

COMMISSIONERS RECORD 5, DOUGLAS COUNTY

Term, 19

day of

19

Lockwood Co., Inc. Reorder No. 18542B-12-78

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 Mr. Cragan that the following Order of Vacation be adopted: That on this 11th day of June, 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 a 10.0 feet by 10.0 feet anchor easement situated in Lawrence, Douglas County, Kansas, being located in the LeAnne Addition, a replat of the East 60.0 feet of Lot 1, Block 2, of Southridge Addition No. 3, as shown on the recorded plat thereof. The Board examines the file, hears the comments of the attorney for the petitioner and being duly advised in the premises 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.
- (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, and amendments thereto.

It is therefore by the Board of County Commissioners of Douglas County, Kansas, considered and ordered that the 10.0 feet by 10.0 feet anchor easement situated in Lawrence, Douglas County, Kansas, being located in the LeAnne Addition, a replat of the East 60.0 feet of Lot 1, Block 2, of Southridge Addition No. 3, as shown on the recorded plat thereof, 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-way and easements for public service facilities now in existence and use. Motion seconded by Mrs. Bradley and carried.

The Board then sits to hear the Petition of the City of Lawrence for an Order in the matter of the vacation of a 15.0 feet wide utility easement situated in Lawrence, Douglas County, Kansas, being located at the East end of Lot 37 and the West end of Lot 38, all in the Northwood Heights Subdivision No. 2, as shown on the recorded plat thereof. The petitioner states:

- (1) That the petition 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 easements for public service facilities now in existence and use.
- (6) That the Governing Body of the City of Lawrence, Kansas did on the 26th day of May, 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 Mr. Cragan that the following Order of Vacation be adopted: That on this 11th day of June, 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 a 15.0 feet wide utility easement situated in Lawrence, Douglas County, Kansas, being located at the East end of Lot 37 and the West end of Lot 38, all in the Northwood Heights Subdivision No. 2, as shown on the recorded plat thereof. The Board examines the file, hears the comments of the attorney for the petitioner and being duly advised in the premises 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.