

RESOLUTION 2025-14

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS APPROVING THE VACATION OF A PORTION OF THE PLAT OF STORY'S ADDITION SUBDIVISION

WHEREAS, K.S.A. 58-2613 *et. seq.* authorizes the vacation or partial vacation of a plat upon a petition to the Board of County Commissioners or the Planning Commission filed by the 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; and

WHEREAS, the applicant has requested to vacate the portion of lots 19 through 46 of Block 2 of Story's Addition described below:

Commencing at the Northwest corner of Northeast Quarter of Section 28, Township 8 South, Rang 22 East of 6th P.M.; thence North 87 degree 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 Boeppler 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 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 beginning; and

WHEREAS, the Leavenworth County Planning Commission, after notice as required by law, conducted a public hearing for Case DEV-25-012 regarding the proposed vacation of a portion of lots 19 through 46 of Story's Addition subdivision on April 9, 2025; and

WHEREAS, the Leavenworth County Planning Commission made the finding required by K.S.A. 58-2614 and recommended approval of the vacation requested herein; and

WHEREAS, the Board of County Commission considered, in regular session on the 23rd day of April, 2025, the Applicant's request to vacate a portion of lots 19 through 46 of

Story's Addition subdivision and the recommendation of the Leavenworth County Planning Commission.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS SITTING IN REGULAR SESSION DOES HEREBY RESOLVE:

1. Notice has been given as required by K.S.A. 58-2613 *et. seq.*; and
2. The public will suffer no loss or inconvenience and no private rights will be injured or endangered by the vacation of the parts of lots 19 through 46 of Story's Addition subdivision; and
3. That the vacation described herein shall be made upon adoption of this Resolution and subject to the property rights of public utilities, rights-of-way, and easements for public service facilities currently in existence and use; and
4. The vacation described herein shall not interfere with, impair, infringe, or obstruct the property rights of public utilities, rights-of-way, and easements for public service facilities currently in existence and use; and
5. A certified copy of this Resolution shall be filed in the office of the Leavenworth County Register of Deeds, and the cost of the proceedings, including publication and recording costs shall be paid by the applicant; and
6. This Resolution shall be in full force and effect from and after its adoption.
7. The County Administrator, and Leavenworth County's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Adopted this 23rd day of April, 2025
Board of County Commissioners
Leavenworth County, Kansas



Michael Smith, CHAIR



Jeff Culbertson, MEMBER



ATTEST: Fran Keppler
Fran Keppler, CLERK

Vanessa Reid, MEMBER

Willie Dove, MEMBER

Mike Stieben, MEMBER