

## LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, April 9, 2025  
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048

[www.leavenworthcounty.gov](http://www.leavenworthcounty.gov)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes**
5. **Secretary's Report**
6. **Declarations: (if necessary)**
  - A. Declarations of receipt of communications by Planning Commissioners
  - B. Disclosure of ex-parte communications for each hearing item
  - C. Declarations of abstention from specific agenda items by a Commissioner
7. **Approval of Agenda**
8. **Consent Agenda**
  - A. Case DEV-25-001 Final Plat – Milestone Ridge Second Plat**

Consideration of a Final Plat for a tract of land in the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.  
**Also known as 00000 171<sup>st</sup> Street**  
**PID: 158-33-0-00-00-036.00**
  - B. Case DEV-25-019/020 Preliminary and Final Plat – NDN Acres**

Consideration of a Preliminary and Final Plat for a tract of land in the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.  
**Also known as 00000 259<sup>th</sup> Street**  
**PID: 055-22-0-00-00-004.03**
9. **Regular Agenda**
  - A. Case DEV-24-097/098 Preliminary and Final Plat – Crosby Addition No 2**

Consideration of a Preliminary and Final Plat for Lot 1, Crosby Addition and a tract of Land in the Southeast Quarter of Section 27, Township 11 South, Range 22 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.  
**Also known as 16042 & 16120 Linwood Rd**  
**PID: 188-27-0-00-00-004.13 & 188-27-0-00-00-004.09**
  - B. Case DEV-25-013 Lot Split – Smith's Corner**

Consideration of a Lot Split for Lot 1, Smith's Corner, a subdivision of land in Leavenworth County, Kansas.  
**Also known as 19575 Mitchell Rd**  
**PID: 147-26-0-00-00-014.17**

**C. Case DEV-25-012 Partial Vacation of Story's Addition**

Consideration of a Vacation of Part of Lots 19 through 46, Story's Addition, a subdivision located within Leavenworth County, Kansas.

**Also known as 00000 Boepler Road**

**PID: 078-28-0-00-00-004.01**

**10. Comprehensive Plan Study Session**

**Adjournment of Planning Commission**

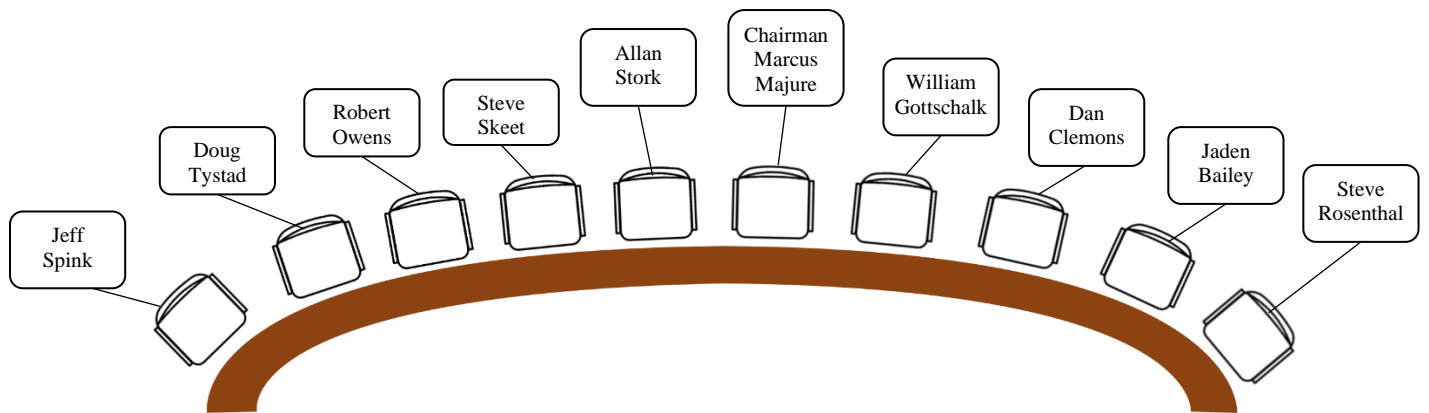
**Upcoming meeting dates:**

**Wednesday, May 14, 2025, 5:30 PM  
Regular Planning Commission Meeting**

**For More Information**

If you have any questions or need to make special arrangements for a meeting, please call or stop by the Planning and Zoning Department.  
Contact Dawn Chamberlain – 913-684-0465

Planning Commission Seating Chart 2025



LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
March 12, 2025

*The complete recorded meeting can be found on the County's YouTube channel.*

**The Planning Commission meeting was called to order at 5:30 p.m.**

**Pledge of Allegiance**

**Members present:** Jaden Bailey, Allan Stork, William Gottschalk, Jeff Spink, Doug Tystad, Robert Owens, Marcus Majure, Steve Skeet and Dan Clemons

**Members absent:** Steve Rosenthal

**Staff present:** John Jacobson-Director, Amy Alison-Deputy Director, Misty Brown-County Counselor, Jon Khalil-Asst. County Counselor, Dawn Chamberlain-Planning Coordinator.

**Minutes:** Commissioner Stork made a motion to approve the minutes. Commissioner Tystad seconded the motion. Abstain: Commissioner Owens.

**ROLL CALL VOTE - Motion to approve the minutes passed, 7/1 (1 abstain, 1 absent)**

**Declarations:** None.

**Secretary's Report:** Amy Allison gave the secretary's report going over the agenda, which included 3 consent items, 2 plat requests and 1 SUP request.

**ROLL CALL VOTE - Motion to approve the agenda passed, 7/0 (1 absent)**

**Commissioner Stork made a motion to approve the agenda. Commissioner Clemons seconded the motion.**

**Regular Agenda**

**A. Case DEV-24-147 Final Plat – Cheyenne Crossing 2nd**

Consideration of a Final Plat for a tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.  
Also known as 00000 178th Street

Amy Allison gave the report going over the request indicating the preliminary plat was already approved. During the design stage of the final plat, some of the lot lines changed requiring the need to reduce the frontage on Lot #9. The applicant is requesting an exception to allow the frontage to be measured at the building setback line rather than at the right-of-way..

Chairman Majure stated this action includes 1 Exception and an approval of a Final Plat.

Commissioner Tystad motioned to approve the Exception. Commissioner Owens seconded.

**ROLL CALL VOTE - Motion to approve the Exception passed, 8/0 (1 absent)**

Commissioner Tystad motioned to approve the Final Plat. Commissioner Clemons seconded the motion.

**ROLL CALL VOTE - Motion to approve the final plat passed, 8/0 (1 absent)**

**B. Case DEV-24-157/158 Preliminary and Final Plat – Elston Estates No. 2**

Consideration of a replat of Lot 2, Elston Estates, a subdivision of land in Leavenworth County, Kansas. Also known as 00000 Kansas Avenue

Amy Allison gave the report stating that the 5-lot subdivision is located outside of Tonganoxie. The subdivision has a pond towards the center and applicant is proposing putting the pond in a track of land, but that has caused an irregular shaped lot. The other lots are compliant with the standards of the RR-5 district.

Commissioner Tystad confirmed the final plat subdivision is zoned RR-5 and also on County Line 1. Amy Allison reminded Commissioners that a re-zoning was approved from the former PR-2 zoning. The applicant had requested to revert back to RR-5 which was previously approved by Board of County Commissioners.

Commissioner Clemons motioned to approve the Exception and Commissioner Tystad seconded the motion.

**ROLL CALL VOTE - Motion to approve the Exception passed, 8/0 (1 absent)**

Commissioner Tystad motioned to approval the Final Plat. Commissioner Clemons seconded the motion.

**ROLL CALL VOTE - Motion to approve the exception passed, 8/0 (1 absent)**

**C. Case DEV-24-125 Special Use Permit RJ Farm**

Consideration of a Special Use Permit request for an amusement park, commercial athletic fields, racetracks, circuses, carnivals and fairgrounds for outdoor events on the following described property: Lot 1 in Whispering Plains, a subdivision in Leavenworth County, Kansas, according to the recorded plat thereof, in Leavenworth County, Kansas. Also known as 21985 Cantrell Road

Amy Allison gave the report stating that the request is related to a fairgrounds and the request was previously heard at the January Planning Commission meeting. The Board of County Commissioners did consider the Planning Commission's recommendation but due to weather conditions on the night of the Public Hearing and additional information that was received by the Commission, the Board remanded the case back to the Planning Commission to convene a new public hearing.

Assistant County Counselor Jon Khalil indicated that the case was sent back to planning commission based upon a motion which included several conditions the Board of County Commissioners requested the Planning Commissioners would consider. Consideration should be given to adding conditions for certification of Security on Premises by Law Enforcement Officers or Private Security, licensed Alcohol Vendors/Servers, certification that all Federal, State and Local laws are being complied with during events, certification that all animals comply with State registration or vaccination requirements, assurance that no tail-pulling or horse tripping occur during any event, an engineering report submitted for bleachers on the property, an increase the recommended Liability Coverage for the County and a requirement that a licensed veterinarian be on-site during rodeo events.

County Counselor Misty Brown addressed that these proceedings were not typical, yet the matter requires a public hearing and the additional conditions should be considered when making a determination.

Commissioner Stork questioned why the matter is being addressed a second time asking if there is a timeline requirement. Commissioner Owens questioned why the matter was back before the Planning Commission.

Chairman Majure indicated that the previous meeting did not address the possibility of a security guard on site and other good recommendations from the Board of County Commissioners.

Director John Jacobson stated the BOCC has provided additional criteria for the Planning Commission to consider before a final determination is made.

County Counselor Brown stated that because of weather conditions during the prior Planning Commission meeting, the BOCC felt it necessary to hold a public hearing to provide an opportunity for other evidence to be provided.

Commissioner Owens outlined the history of the SUP application process and timeline. Chairman Majure spoke of the importance of the issues raised related to the SUP and that considering them in a final decision will "make it right". Chairman stressed that this is important based upon the concerns of others and the owner alike.

Director Jacobson added that he believes the intent of the BOCC was to consider the additional conditions; but not necessarily include them in the final determination.

Commissioner Tystad asked if they needed to have a condition that says you "must follow the law"? Director Jacobson confirmed an SUP in Leavenworth County must follow all local and state and federal laws".

Chairman Majure opened the Public Hearing.

Joe Herring of Herring Surveying spoke concerning the Applicant's property. Mr. Herring indicated that there are no bleachers provided at his client's events. Mr. Herring referred back to Exception #15 "no amplifiers for live music events". Mr. Herring stated that his client does intend to have live music and Mr. Herring is aware other venues who provide live music under an SUP utilize amplifiers and microphones. With that said, Mr. Herring requests that that condition be amended to remove the no amplifiers sentence.

Commissioner Stork questioned if given the stipulations by the Board of County Commissioners, is this particular SUP feasible? Mr. Herring reminded the Commission that there are various similar SUP's in the County and the RJ Farm SUP should be handled in the same manner.

Commissioner Owens mentioned a letter that states the condition of the stage was inspected and verified again that the property has no bleachers.

Commissioner Tystad commented that he addressed the amplifier condition at the previous Planning Commission meeting and that the applicant understood the restriction. Director Jacobson reminded the Commissioners that the BOCC asked that these items be consider but not part of the conditions for approval. In addition, Director Jacobson clarified that the issue that is paramount is the decibel level at the property line.

Commissioner Clemons asked for clarification of Class 3 SUP. Deputy Director Allison indicated a Class 3 SUP is a use that can be suitable in residential areas but can have a detrimental impact to surround properties such as noise or lights. Director Jacobson added staff's recommendations are based upon intensity of use, but not bound by that recommendation.

Chairman Majure asked those in favor of the request to speak.

Gary Nelson, attorney representing RJ Farms spoke about the materials he has received and specifically a memo from Sheriff Dedeke, where he indicated all of his concerns were unconfirmed. Sheriff stated that RJ Farms has had over two decades of activity; yet there has not been one criminal complaint filed. Mr. Nelson reviewed material from Crystal Blackdeer of the Leavenworth County Humane Society indicating concerns about horse tripping and tail pulling. Mr. Nelson mentioned photos of this activity that appeared to be captured from social media but was no evidence of that the activity occurred on the RJ Farms property or that any complaints were filed with the Sheriff's Department. These photos indicate unsupported speculation. As for security, RJ Farms has hired Elma Security (typically 6-8 people on-site for the events throughout the years).

Also, Mr. Nelson indicated that his client is in the process of seeking a Kansas Agritourism Promotions Act Registration, which is through the State of Kansas. Mr. Nelson has not yet confirmed what regulations have been placed on other rodeos or Agritourism in the county, such as corn mazes and wineries. Mr. Nelson reiterated that RJ Farms has operated over two decades without a single criminal complaint, no traffic accidents, etc.

Commissioner Owens asked Mr. Nelson if his client is aware that tail pulling and horse tripping is illegal in the State of Kansas. Counselor Nelson responded that the roping aspect occurs as a skill, but without pulling the rope to bring the horse down.

Tystad asked Counselor Nelson why his client waited 20 years to apply for the Special Use Permit considering he received a letter from the County attorney stating he needed a SUP. Instead, RJ Farms applied for a temporary SUP in 2024 and a SUP in early 2025. Mr. Nelson responded that it appeared no other rodeos in the County held a SUP.

Property owner Aurello Haro, owner of RJ Farms) stated he preferred not to repeat information that has been presented at the prior Planning Commission meeting. Mr. Haro indicated he did apply for a Special Use Permit in 2016; however he felt that the opposition to his SUP is based upon "special favors" for an former Commissioner. That same Commissioner claims there was a massive shooting at RJ Farms. Mr. Haro stated that is simply not true. Mr. Haro stated there is no horse tripping on his property and he believes those in opposition of his rodeos is based upon their dislike of "Hispanic people". Mr. Haro added that he has fully complied with 26 conditions for the Special Use Permit.

Chairman Majure asked about tail pulling. Mr. Haro responded that it is legal in Kansas, along with Texas, Colorado and Wichita, Kansas.

Commissioner Owens asked Mr. Haro to confirm if photos were taken on his property. Mr. Haro confirmed one photo was indeed taken of his son's colt that had died of colic. Commissioner Owens asked if Mr. Haro and his attorney are comfortable with providing security, hiring a licensed beer vendor and a licensed vet on the property.

Mr. Haro referred to an alcohol vendor friend who applies for one day events and stated he hires security for every event.

Commissioner Tystad challenged Mr. Haro by stating he had advertised his rodeo events without a Special Use Permit. Commissioner Bailey asked Mr. Haro about requirements for bringing horses from out of state. Mr. Haro explained they typically do not have horses from out of state, but if they do documents are required by American Rodeo Arena.

Commissioner Tystad asked Mr. Haro why he doesn't hold his events at the County fairground? Mr. Haro explained that there is never a guaranteed number in attendance at his events. Therefore, it's not financially feasible to rent the fairgrounds, pay for portables and security because of the unpredictability of attendance.

Deputy Director Allison clarified the regulation concerning Private Events. Director Jacobson further explained the difference between a Temporary Special Use Permit and a Special Use Permit.

Commissioner Tystad asked further questions about having a vet at the events. Director Jacobson responded that from a regulatory standpoint, this is the reason Staff inserts the following language in the SUP, "comply with federal, state and local requirements".

Mr. Billy Ray McGee spoke in favor of the SUP at RJ Farm. Mr. McGee stated he has attended most of the Haro events since 2012 and mentioned there "had never been bleachers" on the property. Mr. McGee spoke about his knowledge concerning noise and security that has been hired for RJ Farm in the past.

Norma Brockenberry (co-owner) spoke about their appearances at Planning Commission and Board of County Commissioner meetings, along with her frustration in the process of granting the SUP. Ms. Brockenberry spoke about their care of the animals and stated that they do not trip the animals at their rodeos.

Commissioner Clemons asked if the owners would be agreeable to having a vet on call. Ms. Brockenberry confirmed they would that they already have a vet on call.

Commissioner Bailey asked Ms. Brockenberry to clarify the process of handling the animals at the rodeos, and specifically tripping and tail pulling.

Deputy Counselor Khalil cited the Kansas cruelty to animals statute. Discussions ensued.

**There was a brief break of the meeting.**

Chairman Majure asked those not in favor of the request to speak.

Dr. Joan Murnane, an active large animal veterinarian spoke about her qualifications and stated that she was in attendance to address horse-tripping and bull-tailing in Mexican rodeos. Dr. Murnane stated that horse-tripping is illegal in Kansas and 17 other states and clarified what horse-tripping entails. Dr. Murnane explained regulations and the history of certain specific practices that fall under the category of cruelty to these type of animals.

Commissioner Bailey asked for clarification from Dr. Murnane and stated that “unless there is evidence of these activities, the Planning Commission is not the authority that evidence would come to”. Dr. Murnane referred to the photos she submitted to the County and stated that the evidence is there from 2009 through 2024 that horse tripping has occurred. Dr. Murnane further added that there were numerous complaints and that the Sheriff had sent a letter to the County Commissioners requesting that the SUP not be issued.

Commissioner Owens shared a large photo with Dr. Murnane stating that it appeared to be a man holding a cow tail. Further discussions ensued

Dennis Bixby, a former County Commissioner, spoke to clarify the issue of security and compliance of the many conditions. Mr. Bixby stated he believes a compliance officer should be in place to monitor the events on the RJ Farm property. Mr. Bixby spoke about the value of a higher liability insurance policy (potentially \$10 million in coverage for potential injuries). Mr. Bixby then presented two poster boards to the Planning Commission explaining where they hold their events and spoke about compliance for handicapped folks that may attend the events at the RJ Farm. Mr. Bixby explained the potential annual income for the events if the admission fee is \$40.

Crystal Blackdeer, Director for Leavenworth County Humane Society, apologized to the Planning Commission if any of the photos she submitted were a misrepresentation of the events at RJ Farm. Ms. Blackdeer stated that verification is needed on important concerns and re-stated the statute on cruelty to the animals typically performing at the RJ Farm. Ms. Blackdeer addressed the PC by saying the owners of the RJ Farm did state that they did rope the animals at the previous meeting and that would, in fact, be a violation of the statute.

Ms. Blackdeer stated that employees or agents of the County should be allowed access to the property to ensure conditions of the permit are being adhered to.

Commissioner Bailey stated that he believes this particular case and other SUP's, that the approved conditions need to be followed, but he's not sure if the County Inspector would be able to inspect every activity of every business every time something is held.

Commissioner Tystad added that's a discussion with BOCC was more about how do we ensure compliance and that is a regulatory item to be monitored.

Director Jacobson stated that we reserve the right to spot check these events at the County's discretion, either by the BOCC or anyone who works for the department of Planning & Zoning.. Mr. Jacobson confirmed it would become a code enforcement issue and is handled by the Planning & Zoning Department.

County Counselor Brown stated that one of the directives when she was hired was to ensure that codes court was back up and running”. Ms. Brown confirmed the County now has a regular Courts docket and she personally prosecutes.

Julie Downes spoke in opposition of the SUP, addressed the Planning Commission by stating that it was addressed in the last four meetings that there has been a long history with the (RJ Farm) property. Ms. Downes stated that they have contacted the Sheriff, but they are only handling codes and there has been no one from the County in over 20 years that has gone and supervised the events at RJ Farm. Ms. Downes explained that she has documented the noise problems associated with the applicant's property and has shared this information with the County. Ms. Downes added that the owners of the property should have had a Temporary Special Use Permit for July 27, 2024, but no event was held. Ms. Downes further added that RJ

Farm was advertising on social media for these events and include phone numbers, links to purchase tickets, admission fees, event sponsors, the sale of alcohol, horse-roping, etc. Ms. Downes spoke about an event of June 17<sup>th</sup> which was one of six non-SUP events

Commissioner Tystad asked Ms. Downes how far away their home is from the stage. An estimate of 700-1,000 feet was mentioned. Commissioner Owens again raised the issue of the sound and lighting of the stage near the property line.

Commissioner Tystad asked about how many events were held in 2024; Ms. Downes stated there were none. And in 2023, Ms. Downes states that there were three events.

Deputy Director Allison stated there were emails with attachment that were received after the hearing packet was prepared and shared with the Planning Commission members.

Chairman Majure closed the public hearing.

Commissioner Owens confirmed with County Counselor Brown that applicant failed to have a Special Use Permit and the reason for the meeting was to work on compliance of their activities on the applicant's property. Ms. Brown concurred

Commissioner Tystad reminded other PC members of the conditions raised by the BOCC. This involved security, the restrictions of the sale of alcohol, and following the applicable laws. Commissioner Tystad suggested a specific clause referring to the act of horse-tripping. Other Commissioner disagreed indicating they believe that would not be necessary.

Commissioner Tystad added that animals would need to be properly licensed and stated he did not personally believe support the idea of increasing liability insurance. The commissioners discussed the need for an on-call vet and agreed it may not be needed.

Commissioners discussed and agreed the issue of amplifier limitation should be 60db level, which is consistent with other SUP's.

Director Jacobson clarified the noise issue from amplified sound and the safety of the animals on the property. More discussions ensued.

Deputy Director Allison reminded the Planning Commissioners that Staff's recommendation for the duration of the SUP remains the same; five years. The Commissioners agreed that a one-year duration would be appropriate to ensure regulations would be followed.

Chairman Majure mentioned the Sheriff's letter regarding the violations by the applicant. Director Jacobson stated that there were approximately 100 complaints by phone over the course of ten years. The complaints resulted in two traffic violations without citations. Discussions ensued.

Commissioner Tystad motioned to approve the Special Use Permit as it complies with the Golden Factors and based upon Staff recommendations. Tystad recommended the clause for amplifiers be removed and all state and local laws be followed and in particular horse-tripping. Tystad also added the applicant must be able to provide a licensed on-call vet to be available when advertising for a rodeo function as part of the SUP. Lastly, the duration of the SUP to one year.

Commissioner Owens seconded the motion.

ROLL CALL VOTE - Motion to approve the Special Use Permit passed, 8/0 (1 absent)

Director Jacobson suggested the work session with the Planning Commissioners be pushed to a later date.

Meeting was adjourned at 8:27pm.



**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-25-001 Milestone Ridge 2nd

April 9, 2025

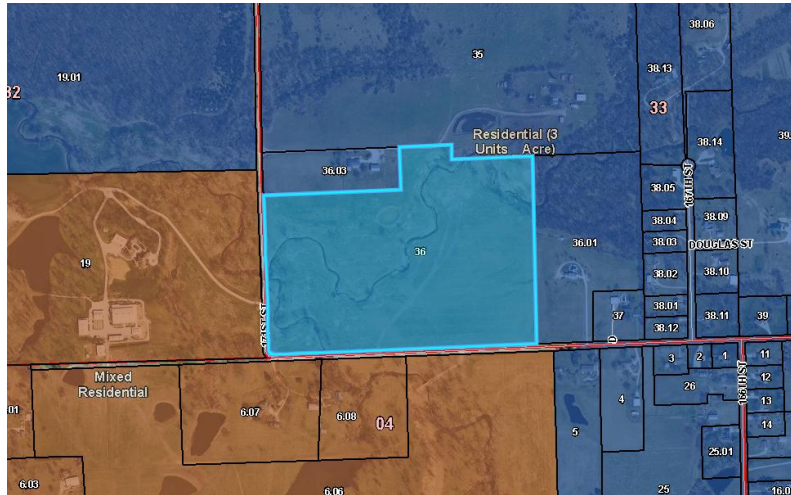
**REQUEST: *Consent Agenda***

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 00000 171<sup>st</sup> Street



**APPLICANT/APPLICANT AGENT:**

Jake Hattock  
Schlagel  
14920 W 107<sup>th</sup> Street  
Lenexa, KS 66215

**PROPERTY OWNER:**

Steven M and Darla A Miles  
15603 State Ave  
Basehor, KS 66007

**CONCURRENT APPLICATIONS:**  
NONE

**LAND USE**

ZONING: R-1 (43)

FUTURE LAND USE DESIGNATION: Residential (3-units per acre)

SUBDIVISION: N/A

FLOODPLAIN: Zone A and X

**LEGAL DESCRIPTION:**

A tract of land in the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., in Leavenworth County Kansas.

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-25-001, Final Plat for Milestone Ridge 2nd to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-001, Final Plat for Milestone Ridge 2nd to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:**

53.59 ACRES

**PARCEL ID NO:**

158-33-0-00-00-036.00

**BUILDINGS:**

Vacant

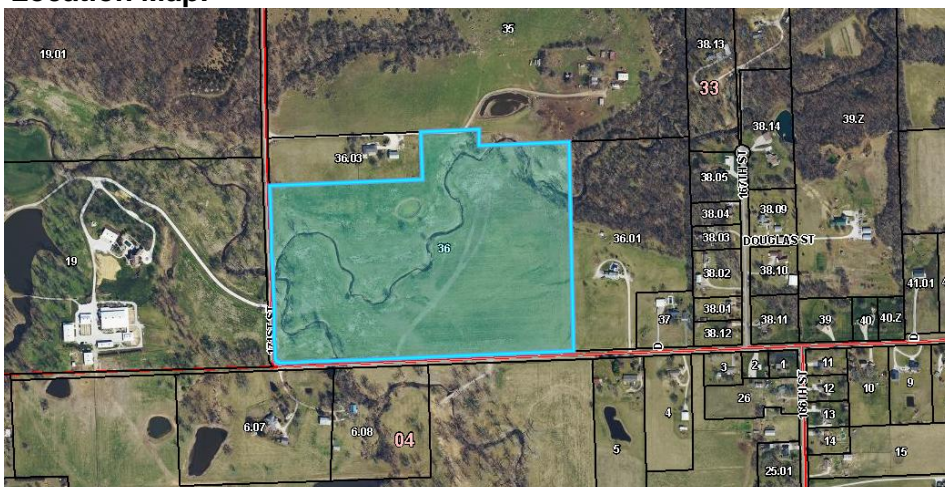
**PROJECT SUMMARY:**

Request final plat approval of Phase II of the Milestone Ridge subdivision to subdivide property located at 00000 171<sup>st</sup> Street (PID: 158-33-0-00-00-036.00) as Lots 3 through 16 of Milestone Ridge 2<sup>nd</sup> Plat.

**ACCESS/STREET:**

Parallel Rd – County Collector, PAVED ± 24’; 171<sup>st</sup> St – County Local, PAVED ± 24’;

**Location Map:**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC SYSTEM

**FIRE:** Fairmount

**WATER:** Suburban Water

**ELECTRIC:** Evergy

**NOTICE & REVIEW:**

**STAFF REVIEW:**

4/1/2025

**NEWSPAPER NOTIFICATION:**

N/A

**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>	n/a	
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 the second phase of the Milestone Ridge subdivision into 14 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 sanitary sewers are not located within 660' of the subdivision (see condition 3). Phase II meets the requirements for the R-1 (43) zoning district. The proposal includes two tracts of land that will be owned and maintained by the Developer. Majority of the floodplain that runs through the property will be located on these tracts of land. System Improvements will be needed for water to be supplied from Suburban Water. Fairmount Fire District has reviewed the request and supportive as long as the streets and fire hydrants meet code.

**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. The developer must comply with the following memorandums:
  - a. Email – Mike Lingenfelter, Fairmount Fire District, dated January 23, 2025
  - b. Memo – Travis Miles, Suburban Water, dated May 31, 2024
  - c. Memo – Chuck Magaha, Emergency Management, dated March 12, 2025
  - d. Memo – Dan Baumchen, County Surveyor, dated March 11, 2025
  - e. Memo – Public Works, dated March 19, 2025

**PROPOSED MOTIONS:**

Approve case DEV-25-001, a request to plat the property located at 00000 171<sup>st</sup> Street into a 14-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-25-001 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-25-001, a request to plat the property located at 00000 171<sup>st</sup> St into a 14-lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-25-001.*

Table the case to a date and time certain for additional information.

*Motion: Chairman, I move to table Case No. DEV-25-001 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Maps

C: Memorandums

\* 595.00 Payment

Fairmount  
Suburban  
Energy  
458  
52.80

**PRELIMINARY PLAT APPLICATION**

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

\* elec - Energy  
\* Fairmount FD  
\* Suburban

Office Use Only	
Township: <u>Fairmount</u>	Planning Commission Meeting Date: _____
Case No. <u>DEV-25-</u>	Date Received/Paid: _____
Zoning District <u>R1(43)</u>	Comprehensive Plan Land Use Designation: <u>Rural 3</u>

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Jake Hattock, PE</u>	NAME: <u>Steven M. and Darla A. Miles</u>
MAILING ADDRESS: <u>14920 W 107th St</u>	MAILING ADDRESS: <u>15603 State Ave</u>
CITY/ST/ZIP: <u>Lenexa, KS 66215</u>	CITY/ST/ZIP: <u>Basehor, KS 66007</u>
PHONE: <u>913-492-5158</u>	PHONE: <u>913-724-1934</u>
EMAIL: <u>comments@schlagelassociates.com</u>	EMAIL: <u>darlam@milesexcavating.com</u>

**GENERAL INFORMATION**

Proposed Subdivision Name: Milestone Ridge

Address of Property: approximately Parallel and 171st Street

PID: 1583300000036000 (Parcel R21729) Urban Growth Management Area: \_\_\_\_\_

SUBDIVISION INFORMATION		
Gross Acreage: <u>53.5893</u>	Number of Lots: <u>16</u>	Minimum Lot Size: <u>1 ac</u>
Maximum Lot Size: _____	Proposed Zoning: <u>R-1 (43)</u>	Density: _____
Open Space Acreage: <u>18.9648 (Tract A)</u>	Water District: <u>Suburban Water</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Fairmount Fire District</u>	Electric Provider: <u>Energy</u>	Natural Gas Provider: _____
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local</u> - Collector - Arterial - State - Federal	
	Cross-Access Easement Requested: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i>	1. <u>Shared Drive-way Access</u>	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

Is any part of the site designated as Floodplain?  Yes  No if yes, what is the panel number: 20103C0238G Rev 7-16-2015

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: Steven M. and Darla A. Miles

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

**ATTACHMENT A**

Entered in the transfer record in my office this  
30 day of Jan, 2019  
Janet Plaszewski  
County Clerk  
by B. Jones

**QUIT CLAIM DEED  
JOINT TENANCY**

Steve Miles and Darla Miles, husband and wife

QUIT CLAIMS TO:

Steve Miles and Darla Miles, husband and wife

as joint tenants with rights of survivorship and not as tenants in common, all of the following described REAL ESTATE in the County of Leavenworth, State of Kansas, to-wit:

Tract of land in the South Half of the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 39' 58" West for a distance of 1130.84 feet along the West line of said Southwest Quarter; thence North 87 degrees 40'19" East for a distance of 956.00 feet to a 1/2" Bar Cap LS-1296; thence North 01 degrees 39'58" West for a distance of 296.02 feet to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 87 degrees 40'19" East for a distance of 364.00 feet along said deed line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 39'58" East for a distance of 99.00 feet along said deed line to the South line of the North Half of said Southwest Quarter, said point being a 1/2" Bar Cap LS-1296; thence North 87 degrees 40'19" East for a distance of 561.66 feet along said deed line and South line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 21'56" East for a distance of 1322.09 feet to the South line of said Southwest Quarter; thence South 87 degrees 29'34" West for a distance of 1874.80 feet along said South line to the true point of beginning. Said parcel identified as Tract A-1 according to Boundary Line Adjustment Survey by Herring Surveying, recorded May 10, 2018 as Document No. 2018S026.

Exemption #3

For the sum of one dollar and other good and valuable considerations. Subject to easements, restrictions, and reservations of record, if any.

Dated this 7<sup>th</sup> day of January, A.D. 2019  
2018.

Steve Miles  
Steve Miles

Darla Miles  
Darla Miles

STATE OF KANSAS )  
COUNTY OF LEAVENWORTH ) S.S.:

BE IT REMEMBERED, That on this 7<sup>th</sup> day of January, A.D. 2019  
2018, before me the undersigned a notary public, in and for the County and State aforesaid, came Steve Miles and Darla Miles, husband and wife, who <sup>are</sup> personally known to me to be such persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my seal the day and year last above mentioned.

**CHERYL A. REYNOLDS**  
Notary Public - State of Kansas  
My Appt. Expires 1/8/2021

Cheryl A. Reynolds  
Notary Public

# CERTIFICATE OF SURVEY

Tracts of land in the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

## BOUNDARY LINE ADJUSTMENT

PREPARED FOR:

Steve & Darla Miles  
PO Box 458  
Bateson, KS 66007  
PID NO. 159-33-00-00-036

Jerrad & Tiffany Kinnison  
19800 171st Street  
Bateson, KS 66007  
PID NO. 159-33-00-00-036.03

11X  
Center of  
Section 33-10-22 (Level/Story)

- 1/2" Bar Found
- 1) Nail in Top of Tree Stump NW 15.0'
  - 2) Nail in Top of Fence Post NNE 10.0'
  - 3) Nail in N Face of 18" Tree SE 6.8'
  - 4) Mag Nail in N Face 30" Tree E 15.1'

Doc. # 1818108  
TRACY B. HERRING  
REGISTERED SURVEYOR  
LEAVENWORTH COUNTY, KANSAS  
REGISTRATION CN  
05/18/2012 2:31:24 PM  
KSP001010101 12.00  
PAGE 1

### SURVEYOR'S NOTE:

Intent of survey is to adjust the parcels that were as per previous survey. Intent of previous survey was to establish the property as per recorded deed Book 986 Page 1294. Said deed states that this property was recorded as Tract I & Tract II as well as shown as separate tracts as per recorded survey by R.E. Bacon Survey Book 5-B #70 dated 1971. Notes from said survey were also recovered during research. The deed did not close and had apparent typographical errors. Said survey and notes details and information did not match. Deeds and R.E. Bacon survey have more similarities when compared to the R.E. Bacon field notes. Deed of the Tract to the North stated the North half of the Southwest Quarter less a 99' x 1320' strip of land. This deed was held in the establishment of the surveyed property leaving the South Half of the Section including the 99' x 1320' strip and excepting out the Eastern 750' thereof. New descriptions are created as per this survey to resolve the previous deed issues.

