

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

Date Application Submitted: June 28, 2017

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): David C. & Stephanie L. Hentges
Address of Property Owner: 4413 Nicklaus Drive
Lawrence, Kansas 66047
Telephone Number: 785 – 478 3868

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

J. Dean Grob, Grob Engineering Services, LLC, 3210 Mesa Way, Suite A 785 856-1900,
jdgrob@grobengineering.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).

Proposed vacation is for 10' of a 20' utility easement along the south side of Lot 7, Amended Plat of Heritage No. 2 at Alvamar - 4413 Nicklaus Drive (exhibit provided).

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

Owner would like to further develop property without encumbrance of excess 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.

Vacation Legal Description: A PORTION OF LOT 7, AN AMENDED PLAT OF HERITAGE NO. 2 AT ALVAMAR, SITUATED IN THE EAST HALF OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS, NOW DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 7, SAID POINT BEING 10.30 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 40°42'18" EAST, PARALEL WITH THE SOUTH LINE OF SAID LOT 7, 105.31 FEET; THENCE NORTH 43°14'07" EAST, PARALEL WITH THE EAST LINE OF SAID LOT 7, 10.06 FEET; THENCE NORTH 40°42'18" WEST, PARALEL WITH THE SOUTH LINE OF SAID LOT 7, 106.69 FEET; THENCE SOUTH 35°32'05" WEST, ALONG THE WEST LINE OF SAID LOT 7, 10.30 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 1,060 SQUARE FEET, MORE OR LESS.

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; 10' easement will remain where utilities exist.

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

Water	No
Sanitary Sewer	No
Stormsewer	No
Gas	No
Electric	Yes but not within vacation portion
Telephone	Yes but not within vacation portion
Cable	Yes but not within vacation portion

- C) Will the proposed vacation impair the ability of utilities to deliver services to the adjoining property and surrounding area?

No; Existing utilities are within remaining easement.

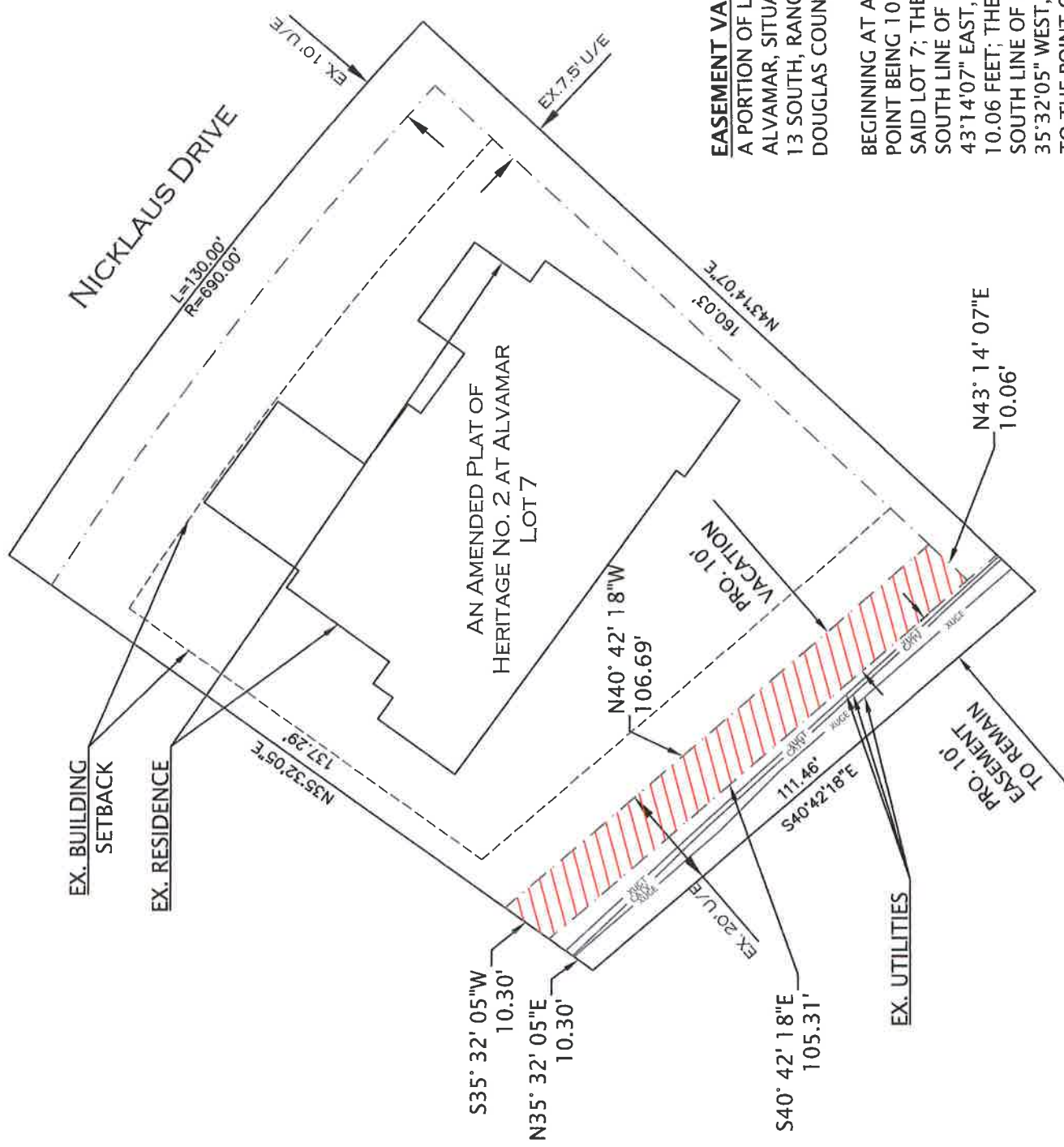
- D) Should the vacation reserve any City rights?

