

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

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OCT 10 2005
CITY MANAGERS OFFICE
LAWRENCE, KS

Date Application Submitted: 10-10-05

Procedures for Vacation Application:

1. Complete Vacation Application Form, including legal description.
2. Provide ownership list form 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): Vernon and Jessie Branson
Address of Property Owner: 800 Broadview
Lawrence, KS
Telephone Number: _____

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

Annette Hughes, Listing Agent for Vernon and Jessie Branson
Stephens Real Estate, Inc.
2701 W. 6th St., Lawrence, KS 66049 Phone: 841-4500 Cell: 218-3600

Section 2. Background Information.

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

Proposing to vacate the road right-of-way located in the front yard
of this house for a cul-de-sac which was never built.

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

The proposed cul-de-sac was never built and the right-of-way has
become an unnecessary encumbrance for the use and enjoyment of this
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:

No, there are only two other adjoining neighbors that have adequate access to their properties. Both have long standing and adequate ingress and egress to their properties.

- 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	)	Unknown, but we think not
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?

No

- D) Should the vacation reserve any City rights?

Note on current plat of Broadview Heights states: "This segment will revert to Lot 9 when and if Broadview Drive is extended to the North."

- 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.