



City of Leavenworth
 100 N 5th St
 Leavenworth, Ks 66048
 Telephone: 913-682-9201

CC31

Filing Date 8/27/2020
 Fee of \$250.00 Paid 08/27/2020
 Certified Adjacent Property Owners
 Surveyor certified legal description and depiction
 Date of Hearing Oct 13, 2020
 Publication Date of Hearing 9-4-2020

**VACATION PETITION FOR
 SITE OR ADDITION/ALLEY/STREET/EASEMENT/BUILDING SETBACK LINES**

1. Apply for vacating petitions in the Office of the City Clerk.
2. A petition, if approved, may take up to 60 days for complete action. The amount of time would depend on when the application is filed with respect to the City Commission meetings.
3. The application shall be filled out completely by the applicant in order that the City Commission has a clear understanding of what the applicant desires. You must be the legal owner of the property (NOT LEASEE OR RENTER).
4. Procedure for filing and reviewing petitions shall be as follows:
 - a. Request a list of owners of adjacent property owners from the City Clerk.
 - a. Certified ownership of adjacent property owners shall be provided by the city GIS department. Listing shall include **ADJACENT PROPERTY OWNERS ONLY**, not a 200' radius.
 - b. Applications shall be filled out completely and filed in the Office of the City Clerk. If additional space is needed, attach additional sheets.
 - c. Applications **MUST** include a surveyors certified (stamped and signed) legal description of the area petitioned for vacation and include a depiction of the area.
 - d. **All** applications require the signatures of adjoining (adjacent) property owners even if the adjacent owners are the applicant.
 - e. A non-refundable fee of \$250 shall be paid at the City Clerk's Office at the time the application is filed.
 - f. Upon receipt of the properly executed application, **LIST OF OWNERSHIP OF ADJACENT PROPERTY OWNERS OBTAINED FROM THE CITY CLERK** and required filing fee, the City Clerk shall forward the application to the City Engineer and City Planner for review and recommendations.
 - g. After being reviewed by City Staff, the City Clerk shall publish a notice of this request and place this item on the agenda for the City Commission's consideration.

I Fort Gate Properties, LLC, residing at 7939 Floyd, Overland Park, KS 66204
 (Owner(s) Name) (Owner(s) Address)

Daytime Telephone: 913-782-9000 E-mail: justin@cadencekc.com

do hereby petition the Leavenworth City Commission for the vacating of the site or addition/street/alley/easement (circle one) as indicated on the attached documents. (Must be described by the present legal owner of the property and legal Description of property to be vacated as prepared by a surveyor and bear the surveyor's stamp and signature and a depiction or sketch of the requested vacated area. Sketch must show vicinity, adjacent streets and legal description of lots abutting proposed vacation.)

Intended use of the vacated street alley, or easement (circle one) by petitioner: Retail Subdivision

All applications require signatures of adjoining property owners even if the adjoining property owners are the applicant.

In submitting this petition, the undersigned agrees to pay a \$250 non-refundable fee and certifies he/she is the present owner of the property adjacent to the site or addition/street/alley/easement.

Signed: [Signature] Date: 7-26-2020

Carla Williamson

From: Julie Hurley
Sent: Wednesday, August 12, 2020 4:35 PM
To: Carla Williamson; Mike McDonald
Cc: Michelle Baragary
Subject: FW: Fort Gate Marketplace
Attachments: 19-3058 SURV-FINAL PLAT01-Sht 1.pdf; Vacation Signed.pdf; 19-3058 SURV-STVACA_signed.pdf; 19-3058-1 SURV-ESMT-UTIL.pdf

Follow Up Flag: Follow up
Due By: Friday, August 14, 2020 9:00 AM
Flag Status: Flagged

See attached for 6th Street ROW vacation.

