

We encourage everyone to view the meeting live via YouTube.

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

***Regular Meeting Agenda***  
300 Walnut Street, Suite 225  
Leavenworth, KS 66048  
March 26, 2025  
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENT PRAYER
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 25 minutes at the beginning of each meeting and limited to five minutes per person. Anyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 AM the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow up if needed prior to the meeting.
- V. ADMINISTRATIVE BUSINESS:
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.
  - a) Approval of the minutes of the meeting of March 19, 2025
  - b) Approval of the schedule for the week of March 31, 2025
  - c) Approval of the check register
  - d) Approve and sign the OCB's
  - e) Approve Case Number DEV-24-160/161 Jackson Estates

- f) Approve Case Number DEV-24-163/164 Sunset Ridge
- g) Approve Case Number DEV-25-006/007 Railway Estates

VII. FORMAL BOARD ACTION:

- a) Rehearing of the **amended** island annexation by the city of Tonganoxie, Kansas by Resolution 2-24-01, **as amended**
  - **Consider a motion to find that the proposed annexation will not hinder the proper growth and development of the area (requires 2/3 majority vote).**
  - **Consider a motion to find that the proposed annexation will hinder the proper growth and development of the area (requires a majority vote).**
- b) Consider a motion to approve Resolution 2025-10, authorizing the County to enter into an agreement with High Prairie Township for the provision of fire protection services within High Prairie Township beginning April 1, 2025.
- c) Consider a motion to approve Resolution 2025-12, altering the boundaries of Rural Fire District No. 1 of Leavenworth County, Kansas (hereinafter Fire District No. 1) by detaching High Prairie Township from Fire District No. 1.
- d) Consider a motion to find that the proposed final plat as outlined in case DEV-24-157 & 158 is compliant with the County Zoning and Subdivision Regulations and move that the proposed final plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.
- e) Consider a motion to find that the proposed final plat as outlined in case DEV-24-147 is compliant with the County Zoning and Subdivision Regulations and move that the proposed final plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.
- f) Consider a motion to reject all bids for the replacement of bridge K-19 located on 179<sup>th</sup> Street.
- g) Consider a motion to approve the contract with Bryan-Ohlmeier Construction for the replacement of bridge ST-26 on Fairmount Road in the amount of \$1,094,319.45 with a 5% contingency.

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

a) Moment of silent prayer discussion

b) Executive session to discuss property acquisition

IX. ADJOURNMENT

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

## Monday, March 24, 2025

## Tuesday, March 25, 2025

8:00 a.m. Workforce Partnership

12:00 p.m. MARC meeting

## Wednesday, March 26, 2025

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

## Thursday, March 27, 2025

## Friday, March 28, 2025

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

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

\*\*\*\*\*March 19, 2025 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, March 19, 2025. Commissioner Culbertson; Commissioner Smith, Commissioner Reid and Commissioner Dove are present; Commissioner Stieben is absent; Also present: Mark Loughry, County Administrator; Jon Khalil, Deputy County Counselor

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Smith reported he will be out next week and suggested Mike Stieben be acting chair in his absence.

***A motion was made by Commissioner Dove and seconded by Commissioner Reid that Mike Stieben be acting chair.***

***Motion passed, 3-1 Commissioner Culbertson voting nay.***

Commissioner Smith asked for a motion to approve a Kansas County Commissioners Association membership renewal.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to renew the membership for the Kansas County Commissioners Association.***

***Motion passed, 3-1, Commissioner Reid voting nay.***

Commissioner Reid spoke about the St. Patrick's Day parade.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to accept the consent agenda for Wednesday, March 19, 2025 as presented.***

***Motion passed, 4-0.***

John Groves from the Special Alcohol Distribution funds requested distributions as requested.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Reid to distribute the Special Alcohol Funds as presented.***

***Motion passed, 4-0.***

Board Order 2025-2, a vacation of an unused right-of-way was presented.

Commissioner Smith opened the public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed the public hearing.

***A motion was made by Commissioner Dove and seconded by Commissioner Culbertson that the right-of-way section of Brown Road near Woodend Road and 234<sup>th</sup> Street as described in the notice of hearing***

***is not a public utility, therefore I move that right of way for section of Brown Road near Woodend Road and 234<sup>th</sup> Street as described in the notice of hearing be vacated.***

***Motion passed, 4-0.***

Resolution 2025-11, detaching Delaware Township from Fire District No. 1 was presented.

***A motion was made by Commissioner Dove and seconded by Commissioner Smith to approve Resolution 2025-11, altering the boundaries of Rural Fire District No. 1 of Leavenworth County, Kansas and removing Delaware Township from Fire District No. 1 of Leavenworth County, Kansas.***

***Motion passed, 4-0.***

John Redden and April Cromer commented on a non-agenda item.

Commissioner Smith requested the discussion item be continued until next week since one Commissioner is absent today.

Commissioner Smith attended the Port Authority meeting yesterday.

Commissioner Dove attended the Planning and Zoning meeting last week.

Commissioner Reid announced the County regained their seat on the LCDC Board.

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

***Motion passed, 4-0.***

The Board adjourned at 9:41 a.m.

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

## Monday, March 31, 2025

## Tuesday, April 1, 2025

8:00 a.m. Northeast Kansas County Highway Official Conference  
• J.W. Crancers, 530 Delaware, Leavenworth, KS

12:30 p.m. Fareway Groundbreaking Ceremony  
• 15840 State Ave., Basehor, KS

## Wednesday, April 2, 2025

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

## Thursday, April 3, 2025

## Friday, April 4, 2025

2:00 p.m. Frocking Ceremony in honor of Colonel Jason Rosenstrauch  
• Eisenhower Auditorium, Lewis and Clark Center

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

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

START DATE: 03/15/2025 END DATE: 03/21/2025

TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#							
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-001-5-53-215	NOX WEED UNIFORMS	4013-01	83.68	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-001-5-53-215	NOX WEED UNIFORMS	4013-01	83.68	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-001-5-53-215	NOX WEED UNIFORMS	4013-01	83.68	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-001-5-53-215	NOX WEED UNIFORMS	4013-01	98.80	
								*** VENDOR	4120 TOTAL	349.84
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		3,773.23	
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		570.00	
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		67.20	
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		793.74	
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		124.07	
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		197.27	
23537	BOUND TREE	BOUND TREE MEDICAL LLC	347531	112817 AP	03/21/2025	5-001-5-05-381	113712 FIELD SUPPLIES - EMS		717.40	
								*** VENDOR	23537 TOTAL	6,242.91
1065	BTX	BTX KS INC	347533	112819 AP	03/21/2025	5-001-5-07-219	SHERIFF - INMATE X-RAYS		225.00	
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-001-5-18-301	3773122 BAR CODE LABEL PK		60.94	
8103	CHARTER COMMUNICATIO	CHARTER COMMUNICATIONS	347601	482	03/21/2025	5-001-5-18-213	122236601 COUNTY ACCESS FEES		2,213.13	
810	CITY ELECTRIC	CITY ELECTRIC SUPPLY COMPANY	347503	112812 AP	03/15/2025	4-001-5-07-357	REPL CK 109863 JAIL MAINT		24.01	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	347537	112823 AP	03/21/2025	5-001-5-05-215	20642-0317B242442502 GAS SERVI		458.98	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	347537	112823 AP	03/21/2025	5-001-5-14-220	20642-12019039952502 GAS SERVI		1,820.06	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	347537	112823 AP	03/21/2025	5-001-5-32-392	20642-12019296502502 GAS SERVI		4,631.81	
								*** VENDOR	5637 TOTAL	6,910.85
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	347598	479	03/21/2025	5-001-5-06-216	AT&T PLANNING/ZONING		86.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	347598	479	03/21/2025	5-001-5-07-210	AT&T LVSO 1005		4,279.45	
								*** VENDOR	648 TOTAL	4,365.91
5362	DIAMOND DRUGS	DIAMOND DRUGS,INC	347539	112825 AP	03/21/2025	5-001-5-07-219	KSLV - FEBRUARY INMATE PRESCRI		3,571.25	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-001-5-53-219	ELEC SVC NOX WEED		345.09	
1011	FEDEX	FEDEX	347542	112828 AP	03/21/2025	5-001-5-19-302	2049-3883-4 DIST CT TRANSPORTA		31.07	
70	FREESTATE EFT	FREESTATE ELECTRIC COOPERATIVE	347596	477	03/21/2025	5-001-5-05-215	ELEC SVC EMS 9102		217.40	
70	FREESTATE EFT	FREESTATE ELECTRIC COOPERATIVE	347596	477	03/21/2025	5-001-5-07-223	ELEC SVC TO SIRENS		555.15	
70	FREESTATE EFT	FREESTATE ELECTRIC COOPERATIVE	347596	477	03/21/2025	5-001-5-14-220	ELEC SVC 725 LAMING		777.81	
70	FREESTATE EFT	FREESTATE ELECTRIC COOPERATIVE	347596	477	03/21/2025	5-001-5-14-220	ELEC SVC 725 LAMING		1.21-	
								*** VENDOR	70 TOTAL	1,549.15
1941	HALLEY	LAW OFFICE OF E ELAINE HALLEY	347545	112831 AP	03/21/2025	5-001-5-09-231	COURT APPOINTED ATTORNEY		3,000.00	
671	HARRIS,TERRI	TERRI L HARRIS	347546	112832 AP	03/21/2025	5-001-5-09-231	CONFLICT ATTORNEY - CINC CASES		195.00	
671	HARRIS,TERRI	TERRI L HARRIS	347546	112832 AP	03/21/2025	5-001-5-09-231	CONFLICT ATTORNEY - CINC CASES		60.00	
671	HARRIS,TERRI	TERRI L HARRIS	347546	112832 AP	03/21/2025	5-001-5-09-231	CONFLICT ATTORNEY - CINC CASES		82.50	
671	HARRIS,TERRI	TERRI L HARRIS	347546	112832 AP	03/21/2025	5-001-5-09-231	CONFLICT ATTORNEY - CINC CASES		60.00	
								*** VENDOR	671 TOTAL	397.50
839	HOBART SERVICE	ITW FOOD EQUIPMENT GROUP LLC	347548	112834 AP	03/21/2025	5-001-5-07-207	800006508 SVC CALL - DISHWASHE		453.80	
236	INTERPRETERS	INTERPRETERS INC	347551	112837 AP	03/21/2025	5-001-5-19-221	DIST CT INTERPRETERS 2/19,25,2		995.02	
3030	ISG TECHNOLOGY	ISG TECHNOLOGY	347552	112838 AP	03/21/2025	5-001-5-18-202	LEAVENWORTHCO PROFESSIONAL SVC		930.00	
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	347603	484	03/21/2025	5-001-5-05-215	510614745 2015657 27 GAS TRANS		306.72	
1842	KONE INC	KONE INC	347554	112840 AP	03/21/2025	5-001-5-31-220	N40131062 FEB ELEVATOR MAINT		129.86	
1842	KONE INC	KONE INC	347554	112840 AP	03/21/2025	5-001-5-32-262	N40131062 FEB ELEVATOR MAINT		519.46	
1842	KONE INC	KONE INC	347554	112840 AP	03/21/2025	5-001-5-33-262	N40131062 FEB ELEVATOR MAINT		1,179.86	
								*** VENDOR	1842 TOTAL	1,829.18
537	LEAV TIMES	CHERRYROAD MEDIA INC	347559	112845 AP	03/21/2025	5-001-5-09-212	30360 PUB FOR RT OF WAY ROAD V		11.58	
2111	LIFTOFF	LIFTOFF,LLC	347560	112846 AP	03/21/2025	5-001-5-05-220	SHAREPOINT RENEWAL		2,940.00	
2111	LIFTOFF	LIFTOFF,LLC	347560	112846 AP	03/21/2025	5-001-5-09-203	SHAREPOINT RENEWAL		120.00	
2111	LIFTOFF	LIFTOFF,LLC	347560	112846 AP	03/21/2025	5-001-5-11-203	SHAREPOINT RENEWAL		1,140.00	
2111	LIFTOFF	LIFTOFF,LLC	347560	112846 AP	03/21/2025	5-001-5-18-254	SHAREPOINT RENEWAL		1,236.00	
2111	LIFTOFF	LIFTOFF,LLC	347560	112846 AP	03/21/2025	5-001-5-19-301	SHAREPOINT RENEWAL		180.00	



TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#							
							*** VENDOR	2111 TOTAL	5,616.00	
61	MIAMI CO DIST CT	DISTRICT COURT OF MIAMI COUNTY	347563	112849 AP	03/21/2025	5-001-5-19-222	ATTY FEE MI2024CT016	75.00		
105	MIDWEST M	MIDWEST MOBILE RADIO SERVICE	347564	112850 AP	03/21/2025	5-001-5-07-353	R1295 PROGRAMMING CABLE, MOBIL	141.90		
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	347565	112851 AP	03/21/2025	5-001-5-07-208	LC00_K COPIES-DETECTIVES	46.06		
2666	MISC REIMBURSEMENTS	DAVID STAPLETON	347567	112853 AP	03/21/2025	5-001-5-04-205	ROD SCHOOL SALINA MILEAGE,TOLL	256.20		
2666	MISC REIMBURSEMENTS	DAVID STAPLETON	347567	112853 AP	03/21/2025	5-001-5-04-211	ROD SCHOOL SALINA MILEAGE,TOLL	65.45		
2666	MISC REIMBURSEMENTS	DAVID STAPLETON	347567	112853 AP	03/21/2025	5-001-5-04-211	ROD SCHOOL SALINA MILEAGE,TOLL	6.54		
2666	MISC REIMBURSEMENTS	DAVID STAPLETON	347567	112853 AP	03/21/2025	5-001-5-04-211	ROD SCHOOL SALINA MILEAGE,TOLL	10.96		
2666	MISC REIMBURSEMENTS	TERRILOIS MASHBURN	347571	112857 AP	03/21/2025	5-001-5-04-211	REIM GROUND TRANS PRIA - SAN A	32.00		
2666	MISC REIMBURSEMENTS	JEREMY WAGNER	347569	112855 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF	38.00		
2666	MISC REIMBURSEMENTS	JEREMY WAGNER	347569	112855 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF	28.00		
2666	MISC REIMBURSEMENTS	KYLE SCHWINN	347570	112856 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF & BAS	38.00		
2666	MISC REIMBURSEMENTS	KYLE SCHWINN	347570	112856 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF & BAS	28.00		
2666	MISC REIMBURSEMENTS	KYLE SCHWINN	347570	112856 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF & BAS	60.00		
2666	MISC REIMBURSEMENTS	KYLE SCHWINN	347570	112856 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF & BAS	104.00		
2666	MISC REIMBURSEMENTS	ALAN PHILLIPS	347572	112858 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF	38.00		
2666	MISC REIMBURSEMENTS	ALAN PHILLIPS	347572	112858 AP	03/21/2025	5-001-5-53-211	PER DIEM 87TH CWDK CONF	28.00		
							*** VENDOR	2666 TOTAL	733.15	
1231	ODONNEL	O'DONNELL PROFESSIONAL SVCS, P	347574	112860 AP	03/21/2025	5-001-5-23-2	1099-S TAX FORMS REDO (ADJ FOR	150.00		
13	QUALIFICATION	QUALIFICATION TARGETS INC	347576	112862 AP	03/21/2025	5-001-5-07-356	SHERIFF -TARGETS FOR RANGE	398.00		
13	QUALIFICATION	QUALIFICATION TARGETS INC	347576	112862 AP	03/21/2025	5-001-5-07-356	SHERIFF -TARGETS FOR RANGE	124.78		
							*** VENDOR	13 TOTAL	522.78	
7098	QUILL CORP	QUILL CORP	347577	112863 AP	03/21/2025	5-001-5-01-301	6310540 BOCC SUPPLIES	184.91		
7098	QUILL CORP	QUILL CORP	347577	112863 AP	03/21/2025	5-001-5-28-301	5367908 HR OFFICE SUPPLIES	79.27		
							*** VENDOR	7098 TOTAL	264.18	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-06-212	PLANNING/ZONING - FEB VEH MAIN	147.26		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-07-213	SHERIFF/EOC FUEL, MAIN, JAIL M	3,118.30		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-07-213	SHERIFF/EOC FUEL, MAIN, JAIL M	105.00		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-07-218	SHERIFF/EOC FUEL, MAIN, JAIL M	131.65		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-14-332	SHERIFF/EOC FUEL, MAIN, JAIL M	6,099.87		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-14-332	SHERIFF/EOC FUEL, MAIN, JAIL M	477.75		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-14-333	SPEC BLDG FUEL, PARTS/REPAIRS	279.94		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-14-336	NOX WEED VEH MAINT, FUEL	786.25		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-31-320	SPEC BLDG FUEL, PARTS/REPAIRS	188.24		
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-001-5-53-308	NOX WEED VEH MAINT, FUEL	556.42		
							*** VENDOR	458 TOTAL	11,890.68	
22331	ROTH JOSEP	JOSEPH ROTH	347581	112867 AP	03/21/2025	5-001-5-41-270	23000 @ .94 COMMERCIAL APPRAIS	18,169.00		
8350	SECURITAS TECHNOLOGY	SECURITAS TECHNOLOGY COPRORATI	347583	112869 AP	03/21/2025	5-001-5-07-359	REMOTE SUPPORT 2.25.25 LVSO	307.50		
17368	SECURITY T	SECURITY TRANSPORT SERVICES	347584	112870 AP	03/21/2025	5-001-5-07-218	SHERIFF - TRANSPORT INMATE ELY	2,351.48		
17368	SECURITY T	SECURITY TRANSPORT SERVICES	347584	112870 AP	03/21/2025	5-001-5-07-218	SHERIFF - TRANSPORT INMATE ELY	385.00		
							*** VENDOR	17368 TOTAL	2,736.48	
1717	SEIFERT'S FLOORING	SEIFERT'S FLOORING	347585	112871 AP	03/21/2025	5-001-5-31-291	CARPET INSTALLANTION CTHSE BAS	4,605.30		
6575	STERICYCLE	STERICYCLE, INC	347587	112873 AP	03/21/2025	5-001-5-07-359	1000809211 MEDICAL WASTE REMOV	202.36		
376	SYMMETRY ACH	ATHENS ENERGY SERVICES HOLDING	347597	478	03/21/2025	5-001-5-33-392	GAS SVC CUSHING - S.TAX CDT,WA	3,410.68		
376	SYMMETRY ACH	ATHENS ENERGY SERVICES HOLDING	347597	478	03/21/2025	5-001-5-33-392	GAS SVC CUSHING - S.TAX CDT,WA	212.11		
							*** VENDOR	376 TOTAL	3,622.79	
829	THOMSON REUTERS	THOMSON REUTERS - WEST	347588	112874 AP	03/21/2025	5-001-5-11-210	1000590171 WEST INFORMATION CH	1,059.97		
22972	TRANSFER STATION	TRANSFER STATION	347590	112876 AP	03/21/2025	5-001-5-33-297	158 CONSTRUCTION/DEMO	26.00		
930	TURNERS CONSUMER	TURNERS CONSUMER APPLIANCE SER	347592	112878 AP	03/21/2025	5-001-5-05-284	EMS 9103 GE REFRIGERATOR REPAI	99.95		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-01-302	FEB POSTAGE	10.35		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-02-302	FEBRUARY POSTAGE	11.71		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-03-302	FEB POSTAGE	1,821.58		

START DATE: 03/15/2025 END DATE: 03/21/2025

TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#					
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-05-302	FEBPOSTAGE		447.80
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-06-302	FEB POSTAGE		8.28
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-07-302	FEB POSTAGE		307.98
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-09-232	FEB POSTAGE		50.20
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-11-302	FEB POTSAGE		506.80
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-14-302	FEB POSTAGE		28.29
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-14-302	FEB POSTAGE		64.38
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-19-302	FEB POSTAGE		2,030.70
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-28-302	FEB POSTAGE		88.53
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-41-302	FEB POSTAGE		725.53
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-001-5-49-302	FEBRUARY POSTAGE		234.33
							*** VENDOR	575 TOTAL	6,336.46
4648	WASTE MANAGEMENT	WASTE MANAGEMENT	347600	481	03/21/2025	5-001-5-53-207	5-29529-86663 NOX WEED TRASH		129.09
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-001-5-05-215	REPLACE CK 112724 ONE LINE WAS		45.09
2	WATER DEPT	WATER DEPT	347594	112880 AP	03/21/2025	5-001-5-05-215	WATER SVC EMS 9103		70.26
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-001-5-14-220	REPLACE CK 112724 ONE LINE WAS		520.16
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-001-5-32-392	REPLACE CK 112724 ONE LINE WAS		3,183.27
2	WATER DEPT	WATER DEPT	347594	112880 AP	03/21/2025	5-001-5-32-392	WATER SVC 514 S 2ND ST		15.60
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-001-5-33-392	REPLACE CK 112724 ONE LINE WAS		64.50
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-001-5-33-392	REPLACE CK 112724 ONE LINE WAS		265.31
							*** VENDOR	2 TOTAL	4,164.19
2007	WIRENUTS	WIRENUTS	347501	112811 AP	03/15/2025	5-001-5-32-209	JC POLICE DOOR SVC CALL REPL C		674.75
							TOTAL FUND 001		95,386.54
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-108-5-00-302	FEB POSTAGE		62.72
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-108-5-00-606	FEB POSTAGE		88.52
							*** VENDOR	575 TOTAL	151.24
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-108-5-00-219	REPLACE CK 112724 ONE LINE WAS		33.82
2	WATER DEPT	WATER DEPT	347500	112810 AP	03/15/2025	5-108-5-00-606	REPLACE CK 112724 ONE LINE WAS		11.28
							*** VENDOR	2 TOTAL	45.10
							TOTAL FUND 108		196.34
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 HP SB 800 G9		4,273.35
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 PW/GIS PROCESSOR,DIMM,		3,088.12
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 PW/GIS PROCESSOR,DIMM,		632.80
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 PW/GIS PROCESSOR,DIMM,		448.70
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 PW/GIS PROCESSOR,DIMM,		325.29
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 ASUS MOTHERBOARD X7		1,189.24
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 CORSAIR CASES X4		324.72
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 750W PWR SUP (PW PROJ)		97.17
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-115-5-00-409	3773122 3X ASUS MOTHERBOARDS		891.93
							*** VENDOR	24545 TOTAL	11,271.32
858	ENTERPRI (LVSO)	ENTERPRISE FM TRUST	347540	112826 AP	03/21/2025	5-115-5-00-408	641441 MARCH LEASE, PARTIAL FE		3,400.00
858	ENTERPRI (LVSO)	ENTERPRISE FM TRUST	347540	112826 AP	03/21/2025	5-115-5-00-408	641441 MARCH LEASE, PARTIAL FE		602.47
858	ENTERPRI (LVSO)	ENTERPRISE FM TRUST	347540	112826 AP	03/21/2025	5-115-5-00-408	641441 MARCH LEASE, PARTIAL FE		33.75
							*** VENDOR	858 TOTAL	4,036.22
							TOTAL FUND 115		15,307.54
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-126-5-00-321	FEB POSTAGE		53.78
							TOTAL FUND 126		53.78
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-215	3-24 4013-01993 UNIFORMS/SHOP		277.24

TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#							
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-215	3-24	4013-01993 UNIFORMS/SHOP	441.14	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-215	3-24	4013-01993 UNIFORMS/SHOP	339.17	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-215	3-24	4013-01993 UNIFORMS/SHOP	236.87	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-312	3-24	4013-01993 UNIFORMS/SHOP	233.64	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-312	3-24	4013-01993 UNIFORMS/SHOP	239.29	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-312	3-24	4013-01993 UNIFORMS/SHOP	235.78	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-133-5-00-312	3-24	4013-01993 UNIFORMS/SHOP	250.28	
*** VENDOR 4120 TOTAL									2,253.41	
18634	AMERICAN E	AMERICAN EQUIPMENT CO	347530	112816 AP	03/21/2025	5-133-5-00-360	3-25	SPRINGS-TORSION	191.70	
4136	BRANDT FAB	BRANDT FABRICATING	347532	112818 AP	03/21/2025	5-133-5-00-360	3-26	TARP RELAY KITS	659.25	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,548.40	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,554.23	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,542.56	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,589.22	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,532.07	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,541.40	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,540.81	
2509	CENTRAL SALT, LLC	CENTRAL SALT, LLC	347536	112822 AP	03/21/2025	5-133-5-00-306	3-27	C00404 BULK DEICING SALT	1,532.07	
*** VENDOR 2509 TOTAL									12,380.76	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	347537	112823 AP	03/21/2025	5-133-5-00-304	3-47	20642-5600012502 GAS SVC	1,484.29	
446	EQUIPMENT SHARE	EQUIPMENT SHARE INC	347541	112827 AP	03/21/2025	5-133-5-00-360	3-28	48309 CASE FILTERS	2,091.63	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-133-5-00-251	3-41	ELE CSVC CO SHOP ET AL	1,123.29	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-133-5-00-251	3-41	ELE CSVC CO SHOP ET AL	790.57	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-133-5-00-251	3-41	ELE CSVC CO SHOP ET AL	33.07	
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-133-5-00-251	3-41	ELE CSVC CO SHOP ET AL	413.18	
*** VENDOR 8686 TOTAL									2,360.11	
70	FREESTATE EFT	FREESTATE ELECTRIC COOPERATIVE	347596	477	03/21/2025	5-133-5-00-251	3-42	ELEC SVC TONGIE QUARRY/SH	81.77	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	347549	112835 AP	03/21/2025	5-133-5-00-306	3-31	218331 IC SAND	1,877.02	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	347549	112835 AP	03/21/2025	5-133-5-00-306	3-31	218331 IC SAND	6,904.89	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	347549	112835 AP	03/21/2025	5-133-5-00-306	3-31	218331 IC SAND	9,270.02	
*** VENDOR 369 TOTAL									18,051.93	
191	HOME DEPOT	HOME DEPOT USA	347550	112836 AP	03/21/2025	5-133-5-00-312	1111680	FLAGS, NAILS, WOOD,RES	39.98	
191	HOME DEPOT	HOME DEPOT USA	347550	112836 AP	03/21/2025	5-133-5-00-363	1111680	FLAGS, NAILS, WOOD,RES	55.37	
*** VENDOR 191 TOTAL									95.35	
6435	KC PETERBILT	KANSAS CITY PETERBILT	347553	112839 AP	03/21/2025	5-133-5-00-360	3-32	48415 DOSER PUMP MODULE L	1,714.38	
6435	KC PETERBILT	KANSAS CITY PETERBILT	347553	112839 AP	03/21/2025	5-133-5-00-360	3-32	48415 DOSER PUMP MODULE L	300.00-	
*** VENDOR 6435 TOTAL									1,414.38	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	347562	112848 AP	03/21/2025	5-133-5-00-360	3-33	95988 FILTERS, VALVES	145.64	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	347562	112848 AP	03/21/2025	5-133-5-00-360	3-33	95988 FILTERS, VALVES	163.16	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	347562	112848 AP	03/21/2025	5-133-5-00-360	3-33	95988 FILTERS, VALVES	176.71	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	347562	112848 AP	03/21/2025	5-133-5-00-360	3-33	95988 FILTERS, VALVES	548.18	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	347562	112848 AP	03/21/2025	5-133-5-00-360	3-48	95988 REMAN BRAKE KITS	231.44	
*** VENDOR 232 TOTAL									1,265.13	
931	MIDWEST TRUCK	MIDWEST TRUCK EQUIPMENT, INC.	347566	112852 AP	03/21/2025	5-133-5-00-360	3-43	LATCH ROD, ADJUSTABLE END	350.15	
2666	MISC REIMBURSEMENTS	FRANK GEORGE	347568	112854 AP	03/21/2025	5-133-5-00-201	3-29	REIM - ALISON CERTIFICATI	39.00	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	347599	480	03/21/2025	5-133-5-00-309	3-35	1960724 TIRES	618.50	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	347599	480	03/21/2025	5-133-5-00-309	3-35	1960724 TIRES	580.00	
*** VENDOR 1123 TOTAL									1,198.50	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	347575	112861 AP	03/21/2025	5-133-5-00-360	3-34	8052255000 AIR DRYERS, CO	803.69	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	347575	112861 AP	03/21/2025	5-133-5-00-360	3-34	8052255000 AIR DRYERS, CO	530.55	
418	PREMIER TRUCK	PENSKE COMMERCIAL VEHICLES US	347575	112861 AP	03/21/2025	5-133-5-00-360	3-34	8052255000 AIR DRYERS, CO	212.80-	
*** VENDOR 418 TOTAL									1,121.44	

TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#						
1242	SCOTWOOD I	SCOTWOOD INDUSTRIES INC	347582	112868 AP	03/21/2025	5-133-5-00-306	3-36 LEAV02 CALCIUM CHLORIDE	6,382.09	
26523	SERVAES ENTERPR	GARY SERVAES ENTERPRISES	347586	112872 AP	03/21/2025	5-133-5-00-361	3-37 1" CRUSHER RUN 2.3-2/10	10,523.15	
668	TIREHUB	TIREHUB INC	347589	112875 AP	03/21/2025	5-133-5-00-309	3-38 407362 TIERS	632.32	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-133-5-00-301	FEB OSTAGE	47.63	
2007	WIRENUTS	WIRENUTS	347595	112881 AP	03/21/2025	5-133-5-00-207	3-40 SVC CALL - REINSTALL DOOR	175.00	
TOTAL FUND 133								62,798.99	
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1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	3,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	3,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	6,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	6,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	3,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	3,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	2,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	1,500.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	6,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	4,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	6,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	6,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	3,000.00	
1702	LEAV CO CI	LEAV CO-CITIES ALCOHOL	347556	112842 AP	03/21/2025	5-134-5-00-2	2025 FUNDING PER BOCC	3,500.00	
*** VENDOR 1702 TOTAL								56,000.00	
TOTAL FUND 134								56,000.00	
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575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-136-5-00-321	FEB POSTAGE	4.14	
TOTAL FUND 136								4.14	
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4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-137-5-00-203	3-8 4013-01993 UNIFORM RENTALS	87.49	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-137-5-00-203	3-8 4013-01993 UNIFORM RENTALS	87.49	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-137-5-00-203	3-8 4013-01993 UNIFORM RENTALS	87.49	
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	347528	112814 AP	03/21/2025	5-137-5-00-203	3-8 4013-01993 UNIFORM RENTALS	87.49	
*** VENDOR 4120 TOTAL								349.96	
4136	BRANDT FAB	BRANDT FABRICATING	347532	112818 AP	03/21/2025	5-137-5-00-313	3-9 METAL-FLATBAR	454.41	
446	EQUIPMENT SHARE	EQUIPMENT SHARE INC	347541	112827 AP	03/21/2025	5-137-5-00-320	3-10 48309 CASE CAB GLASS,DOOR	191.75	
446	EQUIPMENT SHARE	EQUIPMENT SHARE INC	347541	112827 AP	03/21/2025	5-137-5-00-320	3-10 48309 CASE CAB GLASS,DOOR	2,598.00	
446	EQUIPMENT SHARE	EQUIPMENT SHARE INC	347541	112827 AP	03/21/2025	5-137-5-00-320	3-10 48309 CASE CAB GLASS,DOOR	23.94	
*** VENDOR 446 TOTAL								2,813.69	
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	347543	112829 AP	03/21/2025	5-137-5-00-320	3-11 016993 SWITCH ASSEMBLY	37.88	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	347599	480	03/21/2025	5-137-5-00-321	3-12 TIRE1960724	2,273.50	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	347599	480	03/21/2025	5-137-5-00-321	3-12 TIRE1960724	2,273.50	
*** VENDOR 1123 TOTAL								4,547.00	
TOTAL FUND 137								8,202.94	
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2621	CAFE	TERRY BOOKER	347534	112820 AP	03/21/2025	5-145-5-00-256	MEALS RESERVED 3/1-3/7	14,703.00	
2621	CAFE	TERRY BOOKER	347534	112820 AP	03/21/2025	5-145-5-00-256	MEALS RESERVED 3/1-3/7	14,982.50	
*** VENDOR 2621 TOTAL								29,685.50	
24545	CDW GOVERN	CDW GOVERNMENT INC	347535	112821 AP	03/21/2025	5-145-5-00-305	3773122 CISCO PHONE REPL-COA	382.55	
559	COBURNCO LLC	CLAY E COBURN III	347538	112824 AP	03/21/2025	5-145-5-00-213	COA FEB FLEET WASHES	29.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-00-254	COA;TAX PROGRAM,PRINTING AND O	25.90	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-00-301	COA;TAX PROGRAM,PRINTING AND O	111.94	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-00-303	COA;TAX PROGRAM,PRINTING AND O	130.50	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-00-345	COA CONSUMABLES	112.79	

TYPES OF CHECKS SELECTED: \* ALL TYPES

				P.O.NUMBER	CHECK#					
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-00-345	COA CONSUMABLES		223.36	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-05-301	COA CONSUMABLES		48.11	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-06-301	COA CONSUMABLES		36.55	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-06-321	COA CONSUMABLES		121.84	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-07-302	COA CONSUMABLES		4.98	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	347558	112844 AP	03/21/2025	5-145-5-07-321	COA CONSUMABLES		24.37	
								*** VENDOR	4755 TOTAL	840.34
2111	LIFTOFF	LIFTOFF,LLC	347560	112846 AP	03/21/2025	5-145-5-00-203	SHAREPOINT RENEWAL		360.00	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-145-5-00-213	CO ON AGING VEH MAINT		2,002.32	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-145-5-00-302	FEB POSTAGE		485.83	
								TOTAL FUND 145	33,785.54	
-----										
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-146-5-00-302	FEB POSTAGE CO TREAS SPEC		1,322.37	
								TOTAL FUND 146	1,322.37	
-----										
876	KS STATEBANK	KS STATEBANK	347555	112841 AP	03/21/2025	5-153-5-00-3	3-1 3363778 PMT 1 OF 3 ON 2 MA		136,163.56	
								TOTAL FUND 153	136,163.56	
-----										
461	LEAV CO COOP	LEAV CO COOP	347557	112843 AP	03/21/2025	5-160-5-00-304	DYED DIESEL		1,607.35	
461	LEAV CO COOP	LEAV CO COOP	347557	112843 AP	03/21/2025	5-160-5-00-304	DYED DIESEL		12.93	
								*** VENDOR	461 TOTAL	1,620.28
17209	REDDI SERV	REDDI SERVICES	347578	112864 AP	03/21/2025	5-160-5-00-263	SOLID WSTE - MARCH SEPTIC TANK		375.00	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-160-5-00-213	SOLID WASTE - FLEET MAIN, FUEL		204.95	
458	ROAD & BRIDGE	LEAV CO PUBLIC WORKS	347580	112866 AP	03/21/2025	5-160-5-00-304	SOLID WASTE - FLEET MAIN, FUEL		33.88	
								*** VENDOR	458 TOTAL	238.83
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	347593	112879 AP	03/21/2025	5-160-5-00-201	FEB POSTAGE		4.83	
2007	WIRENUTS	WIRENUTS	347595	112881 AP	03/21/2025	5-160-5-00-213	SVC CALL NEW CAMERA PIT AREA T		624.29	
								TOTAL FUND 160	2,863.23	
-----										
845	MEGAKC CORP	MEGAKC CORPORATION	347511	10293 AP	03/18/2025	5-172-5-00-301	ARPA280 3.1 CULVERTS GRP 2 801		99,343.61	
								TOTAL FUND 172	99,343.61	
-----										
2138	ABSOLUTE COMFORT TEC	ABSOLUTE COMFORT TECHNOLOGIES	347527	112813 AP	03/21/2025	5-174-5-00-210	20AMP GFI STANDARD OUTLET FT L		258.64	
70	FREESTATE EFT	FREESTATE ELECTRIC COOPERATIVE	347596	477	03/21/2025	5-174-5-00-210	ELEC SVC EISENHOWER TOWER		591.82	
1991	MARC	MID-AMERICA REGIONAL COUNCIL	347561	112847 AP	03/21/2025	5-174-5-00-210	911 MARCH INV		33,263.55	
1248	NELSON SYSTEMS	NELSON SYSTEMS	347573	112859 AP	03/21/2025	5-174-5-00-210	3203 UPGRADE OF CAD SYSTEM		14,492.50	
								TOTAL FUND 174	48,606.51	
-----										
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	347537	112823 AP	03/21/2025	5-195-5-00-290	20642-0321A774932502 GAS SERVI		229.43	
2	WATER DEPT	WATER DEPT	347594	112880 AP	03/21/2025	5-195-5-00-290	WATER SVC COMM CORR		50.65	
								TOTAL FUND 195	280.08	
-----										
1867	REDWOOD TOXICOLOGY	REDWOOD TOXICOLOGY LABORATORY	347579	112865 AP	03/21/2025	5-196-5-00-201	112368 CONFIRMATION TESTS		167.31	
								TOTAL FUND 196	167.31	
-----										
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	347565	112851 AP	03/21/2025	5-198-5-18-301	LC02_K COPIES EMPG		94.50	
								TOTAL FUND 198	94.50	
-----										
18885	HAYNES EQU	HAYNES EQUIPMENT CO	347547	112833 AP	03/21/2025	5-210-5-00-2	SD #1 SVC CALLS - DANA LANE, P		1,215.06	
18885	HAYNES EQU	HAYNES EQUIPMENT CO	347547	112833 AP	03/21/2025	5-210-5-00-2	SD #1 SVC CALLS - DANA LANE, P		1,492.40	
								*** VENDOR	18885 TOTAL	2,707.46
								TOTAL FUND 210	2,707.46	

TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#							
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-212-5-00-2	ELEC SVC SD #2	228.63		
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-212-5-00-2	ELEC SVC SD #2	102.37		
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-212-5-00-2	ELEC SVC SD #2	33.90		
8686	EVERGY EFT	EVERGY KANSAS CENTRAL INC	347602	483	03/21/2025	5-212-5-00-2	ELEC SVC SD #2	75.12		
								*** VENDOR	8686 TOTAL	440.02
								TOTAL FUND 212		440.02
890	TREANORHL	TREANORHL, INC	347591	112877 AP	03/21/2025	5-215-5-14-401	HP17703.2402.00 CTHSE EXTERIOR	20,346.50		
								TOTAL FUND 215		20,346.50
760	AETNA VOL	AETNA LIFE INSURANCE COMPANY	347529	112815 AP	03/21/2025	5-510-2-00-958	MARCH PREMIUMS VOL COVERAGE	2,077.96		
760	AETNA VOL	AETNA LIFE INSURANCE COMPANY	347529	112815 AP	03/21/2025	5-510-2-00-958	MARCH PREMIUMS VOL COVERAGE	3,423.59		
760	AETNA VOL	AETNA LIFE INSURANCE COMPANY	347529	112815 AP	03/21/2025	5-510-2-00-958	MARCH PREMIUMS VOL COVERAGE	2,087.74		
								*** VENDOR	760 TOTAL	7,589.29
268	GEN DIGITAL-LIFELOCK	GEN DIGITAL, INC.	347544	112830 AP	03/21/2025	5-510-2-00-941	1247233 MARCH PREMIUMS	2,162.61		
								TOTAL FUND 510		9,751.90
								TOTAL ALL CHECKS		593,822.86

TYPES OF CHECKS SELECTED: \* ALL TYPES

FUND SUMMARY

001	GENERAL	95,386.54
108	COUNTY HEALTH	196.34
115	EQUIPMENT RESERVE	15,307.54
126	COMM CORR ADULT	53.78
133	ROAD & BRIDGE	62,798.99
134	SPECIAL ALCOHOL	56,000.00
136	COMM CORR JUVENILE	4.14
137	LOCAL SERVICE ROAD & BRIDGE	8,202.94
145	COUNCIL ON AGING	33,785.54
146	COUNTY TREASURER SPECIAL	1,322.37
153	PUBLIC WORKS,EQUIP.RESERVE FUND	136,163.56
160	SOLID WASTE MANAGEMENT	2,863.23
172	AMERICAN RECOVERY PLAN	99,343.61
174	911	48,606.51
195	JUVENILE DETENTION	280.08
196	DRUG TEST & SUPERVISION FEES	167.31
198	SPECIAL GRANTS	94.50
210	SEWER DISTRICT 1: HIGH CREST	2,707.46
212	SEWER DISTRICT 2: TIMBERLAKES	440.02
215	CAPITAL IMPROVEMENTS	20,346.50
510	PAYROLL CLEARING	9,751.90
	TOTAL ALL FUNDS	593,822.86

**Consent Agenda 3-26-25  
Cks 3/15-3/21**

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

**Leavenworth County  
Request for Board Action  
Case No. DEV-24-160 & 161  
Preliminary & Final Plat Jackson Estates  
\*Consent Agenda\***

**Date: March 26, 2025  
To: Board of County Commissioners  
From: Planning & Zoning Staff**

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

**Additional Reviews as needed:**

**Budget Review  Administrator Review  Legal Review**

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**Action Request:**

Chairman, I find that the proposed Final Plat as outlined in case DEV-24-160 & 161 is compliant with the County Zoning & Subdivision Regulations and move that the proposed Final Plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.

**Analysis:** The applicant is proposing to divide 30 acres into five (5) lots as Jackson Estates. 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). Lots vary in size from 5.00 to 7.88 acres. All lots are compliant with the RR-2.5 zoning district. The single-family residence and accessory structures will remain on Lot 2. Lot 4 contains the burial site of the Linner Family. An easement covering the site and access to the site has been shown on the plat. If those interred are removed from the site with verification from the family, said easement can be vacated. RWD #8 can provide service to the properties with a system upgrade.

**Recommendation:** The Planning Commission voted 8-0 (1 absent) to recommend approval of Case No.DEV-24-160 & 161, Final Plat for Jackson Estates subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-24-160 & 161, Final Plat for Jackson Estates with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-24-160 & 161, Final Plat for Jackson Estates, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-24-160 & 161, Final Plat for Jackson Estates, with Findings of Fact; or
4. Remand the case back to the Planning Commission.



**Budgetary Impact:**

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

**Total Amount Requested:** \$0.00

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

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-160/161 Jackson Estates

March 12, 2025

**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

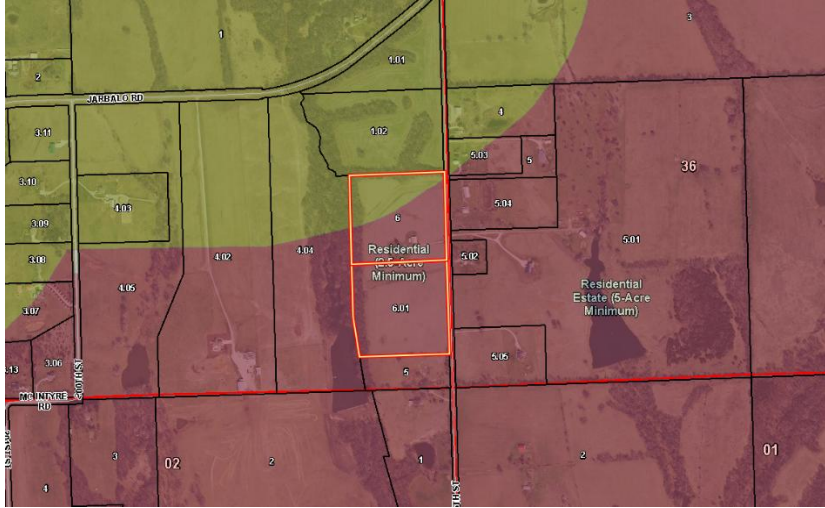
Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 24581 & 00000 195<sup>th</sup> Street

**FUTURE LAND USE:** Residential Estate ( 5-acre) and Residential (2.5 acre )

**APPLICANT/APPLICANT AGENT:**

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



**PROPERTY OWNER:**

Jack Willis  
PO Box 147  
Tonganoxie KS 66086

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

Residential Estate ( 5-acre min) and  
Residential (2.5 acre min)

**SUBDIVISION:** N/A

**FLOODPLAIN:** n/a

**LEGAL DESCRIPTION:**

A tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Approve Case No. DEV-24-160/161, Final Plat for Jackson Estates with or without conditions; or
2. Deny Case No. DEV-24-160/161, Final Plat for Jackson Estates for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 30 ACRES

**PARCEL ID NO:**

117-35-0-00-00-006.00 & 114-35-0-00-00-006.01

**BUILDINGS:**

Single family residence and accessory structures

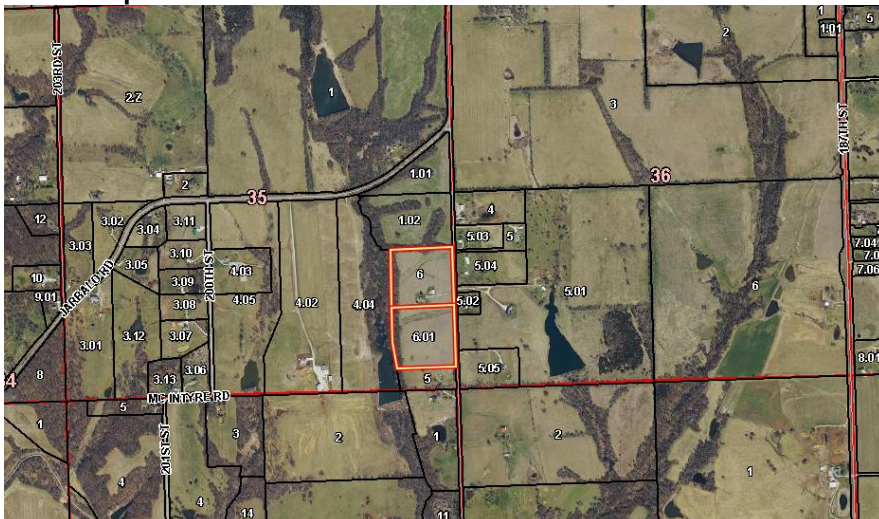
**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 24581 & 00000 195<sup>th</sup> Street as Lots 1 through 5 of Jackson Estates.

**ACCESS/STREET:**

195<sup>th</sup> Street - Local, Gravel ± 22'

**Location Map:**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 1

**WATER:** RWD 8

**ELECTRIC:** Evergy

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/5/2025

**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>	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 30 acres into five (5) lots as Jackson Estates. 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). Lots vary in size from 5.00 to 7.88 acres. All lots are compliant with the RR-2.5 zoning district. The single family residence and accessory structures will remain on Lot 2. Lot 4 contains the burial site of the Linner Family. An easement covering the site and access to the site has been shown on the plat. If those interred are removed from the site with verification from the family, said easement can be vacated. RWD #8 can provide service to the properties with a system upgrade.

**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 – Sandra Heim, RWD 8, dated December 10, 2024

**PROPOSED MOTIONS:**

Approve case DEV-24-160/161, a request to plat the property located at 24581 & 00000 195<sup>th</sup> Street into a 5-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-24-160/161 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-160/161, a request to plat the property located at 24581 & 00000 195<sup>th</sup> Street into a 5-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-24-160/161.*

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

*Motion: Chairman, I move to table Case No. DEV-24-160/161 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

C: Road Map

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: Jack Willis  
MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS P.O.Box 147  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Tonganoxie, KS 66086  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL : herringsurveying@outlook.com EMAIL N/A

**GENERAL INFORMATION**

Proposed Subdivision Name: JACKSON ESTATES  
Address of Property: 24581 195th Street  
PID: 117-35-0-00-00-006 & 006.01 Urban Growth Management Area: N/A

**SUBDIVISION INFORMATION**

Gross Acreage: <u>30 Ac</u>	Number of Lots: <u>5</u>	Minimum Lot Size: <u>5.0 Ac</u>
Maximum Lot Size: <u>7.8 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 8</u>	Proposed Sewage: <u>Spetic</u>
Fire District: <u>FD1</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local – Collector - Arterial – State - Federal</u>	
	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 12-5-24

Date: 12-5-24

**ATTACHMENT A**

ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 10/30/2024

*Janet Klasmaker*  
COUNTY CLERK

DOC #: 2024R08076  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
10/30/2024 01:56:27 PM  
RECORDING FEE: 55.00  
PAGES: 3

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## WARRANTY DEED

(Single Grantor Conveying to Individual Grantee)

FILE NO.: 24071853 – Coffelt Land Title, Inc

THIS INDENTURE, made on 10/25/24, by and between Daniel O. Carr, a single person, of the County of Leavenworth, State of Kansas, Grantor, and Jack Willis, a married person, Grantee. Grantee's mailing address is: PO Box 147 Tonganoxie, KS 66086

WITNESSETH, THAT THE SAID Grantor(s), in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor(s) paid by the said Grantee(s) (the receipt of which is hereby acknowledged) does by these presents GRANT, BARGAIN, and SELL, CONVEY and CONFIRM unto the said Grantee(s) and the survivor of them, as joint tenants, and not as tenants in common, the survivor's heirs, successors and/or assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Leavenworth and State of Kansas, to wit:

See Attached Exhibit A

Subject to easements, restrictions reservations, and covenants of record, if any.

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(s) and unto their heirs, successors and/or assigns forever; the said Grantor(s) hereby covenanting that Grantor(s) is/are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that Grantor(s) has/have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by Grantor(s) or those under whom Grantor(s) claim/claims; and Grantor(s) will warrant and defend the title to said premises unto the said Grantee(s) and unto their heirs, successors and/or assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his/her hand the day and year above written.

*Daniel O. Carr*  
Daniel O. Carr

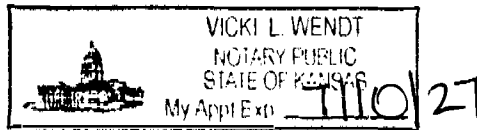
STATE OF Kansas

COUNTY OF Johnson

On this 10/25/24, before me, Vicki L. Wendt, a Notary Public in and for said state, personally appeared Daniel O. Carr, a single person, known to me to be the person who executed the within Warranty Deed, and acknowledged to me that he/she executed the same as his/her free act and deed.

In Testimony Whereof, I have hereunto set my hand the day and year last above written.

*Vicki L. Wendt*  
Notary Public Vicki L. Wendt  
My Commission Expires: 7/10/2027



## Exhibit A

Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 1194.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 265.00 feet; thence South 55 degrees 45'33" West for a distance of 135.45 feet; thence South 88 degrees 38'47" West for a distance of 479.00 feet; thence North 01 degrees 33'43" West for a distance of 777.10 feet; thence North 88 degrees 38'47" East for a distance of 858.00 feet to said East line; thence South 01 degrees 33'43" East for a distance of 703.57 feet along said East line to the point of beginning, as prepared by Joseph A. Herring PS-1296 on June 28, 2024.



ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 10/30/2024

*Janet Klasmirke*  
COUNTY CLERK

DOC #: 2024R08072  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
10/30/2024 01:48:42 PM  
RECORDING FEE: 55.00  
PAGES: 3

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## WARRANTY DEED

(Single Grantor Conveying to Individual Grantee)

FILE NO.: 24074191 – Coffelt Land Title, Inc

THIS INDENTURE, made on 10/25/24, by and between Daniel O. Carr, a single person, of the County of Leavenworth, State of Kansas, Grantor, and Jack Willis, a married person, Grantee.

Grantee's mailing address is: PO Box 147 Tonganoxie, KS 66086.

WITNESSETH, THAT THE SAID Grantor(s), in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor(s) paid by the said Grantee(s) (the receipt of which is hereby acknowledged) does by these presents GRANT, BARGAIN, and SELL, CONVEY and CONFIRM unto the said Grantee(s) and the survivor of them, as joint tenants, and not as tenants in common, the survivor's heirs, successors and/or assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Leavenworth and State of Kansas, to wit:

*See Attached Exhibit A*

Subject to easements, restrictions reservations, and covenants of record, if any.

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(s) and unto their heirs, successors and/or assigns forever; the said Grantor(s) hereby covenanting that Grantor(s) is/are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that Grantor(s) has/have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by Grantor(s) or those under whom Grantor(s) claim/claims; and Grantor(s) will warrant and defend the title to said premises unto the said Grantee(s) and unto their heirs, successors and/or assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his/her hand the day and year above written.

*Daniel O. Carr*  
Daniel O. Carr

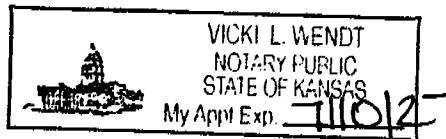
STATE OF Kansas

COUNTY OF Johnson

On 10/25/24, before me, Vicki L. Wendt, a Notary Public in and for said state, personally appeared Daniel O. Carr, a single person, known to me to be the person who executed the within Warranty Deed, and acknowledged to me that he/she executed the same as his/her free act and deed.

In Testimony Whereof, I have hereunto set my hand the day and year last above written.

*Vicki L. Wendt*  
Notary Public Vicki L. Wendt  
My Commission Expires: 7/10/2027



## Exhibit A

Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 294.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 822.15 feet; thence North 07 degrees 41'55" West for a distance of 335.15 feet; thence North 01 degrees 33'43" West for a distance of 493.40 feet; thence North 88 degrees 38'47" East for a distance of 479.00 feet; thence North 55 degrees 45'33" East for a distance of 135.45 feet; thence North 88 degrees 38'47" East for a distance of 265.00 feet to the said East line; thence South 01 degrees 33'43" East for a distance of 900.00 feet along said East line to the point of beginning, as prepared by Joseph A. Herring PS-1296 on June 28, 2024.

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

We/I JACK Willis and Estee Willis

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
24581 195<sup>th</sup>, 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.

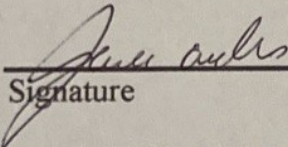
Authorized Agents (full name, address & telephone number)

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 ~~20~~ 9 day of Dec, 2024

JACK Willis 410 Shirley Rd Tonganoxie KS 8162255879  
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)

## Johnson, Melissa

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Monday, December 9, 2024 5:21 PM  
**To:** Johnson, Melissa  
**Subject:** Fw: 195th Street  
**Attachments:** 1000018086.jpg

**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.

---

**From:** Estee Willis <ejwillis@sbcglobal.net>  
**Sent:** Monday, December 9, 2024 5:11:18 PM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** Re: 195th Street

I authorize Joe Hering on 195th St. to do what needs to be done to split it into five tracks

[Sent from AT&T Yahoo Mail for iPhone](#)

On Friday, December 6, 2024, 5:07 PM, Joe Herring <herringsurveying@outlook.com> wrote:

Jack - need this signed and returned with an email stating that you authorize me to represent you. Does not need to be notarized.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company  
315 N. 5th Street, Leavenworth,

# JACKSON ESTATES

A Minor Subdivision in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
 JACK WILLIS  
 P.O. Box 147  
 TONGANOXIE, KS 66086

PROPERTY ADDRESS:  
 24581 195th Street  
 TONGANOXIE, KS 66086  
 PID NO. 117-35-0-00-00 & 006.01

### RECORD DESCRIPTION:

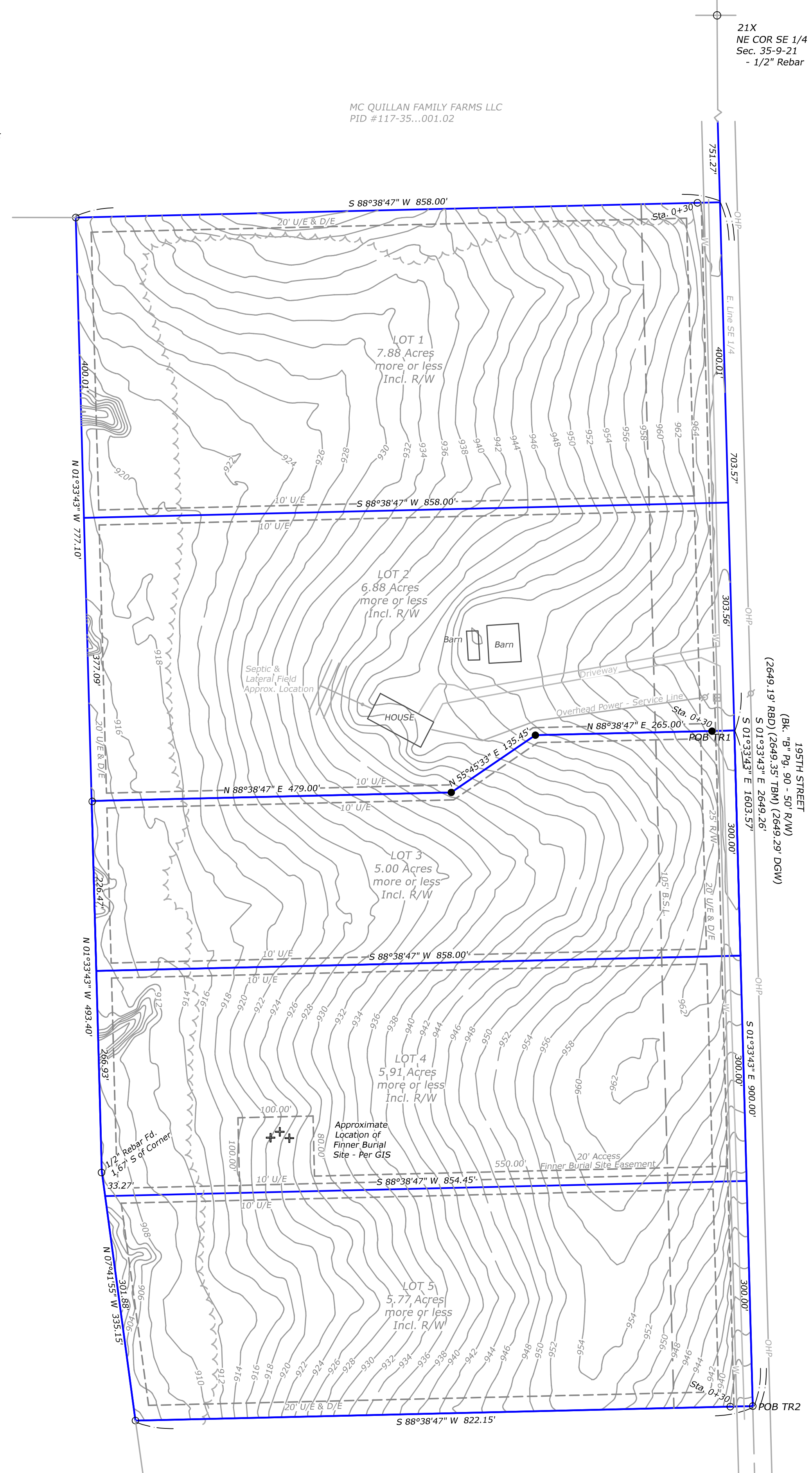
TRACT 1:  
 Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 1194.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 265.00 feet; thence South 55 degrees 45'33" West for a distance of 135.45 feet; thence South 88 degrees 38'47" West for a distance of 479.00 feet; thence North 01 degrees 33'43" West for a distance of 777.10 feet; thence North 88 degrees 38'47" East for a distance of 858.00 feet to said East line; thence South 01 degrees 33'43" East for a distance of 703.57 feet along said East line to the point of beginning.  
 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 14.76 acres, more or less, including road right of way.  
 Error of Closure: 1 - 154604

TRACT 2:  
 Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 294.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 822.15 feet; thence North 07 degrees 41'53" West for a distance of 335.15 feet; thence North 01 degrees 33'43" West for a distance of 493.40 feet; thence North 88 degrees 38'47" East for a distance of 479.00 feet; thence North 55 degrees 45'33" East for a distance of 135.45 feet; thence North 88 degrees 38'47" East for a distance of 265.00 feet to the said East line; thence South 01 degrees 33'43" East for a distance of 900.00 feet along said East line to the point of beginning.  
 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 16.67 acres, more or less, including road right of way.  
 Error of Closure: 1 - 59878

