

COMMISSIONERS RECORD P. DOUGLAS COUNTY

533

Term, 19

day of

19

DCPA Region Six. Motorola Inc. has submitted a bid in the amount of \$1877 to provide and install the required equipment. Mr. Brann recommends that this bid be accepted. After discussion it was moved by Mr. Neis that the bid of Motorola Inc. in the amount of \$1877 be accepted, seconded by Mrs. Bradley, and carried.

No further business, the Board adjourned to meet on Thursday, August 3, 1978.

ATTEST:

D. E. Mathia
D. E. Mathia

County Clerk

Beverly A. Bradley
Beverly A. Bradley Vice Chairman

August 3, 1978

The Board of County Commissioners of Douglas County met in regular adjourned session with two members present. Mr. Whitenight was absent due to vacation.

Approved the minutes of the meeting of August 2, 1978.

At the published hour of 9:00 a.m. the Board considered three Petitions from the City of Lawrence, Kansas, to the Board of Commissioners of Douglas County, Kansas, as follows:

*Vacation: app.
3 Petitions*

*2 utility easements
+ a portion of Ohio St.*

1. Request for an Order to Vacate a portion of Ohio Street in the City of Lawrence, Kansas, described as All that part of Ohio Street running south eight hundred and fifty (850) feet from the northeast corner of Block 1, in Babcock's Addition to the City of Lawrence; all that part of Uclid (16th) Street, in Babcock's Addition to the City of Lawrence, running east from Ohio Street to Tennessee Street; and a portion of a certain unnamed street, beginning at the southwest corner of Block 1, Babcock's Addition to the City of Lawrence; thence south eighty (80) feet to the northwest corner of Block 2, in said Addition; thence east along the north line of said Block 2 to Ohio Street; thence north eighty (80) feet to the southeast corner of said Block 1; thence west along the south line of said Block 1 to the point of beginning, all being in the City of Lawrence, Douglas County, Kansas.

2. Vacation of the utility easement in and upon the following described real estate situated in Lawrence, Douglas County, Kansas, to-wit: Between Lots 1, 2, 3, and Lot 4, and between Lots 7, 8, and Lot 6 in the plat described as Lots 1 through 8, inclusive, in Lynch Addition, an addition to the City of Lawrence, Douglas County, Kansas.

3. Vacation of a utility easement located and legally described as being 6.0 feet either side of the following described line, to-wit: Beginning at a point 175.0 feet north of the southwest corner of the east one-half (1/2) of Block 30, in that part of the City of Lawrence known as West Lawrence, in the City of Lawrence, Douglas County, Kansas, thence east 125.0 feet.

The petitioner appears by its counsel, Mr. Milton P. Allen, Jr., of Lawrence, Kansas; also attending are Mr. Robert Dark, City Engineering Department, and Mr. Dennis Barritt, a landowner affected by these proceedings. Mr. Allen presented an Affidavit in Proof of Publication which indicates that the first publication of the legal notice of hearing of this petition was published on the 21st day of July 1978 with subsequent publication on the 28th of July 1978.

With two members of the Board being present, the Board examines the file, hears the comments from Mr. Allen, Mr. Dark and Mr. Barritt and thereupon finds as follows with reference to the above-described property:

1. That the Board has jurisdiction of the subject matter of said petition, pursuant to K.S.A. 1978 Supp. 12-504 et seq.

2. That notice of hearing on said petition and the affidavit of publication there are examined and found to have been duly made in strict conformity with the laws of the State of Kansas.

3. That no private rights will be injured or endangered by such vacation.

4. That no written objection to said petition has been filed with the County Clerk at the time of or prior to this hearing.

5. That the public will suffer no loss or inconvenience by said vacation, and that in justice to the petitioner the prayer of the petitioner should be and the same is hereby granted.

6. That there shall be reserved to the City of Lawrence, Kansas, and all owners of lesser rights, for public utilities, rights-of-ways and easements for public service facilities, all such right now in existence and use.

7. That the County Clerk shall certify a copy of this order to the Register of Deeds of Douglas County, Kansas, for recording as provided by K.S.A. 1978 Supp. 12-505.

Having thus found it is therefore ordered by the Board of Commissioners of Douglas County, Kansas, that a portion of Ohio Street in the City of Lawrence, Kansas and the two utility vacations as previously described, shall be vacated as previously described. After complete review of the documentation on these petitions and orders it was moved by Mr. Neis that this Board order the