### PARENT DESCRIPTIONS:

#### TRACT A:

Tract of land in the South Half of the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 39' 58" West for a distance of 1130.94 feet along the West line of said Southwest Quarter; thence North 87 degrees 40' 19" East for a distance of 808.50 feet to a 1/2" Bar Cap LS-1296; thence North 01 degrees 39' 58" West for a distance of 296.02 feet to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 87 degrees 40' 19" East for a distance of 551.66 feet along said deed line to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 01 degrees 39' 58" West for a distance of 808.50 feet along said deed line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 39' 58" East for a distance of 99.00 feet along said deed line to the South line of the North Half of said Southwest Quarter, said point being a 1/2" Bar Cap LS-1296; thence North 87 degrees 40' 19" East for a distance of 551.66 feet along said deed line and South line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 39' 58" East for a distance of 1322.09 feet to the South line of said Southwest Quarter; thence South 87 degrees 29' 34" West for a distance of 1874.80 feet along said South line to the true point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 54.5 acres, more or less, including road right of way. Error of Closure: 1 - 1202417

#### TRACT B:

Tract of land in the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 39' 58" West for a distance of 1130.94 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence continuing North 01 degrees 39' 58" West for a distance 296.02 feet along the said West line to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 87 degrees 40' 19" East for a distance of 808.50 feet along said deed line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 39' 58" East for a distance of 296.02 feet to a 1/2" Bar Cap LS-1296; thence South 87 degrees 40' 19" West for a distance of 808.50 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 5.5 acres, more or less, including road right of way. Error of Closure: 1 - 2000000

### SURVEYOR'S DESCRIPTIONS:

#### TRACT A-1:

Tract of land in the South Half of the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 39' 58" West for a distance of 1130.94 feet along the West line of said Southwest Quarter; thence North 87 degrees 40' 19" East for a distance of 956.00 feet to a 1/2" Bar Cap LS-1296; thence North 01 degrees 39' 58" West for a distance of 296.02 feet to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 87 degrees 40' 19" East for a distance of 364.00 feet along said deed line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 39' 58" East for a distance of 99.00 feet along said deed line to the South line of the North Half of said Southwest Quarter, said point being a 1/2" Bar Cap LS-1296; thence North 87 degrees 40' 19" East for a distance of 551.66 feet along said deed line and South line to a 1/2" Bar Cap LS-1296; thence South 01 degrees 39' 58" East for a distance of 1322.09 feet to the South line of said Southwest Quarter; thence South 87 degrees 29' 34" West for a distance of 1874.80 feet along said South line to the true point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 53.6 acres, more or less, including road right of way. Error of Closure: 1 - 1202417

#### TRACT B-1:

Tract of land in the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 39' 58" West for a distance of 1130.94 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence continuing North 01 degrees 39' 58" West for a distance 296.02 feet along the said West line to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 87 degrees 40' 19" East for a distance of 956.00 feet along said deed line; thence South 01 degrees 39' 58" East for a distance of 296.02 feet to a 1/2" Bar Cap LS-1296; thence South 87 degrees 40' 19" West for a distance of 956.00 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 5.5 acres, more or less, including road right of way. Error of Closure: 1 - 2000000

### TRANSFER AREA:

Tract of land in the Southwest Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 39' 58" West for a distance of 1130.94 feet along the West line of said Southwest Quarter; thence North 87 degrees 40' 19" East for a distance of 808.50 feet to the TRUE POINT OF BEGINNING; thence North 01 degrees 39' 58" West for a distance of 296.02 feet to the South line of a tract of land recorded in Deed Book 798 Page 1841; thence North 87 degrees 40' 19" East for a distance of 147.50 feet along said deed line; thence South 01 degrees 39' 58" East for a distance of 296.02 feet to a 1/2" Bar Cap LS-1296; thence South 87 degrees 40' 19" West for a distance of 147.50 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 1.0 acres, more or less, including road right of way. Error of Closure: 1 - 2000000

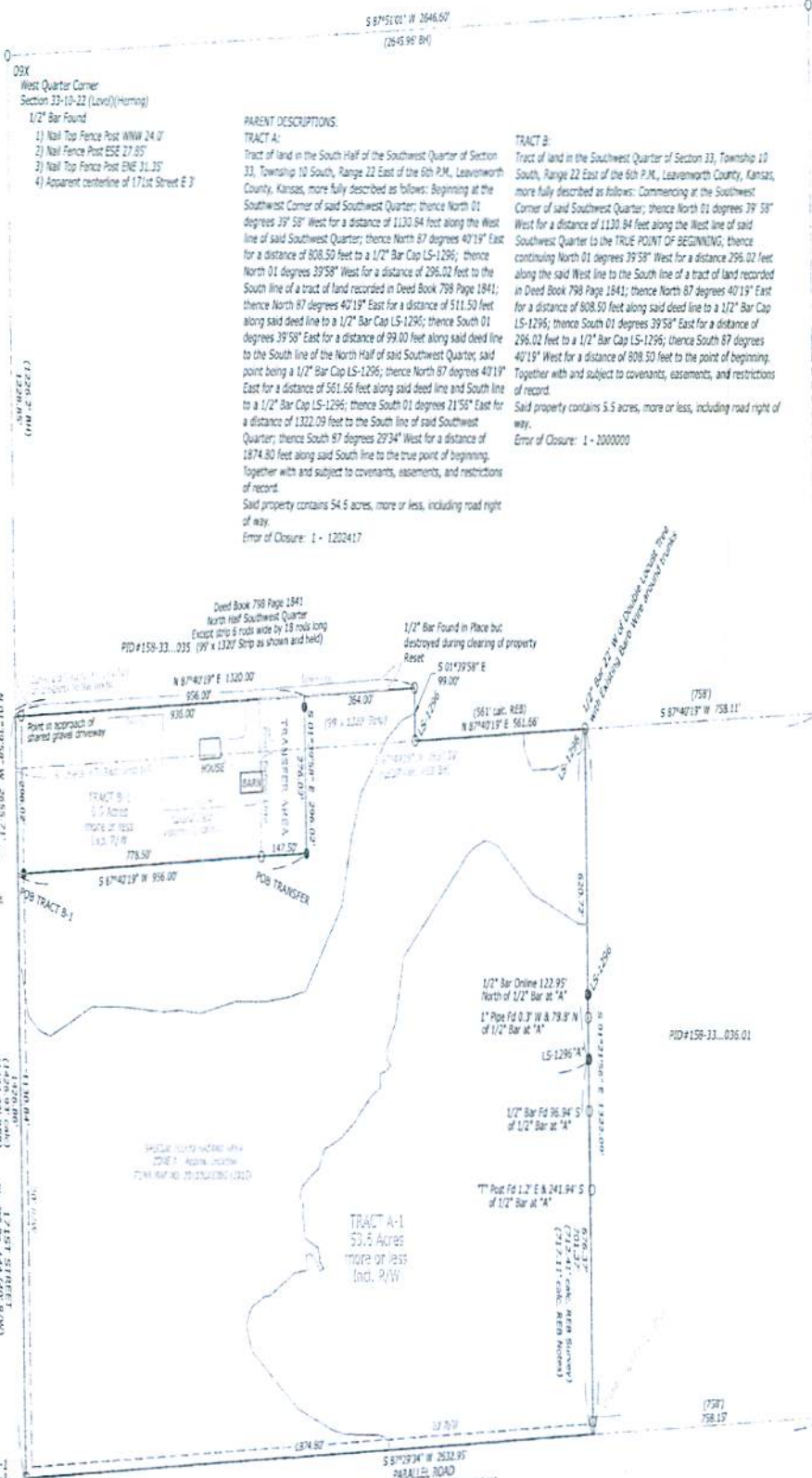
- 1) This survey does not show ownership or easements.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All record and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Surveyor's Description
- 5) Basis of Bearing - KS State Plane North Zone 1501
- 6) Point Origin Unknown, unless otherwise noted.
- 7) Referenced Surveys -  
(B1) - B-Hemple Survey Book "H" Page 97 dated 1949  
(R18) - R.E. Bacon Survey Book 5-B #70 dated 1971  
Notes dated February 26, 1971  
(JAH) - J.A. Herring Survey of MILES RANCH - recorded plat  
(JAH) - J.A. Herring survey Doc No. 201450111 & 201550115
- 8) Road Records - as shown hereon
- 9) Referenced Deed Doc. # 20149021190 & # 2016907699
- 10) Survey prepared without the benefit of a title commitment.
- 11) Survey Lines do not necessarily denote property lines.
- 12) Structures are shown in approximate location.
- 13) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
- 14) Property is located in a Special Flood Hazard Area Zone A per FEMA FIRM Map 2010C0238G - 2015.

11Z  
South Quarter Corner  
Section 33-10-22 (Level/Story)

- 5/8" Bar 1.7' below grade
- 1) Apparent centerline Parallel Road 5 1/2' ±
  - 2) 50# Nail in NW Face Fence Post SW 45.2'
  - 3) Double 60# Nails in NE Face Power Pole NW 51.35'
  - 4) Step Spike in NE Face Power Pole SW 47.5'
  - 5) Mag Nail Top Fence Corner Post SE 65.9'

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of April 2018 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



- ### LEGEND:
- - 1/2" Bar Set with Cap No. 1296
  - - 1/2" Bar Found, unless otherwise noted
  - ( ) - Record / Deeded Distance
  - POB - Point of Beginning
  - POC - Point of Commencing

**CERTIFICATION BY COUNTY STAFF**  
This Boundary Line Adjustment, as described and shown above, has been submitted to and approved by the following County Staff persons this 10th day of May, 2018.

Planning Director: *Shawn Griffin*  
Sally Kosh



114-019-18  
December 7, 2014 Rev 4/25/18

LIBERRING SURVEYING COMPANY  
18.5 North 5th Street, Leaw, KS 66048  
Ph: 781.861.3658 Fax: 413.487.7058  
Email: survey@liberring.com



COUNTY SURVEYOR  
I hereby certify that this document has been reviewed by me and is a true and correct copy of the original.

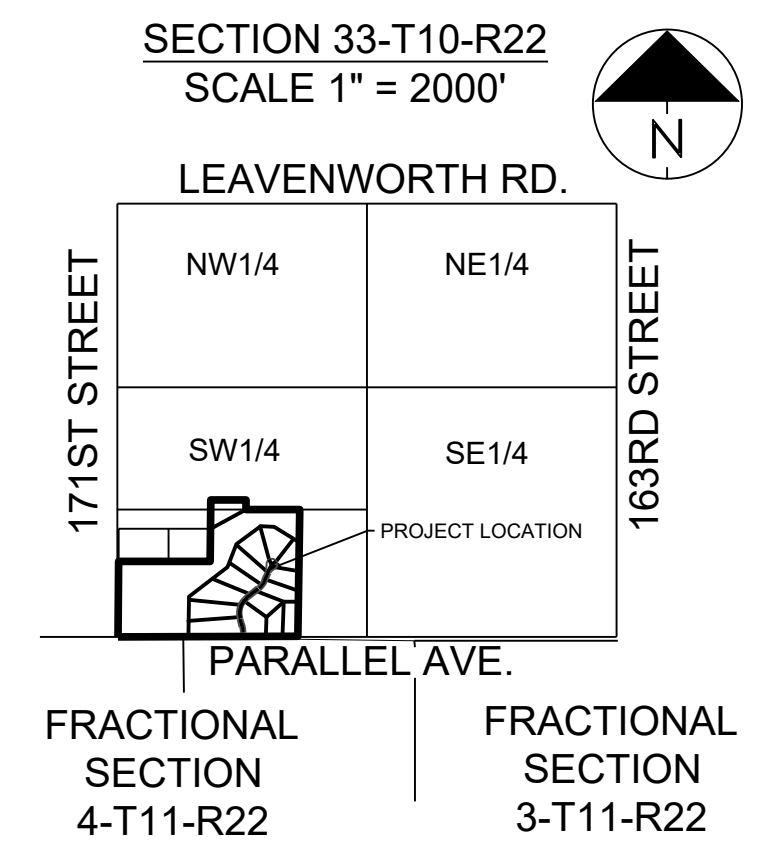
*Wayne Mitchell*  
Wayne Mitchell, KS





FINAL PLAT OF MILESTONE RIDGE, SECOND PLAT PART OF THE SW 1/4 OF SEC. 33-T10-R22, IN LEAVENWORTH COUNTY, KANSAS

LOCATION MAP SECTION 33-T10-R22 SCALE 1" = 2000'



DESCRIPTION: A Tract of land in the Southwest One-Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas, as described by Aaron T. Reuter, Kansas PS-1429, of Schlagel, Kansas LS-54, on February 5, 2025, as follows:

Beginning at the Southwest corner of said Southwest One-Quarter, then along the West line of said Southwest One-Quarter, North 01 degrees 39 minutes 58 seconds West, a distance of 789.59 feet; then North 87 degrees 40 minutes 19 seconds East, a distance of 956.00 feet; then North 01 degrees 39 minutes 58 seconds West, a distance of 637.27 feet; then North 87 degrees 40 minutes 19 seconds East, a distance of 364.00 feet; then South 01 degrees 39 minutes 58 seconds East, a distance of 99.00 feet to a point on the North line of the South One-Half of said Southwest One-Quarter; then along said North line, North 87 degrees 40 minutes 19 seconds East, a distance of 561.66 feet; then South 01 degrees 21 minutes 56 seconds East, a distance of 1322.88 feet to a point on the South line of said Southwest One-Quarter; then along said South line, South 87 degrees 40 minutes 19 seconds West, a distance of 1201.40 feet to the North One-Quarter corner of Section 4, Township 11 South, Range 22; then continuing along the said South line of said Southwest One-Quarter, South 87 degrees 39 minutes 58 seconds West, a distance of 673.39 feet to the Point of Beginning, and containing 46.1927 acres, more or less.

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: "MILESTONE RIDGE, SECOND PLAT"

Restrictions: Easements or licenses to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water lines, gas lines, sewer pipes, poles, wires, drainage facilities, ducts, cables and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easements" or (U/E) and "Drainage Easements" or (D/E) are hereby granted to Leavenworth County, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easements for and said purposes. The maintenance and upkeep of said easements shall be the responsibility of the individual owners of the lots whereupon said easement are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said easement.

Right of way shown hereon for 171st Street is from Road Record BK. F, PG. 144 and ST-42 Bridge Plans 1980. Right of way shown hereon for Parallel Road is from Road Records - Book F, Page 144 & Book B, Page 219, 40' R/W & Parallel Road Plans (1995) Proposed 60 feet of right of way for 169th Street is hereby dedicated by easement with this plat.

Building Lines or Setback Lines 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 Road Right of way line.

RESTRICTIONS: - Leavenworth County Conservation District recommends sediment and erosion control procedures during construction activities. - Property is subject to restrictions to be recorded by a separate document. - Private sewage disposal shall be per Leavenworth County Sanitary Code. Engineered wastewater disposal systems may be required. - Lots 3 thru 10 are impacted by the 100 year flood zone. Any building to be constructed in or near the special flood hazard shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit. - All Lots are subject to current Access policy resolution. Lots 3 thru 14 shall utilize 169th Street for lone access points. There shall be No direct access (LNA) to Parallel Road from Lots 3 or 14. Lots 15 and 16 shall utilize Parallel Road for lone access points. - Tracts A and B are to be owned and maintained by the developer. Tracts are non-buildable. - Accessory buildings on lots less than 2.51 acres shall be limited to 2.5% of the lot square footage. - All Structures built within this subdivision shall be built in compliance with Resolution 2020-39, or as amended. - Lots are subject to the current Access Management Policy. - The use of all tracts, lots, units and properties in this subdivision shall hereafter be subject to the codes, covenants and restrictions, recorded as Instrument #

APPROVALS: We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of "MILESTONE RIDGE, SECOND PLAT" this \_\_\_ day of \_\_\_, 2025.

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 Date

COUNTY COMMISSION APPROVAL: We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of "MILESTONE RIDGE, SECOND PLAT" this \_\_\_ day of \_\_\_, 2025.

Chairman: Mike Smith County Clerk Attest: Fran Keppler

REGISTER OF DEED CERTIFICATE: Filed for Record in Document # \_\_\_\_\_ this day of \_\_\_\_\_, 2025 at \_\_\_ o'clock \_\_\_ M., in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds, TerriLois Mashburn COUNTY SURVEYOR: I hereby certify 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

Disclaimer: Leavenworth County, Kansas, does not represent, warrant or guarantee that the details shown on this document and provided by the applicant, or any agent of the applicant, including any survey information, should be relied upon by any third party as being wholly or partially accurate and complete.

- NOTES:
- ZONING: R1 (43), Rural Residential, 1 acre parcels (Existing and Proposed).
  - Lot and Tract Areas include right of way.
  - Proposed use - Residential / Current use - Agricultural
  - Utilities: Water - Suburban, Electric - Evergy, Sewer - Septic.
  - MLOs are set 2' above BFE map elevations provided Nov. 17th, 2024 by Kansas DWR, with effective date of July 16th, 2015.

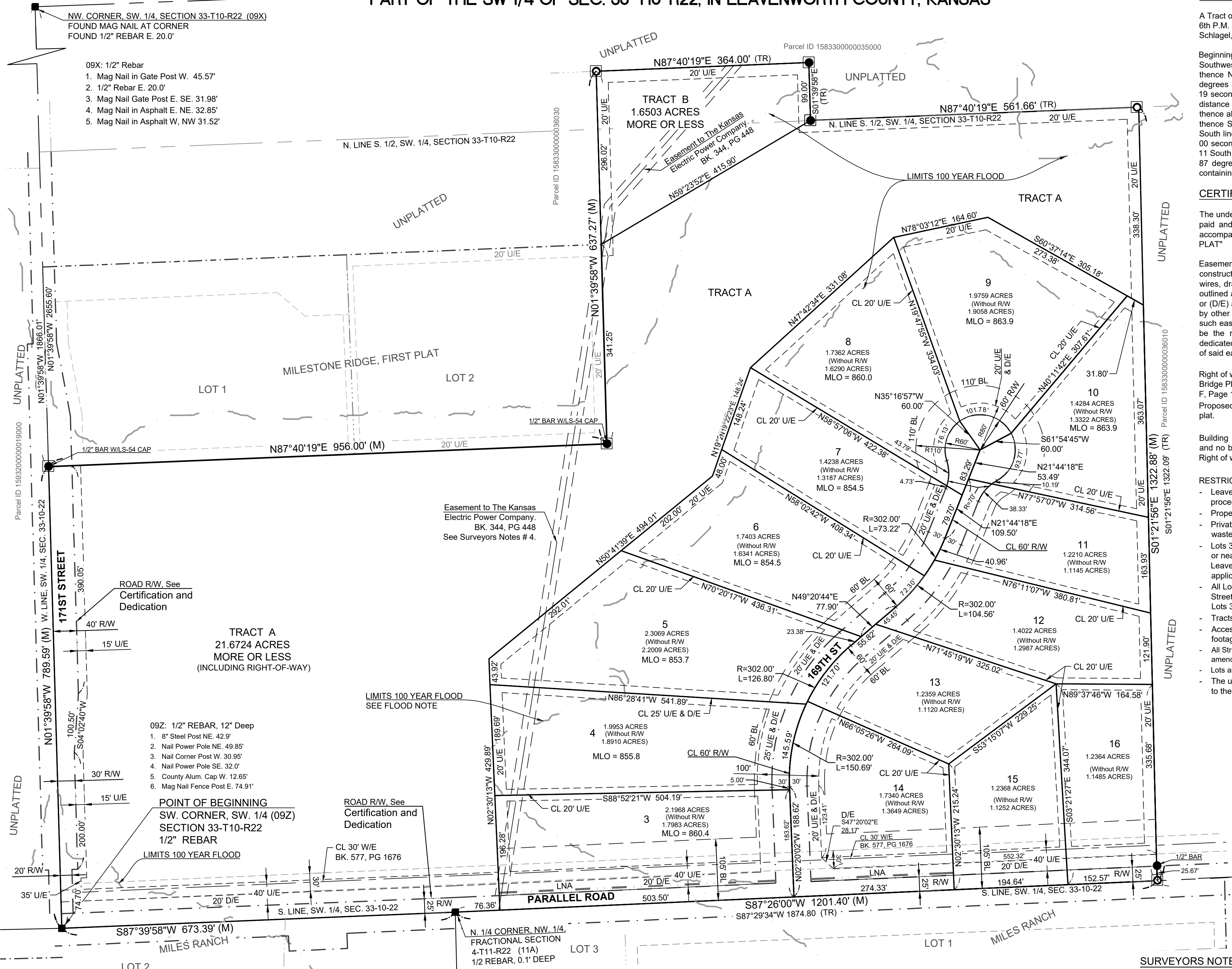
SURVEYORS NOTES: 1. Basis of bearings is the Kansas State Plane Coordinate System (NAD) 83, Kansas North Zone. 2. A portion of this property lies within Flood Zone A, (No Base Flood Elevations determined), Shown hereon, provided by Leavenworth County GIS and verified with FIRM MAP NO. 20103C0239C, REVISED 7-16-2015, REVISED 7-16-2015. The remainder of this Property lies within Flood Zone X, (areas determined to be outside the 0.2% annual chance floodplain). 3. This Survey has been prepared with the benefit of Owners and Encumbrance Report by Lawyers Title of Kansas, Inc., Case Number 47807, Dated 06/25/2024 at 7:00 am. Easements shown have been taken from this report. 4. Easement to The Kansas Electric Power Company, BK 344, PG 448 does not have a defined width. 5. 30' Easement to Suburban Water Company is described as center of pipe as laid. Reference surveys: Survey filed May 10, 2018, recorded in Document No. 2018S026. Plat of Miles Ranch, recorded in Document No. 2008P00016. No break was shown or called out on the South line of property in above referenced survey, plat of Miles Ranch or deed. A break point was added to this plat at the North One-Quarter corner of Section 4, Township 11, Range 22 per Leavenworth County surveyor comments, dated 1/24/2025. Legal Reference: Owners and Encumbrance Report by Lawyers Title of Kansas, Inc., Case Number 47807, Dated 06/25/2024 at 7:00 am. 7. The Error of Closure noted for the Plat is 1 : 1057090.87 8. Monumentation will be set upon completion of the construction activities within this plat. A minimum of 2 feet long 1/2" rebar with LS-54 caps, are to be set at all lot corners (front and rear, except those already set as plat corners).

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED IN MARCH OF 2024. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PROPERTY OWNER: STEVEN M. & DARLA A. MILES, PO BOX 458 BASEHOR, KS 66007-0458

DATE 03/05/2025  
DRAWN BY JWT  
CHECKED BY SCH  
PROJ. NO. 24-049

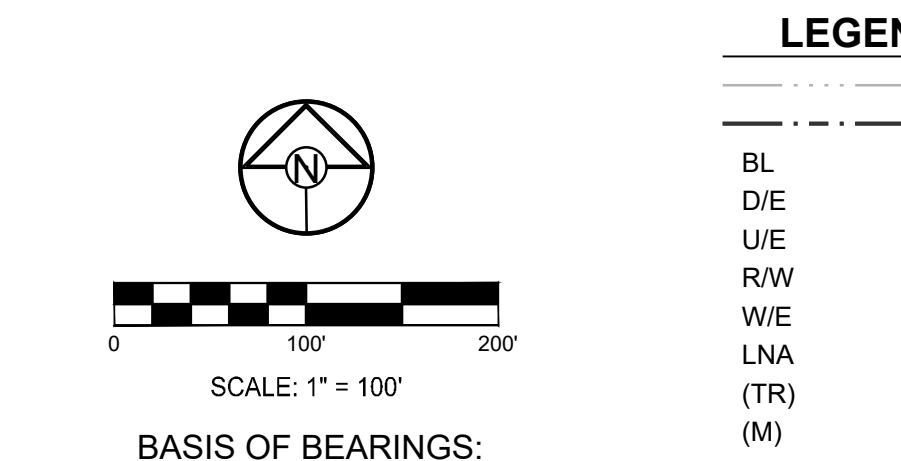
FINAL PLAT OF MILESTONE RIDGE SECOND PLAT  
SHEET NO. 1



- 09X: 1/2" Rebar  
1. Mag Nail in Gate Post W. 45.57'  
2. 1/2" Rebar E. 20.0'  
3. Mag Nail Gate Post E. SE. 31.98'  
4. Mag Nail in Asphalt E. NE. 32.85'  
5. Mag Nail in Asphalt W. NW 31.52'

- 09Z: 1/2" REBAR, 12" Deep  
1. 8" Steel Post NE. 42.9'  
2. Nail Power Pole NE. 49.85'  
3. Nail Corner Post W. 30.95'  
4. Nail Power Pole SE. 32.0'  
5. County Alum. Cap W. 12.65'  
6. Mag Nail Fence Post E. 74.91'

- 11A: 1/2" REBAR, 0.1" Deep  
1. Centerline traveway Parallel Road N. 2.0'  
2. Nail in top of fence post in "T" fence N.W. 39.50'  
3. Mag & shiner top center fence post East side of field entrance E. NE. 99.56'  
4. Mag & shiner top center fence post E. SE. 76.06'  
5. Mag & shiner top center fence post SW. 57.65'



PLAT CORNERS (CONTROLLING CORNERS OF SUBDIVISION)  
● FOUND MONUMENT AS NOTED  
● FOUND 1/2" REBAR WITH KSL5 1296 CAP UNLESS OTHERWISE NOTED  
● FOUND 1/2" REBAR PLACED CONCRETE UNLESS OTHERWISE NOTED  
○ SET 1/2" REBAR W/LS-54 CAP IN CONCRETE UNLESS OTHERWISE NOTED

LEAVENWORTH COUNTY BENCHMARK: CONTROL POINT: LVCO-0311 MONUMENT DESCRIPTION: ALUMINUM K007 CAP STAMPED: HCP LV 311 IN MASS OF CONCRETE FLUSH WITH THE GROUND.



## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Thursday, January 16, 2025 9:01 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-25-001 Final Plat – Milestone Ridge Second Plat

We have not received any complaints on this property, and we are not aware of any septic systems currently installed 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:** Wednesday, January 15, 2025 2:57 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; San, Soma <SSan@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-25-001 Final Plat – Milestone Ridge Second Plat

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for Phase 2 of the Milestone Ridge Subdivision located at 00000 171<sup>st</sup> Street (PID 158-33-0-00-00-036.00).

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 Wednesday, January 29, 2025.

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

Thank you,

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

**Disclaimer**



**FAIRMOUNT TOWNSHIP FIRE DEPARTMENT**  
2624 N 155<sup>th</sup> St.  
BASEHOR, KS 66007



January 23,2025

Leavenworth County Planning and Zoning Department  
Leavenworth County Courthouse  
300 Walnut Suite 212  
Leavenworth, Kansas 66048

RE: Final Plat for Phase 2 of the Milestone Ridge

To whom it may concern:

After reviewing the application and conducting an on-site survey for Milestone Ridge, the Fairmount Township Fire Department has no issues with their plans as long as streets and fire hydrants meet the code.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Lingenfelter", is written over a horizontal line.

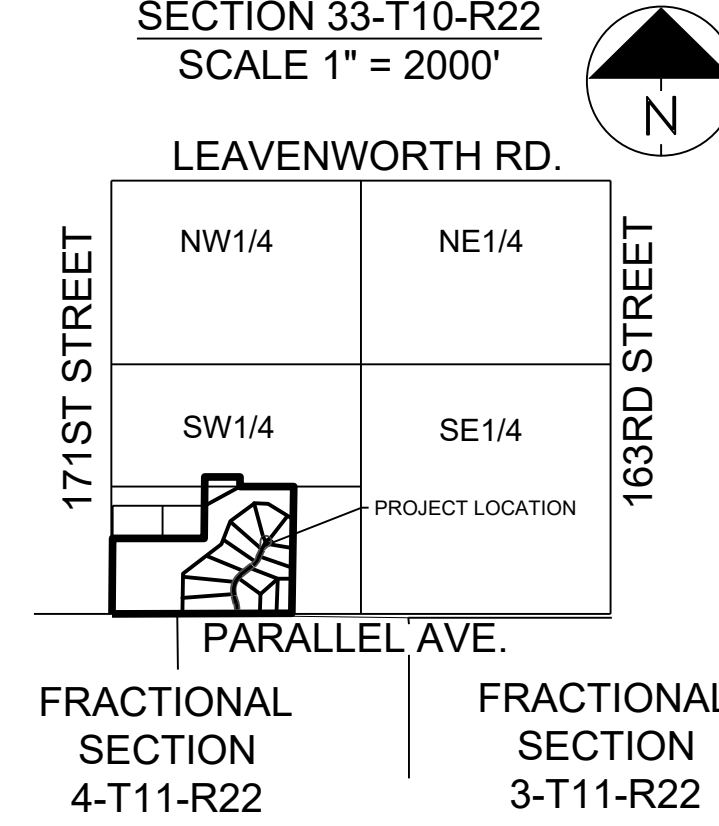
Mike Lingenfelter, Fire Chief  
Fairmount Township Fire Department  
PO Box 136  
Basehor, KS 66007

# FINAL PLAT OF MILESTONE RIDGE, SECOND PLAT

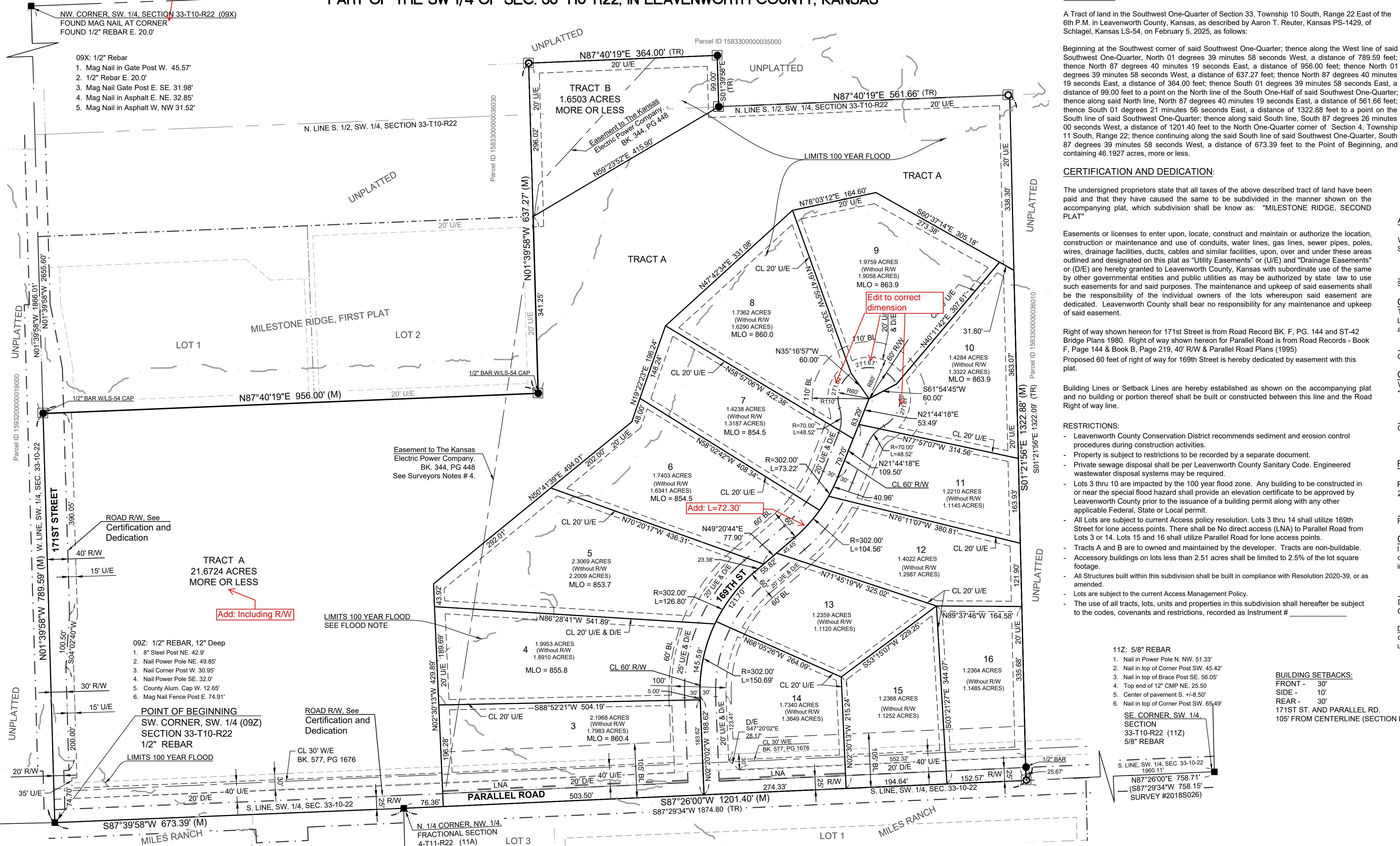
PART OF THE SW 1/4 OF SEC. 33-T10-R22, IN LEAVENWORTH COUNTY, KANSAS

**LOCATION MAP**  
SECTION 33-T10-R22  
SCALE 1" = 2000'

RECEIVED  
11/07/2024 1:08:31 PM



Nov. 7, 2024  
LSRR indicates  
1/2" Rebar



**DESCRIPTION:**  
A Tract of land in the Southwest One-Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas, as described by Aaron T. Reuter, Kansas PS-1429, of Schlagel, Kansas LS-54, on February 5, 2025, as follows:

Beginning at the Southwest corner of said Southwest One-Quarter, thence along the West line of said Southwest One-Quarter, North 01 degrees 39 minutes 58 seconds West, a distance of 789.59 feet; thence North 87 degrees 40 minutes 19 seconds East, a distance of 956.00 feet; thence North 01 degrees 39 minutes 58 seconds West, a distance of 637.27 feet; thence North 87 degrees 40 minutes 19 seconds East, a distance of 364.00 feet; thence South 01 degrees 39 minutes 58 seconds East, a distance of 99.00 feet to a point on the North line of the South One-Half of said Southwest One-Quarter; thence along said North line, North 87 degrees 40 minutes 19 seconds East, a distance of 561.66 feet; thence South 01 degrees 21 minutes 56 seconds East, a distance of 1322.88 feet to a point on the South line of said Southwest One-Quarter; thence along said South line, South 87 degrees 26 minutes 00 seconds West, a distance of 1201.40 feet to the North One-Quarter corner of Section 4, Township 11 South, Range 22; thence continuing along the said South line of said Southwest One-Quarter, South 87 degrees 39 minutes 58 seconds West, a distance of 673.39 feet to the Point of Beginning, and containing 46.1927 acres, more or less.

**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: "MILESTONE RIDGE, SECOND PLAT"

**APPROVALS:**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of "MILESTONE RIDGE, SECOND PLAT" this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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 \_\_\_\_\_ Date \_\_\_\_\_

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of "MILESTONE RIDGE, SECOND PLAT" this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman: Mike Smith  
County Clerk: Fran Keppler

**REGISTER OF DEED CERTIFICATE:**  
Filed for Record in Document # \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds, TerriLois Mashburn

**RESTRICTIONS:**

- Leavenworth County Conservation District recommends sediment and erosion control procedures during construction activities.
- Property is subject to restrictions to be recorded by a separate document.
- Private sewage disposal shall be per Leavenworth County Sanitary Code. Engineered wastewater disposal systems may be required.
- Lots 3 thru 10 are impacted by the 100 year flood zone. Any building to be constructed in or near the special flood hazard shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
- All Lots are subject to current Access policy resolution. Lots 3 thru 14 shall utilize 169th Street for lone access points. There shall be No direct access (LNA) to Parallel Road from Lots 3 or 14. Lots 15 and 16 shall utilize Parallel Road for lone access points.
- Tracts A and B are to be owned and maintained by the developer. Tracts are non-buildable.
- Accessory buildings on lots less than 2.51 acres shall be limited to 2.5% of the lot square footage.
- All Structures built within this subdivision shall be built in compliance with Resolution 2020-39, or as amended.
- Lots are subject to the current Access Management Policy.
- The use of all tracts, lots, units and properties in this subdivision shall hereafter be subject to the codes, covenants and restrictions, recorded as Instrument # \_\_\_\_\_

**BUILDING SETBACKS:**  
FRONT - 30'  
SIDE - 10'  
REAR - 30'  
171ST ST. AND PARALLEL RD.  
105' FROM CENTERLINE (SECTION LINE)

**11Z: 5/8" REBAR**  
1. Nail in Power Pole N. NW. 51.33'  
2. Nail in top of Corner Post SW. 45.42'  
3. Nail in top of Brace Post SE. 56.05'  
4. Top end of 12" CMP NE. 25.50'  
5. Center of pavement S. +/-8.50'  
6. Nail in top of Corner Post SW. 65.49'

**SE CORNER SW 1/4 SECTION 33-T10-R22 (11Z) 5/8" REBAR**  
S. LINE, SW. 1/4, SEC. 33-10-22 1995.11'  
N87°20'00"E 758.71'  
(S87°29'34"W 758.15' SURVEY #2018S026)

**SURVEYORS NOTES:**

- Basis of bearings is the Kansas State Plane Coordinate System (NAD) 83, Kansas North Zone.
- A portion of this property lies within Flood Zone A, (No Base Flood Elevations determined), Shown hereon, provided by Leavenworth County GIS and verified with FIRM MAP NO. 20103C0239C, REVISED 7-16-2015, REVISED 7-16-2015. The remainder of this Property lies within Flood Zone X, (areas determined to be outside the 0.2% annual chance floodplain).
- This Survey has been prepared with the benefit of Owners and Encumbrance Report by Lawyers Title of Kansas, Inc., Case Number 47807, Dated 06/25/2024 at 7:00 am. Easements shown have been taken from this report.
- Easement to The Kansas Electric Power Company, BK 344, PG 448 does not have a defined width.
- 30' Easement to Suburban Water Company is described as \_\_\_\_\_ center of pipe as laid.
- Reference surveys: Survey filed May 10, 2018, recorded in Document No. 2018S026. Plat of Miles Ranch, recorded in Document No. 2008P0016. No break was shown or called out on the South line of property in above referenced survey, plat of Miles Ranch or deed. A break point was added to this plat at the North One-Quarter corner of Section 4, Township 11, Range 22 per Leavenworth County surveyor comments, dated 1/24/2025.
- Legal Reference: Owners and Encumbrance Report by Lawyers Title of Kansas, Inc., Case Number 47807, Dated 06/25/2024 at 7:00 am.
- The Error of Closure noted for the Plat is 1:1057090.87
- Monumentation will be set upon completion of the construction activities within this plat. A minimum of 2 feet long 1/2" rebar with LS-54 caps, are to be set at all lot corners (front and rear, except those already set as plat corners).

