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RICHARD A. BARBER
(1911-1998)

GLEE S. SMITH, JR.
OF COUNSEL

March 25, 2005

Mr. David Corliss
Assistant City Manager
City of Lawrence
City Hall
Six East Sixth Street
Lawrence, Kansas 66044

Re: Application for the Vacation of 15 Foot Utility Easement

Dear David:

I am writing to follow-up our telephone conversation from earlier this week regarding an application to vacate a 15 foot Utility Easement located in Lawrence Industrial Park. The address of the subject property is 910 E. 29th Street, in the City of Lawrence, Kansas, and is owned by White Property Management, L.L.C., a Kansas limited liability company. The subject property is commonly known as the E & E Specialty facility.

This property is subject to a pending Real Estate Contract, and I represent the Contract purchaser. The Real Estate Contract provides that a condition precedent to closing is that the existing 15 foot Utility Easement along the common boundary line of Lots 15, 16, 17 and 18 (to the North), and Lots 21, 22 and 23 (to the South), shall be vacated by the City of Lawrence. Accordingly, please find enclosed the following:

1. Completed Application for the Vacation of Easement.
2. A check made payable to "City of Lawrence, Kansas" in the amount of \$200.00.
3. Copy of the relevant portion of the Plat of Lawrence Industrial Park, filed in the Office of the Register of Deeds of Douglas County, Kansas, showing the location of the easement to be vacated.
4. Copy of aerial photo showing the location of the easement to be vacated.

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Assistant City Manager
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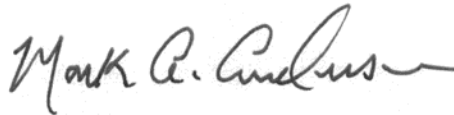
Unless I hear from you to the contrary, I will assume that the City will request and obtain the necessary ownership list from the Douglas County Clerk's Office. If, for any reason, you want me to obtain the ownership list, please let me know and I will certainly make the request. The reason I ask is that the last such Application that I submitted, both the City and I independently duplicated this request, creating unnecessary work for the Douglas County Clerk.

As we previously discussed, no known utilities have been constructed in this easement, and the vacation of this easement will not impair access to any public utilities by any adjoining property owners. Furthermore, the subject property owners have constructed various permanent building improvements over and along the entire length of this easement, making it impractical to utilize the easement to construct any future utility services.

For these reasons, we request that the City of Lawrence approve this Application to Vacate Easement. If you have any questions, or require any additional information, please call me. Thank you for your consideration of this Application.

Very truly yours,

BARBER EMERSON, L.C.

A handwritten signature in dark ink, appearing to read "Mark A. Andersen", with a stylized flourish at the end.

Mark A. Andersen

MAA:lmo

Enclosures

cc: Eric Endecott
Marilyn Bittenbender