

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

Date Application Submitted: 4-4-14

**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): Lawrence Memorial Hospital  
Address of Property Owner 302 Maine Street  
Lawrence, KS 66044  
Telephone Number: (785) 832 - 3150

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

Darron Ammann, Sr. Project Manager, Bartlett & West, Inc. 544 Columbia Drive, Lawrence  
Phone: 330 - 7034  
Darron.Ammann@Bartwest.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).

Propose to vacate 15' of existing street right-of-way along West 3<sup>rd</sup> Street that has  
previously been dedicated for a through street but has had various ROW vacations  
surrounding it by other properties.

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

Allow for proposed parking lot to be located on owner's property and not the city's  
right-of-way.

C) Attach a copy of the plat of record of the property, indicating the location of the proposed vacation. - **Lot 74, Block 21, in original West Lawrence Addition**

D) Attach a copy of the legal description for the portion of the easement or right-of-way which is to be vacated. – Attached

D) Attach a copy of the legal description for the portion of the easement or right-of-way which is to be vacated.

**VACATION DESCRIPTION:**

A PORTION OF THE 80.0 FEET RIGHT OF WAY FOR WEST 3<sup>RD</sup> STREET IN WEST LAWRENCE ADDITION, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF LOT 73, BLOCK 21 WEST LAWRENCE ADDITION, SAID NORTHWEST QUARTER BEING PLATTED AS 825 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND 50 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 01 DEGREE 49 MINUTES 52 SECONDS WEST, COINCIDENT WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 73, ALSO BEING THE EAST RIGHT OF WAY LINE OF MAINE STREET, A DISTANCE OF 15.00 FEET; THENCE 88 DEGREES 02 MINUTES 04 SECONDS EAST, BEING 15.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 73 AND LOT 74 OF BLOCK 21, A DISTANCE OF 265.02 FEET TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE 55.0 FEET RIGHT OF WAY LINE FOR ALABAMA STREET IN SAID WEST LAWRENCE ADDITION; THENCE SOUTH 01 DEGREE 52 MINUTES 40 SECONDS EAST, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 15.00 FEET TO THE SOUTH LINE OF SAID 80.0 FEET RIGHT OF WAY FOR WEST 3<sup>RD</sup> STREET; THENCE SOUTH 88 DEGREES 02 MINUTES 04 SECONDS WEST, COINCIDENT WITH SAID SOUTH LINE, ALSO BEING THE NORTH LINE OF SAID LOT 73 AND LOT 74, A DISTANCE OF 265.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINING 3,975 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, this vacation will not impose any access restrictions in the surrounding area.

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

Water	Yes or <b>No</b>
Sanitary Sewer	Yes or <b>No</b>
Stormsewer	Yes or <b>No</b>
Gas	Yes or <b>No</b>
Electric	<b>Yes</b> or No – believed to be only a private service line
Telephone	<b>Yes</b> or No – believed to be only a private service line
Cable	Yes or <b>No</b>

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

No

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

No

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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.**