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED IN MARCH OF 2024. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Aaron T. Reuter - Land Surveyor  
KS# LS-1429

**LEGEND:**

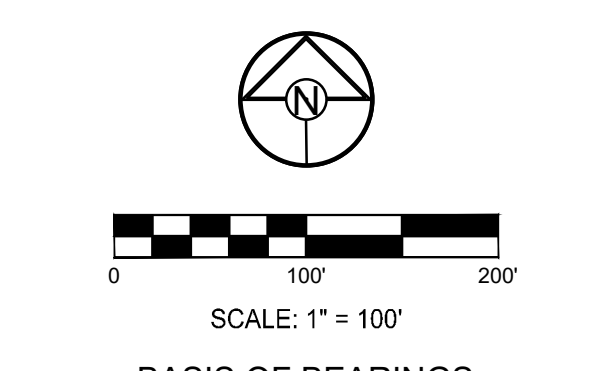
- EXISTING LOT AND PROPERTY LINES
- EXISTING PLAT AND RW LINES
- BL - BUILDING LINE
- D/E - DRAINAGE EASEMENT
- U/E - UTILITY EASEMENT
- R/W - RIGHT-OF-WAY
- W/E - WATERLINE EASEMENT
- LNA - NO DIRECT ACCESS - LNA
- (TR) - TITLE REPORT
- (M) - MEASURED

**PLAT CORNERS (CONTROLLING CORNERS OF SUBDIVISION)**

- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR WITH KSL'S 1296 CAP UNLESS OTHERWISE NOTED
- FOUND 1/2" REBAR PLACED CONCRETE UNLESS OTHERWISE NOTED
- SET 1/2" REBAR W/LS-54 CAP IN CONCRETE UNLESS OTHERWISE NOTED

**FOUNDATION:**  
NAD83 - KANSAS NORTH ZONE  
WEST LINE OF SOUTHWEST 1/4, SEC. 33-10-22 BEARING N 01°39'58" W

**LEAVENWORTH COUNTY BENCHMARK:**  
CONTROL POINT: LVCO-0311  
MONUMENT DESCRIPTION:  
ALUMINUM KNOT CAP STAMPED: "HCP LV 311" IN MASS OF CONCRETE FLUSH WITH THE GROUND.



**ACKNOWLEDGMENT:**  
IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

STEVEN M. MILES  
DARLA A. MILES

STATE OF KANSAS )  
COUNTY OF \_\_\_\_\_ ) ss.

THIS INSTRUMENT was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by \_\_\_\_\_

Notary Public My Appointment Expires \_\_\_\_\_

PROPERTY OWNER:  
STEVEN M. & DARLA A. MILES,  
PO BOX 458 BASEHOR, KS  
66007-0458

**SCHLAGEL**  
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS  
1420 West 107th Street • Lenexa, Kansas 66215  
Ph: (913) 492-5158 • Fax: (913) 492-8400 • WWW.SCHLAGELASSOCIATES.COM  
Kansas State Certificates of Authority  
#E-296 #LA-29 #LS-54

DATE	03/05/2025
DRAWN BY	JWT
CHECKED BY	SCH
PROJ. NO.	24-049

**FINAL PLAT OF  
MILESTONE RIDGE  
SECOND PLAT**

SHEET NO. 1

# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** Milestone Ridge Subdivision  
**Date:** March 12, 2025

Amy, I have reviewed the preliminary plat of the Milestone Ridge Subdivision presented by Steven and Darla Miles. 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, fire hydrants should be placed along the right-a-way of proposed street of 169<sup>th</sup> Street and Parallel then every 500 feet to the Cul-de-sac, and the other Lots along 171<sup>st</sup> are covered with an existing hydrant at the road right away on 171<sup>st</sup> Street.. 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.

Note:  
From my original response.

**03-19-25**  
**Combined PW**

**Review**  
**No Further**  
**Comment**

March 6, 2025

Leavenworth County Public Works  
100 N 5<sup>th</sup> Street  
Leavenworth, KS 66048

Re: Milestone Ridge, Second Plat

To Whom It May Concern:

As civil design consultant on the above referenced project, please accept this correspondence as confirmation that the proposed improvements associated with the above referenced project are in compliance with the required intersection sight distances per the AASHTO Green Book, A Policy on Geometric Design of Highways and Streets, 2018 7<sup>th</sup> Edition. Exhibits are provided in supplement of this correspondence letter for Cases B1, B2, and F.

Should you have any questions or concerns, please do not hesitate to contact our office.

Schlagel & Associates, P.A.

Sincerely,

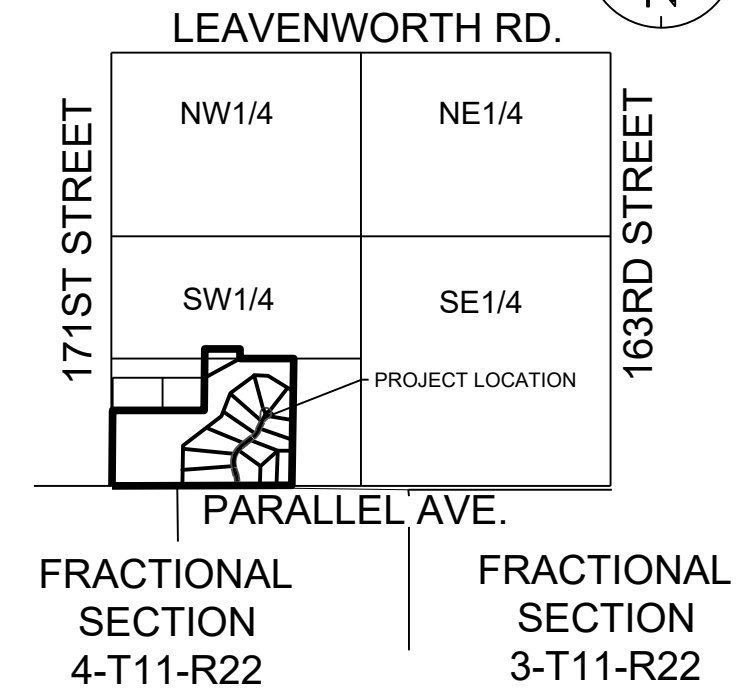
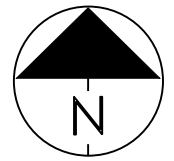


Jake Hattock P.E.  
Principal/Project Engineer

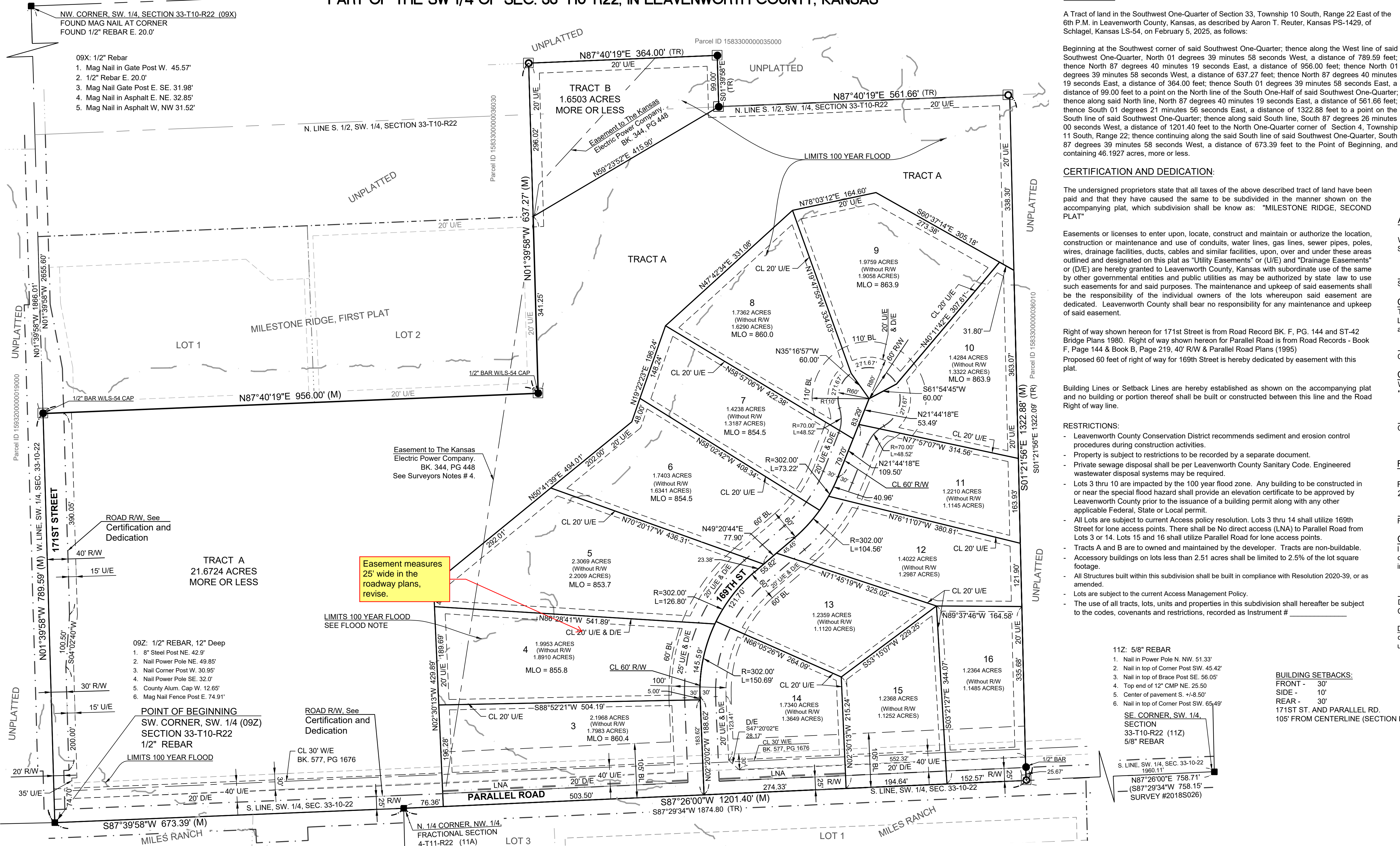


FINAL PLAT OF  
MILESTONE RIDGE, SECOND PLAT  
PART OF THE SW 1/4 OF SEC. 33-T10-R22, IN LEAVENWORTH COUNTY, KANSAS

LOCATION MAP  
SECTION 33-T10-R22  
SCALE 1" = 2000'



**03-19-25**  
**Combined PW**  
**Review**



DESCRIPTION:

A Tract of land in the Southwest One-Quarter of Section 33, Township 10 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas, as described by Aaron T. Reuter, Kansas PS-1429, of Schlager, Kansas LS-54, on February 5, 2025, as follows:

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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: "MILESTONE RIDGE, SECOND PLAT"

Easements or licenses to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water lines, gas lines, sewer pipes, poles, wires, drainage facilities, ducts, cables and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easements" or (U/E) and "Drainage Easements" or (D/E) are hereby granted to Leavenworth County, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easements for and said purposes. The maintenance and upkeep of said easements shall be the responsibility of the individual owners of the lots whereupon said easement are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said easement.

Right of way shown hereon for 171st Street is from Road Record BK. F, PG. 144 and ST-42 Bridge Plans 1980. Right of way shown hereon for Parallel Road is from Road Records - Book F, Page 144 & Book B, Page 219, 40' R/W & Parallel Road Plans (1995) Proposed 60 feet of right of way for 169th Street is hereby dedicated by easement with this plat.

Building Lines or Setback Lines 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 Road Right of way line.

RESTRICTIONS:

- Leavenworth County Conservation District recommends sediment and erosion control procedures during construction activities.
- Property is subject to restrictions to be recorded by a separate document.
- Private sewage disposal shall be per Leavenworth County Sanitary Code. Engineered wastewater disposal systems may be required.
- Lots 3 thru 10 are impacted by the 100 year flood zone. Any building to be constructed in or near the special flood hazard shall provide an elevation certificate to be approved by Leavenworth County prior to the issuance of a building permit along with any other applicable Federal, State or Local permit.
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APPROVALS:

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of "MILESTONE RIDGE, SECOND PLAT" this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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 \_\_\_\_\_ Date \_\_\_\_\_

COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of "MILESTONE RIDGE, SECOND PLAT" this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman: Mike Smith County Clerk \_\_\_\_\_  
Attest: Fran Keppler

REGISTER OF DEED CERTIFICATE:

Filed for Record in Document # \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds, TerriLois Mashburn

COUNTY SURVEYOR:

I hereby certify 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 \_\_\_\_\_ Date \_\_\_\_\_  
County Surveyor

Disclaimer: Leavenworth County, Kansas, does not represent, warrant or guarantee that the details shown on this document and provided by the applicant, or any agent of the applicant, including any survey information, should be relied upon by any third party as being wholly or partially accurate and complete.

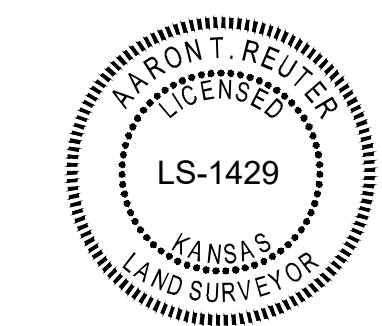
NOTES:

- ZONING: R1 (43), Rural Residential, 1 acre parcels (Existing and Proposed).
- Lot and Tract Areas include right of way.
- Proposed use - Residential / Current use - Agricultural
- Utilities: Water - Suburban, Electric - Evergy, Sewer - Septic.
- MLOs are set 2' above BFE map elevations provided Nov. 17th, 2024 by Kansas DWR, with effective date of July 16th, 2015.

SURVEYORS NOTES:

- Basis of bearings is the Kansas State Plane Coordinate System (NAD) 83, Kansas North Zone.
- A portion of this property lies within Flood Zone A, (No Base Flood Elevations determined), Shown hereon, provided by Leavenworth County GIS and verified with FIRM MAP NO. 20103C0239G, REVISED 7-16-2015, REVISED 7-16-2015. The remainder of this Property lies within Flood Zone X, (areas determined to be outside the 0.2% annual chance floodplain).
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- Reference surveys: Survey filed May 10, 2018, recorded in Document No. 2018S026. Plat of Miles Ranch, recorded in Document No. 2008P0016. No break was shown or called out on the South line of property in above referenced survey, plat of Miles Ranch or deed. A break point was added to this plat at the North One-Quarter corner of Section 4, Township 11, Range 22 per Leavenworth County surveyor comments, dated 1/24/2025.
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I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED IN MARCH OF 2024. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



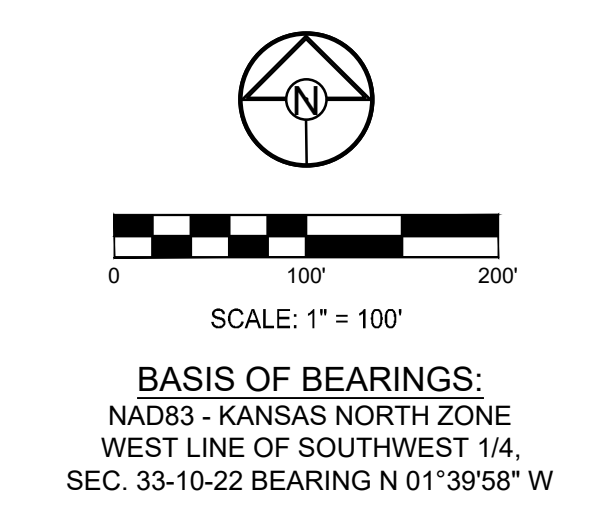
Aaron T. Reuter - Land Surveyor  
KS# LS-1429

PROPERTY OWNER:  
STEVEN M. & DARLA A. MILES,  
PO BOX 458 BASEHOR, KS  
66007-0458



DATE 03/05/2025  
DRAWN BY JWJ  
CHECKED BY SCH  
PROJ. NO. 24-049

FINAL PLAT OF  
MILESTONE RIDGE  
SECOND PLAT  
SHEET NO. 1



BASIS OF BEARINGS:  
NAD83 - KANSAS NORTH ZONE  
WEST LINE OF SOUTHWEST 1/4,  
SEC. 33-10-22 BEARING N 01°39'58" W

LEAVENWORTH COUNTY BENCHMARK:  
CONTROL POINT: LVCO-0311  
MONUMENT DESCRIPTION:  
ALUMINUM KNOT CAP STAMPED "HCP LV 311" IN  
MASS OF CONCRETE FLUSH WITH THE GROUND.

- LEGEND:
- EXISTING LOT AND PROPERTY LINES
  - EXISTING PLAT AND R/W LINES
  - BL - BUILDING LINE
  - D/E - DRAINAGE EASEMENT
  - U/E - UTILITY EASEMENT
  - R/W - RIGHT-OF-WAY
  - W/E - WATERLINE EASEMENT
  - LNA - NO DIRECT ACCESS - LNA
  - (TR) - TITLE REPORT
  - (M) - MEASURED
- PLAT CORNERS (CONTROLLING CORNERS OF SUBDIVISION)
- FOUND MONUMENT AS NOTED
  - FOUND 1/2" REBAR WITH KSL'S 1296 CAP UNLESS OTHERWISE NOTED
  - FOUND 1/2" REBAR PLACED CONCRETE UNLESS OTHERWISE NOTED
  - SET 1/2" REBAR W/LS-54 CAP IN CONCRETE UNLESS OTHERWISE NOTED

- 11A: 1/2" REBAR, 0.1' Deep
- Centerline travelway Parallel Road N. 2.0'
- Nail in top of fence post in "T" fence N.W. 39.50'
- Mag & shiner top center fence post East side of field entrance E.NE. 99.50'
- Mag & shiner top center fence post E.SE. 76.06'
- Mag & shiner top center fence post SW. 57.65'

ACKNOWLEDGMENT:

IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

STEVEN M. MILES \_\_\_\_\_ DARLA A. MILES \_\_\_\_\_  
STATE OF KANSAS \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
THIS INSTRUMENT was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by \_\_\_\_\_  
\_\_\_\_\_  
Notary Public My Appointment Expires \_\_\_\_\_

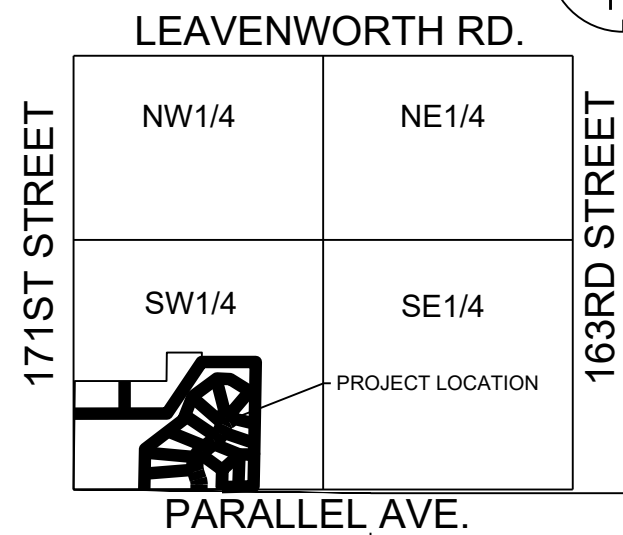
LEGEND:

- A/E - ACCESS EASEMENT
BC - BACK OF CURB
B/B - BACK TO BACK
BM - BENCHMARK
BL or B.L. - BUILDING LINE
CO - CLEANOUT
TJB - TELEPHONE JUNCTION BOX
C&G - CURB AND GUTTER
D/E - DRAINAGE EASEMENT
E/E - ELECTRICAL EASEMENT
EL - ELEVATION
FL - FLOW LINE
G/E - GAS LINE EASEMENT
HDPE - HIGH-DENSITY POLYETHYLENE
L/E - LANDSCAPE EASEMENT
MSFE - MINIMUM SERVICEABLE FLOOR ELEVATION
PVC - POLYVINYL CHLORIDE
P/L - PROPERTY LINE
PUB/E - PUBLIC EASEMENT
RCP - REINFORCED CONCRETE PIPE
ROW or R/W - RIGHT-OF-WAY
S/E - SANITARY SEWER EASEMENT
SL - SERVICE LINE
S/W - SIDEWALK
TE - TOP ELEVATION
UE - UTILITY EASEMENT
WSE - WATER SURFACE ELEVATION
W/E - WATERLINE EASEMENT

- ASPHALT PAVEMENT - EXISTING
ASPHALT PAVEMENT - PROPOSED
CONCRETE PAVEMENT - EXISTING
CONCRETE SIDEWALK - EXISTING
CONCRETE SIDEWALK - PROPOSED
CURB & GUTTER
CURB & GUTTER - EXISTING
TREE LINE
EXISTING LOT AND R/W LINES
EXISTING PLAT LINES
P/L - PROPERTY LINES
ROW - RIGHT-OF-WAY
SANITARY SEWER MAIN
SANITARY SEWER MAIN - EXIST.
STO - STORM SEWER
CABLE TV - EXISTING
FIBER OPTIC CABLE - EXISTING
TELEPHONE LINE - EXIST.
ELECTRIC LINE - EXISTING
OVERHEAD POWER LINE - EXIST.
UNDERGROUND ELECTRIC - EX.
GAS LINE - EXISTING
WATERLINE - EXISTING
LIGHT - EXISTING
EXISTING MANHOLE
CLEANOUT
EXISTING SANITARY MANHOLE
PROPOSED SANITARY MANHOLE
EXISTING AREA INLET
EXISTING CURB INLET
EXISTING GRATE INLET
EXISTING JUNCTION BOX
EXISTING STORM MANHOLE

LOCATION MAP

SECTION 33-10T-22R
SCALE 1" = 2000'



FRACTIONAL SECTION 4-T11-R22

FRACTIONAL SECTION 3-T11-R22

UTILITY COMPANIES:

COUNTY OF LEAVENWORTH PUBLIC WORKS DEPARTMENT
300 WALNUT ST. SUITE 007
LEAVENWORTH, KANSAS 66048
P:913-684-0470

SUBURBAN WATER, INC.
TRAVIS MILES, CEO/PRESIDENT
CELL:913-238-0040
TRAVIS@SUBURBANWATERINC.COM

EVERGY
JIMMY GOUBOUT
P:913-667-5119
JIMMY.GOUBOUT@EVERGY.COM

KANSAS ONE CALL
811
WWW.KANSASONECALL.COM

ATMOS ENERGY
DAVE HUGGINS, RESIDENTIAL PROJECT REP.
25090 W. 110TH TERRACE
OLATHE, KS 66061
P:913-254-6328
F:913-254-6399
DAVE.HUGGINS@ATMOSENERGY.COM

SUMMARY OF QUANTITIES

Table with 4 columns: ITEM, QUANTITY, UNITS, and description of work items like CLEARING, GRUBBING, & DISPOSAL; GRADING; REMOVE & REPLACE EXISTING STREET SECTION; EARTHWORK - CUT; EARTHWORK - FILL; STOP SIGN; STREET NAME SIGNS; SPEED LIMIT SIGN; NO OUTLET SIGN; SEEDING; EROSION CONTROL; CONSTRUCTION ENTRANCE; WASHOUT AREA; SILT SOCK/ROCK SOCK/SOCK WATTLE; SILT FENCE; COUNTY PERMIT FEE; BONDS.

COUNTY OF LEAVENWORTH STANDARD NOTES:

- 1. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO SCHEDULE A PRE CONSTRUCTION CONFERENCE WITH LEAVENWORTH COUNTY PUBLIC WORKS DEPARTMENT PRIOR TO ANY CONSTRUCTION ACTIVITIES. THE CONTRACTOR, OWNER, DESIGN ENGINEER, SURVEYOR, AND THE CONSTRUCTION ENGINEERING CONSULTANT ARE REQUIRED TO ATTEND CONFERENCE.
2. DEVELOPER/CONTRACTOR SHALL PROVIDE THE COUNTY WITH A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND NOI BEFORE CONSTRUCTION. THE SITE SHALL COMPLY WITH ALL THE REQUIREMENTS OF THE NPDES GENERAL PERMIT.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A QUALIFIED INDEPENDENT TESTING AGENCY TO PROVIDE ALL NECESSARY TESTING AND INSPECTION. SUCH TESTING AGENCY SHALL PROVIDE A SEALED REPORT WITH ALL TESTING DOCUMENTATION CERTIFYING THE PROJECT WAS CONSTRUCTED TO THE COUNTY AND KDOT SPECIFICATIONS. SUCH REPORT SHALL BE ACCEPTED BY THE COUNTY ENGINEER PRIOR TO PROJECT ACCEPTANCE. INSPECTION AND TESTING TO FOLLOW THE COUNTY'S ROADWAY INSPECTION POLICY, ADOPTED JANUARY 18, 2023. CONSTRUCTION ENGINEERING CONSULTANT SHALL FOLLOW PUBLISHED LEAVENWORTH COUNTY MATERIAL TESTING FREQUENCY CHART.
4. ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM TO THE LEAVENWORTH COUNTY DEPARTMENT OF PUBLIC WORKS ROAD CONSTRUCTION AND STORM WATER DRAINAGE STANDARDS 2003 EDITION. REFERENCES MADE TO KDOT STANDARDS AND SPECIFICATIONS SHALL BE CURRENT EDITION. MATERIAL MANUFACTURERS SHALL SUBMIT THE APPROPRIATE TESTING DATA FOR REVIEW.
5. CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
6. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH NPDES REGULATIONS.
7. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM ALL AGENCIES WITH JURISDICTION OVER THE PROJECT.
8. ALL PAVEMENT SAW CUTS SHALL BE FULL DEPTH. SAW CUTS SHALL BE INSPECTED BY THE COUNTY PRIOR TO PLACING THE AB-3 SUBGRADE. CONTRACTOR SHALL COORDINATE AN INSPECTION WITH THE COUNTY.
9. ACCESS TO EXISTING HOMES AND PROPERTY MUST BE MAINTAINED AT ALL TIMES.
10. ALL AREAS DISTURBED BY THE CONSTRUCTION OF SAID IMPROVEMENTS SHALL BE FERTILIZED, SEEDED, AND MULCHED IN ACCORDANCE WITH LEAVENWORTH COUNTY REQUIREMENTS. IF SEEDING DOES NOT TAKE, CONTRACTOR/DEVELOPER IS RESPONSIBLE FOR RESEEDING UNTIL A SUITABLE STAND OF GRASS IS ESTABLISHED. VEGETATION ACCEPTANCE SHALL MEET THE MINIMUM NOI REQUIREMENTS AND APPROVAL FROM THE COUNTY PUBLIC WORKS DEPARTMENT. VEGETATION REQUIRES A UNIFORM PERENNIAL VEGETATIVE COVER AND DENSITY OF 70% AS COMPARED TO ADJACENT TURF AREAS NOT DISTURBED DURING CONSTRUCTION.
11. CONTRACTOR WILL POST A ONE YEAR MAINTENANCE BOND WITH LEAVENWORTH COUNTY UPON ACCEPTANCE OF NEW ROAD.
12. DEVELOPMENT PLANS ARE APPROVED INITIALLY FOR ONE (1) YEAR, AFTER WHICH THEY AUTOMATICALLY BECOME VOID AND MUST BE UPDATED AND RE-APPROVED BY THE COUNTY ENGINEER BEFORE ANY CONSTRUCTION WILL BE PERMITTED.
13. THE COUNTY OF LEAVENWORTH PLAN REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH COUNTY OF LEAVENWORTH DESIGN CRITERIA AND THE COUNTY CODE. COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, OR DIMENSIONS AND ELEVATIONS, WHICH SHALL BE CONFIRMED AND CORRELATED ON THE FIELD. COUNTY OF LEAVENWORTH, THROUGH APPROVAL OF THIS DOCUMENT, ASSUMES NO RESPONSIBILITY OTHER THAN AS STATED ABOVE FOR THE COMPLETENESS AND/OR ACCURACY OF THIS DOCUMENT.
14. CONTRACTOR SHALL HAVE ONE (1) SIGNED COPY OF THE PLANS (APPROVED BY THE COUNTY OF LEAVENWORTH) WITH A COUNTY APPROVAL STAMP ON THE TITLE SHEET AND ONE (1) COPY OF THE APPROPRIATE DESIGN AND TECHNICAL SPECIFICATIONS CRITERIA FOR PUBLIC AND PRIVATE IMPROVEMENT PROJECTS AT THE JOB SITE AT ALL TIMES.
15. CONSTRUCTION OF THE IMPROVEMENTS SHOWN OR IMPLIED BY THIS SET OF DRAWINGS SHALL NOT BE INITIATED OR ANY PART THEREOF UNDERTAKEN UNTIL THE COUNTY ENGINEER IS NOTIFIED OF SUCH INTENT AND ALL REQUIRED AND PROPERLY EXECUTED BONDS AND CONTRACT AGREEMENTS ARE RECEIVED AND APPROVED BY THE COUNTY ENGINEER.
16. THE COUNTY OF LEAVENWORTH TECHNICAL SPECIFICATIONS FOR PUBLIC IMPROVEMENT PROJECTS, LATEST EDITION, SHALL GOVERN CONSTRUCTION OF THIS PROJECT.
17. ALL EXISTING UTILITIES INDICATED ON THE DRAWINGS ARE ACCORDING TO THE BEST INFORMATION AVAILABLE TO THE ENGINEER; HOWEVER, ALL UTILITIES ACTUALLY EXISTING MAY NOT BE SHOWN. UTILITIES DAMAGED THROUGH THE NEGLIGENCE OF THE CONTRACTOR TO OBTAIN THE LOCATION OF SAME SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT HIS EXPENSE.
18. ALL BACKFILL SHALL BE TAMPED. BACKFILL WITHIN THE RIGHT-OF-WAY SHALL BE COMPACTED TO NINETY-FIVE (95) PERCENT OF MAXIMUM DENSITY AT OPTIMUM MOISTURE.
19. ALL SERVICE LINES SHALL BE MINIMUM 1.00% GRADE UNLESS APPROVED BY THE COUNTY ENGINEER.
20. MSFE DENOTES MINIMUM SERVICEABLE FLOOR ELEVATION.
21. ALL WATER REQUIRED FOR THE CONSTRUCTION OF THIS PROJECT SHALL BE PURCHASED FROM THE APPROPRIATE WATER DISTRICT THROUGH THE USE OF A FIRE HYDRANT WATER METER. METERS CAN BE OBTAINED FROM THE WATER DISTRICT FOR A NOMINAL DEPOSIT, REFUNDABLE UPON THE RETURN OF THE METER.
22. SATURDAY AND HOLIDAY WORK SHALL BE AS APPROVED BY THE COUNTY ENGINEER. NO WORK SHALL BE PERMITTED ON SUNDAY.
23. RELOCATION OF ANY WATER LINE, SEWER LINE OR SERVICE LINE REQUIRED FOR THE CONSTRUCTION OF THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE AT HIS EXPENSE. THE CONTRACTOR SHALL INSTALL AND PROPERLY MAINTAIN A MECHANICAL PLUG AT ALL CONNECTION POINTS WITH EXISTING LINES UNTIL SUCH TIME THAT THE PROPOSED LINE IS TESTED AND APPROVED. A PRE-BLAST SURVEY SHALL BE APPROVED BY THE FIRE MARSHALL PRIOR TO THE INITIATION OF BLASTING OPERATIONS.
24. CONTRACTOR SHALL PROVIDE ADEQUATE TRAFFIC CONTROL SIGNAGE PER THE LATEST EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
25. ALL WORKMANSHIP AND MATERIALS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE COUNTY. CONTRACTOR SHALL NOT CHANGE OR DEVIATE FROM THE PLANS WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM THE COUNTY ENGINEER AND THE ENGINEER OF RECORD FOR THE DESIGN.

UTILITIES:

- 1. Existing utilities have been shown to the greatest extent possible based upon information provided to the Engineer. The contractor is responsible for contacting the respective utility companies and field locating utilities prior to construction and identifying any potential conflicts. All conflicts shall immediately be brought to the attention of the Engineer.
2. The contractor shall be responsible for coordinating any required utility relocations. Utilities damaged through the negligence of the contractor shall be repaired at the contractor's expense.
3. Contractor shall verify flow-lines and structure tops prior to construction, and shall notify Engineer of any discrepancies. Provide shop drawings for all precast and manufactured utility structures for review by the Engineer prior to construction of the structures.
4. Utility Separation: Waterlines shall have a minimum of 10 feet horizontal and 2 feet vertical separation from all sanitary sewer lines, manholes, and sanitary sewer service laterals, as measured from edge to edge. If minimum separations can not be obtained, concrete encasement of the sanitary line shall be required 10 feet in each direction of the conflict.
5. Payment for trenching, backfilling, pipe embedment, flowable fill, backfill materials, clean up, seeding, sodding and any other items necessary for the construction of the utility line shall be included in the contract price for the utility installation.
6. The Contractor shall be responsible for contacting respective utility companies 48-hours in advance for the inspection of any proposed utility main extension or service line or service connection to any existing main.
7. Trench spoils shall be neatly placed onsite adjacent to the trench, and compacted to prevent saturation and excess sediment runoff. Unsuitable materials, excess rock and shale, asphalt, concrete, trees, brush etc. shall be properly disposed of offsite. Materials may be wasted onsite at the direction of the Owner or his appointed representative.

PUBLIC IMPROVEMENT STREET AND STORM WATER SEWER PLANS FOR MILESTONE RIDGE SECOND PLAT LEAVENWORTH COUNTY, KANSAS

GENERAL NOTES:

- 1. All construction and materials shall conform to the Leavenworth County Department of Public Works Road Construction and Storm Water Drainage Standards 2003 Edition.
2. The Contractor shall coordinate a County Inspection and approval of all saw cut lines in public roadways prior to any subgrade operations.
3. The Contractor is responsible for obtaining a qualified independent testing agency to provide all necessary testing per KDOT Specifications and Testing Frequencies (current edition). Prior to construction, the contractor shall furnish an inspection schedule with descriptions and frequencies to the County Engineer for review and approval. Such testing agency shall provide a sealed report with all testing documentation certifying the project was constructed to County and KDOT specifications. Such report shall be accepted by the County Engineer prior to project acceptance. In the event the engineer of record or geotechnical engineer require additional tests or frequency of tests, the more stringent shall apply.
4. Contractor is responsible for verifying quantities prior to bidding, as well as becoming familiar with and satisfying himself as to the general, local and site conditions that may affect cost, progress, and performance of work.
5. Contractor shall promptly give engineer written notice of all conflicts, errors, ambiguities or discrepancies that the contractor discovers in the bidding documents and confirm that the written resolution thereof by the engineer is acceptable to contractor.
6. Contractor is responsible for the jobsite safety of the project and the safety of the public and shall adhere to all federal, state and local safety regulations.
7. Contractor is responsible for coordinating construction activities with other contractors concurrently working onsite. Contractor shall coordinate all subcontractor activities, and shall be the sole contact for the owner.
8. Contractor shall secure all required permits, insurance requirements and bonding prior to construction. Insurance certificates shall name Owner and Engineer as additional insured.
9. Water for use on site must be purchased from the local water utility having jurisdiction, and shall be purchased per their requirements.
10. All traffic control required in conjunction with the proposed construction shall be in conformance with the latest addition of the Manual of Uniform Traffic Control Devices (MUTCD) and shall be a subsidiary obligation of the contract.

