

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

Date Application Submitted: 1/4/12

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): Ralph H. Park  
Address of Property Owner: 1824 Castle Pine  
Lawrence, KS. 66047  
Telephone Number: 913-653-9812 or Tracy Pentlin  
816-804-5380

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 proposed vacation. What is proposed to be vacated? (e.g. Right-of-way, utility easement, drainage easement).  
*Greenspace*  
→ Easement to be vacated in the back yard of property listed above.

B) Describe the purpose or reason for seeking the proposed vacation:  
We would like to install a pool (in ground).

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 easement to be vacated runs between our property and city of Lawrence property. No roads/streets involved.

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	<input checked="" type="radio"/> Yes or No
Telephone	<input checked="" type="radio"/> Yes or No
Cable	<input checked="" type="radio"/> Yes or No

*only in the utility easement but not in the green zone*

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	_____
Planning	_____
Utilities	<input checked="" type="checkbox"/> _____

**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.**

**LEGAL DESCRIPTION**

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 4, THENCE NORTH 88°10'46" EAST, ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 1503.32 FEET TO THE SOUTHWEST CORNER OF OREAD WEST NO. 5, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE NORTH 35°56'43" EAST, ALONG THE WEST LINE OF SAID OREAD WEST NO. 5, 727.25 FEET; THENCE SOUTH 88°10'54" WEST, 271.31 FEET; THENCE NORTH 00°42'17" WEST, 19.37 FEET; THENCE SOUTH 89°17'43" WEST, 80.00 FEET; THENCE SOUTH 00°42'17" EAST, 18.99 FEET; THENCE ON A 785.00 FOOT RADIUS CURVE TO THE RIGHT, WITH A 209.20 FOOT CHORD BEARING NORTH 80°08'31" WEST, AN ARC DISTANCE OF 209.82 FEET; THENCE ON A 630.00 FOOT RADIUS CURVE TO THE LEFT, WITH A 110.67 FOOT CHORD BEARING NORTH 77°31'24" WEST, AN ARC DISTANCE OF 110.61 FEET; THENCE NORTH 01°30'44" WEST, 544.13 FEET TO THE SOUTHEAST CORNER OF FOXFIRE NO. 3, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 71°44'33" WEST, ALONG THE SOUTH LINE OF SAID FOXFIRE NO. 3, 237.07 FEET; THENCE SOUTH 79°10'25" WEST, ALONG SAID SOUTH LINE, 79.60 FEET; THENCE NORTH 86°50'48" WEST, ALONG SAID SOUTH LINE, 120.01 FEET; THENCE NORTH 72°40'57" WEST, ALONG SAID SOUTH LINE, 88.09 FEET; THENCE ON A 530.00 FOOT RADIUS CURVE TO THE RIGHT, ALONG SAID SOUTH LINE, WITH A 117.52 FOOT CHORD BEARING SOUTH 23°40'40" WEST, AN ARC DISTANCE OF 117.77 FEET; THENCE NORTH 59°57'24" WEST, ALONG SAID SOUTH LINE, 60.00 FEET; THENCE ON A 470.00 FOOT RADIUS CURVE TO THE RIGHT, ALONG SAID SOUTH LINE, WITH A 35.93 FOOT CHORD BEARING SOUTH 34°25'25" WEST, ALONG SAID SOUTH LINE, 34.67 FEET; THENCE NORTH 74°18'36" WEST, ALONG SAID SOUTH LINE, 325.84 FEET; THENCE NORTH 85°05'43" WEST, ALONG SAID SOUTH LINE, 234.20 FEET; THENCE ON A 1030.00 FOOT RADIUS CURVE TO THE RIGHT, WITH A 334.14 FOOT CHORD BEARING SOUTH 11°14'22" WEST, AN ARC DISTANCE OF 335.82 FEET; THENCE ON A 320.00 FOOT RADIUS CURVE TO THE LEFT, WITH A 297.82 FOOT CHORD BEARING SOUTH 07°09'31" EAST, AN ARC DISTANCE OF 309.78 FEET; THENCE SOUTH 55°06'31" WEST, 60.00 FEET; THENCE ON A 380.00 FOOT RADIUS CURVE TO THE LEFT, WITH A 15.95 FOOT CHORD BEARING SOUTH 36°05'37" EAST, AN ARC DISTANCE OF 15.95 FEET; THENCE SOUTH 37°17'46" EAST, 6.00 FEET; THENCE ON A 630.00 FOOT RADIUS CURVE TO THE LEFT, WITH A 21.46 FOOT CHORD BEARING SOUTH 49°03'35" WEST, AN ARC DISTANCE OF 21.47 FEET; THENCE SOUTH 41°54'59" EAST, 60.00 FEET; THENCE ON A 570.00 FOOT RADIUS CURVE TO THE RIGHT, WITH A 40.12 FOOT CHORD BEARING NORTH 50°06'01" EAST, AN ARC DISTANCE OF 40.13 FEET; THENCE SOUTH 37°52'59" EAST, 212.20 FEET; THENCE SOUTH 49°06'44" WEST, 67.71 FEET; THENCE SOUTH 30°17'50" WEST, 247.90 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 37.396 ACRES, MORE OR LESS, ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

