

# MEMORANDUM



To: Mike Wildgen, City Manager  
From: David Corliss, Assistant City Manager  
Date: February 19, 2004  
Re: Request for Dedication of City Park Property  
for Harvard Road improvement and sanitary  
sewer easement

Last year the City Commission accepted the easements and rights-of-way for Fox Chase South. The Final Plat provided for the dedication of right-of-way for Harvard Road and the dedication of a sanitary sewer easement by the City. The City owns these "greenbelt" areas (see attached map). The property owner of Fox Chase South is ready to file the Final Plat so it is now appropriate to authorize the dedication of the property interests.

Civil Engineering  
Landscape Architecture

Community Planning

Surveying

Landplan Engineering, P.A.

1310 Wakarusa Drive  
Lawrence, Kansas 66049tele 785.843.7530  
fax 785.843.2410  
email info@landplan-pa.com

## Fax Transmittal

Date	February 19, 2004
To: Name	Dave Corliss
Company	City of Lawrence
Fax Number	832-3405
Regarding	Fox Chase South Final Plat
From:	Dean Noll
Total number of pages, includes cover	4

If you do not receive all pages clearly,  
Please call 785.843.7530.

## Comments:

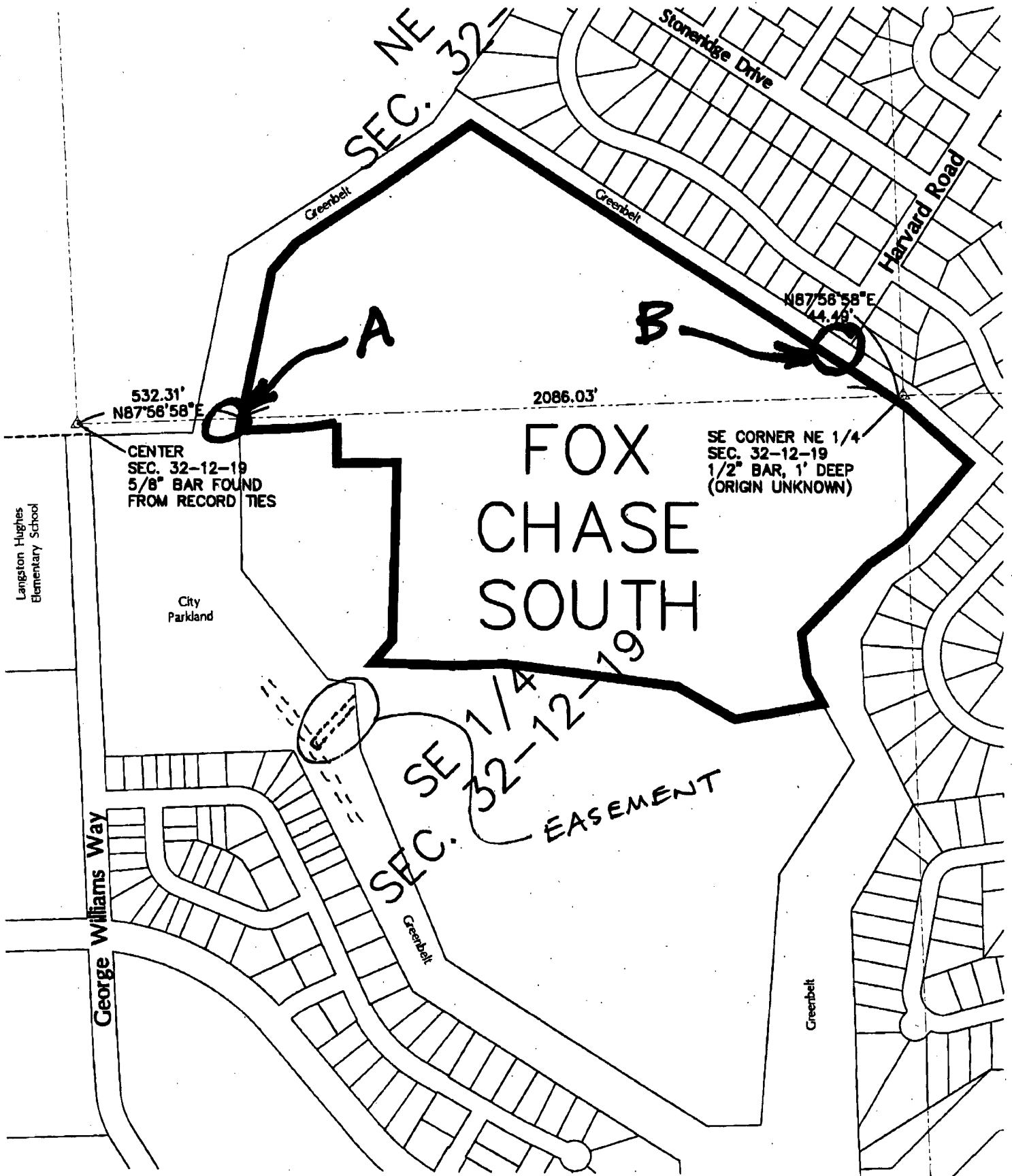
Dave,

Drawings showing Right-of-Way (2) locations and Easement (1) location  
Please let me know if anything else

