

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

Date Application Submitted: July 6, 2015

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.

Section 1. Property Owner Information. Provide information on property owner(s) adjoining proposed vacation requesting the vacation:

Name of Property Owner(s): Jason Todd Construction LLC
Address of Property Owner: 125 N. Fall Creek Dr.
Lawrence, KS 66049
Telephone Number: 785-766-7426

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

David Hamby, P.E., CFM, BG Consultants, Inc.
1405 Wakarusa Drive, Lawrence, KS 66049
785-749-4474

Section 2. Background Information.

A) Describe the **legal description** of the proposed vacation. What is proposed to be vacated? (e.g. Right-of-way, utility easement, drainage easement).

The east 15' of the 30' Drainage Easement on Lot 2, A Replat of
Lots 8, 9, 10 & 11, Block One, Fall Creek Farms, 10th Plat, A subdivision
in the City of Lawrence, Douglas County, Kansas

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

The drainage easement was platted excessively large and the property
owner wishes to make use of that property.

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:

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
Telephone	Yes or No
Cable	Yes or No

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

D) Should the vacation reserve any City rights?

E) City staff recommendation for the proposed vacation:

Public Works	_____
Planning	_____
Utilities	_____

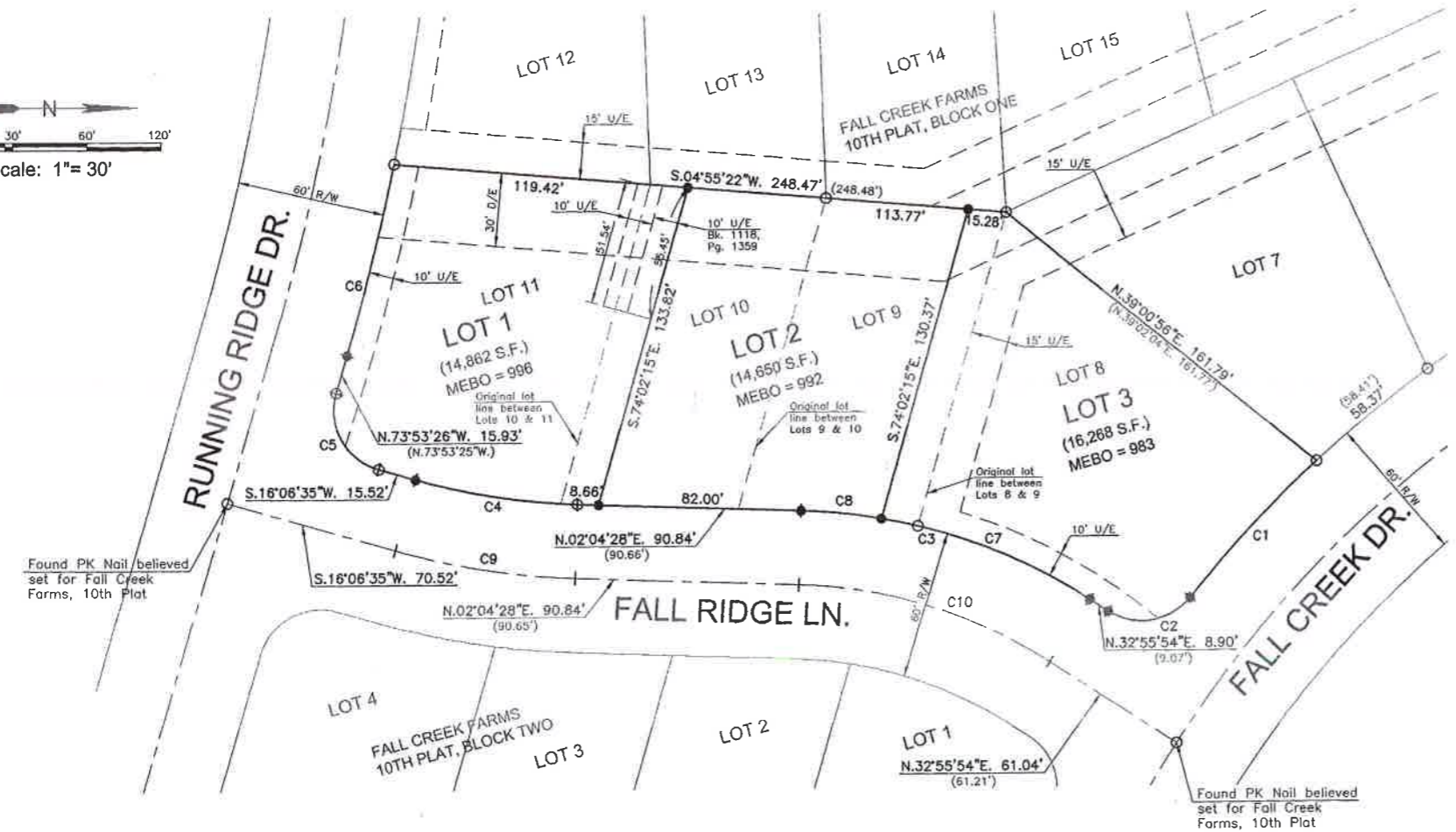
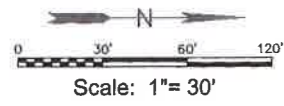
Section 4. After City staff approval, the property owner must execute a Petition for Vacation which will be prepared by City staff. Once a petition has been received, notice of the hearing on vacation will be published. The City Commission will consider the proposed vacation at the hearing, and if appropriate, authorize the Mayor to execute the Order of Vacation which vacates the easement or right-of-way.