**DEDICATION**

BE IT KNOWN TO ALL MEN THAT I (WE), THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE HAD CAUSE FOR THE SAME TO BE SURVEYED AND PLATTED UNDER THE NAME OF "FOXFIRE ADDITION NO. 4" AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN 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" AND "DRAINAGE EASEMENT" OR "D/E."

*Robert G. Billings*  
ROBERT G. BILLINGS  
MABET #1, L.C. NORTH TANK, L.C.

**ACKNOWLEDGEMENT**

STATE OF KANSAS  
COUNTY OF DOUGLAS  
BE IT REMEMBERED THAT ON THIS 23rd DAY OF November 1999, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME ROBERT G. BILLINGS, WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.  
*Lisa K. Stoneking*  
LISA K. STONEKING  
Notary Public, State of Kansas  
My Comm. Expires 1/15/2005  
NOTARY PUBLIC MY COMMISSION EXPIRES

**ENDORSEMENTS**

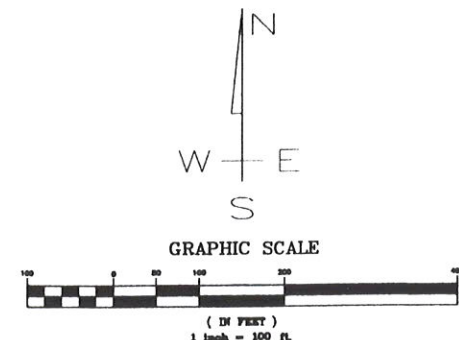
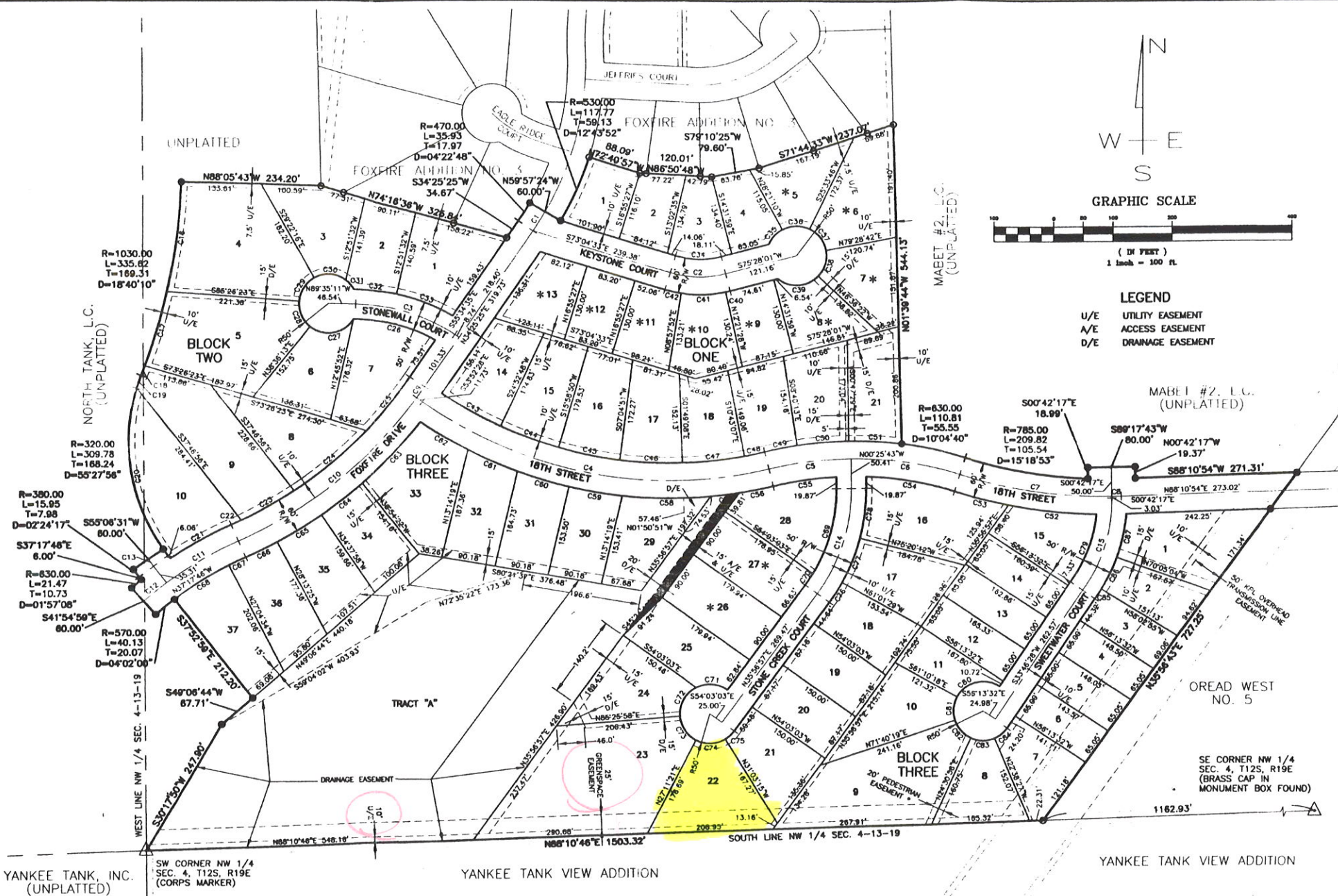
APPROVED BY  
LAWRENCE-DOUGLAS COUNTY  
PLANNING COMMISSION  
DOUGLAS COUNTY, KANSAS  
*Frank A. Male*  
FRANK A. MALE  
CHAIRMAN  
DATE  
MAYOR E. HODGES  
DATE  
REVIEWED BY:  
*Michael D. Kelly*  
MICHAEL D. KELLY, L.S. #869  
DOUGLAS COUNTY SURVEYOR  
CITY CLERK  
RAYMOND J. HUMMERT  
DATE

