

We encourage everyone to view the meeting live via YouTube.

***Leavenworth County  
Board of County Commissioners***

***Regular Meeting Agenda***  
300 Walnut Street, Suite 225  
Leavenworth, KS 66048  
August 23, 2023  
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting for agenda items **only** and limited to three minutes per person. Comments at the end of the meeting shall be open to any topic of general interest to the Board of County Commissioners and limited to five minutes per person. There should be no expectation of interaction by the Commission during this time.

Anyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 AM the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow up if needed prior to the meeting.

- V. ADMINISTRATIVE BUSINESS:
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.
  - a) Approval of the minutes of the meeting of August 16, 2023
  - b) Approval of the schedule for the week August 28, 2023
  - c) Approval of the check register

- d) Approve and sign the OCB's
- e) Approve Case Number DEV-23-086 & 087 Preliminary and Final Plat for Turner Farm Estates West
- f) Approve Case Number DEV-23-088 & 089 Preliminary and Final Plat for Turner Farm Estates
- g) Approve Case Number DEV-23-097 & 098 Preliminary and Final Plat Acres for Foxridge 1<sup>st</sup> Plat
- h) Approve Case Number DEV-23-099 & 100 Preliminary and Final Plat for Foxridge 2<sup>nd</sup> Plat
- i) Approve Case Number DEV-075 & 076 Preliminary and Final Plat for Rader Farms
- j) Approve Case Number DEV-077 & 078 Preliminary and Final Plat for Atwood Acres

## VII. FORMAL BOARD ACTION:

- a) Resolution 2023-22 a resolution to levy a property tax exceeding the revenue neutral rate.
  - **OPEN PUBLIC HEARING FOR EXCEEDING THE REVENUE NEUTRAL RATE AND THE LEAVENWORTH COUNTY BUDGET**
  - **CLOSE PUBLIC HEARING**
  - Consider a motion to approve Resolution 2023-22, a resolution to levy a property tax exceeding the revenue neutral rate.
  - Roll call
  - A motion to approve the Leavenworth County Budget for 2024.
- b) Resolution 2023-23 a resolution to levy a property tax rate exceeding the revenue neutral rate for Leavenworth County Special-Other Funds Budget.
  - **OPEN PUBLIC HEARING FOR EXCEEDING THE REVENUE NEUTRAL RATE FOR LEAVENWORTH COUNTY SPECIAL OTHER FUNDS AND THE**

## **LEAVENWORTH COUNTY SPECIAL OTHER FUNDS BUDGET**

- **CLOSE PUBLIC HEARING**
- Consider a motion to approve Resolution 2023-23, a resolution to levy a property tax exceeding the revenue neutral rate for Leavenworth County Special-Other Funds budget.
- Roll call
- A motion to approve the Leavenworth County Special Other Funds Budget for 2024.

c) Consider a motion to approve a supplemental agreement with KDOT maintenance costs on George Road.

VIII. PRESENTATIONS AND DISCUSSION ITEMS: presentations are materials of general concern where no action or vote is requested or anticipated.

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

X. ADJOURNMENT

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

## Monday, August 21, 2023

## Tuesday, August 22, 2023

8:00 a.m. Workforce Partnership meeting

12:00 p.m. MARC meeting

## Wednesday, August 23, 2023

9:00 a.m. Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

## Thursday, August 24, 2023

## Friday, August 25, 2023

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

\*\*\*\*\*August 16, 2023 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, August 16, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; Connie Harmon, Council on Aging Director; Bill Noll, Infrastructure and Construction Services; Jamie Miller, EMS Director; Sonya Murphy, Extension Office; Trent Peter, Extension Office; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: John Matthews, Greg Kaaz

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

Commissioner Stieben inquired if any elected official has implemented substantial adjustments to salaries since the budget process.

Mark Loughry answered yes.

Commissioner Culbertson inquired about adding reflective tabs to the roads that were newly chip and sealed.

Bill Noll explained the process of the reflective tabs indicating the striping will start next week.

Commissioner Doug Smith asked if the funding of the court appointed attorney's come out of the County Counselor's budget.

David Van Parys indicated that the fees are paid out of his budget.

Commissioner Doug Smith requested the check registry be removed from the consent agenda.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, August 16, 2023 minus the check registry.***

***Motion passed, 5-0.***

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the check registry section of the consent agenda.***

***Motion passed, 4-0. Commissioner Doug Smith abstained.***

Sonya Murphy and Trent Peter presented the 2024 Leavenworth County Extension Office budget for approval.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve the 2024 budget for the Leavenworth County Extension Office.***

***Motion passed, 4-1, Commissioner Doug Smith voting nay.***

Connie Harmon requested approval of a contract with Basehor United Methodist Church for a dining center.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve a contract with Council on Aging and the Basehor United Methodist Church for a dining center.  
Motion passed, 5-0.***

Mr. Van Parys presented an agreement with EMS and Saint John Hospital for on campus transports.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve an agreement with EMS and Saint John Hospital for on campus transports.  
Motion passed, 5-0.***

Mark Loughry presented a policy for funding for outside agencies.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve the outside agency funding policy.  
Motion passed, 3-2, Commissioners Kaaz and Doug Smith voting nay.***

Bill Noll requested to allow Public Works to accept 178<sup>th</sup> Street and Stillwell Road as recommended.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to direct staff to work with Olsson to do an inspection and make a suggestion if any, on what it would take to accept that roadway at the expense of the contractor or the developer.  
Motion passed, 5-0.***

Jeff McKerrow with Kimley-Horn presented the regional capital improvement plan.

Mr. Noll requested approval of Resolution 2023-21, accepting the progress for priorities regional transportation capital improvements plan.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve Resolution 2023-21, accepting the progress for priorities regional transportation capital improvements plan.  
Motion passed, 5-0.***

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that this Board recess for a closed executive meeting for the discussion of potential litigation involving the legal interests of the County as justified by K.S.A. 75-4319(B)(2) for consultation with legal counsel for the Board which would be deemed privileged in the attorney-client relationship and that Board resume open meeting at 10:55 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor David Van Parys and County Administrator Mark Loughry and others that may be called by the Board.  
Motion passed, 5-0.***

The Board returned to regular session at 10:55 a.m. No action was taken and no decisions were made. The subject was limited to legal matters of the County.

Commissioner Stieben met with Jake LaTurner and he will speak at the Elephant Club tomorrow evening.

Commissioner Culbertson will be scheduling a meeting with Jake LaTurner. He will also be meeting with Representative Buehler.

Commissioner Mike Smith met with Lansing city manager Tim Vandall and indicated he will be presenting information on LAVTR to the Lansing City Council. He reminded the Board the County Administrator's evaluation is due next Wednesday. He indicated the Courthouse participated in city selfie day on Tuesday.

Commissioner Kaaz met with Jake LaTurner through the KCATA and participated in the finance committee meeting for the KCATA. She attended the Port Authority meeting yesterday.

Commissioner Doug Smith attended the Basehor City Council meeting. He will attend the Kansas Livestock Association event on Saturday.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to adjourn.***

***Motion passed, 5-0.***

The Board adjourned at 10:59 a.m.

# **LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE**

**Monday, August 28, 2023**

**Tuesday, August 29, 2023**

**Wednesday, August 30, 2023**

9:00 a.m.            Leavenworth County Commission meeting  
                         • Commission Meeting Room, 300 Walnut, Leavenworth KS

**Thursday, August 31, 2023**

**Friday, September 1, 2023**

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

START DATE: 08/12/2023    END DATE: 08/18/2023

warrants by vendor

START DATE: 08/12/2023 END DATE: 08/18/2023

			P.O.NUMBER	CHECK#						
829	THOMSON REUTERS	THOMSON REUTERS - WEST	336098	104463 AP	08/18/2023	3-001-5-09-209	1005824053 ONLINE SOFTWARE SUB	210.00		
2	WATER DEPT	WATER DEPT	336028	104411 AP	08/14/2023	3-001-5-05-215	WATER SVC WIC/HEALTH/EMS ADMIN	58.07		
2	WATER DEPT	WATER DEPT	336105	104470 AP	08/18/2023	3-001-5-05-215	WATER SVC EMS 9103	59.88		
*** VENDOR								2 TOTAL	117.95	
112	ZECK FORD	ZECK FORD	336107	104472 AP	08/18/2023	3-001-5-07-213	CUST 11707 - UNIT 111 DIAGNOST	183.55		
2367	911 CUSTOM LLC	911 CUSTOM LLC	336108	104473 AP	08/18/2023	3-001-5-07-213	BUILD PARTS #123 NEW TRUCK	90.00		
TOTAL FUND 001									41,023.12	
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2	WATER DEPT	WATER DEPT	336028	104411 AP	08/14/2023	3-108-5-00-219	WATER SVC WIC/HEALTH/EMS ADMIN	43.56		
2	WATER DEPT	WATER DEPT	336028	104411 AP	08/14/2023	3-108-5-00-606	WATER SVC WIC/HEALTH/EMS ADMIN	14.51		
*** VENDOR								2 TOTAL	58.07	
TOTAL FUND 108									58.07	
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661	CDJ AUTOMOTIVE LLC	CDJ AUTOMOTIVE LLC	336058	104423 AP	08/18/2023	3-115-5-00-408	LVSO 2023 DODGE RAM 1500	37,079.00		
650	SECTOR	SECTOR LLC/SECTOR TECHNOLOGY G	336094	104459 AP	08/18/2023	3-115-5-00-408	EST-10346 GETAC DOCK/CLOUD,GVS	1,535.04		
650	SECTOR	SECTOR LLC/SECTOR TECHNOLOGY G	336094	104459 AP	08/18/2023	3-115-5-00-408	EST-10346 GETAC DOCK/CLOUD,GVS	979.20		
650	SECTOR	SECTOR LLC/SECTOR TECHNOLOGY G	336094	104459 AP	08/18/2023	3-115-5-00-408	EST-10346 GETAC DOCK/CLOUD,GVS	21.00		
650	SECTOR	SECTOR LLC/SECTOR TECHNOLOGY G	336094	104459 AP	08/18/2023	3-115-5-00-408	EST-10346 GETAC DOCK/CLOUD,GVS	472.00		
650	SECTOR	SECTOR LLC/SECTOR TECHNOLOGY G	336094	104459 AP	08/18/2023	3-115-5-00-408	EST-10346 GETAC DOCK/CLOUD,GVS	21.00		
*** VENDOR								650 TOTAL	3,028.24	
TOTAL FUND 115									40,107.24	
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1220	CULLIGAN OF GREATER	CULLIGAN OF GREATER KANSAS CIT	336061	104426 AP	08/18/2023	3-126-5-00-225	1220762 WATER/COOLER RENTAL	42.00		
TOTAL FUND 126									42.00	
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117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	336054	104419 AP	08/18/2023	3-133-5-00-303	8-14 430742 ROAD SEAL	1,881.96		
117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	336054	104419 AP	08/18/2023	3-133-5-00-303	8-14 430742 ROAD SEAL	38,707.44		
117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	336054	104419 AP	08/18/2023	3-133-5-00-303	8-14 430742 ROAD SEAL	16,484.77		
*** VENDOR								117 TOTAL	57,074.17	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	336059	104424 AP	08/18/2023	3-133-5-00-304	8-12 20642-5600012307 GAS SER	5.72		
2533	COMMERCIAL INDUSTRIA	COMMERCIAL INDUSTRIAL SUPPLY C	336060	104425 AP	08/18/2023	3-133-5-00-207	8-15 PM SVC WASTE OIL FURNACE	859.25		
2533	COMMERCIAL INDUSTRIA	COMMERCIAL INDUSTRIAL SUPPLY C	336060	104425 AP	08/18/2023	3-133-5-00-207	8-15 PM SVC WASTE OIL FURNACE	911.54		
*** VENDOR								2533 TOTAL	1,770.79	
145	HIMPEL HARDWARE	HIMPEL LUMBER	336073	104438 AP	08/18/2023	3-133-5-00-363	8-18 817 TREATED LUMBER	1,491.75		
191	HOME DEPOT	HOME DEPOT USA	336075	104440 AP	08/18/2023	3-133-5-00-312	8-19 1111680 TOOLS, SHOP SUPPL	80.18		
191	HOME DEPOT	HOME DEPOT USA	336075	104440 AP	08/18/2023	3-133-5-00-312	8-19 1111680 TOOLS, SHOP SUPPL	75.84		
191	HOME DEPOT	HOME DEPOT USA	336075	104440 AP	08/18/2023	3-133-5-00-365	8-19 1111680 TOOLS, SHOP SUPPL	59.96		
191	HOME DEPOT	HOME DEPOT USA	336075	104440 AP	08/18/2023	3-133-5-00-365	8-19 1111680 TOOLS, SHOP SUPPL	235.97		
*** VENDOR								191 TOTAL	451.95	
8408	KANSAS STA	KANSAS STATE HISTORICAL SOCIET	336077	104442 AP	08/18/2023	3-133-5-00-327	8-20 20 SURVEY REPORTS	80.00		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	24,896.98		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	44,889.82		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	37,817.84		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	9,817.00		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	16,936.10		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	20,206.72		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	13,493.56		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	19,397.68		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	20,758.71		
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	336081	104446 AP	08/18/2023	3-133-5-00-362	8-21 495 BM2	20,372.31		
*** VENDOR								1351 TOTAL	228,586.72	
537	LEAV TIMES	CHERRYROAD MEDIA INC	336082	104447 AP	08/18/2023	3-133-5-00-208	8-22 21252 PUBLICATION OF SALT	7.59		

warrants by vendor

FMWARRPTR2		LEAVENWORTH COUNTY							8/17/23	11:12:05
DCOX		WARRANT REGISTER - BY FUND / VENDOR							Page	3
		START DATE: 08/12/2023    END DATE: 08/18/2023								
TYPES OF CHECKS SELECTED: * ALL TYPES										
		P.O.NUMBER		CHECK#						
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		396.68	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		153.62	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		315.08	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		1,534.61	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		775.86-	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		293.10-	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		30.55	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		1,854.11	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		1,557.01	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-23 95988 FILTERS,BRAKE KITS,		112.67	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		51.96	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		391.61	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		387.93-	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		387.93-	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		1,163.79-	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		387.93-	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		110.00	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		620.32	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		4,596.03	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	336084	104449 AP	08/18/2023	3-133-5-00-360	8-24 95988 FILTERS, BRAKE KITS		41.35	
							*** VENDOR	232 TOTAL		8,369.06
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		357.49	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		127.49	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		374.06-	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		398.74	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		1,663.52	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		30.90	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	336088	104453 AP	08/18/2023	3-133-5-00-360	8-27 8052255000 INJECTOR KIT,		114.57	
							*** VENDOR	418 TOTAL		2,318.65
7098	QUILL CORP	QUILL CORP	336091	104456 AP	08/18/2023	3-133-5-00-312	8-28 7295538 TOWELS, SHOP SUPP		235.97	
668	TIREHUB	TIREHUB INC	336099	104464 AP	08/18/2023	3-133-5-00-309	8-29 407362 TIRES		261.68	
668	TIREHUB	TIREHUB INC	336099	104464 AP	08/18/2023	3-133-5-00-309	8-29 407362 TIRES		534.12	
668	TIREHUB	TIREHUB INC	336099	104464 AP	08/18/2023	3-133-5-00-309	8-29 407362 TIRES		346.53	
							*** VENDOR	668 TOTAL		1,142.33
774	VAN KEPPEL	G W VAN KEPPEL	336102	104467 AP	08/18/2023	3-133-5-00-360	8-16 BP0005100 SKIRTBOA		270.10	
774	VAN KEPPEL	G W VAN KEPPEL	336102	104467 AP	08/18/2023	3-133-5-00-360	8-16 BP0005100 SKIRTBOA		544.77	
							*** VENDOR	774 TOTAL		814.87
1241	VANCE BROS	VANCE BROS INC	336103	104468 AP	08/18/2023	3-133-5-00-303	8-32 437 CRS-1HM		14,824.68	
1241	VANCE BROS	VANCE BROS INC	336103	104468 AP	08/18/2023	3-133-5-00-303	8-32 437 CRS-1HM		14,401.56	
1241	VANCE BROS	VANCE BROS INC	336103	104468 AP	08/18/2023	3-133-5-00-303	8-32 437 CRS-1HM		15,216.84	
							*** VENDOR	1241 TOTAL		44,443.08
392	VANDERBILT	VANDERBILT'S	336104	104469 AP	08/18/2023	3-133-5-00-364	8-33 1000127 SAFETY BOOTS - CO		149.99	
392	VANDERBILT	VANDERBILT'S	336104	104469 AP	08/18/2023	3-133-5-00-364	8-33 1000127 SAFETY BOOTS - CO		104.99	
							*** VENDOR	392 TOTAL		254.98
2007	WIRENUTS	WIRENUTS	336106	104471 AP	08/18/2023	3-133-5-00-207	8-34 PUBLIC WORKS - 3 MO MONIT		261.65	
							TOTAL FUND 133			347,309.28
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1220	CULLIGAN OF GREATER	CULLIGAN OF GREATER KANSAS CIT	336061	104426 AP	08/18/2023	3-136-5-00-203	1274542 WATER/COOLER RENTAL		21.00	
1220	CULLIGAN OF GREATER	CULLIGAN OF GREATER KANSAS CIT	336061	104426 AP	08/18/2023	3-136-5-00-223	1274542 WATER/COOLER RENTAL		21.00	
							*** VENDOR	1220 TOTAL		42.00
							TOTAL FUND 136			42.00

START DATE: 08/12/2023 END DATE: 08/18/2023

warrants by vendor

FMWARRPTR2				LEAVENWORTH COUNTY				8/17/23		11:12:05	
DCOX				WARRANT REGISTER - BY FUND / VENDOR						Page 5	
				START DATE: 08/12/2023				END DATE: 08/18/2023			
TYPES OF CHECKS SELECTED: * ALL TYPES											
				P.O.NUMBER		CHECK#					
2570	BOND ESCROW REFUND	J&L CUSTOM HOMES		336050	104415 AP	08/18/2023	3-503-5-00-2	8-1 REF ENTRANCE PERMITS		100.00	
2570	BOND ESCROW REFUND	J&L CUSTOM HOMES		336050	104415 AP	08/18/2023	3-503-5-00-2	8-1 REF ENTRANCE PERMITS		100.00	
2570	BOND ESCROW REFUND	J&L CUSTOM HOMES		336050	104415 AP	08/18/2023	3-503-5-00-2	8-1 REF ENTRANCE PERMITS		100.00	
2570	BOND ESCROW REFUND	MATTHEW GROVES		336051	104416 AP	08/18/2023	3-503-5-00-2	8-2 REF ENTRANCE PERMITS 246TH		100.00	
2570	BOND ESCROW REFUND	MATTHEW GROVES		336051	104416 AP	08/18/2023	3-503-5-00-2	8-2 REF ENTRANCE PERMITS 246TH		100.00	
2570	BOND ESCROW REFUND	PCDI		336052	104417 AP	08/18/2023	3-503-5-00-2	8-3 REF ENTRANCE PERMIT 254TH		100.00	
								*** VENDOR	2570 TOTAL		1,100.00
								TOTAL FUND 503			1,100.00
-----											
451	AETNA	AETNA LIFE INSURANCE COMPANY		336049	104414 AP	08/18/2023	3-510-2-00-939	108798268 AUGUST PREMIUMS		328,248.55	
451	AETNA	AETNA LIFE INSURANCE COMPANY		336049	104414 AP	08/18/2023	3-510-2-00-939	108798268 AUGUST PREMIUMS		15,273.05	
451	AETNA	AETNA LIFE INSURANCE COMPANY		336049	104414 AP	08/18/2023	3-510-2-00-939	108798268 AUGUST PREMIUMS		784.15	
								*** VENDOR	451 TOTAL		344,305.75
								TOTAL FUND 510			344,305.75
-----											
								TOTAL ALL CHECKS			898,699.35

TYPES OF CHECKS SELECTED: \* ALL TYPES

FUND SUMMARY

001	GENERAL	41,023.12
108	COUNTY HEALTH	58.07
115	EQUIPMENT RESERVE	40,107.24
126	COMM CORR ADULT	42.00
133	ROAD & BRIDGE	347,309.28
136	COMM CORR JUVENILE	42.00
137	LOCAL SERVICE ROAD & BRIDGE	4,254.31
160	SOLID WASTE MANAGEMENT	671.20
171	S TAX CAP RD PROJ: BONDS	14,571.62
172	AMERICAN RECOVERY PLAN	3,999.00
174	911	31,130.84
195	JUVENILE DETENTION	15,084.92
220	CAP IMPR: RD & BRIDGE	55,000.00
503	ROAD & BRIDGE BOND ESCROW	1,100.00
510	PAYROLL CLEARING	344,305.75
	TOTAL ALL FUNDS	898,699.35

Consent Agenda 8-23-23  
cks 8/12 - 8/18

\_\_\_\_\_  
\_\_\_\_\_

**Leavenworth County  
Request for Board Action  
Case No. DEV-23-086/087  
Preliminary & Final Plat Turner Farm Estates West  
\*Consent Agenda\***

**Date:** August 23, 2023

**To:** Board of County Commissioners

**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** The applicants are requesting a Preliminary and Final Plat for a two-lot Cross Access Easement subdivision. Proposed Lot 1 is approximately 16 acres and Lot 2 is approximately 24 acres.

**Analysis:** The applicants are requesting approval of a two-lot subdivision for a parcel of land located to the west of the Cantrell Road and 206<sup>th</sup> Intersection. The proposed plat is a cross access easement with the one access point extending off of Cantrell Road. Proposed Lot 1 is situated in the northwest corner of the property and will access the CAE through a cul-de-sac that meets the minimum radius for emergency turnaround purposes. Proposed Lot meets the standards set forth in the Leavenworth County Zoning and Subdivision Regulations.

Proposed Lot 2 consists of the remaining 24 acres of the original parcel. Lot two will also access off of the proposed CAE. The lot is also complaint with the standards of the Leavenworth County Zoning and Subdivision Regulations.

**Recommendation:** The Planning Commission voted 7-0 to recommend approval of Case No.DEV-23-086/087, Preliminary and Final Plat for Turner Farm Estates West subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-23-086/087, Preliminary and Final Plat for Turner Farm Estates West, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-086/087, Preliminary and Final Plat for Turner Farm Estates West, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-086/087, Preliminary and Final Plat for Turner Farm Estates West, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable  
☐ Budgeted item with available funds  
☐ Non-Budgeted item with available funds through prioritization  
☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

**Additional Attachments:** Staff Report, Plat, Planning Commission Minutes

**LEAVENWORTH COUNTY  
PLANNING COMMISSION**

STAFF REPORT

CASE NO: DEV-23-086/087 Turner Farm Estates West

August 9, 2023

**REQUEST: *Consent Agenda***

☒ Preliminary Plat                      ☒ Final Plat

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 00000 CANTRELL ROAD

**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING

**PROPERTY OWNER:**

MATTHEW JAMES & KELLY RENEE  
FRANCIS  
10000 HOLLINGSWORTH RD  
KANSAS CITY KS 66109

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

ZONING: RR-5

FUTURE LAND USE DESIGNATION:  
RESIDENTIAL (2.5-ACRE MIN)

**LEGAL DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 3, Township 12, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-086/087, Preliminary & Final Plat for Turner Farm Estates West, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-086/087, Preliminary & Final Plat for Turner Farm Estates West, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

40 ACRES

PARCEL ID NO:

222-03-0-00-00-005.05

BUILDINGS:

N/A

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 00000 Cantrell Road (222-03-0-00-00-005.05) as Lots 1 through 2 of Turner Farm Estates West.

ACCESS/STREET:

CANTRELL ROAD - COUNTY LOCAL,  
GRAVEL ± 19'

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: SHERMAN FD

WATER: RWD 10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

7/28/2023

NEWSPAPER NOTIFICATION:

8/1/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:

N/A

<b>STANDARDS TO BE CONSIDERED:</b>			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		<b>Met</b>	<b>Not Met</b>
35-40	<b>Preliminary Plat Content</b>	X	
40-20	<b>Final Plat Content</b>	X	
41-6	<b>Access Management</b>	X	
41-6.B.a-c.	<b>Entrance Spacing</b>	X	
41-6.C.	<b>Public Road Access Management Standards</b>	X	
43	<b>Cross Access Easements</b>	X	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>	X	
50-40	<b>Minimum Design Standards</b>	X	
50-50	<b>Sensitive Land Development</b>	N/A	
50-60.	<b>Dedication of Reservation of Public Sites and Open Spaces</b>	N/A	

**STAFF COMMENTS:**

The applicant is proposing to divide a 40-acre parcel into a two-lot Cross Access Easement Subdivision. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as no sanitary sewer is located within 660' of the property (see condition 3). The property is zoned RR-5. Lot 1 is approximately 16 acres and has the minimum frontage required through the Cross Access Easement. Access from the Cross Access Easement will come from Cantrell Road. Lot 2 is approximately 23.96 acres and has the minimum frontage required through the Cross Access Easement. Staff is supportive of the request.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. Turner Farms Estates West is hereby approved as a Cross Access Easement subdivision. The maintenance of Turner Lane is the responsibility of the members of the Home Owners Association per the attached HOA agreement. Leavenworth County does not accept any liability or maintenance of the proposed private drive.
6. The developer must comply with the following memorandums:
  - a. Email – Chuck Magaha, Emergency Management, dated July 3, 2023
  - b. Memo – RWD 10, dated June 15, 2023

**ATTACHMENTS:**

- A: Application & Narrative  
B: Zoning Maps  
C: Memorandums

PRELIMINARY &  
**FINAL PLAT APPLICATION**  
Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

Office Use Only	
PID: <u>222-03</u>	<u>005</u>
Township: <u>Sherman</u>	
Planning Commission Meeting Date: _____	
Case No. <u>DEV-23</u>	Date Received/Paid: <u>06.05.2023</u>
Zoning District <u>RR 5</u>	
Comprehensive Plan land use designation _____	

APPLICANT <u>AGENT</u> INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>Matthew James &amp; Kelly Renee Francis</u>
MAILING ADDRESS: <u>315 N. 5th Street</u>	MAILING ADDRESS: <u>10000 Donahoo Road</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Kansas City, KS 66109</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

**GENERAL INFORMATION**

Proposed Subdivision Name: TURNER FARM ESTATES WEST

Address of Property: 00000 Cantrell Street

Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>40 Ac</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>16 Ac</u>
Maximum Lot Size: <u>24 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 10</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Sherman</u>	Electric Provider: <u>Evergry</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local</u> - Collector - Arterial - State - Federal	
Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number: _____		
I, the undersigned, am the owner <u>duly authorized agent</u> of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.		
Signature: <u>joe Herring - digitally signed 6-3-23</u>		Date: <u>6-3-23</u>

ATTACHMENT A

525.00

PRELIMINARY &

FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

Office Use Only

PID: 222-03 005.00  
Township: Sherman  
Planning Commission Meeting Date: \_\_\_\_\_  
Case No. DEV-73- Date Received/Paid: 06.05.2023  
Zoning District RR-5  
Comprehensive Plan land use designation \_\_\_\_\_

APPLICANT AGENT INFORMATION

OWNER INFORMATION

NAME: Herring Surveying Company NAME: Matthew James & Kelly Renee Francis  
MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS: 10000 Donahoo Road  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP: Kansas City, KS 66109  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL: herringsurveying@outlook.com EMAIL: N/A

GENERAL INFORMATION

Proposed Subdivision Name: TURNER FARM ESTATES WEST  
Address of Property: 00000 Cantrell Street  
Urban Growth Management Area: N/A

SUBDIVISION INFORMATION

Gross Acreage: <u>40 Ac</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>16 Ac</u>
Maximum Lot Size: <u>24 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 10</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Sherman</u>	Electric Provider: <u>Everg</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local</u> - Collector - Arterial - State - Federal	

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number:

I, the undersigned, am the owner duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: joe Herring - digitally signed 6-3-23 Date: 6-3-23

ATTACHMENT A

HOME OWNER'S ASSOCIATION  
TURNER FARM ESTATES WEST  
LEAVENWORTH COUNTY, KANSAS

Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 22'55" West for a distance of 712.97 feet along said South line to the East line of HILLVIEW SUBDIVISION; thence North 01 degrees 55'39" West for a distance of 537.62 feet along said East line; thence South 87 degrees 49'02" West for a distance of 1042.90 feet along the North line of said HILLVIEW SUBDIVISION to the West line of said Southeast Quarter; thence North 01 degrees 53'36" West for a distance of 793.21 feet along said West line; thence North 88 degrees 19'11" East for a distance of 1756.48 feet; thence South 01 degrees 52'49" East for a distance of 1322.46 feet to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 40.53 acres, more or less, including road right of w

Said TURNER FARM ESTATES WEST creates an area known as a Cross Access Easement (C.A.E.).

Said area is to be shared and used by all owners/parties within TURNER FARM ESTATES WEST for the rights of access and for utilities to be allowed to service all Lots.

All Lot Owners are responsible for 50% of the total cost of maintenance of the C.A.E. area.

Maintenance of the cross access easement is the sole responsibility of the developer and/or the future property owners of the properties the CAE provides access to. The cross access easement is not a public right-of-way and will in no way be maintained by the County.

The Home Owner's Association is comprised of the owners of Lots 1 and 2, TURNER FARM ESTATES WEST.

All Lots will each have a single vote per Lot in determining the maintenance issues. A split vote to be determined by the developer (Matt Francis).

To change any portion of this Home Owners Association document a majority vote must occur.

# TURNER FARM ESTATES WEST

A Cross Access Easement Subdivision in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
Matthew James & Kelly Renee Francis  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 22'55" West for a distance of 712.97 feet along said South line to the East line of HILLVIEW SUBDIVISION; thence North 01 degrees 55'39" West for a distance of 537.62 feet along said East line; thence South 87 degrees 49'02" West for a distance of 1042.90 feet along the North line of said HILLVIEW SUBDIVISION to the West line of said Southeast Quarter; thence North 01 degrees 53'36" West for a distance of 793.21 feet along said West line; thence North 88 degrees 19'11" East for a distance of 1756.48 feet; thence South 01 degrees 52'49" East for a distance of 1322.46 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 40.53 acres, more or less, including road right of way.  
Error of Closure: 1 - 1181837

PID 222-03...002.03

ADKINS, ANDREW & KRISTY  
PID 222-03...003

WILES, TERRY L & SUSAN G  
PID 222-03...004

SHOEMAKER, KELLY E & LYNN A; TRUST  
PID 222-03...005.03  
LOT 1  
HILLVIEW SUBD.  
BK. 16 PG. 34

SHOEMAKER, KELLY E & LYNN A; TRUST  
PID 222-03...005.04  
LOT 2  
HILLVIEW SUBD.  
BK. 16 PG. 34

MORRIS, SARAH M  
PID 222-10...005

LAMB, PAUL JEROLD & TRENT, MELISSA JOY  
PID 222-10...002

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
POB - Point of Beginning  
POC - Point of Commencing  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
X - Power Pole  
OHP - Overhead Power Lines  
T - Underground Telephone/Fiber Optic Line  
◇ - Gas Valve  
⬮ - Water Meter/Valve  
⊞ - Telephone Pedestal  
W - 6" Water Line - location as per district  
~ - Tree/Brush Line  
C.A.E. - Cross Access Easement

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Cantrell Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

FRANCIS, MATTHEW JAMES & KELLY RENEE  
PID 222-03...005

### ZONING:

RR 5 - Rural Residential 5

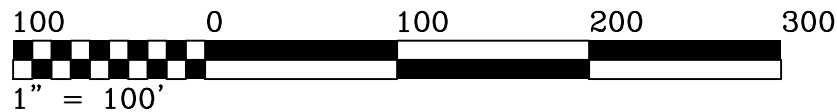
### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'
- 11) Reference Recorded Deed Doc #2023R03938
- 12) Utility Companies -
  - Water - Water District 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title Case Number 46365 updated May 17, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - DGW - D.G.White - Survey Doc #2014S039, S-15-05 #25, S-6 #80, 1977, S-15-09 #17
  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 2023S027
  - LTH - L.T.Hahn Survey Doc #2014S039



Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-21-23  
J. Herring, Inc. (dba)  
J. HERRING  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leamcsh.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# TURNER FARM ESTATES WEST

A Cross Access Easement Subdivision in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
Matthew James & Kelly Renee Francis  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

### RECORD DESCRIPTION:

Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 22'55" West for a distance of 712.97 feet along said South line to the East line of HILLVIEW SUBDIVISION; thence North 01 degrees 55'39" West for a distance of 537.62 feet along said East line; thence South 87 degrees 49'02" West for a distance of 1042.90 feet along the North line of said HILLVIEW SUBDIVISION to the West line of said Southeast Quarter; thence North 01 degrees 53'36" West for a distance of 793.21 feet along said West line; thence North 88 degrees 19'11" East for a distance of 1756.48 feet; thence South 01 degrees 52'49" East for a distance of 1322.46 feet to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 40.53 acres, more or less, including road right of way.  
Error of Closure: 1 - 1181837

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: TURNER FARM ESTATES WEST.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 1 for the benefit of Lot 2, and over Lot 2 for the benefit of Lot 1 for said purposes. Maintenance is to be shared between the owners of said Lots 1 and 2. Home Owner's Association (H.O.A.) recorded at the Leavenworth County Register of Deeds Office Doc # 2023R

IN TESTIMONY WHEREOF,  
We, the undersigned owners of TURNER FARM ESTATES WEST, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew James Francis Kelly Renee Francis

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew James Francis and Kelly Renee Francis, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of TURNER FARM ESTATES WEST this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary Chairman  
John Jacobson Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of TURNER FARM ESTATES WEST this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman County Clerk  
Vicky Kaaz Attest: Janet Klasinski

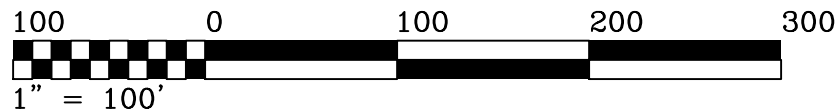
REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-27-23  
J. Herring, Inc. (dba)  
HERRING SURVEYING & COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leancash.com



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



VICINITY MAP  
NOT TO SCALE

15C  
NW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

1320.54'  
N 01°53'36" W 2641.09'

PID 222-03...002.03

PID 222-03...003

PID 222-03...004

PID 222-03...005.03  
LOT 1  
HILLVIEW SUBD.  
BK. 16 PG. 34

PID 222-03...005.04  
LOT 2  
HILLVIEW SUBD.  
BK. 16 PG. 34

PID 222-03...006

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
POB - Point of Beginning  
POC - Point of Commencing  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
C.A.E. - Cross Access Easement

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Cantrell Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

PID 222-03...005

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'
- 11) Reference Recorded Deed Doc #2023R03938
- 12) Utility Companies -
  - Water - Water District 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title Case Number 46365 updated May 17, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - DGW - D.G.White - Survey Doc #2014S039, S-15-05 #25,
  - S-6 #80, 1977, S-15-09 #17
  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 2023S027
  - LTH - L.T.Hahn Survey Doc #2014S039

PID 222-10...002

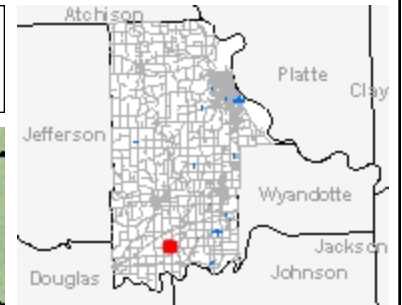
PID 222-10...005



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2023 and this map or plat is correct to the best of my knowledge.

