

COUNTY: DOUGLAS
PROJECT: 10-23KA-1826-01

CITY: LAWRENCE
TRACT NO.: 3

DONATION OF RIGHT OF WAY AND WAIVER OF APPRAISAL

The undersigned owner(s) hereby expressly declare the intent to dedicate the real estate legally described in Attachment A, attached hereto and made a part of this donation by reference.

Having been fully informed of the right to have the property appraised and to receive just compensation based upon an appraisal, the undersigned further state that the decision to dedicate said land was made without any undue influence or coercive action of any nature, and that the right to an appraisal and to just compensation is hereby waived.

It is intended that all necessary instruments of conveyance will be executed upon presentation by Kansas Department of Transportation representatives or agents.

IN WITNESS WHEREOF, the undersigned have caused this DONATION OF RIGHT OF WAY AND WAIVER OF APPRAISAL to be executed on this ____ day of _____, 2013.

The City of Lawrence, Kansas, a Kansas municipal corporation

Michael Dever, Mayor

STATE OF KANSAS,)
) ss:
DOUGLAS COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 2013, before me, the undersigned, a notary public in and for the County and State aforesaid, came _____ of The City of Lawrence, Kansas, a Kansas municipal corporation, who is personally known to me to be the same person(s) who executed the foregoing deed, and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last written.

_____, Notary Public

My Appointment Expires:

RECOMMENDED BY:

Randel M. Scarbrough
Randel M. Scarbrough, Right of Way Agent

ATTACHMENT A

A tract of land in the Southwest Quarter of Section 32, Township 12 South, Range 19 East of the 6th P.M., described as follows: COMMENCING at the Southwest corner of said Quarter Section; thence on an assumed bearing of North 02 degrees 40 minutes 28 seconds West, 994.44 feet along the West line of said Quarter Section to the center line of Bob Billings Parkway; thence North 88 degrees 02 minutes 10 seconds East, 1156.70 feet along said centerline to the Easterly right of way line of the existing highway; thence South 01 degree 41 minutes 07 seconds East, 50.31 feet along said Easterly right of way line to the Southerly right of way line of said existing public road and the POINT OF BEGINNING; FIRST COURSE, thence North 88 degrees 03 minutes 38 seconds East, 250.00 feet along said Southerly right of way line to the Northeast corner of a tract of land described in a deed recorded in Book 495, Page 51 in the Register of Deeds Office, Douglas County, Kansas; SECOND COURSE, thence South 01 degree 56 minutes 22 seconds East, 44.59 feet along the Easterly line of said tract of land; THIRD COURSE, thence South 88 degrees 02 minutes 10 seconds West, 49.94 feet; FOURTH COURSE, thence continuing South 88 degrees 02 minutes 10 seconds West, 60.00 feet; FIFTH COURSE, thence continuing South 88 degrees 02 minutes 10 seconds West, 65.00 feet; SIXTH COURSE, thence South 69 degrees 01 minute 49 seconds West, 475.95 feet; SEVENTH COURSE, thence South 28 degrees 50 minutes 41 seconds West, 364.13 feet to the Southerly line of said tract of land; EIGHTH COURSE, thence South 88 degrees 00 minutes 11 seconds West, 46.92 feet along said Southerly line to the Easterly right of way line of the existing highway; NINTH COURSE, thence North 31 degrees 53 minutes 21 seconds East, 320.47 feet along said Easterly right of way line; TENTH COURSE, thence North 08 degrees 23 minutes 28 seconds East, 138.47 feet along said Easterly right of way line; ELEVENTH COURSE, thence North 72 degrees 49 minutes 29 seconds East, 419.67 feet along said Easterly right of way line; to the POINT OF BEGINNING. The above described tract contains 1.35 acres, more or less.

This conveyance is made for the purpose of a controlled access highway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights of access to said highway, appurtenant to the grantor, his property; except and reserving, however, to the grantor, his heirs and assigns, the right of access to the highway over and across the following described course: FOURTH COURSE.

The Secretary may install a fence or other device to delineate the above described controlled access highway facility. If such fence or other device is installed, the Secretary assumes no legal or other responsibility for fencing private property.