

RECEIVED

October 21, 2004

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MEMO

**CITY MANAGERS OFFICE
LAWRENCE, KS**

TO: Director of Legal Services
FROM: Wanda Sue Shoemaker, 1766 E. 1338 Rd., Lawrence, KS 66044

Lori L. Heasty, attorney for Wanda Sue Shoemaker
Riling, Burkhead & Nitcher, 808 Massachusetts, Lawrence, KS 66044

RE: Petition and Consent to Annexation into the City of Lawrence, KS

DOCUMENT(S) ENCLOSED:-

- ☐ For your information.
- ☐ As per your request.
- ☐ Copy for your file.
- ☐ I (We) signed as Requested.
- ☐ Please file original with the Court and return a file stamped copy.
- ☐ Please sign and return to office.
- ☐ Please sign and return for filing with the Court. We will supply a file stamped copy.
- ☐ Please review and notify me if you have any questions.
- ☐ Please review the enclosed document(s), and call my office for an appointment
- ☐ Please review, and call my office for an appointment to sign original documents.
- ☐ Call to set up an appointment.
- ☒ Please file the enclosed Petition and Consent to Annexation into the City of Lawrence, KS
along with accompanying documents.

ADDITIONAL COMMENTS:

You may contact Lori Heasty at 841-4700 or Wanda Sue Shoemaker at 843-2510 for any questions in regard to the enclosed application and paperwork.

Thank you for your attention to this matter.

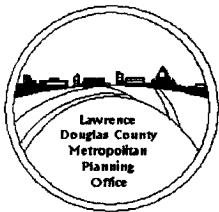
Attachment to Sheet B

Reason for Annexation Request continued:

The property is residential and is already on City Water. There was a house fire and the current house was totally destroyed. The house will be rebuilt according to the current guidelines. Since the house will have to be completely rebuilt, the septic system will also have to be completely redone. It would be more cost effective to come into the City of Lawrence and to bear the cost of the sewer system at this time, as opposed to a later date. It is anticipated that this property will be annexed into the City at some future date. All the properties to the East (along N. Michigan) are in the City. The property 1764 N. Minnesota which is next door to the South of said property has already been annexed into the City. The road in front of the property is referred to as E. 1338 Road and as North Minnesota. Essentially the majority of properties surrounding the subject property are already in the City of Lawrence. One of the main reasons for the annexation request is to receive City sewer service. It would be better for the City and for the applicant to be annexed into the City at this time and the applicant respectfully requests the same.

Please describe whether the property currently has any structures or improvements continued:

There currently is a house on said property, 1766 E. 1338 Road, which was applicant's residence. There was a house fire to this residence earlier this year, necessitating applicant to move out until house could be repaired or rebuilt. It has been determined by Keith Dabney as Director Zoning and Codes Department of Douglas County that the existing house is structurally unsound. The current house will have to be demolished and then applicant will rebuild on the same property in compliance with current setback and code requirements. Therefore, applicant has been working with insurance company, the County, and her Builder to put into place all the necessary components to rebuild her home.



APPLICATION FORM

(Type or Print)

Lawrence Douglas County Metropolitan Planning Office

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceplanning.org>

Project Name & Description		Total Site Acreage	Present Zoning
Legal Description (May be attached as separate sheet) <i>SEE ATTACHMENT</i>		Proposed Zoning	
Project Address/General Location <i>1766 E. 1338 Rd. Lawrence KS. 66044</i>		Presubmittal [] Planner [] Date	
Property Owner's Name <i>WANDA SUE SHOEMAKER</i>	Phone <i>(785) 843-2510</i>	Fax () --	
Property Owner's Address <i>1766 E. 1338 Rd. Lawrence KS 66044</i>	City	State	Zip
Applicant's Name (if different from above)	Phone () --	Fax () --	
Applicant's Address	City	State	Zip
Applicant's Mobile Phone or Pager <i>(785) 766-4543</i>	Property Owner and/or Applicant's E-mail Address		

