

## RESOLUTION 2025-30

**A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-5 to RR-2.5 as defined by the Zoning and Subdivision Regulations of Leavenworth County, Kansas on the following described property:**

### PARCEL I

The Northeast Quarter of Section 9, Township 9 South, Range 21 East of the Sixth P.M., less one and a half acres, more or less, described as follows: Beginning at a point 78 rods North of the Southwest corner of said Quarter Section; thence East 13 rods; thence South 18 rods; thence West 13 rods to the West boundary line of said Quarter Section; thence North 18 rods on the West line of said Quarter Section to the place of beginning. Also excepting a 10 acre tract, more or less, or that part lying North and West of Kansas State Highway 92, less any part taken or used for road, in Leavenworth County, Kansas.

Also excepting:

A tract of land in the South Half of the Northeast Quarter of Section 9, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at the Southwest corner of said Northeast Quarter; thence North  $01^{\circ} 57' 31''$  West, an assumed bearing, for a distance of 1,000.00 feet along the West line of said Northeast Quarter to the Southwest corner of cemetery tract recorded in Deed Book 469, Page 785; thence North  $87^{\circ} 45' 57''$  East for a distance of 2650.46 feet along the South line of said cemetery tract and extending Eastward to the East line of said Northeast Quarter, said point being a 1/2" Bar with Cap No. 1296; thence South  $02^{\circ} 26' 37''$  East for a distance of 1,000.00 feet along said East line to the Southeast corner of said Northeast Quarter, said point being a survey stone found; thence South  $87^{\circ} 45' 57''$  West for a distance of 2658.93 feet along the South line of said Northeast Quarter to the point of beginning.

And also excepting:

A tract of land in the Northeast Quarter of Section 9, Township 9 South, Range 21 East of the 6th P.M. Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Northeast Quarter; thence North  $01^{\circ} 57' 31''$  West, an assumed bearing, for a distance of 1,000.00 feet along the West line of said Northeast Quarter to the Southwest corner of the Bethel Cemetery property recorded in Deed Book 469, Page 785; thence North  $87^{\circ} 45' 57''$  East for a distance of 214.00 feet along the South line of said Bethel Cemetery to the TRUE POINT OF BEGGING; thence North  $01^{\circ} 57' 31''$  West for a distance of 297.00 feet along the East line of said Bethel Cemetery to a 1/2" Bar with Cap No. 1296; thence South  $87^{\circ} 45' 57''$  West for a distance

of 182.76 feet along the North line of said Bethel Cemetery to the existing center line of said K-92 Highway as established from the center line markings; thence Northeasterly for a distance of 459.78 feet along said existing center line of said Highway as established from the center line markings; thence North  $87^{\circ} 45' 57''$  East for a distance of 2434.97.10 feet to the East line of said Northeast Quarter, said point being a 1/2" Bar with Cap No. 1296; thence South  $02^{\circ} 26' 37''$  East for a distance of 720.00 feet along said East line to a 1/2" Bar with Cap No. 1296; thence South  $87^{\circ} 45' 57''$  West for a distance of 2436.46 feet to the point of beginning.

Intent of above legal description to described a tract of land being bounded on the West by the Easterly right-of-way of K-92 Highway, on the South by property owned by Joel Uptain, and bordering the lines of the Bethel Cemetery property deeded in Book 469, Page 785. K-92 is a state highway that has a 66 foot right-of-way. No recorded information was discovered from the Leavenworth County Register of Deeds, KDOT or the Kansas Bureau of Right-of-ways referencing

the deed for said right-of-way. The above legal description describes the center line of the existing pavement and center line markings of said K-92 Highway. As per survey dated March 6, 2002 by Herring Surveying #K-01-111.

AND

**PARCEL II**

A strip of land 30 feet wide and the full length North and South off the West side of the Northwest 1/4 of Section 10, Township 9 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

**LESS**

The South 1720 feet of the West 30 feet of the Northwest 1/4 of Section 10, Township 9 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.

**WHEREAS**, the request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 30<sup>th</sup> day of June, 2025, and

**WHEREAS**, the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing for Case DEV-25-074 upon the granting of such request for a Rezoning on the 13<sup>th</sup> day of August, 2025; and

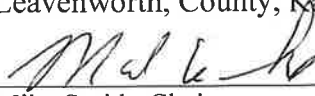
**WHEREAS**, Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Rezoning be approved; and


**WHEREAS**, the Board of County Commissioners considered, in session on the 3<sup>rd</sup> day of September, 2025, the recommendation of the Leavenworth County Planning Commission.

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

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission and the findings of fact adopted by the Board of County Commissioners in regular session on the 3<sup>rd</sup> day of September, 2025, and incorporated herein by reference, it is hereby resolved that request for rezoning as described above, also known as 21443 Springdale Road, Parcel Identification Number 112-09-0-00-00-001 & 112-10-0-00-00-006, is hereby granted.
2. The Planning and Zoning Department of Leavenworth County, Kansas is hereby ordered to and directed to cause such designations to be made on the official District Map of Leavenworth County in its custody and to show property herein described to be now zoned RR-2.5. Said District Map previously incorporated by reference by Section 4 of the Zoning and Subdivision Regulations of the Leavenworth County, Kansas is hereby incorporated as part of the Zoning Resolution as amended.
3. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

Adopted this 3<sup>rd</sup> day of September, 2025  
Board of County Commission  
Leavenworth, County, Kansas

  
Mike Smith, Chairman

  
Jeff Culbertson, Member

  
Vanessa Reid, Member

  
Willie Dove, Member

  
Mike Stieben, Member