No.

- 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.



EASEMENT VACATION LEGAL DESCRIPTION

A PORTION OF LOT 7, AN AMENDED PLAT OF HERITAGE NO. 2 AT ALVAMAR, SITUATED IN THE EAST HALF OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS, NOW DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 7, SAID POINT BEING 10.30 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 7; THENCE SOUTH $40^{\circ}42'18''$ EAST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 7, 105.31 FEET; THENCE NORTH $43^{\circ}14'07''$ EAST, PARALLEL WITH THE EAST LINE OF SAID LOT 7, 10.06 FEET; THENCE NORTH $40^{\circ}42'18''$ WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 7, 106.69 FEET; THENCE SOUTH $35^{\circ}32'05''$ WEST, ALONG THE WEST LINE OF SAID LOT 7, 10.30 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 1,060 SQUARE FEET, MORE OR LESS.



JAMIE SHEW
DOUGLAS COUNTY CLERK
1100 Massachusetts
Lawrence, KS 66044

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

June 27, 2017

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 400 FT OF 4413 NICKLAUS DR
(U15754-34). 06/27/2017. REQUESTED BY J. DEAN GROB OF GROB ENGINEERING.

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.

A handwritten signature in black ink, appearing to read "John R. Nichols", is written over a horizontal line.

POL WITHIN 400 FT OF NICKLAUS DR (U15754-34).



