DR	LAWRENCE	KS	66047	U15759V	023-112-03-0-30-04-020.00-0	R29660	4129 WIMBLEDON DR
112-03-0-30-05-003.00-0	0.20843978	LANGGARD JAN T	LANGGARD ULF R		3200 SHERWOOD DR	LAWRENCE	KS	66049	U15760X	023-112-03-0-30-05-003.00-0	R29739	4128 WIMBLEDON DR
112-03-0-30-05-007.02-0	0.21547878	WIRTHMAN CAROL S			4115 WIMBLEDON CIR	LAWRENCE	KS	66047	U15761C	023-112-03-0-30-05-007.02-0	R29744	4115 WIMBLEDON CIR
112-03-0-30-05-004.00-0	0.21517583	WENGER TIMOTHY V	WENGER AUDRIE		4132 WIMBLEDON DR	LAWRENCE	KS	66047	U15760W	023-112-03-0-30-05-004.00-0	R29740	4132 WIMBLEDON DR



1 inch = 30 feet