APPLICATION TYPE	
<input type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Lawrence <input checked="" type="checkbox"/> Douglas County (unincorporated)* <input type="checkbox"/> Use Permitted Upon Review (Submit Sheet A) <input type="checkbox"/> Conditional Use Permit (Submit Sheet A)* <input type="checkbox"/> (Re)Zoning (Submit Sheet A) <input type="checkbox"/> Lawrence <input type="checkbox"/> Douglas County <input checked="" type="checkbox"/> Annexation (Submit Sheet B) <input type="checkbox"/> Historic Resources Commission Review (Submit Sheet H) <input type="checkbox"/> Variance (Submit Sheet V)	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A) <input type="checkbox"/> PRD <input type="checkbox"/> PCD <input type="checkbox"/> PID <input type="checkbox"/> POD <input type="checkbox"/> Final Development Plan (Submit Sheet A) <input type="checkbox"/> PRD <input type="checkbox"/> PCD <input type="checkbox"/> PID <input type="checkbox"/> POD <input type="checkbox"/> Lot Split * <input type="checkbox"/> Preliminary Plat * <input type="checkbox"/> Final Plat* or [] Replat * <input type="checkbox"/> Temporary Use Permit <i>*Provide utility company info for projects in Douglas County*</i>

PROJECT INFORMATION	
Existing Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____	
Proposed Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Other _____	

COMPLETE THIS PORTION IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT (CUP), USE PERMITTED UPON REVIEW (UPR), AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)			
Total site area	Existing Floor Area	Existing Building Footprint	Open Space Area
# of Buildings	Proposed Floor Area	Proposed Building Footprint	Pavement Coverage

COMPLETE THIS PORTION IF APPLYING FOR A TEMPORARY USE PERMIT (TUPR)		
Dates and Times	# Existing Parking Spaces	# Parking Spaces Required for Temporary Activity

COMPLETE THIS PORTION IF SUBDIVIDING PROPERTY			
Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size

Property Owner/Agent Consent – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

x Wanda Sue Shoemaker 9/24/04
Signature Date

Planning Staff Use Only	
<input type="checkbox"/> Fee \$ _____	<input type="checkbox"/> Property Owner List
<input type="checkbox"/> Attached Legal Description	<input type="checkbox"/> Site Plans # _____



SHEET B

(Type or Print)

Lawrence Douglas County Metropolitan Planning Office

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
www.lawrenceplanning.org

Requirements for Annexation Application:

- Complete Application Form.
- Complete Sheet B.
- Execute Consent to Annexation form. This will require an accurate legal description of the property proposed for annexation.
- Provide a copy of the last recorded deed of the property.
- Provide a map of requested annexation area. (If applicant does not have access to appropriate maps, contact the Planning Department.)

Please provide the following information to the best of your knowledge:

Reason for annexation request:

To BRING Property into city - Is damaged by fire -
To rebuild, plat off this acre into (2) 1/2 acres - see
ATTACHED

(If one of the reasons for the annexation is to receive City water and/or sewer service, it is appropriate to note this.)

Is the property currently served by:

City water service? Yes or No. (Circle One)

City sanitary sewer service? Yes or No (Circle One)

Rural Water District (RWD) water service? Yes or No. (Circle One) If the answer is yes, please describe the RWD facilities. (number of meters, connections, easements, etc.):

If the property is currently served by rural water district service, state law requires that the City pay the RWD for RWD facilities serving the property upon annexation. City policy requires that this cost be paid by the annexation applicant.

Does the property currently adjoin City of Lawrence boundaries? Yes

Is the annexation request contingent upon rezoning or other land use regulatory decisions? If yes, please describe:

NO, Desire to annex into city - hook onto City Sewer.
Avoid septic lines - Already Residence

Please describe whether the property currently has any structures or improvements:

No/ house will be demolished - SEE ATTACHED

**Attachment to Application Form
Petition to Annex**

Lot 4, in Wells Acres, a subdivision in Douglas County, Kansas, as shown by the recorded plat thereof.

State of Kansas, Douglas County, SS.
 Filed and Entered in Vol. 535
 Page 1579 at 11:45 AM A.M.

JUN 27 1995

DOUGLAS COUNTY TITLE CO.

40619

83712

83712

NU.

INDEX

NUMERICAL INDEX

008009

KANSAS WARRANTY DEED

(JOINT TENANCY)

THIS INDENTURE, Made on the 22nd day of June, 1995 by and between William D. Shoemaker and Wanda Sue Shoemaker who took title as Wanda S. Christie, husband and wife of the County of Douglas, State of Kansas, herein called the grantor whether one or more, and William D. Shoemaker and Wanda Sue Shoemaker, husband and wife of the County of Douglas, State of Kansas, herein called the grantee whether one or more.