Julie

From: Michelle Baragary <mbaragary@firstcity.org>
Sent: Wednesday, August 12, 2020 4:30 PM
To: Julie Hurley <jhurley@firstcity.org>
Subject: FW: Fort Gate Marketplace

Michelle Baragary

Administrative Assistant
City of Leavenworth
100 N. 5th Street
Leavenworth, KS 66048
(913) 680-2626
www.leavenworthks.org

From: Laura Davis <ldavis@ric-consult.com>
Sent: Wednesday, August 12, 2020 2:26 PM
To: Michelle Baragary <mbaragary@firstcity.org>
Cc: Roger Dill <rdill@ric-consult.com>; Hilary Zerr <hilary@davidsonae.com>
Subject: Fort Gate Marketplace

Michelle,

We're getting all the pieces together and final for the Fort Gate Marketplace area. I'm working on getting the application signed and notarized.

I have attached the pdf of the final plat and I have also submitted it to the county surveyor for his review.

I have also attached the street vacation application and description as well as the utility easement that they would like to have created to cover the public utilities in the current street right of way, I believe these are complete and ready for city consideration.

If I'm reading it properly the street vacation is \$250 application fee and the subdivision is \$350 application fee, is that correct?

Thanks,

Laura Davis

Survey Technician

ldavis@ric-consult.com | 913.333.3887 (d)



132 Abbie Avenue | Kansas City, KS 66103

ric-consult.com | 913.317.9500 (o)



*** THIS EMAIL CAME FROM AN EXTERNAL SOURCE. PLEASE BE CAUTIOUS WHEN CLICKING ON LINKS OR ATTACHMENTS.

EXHIBIT __
STREET VACATION

All that part of 6th Street right of way, in the city of Leavenworth, Leavenworth County, Kansas lying between Block G, LEAVENWORTH CITY and Block 97, DAY & MACAULAY'S and between Cheyenne Street and Metropolitan Avenue more particularly described as follows:

Beginning at the Southwest corner of said Block G; thence South $78^{\circ}46'13''$ West a distance of 60.00 feet to the Southeast corner of said Block 97; thence North $11^{\circ}13'47''$ West, along the West line of said Block 97, a distance of 262.51 feet to a point of intersection with the South right-of-way line of Metropolitan Avenue, as it now exists; thence along said South right-of-way line, North $85^{\circ}02'02''$ East a distance of 60.36 feet to a point of intersection with the West line of said Block G; thence along the west line of said Block G, South $11^{\circ}13'47''$ East a distance of 255.92 to the Point of Beginning, containing 15,553 square feet, or 0.357 acres, more or less.



Street Vacation Exhibit

Exhibit ___

METROPOLITAN AVENUE

N85°02'02"E
60.36

SOUTH R/W LINE, METROPOLITAN AVE.



EAST LINE, BLOCK 97

WEST LINE, BLOCK G

METRO SUBDIVISION
LOT #1

BLOCK 97
MACAULAY'S

N11°13'47"W 262.51'

6TH STREET

S11°13'47"E 255.92'

BLOCK G
LEAVENWORTH CITY

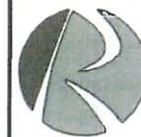
16 15 14 13 12

POINT OF BEGINNING
SW COR. BLOCK G,
LEAVENWORTH CITY



SE COR. BLOCK 97,
DAY & MACAULAY'S

60.00
S78°46'13"W
CHEYENNE STREET



**Renaissance
Infrastructure
Consulting**

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

EXHIBIT __
Utility EASEMENT

All that part of the North Fractional portion of Block G, together with Lot 16, Block G, LEAVENWORTH and Lots 1 through 7, inclusive, vacated Sioux Street and 6th Street and all of the alley vacated by Resolution No. 6551 and Ordinance No. 8118, all in Block 97, DAY AND MACAULAY'S SUBDIVISION; all in the City of Leavenworth, Leavenworth County, Kansas more particularly described as follows:

