



OFFICE OF APPRAISER

MEMORANDUM

TO: Eudora City Commissioners
FROM: Dennis Albers. CMS. Douglas County Cartographer
DATE: August 3, 1995
RE: Vacated streets and alleyways in Eudora, Kansas, adjacent to block 162 lots 1 and lot 2.

According to our records, Mr. John Gruber has been paying taxes on these lots and adjacent vacated right-of-ways since 1984.

In 1889, State Statutes vacated all streets and alleys south of 12th street in the townsite of Eudora. Property Valuation Division, Department of Revenue, has set up guidelines for mapping property ownership. **Property Ownership Mapping is for assessment purposes only. It is not intended for conveyance, nor is it a legal survey. These guidelines were set up to create uniform mapping throughout the state. According to the specifications handed down to us by PVD, the following item is stated from the Technical Specification for Property Ownership Mapping:

5.1.4 :

When a street, alley or railroad right-of-way has been vacated by legal ordinance, it is divided equally between the adjoining landowners. When a piece of property next to a vacated right-of-way is sold, the adjoining vacated right-of-way is included in the sale, even though it may not have been mentioned in the deed; unless the deed specifically states that the adjoining right-of-way is not included in the sale. Vacated right-of-way should only be labeled in recorded platted areas.

It is the opinion of the Douglas County Appraiser's Office that the property in question does, in fact, belong to Mr. John Gruber along with the vacated right-of-way adjacent to said lots.

Hopefully this memo will clarify for all parties concerned the position that Douglas County has taken in regards to this matter. If I or any other staff member can be of further assistance, please contact us, 913-832-5190.

cc: Marion R. Johnson, CAE