

**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): J&S Holdings, LLC
Address of Property Owner 346 Maine Street (known as the Medical Arts Building)
Lawrence, KS 66044
Telephone Number: (785) 842 - 6631

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 3rd 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. - Attached

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

Lots 41, 43, 45, 47, 49, 73, 75, 77, 79, 81, 83, 85, 87, 89, 90, 88 less the west 100 feet of the north 43 feet, and the south half of Lot 86 less the west 100 feet, all in Block 21 of West Lawrence, all in the City of Lawrence, Douglas County, Kansas

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 3RD 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 3RD 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.

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	Yes or No – believed to be only a private service line
Telephone	Yes or No – believed to be only a private service line
Cable	Yes or No

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	_____

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

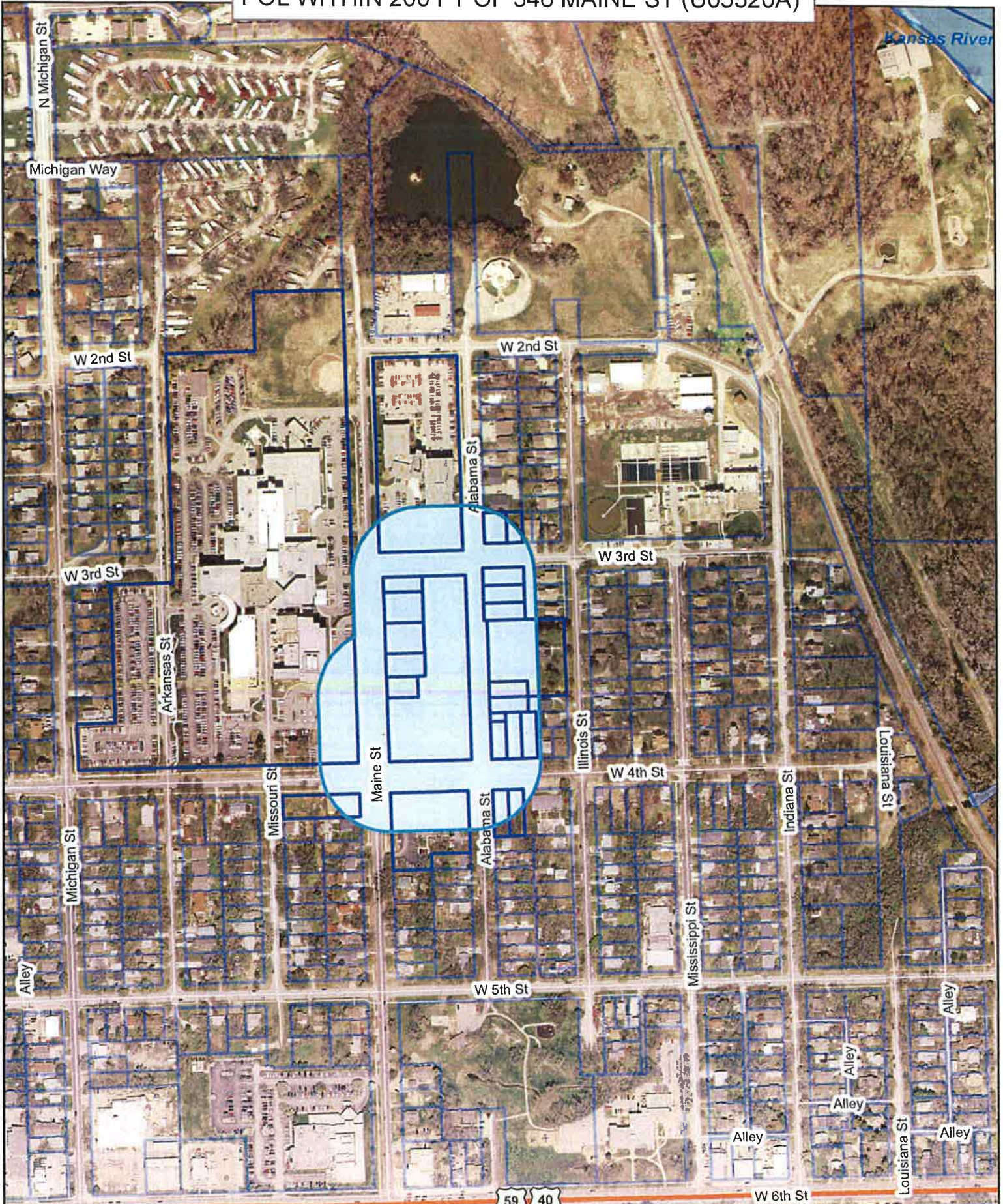
March 26, 2014

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 200 FT OF 346 MAINE ST (U05520A).
03/26/2014 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 346 MAINE ST (U05520A)



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.