Beginning at the Northwest corner of Lot 1, METRO SUBDIVISION, a subdivision in said City of Leavenworth; thence South 12°48'14" East, along the West line of said Lot 1, a distance of 10.09 feet to a point on a line 10 feet distant and parallel with the South right-of-way line of Metropolitan Avenue; thence along said parallel line, South 85°02'02" West a distance of 112.13 feet; thence leaving said parallel line, South 10°00'14" East a distance of 128.04 feet; thence South 78°39'07" West a distance of 31.41 feet; thence South 13°17'02" East a distance of 116.67 feet to a point being on the North right-of-way line of Cheyenne Street, as it now exists; thence South 78°46'13" West, along said North right-of-way line, a distance of 203.32 feet; thence leaving said North right-of-way line, North 11°05'16" West a distance of 10.00 feet to a point on a line 10 feet distant and parallel with said North right-of-way line; thence North 78°46'13" East, along said parallel line, a distance of 162.91 feet; thence North 13°17'02" West a distance of 127.08 feet; thence North 78°46'13" East a distance of 34.08 feet; thence North 11°13'47" West a distance of 122.21 feet to a point on the South right-of-way line of Metropolitan Avenue, as it now exists; thence North 85°02'02" East, along said South right-of-way line, a distance of 152.93 feet to the Point of Beginning, containing 13,660 square feet, more or less.



SEE Revised
EASEMENT Dated
9-25-2020

Utility Easement Exhibit

Exhibit _____



METROPOLITAN AVENUE

POINT OF BEGINNING

N85°02'02"E 152.93'

10.09'
S12°48'14"E

S85°02'02"W 112.13'

S. R/W LINE,
METROPOLITAN AVE.

N11°13'47"W 122.21'

PROPOSED EASEMENT
13,660 S.F. ±

S10°00'14"E 128.04'

LEAVENWORTH CITY
BLOCK G

METRO SUBDIVISION
LOT #1

W. LINE,
METRO SUBDIVISION

ALLEY VACATION RESOLUTION NO. 6551

BLOCK 97
DAY & MACAULAYS

N78°46'13"E
34.08'

31.41'
S78°39'07"W

N13°17'02"W 127.08'

6TH STREET

S13°17'02"E 116.67'

METRO
SUBDIVISION
LOT #2

N. R/W LINE,
CHEYENNE STREET

N78°46'13"E 162.91'
S78°46'13"W 203.32'

CHEYENNE STREET



N.T.S.



132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

SEE REVISIONS TO 08-12-20

Aug 04, 2020 2:52pm User:ldavis
Z:\R\C Design\2019\Survey\19-3058 615-621 Metropolitan\Draw\Exhibits\19-3058 SURV-ESMT-UJ.dwg