**FILING RECORD**

STATE OF KANSAS  
COUNTY OF DOUGLAS  
THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY REGISTER OF DEEDS ON THIS 23rd DAY OF December, 1999, AND IS DULY RECORDED AT 12:40 AM/P.M. IN PLAT BOOK P.11, PAGE 118.



CURVE NO.	LENGTH	RADIUS	TANGENT	CHORD	BEARING
C1	38.27	500.00	19.12	38.22	N37°14'01"E
C2	33.34	170.00	47.88	32.77	S88°48'18"E
C3	178.08	300.00	91.25	175.41	N72°24'53"E
C4	608.18	700.00	324.78	589.23	S78°45'51"E
C5	138.50	600.00	69.56	138.19	S82°57'31"W
C6	187.91	600.00	94.73	187.14	N81°27'23"W
C7	259.38	815.00	130.80	258.79	S81°36'07"E
C8	15.63	815.00	7.82	15.63	N88°13'22"E
C9	22.99	750.00	11.49	22.99	N35°18'05"E
C10	391.14	750.00	200.12	386.72	N51°07'12"E
C11	139.19	600.00	69.59	138.88	S88°24'51"W
C12	49.06	600.00	24.54	49.04	S87°25'34"W
C13	14.89	350.00	7.35	14.89	S88°05'37"E
C14	190.47	300.00	96.57	187.29	N17°45'27"E
C15	166.33	260.00	86.17	163.51	N17°37'20"E
C16	186.91	1030.00	93.71	186.65	N07°06'12"E
C17	131.61	1030.00	65.89	131.52	N15°57'45"E
C18	17.10	1030.00	8.55	17.10	N28°09'59"E
C19	23.16	320.00	11.58	23.15	S18°20'03"W
C20	300.05	320.00	152.08	299.18	S18°28'03"W
C21	116.17	630.00	58.25	116.01	S88°46'39"W
C22	18.67	720.00	9.33	18.67	N65°19'03"E
C23	101.15	720.00	50.86	101.07	N62°53'01"E
C24	180.34	720.00	90.73	180.34	S18°08'53"E
C25	117.41	720.00	58.83	117.28	N38°05'42"E
C26	145.21	275.00	74.34	143.53	N75°08'13"W
C27	85.66	50.00	57.89	75.57	N78°31'17"E
C28	48.83	50.00	26.58	48.91	S17°25'05"E
C29	48.83	50.00	26.61	47.00	S13°25'41"W
C30	57.54	50.00	32.43	54.41	N88°24'18"E
C31	20.83	50.00	10.57	20.68	N41°50'05"W
C32	73.82	325.00	37.07	73.67	N83°28'34"E
C33	101.05	325.00	50.93	100.64	N88°14'03"W
C34	78.86	140.00	38.43	75.90	S88°08'13"W
C35	23.10	50.00	11.88	23.64	S41°29'21"W
C36	47.05	50.00	25.43	45.33	N37°28'46"W
C37	47.05	50.00	25.43	45.33	N12°20'10"E
C38	74.33	50.00	45.98	67.69	N89°59'43"E
C39	4.59	200.00	2.30	4.59	N89°59'43"E
C40	74.43	200.00	37.65	74.00	N88°18'12"E
C41	27.78	200.00	13.91	27.76	S77°03'20"E
C42	113.76	670.00	57.02	113.67	S62°15'21"E
C43	104.07	670.00	52.14	103.97	S82°34'11"E
C44	104.07	670.00	52.14	103.97	S10°03'10"E