450 Feet
Map produced 3/26/2014
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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	LHM 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	3.96586613	CITY OF LAWRENCE	PEKUSIC ADMAN		PO BOX 708	LAWRENCE	KS 66044	U05347A01	023-067-25-0-10-08-001-00-0	R3881	200 MAINE ST
067-25-0-10-07-008-00-0	0.11789747	PEKUSIC SENADA			828 DIAMONDHEAD DR	LAWRENCE	KS 66049	U05395A	023-067-25-0-10-07-008-00-0	R3868	912 W 3RD ST
067-25-0-10-07-007-00-0	0.17047995	JUMP ROBERT			918 W 3RD ST	LAWRENCE	KS 66044	U05396A	023-067-25-0-10-07-007-00-0	R3867	918 W 3RD 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			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		C/O CARRIER STEVE	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			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		C/O DEEDS KENT	310 ALABAMA ST	LAWRENCE	KS 66044	U05505	023-067-25-0-40-04-001-04-0	R4494	310 ALABAMA ST
067-25-0-40-04-002-00-0	1.29493373	PERKINS BRIAN W			323 ILLINOIS ST	LAWRENCE	KS 66044	U05509A	023-067-25-0-40-04-002-00-0	R4497	323 ILLINOIS 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
067-25-0-40-05-006-00-0	0.15697747	HEALTH CARE ACCESS INC			330 MAINE ST	LAWRENCE	KS 66044	U05539-02A	023-067-25-0-40-05-006-00-0	R4513	330 MAINE ST
067-25-0-40-04-003-01-0	0.14381115	EARL KENT D	EARL BARBARA C		213 WAGON WHEEL RD	LAWRENCE	KS 66049	U05516A	023-067-25-0-40-04-003-01-0	R4499	328 ALABAMA ST
067-25-0-40-04-007-00-0	0.14378554	EARL KENT D	EARL BARBARA C		213 WAGON WHEEL RD	LAWRENCE	KS 66049	U05516B	023-067-25-0-40-04-003-02-0	R4500	332 ALABAMA ST
067-25-0-40-04-006-00-0	0.17249287	BELL WALTER L	BELL RUTH M		908 W 4TH ST	LAWRENCE	KS 66044	U05498	023-067-25-0-40-04-007-00-0	R4504	908 W 4TH ST
067-25-0-40-04-006-00-0	0.17248301	WILKINSON JACK D TRUSTEE			8125 BUCK RDG	CEDAR FALLS	IA 50613	U05499	023-067-25-0-40-04-006-00-0	R4508	912 W 4TH ST
067-25-0-40-04-004-00-0	0.03202678	PEDIATRIC & ADOLESCENT MEDICINE PA			346 MAINE ST	LAWRENCE	KS 66044	U05500A	023-067-25-0-40-04-004-00-0	R4501	920 W 4TH ST
067-25-0-40-04-005-00-0	0.14043905	BLUBAUGH JANET K TRUSTEE		C/O GAGE MANAGEMENT	2201 W 25TH ST STE R	LAWRENCE	KS 66047	U05500	023-067-25-0-40-04-005-00-0	R4502	916 W 4TH ST
067-25-0-40-12-002-00-0	0.17246277	ALLEN GARY	ALLEN WILLIAM		915 W 4TH ST	LAWRENCE	KS 66044	U05763	023-067-25-0-40-12-002-00-0	R4600	915 W 4TH ST
067-25-0-40-12-003-00-0	0.17244714	FAWTY LLC			603 COUNTRY CLUB TER	LAWRENCE	KS 66049	U05764	023-067-25-0-40-12-003-00-0	R4601	400 ALABAMA ST
067-25-0-40-11-001-00-0	1.29278943	MEDICAL ASSOCIATES			404 MAINE ST	LAWRENCE	KS 66044	U05731A	023-067-25-0-40-11-001-00-0	R4587	404 MAINE ST
067-25-0-40-10-001-00-0	0.43040050	WILES FRANK			401 MAINE ST	LAWRENCE	KS 66044	U05703A	023-067-25-0-40-10-001-00-0	R4568	401 MAINE ST



OWNER AUTHORIZATION

I/WE J&S Holdings, LLC, 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:

Lots 41, 43, 45, 47, 49, 73, 75, 77, 79, 81, 83, 85, 87, 89, 90, 88 less the west 100 feet of the north 43 feet, and the south half of Lot 86 less the west 100 feet, all in Block 21 of West Lawrence, all 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 **346 Maine Street – Medical Arts Building Parking Lot Improvements**, 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

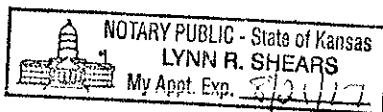
STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this 1st day of April, 2014,

by Gary L Sollars

My Commission Expires: 8/21/17

Lynn R Shears
Notary Public



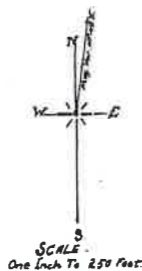
WEST LAWRENCE

* SEE ATTACHMENTS FOR DETAILS.