*New Utility
Easement Proposal
9-25-2020*

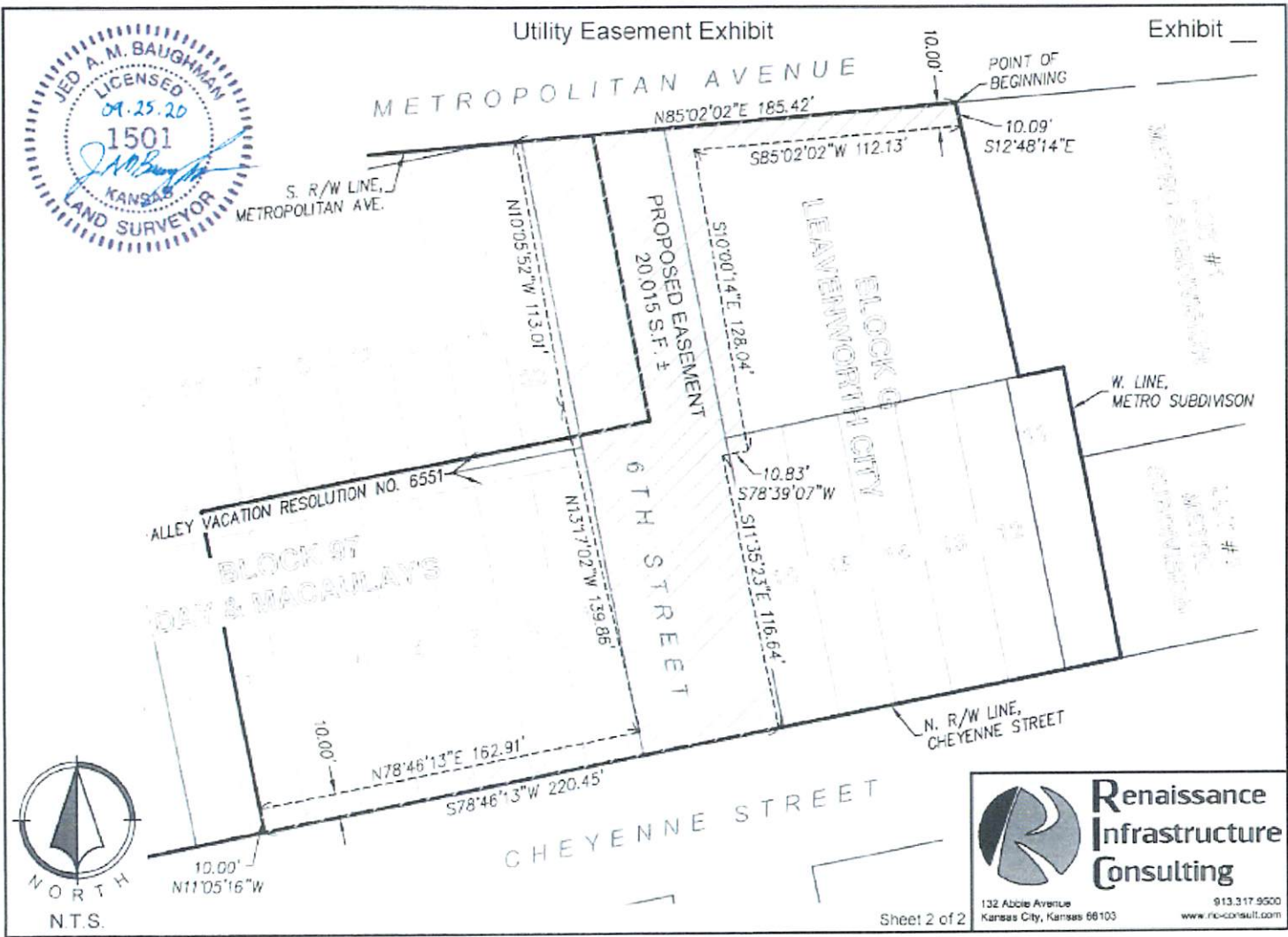
EXHIBIT A

Legal Description of Easement Area

All that part of the North Fractional portion of Block G, together with Lot 16, Block G, LEAVENWORTH and Lots 1 through 7, inclusive and Lot 38, vacated Sioux Street and 6th Street and all that part of the alley vacated by Resolution No. 6551, all in Block 97, DAY AND MACAULAY'S SUBDIVISION; all in the City of Leavenworth, Leavenworth County, Kansas more particularly described as follows:

Beginning at the Northwest corner of Lot 1, METRO SUBDIVISION, a subdivision in said City of Leavenworth; thence South 12°48'14" East, along the West line of said Lot 1, a distance of 10.09 feet to a point on a line 10 feet distant and parallel with the South right-of-way line of Metropolitan Avenue; thence along said parallel line, South 85°02'02" West a distance of 112.13 feet; thence leaving said parallel line, South 10°00'14" East a distance of 128.04 feet; thence South 78°39'07" West a distance of 10.83 feet; thence South 11°35'23" East a distance of 116.64 feet to a point being on the North right-of-way line of Cheyenne Street, as it now exists; thence South 78°46'13" West, along said North right-of-way line, a distance of 220.45 feet; thence leaving said North right-of-way line, North 11°05'16" West a distance of 10.00 feet to a point on a line 10 feet distant and parallel with said North right-of-way line; thence North 78°46'13" East, along said parallel line, a distance of 162.91 feet; thence North 13°17'02" West a distance of 139.86 feet; thence North 10°05'52" East a distance of 113.01 feet; to a point on the South right-of-way line of Metropolitan Avenue, as it now exists; thence North 85°02'02" East, along said South right-of-way line, a distance of 185.42 feet to the Point of Beginning, containing 20,015 square feet, more or less.





New Utility Easement Proposed 9-25-2020

EXHIBIT B