BREUER, CHARLES L.  
 PID #117-35...004.04

MC QUILLAN FAMILY FARMS LLC  
 PID #117-35...001.02

CATONE, PAMELA  
 PID #117-35...005



21X  
 NE COR SE 1/4  
 Sec. 35-9-21  
 - 1/2" Rebar

RECEIVED  
 11/20/24 1:54:03 PM

### RESTRICTIONS:

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

### ZONING:

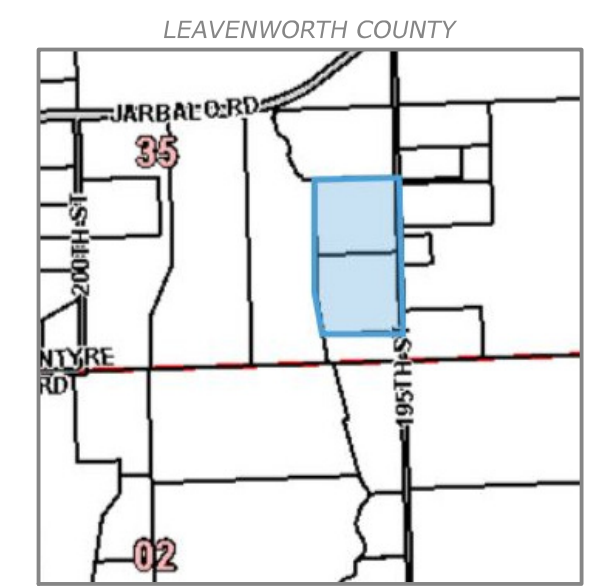
RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Descriptions
- 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 - NAVD88
- 10) Project Benchmark (BM) - SE COR SE 1/4 Section 35 - 1/2" Rebar - Elev - 922.9'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Doc # 2024R08072 & # 2024R08076
- 13) Utility Companies -  
 - Water - RWD 8  
 - Electric - Evergy  
 - Sewer - Septic / Lagoan  
 - Gas - Propane / Natural Gas
- 14) Reference Fidelity National Title Insurance Company File Number 24071853 Revision 1 updated November 7, 2024  
 - Rights and easements over the subject premises in favor of others to maintain and visit, and to remove bodies and remains therefrom, the burial ground known as the Flimmer Burial Site (Lot 4) - Easement Book 319 Page 116
- 15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2013030225G dated July 16, 2015
- 16) Building Setback Lines as shown hereon or noted below  
 - All side yard setbacks - 15' (Accessory - 15')  
 - All rear yard setbacks - 40' (Accessory - 15')
- 17) Existing Structures, if any, shown in approximate location.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:  
 DGW - D.G.White - Bk. 5-14 Pg. 5 1995, NKA 1995S005  
 KH - K. Herring - Bk. 5-9 Pg. 24, 1973 NKA 1973 S024  
 JAH - J.A.Herring Survey Doc # 2019S024, 2020S083  
 HGS - H.G.Simpson Bk. F 184, 1936

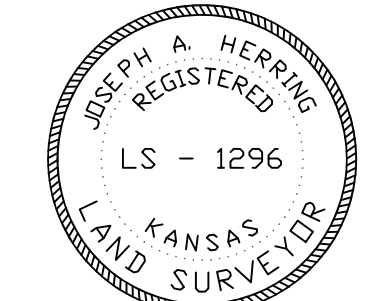
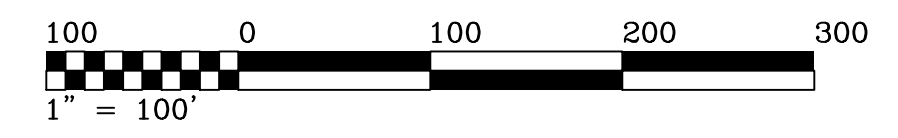
### LEGEND:

- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Road Right of way
- ⊕ - Centerline
- ⊕ - Section Line
- BM - Benchmark
- POB - Point of Beginning
- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client
- ⊙ - Power Pole
- X - Fence Line
- OHP - Overhead Power Lines
- T - Underground Telephone/Fiber Optic Line
- ⊕ - Gas Valve
- ⊕ - Water Meter/Valve
- ⊕ - Telephone Pedestal
- W - 6" Water Line - location as per district
- ~ - Tree/Brush Line



Scale 1" = 100'

Job # K-24-1846  
 November 24, 2024 Rev. 1/9/25



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
 PS # 1296

POC  
 21X  
 SE COR SE 1/4  
 Sec. 35-9-21  
 - 1/2" Rebar

# JACKSON ESTATES

A Minor Subdivision in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
JACK WILLIS  
P.O. Box 147  
TONGANOXIE, KS 66086

PROPERTY ADDRESS:  
24581 195th Street  
TONGANOXIE, KS 66086  
PID NO. 117-35-0-00-006 & 006.01

### RECORD DESCRIPTION:

**TRACT 1:**  
Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 1194.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 265.00 feet; thence South 55 degrees 45'33" West for a distance of 135.45 feet; thence South 88 degrees 38'47" West for a distance of 479.00 feet; thence North 01 degrees 33'43" West for a distance of 777.10 feet; thence North 88 degrees 38'47" East for a distance of 858.00 feet to said East line; thence South 01 degrees 33'43" East for a distance of 703.57 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 14.76 acres, more or less, including road right of way.  
Error of Closure: 1 - 154604

**TRACT 2:**  
Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 294.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 822.15 feet; thence North 07 degrees 41'55" West for a distance of 335.15 feet; thence North 01 degrees 33'43" West for a distance of 493.40 feet; thence North 88 degrees 38'47" East for a distance of 479.00 feet; thence North 55 degrees 45'33" East for a distance of 135.45 feet; thence North 88 degrees 38'47" East for a distance of 265.00 feet to the said East line; thence South 01 degrees 33'43" East for a distance of 900.00 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 16.68 acres, more or less, including road right of way.  
Error of Closure: 1 - 59878

### 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: JACKSON ESTATES.

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

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of 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.

Finner Burial Site Easement as shown hereon is for access to any grave site for visitation, maintenance, or removal of any remains. Upon all remains being removed and submittal of an affidavit from the Finner Family confirming such, said easement is vacated.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of JACKSON ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Jack Willis

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Jack Willis, a married person, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of JACKSON ESTATES 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:

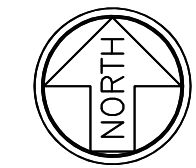
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of JACKSON ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman Jeff Culbertson 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 - TerriLois G. Mashburn

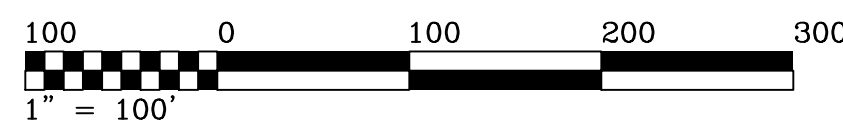


Scale 1" = 100'

Job # K-24-1846  
November 24, 2024 Rev. 3/4/25

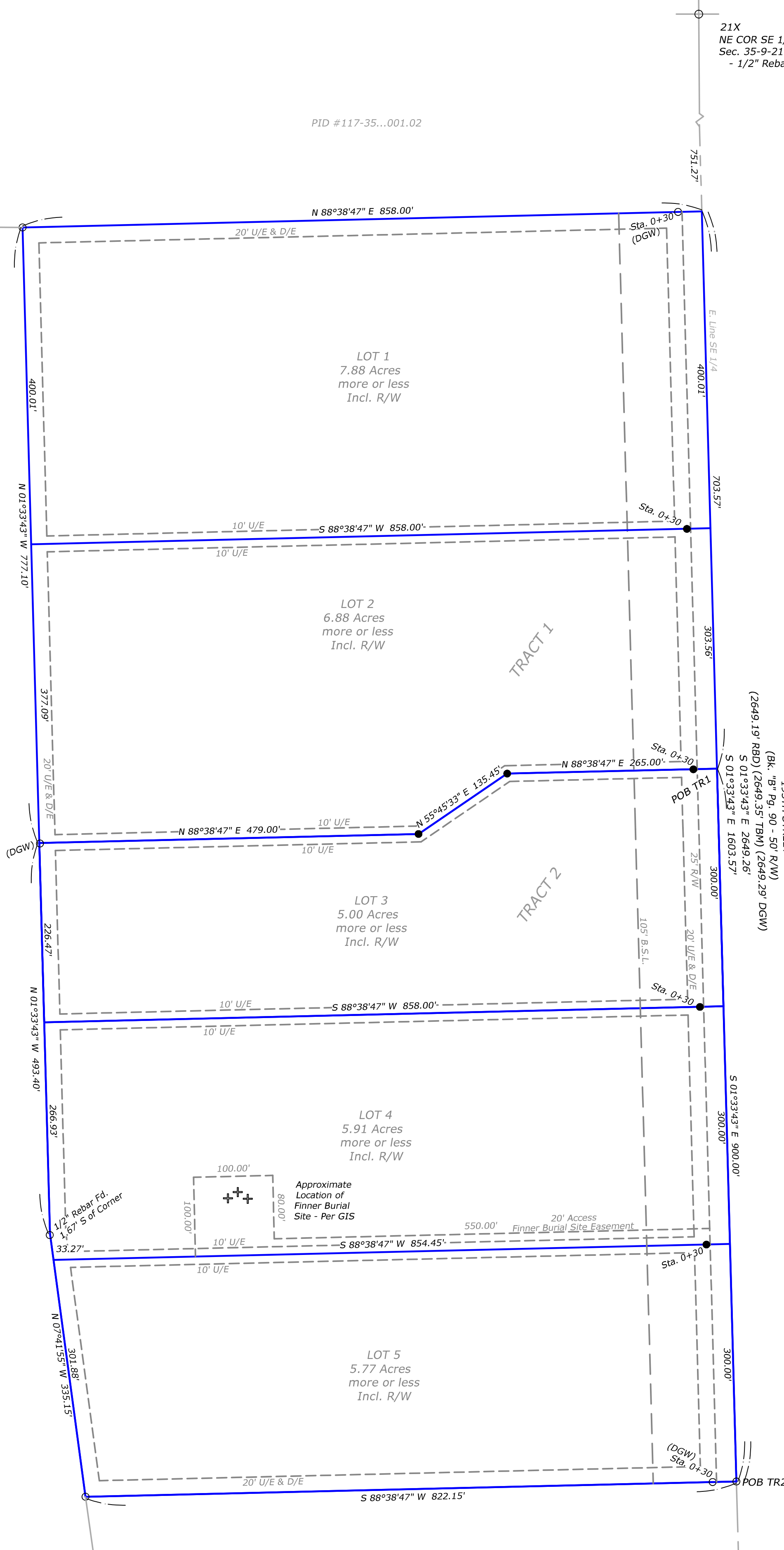


315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@herringks.com



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



21X  
NE COR SE 1/4  
Sec. 35-9-21  
- 1/2" Rebar

PID #117-35...001.02

PID #117-35...004.04

PID #117-35...005

POC  
21X  
SE COR SE 1/4  
Sec. 35-9-21  
- 1/2" Rebar

RECEIVED  
Ballston - 3/4/2025, 9:36:04 AM

### RESTRICTIONS:

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

### ZONING:

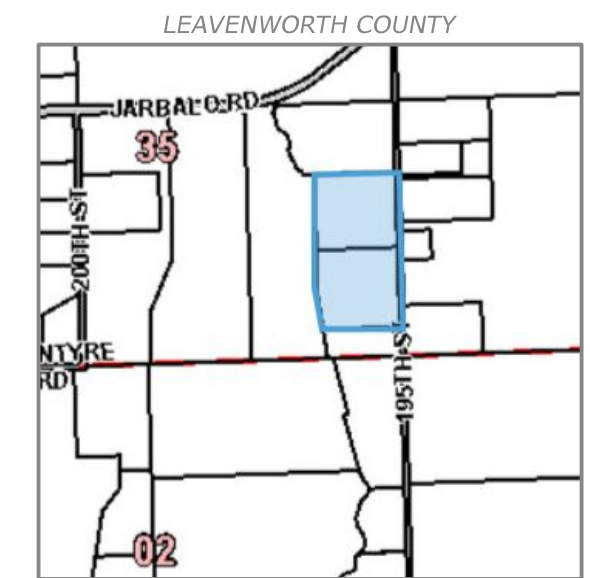
RR 5 - Rural Residential 5

### NOTES:

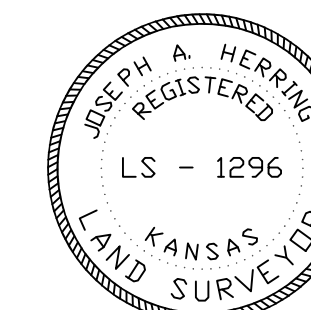
- 1) This survey does not show ownership.
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- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Descriptions
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR SE 1/4 Section 35 - 1/2" Rebar - Elev - 922.9'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
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- 13) Utility Companies -
  - Water - RWD 8
  - Electric - Evergy
  - Sewer - Septic / Lagoan
  - Gas - Propane / Natural Gas
- 14) Reference Fidelity National Title Insurance Company File Number 24071853 Revision 1 updated November 7, 2024
- 15) Rights and easements over the subject premises in favor of others to maintain and visit, and to remove bodies and remains therefrom, the burial ground known as the Finner Burial Site (Lot 4) - Easement Book 319 Page 116
- 16) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2013C0225G dated July 16, 2015
- 17) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 18) Existing Structures, if any, shown in approximate location.
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
  - DGW - D.G.White - Bk. 5-14 Pg. 5 1995, NKA 1995S005
  - KH - K. Herring - Bk. 5-9 Pg. 24, 1973 NKA 1973 S024
  - JAH - J.A.Herring Survey Doc # 2019S024, 2020S083
  - HGS - H.G.Simpson Bk. F 184, 1936

### LEGEND:

- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Road Right of way
- ⊕ - Centerline
- ⊕ - Section Line
- BM - Benchmark
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- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client



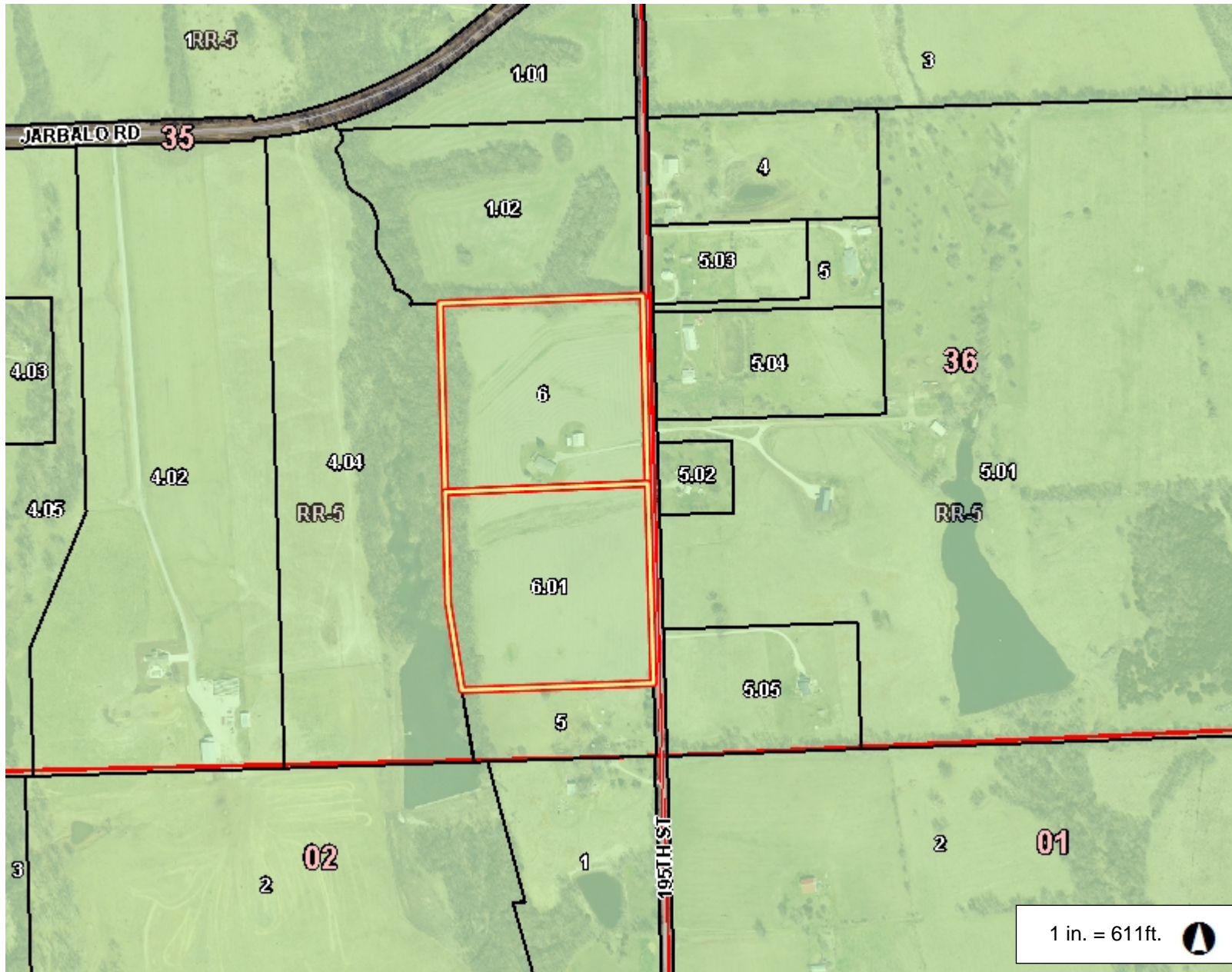
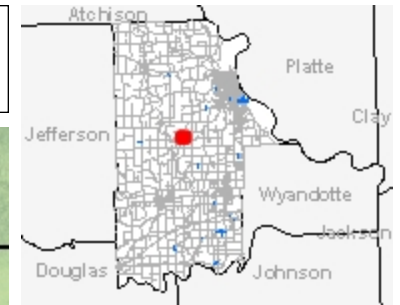
VICINITY MAP  
NOT TO SCALE



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

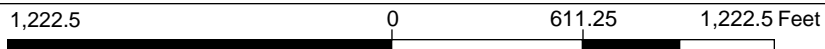
# DEV-24-160/161 Jackson Estates



## 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. = 611ft.



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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



## Allison, Amy

---

**From:** Kirk Mackey <kmackey@fd1lvco.org>  
**Sent:** Monday, December 30, 2024 7:40 AM  
**To:** Johnson, Melissa  
**Subject:** Re: Jackson Estates

**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 don't see any discrepancies at this time.

Approved through District 1.

**Kirk Mackey**  
**Captain/EMT/Kansas CFI/IAAI FIT/Inspector**  
**Fire District 1 of Leavenworth County**  
**111 E Kansas St**  
**Lansing, KS 66043**  
**913-727-5844**

---

**From:** Johnson, Melissa <MJohnson@leavenworthcounty.gov>  
**Sent:** Tuesday, December 17, 2024 10:39 AM  
**To:** Kirk Mackey <kmackey@fd1lvco.org>  
**Subject:** RE: Jackson Estates

Thank you so much.

Melissa Johnson  
Planner I  
Leavenworth County  
Planning & Zoning Department  
Leavenworth County Courthouse  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048  
(913) 684-0465

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.*

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**From:** Kirk Mackey <kmackey@fd1lvco.org>  
**Sent:** Tuesday, December 17, 2024 10:35 AM

## Johnson, Melissa

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Thursday, December 5, 2024 7:07 PM  
**To:** PZ  
**Subject:** Fw: [EXTERNAL]JACKSON ESTATES

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

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

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**From:** Boone Heston <Boone.Heston@evergy.com>  
**Sent:** Tuesday, November 26, 2024 8:16 AM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Subject:** Re: [EXTERNAL]JACKSON ESTATES

Internal Use Only

Evergy will be the electric service provider for this replat.

Thank you,

### Boone Heston

SR TD Designer  
Leavenworth, KS

**Evergy**

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

O 785-508-2590

---

**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Sunday, November 24, 2024 10:37 AM  
**To:** Rural Water <rwd8lv@gmail.com>; Boone Heston <Boone.Heston@evergy.com>; Michael Stackhouse <mstackhouse@fd1lvco.org>  
**Subject:** [EXTERNAL]JACKSON ESTATES

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Please send the appropriate service letter for this development.

## Johnson, Melissa

---

**From:** Rural Water <rwd8lv@gmail.com>  
**Sent:** Tuesday, December 10, 2024 10:07 AM  
**To:** PZ; Joe Herring  
**Subject:** RWD #8 Water Availability for Jackson Estates

**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 #8 will have water available for the Jackson Estates after a line upgrade has been completed. Estimated completion time will be May of 2025. If you have any questions please call the RWD#8 Office at 913-796-2164.

[Preview attachment JACKSON ESTATES PRELIM REVIEW ONLY.pdf](#)



[JACKSON ESTATES PRELIM REVIEW ONLY.pdf](#)

[1.7 MB](#)

--

*Sandra Heim  
Office Manager  
Rural Water District #8-LV CO  
913-796-2164*

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Thursday, January 2, 2025 10:30 AM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-24-160/161 Jackson Estates

We have not received any complaints on this property. It appears that the septic system currently installed will 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

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---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, December 20, 2024 4:03 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>; 'kmackey@fd1lvco.org' <kmackey@fd1lvco.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-160/161 Jackson Estates

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 5-lot subdivision at 24581 195<sup>th</sup> Street

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Friday, January 3, 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**

**1-3-25**  
**PW Combined**  
**Review**  
**No Comment**

Jackson Estates

Leavenworth County Kansas

Drainage Report

December 5, 2024



# JACKSON ESTATES

A Minor Subdivision in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
JACK WILLIS  
P.O. Box 147  
TONGANOXIE, KS 66086

PROPERTY ADDRESS:  
24581 195th Street  
TONGANOXIE, KS 66086  
PID NO. 117-35-0-00-006 & 006.01

### RECORD DESCRIPTION:

**TRACT 1:**  
Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 1194.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 265.00 feet; thence South 55 degrees 45'33" West for a distance of 135.45 feet; thence South 88 degrees 38'47" West for a distance of 479.00 feet; thence North 01 degrees 33'43" West for a distance of 777.10 feet; thence North 88 degrees 38'47" East for a distance of 858.00 feet to said East line; thence South 01 degrees 33'43" East for a distance of 703.57 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 14.76 acres, more or less, including road right of way.  
Error of Closure: 1 - 154604

**TRACT 2:**  
Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 294.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 822.15 feet; thence North 07 degrees 41'55" West for a distance of 335.15 feet; thence North 01 degrees 33'43" West for a distance of 493.40 feet; thence North 88 degrees 38'47" East for a distance of 479.00 feet; thence North 55 degrees 45'33" East for a distance of 135.45 feet; thence North 88 degrees 38'47" East for a distance of 900.00 feet along said East line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 16.68 acres, more or less, including road right of way.  
Error of Closure: 1 - 59878

### 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: JACKSON ESTATES.

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

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of 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 JACKSON ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Jack Willis

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Jack Willis, a married person, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of JACKSON ESTATES 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:

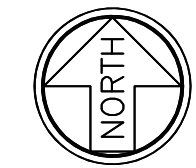
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of JACKSON ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman: Jeff Culbertson  
County Clerk: 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 - TerriLois G. Mashburn



Scale 1" = 100'

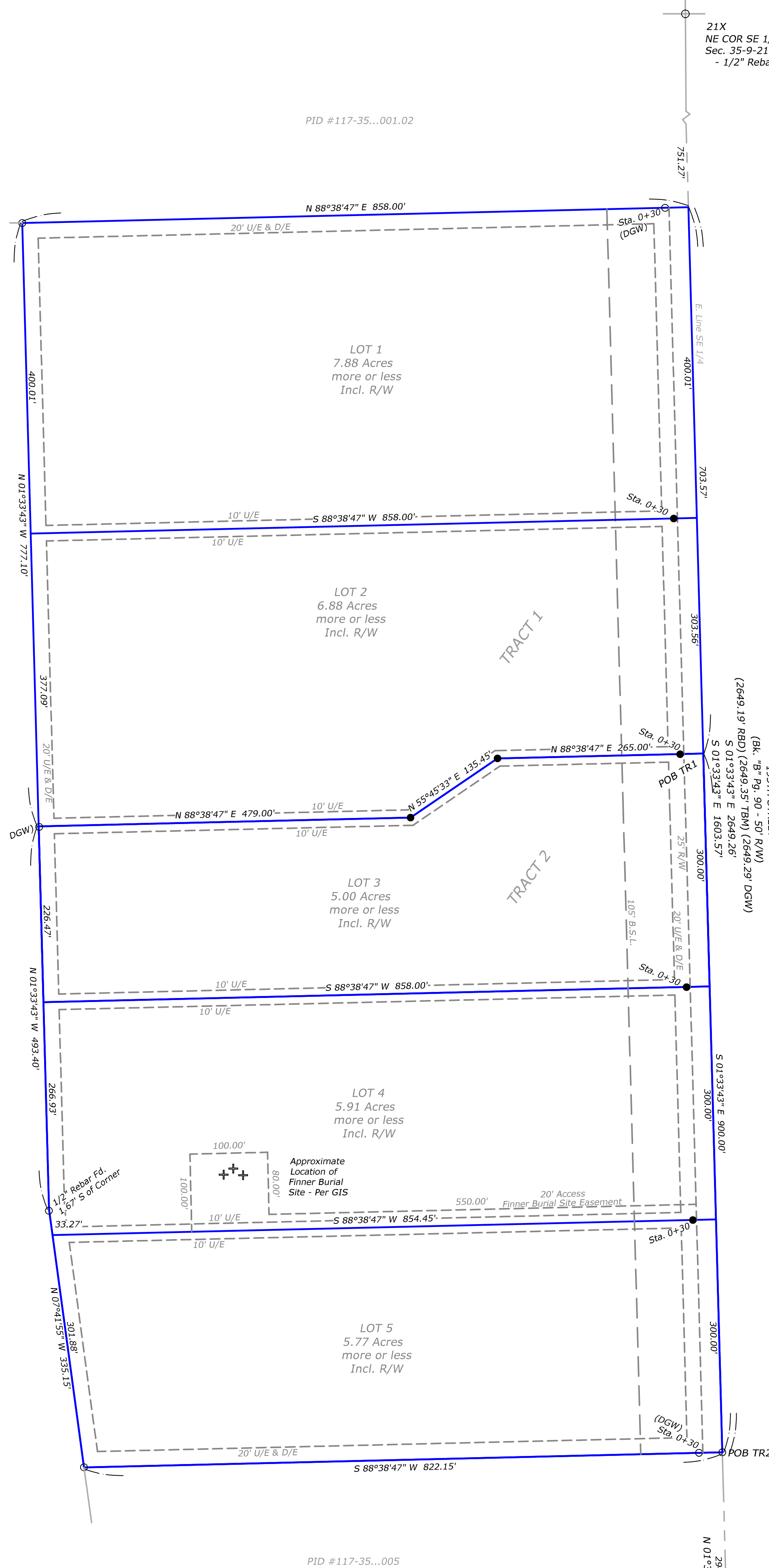
Job # K-24-1846  
November 24, 2024 Rev. 1/9/25  
J. Herring, Inc. (dba)  
**J. HERRING**  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@jeanash.com



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

**Reviewed 2025.01.15 No comments**

Daniel Baumchen, PS#1363  
County Surveyor



21X  
NE COR SE 1/4  
Sec. 35-9-21  
- 1/2" Rebar

PID #117-35...001.02

PID #117-35...004.04

PID #117-35...005

### RESTRICTIONS:

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

### ZONING:

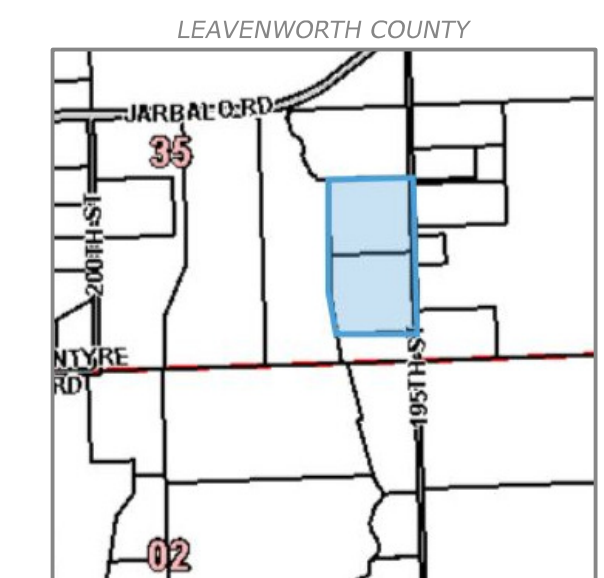
RR 5 - Rural Residential 5

### NOTES:

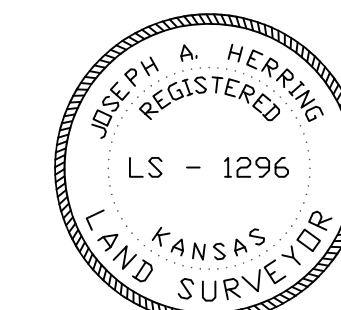
- This survey does not show ownership.
- All distances are calculated from measurements or measured this survey, unless otherwise noted.
- All recorded and measured distances are the same, unless otherwise noted.
- Error of Closure - See Descriptions
- Basis of Bearing - KS SPC North Zone 1501
- Monument Origin Unknown, unless otherwise noted.
- Existing and Proposed Lots for Agriculture and Residential Use.
- Road Record - See Survey
- Benchmark - NAVD88
- Project Benchmark (BM) - SE COR SE 1/4 Section 35 - 1/2" Rebar - Elev - 922.9'
- Easements, if any, are created hereon or listed in referenced title commitment.
- Reference Recorded Deed Doc # 2024R08072 & # 2024R08076
- Utility Companies -  
- Water - RWD 8  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
- Reference Fidelity National Title Insurance Company File Number 24071853 Revision 1 updated November 7, 2024  
- Rights and easements over the subject premises in favor of others to maintain and visit, and to remove bodies and remains therefrom, the burial ground known as the Flimmer Burial Site (Lot 4) - Easement Book 319 Page 116
- Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2013C0225G dated July 16, 2015
- Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')
- Existing Structures, if any, shown in approximate location.
- Fence Lines do not necessarily denote the boundary line for the property.
- Reference Surveys:  
DGW - D.G.White - Bk. 5-14 Pg. 5 1995, NKA 1995S005  
KH - K. Herring - Bk. 5-9 Pg. 24, 1973 NKA 1973 S024  
JAH - J.A.Herring Survey Doc # 2019S024, 2020S083  
HGS - H.G.Simpson Bk. F 184, 1936

### LEGEND:

- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Road Right of way
- ⊕ - Centerline
- ⊕ - Section Line
- BM - Benchmark
- POB - Point of Beginning
- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client



VICINITY MAP  
NOT TO SCALE



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

POC  
21X  
SE COR SE 1/4  
Sec. 35-9-21  
- 1/2" Rebar

# JACKSON ESTATES

A Minor Subdivision in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
 JACK WILLIS  
 P.O. Box 147  
 TONGANOXIE, KS 66086