JOINPIN	SYSALACRES	owner1	owner2	owner3	address	city	state	zip	plate	PID	Quickrefid	situs
112-03-0-20-02-028.01-0	257.739295	EAGLE 1968 LC			643 MASSACHUSETTS ST STE 300	LAWRENCE	KS	66044	U15557A02	023-112-03-0-20-02-028.01-0	R29536	2021 CROSSGATE DR
112-04-0-10-07-001.00-0	0.50183706	SULLIVAN MICHAEL P	SULLIVAN PAMELA A		4400 HERITAGE DR	LAWRENCE	KS	66047	U15754-24	023-112-04-0-10-07-001.00-0	R30142	4400 HERITAGE DR
112-04-0-10-07-002.01-0	0.39166449	BLASER DELORES A TRUSTEE			4404 HERITAGE DR	LAWRENCE	KS	66047	U15754-37	023-112-04-0-10-07-002.01-0	R30143	4404 HERITAGE DR
112-04-0-10-07-002.02-0	0.64582326	BECKER FRANK J	BECKER BARBARA A		4408 HERITAGE DR	LAWRENCE	KS	66047	U15754-38	023-112-04-0-10-07-002.02-0	R30144	4408 HERITAGE DR
112-04-0-10-07-002.03-0	0.51909652	CORNET BERNARD			4412 NICKLAUS DR	LAWRENCE	KS	66047	U15754-39	023-112-04-0-10-07-002.03-0	R30145	4412 NICKLAUS DR
112-04-0-40-07-001.00-0	0.49959134	LAWHORN CHARLTON D	LAWHORN STEPHANIE L		4401 HERITAGE DR	LAWRENCE	KS	66047	U15754-25	023-112-04-0-40-07-001.00-0	R30538	4401 HERITAGE DR
112-04-0-40-01-001.12-0	0.35992491	ROELOFS DAN O	ROELOFS BEVERLY A		4509 NICKLAUS DR	LAWRENCE	KS	66047	U15756CA09C	023-112-04-0-40-01-001.12-0	R30360	4509 NICKLAUS DR
112-04-0-40-07-002.00-0	0.49361747	NORDLING BARBARA TRUSTEE			4404 NICKLAUS DR	LAWRENCE	KS	66047	U15754-36	023-112-04-0-40-07-002.00-0	R30539	4404 NICKLAUS DR
112-04-0-40-01-001.11-0	0.35681836	FLYNN RICHARD B TRUSTEE			4505 NICKLAUS DR	LAWRENCE	KS	66047	U15756CA09B	023-112-04-0-40-01-001.11-0	R30359	4505 NICKLAUS DR
112-03-0-30-06-001.01-0	0.48063723	NASH ALAN F	NASH BARBARA L		1900 INVERNESS DR	LAWRENCE	KS	66047	U15751-01	023-112-03-0-30-06-001.01-0	R29747	1900 INVERNESS DR
112-04-0-40-01-001.10-0	0.34940337	BLUE CYPRESS LLC			4828 QUAIL CREST PL	LAWRENCE	KS	66049	U15756CA09A	023-112-04-0-40-01-001.10-0	R30358	4500 NICKLAUS DR
112-04-0-40-01-001.09-0	0.36902582	SCHAUB CAROL J TRUSTEE	SCHAUB SHERRY J TRUSTEE		4409 NICKLAUS DR	LAWRENCE	KS	66047	U15754-35	023-112-04-0-40-01-001.09-0	R30357	4409 NICKLAUS DR
112-04-0-40-01-001.08-0	0.41405861	HENTGES DAVID C	HENTGES STEPHANIE L		6124 SW 38TH ST	TOPEKA	KS	66610	U15754-34	023-112-04-0-40-01-001.08-0	R30356	4413 NICKLAUS DR
112-03-0-30-06-002.00-0	0.46183524	BARNETT WILLIAM A TRUSTEE			1904 INVERNESS DR	LAWRENCE	KS	66047	U15751-02	023-112-03-0-30-06-002.00-0	R29748	1904 INVERNESS DR
112-04-0-40-07-003.00-0	0.52465312	OLSON DONNA J CO-TRUSTEE	OLSON RODNEY E CO-TRUSTEE		4400 NICKLAUS DR	LAWRENCE	KS	66047	U15754-26	023-112-04-0-40-07-003.00-0	R30540	4400 NICKLAUS DR
112-04-0-40-01-001.07-0	0.449093	PHIPPS BRADLEY G TRUSTEE	PHIPPS CARLA BROWN TRUSTEE		4409 NICKLAUS DR	LAWRENCE	KS	66047	U15754-33	023-112-04-0-40-01-001.07-0	R30355	4409 NICKLAUS DR
112-03-0-30-06-003.00-0	0.57303403	WELSH THOMAS M	WELSH SHERRI L		4308 NICKLAUS DR	LAWRENCE	KS	66047	U15751-03	023-112-03-0-30-06-003.00-0	R29749	4308 NICKLAUS DR
112-04-0-40-01-001.06-0	0.44323035	SOLLARS CONSTANCE E	SOLLARS GARY L		4401 NICKLAUS DR	LAWRENCE	KS	66047	U15754-32	023-112-04-0-40-01-001.06-0	R30354	4401 NICKLAUS DR
112-04-0-40-01-001.04-0	0.63197148	PEAK WILLIAM J TRUSTEE	PEAK LAVAGUHN K TRUSTEE		4401 NICKLAUS DR	LAWRENCE	KS	66047	U15754-27	023-112-04-0-40-01-001.04-0	R30352	4401 NICKLAUS DR
112-03-0-30-06-029.00-0	0.74700579	HAMMS JEREMY	HAMMS SHERRI		4309 NICKLAUS DR	LAWRENCE	KS	66047	U15751-29	023-112-03-0-30-06-029.00-0	R29776	4309 NICKLAUS DR
112-04-0-40-01-014.00-0	0.54978796	POTTS MARK M	STILES-POTTS JANE H		4516 TURNBERRY DR	LAWRENCE	KS	66047	U15762C	023-112-04-0-40-01-014.00-0	R30383	4516 TURNBERRY DR

Vacation Legal Description:

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BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 7, SAID POINT BEING 10.30 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 40°42'18" EAST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 7, 105.31 FEET; THENCE NORTH 43°14'07" EAST, PARALLEL WITH THE EAST LINE OF SAID LOT 7, 10.06 FEET; THENCE NORTH 40°42'18" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 7, 106.69 FEET TO THE WEST LINE OF SAID LOT 7; THENCE SOUTH 35°32'05" WEST ALONG THE WEST LINE OF SAID LOT 7, 10.30 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 1,060 SQUARE FEET, MORE OR LESS.