**JAMIE SHEW**  
DOUGLAS COUNTY CLERK

1100 Massachusetts  
Lawrence, KS 66044

Phone: 785-832-5267  
Fax: 785-832-5192

Marni Penrod  
Chief Deputy Clerk

Benjamin Lampe  
Deputy Clerk-Elections

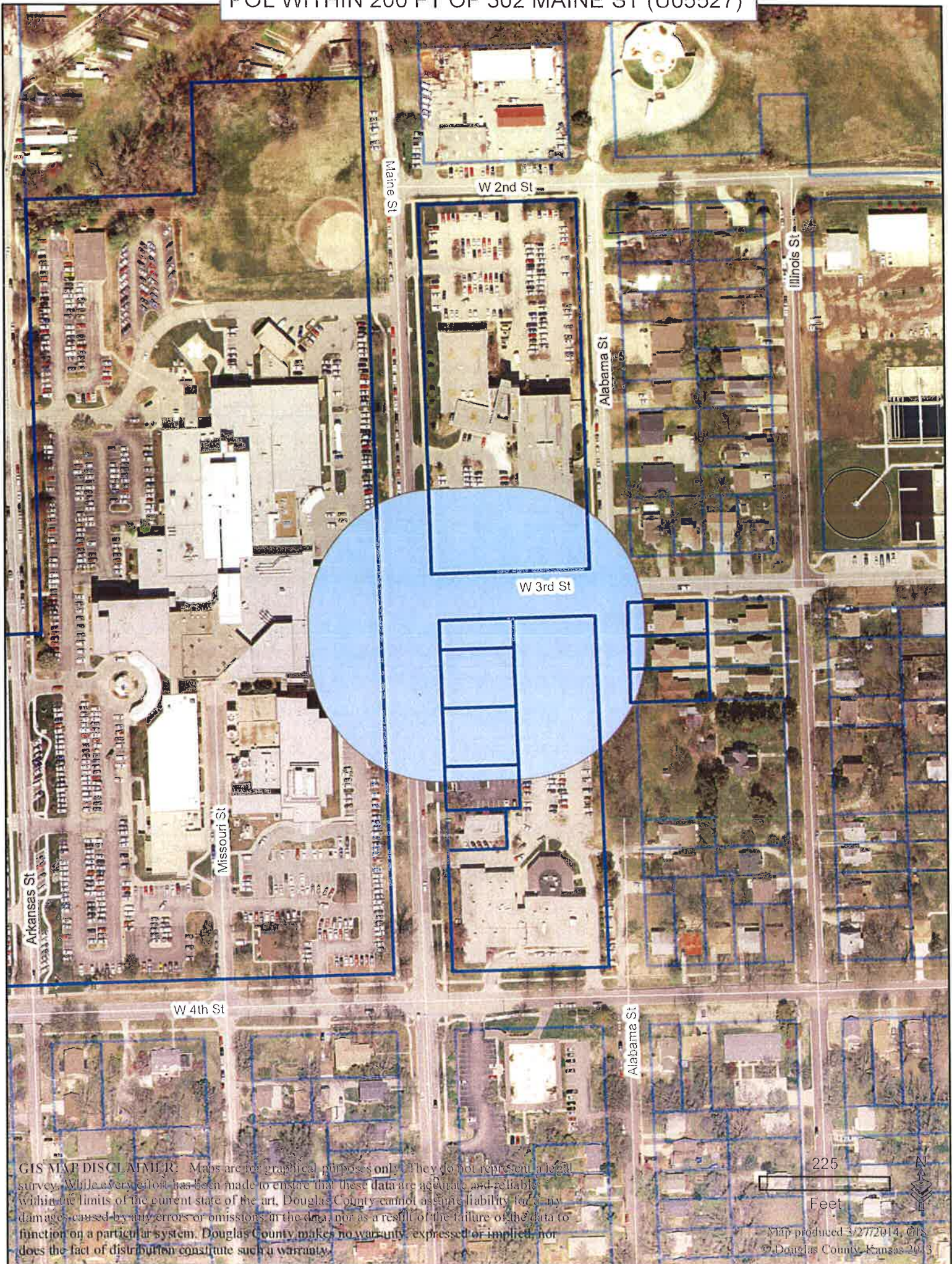
March 27, 2014

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 200 FT OF 302 MAINE ST (U05527).  
03/27/2014 REQUESTED BY DARRON AMMANN OF BARTLETT & WEST.

JOHN R NICHOLS  
ACCOUNT CLERK  
PHONE 785-832-5147  
FAX 785-832-5192  
EMAIL jnichols@douglas-county.com

Douglas County Real Estate Division  
County Clerks Office. I do hereby certify  
The Real Estate Ownership listed hereto,  
to be true and accurate.

POL WITHIN 200 FT OF 302 MAINE ST (U05527)



GIS MAP DISCLAIMER: Maps are for graphical purposes only. They 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 cannot assume liability 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 makes no warranty, expressed or implied, nor does the fact of distribution constitute such a warranty.