LEGAL DESCRIPTION:

THE EAST 15' OF THE 30' DRAINAGE EASEMENT LOCATED ON LOT 2, A REPLAT OF LOTS 8, 9, 10 & 11, BLOCK ONE, FALL CREEK FARMS, 10TH PLAT, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

A REPLAT OF LOTS 8, 9, 10 & 11, BLOCK ONE FALL CREEK FARMS, 10TH PLAT

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



LEGEND

- SET 1/2" x 24" IRON BAR WITH PLASTIC CAP MARKED "BC CONS RLS-758"
- ⊙ FOUND MONUMENT (1/2" IRON BAR BELIEVED SET FOR FALL CREEK FARMS, 10TH PLAT) UNLESS NOTED OTHERWISE
- (150') PLATTED BEARING/DISTANCE
- P/E PEDESTRIAN EASEMENT
- U/E UTILITY EASEMENT

DESCRIPTION

LOT 8, 9, 10 AND LOT 11, BLOCK ONE, FALL CREEK FARMS, 10TH PLAT, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

GENERAL NOTES

1. THE BEARINGS HEREON ARE BASED ON THE FALL CREEK FARMS, 10TH PLAT.
2. FURTHER DIVISION OR CONSOLIDATION OF ANY LOTS CONTAINED IN THIS MINOR SUBDIVISION/REPLAT IS PROHIBITED, AND SHALL BE PROCESSED AS MAJOR SUBDIVISIONS, UNLESS THE ACTION MEETS THE EXCEPTION NOTED IN SECTION 20-808(c)(5)(i).
3. THE DRAINAGE EASEMENT WILL REMAIN FREE OF ANY NATURAL OR NON-NATURAL STRUCTURES OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHRUBBERY, BERMS, FENCES AND WALLS).

FLOODPLAIN DATA

THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN. RE: THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION PUBLICATIONS: FLOOD INSURANCE RATE MAP, MAP NUMBER 20045C0156D, EFFECTIVE DATE AUGUST 5, 2010.

STREET TREES

STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH THE MASTER STREET TREE PLAN FILED WITH THE DOUGLAS COUNTY REGISTER OF DEEDS. BOOK 1119, PAGE 3180.

MIN. ELEV. OF BLDG. OPENING

THE MINIMUM ELEVATION OF BUILDING OPENING (MEBO) HAS BEEN SHOWN FOR EACH LOT. THE ELEVATIONS WERE DERIVED FROM THE FINAL PLAT OF FALL CREEK FARMS 10TH PLAT. REFERENCE THAT PLAT FOR VERTICAL CONTROL.

CURVE	COMPUTED FOR THIS PLAT				FROM ORIGINAL PLAT			
	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	75.65'	505.00'	75.58'	N46°40'14"E	75.66'	505.00'	75.59'	S46°49'11"E
C2	36.67'	25.00'	33.47'	N09°05'25"W	36.67'	25.00'	75.59'	N09°05'24"W
C3	123.87'	230.00'	122.38'	N17°30'11"E	123.87'	230.00'	-----	-----
C4	66.14'	270.00'	65.97'	N09°05'31"E	66.14'	270.00'	-----	-----
C5	39.27'	25.00'	35.36'	N61°06'35"E	39.27'	25.00'	35.36'	N61°06'35"E
C6	80.00'	1030.00'	79.98'	N76°06'54"W	79.98'	1030.00'	79.94'	N76°06'51"W
C7	91.48'	230.00'	90.87'	N21°32'16"E	-----	-----	-----	-----
C8	32.39'	230.00'	32.37'	N06°06'33"E	-----	-----	-----	-----
C9	73.49'	300.00'	73.30'	N09°05'32"E	73.49'	300.00'	73.31'	N09°05'32"E
C10	107.71'	200.00'	106.41'	S17°30'11"W	107.71'	200.00'	106.42'	S17°30'11"W

SURVEYOR'S CERTIFICATE:

(STATE OF KANSAS)
(COUNTY OF DOUGLAS) SS:
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF KANSAS WITH EXPERIENCE AND PROFICIENCY IN LAND SURVEYING, THAT THE HERETOFORE DESCRIBED PROPERTY WAS SURVEYED AND SUBDIVIDED BY ME, OR UNDER MY SUPERVISION, THAT ALL SUBDIVISION REGULATIONS OF DOUGLAS COUNTY, KANSAS, HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT, THIS SURVEY CONFORMS TO THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AND THAT ALL THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE FIELD WORK WAS COMPLETED SEPTEMBER 2014.
BY: *Albert R. Dieball*
ALBERT R. DIEBALL, P.S., #758
BC CONSULTANTS, INC.
1405 WAKARUSA DRIVE
LAWRENCE, KANSAS 66049
(785) 749-4474

COUNTY SURVEYOR

VIEWED IN COMPLIANCE WITH K.S.A. 58-2005.
Michael Kelly
MICHAEL KELLY, P.S., #869
COUNTY SURVEYOR

DEDICATION

BE IT KNOWN TO ALL MEN THAT I, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED PROPERTY, HAVE HAD CAUSE FOR THE SAME TO BE SURVEYED AND PLATTED AS A MINOR SUBDIVISION UNDER THE NAME OF "A REPLAT OF LOTS 8, 9, 10 & 11, BLOCK ONE, FALL CREEK FARMS, 10TH PLAT" AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOT(S) AS SHOWN AND FULLY DEFINED ON THIS PLAT.
BY: *Jason M. Todd* JASON M. TODD
Jason M. Todd JASON TODD, DIRECTOR
JASON TODD REALTY
Alexandra J. Todd ALEXANDRA J. TODD

NOTARY CERTIFICATE:

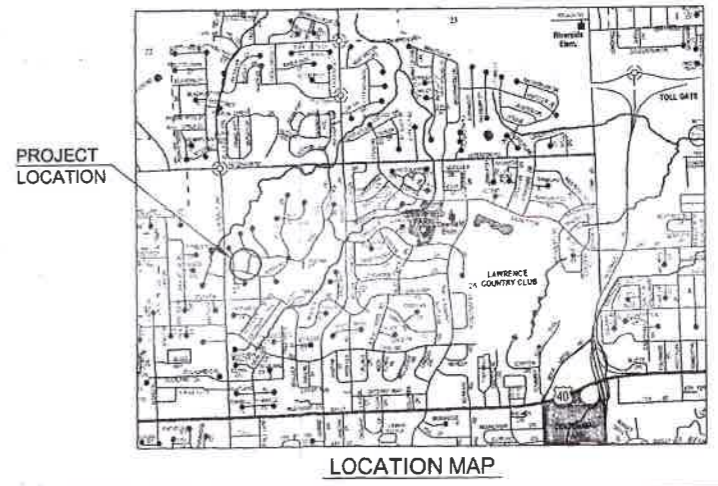
(STATE OF KANSAS)
(COUNTY OF DOUGLAS) SS:
I, LINDSAY LANDIS, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT JASON M. TODD, ALEXANDRA J. TODD AND JASON TODD, DIRECTOR, JASON TODD REALTY, ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION AND DELIVERY OF THIS PLAT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH, GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 20th DAY OF October, A.D., 2014. MY COMMISSION EXPIRES 11/11/16.
Lindsay Landis
NOTARY PUBLIC

PLANNING DIRECTOR

APPROVED AS A MINOR SUBDIVISION UNDER THE SUBDIVISION REGULATIONS OF THE CITY OF LAWRENCE AND THE UNINCORPORATED AREA OF DOUGLAS COUNTY.
Scott McCullough
SCOTT MCCULLOUGH
PLANNING DIRECTOR
11/5/2014
DATE

CERTIFICATE OF THE REGISTER OF DEEDS:

(STATE OF KANSAS)
(COUNTY OF DOUGLAS) SS:
THIS INSTRUMENT WAS FILED FOR RECORD, ON THE 23rd DAY OF December, A.D., 2014 AT 2:35 O'CLOCK P.M., AND DULY RECORDED IN BOOK 18, ON PAGE 757.
Kay Pbsnell
KAY PBSNELL, REGISTER OF DEEDS



A REPLAT OF LOTS 8, 9, 10 & 11, BLOCK ONE
FALL CREEK FARMS, 10TH PLAT
103, 107, 111 & 115 FALL RIDGE LANE, LAWRENCE, KS 66049

MINOR SUBDIVISION



Project No. 14-1581L
Date: Sept. 22, 2014
Revised: Oct. 20, 2014

SHEET NO.
1



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

July 6, 2015

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 200 FT OF 109 FALL RIDGE LN
(U13938-009). 07/06/2015. REQUESTED BY DAVID HAMBY OF BG CONSULTANTS.