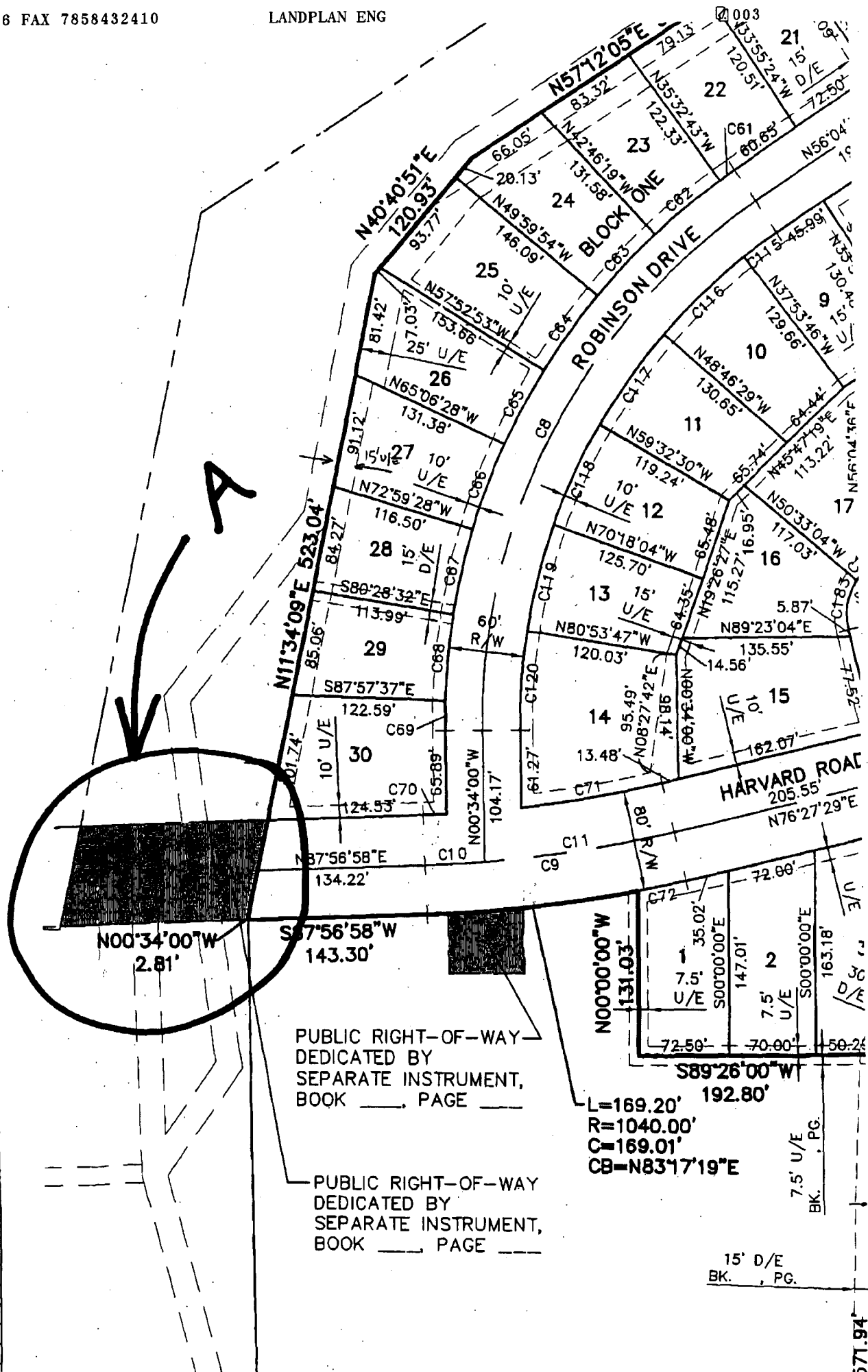
843-7530 or deann@landplan-pa.com

Thank You,  
Dean Noll

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120.00	S73°01'49"E
81.34	S84°56'48"E
94.79	N84°38'08"E
122.37	N71°46'48"E
152.80	N55°28'08"E
131.43	N51°08'42"E
96.37	N62°42'59"E
115.74	N79°34'29"E
109.39	S88°59'28"E
112.47	S71°38'10"E
39.72	N68°23'55"W
135.97	N79°22'18"W
52.62	N03°46'27"E
55.29	N09°36'33"E
12.54	S12°06'01"W
70.66	S08°47'19"W
70.05	S03°11'14"W
41.31	S01°14'43"E
28.60	S88°09'41"W
109.10	N86°46'41"W
81.17	S19°17°31"W
71.52	S32°34'39"W
29.47	S41°21'28"W
89.92	S13°08'20"W
66.89	S02°40'34"W
2.15	N01°39'14"W
59.31	N02°05'41"E
33.00	N03°55'42"E
36.34	N00°10'47"E
129.28	S08°16'36"W
65.01	S06°05'30"W
71.05	S01°16'05"E
72.08	S09°00'39"E
7.40	S13°18'36"E
39.76	N09°29'14"W
58.77	N00°59'02"E
44.84	N03°20'12"E
70.63	N06°42'05"W
4.98	N13°16'37"W
41.37	S11°11'15"E
70.30	S04°22'34"E
79.43	S04°45'37"E
60.62	S22°37'34"E
66.85	S29°31'13"E
66.85	S36°45'06"E