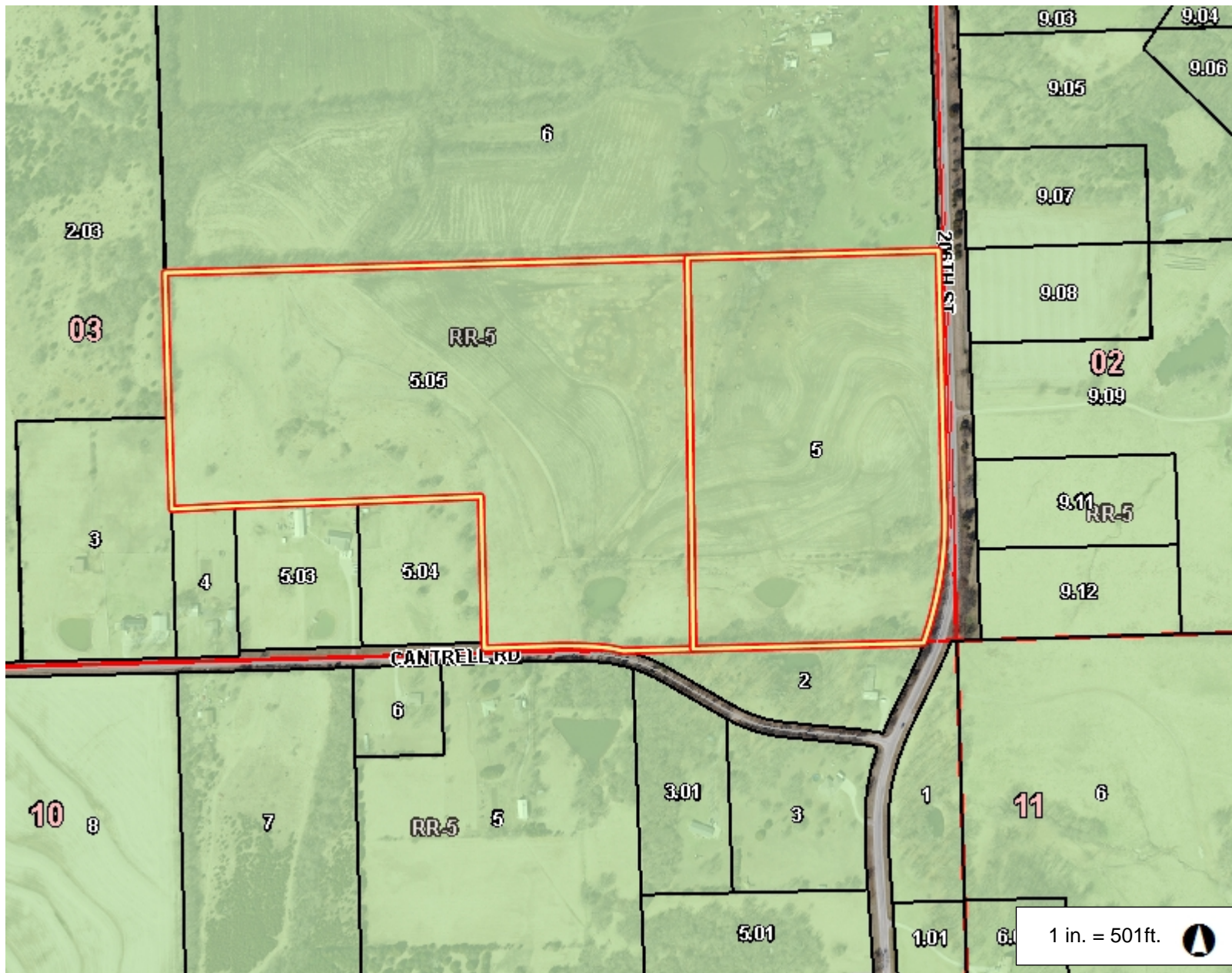
Joseph A. Herring  
PS # 1296

# DEV-23-086/87 & 088/089 Zoning Map



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- <all other values>
- PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3



1,001.2 0 500.58 1,001.2 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

## Allison, Amy

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**From:** Anderson, Kyle  
**Sent:** Monday, June 12, 2023 10:11 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-086/087 Preliminary and Final Plat – Turner Farms Estates

We have not received any complaints on this property. We are also not aware of any septic systems currently installed on the property.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, June 9, 2023 4:58 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'kritter@shermanfire.net' <kritter@shermanfire.net>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-086/087 Preliminary and Final Plat – Turner Farms Estates

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for 4-lot subdivision at 00000 206th Street (222-03-0-00-00-005.00).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, June 19, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@LeavenworthCounty.org](mailto:Aallison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**Disclaimer**



## Leavenworth County Planning and Zoning Preliminary and Final Plat

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DATE: June 9, 2023  
RE: DEV-23-086/087 Preliminary and Final Plat – Turner Farms Estates  
PID: 222-03-0-00-00-005.00  
To: Rural Water District #10 – comments in red 6/15/23

The Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Turner Farms Estates West

**Please address the following comments:**

- a. Does the water district have existing service lines in the vicinity of the proposed plat boundary to provide potable water to the lots of the subdivision? **Yes**
- b. What is the size and location of the water line(s) and fire hydrants that are adjacent to this property? **4" water line on south side of Cantrell; service connections would require bore installation paid for by the owner/developer in addition to meter cost.**
- c. Would the water district allow fire hydrants to be installed on the existing service line(s) in the area of the proposed plat boundary? **Yes**
- d. Does the water district have plans to upgrade the service in this vicinity to such a level that fire hydrants can be installed in the foreseeable future, or within a set number of years? If so, what would the improvements consist of? **No**

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, June 19, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@leavenworthcounty.gov](mailto:Aallison@leavenworthcounty.gov).

Sincerely,

Amy Allison  
Deputy Director  
Planning and Zoning  
Leavenworth County

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Turner Farm Estates Subdivision  
**Date:** July 3, 2023

Amy, I have reviewed the preliminary plat of the Turner Farm Estates and also the Turner West Estates Subdivision presented by Matthew and Kelly Francis. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, two fire hydrants are located one on the East side of 206<sup>th</sup> and Cantrell and one on the West. The East location will Work for the 4 lots on 206<sup>th</sup> street the West hydrant will be too far away and over the 1000 feet mark. So on the Turner West Estates a hydrant needs to be placed at lot one on a 6" line to cover both of the proposed lots.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

**07-18-2023**  
**OLSSON REVIEW**  
**No Further**  
**Comment**

Turner Farm Plat 2  
Leavenworth County Kansas

Drainage Report

June 3, 2023

Revised June 27, 2023



# TURNER FARM ESTATES WEST

A Cross Access Easement Subdivision in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
Matthew James & Kelly Renee Francis  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

### RECORD DESCRIPTION:

Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 22'55" West for a distance of 712.97 feet along said South line to the East line of HILLVIEW SUBDIVISION; thence North 01 degrees 55'39" West for a distance of 537.62 feet along said East line; thence South 87 degrees 49'02" West for a distance of 1042.90 feet along the North line of said HILLVIEW SUBDIVISION to the West line of said Southeast Quarter; thence North 01 degrees 53'36" West for a distance of 793.21 feet along said West line; thence North 88 degrees 19'11" East for a distance of 1756.48 feet; thence South 01 degrees 52'49" East for a distance of 1322.46 feet to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 40.53 acres, more or less, including road right of way.

Error of Closure: 1 - 1181837

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: TURNER FARM ESTATES WEST.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 1 for the benefit of Lot 2, and over Lot 2 for the benefit of Lot 1 for said purposes. Maintenance is to be shared between the owners of said Lots 1 and 2. Home Owner's Association (H.O.A.) recorded at the Leavenworth County Register of Deeds Office Doc # 2023R

IN TESTIMONY WHEREOF,  
We, the undersigned owners of TURNER FARM ESTATES WEST, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew James Francis Kelly Renee Francis

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew James Francis and Kelly Renee Francis, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of TURNER FARM ESTATES WEST this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary Chairman  
John Jacobson Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of TURNER FARM ESTATES WEST this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman County Clerk  
Vicky Kaaz Attest: Janet Klasinski

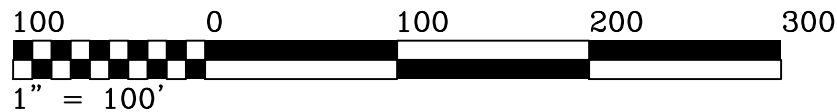
REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-21-23  
J. Herring, Inc. (dba)  
J. HERRING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leavenworth.com



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2023.07.24 No Comments

Daniel Baumchen, PS#1363  
County Surveyor



VICINITY MAP  
NOT TO SCALE

15C  
NW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

1320.54'  
N 01°53'36" W 2644.09'

40' Rear B.S.L.  
20' U/E & D/E  
N 01°53'36" W 793.21'  
W Line SE 1/4

PID 222-03...002.03

PID 222-03...003

PID 222-03...004

PID 222-03...005.03  
LOT 1  
HILLVIEW SUBD.  
BK. 16 PG. 34

PID 222-03...005.04  
LOT 2  
HILLVIEW SUBD.  
BK. 16 PG. 34

PID 222-03...006

LOT 1  
16.57 Acres  
more or less

LOT 2  
23.96 Acres  
more or less  
Incl. R/W

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
POB - Point of Beginning  
POC - Point of Commencing  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Cantrell Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

PID 222-03...005

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'
- 11) Reference Recorded Deed Doc #2023R03938
- 12) Utility Companies -
  - Water - Water District 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title Case Number 46365 updated May 17, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - DGW - D.G.White - Survey Doc #2014S039, S-15-05 #25,
  - S-6 #80, 1917, S-15-09 #17
  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 2023S027
  - LTH - L.T.Hahn Survey Doc #2014S039

PID 222-10...002

PID 222-10...005



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

## Allison, Amy

---

**From:** Brown, Misty  
**Sent:** Thursday, July 27, 2023 12:37 PM  
**To:** Allison, Amy  
**Subject:** RE: DEV-23-086/087 Turner Farm Estates West Review Comments

Looks great. Thank you.

Misty

---

**From:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Sent:** Thursday, July 27, 2023 11:28 AM  
**To:** Brown, Misty <[MBrown@leavenworthcounty.gov](mailto:MBrown@leavenworthcounty.gov)>  
**Subject:** FW: DEV-23-086/087 Turner Farm Estates West Review Comments

---

**From:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>  
**Sent:** Thursday, July 27, 2023 10:55 AM  
**To:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Cc:** PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** Re: DEV-23-086/087 Turner Farm Estates West Review Comments

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See attached

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Sent:** Thursday, July 27, 2023 10:27 AM  
**To:** 'Joe Herring' <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>  
**Cc:** PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** DEV-23-086/087 Turner Farm Estates West Review Comments

Good Afternoon Joe,

Attached are comments from the following:

- Surveying – 7/24/2023

# TURNER FARM ESTATES WEST

A Cross Access Easement Subdivision in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
Matthew James & Kelly Renee Francis  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

### RECORD DESCRIPTION:

Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 22'55" West for a distance of 712.97 feet along said South line to the East line of HILLVIEW SUBDIVISION; thence North 01 degrees 55'39" West for a distance of 537.62 feet along said East line; thence South 87 degrees 49'02" West for a distance of 1042.90 feet along the North line of said HILLVIEW SUBDIVISION to the West line of said Southeast Quarter; thence North 01 degrees 53'36" West for a distance of 793.21 feet along said West line; thence North 88 degrees 19'11" East for a distance of 1756.48 feet; thence South 01 degrees 52'49" East for a distance of 1322.46 feet to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 40.53 acres, more or less, including road right of way.

Error of Closure: 1 - 1181837

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: TURNER FARM ESTATES WEST.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 1 for the benefit of Lot 2, and over Lot 2 for the benefit of Lot 1 for said purposes. Maintenance is to be shared between the owners of said Lots 1 and 2. Home Owner's Association (H.O.A.) recorded at the Leavenworth County Register of Deeds Office Doc # 2023R

IN TESTIMONY WHEREOF,  
We, the undersigned owners of TURNER FARM ESTATES WEST, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew James Francis

Kelly Renee Francis

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew James Francis and Kelly Renee Francis, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of TURNER FARM ESTATES WEST this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary  
John Jacobson

Chairman  
Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of TURNER FARM ESTATES WEST this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz

County Clerk  
Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

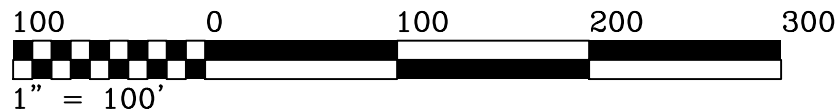
Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-27-23

J. Herring, Inc. (dba)  
HERRING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leavenworth.com



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



VICINITY MAP  
NOT TO SCALE

15C  
NW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

1320.54'  
N 01°53'36" W 2644.09'

PID 222-03...002.03

PID 222-03...003

PID 222-03...004

15E  
SW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

PID 222-03...006

LOT 1  
16.57 Acres  
more or less

LOT 2  
23.96 Acres  
more or less  
Incl. R/W

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
POB - Point of Beginning  
POC - Point of Commencing  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
C.A.E. - Cross Access Easement

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Cantrell Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

PID 222-03...005

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'
- 11) Reference Recorded Deed Doc #2023R03938
- 12) Utility Companies -
  - Water - Water District 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title Case Number 46365 updated May 17, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - DGW - D.G.White - Survey Doc #2014S039, S-15-05 #25,
  - S-6 #80, 1917, S-15-09 #17
  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 2023S027
  - LTH - L.T.Hahn Survey Doc #2014S039

PID 222-10...002

PID 222-10...005



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

*A Cross Access Easement Subdivision in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.*

PREPARED FOR:  
Matthew James & Kelly Renee Francis  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

**RECORD DESCRIPTION:**

Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas, as written by Joseph A. Herring P.S.1296 on April 7, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 22'55" West for a distance of 1212.97 feet along said South line to the East line of HILLVIEW SUBDIVISION; thence North 01 degrees 55'39" West for a distance of 537.62 feet along said East line; thence South 87 degrees 49'02" West for a distance of 1042.90 feet along the North line of said HILLVIEW SUBDIVISION to the West line of said Southeast Quarter; thence North 01 degrees 53'36" West for a distance of 793.21 feet along said West line; thence North 88 degrees 19'11" East for a distance of 1756.48 feet; thence South 01 degrees 52'49" East for a distance of 1322.46 feet along said East line to the point of beginning.

*Together with and subject to covenants, easements, and restrictions of record.*

Said property contains 40.53 acres, more or less, including road right of way.

Error of Closure: 1 - 1181837

**LEGEND:**

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- POB - Point of Beginning
- POC - Point of Commencement
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement

**B.S.L. - Building Setback Line**

**R/W - Permanent Dedicated Roadway Easement**

**BM - Benchmark**

- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance

**////// - No Vehicle Entrance Access**

**NS - Not Set this survey per agreement with client**

○ - Power Pole

X \_\_\_\_\_ - Fence Line

**OHP \_\_\_\_\_ - Overhead Power Lines**

**T \_\_\_\_\_ - Underground Telephone/Fiber Optic Line**

- ◇ - Gas Valve
- ◇ - Water Meter/Valve
- ▢ - Telephone Pedestal

**W \_\_\_\_\_ - 6" Water Line location as per district**

~~~~~ - Tree/Brush Line

**C.A.E. - Cross Access Easement**

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots only have access to Centrell Road through the Cross Access Easement.
- 5) Lots are subject to the off-plot Home Owner's Association detailing the maintenance of the Cross Access Easement.
- 6) Leavenworth County shall have no responsibility for any maintenance and upkeep of the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

FRANCIS, MATTHEW JAMES & KELLY RENEE  
PID 222-03...005

**ZONING:**

RR 5 - Rural Residential 5

NOTES:

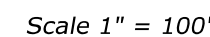
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- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Water Record - See Survey
- 9) benchmark - NAVD83  
Project Benchmark (BM) - SE COR Section 3 - Elev. +906.5'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2023R03938
- 12) Utility Companies -
  - Water - Water District 10
  - Electric - Energy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title Case Number 46365  
Updated May 17, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM map 1301C03C031863 & 3256 dated July 16, 2015
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  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 2023S027
  - LTH - L.Th.Hahn Survey Doc # 2014S039

POC  
17E  
SE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

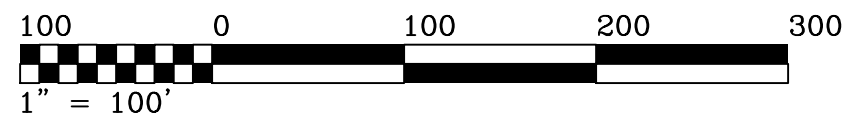
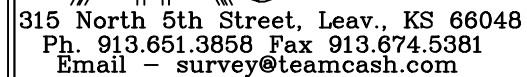
LAMB, PAUL JEROLD & TRENT, MELISSA JOY  
ID 222-10...002

*I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through June 2023 and this map or plat is correct to the best of my knowledge.*

Joseph A. Herring  
PS # 1296



Job # K-23-1632  
May 28, 2023 Rev. 7-21-23



# Leavenworth Times

## Affidavit of Publication

County of Leavenworth  
State of Kansas  
**NOTICE OF MEETING**  
Notice is hereby given for the Leavenworth County Planning Commission to review an application (DEV-23-086/087) for a Preliminary Plat Turner Farm Estates West on the following described property:  
Turner Farms Estates West is a tract of land in the Southeast Quarter of Section 3, Township 12, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

Request submitted by Herring Surveying on behalf of Kelly and Mathew Francis

Address: 00000 Cantrell Road

Parcel ID number: 222-03-0-00-00-005.05

The MEETING will be held on Wednesday the 9th day of August, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, August 8th.

John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by August/01/2023

Published in the Leavenworth Times, August 1, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 1<sup>st</sup> day of August, 2023.

WITNESS my hand this 2nd day of August, 2023.

*Tammy Lawson*

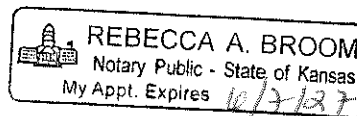
Legal Representative

Subscribe and sworn before me, this 2 day of Aug, 2023.

*Rebecca A. Broom*

Notary Public

My Commission Expires: 10/7/27



**Leavenworth County  
Request for Board Action  
Case No. DEV-23-088/089  
Preliminary & Final Plat Turner Farm Estates  
\*Consent Agenda\***

**Date:** August 23, 2023  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** The applicants are requesting a Preliminary and Final Plat for a four-lot subdivision. Proposed Lots 1-3 will be 6.2 acres and Lot 4 will be 8.74 acres.

**Analysis:** The applicants are requesting approval of a four-lot subdivision for a parcel of land located at the intersection of Cantrell Road and 206<sup>th</sup> Street. All lots will access off of 206<sup>th</sup> Street through shared access easements due to 206<sup>th</sup> Street being a County Arterial. Existing entrances will be removed to accommodate the new locations. An existing structure that is less than 600 sf will remain on Lot 4 with the existing pond. All lots meet the standards set forth in the Leavenworth County Zoning & Subdivision Regulations.

Rural Water District 10 indicated that a 6-inch line that can support fire hydrants is located along 206<sup>th</sup> Street. Installation of fire hydrants in compliance with the Emergency Management memo is recommended.

**Recommendation:** The Planning Commission voted 7-0 to recommend approval of Case No. DEV-23-088/089, Preliminary and Final Plat for Turner Farm Estates subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-23-088/089, Preliminary and Final Plat for Turner Farm Estates, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-088/089, Preliminary and Final Plat for Turner Farm Estates, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-088/089, Preliminary and Final Plat for Turner Farm Estates with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable  
☐ Budgeted item with available funds  
☐ Non-Budgeted item with available funds through prioritization  
☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

**Additional Attachments:** Staff Report, Plat, Planning Commission Minutes

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-23-088/089 Turner Farm Estates

August 9, 2023

REQUEST: **Consent Agenda**

☒ Preliminary Plat      ☒ Final Plat

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 00000 206<sup>TH</sup> STREET

**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING

**PROPERTY OWNER:**

MATTHEW JAMES & KELLY RENEE  
FRANCIS  
10000 HOLLINGSWORTH RD  
KANSAS CITY KS 66109

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

ZONING: RR-5

FUTURE LAND USE DESIGNATION:  
RESIDENTIAL (2.5-ACRE MIN)

**LEGAL DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 3, Township 12, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-088/089, Preliminary & Final Plat for Turner Farm Estates, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-088/089, Preliminary & Final Plat for Turner Farm Estates, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

27 ACRES

PARCEL ID NO:

222-03-0-00-00-005.00

BUILDINGS:

ONE 550 SF ACCESSORY STRUCTURE

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 00000 206<sup>th</sup> Street (222-03-0-00-00-005.00) as Lots 1 through 4 of Turner Farm Estates.

ACCESS/STREET:

206<sup>TH</sup> STREET - COUNTY ARTERIAL,  
PAVED ± 30'

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: SHERMAN FD

WATER: RWD 10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

7/28/2023

NEWSPAPER NOTIFICATION:

8/1/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:

N/A

| <b>STANDARDS TO BE CONSIDERED:</b>                                             |                                                                  |            |                |
|--------------------------------------------------------------------------------|------------------------------------------------------------------|------------|----------------|
| <i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i> |                                                                  | <b>Met</b> | <b>Not Met</b> |
| 35-40                                                                          | <b>Preliminary Plat Content</b>                                  | X          |                |
|                                                                                |                                                                  |            |                |
| 40-20                                                                          | <b>Final Plat Content</b>                                        | X          |                |
|                                                                                |                                                                  |            |                |
| 41-6                                                                           | <b>Access Management</b>                                         | X          |                |
|                                                                                |                                                                  |            |                |
| 41-6.B.a-c.                                                                    | <b>Entrance Spacing</b>                                          | X          |                |
|                                                                                |                                                                  |            |                |
| 41-6.C.                                                                        | <b>Public Road Access Management Standards</b>                   | X          |                |
|                                                                                |                                                                  |            |                |
| 43                                                                             | <b>Cross Access Easements</b>                                    | N/A        |                |
|                                                                                |                                                                  |            |                |
| 50-20                                                                          | <b>Utility Requirements</b>                                      | X          |                |
|                                                                                |                                                                  |            |                |
| 50-30                                                                          | <b>Other Requirements</b>                                        | X          |                |
|                                                                                |                                                                  |            |                |
| 50-40                                                                          | <b>Minimum Design Standards</b>                                  | X          |                |
|                                                                                |                                                                  |            |                |
| 50-50                                                                          | <b>Sensitive Land Development</b>                                | N/A        |                |
|                                                                                |                                                                  |            |                |
| 50-60.                                                                         | <b>Dedication of Reservation of Public Sites and Open Spaces</b> | N/A        |                |
|                                                                                |                                                                  |            |                |

**STAFF COMMENTS:**

The applicant is proposing to divide a 27-acre parcel into four lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as no sanitary sewer is located within 660' of the property (see condition 3). The property is zoned RR-5. Lots 1-3 are approximately 6.2 acres each and have the minimum frontage required. Lot 4 is proposed to be 8.74 acres in size. The lot also meets the frontage requirements for the RR-5 district. Lot 4 will maintain an accessory structure that is less than 600 sf and an existing pond. Due to 206<sup>th</sup> Street being an arterial road, Lots 1 & 2 will have a shared access and Lots 3 & 4 will have a shared access. All existing field entrances are proposed to be removed. RWD 10 provided information regarding the existing water line along 206<sup>th</sup> street. They have a 6-inch line that could support a fire hydrant. A fire hydrant will be required per Emergency Management's recommendation. Staff is supportive of the request.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required.
5. All existing entrances shall be removed per the plat.
6. The developer must comply with the following memorandums:
  - a. Email – Chuck Magaha, Emergency Management, dated July 3, 2023
  - b. Memo – RWD 10, dated June 15, 2023

**ATTACHMENTS:**

- A: Application & Narrative  
B: Zoning Maps  
C: Memorandums

## PRELIMINARY &amp;

## FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

\$ 925.00

## Office Use Only

PID: 222-03 005.00  
Township: Sherman  
Planning Commission Meeting Date: \_\_\_\_\_  
Case No. DEV-23 Date Received/Paid: 06-05-2023  
Zoning District RR 5.0  
Comprehensive Plan land use designation \_\_\_\_\_

## APPLICANT/AGENT INFORMATION

## OWNER INFORMATION

NAME: Herring Surveying Company NAME: Matthew James & Kelly Renee Francis  
MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS: 10000 Donahoo Road  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP: Kansas City, KS 66109  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL: herringsurveying@outlook.com EMAIL: N/A

## GENERAL INFORMATION

Proposed Subdivision Name: TURNER FARM ESTATES  
Address of Property: 00000 206th Street  
Urban Growth Management Area: N/A

## SUBDIVISION INFORMATION

|                                                                                |                                                                            |                                      |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------|
| Gross Acreage: <u>27 Ac</u>                                                    | Number of Lots: <u>4</u>                                                   | Minimum Lot Size: <u>6.2 Ac</u>      |
| Maximum Lot Size: <u>8.6 Ac</u>                                                | Proposed Zoning: <u>RR-5</u>                                               | Density: <u>N/A</u>                  |
| Open Space Acreage: <u>N/A</u>                                                 | Water District: <u>RWD 10</u>                                              | Proposed Sewage: <u>Septic</u>       |
| Fire District: <u>Sherman</u>                                                  | Electric Provider: <u>Evergy</u>                                           | Natural Gas Provider: <u>Propane</u> |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Road Classification: <u>Local - Collector - Arterial - State - Federal</u> |                                      |

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number:

I, the undersigned, am the owner duly authorized agent of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: joe Herring - digitally signed 6-3-23 Date: 6-3-23

ATTACHMENT A

\$ 925.00

PRELIMINARY &  
**FINAL PLAT APPLICATION**  
Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

|                                               |                                       |
|-----------------------------------------------|---------------------------------------|
| Office Use Only                               |                                       |
| PID: <u>222-03</u>                            | <u>005.00</u>                         |
| Township: <u>Sherman</u>                      |                                       |
| Planning Commission Meeting Date: _____       |                                       |
| Case No. <u>DEV-23</u>                        | Date Received/Paid: <u>06-05-2023</u> |
| Zoning District <u>RR 5.0</u>                 |                                       |
| Comprehensive Plan land use designation _____ |                                       |

| APPLICANT/AGENT INFORMATION                | OWNER INFORMATION                                    |
|--------------------------------------------|------------------------------------------------------|
| NAME: <u>Herring Surveying Company</u>     | NAME: <u>Matthew James &amp; Kelly Renee Francis</u> |
| MAILING ADDRESS: <u>315 N. 5th Street</u>  | MAILING ADDRESS: <u>10000 Donahoo Road</u>           |
| CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>  | CITY/ST/ZIP: <u>Kansas City, KS 66109</u>            |
| PHONE: <u>913-651-3858</u>                 | PHONE: <u>N/A</u>                                    |
| EMAIL: <u>herringsurveying@outlook.com</u> | EMAIL: <u>N/A</u>                                    |

**GENERAL INFORMATION**

Proposed Subdivision Name: TURNER FARM ESTATES

Address of Property: 00000 206th Street

Urban Growth Management Area: N/A

| SUBDIVISION INFORMATION                                                                                                                                                                                                                                                        |                                                                                       |                                      |
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| Maximum Lot Size: <u>8.6 Ac</u>                                                                                                                                                                                                                                                | Proposed Zoning: <u>RR-5</u>                                                          | Density: <u>N/A</u>                  |
| Open Space Acreage: <u>N/A</u>                                                                                                                                                                                                                                                 | Water District: <u>RWD 10</u>                                                         | Proposed Sewage: <u>Septic</u>       |
| Fire District: <u>Sherman</u>                                                                                                                                                                                                                                                  | Electric Provider: <u>Evergy</u>                                                      | Natural Gas Provider: <u>Propane</u> |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                                                                                                                 | Road Classification: <u>Local - Collector - <del>Arterial</del> - State - Federal</u> |                                      |
| Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number:                                                                                                                        |                                                                                       |                                      |
| I, the undersigned, am the owner, <u>duly authorized agent</u> , of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above. |                                                                                       |                                      |
| Signature: <u>joe Herring - digitally signed 6-3-23</u>                                                                                                                                                                                                                        |                                                                                       | Date: <u>6-3-23</u>                  |

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I Kelly Francis and Matthew Francis

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - \_\_\_\_\_, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth, KS 66048, 913-651-3858

2) Signed and entered this 5<sup>th</sup> day of June, 2023

Kelly and Matthew Francis 10,000 Hollingsworth Rd KCK  
Print Name, Address, Telephone 66109

Kelly Francis / Matthew Francis  
Signature

STATE OF KANSAS )

) SS

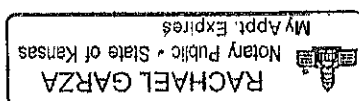
COUNTY OF LEAVENWORTH )

Be it remember that on this 5<sup>th</sup> day of June, 2023 before me, a notary public in and for said County and State came Leavenworth County, Kansas to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC Rachael Garza

My Commission Expires: 1/27/2025

(seal)



# TURNER FARM ESTATES

A Minor Subdivision in the Southeast Quarter of Section 3, Township 12 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

### PREPARED FOR:

FRANCIS, MATTHEW JAMES & KELLY RENEE  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

### RECORD DESCRIPTION:

Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter; thence North 01 degrees 52'49" West for a distance of 1322.46 feet; thence North 88 degrees 19'11" East for a distance of 900.00 feet to the East line of said Southeast Quarter; thence South 01 degrees 52'49" East for a distance of 1323.44 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 27.34 acres, more or less, including road right of way. Error of Closure: 1 - 938822

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: TURNER FARM ESTATES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstruction that impairs the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of TURNER FARM ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew James Francis

Kelly Renee Francis

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew Francis and Kelly Renee Francis, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of TURNER FARM ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary

John Jacobson

Chairman

Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of TURNER FARM ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman

Vicky Kaaz

County Clerk

Attest: Janet Klasinski

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

Job # K-23-1632

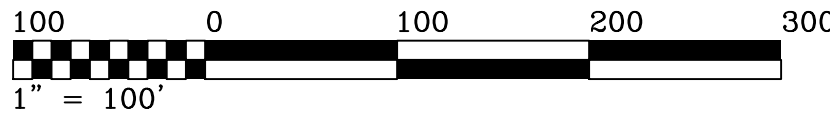
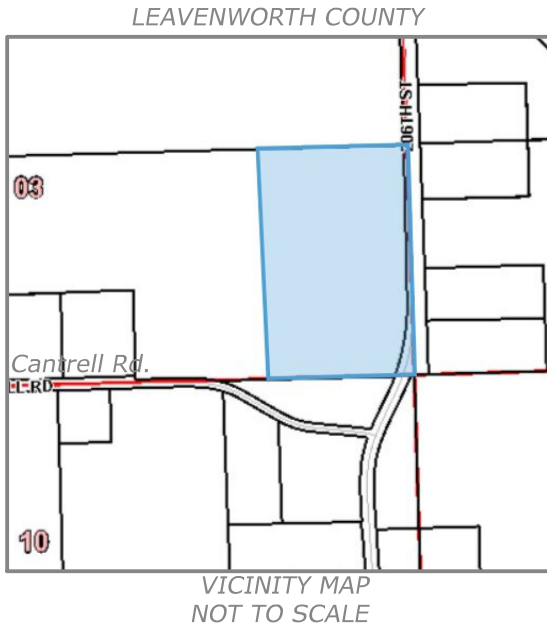
May 28, 2023 Rev. 7-27-23



Daniel Baumbach, PS#1363

County Surveyor

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.



15E  
SW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

1756.19'

S 88°22'55" W 2656.19'

PID 222-10...002

17C  
NE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

PID 222-03...006

N 88°19'11" E 900.00'

20' U/E & D/E

300.00'

300.00'

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PID 221-02...009.08  
LOT 5  
NORMAN ESTATES  
BK. 16 PG. 47

PID 221-02...009.09  
LOT 6  
NORMAN ESTATES  
BK. 16 PG. 47

PID 221-02...009.11  
LOT 7  
NORMAN ESTATES  
BK. 16 PG. 47

PID 221-02...009.12  
LOT 8  
NORMAN ESTATES  
BK. 16 PG. 47

### LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- POB - Point of Beginning
- POC - Point of Commencing
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy. Additional access limits as shown hereon.
- 5) Lots 1 & 2, and Lots 3 & 4 have a shared access to 206th Street. Maintenance of the access drive is shared between the appropriate lots.
- 6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 7) No off-plat restrictions.

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Doc #2023R03938
- 13) Utility Companies -
  - Water - Water District 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 14) Reference Lawyer's Title Case Number 46365 updated May 17, 2023
- 15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015
- 16) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 17) Distances to and of structures, if any, are +/- 1'.
- 18) Easements as per referenced Title Commitment are shown hereon, if any.
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
  - DGW - D.G.White - Survey Doc #20145039, S-15-05 #25, S-6 #80, 1977, S-15-99 #17
  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 20235027
  - LTH - L.T.Hahn Survey Doc #20145039



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# TURNER FARM ESTATES

A Minor Subdivision in the Southeast Quarter of Section 3, Township 12 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
FRANCIS, MATTHEW JAMES & KELLY RENEE  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring P5-1296 on April 7, 2023, more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter; thence North 01 degrees 52'49" West for a distance of 1322.46 feet; thence North 88 degrees 19'11" East for a distance of 900.00 feet to the East line of said Southeast Quarter; thence South 01 degrees 52'49" East for a distance of 1323.44 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 27.34 acres, more or less, including road right of way. Error of Closure: 1 - 938822

FRANCIS, MATTHEW JAMES & KELLY RENEE  
PID 222-03...005.05

TURNER, JALAYNE LEANN  
PID 222-03...006

17C  
NE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.08  
LOT 5  
NORMAN ESTATES  
BK. 16 PG. 47

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.09  
LOT 6  
NORMAN ESTATES  
BK. 16 PG. 47

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.11  
LOT 7  
NORMAN ESTATES  
BK. 16 PG. 47

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.12  
LOT 8  
NORMAN ESTATES  
BK. 16 PG. 47

LAMB, PAUL JEROLD & TRENT, MELISSA JOY  
PID 222-10...002

15E  
SW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

POB  
17E  
SE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

LEGEND:  
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A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
○ - Power Pole  
— - Fence Line  
OHP - Overhead Power Lines  
— - Underground Telephone/Fiber Optic Line  
— - Gas Valve  
— - Water Meter/Valve  
— - Telephone Pedestal  
— - 6" Water Line - location as per district  
— - Tree/Brush Line

RESTRICTIONS:  
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ZONING:  
RR 5 - Rural Residential 5

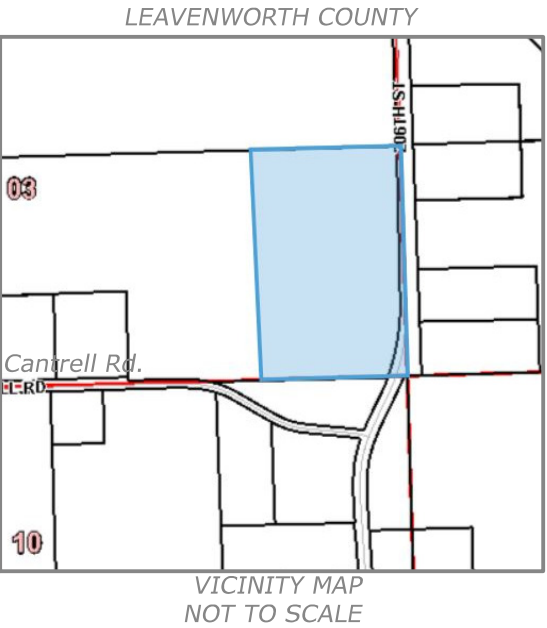
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- Electric - Evergy  
- Sewer - Septic  
- Gas - Propane / Natural Gas  
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DGW - D.G.White - Survey Doc #20145039, S-15-05 #25, S-6 #80, 1977, S-15-99 #17  
HILLVIEW SUBDIVISION Book 16 Page 34  
JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47 Survey Doc # 2023S027  
LTH - L.T.Hahn Survey Doc #20145039



Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-27-23  
J. Herring, Inc. (dba)  
HERRING  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leanncash.com

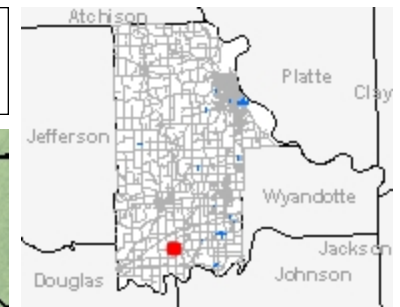
100 0 100 200 300  
1" = 100'



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through May 2023 and this map or plat is correct to the best of my knowledge.

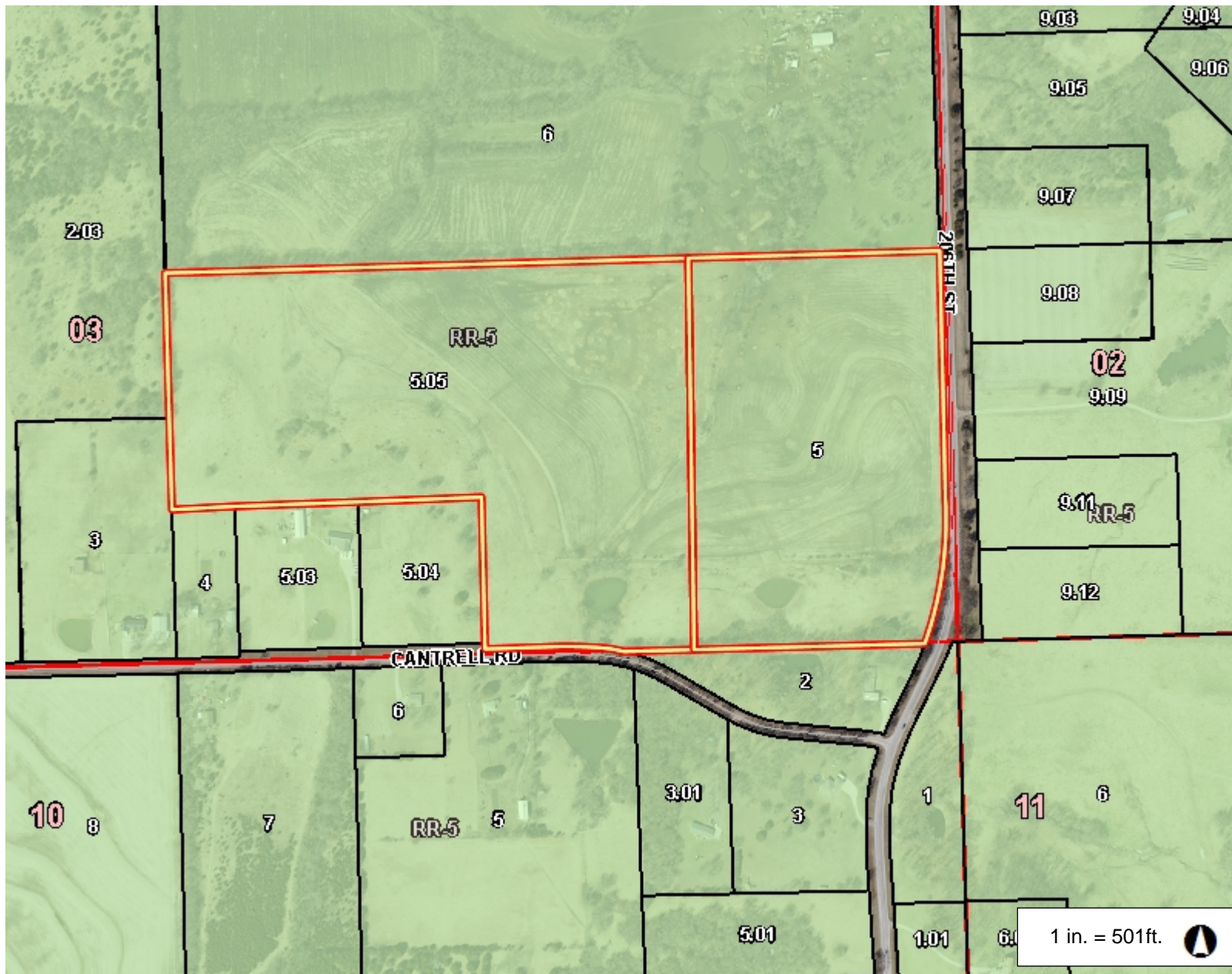
Joseph A. Herring  
PS # 1296

# DEV-23-086/87 & 088/089 Zoning Map



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3



1,001.2 0 500.58 1,001.2 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Monday, June 12, 2023 10:09 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-086/087 Preliminary and Final Plat – Turner Farms Estates

Looks like PID should be 005.05.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, June 9, 2023 4:58 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'kritter@shermanfire.net' <kritter@shermanfire.net>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-086/087 Preliminary and Final Plat – Turner Farms Estates

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for 4-lot subdivision at 00000 206th Street (222-03-0-00-00-005.00).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, June 19, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@LeavenworthCounty.org](mailto:Aallison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**Disclaimer**



## Leavenworth County Planning and Zoning Preliminary and Final Plat

---

DATE: June 9, 2023  
RE: DEV-23-088/089 Preliminary and Final Plat – Turner Farms Estates  
PID: 222-03-0-00-00-005.00  
To: Rural Water District #10 – **comments in red 6/15/23**

The Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Turner Farms Estates West

**Please address the following comments:**

- a. Does the water district have existing service lines in the vicinity of the proposed plat boundary to provide potable water to the lots of the subdivision? **Yes**
- b. What is the size and location of the water line(s) and fire hydrants that are adjacent to this property? **6" water line on west side of 206th**
- c. Would the water district allow fire hydrants to be installed on the existing service line(s) in the area of the proposed plat boundary? **Yes**
- d. Does the water district have plans to upgrade the service in this vicinity to such a level that fire hydrants can be installed in the foreseeable future, or within a set number of years? If so, what would the improvements consist of? **No**

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, June 19, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@leavenworthcounty.gov](mailto:Aallison@leavenworthcounty.gov) .

Sincerely,

Amy Allison  
Deputy Director  
Planning and Zoning  
Leavenworth County

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Turner Farm Estates Subdivision  
**Date:** July 3, 2023

Amy, I have reviewed the preliminary plat of the Turner Farm Estates and also the Turner West Estates Subdivision presented by Matthew and Kelly Francis. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, two fire hydrants are located one on the East side of 206<sup>th</sup> and Cantrell and one on the West. The East location will Work for the 4 lots on 206<sup>th</sup> street the West hydrant will be too far away and over the 1000 feet mark. So on the Turner West Estates a hydrant needs to be placed at lot one on a 6" line to cover both of the proposed lots.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

**07-19-2023**  
**OLSSON REVIEW**  
**No Further**  
**Comment**

Turner Farm  
Leavenworth County Kansas

Drainage Report

June 3, 2023

Revised June 27, 2023



# TURNER FARM ESTATES

A Minor Subdivision in the Southeast Quarter of Section 3, Township 12 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
FRANCIS, MATTHEW JAMES & KELLY RENEE  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 7, 2023, more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter; thence North 01 degrees 52'49" West for a distance of 1322.46 feet; thence North 88 degrees 19'11" East for a distance of 900.00 feet to the East line of said Southeast Quarter; thence South 01 degrees 52'49" East for a distance of 1323.44 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 27.34 acres, more or less, including road right of way. Error of Closure: 1 - 938822

CERTIFICATION AND DEDICATION  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: TURNER FARM ESTATES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstruction that impairs the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of TURNER FARM ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew James Francis Kelly Renee Francis

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew Francis and Kelly Renee Francis, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of TURNER FARM ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary Chairman  
John Jacobson Steven Rosenthal

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of TURNER FARM ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman County Clerk  
Vicky Kaaz Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

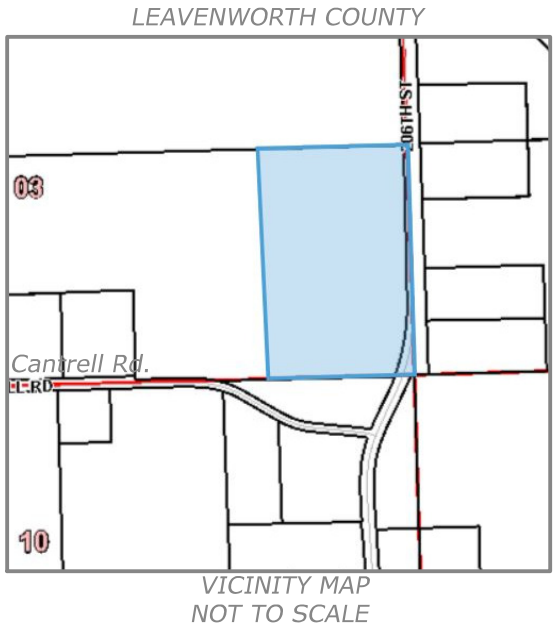
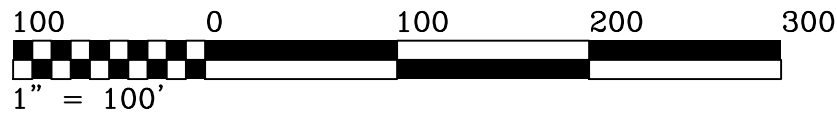
Register of Deeds - TerriLois G. Mashburn



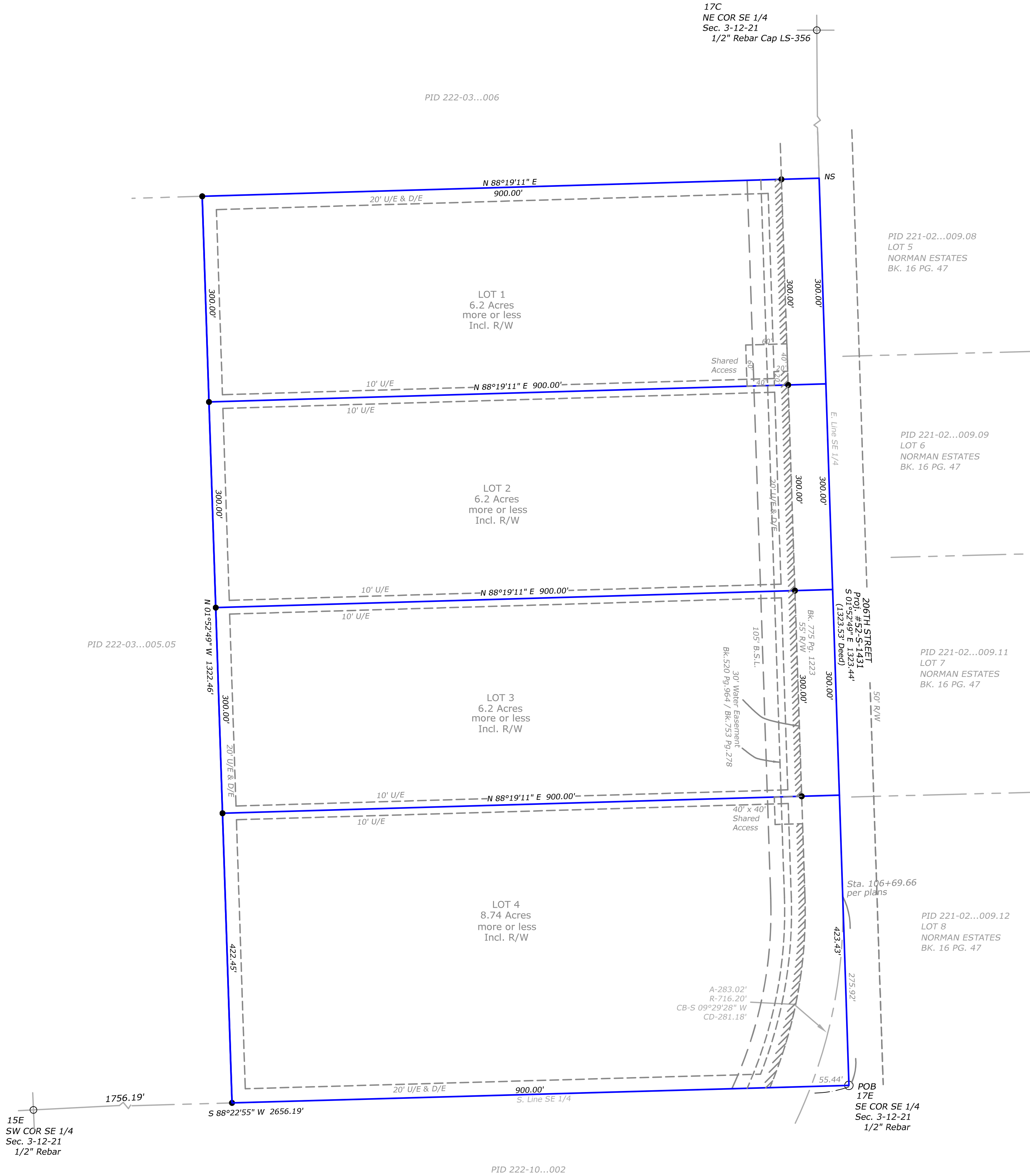
Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-22-23  
J. Herring, Inc. (dba)  
HERRING  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leavcash.com

Daniel Baumbach, PS#1363  
County Surveyor



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.



LEGEND:  
● - 1/2" Rebar Set with Cap No.1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
POB - Point of Beginning  
POC - Point of Commencing  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy. Additional access limits as shown hereon.  
5) Lots 1 & 2, and Lots 3 & 4 have a shared access to 206th Street. Maintenance of the access drive is shared between the appropriate lots.  
6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
7) No off-plat restrictions.

ZONING:  
RR 5 - Rural Residential 5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Error of Closure Calculations  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Residential & AG Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc #2023R03938  
12) Utility Companies -  
- Water - Water District 10  
- Electric - Evergy  
- Sewer - Septic  
- Gas - Propane / Natural Gas  
13) Reference Lawyer's Title Case Number 46365 updated May 17, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +/- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
DGW - D.G.White - Survey Doc #20145039, S-15-05 #25, S-6 #80, 1977, S-15-99 #17  
HILLVIEW SUBDIVISION Book 16 Page 34  
JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47 Survey Doc # 2023S027  
LTH - L.T.Hahn Survey Doc #20145039



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# TURNER FARM ESTATES

A Minor Subdivision in the Southeast Quarter of Section 3, Township 12 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
FRANCIS, MATTHEW JAMES & KELLY RENEE  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

RECORD DESCRIPTION:  
Tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring P5-1296 on April 7, 2023, more fully described as follows: Beginning at the Southeast corner of said Southeast Quarter; thence South 88 degrees 22'55" West for a distance of 900.00 feet along the South line of said Southeast Quarter; thence North 01 degrees 52'49" West for a distance of 1322.46 feet; thence North 88 degrees 19'11" East for a distance of 900.00 feet to the East line of said Southeast Quarter; thence South 01 degrees 52'49" East for a distance of 1323.44 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 27.34 acres, more or less, including road right of way. Error of Closure: 1 - 938822

FRANCIS, MATTHEW JAMES & KELLY RENEE  
PID 222-03...005.05

17C  
NE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

TURNER, JALAYNE LEANN  
PID 222-03...006

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.08  
LOT 5  
NORMAN ESTATES  
BK. 16 PG. 47