EARTHWORK:

- 1. It is recommended that a Geotechnical Engineer observe and document all earthwork activities.
2. Contours have been shown at 1-foot or 2-foot intervals, as indicated. Grading shall consist of completing the earthwork required to bring the physical ground elevations of the existing site to the finished grade (or sub-grade) elevations provided on the plans as spot grades, contours or others means as indicated on the plans.
3. The existing site topography depicted on the plans by contouring has been established by aerial photography, county GIS, and field verified by g.p.s. observation near MARCH 2024. The contour elevations provided may not be exact ground elevations, but rather interpretations of such. Accuracy shall be considered to be such that not more than 10 percent of spot elevation checks shall be in error by more than one-half the contour interval provided, as defined by the National Map Accuracy Standards. Any quantities provided for earthwork volumes are established using this topography contour accuracy, and therefore the inherent accuracy of any earthwork quantity is assumed from the topography accuracy.
4. Proposed contours are to approximate finished grade.
5. Unless otherwise noted, payment for earthwork shall include backfilling of the curb and gutter, sidewalk and further manipulation of utility trench spoils. The site shall be left in a mowable condition and positive drainage maintained throughout.
6. Unless otherwise noted, all earthwork is considered Unclassified. No additional compensation will be provided for rock or shale excavation, unless specifically stated otherwise.
7. Prior to earthwork activities, pre-disturbance erosion and sediment control devices shall be in place per the Storm Water Pollution Prevention plan and/or the Erosion and Sediment Control Plan prepared for this site.
8. All topsoil shall be stripped from all areas to be graded and stockpiled adjacent to the site at an area specified by the project owner or his appointed representative. Vegetation, trash, trees, brush, tree roots and limbs, rock fragments greater than 6-inches and other deleterious materials shall be removed and properly disposed of offsite or as directed by the owner or his appointed representative.
9. Unless otherwise specified in the Geotechnical Report, all fills shall be placed in maximum 6-inch lifts and compacted to 95-percent of maximum density as defined using a standard proctor test (AASHTO T99/ASTM 698).
10. Subgrade for pavements shall be proof-rolled prior to paving operations utilizing a fully loaded tandem axle dump truck. All areas exhibiting excessive pumping and heaving shall be removed, filled and compacted with suitable materials and retested until acceptable results are achieved and final approval has been obtained from the Geotechnical Engineer.
11. Subgrade for building pad shall include a minimum of 18-inches of Low Volume Change (LVC) material, or as identified in the site specific Geotechnical Report.
12. Fill materials shall be per Geotechnical Report and shall not include organic matter, debris or topsoil. All fills placed on slopes greater than 6:1 shall be benched.
13. The Contractor shall be responsible for redistributing the topsoil over proposed turf and landscaped areas to a minimum depth of 6-inches below final grade.

The Owner needs to provide a letter of acknowledging the following requirements:

- 1. Owner/Developer/Contractor shall acknowledge and comply with the roadway inspection policy, adopted January 18th, 2023.
2. The Owner needs to submit a detailed estimate of the total cost of the improvements, which includes all quantities and individual costs. Mobilization, and construction staking shall be included.

ENGINEER CERTIFICATION:

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH LEAVENWORTH COUNTY'S ROAD CONSTRUCTION AND STORM WATER DRAINAGE STANDARDS, 2003 EDITION. I HEREBY HOLD HARMLESS LEAVENWORTH COUNTY FOR ERRORS OR OMISSIONS IN THESE PLANS

Jake Hattock ENGINEER 03-06-2025 DATE

APPROVED BY:

COUNTY ENGINEER DATE

THESE PLANS ARE APPROVED FOR ONE YEAR, AFTER WHICH THEY AUTOMATICALLY BECOME VOID. THE COUNTY ENGINEER'S PLAN REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH ROAD AND STORM WATER DRAINAGE STANDARDS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY DID NOT CHECK, AND IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSION ELEVATIONS AND QUANTITIES.

ROAD NOTES:

- 1. DESIGN SPEED = 30 MPH
2. ROAD CLASSIFICATION = LOCAL ROAD
3. STANDARD ROAD SECTION PER COUNTY REQUIREMENTS (SEE DETAIL SHEET 7)
4. CONTRACTOR TO PROVIDE THE PUBLIC WORKS DEPARTMENT THE CONSTRUCTION SCHEDULE FOR REVIEW TWO WEEKS PRIOR TO CONSTRUCTION.

OWNER/DEVELOPER:

MILES EXCAVATING, INC.
DARLA MILES
P.O. BOX 458
BASEHOR, KANSAS 66007
p 913-724-1934
DARLAM@MILESEXCAVATING.COM

ENGINEER/SURVEYOR:

SCHLAGEL
JAKE A. HATTOCK
14920 WEST 107TH STREET
LENEXA, KANSAS 66215
p 913-492-5158
JHATTOCK@SCHLAGELASSOCIATES.COM

SCHLAGEL
AARON REUTER
14920 WEST 107TH STREET
LENEXA, KANSAS 66215
p 913-492-5158
AR@SCHLAGELASSOCIATES.COM

BASIS OF BEARINGS:
NAD83 - KANSAS NORTH ZONE
SOUTH LINE OF SOUTHWEST 1/4,
SEC. 33-10-22 BEARING S 87°29'34" W

LEAVENWORTH COUNTY BENCHMARK:
CONTROL POINT: LVCO-0311
MONUMENT DESCRIPTION:
ALUMINUM KDOT CAP STAMPED "HCP LV 311" IN MASS OF CONCRETE
FLUSH WITH THE GROUND.

Sheet List Table with columns: Sheet Number, Sheet Title. Lists sheets 1 through 16 including COVER, GENERAL LAYOUT, GRADING PLAN, EROSION CONTROL, EROSION CONTROL DETAILS, 169TH STREET PLAN & PROFILE, STREET DETAILS, INTERSECTION DETAIL 169TH & PARALLEL, STORM PLAN & PROFILE, DRAINAGE PLAN & CALCS, 169TH STREET CROSS SECTION PLAN, 169TH STREET CROSS SECTIONS, 169TH STREET CROSS SECTIONS, INTERSECTION DETAIL 169TH & PARALLEL, STORM PLAN & PROFILE, DRAINAGE PLAN & CALCS, 169TH STREET CROSS SECTION PLAN, 169TH STREET CROSS SECTIONS, 169TH STREET CROSS SECTIONS, SWALE SECTION A CROSS SECTIONS.

PREPARED BY:



SCHLAGEL & ASSOCIATES, P.A.

MILESTONE RIDGE SECOND PLAT STREET AND STORM PLANS
169TH STREET & PARALLEL ROAD
LEAVENWORTH COUNTY, KANSAS

Revision table with columns: REVISION DATE, COUNTY COMMENTS, DESCRIPTION. Shows revisions 1 through 4.

COVER

SHEET



## Allison, Amy

---

**From:** Boone Heston <Boone.Heston@evergy.com>  
**Sent:** Monday, November 25, 2024 7:30 AM  
**To:** Allison, Amy  
**Subject:** Re: [EXTERNAL]Milestone Ridge Plat - Leavenworth County

**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

Good morning,

Evergy will be the electric utility provider for both phases of this subdivision.

Thank you,

### Boone Heston

SR TD Designer  
Leavenworth, KS

**Evergy**

[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)

O 785-508-2590

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**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, November 22, 2024 2:29 PM  
**To:** Boone Heston <Boone.Heston@evergy.com>  
**Subject:** [EXTERNAL]Milestone Ridge Plat - Leavenworth County

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Afternoon Boone,

Jake Hattock sent over the attached email about the equipment and timing of providing electricity to the Milestone Ridge subdivision. Can you verify that Evergy can provide service to both phases of this subdivision?

Thank you,

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



May 31<sup>st</sup>, 2024

Leavenworth County Planning and Zoning Department  
Leavenworth County Courthouse  
300 Walnut Suite 212  
Leavenworth, Kansas 66048

RE: Milestone Ridge

Suburban Water, Inc. (SWC) has received the proposed plat for Milestone Ridge, Leavenworth County, KS. Suburban has completed an initial review of the proposed development. SWC has existing infrastructure located along Parallel Rd and 171st Street. SWC will provide water service to the proposed development. System improvements necessary to provide service to the proposed development will be provided by SWC to the developer upon approval of the preliminary and final plat approval by LVCO.

Sincerely,

Travis J Miles

President

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-25-019 & 020 NDN Acres

April 9, 2025

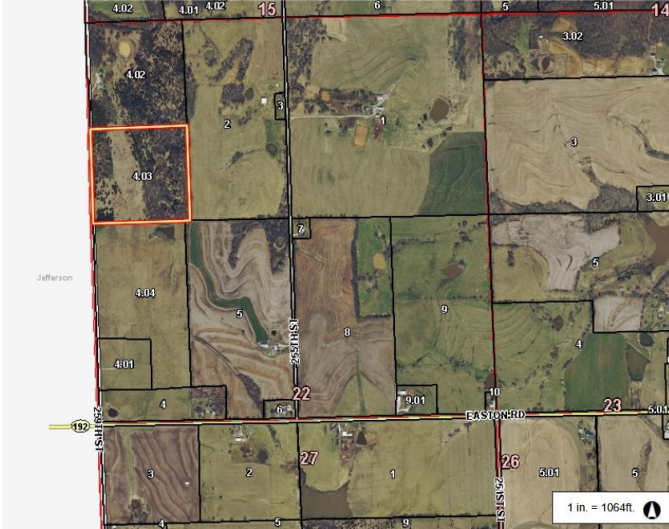
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 00000 259TH Street.



**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
HERRING SURVEYING  
315 N. 5th Street  
Leavenworth, KS 66048

**PROPERTY OWNER:**

Chris Couch & Deborah Sullivan  
16340 Dana Lane  
Leavenworth, KS 66048

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

RR-5

**LEGAL DESCRIPTION:**

A Minor Subdivision in the Northwest Quarter of Section 22, Township 8 South, Range 20, East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-25-019 & 020, Preliminary & Final Plat for NDN Acres, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-019 & 020, Preliminary & Final Plat for NDN Acres to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 36.80 ACRES

**PARCEL ID NO:**

055-22-0-00-00-004.03

**BUILDINGS:**

N/A

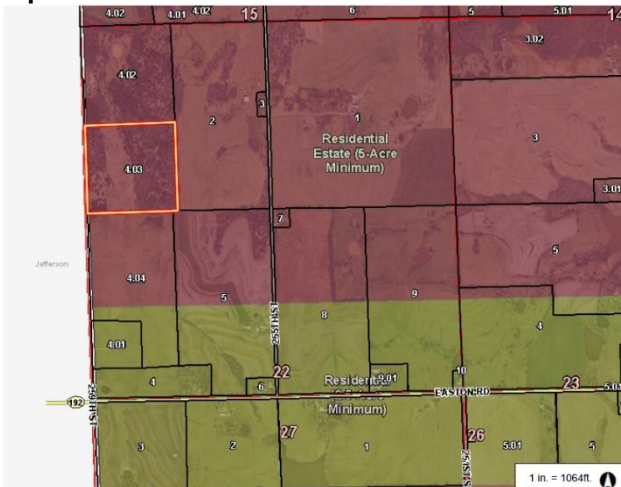
**PROJECT SUMMARY:**

Request for a final plat approval to subdivide property located at 00000 259th Street (055-22-0-00-00-004.03) as Lots 01 through 04 of NDN Acres.

**ACCESS/STREET:**

259th Street - Local, Gravel ± 22'

**Location Map:** FUTURE LAND USE DESIGNATION



**UTILITIES**

SEWER: PRIVATE SEPTIC

FIRE: EASTON

WATER: RWD 12

ELECTRIC: FREESTATE

**NOTICE & REVIEW:**

STAFF REVIEW:

04/02/2025

NEWSPAPER NOTIFICATION:

N/A

NOTICE TO SURROUNDING

PROPERTY OWNERS:

N/A

<b>STANDARDS TO BE CONSIDERED:</b> <i>Type content in each if necessary (delete this afterwards)</i>			
<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	
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 36.80-acre parcel into four (4) 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 sanitary sewers are not located within 660' of the subdivision (see condition 3). Lot 1 will be approximately 10 acres in size. Lots 2 - 4 will be approximately 9.3 acres in size. All lots meet the requirements for the RR-5 zoning district.

**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. The developer must comply with the following memorandums:
  - Memo – RWD 12, dated February 21, 2025
  - Memo – Chuck Magaha, dated March 11, 2025

**PROPOSED MOTIONS:**

Approve case DEV-25-019/020, a request to plat the property located at 00000 259<sup>th</sup> St. into a 4-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-25-019/020 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-25-019/020, a request to plat the property located at 00000 259<sup>th</sup> St. into a 4-lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-25-019/020.*

Table the case to a date and time certain for additional information.

*Motion: Chairman, I move to table Case No. DEV-25-019/020 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

C: Road Map (A minimum of 1/4 mile)

D: Memorandums

**FINAL &  
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: Chris Couch and Deborah Sullivan  
 MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS 16340 Dana Lane  
 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: NDN ACRES  
 Address of Property: 00000 259th Street  
 PID: 55-22-0-00-00-004.03 Urban Growth Management Area: N/A

**SUBDIVISION INFORMATION**

Gross Acreage: <u>38 Acres</u>	Number of Lots: <u>4</u>	Minimum Lot Size: <u>9 AC</u>
Maximum Lot Size: <u>10 AC</u>	Proposed Zoning: <u>RR-5</u>	Density: N/A
Open Space Acreage: N/A	Water District: <u>RWD 12</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>Easton</u>	Electric Provider: <u>Freestate</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <i>Local – Collector - Arterial – State - Federal</i>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <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 2-17-25

Date: 2-17-25

**ATTACHMENT A**



**STATUTORY WARRANTY DEED  
JOINT TENANCY  
File No. 18689**

David A. Andrews, a single person, of Leavenworth County, Kansas,

Convey and Warrant to:

**Christopher Paul Couch and Deborah Sullivan Couch, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, of Leavenworth County, Kansas,**

Real Property described as follows:

**The South 38 acres of the West half of the Northwest Quarter of Section 22, Township 8, Range 20, in Leavenworth County, Kansas, less any part thereof taken or used for road purposes.**

Subject to restrictions, reservations, assessments, and easements, if any, now affecting said property.

Said property situated in Leavenworth County, Kansas, and for the sum of one dollar and other good and valuable considerations.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever. And Grantor, for himself, his heirs, successors and assigns, does hereby covenant, promise and agree, to and with Grantees, that at the delivery of these presents he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments taxes, assessments and encumbrances, of what nature and kind whatsoever, subject to Grantor's reservation set forth herein, and that he will WARRANT AND FOREVER DEFEND the same unto Grantees, as Joint Tenants and to the survivor of them, as not as tenants in common, and to the heirs and assigns of such survivor forever, and all and every person or persons whomsoever lawfully claiming or to claim the same.

Dated this 28<sup>th</sup> day of July , 2005.

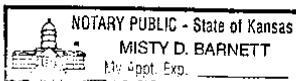
  
David A. Andrews

STATE OF KANSAS  
COUNTY OF LEAVENWORTH  
FILED  
2005 JUL 28 P 3:13  
STACY R. BRISCOLL  
REGISTER OF DEEDS

State of Kansas )  
County of Leavenworth ) SS:

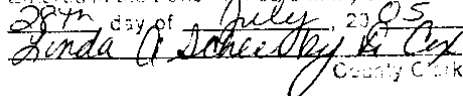
BE IT REMEMBERED, that on this 28<sup>th</sup> day of July , 2005 , before me, a Notary Public in and for said county and state, came **David A. Andrews, a single person**, personally known to be the same person who executed the foregoing instrument, and duly acknowledged the execution of the same.

IN WITNESS THEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.



  
Misty D. Barnett  
Notary Public

My Commission Expires: 5/24/09

Entered in the transfer record in my office this  
28<sup>th</sup> day of July, 2005  
  
Linda A. Scheer  
County Clerk

AFFIDAVIT

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

We/I Christopher P. Couch and Deborah S. Couch

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
00000 259<sup>th</sup> ST, Easton, KS, 66020, 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 9<sup>th</sup> day of December, 2024.

<u>Christopher P. Couch</u>	<u>Deborah S. Couch</u>	<u>16340 Danaha.</u>
Print Name, Address, Telephone		<u>Leavenworth, KS</u>
<u>Christopher P. Couch</u>	<u>Deborah S. Couch</u>	<u>66048</u>
Signature		<u>913-269-0484</u>

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_, before me, a notary public in and for said County and State came \_\_\_\_\_ 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)



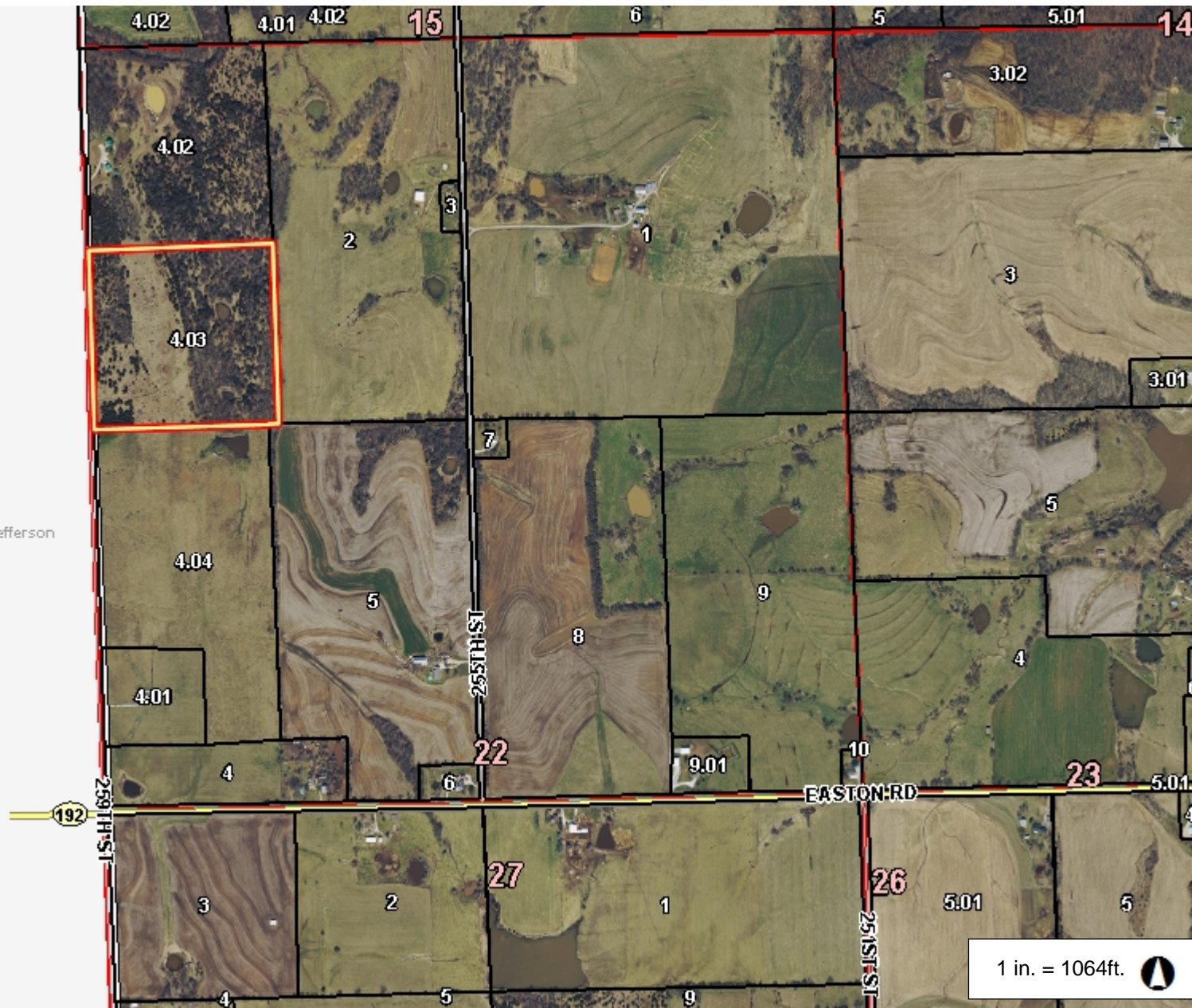
# Leavenworth County, KS



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
- Section Boundaries
- County Boundary

## Notes

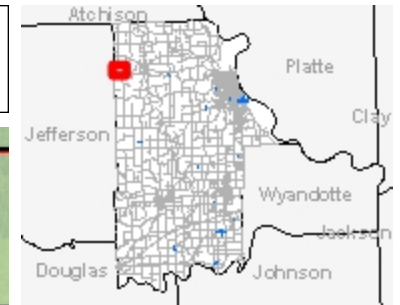


2,127.3      0      1,063.66      2,127.3 Feet

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

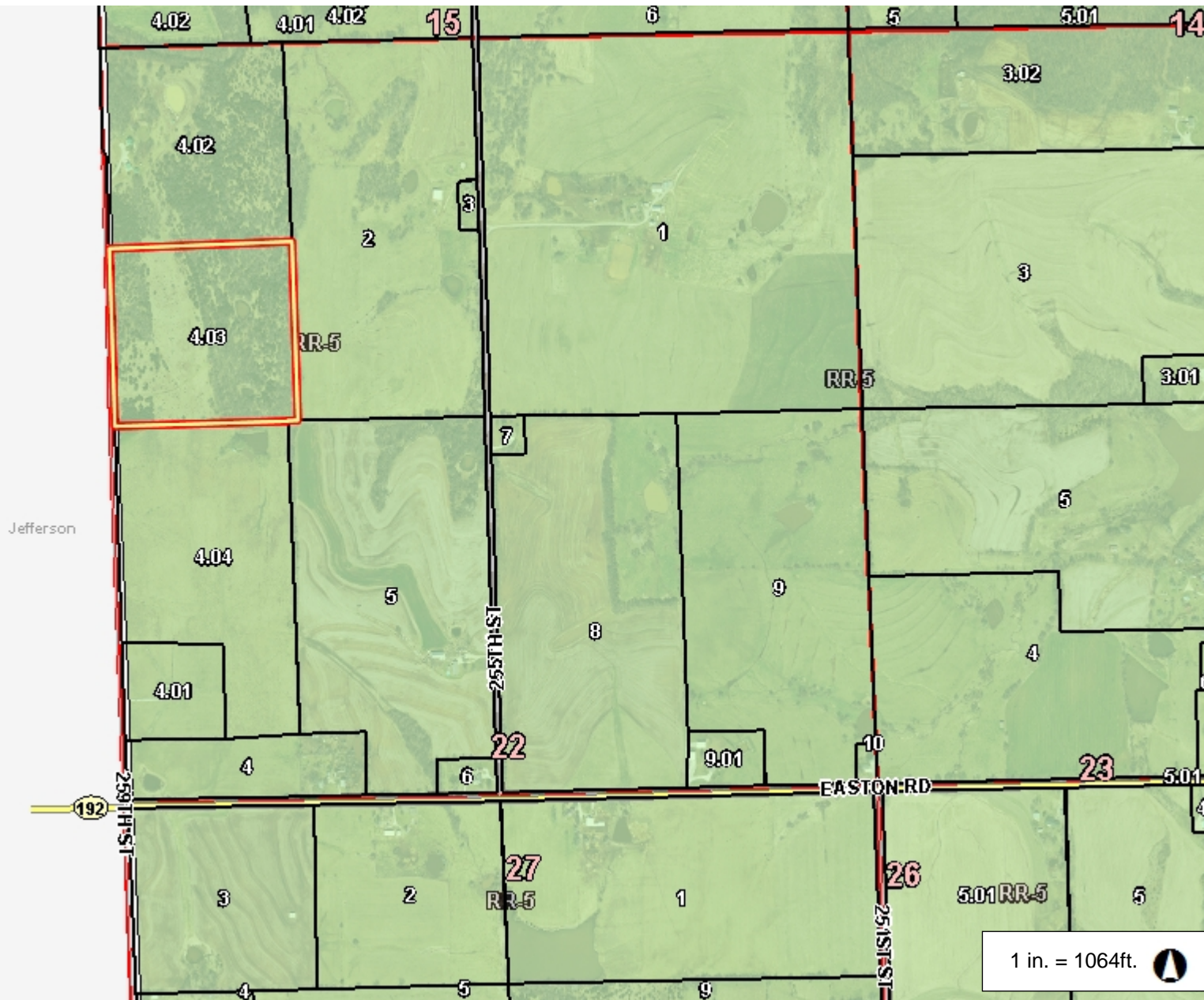
# Leavenworth County, KS



## 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



2,127.3      0      1,063.66      2,127.3 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

# NDN ACRES

A Minor Subdivision in the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

### PREPARED FOR:

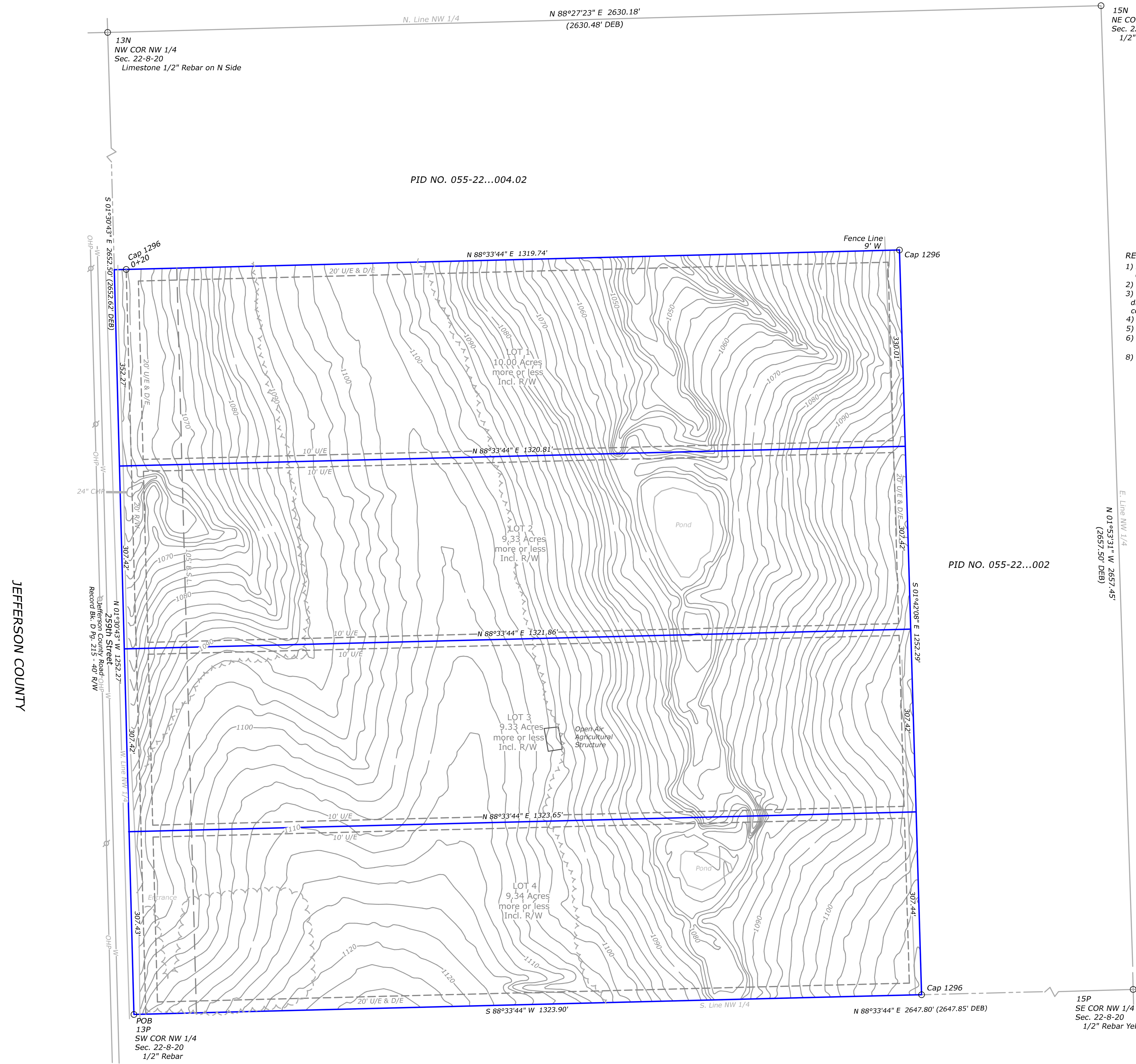
COUCH, CHRISTOPHER PAUL & DEBORAH SULLIVAN  
16340 DANA LANE  
LEAVENWORTH, KS 66048  
PID NO. 055-22-0-00-004.03

### RECORD:

The South 38 Acres of the West Half of the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.  
Together with and subject to covenants, easements and restrictions of record.  
Said property contains 38 acres, more or less, including road right of way.

### SURVEYOR'S DESCRIPTION:

Tract of land in the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 13, 2025, and more fully described as follows: Beginning at the Southwest Corner of said Northwest Quarter; thence North 01 degrees 30'43" West for a distance of 1257.37 feet along the West line of said Northwest Quarter; thence North 88 degrees 33'44" East for a distance of 1319.74 feet; thence South 01 degrees 42'08" East for a distance of 1252.29 feet to the South line of said Northwest Quarter; thence South 88 degrees 33'44" West for a distance of 1323.90 feet along said South line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 38.00 acres, more or less, including road right of way.



03-20-25  
PW Combined No  
Comments

### 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 Jefferson County Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lots 2, 3, and 4.
- 8) No off-plat restrictions.

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

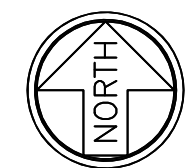
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 439213, 38.0 Acres, more or less, Incl. R/W
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83 Project Benchmark (BM) - SW COR NW 1/4 Section 22 - 1/2" Rebar - Elev - 1102'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Book 957 Page 2569
- 12) Utility Companies -  
- Water - RWD 12  
- Electric - Freestate  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
- 13) Reference Kansas Secure Title File Number TX0017732 dated July 5, 2024.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0100G 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) Existing Structures, if any, shown in approximate location.
- 17) Fence Lines do not necessarily denote the boundary line for the property.
- 18) Reference Surveys:  
DEB - D.E. Baumchen Survey Doc # 2024S0001  
JAH - J.A. Herring Survey dated 2004

### LEGEND:

- - 1/2" Bar Set with Cap No. 1296
- - 1/2" Bar Found, unless otherwise noted.
- - Concrete Base to be Set 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
- ⊕ - Centerline
- ⊙ - Section Line
- BM - Benchmark
- - DIRECTION OF WATER FLOW
- ⊗ - 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
- POB - Point of Beginning
- POC - Point of Commencing
- ~ - Tree/Brush Line
- NS - Not Set this Survey per agreement with client

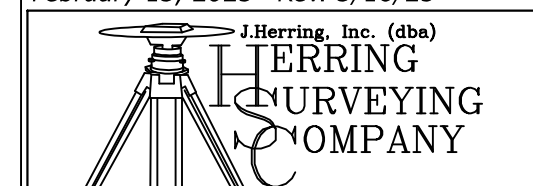
JEFFERSON COUNTY

PID NO. 055-22...004.04

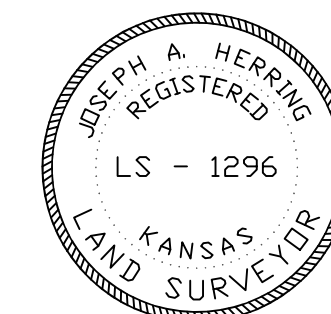
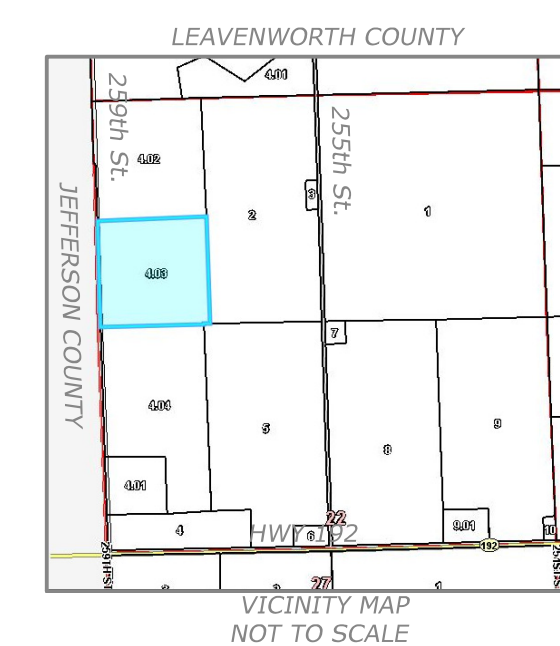
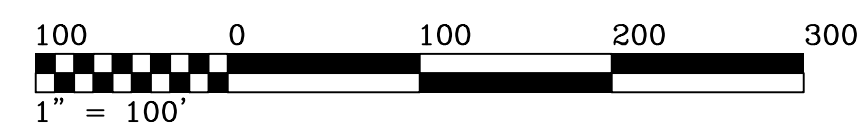


Scale 1" = 100'

Job # K-25-1876  
February 13, 2025 Rev. 3/16/25



315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@eamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of January through February 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# NDN ACRES

A Minor Subdivision in the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

### PREPARED FOR:

COUCH, CHRISTOPHER PAUL & DEBORAH SULLIVAN  
16340 DANA LANE  
LEAVENWORTH, KS 66048  
PID NO. 055-22-0-00-00-004.03

### RECORD:

The South 38 Acres of the West Half of the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.  
Together with and subject to covenants, easements and restrictions of record.  
Said property contains 38 acres, more or less, including road right of way.

### SURVEYOR'S DESCRIPTION:

Tract of land in the Northwest Quarter of Section 22, Township 8 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 13, 2025, and more fully described as follows: Beginning at the Southwest Corner of said Northwest Quarter; thence North 01 degrees 30'43" West for a distance of 1257.37 feet along the West line of said Northwest Quarter; thence North 88 degrees 33'44" East for a distance of 1319.74 feet; thence South 01 degrees 42'08" East for a distance of 1252.29 feet to the South line of said Northwest Quarter; thence South 88 degrees 33'44" West for a distance of 1323.90 feet along said South line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 38.00 acres, more or less, including road right of way.