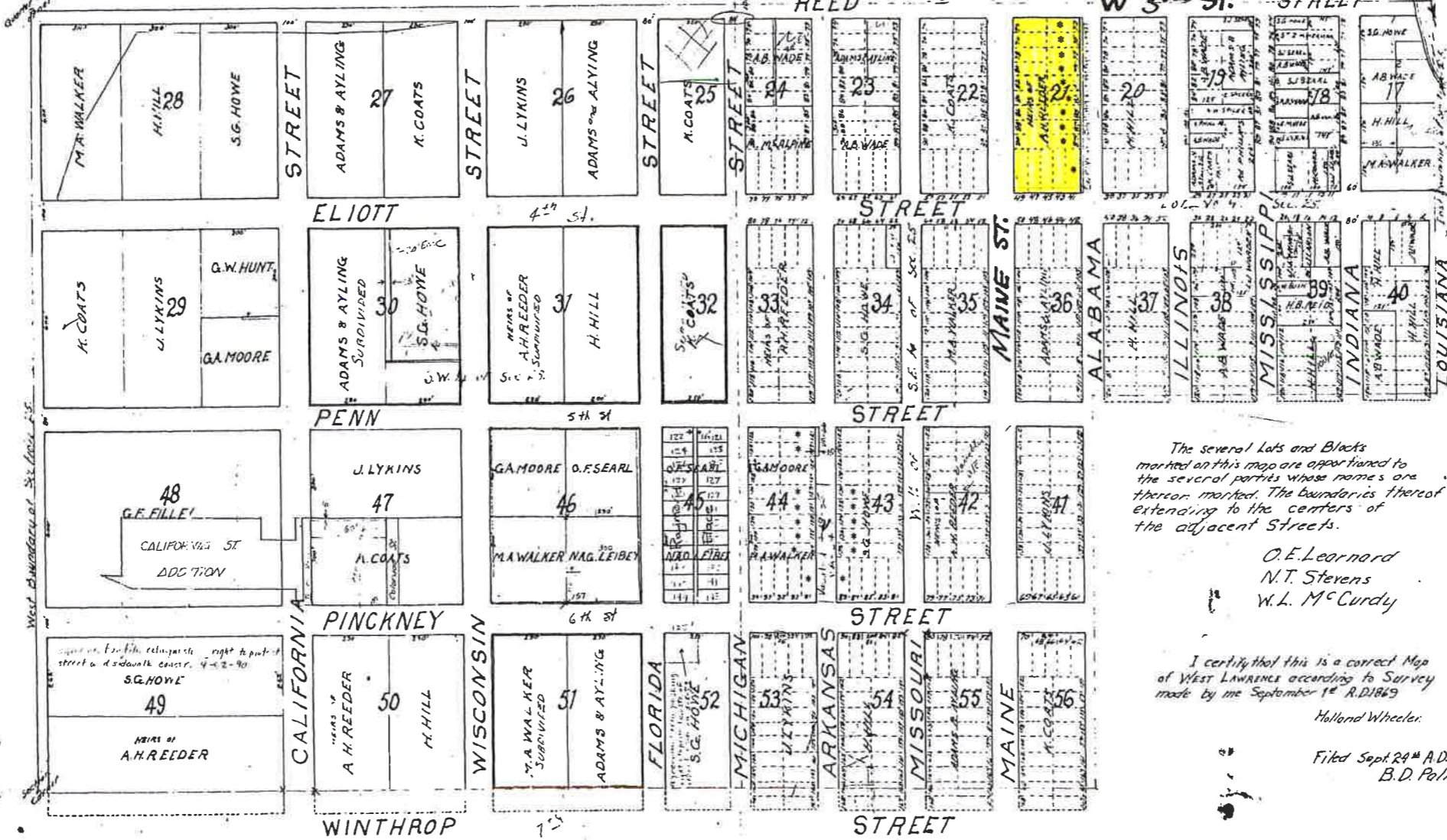
Location and Description

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. 26 of Township No. 18. S. of Range No. 13. E. of the 6th 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.



Quarry Section



The several Lots and Blocks marked on this map are appertained 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 A.D. 1869

Holland Wheeler.
Filed Sept. 24th A.D. 1869.
B.D. Palmer - Clerk

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

Holland Wheeler (cl)

529
1002