PROPERTY ADDRESS:  
 24581 19th Street  
 TONGANOXIE, KS 66086  
 PID NO. 117-35-0-00-00 & 006.01

### RECORD DESCRIPTION:

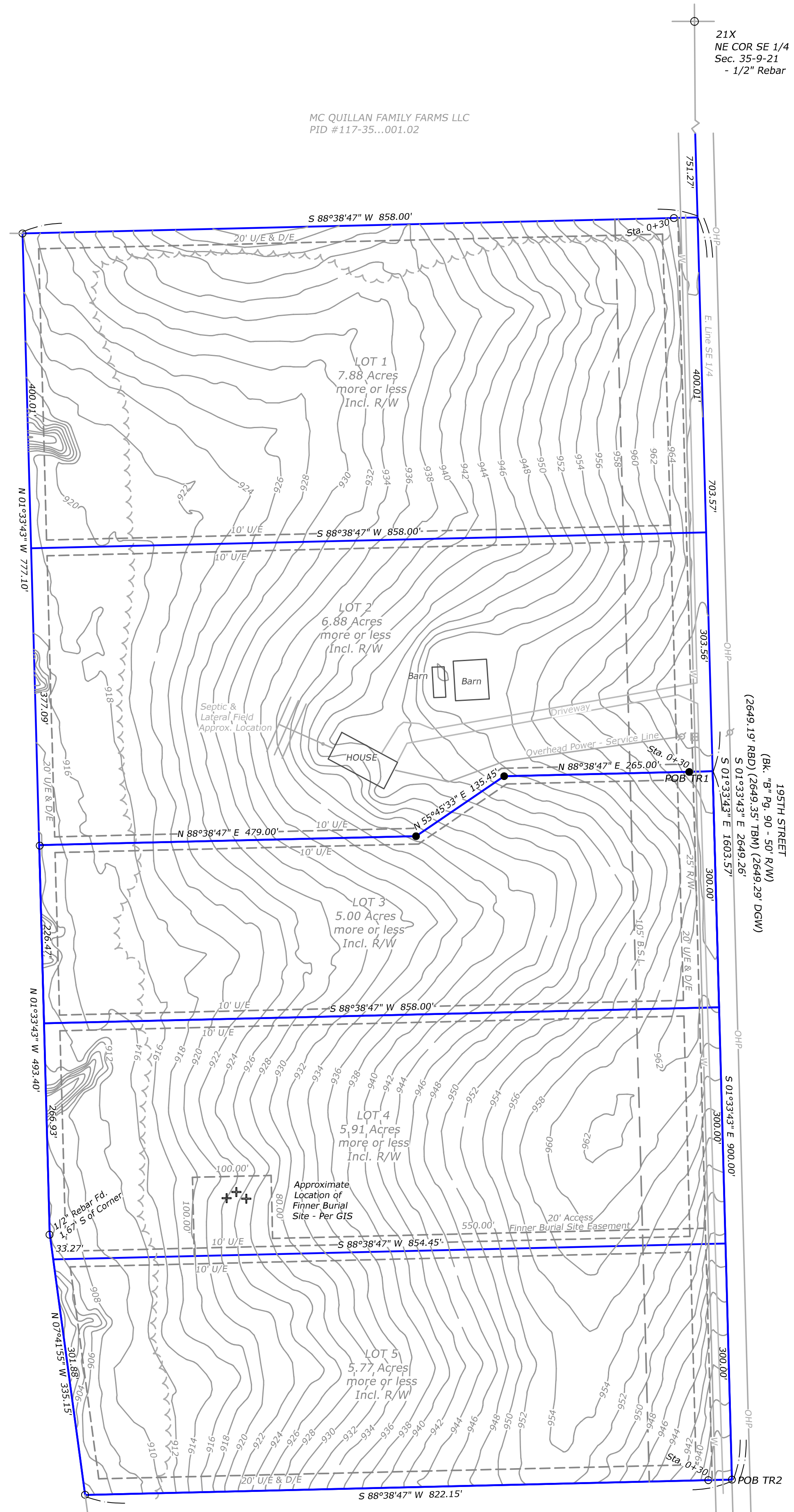
TRACT 1:  
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 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 14.76 acres, more or less, including road right of way.  
 Error of Closure: 1 - 154604

TRACT 2:  
 Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 294.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 822.15 feet; thence North 07 degrees 41'53" West for a distance of 335.15 feet; thence North 01 degrees 33'43" West for a distance of 493.40 feet; thence North 88 degrees 38'47" East for a distance of 479.00 feet; thence North 55 degrees 45'33" East for a distance of 135.45 feet; thence North 88 degrees 38'47" East for a distance of 265.00 feet to the said East line; thence South 01 degrees 33'43" East for a distance of 900.00 feet along said East line to the point of beginning.  
 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 16.67 acres, more or less, including road right of way.  
 Error of Closure: 1 - 59878

BREUER, CHARLES L.  
 PID #117-35...004.04

MC QUILLAN FAMILY FARMS LLC  
 PID #117-35...001.02

CATONE, PAMELA  
 PID #117-35...005



21X  
 NE COR SE 1/4  
 Sec. 35-9-21  
 - 1/2" Rebar

195TH STREET  
 (Bk. 319 Pg. 90 - 50' R/W)  
 (2649.19' R/W) (2649.33' T/M) (2649.29' D/GW)  
 S 01°33'43" E 1603.57'  
 S 01°33'43" E 2649.26'

POC  
 21X  
 SE COR SE 1/4  
 Sec. 35-9-21  
 - 1/2" Rebar

**01-21-25  
 PW Combined  
 Approved**

### RESTRICTIONS:

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

### ZONING:

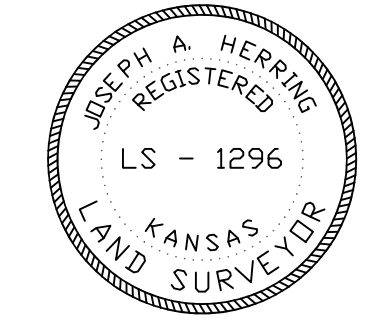
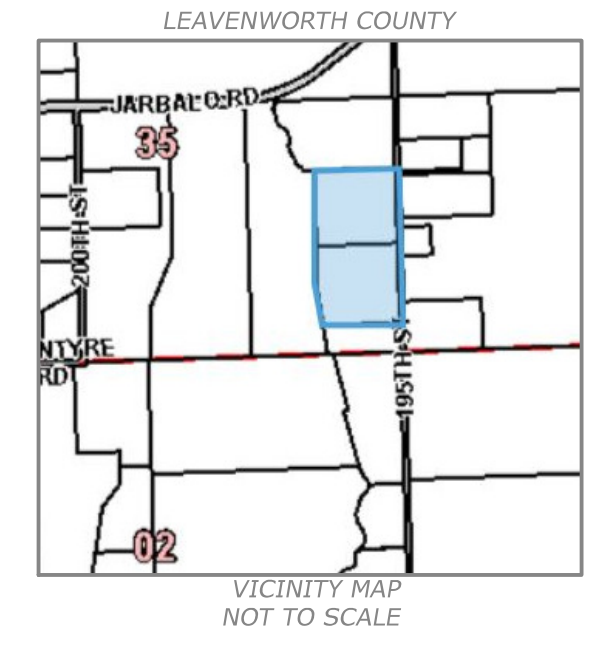
RR 5 - Rural Residential 5

### NOTES:

- This survey does not show ownership.
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- All recorded and measured distances are the same, unless otherwise noted.
- Error of Closure - See Descriptions
- Basis of Bearing - KS SPC North Zone 1501
- Monument Origin Unknown, unless otherwise noted.
- Existing and Proposed Lots for Agriculture and Residential Use.
- Road Record - See Survey
- Benchmark - NAVD88
- Project Benchmark (BM) - SE COR SE 1/4 Section 35 - 1/2" Rebar - Elev - 922.9'
- Easements, if any, are created hereon or listed in referenced title commitment.
- Reference Recorded Deed Doc # 2024R08072 & # 2024R08076
- Utility Companies -  
 - Water - RWD 8  
 - Electric - Evergy  
 - Sewer - Septic / Lagoan  
 - Gas - Propane / Natural Gas
- Reference Fidelity National Title Insurance Company File Number 24071853 Revision 1 updated November 7, 2024  
 - Rights and easements over the subject premises in favor of others to maintain and visit, and to remove bodies and remains therefrom, the burial ground known as the Flimmer Burial Site (Lot 4) - Easement Book 319 Page 116
- Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2013C0225G dated July 16, 2015
- Building Setback Lines as shown hereon or noted below  
 - All side yard setbacks - 15' (Accessory - 15')  
 - All rear yard setbacks - 40' (Accessory - 15')
- Existing Structures, if any, shown in approximate location.
- Fence Lines do not necessarily denote the boundary line for the property.
- Reference Surveys:  
 DGW - D.G.White - Bk. 5-14 Pg. 5 1995, NKA 1995S005  
 KH - K. Herring - Bk. 5-9 Pg. 24, 1973 NKA 1973 S024  
 JAH - J.A.Herring Survey Doc # 2019S024, 2020S083  
 HGS - H.G.Simpson Bk. F 184, 1936

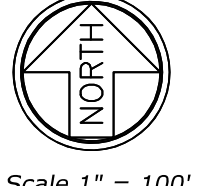
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- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
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- B.S.L. - Building Setback Line
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- ⊕ - Centerline
- ⊕ - Section Line
- BM - Benchmark
- POB - Point of Beginning
- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client
- - Power Pole
- X - Fence Line
- OHPL - Overhead Power Lines
- T - Underground Telephone/Fiber Optic Line
- ⊕ - Gas Valve
- ⊕ - Water Meter/Valve
- ⊕ - Telephone Pedestal
- W - 6" Water Line - location as per district
- ~ - Tree/Brush Line



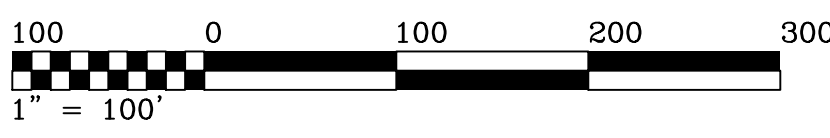
I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
 PS # 1296



Scale 1" = 100'

Job # K-24-1846  
 November 24, 2024 Rev. 1/9/25





# JACKSON ESTATES

A Minor Subdivision in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
JACK WILLIS  
P.O. Box 147  
TONGANOXIE, KS 66086

PROPERTY ADDRESS:  
24581 195th Street  
TONGANOXIE, KS 66086  
PID NO. 117-35-0-00-006 & 006.01

### RECORD DESCRIPTION:

**TRACT 1:**  
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**TRACT 2:**  
Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 01 degrees 33'43" West for a distance of 294.42 feet along the East line of said Southeast Quarter to the TRUE POINT OF BEGINNING; thence South 88 degrees 38'47" West for a distance of 822.15 feet; thence North 07 degrees 41'55" West for a distance of 335.15 feet; thence North 01 degrees 33'43" West for a distance of 493.40 feet; thence North 88 degrees 38'47" East for a distance of 479.00 feet; thence North 55 degrees 45'33" East for a distance of 135.45 feet; thence North 88 degrees 38'47" East for a distance of 265.00 feet to the said East line; thence South 01 degrees 33'43" East for a distance of 900.00 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 16.68 acres, more or less, including road right of way. Error of Closure: 1 - 59878

### 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: JACKSON ESTATES.

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

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of 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.

Finner Burial Site Easement as shown hereon is for access to any grave site for visitation, maintenance, or removal of any remains. Upon all remains being removed and submittal of an affidavit from the Finner Family confirming such, said easement is vacated.

### IN TESTIMONY WHEREOF,

We, the undersigned owners of JACKSON ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Jack Willis

### NOTARY CERTIFICATE:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Jack Willis, a married person, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of JACKSON ESTATES 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:

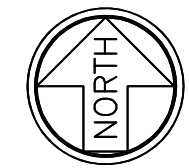
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of JACKSON ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman: Jeff Culbertson  
County Clerk: Attest: Fran Keppler

### REGISTER OF DEED CERTIFICATE:

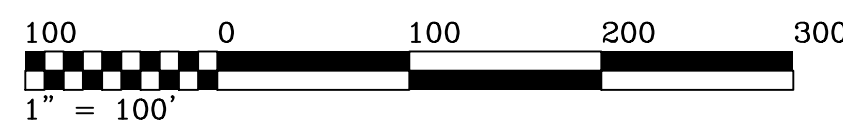
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



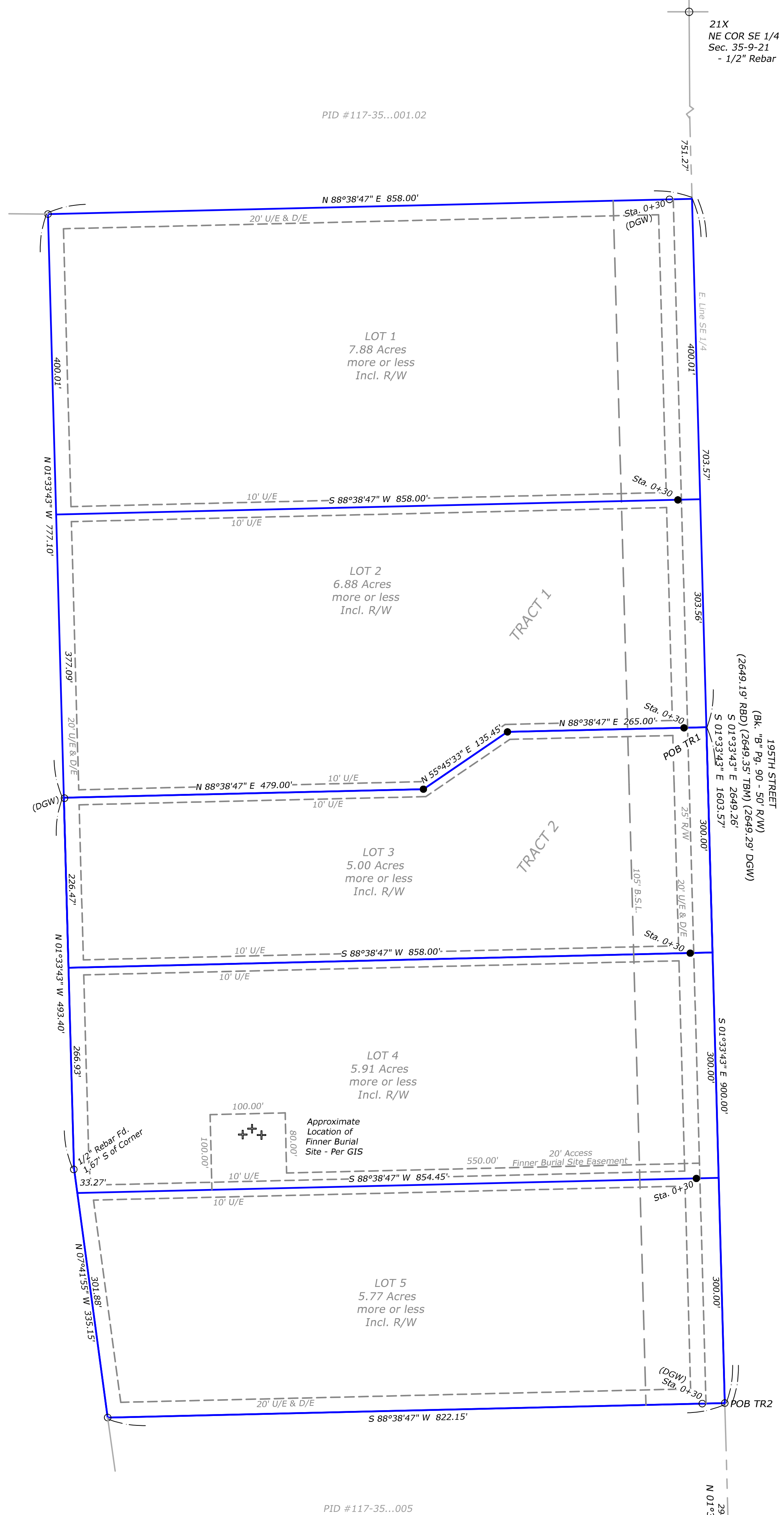
Scale 1" = 100'

Job # K-24-1846  
November 24, 2024 Rev. 3/4/25



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



21X  
NE COR SE 1/4  
Sec. 35-9-21  
- 1/2" Rebar

PID #117-35...001.02

PID #117-35...004.04

PID #117-35...005

195TH STREET  
(Bk. -Pg. 90 - 50' R/W)  
(2649.19' R/W) (2649.35' T/M) (2649.29' D/GW)  
S 01°33'43" E 2649.26'  
S 01°33'43" E 1603.57'

300.00'  
S 01°33'43" E 290.00'

300.00'  
S 01°33'43" E 290.00'

POC  
21X  
SE COR SE 1/4  
Sec. 35-9-21  
- 1/2" Rebar

03-05-25  
PW Combined  
No Comments

### RESTRICTIONS:

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

### ZONING:

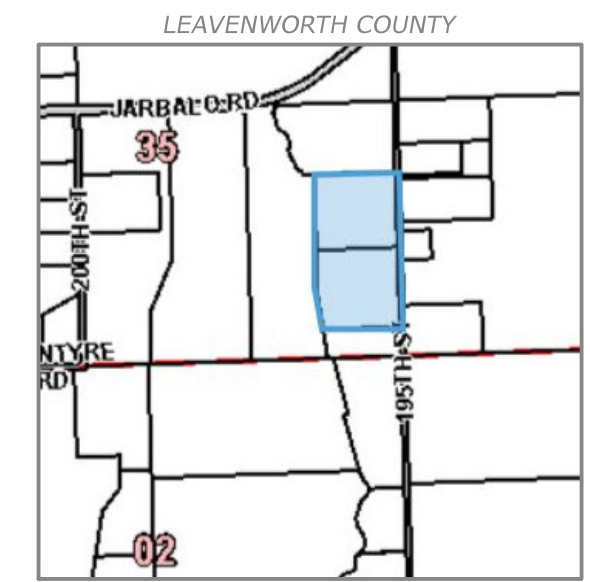
RR 5 - Rural Residential 5

### NOTES:

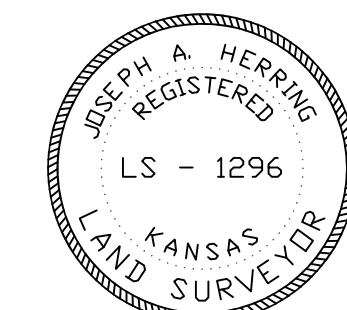
- This survey does not show ownership.
- All distances are calculated from measurements or measured this survey, unless otherwise noted.
- All recorded and measured distances are the same, unless otherwise noted.
- Error of Closure - See Descriptions
- Basis of Bearing - KS SPC North Zone 1501
- Monument Origin Unknown, unless otherwise noted.
- Existing and Proposed Lots for Agriculture and Residential Use.
- Road Record - See Survey
- Benchmark - NAVD88
- Project Benchmark (BM) - SE COR SE 1/4 Section 35 - 1/2" Rebar - Elev - 922.9'
- Easements, if any, are created hereon or listed in referenced title commitment.
- Reference Recorded Deed Doc # 2024R08072 & # 2024R08076
- Utility Companies -  
- Water - RWD 8  
- Electric - Evergy  
- Sewer - Septic / Lagoan  
- Gas - Propane / Natural Gas
- Reference Fidelity National Title Insurance Company File Number 24071853 Revision 1 updated November 7, 2024  
- Rights and easements over the subject premises in favor of others to maintain and visit, and to remove bodies and remains therefrom, the burial ground known as the Finner Burial Site (Lot 4) - Easement Book 319 Page 116
- Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2013C0225G dated July 16, 2015
- Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')
- Existing Structures, if any, shown in approximate location.
- Fence Lines do not necessarily denote the boundary line for the property.
- Reference Surveys:  
D/GW - D.G.White - Bk. 5-14 Pg. 5 1995, NKA 1995S005  
KH - K. Herring - Bk. 5-9 Pg. 24, 1973 NKA 1973 S024  
JAH - J.A.Herring Survey Doc # 2019S024, 2020S083  
HGS - H.G.Simpson Bk. F 184, 1936

### LEGEND:

- - 1/2" Bar Set with Cap No.1296
- - 1/2" Bar Found, unless otherwise noted.
- ( ) - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Road Right of way
- ⊕ - Centerline
- ⊕ - Section Line
- BM - Benchmark
- POB - Point of Beginning
- POC - Point of Commencing
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client



VICINITY MAP NOT TO SCALE



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

**Leavenworth County  
Request for Board Action  
Case No. DEV-24-163 & 164  
Preliminary & Final Plat Sunset Ridge  
\* Consent Agenda\***

**Date:** March 26, 2025  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

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

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Request:**

Chairman, I find that the proposed Final Plat as outlined in case DEV-24-163 & 164 is compliant with the County Zoning & Subdivision Regulations and move that the proposed Final Plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.

**Analysis:** The applicant is proposing to divide a 33.70-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). Lots 1-4 will be approximately 8.8 acres in size. All lots meet the requirements for the RR-5 zoning district.

**Recommendation:** The Planning Commission voted 8-0 (1 absent) to recommend approval of Case No.DEV-24-163 & 164, Final Plat for Sunset Ridge subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-24-163 & 164, Final Plat for Sunset Ridge, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-24-163 & 164, Final Plat for Sunset Ridge, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-24-163 & 164, Final Plat for Sunset Ridge, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

Not Applicable

- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Total Amount Requested:** \$0.00

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

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge

March 12, 2025

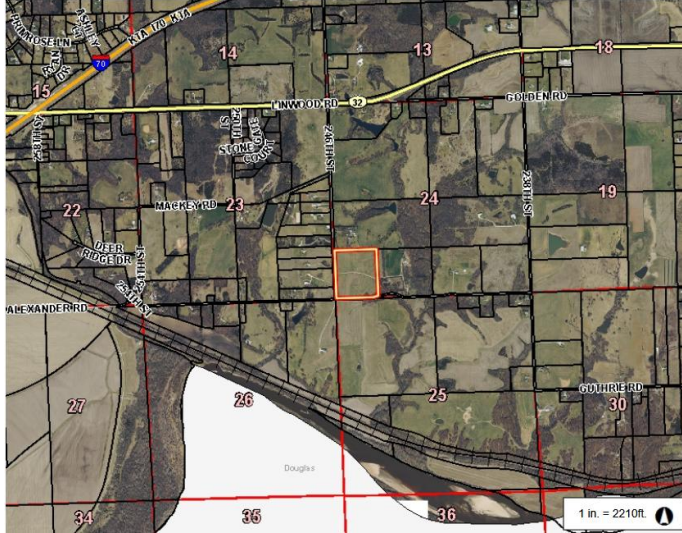
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 00000 246th Street.



**APPLICANT/APPLICANT AGENT:**

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

**PROPERTY OWNER:**

Jerry & Gearldine Meuschke  
24350 Alexander Rd.  
Lawrence, KS 66044

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

RR-2.5

**LEGAL DESCRIPTION:**

A Minor Subdivision in the Southwest Quarter of Section 24, Township 12 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-24-163 & 164 Preliminary & Final Plat Sunset Ridge, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 33.70 ACRES

**PARCEL ID NO:**

216-24-0-00-00-007.01

**BUILDINGS:**

Existing Outbuildings

**PROJECT SUMMARY:**

Request for preliminary & final plat approval to subdivide property located at 00000 246th Street (216-24-0-00-00-007.01) as Lots 01 through 04 of Sunset Ridge.

**ACCESS/STREET:**

246th Street - Local, Paved ± 24' &  
Alexander Rd - Local, Gravel ± 24'

**Location Map:** FUTURE LAND USE DESIGNATION



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 2

**WATER:** RWD 10

**ELECTRIC:** Every

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/5/2025

**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 33.70-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). Lots 1-4 will be approximately 8.8 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 – Evergy, dated December 23, 2024
  - Memo – RWD10, dated November 30, 2024

**PROPOSED MOTIONS:**

Approve case DEV-24-163 & 164, a request to plat the property located at 00000 246th Street 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-24-163 & 164 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-163 & 164, a request to plat the property located at 00000 246th Street 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-24-163 & 164.*

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

*Motion: Chairman, I move to table Case No. DEV-24-163 & 164 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

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

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>PCDI</u> <span style="float: right;">MEUSCHKE, JERRY &amp; GEARLDINE 24350 ALEXANDER RD, Lawrence, KS 66044</span>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>15395 Briar Road #Ste A</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Basehor, KS 66007</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

**GENERAL INFORMATION**

Proposed Subdivision Name: SUNSET RIDGE

Address of Property: 00000 246th Street

PID: 216-24-0-00-00-007.01 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>35 Ac</u>	Number of Lots: <u>4</u>	Minimum Lot Size: <u>8.7 Ac</u>
Maximum Lot Size: <u>8.8 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 10</u>	Proposed Sewage: _____
Fire District: <u>FD 2</u>	Electric Provider: <u>Everg</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	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 12-8-24 Date: 12-8-24

**ATTACHMENT A**

OWNER AUTHORIZATION

I/WE Jerry & Geraldine Meuschke, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 11<sup>th</sup> day of December, 2024, make the following statements, to wit:

- I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property  
See Exhibit A attached hereto and incorporated herein by reference.
- I/We the undersigned, have previously authorized and hereby authorize \_\_\_\_\_ (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, \_\_\_\_\_ (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
- I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
- It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Jerry Meuschke  
Owner

Geraldine Meuschke  
Owner

STATE OF KANSAS  
COUNTY OF LEAVENWORTH

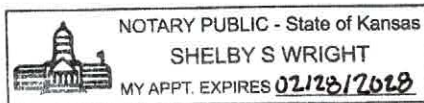
The foregoing instrument was acknowledge before me on this 11<sup>m</sup> day of December, 2024.

by Shelby S. Wright

My Commission Expires:

[Signature]

Notary Public





ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 11/14/2024

*Janet Klasmaker*  
COUNTY CLERK

DOC #: 2024R08473  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
11/14/2024 01:44:33 PM  
RECORDING FEE: 38.00  
PAGES: 2

### KANSAS QUIT-CLAIM DEED

THIS INDENTURE; Made on the 14 day of November, 2024 AD, by and between, Jerry Meuschke and Gearldine Meuschke, husband and wife, Grantor of the County of Leavenworth, State of Kansas, party of the first part, and Jerry Meuschke and Gearldine Meuschke, husband and wife, Grantees of the County of Leavenworth, State of Kansas, parties of the second part.

WITNESSETH, That the said party of the first part, for no considerations, to them given by the said parties of the second part (the receipt of which is hereby acknowledged) do by these presents, REMISE, RELEASE and FOREVER QUIT CLAIM unto the said parties of the second part, and the survivor of them, and as tenants in common, the following described lots, tracts or parcels of land, lying, being and situate in the County of Leavenworth and State of Kansas, to-wit:

Tract of land in the South Half of the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 31, 2024, more fully described as follows: Commencing at the Southeast corner of the said Southwest Quarter; thence South 88 degrees 01'20" West for a distance of 1592.78 feet along the South line of said Southwest Quarter to the TRUE POINT OF BEGINNING and the apparent centerline of Alexander Road, as it exists today; thence continuing South 88 degrees 01'20" West for a distance of 1061.27 feet along said South line to the Southwest corner of said Southwest Quarter; thence North 02 degrees 28'27" West for a distance of 1324.15 feet along the West line of said Southwest Quarter; thence North 88 degrees 08'27" East for a distance of 1158.80 feet along the North line of the South Half of the Southwest Quarter; thence South 02 degrees 29'43" East for a distance 1292.95 feet to the said centerline of Alexander Road; thence South 71 degrees 35'54" W for a distance of 101.90 feet to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 35.17 acres, more or less, including road right of way.

AND

Tract of land in the South Half of the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 31, 2024, more fully described as follows: Beginning at the Southeast corner of the said Southwest Quarter; thence South 88 degrees 01'20" West for a distance of 1592.78 feet along the South line of said Southwest Quarter to the apparent centerline of Alexander Road, as it exists today; thence North 71 degrees 35'54" East for a distance of 101.90 feet along said centerline; thence North 02 degrees 29'43" West for a distance of 1292.95 feet; thence North 88 degrees 08'27" East for a distance of 1492.60 feet along the North line of the South Half of said Southwest Quarter; thence South 02 degrees 35'32" East for a distance of 1318.70 feet along the East line of said Southwest Quarter to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 45.30 acres, more or less, including road right of way.