225  
Feet  
Map produced 3/27/2014, GIS  
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JOINPIN	SYSCALACRE	owner1	owner2	owner3	address	city	sta zip	plate	PID	Quickrefid	situs
067-25-0-10-03-004.00-0	22.56752014	LMH BOARD OF TRUSTEES	CITY OF LAWRENCE	C/O CITY CLERK	PO BOX 708	LAWRENCE	KS 66044	U05304A01	023-067-25-0-10-03-004.00-0	R3851	325 MAINE ST
067-25-0-10-08-001.00-0	3.90586313	CITY OF LAWRENCE			PO BOX 708	LAWRENCE	KS 66044	U05347A01	023-067-25-0-10-08-001.00-0	R3881	200 MAINE ST
067-25-0-40-04-001.02-0	0.17632873	TENANTS TO HOMEOWNERS INC		C/O DONAHEY CASSIE L	302 ALABAMA ST	LAWRENCE	KS 66044	U05503	023-067-25-0-40-04-001.02-0	R4492	302 ALABAMA ST
067-25-0-40-05-001.00-0	2.56661005	J & S HOLDINGS LLC			4405 NICKLAUS DR	LAWRENCE	KS 66047	U05520A	023-067-25-0-40-05-001.00-0	R4508	346 MAINE ST
067-25-0-40-05-002.00-0	0.14392695	LAWRENCE MEMORIAL HOSPITAL		C/O CARRIER STEVE	325 MAINE ST	LAWRENCE	KS 66044	U05527	023-067-25-0-40-05-002.00-0	R4509	302 MAINE ST
067-25-0-40-04-001.03-0	0.17560025	TENANTS TO HOMEOWNERS INC			306 ALABAMA ST	LAWRENCE	KS 66044	U05504	023-067-25-0-40-04-001.03-0	R4493	306 ALABAMA ST
067-25-0-40-05-003.00-0	0.28778950	OSR LC		C/O DEEDS KENT	308 MAINE ST	LAWRENCE	KS 66044	U05529	023-067-25-0-40-05-003.00-0	R4510	308 MAINE ST
067-25-0-40-04-001.04-0	0.17629288	TENANTS TO HOMEOWNERS INC			310 ALABAMA ST	LAWRENCE	KS 66044	U05505	023-067-25-0-40-04-001.04-0	R4494	310 ALABAMA ST
067-25-0-40-05-004.00-0	0.28768518	WULFKUHLE FRANCES A TRUSTEE			1418 N 600 RD	BALDWIN CITY	KS 66006	U05533	023-067-25-0-40-05-004.00-0	R4511	316 MAINE ST
067-25-0-40-05-005.00-0	0.21449208	WULFKUHLE FRANCES A TRUSTEE			1418 N 600 RD	BALDWIN CITY	KS 66006	U05537	023-067-25-0-40-05-005.00-0	R4512	320 MAINE ST



**OWNER AUTHORIZATION**

I/WE Lawrence Memorial Hospital, hereby referred to as the "Undersigned", being of lawful age, do hereby on this \_\_\_\_ day of \_\_\_\_\_, 2014, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

LOT 74 BLOCK 21 OF WEST LAWRENCE, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

2. I/We the undersigned, have previously authorized and hereby authorize **Darron Ammann with Bartlett & West, Inc.** (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas, regarding **302 Maine Street Parking Lot Addition**, the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

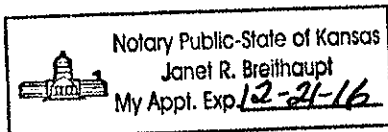
STATE OF KANSAS  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this 3 day of April, 2014,

by \_\_\_\_\_.

My Commission Expires:

Janet R. Breithaupt  
Notary Public



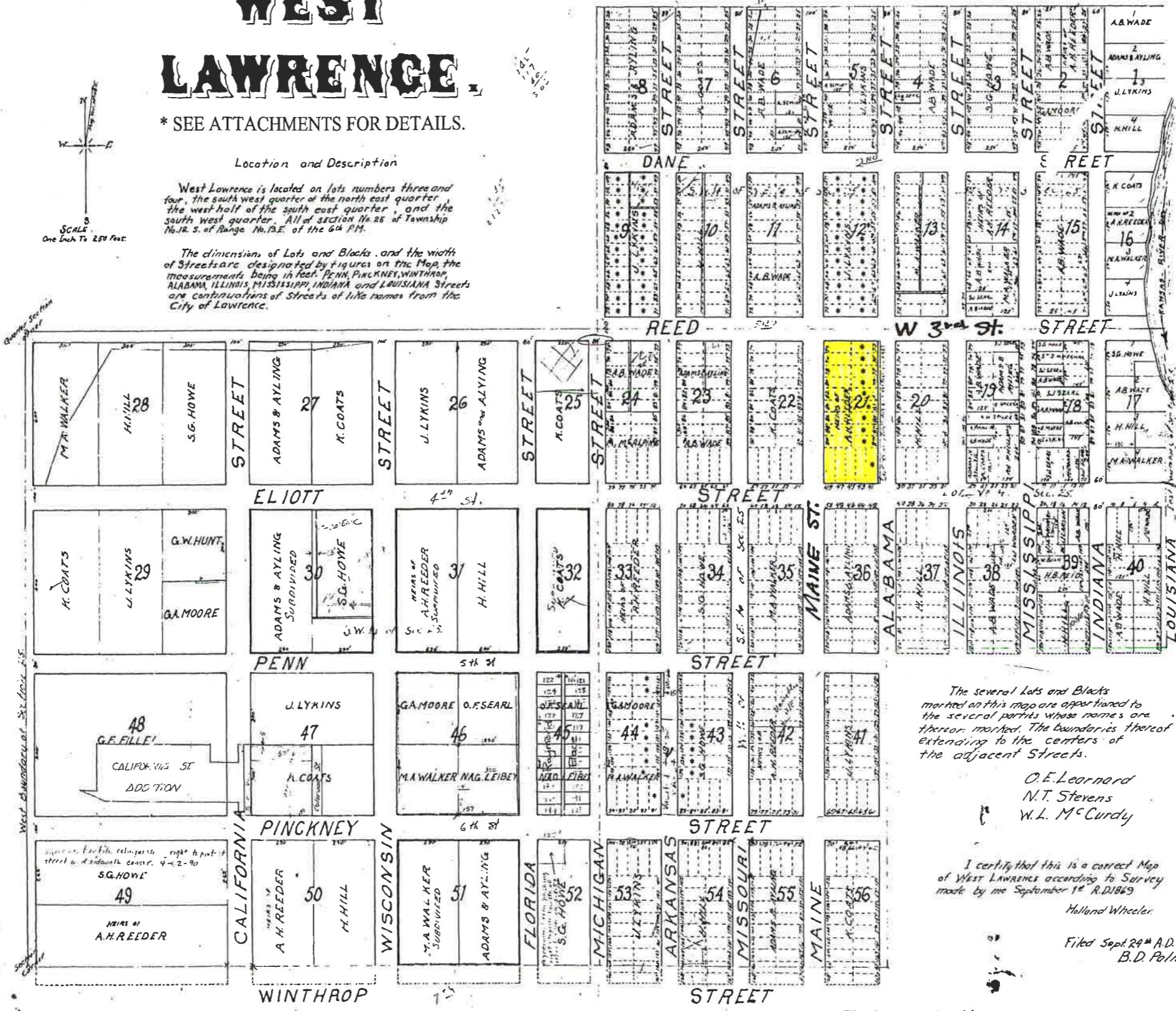
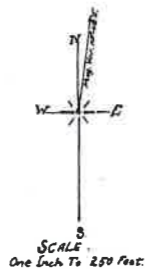
# WEST LAWRENCE.

\* SEE ATTACHMENTS FOR DETAILS.

### Location and Description

West Lawrence is located on lots numbers three and four, the south west quarter of the north east quarter, the west half of the south east quarter, and the south west quarter. All of section No. 25 of Township No. 12 S. of Range No. 13 E. of the 64 P.M.

The dimensions of Lots and Blocks, and the widths of Streets are designated by figures on the Map, the measurements being in feet. PENN, PINCKNEY, WINTHROP, ALABAMA, ILLINOIS, MISSISSIPPI, INDIANA and LOUISIANA Streets are continuations of Streets of like names from the City of Lawrence.



The several Lots and Blocks marked on this map are apportioned to the several parties whose names are thereon marked. The boundaries thereof extending to the centers of the adjacent Streets.

O.E. Leonard  
N.T. Stevens  
W.L. McCurdy

I certify that this is a correct Map of West Lawrence according to Survey made by me September 1st R.D. 1869

Holland Wheeler.

Filed Sept. 24<sup>th</sup> A.D. 1869.  
B.D. Palmer - Clerk

Filed for record in the office of  
Register of Deeds, Douglas County  
July 12<sup>th</sup> 1920, at 3<sup>00</sup> o'clock P.M.  
Estelle Northrup  
Register of Deeds

Holland Wheeler (det)

529  
521