C45	104.07	670.00	52.14	103.97	S82°22'09"E
C46	104.07	670.00	52.14	103.97	N83°43'53"E
C47	34.33	670.00	17.17	34.32	N77°48'49"E
C48	54.80	630.00	27.42	54.79	S78°50'18"W
C49	88.83	630.00	43.58	88.56	S88°18'09"W
C50	90.48	630.00	45.32	90.41	N88°40'36"W
C51	147.88	845.00	74.18	147.78	S83°54'16"E
C52	94.44	845.00	47.27	94.39	S78°41'10"E
C53	153.51	570.00	77.22	153.04	N80°11'29"W
C54	108.07	570.00	53.64	108.41	S81°42'08"W
C55	56.64	730.00	28.34	56.63	N87°18'07"E
C56	48.08	730.00	24.00	48.07	N82°40'42"E
C57	147.69	730.00	74.10	147.44	S87°30'26"E
C58	90.23	730.00	45.17	90.17	S87°18'08"E
C59	80.23	730.00	45.17	80.17	S72°13'13"E
C60	81.63	730.00	41.57	81.59	S89°04'58"E
C61	82.05	730.00	48.08	81.98	S88°52'27"E
C62	143.27	780.00	71.83	143.06	N43°37'40"E
C63	88.18	780.00	44.14	88.14	N57°07'43"E
C64	87.25	780.00	43.67	87.20	N58°34'19"E
C65	58.37	780.00	28.34	58.30	N83°58'25"E
C66	31.20	570.00	15.80	31.20	S84°20'30"W
C67	107.51	570.00	53.92	107.35	S57°31'14"W
C68	151.20	275.00	77.57	149.31	N15°18'22"E
C69	23.40	275.00	11.71	23.39	N37°30'43"E
C70	54.82	50.00	30.53	52.12	N81°27'48"W
C71	59.07	50.00	33.53	55.70	S72°14'57"E
C72	50.83	50.00	27.85	48.67	S33°41'20"E
C73	50.83	50.00	27.85	48.67	N88°04'03"E
C74	20.07	50.00	10.17	19.93	N47°28'31"E
C75	39.56	325.00	19.80	39.54	N32°27'44"E
C76	81.11	325.00	40.59	80.59	S45°25'22"E
C77	85.61	325.00	43.05	85.36	N07°07'03"E
C78	124.18	235.00	63.58	122.75	N02°55'22"E
C79	82.84	50.00	54.49	73.68	S78°17'28"W
C80	41.15	50.00	21.82	40.60	S02°19'01"W
C81	41.15	50.00	21.82	40.60	S45°25'22"E
C82	41.15	50.00	21.82	40.60	S88°04'53"E
C83	27.41	50.00	14.08	27.07	N51°39'15"E
C84	19.89	285.00	9.95	19.88	N43°57'01"E
C85	59.87	285.00	30.04	59.78	N02°56'00"E
C86	75.87	285.00	38.16	75.63	N12°17'21"E



**LEGEND**  
U/E UTILITY EASEMENT  
A/E ACCESS EASEMENT  
D/E DRAINAGE EASEMENT

**NOTES**

STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH THE MASTER STREET TREE PLAN FILED WITH THE REGISTER OF DEEDS, BOOK , PAGE .

ADDITIONAL INFORMATION CONCERNING STRUCTURAL ELEVATIONS IS PLACED ON THE PRELIMINARY PLAT ("A REVISED PRELIMINARY PLAT FOR OREAD WEST-SOUTH" [Rev. 7.1.99]).