Pursuant to K.S.A.79-1437(e), a real estate validation questionnaire is not required due to Exemption No.3

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances thereto belonging, unto the said parties of the second part and unto their heirs and assign forever; so that neither the said parties of the first part nor their heirs, nor any other person or persons, for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred

*Jerry Meuschke*  
Jerry Meuschke

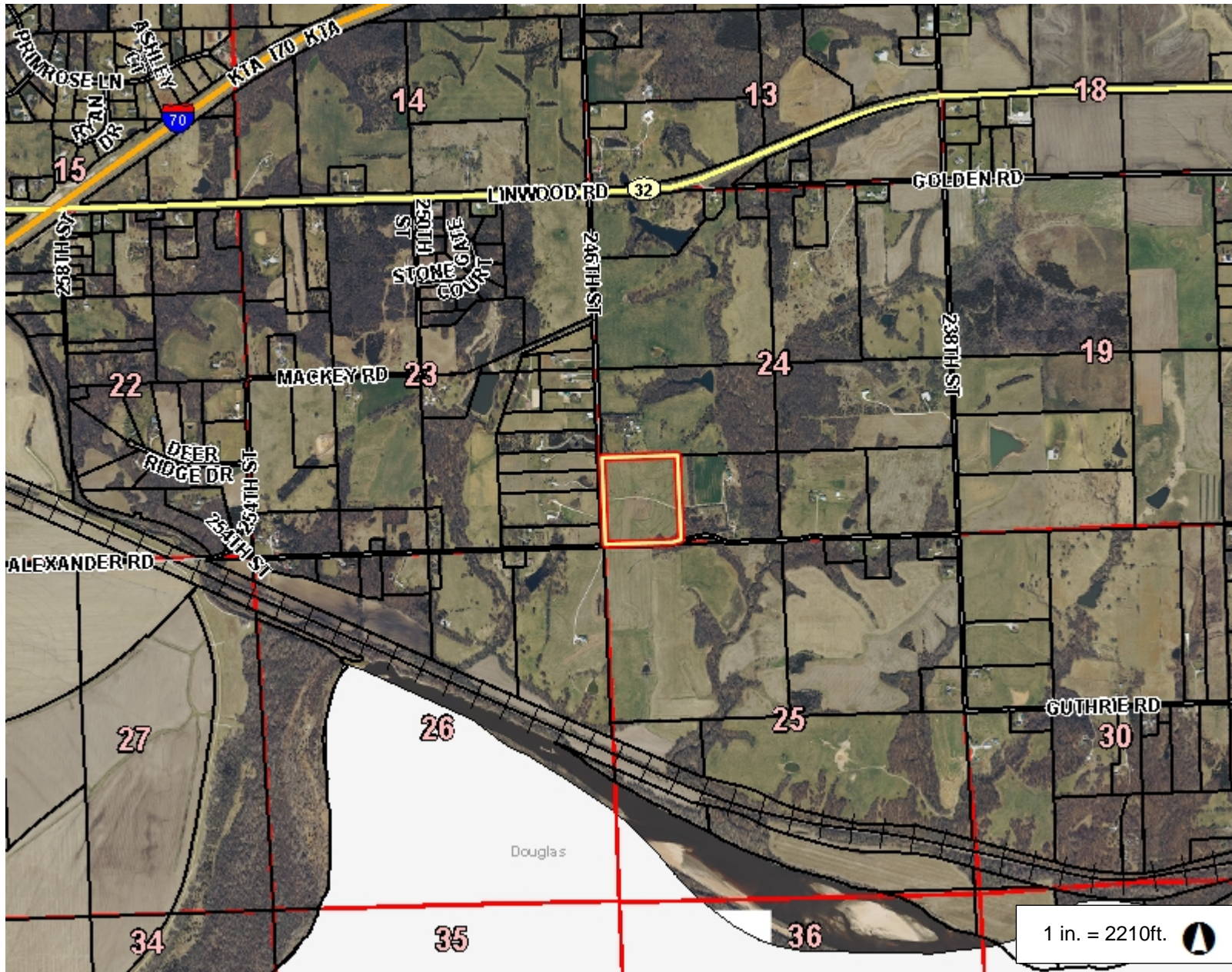
*Gearldine Meuschke*  
Gearldine Meuschke

1411947

0948518:01300

Leavenworth County Register of Deeds 2024-08473

# 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. = 2210ft.



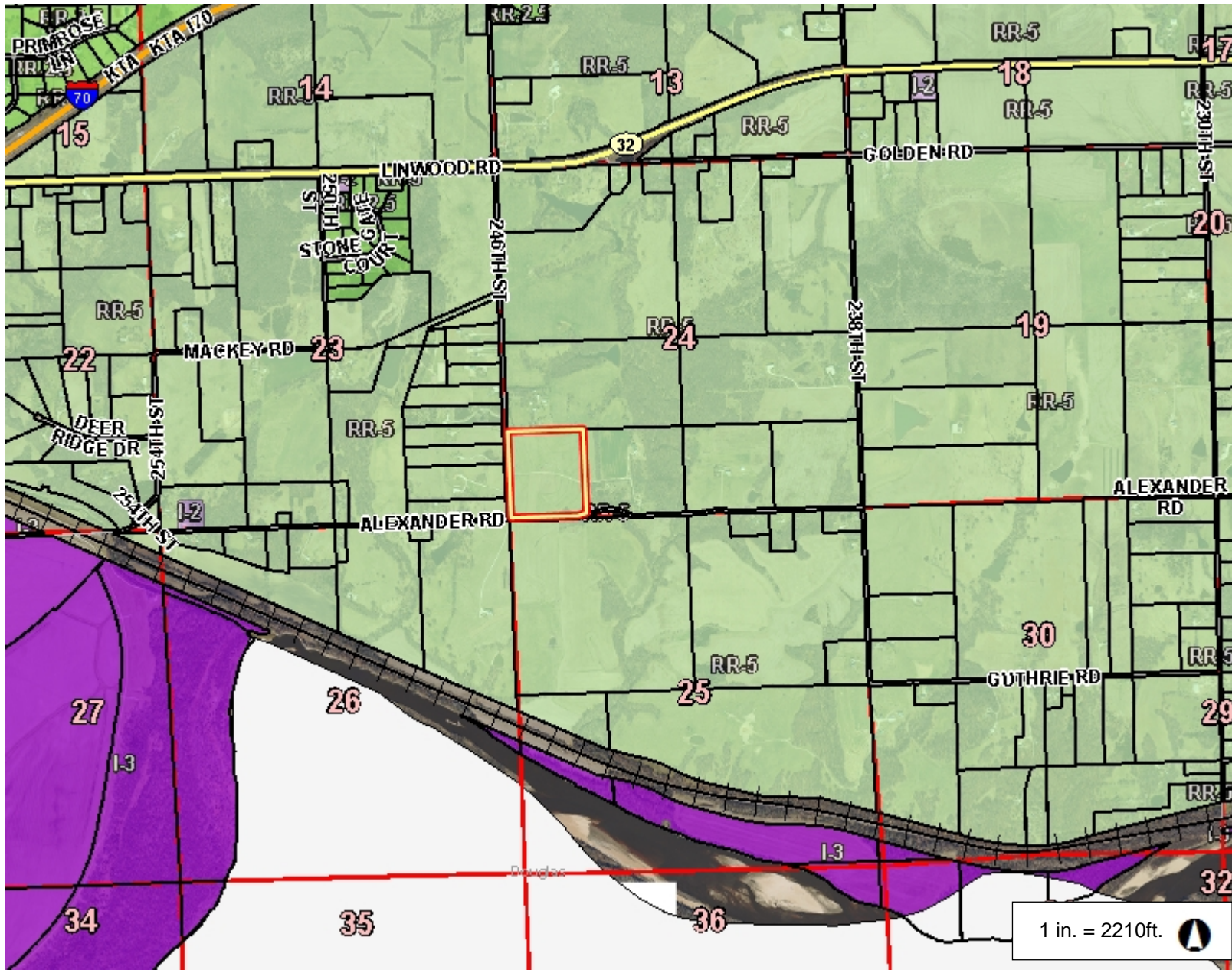
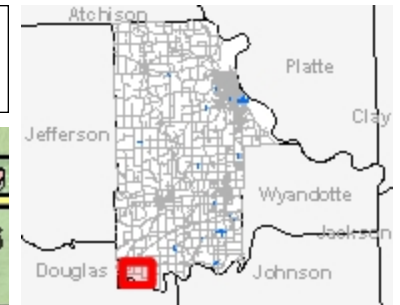
4,419.3      0      2,209.66      4,419.3 Feet

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

## 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

1 in. = 2210ft.



4,419.3      0      2,209.66      4,419.3 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

## Notes

# SUNSET RIDGE

A Minor Subdivision in the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR:  
MEUSCHKE, JERRY & GERALDINE  
24350 ALEXANDER RD  
LAWRENCE, KS 66044  
PID # 216-24-0-00-007.01

**RECORD DESCRIPTION:**  
Tract of land in the South Half of the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 31, 2024, more fully described as follows: Commencing at the Southeast corner of the said Southwest Quarter; thence South 88 degrees 01'20" West for a distance of 1592.78 feet along the South line of said Southwest Quarter to the TRUE POINT OF BEGINNING and the apparent centerline of Alexander Road, as it exists today; thence continuing South 88 degrees 01'20" West for a distance of 1061.27 feet along said South line to the Southwest corner of said Southwest Quarter; thence North 02 degrees 28'27" West for a distance of 1324.15 feet along the West line of said Southwest Quarter; thence North 88 degrees 08'27" East for a distance of 1158.80 feet along the North line of the South Half of the Southwest Quarter; thence South 02 degrees 29'43" East for a distance of 1292.95 feet to the said centerline of Alexander Road; thence South 71 degrees 35'54" W for a distance of 101.90 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.17 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: SUNSET RIDGE.

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 SUNSET RIDGE, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

JERRY MEUSCHKE  
GERALDINE MEUSCHKE

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Jerry Meuschke and Geraldine Meuschke, a married couple, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

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

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUNSET RIDGE 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 SUNSET RIDGE 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 - TerriLois G. Mashburn

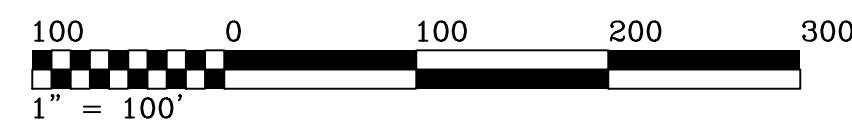


Scale 1" = 100'

Job # K-24-1855  
December 8, 2024 Rev. 2/12/25

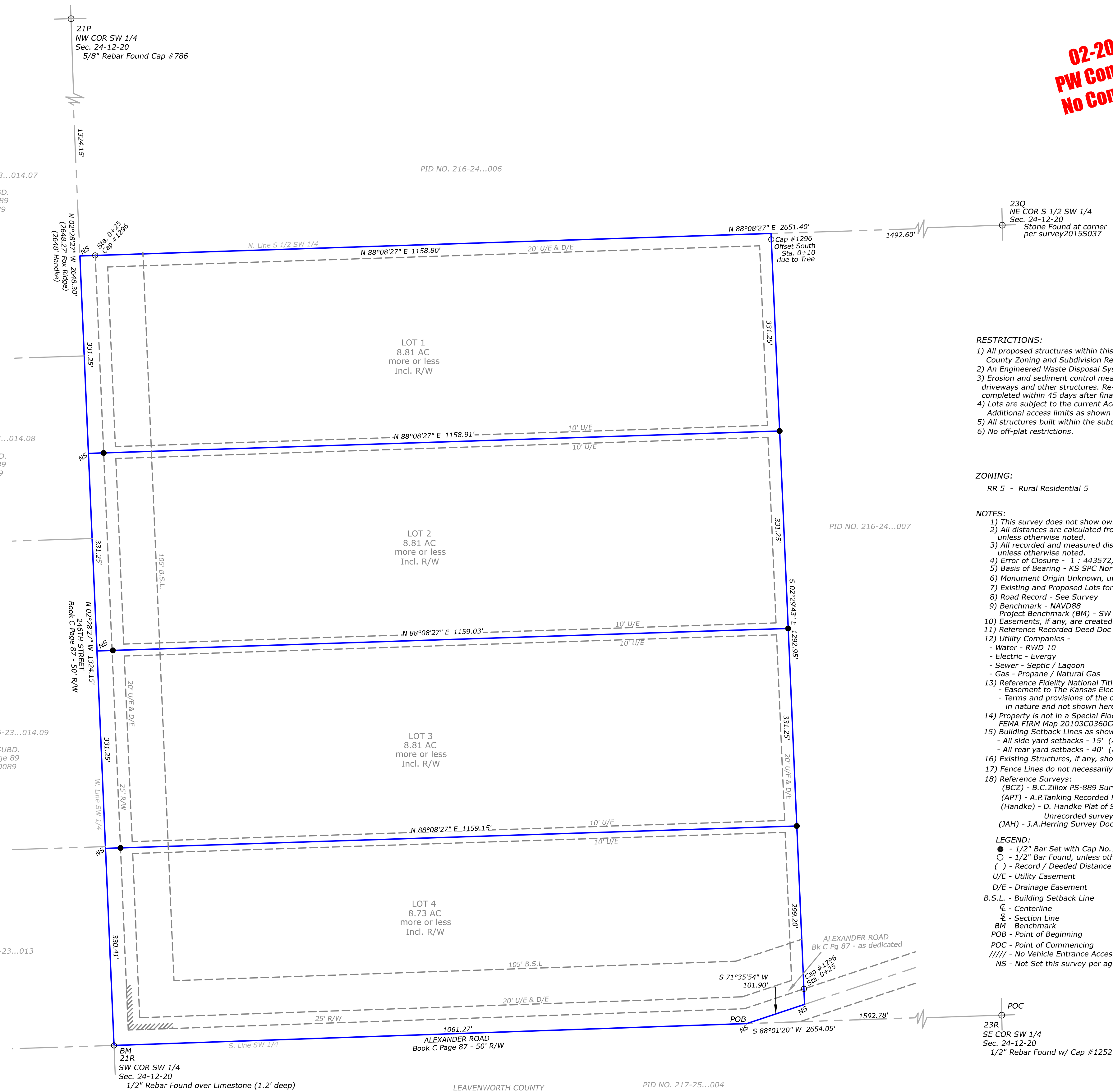


315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@herringland.com



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



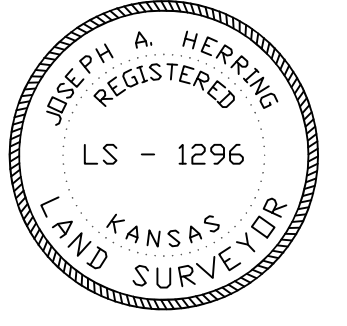
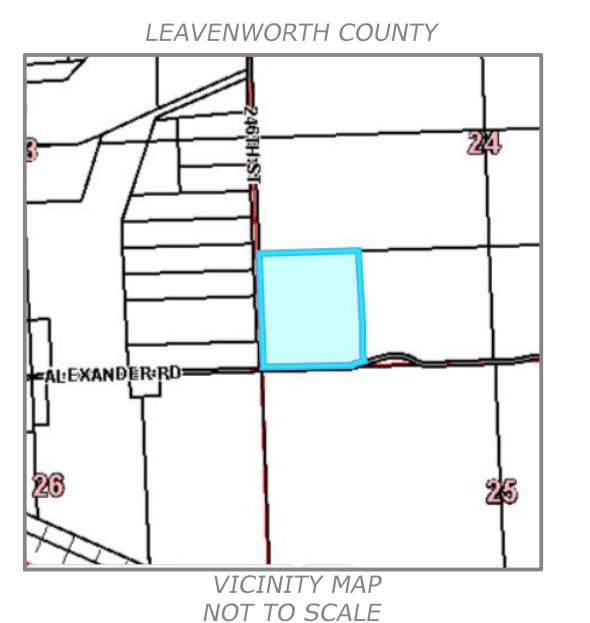
**02-20-25  
PW Combined  
No Comments**

- 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 the current Access Management Policy. Additional access limits as shown hereon.
  - 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
  - 6) 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 : 443572, 35.17 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 - NAVD88
  - 10) Project Benchmark (BM) - SW COR SW 1/4 Section 24 - Elev - 892.7'
  - 11) Easements, if any, are created hereon or listed in referenced title commitment.
  - 12) Reference Recorded Deed Doc # 2024R08473
  - 13) Utility Companies -
    - Water - RWD 10
    - Electric - Evergy
    - Sewer - Septic / Lagoon
    - Gas - Propane / Natural Gas
  - 14) Reference Fidelity National Title Insurance Company File Number KC-R3103293-2 dated Nov. 1, 2024. - Easement to The Kansas Electric Power Company in Bk 331 Pg 637, not shown, within plat easements. - Terms and provisions of the oil and gas leases Bk.544 Pg.600, Doc. No. 2011R00272, are blanket in nature and not shown hereon. Existing Well is stated to be abandoned by owner.
  - 15) Property is not in a Special Flood Hazard Area per FEMA FIRMS Map 2010C0360G dated July 16, 2015
  - 16) Building Setback Lines as shown hereon or noted below
    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - 17) Existing Structures, if any, shown in approximate location.
  - 18) Fence Lines do not necessarily denote the boundary line for the property.

- LEGEND:**
- - 1/2" Bar Set with Cap No.1296
  - - 1/2" Bar Found, unless otherwise noted.
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - ⊕ - Centerline
  - ⊖ - Section Line
  - BM - Benchmark
  - POB - Point of Beginning
  - POC - Point of Commencing
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of December 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# SUNSET RIDGE

A Minor Subdivision in the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR:  
 MEUSCHKE, JERRY & GEARDINE  
 24350 ALEXANDER RD  
 LAWRENCE, KS 66044  
 PID # 216-24-0-00-007.01

**RECORD DESCRIPTION:**  
 Tract of land in the South Half of the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 31, 2024, more fully described as follows: Commencing at the Southeast corner of the said Southwest Quarter; thence South 88 degrees 01'20" West for a distance of 1592.78 feet along the South line of said Southwest Quarter to the TRUE POINT OF BEGINNING and the apparent centerline of Alexander Road, as it exists today; thence continuing South 89 degrees 01'20" West for a distance of 1061.27 feet along said South line to the Southwest corner of said Southwest Quarter; thence North 02 degrees 28'27" West for a distance of 1324.15 feet along the West line of said Southwest Quarter; thence North 88 degrees 08'27" East for a distance of 1158.80 feet along the North line of the South Half of the Southwest Quarter; thence South 02 degrees 29'43" East for a distance 1292.95 feet to the said centerline of Alexander Road; thence South 71 degrees 35'54" W for a distance of 101.90 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.17 acres, more or less, including road right of way.

03-03-25  
 Combined PW No  
 Comments

FABIN, ANDREW P & KARA D  
 PID NO. 216-23...014.07  
 LOT 7  
 FOXRIDGE SUBD.  
 Book 13, Page 89  
 NKA2000P00089

NORTH, EUGENE E & EVELYN & MERKEL, VERA ANN & WILLIAM  
 PID NO. 216-24...006

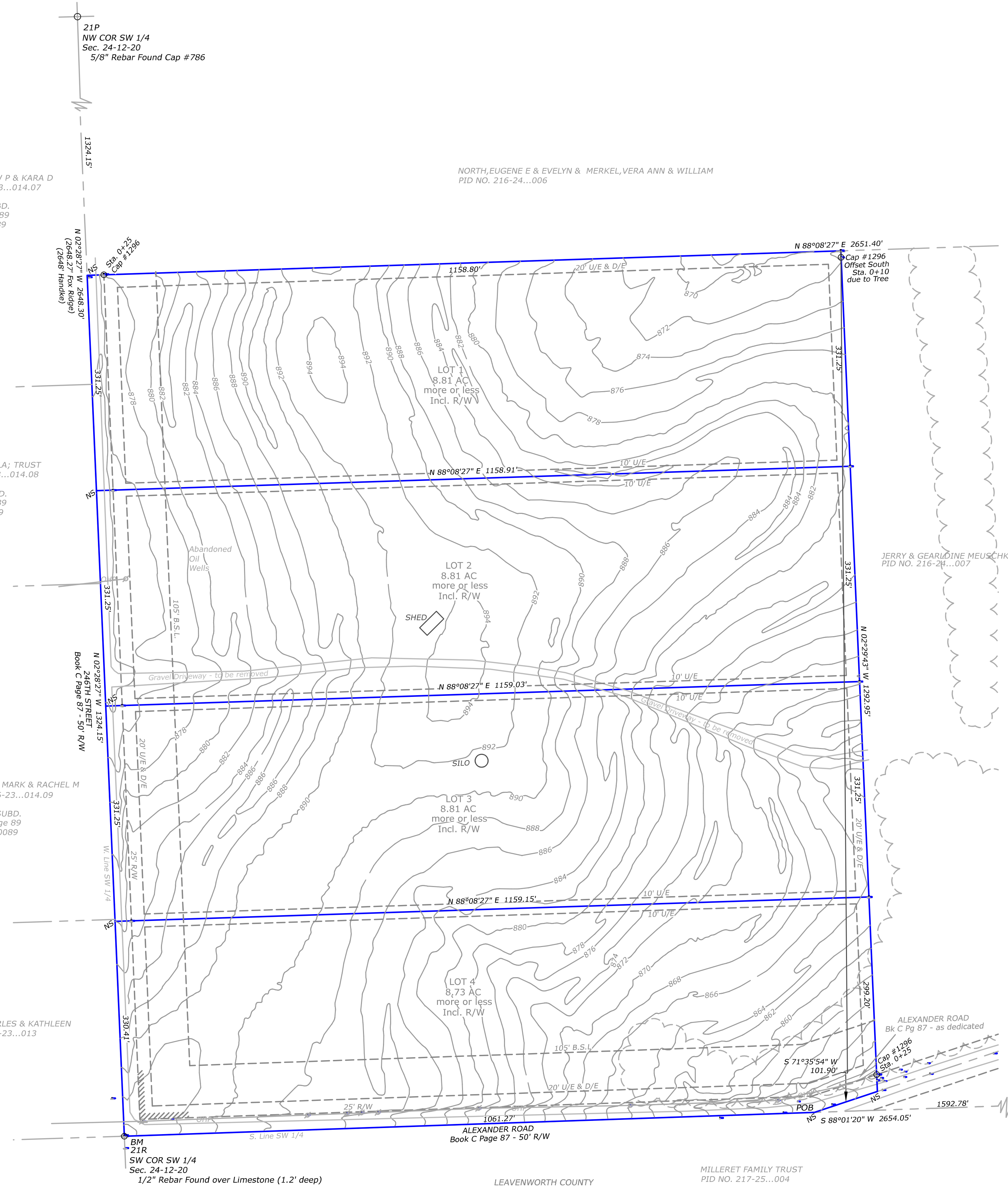
PROFFITT, PAULA; TRUST  
 PID NO. 216-23...014.08  
 LOT 8  
 FOXRIDGE SUBD.  
 Book 13, Page 89  
 NKA2000P00089

PACHECO, JOSHUA MARK & RACHEL M  
 PID NO. 216-23...014.09  
 LOT 9  
 FOXRIDGE SUBD.  
 Book 13, Page 89  
 NKA2000P00089

HAGEN, CHARLES & KATHLEEN  
 PID NO. 216-23...013

JERRY & GEARDINE MEUSCHKE  
 PID NO. 216-24...007

MILLERET FAMILY TRUST  
 PID NO. 217-25...004

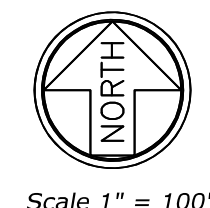


- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures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

**ZONING:**  
 RR 5 - Rural Residential 5

- NOTES:**
- 1) This survey does not show ownership.
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  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - 1: 443572, 35.17 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 SW 1/4 Section 24 - Elev - 892.7'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2024R08473
  - 12) Utility Companies -  
 - Water - RWD 10  
 - Electric - Everygy  
 - Sewer - Septic / Lagoon  
 - Gas - Propane / Natural Gas
  - 13) Reference Fidelity National Title Insurance Company File Number KC-R3103293-2 dated Nov. 1, 2024.  
 - Easement to The Kansas Electric Power Company in Bk 331 Pg 637, not shown, within plat easements.  
 - Terms and provisions of the oil and gas leases Bk. 544 Pg. 600, Doc. No. 2011R00272, are blanketed in nature and not shown hereon. Existing Well is stated to be abandoned by owner.
  - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0360G 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:  
 (BC2) - B.C. Zillox PS-889 Survey Doc. # 2015S037  
 (APT) - A.P. Tanking Recorded Plat FOXRIDGE SUBDIVISION Book 13, Page 89 NKA2000P00089  
 (Handke) - D. Handke Plat of Stonegate Subdivision, Book 16, Page 19, 2005, NKA 2005P00019  
 Unrecorded survey project No. 00-212, 2000  
 (JAH) - J.A. Herring Survey Doc # 2024S050

- LEGEND:**
- - 1/2" Bar Set with Cap No. 1296
  - - 1/2" Bar Found, unless otherwise noted.
  - ( ) - Record / Deeded Distance
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement dedicated this plat
  - ⊕ - Centerline
  - ⊥ - Section Line
  - BM - Benchmark
  - POB - Point of Beginning
  - POC - Point of Commencing
  - //// - No Vehicle Entrance Access
  - /// - Not Set this survey per agreement with client

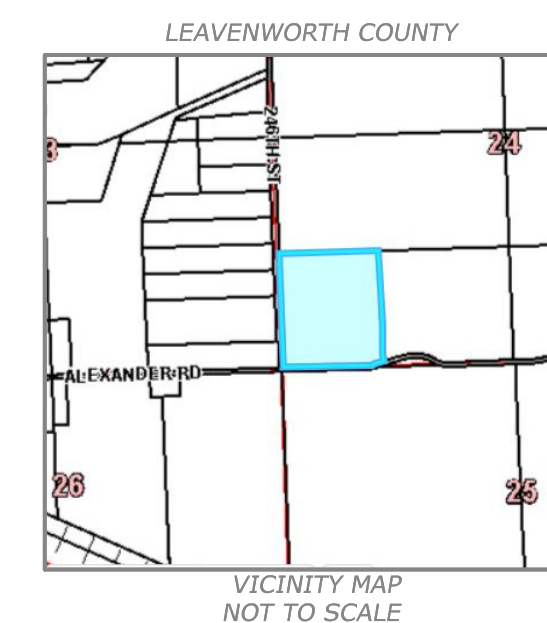
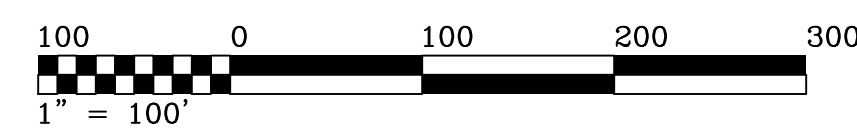


Scale 1" = 100'

Job # K-24-1855  
 December 8, 2024 Rev. 2/12/25



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



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of December 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
 PS # 1296

**02-20-25**  
**No Further**  
**Comment**

Sunset Ridge

Leavenworth County Kansas

Drainage Report

December 21, 2024

Revised January 22, 2025

Revised January 25, 2025

Revised February 5, 2025



## Schweitzer, Joshua

---

**From:** Anderson, Kyle  
**Sent:** Thursday, January 2, 2025 10:34 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge - Herring

We have not received any complaints on this property, and we are not aware of any septic systems currently installed on it. The shed on lot 2 is around 450 sq' so the lot would remain in compliance without a home 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:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Friday, December 27, 2024 2:48 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge - Herring

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary & Final Plat for a 4-lot subdivision at 00000 246<sup>th</sup> St. (216-24-0-00-00-007.01).

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 January 13, 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:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Monday, December 23, 2024 2:32 PM  
**To:** Johnson, Melissa  
**Subject:** Fw: PCDI Meuschke Farms fire - SUNSET

**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

---

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

---

**From:** Dylan Ritter <dritter@lvcofd2.com>  
**Sent:** Monday, November 25, 2024 1:24 PM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Cc:** rwd10@conleysandu.com <rwd10@conleysandu.com>; Steven Heath <Steven.Heath@evergy.com>  
**Subject:** Re: PCDI Meuschke Farms

Leavenworth County Fire District #2 has no comments or concerns for this.

Thank you.

On Sun, Nov 24, 2024 at 11:43 AM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:  
Please provide the standard service letter for this 4 Lot Division.

Thank you - Joe Herring

---

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

--  
Dylan Ritter



November 30, 2024

Joe Herring  
Herring Surveying Company  
315 N 5<sup>th</sup> St  
Leavenworth, KS 66048

Dear Mr. Herring,

This letter is in response to your request for water service for Lots 1-4 on 246<sup>th</sup> St, north of Alexander Road, in the Meuschke Farms subdivision.

Rural water service is available. Bore connections would be required.

If you have any additional questions, please do not hesitate to contact us.

Regards,

Steve Conley | District Manager  
Leavenworth Rural Water District 10

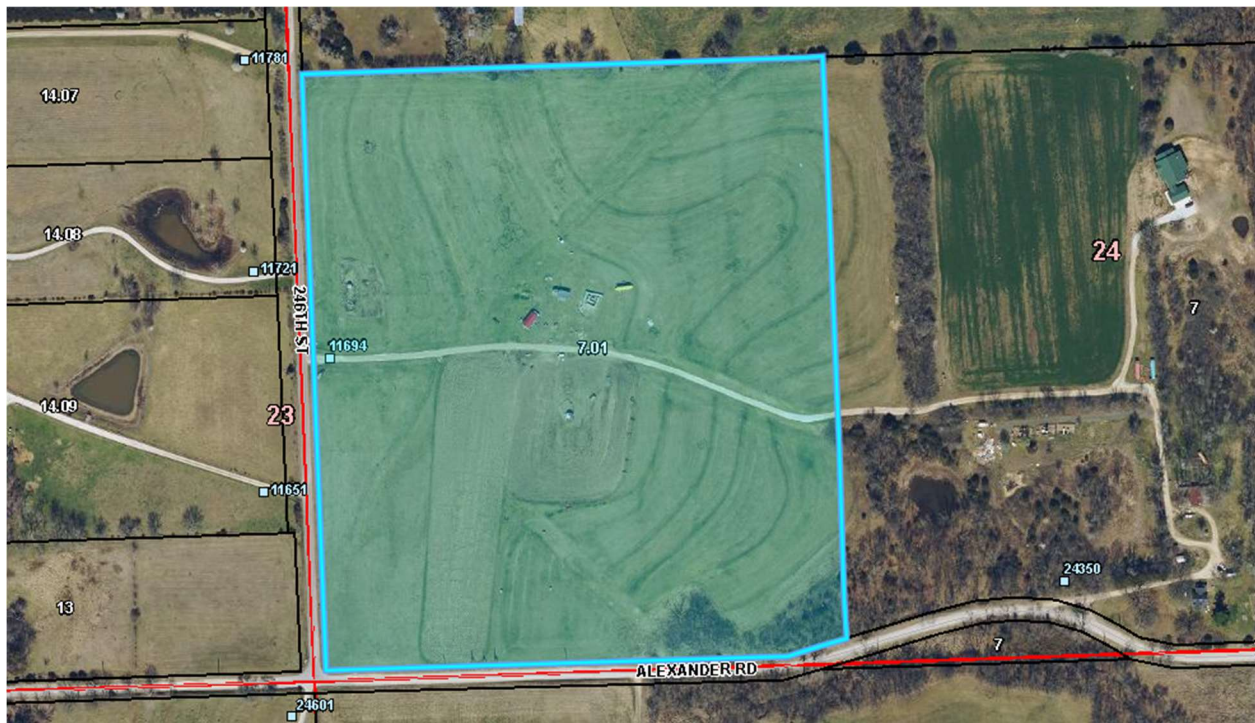


December 23, 2024

To Whom It May Concern:

This letter is to Inform you that Evergy will provide electrical power to the area pictured below per request of Joe Herring.

Without knowing required load this letter does not guarantee we currently have capacity and additional build may be needed.



**Steven Heath**

Evergy

TD Designer II

[steven.heath@evergy.com](mailto:steven.heath@evergy.com)

☎ 785-865-4857

**Leavenworth County  
Request for Board Action  
Case No. DEV-25-006 & 007  
Preliminary & Final Plat Railway Estates  
\* Consent Agenda\***

**Date: March 26, 2025  
To: Board of County Commissioners  
From: Planning & Zoning Staff**

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

**Additional Reviews as needed:**

**Budget Review  Administrator Review  Legal Review**

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**Action Request:**

Chairman, I find that the proposed Final Plat as outlined in case DEV-25-006 & 007 is compliant with the County Zoning & Subdivision Regulations and move that the proposed Final Plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.

**Analysis:** The applicant is proposing to divide a 38.90 acre parcel into six (6) 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). Lots 1-5 will be approximately 5 acres in size. Lot 6 will be approximately 15 acres in size. All lots meet the requirements for the RR-5 zoning district.

