

LOCKWOOD CO., INC. REORDER NO. 12618-B-72

The petitioner is represented in this instance by Counselor Gerald L. Cooley, and no other persons appeared in protest of this petition. The petitioner presented to the Board an Affidavit in Proof of Publication which indicates that legal notice in the newspaper of record for Douglas County has been given. After a complete review of the details of this requested vacation it was moved by Mrs. Bradley that the following Order of Vacation be adopted: That on this 23rd day of October 1978, this petition for vacation comes on for hearing before the Board of County Commissioners of Douglas County, Kansas, upon the petition of the City of Lawrence, Kansas, for an order vacating a utility easement in and upon the following described real estate situated in Lawrence, Douglas County, Kansas, to-wit: The North 10 feet of the South 25 feet of Lots 18, 19, and 22, Block 3, Four Seasons No. 5, a Subdivision in the City of Lawrence, Douglas County, Kansas. The Board examines the file, hears the comments of the attorney for the petitioner, and being duly advised in the premises, unanimously finds as follows, to-wit:

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

(2) That notice of hearing on said petition and the affidavit of publication thereof 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 rights 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. 12-505.

It is therefore by the Board of County Commissioners of Douglas County, Kansas, considered and unanimously ordered, that the utility easement in and upon the following described real estate situated in Lawrence, Douglas County, Kansas, to-wit: The North 10 feet of the South 25 feet of Lots 18, 19, and 22, Block 3, Four Seasons No. 5, a Subdivision in the City of Lawrence, Douglas County, Kansas, be vacated, subject however to the reservations unto the City of Lawrence, Kansas, and the owners of any lesser property rights for public service utilities, rights-of-ways and easements for public service facilities now in existence and use. Motion seconded by Mr. Neis and carried unanimously.

No further business, the Board adjourned to meet on Thursday, October 26, 1978. On Wednesday, October 25, the Board will be attending an Emergency Preparedness meeting at the Ramada Inn, Downtown Topeka, Kansas.

ATTEST:

D. E. Mathia

D. E. Mathia

County Clerk

Peter A. Whitenight

Peter A. Whitenight

Chairman

October 26, 1978

The Board of County Commissioners of Douglas County met in regular adjourned session with all members of the Board present.

Approved the minutes of the meeting of October 23, 1978.

Comm. Order:  
#C-21

The Board approved Commissioners Cancellation Order No. C-21 to the Sheriff, Clerk of District Court, and Treasurer.

Personnel Term  
Marlene Oswald

Ted McFarlane, Douglas County Ambulance Service Manager, notified the Board that Marlene Oswald terminated on October 17, 1978.

Sal. Inc.  
John Nisely  
Walt Reed

Fremont Hornberger, maintenance supervisor, appeared before the Board to recommend two salary increases for personnel in his department: (1) for John R. Nisely, an increase based upon merit upon his six-month anniversary with Douglas County, an increase from his current rate of \$575 to approximately 10%, to a new rate of \$633 per month to be effective with the pay period beginning October 28, 1978, and (2) for Walter Reed, upon the five-year anniversary of his employment with Douglas County, from his current rate of \$721 an approximate 5% increase, to a new rate of \$755 per month, effective with the pay period beginning November 11, 1978. After discussion it was moved by Mrs. Bradley that these recommendations be approved, seconded by Mr. Neis, and carried unanimously.