### 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: NDN 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 NDN ACRES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Christopher Paul Couch Deborah Sullivan

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Christopher Paul Couch and Deborah Sullivan, a married couple, 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 NDN ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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:

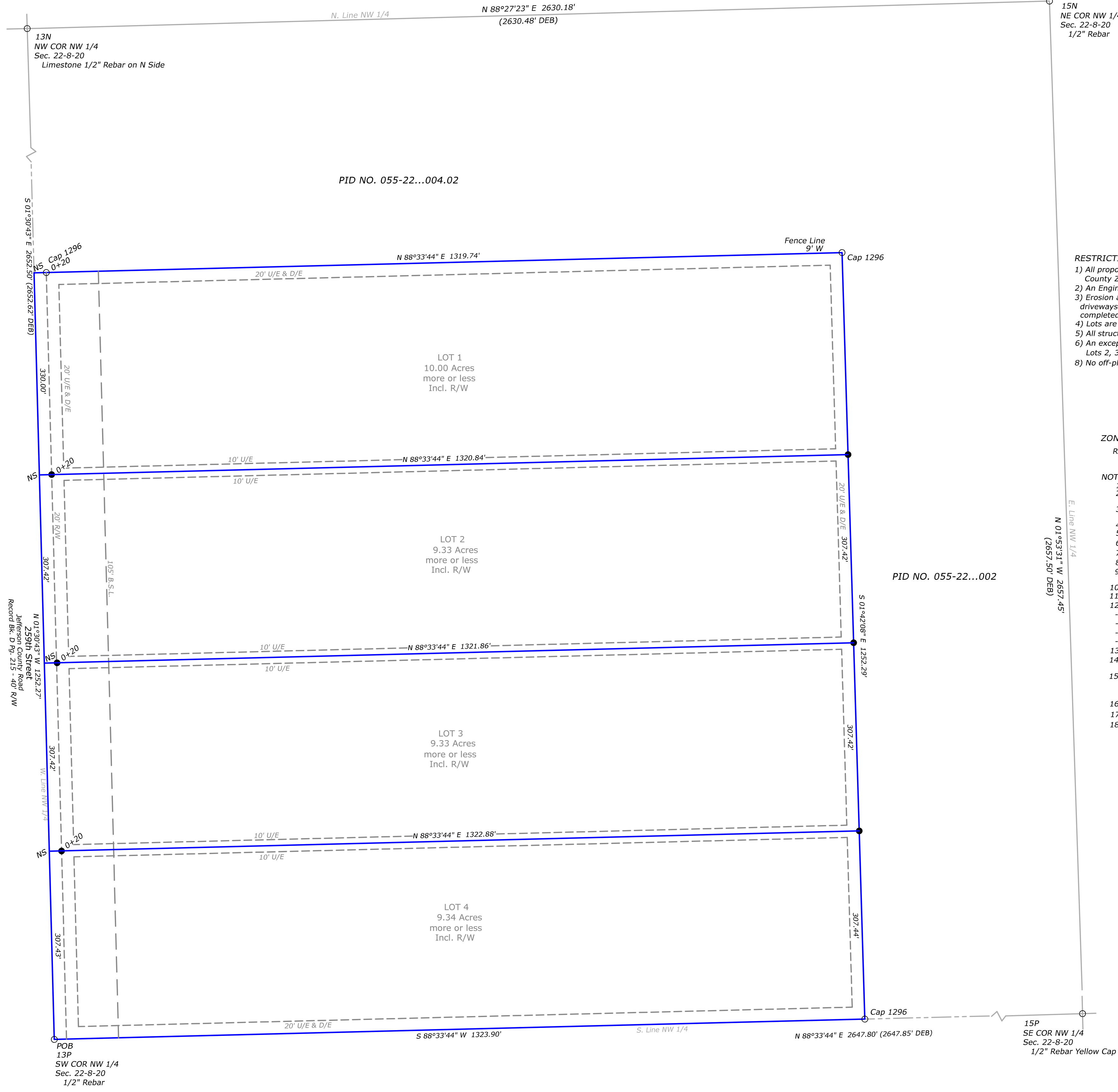
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of NDN ACRES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman Mike Smith County Clerk Attest: Fran Keppler

### REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLis G. Mashburn



03-20-25  
PW Combined No  
Comments

### RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
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- 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 Jefferson County Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) An exception to Article 50, Section 40.3.1. Lot-Depth to Lot-Width has been granted for Lots 2, 3, and 4.
- 8) 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 - 1 : +439213, 38.0 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 Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83 Project Benchmark (BM) - SW COR NW 1/4 Section 22 - 1/2" Rebar - Elev - 1102'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
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- 12) Utility Companies -
  - Water - RWD 12
  - Electric - Freestate
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
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- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0100G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
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  - All rear yard setbacks - 40' (Accessory - 15')
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  - DEB - D.E. Baumchen Survey Doc # 2024S0001
  - JAH - J.A. Herring Survey dated 2004

### LEGEND:

- - 1/2" Bar Set with Cap No. 1296
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- △ - PK Nail Found in Place
- ( ) - Record / Deeded Distance
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- B.S.L. - Building Setback Line
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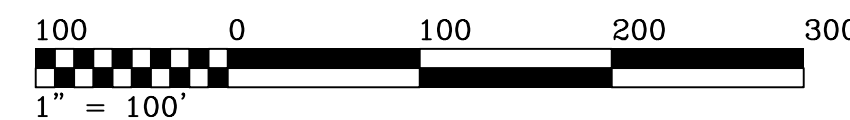
JEFFERSON COUNTY

PID NO. 055-22...004.04



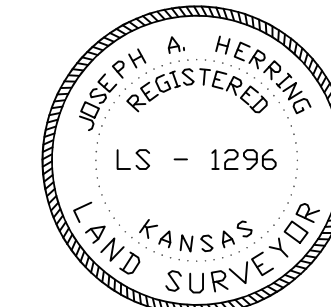
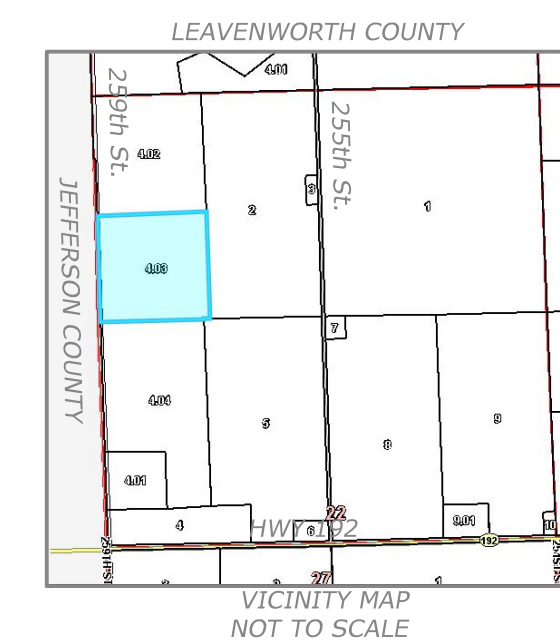
Scale 1" = 100'

Job # K-25-1876  
February 13, 2025 Rev. 3/16/25



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



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of January through February 2025 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

**03-05-25**  
**PW Combined**  
**Review**  
**No Comment**

Couch Farms  
Leavenworth County Kansas  
Drainage Report  
February 2, 2025



# MEMO

**To:** Amy Allison  
**From:** Chuck Magaha  
**Subject:** NDN Acres Subdivision  
**Date:** March 11, 2025

Amy, I have reviewed the preliminary plat of the NDN Acres Subdivision presented by Chris Couch and Deborah Sullivan. 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, fire hydrants should be placed along the right a way of 259th Street between Lots 2 and Lots 3, this will cover this subdivision.

I have no further recommendation for this subdivision.

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

## Schweitzer, Joshua

---

**From:** Dedeker, Andrew  
**Sent:** Wednesday, February 26, 2025 3:50 PM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-25-019/020 Preliminary & Final Plat NDN Acres

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

No concerns regarding this subdivision.

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Wednesday, February 26, 2025 2:49 PM  
**To:** McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; Dedeker, Andrew <adedeker@lvsheriff.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-25-019/020 Preliminary & Final Plat NDN Acres

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a four-lot subdivision located at 055-22-0-00-00-004.03.

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, March 12th.

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

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048  
(913) 684-0465



## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, March 11, 2025 10:58 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-25-019/020 Preliminary & Final Plat NDN Acres

We have not received any complaints on this property, and we are not aware of any septic systems currently installed on it. The building that will be on lot 3 appears to be over 600 sq' so that lot will be out of compliance until a home is built, or the building is removed.

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:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Wednesday, February 26, 2025 2:49 PM  
**To:** McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>; Dedeke, Andrew <adedeke@lvsheriff.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-25-019/020 Preliminary & Final Plat NDN Acres

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v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212

## Schweitzer, Joshua

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Friday, February 21, 2025 12:14 PM  
**To:** Johnson, Melissa  
**Subject:** Fw: SERVICE VERIFICATION - Parcel - R495 NDN 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.

Thank you - Joe Herring

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

---

**From:** Shauna Snyder <shauna.snyder@freestate.coop>  
**Sent:** Monday, January 27, 2025 8:29 AM  
**To:** PZ <pz@leavenworthcounty.gov>  
**Cc:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** SERVICE VERIFICATION - Parcel - R495

FreeState Electrical Cooperative will provide power to a new development (4 Lots) being built on/at 259th Street, parcel R495, for Christopher and Deborah Sullivan.

Thank you,

**Shauna Snyder**  
Work Order Coordinator



1-800-794-1989 | [www.freestate.coop](http://www.freestate.coop)

**RURAL WATER DISTRICT NO. 12**

**Jefferson County, Kansas**

**216 Winchester St.**

**Winchester, KS 66097**

**TEL: (913)774-2872**

**FAX: (913)774-2875**

**[EMAIL-water12@embargo.com](mailto:EMAIL-water12@embargo.com)**

February 21, 2025

Leavenworth County Planning & Zoning  
300 Walnut St. Suite 212  
Leavenworth. KS 66048

RE: Rural Water Availability-Couch Farm Subd.

To Whom It May Concern:

Please be advised that at this time domestic water service is available from Jefferson County Rural Water District No. 12 for land, owned Christopher Couch and Debra Sullivan located in the NW ¼ of Section 22, Township 8 South, Range 20, Leavenworth County, Kansas.

Benefit units are available in the said area, but this is in no way a guarantee that benefit units will be available in the future for said property. All new benefit units must be approved by the Board of Directors for Jefferson County Rural Water District No. 12. New Benefit Unit requests are subject to an Engineering Study at an additional cost. Pre-application for water service with the district has not been made for said property at this time.

Please feel free to contact me at the District Office if you have any questions.

Sincerely,  
Denise Eggers,  
Office Manager

Cc: Joe Herring, Herring Survey Co.

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-097 & 098 Crosby Addition No 2

April 9, 2025

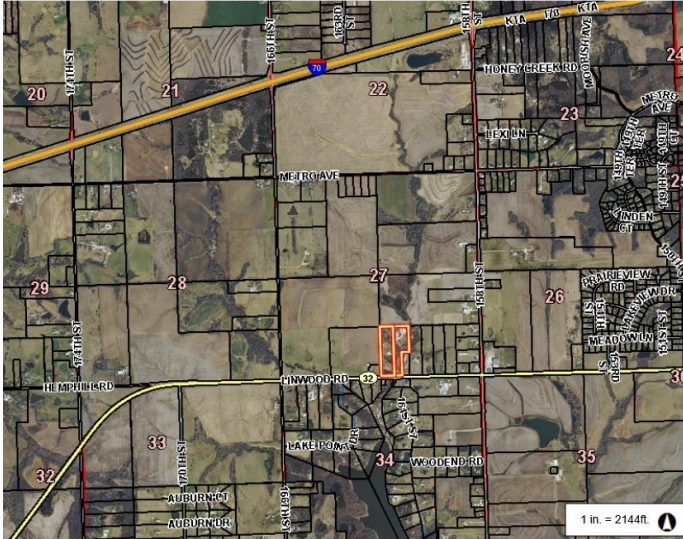
**REQUEST:** *Regular Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 16042 & 16120 Linwood Rd.



**APPLICANT/APPLICANT AGENT:**

Atlas Land Consulting  
14500 Parallel Rd. Unit R  
Basehor, KS 66007

**PROPERTY OWNER:**

Dustin & Jessica Schultz  
Linda Camren Trust  
16042 & 16120 Linwood Rd.  
Bonner Springs, KS 66012

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-2.5

**FUTURE LAND USE DESIGNATION:**

RR-2.5

**LEGAL DESCRIPTION:**

A Minor Subdivision in the Southeast Quarter of Section 27, Township 11 South, Range 22, East of the 6th P.M., in Leavenworth County Kansas.

**SUBDIVISION:** Crosby Addition

**FLOODPLAIN:** Zone A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-097 & 098, Preliminary & Final Plat for Crosby Addition No 2., to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-097 & 098, Preliminary & Final Plat for Crosby Addition No 2 to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 10.10 & 9.10 ACRES

**PARCEL ID NO:**

188-27-0-00-00-004.09; 004.13

**BUILDINGS:**

Existing homes and outbuildings

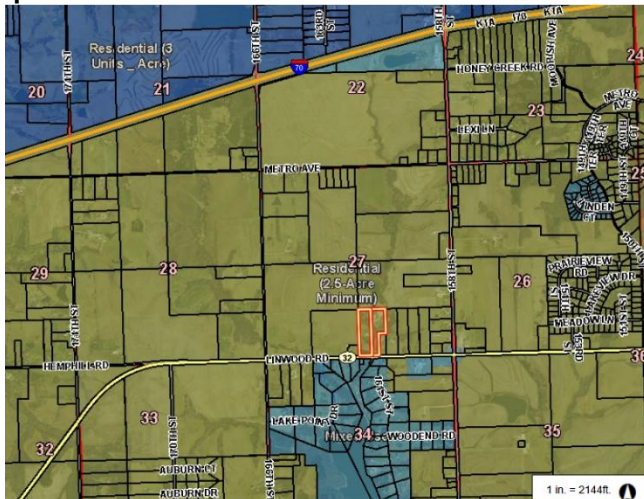
**PROJECT SUMMARY:**

Request for a final plat approval to subdivide property located at 16042 & 16120 Linwood Rd. (188-27-0-00-00-004.09; 004.13) as Lots 01 through 02 of Crosby Addition No 2.

**ACCESS/STREET:**

Linwood Road - State, Paved ± 36'

**Location Map: FUTURE LAND USE DESIGNATION**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FAIRMOUNT

**WATER:** RWD 7

**ELECTRIC:** EVERGY

**NOTICE & REVIEW:**

**STAFF REVIEW:**

4/2/2025

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING PROPERTY OWNERS:**

N/A

<b>STANDARDS TO BE CONSIDERED:</b> <i>Type content in each if necessary (delete this afterwards)</i>			
<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	
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 applicants are proposing a replat of Lot 1 Crosby Addition and a tract of land into two (2) 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 sanitary sewers are not located within 660' of the subdivision (see condition 3). Lot 1 will be approximately 5.95 acres in size. Lots 2 will be approximately 12.34 acres in size. All lots meet the requirements for the RR-2.5 zoning district. The bridge located on lot 2 was not reviewed for engineering standards as the bridge is located outside of any public right of ways. Lot 1 will require an exception as it exceeds the lot-depth to lot-width requirement

**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 from the Zoning & Subdivision Regulations for the Crosby Addition No. 2 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. Any pending review comments made by County staff.

6. The developer must comply with the following memorandums:

Memo – Chuck Magaha, dated August 6, 2024

Email – Steve Taylor, dated July 31, 2024

**PROPOSED MOTIONS:**

Approve case DEV-24-097/098, a request to plat the property located at 16042 & 16120 Linwood Rd into a 2-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-24-097/098 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-097/098, a request to plat the property located at 16042 & 16120 Linwood Rd into a 2-lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-24-097/098.*

Table the case to a date and time certain for additional information.

*Motion: Chairman, I move to table Case No. DEV-24-097/098 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

C: Road Map (A minimum of 1/4 mile)

D: Memorandums

### 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: Austin Thompson	NAME: <del>Sandy Crosby</del> <span style="border: 1px solid red; padding: 2px;">Dustin &amp; Jessica Schultz Linda Camren Trust</span>
MAILING ADDRESS: 14500 Parallel Rd Unit R	MAILING ADDRESS 16040 Linwood Rd
CITY/ST/ZIP: Basehor, KS 66007	CITY/ST/ZIP Bonner Springs, KS 66012
PHONE: 913-702-8916	PHONE: _____
EMAIL : austin@alconsult-llc.com	EMAIL scrosby5800@gmail.com

### GENERAL INFORMATION

Proposed Subdivision Name: Crosby Addition No. 2

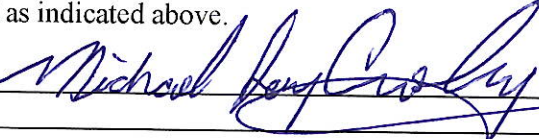
Address of Property: 16042 & 16120 Linwood Rd Bonner Springs, KS 66012

PID: 1882700000004130 & 1882700000004090 Urban Growth Management Area: \_\_\_\_\_

SUBDIVISION INFORMATION		
Gross Acreage: 18.68 AC	Number of Lots: 2	Minimum Lot Size: 7.55 AC
Maximum Lot Size: 11.13 AC	Proposed Zoning: RR 2.5	Density:
Open Space Acreage:	Water District: RWD 7	Proposed Sewage: Septic
Fire District: Fairmount	Electric Provider: Evergy	Natural Gas Provider: Propane
Covenants: <input checked="" 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: 20103C035G

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: June 15/21

ATTACHMENT A

**THREE-COUNTY TITLE & ABSTRACT**

117 Cherokee Street  
Leavenworth, KS 66048

**GENERAL WARRANTY DEED**

(Following Kansas Statutory Warranty Form) *EA. 7*

This *16* day of *June*, 2011

Linda K. Camren and Joseph E. Camren, wife and husband



Doc #: 2011R04666  
STACY R. DRISCOLL/REGISTER OF DEEDS  
LEAVENWORTH COUNTY  
RECORDED ON  
06/22/2011 12:33PM  
RECORDING FEE: 8.00  
INDEBTEDNESS: 0.00  
PAGES: 1

**CONVEY(S) AND WARRANT(S) TO:**

Linda K. Camren Trustee of the Linda K. Camren Trust Dated April 7, 2000

*their heirs and assigns, all the following described REAL ESTATE in the County of Leavenworth, State of Kansas, to-wit:*

A tract of land in the South Half of the Southeast Quarter of Section 27, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, described as follows:  
Commencing at the Southeast corner of Section 27, thence North 89°59'12" West, (Assumed) 2,295.89 feet along the South line of Section 27 to point of beginning of this tract; thence North 89°59'12" West, 313.24 feet to the Southwest corner of the Southeast Quarter of Section 27; thence North 00°06'43" West, 1323.91 feet to the Northwest corner of the South Half of the Southeast Quarter of Section 27; thence South 89°59'37" East, 315.83 feet along the North line of the South Half of the Southeast Quarter of Section 27; thence South 00° West, 1,323.96 feet to the point of beginning of this tract, less any part thereof used or taken for road purposes.

for the sum of One Dollar and other Good and Valuable Consideration.

**EXCEPT AND SUBJECT TO:**

Easements, restrictions, reservations, and covenants now of record, all taxes, both general and special not now due and/or payable.

Entered in the transfer record in my office this

*22nd* day of *June*, 20 *11*  
*Janet Klansky, D.C.*  
County Clerk

*Linda K. Camren*  
Linda K. Camren  
*Joseph E. Camren*  
Joseph E. Camren

Trico R 8

STATE OF ~~Kansas~~ MISSOURI

COUNTY OF ~~Leavenworth~~ JACKSON

I, the undersigned, a Notary Public of the County and State first above written, do hereby certify that Linda K. Camren and Joseph E. Camren, wife and husband personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 16<sup>th</sup> day of June, 2011.

*[Signature]*  
Notary Public

My Commission Expires: *2/8/15*

(SEAL)

ELVESTER SIMS  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jackson County  
My Commission Expires: Feb. 8, 2015  
Commission #11142062



Entered in the transfer record in my office this  
27 day of April 2016.  
Jane K. Lasinski  
by B. Jones County Clerk

INDEBTEDNESS: 0  
PAGES: 1

Kansas Secured Title  
866 Northstar Court  
Tonganoxie, KS 66086  
TX9761

**GENERAL WARRANTY DEED**  
Joint Tenancy  
(Statutory)

**Michael Crosby, also known as, Michael J. Crosby and Sandra Crosby, also known as Sandra K. Crosby, husband and wife**

convey and warrant to

**Jessica Schultz and Dustin Schultz, wife and husband**

as joint tenants with the right of survivorship and not as tenants in common,

all the following REAL ESTATE in the County of LEAVENWORTH, and the State of Kansas, to-wit:

**Lot 1, CROSBY ADDITION, Leavenworth County, Kansas**

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO. Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter

No Real Estate Validation Questionnaire per KSA 1993 Supp. 79-1437e as amended (3)

Dated this 26<sup>th</sup> day of APRIL, 2016.

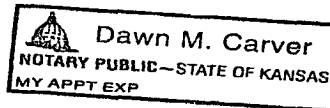
Michael J. Crosby  
Michael J. Crosby

Sandra K. Crosby  
Sandra K. Crosby

State of Kansas

County of LEAVENWORTH

§



The foregoing instrument executed was acknowledged before me this 26<sup>th</sup> day of April 2016, by **Michael J. Crosby and Sandra K. Crosby, husband and wife.**

Dawn M. Carver  
Notary Public

My appointment expires 12/17/2017

## Schweitzer, Joshua

---

**From:** Dustin Schultz <dschultzsoccer1@gmail.com>  
**Sent:** Thursday, April 3, 2025 9:03 AM  
**To:** Schweitzer, Joshua  
**Subject:** 16042 Linwood Road Platting and Variance

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.

Hi Josh,

> I am authorizing Atlas land surveying permission to oversee the variance and entire scope of our platting project.

>

Thanks

-Dustin Schultz

Sent from my iPhone

## Schweitzer, Joshua

---

**From:** Jessica Schultz <jnschultz57@gmail.com>  
**Sent:** Wednesday, April 2, 2025 10:57 AM  
**To:** Schweitzer, Joshua  
**Subject:** 16042 Linwood Rd

*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 am authorizing Atlas land surveying permission to oversee the variance and entire scope of our platting project.

--  
Jessica Schultz

## Schweitzer, Joshua

---

**From:** Joe Camren <jcamren16120@gmail.com>  
**Sent:** Wednesday, April 2, 2025 12:07 PM  
**To:** Schweitzer, Joshua  
**Subject:** Schultz Platting Project

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.

To whom it may concern:

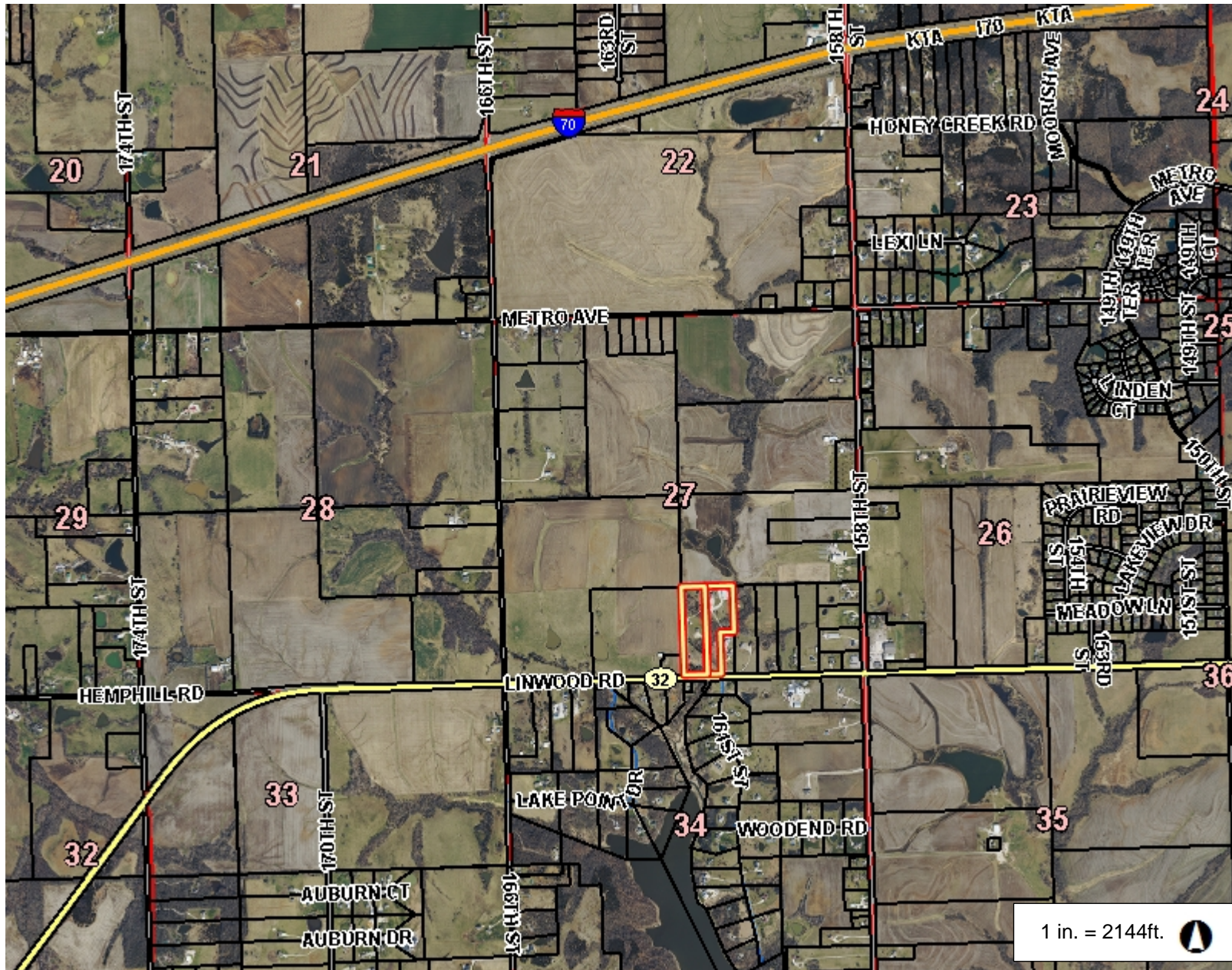
I, Joseph Camren, am authorizing Atlas Land Surveying permission to oversee the variance and entire scope of work on the above platting project. Thanks.

Sent from my iPhone

Joseph Camren

816-918-5129

# Leavenworth County, KS



## Legend

- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- Railroad
- Section
  - Section Boundaries
  - County Boundary

1 in. = 2144ft.



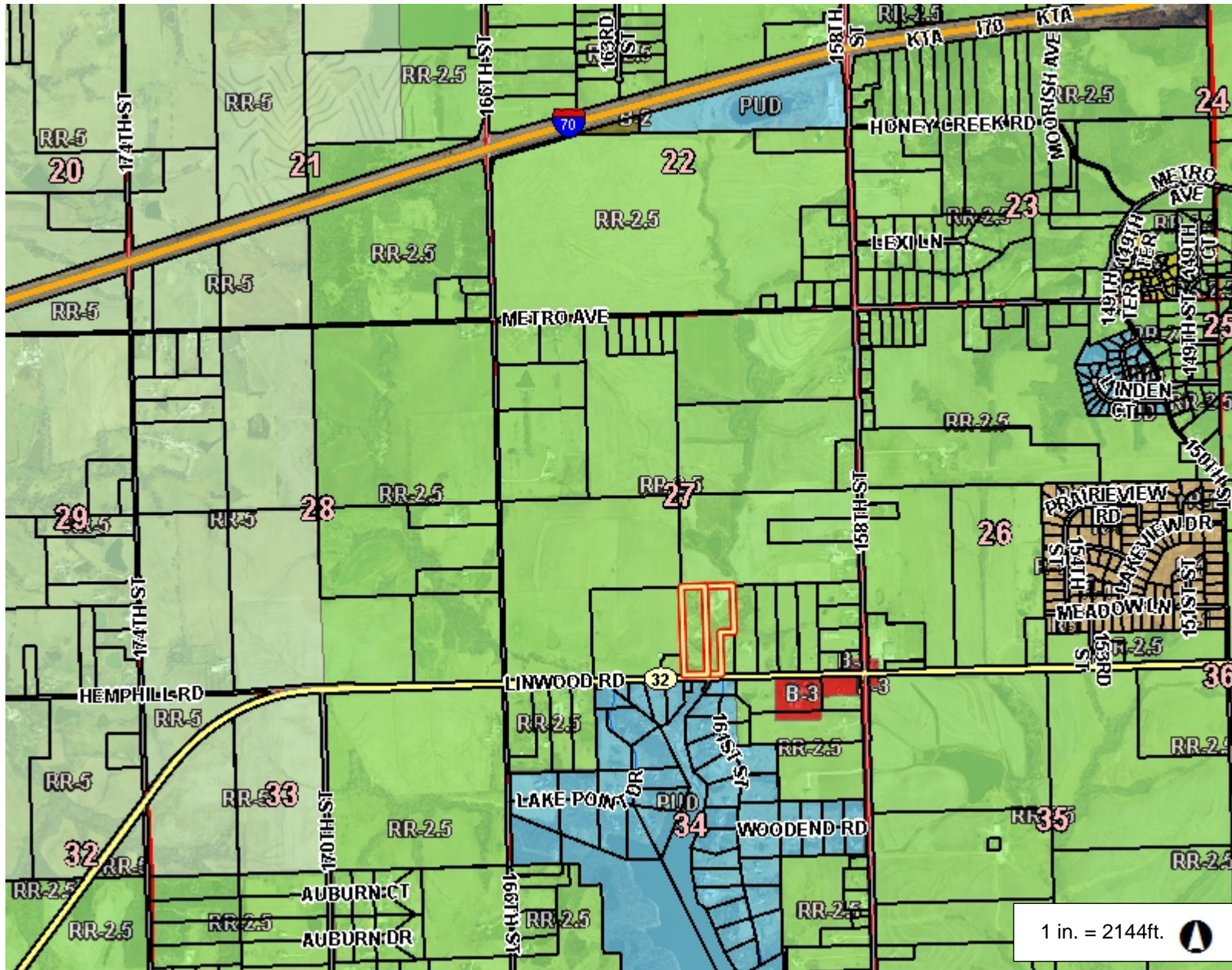
4,287.7      0      2,143.86      4,287.7 Feet

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

# Leavenworth County, KS



## Legend

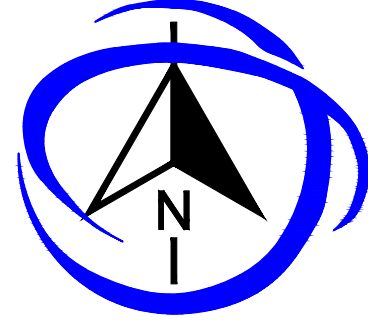
- Parcel
- City Limit Line
- Major Road**
- <all other values>
- 70
- Road**
- <all other values>
- PRIVATE
- Railroad
- Section**
- Section Boundaries
- County Boundary
- Zoning**
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3
- PUD

## Notes

4,287.7      0      2,143.86      4,287.7 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.

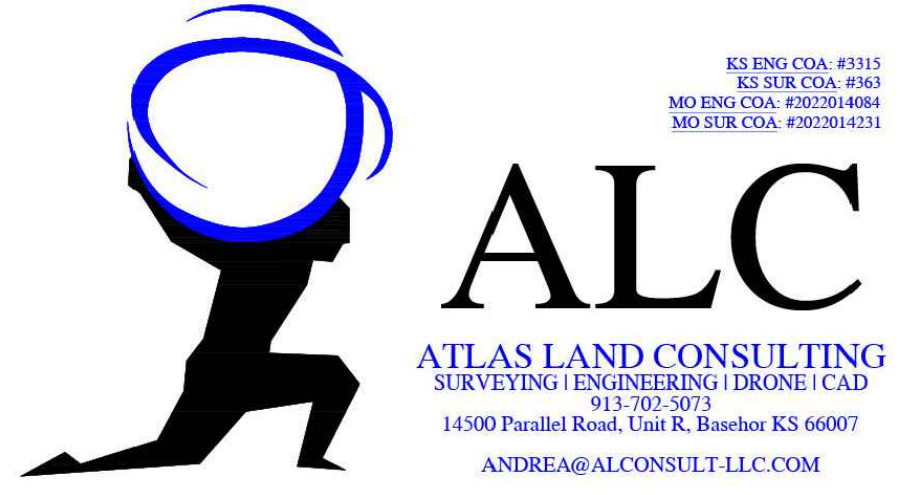
THIS MAP IS NOT TO BE USED FOR NAVIGATION



04-4-25  
Combined PW  
Approved

# CROSBY ADDITION NO. 2

A REPLAT OF LOT 1, CROSBY ADDITION AND A TRACT OF LAND IN THE  
SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE  
22 EAST OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS



## FINAL PLAT

## LEGEND

- ▲ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH  
CAP ALS KLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- W/P TELEPHONE PEDESTAL
- W WATER SPIGOT
- P POWER METER
- FENCE LINE
- OHP OVERHEAD POWER LINE
- TREELINE
- GAS VALVE
- SEPTIC CLEAN OUT
- LIGHT POLE

## GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SEC. 27-11S-22E S88°15'31"W.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0350G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
4. KS ONE CALL WAS CALLED ON THIS SURVEY #24405446 & #24405460
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NGS WY48 - ELY-874.34 - LOCATED IN THE NORTHEAST CORNER OF THE INTERSECTION ON 142ND STREET AND K-32 HIGHWAY / KUMIP AVENUE EAST OF THE ENTRANCE TO ADDRESS 14114 KUMIP AVENUE.
9. CURRENT USE - RESIDENTIAL
10. CURRENT ZONING RR-2.5
11. ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
12. ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
13. TITLE COMMITMENT VIA MCCAFFREE-SHORT TITLE COMPANY - FILE NO. L24-29747
14. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE USED WHEN DESIGNING AND CONSTRUCTION OF DRIVEWAYS AND OTHER STRUCTURES. RE-VEGETATION OF ALL DISTURBED AREAS SHALL BE COMPLETED WITHIN 45 DAYS AFTER FINAL GRADING.
15. REFERENCED SURVEY  
-CROSBY ADDITION FINAL PLAT DOC 2016P09004  
-TRACT SPLIT SURVEY COMPLETED BY BHC RHODES DOC #20205041
16. ACCESS TO LOTS AND DRIVEWAY IMPROVEMENTS REQUIRE KDOT APPROVAL.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 & LOT 2 PROPERTY ACCESS VIA LINWOOD RD (K-32)
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:  
- WATER - RURAL WATER DISTRICT 7  
- ELECTRIC - EVERGY  
- SEWER - SEPTIC  
- GAS - PROPANE/NATURAL GAS
21. ANY BUILDING TO BE CONSTRUCTED IN OR NEAR THE SPECIAL FLOOD HAZARD SHALL PROVIDE AN ELEVATION CERTIFICATE TO BE APPROVED BY LEAVENWORTH COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ALONG WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL PERMIT.
22. LOT 1 AND LOT 2 ARE IMPACTED BY THE SPECIAL FLOOD HAZARD
23. FENCE LINES DO NOT NECESSARILY DENOTE PROPERTY LINES
24. IF ANY STRUCTURE ON THE PARCEL HAS MORE THAN 51% OF ITS AREA DESTROYED OR OTHERWISE DAMAGED, A NEW STRUCTURE MUST BE RESULT IN COMPLIANCE WITH REQUIRED SETBACKS.
25. AN EXCEPTION FROM ARTICLE 50, SECTION 40.3.1 (LOT-DEPTH TO LOT-WIDTH) HAS BEEN GRANTED FOR LOT 2.
26. ERROR OF CLOSURE: PRECISION 1: 665795.000
27. LEAVENWORTH COUNTY SHALL BEAR NO RESPONSIBILITY FOR ANY MAINTENANCE AND UPKEEP OF THE DRIVEWAY EASEMENT, DRIVE, PRIVATE BRIDGES, AND DRIVE APPURTENANCES.
28. OWNERS OF LOT 1 AND 2 SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE DRIVEWAY EASEMENT, DRIVE, AND PRIVATE BRIDGES.
29. LEAVENWORTH COUNTY'S REVIEW OF THIS PLAT DOES NOT PERTAIN TO THE STRUCTURAL INTEGRITY OF ANY PRE-EXISTING CONDITIONS OF THIS PLAT AND DOES NOT INCLUDE A STRUCTURAL ANALYSIS OF THE EXISTING CHANNEL CROSSING STRUCTURES LOCATED WITHIN THE PLAT. LEAVENWORTH COUNTY DOES NOT WARRANT OR GUARANTEE THE STRUCTURAL INTEGRITY OF ANY PRE-EXISTING CONDITIONS IN THIS PLAT, AND APPROVAL OF THE PLAT DOES NOT IMPLY ANY WARRANTIES OR GUARANTEES OF INTEGRITY FOR LOADING NECESSARY FOR ANY USE INCLUDING STANDARD RESIDENTIAL TRAFFIC OR EMERGENCY RESPONSE VEHICLES. LEAVENWORTH COUNTY DISCLAIMS AND DOES NOT ACCEPT ANY LIABILITY WHATSOEVER FOR DAMAGES RELATING TO ANY STRUCTURAL FAILURES FOR PRE-EXISTING CONDITIONS.
30. LEAVENWORTH COUNTY'S REVIEW FOR THIS PLAT DOES NOT APPLY TO ANY PERMITTING OF PRE-EXISTING CONDITIONS ON THIS PLAT AND DOES NOT INCLUDE REVIEW FOR THE KANSAS DEPARTMENT OF AGRICULTURE-DIVISION WATER RESOURCES OR UNITED STATES CORPS OF ENGINEERS PERMITTING HISTORY FOR THE CHANNEL CROSSING STRUCTURES. ANY AND ALL PERMITTING AND REGULATORY COMPLIANCE ISSUES ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER, AND COMPLIANCE WITH THE REGULATIONS SET FORTH BY THESE FLOODPLAIN GOVERNING ENTITIES IS THE SOLE RESPONSIBILITY OF THE DRAINAGE REPORT DESIGN ENGINEER AND OWNER OF THE SUBDIVISION.