52.85	S43°13'30"E
48.32	S43°08'11"E
93.30	S34°29'36"E
77.42	S24°04'20"E
14.56	N16°29'26"E
39.19	N14°57'24"W
44.04	N64°09'50"W
39.74	S66°17'24"W
75.04	S05°45'09"E
80.13	N59°07'38"W
43.72	N20°03'18"E
36.83	N67°35'18"E
40.26	S67°03'45"E
8.19	S38°37'25"E
39.58	S09°46'31"W
36.00	S54°11'33"W
38.30	N82°11'26"W
36.00	N38°34'25"W
65.87	N23°43'26"E
125.37	S48°42'41"W
112.83	N40°27'50"E
54.29	S46°04'39"W



DITION NO. 4

XGAS

~~VIVE~~

ARD ROAD

—

## 9.1

XGAS

~~SECRET~~

PLYMOUTH DRIVE

BLOCK  
FIVE

~~PUBLIC RIGHT-OF-WAY  
DEDICATED BY  
SEPARATE INSTRUMENT,  
BOOK \_\_\_\_ PAGE \_\_\_\_~~

+GAL

~~53.~~

547 35

15. U/2



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## Fax Transmittal

Date February 18, 2004

To: Name Dave Corliss

Company City of Lawrence

Fax Number 832-3405

Regarding Fox Chase South Final Plat

From: Dean Noll

Total number of pages, includes cover 3

If you do not receive all pages clearly,  
Please call 785.843.7530.