DRIVEWAYS ON LOTS 6 AND 9, BLOCK THREE WILL BE CONSTRUCTED TO CITY REQUIREMENTS.

THE DEVELOPER WILL FORM AN ESCROW ACCOUNT TO PAY FOR A 10' WIDE, 6" THICK FIBER REINFORCED CONCRETE WALK WITHIN SAID EASEMENT ACCESSING FUTURE PARKLAND WITHIN YANKEE TANK VIEW ADDITION. THE SIDEWALK WILL BE MAINTAINED BY THE LAWRENCE PARKS AND RECREATION DEPARTMENT; THE TURF ADJACENT TO THE SIDEWALK WILL BE MAINTAINED BY THE ADJACENT PROPERTY OWNER(S). THE SIDEWALK WILL BE CONSTRUCTED CONCURRENT WITH DEVELOPMENT OF PARK IMPROVEMENTS. IN SUCH CASE THAT A PARK IS NOT DEVELOPED BY THE CITY WITHIN 10 YEARS FROM THE DAY OF RECORDING OF THIS PLAT, THE DEVELOPER'S OBLIGATION SHALL BECOME NULL AND VOID AND THE DEVELOPER SHALL BE REIMBURSED THE FULL VALUE OF SAID FUNDS IN ESCROW. THE TERM "DEVELOPER" IS DEFINED AS A ROAD TO THE PARK, A PARKING LOT, AND ONE OR MORE OF THE FOLLOWING: PLAYGROUND EQUIPMENT, ATHLETIC FIELDS, A SHELTER HOUSE WITH RESTROOMS, A NATURE TRAIL OR PICNIC TABLES.

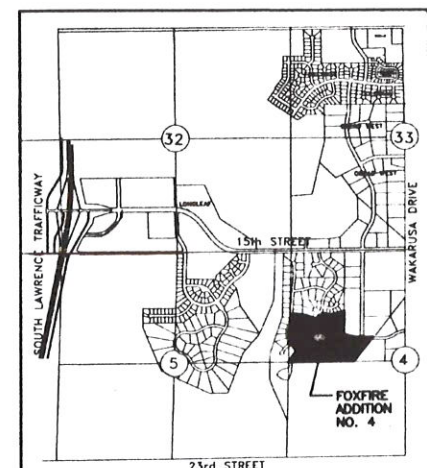
THE BEARINGS ON THIS PLAT ARE BASED ON MODIFIED STATE PLANE COORDINATES (KANSAS NORTH ZONE).

**MONUMENTATION**

○ 1/2" BAR FOUND (ORIGINAL LOT CORNER)  
● 1/2" X 24" BAR W/CAP "PLS 610" SET

1/2" X 24" BAR W/CAP "PLS 610" TO BE SET AT ALL INTERIOR LOT CORNERS WITHIN 12 MONTHS OF RECORDING OF THIS PLAT, AND ACCORDING TO SEC. 21-302.2 OF THE CITY OF LAWRENCE SUBDIVISION REGULATIONS.

\* SEE ATTACHMENTS FOR DETAILS.



**A FINAL PLAT OF  
FOXFIRE ADDITION  
NO. 4**

A SUBDIVISION IN THE  
CITY OF LAWRENCE,  
DOUGLAS COUNTY, KANSAS

NW 1/4, SEC. 4-T13S-R19E  
NE 1/4, SEC. 5-T13S-R19E

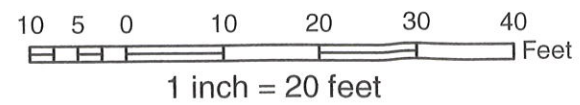
**CERTIFICATION**

I HEREBY CERTIFY THAT THE PLATTED AREA AND THE LOCATION MAP SHOWN HEREON ARE THE TRUE AND ACCURATE RESULTS OF A FIELD SURVEY PERFORMED UNDER MY DIRECTION ON Nov. 7, 1999 AND THAT THE PLAT IS A CLOSED TRAVERSE.

JOHN E. SEAR, P.E., P.L.S. #610  
1310 WAKANUSA DRIVE  
LAWRENCE, KANSAS 66048  
(785) 843-7530

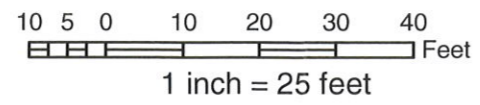
PLAT PREPARED JULY, 1999

# 1824 Castle Pine Court, Lawrence, Ks 66047



**DISCLAIMER NOTICE**  
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

Date: 11/2/2011



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Date: 11/2/2011