### DESCRIPTION PER TITLE COMMITMENT

TITLE COMMITMENT FILE NO: L24-29747 VIA MCCAFFREE-SHORT TITLE COMPANY, INC DATED MAY 15, 2024 AT 8:00 AM

#### TRACT I

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, THENCE NORTH 89°59'12" WEST, (ASSUMED) 2,295.89 FEET ALONG THE SOUTH LINE OF SECTION 27 TO POINT OF BEGINNING OF THIS TRACT; THENCE NORTH 89°59'12" WEST, 313.24 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE NORTH 00°06'43" WEST, 1,323.91 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE SOUTH 89°59'37" EAST, 315.83 FEET ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE SOUTH 00° WEST, 1,323.96 FEET TO THE POINT OF BEGINNING OF THIS TRACT, LESS ANY PART THEREOF USED OR TAKEN FOR ROAD PURPOSES. COMMONLY KNOWN AS 16120 LINWOOD ROAD.

#### TRACT II

LOT 1, CROSBY ADDITION, LEAVENWORTH COUNTY, KANSAS  
COMMONLY KNOWN AS 16042 LINWOOD ROAD

#### SURVEYORS SUGGESTED DESCRIPTION:

A REPLAT OF LOT 1, CROSBY ADDITION AND A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., IN LEAVENWORTH COUNTY KANSAS, PREPARED BY ANDREA N WEISHAUBT PLS 1730 DATED FEBRUARY 17TH, 2025; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER SECTION CORNER OF SAID SECTION 27; THENCE NORTH 02°01'52" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 55.50 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF LINWOOD ROAD (K-32 HIGHWAY) AS IT NOW EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE NORTH 02°01'52" WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 1268.14 FEET; THENCE NORTH 88°15'17" EAST, A DISTANCE OF 726.11 FEET TO A POINT ON THE NORTHEAST CORNER OF LOT 1 SAID CROSBY ADDITION; THENCE SOUTH 01°45'43" EAST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 668.05 FEET; THENCE SOUTH 88°17'33" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 202.83 FEET; THENCE SOUTH 01°42'29" EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 605.74 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, ALSO KNOWN TO BE A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID LINWOOD ROAD (K-32 HIGHWAY); THENCE SOUTH 88°15'31" WEST, ALONG THE SOUTH LINE OF SAID LOT 1 AND SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 202.85 FEET; THENCE NORTH 01°38'51" WEST, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 5.49 FEET; THENCE SOUTH 88°15'31" WEST, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 298.49 FEET TO THE POINT OF BEGINNING. CONTAINING 298,442.83 SQ FT OR 18.28 ACRES MORE OR LESS

#### DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "CROSBY ADDITION NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by easement.

The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be dedicated for the public use running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

An easement to enter and exit under or over the area outlined and designated on this plat as "Access Easement" or "A.E.", is hereby granted over Lot 1 for the benefit of emergency vehicle access only. Maintenance of said access easement to shared by owners of Lot 1 and Lot 2.

Building Lines 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, the undersigned proprietor has caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

OWNER

DUSTIN SCHULTZ, OWNER

JESSICA SCHULTZ, OWNER

STATE OF KANSAS)

)}SS  
COUNTY OF LEAVENWORTH)

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, before me, a Notary Public in and for said County and State, came **DUSTIN & JESSICA SCHULTZ**, 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 notarial seal the day and year above written.

My Commission Expires: \_\_\_\_\_

Notary Public

This plat of **CROSBY ADDITION NO. 2** has been submitted and approved by Leavenworth County Planning Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

CHAIRMAN - MARCUS MAJURE

SECRETARY - JOHN JACOBSON

This plat approved by the Board of County Commissioners of Leavenworth County, Kansas, this day of \_\_\_\_\_, 202\_\_.

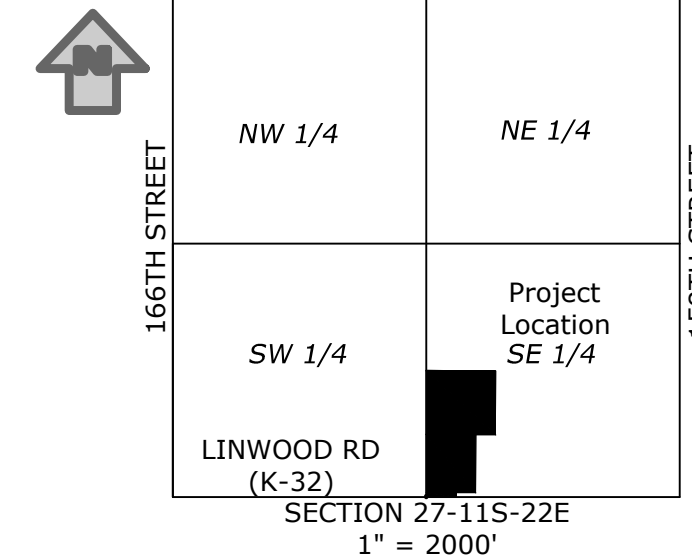
(SEAL)

CHAIRPERSON - MIKE SMITH

ATTEST - COUNTY CLERK - FRAN KEPLER

#### SOUTHEAST CORNER SEC 27-11S-22E (17V)

1. FOUND 1/2" REBAR WITH UNREADABLE CAP
2. 55.98' NE TO PLUS CUT ON CURB AT SOUTHWEST CORNER OF CURB INLET
3. 57.46' NW TP MAG NAIL AND WASHER IN EAST FACE OF POWER POLE
4. 83.43' SW TO 60D NAIL IN NORTHWEST FACE OF POWER POLE
5. 92.86' SE TO MAG NAIL AND WASHER IN NORTH FACE OF CORNER POST



UTILITIES  
EVERGY - 800-383-1183  
RURAL WATER DISTRICT 7 - 913-856-7375

This is to certify on this 4th day of JUNE, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the Kansas Minimum Standards for boundary surveys.

REGISTER OF DEEDS, TERRILOIS G. MASHBURN  
I hereby certify 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.

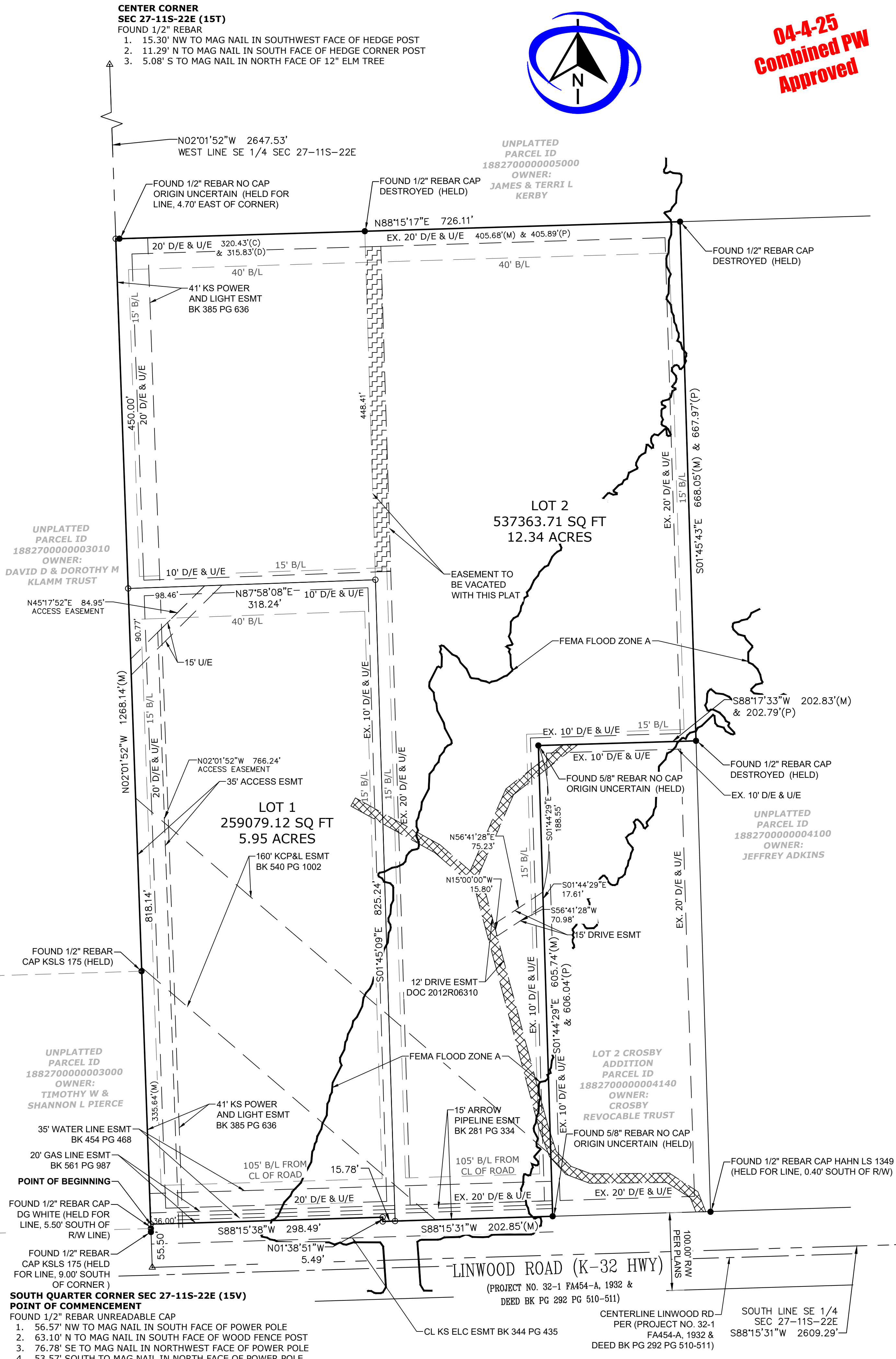
ANDREA N WEISHAUBT PLS 1730

JOB NO: 24-105

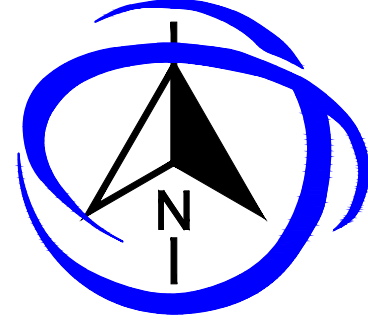
SCALE	PREPARED FOR
80 40 0 80 SCALE IN FEET	PID: 1882700000004130 1882700000004090

SEC-TWN-RNG	OWNER:
27-11S-22E	DUSTIN & JESSICA SCHULTZ LINDA K CAMREN TRUST ADDRESS: 16040 LINWOOD RD BONNER SPRINGS, KS 66012

DATE
JANUARY 8, 2025



**CENTER CORNER  
SEC 27-11S-22E (15T)**  
FOUND 1/2" REBAR  
1. 15.30' NW TO MAG NAIL IN SOUTHWEST FACE OF HEDGE POST  
2. 11.29' N TO MAG NAIL IN SOUTH FACE OF HEDGE CORNER POST  
3. 5.08' S TO MAG NAIL IN NORTH FACE OF 12" ELM TREE



**04-4-25  
Combined PW  
Approved**

**ALC**  
ATLAS LAND CONSULTING  
SURVEYING | ENGINEERING | DRONE | CAD  
913-703-5073  
14500 Parallel Road, Unit R, Basehor KS 66007  
ANDREA@ALCONSULT-LLC.COM

KS ENG COA. #3315  
KS SUR COA. #861  
MO ENG COA. #02014084  
MO SUR COA. #02014231

# CROSBY ADDITION NO. 2

A REPLAT OF LOT 1, CROSBY ADDITION AND A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT

## LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- ⊕ TELEPHONE PEDESTAL
- ⊖ WATER SPIGOT
- ⊙ POWER METER
- FENCE LINE
- OVERHEAD POWER LINE
- TREENING
- ⊕ GAS VALVE
- ⊙ SEPTIC CLEAN OUT
- ⊙ LIGHT POLE

## GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SEC 27-11S-22E S88°15'31"W.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C035G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
4. KS ONE CALL WAS CALLED ON THIS SURVEY #2405446 & #2405460
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NOS WY48 - ELV-874.34 - LOCATED IN THE NORTHEAST CORNER OF THE INTERSECTION ON 142ND STREET AND K-32 HIGHWAY / KUMP AVENUE EAST OF THE ENTRANCE TO ADDRESS 1414 KUMP AVENUE.
9. CURRENT USE - RESIDENTIAL
10. CURRENT ZONING RR-2.5
11. ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
12. ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
13. TITLE COMMITMENT VIA MCCAFFREE-SHORT TITLE COMPANY - FILE NO. L24-29747
14. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE USED WHEN DESIGNING AND CONSTRUCTION OF DRIVEWAYS AND OTHER STRUCTURES. RE-VEGETATION OF ALL DISTURBED AREAS SHALL BE COMPLETED WITHIN 45 DAYS AFTER FINAL GRADING.
15. REFERENCED SURVEY  
-CROSBY ADDITION FINAL PLAT DOC 2016P0004  
-TRACT SPLIT SURVEY COMPLETED BY BHC RHODES DOC #20205041  
16. ACCESS TO LOTS AND DRIVEWAY IMPROVEMENTS REQUIRE KDOT APPROVAL.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 & LOT 2 PROPERTY ACCESS VIA LINWOOD RD (K-32)
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:  
- WATER - RURAL WATER DISTRICT 7  
- ELECTRIC - EVERGY  
- SEWER - SEPTIC  
- GAS - PROPANE/NATURAL GAS
21. ANY BUILDING TO BE CONSTRUCTED IN OR NEAR THE SPECIAL FLOOD HAZARD SHALL PROVIDE AN ELEVATION CERTIFICATE TO BE APPROVED BY LEAVENWORTH COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ALONG WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL PERMIT.
22. LOT 1 AND LOT 2 ARE IMPACTED BY THE SPECIAL FLOOD HAZARD
23. FENCE LINES DO NOT NECESSARILY DENOTE PROPERTY LINES
24. IF ANY STRUCTURE ON THE PARCEL HAS MORE THAN 51% OF ITS AREA DESTROYED OR OTHERWISE DAMAGED, A NEW STRUCTURE MUST BE REBUILT IN COMPLIANCE WITH REQUIRED SETBACKS.
25. AN EXCEPTION FROM ARTICLE 50, SECTION 40.3.1 (LOT-DEPTH TO LOT-WIDTH) HAS BEEN GRANTED FOR LOT 2.
26. ERROR OF CLOSURE: PRECISION 1: 6655795.000
27. LEAVENWORTH COUNTY SHALL BEAR NO RESPONSIBILITY FOR ANY MAINTENANCE AND UPKEEP OF THE DRIVEWAY EASEMENT, DRIVE, PRIVATE BRIDGES, AND DRIVE APPEARANCES.
28. OWNERS OF LOT 1 AND 2 SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE DRIVEWAY EASEMENT, DRIVE, AND PRIVATE BRIDGES.
29. LEAVENWORTH COUNTY'S REVIEW OF THIS PLAT DOES NOT PERTAIN TO THE STRUCTURAL INTEGRITY OF ANY PRE-EXISTING CONDITIONS OF THIS PLAT AND DOES NOT INCLUDE A STRUCTURAL ANALYSIS OF THE EXISTING CHANNEL CROSSING STRUCTURES LOCATED WITHIN THE PLAT. LEAVENWORTH COUNTY DOES NOT WARRANT OR GUARANTEE THE STRUCTURAL INTEGRITY OF ANY PRE-EXISTING CONDITIONS IN THIS PLAT, AND APPROVAL OF THIS PLAT DOES NOT IMPLY ANY WARRANTIES OR GUARANTEES OF INTEGRITY FOR LOADING NECESSARY FOR ANY USE INCLUDING STANDARD RESIDENTIAL TRAFFIC OR EMERGENCY RESPONSE VEHICLES. LEAVENWORTH COUNTY DISCLAIMS AND DOES NOT ACCEPT ANY LIABILITY WHATSOEVER FOR DAMAGES RELATING TO ANY STRUCTURAL FAILURES FOR PRE-EXISTING CONDITIONS.
30. LEAVENWORTH COUNTY'S REVIEW OF THIS PLAT DOES NOT APPLY TO ANY PERMITTING OF PRE-EXISTING CONDITIONS ON THIS PLAT AND DOES NOT INCLUDE REVIEW FOR THE KANSAS DEPARTMENT OF AGRICULTURE-DIVISION WATER RESOURCES OR UNITED STATES CORPS OF ENGINEERS PERMITTING HISTORY FOR THE CHANNEL CROSSING STRUCTURES. ANY AND ALL PERMITTING AND REGULATORY COMPLIANCE ISSUES ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER, AND COMPLIANCE WITH THE REGULATIONS SET FORTH BY THESE FLOODPLAIN GOVERNING ENTITIES IS THE SOLE RESPONSIBILITY OF THE DRAINAGE REPORT DESIGN ENGINEER AND OWNER OF THE SUBDIVISION.

### DESCRIPTION PER TITLE COMMITMENT

TITLE COMMITMENT FILE NO: L24-29747 VIA MCCAFFREE-SHORT TITLE COMPANY, INC DATED MAY 15, 2024 AT 8:00 AM

#### TRACT I

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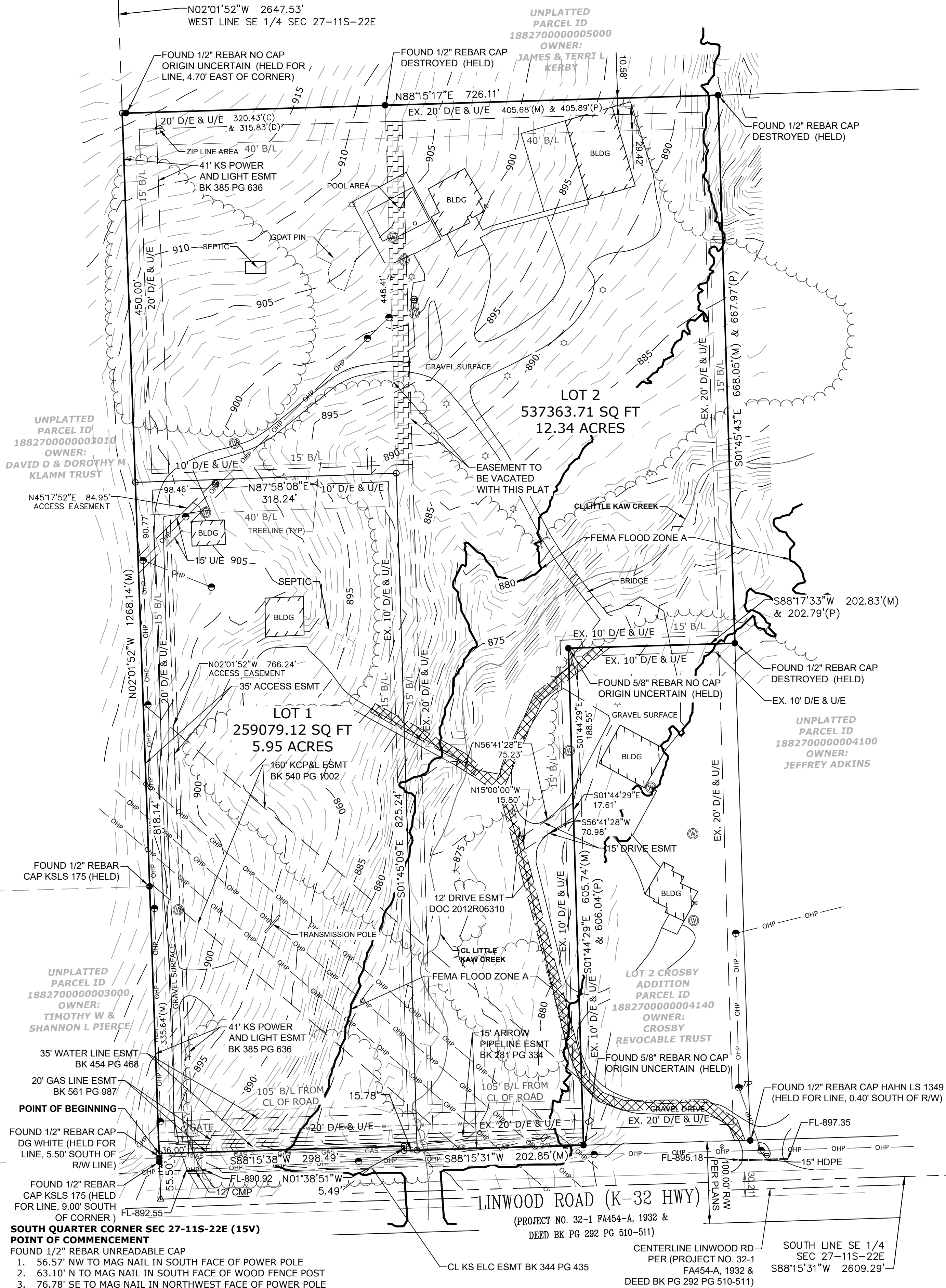
#### TRACT II

LOT 1, CROSBY ADDITION, LEAVENWORTH COUNTY, KANSAS  
COMMONLY KNOWN AS 16042 LINWOOD ROAD

#### SURVEYORS SUGGESTED DESCRIPTION:

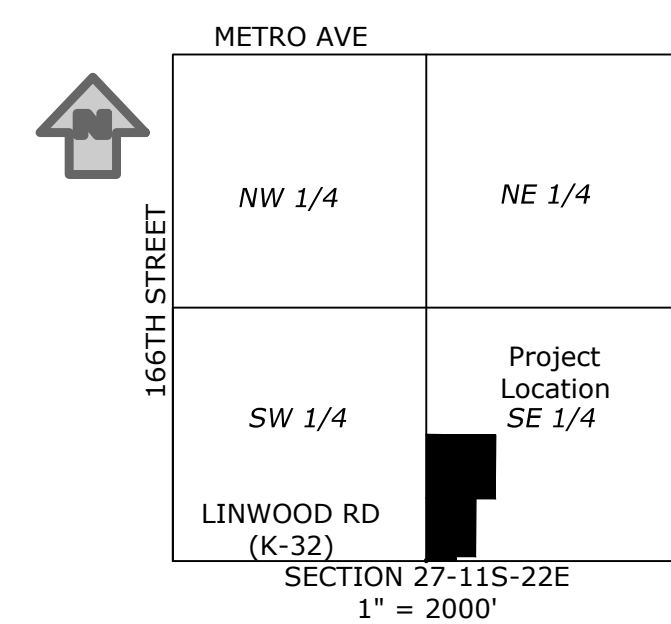
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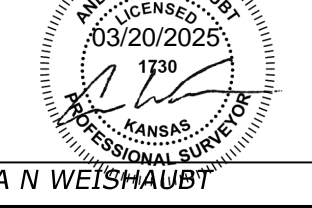
### SOUTHEAST CORNER SEC 27-11S-22E (17V)

- FOUND 1/2" REBAR WITH UNREADABLE CAP  
1. 55.98' NE TO PLUS CUT ON CURB AT SOUTHWEST CORNER OF CURB INLET  
2. 57.46' NW TP MAG NAIL AND WASHER IN EAST FACE OF POWER POLE  
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4. 92.86' SE TO MAG NAIL AND WASHER IN NORTH FACE OF CORNER POST



UTILITIES  
EVERGY - 800-383-1183  
RURAL WATER DISTRICT 7 - 913-856-7375

This is to certify on this 4th day of JUNE, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the Kansas Minimum Standards for boundary surveys.



ANDREA N WEISHAUBT PLS 1730

JOB NO: 24-105

SCALE 80 40 0 80  
SCALE IN FEET

PREPARED FOR  
PID: 1882700000004130  
1882700000004090

SEC-TWN-RNG  
27-11S-22E

OWNER:  
DUSTIN & JESSICA SCHULTZ  
LINDA K CAMREN TRUST  
ADDRESS: 16040 LINWOOD RD  
BONNER SPRINGS, KS 66012

DATE  
JANUARY 8, 2025





KS ENG COA: #3315  
 KS SUR COA: #963  
 MO ENG COA: #2023014084  
 MO SUR COA: #2023014231

**ALC**

ATLAS LAND CONSULTING  
 SURVEYING | ENGINEERING | DRONE | CAD  
 913-702-5073  
 14500 Parallel Road, Unit R, Basehor KS 66007  
 ANDREA@ALCONSULT-LLC.COM

14500 Parallel Rd. Unit R  
 Basehor, KS 66007

**04-4-25  
 Combined PW  
 Approved**

# DRAINAGE STUDY

For:

## Crosby Addition

16120 Linwood Rd.  
 Bonner Springs, KS 66012

Prepared for:

**Sandy Crosby**  
 16040 Linwood Rd.  
 Bonner Springs, KS 66012



Prepared by:

**ATLAS LAND CONSULTING, LLC**  
 14500 Parallel Rd Unit R  
 Basehor, Ks 66007  
 913-702-5073

May 15<sup>th</sup>, 2024

Revision	Date	By	Description
1	24.08.16	TAE	Olsson Comment Update
2	25.02.18	TAE	County Disclaimer Added
3			

## Schweitzer, Joshua

---

**From:** Magaha, Chuck  
**Sent:** Wednesday, July 31, 2024 12:23 PM  
**To:** 'Steven Taylor [KDOT]'; McAfee, Joe; Schweitzer, Joshua; Patzwald, Joshua; Miller, Jamie; Van Parys, David; Brown, Misty; Noll, Bill; 'Mitch Pleak'; Baumchen, Daniel  
**Cc:** PZ  
**Subject:** RE: DEV-24-097 & 098 Preliminary & Final Plat Crosby Addition No. 2 - Atlas

Josh this entrance to the West is used for emergency apparatus since the bridges on the property leading to the houses are not structure sound to hold the weight of a fire truck. The entrance to the West has been used for emergency apparatus in the past.

Chuck

---

**From:** Steven Taylor [KDOT] <Steven.Taylor@ks.gov>  
**Sent:** Wednesday, July 31, 2024 11:33 AM  
**To:** McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-097 & 098 Preliminary & Final Plat Crosby Addition No. 2 - Atlas

*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.

Josh,

The western access was constructed in 2016 as a temporary access for ready mix trucks and construction material trucks to access the property north of the creek for the construction of a residence. The existing eastern driveway at the time had a bridge over the creek that would not handle the excess weight.

There is not sufficient sight distance for the western driveway to be a permanent access for lot 1. It was to be removed after construction of the house was completed. After it was approved Mr. Crosby asked if it could remain as an emergency entrance for fire trucks and emergency equipment, we agreed. The gate has a Sherriff Department sign on it.

Steve Taylor  
Kansas Department of Transportation  
Utility Coordinator  
District 1 Area 3  
650 north K-7 Highway  
Bonner Springs, Ks.  
913-942-3049

## Schweitzer, Joshua

---

**From:** Steven Taylor [KDOT] <Steven.Taylor@ks.gov>  
**Sent:** Wednesday, July 31, 2024 11:33 AM  
**To:** McAfee, Joe; Schweitzer, Joshua; Magaha, Chuck; Patzwald, Joshua; Miller, Jamie; Van Parys, David; Brown, Misty; Noll, Bill; 'Mitch Pleak'; Baumchen, Daniel  
**Cc:** PZ  
**Subject:** RE: DEV-24-097 & 098 Preliminary & Final Plat Crosby Addition No. 2 - Atlas  
**Attachments:** image.pdf

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Steve Taylor  
Kansas Department of Transportation  
Utility Coordinator  
District 1 Area 3  
650 north K-7 Highway  
Bonner Springs, Ks.  
913-942-3049

---

**From:** McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Sent:** Wednesday, July 31, 2024 8:41 AM  
**To:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>; Steven Taylor [KDOT] <Steven.Taylor@ks.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-097 & 098 Preliminary & Final Plat Crosby Addition No. 2 - Atlas

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

Josh,  
PW Engineering reviews attached.

## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Friday, July 19, 2024 9:14 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-24-097 & 098 Preliminary & Final Plat Crosby Addition No. 2 - Atlas

We have not received any complaints on this property. The septic systems currently installed appear to remain on the same property as the home it services.

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:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Tuesday, July 16, 2024 12:41 PM  
**To:** 'steven.taylor@ks.gov' <steven.taylor@ks.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-097 & 098 Preliminary & Final Plat Crosby Addition No. 2 - Atlas

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary & Final Plat for a 2-lot subdivision at 16042 & 16120 Linwood Rd. (188-27-0-00-00-004.13 & 188-27-0-00-00-004.09)

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 July 30, 2024.

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

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212



**Jordan Mesmer**  
to me ▾

12:05 PM (1 hour ago) ☆ ↶ ⋮

Internal Use Only

Austin,

That looks perfect. You have Evergy's approval on that final plat.

Thanks,

**Jordan Mesmer**

Distribution Designer II

[Jordan.Mesmer@evergy.com](mailto:Jordan.Mesmer@evergy.com)

O (913) 667-5122



---

**From:** Austin Thompson <[austin@alconsult-llc.com](mailto:austin@alconsult-llc.com)>

**Sent:** Monday, July 8, 2024 11:18 AM

**To:** Jordan Mesmer <[Jordan.Mesmer@evergy.com](mailto:Jordan.Mesmer@evergy.com)>

**Subject:** Re: [EXTERNAL]CROSBY ADDITION NO. 2 Utility Approval

...

It has been approved.

Awesome, thanks!

I will get this going.



**Mike Lingenfelter**

to me ▾

Austin

Fairmount Fire has no issues with the split.

Mike Lingenfelter, Fire Chief

Fairmount Township Fire Department

2624 N 155th St

Basehor, Kansas 66007

Work-913-724-4911

Cell 913-306-0258



2:20 PM (1 minute ago)



Thanks for the quick response.

Thank you for the update.

I approve as well.

↩ Reply

➦ Forward



# Leavenworth Rural Water District No. 7

P. O. Box 257 2451 S. 142<sup>nd</sup> St.  
Bonner Springs, KS 66012

Phone: (913) 441-1205 Fax: (913) 422-3393 Toll Free: (888) 449-4028

E-Mail: [Jalayne@leavenworthrwd7.com](mailto:Jalayne@leavenworthrwd7.com)

Website: <http://www.lvrwd7.com>



July 2, 2024

RE: Water Service availability

To Whom It May Concern:

Leavenworth Rural Water District No. 7 is provide the same level of water service to the following legal description: Parcel # R306751 – Parcel # 188270000004130 Lot 1 Crosby Addition in Section 27, Township 11, Range 22 in Leavenworth County, Kansas as currently providing to adjacent customers in the district. Address: 16042 Linwood Rd. Bonner Springs, KS 66012

If you have any questions, please feel free to contact the water office at 913-441-1205.

Thank you.

Sincerely,

Jalayne Turner  
Office Manager  
LVRWD#7



**jalayne leavenworthrwd7.com**

to Tyler, lingenfelserm@fairmountfd.org, Leavenworth, me ▾

11:34 AM (7 minutes ago) ☆ ↶ ⋮

LVRWD#7 – Water is available. No upgrade is necessary. Have 12" main.

*Jalayne Turner*

Jalayne Turner

Office Manager

LVRWD#7

2451 S. 142<sup>nd</sup> St.

P O Box 257

Bonner Springs, KS 66012-0257

913-441-1205 Office

913-422-3393 Fax

[www.lvrwd7.com](http://www.lvrwd7.com)



**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-25-013 Lot 1 Smith Corner Lot Split Exception

April 9, 2025

**REQUEST:** Exception from Zoning and Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio)

**STAFF REPRESENTATIVE:**  
JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 19575 Mitchell Rd.



**APPLICANT/APPLICANT AGENT:**  
Joe Herring  
Herring Surveying Company  
315 N. 5th St.  
Leavenworth, KS 66048

**PROPERTY OWNER:**  
GM Investments  
18285 Prairie View Rd.  
Tonganoxie, KS 66086

**CONCURRENT APPLICATIONS:**  
N/A

**LAND USE**

**ZONING:** RR-2.5

**FUTURE LAND USE DESIGNATION:**  
Residential 3 units an acre

**SUBDIVISION:** Smith Corner

**FLOODPLAIN:** N/A

**PROPERTY INFORMATION**

**PARCEL SIZE:** 5.09 Acres

**PARCEL ID NO:**  
147-26-0-00-00-014.17

**BUILDINGS:**  
New Residence

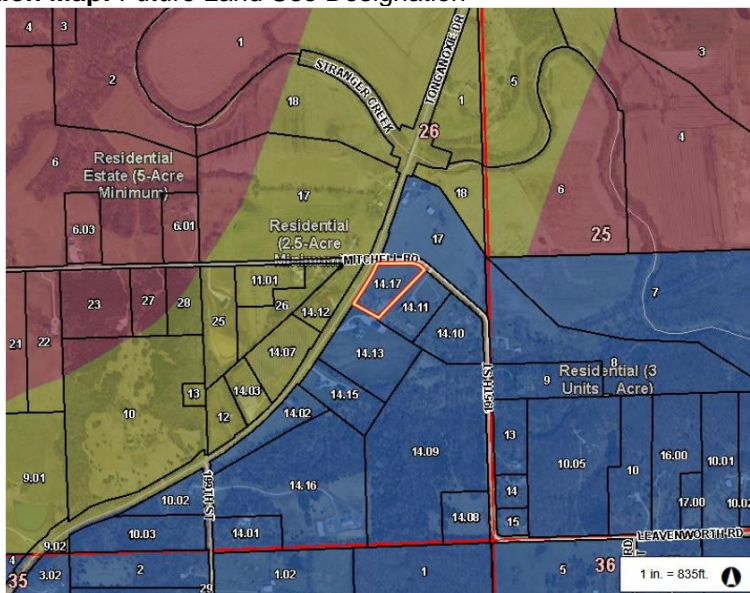
**LEGAL DESCRIPTION:**

A tract of land in the West 1/2 of the West 1/2 of the Northwest 1/4 of Section 21, Township 8 South, Range 21, East of the 6th p.m., Leavenworth County, Kansas.