Comments:

Dave,

Please review the two Right-of-Way dedication forms that we have prepared (that we discussed yesterday on the phone). If they check out, please let me know and I will provide you with originals.

843-7530 or deann@landplan-pa.com

Thank You,  
Dean Noll

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## DEDICATION OF RIGHT-OF-WAY

THE UNDERSIGNED, for and in consideration of the sum on One Dollar (1.00) and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, hereby grant, sell, convey and deliver unto the City of Lawrence, Kansas, a permanent and perpetual of right-of-way for use in the construction, installation, expansion, development and maintenance of a street and sidewalk, with appurtenances and attendant facilities, and for all other lawful uses and purposes, in, over, under, through and upon the following described tract of real estate situated in Douglas County, Kansas, to-wit:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE EASTERNMOST CORNER OF LOT 1, BLOCK ONE, FOX CHASE SOUTH, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE NORTH 33°14'11" EAST, 66.21 FEET TO THE SOUTHERNMOST CORNER OF LOT 18, BLOCK THREE, FOX CHASE ADDITION #4, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 56°45'49" EAST, 80.00 FEET TO THE WESTERNMOST CORNER OF LOT 1, BLOCK FOUR, OF SAID FOX CHASE ADDITION #4; THENCE SOUTH 33°14'11" WEST, 65.71 FEET TO THE NORTHERNMOST CORNER OF LOT 17, BLOCK FOUR, OF SAID FOX CHASE SOUTH; THENCE NORTH 57°07'15" WEST, ALONG THE NORTHEASTERLY LINE OF SAID FOX CHASE SOUTH, 80.00 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 0.121 ACRE, MORE OR LESS.

Grantee shall have the right of ingress and egress upon the above-described right-of-way for the purpose of maintaining, repairing or replacing said street and sidewalk with appurtenances and attendant facilities and otherwise make all uses of said easement and do all things necessary or proper for the use of said right-of-way for street and sidewalk purposes and for all other lawful uses and purposes.

Grantor shall do or cause nothing to be done to interfere with the Grantee's right of use of said right-of-way for the purpose herein stated.

THE UNDERSIGNED FURTHER WARRANT that they have good and lawful right to convey said right-of-way, and will forever warrant and defend the title thereto.

THIS AGREEMENT is and shall be binding and obligatory upon the heirs, administrators, executors, personal representatives, successors and assigns of the parties hereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
David M. Dunfield, Mayor  
City of Lawrence

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, a Notary Public in and for the County and State aforesaid, David M. Dunfield, Mayor, City of Lawrence, who is personally known to me to be the same person(s) who executed the foregoing instrument of writing, and such person(s) duly acknowledged the execution of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above mentioned.

Notary Public \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

## DEDICATION OF RIGHT-OF-WAY

THE UNDERSIGNED, for and in consideration of the sum on One Dollar (1.00) and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, hereby grant, sell, convey and deliver unto the City of Lawrence, Kansas, a permanent and perpetual of right-of-way for use in the construction, installation, expansion, development and maintenance of a street and sidewalk, with appurtenances and attendant facilities, and for all other lawful uses and purposes, in, over, under, through and upon the following described tract of real estate situated in Douglas County, Kansas, to-wit:

A TRACT OF LAND IN THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 30, BLOCK ONE, FOX CHASE SOUTH, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 11°34'09" WEST, ALONG THE WEST LINE OF SAID FOX CHASE SOUTH, 79.43 FEET; THENCE SOUTH 00°34'13" EAST, ALONG SAID WEST LINE, 2.81 FEET TO THE SOUTH LINE OF HARVARD ROAD; THENCE SOUTH 87°56'58" WEST, 149.92 FEET; THENCE NORTH 11°34'09" EAST, 82.32 FEET; THENCE NORTH 87°56'59" EAST, 149.31 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 0.274 ACRE, MORE OR LESS.