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.09  
LOT 6  
NORMAN ESTATES  
BK. 16 PG. 47

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.11  
LOT 7  
NORMAN ESTATES  
BK. 16 PG. 47

NORMAN, WILLIAM JR.; TRUST  
& NORMAN, CAROLYN JEAN; TR  
PID 221-02...009.12  
LOT 8  
NORMAN ESTATES  
BK. 16 PG. 47

LAMB, PAUL JEROLD & TRENT, MELISSA JOY  
PID 222-10...002

15E  
SW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

POB  
17E  
SE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
POB - Point of Beginning  
POC - Point of Commencing  
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A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
○ - Power Pole  
— - Fence Line  
OHP - Overhead Power Lines  
— - Underground Telephone/Fiber Optic Line  
— - Gas Valve  
— - Water Meter/Valve  
— - Telephone Pedestal  
W - 6" Water Line - location as per district  
— - Tree/Brush Line

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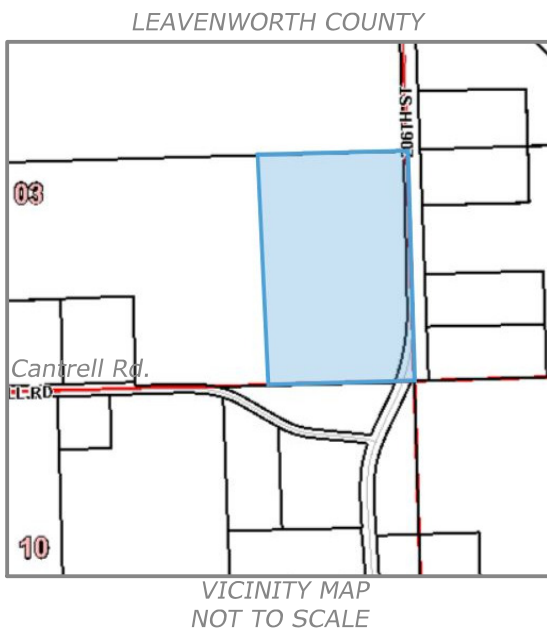
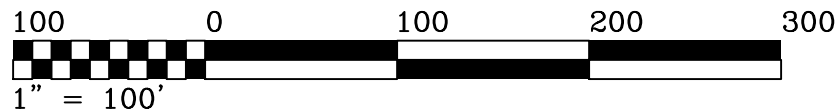
ZONING:  
RR 5 - Rural Residential 5

- NOTES:
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    - Electric - Evergy
    - Sewer - Septic
    - Gas - Propane / Natural Gas
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    - HILLVIEW SUBDIVISION Book 16 Page 34
    - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47 Survey Doc # 2023S027
    - LTH - L.T.Hahn Survey Doc #20145039



Scale 1" = 100'

Job # K-23-1632  
May 28, 2023 Rev. 7-22-23  
J. Herring, Inc. (dba)  
HERRING  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# TURNER FARM ESTATES

A Minor Subdivision in the Southeast Quarter of Section 3, Township 12 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

### PREPARED FOR:

FRANCIS, MATTHEW JAMES & KELLY RENEE  
10000 Hollingworth Road  
Kansas City, Kansas 66109  
PID NO. 222-03-0-00-00-005

### RECORD DESCRIPTION:

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### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: TURNER FARM ESTATES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstruction that impairs the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of TURNER FARM ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Matthew James Francis

Kelly Renee Francis

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Matthew Francis and Kelly Renee Francis, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of TURNER FARM ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary

John Jacobson

Chairman

Steven Rosenthal

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of TURNER FARM ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman

Vicky Kaaz

County Clerk

Attest: Janet Klasinski

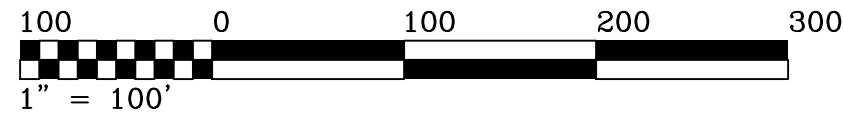
### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



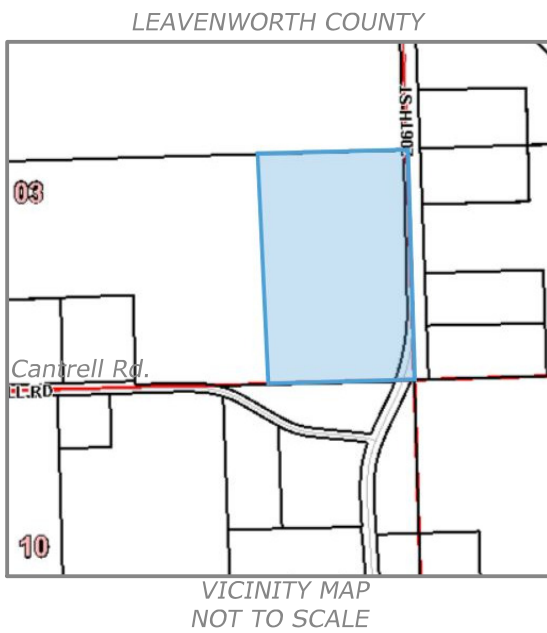
Scale 1" = 100'



I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2023.07.27 No Comments

Daniel Baumchen, PS#1363  
County Surveyor



15E  
SW COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar

1756.19'

S 88°22'55" W 2656.19'

PID 222-10...002

17C  
NE COR SE 1/4  
Sec. 3-12-21  
1/2" Rebar Cap LS-356

PID 222-03...006

N 88°19'11" E 900.00'

20' U/E & D/E

10' U/E

10' U/E

10' U/E

10' U/E

10' U/E

10' U/E

10' U/E

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10' U/E

PID 221-02...009.08  
LOT 5  
NORMAN ESTATES  
BK. 16 PG. 47

PID 221-02...009.09  
LOT 6  
NORMAN ESTATES  
BK. 16 PG. 47

PID 221-02...009.11  
LOT 7  
NORMAN ESTATES  
BK. 16 PG. 47

PID 221-02...009.12  
LOT 8  
NORMAN ESTATES  
BK. 16 PG. 47

### LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- POB - Point of Beginning
- POC - Point of Commencing
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy. Additional access limits as shown hereon.
- 5) Lots 1 & 2, and Lots 3 & 4 have a shared access to 206th Street. Maintenance of the access drive is shared between the appropriate lots.
- 6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 7) No off-plat restrictions.

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & AG Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR Section 3 - Elev - 906.5'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Doc #2023R03938
- 13) Utility Companies -
  - Water - Water District 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- 14) Reference Lawyer's Title Case Number 46365 updated May 17, 2023
- 15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0318G & 325G dated July 16, 2015
- 16) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 17) Distances to and of structures, if any, are +/- 1'.
- 18) Easements as per referenced Title Commitment are shown hereon, if any.
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
  - DGW - D.G.White - Survey Doc #20145039, S-15-05 #25, S-6 #80, 1977, S-15-99 #17
  - HILLVIEW SUBDIVISION Book 16 Page 34
  - JAH - J.A.Herring - NORMAN ESTATES Book 16 Page 47
  - Survey Doc # 20235027
  - LTH - L.T.Hahn Survey Doc #20145039



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of March through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS #1296

# Leavenworth Times

## Affidavit of Publication

County of Leavenworth  
State of Kansas  
NOTICE OF MEETING

Notice is hereby given for the Leavenworth County Planning Commission to review an application (DEV-23-088/089) for a Preliminary Plat Turner Farms Estates on the following described property: A tract of land in the Southeast Quarter of Section 3, Township 12 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

Request submitted by Her-ring Surveying on behalf of Kelly and Mathew Francis

Address: 00000 206th Street

Parcel ID number: 222-03-0-00-00-005.00

The MEETING will be held on Wednesday the 9th day of August, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, August 8th.

John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by August/01/2023

Published in the Leavenworth Times, August 1, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 1<sup>st</sup> day of August, 2023.

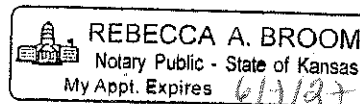
WITNESS my hand this 2nd day of August, 2023.

Tammy Lawson  
Legal Representative

Subscribe and sworn before me, this 2 day of Aug, 2023.

Rebecca A. Broom  
Notary Public

My Commission Expires: 6/7/27



**Leavenworth County  
Request for Board Action  
Case No. DEV-23-097/098  
Preliminary & Final Plat Acres of Foxridge 1<sup>st</sup> Plat  
\*Consent Agenda\***

**Date:** August 23, 2023  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** The applicants are requesting a Preliminary and Final Plat for a three-lot subdivision. Proposed Lot will be 3.26 acres and Lots 2 & 3 will be 2.53 acres.

**Analysis:** The applicants are requesting approval of a three-lot subdivision for a parcel of land located to the east of 206<sup>th</sup> and Woodend Road. The proposed subdivision will split off 2.5+ acre lots with frontage on Woodend Road. The proposed lots meet the standards set forth in the Leavenworth County Zoning & Subdivision Regulations.

The developer has been in contact with RWD 10 about extension of a waterline to his property. The Water District has voted to include this property and additional properties in their district and are in discussion with what type of waterline service will be needed.

**Recommendation:** The Planning Commission voted 7-0 to recommend approval of Case No. DEV-23-097/098, Preliminary and Final Plat for Acres of Foxridge 1<sup>st</sup> Plat subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-23-097/098, Preliminary and Final Plat for Acres of Foxridge 1<sup>st</sup> Plat, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-097/098, Preliminary and Final Plat for Acres of Foxridge 1<sup>st</sup> Plat, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-097/098, Preliminary and Final Plat for Acres of Foxridge 1<sup>st</sup> Plat with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable  
☐ Budgeted item with available funds  
☐ Non-Budgeted item with available funds through prioritization  
☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

**Additional Attachments:** Staff Report, Plat, Planning Commission Minutes

**LEAVENWORTH COUNTY  
PLANNING COMMISSION**

STAFF REPORT

CASE NO: DEV-23-097/098 Acres of Foxridge 1<sup>st</sup> Plat

August 9, 2023

**REQUEST: *Consent Agenda***

☒ Preliminary Plat                      ☒ Final Plat

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 00000 WOODEND ROAD

**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING

**PROPERTY OWNER:**

ROBERT E FOX TRUST  
49 LANDSCAPE LANE  
CAMDENTON MO 65020

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:  
RESIDENTIAL (2.5-ACRE MIN)

**LEGAL DESCRIPTION:**

A tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-097/098, Preliminary & Final Plat for Acres of Foxridge 1<sup>st</sup> Plat, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-097/098, Preliminary & Final Plat for Acres of Foxridge 1<sup>st</sup> Plat to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

8 ACRES

PARCEL ID NO:

197-35-0-00-00-001.02

BUILDINGS:

N/A

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 00000 Woodend Road (197-35-0-00-00-001.02) as Lots 1 through 3 of Acres of Foxridge 1<sup>st</sup> Plat.

ACCESS/STREET:

WOODEND ROAD - COUNTY LOCAL,  
GRAVEL ± 24'

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: SHERMAN FD

WATER: RWD 10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

7/29/2023

NEWSPAPER NOTIFICATION:

8/1/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:

N/A

| <b>STANDARDS TO BE CONSIDERED:</b>                                             |                                                                  |            |                |
|--------------------------------------------------------------------------------|------------------------------------------------------------------|------------|----------------|
| <i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i> |                                                                  | <b>Met</b> | <b>Not Met</b> |
| 35-40                                                                          | <b>Preliminary Plat Content</b>                                  | X          |                |
|                                                                                |                                                                  |            |                |
| 40-20                                                                          | <b>Final Plat Content</b>                                        | X          |                |
|                                                                                |                                                                  |            |                |
| 41-6                                                                           | <b>Access Management</b>                                         | X          |                |
|                                                                                |                                                                  |            |                |
| 41-6.B.a-c.                                                                    | <b>Entrance Spacing</b>                                          | X          |                |
|                                                                                |                                                                  |            |                |
| 41-6.C.                                                                        | <b>Public Road Access Management Standards</b>                   | X          |                |
|                                                                                |                                                                  |            |                |
| 43                                                                             | <b>Cross Access Easements</b>                                    | N/A        |                |
|                                                                                |                                                                  |            |                |
| 50-20                                                                          | <b>Utility Requirements</b>                                      | X          |                |
|                                                                                |                                                                  |            |                |
| 50-30                                                                          | <b>Other Requirements</b>                                        | X          |                |
|                                                                                |                                                                  |            |                |
| 50-40                                                                          | <b>Minimum Design Standards</b>                                  | X          |                |
|                                                                                |                                                                  |            |                |
| 50-50                                                                          | <b>Sensitive Land Development</b>                                | N/A        |                |
|                                                                                |                                                                  |            |                |
| 50-60.                                                                         | <b>Dedication of Reservation of Public Sites and Open Spaces</b> | N/A        |                |
|                                                                                |                                                                  |            |                |

**STAFF COMMENTS:**

The applicant is proposing to divide an 8-acre parcel into three lots. The parcel was split through a non-compliant certificate of survey. This application will bring the property back into compliance. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as no sanitary sewer is located within 660' of the property (see condition 3). The property is zoned RR-2.5. Lot 1 is proposed to be 3.16 acres and meets the minimum standards of the RR-2.5 district. An existing pond will remain with this lot. Lots 2-3 will be approximately 2.53 acres and both meet the minimum standards. RWD 10 voted at their July 19<sup>th</sup> meeting to include this area into their water district. The applicant will need to complete a feasibility study to determine what upgrades will be needed to supply water. Staff is supportive of the request.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if the necessary infrastructure is available.
5. The developer must comply with the following memorandums:
  - a. Email – Chuck Magaha, Emergency Management, dated July 20, 2023
  - b. Email – Mary Conley, RWD 10, dated July 7, 2023

**ATTACHMENTS:**

- A: Application & Narrative  
B: Zoning Maps  
C: Memorandums

~~PRELIMINARY~~ & FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

Office Use Only

Township: \_\_\_\_\_ Planning Commission Meeting Date: \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation: \_\_\_\_\_

APPLICANT/            INFORMATION

OWNER INFORMATION

NAME: Herring Surveying Company NAME: \_\_\_\_\_  
MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS \_\_\_\_\_  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP \_\_\_\_\_  
PHONE: 913-651-3858 PHONE: \_\_\_\_\_  
EMAIL: herringsurveying@outlook.com EMAIL \_\_\_\_\_

GENERAL INFORMATION

Proposed Subdivision Name: \_\_\_\_\_  
Address of Property: \_\_\_\_\_  
PID: 197-35 001.02 Urban Growth Management Area: \_\_\_\_\_

SUBDIVISION INFORMATION

|                                                                     |                                                                                           |                       |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------|
| Gross Acreage:                                                      | Number of Lots:                                                                           | Minimum Lot Size:     |
| Maximum Lot Size:                                                   | Proposed Zoning:                                                                          | Density: <u>N/A</u>   |
| Open Space Acreage: <u>N/A</u>                                      | Water District:                                                                           | Proposed Sewage:      |
| Fire District:                                                      | Electric Provider:                                                                        | Natural Gas Provider: |
| Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No | Road Classification: <u>Local – Collector – Arterial – State – Federal</u>                |                       |
|                                                                     | Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No |                       |

Is any part of the site designated as Floodplain? ☐ Yes ☐ No if yes, what is the panel number: \_\_\_\_\_

I, the undersigned, am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT A

**PRELIMINARY PLAT APPLICATION**  
Leavenworth County Planning and Zoning Department  
300 Walnut St., Suite 212  
Leavenworth, Kansas  
913-684-0465

|                       |                                                |
|-----------------------|------------------------------------------------|
| Office Use Only       |                                                |
| Township: _____       | Planning Commission Meeting Date: _____        |
| Case No. _____        | Date Received/Paid: _____                      |
| Zoning District _____ | Comprehensive Plan Land Use Designation: _____ |

| APPLICANT/AGENT INFORMATION                  | OWNER INFORMATION                        |
|----------------------------------------------|------------------------------------------|
| NAME: <u>Herring Surveying Company</u>       | NAME: <u>Robert E. Fox Trust</u>         |
| MAILING ADDRESS: <u>315 North 5th Street</u> | MAILING ADDRESS <u>49 Landscape Lane</u> |
| CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>    | CITY/ST/ZIP <u>Camdenton, MO 65020</u>   |
| PHONE: <u>913-651-3858</u>                   | PHONE: <u>N/A</u>                        |
| EMAIL : <u>herringsurveying@outlook.com</u>  | EMAIL <u>N/A</u>                         |

**GENERAL INFORMATION**

Proposed Subdivision Name: FOX RIDGE ACRES 1ST PLAT

Address of Property: 00000 Woodend Road

PID: 197 196-35-0-00-00-001.02 Urban Growth Management Area: N/A

| SUBDIVISION INFORMATION                                                                                                                                  |                                                                                                      |                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|----------------------------------------------|
| Gross Acreage: <u>8 Ac</u>                                                                                                                               | Number of Lots: <u>3</u>                                                                             | Minimum Lot Size: <u>3 Ac</u>                |
| Maximum Lot Size: <u>2.5 Ac</u>                                                                                                                          | Proposed Zoning: <u>RR 2.5</u>                                                                       | Density: <u>N/A</u>                          |
| Open Space Acreage: <u>N/A</u>                                                                                                                           | Water District: <u>RWD 10</u>                                                                        | Proposed Sewage: <u>Septic</u>               |
| Fire District: <u>Sherman</u>                                                                                                                            | Electric Provider: <u>Evergy</u>                                                                     | Natural Gas Provider: <u>Atmos / Propane</u> |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                           | Road Classification: <u>Local - Collector - Arterial - State - Federal</u>                           |                                              |
|                                                                                                                                                          | Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                              |
| List of all Requested Exceptions:<br><i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i> | 1. _____                                                                                             |                                              |
|                                                                                                                                                          | 2. _____                                                                                             |                                              |
|                                                                                                                                                          | 3. _____                                                                                             |                                              |
|                                                                                                                                                          | 4. _____                                                                                             |                                              |
|                                                                                                                                                          | 5. _____                                                                                             |                                              |

|                                                                                                                                                                                                                                                                                |                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number: _____                                                                                                                  |                      |
| I, the undersigned, am the owner, <u>duly authorized agent</u> , of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above. |                      |
| Signature: <u>Joe Herring - digitally signed 6-17-2023</u>                                                                                                                                                                                                                     | Date: <u>6/17/23</u> |

**ATTACHMENT A**

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner  
COUNTY OF LEAVENWORTH  
STATE OF KANSAS

We/I Robert K Fox and \_\_\_\_\_

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
Woodend Rd & 198th St, and that we authorize the  
following people or firms to act in our interest with the Leavenworth County Planning  
and Zoning Department for a period of one calendar year. Additionally, all statements  
herein contained in the information herewith submitted are in all respects true and correct  
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth,  
KS 66048, 913-651-3858

2)

Signed and entered this 25<sup>th</sup> day of October, 2022 660-234-1997

Robert K Fox 49 Landscape Ln Camdenton Mo  
Print Name, Address, Telephone

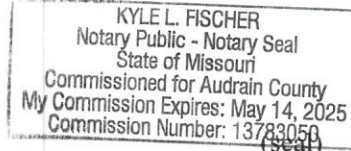
[Signature]  
Signature

Missouri  
STATE OF ~~KANSAS~~ )  
Andrain ) SS  
COUNTY OF ~~LEAVENWORTH~~ )

Be it remember that on this 25 day of October 2022 before me, a notary public in and  
for said County and State came Robert K Fox to me  
personally known to be the same persons who executed the forgoing instrument of writing, and  
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand  
and affixed my notary seal the day and year above written.

NOTARY PUBLIC Kyle L. Fischer

My Commission Expires: 5/14/2025



# ACRES OF FOXRIDGE 1ST PLAT

A Minor Subdivision in the Northwest Quarter of Section 35, Township 11 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
Robert E. Fox Trust  
49 LANDSCAPE LN  
CAMDENTON, MO 65020  
PID NO. 197-35-0-00-001.02

HIGGINBOTHAM, REBECCA L & ALTENHOFEN, ROBERT  
PID #197-35...011

FOX, ROBERT E; TRUST  
PID NO. 197-35...001.06

**SURVEYOR'S DESCRIPTION:**  
**TRACT 1:**  
Tract of land in the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2023, and more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 23'23" West for a distance of 666.14 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 23'23" West for a distance of 649.97 feet along said South line; thence North 01 degrees 50'17" West for a distance of 550.00 feet; thence North 88 degrees 23'23" East for a distance of 652.15 feet; thence South 01 degrees 36'37" East for a distance of 550.00 feet to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 8.22 acres, more or less, including road right of way.  
Error of Closure: 1 - 855609

HIGGINBOTHAM, REBECCA L & ALTENHOFEN, ROBERT  
PID #197-35...011.05

MARTIN FARM LLC  
PID #197-35...012

**LEGEND:**  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
⊙ - Power Pole  
X - Fence Line  
OHP - Overhead Power Lines  
T - Underground Telephone/Fiber Optic Line  
⊕ - Gas Valve  
⊕ - Water Meter/Valve  
⊕ - Telephone Pedestal  
W - 6" Water Line - location as per district  
~ - Tree/Brush Line

**RESTRICTIONS:**  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
6) No off-plat restrictions.

FOX, ROBERT E; TRUST  
PID NO. 197-35...001.06

**ZONING:**  
RR 2.5 - Rural Residential 2.5

**NOTES:**  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Error of Closure Calculations  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Proposed Lots for Residential Use. Existing Use AG.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
Project Benchmark (BM) - CENTER COR Section 35 - Elev - 878'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2023R03055  
12) Utility Companies -  
- Water - Rural Water 10  
- Electric - Evergy  
- Sewer - Septic  
- Gas - Propane / Natural Gas  
13) Reference Lawyer's Title of Kansas Case Number 46288 updated June 20, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are + - 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
DGW - D.G.White Surveys S-12 #49 1984, S-12 #30 1987  
TBM - T.B.Melton Survey S-15 #73 2005  
KH - K. Herring Survey 1977  
JAH - J.A. Herring Survey Doc # 2023S018

17X  
WEST 1/4 CORNER  
Sec. 35-11-21  
1/2" Rebar



Job # K-23-1645  
June 17, 2023 Rev. July 24, 2023  
J. Herring, Inc. (dba)  
HERRING  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leavenworth.com

50 0 50 100 150  
1" = 50'



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# ACRES OF FOXRIDGE 1ST PLAT

A Minor Subdivision in the Northwest Quarter of Section 35, Township 11 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
Robert E. Fox Trust  
49 LANDSCAPE LN  
CAMDEN, MO 65020  
PID NO. 197-35-0-00-00-001.02

PID #197-35...011

**SURVEYOR'S DESCRIPTION:**  
**TRACT 1:**  
Tract of land in the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2023, and more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 23'23" West for a distance of 666.14 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 23'23" West for a distance of 649.97 feet along said South line; thence North 01 degrees 50'17" West for a distance of 550.00 feet; thence North 88 degrees 23'23" East for a distance of 652.15 feet; thence South 01 degrees 36'37" East for a distance of 550.00 feet to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 8.22 acres, more or less, including road right of way.  
Error of Closure: 1 - 855609

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: ACRES OF FOXRIDGE 1ST PLAT

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of ACRES OF FOXRIDGE 1ST PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Robert K. Fox, Trustee  
Robert E. Fox Trust dated November 13, 1989

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Robert K. Fox, Trustee of the Robert E. Fox Trust dated November 13, 1989, to me personally known to be the same person who executed the foregoing instrument of writing, and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

**NOTARY PUBLIC**  
My Commission Expires: \_\_\_\_\_ (seal)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of ACRES OF FOXRIDGE 1ST PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Secretary John Jacobson  
\_\_\_\_\_  
Chairman Marcus Majure

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of ACRES OF FOXRIDGE 1ST PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

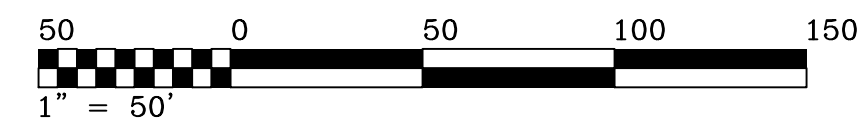
\_\_\_\_\_  
Chairman Vicky Kaaz  
\_\_\_\_\_  
County Clerk Attest: Janet Klasinski

**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

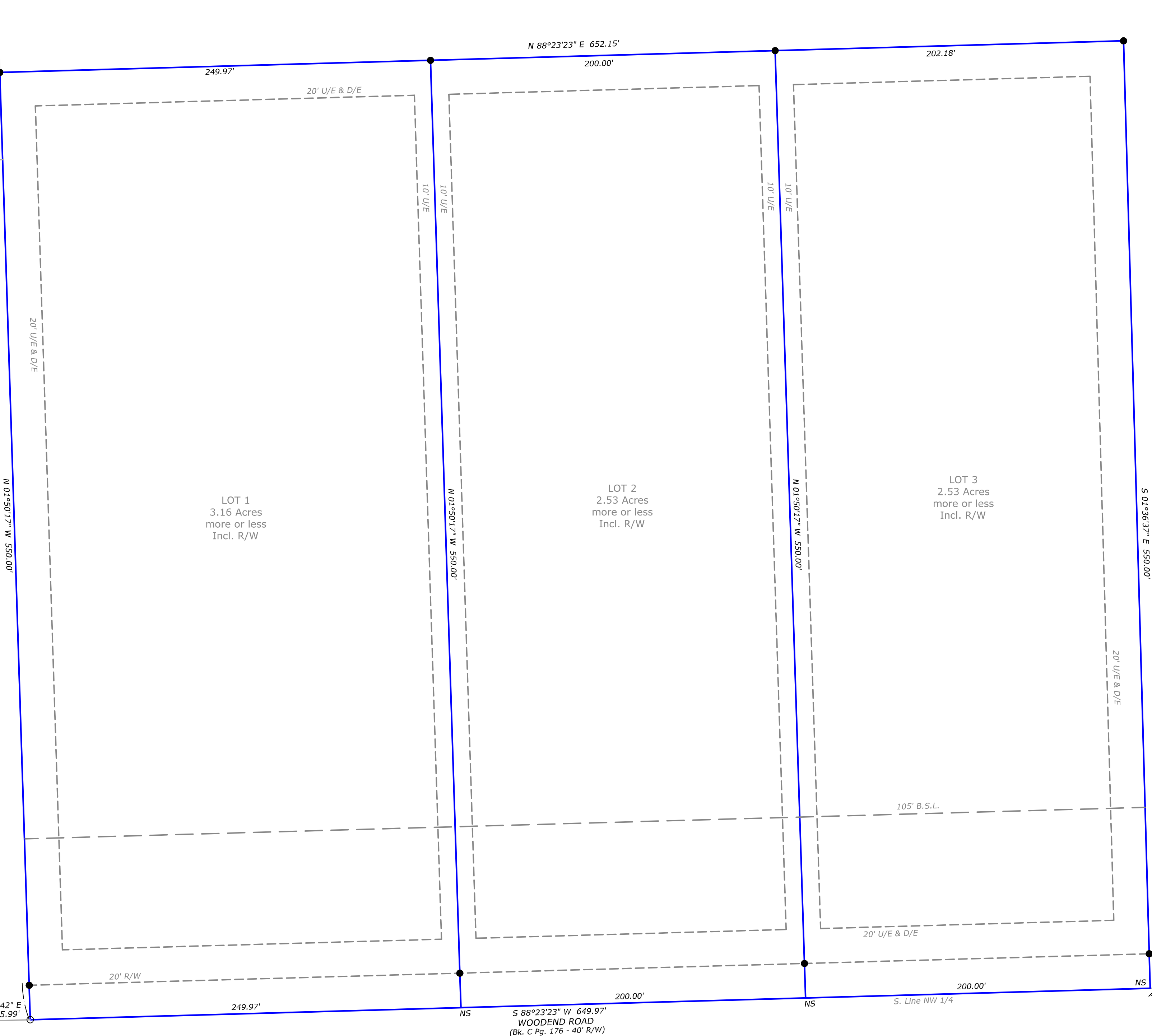
Register of Deeds - TerriLois G. Mashburn

I hereby certify that this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

\_\_\_\_\_  
Daniel Baumchen, PS#1363  
County Surveyor



PID NO. 197-35...001.06



**LEGEND:**  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client

**RESTRICTIONS:**  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
6) No off-plat restrictions.

PID NO. 197-35...001.06

**ZONING:**  
RR 2.5 - Rural Residential 2.5

**NOTES:**  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Error of Closure Calculations  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Proposed Lots for Residential Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88 Project Benchmark (BM) - CENTER COR Section 35 - Elev - 878'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2023R03055  
12) Utility Companies -  
- Water - Rural Water 10  
- Electric - Evergy  
- Sewer - Septic  
- Gas - Propane / Natural Gas  
13) Reference Lawyer's Title of Kansas Case Number 46288 updated June 20, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
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19) Reference Surveys:  
DGW - D.G.White Surveys S-12 #49 1984, S-12 #30 1987  
TBM - T.B.Melton Survey S-15 #73 2005  
KH - K. Herring Survey 1977  
JAH - J.A. Herring Survey Doc # 2023S018

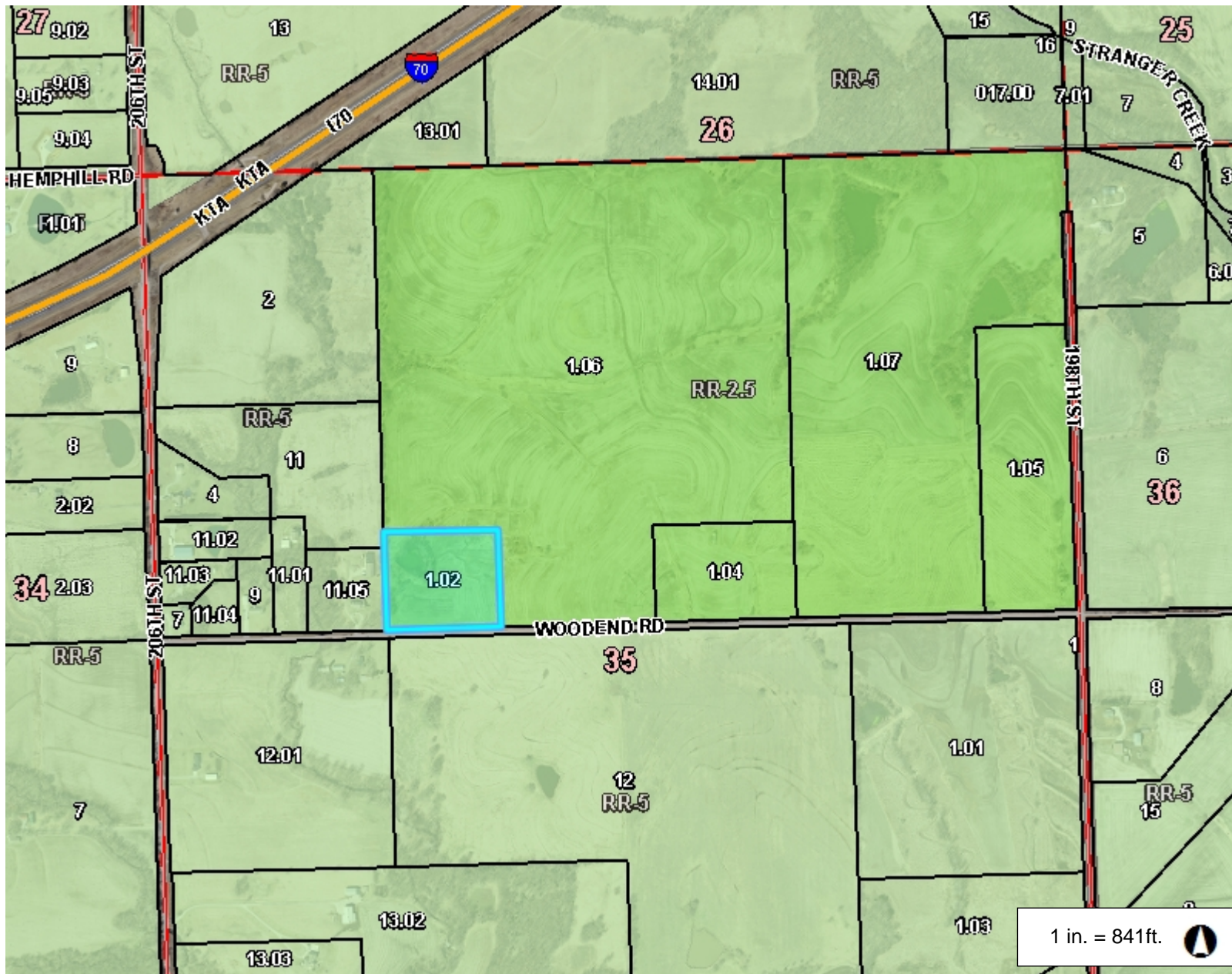
PID #197-35...012



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# DEV-23-097/098 & 099/100 Zoning Map



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3

1 in. = 841ft.



1,682.1 0 841.04 1,682.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Monday, July 17, 2023 9:30 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-097/098 Preliminary and Final Plat – Foxridge Acres 1st

We have not received any complaints on this property and we are not aware of any septic systems currently installed on the property.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, July 7, 2023 5:11 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-097/098 Preliminary and Final Plat – Foxridge Acres 1st

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for three lot subdivision at 00000 Woodend Road (197-35-0-00-00-001.02).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, July 20, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@LeavenworthCounty.org](mailto:Aallison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**Disclaimer**

## Allison, Amy

---

**From:** LVCO RWD10 <RWD10@conleysandu.com>  
**Sent:** Monday, July 17, 2023 8:55 AM  
**To:** LVCO RWD10  
**Cc:** Allison, Amy; PZ  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Yes, we plan to service this area. The District is working with an engineer for expansion and this is one of the areas we plan to provide service.

On Friday, July 14, 2023 at 1:28:32 PM UTC-5 Allison, Amy wrote:

Good Afternoon Mary,

Is the two subdivision located within your service area? Our maps indicate that they are not.

Sincerely,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

[913.364.5757](tel:913.364.5757)

### Disclaimer

*This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>

**Sent:** Friday, July 7, 2023 10:12 AM

**To:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>

**Cc:** Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)>; Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>; [kritter@shermanfire.net](mailto:kritter@shermanfire.net); [dritter@shermanfire.net](mailto:dritter@shermanfire.net); [travis.shockey@evergy.com](mailto:travis.shockey@evergy.com)

**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Melissa,

Rural Water District 10 Manager, Steve Conley, has been in discussion with Joe Herring regarding these two plats. To summarize their previous discussions, water from RWD10 is available in these areas. However, a study by the District's engineering firm would be required prior to development of this area to determine necessary infrastructure improvements. This study would be at the expense of the developer and requires additional information such as copies of development plans including number of lots and service connections. Once we have these plans, we can review with our engineer and provide an estimate on the cost of the study.

Please let us know if additional information is required.

Thank you,

Mary Conley

Business Manager

RWD10

On Wednesday, July 5, 2023 at 4:44:12 PM UTC-5 Johnson, Melissa wrote:

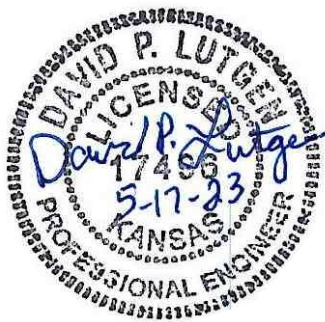
Mr. Herring stated that there were no responses from the above listed entities for the proposed plats. He cannot proceed with a complete application until there is either a no comment from you or an email stating what the comments need to be for these plats.

If you have any questions, please let me or Joe Herring know.

Thank you,

Review Completed 7/18/23  
No comments. Drainage  