**Recommendation:** The Planning Commission voted 8-0 (1 absent) to recommend approval of Case No.DEV-25-006 & 007, Final Plat for Railway Estates subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-25-006 & 007, Final Plat for Railway Estates, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-25-006 & 007, Final Plat for Railway Estates, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-25-006 & 007, Final Plat for Railway Estates, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

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

**Total Amount Requested:** \$0.00

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

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-25-006 & 007 Preliminary & Final Plat Railway Estates

March 12, 2025

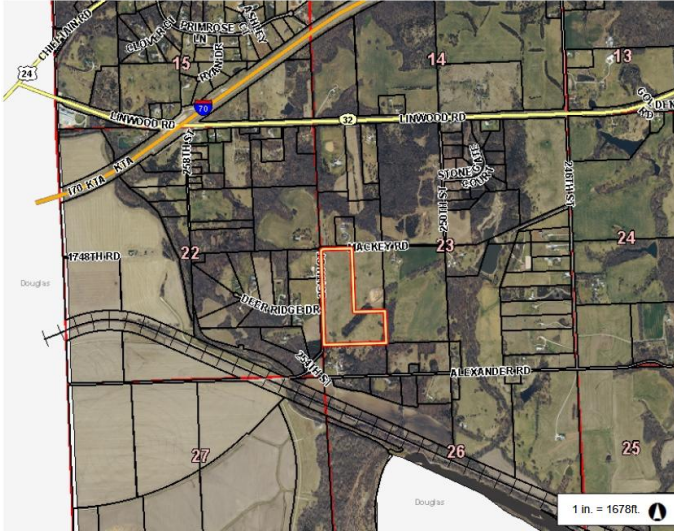
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 00000 Mackey Rd.



**APPLICANT/APPLICANT AGENT:**

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

**PROPERTY OWNER:**

Timothy Taylor  
12051 246th Street  
Lawrence, KS 66044

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

RR-2.5

**LEGAL DESCRIPTION:**

A Minor Subdivision in the Southwest Quarter of Section 23, Township 12 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-25-006 & 007 Preliminary & Final Plat Railway Estates, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-006 & 007 Preliminary & Final Plat Railway Estates to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 38.90 ACRES

**PARCEL ID NO:**

216-23-0-00-00-006

**BUILDINGS:**

N/A

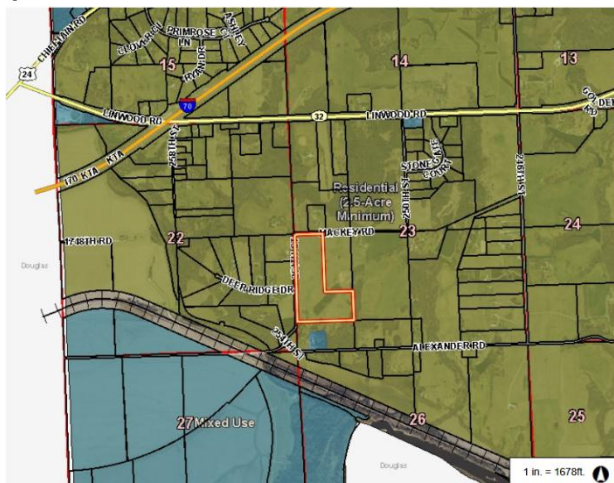
**PROJECT SUMMARY:**

Request for preliminary & final plat approval to subdivide property located at 00000 Mackey Road (216-23-0-00-00-006) as Lots 01 through 06 of Railway Estates.

**ACCESS/STREET:**

254th Street & Mackey Road - Local, Gravel ± 25'

**Location Map:** FUTURE LAND USE DESIGNATION



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 2

**WATER:** RWD 10

**ELECTRIC:** Every

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/5/2025

**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 38.90 acre parcel into six (6) 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). Lots 1-5 will be approximately 5 acres in size. Lot 6 will be approximately 15 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 10, dated November 30, 2024
  - Memo – Evergy, dated December 23, 2024
  - Email – FD # 2, dated December 23, 2024

**PROPOSED MOTIONS:**

Approve case DEV-25-006 & 007, a request to plat the property located at 00000 Mackey Road into a 6-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-25-006 & 007 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-25-006 & 007, a request to plat the property located at 00000 Mackey Road into a 6-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-25-006 & 007.*

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

*Motion: Chairman, I move to table Case No. DEV-25-006 & 007 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

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

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Herring Surveying Company</u>	NAME: <u>Timothy L. Taylor</u>
MAILING ADDRESS: <u>315 North 5th Street</u>	MAILING ADDRESS: <u>12051 246th Street</u>
CITY/ST/ZIP: <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP: <u>Lawrence KS 66044</u>
PHONE: <u>913-651-3858</u>	PHONE: <u>N/A</u>
EMAIL: <u>herringsurveying@outlook.com</u>	EMAIL: <u>N/A</u>

**GENERAL INFORMATION**

Proposed Subdivision Name: RAILWAY ESTATES

Address of Property: 00000 Mackey Road

PID: 216-23-0-00-00-006 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: <u>40 Ac</u>	Number of Lots: <u>6</u>	Minimum Lot Size: <u>5 Ac</u>
Maximum Lot Size: <u>15 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 10</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>FD2</u>	Electric Provider: <u>Everg</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	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 12-23-24 Date: 12-23-24

**ATTACHMENT A**

AFFIDAVIT

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

We/I Tim Taylor and \_\_\_\_\_

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
00000 MACKAY RD, 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 15<sup>th</sup> day of October, 2024

Tim Taylor 12051 246<sup>th</sup> St Lawrence KS  
Print Name, Address, Telephone

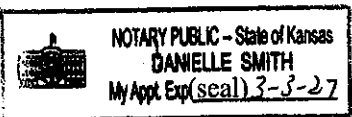
[Signature] 785-423-6893  
Signature

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

Be it remember that on this 15<sup>th</sup> day of October 2024 before me, a notary public in and for said County and State came Johnson Tim Taylor 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: 3-3-27



**Transaction Identification Data for reference only:**

Issuing Agent:	<b>Security 1st Title, LLC</b>	Buyer:	<b>Precision Contracting and Development Inc., a Kansas Corporation</b>
Issuing Office:	<b>1040 NW South Outer Rd Blue Springs, MO 64015</b>	Title Contact:	<b>Kansas City Title Department 1040 NW South Outer Rd Blue Springs, MO 64015 (913) 393-2511 (Work) <a href="mailto:kctitle@security1st.com">kctitle@security1st.com</a></b>
ALTA Universal ID:	<b>1181794</b>		
Loan ID Number:			
Commitment No.:	<b><u>KC-R3103293-2</u></b>		
Property Address:	<b>24350 Alexander Rd, Lawrence, KS 66044</b>		

**SCHEDULE A**

**1. Commitment Date:**

11/01/2024 at 7:00 AM

**2. Policy to be issued:**

ALTA Owner's Policy 07-01-2021

\$700,000.00

Proposed Insured: Precision Contracting and Development Inc., a  
Kansas Corporation

The estate or interest to be insured: Fee Simple

**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:**

Jerry Meuschke and Geraldine Meuschke, husband and wife

**5. The Land is described as follows:**

Property description set forth in Exhibit A attached hereto and made a part hereof.

**Security 1st Title**

By: 

**David Armagost, President**

Commitment No.: KC-R3103293-2

## Exhibit A

### TRACT 1:

Tract of land in the South Half of the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 31, 2024, more fully described as follows: Commencing at the Southeast corner of the said Southwest Quarter; thence South 88 degrees 01'20" West for a distance of 1592.78 feet along the South line of said Southwest Quarter to the TRUE POINT OF BEGINNING and the apparent centerline of Alexander Road, as it exists today; thence continuing South 88 degrees 01'20" West for a distance of 1061.27 feet along said South line to the Southwest corner of said Southwest Quarter; thence North 02 degrees 28'27" West for a distance of 1324.15 feet along the West line of said Southwest Quarter; thence North 88 degrees 08'27" East for a distance of 1158.80 feet along the North line of the South Half of the Southwest Quarter; thence South 02 degrees 29'43" East for a distance 1292.95 feet to the said centerline of Alexander Road; thence South 71 degrees 35'54" W for a distance of 101.90 feet to the point of beginning, Together with and subject to covenants, easements, and restrictions of record.

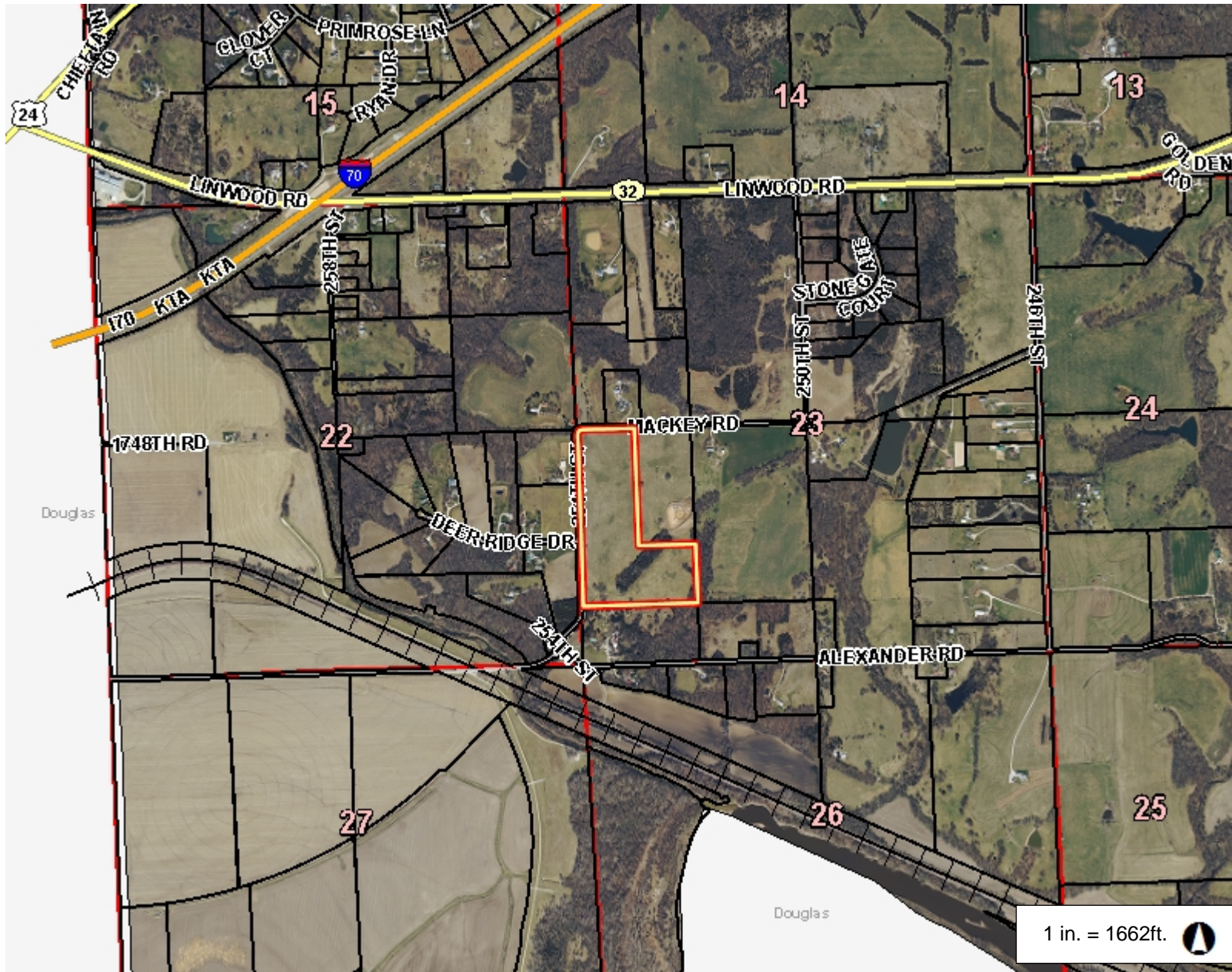
*This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions*

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# 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. = 1662ft.



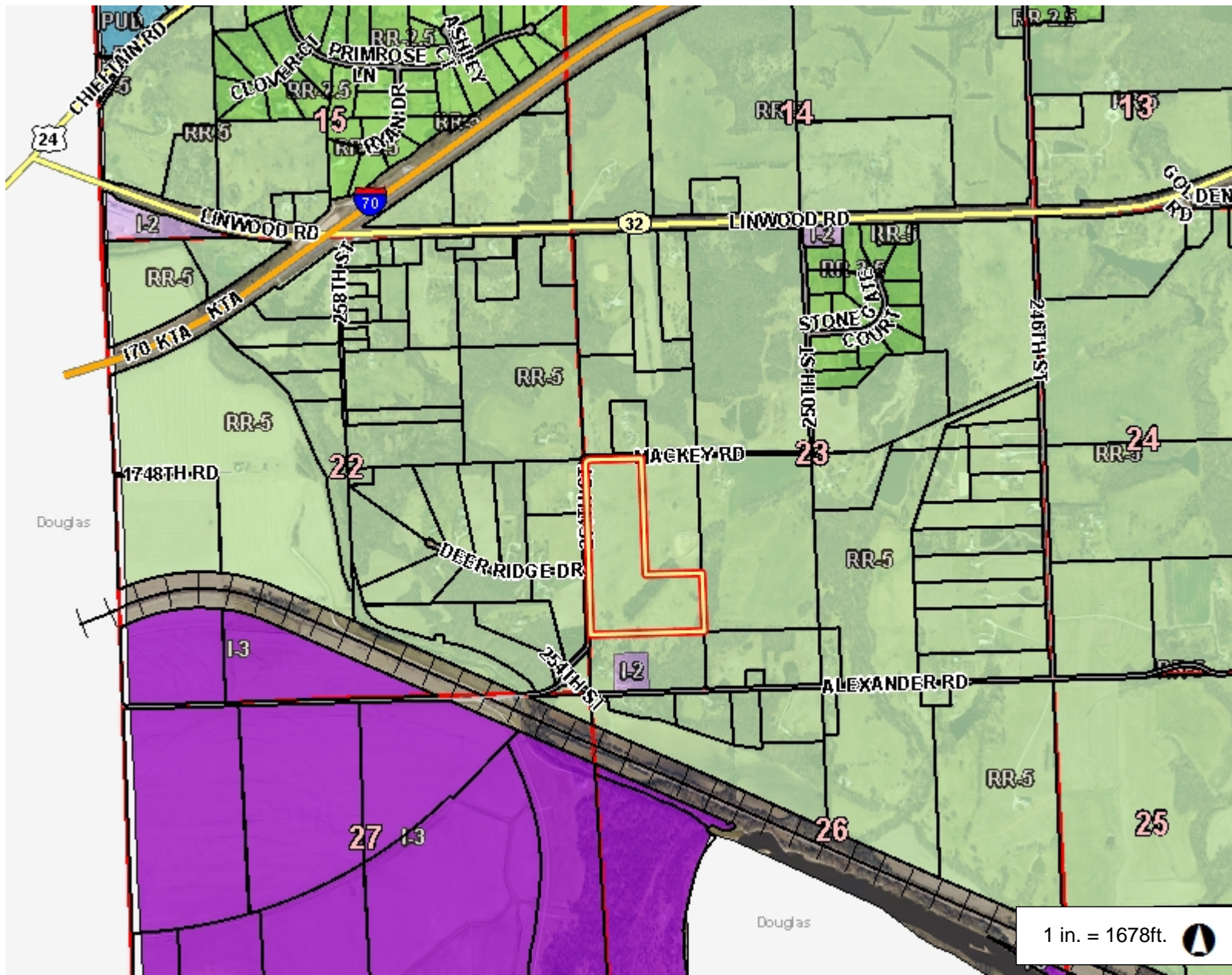
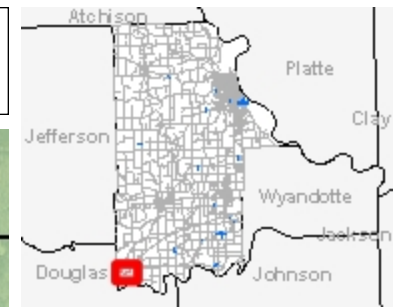
3,323.8      0      1,661.90      3,323.8 Feet

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

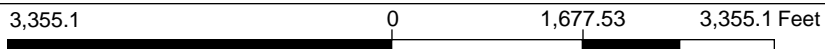
# Leavenworth County, KS



## 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



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

# RAILWAY ESTATES

A Minor Subdivision in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## FINAL PLAT

PREPARED FOR: Timothy L. Taylor  
12051 246TH ST  
Lawrence, KS 66044

PROPERTY ADDRESS: 00000 Mackey Road  
Lawrence, KS  
PID # 216-23-0-00-00-006

**RECORD DESCRIPTION:**  
Tract of land in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 5, 2022, more fully described as follows: Beginning at the Northwest corner of said Southwest Quarter; thence North 88 degrees 13'50" East for a distance of 660.00 feet along said North line; thence South 01 degrees 51'36" East for a distance of 1327.05 feet; thence North 88 degrees 16'40" East for a distance of 651.61 feet; thence South 02 degrees 09'36" East for a distance of 665.02 feet; thence South 88 degrees 16'40" West for a distance of 1315.10 feet to the West line of said Southwest Quarter; thence North 01 degrees 51'36" West for a distance of 1992.51 feet along said West line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 40.18 acres, more or less, including road right of way.  
Error of Closure: 1 - 2982192

**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: RAILWAY ESTATES.

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

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of 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 RAILWAY ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Timothy L. Taylor

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Timothy L. Taylor, a single person, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC

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

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of RAILWAY ESTATES 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 RAILWAY ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

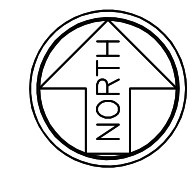
Chairman: Mike Smith  
County Clerk: Attest: Fran Keppler

**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 - TerriLois G. Mashburn

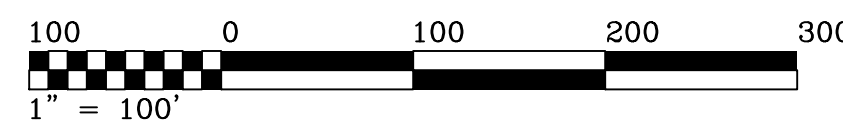
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor

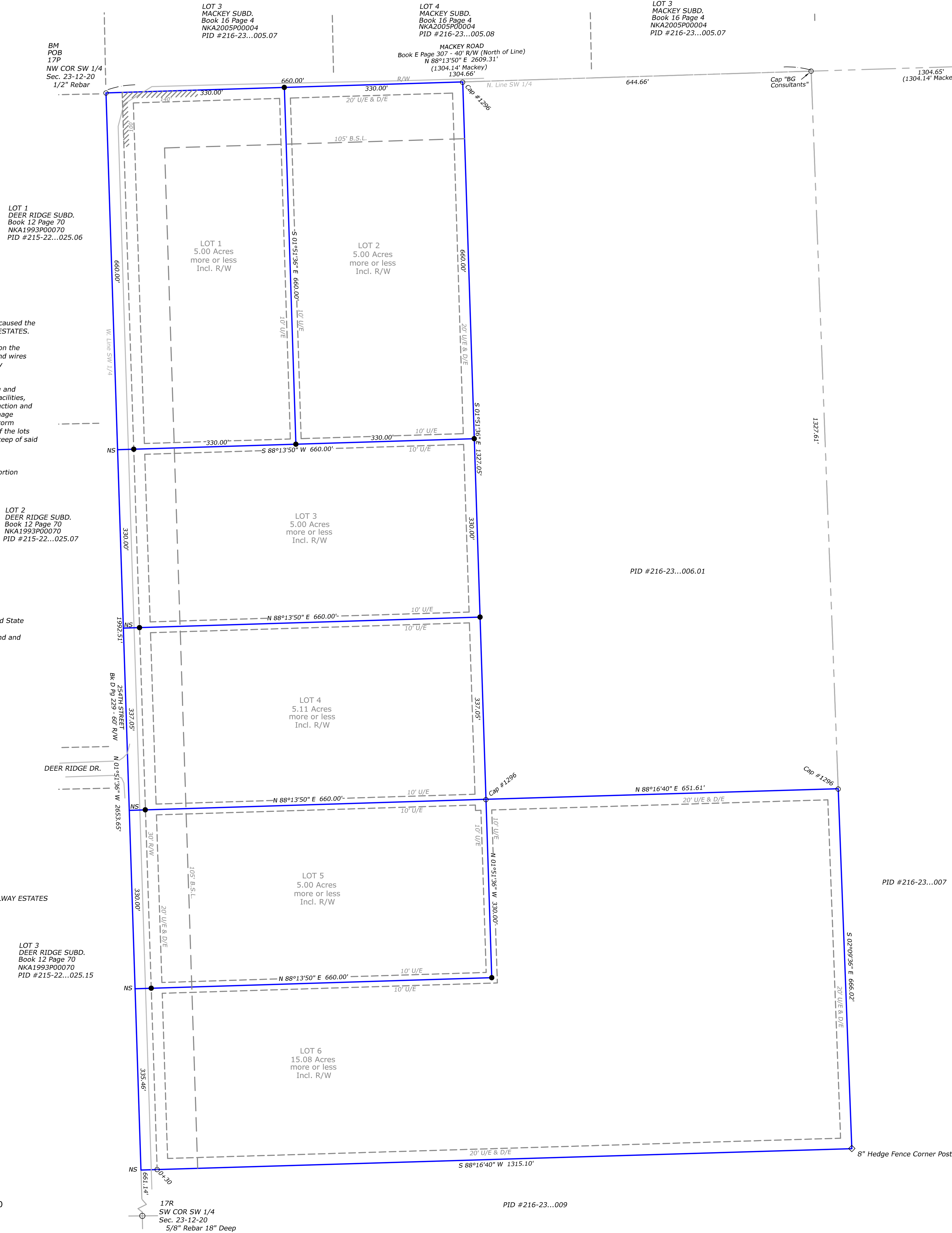


Scale 1" = 100'

Job # K-24-1846  
November 24, 2024 Rev. 2/25/25



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



19P  
NE COR SW 1/4  
Sec. 23-12-20  
1/2" Rebar

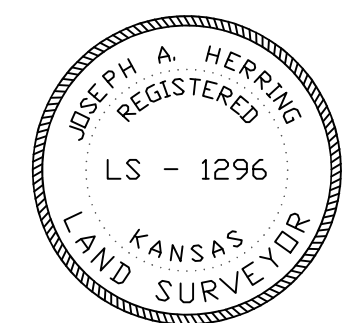
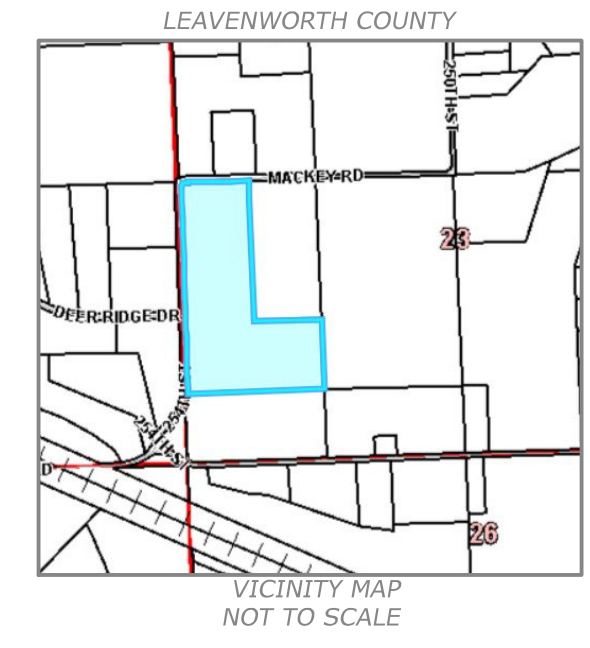
03-03-25  
Combined PW  
No Further  
Comment

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

**ZONING:**  
RR 5 - Rural Residential 5

- NOTES:**
- This survey does not show ownership.
  - All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - All recorded and measured distances are the same, unless otherwise noted.
  - Error of Closure - See Descriptions
  - Basis of Bearing - KS SPC North Zone 1501
  - Monument Origin Unknown, unless otherwise noted.
  - Existing and Proposed Lots for Agriculture and Residential Use.
  - Road Record - See Survey
  - Benchmark - NAVD88
  - Project Benchmark (BM) - NW Cor SW 1/4 - 1/2" Rebar - Elev - 874.33'
  - Easements, if any, are created hereon or listed in referenced title commitment.
  - Reference Recorded Deed Doc # 2022R09114
  - Utility Companies -
    - Water - RWD 10
    - Electric - Evergy
    - Sewer - Septic / Lagoon
    - Gas - Propane / Natural Gas
  - Lawyers Title insurance Company File Number 48420 dated December 27, 2024.
  - Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20113C0360C dated July 16, 2015
  - Building Setback Lines as shown hereon or noted below
    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - Existing Structures, if any, shown in approximate location.
  - Fence Lines do not necessarily denote the boundary line for the property.
  - Reference Surveys:
    - DEER RIDGE SUBDIVISION - Book 12 Page 70 1993 NKA1993P00070
    - MACKEY SUBDIVISION - Book 16 Page 4 2005 NKA2005P00004
    - JAH - J.A.Herring Survey Doc # 2022S082

- LEGEND:**
- - 1/2" Bar Set with Cap No.1296
  - - 1/2" Bar Found, unless otherwise noted.
  - ( ) - 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
  - POB - Point of Beginning
  - POC - Point of Commencing
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of November through December 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# RAILWAY ESTATES

A Minor Subdivision in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

PREPARED FOR: Timothy L. Taylor  
12051 246TH ST  
Lawrence, KS 66044

PROPERTY ADDRESS: 00000 Mackey Road  
Lawrence, KS  
PID # 216-23-0-00-006

RECORD DESCRIPTION:  
Tract of land in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-12296 on November 5, 2022, more fully described as follows: Beginning at the Northwest corner of said Southwest Quarter; thence North 88 degrees 13'50" East for a distance of 660.00 feet along said North line; thence South 01 degrees 51'36" East for a distance of 1327.05 feet; thence North 88 degrees 16'40" East for a distance of 651.61 feet; thence South 02 degrees 09'36" East for a distance of 666.02 feet; thence South 88 degrees 16'40" West for a distance of 1315.10 feet to the West line of said Southwest Quarter; thence North 01 degrees 51'36" West for a distance of 1992.51 feet along said West line to the point of beginning.  
Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 40.18 acres, more or less, including road right of way.  
Error of Closure: 1 - 2982192

LOGANBILL, CHARLES J & KELLY R  
LOT 1  
DEER RIDGE SUBD.  
Book 12 Page 70  
NKA1993P00070  
PID #215-22...025.06

ZARNOWIEC, STEPHEN A & LAURA M  
LOT 2  
DEER RIDGE SUBD.  
Book 12 Page 70  
NKA1993P00070  
PID #215-22...025.07

GOETTING, ANTHONY THOMAS & JUDITH D  
LOT 3  
DEER RIDGE SUBD.  
Book 12 Page 70  
NKA1993P00070  
PID #215-22...025.15

HUNDLEY, JODY L  
LOT 3  
MACKEY SUBD.  
Book 16 Page 4  
NKA2005P00004  
PID #216-23...005.07

HUNDLEY, JODY L  
LOT 4  
MACKEY SUBD.  
Book 16 Page 4  
NKA2005P00004  
PID #216-23...005.08

HUNDLEY, JODY L  
LOT 3  
MACKEY SUBD.  
Book 16 Page 4  
NKA2005P00004  
PID #216-23...005.07

19P  
NE COR SW 1/4  
Sec. 23-12-20  
1/2" Rebar

03-03-25  
Combined PW  
No Further  
Comment

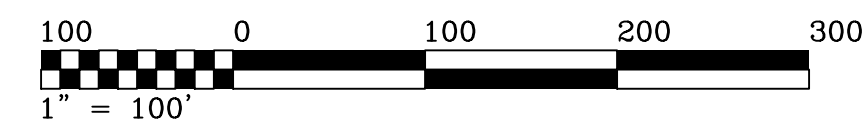


Scale 1" = 100'

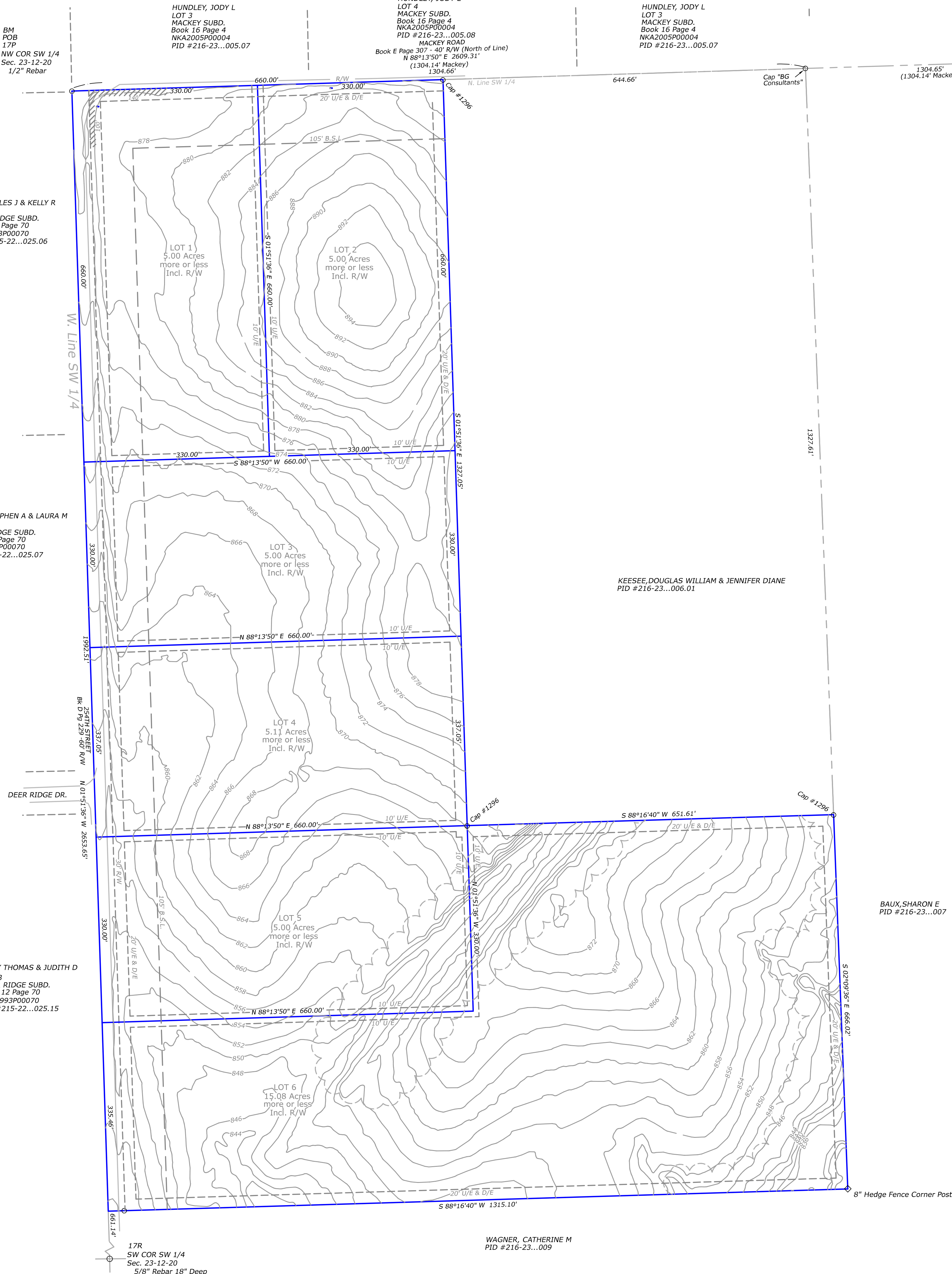
Job # K-24-1846  
November 24, 2024 Rev. 2/25/25