Grantee shall have the right of ingress and egress upon the above-described right-of-way for the purpose of maintaining, repairing or replacing said street and sidewalk with appurtenances and attendant facilities and otherwise make all uses of said easement and do all things necessary or proper for the use of said right-of-way for street and sidewalk purposes and for all other lawful uses and purposes.

Grantor shall do or cause nothing to be done to interfere with the Grantee's right of use of said right-of-way for the purpose herein stated.

THE UNDERSIGNED FURTHER WARRANT that they have good and lawful right to convey said right-of-way, and will forever warrant and defend the title thereto.

THIS AGREEMENT is and shall be binding and obligatory upon the heirs, administrators, executors, personal representatives, successors and assigns of the parties hereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
David M. Dunfield, Mayor  
City of Lawrence

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, a Notary Public in and for the County and State aforesaid, David M. Dunfield, Mayor, City of Lawrence, who is personally known to me to be the same person(s) who executed the foregoing instrument of writing, and such person(s) duly acknowledged the execution of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above mentioned.

Notary Public \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_





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## Fax Transmittal

Date February 18, 2004

To: Name Dave Corliss

Company City of Lawrence

Fax Number 832-3405

Regarding Fox Chase South Final Plat

From: Dean Noll

Total number of pages, includes cover 2

If you do not receive all pages clearly,  
Please call 785.843.7530.

Comments:

Dave,

I have been focused on the Right-of-Way and forgot about the easement that I had mentioned in the original fax that I sent to you last week – this easement is for sanitary sewer southwest of the plat boundary and crosses into the “Greenbelt”. If it checks out, please let me know and I will provide you with the original.

843-7530 or deann@landplan-pa.com

Thank You,  
Dean Noll

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## UTILITY EASEMENT

THE UNDERSIGNED, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, hereby grant, sell, convey and deliver unto the City of Lawrence, Kansas, a municipal corporation, a permanent easement for the construction and maintenance of a sanitary sewer and public utilities over, under, and across the following described property situated in Douglas County, to wit:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 14, BLOCK TWO, FOX CHASE SOUTH, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 88°07'16" EAST, ALONG THE SOUTH LINE OF SAID LOT 14, 19.15 FEET; THENCE SOUTH 40°18'37" WEST, 88.09 FEET; THENCE SOUTH 55°16'24" WEST, 24.30 FEET FOR A TRUE POINT OF BEGINNING (SAID POINT BEING ON THE EAST LINE OF THAT GREENBELT TRACT DEDICATED TO THE CITY OF LAWRENCE IN BOOK 605, PAGE 457, IN THE OFFICE OF THE DOUGLAS COUNTY REGISTER OF DEEDS); THENCE SOUTH 04°33'04" EAST, ALONG SAID EAST LINE, 17.35 FEET; THENCE SOUTH 55°16'24" WEST, 182.26 FEET; THENCE NORTH 34°43'36" WEST, 15.00 FEET; THENCE NORTH 55°16'24" EAST, 190.98 FEET TO THE POINT OF BEGINNING.

THE UNDERSIGNED FURTHER WARRANT that they have good and lawful right to convey said easement, and will forever warrant and defend the title thereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004

David M. Dunfield, Mayor  
City of Lawrence

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, a Notary Public in and for the County and State aforesaid, David M. Dunfield, Mayor, City of Lawrence, who is personally known to me to be the same person(s) who executed the foregoing instrument of writing, and such person(s) duly acknowledged the execution of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above mentioned.

Notary Public \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_