

COMMISSIONERS RECORD 5, DOUGLAS COUNTY

275

Term, 19

day of

19

Lockwood Co., Inc. Reorder No. 185428-12-78

Vacation:
Hearing date set
13th + Miss.
Perry St.

fore the Board to discuss a Governor's Commission on Criminal Administration (GCCA) grant for a program that would provide intensive crisis and family oriented services to youth and their families, particularly where the risk of placement for the child outside the home and/or community is high. After discussion it was agreed that the group would appear before the Board on Monday, April 13, 1981, for further discussion.

Gerald Cooley, attorney for the City of Lawrence, requested the setting of a hearing date to consider two Petitions from the City of Lawrence as follows:

(1) In the matter of the vacation of that portion of Thirteenth (13th) Street laying between the East right-of-way line of Mississippi Street and the West right-of-way line of Oread Avenue, in the City of Lawrence, Douglas County, Kansas.

(2) In the matter of the vacation of that portion of Perry Street described as commencing at the Northwest corner of Lot Four (4), in Block Four (4), in Smith's Subdivision, in that part of the City of Lawrence, Douglas County, Kansas, formerly known as North Lawrence; thence East along the South line of said Perry Street to the Northeast corner of Lot One (1), in Block Four (4), in said Smith's Subdivision; thence North to the Southeast corner of Lot Eight (8), in Block One (1), in said Smith's Subdivision; thence West along the North line of said Perry Street to the Southwest corner of Lot Six (6), in Block One (1), in said Smith's Subdivision; thence South to the point of beginning, all in the City of Lawrence, Douglas County, Kansas.

It was moved by Mr. Cragan that a hearing date on this matter be set for April 22, 1981, at 9:00 a.m., seconded by Mrs. Bradley, and carried unanimously.

At the advertised hour of 9:00 a.m., the Board sits to hear the Petition of the City of Lawrence for an Order vacating the west half of the original California Street right-of-way described as commencing at a point on the projected centerline of California Street at the northwest corner of Lot Two (2) of a Replat of California Street Addition, thence westerly parallel to north line of said Lot Two (2) a distance of fifty (50) feet, more or less, thence southerly parallel to the west line of said Lot Two (2) a distance of seventy-five (75) feet, more or less, thence easterly parallel to the north line of said Lot Two (2) a distance of fifty (50) feet, more or less, and thence northerly along the west line of said Lot Two (2) to the point of beginning, all in the City of Lawrence, Douglas County, Kansas. The petitioner states:

(1) That the petitioner is a duly incorporated City of the First-Class within the State of Kansas.

(2) That this petition is made pursuant to the authority of K.S.A. 12-504 et seq.

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

(4) That the public will suffer no loss or inconvenience by said vacation.

(5) That said order of vacation should reserve unto the petitioner and the owners of any lesser property rights for public service utilities, rights-of-ways and easement for public service facilities now in existence and use.

(6) That the Governing Body of the City of Lawrence, Kansas, did on the 24th day of February, 1981, unanimously approve and authorize the filing of this petition and all proceedings hereunder.

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 9th day of April, 1981, 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 the west half of the original California Street right-of-way described as commencing at a point on the projected centerline of California Street at the northwest corner of Lot Two (2) of a Replat of California Street Addition, thence westerly parallel to north line of said Lot Two (2) a distance of fifty (50) feet, more or less, thence southerly parallel to the west line of said Lot Two (2) a distance of seventy-five (75) feet, more or less, thence easterly parallel to the north line of said Lot Two (2) a distance of fifty (50) feet, more or less, and thence northerly along the west line of said Lot Two (2) to the point of beginning, all 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 subject matter of said petition, pursuant to K.S.A. 12-504 et seq., as amended.

(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.