Report Approved.

Foxridge Acres 1<sup>st</sup> Plat  
Leavenworth County Kansas  
Drainage Report  
May 17, 2023



# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Foxridge Acres 1<sup>st</sup> and 2<sup>nd</sup> Plat  
**Date:** July 20, 2023

Amy, I have reviewed the preliminary plat of the Foxridge Acres, First and Second plats Subdivisions presented by The Robert E. Fox Trust. The subdivisions meet the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivisions is proposed, a fire hydrant need to be placed along the road right-a-way along Woodend Road in the middle of Lot 2 this would be for the First Plat. As for the Second plat the same applies for the waterline and fire hydrant. The Second Plat a fire hydrant placed between Lot 2 and Lot 3 along Woodend Road at the right-of-way.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

# FOXRIDGE ACRES 1ST PLAT

A Minor Subdivision in the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
Robert E. Fox Trust  
49 LANDSCAPE LN  
CAMDEN, MO 65020  
PID NO. 197-35-0-00-00-001.02

PID #197-35...011

**SURVEYOR'S DESCRIPTION:**  
**TRACT 1:**  
Tract of land in the Northwest Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2023, and more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 88 degrees 23'23" West for a distance of 666.14 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 88 degrees 23'23" West for a distance of 649.97 feet along said South line; thence North 01 degrees 50'17" West for a distance of 550.00 feet; thence North 88 degrees 23'23" East for a distance of 652.15 feet; thence South 01 degrees 36'37" East for a distance of 550.00 feet to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 8.22 acres, more or less, including road right of way.  
Error of Closure: 1 - 855609

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: FOXRIDGE ACRES 1ST PLAT.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of FOXRIDGE ACRES 1ST PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Robert K. Fox, Trustee  
Robert E. Fox Trust dated November 13, 1989

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Robert K. Fox, Trustee of the Robert E. Fox Trust dated November 13, 1989, to me personally known to be the same person who executed the foregoing instrument of writing, and duly acknowledged the execution of the same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

**NOTARY PUBLIC**  
My Commission Expires: \_\_\_\_\_ (seal)

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of FOXRIDGE ACRES 1ST PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Secretary John Jacobson  
\_\_\_\_\_  
Chairman Steven Rosenthal

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of FOXRIDGE ACRES 1ST PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chairman Vicky Kaaz  
\_\_\_\_\_  
County Clerk Attest: Janet Klasinski

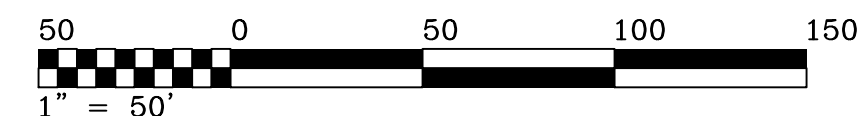
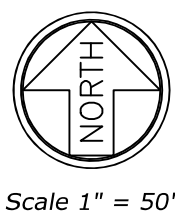
**REGISTER OF DEED CERTIFICATE:**  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify that this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2023.07.25 No Comments

Daniel Baunichen, PS#1363  
County Surveyor



PID NO. 197-35...001.06

PID #197-35...011.05

PID #197-35...012

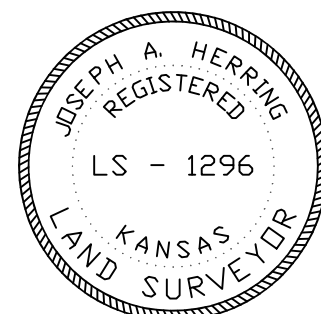
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○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
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( ) - Record / Deeded Distance  
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A - Arc Distance  
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C - Chord Distance  
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**RESTRICTIONS:**  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
6) No off-plat restrictions.

PID NO. 197-35...001.06

**ZONING:**  
RR 2.5 - Rural Residential 2.5

**NOTES:**  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Error of Closure Calculations  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
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14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
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TBM - T.B.Melton Survey S-15 #73 2005  
KH - K. Herring Survey 1977  
JAH - J.A. Herring Survey Doc # 2023S018



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

## Allison, Amy

---

**From:** McAfee, Joe  
**Sent:** Wednesday, July 26, 2023 11:15 AM  
**To:** Allison, Amy; Noll, Bill; 'Mitch Pleak'  
**Subject:** RE: DEV-23-097/098 Foxridge Acres 1st Review Comments

Amy,  
The PP and FP have been reviewed. No further comments.

Please let me know of any questions.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, July 26, 2023 8:13 AM  
**To:** Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Subject:** FW: DEV-23-097/098 Foxridge Acres 1st Review Comments

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Monday, July 24, 2023 8:57 PM  
**To:** Allison, Amy <AAllison@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** Re: DEV-23-097/098 Foxridge Acres 1st Review Comments

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attached revisions.

PZ comments PP -

Name is differentiated by the 1<sup>st</sup> Plat - 2<sup>nd</sup> Plat after Fox Ridge.... 911 does not use Plat Name so similar names should not cause any confusion, all is based off of street address (streets should not be too similar in this case).

Public Works Comment (PRELIM AND FINAL) - "Utility power poles are located along the right-of-way. Please revisit existing utility easements with the title company and include the utility and applicable easement on the pre plat and final plat." - do not see any easements listed within title work -  
Utility line is close to the R/W line and most likely intended on being within the R/W - 20' U/E dedicated this plat should cover this power line.

Prelim - "Differentiate with notes or line type areas of cultivated fields, pastures, and woodlands" - that is a drainage calculation concern and shown within the calculations.

Thank you - Joe Herring

## Allison, Amy

---

**From:** LVCO RWD10 <RWD10@conleysandu.com>  
**Sent:** Thursday, July 27, 2023 10:54 AM  
**To:** LVCO RWD10  
**Cc:** Allison, Amy; PZ  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

The board authorized us to move forward with the annexation process for this area. I am fairly new to this process, so not sure how long it typically takes, but it is one of our top priority initiatives.

On Wednesday, July 26, 2023 at 11:31:57 AM UTC-5 Allison, Amy wrote:

Good Morning Mary,

Was anything decided by the Board on their July 19<sup>th</sup> meeting?

Amy

---

**From:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>  
**Sent:** Tuesday, July 18, 2023 9:04 AM  
**To:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>  
**Cc:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>; PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

I will review with the board in our next meeting on 7/19 and let you know.

On Monday, July 17, 2023 at 2:44:28 PM UTC-5 Allison, Amy wrote:

Do you have a timeline yet on when that expansion will occur?

## Allison, Amy

---

**From:** Jordan Mesmer <Jordan.Mesmer@evergy.com>  
**Sent:** Thursday, July 6, 2023 7:58 AM  
**To:** Travis Shockey; kritter@shermanfire.net; dritter@shermanfire.net; Travis Shockey; rwd10@conleysandu.com; Johnson, Melissa  
**Cc:** herringsurveying@outlook.com  
**Subject:** RE: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Internal Use Only

Sorry about that Melissa, we see nothing wrong with that plat.

Thank you,

Jordan Mesmer  
Evergy  
785-865-4844

---

**From:** Travis Shockey <Travis.Shockey@evergy.com>  
**Sent:** Thursday, July 6, 2023 7:26 AM  
**To:** Jordan Mesmer <Jordan.Mesmer@evergy.com>  
**Subject:** FW: Fox Property - 1st and 2nd plat

Internal Use Only

**Travis Shockey**  
Evergy  
Supervisor, Field Design  
Lawrence Service Center  
[Travis.Shockey@evergy.com](mailto:Travis.Shockey@evergy.com)  
O 785-508-2874  


---

**From:** Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)>  
**Sent:** Wednesday, July 5, 2023 4:44 PM  
**To:** 'kritter@shermanfire.net' <[kritter@shermanfire.net](mailto:kritter@shermanfire.net)>; 'dritter@shermanfire.net' <[dritter@shermanfire.net](mailto:dritter@shermanfire.net)>; Travis Shockey <[travis.shockey@evergy.com](mailto:travis.shockey@evergy.com)>; 'rwd10@conleysandu.com' <[rwd10@conleysandu.com](mailto:rwd10@conleysandu.com)>  
**Cc:** 'Joe Herring' <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>  
**Subject:** FW: Fox Property - 1st and 2nd plat

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

## Allison, Amy

---

**From:** Dylan Ritter <dritter@shermanfire.net>  
**Sent:** Wednesday, July 5, 2023 9:09 PM  
**To:** Johnson, Melissa  
**Cc:** Joe Herring; kritter@shermanfire.net; rwd10@conleysandu.com; travis.shockey@evergy.com  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

No comment

On Wed, Jul 5, 2023 at 16:44 Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)> wrote:

Mr. Herring stated that there were no responses from the above listed entities for the proposed plats. He cannot proceed with a complete application until there is either a no comment from you or an email stating what the comments need to be for these plats.

If you have any questions, please let me or Joe Herring know.

Thank you,

Melissa Johnson

Planner I

Leavenworth County

Planning & Zoning Department

Leavenworth County Courthouse

[300 Walnut St, Suite 212](#)

[Leavenworth County, Kansas 66048](#)

(913) 684-0465

## Leavenworth Times Affidavit of Publication

County of Leavenworth  
State of Kansas

### NOTICE OF MEETING

Notice is hereby given for the Leavenworth County Planning Commission to review an application (DEV-23-097/098) for a Preliminary Plat Acres of Foxridge 1st Plat on the following described property: A tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

**Request submitted by Her-ring Surveying on behalf of Robert E. Fox Trust**  
Address: 00000 Woodend Road

Parcel ID number:  
197-35-0-00-00-001.02

The MEETING will be held on Wednesday the 9th day of August, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, August 8th.

John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by August/01/2023

Published in the Leavenworth Times, August 1, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 1<sup>st</sup> day of August, 2023.

WITNESS my hand this 2nd day of August, 2023.

Tammy Lawson

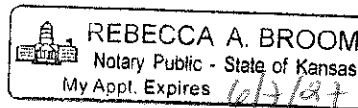
Legal Representative

Subscribe and sworn before me, this 2 day of  
Aug, 2023.

Rebecca A. Broom

Notary Public

My Commission Expires: 6/7/27



**Leavenworth County**  
**Request for Board Action**  
**Case No. DEV-23-099/100**  
**Preliminary & Final Plat Acres of Foxridge 2<sup>nd</sup> Plat**  
**\*Consent Agenda\***

**Date:** August 23, 2023  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** The applicants are requesting a Preliminary and Final Plat for a four-lot subdivision. Proposed Lots 1-4 will be approximately 2.52 acres in size.

**Analysis:** The applicants are requesting approval of a four-lot subdivision for a parcel of land located to the east of 206<sup>th</sup> Street and Woodend Road. The proposed subdivision will split off 2.5+ acre lots with frontage on Woodend Road. An existing barn that pre-dates the regulations will remain with Lot 2. The proposed lots meet the standards set forth in the Leavenworth County Zoning & Subdivision Regulations.

The developer has been in contact with RWD 10 about extension of a waterline to his property. The Water District has voted to include this property and additional properties in their district and are in discussion with what type of waterline service will be needed.

**Recommendation:** The Planning Commission voted 7-0 to recommend approval of Case No.DEV-23-099/100, Preliminary and Final Plat for Acres of Foxridge 2<sup>nd</sup> Plat subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-23-099/100, Preliminary and Final Plat for Acres of Foxridge 2<sup>nd</sup> Plat, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-099/100, Preliminary and Final Plat for Acres of Foxridge 2<sup>nd</sup> Plat, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-099/100, Preliminary and Final Plat for Acres of Foxridge 2<sup>nd</sup> Plat with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable  
☐ Budgeted item with available funds  
☐ Non-Budgeted item with available funds through prioritization  
☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

**Additional Attachments:** Staff Report, Plat, Planning Commission Minutes

**LEAVENWORTH COUNTY  
PLANNING COMMISSION**

STAFF REPORT

CASE NO: DEV-23-099/100 Acres of Foxridge 2<sup>nd</sup> Plat

August 9, 2023

**REQUEST: *Consent Agenda***

☒ Preliminary Plat                      ☒ Final Plat

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 00000 WOODEND ROAD

**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING

**PROPERTY OWNER:**

ROBERT E FOX TRUST  
49 LANDSCAPE LANE  
CAMDENTON MO 65020

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:  
RESIDENTIAL (2.5-ACRE MIN)

**LEGAL DESCRIPTION:**

A tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-099/100, Preliminary & Final Plat for Acres of Foxridge 2<sup>ND</sup> Plat, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-099/100, Preliminary & Final Plat for Acres of Foxridge 2<sup>ND</sup> Plat to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

10 ACRES

PARCEL ID NO:

197-35-0-00-00-001.04

BUILDINGS:

ONE ACCESSORY STRUCTURE

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 00000 Woodend Road (197-35-0-00-00-001.04) as Lots 1 through 4 of Acres of Foxridge 2<sup>ND</sup> Plat.

ACCESS/STREET:

WOODEND ROAD - COUNTY LOCAL,  
GRAVEL ± 24'

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: SHERMAN FD

WATER: RWD 10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

7/29/023

NEWSPAPER NOTIFICATION:

8/1/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:

N/A

| <b>STANDARDS TO BE CONSIDERED:</b>                                             |                                                                  |            |                |
|--------------------------------------------------------------------------------|------------------------------------------------------------------|------------|----------------|
| <i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i> |                                                                  | <b>Met</b> | <b>Not Met</b> |
| 35-40                                                                          | <b>Preliminary Plat Content</b>                                  | X          |                |
| 40-20                                                                          | <b>Final Plat Content</b>                                        | X          |                |
| 41-6                                                                           | <b>Access Management</b>                                         | X          |                |
| 41-6.B.a-c.                                                                    | <b>Entrance Spacing</b>                                          | X          |                |
| 41-6.C.                                                                        | <b>Public Road Access Management Standards</b>                   | X          |                |
| 43                                                                             | <b>Cross Access Easements</b>                                    | N/A        |                |
| 50-20                                                                          | <b>Utility Requirements</b>                                      | X          |                |
| 50-30                                                                          | <b>Other Requirements</b>                                        | X          |                |
| 50-40                                                                          | <b>Minimum Design Standards</b>                                  | X          |                |
| 50-50                                                                          | <b>Sensitive Land Development</b>                                | N/A        |                |
| 50-60.                                                                         | <b>Dedication of Reservation of Public Sites and Open Spaces</b> | N/A        |                |

**STAFF COMMENTS:**

The applicant is proposing to divide a 10-acre parcel into four lots. The parcel was split through a non-compliant certificate of survey. This application will bring the property back into compliance. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as no sanitary sewer is located within 660' of the property (see condition 3). The property is zoned RR-2.5. Proposed Lots 1-4 are each 2.52 acres in size and meet the minimum requirements. Lot 2 has an existing accessory structure from 1941 that predates the Zoning & Subdivision regulations. An existing driveway will be used only for the purposes of Lot 3. RWD 10 voted at their July 19<sup>th</sup> meeting to include this area into their water district. The applicant will need to complete a feasibility study to determine what upgrades will be needed to supply water. Staff is supportive of the request.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if the necessary infrastructure is available.
5. The developer must comply with the following memorandums:
  - a. Email – Chuck Magaha, Emergency Management, dated July 20, 2023
  - b. Email – Mary Conley, RWD 10, dated July 7, 2023

**ATTACHMENTS:**

- A: Application & Narrative  
B: Zoning Maps  
C: Memorandums

**PRELIMINARY PLAT APPLICATION**  
Leavenworth County Planning and Zoning Department  
300 Walnut St., Suite 212  
Leavenworth, Kansas  
913-684-0465

Office Use Only

Township: \_\_\_\_\_ Planning Commission Meeting Date: \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation: \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

**OWNER INFORMATION**

NAME: Herring Surveying Company NAME: Robert E. Fox Trust  
MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS 49 Landscape Lane  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Camdenton, MO 65020  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL : herringsurveying@outlook.com EMAIL N/A

**GENERAL INFORMATION**

Proposed Subdivision Name: FOX RIDGE ACRES 2ND PLAT  
Address of Property: 00000 Woodend Road  
PID: 195-35-0-00-00-001.04 Urban Growth Management Area: N/A

**SUBDIVISION INFORMATION**

|                                                                                                                                                          |                                                                                                      |                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|----------------------------------------------|
| Gross Acreage: <u>10 Ac</u>                                                                                                                              | Number of Lots: <u>4</u>                                                                             | Minimum Lot Size: <u>2.5 Ac</u>              |
| Maximum Lot Size: <u>2.5 Ac</u>                                                                                                                          | Proposed Zoning: <u>RR 2.5</u>                                                                       | Density: <u>N/A</u>                          |
| Open Space Acreage: <u>N/A</u>                                                                                                                           | Water District: <u>RWD 10</u>                                                                        | Proposed Sewage: <u>Septic</u>               |
| Fire District: <u>Sherman</u>                                                                                                                            | Electric Provider: <u>Evergy</u>                                                                     | Natural Gas Provider: <u>Atmos / Propane</u> |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                           | Road Classification: <u>Local – Collector – Arterial – State – Federal</u>                           |                                              |
|                                                                                                                                                          | Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                              |
| List of all Requested Exceptions:<br><i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i> | 1.                                                                                                   |                                              |
|                                                                                                                                                          | 2.                                                                                                   |                                              |
|                                                                                                                                                          | 3.                                                                                                   |                                              |
|                                                                                                                                                          | 4.                                                                                                   |                                              |
|                                                                                                                                                          | 5.                                                                                                   |                                              |

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number: \_\_\_\_\_

I, the undersigned, am the owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 6-17-2023

Date: 6/17/23

**ATTACHMENT A**

## PRELIMINARY & FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

### Office Use Only

Township: \_\_\_\_\_ Planning Commission Meeting Date: \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation: \_\_\_\_\_

### APPLICANT/AGENT INFORMATION

### OWNER INFORMATION

NAME: Herring Surveying Company NAME: \_\_\_\_\_  
MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS \_\_\_\_\_  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP \_\_\_\_\_  
PHONE: 913-651-3858 PHONE: \_\_\_\_\_  
EMAIL : herringsurveying@outlook.com EMAIL \_\_\_\_\_

### GENERAL INFORMATION

Proposed Subdivision Name: \_\_\_\_\_  
Address of Property: \_\_\_\_\_  
PID: \_\_\_\_\_ Urban Growth Management Area: \_\_\_\_\_

### SUBDIVISION INFORMATION

|                                                                     |                                                                                           |                       |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------|
| Gross Acreage:                                                      | Number of Lots:                                                                           | Minimum Lot Size:     |
| Maximum Lot Size:                                                   | Proposed Zoning:                                                                          | Density: N/A          |
| Open Space Acreage: N/A                                             | Water District:                                                                           | Proposed Sewage:      |
| Fire District:                                                      | Electric Provider:                                                                        | Natural Gas Provider: |
| Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No | Road Classification: <i>Local – Collector – Arterial – State – Federal</i>                |                       |
|                                                                     | Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No |                       |

Is any part of the site designated as Floodplain? ☐ Yes ☐ No if yes, what is the panel number: \_\_\_\_\_

I, the undersigned, am the owner, **duly authorized agent**, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner  
COUNTY OF LEAVENWORTH  
STATE OF KANSAS

We/I Robert K Fox and \_\_\_\_\_

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
Woodend Rd & 198th St, and that we authorize the  
following people or firms to act in our interest with the Leavenworth County Planning  
and Zoning Department for a period of one calendar year. Additionally, all statements  
herein contained in the information herewith submitted are in all respects true and correct  
to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth,  
KS 66048, 913-651-3858

2)

Signed and entered this 25<sup>th</sup> day of October, 2022 660-234-1997

Robert K Fox 49 Landscape Ln Camdenton Mo  
Print Name, Address, Telephone

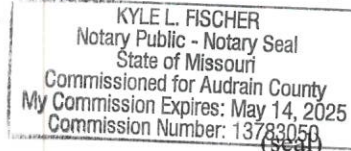
[Signature]  
Signature

Missouri  
STATE OF ~~KANSAS~~ )  
Andrain ) SS  
COUNTY OF ~~LEAVENWORTH~~ )

Be it remember that on this 25 day of October 2022 before me, a notary public in and  
for said County and State came Robert K Fox to me  
personally known to be the same persons who executed the forgoing instrument of writing, and  
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand  
and affixed my notary seal the day and year above written.

NOTARY PUBLIC Kyle L. Fischer

My Commission Expires: 5/14/2025



# ACRES OF FOXRIDGE 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 35, Township 11 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

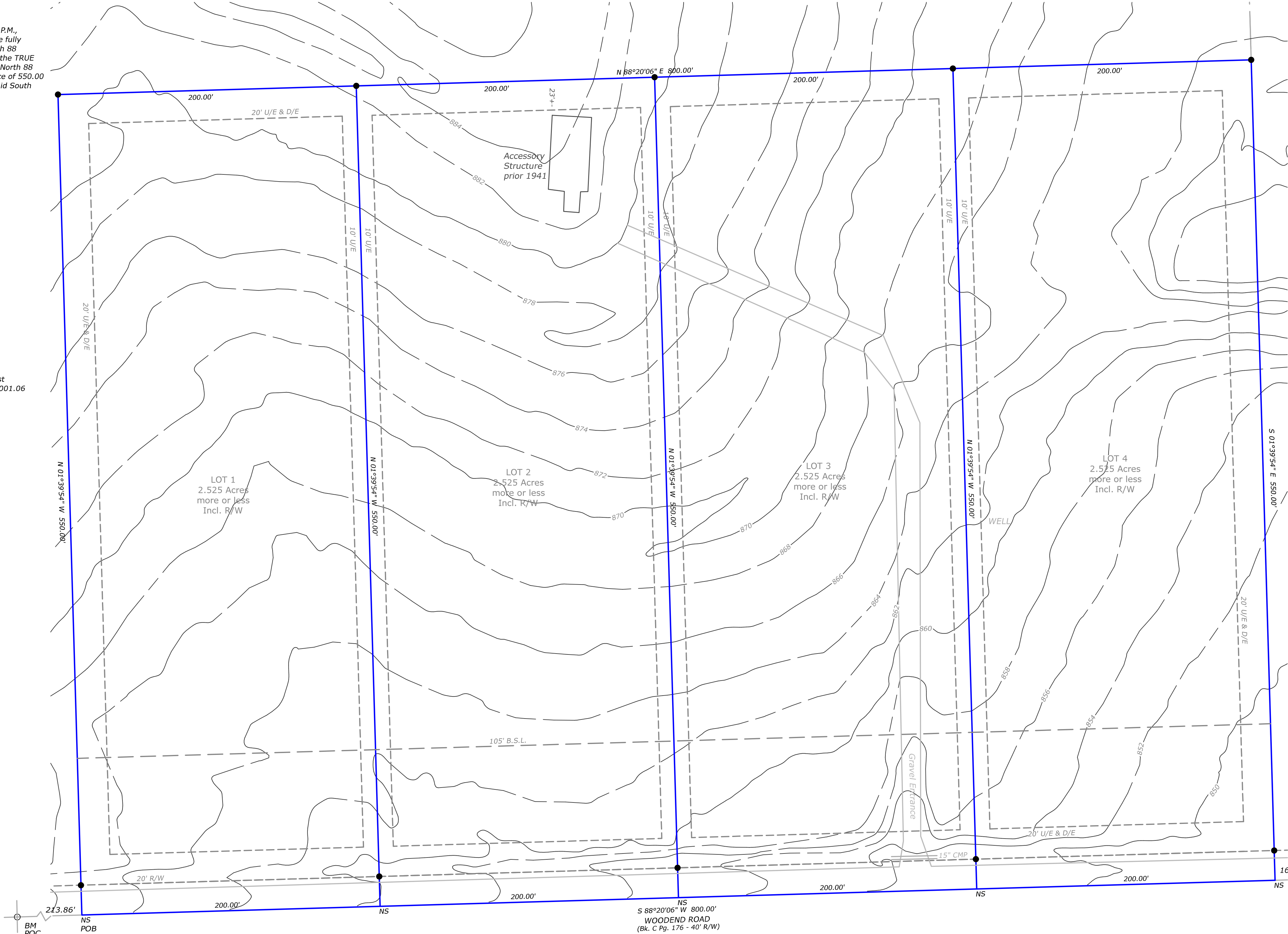
## PRELIMINARY PLAT

PREPARED FOR:  
Robert E. Fox Trust  
49 LANDSCAPE LN  
CAMDENTON, MO 65020  
PID NO. 197-35-0-00-00-001.04

Robert E. Fox Trust  
PID NO. 197-35...001.06

RECORD DESCRIPTION:  
Tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M.,  
Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2023, and more fully  
described as follows: Commencing at the Southwest corner of said Northeast Quarter; thence North 88  
degrees 20'06" East for a distance of 213.86 feet along the South line of said Northeast Quarter to the TRUE  
POINT OF BEGINNING; thence North 01 degrees 39'54" West for a distance of 550.00 feet; thence North 88  
degrees 20'06" East for a distance of 800.0 feet; thence South 01 degrees 39'54" East for a distance of 550.00  
feet to said South line; thence South 88 degrees 20'06" West for a distance of 800.00 feet along said South  
line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including road right of way.  
Error of Closure: 1 - 999999

Robert E. Fox Trust  
PID NO. 197-35...001.06



- LEGEND:
- - 1/2" Rebar Set with Cap No.1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - - Concrete Base around Point
  - △ - PK Nail Found in Place
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement
  - BM - Benchmark
  - NS - Not Set this survey per agreement with client
  - A - Arc Distance
  - R - Arc Radius
  - B - Chord Bearing
  - C - Chord Distance
  - ///// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client
  - ⊙ - Power Pole
  - X - Fence Line
  - OHP - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ⊕ - Gas Valve
  - ⊕ - Water Meter/Valve
  - ⊕ - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - ~ - Tree/Brush Line

- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
  - 4) Lots are subject to the current Access Management Policy.
  - 5) Existing Entrance on Lot 3 is for the sole use of said Lot 3.
  - 6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
  - 7) No off-plat restrictions.

Robert E. Fox Trust  
PID NO. 197-35...001.07

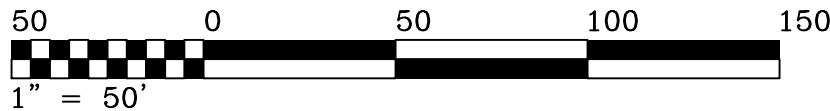
ZONING:  
RR 2.5 - Rural Residential 2.5

- NOTES:
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - See Error of Closure Calculations
  - 5) Basis of Bearing - KS SPC North Zone 1501
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Proposed Lots for Residential Use. Existing use AG.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD88 Project Benchmark (BM) - CENTER COR Section 35 - Elev - 878'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2023R03055
  - 12) Utility Companies -
    - Water - Rural Water 10
    - Electric - Evergy
    - Sewer - Septic
    - Gas - Propane / Natural Gas
  - 13) Reference Lawyer's Title of Kansas Case Number 46288 updated June 20, 2023
  - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0325G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below
    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - 16) Distances to and of structures, if any, are +- 1'.
  - 17) Easements as per referenced Title Commitment are shown hereon, if any.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.
  - 19) Reference Surveys:
    - DGW - D.G.White Surveys S-12 #49 1984, S-12 #30 1987
    - TBM - T.B.Melton Survey S-15 #73 2005
    - KH - K. Herring Survey 1977
    - JAH - J.A. Herring Survey Doc # 2023S018

21X  
SE COR NE 1/4  
Sec. 35-11-21  
1/2" Rebar



Job # K-23-1645 2ND  
June 17, 2023 Rev. 7-24-23  
J. Herring, Inc. (dba)  
J. HERRING  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leamcash.com



MARTIN FARM LLC  
PID #197-35...012



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# ACRES OF FOXRIDGE 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 35, Township 11 South,  
Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

### PREPARED FOR:

Robert E. Fox Trust  
49 LANDSCAPE LN  
CAMDENTON, MO 65020  
PID NO. 197-35-0-00-00-001.04

PID NO. 197-35...001.06

### RECORD DESCRIPTION:

Tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2023, and more fully described as follows: Commencing at the Southwest corner of said Northeast Quarter; thence North 88 degrees 20'06" East for a distance of 213.86 feet along the South line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 39'54" West for a distance of 550.00 feet; thence North 88 degrees 20'06" East for a distance of 800.00 feet; thence South 01 degrees 39'54" East for a distance of 550.00 feet to said South line; thence South 88 degrees 20'06" West for a distance of 800.00 feet along said South line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including road right of way.  
Error of Closure: 1 - 999999

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: ACRES OF FOXRIDGE 2ND PLAT.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of ACRES OF FOXRIDGE 2ND PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Robert K. Fox, Trustee

Robert E. Fox Trust dated November 13, 1989

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Robert K. Fox, Trustee of the Robert E. Fox Trust dated November 13, 1989, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of ACRES OF FOXRIDGE 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary

John Jacobson

Chairman

Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of ACRES OF FOXRIDGE 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman

Vicky Kaaz

County Clerk

Attest: Janet Klasinski



Scale 1" = 50'

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify that this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



VICINITY MAP  
NOT TO SCALE

### LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client

### RESTRICTIONS:

- All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- An Engineered Waste Disposal System may be required due to poor soil conditions.
- Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- Lots are subject to the current Access Management Policy. Existing Entrance on Lot 3 is for the sole use of said Lot 3.
- All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- No off-plat restrictions.

PID NO. 197-35...001.07

### ZONING:

RR 2.5 - Rural Residential 2.5

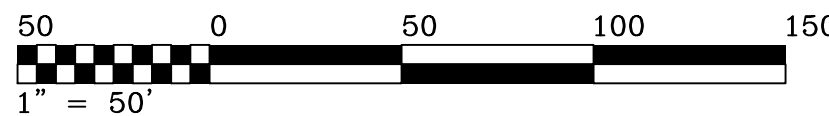
### NOTES:

- This survey does not show ownership.
- All distances are calculated from measurements or measured this survey, unless otherwise noted.
- All recorded and measured distances are the same, unless otherwise noted.
- Error of Closure - See Error of Closure Calculations
- Basis of Bearing - KS SFC North Zone 1501
- Monument Origin Unknown, unless otherwise noted.
- Proposed Lots for Residential Use. Existing use AG.
- Road Record - See Survey
- Benchmark - NAVD88
- Project Benchmark (BM) - CENTER COR Section 35 - Elev - 878'
- Easements, if any, are created hereon or listed in referenced title commitment.
- Reference Recorded Deed Doc # 2023R03055
- Utility Companies -
  - Water - Rural Water 10
  - Electric - Evergy
  - Sewer - Septic
  - Gas - Propane / Natural Gas
- Reference Lawyer's Title of Kansas Case Number 46288 updated June 20, 2023
- Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015
- Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- Distances to and of structures, if any, are +- 1'.
- Easements as per referenced Title Commitment are shown hereon, if any.
- Fence Lines do not necessarily denote the boundary line for the property.
- Reference Surveys:
  - DGW - D.G.White Surveys S-12 #49 1984, S-12 #30 1987
  - TBM - T.B.Melton Survey S-15 #73 2005
  - KH - K. Herring Survey 1977
  - JAH - J.A. Herring Survey Doc # 2023S018



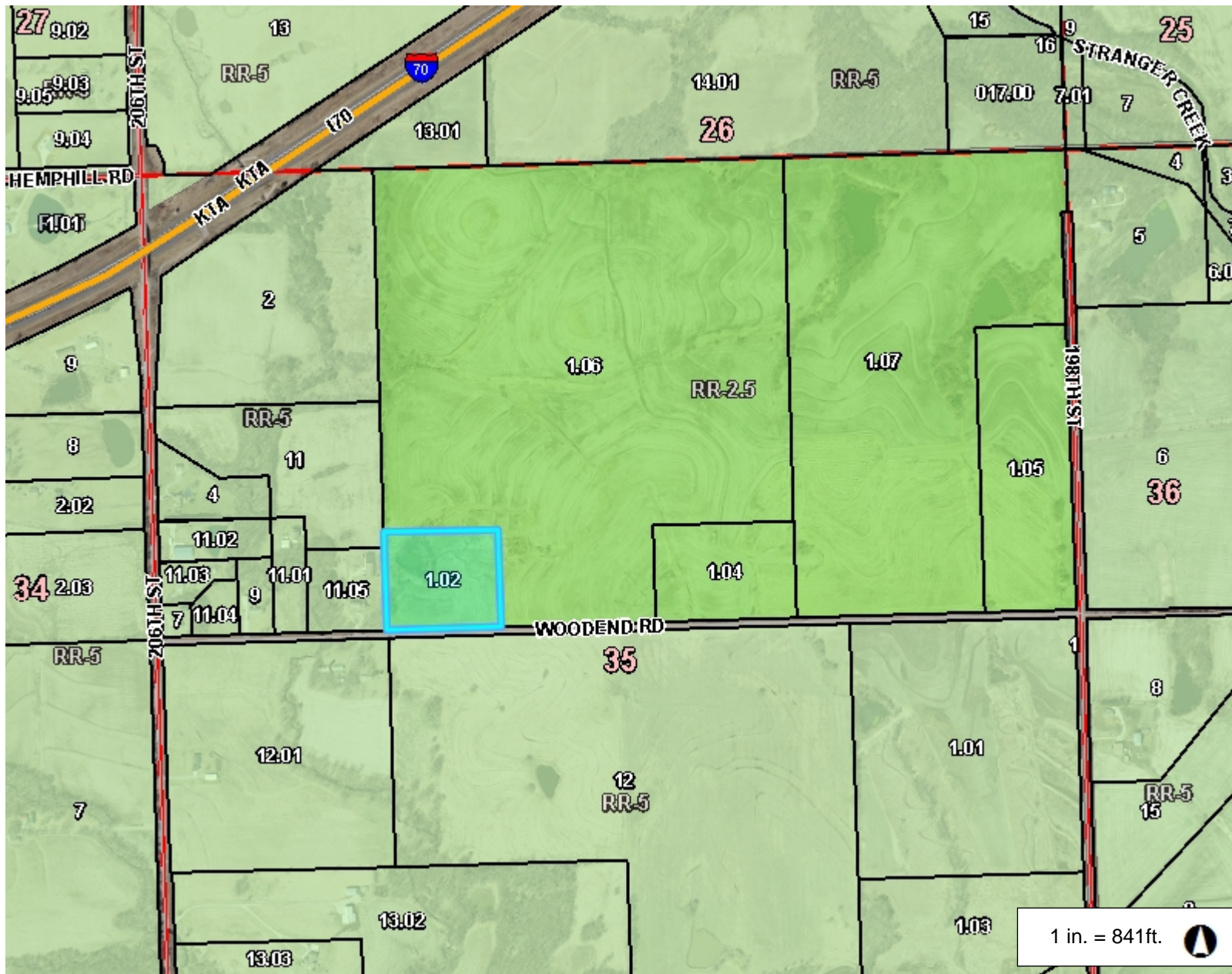
I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



PID #197-35...012

# DEV-23-097/098 & 099/100 Zoning Map



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3

1 in. = 841ft.



1,682.1 0 841.04 1,682.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

## Allison, Amy

---

**From:** Dylan Ritter <dritter@shermanfire.net>  
**Sent:** Wednesday, July 5, 2023 9:09 PM  
**To:** Johnson, Melissa  
**Cc:** Joe Herring; kritter@shermanfire.net; rwd10@conleysandu.com; travis.shockey@evergy.com  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Follow Up Flag:** FollowUp  
**Flag Status:** Completed

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

No comment

On Wed, Jul 5, 2023 at 16:44 Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)> wrote:

Mr. Herring stated that there were no responses from the above listed entities for the proposed plats. He cannot proceed with a complete application until there is either a no comment from you or an email stating what the comments need to be for these plats.

If you have any questions, please let me or Joe Herring know.

Thank you,

Melissa Johnson

Planner I

Leavenworth County

Planning & Zoning Department

Leavenworth County Courthouse

[300 Walnut St, Suite 212](#)

[Leavenworth County, Kansas 66048](#)

(913) 684-0465

## Allison, Amy

---

**From:** Jordan Mesmer <Jordan.Mesmer@evergy.com>  
**Sent:** Thursday, July 6, 2023 7:58 AM  
**To:** Travis Shockey; kritter@shermanfire.net; dritter@shermanfire.net; Travis Shockey; rwd10@conleysandu.com; Johnson, Melissa  
**Cc:** herringsurveying@outlook.com  
**Subject:** RE: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Internal Use Only

Sorry about that Melissa, we see nothing wrong with that plat.

Thank you,

Jordan Mesmer  
Evergy  
785-865-4844

---

**From:** Travis Shockey <Travis.Shockey@evergy.com>  
**Sent:** Thursday, July 6, 2023 7:26 AM  
**To:** Jordan Mesmer <Jordan.Mesmer@evergy.com>  
**Subject:** FW: Fox Property - 1st and 2nd plat

Internal Use Only

**Travis Shockey**  
Evergy  
Supervisor, Field Design  
Lawrence Service Center  
[Travis.Shockey@evergy.com](mailto:Travis.Shockey@evergy.com)  
O 785-508-2874  


---

**From:** Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)>  
**Sent:** Wednesday, July 5, 2023 4:44 PM  
**To:** 'kritter@shermanfire.net' <[kritter@shermanfire.net](mailto:kritter@shermanfire.net)>; 'dritter@shermanfire.net' <[dritter@shermanfire.net](mailto:dritter@shermanfire.net)>; Travis Shockey <[travis.shockey@evergy.com](mailto:travis.shockey@evergy.com)>; 'rwd10@conleysandu.com' <[rwd10@conleysandu.com](mailto:rwd10@conleysandu.com)>  
**Cc:** 'Joe Herring' <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>  
**Subject:** FW: Fox Property - 1st and 2nd plat

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

## Allison, Amy

---

**From:** LVCO RWD10 <RWD10@conleysandu.com>  
**Sent:** Thursday, July 27, 2023 10:54 AM  
**To:** LVCO RWD10  
**Cc:** Allison, Amy; PZ  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

The board authorized us to move forward with the annexation process for this area. I am fairly new to this process, so not sure how long it typically takes, but it is one of our top priority initiatives.

On Wednesday, July 26, 2023 at 11:31:57 AM UTC-5 Allison, Amy wrote:

Good Morning Mary,

Was anything decided by the Board on their July 19<sup>th</sup> meeting?

Amy

---

**From:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>  
**Sent:** Tuesday, July 18, 2023 9:04 AM  
**To:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>  
**Cc:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>; PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

I will review with the board in our next meeting on 7/19 and let you know.

On Monday, July 17, 2023 at 2:44:28 PM UTC-5 Allison, Amy wrote:

Do you have a timeline yet on when that expansion will occur?

Amy

---

**From:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>  
**Sent:** Monday, July 17, 2023 8:55 AM  
**To:** LVCO RWD10 <[RWD10@conleysandu.com](mailto:RWD10@conleysandu.com)>  
**Cc:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>; PZ <[PZ@leavenworthcounty.gov](mailto:PZ@leavenworthcounty.gov)>  
**Subject:** Re: FW: Fox Property - 1st and 2nd plat

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Yes, we plan to service this area. The District is working with an engineer for expansion and this is one of the areas we plan to provide service.

On Friday, July 14, 2023 at 1:28:32 PM UTC-5 Allison, Amy wrote:

Good Afternoon Mary,

Is the two subdivision located within your service area? Our maps indicate that they are not.

Sincerely,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

[913.364.5757](tel:913.364.5757)

#### Disclaimer

*This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Monday, July 17, 2023 9:34 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-099/100 Preliminary and Final Plat – Foxridge Acres 2nd

We have not received any complaints on this property and we are not aware of any septic systems currently installed on the property. If approved, lot 2 would not be compliant with the Zoning & Subdivision Regulations until a building permit for a house is issued. It currently has an accessory building on it.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, July 7, 2023 5:17 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-099/100 Preliminary and Final Plat – Foxridge Acres 2nd

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for 4-lot subdivision at 00000 Woodend Road (197-35-0-00-00-001.04).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, July 20, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [AAllison@LeavenworthCounty.org](mailto:AAllison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Foxridge Acres 1<sup>st</sup> and 2<sup>nd</sup> Plat  
**Date:** July 20, 2023

Amy, I have reviewed the preliminary plat of the Foxridge Acres, First and Second plats Subdivisions presented by The Robert E. Fox Trust. The subdivisions meet the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivisions is proposed, a fire hydrant need to be placed along the road right-a-way along Woodend Road in the middle of Lot 2 this would be for the First Plat. As for the Second plat the same applies for the waterline and fire hydrant. The Second Plat a fire hydrant placed between Lot 2 and Lot 3 along Woodend Road at the right-of-way.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

# FOXRIDGE ACRES 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
Robert E. Fox Trust  
49 LANDSCAPE LN  
CAMDENTON, MO 65020  
PID NO. 197-35-0-00-00-001.04

PID NO. 197-35...001.06

RECORD DESCRIPTION:  
Tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 9, 2023, and more fully described as follows: Commencing at the Southwest corner of said Northeast Quarter; thence North 88 degrees 20'06" East for a distance of 213.86 feet along the South line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 39'54" West for a distance of 550.00 feet; thence North 88 degrees 20'06" East for a distance of 800.0 feet; thence South 01 degrees 39'54" East for a distance of 550.00 feet to said South line; thence South 88 degrees 20'06" West for a distance of 800.00 feet along said South line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including road right of way.  
Error of Closure: 1 - 999999

CERTIFICATION AND DEDICATION  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: FOXRIDGE ACRES 2ND PLAT.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of FOXRIDGE ACRES 2ND PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Robert K. Fox, Trustee  
Robert E. Fox Trust dated November 13, 1989

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Robert K. Fox, Trustee of the Robert E. Fox Trust dated November 13, 1989, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of FOXRIDGE ACRES 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary  
John Jacobson  
Chairman  
Steven Rosenthal

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of FOXRIDGE ACRES 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz  
County Clerk  
Attest: Janet Klasinski



Scale 1" = 50'

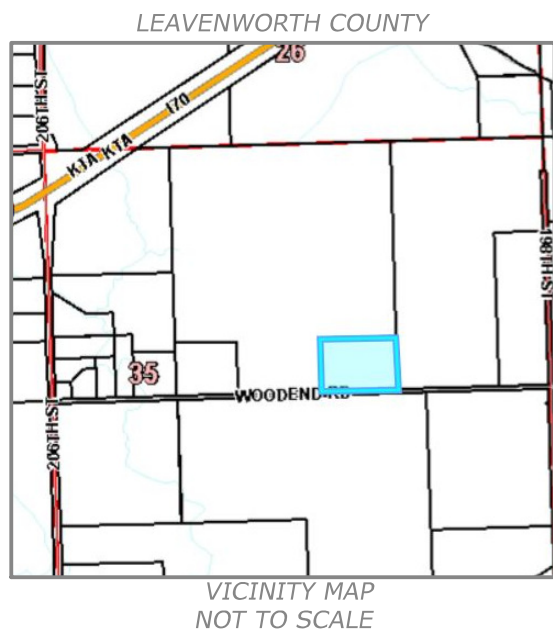
REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify that this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Reviewed 2023.07.25 No Comments

Daniel Baumbach, PS#1363  
County Surveyor



PID #197-35...012

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
6) No off-plat restrictions.

PID NO. 197-35...001.07

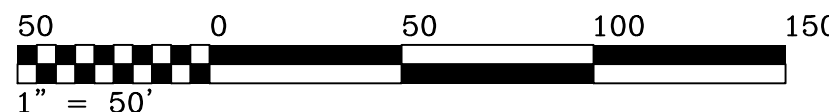
ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Error of Closure Calculations  
5) Basis of Bearing - KS SFC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Proposed Lots for Residential Use. Existing use AG.  
8) Road Record - See Survey  
9) Benchmark - NAVD88 Project Benchmark (BM) - CENTER COR Section 35 - Elev - 878'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2023R03055  
12) Utility Companies -  
- Water - Rural Water 10  
- Electric - Evergy  
- Sewer - Septic  
- Gas - Propane / Natural Gas  
13) Reference Lawyer's Title of Kansas Case Number 46288 updated June 20, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
DW - D.G.White Surveys S-12 #49 1984, S-12 #30 1987  
TBM - T.B.Melton Survey S-15 #73 2005  
KH - K. Herring Survey 1977  
JAH - J.A. Herring Survey Doc # 2023S018



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



## Allison, Amy

---

**From:** McAfee, Joe  
**Sent:** Wednesday, July 26, 2023 11:18 AM  
**To:** Allison, Amy; Noll, Bill; 'Mitch Pleak'  
**Subject:** RE: DEV-23-099/100 Foxridge Acres 2nd Review Comments

Amy,  
The PP and FP have been reviewed. No further comments.

Please let me know of any questions.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, July 26, 2023 8:13 AM  
**To:** Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Subject:** FW: DEV-23-099/100 Foxridge Acres 2nd Review Comments

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Monday, July 24, 2023 9:41 PM  
**To:** Allison, Amy <AAllison@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** Re: DEV-23-099/100 Foxridge Acres 2nd Review Comments

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attached revisions.

PZ comments PP -

Name is differentiated by the 1<sup>st</sup> Plat - 2<sup>nd</sup> Plat after Fox Ridge.... 911 does not use Plat Name so similar names should not cause any confusion, all is based off of street address (streets should not be too similar in this case).

Driveway across Lot 3 will only serve Lot 3 - Lot 2 will not have access - driveway is overgrown gravel and property owners can remove or fence across.

Public Works Comment (PRELIM AND FINAL) - "Utility power poles are located along the right-of-way. Please revisit existing utility easements with the title company and include the utility and applicable easement on the pre plat and final plat." - do not see any easements listed within title work -  
Utility line is close to the R/W line and most likely intended on being within the R/W - 20' U/E dedicated this plat should cover this power line.

Prelim - "Differentiate with notes or line type areas of cultivated fields, pastures, and woodlands" - that is a drainage calculation concern.

# Leavenworth Times

## Affidavit of Publication

County of Leavenworth  
State of Kansas  
NOTICE OF MEETING  
Notice is hereby given for the Leavenworth County Planning Commission to review an application (DEV-23-099/100) for a Preliminary Plat Acres of Foxridge 2nd Plat on the following described property: A tract of land in the Northeast Quarter of Section 35, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.  
**Request submitted by Herring Surveying on behalf of Robert E. Fox Trust**  
**Address: 00000 Woodend Road**  
**Parcel ID number: 197-35-0-00-00-001.04**  
The MEETING will be held on Wednesday the 9th day of August, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.  
We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, August 8th.  
John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by August/01/2023  
Published in the Leavenworth Times, August 1, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 1<sup>st</sup> day of August, 2023.

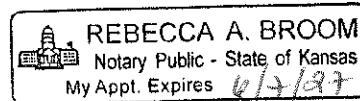
WITNESS my hand this 2nd day of August, 2023.

Tammy Lawson  
Legal Representative

Subscribe and sworn before me, this 2 day of Aug, 2023.

Rebecca A. Broom  
Notary Public

My Commission Expires: 6/7/27



**Leavenworth County  
Request for Board Action  
Case No. DEV-23-075/076  
Preliminary & Final Plat Rader Farms  
\*Consent Agenda\***

**Date:** August 23, 2023  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** The applicants are requesting a Preliminary and Final Plat for a two lot subdivision. Proposed Lot 1 is approximately 34 acres and Lot 2 is approximately 5 acres.

**Analysis:** The applicants are requesting approval of a two-lot subdivision for a parcel of land located at the 28288 167<sup>th</sup> Street. Proposed Lot 1 is located along the northern part of the property and will keep the house and accessory structures. A gas line extends diagonally through the property. Required setbacks have been included.

Proposed Lot 2 consists of the remaining south 5 acres. This property will access of Michals Road. The property meets the zoning district standards. This parcel is within 660 ft of the City of Leavenworth. The City will not require the properties to tap into their public sewer or water, so the Planning Commission supports a waiver from those requirements.

**Exceptions:** The Planning Commission voted 7-0 to approve an exception from Article 50, Section 40.3.i. - Lot-depth to lot width for Lot 1 on a finding that the criteria for an exception had been met.

**Recommendation:** The Planning Commission voted 7-0 to recommend approval of Case No.DEV-23-075/076, Preliminary and Final Plat for Rader Farms subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-23-075/076, Preliminary and Final Plat for Rader Farms, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-075/076, Preliminary and Final Plat for Rader Farms, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-075/076, Preliminary and Final Plat for Rader Farms with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable  
☐ Budgeted item with available funds  
☐ Non-Budgeted item with available funds through prioritization  
☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

**Additional Attachments:** Staff Report, Plat, Planning Commission Minutes

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-23-075/076 Rader Farms

August 9, 2023

REQUEST: **Regular Agenda**

☒ Preliminary Plat                      ☒ Final Plat

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 28288 167<sup>TH</sup> STREET

**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING

**PROPERTY OWNER:**

BRET & CLAUDIA JEFFRIES-RADER  
28288 167<sup>TH</sup> STREET  
LEAVENWORTH KS 66048

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:  
MIXED RESIDENTIAL

**LEGAL DESCRIPTION:**

A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-075/076, Preliminary & Final Plat for Rader Farms, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-075/076, Preliminary & Final Plat for Rader Farms, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

39 ACRES

PARCEL ID NO:

102-09-0-00-00-002.01

BUILDINGS:

A SINGLE-FAMILY RESIDENCE,  
MULTIPLE PERMANENT AND NON-  
PERMANENT ACCESSORY  
STRUCTURES

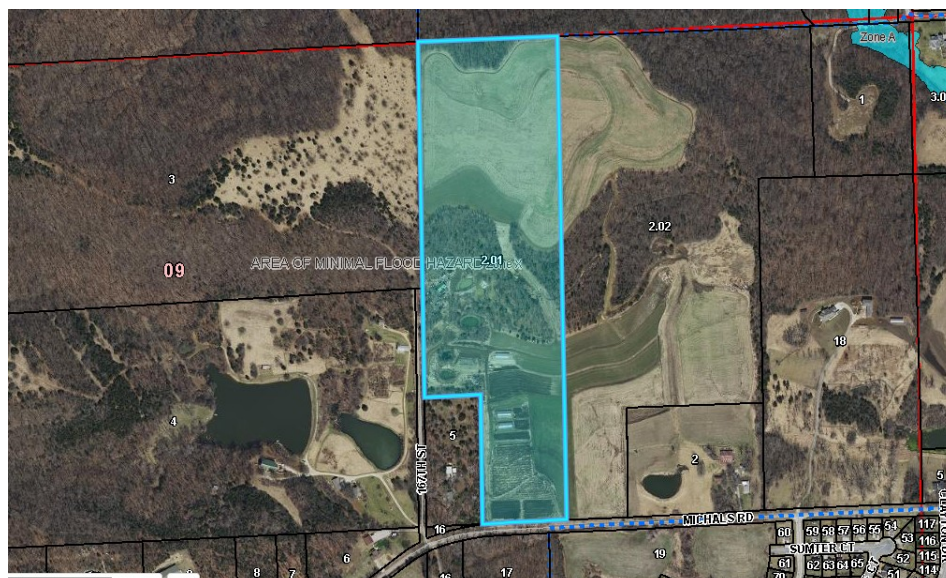
**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 28288 167<sup>TH</sup> Street as Lots 1 through 2 of Rader Farms.

ACCESS/STREET:

MICHALS ROAD - COUNTY ARTERIAL,  
PAVED ± 24'; 167<sup>TH</sup> STREET - COUNTY  
ARTERIAL, GRAVEL ± 17';

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: FIRE DISTRICT 1

WATER: RWD 8

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

7/28/023

NEWSPAPER NOTIFICATION:

8/1/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:

N/A

| <b>STANDARDS TO BE CONSIDERED:</b>                                             |                                                                                            |            |                |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------|----------------|
| <i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i> |                                                                                            | <b>Met</b> | <b>Not Met</b> |
| 35-40                                                                          | <b>Preliminary Plat Content</b>                                                            | X          |                |
|                                                                                |                                                                                            |            |                |
| 40-20                                                                          | <b>Final Plat Content</b>                                                                  | X          |                |
|                                                                                |                                                                                            |            |                |
| 41-6                                                                           | <b>Access Management</b>                                                                   | X          |                |
|                                                                                |                                                                                            |            |                |
| 41-6.B.a-c.                                                                    | <b>Entrance Spacing</b>                                                                    | X          |                |
|                                                                                |                                                                                            |            |                |
| 41-6.C.                                                                        | <b>Public Road Access Management Standards</b>                                             | X          |                |
|                                                                                |                                                                                            |            |                |
| 43                                                                             | <b>Cross Access Easements</b>                                                              | N/A        |                |
|                                                                                |                                                                                            |            |                |
| 50-20                                                                          | <b>Utility Requirements</b>                                                                | X          |                |
|                                                                                |                                                                                            |            |                |
| 50-30                                                                          | <b>Other Requirements</b>                                                                  | X          |                |
|                                                                                |                                                                                            |            |                |
| 50-40                                                                          | <b>Minimum Design Standards</b>                                                            |            | X              |
|                                                                                | Lot 1 does not meet the lot depth to lot width requirement per Article 50, Section 40.3.i. |            |                |
| 50-50                                                                          | <b>Sensitive Land Development</b>                                                          | N/A        |                |
|                                                                                |                                                                                            |            |                |
| 50-60.                                                                         | <b>Dedication of Reservation of Public Sites and Open Spaces</b>                           | N/A        |                |
|                                                                                |                                                                                            |            |                |

#### **STAFF COMMENTS:**

The applicant is proposing to divide a 39-acre parcel into two lots. The Subdivision is classified as a Class A with all lots lying within the Urban Growth Area of Leavenworth, KS. The applicant has provided notification from the City that they will not require the subdivision to hook into City sewer or water. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system based on the emails provided to Staff (see condition 3). The property is zoned RR-2.5. Lot 1 is approximately 34 acres and has the minimum frontage required. Lot 1 will access off of 167<sup>th</sup> Street through an existing driveway. This property will keep the existing single-family residence and permanent accessory structures. A gas line does run through Lot 1 and the applicant has provided the required setback on either side of the gas line. The lot-depth to lot-width for Lot 1 exceeds to the 1:1 ratio requirement. The applicant has requested an exception. Lot 2 is approximately 5- acres and has the minimum frontage requirement. Lot 2 will access off of Michals Road and already has an existing entrance. If the exception is approved, Staff is generally in support.

#### **EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.i. – Lot-depth to lot-width. The criteria for the acceptance of an exception is as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

*Motion: The Planning Commission hereby (approves/denies) an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width for the Rader Farms subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

#### **PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.

4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. An exception from Article 50, Section 40.3.i. has been approved for Lot 1.
6. The developer must comply with the following memorandums:
  - a. Email – Chuck Magaha, Emergency Management, dated June 9, 2023

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Maps

C: Memorandums

PRELIMINARY &  
FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

SCANNED

High Prairie  
09 09 22  
RWD 8  
Energy 453 39.70

Office Use Only

PID: 102-09 002.01  
Township: \_\_\_\_\_  
Planning Commission Meeting Date: \_\_\_\_\_  
Case No. DEV-23- Date Received/Paid: 05.30.2023  
Zoning District RR 2.5  
Comprehensive Plan land use designation \_\_\_\_\_

APPLICANT AGENT INFORMATION

OWNER INFORMATION

NAME: Herring Surveying Company NAME: Bret Rader and Claudia Jeffries-Rader  
MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS 28288 167TH ST  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Leavenworth KS 66048  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL: herringsurveying@outlook.com EMAIL N/A

GENERAL INFORMATION

Proposed Subdivision Name: RADER FARM  
Address of Property: 28288 167TH ST  
Urban Growth Management Area: Leavenworth

SUBDIVISION INFORMATION

|                                                                                |                                                                            |                                |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------|
| Gross Acreage: <u>39 AC</u>                                                    | Number of Lots: <u>3</u>                                                   | Minimum Lot Size: <u>3 AC</u>  |
| Maximum Lot Size: <u>30 AC</u>                                                 | Proposed Zoning: <u>RR 2.5</u>                                             | Density: <u>N/A</u>            |
| Open Space Acreage: <u>N/A</u>                                                 | Water District: <u>Leavenworth-RWD 8 (map)</u>                             | Proposed Sewage: <u>Septic</u> |
| Fire District: <u>District #1</u>                                              | Electric Provider: <u>Evergy</u>                                           | Natural Gas Provider: _____    |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Road Classification: <u>Local - Collector - Arterial - State - Federal</u> |                                |

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number: \_\_\_\_\_

I, the undersigned, am the owner duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 5/26/23 Date: 5-26-23

ATTACHMENT A

PRELIMINARY &  
FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

High Prairie  
09 09 22  
RWD 8  
Energy 453 39.70

Office Use Only

PID: 102-09 002.01  
Township: \_\_\_\_\_  
Planning Commission Meeting Date: \_\_\_\_\_  
Case No. DEV-23- Date Received/Paid: 05.30.2023  
Zoning District RR 2.5  
Comprehensive Plan land use designation \_\_\_\_\_

APPLICANT AGENT INFORMATION

OWNER INFORMATION

NAME: Herring Surveying Company NAME: Bret Rader and Claudia Jeffries-Rader  
MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS 28288 167TH ST  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Leavenworth KS 66048  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL: herringsurveying@outlook.com EMAIL N/A

GENERAL INFORMATION

Proposed Subdivision Name: RADER FARM  
Address of Property: 28288 167TH ST  
Urban Growth Management Area: Leavenworth

SUBDIVISION INFORMATION

|                                                                                |                                                                     |                         |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------|
| Gross Acreage: 39 AC                                                           | Number of Lots: 3                                                   | Minimum Lot Size: 3 AC  |
| Maximum Lot Size: 30 AC                                                        | Proposed Zoning: RR 2.5                                             | Density: N/A            |
| Open Space Acreage: N/A                                                        | Water District: Leavenworth-RWD 8 (map)                             | Proposed Sewage: Septic |
| Fire District: District #1                                                     | Electric Provider: Evergy                                           | Natural Gas Provider:   |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Road Classification: Local - Collector - Arterial - State - Federal |                         |

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number:

I, the undersigned, am the owner duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 5/26/23 Date: 5-26-23

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I Bret A. Rader and Claudia D. Jeffries-Rader

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
28288 167<sup>th</sup> St. Leavenworth, KS 66048 and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth, KS 66048, 913-651-3858

2) Signed and entered this 21<sup>st</sup> day of March, 2023

Bret Rader and Claudia Jeffries-Rader 28288 167<sup>th</sup> St Leavenworth, KS  
Print Name, Address, Telephone

[Signature] , Claudia D Jeffries-Rader  
Signature

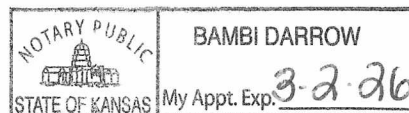
STATE OF KANSAS )  
 ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this 21 day of March 2023 before me, a notary public in and for said County and State came Bret Rader, Claudia Jeffries-Rader personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC Bambi Darrow

My Commission Expires: 3-2-26

(seal)



## Allison, Amy

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Thursday, June 22, 2023 12:58 PM  
**To:** Allison, Amy; PZ; Baumchen, Daniel  
**Subject:** Re: DEV-23-075/076 Rader Farms Review Comments  
**Attachments:** K-23-1687 Rader Farms PRELIM Rev 6-22-23.pdf; K-23-1687 Rader Farms FINAL Rev 6-22-23.pdf; K-23-1687 Rader Farms FINAL-Deed Report.txt

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attached along with comments.

- East line total distance (additional distances on West side of line)
- Dimension for the BSL along 167<sup>th</sup> street is noted on the BSL

Exception -

Width to Depth on Lot 1.

- 1) Property is irregular flag shape - road frontage to depth meets regulation but Lot extend to the North up steep terrain creates the need for this exception. Gas Transmission line divides lot diagonally
- 2) Yes it is - terrain of ground which is undevelopable with a gas line.
- 3) The granting will not be detrimental to the public welfare or injurious to adjacent property.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, June 14, 2023 11:05 AM  
**To:** 'Joe Herring' <herringsurveying@outlook.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-23-075/076 Rader Farms Review Comments

Good Morning Joe,

Attached are comments from the following:

- Surveying – 6/6/2023
- Public Works – 6/7/2023
- Planning & Zoning – 6/12/2023
- Code Enforcement – 6/6/2023

# RADER FARMS

A Minor Subdivision in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
RADER, BRET A & CLAUDIA JEFFRIES  
28288 167TH ST  
LEAVENWORTH, KS 66048  
PID # 102-09-0-00-002.01

RECORD DESCRIPTION:  
A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 9, thence East 750 feet; thence South 2640 feet; thence West 450 feet; thence North 726 feet; thence West 300 feet; thence North 1914 feet to the point of beginning, in Leavenworth County, Kansas, less any part thereof taken or used for road purposes.

FOWLER, LAURA B.  
PID # 102-04-0-40-03-001.00

A TO Z LAND HOLDINGS LLC  
PID # 102-09-...003

SMITH, WILLIAM J & CAROLYN L  
PID # 102-09-...004

WOLK, GERALD E & SYLVIA A  
PID # 102-09-...005

RADER TRUST  
PID # 102-09-...002.02

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lots 1  
6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks  
7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
8) No off-plat restrictions.

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
//// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
○ - Power Pole  
X - Fence Line  
OHP - Overhead Power Lines  
T - Underground Telephone/Fiber Optic Line  
◇ - Gas Valve  
⬢ - Water Meter/Valve  
⊞ - Telephone Pedestal  
W - 6" Water Line - location as per district  
~ - Tree/Brush Line

ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - 1 : 1219191 39.72 Acres, more or less, Incl. R/W  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Residential & Ag Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
Project Benchmark (BM) - SE COR Section 16 - Elev - 900.8'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2022R03357  
12) Utility Companies -  
- Water - Leavenworth Water Department  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
13) Reference Lawyer's Title File Number Case No: 46271 updated April 26, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0137G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
- Right of Way Agreement by and between Lottie Kern and Great Lakes Pipe Line Company, filed March 25, 1945, recorded in Book 342 Page 506  
Blanket in nature - easements is shown and reduced hereon.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
(DGW) - D.G.White Survey Book S-14 #104, 1990  
(REB) - Ron E. Bacon Survey dated 1964



Scale 1" = 100'

Job # K-23-1697  
May 25, 2023 Rev. 7-22-23

J. HERRING, Inc. (dba)  
SURVEYING  
COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.661.3858 Fax 913.674.6381  
Email - survey@eamcash.com

100 0 100 200 300  
1" = 100'

# RADER FARMS

A Minor Subdivision in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
RADER, BRET A & CLAUDIA JEFFRIES  
28288 167TH ST  
LEAVENWORTH, KS 66048  
PID # 102-09-0-00-002.01

FOWLER, LAURA B.  
PID # 102-04-0-40-03-001.00

### RECORD DESCRIPTION:

A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 9, thence East 750 feet; thence South 2640 feet; thence West 450 feet; thence North 726 feet; thence West 300 feet; thence North 1914 feet to the point of beginning, in Leavenworth County, Kansas, less any part thereof taken or used for road purposes.

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: RADER FARMS.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of RADER FARMS, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Bret A. Rader

Claudia Jeffries-Rader

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Bret A. Rader and Claudia Jeffries-Rader, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC:

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of RADER FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary  
John Jacobson

Chairman  
Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of RADER FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz

County Clerk  
Attest: Janet Klasinski

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

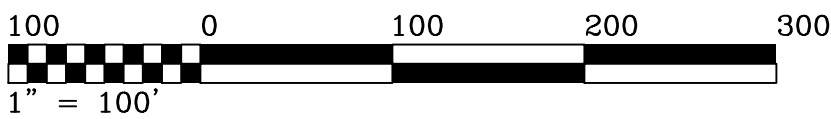
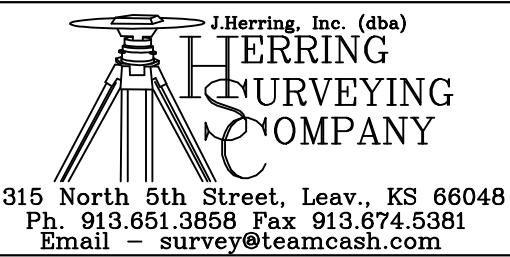
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



Scale 1" = 100'

Job # K-23-1687  
May 25, 2023 Rev. 7-22-23



PIECHOWIAK, CHRISTINE L & PHILLIPS, W C & HELEN  
PID # 102-09...017



MENTZ, ZACHARY  
PID # 102-09...019



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lot 1
- 6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 8) No off-plat restrictions.

RADER TRUST  
PID # 102-09...002.02

### LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client

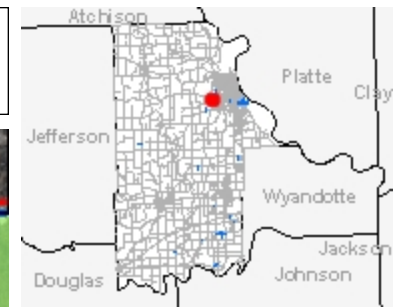
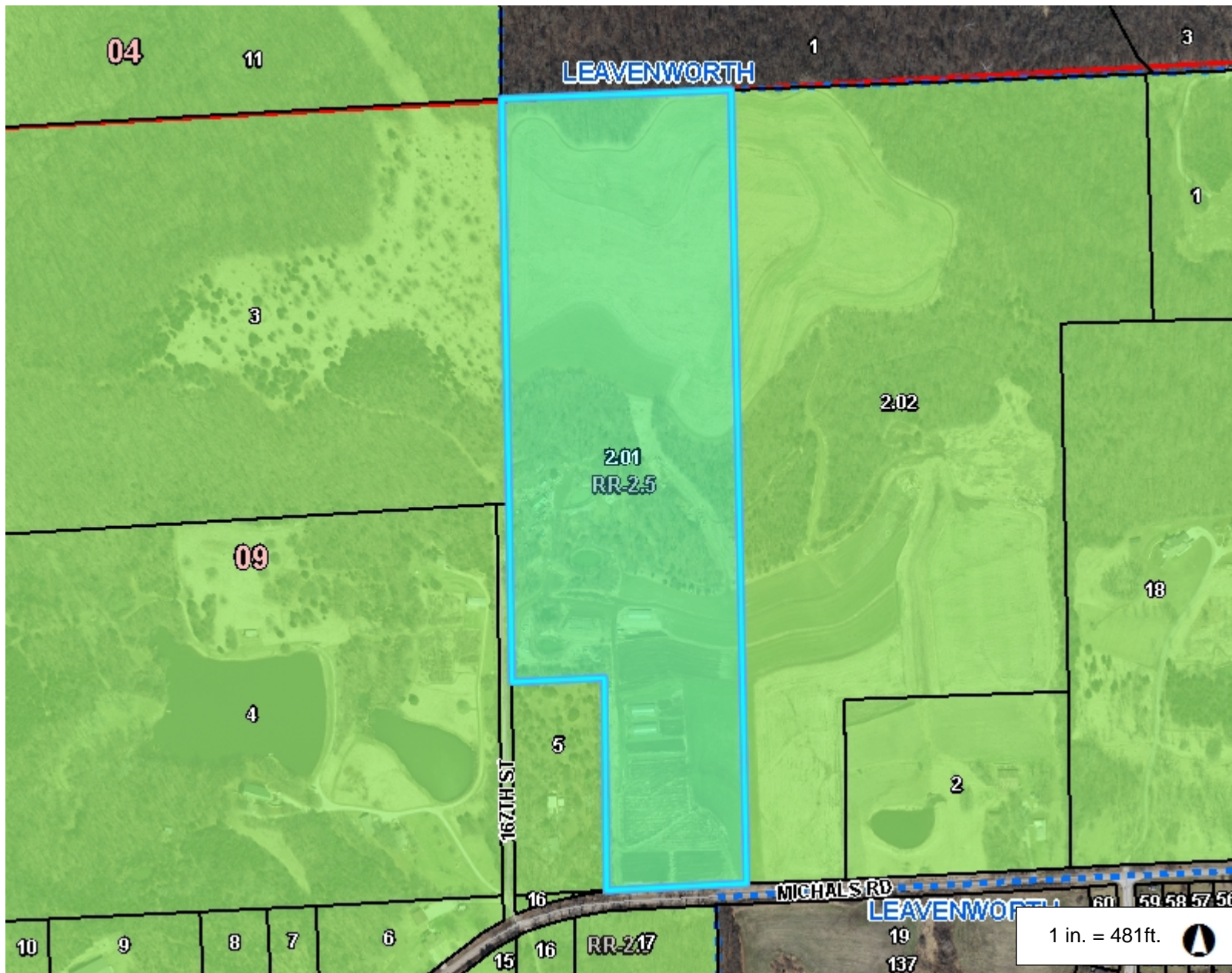
### ZONING:

RR 2.5 - Rural Residential 2.5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 1219191 - 39.72 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & Ag Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2022R03357
- 12) Utility Companies
  - Water - Leavenworth Water Department
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number Case No: 46271 updated April 26, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0137G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
  - Right of Way Agreement by and between Lottie Kern and Great Lakes Pipe Line Company, filed March 25, 1945, recorded in Book 342 Page 506
  - Blanket in nature - easements is shown and reduced hereon.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - (DGW) - D.G.White Survey Book S-14 #104, 1990
  - (REB) - Ron E. Bacon Survey dated 1964

# DEV-23-076/075 Zoning Map



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- +
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
  - B-1
  - B-2
  - B-3
  - I-1
  - I-2
  - I-3
  - MXD
  - PC
  - PI
  - PR-1
  - PR-2
  - PR-3

