

COMMISSIONER'S RECORD

July 21, 1965

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

County Engineer, Casey Rice, met with the Commissioners.

A motion made by Mr. Booth and seconded by Mr. Ousdahl, that we approve the action of the planning board in denying the petition for rezoning from A to I-3, by S.D. Penny, motion passed unanimously.

It was moved by Mr. Booth and seconded by Mr. Ousdahl, that we deny the petition of S.D. Penny for a zoning change from A to I-3, it passed unanimously.

Moved by Mr. Booth and seconded by Mr. Ousdahl, that we approve the contract for \$2600.00 for Audit services, with Lesh, Bradley, and Barrand - second contract. Motion passed unanimously.

A motion made by Mr. Ousdahl and seconded by Mr. Booth, and passed unanimously, to vacate a certain portion of California Street, in the City of Lawrence. Petition is on file in the office of the County Clerk.

ORDER VACATING STREET

Now on this 21st day of July, 1965, upon motion of Commissioner E. W. Ousdahl, seconded by Walter Kampschroeder, the petition of Lo-Bar Enterprises, Inc., an Illinois corporation, and Richard O. Nelson and Barbara G. Nelson, his wife, to vacate the North 120 feet of California Street between 6th Street and 7th Street in the City of Lawrence, Douglas County, Kansas, comes on for hearing.

After hearing all testimony produced and all testimony in order to fully understand the true nature of the petition and propriety of granting the same, the Board finds:

1. That due and legal notice has been given by publication as required by law, and the proof thereof has been duly made and filed with the County Clerk.

2. That no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to petitioners their prayer in their petition should be granted.

3. The Board further finds that the governing body of the City of Lawrence, Douglas County, Kansas, vacated said street by Ordinance No. 3217 which ordinance has been recorded in the Office of the Register of Deeds of Douglas County, Kansas, in Book 221 at Page 357 and that said governing body has recommended that the petition filed in this matter be granted.

IT IS THEREFORE ORDERED, all the members voting in the affirmative:

1. That the North 120 feet of California Street between 6th^{Street} and 7th Street in the City of Lawrence, Douglas County, Kansas, be vacated.

2. That the County Clerk enter this order at length on the records of the proceedings of this Board and that he certify a copy of this order to the Register of Deeds of Douglas County, Kansas, for recording in that office, all at the cost of Petitioners.

Board of County Commissioners of
Douglas County, Kansas.

Walter Kampschroeder
Walter Kampschroeder, Chairman

ATTEST:

D. E. Mathia
/s/ D. E. Mathia, County Clerk.

/s/ Elmer W. Ousdahl, Member
/s/ Harvey M. Booth, Member

P E T I T I O N

Come now the Petitioners, Lo-Bar Enterprises, Inc., an Illinois corporation, and Richard O. Nelson and Barbara G. Nelson, his wife, owners of the lands adjoining both sides of the following described street situate in the City of Lawrence, Douglas County, Kansas:

The North 120 feet of California Street between 6th Street and 7th Street in the City of Lawrence.

Petitioners further state that the City of Lawrence, Kansas, has vacated said street by Ordinance No. 3217 dated May 1, 1962, under the provisions of K.S.A. 13-443 and that Petitioners now desire that said street be vacated by the County Commissioners of Douglas County, Kansas, and that said Ordinance has been recorded in the Office of the Register of Deeds of Douglas County, Kansas, in Book 221 at Page 357.

Petitioners further state that the governing body of the City of Lawrence, Kansas, has recommended to the County Commissioners of Douglas County, Kansas, that this petition be granted as provided in K.S.A. 12-504 and that a certificate of the City Clerk of the City of Lawrence, Kansas, is attached hereto certifying such fact.

Petitioners further state that no private rights will be injured or endangered by such vacation, and that the public will not suffer loss or inconvenience thereby.

WHEREFORE, your Petitioners pray that an order be made vacating such street and that a time be set for hearing of this petition as provided by law.

Dated June 16, 1965

SPRINGER & SPRINGER

By /s/ Byron E. Springer
Attorneys for Petitioners.