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



1" = 100'

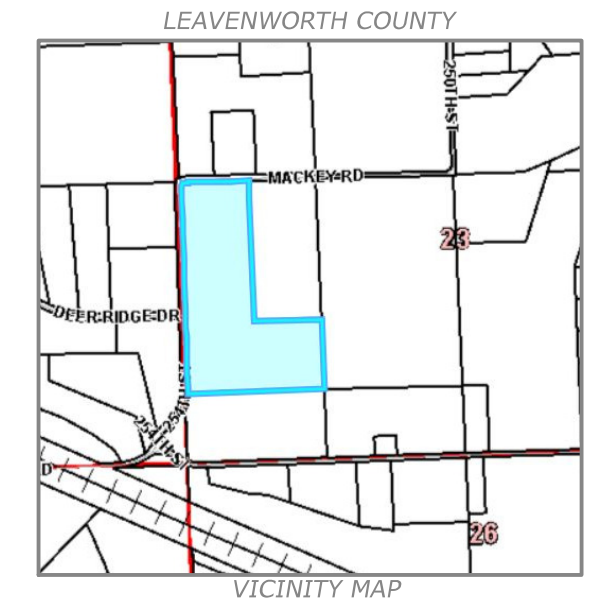


RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall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

ZONING:  
RR 5 - Rural Residential 5

- NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Descriptions  
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) - NW Cor SW 1/4 - 1/2" Rebar - Elev - 874.33'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2022R09114  
12) Utility Companies -  
- Water - RWD 10  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
13) Lawyers Title Insurance Company File Number 48420 dated December 27, 2024.  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0360G 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:  
DEER RIDGE SUBDIVISION - Book 12 Page 70 1993 NKA1993P00070  
MACKEY SUBDIVISION - Book 16 Page 4 2005 NKA2005P00004  
JAH - J.A.Herring Survey Doc # 2022S082

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



VICINITY MAP NOT TO SCALE

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of November through December 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

WAGNER, CATHERINE M  
PID #216-23...009

17R  
SW COR SW 1/4  
Sec. 23-12-20  
5/8" Rebar 18" Deep



**02-21-25**  
**PW No Further**  
**Comments**

Railway Estates  
Leavenworth County Kansas  
Drainage Report  
December 21, 2024  
Revised February 17, 2025



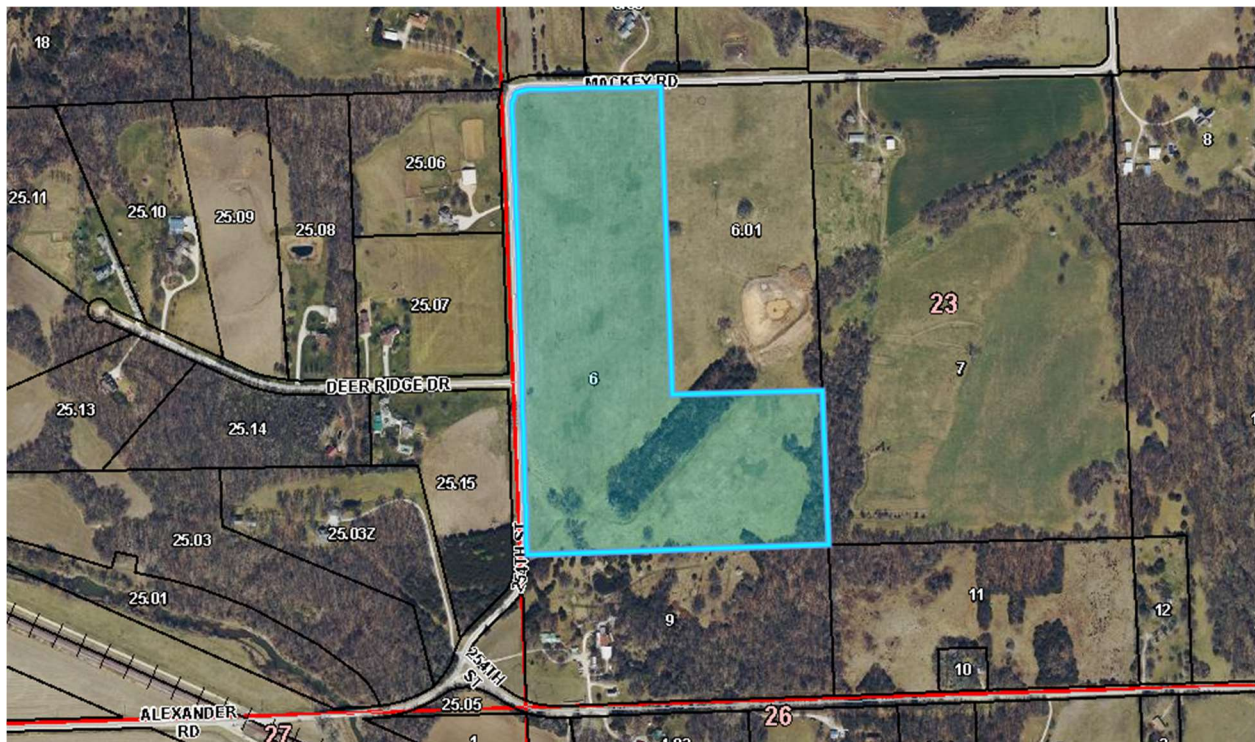


December 23, 2024

To Whom It May Concern:

This letter is to Inform you that Evergy will provide electrical power to the area pictured below per request of Joe Herring.

Without knowing required load this letter does not guarantee we currently have capacity and additional build may be needed.



**Steven Heath**

Evergy

TD Designer II

[steven.heath@evergy.com](mailto:steven.heath@evergy.com)

☎ 785-865-4857

## Schweitzer, Joshua

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**From:** Anderson, Kyle  
**Sent:** Monday, February 3, 2025 8:36 AM  
**To:** Schweitzer, Joshua  
**Subject:** RE: DEV-25-006 & 007 Preliminary & Final Plat Railway Estates - Herring

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:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Wednesday, January 22, 2025 8:06 AM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Miller, Jamie <JMiller@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-25-006 & 007 Preliminary & Final Plat Railway Estates - Herring

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary & Final Plat for a 6-lot subdivision 00000 Mackey Rd. (216-23-0-00-00-006).

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 February 5, 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



November 30, 2024

Joe Herring  
Herring Surveying Company  
315 N 5<sup>th</sup> St  
Leavenworth, KS 66048

Dear Mr. Herring,

This letter is in response to your request for water service for Lots 1-6 on 254<sup>th</sup> St, south of Mackey Rd, in the Taylor Farms subdivision.

This is in RWD10's district area. Currently no lines run adjacent to these properties and a line extension would be needed to provide service.

If you have any additional questions, please do not hesitate to contact us.

Regards,

Steve Conley | District Manager  
Leavenworth Rural Water District 10

## Schweitzer, Joshua

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**From:** Joe Herring <herringsurveying@outlook.com>  
**Sent:** Monday, December 23, 2024 3:04 PM  
**To:** Johnson, Melissa  
**Subject:** Fw: Fw: Taylor Farms Division - Mackey and 248th - RAILWAY ESTATES

**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

---

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

---

**From:** Dylan Ritter <dritter@lvcofd2.com>  
**Sent:** Monday, December 23, 2024 2:57 PM  
**To:** Joe Herring <herringsurveying@outlook.com>  
**Cc:** Steven Heath <Steven.Heath@evergy.com>; LVCO RWD10 <rwd10@leavenworthrwd10.com>; ryan.mccallister@evergy.com <ryan.mccallister@evergy.com>  
**Subject:** Re: Fw: Taylor Farms Division - Mackey and 248th - RAILWAY ESTATES

Leavenworth County Fire District #2 has no concerns with this lot division. However, it should be noted that information provided in this "Final Plat" shows no reference to the addition of fire hydrants in this area for the proposed subdivision. Please provide information that reflects the addition of any fire hydrants, if any are to be added. Preference being that a fire hydrant be located every 1000 feet of large lot divisions that result in sub 5 acre lots.

Thanks

On Mon, Dec 23, 2024 at 2:49 PM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:

If you have not sent service letters to me and Leavenworth County please do so - original request was November 24, 2024.

Thank you - Joe Herring

---

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

## Leavenworth County Request for Board Action

**Date:** March 20, 2025

**To:** Board of County Commissioners

**Cc:** Mark Loughry; Bill Noll; John Jacobson

**From:** Misty Brown

**Department Head Approval:** N/A

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Conduct a rehearing of the **amended** island annexation request and make a determination as to whether the annexation proposed by the City of Tonganoxie, Kansas, embodied by Resolution 02-24-01, **as amended**, will hinder the proper growth and development of the area. This determination is required under K.S.A. 12-520c(a)(3).

**Recommendation:** It is recommended that the Board rehear the matter and find that the proposed island annexation **does not** hinder the proper growth and development of the area..

**Analysis:** This matter comes back before the Board of County Commissioners for rehearing pursuant to an order issued by the Court on January 10, 2025. The timeline of events are as follows:

- The City initiated a proposed annexation of a part of the area eventually sought to be annexed by adopting City Resolution 10-23-03.
- The Board found that the annexation would hinder the proper growth and development of the area and denied the annexation on November 8, 2023.
- The City adopted Ordinance No. 1516 on November 20, 2023 which purported to annex the subject area, and the County challenged the validity of the ordinance as the ordinance was not brought before the County for consideration as required by statute.
- The City then adopted Resolution No. 01-24-01 on January 2, 2024 and sought County review of the proposed annexation.
- On January 31, 2024, the County considered Resolution No. 01-24-01 and found the proposed annexation would hinder the proper growth and development of the area.
- On February 5, 2024, the City adopted Resolution No. 02-24-01 seeking to annex the area.
- On April 3, 2024, the Board considered Resolution No. 02-24-01 but continued the matter to May 1, 2024 for discussion of a new road maintenance agreement to address concerns pertaining to the proposed annexation.
- On May 1, 2024, upon request, the Board continued consideration of the matter to May 15, 2024.
- On May 15, 2024, the Board continued the matter to June 12, 2024.
- On June 12, 2024, the Board considered Resolution No. 02-24-01 and found that the annexation would hinder the proper growth and development of the area due to unresolved concerns related to access, maintenance, and financial responsibilities for the roadways surrounding the area.
- The City appealed the matter, and a hearing was conducted in District Court on December 18, 2024. The Court found that Ordinance No. 1516 was valid and enforceable but remanded the matter back to the Board for rehearing.
- County staff and City staff met on March 13, 2025 to discuss the proposed annexation.

- The City has submitted an amended legal description of the area to be annexed along with a map of the proposed annexation site and a letter clarifying that they intend to annex to the centerline of all of 222<sup>nd</sup> street thereby satisfying the prior concerns that the County had in regard to access and maintenance obligations.

**Alternatives:** (1) Make the finding that the proposed annexation will hinder the proper growth and development of the area with a 2/3 majority vote; or (2) table the matter for future consideration to a date certain.

**Budgetary Impact: Cannot be determined at this time due to the issues discussed above.**

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

**Total Amount Requested: N/A**

**Additional Attachments:** (1) Copy of City Resolution No. 02-24-01; (2) amended legal description submitted by the City; (3) an amended map of the annexation area submitted by the City; and (4) a letter to the BOCC submitted by the City.



**CERTIFICATE**

I hereby certify that the foregoing resolution is a true and correct certified copy of Resolution 02-24-01 and that said resolution was approved on February 5, 2024 by the governing body of the City of Tonganoxie, Kansas.



Daniel Porter, Acting City Clerk

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**RESOLUTION NO. 02-24-01**

**THIRD RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS TO MAKE A FINDING THAT ANNEXATION OF CERTAIN REAL PROPERTY NOT ADJOINING THE PRIMARY BOUNDARY OF THE CITY OF TONGANOXIE, KANSAS WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR OF ANY OTHER INCORPORATED CITY LOCATED WITHIN LEAVENWORTH COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520c.**

**WHEREAS**, Robbins Acquisitions, Inc., a Kansas corporation ("RAI"), owns approximately 67.8 acres of land, part of which adjoins the southwestern city limits of the City of Tonganoxie, Kansas (the "City"), within the area generally bounded to the west by Chieftain Road (U.S. 24/40), to the north by Kansas Avenue, to the east by 222<sup>nd</sup> Street, and to the south by Honey Creek Road (County Road 1), as legally described on Exhibit A attached hereto and incorporated herein (the "RAI Land");

**WHEREAS**, Everygy Kansas Central, Inc., a Kansas corporation ("EKCI"), owns approximately 14.2 acres of land, as legally described on Exhibit A attached hereto and incorporated herein (the "EKCI Land", and collectively with the RAI Land, the "Land"), which EKCI Land adjoins the RAI Land;

**WHEREAS**, on March 30, 2023, RAI filed with the City Clerk a written Petition and Consent to Annexation (the "Initial Petition") for the EKCI Land, which Initial Petition indicated that RAI and EKCI had entered into an Option to Purchase Real Estate for the EKCI Land;

**WHEREAS**, on October 16, 2023, the City's Governing Body adopted Resolution No. 10-23-03 (the "First Resolution") requesting the Board of County Commissioners of Leavenworth County, Kansas (the "BOCC") to make certain findings required by K.S.A. 12-520c(a)(3) because the EKCI Land is located approximately 20 feet southwest of the City's corporate limits, and does not adjoin the City's boundary line;

**WHEREAS**, on October 17, 2023, the City Clerk filed a certified copy of the First Resolution with the BOCC;

**WHEREAS**, on November 8, 2023, the BOCC considered the First Resolution and a report prepared by County staff, and thereafter found and determined that the proposed annexation by the City of solely the EKCI Land would hinder or prevent the proper growth and development of the area because it would not fully annex into the City the road right of way of 222<sup>nd</sup> Street, would hinder the extension of public utilities to the area, and would not create a natural and logical boundary for the City, and the BOCC recommended that the proper growth and development of the area would best be served by the annexation of additional area to include the full road rights-of-way now maintained by the County for those roads adjoining the area;

**WHEREAS**, on November 14, 2023, RAI conveyed the EKCI Land to EKCI;

**WHEREAS**, on November 15, 2023, RAI filed with the City Clerk a written Petition and Consent to Annexation (the "RAI Petition") for the RAI Land, a copy of which RAI Petition is attached hereto as **Exhibit B** and incorporated herein;

**WHEREAS**, on November 17, 2023, EKCI filed with the City Clerk a written Petition and Consent to Annexation (the "EKCI Petition", and collectively with the RAI Petition, the "Amended Petitions") for the EKCI Land, a copy of which EKCI Petition is attached hereto as **Exhibit B** and incorporated herein;

**WHEREAS**, the Amended Petitions include the additional area that the BOCC recommended for annexation to best serve the proper growth and development of the area;

**WHEREAS**, on November 20, 2023, the City's Governing Body passed Ordinance No. 1516 to annex the Land pursuant to K.S.A. 12-520(a)(7), and the western half of the 222<sup>nd</sup> Street right-of-way along the area where the eastern half of 222<sup>nd</sup> Street is already within the City's corporate limits pursuant to K.S.A. 12-520(e);

**WHEREAS**, on November 29, 2023, a summary of Ordinance No. 1516 was published in the *Tonganoxie Mirror* pursuant to K.S.A. 12-3007;

**WHEREAS**, on December 1, 2023, the City Clerk sent certified copies of Ordinance No. 1516 to the County Clerk, Register of Deeds, BOCC, County Administrator and County Counselor pursuant to K.S.A. 12-522;

**WHEREAS**, thereafter, the BOCC and/or County staff: (i) questioned whether the City properly annexed the Land pursuant to K.S.A. 12-520(a)(7) because the Land adjoins other land that was annexed by the City pursuant to K.S.A. 12-520c, and K.S.A. 12-520c(b) states that "[n]o land adjoining any land annexed by any city under the provisions of this section shall be deemed to be adjoining the city for the purpose of annexation under any other act or section of this act until the adjoining land or the land annexed under this section shall adjoin the remainder of the city by reason of the annexation of the intervening territory"; and (ii) indicated that the BOCC would not recognize the annexation and directed County staff to take no action that will validate the annexation to avoid any potential future tax, election, zoning and law enforcement issues;

**WHEREAS**, the Land includes the additional area that the BOCC recommended for annexation, but for the avoidance of doubt, the City's Governing Body adopted Resolution No. 01-24-01 (the "Second Resolution") on January 2, 2024 to request the BOCC make the findings required by K.S.A. 12-520c(a)(3);

**WHEREAS**, on January 3, 2024, the City Clerk filed a certified copy of the Second Resolution with the BOCC, and the City Attorney also hand-delivered a certified copy of the Second Resolution to the BOCC;

**WHEREAS**, on January 31, 2024, the BOCC considered the Second Resolution and a report prepared by County staff, and thereafter found and determined that the annexation would hinder or prevent the proper growth and development of the area because of an apparent gap in the legal description that would exclude the western half of 222<sup>nd</sup>

Street right-of-way along the area where the eastern half of 222<sup>nd</sup> Street is already within the City's corporate limits; and

**WHEREAS**, the City's Governing Body has deemed it advisable to pass this third Resolution to clarify the annexation area and again request the BOCC to make the findings required by K.S.A. 12-520c(a)(3).

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:**

**Section 1.** The Governing Body has deemed it advisable to grant the Amended Petitions for annexation of the Land, along with certain road right-of-way, all as legally described on **Exhibit C** attached hereto and incorporated herein, and in accordance with the following findings:

(a) The Land is located within the same county as the City, and the owners of the Land filed petitions requesting the City to annex the Land (K.S.A. 12-520c(a)(1)-(2)).

(b) "As a guide in determining the advisability of such annexation," K.S.A. 12-520a(e) sets forth the following factors:

(i) Extent to which any of the area is land devoted to agricultural use – the Leavenworth County Appraiser classifies the RAI Land as agricultural, and the EKCI Land as utilities. The RAI Land is currently vacant and undeveloped, and the City is not aware of any pending development plans. The EKCI Land is currently vacant and undeveloped as well, but EKCI intends to construct an electrical substation to improve electric service in the southern portion of Leavenworth County. The County's Comprehensive Plan identifies the proposed future land use/zoning of the Land as Planned Mixed Use (MXD).<sup>1</sup>

(ii) Area of platted land relative to unplatted land – only the northern parcel of the RAI Land (approximately 51 acres) is unplatted. The

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<sup>1</sup> Leavenworth County Comprehensive Plan pp.10-12, 75-76, 89 (Figure 5.2), available at <https://files.leavenworthcounty.gov/Department/Planning%20&%20Zoning/Document%20Center/Comprehensive%20Plan%20Project/LVCO%20COMPREHENSIVE%20PLAN.pdf>. The County's Comprehensive Plan describes Mixed Use as follows:

The Mixed Use land use category includes existing and proposed areas for development retail, service, office, and industrial uses. Mixed Use is primarily designated along existing major corridors, including US 24/40 between Tonganoxie and Basehor, and as a way to introduce higher density development in areas of natural expansion for Basehor and Lansing. Mixed Use offers flexibility in density and land use. This category should provide for the daily needs of residents and visitors. Nodal development is an important consideration within this category; key interchanges and intersections within this category should be more densely developed. Given this land use category's proximity to major roadways, special consideration should be given to building design, access, parking, and landscaping, while minimizing any negative impacts on adjacent residential uses.

*Id.* at p.75.

remaining parcels of the RAI Land and the EKCI Land are currently platted. See legal descriptions on **Exhibit A** attached hereto.

(iii) Topography, natural boundaries, storm and sanitary sewers, drainage basins, transportation links or any other physical characteristics which may be an indication of the existence or absence of common interest of the city and the area proposed to be annexed – the Land is located west of the Tonganoxie Business Park ("TBP"), across 222<sup>nd</sup> Street. The City provides water and sanitary sewer utility services to the TBP, so these utilities are stubbed directly across the street from the Land. There are transportation links that connect the Land and the City, including: (A) U.S. 24/40, which bounds the Land to the west and runs through the City, east-west where U.S. 24/40 is also known as State Avenue, north-south where U.S. 24/40 is also known as West Street, and then northeast-southwest where U.S. 24/40 is also known as Chieftain Road; and (B) 222<sup>nd</sup> Street, which bounds the Land to the east and runs north-south from U.S. 24/40 (where U.S. 24/40 is also known as West Street) to I-70. As further evidence of the existence of a common interest of the City and the Land, the City and the County entered into Interlocal Agreements dated May 18, 2009 for (X) comprehensive and coordinated land use planning along certain portions of County Road 1; and (Y) City contribution of \$1,500,000 to County Road 1 improvements.

(iv) Extent and age of residential development in the area to be annexed and adjacent land within the city's boundaries – there is no existing residential development on the Land, but there is an existing residence on one parcel that adjoins the Land (which is not part of this annexation). There are residences on parcels across Chieftain Road (U.S. 24/40) to the west of the Land, and across 222<sup>nd</sup> Street to the southeast of the Land. The TBP is across 222<sup>nd</sup> Street to the east of the Land.

(v) Present population in the area to be annexed and the projected population growth during the next five years in the area proposed to be annexed – the Land currently has no population, but the Land presents opportunities for growth and development of the City due to its location and economic development activities within the TBP across 222<sup>nd</sup> Street to the east of the Land.

(vi) Extent of business, commercial and industrial development in the area – the Land is located west of the TBP, across 222<sup>nd</sup> Street. Within the TBP, the Unilock landscape design and paver business opened in 2018, the new Hill's Pet Nutrition facility opened in the fall of 2023, and a new DSM Nutritional Products facility is currently under construction and anticipated to open by the end of 2025.

(vii) Present cost, methods and adequacy of governmental services and regulatory controls in the area – as indicated above, City water

and sanitary sewer services are stubbed directly across 222<sup>nd</sup> Street from the Land, and EKCI intends to construct an electrical substation on the EKCI Land. The City has adequate governmental services and regulatory controls in the area.

(viii) Proposed cost, extent and the necessity of governmental services to be provided by the city proposing annexation and the plan and schedule to extend such services – as indicated above, City water and sanitary sewer services are stubbed directly across 222<sup>nd</sup> Street from the Land, and EKCI intends to construct an electrical substation on the EKCI Land. Any cost to the City to extend governmental services to the Land would be minimal.

(ix) Tax impact upon property in the city and the area – because the majority of the Land is classified for agricultural use, other than the EKCI Land which is classified for utilities, tax revenue available to the City will be minimal. Tax revenue is subject to change if the Land is rezoned and developed.

(x) Extent to which the residents of the area are directly or indirectly dependent upon the city for governmental services and for social, economic, employment, cultural and recreational opportunities and resources – as indicated above, there are currently no residents on the Land.

(xi) Effect of the proposed annexation on the city and other adjacent areas, including, but not limited to, other cities, sewer and water districts, improvement districts, townships or industrial districts and, subject to the provisions of K.S.A. 12-521a, and amendments thereto, fire districts – the Land is not included within any sewer or water district, improvement district, industrial district, or fire district. Other than the City, there are no townships or other cities near the Land. Annexation of the Land will improve electric service to the City and the southern portion of the County by way of the electrical substation proposed by EKCI.

(xii) Existing petitions for incorporation of the area as a new city or for the creation of a special district – there are no existing petitions for incorporation of the Land as a new city or special district.

(xiii) Likelihood of significant growth in the area and in adjacent areas during the next five years – development within the TBP could spur additional growth and development in surrounding areas, including the Land.

(xiv) Effect of annexation upon the utilities providing services to the area and the ability of those utilities to provide those services shown in the detailed plan – pursuant to K.S.A. 12-520b(c), the City is not required to develop a detailed plan for extension of utility service because the owners

of the Land submitted petitions to the City requesting annexation. As indicated above, however, City water and sanitary sewer services are stubbed directly across 222<sup>nd</sup> Street from the Land, and EKCI intends to construct an electrical substation on the EKCI Land. Annexation will improve utility service to the Land, and development of the intended electrical substation will improve electrical utility service to the southern portion of Leavenworth County.

(xv) Economic impact on the area – annexation will improve utility service to the Land, and EKCI's development of its intended electrical substation will improve electrical utility service to the southern portion of Leavenworth County. As noted above, development within the TBP could spur additional growth and development in surrounding areas, including the Land.

(xvi) Wasteful duplication of services – the City is not aware of any potential wasteful duplication of services as the Land is currently vacant and undeveloped.

**Section 2.** The Governing Body, having deemed it advisable to annex the Land, hereby respectfully requests the BOCC to find and determine that such annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within the County, pursuant to K.S.A. 12-520c(a)(3). The Governing Body further respectfully requests the BOCC to make the requested findings within 30 days following receipt of a certified copy of this Resolution.

**Section 3.** The City Clerk is hereby directed to file a certified copy of this Resolution with the BOCC.

**Section 4.** The City Manager and other officials and representatives of the City, including the City Attorney, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**Section 5.** This Resolution shall be effective upon adoption by the Governing Body.

*[Remainder of page intentionally left blank; signature page follows.]*

ADOPTED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE,  
KANSAS, AND APPROVED BY THE MAYOR ON FEBRUARY 5, 2024.

SEAL



David Frese, Mayor

ATTEST:

Daniel Porter, Acting City Clerk



**EXHIBIT A**

**Legal Description – Land\***

**RAI Land**

Lots 1 and 4, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision, Leavenworth County, Kansas.

and

All that part of the North Half of Section 20, Township 11 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas, lying South and East of the East right-of-way of U.S. Highway 24-40, less any part thereof taken or used for road purposes.

**EKCI Land**

Lot 3, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision, Leavenworth County, Kansas.

*\*These legal descriptions are from the deeds that vest title in each property owner.*

**EXHIBIT B**

**RAI Petition and EKCI Petition**

*[Attached on following pages.]*

**PETITION AND CONSENT TO ANNEXATION  
INTO THE CITY OF  
TONGANOXIE, KANSAS**

To: The Governing Body of the City of Tonganoxie, Kansas

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Tonganoxie, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A.

Property Owner of Record: Robbins Acquisitions Inc.  
495 Navajo Ln W. Lake Quivira, KS 66217  
Address of Owner: \_\_\_\_\_

Property Owner signature: [Signature]  
(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

STATE OF KANSAS)  
LEAVENWORTH COUNTY)

BE IT REMEMBERED, that on this 15 day of November,  
2023, before me, the undersigned, a Notary Public in and for the County and State  
aforesaid, came Benjamin Robbins, who are/is personally known to me to be the  
same person(s) who executed the above Petition, and such person(s) duly  
acknowledged the execution of the same to be their free and voluntary act and deed.

[Signature]  
Notary Public



9-16-24  
My Commission Expires

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**S20, T11, R21E, ACRES 51.01, PT OF THE NE1/4, LYING E OF CHEIFTAIN RD Deed Book/Page 09 1/2310 09  
1/1207 0652/0010 0652/0008 0652/0006 0654/0004 0650/1663 0637/0082 0598/1212 0546/0547**

**HARMAN FARMS REPLAT, S20, T11, R21E, Lot 4, ACRES 10.6**

**HARMAN FARMS REPLAT, S20, T11, R21E, Lot 1, ACRES 6.23**

**PETITION AND CONSENT TO ANNEXATION  
INTO THE CITY OF  
TONGANOXIE, KANSAS**

To: The Governing Body of the City of Tonganoxie, Kansas

The undersigned owners of record of the following described tract of real property hereby petition the Governing Body of the City of Tonganoxie, Kansas (the "City") to annex such land to the City pursuant to the laws of the State of Kansas. The land to be annexed is legally described in Attachment A, which is attached to this petition and incorporated by reference as if fully set forth herein.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Attachment A.

Property Owner of Record: Evergy Kansas Central, Inc.

Address of Owner: 818 S Kansas Ave, Topeka, KS 66612

Property Owner signature: *Jessica Kock*  
(If property is owned by married couple, both must sign. If corporate or partnership entity holds title, please note authority to execute petition.)

STATE OF KANSAS)  
LEAVENWORTH COUNTY)

BE IT REMEMBERED, that on this 17<sup>th</sup> day of November,  
2023, before me, the undersigned, a Notary Public in and for the County and State  
aforesaid, came Jessica Kock, who are/is personally known to me to be the  
same person(s) who executed the above Petition, and such person(s) duly  
acknowledged the execution of the same to be their free and voluntary act and deed.