## Notes

961.6 0 480.82 961.6 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1 in. = 481ft.



## Allison, Amy

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Friday, July 28, 2023 8:38 AM  
**To:** Allison, Amy; PZ  
**Subject:** Fwd: Brett Rader Property

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attached.

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone  
Get [Outlook for Android](#)

---

**From:** Brian Faust <brian.faust@firstcity.org>  
**Sent:** Friday, July 28, 2023 8:18:08 AM  
**To:** Joe Herring <herringsurveying@outlook.com>; Michelle Baragary <mbaragary@firstcity.org>; Julie Hurley <jhurley@firstcity.org>  
**Subject:** RE: Brett Rader Property

Joe,

The city requires a property to connect to the public sanitary sewer if it is available within 500' of the primary structure. As the proposed home is both in the county and over 500' from an existing public sanitary sewer, they will not have to connect to the city's sanitary sewer system.

Brian D. Faust, PE  
Public Works Director  
City of Leavenworth  
100 N. 5<sup>th</sup> Street  
Leavenworth, KS 66048

---

**From:** Joe Herring [mailto:herringsurveying@outlook.com]  
**Sent:** Thursday, July 27, 2023 6:16 PM  
**To:** Brian Faust <brian.faust@firstcity.org>; Michelle Baragary <mbaragary@firstcity.org>; Julie Hurley <jhurley@firstcity.org>  
**Subject:** Re: Brett Rader Property

Still needing that letter from City that they do not have to connect to City sewer for a single 5 acre tract. Our deadline is tomorrow so this project does not get tabled for another month. Can email me directly please.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>

**Sent:** Thursday, July 20, 2023 9:23 PM

**To:** Brian Faust <[brian.faust@firstcity.org](mailto:brian.faust@firstcity.org)>; Michelle Baragary <[mbaragary@firstcity.org](mailto:mbaragary@firstcity.org)>; Julie Hurley <[jhurley@firstcity.org](mailto:jhurley@firstcity.org)>

**Subject:** Re: Brett Rader Property

Can I get a letter stating that this project does not have to tie into City Sanitary Sewer please. County is needing so this can move forward.

Previous map shows that ground is 485 feet from manhole - all structures - due to setbacks will be over 500 feet. Property is in the County.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>

**Sent:** Thursday, July 6, 2023 5:06 PM

**To:** Brian Faust <[brian.faust@firstcity.org](mailto:brian.faust@firstcity.org)>

**Subject:** Re: Brett Rader Property

scaled is 485 - with setbacks any house would be over 500 feet away.

Just in case that helps the discussion.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Brian Faust <[brian.faust@firstcity.org](mailto:brian.faust@firstcity.org)>

**Sent:** Thursday, July 6, 2023 4:43 PM

**To:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>

**Subject:** RE: Brett Rader Property

Joe,

Per city code, the actual dimension is 500' (not 300') – see below. I'm working with Julie to see if there is something that allows the city to compel an abutting property from the county to connect.

Will let you know.

Brian

**Sanitary** sewers. Where a serviceable public **sanitary** sewer line with sufficient capacity is within 500 feet the applicant shall connect or provide for the connection with such **sanitary** sewer, and shall provide within the subdivision the **sanitary** sewer system required to make the sewer accessible to each lot in the subdivision. Sewer system plans, after being approved by the director of public works shall be submitted to the state board of health for final approval, and construction shall be performed by a qualified contractor, with final approval by the director of public works. Where **sanitary** sewers are not available, other facilities, as approved by the state board of health, must be provided for the adequate disposal of **sanitary** wastes.

---

**From:** Joe Herring [<mailto:herringsurveying@outlook.com>]

**Sent:** Thursday, July 6, 2023 4:11 PM

**To:** Brian Faust <[brian.faust@firstcity.org](mailto:brian.faust@firstcity.org)>

**Subject:** Brett Rader Property

Can you please send me an email or letter stating that Brett Rader Property (Michals Road) is over 300 feet from the nearest manhole, as well as not being in the City Limits of Leavenworth, and is not required to hook up onto the City of Leavenworth Sanitary Sewer.

I have attached an image showing the distance to the nearest manhole at 485 feet.  
Also attached the division of property that Brett is attempting to get passed by the County.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

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

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**Allison, Amy**

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Friday, July 28, 2023 8:39 AM  
**To:** PZ  
**Subject:** Fwd: Rader Farms Development

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see statement from water

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone  
Get [Outlook for Android](#)

---

**From:** Joel Mahnken <JMahnken@lvnwater.org>  
**Sent:** Monday, June 26, 2023 2:49:23 PM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** Re: Rader Farms Development

Joe,  
Unfortunately, this property is adjacent to a 2 ½ inch PVC water line that will not support additional customers. Unless the Developer is willing to extend the 8-inch main from where it now is on Michaels Road, about 1,300 feet to where the two lots are, we cannot add any additional customers.  
Sorry.  
Joel

Joel Mahnken, P.E.\*  
General Manager  
Leavenworth Waterworks  
601 Cherokee  
Leavenworth KS 66048  
913-682-1513

\*Licensed in KS, MO, and OK

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Monday, June 26, 2023 1:04 PM  
**To:** Joel Mahnken <JMahnken@lvnwater.org>  
**Subject:** Re: Rader Farms Development

See clipped comment from the county with their request.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Joe Herring  
**Sent:** Monday, June 26, 2023 12:50 PM  
**To:** JMahnken@lvnwater.org <JMahnken@lvnwater.org>  
**Subject:** Rader Farms Development

Joel,  
Please see the attached proposed Subdivision Plat.  
RADER FARMS  
Michals Road - this project is located in the County but on the City Limits. House is serviced by Leavenworth Water and need a statement/email from you to the County stating that you will also service the 2 proposed lots.  
Can reply to me and also copy pz@leavenworthcounty.gov

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, June 6, 2023 8:21 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-075/076 Preliminary and Final Plat – Rader Farms

We have not received any complaints on this property. The lagoon appears to remain on the same property as the home it services after the division. Looking at aerial images it appears there is possibly a lot of trash, junk, and/or debris around the house. We have not received complaints but there appears to be a lot of “stuff” on the ground.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

*Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Thursday, June 1, 2023 4:38 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'firedistrict1@fd1lvco.org' <firedistrict1@fd1lvco.org>; 'DesignGroupLeavenworth@evergy.com' <DesignGroupLeavenworth@evergy.com>; 'Rural Water' <rwd8lv@gmail.com>; 'jhurley@firstcity.org' <jhurley@firstcity.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-075/076 Preliminary and Final Plat – Rader Farms

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 3-lot subdivision at 28288 167th Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, June 14, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [AAllison@LeavenworthCounty.org](mailto:AAllison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

## Allison, Amy

---

**From:** Michael Stackhouse <mstackhouse@fd1lvco.org>  
**Sent:** Wednesday, June 7, 2023 10:03 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-23-075/076 Preliminary and Final Plat – Rader Farms

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Ms. Allison,

I have no issues with these plans. On a separate note, can someone please confirm whether 167<sup>th</sup> street has a complete loop at the end as suggested by Google map or if 167<sup>th</sup> street ends as indicated by the county map? We recently had a fire at this residence and congestion of emergency vehicles happened up and down this road. It would be helpful if this information was on final plats for review. I see the easements, but looking at the information I am unsure where driveways and turnarounds will be. Thank you.





B/R,

Michael L. Stackhouse  
Fire Chief  
Fire District No. 1, County of Leavenworth  
111 E. Kansas Avenue  
Lansing, KS. 66043  
Office: 913-727-5844  
Cell: 913-683-3223



---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>

**Sent:** Thursday, June 1, 2023 4:38 PM

**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Michael Stackhouse <mstackhouse@fd1lvco.org>; 'DesignGroupLeavenworth@evergy.com' <DesignGroupLeavenworth@evergy.com>; 'Rural Water' <rwd8lv@gmail.com>; 'jhurley@firstcity.org' <jhurley@firstcity.org>

**Cc:** PZ <PZ@leavenworthcounty.gov>

**Subject:** RE: DEV-23-075/076 Preliminary and Final Plat – Rader Farms

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 3-lot subdivision at 28288 167th Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, June 14, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [AAllison@LeavenworthCounty.org](mailto:AAllison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

**Disclaimer**

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# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Rader Farms Subdivision  
**Date:** June 9, 2023

Amy, I have reviewed the preliminary plat of the Rader Farms Subdivision presented by Bret and Claudia Rader. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed a fire hydrant placed along the right-a-way at the corner of 167<sup>th</sup> and Michael's Road this will meet the requirements for this subdivision.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

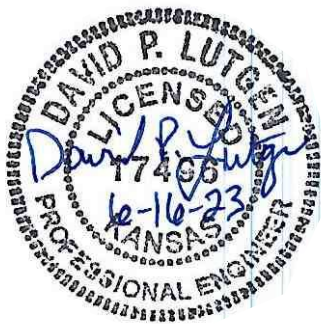
**06-26-2023  
OLSSON REVIEW  
NO FURTHER  
COMMENT**

Rader Farms  
Leavenworth County Kansas

Drainage Report

May 9, 2023

Revised June 15, 2023



# RADER FARMS

A Minor Subdivision in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
RADER, BRET A & CLAUDIA JEFFRIES  
28288 167TH ST  
LEAVENWORTH, KS 66048  
PID # 102-09-0-00-002.01

FOWLER, LAURA B.  
PID # 102-04-0-40-03-001.00

### RECORD DESCRIPTION:

A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 9, thence East 750 feet; thence South 2640 feet; thence West 450 feet; thence North 726 feet; thence West 300 feet; thence North 1914 feet to the point of beginning, in Leavenworth County, Kansas, less any part thereof taken or used for road purposes.

06-29-2023  
OLSSON REVIEW  
No Further  
Comment

A TO Z LAND HOLDINGS LLC  
PID # 102-09...003

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: RADER FARMS.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of RADER FARMS, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Bret A. Rader  
Claudia Jeffries-Rader

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Bret A. Rader and Claudia Jeffries-Rader, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC:

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of RADER FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary  
John Jacobson  
Chairman  
Steven Rosenthal

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of RADER FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz  
County Clerk  
Attest: Janet Klasinski

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

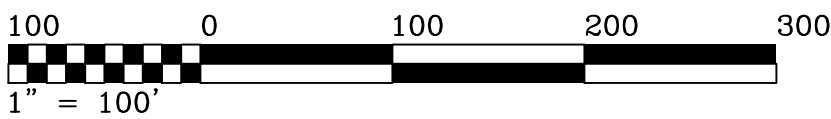
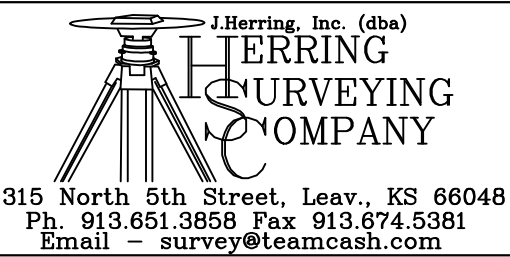
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



Scale 1" = 100'

Job # K-23-1687  
May 25, 2023 Rev. 6-26-23



PIECHOWIAK, CHRISTINE L & PHILLIPS, W C & HELEN  
PID # 102-09...017



MENTZ, ZACHARY  
PID # 102-09...019



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lot 1
- 6) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 8) No off-plat restrictions.

RADER TRUST  
PID # 102-09...002.02

### LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client

### ZONING:

RR 2.5 - Rural Residential 2.5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 1219191 - 39.72 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & Ag Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2022R03357
- 12) Utility Companies
  - Water - Leavenworth Water Department
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 13) Reference Lawyer's Title File Number Case No: 46271 updated April 26, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0137G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
  - Right of Way Agreement by and between Lottie Kern and Great Lakes Pipe Line Company, filed March 25, 1945, recorded in Book 342 Page 506
  - Blanket in nature - easements is shown and reduced hereon.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - (DGW) - D.G.White Survey Book S-14 #104, 1990
  - (REB) - Ron E. Bacon Survey dated 1964

# RADER FARMS

A Minor Subdivision in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
RADER, BRET A & CLAUDIA JEFFRIES  
28288 167TH ST  
LEAVENWORTH, KS 66048  
PID # 102-09-0-00-002.01

RECORD DESCRIPTION:  
A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 9, thence East 750 feet; thence South 2640 feet; thence West 450 feet; thence North 726 feet; thence West 300 feet; thence North 1914 feet to the point of beginning, in Leavenworth County, Kansas, less any part thereof taken or used for road purposes.

FOWLER, LAURA B.  
PID # 102-04-0-40-03-001.00

06-29-2023  
OLSSON REVIEW  
No Further  
Comment

A TO Z LAND HOLDINGS LLC  
PID # 102-09-0-003

SMITH, WILLIAM J & CAROLYN L  
PID # 102-09-0-004

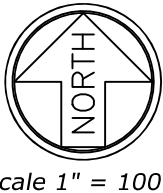
WOLK, GERALD E & SYLVIA A  
PID # 102-09-0-005

RADER TRUST  
PID # 102-09-0-002.02

LEGEND:  
● - 1/2" Rebar Set with Cap No. 1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
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C - Chord Distance  
//// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
○ - Power Pole  
X - Fence Line  
OHP - Overhead Power Lines  
T - Underground Telephone/Fiber Optic Line  
◇ - Gas Valve  
⬢ - Water Meter/Valve  
⊞ - Telephone Pedestal  
W - 6" Water Line - location as per district  
~ - Tree/Brush Line

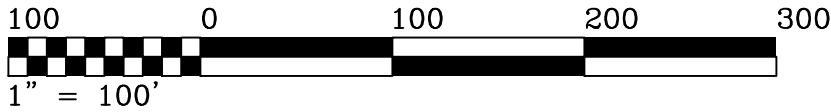
ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
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8) Road Record - See Survey  
9) Benchmark - NAVD88  
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(DGW) - D.G. White Survey Book S-14 # 104, 1990  
(REB) - Ron E. Bacon Survey dated 1964



Scale 1" = 100'

Job # K-23-1697  
May 25, 2023 Rev. 6-26-23



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# RADER FARMS

A Minor Subdivision in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
RADER, BRET A & CLAUDIA JEFFRIES  
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LEAVENWORTH, KS 66048  
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### CERTIFICATION AND DEDICATION

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### IN TESTIMONY WHEREOF,

We, the undersigned owners of RADER FARMS, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Bret A. Rader Claudia Jeffries-Rader

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Bret A. Rader and Claudia Jeffries-Rader, husband and wife, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC:

My Commission Expires: \_\_\_\_\_ (seal)

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of RADER FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary John Jacobson Chairman Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of RADER FARMS this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman Vicky Kaaz County Clerk Attest: Janet Klasinski

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

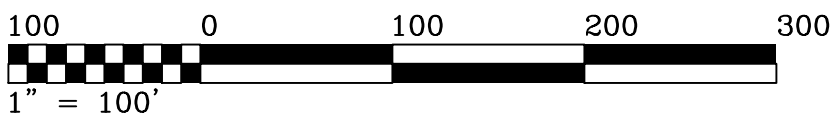
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Reviewed 2023.07.24 No Comments

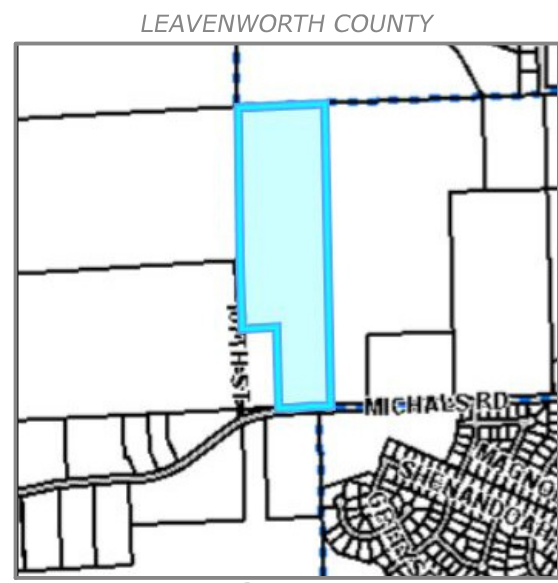
Daniel Baumchen, PS#1363  
County Surveyor



Scale 1" = 100'



PIECHOWIAK, CHRISTINE L & PHILLIPS, W C & HELEN  
PID # 102-09...017



MENTZ, ZACHARY  
PID # 102-09...019



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PS # 1296

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RADER TRUST  
PID # 102-09...002.02

### LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
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- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client

### ZONING:

RR 2.5 - Rural Residential 2.5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
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- 4) Error of Closure - 1 - 1219191 - 39.72 Acres, more or less, Incl. R/W
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  - (DGW) - D.G. White Survey Book S-14 #104, 1990
  - (REB) - Ron E. Bacon Survey dated 1964

# Leavenworth Times

## Affidavit of Publication

County of Leavenworth  
State of Kansas

### NOTICE OF MEETING

Notice is hereby given for the Leavenworth County Planning Commission to review an application (DEV-23-075/076) for a Preliminary Plat Rader Farms on the following described property: A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 22 East of the 6th P.M., in Leavenworth County Kansas.

Request submitted by Herring Surveying on behalf of Bret & Claudia Rader  
Address: 28288 16th Street  
Parcel ID number: 102-09-0-00-00-002.01

The MEETING will be held on Wednesday the 9th day of August, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, August 8th.

John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by 8/1/2023

Published in the Leavenworth Times, August 1, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 1<sup>st</sup> day of August, 2023.

WITNESS my hand this 2nd day of August, 2023.

Tammy Lawson

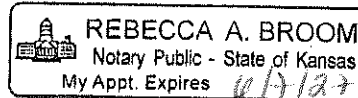
Legal Representative

Subscribe and sworn before me, this 2 day of Aug, 2023.

Rebecca A. Broom

Notary Public

My Commission Expires: 6/7/27



**Leavenworth County**  
**Request for Board Action**  
**Case No. DEV-23-077/078**  
**Preliminary & Final Plat Atwood Acres**  
**\*Consent Agenda\***

**Date:** August 23, 2023  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** The applicants are requesting a Preliminary and Final Plat for a two lot subdivision. Proposed Lot 1 is approximately 7.56 acres and Lot 2 is approximately 2.5 acres.

**Analysis:** The applicants are requesting approval of a two-lot subdivision for a parcel of land located at 18275 182<sup>nd</sup> Street. Proposed Lot 1 will include the north and western sections of the property. A decommissioned lagoon is located on Lot 1. Access will be off of 182<sup>nd</sup> Street.

Proposed Lot 2 consists of the remaining 2.5 acres and will keep the house and accessory structures. Lot 2 has two existing driveways which one is proposed to be removed to comply with the Access Management policy and allow for another entrance to be created for Lot 1.

**Exceptions:** The Planning Commission voted 7-0 to approve an exception from Article 50, Section 40.3.i. - Lot-depth to lot width for Lot 1 on a finding that the criteria for an exception had been met.

**Recommendation:** The Planning Commission voted 7-0 to recommend approval of Case No.DEV-23-077/078, Preliminary and Final Plat for Atwood Acres subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-23-077/078, Preliminary and Final Plat for Atwood Acres, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-077/078, Preliminary and Final Plat for Atwood Acres, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-077/078, Preliminary and Final Plat for Atwood Acres, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable  
☐ Budgeted item with available funds  
☐ Non-Budgeted item with available funds through prioritization  
☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

**Additional Attachments:** Staff Report, Plat, Planning Commission Minutes

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-23-077/078 Atwood Acres

August 9, 2023

REQUEST: **Regular Agenda**

☒ Preliminary Plat

☒ Final Plat

**STAFF REPRESENTATIVE:**

AMY ALLISON

DEPUTY DIRECTOR

**SUBJECT PROPERTY:** 18275 182<sup>nd</sup> Street



**APPLICANT/APPLICANT AGENT:**

JOE HERRING

HERRING SURVEYING

**PROPERTY OWNER:**

NATHAN B ATWOOD

18275 182<sup>ND</sup> STREET

TONGANOXIE KS 66086

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:

MIXED RESIDENTIAL

**LEGAL DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-23-077/078, Preliminary & Final Plat for Atwood Acres, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-077/078, Preliminary & Final Plat for Atwood Acres, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

10.2 ACRES

PARCEL ID NO:

183-07-0-00-00-013.00

BUILDINGS:

A SINGLE-FAMILY RESIDENCE,  
MULTIPLE ACCESSORY STRUCTURES

**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 18275 182<sup>nd</sup> Street as Lots 1 through 2 of Atwood Acres.

ACCESS/STREET:

182<sup>ND</sup> STREET - COUNTY COLLECTOR,  
PAVED ± 24'

**Location Map:**



**UTILITIES**

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: STRANGER FD

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW:

7/28/023

NEWSPAPER NOTIFICATION:

8/1/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:

N/A

| <b>STANDARDS TO BE CONSIDERED:</b>                                             |                                                                                            |            |                |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------|----------------|
| <b>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</b> |                                                                                            | <b>Met</b> | <b>Not Met</b> |
| 35-40                                                                          | <b>Preliminary Plat Content</b>                                                            | X          |                |
| 40-20                                                                          | <b>Final Plat Content</b>                                                                  | X          |                |
| 41-6                                                                           | <b>Access Management</b>                                                                   | X          |                |
| 41-6.B.a-c.                                                                    | <b>Entrance Spacing</b>                                                                    | X          |                |
| 41-6.C.                                                                        | <b>Public Road Access Management Standards</b>                                             | X          |                |
| 43                                                                             | <b>Cross Access Easements</b>                                                              | N/A        |                |
| 50-20                                                                          | <b>Utility Requirements</b>                                                                | X          |                |
| 50-30                                                                          | <b>Other Requirements</b>                                                                  | X          |                |
| 50-40                                                                          | <b>Minimum Design Standards</b>                                                            |            | X              |
|                                                                                | Lot 1 does not meet the lot depth to lot width requirement per Article 50, Section 40.3.i. |            |                |
| 50-50                                                                          | <b>Sensitive Land Development</b>                                                          | N/A        |                |
| 50-60.                                                                         | <b>Dedication of Reservation of Public Sites and Open Spaces</b>                           | N/A        |                |

#### **STAFF COMMENTS:**

The applicant is proposing to divide a 10-acre parcel into two lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as no sanitary sewer is located within 660' of the property (see condition 3). The property is zoned RR-2.5. Lot 1 is approximately 7.56 acres and has the minimum frontage required. Lot 1 originally had a lagoon on the property but said lagoon has been decommissioned. Lot 1 will access off of 182<sup>nd</sup> Street. The lot-depth to lot-width for Lot 1 exceeds to the 3.5:1 ratio requirement. The applicant has requested an exception. Lot 2 is approximately 2.5 acres and has the minimum frontage required. Lot 2 will access off of 182<sup>nd</sup> Street as well, however, one driveway will be removed to maintain compliancy with the Zoning & Subdivision Regulations. Suburban Water did not provide comment, a study may be required prior to water meters being issued. If the exception is approved, Staff is generally in support.

#### **EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.i. – Lot-depth to lot-width. The criteria for the acceptance of an exception is as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

*Motion: The Planning Commission hereby (approves/denies) an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width for the Atwood Acres subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

#### **PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.

4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. An exception from Article 50, Section 40.3.i. has been approved for Lot 1.
6. The developer must comply with the following memorandums:
  - a. Email – Chuck Magaha, Emergency Management, dated June 9, 2023
  - b. Email – Mark Billquist, Stranger Twsp FD, dated June 6, 2023

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Maps

C: Memorandums

PRELIMINARY &  
**FINAL PLAT APPLICATION**  
Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

464 07 11 22 10.10

Office Use Only

PID: 83-07 013.00  
Township: Stranger  
Planning Commission Meeting Date: \_\_\_\_\_  
Case No. DEV-23- Date Received/Paid: 05.31.2023  
Zoning District RR 2.5  
Comprehensive Plan land use designation \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

**OWNER INFORMATION**

NAME: Herring Surveying Company NAME: Nathan B. Atwood  
MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS: 18275 182nd Street  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP: Tonganoxie, KS 66086  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL: herringsurveying@outlook.com EMAIL: N/A

**GENERAL INFORMATION**

Proposed Subdivision Name: ATWOOD ACRES  
Address of Property: 18275 182nd Street  
Urban Growth Management Area: N/A

**SUBDIVISION INFORMATION**

|                                                                                |                                                                            |                                       |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|---------------------------------------|
| Gross Acreage: <u>10.2 Ac</u>                                                  | Number of Lots: <u>2</u>                                                   | Minimum Lot Size: <u>2.5 Ac</u>       |
| Maximum Lot Size: <u>7.7 Ac</u>                                                | Proposed Zoning: <u>RR 2.5</u>                                             | Density: <u>N/A</u>                   |
| Open Space Acreage: <u>N/A</u>                                                 | Water District: <u>Suburban</u>                                            | Proposed Sewage: <u>Septic/Lagoon</u> |
| Fire District: <u>Stranger</u>                                                 | Electric Provider: <u>Evergy</u>                                           | Natural Gas Provider: <u>Propane</u>  |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Road Classification: <u>Local - Collector - Arterial - State - Federal</u> |                                       |

Is any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number:

I, the undersigned, am the owner duly authorized agent of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 5-30-23 Date: 5-30-23

ATTACHMENT A

## PRELIMINARY &amp;

## FINAL PLAT APPLICATION

Leavenworth County Planning and Zoning Department,  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

10.10

464 07 11 22

Office Use Only

PID: 183-07 013.00Township: Stranger

Planning Commission Meeting Date: \_\_\_\_\_

Case No. DEV-23-Date Received/Paid: 05.31.2023Zoning District RR 2.5

Comprehensive Plan land use designation \_\_\_\_\_

APPLICANT AGENT INFORMATION

## OWNER INFORMATION

NAME: Herring Surveying CompanyNAME: Nathan B. AtwoodMAILING ADDRESS: 315 N. 5th StreetMAILING ADDRESS 18275 182nd StreetCITY/ST/ZIP: Leavenworth, KS 66048CITY/ST/ZIP Tonganoxie, KS 66086PHONE: 913-651-3858PHONE: N/AEMAIL: herringsurveying@outlook.comEMAIL N/A

## GENERAL INFORMATION

Proposed Subdivision Name: ATWOOD ACRESAddress of Property: 18275 182nd StreetUrban Growth Management Area: N/A

## SUBDIVISION INFORMATION

Gross Acreage: 10.2 AcNumber of Lots: 2Minimum Lot Size: 2.5 AcMaximum Lot Size: 7.7 AcProposed Zoning: RR 2.5Density: N/AOpen Space Acreage: N/AWater District: SuburbanProposed Sewage: Septic/LagoonFire District: StrangerElectric Provider: EvergNatural Gas Provider: PropaneCovenants: ☐ Yes ☒ NoRoad Classification: Local - Collector - Arterial - State - FederalIs any part of the site designated as Floodplain? ☐ Yes ☒ No if yes, what is the panel number:

I, the undersigned, am the owner duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.

Signature: Joe Herring - digitally signed 5-30-23Date: 5-30-23

ATTACHMENT A

## Johnson, Melissa

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Tuesday, May 30, 2023 5:02 PM  
**To:** PZ  
**Subject:** Fw: Survey Authorization

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Sorry about the delay, but we're ready to proceed when you are. We have the form signed and notarized that you sent over. Do we need to mail it to you with a check or do you have an office I could drop it by?

On Tue, Feb 7, 2023, 6:14 PM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:  
No worries - just following up.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Nate Atwood <[nateatwood45@gmail.com](mailto:nateatwood45@gmail.com)>  
**Sent:** Tuesday, February 7, 2023 4:35 PM  
**To:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>  
**Subject:** Re: Survey Authorization

Hey Joe, I'm sorry i haven't gotten back to you sooner, we're still wanting to move forward but we had some unexpected expenses come up and are working on getting the money saved back up. It will be in the next couple of weeks though. Sorry again, thanks.

On Tue, Feb 7, 2023, 8:00 AM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:

---

**From:** Joe Herring  
**Sent:** Wednesday, December 14, 2022 4:17 PM  
**To:** [nateatwood45@gmail.com](mailto:nateatwood45@gmail.com) <[nateatwood45@gmail.com](mailto:nateatwood45@gmail.com)>  
**Subject:** Survey Authorization

Will need this form filled out - notarized and returned via email.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

## Allison, Amy

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Saturday, June 24, 2023 3:28 PM  
**To:** Allison, Amy  
**Cc:** PZ  
**Subject:** Re: DEV-23-077/078 Atwood Acres Review Comments  
**Attachments:** K-23-1686 Atwood Acres Final 6-24-23.pdf; K-23-1686 Atwood Acres Prelim Rev 6-24-23.pdf

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attached revisions. I will send separate documentation to Dan for survey.

Exception for width to depth Lot 1.

- 1) Property is 10 acres and in an 2.5 acre zone. Property has had 2 residences (addresses) on the 10 acres prior to division. One structure has been removed and want to rebuild at that location.
- 2) Yes it is - zoning requirement for road frontage (200') would not meet width to depth. Option was to create 2 - non-conforming and ask for exception - only want for Lot 1 - Lot 2 will meet requirements.
- 3) The granting will not be detrimental to the public welfare or injurious to adjacent property.

**Other Notes:**

Lagoon has been removed - County records should reflect.

Asphalt driveway on the North side of house will be removed and Lot 2 will reinstall a driveway to meet requirements.

Structure to the West has been removed (shed on skids).

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth, KS 66048  
913-651-3858 - ROCK CHALK!

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, June 14, 2023 11:08 AM  
**To:** 'Joe Herring' <herringsurveying@outlook.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-23-077/078 Atwood Acres Review Comments

Good Morning Joe,

Attached are comments from the following:

# ATWOOD ACRES

A Minor Subdivision in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
NATHAN B. ATWOOD  
18275 182ND ST  
TONGANOXIE, KS 66086  
PID # 183-07-0-00-00-013

RECORD DESCRIPTION:  
A TRACT OF LAND IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 7, IN TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE SIXTH P.M. IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 417.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE NORTH 417.5 FEET; THENCE WEST 1063.5 FEET; THENCE SOUTH 417.5 FEET; THENCE EAST 1063.5 FEET TO THE POINT OF BEGINNING, LESS THAT PART USED FOR PUBLIC ROAD.

SURVEYOR'S DESCRIPTION:  
A tract of land in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on July 25, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 25'57" West for a distance of 1771.53 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 05'26" West for a distance of 1054.13 feet; thence North 01 degrees 42'50" West for a distance of 417.17 feet; thence North 87 degrees 04'32" East for a distance of 1056.19 feet to the East line of said Southeast Quarter; thence South 01 degrees 25'57" East for a distance of 417.50 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including right of way.  
Error of closure = 1 : 455441

LEGEND:  