**ACTION OPTIONS:**

1. Approve Case DEV-25-013, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
2. Deny Case No.DEV-25-013, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or

**Location Map:** Future Land Use Designation



**ACCESS/STREET:**  
Tonganoxie Dr.: Arterial, ±28' Wide, Paved; Mitchell Rd.: Local, ±26' Wide, Gravel

**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** STRANGER

**WATER:** RWD#9

**ELECTRIC:** FREESTATE

**NOTICE & REVIEW:**

**STAFF REVIEW:** 04/02/2025

**NEWSPAPER NOTIFICATION:**  
N/A

**NOTICE TO SURROUNDING PROPERTY OWNERS:**  
N/A

**FACTORS TO BE CONSIDERED:** Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio)

***Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulation would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted condition; or that these conditions would result in inhibiting the achievement of the objectives of these regulations.***

**1. That there are special circumstances or conditions affecting the property;**

- Lot 1A is a corner lot and access can only be achieved from Mitchell Road, which makes the lot exceed the 1:1 ratio.
- This is a condition that is not self-inflicted.

**2. That the exception is necessary for the reasonable and acceptable development of the property in question;**

- It is reasonable to believe that the proposed development allows for best use of land based upon the layout of the property and access.

**3. That the granting of the exception will not be detrimental to the public welfare or injurious to adjacent property.**

- Granting the exception does not appear to cause any issues with public welfare or injurious to adjacent properties.

**STAFF COMMENTS:**

The proposed layout of the Lot Split has Lot 1A exceeding the 1:1 ratio for Lot-depth to Lot-width. Lot 1A is a corner lot, which means access is achieved from Mitchell Road since it is the lower classification road. Both of the lots meet the requirements for the RR-2.5 zoning district. A condition of approval will be that the applicant makes all outstanding review comments from County Staff.

**Proposed Motions:**

Approve case DEV-25-013, an exception request from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio with Findings of Fact being met and a majority vote; or

***Motion:*** Chairman, I hereby approve an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio, in conformance with the Zoning & Subdivision Regulations for Case DEV-25-013, as submitted by the application, based on a finding that all three criteria for an exception has been met.

Deny case DEV-25-013, an exception request from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio without Findings of Fact being met and a majority vote; or

***Motion:*** Chairman, I hereby deny an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ration, in conformance with the Zoning & Subdivision Regulations for Case DEV-25-013, as submitted by the application, based on a finding that all three criteria for an exception have not been met.

**ATTACHMENTS:**

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

**LOT/TRACT SPLIT APPLICATION**

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

Office Use Only

PID: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Township: \_\_\_\_\_  
Case No. \_\_\_\_\_  
Legal description \_\_\_\_\_  
Zoning District \_\_\_\_\_  
Comprehensive Plan land use designation \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

NAME Joe Herring  
ADDRESS 315 North 5th Street  
CITY/ST/ZIP Leavenworth, KS 66048  
PHONE 913-651-3858  
EMAIL herringsurveying@outlook.com

**OWNER INFORMATION**

NAME GM INVESTMENT PROPERTIES LLC  
ADDRESS 18285 PRAIRIE VIEW RD  
CITY/ST/ZIP TONGANOXIE KS 66086  
PHONE N/A  
EMAIL N/A

**PROPERTY INFORMATION**

Address of property 19575 MITCHELL RD  
Parcel size 5 Acres  
Existing structures House  
Current use of the property AG and Rural Residential

**PROPOSED USE INFORMATION**

Proposed land use AG & Rural Residential  
Proposed Lot/Tract 1 Size 1A - 2.53 Acres  
Proposed Lot/Tract 2 Size Lot 1B - 2.52 Acres

I, the undersigned, am the *(circle one) 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 Tract/Lot Split as indicated above.

Signature Joe Herring - digitally signed 02-16-25 Date 2/16/25

ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 10/03/2024

*Janet Klasmaker*  
COUNTY CLERK

Doc #: 2024R07385  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
10/03/2024 10:36:42 AM  
RECORDING FEE: 38.00  
PAGES: 2

---

Continental Title Company: 24470275

**Warranty Deed**  
(Individuals)

This indenture, Made this 2 day of October, 2024, between, **Jason K. Smith, a single person**, of Leavenworth County, in the State of KS, party(ies) of the first part, and **GM Investment Properties, LLC**, of **Leavenworth** County, in the State of **KS**, party(ies) of the second part.

WITNESSETH, that the said party(ies) of the first part, in Consideration of the sum of TEN Dollars and other valuable considerations, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto said party(ies) of the second part, his/her/their successors and/or assigns, all of the following described real estate, situated in the County of **Leavenworth** and State of **Kansas** to wit:

Legal Description: **Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas**

Note: Subject to easements, reservations, restrictions, if any of record.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining forever.

And said party(ies) of the first part, for itself, and its successors and assigns, does hereby covenant, promise and agree, to and with said party(ies) of the second part, that at the delivery of these presents, it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the able granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, states, judgments, taxes, assessments and encumbrances, of what nature and kind so ever, and that it will Warrant and Forever Defend the same unto said party(ies) of the second part, his/her/their heirs and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

AFFIDAVIT

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

We/I John Mollett and G.M Investment Properties LLC

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
19575 Mitchell Rd Tonganoxie KS 66086, 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 7<sup>th</sup> day of October, 2024.

John Mollett 18285 Prairieview Rd. Tonganoxie Kansas 66086 913-915-8836  
Print Name, Address, Telephone

  
Signature

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF LEAVENWORTH )

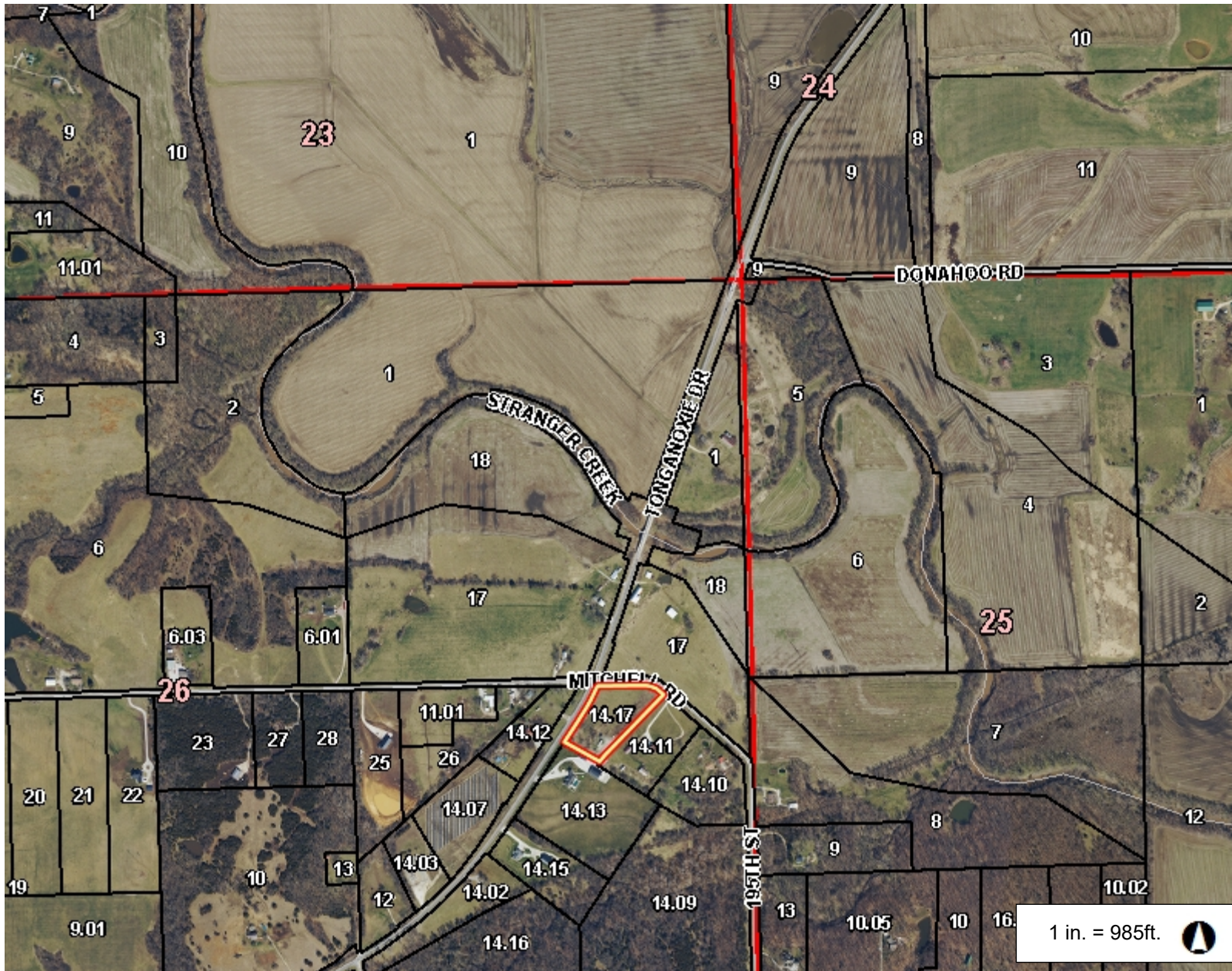
Be it remember that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_, before me, a notary public in and for said County and State came \_\_\_\_\_ to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(seal)

# Leavenworth County, KS



## Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
  - <all other values>
  - PRIVATE
- +
- Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 985ft.



1,970.9      0      985.44      1,970.9 Feet

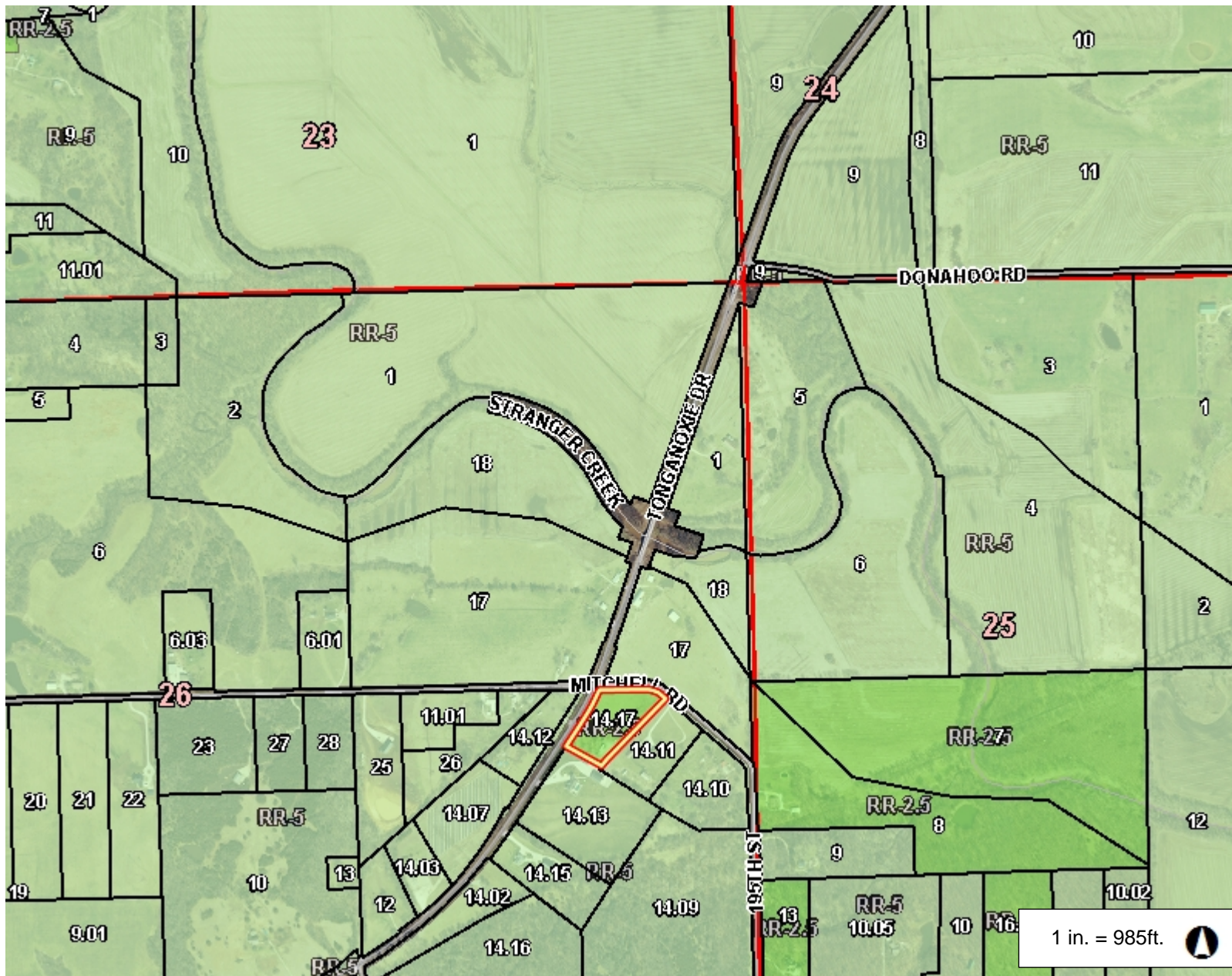


This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

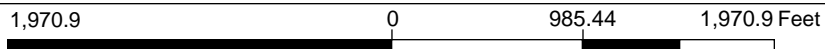
# Leavenworth County, KS



### 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. = 985ft.



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

# CERTIFICATE OF SURVEY

Tracts in Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas.

## LOT SPLIT

PREPARED FOR:  
GM INVESTMENT PROPERTIES LLC  
18285 PRAIRIE VIEW RD  
TONGANOXIE, KS 66086  
PID NO. 147-26-0-00-00-014.17

### SURVEYOR'S DESCRIPTION:

**LOT 1A:**  
A part of Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 16, 2025, and more fully described as follows: Commencing at the Southeast corner of said Lot 1; thence North 39 degrees 35'07" East for a distance of 54.64 feet along the East line of said Lot 1; thence North 44 degrees 04'31" East for a distance of 249.00 feet along said East line to the TRUE POINT OF BEGINNING; thence North 45 degrees 55'29" West for a distance of 145.06 feet; thence North 65 degrees 25'00" East for a distance of 236.77 feet to the platted centerline of Tonganoxie Drive; thence along a non-tangent curve to the left having a radius of 1429.70 feet and an arc length of 138.79 feet along said centerline, being subtended by a chord bearing North 26 degrees 24'22" East and a chord distance of 138.72 feet; thence North 88 degrees 19'04" East for a distance of 412.86 feet along the platted centerline of Mitchell Road; thence South 49 degrees 35'02" East for a distance of 122.56 feet along said centerline and to the East line of said Lot 1; thence South 44 degrees 04'31" West for a distance of 356.77 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 2.53 acres, more or less, including road right of way.  
Error of Closure: 1 - 118779

**LOT 1B:**  
A part of Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 16, 2025, and more fully described as follows: Beginning at the Southeast corner of said Lot 1; thence North 61 degrees 03'53" West for a distance of 322.59 feet along the South line of said Lot 1 to the platted centerline of Tonganoxie Drive; thence North 33 degrees 24'37" East for a distance of 204.50 feet along said centerline; thence along a curve to the left having a radius of 1429.70 feet and an arc length of 105.36 feet along said centerline, being subtended by a chord bearing North 31 degrees 17'55" East and a chord distance of 105.36 feet; thence South 65 degrees 25'00" East for a distance of 236.77 feet; thence South 45 degrees 55'29" East for a distance of 145.06 feet to the East line of said Lot 1; thence South 44 degrees 04'31" West for a distance of 244.00 feet along said East line; thence South 39 degrees 35'07" West for a distance of 54.64 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 2.52 acres, more or less, including road right of way.  
Error of Closure: 1 - 189682

**RATIFICATION BY COUNTY STAFF**  
This plat split, as described and shown above, has been submitted to and approved by the following County Staff persons this \_\_\_\_ day of \_\_\_\_\_, 2025.

Planning Director: John Jacobson

**NOTARY CERTIFICATE**  
I, the undersigned, do hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came John Jacobson, to me personally known to be the same person who executed the foregoing instrument of writing, and did acknowledge the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

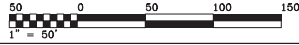
**NOTARY PUBLIC:**  
My Commission Expires: (see)

PID #147-26-00-014.13  
LOT 6  
VOELKER FAMILY FARM  
DOC # 2015P00009



Scale 1" = 50'

Job # K-24-1841  
February 16, 2025



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 Baunoch, PS#1363  
County Surveyor



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of November thru December 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

1 Provide revised closure calcs. The report provided does not match drawing or description

2 Label Section Line as North Line of SE 1/4 Sec. 26-10-21

3 NS at all plat & lot corners, unless setting.

4 Move or mask all text on lines

5 Description shows total distance of 356.77

- NOTES:**
- 1) This survey does not show ownership or easements, per agreement with client.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All record 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) Referenced Surveys - VOELKER FAMILY FARMS Doc # 2015P00009 SMITH'S CORNER Doc # 2018P00007
  - 8) Road Records - See Survey
  - 9) Referenced Deed Document # 2024R07385
  - 10) Survey prepared without the benefit of a title commitment.
  - 11) Fence Lines do not necessarily denote property lines.
  - 12) Structures are shown in approximate location.
  - 13) Property is not in a Special Flood Hazard Area Zone A per FEMA FIRM Map 2013C0225G dated July 16, 2015
  - 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
  - 15) Access to Lots is restricted to the shown access easement location.

- LEGEND:**
- - 1/2" Rebar Set with Cap No. 1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - POB - Point of Beginning
  - POC - Point of Commencing
  - Tree/Brush Line
  - NS - Not Set this Survey per agreement with client





# CERTIFICATE OF SURVEY

Lots in Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas.

## LOT SPLIT

### PREPARED FOR:

GM INVESTMENT PROPERTIES LLC  
18285 PRAIRIE VIEW RD  
TONGANOXIE, KS 66086  
PID NO. 147-26-0-00-00-014.17

### SURVEYOR'S DESCRIPTION:

#### LOT 1A:

A part of Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 16, 2025, and more fully described as follows: Commencing at the Southeast corner of said Lot 1; thence North 39 degrees 35'07" East for a distance of 54.64 feet along the East line of said Lot 1; thence North 44 degrees 04'31" East for a distance of 244.00 feet along said East line to the TRUE POINT OF BEGINNING; thence North 45 degrees 55'29" West for a distance of 145.06 feet; thence North 65 degrees 25'00" West for a distance of 236.77 feet to the platted centerline of Tonganoxie Drive; thence along a non-tangent curve to the left having a radius of 1429.70 feet and an arc length of 138.79 feet along said centerline, being subtended by a chord bearing North 26 degrees 24'22" East and a chord distance of 138.74 feet; thence North 88 degrees 19'04" East for a distance of 412.86 feet along the platted centerline of Mitchell Road; thence South 49 degrees 35'02" East for a distance of 122.56 feet along said centerline and to the East line of said Lot 1; thence South 44 degrees 04'31" West for a distance of 356.77 feet along said East line to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 2.53 acres, more or less, including road right of way. Error of Closure: 1 - 118779

#### LOT 1B:

A part of Lot 1, SMITH'S CORNER, a subdivision in Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 16, 2025, and more fully described as follows: Beginning at the Southeast corner of said Lot 1; thence North 61 degrees 03'53" West for a distance of 322.59 feet along the South line of said Lot 1 to the platted centerline of Tonganoxie Drive; thence North 33 degrees 24'37" East for a distance of 204.50 feet along said centerline; thence along a curve to the left having a radius of 1429.70 feet and an arc length of 105.38 feet along said centerline, being subtended by a chord bearing North 31 degrees 17'55" East and a chord distance of 105.36 feet; thence South 65 degrees 25'00" East for a distance of 236.77 feet; thence South 45 degrees 55'29" East for a distance of 145.06 feet to the East line of said Lot 1; thence South 44 degrees 04'31" West for a distance of 244.00 feet along said East line; thence South 39 degrees 35'07" West for a distance of 54.64 feet along said East line to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 2.52 acres, more or less, including road right of way. Error of Closure: 1 - 189682

### RATIFICATION BY COUNTY STAFF

This tract split, as described and shown above, has been submitted to and approved by the following County Staff persons this \_\_\_\_ day of \_\_\_\_ 2025.

Planning Director \_\_\_\_\_  
Marcus Majure

### NOTARY CERTIFICATE

Be it remembered that on this \_\_\_\_ day of \_\_\_\_ 2025, before me, a notary public in and for said County and State came Marcus Majure, 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 \_\_\_\_\_

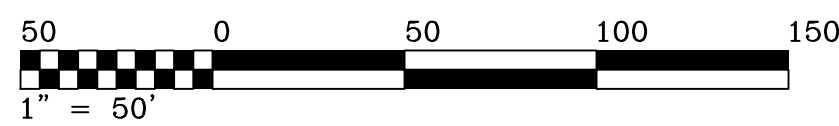
My Commission Expires: \_\_\_\_\_  
(seal)



Scale 1" = 50'

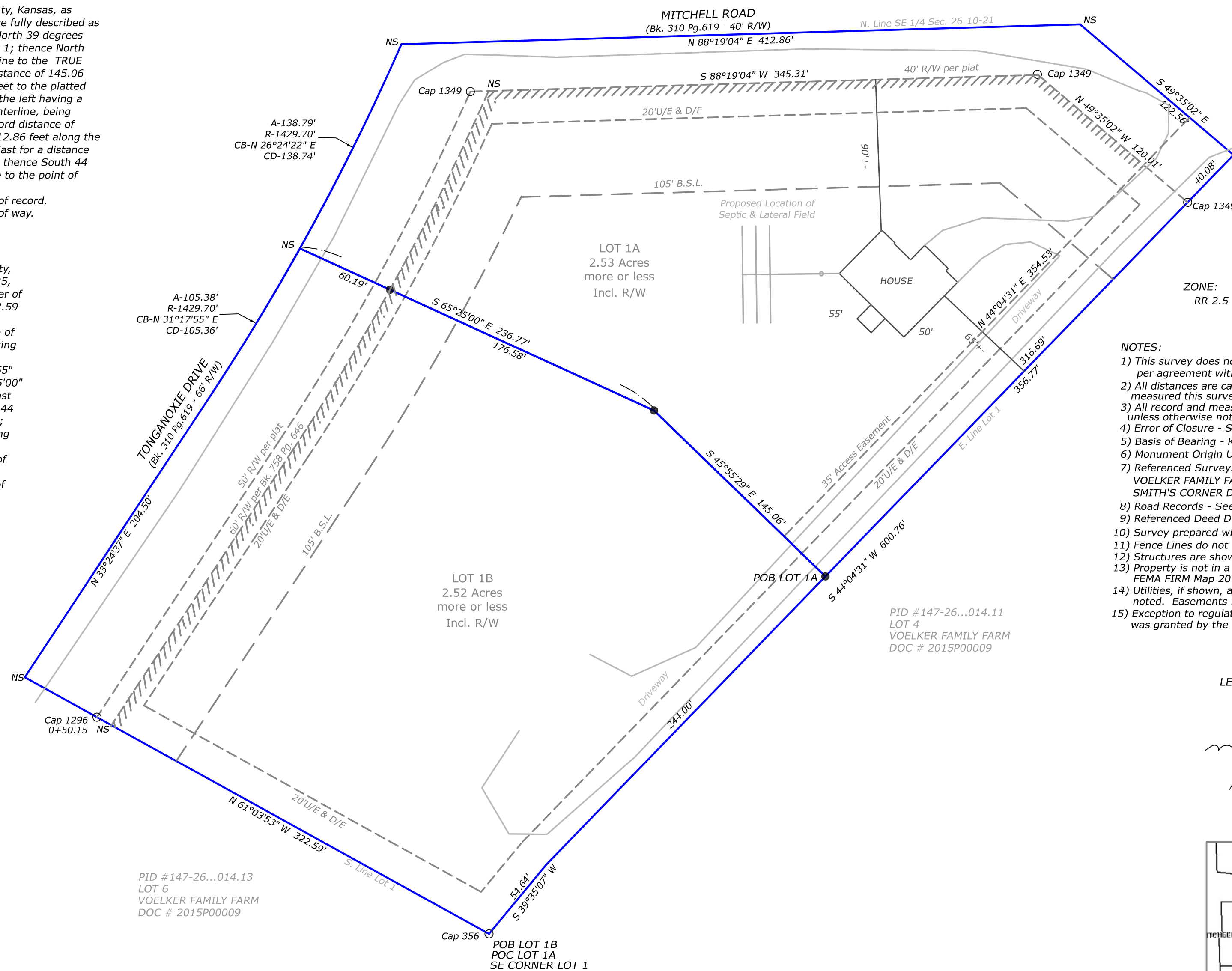
Job # K-24-1841  
February 16, 2025 Rev. 4-2-25

**J. HERRING SURVEYING COMPANY**  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@teamcash.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

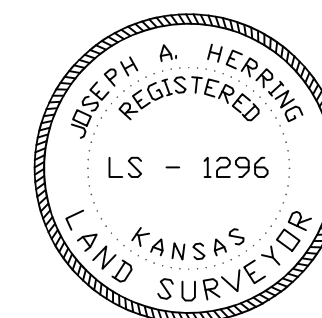


### NOTES:

- 1) This survey does not show ownership or easements, per agreement with client
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All record 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) Referenced Surveys -  
VOELKER FAMILY FARMS Doc # 2015P00009  
SMITH'S CORNER Doc # 2018P00007
- 8) Road Records - See Surveyor
- 9) Referenced Deed Document # 2024R07385
- 10) Survey prepared without the benefit of a title commitment.
- 11) Fence Lines do not necessarily denote property lines.
- 12) Structures are shown in approximate location.
- 13) Property is not in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0225G dated July 16, 2015
- 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
- 15) Exception to regulation Article 50, Section 40.3.i. Lot-width to lot-depth was granted by the Leavenworth County Planning Commission for Lot 1A.

### LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- POB - Point of Beginning
- POC - Point of Commencing
- ~ - Tree/Brush Line
- NS - Not Set this Survey per agreement with client
- //// - No Vehicle Entrance Access per plat



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of November thru December 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

## ARTICLE 56 – EXCEPTIONS

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

In recommending such variance or exception, the Planning Commission shall find the following:

1. That there are special circumstances or conditions affecting the property.  
*Irregular shaped corner Lot.*
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.  
*Yes - since it is a large corner and irregular lot it should be acceptable.*
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

*No*

## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Thursday, March 6, 2025 10:49 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-25-013 Lot Split for Lot 1 of Smith Corner - Herring

Since the applicant has owned the property we have not received any complaints, and all prior violations have been brought into compliance. 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:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Thursday, February 20, 2025 10:40 AM  
**To:** Noll, Bill <BNoll@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-25-013 Lot Split for Lot 1 of Smith Corner - Herring

Good Morning,

The Department of Planning and Zoning has received a request for a Lot Split for the property located at PID: 147-26-0-00-00-014.17.

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 March 6, 2025.

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

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048  
(913) 684-0465

## Schweitzer, Joshua

---

**From:** McAfee, Joe  
**Sent:** Monday, October 21, 2024 2:44 PM  
**To:** Schweitzer, Joshua; Magaha, Chuck; Patzwald, Joshua; Van Parys, David; Brown, Misty; Noll, Bill  
**Cc:** PZ  
**Subject:** RE: DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Joshua,

PW Engineering has reviewed the rezoning request documents. Tonganoxie Drive is a High Volume Arterial and Mitchell Road is a Collector roadway classification. No driveway access to the new lot is available on Tonganoxie Road and the drive access on Mitchell must be 100' from the intersection and 200' from any existing drives on the south side of Mitchell. It is possible but there is a fairly limited envelope for the driveway placement. Otherwise, no other comments.

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Tuesday, October 15, 2024 9:29 AM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mark B' <stfdchief1760@gmail.com>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'lrwd9@gmail.com' <lrwd9@gmail.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-128 Rezoning Lot 1 Smith Corner - Herring

Good Morning,

The Department of Planning and Zoning has received an application for a rezone regarding the property at 19575 Mitchell Road from RR-5 to RR-2.5.

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 October 29, 2024.

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

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048  
(913) 684-0465

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-25-012 Story's Addition Partial Vacation

April 9, 2025

**REQUEST:** Consideration of a Vacation of Part of Lots 19 through 46 of Story's Addition subdivision.

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 00000 Boeppler Road

**APPLICANT/APPLICANT AGENT:**

Joe Herring  
Herring Surveying Company  
315 N. 5th St.  
Leavenworth, KS 66048



**PROPERTY OWNER:**

Gabriel & Kayla Stewart  
19881 Amelia Earhart Dr  
Leavenworth KS 66048

**CONCURRENT APPLICATIONS:**

N/A

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:  
RR-2.5

SUBDIVISION: Story's Addition

FLOODPLAIN: N/A

**PROPERTY INFORMATION**

**PARCEL SIZE:** 2.6 Acres

**PARCEL ID NO:**  
078-28-0-00-00-004.01

**BUILDINGS:**  
N/A

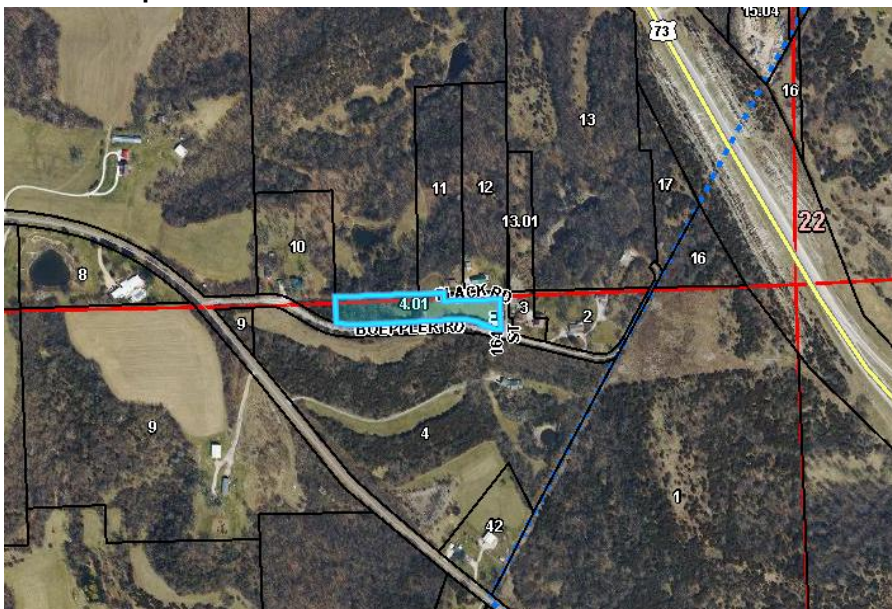
**LEGAL DESCRIPTION:**

A part of Lots 19 through 46, Block 2, Story's Addition, Leavenworth County, Kansas. (See full description attached)

**ACTION OPTIONS:**

1. Recommend Approval of Case DEV-25-012, Partial Vacation of Story's Addition Subdivision; or
2. Recommend denial of Case No.DEV-25-012, Partial Vacation of Story's Addition Subdivision); or
3. Continue the hearing to another date, time, and place.

**Location Map:**



**ACCESS/STREET:**

Boeppler Road: Local, ±25' Wide, Gravel

**UTILITIES**

SEWER: N/A

FIRE: Kickapoo

WATER: RWD#5B

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW: 3/14/2025

NEWSPAPER NOTIFICATION:  
3/18/2025

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
N/A

**STAFF COMMENTS:**

Per K.S.A. 58-2613, et al, property owners of land within platted additions or subdivisions located outside of the limits of an incorporated city or within the limits of an incorporated city which has no governing body for the past 10 years may petition the County to vacate, or partially vacate, said addition or subdivision. Upon notice given of said hearing, the Planning Commission shall determine that the request does not cause the public to suffer loss or inconvenience and that no private rights will be injured or endangered thereby. The Commission must also verify that all property rights of public utilities, rights-of-way, and easements for public service facilities then in existence and use are preserved or not infringed.

The applicant has requested to vacate a portion of lots 19 through 46 of Block 2 of the Story's Addition. The parcel is currently vacant and based on historical photography, it appears that this parcel has never been developed. There are public service facilities located within the boundaries of the vacation area. Public facilities include a water line, an over-head powerline and an underground AT&T line. Communication from Rural Water District #5 indicates that the water board has approved moving the waterline to the Boeppler Rd Right-of-way per the attached email. If additional easement is needed once the water line is moved, the owner will need to work with the Water District to establish the additional easement. The applicant has provided a description for an easement for the remaining overhead and buried powerlines, per application. Everydy did not provide any concerns for this request. The applicant is not requesting to amend any of the existing Right-of-Ways, including but not limited to Boeppler Rd, Flack Rd and 164<sup>th</sup> St.

Story's Addition was created in 1859. The subdivision was not developed as platted.

**PROPOSED MOTIONS:**

Approve case DEV-25-012, a request to vacate parts of Lots 19 through 46 of Block 2 of the Story's Addition in compliance with K.S.A 58-2613, et. al; or

*Motion: Chairman, I find that the vacation request complies K.S.A 58-2613, et al and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-25-012 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-25-012, a request to vacate parts of Lots 19 through 46 of Block 2 of the Story's Addition in compliance with K.S.A 58-2613, et. al, with a majority vote; or

*Motion: Chairman, I find that the vacation request does not comply with K.S.A 58-2613, et al (list reason) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-25-012.*

Table the case to a date and time certain for additional information.

*Motion: Chairman, I move to table Case No. DEV-25-012 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

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

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

Office Use Only

Case No. \_\_\_\_\_  
PID: \_\_\_\_\_  
Township \_\_\_\_\_  
PC Hearing Date \_\_\_\_\_  
BOCC Hearing Date: \_\_\_\_\_  
ACTION \_\_\_\_\_ Date Received \_\_\_\_\_ Date Paid \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

NAME Joe Herring  
ADDRESS 315 North 5th Street  
CITY/ST/ZIP Leavenworth, KS 66048  
PHONE 913-651-3858  
EMAIL herringsurveying@outlook.com

**OWNER INFORMATION (If different)**

NAME STEWART, GABRIEL & KAYLA  
ADDRESS 19881 AMELIA EARHART DR  
CITY/ST/ZIP Leavenworth, KS 66048  
PHONE N/A  
EMAIL N/A

**GENERAL INFORMATION**

Address of Property 00000 Boepler Road  
Present improvements or structures None  
Attach description of plat/plat area being vacated.

I, the undersigned, am the *(circle one) owner/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 an appeal/variance as indicated above.

Signature Joe Herring - digitally signed 2-11-25 Date 2-11-25





ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 04/09/2024

*Janet Klasmike*  
COUNTY CLERK

Doc #: 2024R02338  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
04/09/2024 11:49:36 AM  
RECORDING FEE: 38.00  
PAGES: 2

## GENERAL WARRANTY DEED

Joint Tenants

McCaffree-Short Title Company, Inc. - File No. L24-29679  
330 Delaware  
Leavenworth, KS 66048

THIS INDENTURE, made this 9<sup>th</sup> day of April, 2024, by and between Janel R. Borg, a single person, as GRANTOR, and Gabriel Stewart and Kayla Stewart, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common, as GRANTEE, whose mailing address is 19881 Amelia Earhart Drive, Leavenworth, KS 66048.