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.

FALL CREEK POL WITHIN 200 FT OF 109 FALL RIDGE LN (U13938-009) 1/16 IN J 1/16 EEN M



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, not including the fact of distribution constitute such a warranty.

GRABARCZYK TED
MAENG AHREUM

110 Feet
Stockade St
Map produced 7/6/2015, GIS
© Douglas County, Kansas 2013

JOINPIN	owner1	owner2	address	city	sta	zip	plate	PID	situs
068-27-0-10-12-011.00-C	HANNAH DOROTHY L TRUSTEE		121 N WILDERNESS WAY	LAWRENCE	KS	66049	U13938-063	023-068-27-0-10-12-011.00-C	121 N WILDERNESS WAY
068-27-0-10-08-005.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-005	023-068-27-0-10-08-005.00-C	137 N FALL CREEK DR
068-27-0-10-12-012.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-064	023-068-27-0-10-12-012.00-C	109 N WILDERNESS WAY
068-27-0-10-08-017.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-017	023-068-27-0-10-08-017.00-C	112 BRAMBLE BEND CT
068-27-0-10-08-006.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-006	023-068-27-0-10-08-006.00-C	133 N FALL CREEK DR
068-27-0-10-08-021.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-021	023-068-27-0-10-08-021.00-C	115 BRAMBLE BEND CT
068-27-0-10-08-007.00-C	FRITZEL PATRICK A	FRITZEL MOLLY B	129 N FALL CREEK DR	LAWRENCE	KS	66049	U13938-007	023-068-27-0-10-08-007.00-C	129 N FALL CREEK DR
068-27-0-10-08-016.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-016	023-068-27-0-10-08-016.00-C	116 BRAMBLE BEND CT
068-27-0-10-08-008.00-C	TODD JASON M	TODD ALEXANDRA J	125 N FALL CREEK DR	LAWRENCE	KS	66049	U13938-008	023-068-27-0-10-08-008.00-C	125 N FALL CREEK DR
068-27-0-10-08-015.00-C	SWINSON BARBARA L TRUSTEE		120 BRAMBLE BEND CT	LAWRENCE	KS	66049	U13938-015	023-068-27-0-10-08-015.00-C	120 BRAMBLE BEND CT
068-27-0-10-11-001.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-025	023-068-27-0-10-11-001.00-C	102 FALL RIDGE LN
068-27-0-10-08-022.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-022	023-068-27-0-10-08-022.00-C	123 BRAMBLE BEND CT
068-27-0-10-08-014.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-014	023-068-27-0-10-08-014.00-C	124 BRAMBLE BEND CT
068-27-0-10-08-009.00-C	JASON TODD CONSTRUCTION LLC		125 N FALL CREEK DR	LAWRENCE	KS	66049	U13938-009	023-068-27-0-10-08-009.00-C	109 FALL RIDGE LN
068-27-0-10-11-012.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-068	023-068-27-0-10-11-012.00-C	115 N FALL CREEK DR
068-27-0-10-08-023.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-023	023-068-27-0-10-08-023.00-C	127 BRAMBLE BEND CT
068-27-0-10-11-002.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-026	023-068-27-0-10-11-002.00-C	106 FALL RIDGE LN
068-27-0-10-08-013.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-013	023-068-27-0-10-08-013.00-C	128 BRAMBLE BEND CT
068-27-0-10-08-024.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-024	023-068-27-0-10-08-024.00-C	131 BRAMBLE BEND CT
068-27-0-10-11-003.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-027	023-068-27-0-10-11-003.00-C	110 FALL RIDGE LN
068-27-0-10-08-012.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-012	023-068-27-0-10-08-012.00-C	132 BRAMBLE BEND CT
068-27-0-10-11-005.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-069	023-068-27-0-10-11-005.00-C	3736 Running Ridge DR
068-27-0-10-11-004.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-028	023-068-27-0-10-11-004.00-C	114 FALL RIDGE LN
068-27-0-10-09-016.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-048	023-068-27-0-10-09-016.00-C	204 BRAMBLE BEND CT
068-27-0-10-09-013.00-C	FALL CREEK FARMS DEVELOPMENT INC		PO BOX 906	LAWRENCE	KS	66044	U13938-045	023-068-27-0-10-09-013.00-C	238 BRAMBLE BEND CT
068-27-0-10-09-012.00-C	YOCUM STEVE	YOCUM RENEE	242 BRAMBLE BEND CT	LAWRENCE	KS	66049	U13938-044	023-068-27-0-10-09-012.00-C	242 BRAMBLE BEND CT
068-27-0-10-08-010.00-C	JASON TODD REALTY		125 N FALL CREEK DR	LAWRENCE	KS	66049	U13938-010	023-068-27-0-10-08-010.00-C	115 FALL RIDGE LN