● - 1/2" Rebar Set with Cap No.1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
○ - Power Pole  
X - Fence Line  
OHP - Overhead Power Lines  
T - Underground Telephone/Fiber Optic Line  
◇ - Gas Valve  
⊕ - Water Meter/Valve  
⊞ - Telephone Pedestal  
W - 6" Water Line - location as per district  
~ - Tree/Brush Line

BM  
05G  
NE COR SE 1/4  
Sec. 7-11-22  
1/2" Rebar with KDOT  
Alum. Cap 1.4" Deep

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

STARCHER, SHANE ADAM  
PID # 183-07...012

STARCHER, GARY E & STARCHER, SHARON G  
PID # 183-06...011

OLSON, RICHARD L  
PID # 183-08...012

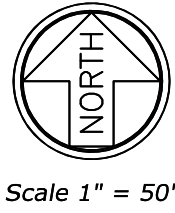
MC GHEE, MICHELE R  
PID # 183-08...013

POC  
05J  
SE COR SE 1/4  
Sec. 7-11-22  
Alum. Cap

ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure = 1 : 487116, 10.2 Acres, more or less, Incl. R/W  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Residential & Ag Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
10) Project Benchmark (BM) - NE COR SE 1/4 - Elev - 881'  
11) Easements, if any, are created hereon or listed in referenced title commitment.  
12) Reference Recorded Deed Doc. #2012R12183  
13) Utility Companies -  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
14) Reference Accurate Title Company Order ID: 1663167-1441444 updated April 27, 2023  
15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
16) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
- Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
(JAH) - J.A.Herring Survey Doc #2014S020  
(MDC) - M.D.Cooper Survey Book S-9 64, 1972  
(REB) - R.E.Bacon Survey Book S-9 70, 1972

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lot 1  
6) No off-plat restrictions.



Job # K-23-1686  
May 30, 2023 Rev. 7-28-23  
J. Herring, Inc. (dba)  
HERRING SURVEYING  
COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leamcash.com

50 0 50 100 150  
1" = 50'

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# ATWOOD ACRES

A Minor Subdivision in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
NATHAN B. ATWOOD  
18275 182ND ST  
TONGANOXIE, KS 66086  
PID # 183-07-0-00-00-013

CERTIFICATION AND DEDICATION  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: ATWOOD ACRES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of ATWOOD ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Nathan B. Atwood

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Nathan B. Atwood, a single person, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of ATWOOD ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary  
John Jacobson

Chairman  
Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of ATWOOD ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz

County Clerk  
Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

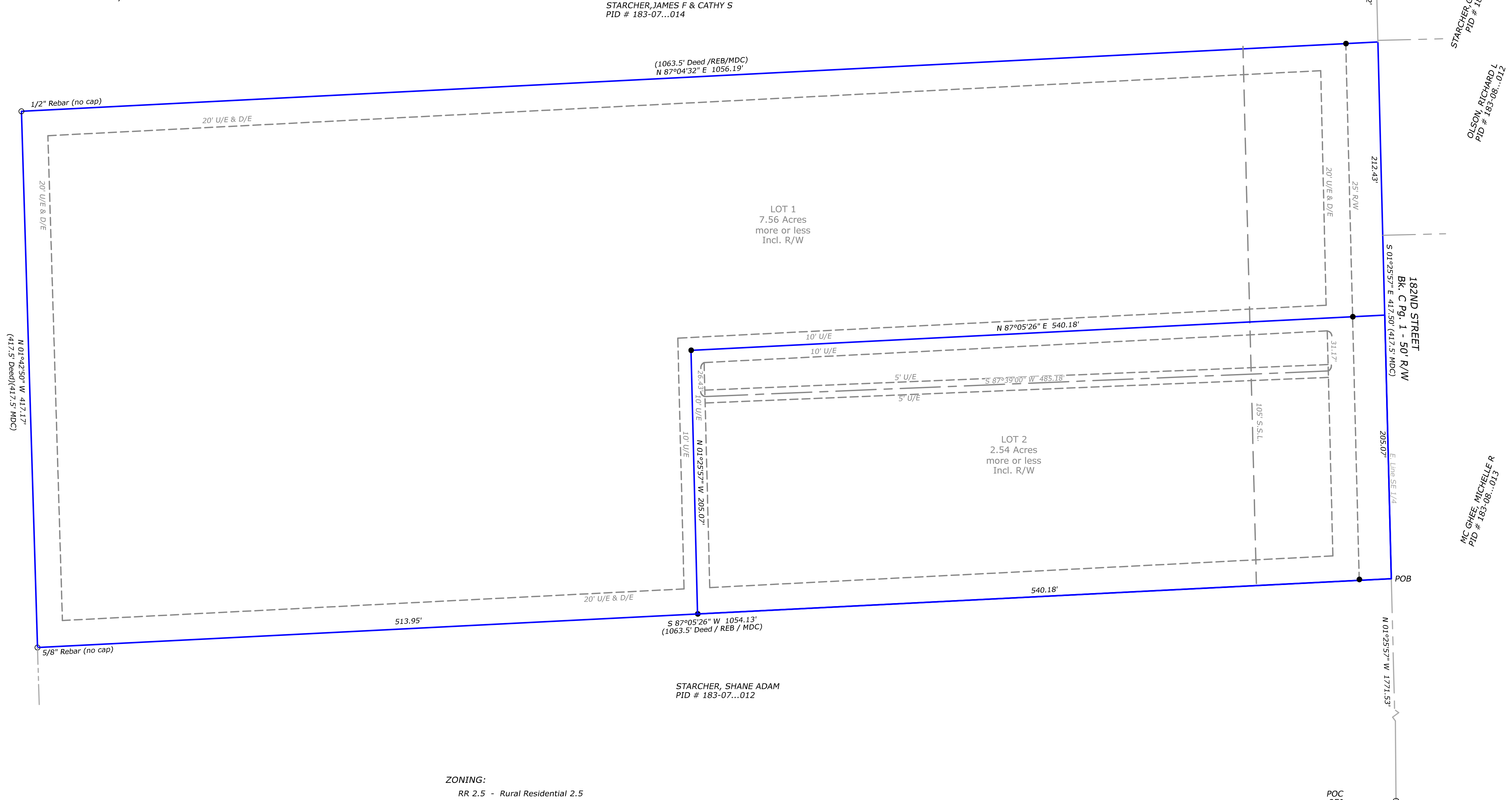
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumbach, PS#1363  
County Surveyor

RECORD DESCRIPTION:  
A TRACT OF LAND IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 7, IN TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE SIXTH P.M. IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 417.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE NORTH 417.5 FEET; THENCE WEST 1063.5 FEET; THENCE SOUTH 417.5 FEET; THENCE EAST 1063.5 FEET TO THE POINT OF BEGINNING, LESS THAT PART USED FOR PUBLIC ROAD.

SURVEYOR'S DESCRIPTION:  
A tract of land in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on July 25, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 25'57" West for a distance of 1771.53 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 05'26" West for a distance of 1054.13 feet; thence North 01 degrees 42'50" West for a distance of 417.17 feet; thence North 87 degrees 04'32" East for a distance of 1056.19 feet to the East line of said Southeast Quarter; thence South 01 degrees 25'57" East for a distance of 417.50 feet along said East line to the point of beginning, Together with and subject to covenants, easements, and restrictions of record. Said property contains 10.1 acres, more or less, including right of way. Error of closure = 1 : 455441

SURVEYOR'S NOTE:  
Deed and Previous Surveys did not match historic existing conditions on-site. Reference Ron E. Bacon survey and M.D. Cooper Survey both had difference points of commencing for their surveys. Deed matched the R.E. Bacon survey. Found monuments along the West line and existing fence line / hedge lines were held over the previous survey dimensions. Previous surveys also held the existing fence line / hedge lines. Testimony of owners to North and West of said property (Starcher Family) stated that the fence lines have always been considered to be the boundary lines.



ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Surveyor's Description  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Residential & Ag Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc. #2012R12183  
12) Utility Companies -  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
13) Reference Accurate Title Company Order ID: 1663167-1441444 updated April 27, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
(JAH) - J.A. Herring Survey Doc #2014S020  
(MDC) - M.D. Cooper Survey Book S-9 64, 1972  
(REB) - R.E. Bacon Survey Book S-9 70, 1972

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lot 1  
6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
7) No off-plat restrictions.

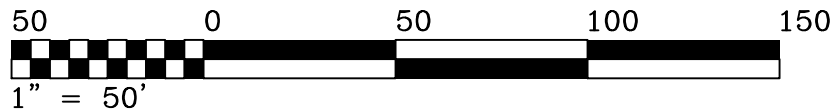


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



Job # K-23-1686  
May 30, 2023 Rev. 7-31-23  
J. Herring, Inc. (dba)  
HERRING  
SURVEYING  
COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@eamcash.com



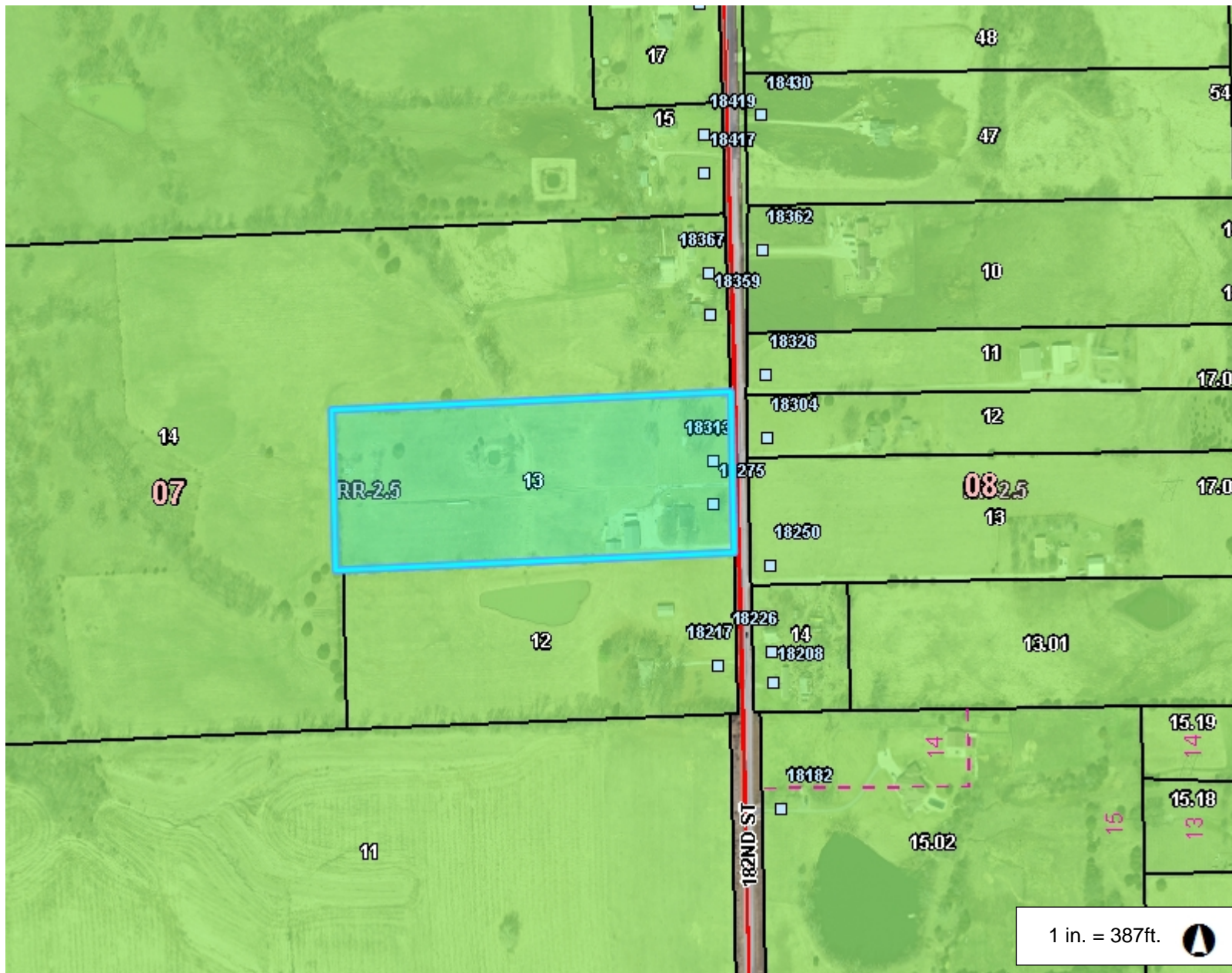
# DEV-23-077/078 Zoning Map



## Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road**
- <all other values>
- PRIVATE
- + Railroad
- + Section
- Section Boundaries
- County Boundary
- Zoning**
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1

## Notes



1 in. = 387ft.



774.6 0 387.29 774.6 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Allison, Amy

---

**From:** Kyle Burkhardt <Kyle.Burkhardt@evergy.com>  
**Sent:** Friday, June 2, 2023 1:02 PM  
**To:** Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Brown, Misty; 'Mark B'; Design Group Shawnee; 'Travis@suburbanwaterinc.com'  
**Cc:** PZ  
**Subject:** RE: DEV-23-077/078 Preliminary and Final Plat – Atwood Acres

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Internal Use Only

Evergy has no issues with the following request.

Thank you

### Kyle Burkhardt

Evergy  
TD Designer II  
785-508-2408  
[Kyle.Burkhardt@evergy.com](mailto:Kyle.Burkhardt@evergy.com)



---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, June 2, 2023 12:28 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>; Design Group Shawnee <DesignGroupShawnee@evergy.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-077/078 Preliminary and Final Plat – Atwood Acres

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 18275 182nd Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, June 14, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@LeavenworthCounty.org](mailto:Aallison@LeavenworthCounty.org).

## Allison, Amy

---

**From:** Mark B <stfdchief1760@gmail.com>  
**Sent:** Tuesday, June 6, 2023 6:40 PM  
**To:** Allison, Amy  
**Cc:** Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Brown, Misty; DesignGroupShawnee@evergy.com; Travis@suburbanwaterinc.com; PZ  
**Subject:** Re: DEV-23-077/078 Preliminary and Final Plat – Atwood Acres

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Stranger Township has no issues but would suggest that hydrants be installed so that there is one within 500 feet of any structure.

Let me know if you have any questions.

Mark Billquist  
Stranger Township Fire Chief

On Fri, Jun 2, 2023 at 12:28 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 18275 182nd Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, June 14, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@LeavenworthCounty.org](mailto:Aallison@LeavenworthCounty.org).

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

**Disclaimer**

*This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.*

--

**Mark Billquist**

Stranger Township Fire Chief

Midwest Regional Treasurer 10-33 Foundation

[913-369-0510](tel:913-369-0510) mobile

[stfdchief1760@gmail.com](mailto:stfdchief1760@gmail.com)

***"Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that." - Martin Luther King Jr.***

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Atwood Acres Subdivision  
**Date:** June 9, 2023

Amy, I have reviewed the preliminary plat of the Atwood Acres Subdivision presented by Nathan Atwood. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed has a fire hydrant along the right-a-way at Lot 2.

I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, June 27, 2023 3:31 PM  
**To:** Allison, Amy  
**Subject:** RE: Atwood Acres

No. We do not have regulations. The state does but I don't think they have much enforcement of it.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

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---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, June 27, 2023 3:30 PM  
**To:** Anderson, Kyle <KAnderson@leavenworthcounty.gov>  
**Subject:** RE: Atwood Acres

Do they need to submit anything through our office to make it official?

---

**From:** Anderson, Kyle <[KAnderson@leavenworthcounty.gov](mailto:KAnderson@leavenworthcounty.gov)>  
**Sent:** Tuesday, June 27, 2023 3:29 PM  
**To:** Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)>  
**Subject:** Atwood Acres

The lagoon appears to be decommissioned.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

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---

**From:** Anderson, Kyle <[KAnderson@leavenworthcounty.gov](mailto:KAnderson@leavenworthcounty.gov)>  
**Sent:** Tuesday, June 27, 2023 3:28 PM

## Allison, Amy

---

**From:** Mitch Pleak <mpleak@olsson.com>  
**Sent:** Wednesday, July 26, 2023 10:55 AM  
**To:** Allison, Amy  
**Cc:** McAfee, Joe; Noll, Bill; 019-2831  
**Subject:** RE: Atwood Acres  
**Attachments:** K-23-1686 Atwood Acres Prelim FLOP Rev 7-25-23.pdf; K-23-1686 Atwood Acres Final FLOP Rev 7-25-23.pdf

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,  
The PP and FP have been reviewed. No comment on the FP. Attached is PP comments.

Note the plat reverses the Lot sizes. The plat remains to only propose 2 lots. This change has no impact to storm drainage from the report with the previous layout.

Please let me know of any questions.

Sincerely,

### Mitch Pleak, PE

Senior Engineer / Civil  
D 913.748.2503

7301 W. 133rd Street, Suite 200  
Overland Park, KS 66213  
O 913.381.1170



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---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, July 26, 2023 8:13 AM  
**To:** Noll, Bill <BNoll@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Subject:** FW: Atwood Acres

### This Message Is From an External Sender

This message came from outside your organization. Please take care when clicking links or opening attachments. When in doubt, use the Report Phish button or contact IT to have the message analyzed.

*A Minor Subdivision in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.*

PREPARED FOR:  
NATHAN B. ATWOOD  
18275 182ND ST  
TONGANOXIE, KS 66086  
PID # 183-07-0-00-00-013

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: **ATWOOD ACRES.**

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

*Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.*

IN TESTIMONY WHEREOF,  
We, the undersigned owners of ATWOOD ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

---

Nathan B. Atwood

**NOTARY CERTIFICATE:**  
*Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Nathan B. Atwood, a single person, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.*

NOTARY PUBLIC \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ (seal)

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of  
ATWOOD ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

|                                  |                                 |
|----------------------------------|---------------------------------|
| <hr/> Secretary<br>John Jacobson | <hr/> Chairman<br>Marcus Majure |
|----------------------------------|---------------------------------|

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of ATWOOD ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz

County Clerk  
Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

*I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.*

Daniel Baumchen, PS#1363  
County Surveyor

**RECORD DESCRIPTION:**  
A TRACT OF LAND IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 7, IN TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE SIXTH P.M. IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 417.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE NORTH 417.5 FEET; THENCE WEST 1063.5 FEET; THENCE SOUTH 417.5 FEET; THENCE EAST 1063.5 FEET TO THE POINT OF BEGINNING, LESS THAT PART USED FOR PUBLIC ROAD.

**SURVEYOR'S DESCRIPTION:**  
A tract of land in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on July 25, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 25'57" West for a distance of 417.50 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 05'26" West for a distance of 1054.13 feet; thence North 01 degrees 42'50" West for a distance of 417.17 feet; thence North 87 degrees 04'53" East for a distance of 1056.19 feet to the East line of said Southeast Quarter; thence South 01 degrees 25'57" East for a distance of 417.50 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including right of way.  
Error of closure - 1 : 145541

**SURVEYOR'S NOTE:**  
Deed and Previous Surveys did not match historic existing conditions on-site. Reference Ron E. Bacon survey and M.D. Cooper Survey both had difference points of commencing for their surveys. Deed matched the R.E.Bacon survey. Found monuments along the West line and existing fence line / hedge lines were held over the previous survey dimensions. Previous surveys also held the existing fence line / hedge lines. Testimony of owners to North and West of said property (Starcher Family) stated that the fence lines have always been considered to be the boundary lines.

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

(1063.5' Deed /REB/MDC)  
N 87°04'32" E 1056.19'

LOT 1  
7.56 Acres  
more or less  
Incl. R/W

LOT 2  
2.54 Acres  
more or less  
Incl. R/W

STARCHER, SHANE ADAM  
PID # 183-07...012

**ZONING:**  
RR 2.5 - Rural Residential 2.5

NOTES:

- 1) This Survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Surveyor's Description
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential & Ag Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88  
Project Benchmark (BM) - NE COR SE 1/4 - Elev - 881'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc. # 2012R12183
- 12) Utility Companies -
  - Water - Suburban
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 13) Reference Accurate Title Company Order ID: 1663167-1441444 updated April 27, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRN Map 20103C0325G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - (JAH) - J. A. Herring Survey Doc #20145020
  - (MDC) - M. D. Cooper Survey Doc 59-54 1972
  - (RFB) - R. E. Bacon Survey Book S-9 70 1972

**LEGEND:**

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, otherwise not used.
- - Concrete Base around Point
- PK - PK Found in Place
- ( ) - Record / Deeded Distance
- Δ - Utility Easement
- D/E - Drainage Easement

**B.S.L. - Building Setback Line**  
**R/W - Permanent Dedicated Roadway Easement**  
**B/M - Benchmark**  
**NS - Not Set this survey per agreement with client**  
**A - Arc Distance**  
**R - Arc Radius**  
**B - Chord Bearing**  
**C - Chord Distance**  
**//// - No Vehicle Entrance Access**  
**NS - Not Set this survey per agreement with client**

BM  
05G  
NW COR SE 1/4  
Sec. 7-11-22  
1/2" Rebar with KDOT  
Alum. Cap 1.4' Deep

**07-28-2023  
OLSSON REVIEW  
No Further  
Comment**


POC  
05J  
SE COR SE 1/4  
Sec. 7-11-22  
Alum. Cap

*I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.*

Joseph A. Herring  
PS # 1296

**RESTRICTIONS:**

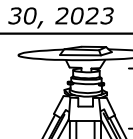
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
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- 4) Lots are subject to the current Access Management Policy
- 5) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lot 1.
- 6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 7) No off-plat restrictions.

  
Scale 1" = 50'

---

Job # K-23-1686  
May 30, 2023 Rev. 7-28-23

---

 Herring, Inc. (dba)  
**L HERRING**  
**SURVEYING**  
**& COMPANY**

315 North 5th Street, Leav. KS 66048  
Ph. 913.674.5359 Fax 913.674.5391  
Email [survey@teamcash.com](mailto:survey@teamcash.com)

# ATWOOD ACRES

A Minor Subdivision in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
NATHAN B. ATWOOD  
18275 182ND ST  
TONGANOXIE, KS 66086  
PID # 183-07-0-00-00-013

RECORD DESCRIPTION:  
A TRACT OF LAND IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 7, IN TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE SIXTH P.M. IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 417.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE NORTH 417.5 FEET; THENCE WEST 1063.5 FEET; THENCE SOUTH 417.5 FEET; THENCE EAST 1063.5 FEET TO THE POINT OF BEGINNING, LESS THAT PART USED FOR PUBLIC ROAD.

SURVEYOR'S DESCRIPTION:  
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Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including right of way.  
Error of closure = 1 : 455441

LEGEND:  
● - 1/2" Rebar Set with Cap No.1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base around Point  
△ - PK Nail Found in Place  
( ) - Record / Deeded Distance  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement  
BM - Benchmark  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance  
///// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
○ - Power Pole  
X - Fence Line  
OHP - Overhead Power Lines  
T - Underground Telephone/Fiber Optic Line  
◇ - Gas Valve  
⊕ - Water Meter/Valve  
⊞ - Telephone Pedestal  
W - 6" Water Line - location as per district  
~ - Tree/Brush Line

07-28-2023  
OLSSON REVIEW  
No Further  
Comment

BM  
05G  
NE COR SE 1/4  
Sec. 7-11-22  
1/2" Rebar with KDOT  
Alum. Cap 1.4" Deep

STARCHER, GARY E & STARCHER, SHARON G  
PID # 183-06...011

OLSSON, RICHARD L  
PID # 183-08...012

MC GHEE, MICHELLE R  
PID # 183-08...013

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

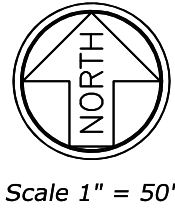
STARCHER, SHANE ADAM  
PID # 183-07...012

POC  
05J  
SE COR SE 1/4  
Sec. 7-11-22  
Alum. Cap

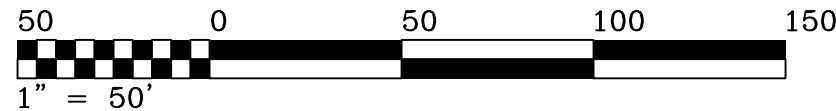
ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure = 1 : 487116, 10.2 Acres, more or less, Incl. R/W  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Residential & Ag Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
10) Project Benchmark (BM) - NE COR SE 1/4 - Elev - 881'  
11) Easements, if any, are created hereon or listed in referenced title commitment.  
12) Reference Recorded Deed Doc. #2012R12183  
13) Utility Companies -  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
14) Reference Accurate Title Company Order ID: 1663167-1441444 updated April 27, 2023  
15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
16) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
- Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon, if any.  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
(JAH) - J.A.Herring Survey Doc #2014S020  
(MDC) - M.D.Cooper Survey Book S-9 64, 1972  
(REB) - R.E.Bacon Survey Book S-9 70, 1972

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lot 1  
6) No off-plat restrictions.



Job # K-23-1686  
May 30, 2023 Rev. 7-28-23  
J. Herring, Inc. (dba)  
HERRING SURVEYING  
COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@leamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# ATWOOD ACRES

A Minor Subdivision in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
NATHAN B. ATWOOD  
18275 182ND ST  
TONGANOXIE, KS 66086  
PID # 183-07-0-00-00-013

CERTIFICATION AND DEDICATION  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: ATWOOD ACRES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,  
We, the undersigned owners of ATWOOD ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Nathan B. Atwood

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said County and State came Nathan B. Atwood, a single person, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_ (seal)

STARCHER, JAMES F & CATHY S  
PID # 183-07...014

APPROVALS  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of ATWOOD ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Secretary  
John Jacobson

Chairman  
Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of ATWOOD ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Chairman  
Vicky Kaaz

County Clerk  
Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:  
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock \_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumenchen, PS#1363  
County Surveyor

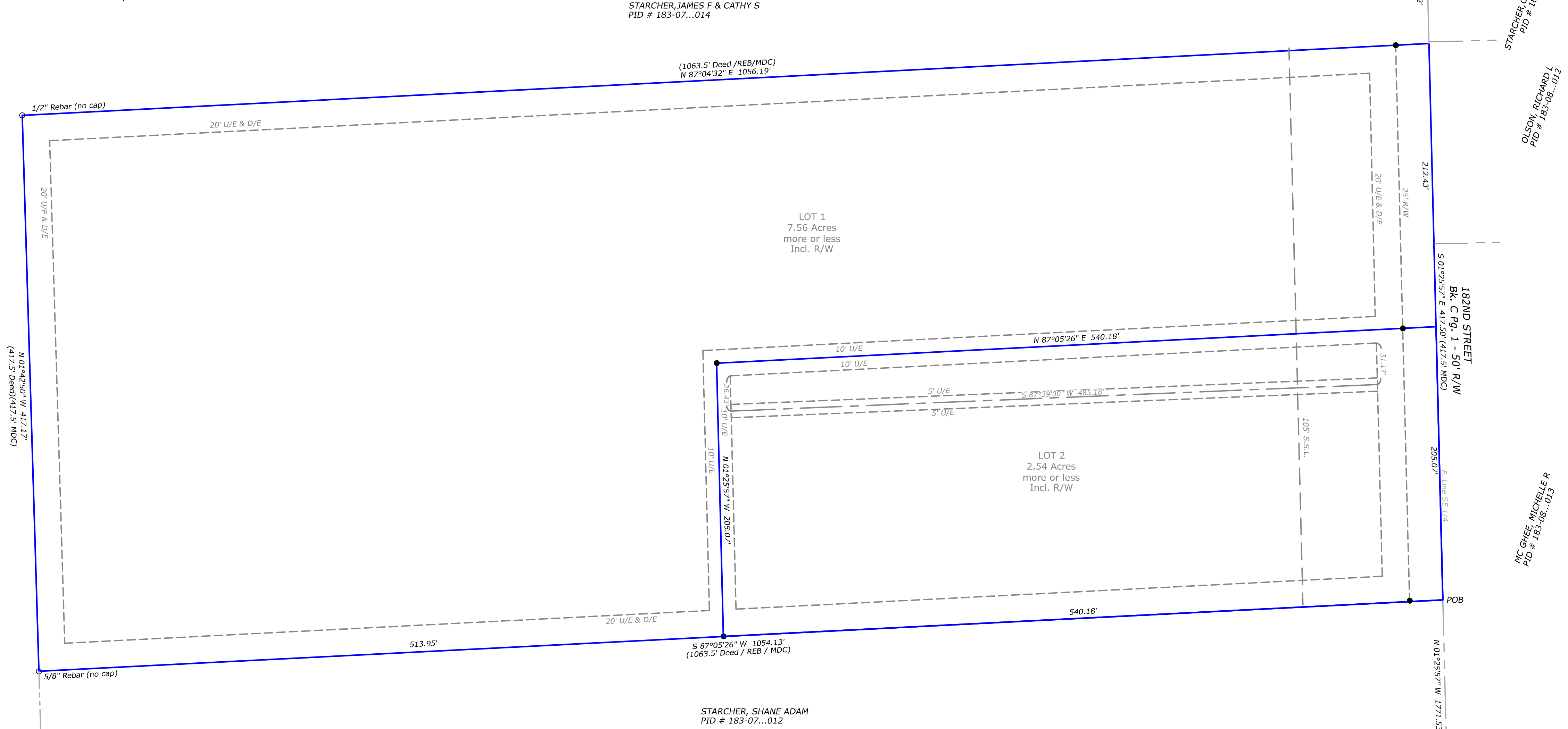
Reviewed 2023.08.01 No Comments

50 0 50 100 150  
1" = 50'

RECORD DESCRIPTION:  
A TRACT OF LAND IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 7, IN TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE SIXTH P.M. IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 417.5 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE NORTH 417.5 FEET; THENCE WEST 1063.5 FEET; THENCE SOUTH 417.5 FEET; THENCE EAST 1063.5 FEET TO THE POINT OF BEGINNING, LESS THAT PART USED FOR PUBLIC ROAD.

SURVEYOR'S DESCRIPTION:  
A tract of land in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on July 25, 2023, more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter ; thence North 01 degrees 25'57" West for a distance of 1771.53 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 05'26" West for a distance of 1054.13 feet; thence North 01 degrees 42'50" West for a distance of 417.17 feet; thence North 87 degrees 04'32" East for a distance of 1056.19 feet to the East line of said Southeast Quarter; thence South 01 degrees 25'57" East for a distance of 417.50 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 10.1 acres, more or less, including right of way.  
Error of closure = 1 : 455441

SURVEYOR'S NOTE:  
Deed and Previous Surveys did not match historic existing conditions on-site. Reference Ron E. Bacon survey and M.D. Cooper Survey both had difference points of commencing for their surveys. Deed matched the R.E.Bacon survey. Found monuments along the West line and existing fence line / hedge lines were held over the previous survey dimensions. Previous surveys also held the existing fence line / hedge lines. Testimony of owners to North and West of said property (Starcher-Family) stated that the fence lines have always been considered to be the boundary lines.



ZONING:  
RR 2.5 - Rural Residential 2.5

NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Surveyor's Description  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Residential & Ag Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc. #2012R12183  
12) Utility Companies -  
- Water - Suburban  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
13) Reference Accurate Title Company Order ID: 1663167-1441444 updated April 27, 2023  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
- Distances to and of structures, if any, are +- 1'.  
16) Easements as per referenced Title Commitment are shown hereon, if any.  
17) Fence Lines do not necessarily denote the boundary line for the property.  
18) Reference Surveys:  
(JAH) - J.A.Herring Survey Doc #2014S020  
(MDC) - M.D.Cooper Survey Book S-9, 64, 1972  
(REB) - R.E.Bacon Survey Book S-9 70 1972

RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy  
5) An exception to Article 50, Section 40.3.i. Lot-Depth to Lot-Width has been granted for Lot 1  
6) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
7) No off-plat restrictions.



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of April through May 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# Leavenworth Times

## Affidavit of Publication

County of Leavenworth  
State of Kansas  
**NOTICE OF MEETING**  
Notice is hereby given for the Leavenworth County Planning Commission to review an application (DEV-23-077/078) for a Preliminary Plat Atwood Acres on the following described property:  
A tract of land in the Southeast Quarter of Section 7, Township 11 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.  
**Request submitted by Herring Surveying on behalf of Nathan Atwood**  
**Address: 18275 182nd Street**  
**Parcel ID number: 183-07-0-00-00-013.00**  
The MEETING will be held on Wednesday the 9th day of August, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.  
We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, August 8th.  
John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by August 01/2023  
Published in the Leavenworth Times, August 1, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 1<sup>st</sup> day of August, 2023.

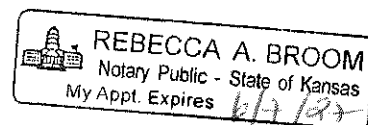
WITNESS my hand this 2nd day of August, 2023.

Tammy Lawson  
Legal Representative

Subscribe and sworn before me, this 2 day of Aug, 2023.

Rebecca A. Broom  
Notary Public

My Commission Expires: 6/7/27



**A RESOLUTION OF THE COUNTY OF LEAVENWORTH, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE FOR THE TAX YEAR OF 2023 TO FUND BUDGET EXPENDITURES FOR FISCAL YEAR 2024.**

**WHEREAS**, on or before June 15, 2023, the Leavenworth County Clerk calculated the revenue neutral rate for each taxing subdivision and included such revenue rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes; and

**WHEREAS**, the Revenue Neutral Rate for tax year 2023 for Leavenworth County was calculated as 31.606 mills by the Leavenworth County Clerk; and

**WHEREAS**, the Leavenworth County Board of County Commissioners (hereinafter “Governing Body”) notified the Leavenworth County Clerk by July 20, 2023, of its proposed intent to exceed the revenue-neutral rate and provided the date, time and location of the public hearing and its proposed tax rate; and

**WHEREAS**, at least 10 days in advance of the public hearing, the Governing Body published notice of its proposed intent to exceed the revenue neutral rate by publishing notice on the website of the Governing Body and in a weekly newspaper of the county having a general circulation therein; and

**WHEREAS**, the budget proposed by the Governing Body for fiscal year 2024 will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body held a hearing on August 23, 2023 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

**WHEREAS**, the Governing Body, having heard testimony, has determined that it is necessary to exceed the Revenue Neutral Rate.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF LEAVENWORTH:**

Section 1. The Governing Body of Leavenworth County hereby approves exceeding the revenue neutral rate and shall levy a property tax rate of 35.924 mills for Tax Year 2023 which exceeds the Revenue Neutral Rate.

Section 2. The County Administrator, and Leavenworth County’s other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**ADOPTED** this 23rd day of August, 2023 and **SIGNED** by the Board of Leavenworth County Commissioners.

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Vicky Kaaz, Chairman  
2nd District

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Jeff Culbertson, Member  
1<sup>st</sup> District

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Mike Smith, Member  
4th District

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Doug Smith, Member  
3<sup>rd</sup> District

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Mike Stieben, Member  
5<sup>th</sup> District

ATTEST:

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Janet Klasinski, Leavenworth County Clerk

will meet on August 23, 2023 at 9:00 A.M. at Leavenworth County Courthouse, Commission Meeting Room for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax and Revenue Neutral Rate. Detailed budget information is available at Leavenworth County Clerk's Office and will be available at this hearing.

Proposed Budget 2024 Expenditures and Amount of 2023 Ad Valorem Tax establish the maximum limits of the 2024 budget.  
Estimated Tax Rate is subject to change depending on the final assessed valuation.

### Outstanding Indebtedness,

\*Tax rates are expressed in mills

Leavenworth County  
Leavenworth County

**A RESOLUTION OF THE COUNTY OF LEAVENWORTH, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE FOR LEAVENWORTH COUNTY SPECIAL-OTHER FUNDS FOR TAX YEAR 2023 TO FUND BUDGET EXPENDITURES FOR FISCAL YEAR 2024.**

**WHEREAS**, the Revenue Neutral Rate for tax year 2023 for Leavenworth County Special-Other Funds was calculated as 7.738 mills by the Leavenworth County Clerk; and

**WHEREAS**, the budget proposed by the Governing Body of Leavenworth County for fiscal year 2024 will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body held a hearing on August 23, 2023 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

**WHEREAS**, the Governing Body of the County of Leavenworth, having heard testimony, has determined that it is necessary to exceed the Revenue Neutral Rate.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF LEAVENWORTH:**

Section 1. Leavenworth County hereby approves exceeding the revenue neutral rate and shall levy a property tax rate of 9.000 mills for Leavenworth County Special-Other Funds for tax year 2023 which exceeds the Revenue Neutral Rate.

Section 2. The County Administrator, and Leavenworth County's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**ADOPTED** this 23rd day of August, 2023 and **SIGNED** by the Board of Leavenworth County Commissioners.

---

Vicky Kaaz, Chairman  
2nd District

---

Jeff Culbertson, Member  
1<sup>st</sup> District

---

Mike Smith, Member  
4th District

---

Doug Smith, Member  
3<sup>rd</sup> District

---

Mike Stieben, Member  
5<sup>th</sup> District

ATTEST:

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Janet Klasinski, Leavenworth County Clerk

Leavenworth County

**Leavenworth County  
Request for Board Action**

**Date:** August 17, 2023

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Review:** Bill Noll, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☒ **Administrator Review** ☐ **Legal Review** ☐

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**Action Requested:** Approval of the supplemental agreement with KDOT for Project KA-5520-01 for maintenance costs.

**Analysis:** In April, Leavenworth County entered into an agreement with KDOT for dust control on George Road as part of the designated unofficial detour for the above referenced safety project. This supplemental agreement will reimburse up to \$7,000 to Leavenworth County for material costs of maintenance activities during construction and after construction is complete to bring George Road back into the same condition as the pre-project condition.

To date, Leavenworth County has graded the road three times during the project and one two of those occasions sprayed calcium chloride solution on the roadway to activate the dust control after grading. The third time we did not apply dust control and instead waited two days for the forecasted rain to reactivate the dust control. The cost of the two applications of dust control was approximately \$1,500. The remaining funds will be used to gravel the 1.67 miles of roadway with new aggregate after the project is completed. Currently the project is 6-7 weeks ahead of schedule and K-16 may open as soon as August 26<sup>th</sup> depending on subcontractor schedules and weather.

**Recommendation:** Approval.

**Budgetary Impact:**

- ☒ Not Applicable
- ☐ Budgeted item with available funds
- ☐ Non-Budgeted item with available funds through prioritization
- ☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:**

NA

**Additional Attachments:** KDOT Agreement

**SUPPLEMENTAL AGREEMENT NO. 1  
FOR UNOFFICIAL DETOUR ROUTE**

This Supplemental Agreement No. 1 for an Unofficial Detour Route (Supplemental Agreement No.1) is entered into between the Secretary of Transportation for the State of Kansas (Secretary), acting through the Kansas Department of Transportation (KDOT), and Leavenworth County, (LPA), collectively referred to as the Parties.

1. The Secretary and LPA entered into an agreement for an unofficial detour route effective April 25, 2023 (Original Agreement).
2. The Parties are executing this Supplemental Agreement No. 1 to increase the compensation given to the LPA due to an unanticipated increase in vehicular traffic on the unofficial detour route.
3. The Parties hereby modify paragraph 1 of the Original Agreement to read as follows:
  1. **Compensation.** The Secretary agrees to furnish the following compensation to the LPA:

\$19,609 for dust control on George Road based on a quote provided to KDOT on 11/3/2022  
\$7,000 for gravel material costs

4. All terms of the Original Agreement not modified directly herein remain effective as originally written. If there is conflict among or between the various terms set forth or referenced in documents comprising the contract between the Parties, then the contract documents shall take precedence in the following order: (1) Special Attachment No. 1A; (2) the Original Agreement as amended by Supplemental Agreement; and (3) Exhibits and Special Attachments to the Original and Supplemental Agreement(s).

5. It is the intent of the Parties that the LPA shall sign this Supplemental Agreement No. 1 first and the Secretary (or the Secretary's designee) shall sign second and that, therefore, the effective date of this Supplemental Agreement shall be the date the Secretary (or the Secretary's designee) has so signed.

**Now therefore**, the Parties hereto cause their duly authorized representatives to enter into this Agreement.

Local Public Authority (LPA)

Kansas Department of Transportation

By: \_\_\_\_\_  
(Signature) (Date)

By: \_\_\_\_\_  
(Signature) (Date)

Name: \_\_\_\_\_  
(printed)

District Engineer (District 1)