WITNESSETH: THAT SAID GRANTOR, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency which is hereby acknowledged by GRANTOR, does hereby grant, bargain and sell, convey and confirm, unto the said GRANTEE, as joint tenants and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, the following described real property situated in the County of Leavenworth, State of Kansas to-wit:

A tract of land in the Southeast Quarter of Section 21, Township 8 South, Range 22 East of the 6<sup>th</sup> P.M., and a part of Block 2, STORY'S ADDITION, Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North 01° 53' 13" West for a distance of 515.00 feet along the West line of said Southeast Quarter to the True Point of Beginning; thence continuing North 01° 53' 13" West for a distance of 2141.54 feet along said West line to the Northwest corner of said Southeast Quarter; thence North 87° 11' 23" East for a distance of 949.11 feet along the North line of said Southeast Quarter to the Westerly right of way line of U.S. Highway 73 (Ameillia Earhart Drive); thence South 19° 35' 08" East for a distance of 296.46 feet along said right of way; thence South 26° 50' 57" East for a distance of 740.05 feet along said right of way to an agreed boundary line per recorded Document # 2018R03337; thence South 26° 51' 24" West for a distance of 44.87 feet along said line; thence South 17° 39' 39" West 251.50 feet along said line; thence South 02° 36' 25" West for a distance of 130.74 feet along said line; thence South 00° 30' 03" East for a distance of 309.20 feet along said line; thence South 86° 56' 00" West for a distance of 439.63 feet; thence South 00° 24' 07" East for a distance of 989.15 feet to a point on said South line, said line also being the North line of said Block 2; thence North 87° 03' 11" East for a distance of 433.59 feet along said line; thence South 01° 41' 36" East for a distance of 233.01 feet along the apparent centerline of Flack Road as established today to the apparent centerline of Boepler Road as established today; thence North 74° 43' 17" West for a distance of 220.07 feet along centerline of said Boepler Road; thence South 86° 50' 07" West for a distance of 563.90 feet along said centerline; thence along a curve to the right having a radius of 286.48 feet and an arc length of 43.70 feet, being subtended by a chord bearing North 88° 19' 51" West and a chord distance of 43.65 feet, along said centerline; thence North 01° 53' 13" West for a distance of 670.84 feet; thence South 88°

**GENERAL WARRANTY DEED**  
Joint Tenants

McCaffree-Short Title Company, Inc. - File No. L24-29679  
330 Delaware  
Leavenworth, KS 66048

THIS INDENTURE, made this 9<sup>th</sup> day of April, 2024, by and between **Janel R. Borg, a single person, as GRANTOR, and Gabriel Stewart and Kayla Stewart, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common, as GRANTEE**, whose mailing address is **19881 Amelia Earhart Drive, Leavenworth, KS 66048**.

WITNESSETH: THAT SAID GRANTOR, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency which is hereby acknowledged by GRANTOR, does hereby **grant, bargain and sell, convey and confirm**, unto the said GRANTEE, as joint tenants and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, the following described real property situated in the County of Leavenworth, State of Kansas to-wit:

A tract of land in the Southeast Quarter of Section 21, Township 8 South, Range 22 East of the 6<sup>th</sup> P.M., and a part of Block 2, STORY'S ADDITION, Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North 01° 53' 13" West for a distance of 515.00 feet along the West line of said Southeast Quarter to the True Point of Beginning; thence continuing North 01° 53' 13" West for a distance of 2141.54 feet along said West line to the Northwest corner of said Southeast Quarter; thence North 87° 11' 23" East for a distance of 949.11 feet along the North line of said Southeast Quarter to the Westerly right of way line of U.S. Highway 73 (Ameillia Earhart Drive); thence South 19° 35' 08" East for a distance of 296.46 feet along said right of way; thence South 26° 50' 57" East for a distance of 740.05 feet along said right of way to an agreed boundary line per recorded Document # 2018R03337; thence South 26° 51' 24" West for a distance of 44.87 feet along said line; thence South 17° 39' 39" West 251.50 feet along said line; thence South 02° 36' 25" West for a distance of 130.74 feet along said line; thence South 00° 30' 03" East for a distance of 309.20 feet along said line; thence South 86° 56' 00" West for a distance of 439.63 feet; thence South 00° 24' 07" East for a distance of 989.15 feet to a point on said South line, said line also being the North line of said Block 2; thence North 87° 03' 11" East for a distance of 433.59 feet along said line; thence South 01° 41' 36" East for a distance of 233.01 feet along the apparent centerline of Flack Road as established today to the apparent centerline of Boeppler Road as established today; thence North 74° 43' 17" West for a distance of 220.07 feet along centerline of said Boeppler Road; thence South 86° 50' 07" West for a distance of 563.90 feet along said centerline; thence along a curve to the right having a radius of 286.48 feet and an arc length of 43.70 feet, being subtended by a chord bearing North 88° 19' 51" West and a chord distance of 43.65 feet, along said centerline; thence North 01° 53' 13" West for a distance of 670.84 feet; thence South 88°

06' 47" West for a distance of 375.00 to the point of beginning. Except any part taken or used for street, roads and/or public rights of way.

Subject to all easements, restrictions and reservations, if any, now of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

TO HAVE AND TO HOLD, the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said GRANTEE as joint tenants with rights of survivorship and not as tenants in common, and unto the heirs and assigns of such survivor forever, the said GRANTOR hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by it or those under whom it claims; except as stated above and except for all taxes and assessments, general and special, not now due and payable; and that it will warrant and defend the title of the said premises unto the said GRANTEE, as joint tenants with rights of survivorship and not as tenants in common, and unto the heirs and assigns of such survivor forever, against the lawful claims and demands of all persons whomsoever.

If two or more persons constitute either GRANTOR or GRANTEE, the words GRANTOR and GRANTEE shall be construed to read GRANTORS or GRANTEES, whenever the sense of this Deed requires.

IN WITNESS WHEREOF, The said GRANTOR has executed this instrument the day and year first above written.

Janel R. Borg  
Janel R. Borg

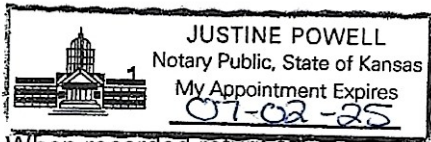
State of Kansas

County of Leavenworth

On this 9th day of April, 2024, before me personally appeared **Janel R. Borg, a single person**, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal in said County and State, the day and year last above written.

My commission expires: 07-02-25



Justine Powell  
Notary Public Justine Powell

When recorded return to:  
Gabriel Stewart and Kayla Stewart  
19881 Amelia Earhart Drive  
Leavenworth, KS 66048



**Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:**

Issuing Agent: McCaffree-Short Title Company, Inc.  
Issuing Office: 330 Delaware, Leavenworth, KS 66048  
Issuing Office's ALTA® Registry ID: 001200  
Loan ID No.:  
Commitment No.: L24-29679  
Issuing Office File No.: L24-29679  
Property Address: 00000 Mt Olivet Road, Leavenworth, KS 66048  
00000 Boeppler Road, Leavenworth, KS 66048

**SCHEDULE A**

1. Commitment Date: February 23, 2024 at 08:00 AM
2. Policy to be issued:
  - a. ALTA Owner's Policy (2021)  
Proposed Insured: Gabriel Stewart and Kayla Stewart  
Proposed Policy Amount: \$400,000.00  
Title Insurance Premium: \$803.00
  - b. ALTA Loan Policy (2021)  
Proposed Insured: The Citizens National Bank ISAOA  
Proposed Policy Amount: \$340,000.00  
Title Insurance Premium: \$275.00
3. The estate or interest in the Land at the Commitment Date is:  
  
Fee Simple.
4. The Title is, at the Commitment Date, vested in:  
  
Janel R. Borg
5. The Land is described as follows:  
  
SEE EXHIBIT A ATTACHED HERETO

*This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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**SCHEDULE A**  
(Continued)

McCaffree-Short Title Company

Melissa J. Castor

Melissa J. Castor, Agent No. 19604224

*This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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## SCHEDULE B, PART I - REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records. (Documents to be listed here)
  - a. Warranty Deed from Janel R. Borg to Gabriel Stewart and Kayla Stewart.
  - b. Mortgage from Gabriel Stewart and Kayla Stewart to The Citizens National Bank, securing the principal amount of \$340,000.00.
5. We require that the General Warranty Deed between James Charles Market, a single person and Steven D. Borg and Janel R. Borg, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, recorded on Septmeber 28, 2020 as Document No. 2020R09646 be re-recorded to correct the legal description.
6. Please be advised that our search did not disclose any open Mortgages of record. If you should have knowledge of any outstanding obligation, please contact us immediately for further review prior to closing.
7. We are advised that Steven D. Borg is deceased. We require that a certified copy of his/her death certificate be furnished to this Company for proper recording with the Recorder of Deeds.  
In addition, if 12 months or more has not lapsed since the date of death, we require satisfactory proof from the State of Kansas that no funds are due for Medical Assistance.
8. *The Kansas court system was affected by a security incident limiting the ability to search, file and/or post documents affecting title to the Land. Closing will not be able to take place until all issues relating to this matter have been resolved and an updated search performed. We reserve the right to make additional requirements and/or exceptions.*
9. IF THE LENDER REQUIRES MECHANIC'S LIEN COVERAGE:  
Furnish satisfactory proof that there has been no improvements or construction on the premises in the last 12 months (Owner's affidavit).

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## SCHEDULE B

(Continued)

10. IF THE LENDER REQUIRES SURVEY COVERAGE:  
Furnish an executed Survey Affidavit/Indemnity Agreement along with evidence that there is nobody in possession other than the record owner. (Owner's affidavit)

### FOR INFORMATIONAL PURPOSES ONLY:

The McCaffree-Short Title Company, Inc., insurance license number for Missouri is 8021942 and for Kansas is NPN # 8240004.

## SCHEDULE B, PART II - EXCEPTIONS

**Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.**

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law, unless such lien is shown by the Public Records at Date of Policy.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
7. The lien of the General Taxes for the year 2024, and thereafter.
8. The policy, when issued, will not insure against the possibility that the property in question may be included in a benefit or other improvement district, contemplated or existing, but for which no assessments have as yet been shown on the tax rolls.
9. Easements, Reservations, Restrictions, Building Set-back Lines, as shown on the recorded plat of STORY'S ADDITION TO LEAVENWORTH.

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## SCHEDULE B

(Continued)

10. Easements, Reservations, Restrictions, Building Set-back Lines, as shown on the recorded Certificate of Survey recorded as Document No. 2020S054.
11. Easements, Reservations, Restrictions, Building Set-back Lines, as shown on the recorded Certificate of Survey recorded as Document No. 2018S036.
12. Terms and provisions of Oil and Gas Lease recorded November 25, 1919 in Book 237 at Page 437.  
NOTE: We follow the mineral title no further
13. Right of Way Easement recorded in Book 429 at Page 294 to Rural Water District No. 1, Leavenworth County, Kansas.
14. Terms and provisions of Oil and Gas Lease recorded August 27, 1984 in Book 575 at Page 1088.  
NOTE: We follow the mineral title no further
15. Pipeline Easement dated May 23, 1985 executed by and between Ernest J. Flack and Leola J. Flack and Wykoma Oil, Inc., recorded June 21, 1985 in Book 583 at Page 1188.
16. Easement Agreement dated April 26, 1989, executed by and between the United States of America and the Secretary of Transportation of the State of Kansas, recorded June 5, 1989 in Book 633 at Page 1234.
17. Boundary Line Agreement filed May 2, 2018 as Document No. 2018R03337.
18. Tenancy rights, either as month to month, or by virtue of written leases of persons in possession of any part of the subject property.
19. Judgments, pending suits, state and federal tax liens, if any, against the insured parties.
20. FOR INFORMATIONAL PURPOSES ONLY:  
  
Parcel ID#38020  
Taxes for 2023 in the amount of \$860.14 are PAID. (00000 Mt. Olivet Road)  
  
Parcel ID#38929  
Taxes for 2023 in the amount of \$4,070.86 are PAID. (00000 Boeppler Road)
21. CHAIN OF TITLE:  
  
Steven D. Borg and Janel R. Borg, husband and wife, as joint tenants with the right of survivorship, acquired title by Warranty Deed filed September 28, 2020, as Document No. 2020R09646.  
(Note: Steven D. Borg died on October 7, 2023)  
  
FOR INFORMATIONAL PURPOSES ONLY:  
Transfer on Death Deed was executed by Steven D. Borg and Janel R. Borg (a/k/a Janel Rae Borg), a married couple, recorded on December 19, 2022 as Document No. 2022R11110. (Includes additional property)

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File No.: L24-29679

The Land referred to herein below is situated in the County of Leavenworth, State of Kansas and County of Leavenworth, State of Kansas, and is described as follows:

A tract of land in the Southeast Quarter of Section 21, Township 8 South, Range 22 East of the 6<sup>th</sup> P.M., and a part of Block 2, STORY'S ADDITION, Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North 01° 53' 13" West for a distance of 515.00 feet along the West line of said Southeast Quarter to the True Point of Beginning; thence continuing North 01° 53' 13" West for a distance of 2141.54 feet along said West line to the Northwest corner of said Southeast Quarter; thence North 87° 11' 23" East for a distance of 949.11 feet along the North line of said Southeast Quarter to the Westerly right of way line of U.S. Highway 73 (Ameillia Earhart Drive); thence South 19° 35' 08" East for a distance of 296.46 feet along said right of way; thence South 26° 50' 57" East for a distance of 740.05 feet along said right of way to an agreed boundary line per recorded Document # 2018R03337; thence South 26° 51' 24" West for a distance of 44.87 feet along said line; thence South 17° 39' 39" West 251.50 feet along said line; thence South 02° 36' 25" West for a distance of 130.74 feet along said line; thence South 00° 30' 03" East for a distance of 309.20 feet along said line; thence South 86° 56' 00" West for a distance of 439.63 feet; thence South 00° 24' 07" East for a distance of 989.15 feet to a point on said South line, said line also being the North line of said Block 2; thence North 87° 03' 11" East for a distance of 433.59 feet along said line; thence South 01° 41' 36" East for a distance of 233.01 feet along the apparent centerline of Flack Road as established today to the apparent centerline of Boeppler Road as established today; thence North 74° 43' 17" West for a distance of 220.07 feet along centerline of said Boeppler Road; thence South 86° 50' 07" West for a distance of 563.90 feet along said centerline; thence along a curve to the right having a radius of 286.48 feet and an arc length of 43.70 feet, being subtended by a chord bearing North 88° 19' 51" West and a chord distance of 43.65 feet, along said centerline; thence North 01° 53' 13" West for a distance of 670.84 feet; thence South 88° 06' 47" West for a distance of 375.00 to the point of beginning. Except any part taken or used for street, roads and/or public rights of way.



**ALTA COMMITMENT FOR TITLE INSURANCE**  
**issued by**  
**FIRST AMERICAN TITLE INSURANCE COMPANY**

**NOTICE**

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

**COMMITMENT TO ISSUE POLICY**

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, First American Title Insurance Company, a California Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

FIRST AMERICAN TITLE INSURANCE COMPANY

By:   
Kenneth D. DeGiorgio, President

By:   
Lisa W. Cornehl, Secretary

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## COMMITMENT CONDITIONS

### 1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- a. the Notice;
- b. the Commitment to Issue Policy;
- c. the Commitment Conditions;
- d. Schedule A;
- e. Schedule B, Part I - Requirements; and
- f. Schedule B, Part II - Exceptions; and
- g. a counter-signature by the Company or its issuing agent that may be in electronic form.

### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

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**5. LIMITATIONS OF LIABILITY**

- a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - i. comply with the Schedule B, Part I - Requirements;
  - ii. eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
  - iii. acquire the Title or create the Mortgage covered by this Commitment.
- b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM**

- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- d. The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

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**9. CLAIMS PROCEDURES**

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

**10. CLASS ACTION**

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

**11. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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

We/I Kayla Stewart and Gabe Stewart

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 27<sup>th</sup> day of December, 2024.


Kayla and Gabe Stewart 19881 Amelia Earhart Dr. Lv, KS 66048 (913)602-0653  
Print Name, Address, Telephone

Kayla Stewart Gabe Stewart  
Signature

STATE OF KANSAS )  
                                  ) SS  
COUNTY OF LEAVENWORTH )

Be it remember that on this 27<sup>th</sup> day of DECEMBER 2024 before me, a notary public in and for said County and State came KAYLA AND GABE STEWART 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 [Signature]  
My Commission Expires: 8-24-2027

 **WILLIAM M. EASTER**  
Notary Public - State of Kansas  
My Appt. Expires 8-24-2027  
(seal)

## Allison, Amy

---

**From:** Kayla Stewart <kayla.mae.stewart12@gmail.com>  
**Sent:** Thursday, April 3, 2025 9:41 AM  
**To:** Joe Herring; Allison, Amy  
**Subject:** Re: Gabe Stewart

**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.

Joe and Amy

Good morning!

Yes, we will provide an easement for the new waterline as long as it runs alongside Boeppler Road.

Kayla Stewart

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Thursday, April 3, 2025 9:33:13 AM  
**To:** Allison, Amy <AAllison@leavenworthcounty.gov>; Kayla Stewart <kayla.mae.stewart12@gmail.com>  
**Subject:** Re: Gabe Stewart

The county needs a statement from you confirming that you will provide an easement for the new water line if the construction of it happens to cross your property.

Getting this message to them via email (Amy is included) this morning would be best.

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, April 2, 2025 4:48 PM  
**To:** 'Joe Herring' <herringsurveying@outlook.com>  
**Subject:** RE: Gabe Stewart

The statement said that the waterline will be going outside the ROW. We will need a statement from the Water District stating that it will be located within the ROW or a statement from the owner's confirming that they will grant an easement for the waterline if placed outside the ROW. Dated and signed, please.

Amy

## Allison, Amy

---

**From:** Tim Goetz <tmgoetz@stjoewireless.com>  
**Sent:** Tuesday, March 4, 2025 6:21 PM  
**To:** Joe Herring; PZ; RWD5 Leavenworth Cty KS  
**Subject:** RE: Stewart Vacation - Water District

**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.

RWD #5 Chairman Mark Theis, Tim Goetz, and property owner Gabe Stewart met at the site, to discuss the waterline relocation on February 11, 2025. On February 20, 2025, the RWD #5 Board voted to agree on the relocation of the water main. If there is any questions, please call me at 913-704-5899.

---

**From:** "Joe Herring" <herringsurveying@outlook.com>  
**Sent:** 3/4/25 5:24 PM  
**To:** PZ <PZ@leavenworthcounty.gov>, "tmgoetz@stjoewireless.com"<tmgoetz@stjoewireless.com>  
**Subject:** Stewart Vacation - Water District

From Tim Goetz:

Attach is the propose new 6" water main as shown with the blue dash line to 164th St, the line would change to 2" size along 164th around on Flack Rd. to service the Berry's. My drawing is an approximation, our line would be on the outside of right of way. Our 6" main will be extended to the new Leavenworth City Water Storage facility in the future. Any question please call me at 913-704-5899.

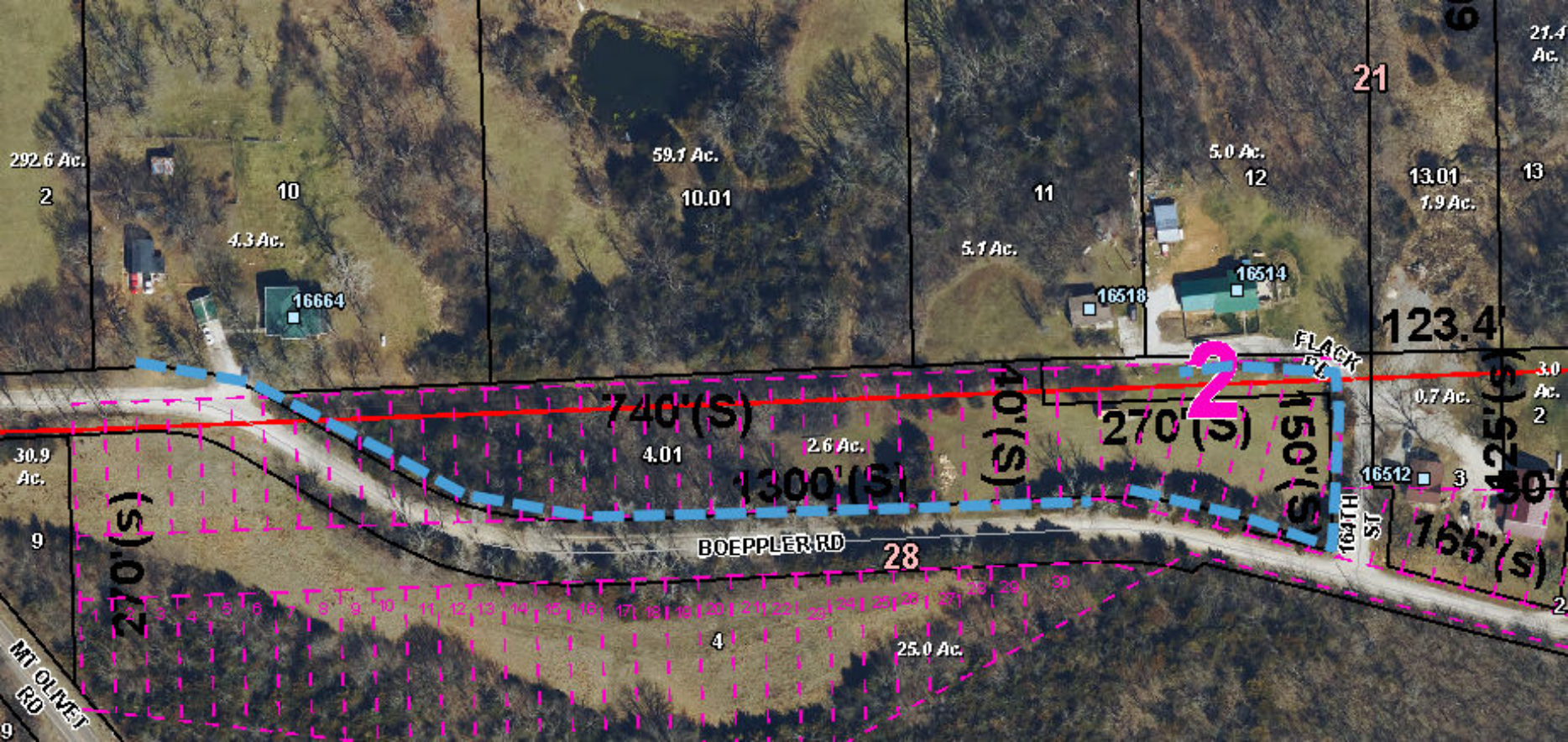
Tim confirm to the county that the above statement was made by you.

Thank you - Joe Herring

---

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





292.6 Ac.

2

10

4.3 Ac.

16664

59.1 Ac.

10.01

11

5.1 Ac.

5.0 Ac.

12

13.01

1.9 Ac.

13

21

21.4 Ac.

123.4'

0.7 Ac.

3.0 Ac.

2

30.9 Ac.

9

270' (S)

740' (S)

4.01

2.6 Ac.

1300' (S)

10' (S)

270' (S)

150' (S)

125' (S)

BOEPLER RD

28

164TH ST

16512

165' (S)

MT OLIVET RD

4

25.0 Ac.

2

## Allison, Amy

---

**From:** Tyler Rebel <Tyler.Rebel@evergy.com>  
**Sent:** Wednesday, April 2, 2025 1:58 PM  
**To:** Allison, Amy; Design Group Leavenworth  
**Subject:** RE: [EXTERNAL]Partial Vacation Request

**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

Amy,

No comment from Evergy

Thank you,

**Tyler Rebel**  
Distribution Designer  
Evergy  
[tyler.rebel@evergy.com](mailto:tyler.rebel@evergy.com)  
O: 913.758.2727  
[evergy.com](http://evergy.com)

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, April 2, 2025 1:53 PM  
**To:** Design Group Leavenworth <DesignGroupLeavenworth@evergy.com>  
**Subject:** [EXTERNAL]Partial Vacation Request

**This Message Is From an External Sender**

This message came from outside your organization.

Report Suspicious

Good Afternoon,

We have received a partial vacation request for the parcel at 00000 Boeppler Rd PID (078-28-0-00-00-004.01). Do you have any comments about the proposed actions?

Sincerely,

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*

# VACATION EXHIBIT

Part of Lots 19 through 46, STORY'S ADDITION, Leavenworth County, Kansas.

**PREPARED FOR:**

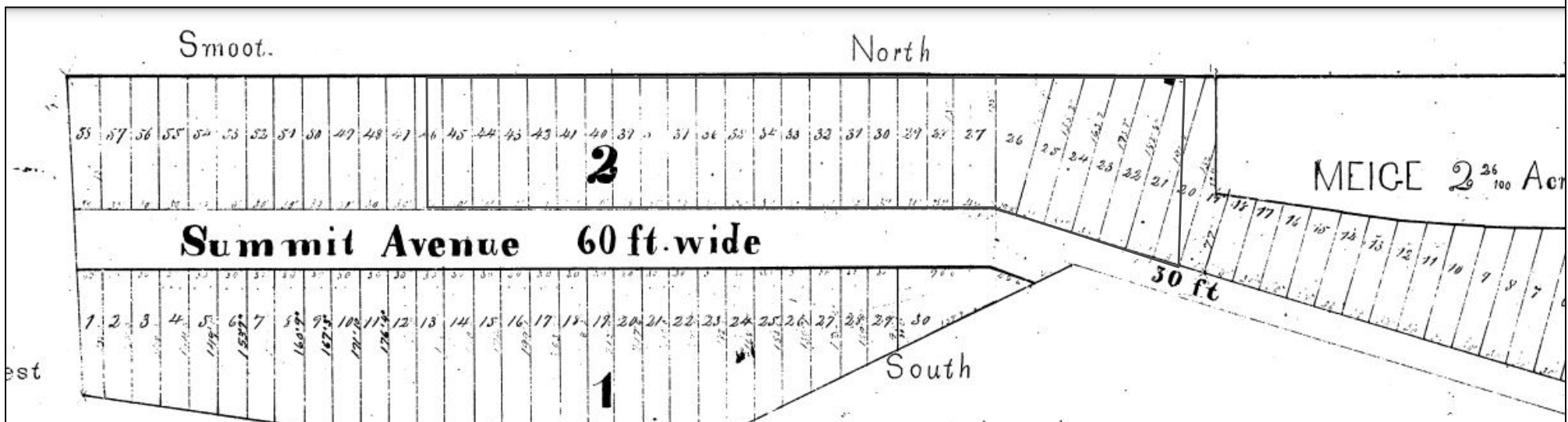
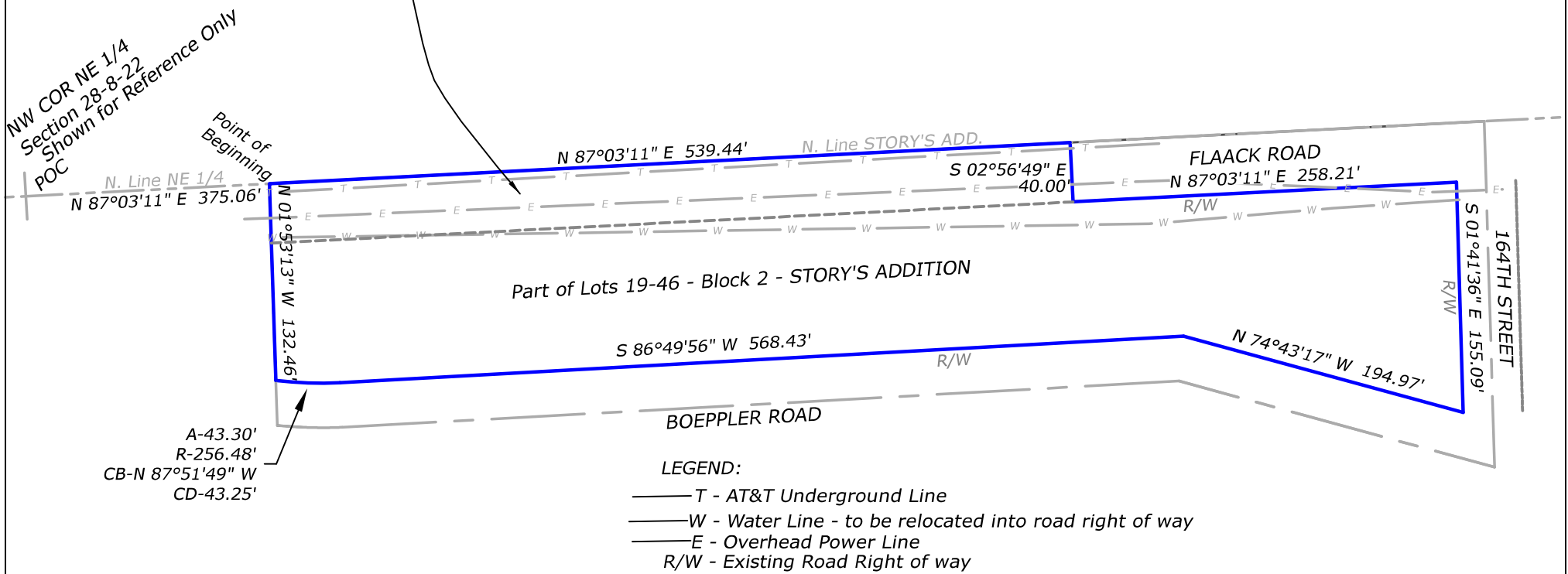
STEWART, GABRIEL & KAYLA  
19881 AMELIA EARHART DR  
Leavenworth, KS 66048  
PID # 078-28-0-00-00-004.01

**VACATION DESCRIPTION:**

A part of Lots 19 through 46, Block 2, STORY'S ADDITION, Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 8, 2025, more fully described as follows: Commencing at the Northwest corner of Northeast Quarter of Section 28, Township 8 South, Range 22 East of the 6th P.M.; thence North 87 degrees 03'11" East for a distance of 375.06 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING, said point also being the North line of said STORY'S ADDITION; thence continuing North 87 degrees 03'11" East for a distance of 539.44 feet along said North line to the West right of way line of Flaack Road as it exists today; thence South 02 degrees 56'49" East for a distance of 40.00 feet along said right of way; thence North 87 degrees 03'11" East for a distance of 258.21 feet along the South right of way line of Flaack Road to the West right of way line of 164th Street, as it exists today; thence South 01 degrees 41'36" East for a distance of 155.09 feet along said right of way to the North right of way line of Boepler Road, as it exists today; thence North 74 degrees 43'17" West for a distance of 194.97 feet along said North right of way; thence South 86 degrees 49'56" West for a distance of 568.43 feet along said North right of way; thence on a curve to the right having a radius of 256.48 feet and an arc length of 43.30 feet along said North right of way; thence North 01 degrees 53'13" West for a distance of 132.46 to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 2.37 acres, more or less. Error of Closure - 1 : 130193

**EASEMENT DESCRIPTION:**

An Access and Use Easement for existing utilities being a part of Block 2, STORY'S ADDITION, Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March, 2025, more fully described as follows: Commencing at the Northwest corner of Northeast Quarter of Section 28, Township 8 South, Range 22 East of the 6th P.M.; thence North 87 degrees 03'11" East for a distance of 375.06 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING, said point also being the North line of said STORY'S ADDITION; thence continuing North 87 degrees 03'11" East for a distance of 539.44 feet along said North line to the West right of way line of Flaack Road as it exists today; thence South 02 degrees 56'49" East for a distance of 40.00 feet along said right of way; thence South 87 degrees 03'11" West for a distance of 540.18 feet; thence North 01 degrees 53'13" West for a distance of 40.00 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Error of Closure - 1 : 169406



Scale 1" = 100'

Job #K-25-1872  
February 12, 2025 Rev. 3/4/25

J.Herring, Inc. (dba)  
**HERRING**  
**SURVEYING**  
**COMPANY**

315 North 5th Street, Leav., KS 66048  
 Ph. 913.651.3858 Fax 913.674.5381  
 Email - survey@teamcash.com

**THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY**

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, February 25, 2025 10:40 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-25-012 Story Addition Vacation Request

We have not received any complaints on this property and we are not aware of any septic systems currently installed 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, February 14, 2025 12:08 PM  
**To:** McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; Khalil, Jon <jkhalil@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-25-012 Story Addition Vacation Request

Good Morning,

The Planning & Zoning office has received a request to vacate a portion of the Story Addition plat.

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, February 27, 2025..

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

Sincerely,  
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*

AFFIDAVIT OF PUBLICATION

LEAVENWORTH TIMES  
PO BOX 1283  
HUTCHINSON, KS 67504-1283

STATE OF KANSAS        }  
COUNTY OF            }  
LEAVENWORTH            }    SS

Account Number: 21250  
Ad Number:        3285690  
Description:       DEV-24-012  
Ad Cost:           \$22.77

Barbara Daniels being first duly sworn, says:

That he/she is the Legal Rep of the the Leavenworth Times, a daily newspaper of general circulation, printed and published in Leavenworth, Leavenworth County, Kansas; that the publication, a copy of which is attached hereto, was published in said newspaper on the following dates:

March 18, 2025

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Barbara Daniels

Subscribed to and sworn to me this 18<sup>th</sup> day of March 2025

Rebecca A. Broom

Notary Public

\_\_\_\_\_ County \_\_\_\_\_

ID#: \_\_\_\_\_

My commission expires: 6/7/27



LEAV CO PLANNING & ZONING  
300 WALNUT ST STE 030  
LEAVENWORTH, KS 66048  
rbroom@cherryroad.com

County of Leavenworth  
State of Kansas

**NOTICE OF PUBLIC HEARING**

Notice is hereby given for the Leavenworth County Planning Commission to hold a public hearing regarding an application (DEV-24-012) for a partial vacation of Story's Addition Subdivision on the following described property: A part of Lots 19 through 46, Block 2, Story's Addition, Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 8, 2025, more fully described as follows: Commencing at the Northwest corner of Northeast Quarter of Section 28, Township 8 South, Range 22 East of the 6th P.M.; thence North 87 degrees 03'11" East for a distance of 375.06 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING, said point also being the North line of said STORY'S ADDITION; thence continuing North 87 degrees 03'11" East for a distance of 539.44 feet along said North line to the West right of way line of Flack Road as it exists today; thence South 02 degrees 56'49" East for a distance of 40.00 feet along said right of way; thence North 87 degrees 03'11" East for a distance of 258.21 feet along the South right of way line of Flack Road to the West right of way line of 164th Street, as it exists today; thence South 01 degrees 41'36" East for a distance of 155.09 feet along said right of way to the North right of way line of Boepler Road, as it exists today; thence North 74 degrees 43'17" West for a distance of 194.97 feet along said North right of way; thence South 86 degrees 49'56" West for a distance of 568.43 feet along said North right of way; thence on a curve to the right having a radius of 256.48 feet and an arc length of 43.30 feet along said North right of way; thence North 01 degrees 53'13" West for a distance of 132.46 to the point of beginning.

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

Said property contains 2.37 acres, more or less.

Error of Closure 1:130193

**Request submitted by Herring Surveying Co on behalf Gabriel & Kayla Stewart**

**Address: 00000 Boepler Road**

**Parcel ID number: 078-28-0-00-00-004.01**

The hearing will be held on Wednesday the 9th day of April, 2025 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, April 8, 2025.

John Jacobson, Secretary  
Leavenworth County Planning Commission Publish by March 19, 2025

Published in the Leavenworth Times, March 18, 2025.