WITNESSED: THAT SAID GRANTOR, in consideration of the sum of One Dollar and other valuable consideration the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto the said grantees, and the survivor of them, as joint tenants, and not as tenants in common, all the following described real estate, situated in the County of Douglas and State of Kansas, to-wit:

Lot 4, in **WELLS ACRES**, a subdivision in Douglas County, Kansas, as shown by the recorded plat thereof.

Entered in Transfer record in my office this

28th day of June A.D. 19 95

Kathy Jones County Clerk

NO REAL ESTATE SALES VALIDATION QUESTIONNAIRE REQUIRED PER K.S.A. 1991 SUPP. 79-1437 SUPP. 79-1437(e) (a-9).

SUBJECT TO covenants, conditions, easements, restrictions and reservations of record, if any.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining forever. And said grantor for his heirs, executors or administrators, does hereby covenant, promise and agree to and with said grantees, that at the delivery of these presents he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances, of what nature or kind soever: except as hereinbefore stated, and except for the lien of taxes, both general and special, not now due and payable.

AND that he will warrant and forever defend the same unto the said grantees, his assigns, and the heirs and assigns of the survivor of them, against said grantor, his heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

WORDS and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

IN WITNESS WHEREOF, The said grantor has hereunto set his hand and seal the day and year above written.

William D. Shoemaker

William D. Shoemaker

Wanda Sue Shoemaker

Wanda Sue Shoemaker

STATE OF KANSAS COUNTY OF JOHNSON

On this 22nd day of June, 1995 before me, the undersigned, a Notary Public, personally appeared William D. Shoemaker and Wanda Sue Shoemaker who took title as Wanda S. Christie, husband and wife to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Witness my hand and notarial seal subscribed and affixed in said County and State, the day and year first above written.

My term expires May 13, 1997

Gayle Gorman
 Notary Public in and for said County and State





**PETITION AND CONSENT TO
ANNEXATION INTO THE
CITY OF LAWRENCE, KANSAS**

To: The Governing Body of the City of Lawrence, Kansas

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Lawrence, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

Such land lies adjacent to public right-of-way which touches the City of Lawrence, Kansas boundary line.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A. The petition and consent to annexation shall only be valid at such time as the property described is within 1000' of municipal (City) water utility line, and shall be binding upon all successors in title, assigns, and heirs.

Property Owner of Record: WANDA SUE SHOEMAKER

Address of Owner: 1766 E. 1338 Rd. Lawrence KS 66044

Property Owner signature: Wanda Sue Shoemaker

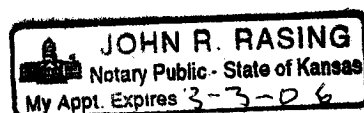
(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

STATE OF KANSAS)
COUNTY OF DOUGLAS)

The foregoing petition and consent to annexation was acknowledged before me this 22 day of September, 2009, by
and affixed my official seal on the day and year last above written.

John R. Rasing
Notary Public


Date: 9-22-09



Attachment A. To Petition and Consent to Annexation into the City of Lawrence, Kansas

**Attachment to Application Form
Petition to Annex**

Lot 4, in Wells Acres, a subdivision in Douglas
County, Kansas, as shown by the recorded plat
thereof.



DOUGLAS COUNTY KANSAS

Monday Oct 25, 2004

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2004 Online Appraisal Values


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-Yes

Owner Information:

To view the location of this property, click the 'Map It'
For help using the 'Map It' application, click the '?' icon in each

Year: 2004 Pin Number: 023-066-24-0-20-08-002.00-0 Plate #: 801893						
Owner1: SHOEMAKER WILLIAM D						
Owner2: SHOEMAKER WANDA S						
In-Care-Of: (no record)						
Property Address: 1766 E 1338 RD, WAKARUSA TWP, KANSAS						
Sec-Twp-Rng: 24-12-19 Delinquent Tax: No School: USD 497						

Value Information:

Class	Appraised			Assessed		
	Land	Improvements	Total*	Land	Improvements	Total
RR	\$40,250	\$99,870	\$140,120	\$4,630	\$11,485	\$16,115

*Market or Ag use

Legal Information:

WELLS ACRES SUB LT 4

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