*Sarah Gould*

*Petition And Consent To Annexation Into The City Of Tonganoxie, Kansas*

**Attachment A**

Lot 3, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision, Leavenworth County, Kansas



## **EXHIBIT C**

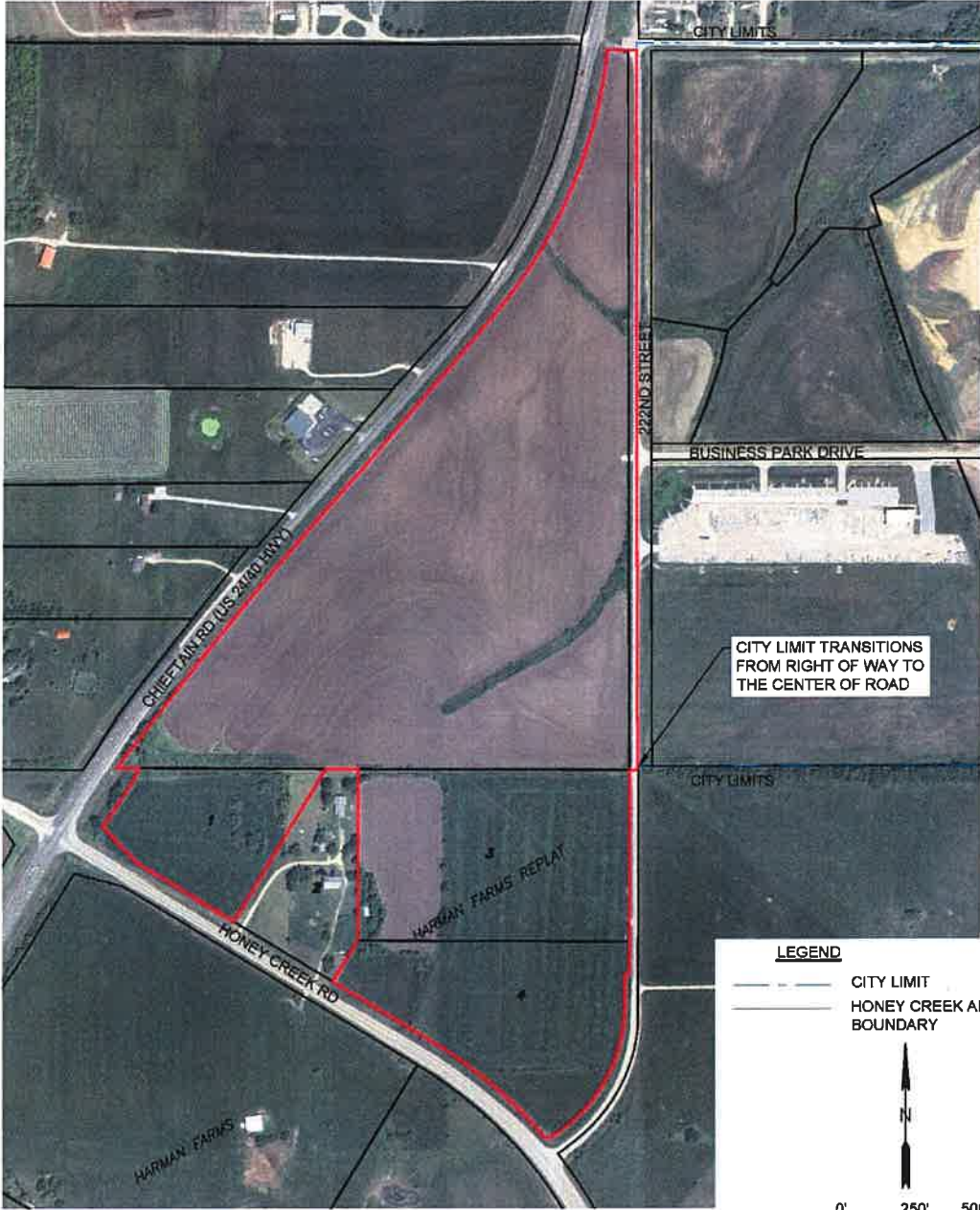
### **Legal Description – Annexation Area**

Lots 1, 3 and 4, Harman Farms Replat, a replat of Lots 6, 7, and 8, Harman Farms Subdivision, Leavenworth County, Kansas.

and

All that part of the North Half of Section 20, Township 11 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas, lying South and East of the East right-of-way of U.S. Highway 24-40, less any part thereof taken or used for road purposes except for the adjacent right-of-way to the centerline of 222<sup>nd</sup> Street along the eastern boundary of this tract for a north-south distance of approximately 2,644 feet.

*[See map attached on following page.]*



	CITY OF TONGANOXIE, KS	
	COUNTY	PROJECT NO: 24-1001L
	LEAVENWORTH	DATE: 03/01/2024



March 20, 2025

Board of County Commissioners of Leavenworth County, Kansas  
300 Walnut Street  
Leavenworth, Kansas 66048

Re: Rehearing of Annexation Findings under K.S.A. 12-520c – Clarification of Annexation Area.

Dear Commissioners:

We represent the City of Tonganoxie, Kansas, and write to you on the City's behalf regarding the upcoming March 26, 2025 rehearing of statutory annexation findings in connection with the City's Resolution No. 02-24-01.

City and County staff met on March 13, 2025 to discuss the rehearing and the parties' goals. Following that meeting, the City prepared the attached updated legal description and map of the annexation area (Exhibit C of Resolution No. 02-24-01), to make clear that the annexation includes the western half of 222<sup>nd</sup> Street from Kansas Avenue to Honey Creek Road.

City representatives will appear at the rehearing to answer any questions. Thank you for your time and consideration.

Sincerely,

**Stinson LLP**



Anna M. Krstulic

AMK:

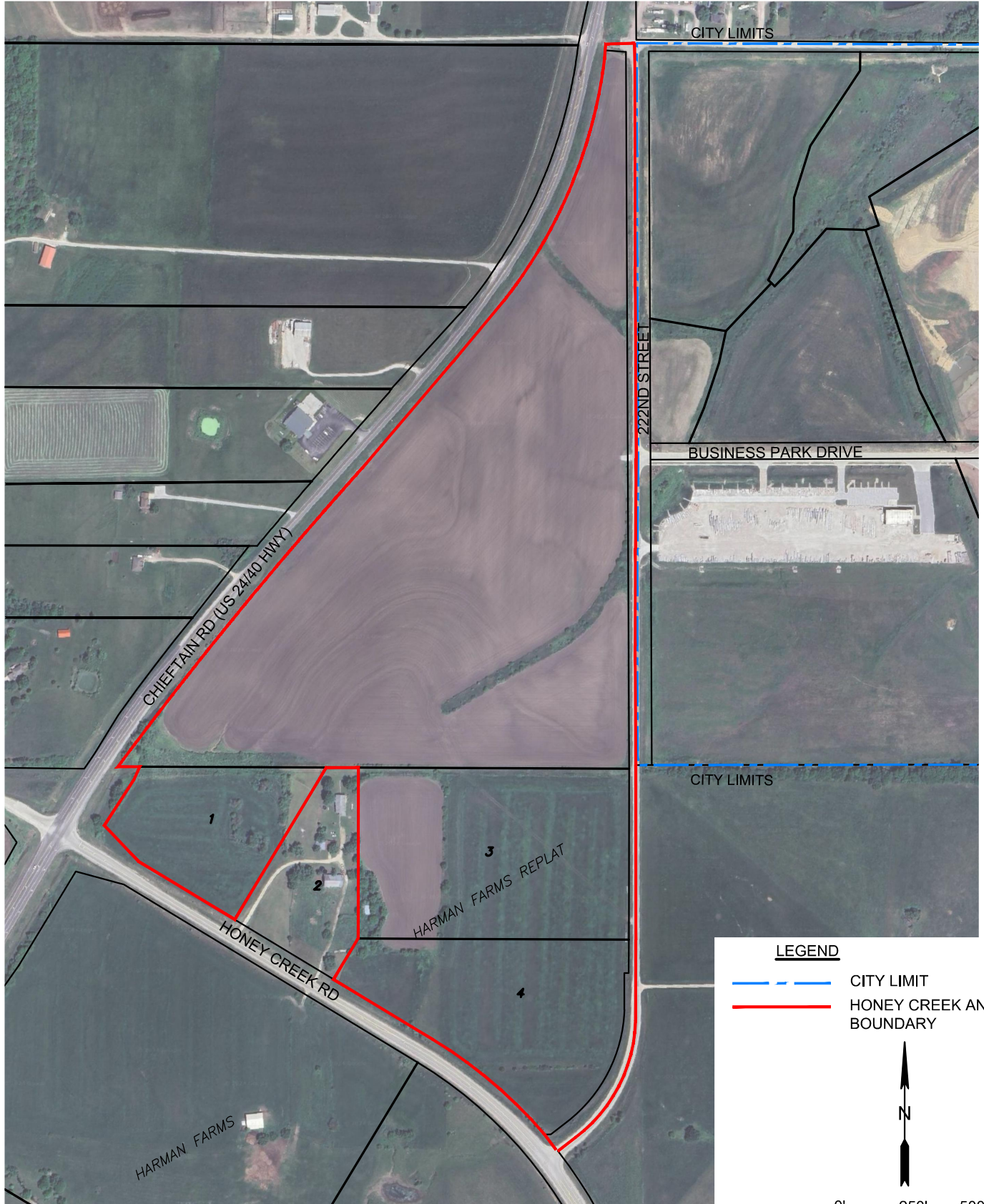
**HONEY CREEK ANNEXATION**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE 6th P.M., LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON APRIL 8, 2024, AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 20; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 SOUTH TO THE EAST QUARTER CORNER OF SAID SECTION 20 OF SAID SECTION 20; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 WEST TO THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 24-40; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID US HIGHWAY 24-40 NORTHEASTERLY TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 EAST TO THE POINT OF BEGINNING.

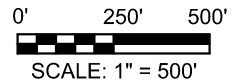
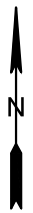
AND

LOTS 1, 3, AND 4, HARMAN FARMS REPLAT, LEAVENWORTH COUNTY, KANSAS, INCLUDING THAT PORTION OF 222<sup>ND</sup> STREET RIGHT OF WAY SHOWN ON SAID HARMAN FARMS REPLAT AND EXCEPTING THEREFROM THE RIGHT OF WAY FOR U.S. HIGHWAY 24-40 AND EXCEPTING THEREFROM THE RIGHT OF WAY OF HONEY CREEK ROAD.



**LEGEND**

- CITY LIMIT
- HONEY CREEK ANNEX BOUNDARY



CITY OF TONGANOXIE, KS



COUNTY  
LEAVENWORTH

PROJECT NO: 24-1001L  
DATE: 03/20/2025

**FINDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LEAVENWORTH, KANSAS MADE PURSUANT TO THE PROVISIONS OF K.S.A. 12-520c AND RELATING TO RESOLUTION NO 2-24-01 OF THE CITY OF TONGANOXIE KANSAS.**

**NOW ON THIS 26<sup>th</sup> DAY OF MARCH, 2025**, during a regularly scheduled meeting, the Board of County Commissioners of the County of Leavenworth, Kansas (“Board”) did consider Resolution No. 2-24-01 of the City of Tonganoxie, Kansas (“City”) for the purpose of making the findings required by K.S.A. 12-520c relating to the proposed annexation of land by the City.

**WHEREUPON**, the Board reviewed information by county staff regarding the question of whether the proposed annexation would hinder or prevent the proper growth and development of the area. The board also considered information and testimony presented on behalf of the city. Upon consideration of the information provided and discussion of the topic by the members of the board, the following findings were made:

1. The City’s amended proposal including the annexation of all of 222<sup>nd</sup> street to the centerline satisfies the prior concerns that the County had in regard to access and maintenance obligation.
2. The amended proposal also satisfies the County’s prior concerns surrounding how road access is gained and when or by whom necessary maintenance and future roadway improvements.
3. That based on the totality of the record, the proposed annexation will not hinder or prevent the proper growth and development of the area.

**SO FOUND THIS 26<sup>th</sup> DAY OF JUNE, 2025**

BOARD OF COUNTY COMMISSIONERS  
OF LEAVENWORTH COUNTY, KANSAS

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Mike Smith, CHAIR

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Jeff Culbertson, MEMBER

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Vanessa Reid, MEMBER

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Willie Dove, MEMBER

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Mike Stieben, MEMBER

ATTEST:

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Fran Keppler, CLERK

**Leavenworth County  
Request for Board Action**

**Date:** March 20, 2025

**To:** Board of County Commissioners

**Cc:** Mark Loughry, County Administrator; Misty Brown County Counselor

**From:** Jon Khalil, Deputy County Counselor

**Department Head Approval:** N/A

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Consideration of a Resolution authorizing the County to enter into an agreement with High Prairie Township for the provision of fire protection services within High Prairie Township beginning April 1, 2025.

**Recommendation:** Approval of the resolution

**Analysis:** This is an agreement between Fire District No. 1 and High Prairie Township under which the High Prairie Township Fire Department, will provide fire protection services at its own cost, to High Prairie Township beginning on April 1, 2025. In order to enter into this agreement, the attached Resolution directing the Chair to sign the agreement on behalf of the Board of County Commissioners must be adopted. The attached Resolution and Agreement would become effective on April 1, 2025 after the Resolutions Passage and Approval.

**Alternatives:** 1) Decline to alter the boundaries of Fire District No. 1; 2) Table the matter for further study.

**Budgetary Impact:**

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

**Total Amount Requested:** Incidental publication costs

**Additional Attachments:**

Resolution  
Agreement

**AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF  
LEAVENWORTH COUNTY, KANSAS AS THE GOVERNING BODY OF FIRE  
DISTRICT NO. 1 AND HIGH PRAIRIE TOWNSHIP, KANSAS FOR INTERIM FIRE  
PROTECTION SERVICES IN HIGH PRAIRIE TOWNSHP.**

THIS AGREEMENT (“Agreement”) is made and entered into on the \_\_\_\_ day of March, 2025 between the Board of County Commissioners of Leavenworth County, Kansas (“County”) as the governing body of Fire District No. 1 and High Prairie Township, Kansas (“High Prairie”).

WHEREAS, Fire District No. 1 was formed in 2003 by the County under K.S.A. 19-3601 *et. seq.*, the Fire Protection Act; and

WHEREAS, Fire District No. 1 is currently comprised of the City of Lansing, Delaware Township and High Prairie Township, although petitions have been submitted to remove all three entities from the boundaries of Fire District No. 1; and

WHEREAS, the County, High Prairie Township, the City of Lansing and Delaware Township entered into an Interlocal agreement which delegated all the governing powers of Fire District No. 1 to a board of trustees. The board of trustees set forth the terms and conditions governing the joint operation and management of the Fire District; and

WHEREAS, the Interlocal Agreement was terminated and ended on December 31, 2024; and

WHEREAS, the County became the governing body of Fire District No. 1 under K.S.A. 19-3601 on January 1, 2024; and

WHEREAS, High Prairie Township formed its own township fire department on March 6, 2025 pursuant to K.S.A. 80-1919 *et. seq.* and intends to begin providing fire protection activities on April 1, 2025; and

WHEREAS, High Prairie Township Fire Department is willing and able to provide or cause to be provided fire protection within its geographic boundaries and provide for the use, operation, care and operation of any fire apparatus or equipment belonging to High Prairie Fire Department.

NOW THEREFORE, in consideration of the above recitals, mutual covenants, and agreements herein contains, and now AGREE as follows:

1. PURPOSE AND EFFECT. The parties hereto enter into this Agreement for the purpose of formalizing the parties’ agreement to temporarily fulfill the legal obligation of Fire District No. 1 to provide fire-protection services within High Prairie until the County has

taken formal action on the pending petition to exclude High Prairie from the boundaries of said Fire District No. 1.

2. **TERM.** This Agreement shall remain in full force and effect beginning April 1, 2025 and terminating at the end of the day on December 31, 2025 or when High Prairie is no longer part of Fire District No. 1, whichever occurs first.
3. **FIRE PROTECTION SERVICES.** In consideration of the County taking formal action to remove High Prairie from Fire District No. 1, during the Term of this Agreement, High Prairie will utilize its assets, including its vehicles, fire station, and necessary firefighting equipment and fund the provision of fire protection services, including compensation for any of its employees or volunteer firefighters, to provide or cause to be provided fire protection services within High Prairie as legally required for Fire District No. 1. By undertaking to fulfill the statutory obligation of uninterrupted fire service in High Prairie until the Fire District No. 1 boundaries are changed, High Prairie is not agreeing to any terms or conditions as to funding of the County's previous contract with the City of Lansing which became effective January 1, 2025. All equipment, facilities and funds currently utilized by High Prairie are, and will remain, the exclusive property of High Prairie and not assets of Fire District No. 1.
4. **DELIVERABLES.** During the term of this Agreement, High Prairie Township will fulfill the Fire District No. 1 legal obligation to maintain fire protection services within High Prairie Township, consistent with applicable National Fire Protection Association standards for volunteer fire departments, including but not limited to standards 1720, 1730 and 1010, and as authorized by K.S.A. 80-1919 *et seq.*
5. **JOINT COOPERATION.** The County and High Prairie agree and covenant to cooperate and assist each other in order that both may better serve their respective constituents and customers.
7. **PLACING AGREEMENT IN FORCE.** The attorneys for the County and High Prairie shall cause the Agreement to be executed by the County and High Prairie and submitted before the governing bodies of each for approval. Each party shall receive a duly executed copy of this Agreement for their official records
8. **GOVERNING LAW.** This Agreement is subject to, governed by, and construed according to the laws of the State of Kansas.
9. **COMPLIANCE WITH LAW.** Each party shall comply with all applicable local, state, and federal laws and regulations in carrying out this Agreement, regardless of whether those legal requirements are specifically referenced in this Agreement.



10. **MODIFICATION OF AGREEMENT.** This Agreement may be modified or amended only in writing executed by both parties and will be subject to renegotiation in the event of changes to applicable law, rules, or regulations affecting the subject matter of this Agreement.
11. **CASH BASIS LAW.** This Agreement is subject to the Kansas Cash Basis Law, K.S.A. 10-1101 et seq. and amendments thereto. Any automatic renewal of the terms of the Agreement shall create no legal obligation on the part of the County or High Prairie. This Agreement shall be construed and interpreted so as to ensure that both entities shall at all times stay in conformity with such laws and, as a condition of this Agreement, both parties reserve the right to unilaterally sever, modify, or terminate this Agreement at any time if, in the opinion of its legal counsel, the Agreement is deemed to violate the terms of such law.
12. **TERMINATION.** Either party may terminate this agreement in whole or in part, for cause or convenience upon seven (7) months written notice to the other party. However, the parties may mutually agree to a shorter notice period to accommodate specific budgetary requirements of either party. The terminating party shall give written notice of the termination and the reasons therefore to the other party specifying the part of the agreement terminated and when termination becomes effective. This Agreement is intended only to provide for meeting the statutory obligations of Fire District No. 1 to provide continued fire service within High Prairie, until such time as the County modifies the boundaries of Fire District No. 1 to exclude High Prairie, and terminates immediately upon High Prairie being excluded from Fire District 1.
13. **INDEMNIFICATION.** To the extent permitted by law and without waiving any of the immunities set forth in K.S.A. 75-6101, *et seq.*, the Kansas Tort Claims Act, High Prairie shall at all time save and hold harmless the County from all liability, costs, damages, and expenses of any kind of which the County may become liable to any person, firm, or corporation by reason of any claim or damages associated with providing or failing to provide fire protection services within Fire District No. 1. To the extent permitted by law and without waiving any of the immunities set forth in K.S.A. 75-6101, *et seq.*, the Kansas Tort Claims Act, the County shall at all time save and hold harmless High Prairie from all liability, costs, damages, and expenses of any kind of which High Prairie may become liable to any person, firm, or corporation by reason of any claim or damages to the extent caused by any wrongful act or omission on the part of the County, its employees, or officials.
14. **MISCELLANEOUS.** Nothing in Agreement shall be construed to authorize third parties to seek recovery as third-party beneficiaries of this Agreement or in any other capacity. Notwithstanding any other provision of this Agreement, the County and High Prairie reserve any and all rights under law or equity available to the County and High Prairie.

15. ASSIGNMENT. The parties shall not assign this Agreement to a third party without the other party's prior written consent.
16. COMPLIANCE WITH FUTURE LAWS. This Agreement is made subject to any and all State statutes now in effect, or that may hereafter take effect, that relate to and affect the subject matter of this Agreement, during the time the same is in effect.
17. SEVERABILITY. If any section, sentence, clause or phrase of this Agreement is found to be invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining provision of this Agreement.
18. AUTHORITY TO CONTRACT. Each of the person executing this Agreement, on behalf of their respective parties, represents and warrants that said person has authority to bind the party on behalf of who said person has executed this Agreement, and that all acts required and necessary for authorization to enter into and to execute this Agreement have been completed.

Adopted this \_\_\_\_ day of March, 2025 Board  
of County Commission  
Leavenworth, County, Kansas

\_\_\_\_\_  
Mike Smith, Chairman

Attest:

\_\_\_\_\_  
Fran Keppler, Leavenworth County Clerk

(Seal)

Approved as to form:

\_\_\_\_\_  
Misty Brown County Counselor

HIGH PRAIRIE TOWNSHIP

By: \_\_\_\_\_  
Brian Kellogg, Trustee

Attest:

\_\_\_\_\_  
Roberta Ready, Clerk

(Seal)

Approved as to form:

\_\_\_\_\_  
Eric Weslander

PUBLICATION: \_\_\_\_\_

RESOLUTION NO. 2025-10

**A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, AS THE GOVERNING BODY OF FIRE DISTRICT NO. 1 AND HIGH PRAIRIE TOWNSHIP FOR THE PROVISION OF FIRE PROTECTION SERVICES TO HIGH PRAIRIE TOWNSHIP.**

**WHEREAS**, Rural Fire District No. 1 of Leavenworth County, Kansas (“Fire District No. 1”) was formed in 2003 by the Board of County Commissioners of Leavenworth County, Kansas (“County”) under K.S.A. 19-3601 *et. seq.*, the Fire Protection Act; and

**WHEREAS**, The Fire District No. 1 is comprised of the City of Lansing, Delaware Township, and High Prairie Township; and

**WHEREAS**, the County, the City of Lansing, Delaware Township and High Prairie Township all entered into an Interlocal Agreement under K.S.A. 12-2901, *et. seq.*, the Interlocal Cooperation Act; and

**WHEREAS**, the County delegated all of the governing powers of Fire District No. 1 to a board of trustees in the Interlocal Agreement under K.S.A. 12-3612a; and the Interlocal Agreement set forth the terms and conditions governing the joint operation and management of the Fire District; and

**WHEREAS**, the Interlocal Agreement was terminated on December 31, 2024; and

**WHEREAS**, the County became and constituted the governing body of Fire District No. 1 under K.S.A. 19-3601 on January 1, 2025; and

**WHEREAS**, the County, to ensure the provision of adequate fire protection services within the boundaries of Fire District No. 1 after December 31, 2024, entered into a contract with the City of Lansing to provide fire protection services within the boundaries of Fire District No. 1 for a period of one year; and

**WHEREAS**, K.S.A. 12-2908, entitled Contracts between Municipalities authorizes the parties to cooperate in public functions; and

**WHEREAS**, K.S.A. 19-3608, entitled Agreements with Cities or Townships for Fire Protection Services, specifically authorized the County and the City of Lansing to enter into agreement for fire protection services; and

**WHEREAS**, K.S.A. 19-3604(b) sets forth the process for the alteration of a fire district; and

**WHEREAS**, High Prairie Township formed their own township fire department on March 6, 2025 pursuant to K.S.A. 808-1919 *et. seq.* and intends to begin providing fire

protection services within the geographic boundaries of High Prairie Township on April 1, 2025;  
and

**WHEREAS**, High Prairie is willing and able to provide or cause to be provided fire protection services within its geographic boundaries and provide for the use, operation, care and maintenance of any fire apparatus or equipment belonging to High Prairie or the Fire District;  
and

**WHEREAS**, the Fire District has determined that it is in the public interest to establish a revised one (1) year plan for fire protection services in High Prairie.

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

1. That the Chair of the Board of County Commissioners of Leavenworth County, Kansas is hereby authorized and directed to execute in the name of the County the attached Agreement between the County, as the governing body of Fire District No. 1., and High Prairie Township for the provision of fire protection services to High Prairie Township.
2. That the County Administrator and other County staff are directed to take any action required and to execute any instruments necessary to satisfy the intent of this Resolution.
3. That this Resolution and the Agreement shall take effect and be in full force on April 1, 2025.

ADOPTED the 26th day of March, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF LEAVENWORTH COUNTY, KANSAS

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Mike Smith, CHAIR

---

Jeff Culbertson, MEMBER

---

Vanessa Reid, MEMBER

---

Willie Dove, MEMBER

---

Mike Stieben, MEMBER

ATTEST:

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Fran Keppler, CLERK

**Leavenworth County  
Request for Board Action**

**Date:** March 20, 2025

**To:** Board of County Commissioners

**Cc:** Mark Loughry, County Administrator

**From:** Misty Brown, County Counselor

**Department Head Approval:** N/A

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Consideration of a Resolution to alter the boundaries of Rural Fire District No. 1 of Leavenworth County, Kansas (hereinafter “Fire District No.1”) by the detaching High Prairie Township from Fire District No. 1.

**Recommendation:** Consideration of a Resolution (attached) detaching High Prairie from Fire District No. 1.

**Analysis:**

- Fire District No. 1 was formed in 2003 by the Board of County Commissioners of Leavenworth County, Kansas (“County”) and is comprised of the City of Lansing, Delaware Township, and High Prairie Township.
- The County, the City of Lansing, Delaware Township and High Prairie Township all entered into an Interlocal Agreement, and the County delegated all of the governing powers of Fire District No. 1 to a board of trustees to govern the joint operation and management of the Fire District No. 1.
- No mills were levied by the board of trustees in 2024 to support the operation of Fire District No. 1 in 2025.
- The Interlocal Agreement was terminated on December 31, 2024, and the County became the governing body of Fire District No. 1 on January 1, 2025.
- The County was required to arrange for the provision of fire protection services within Fire District No. 1 and entered into a contract with the City of Lansing to provide fire protection services within the boundaries of Fire District No. 1 for a period of one year.
- On February 6, 2025 the County received a sufficient petition from High Prairie Township for the alteration of the boundaries of Fire District No. 1 by detaching and excluding High Prairie Township from Fire District No. 1.
- K.S.A. 19-3604 provides that the Board of County Commissioners may adopt and publish a resolution attaching or detaching the lands described from the fire district upon a sufficient petition to the Board of County Commissioners.

- The resolution and map showing the territory of the district and the lands proposed to be detached therefrom shall be published once each week for two consecutive weeks in the official County newspaper.
- Unless a protest petition signed by the owners of 19% of the area of lands sought to be excluded from Fire District No. 1 is filed with the County Clerk within 30 days after the last publication of the resolution and map, the resolution shall become final, and the lands shall be deemed attached to or detached from the fire district.
- The board shall then declare the new boundary of the district by the adoption and publication of a resolution in like manner as the boundaries were declared at the time of the original organization of Fire District No. 1.

**Alternatives:** 1) Decline to alter the boundaries of Fire District No. 1; 2) Table the matter for further study.

**Budgetary Impact:**

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

**Total Amount Requested:** Incidental publication costs

**Additional Attachments:**

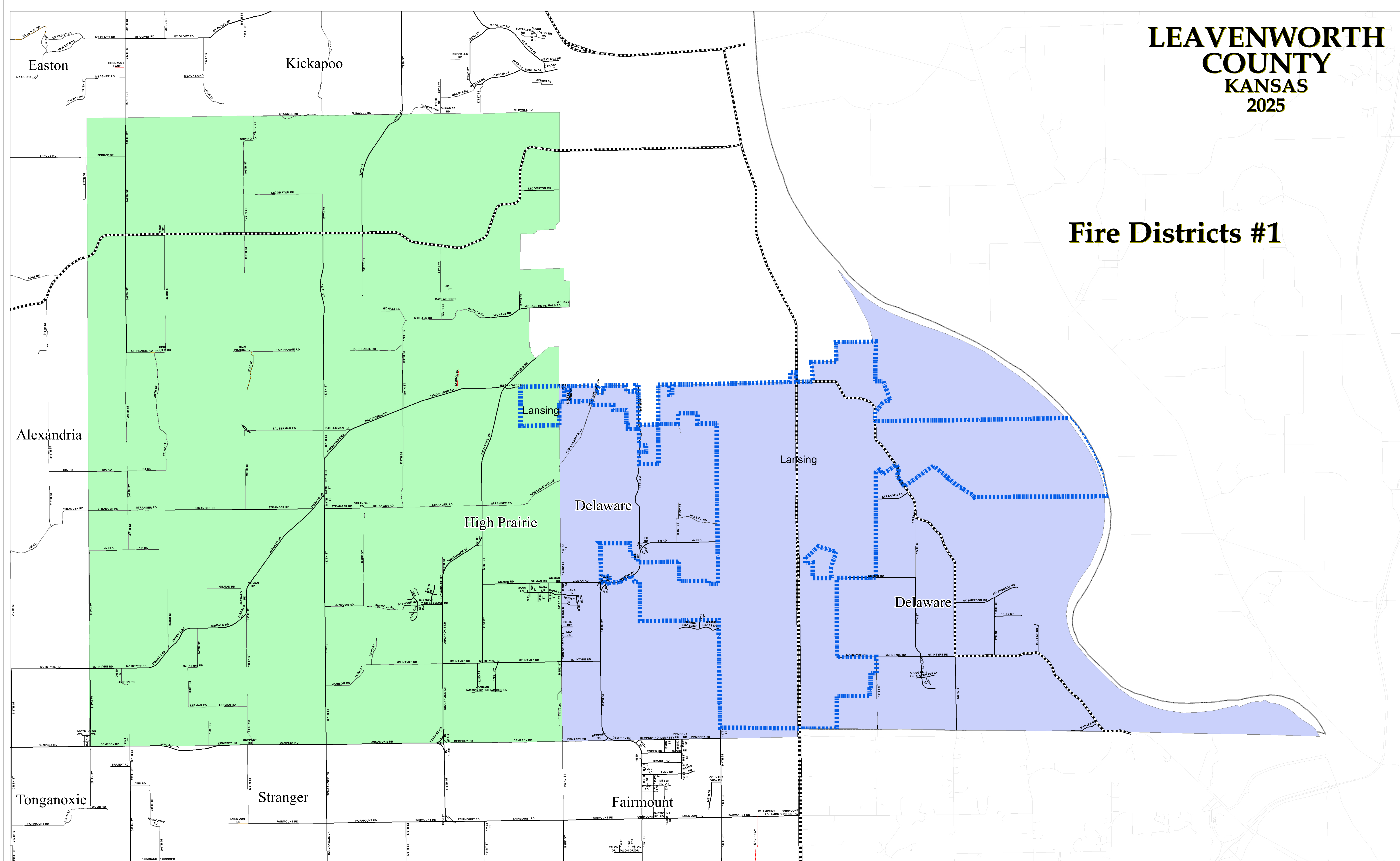
Resolution



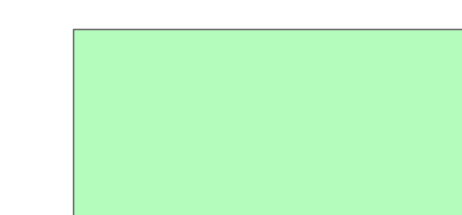
Map








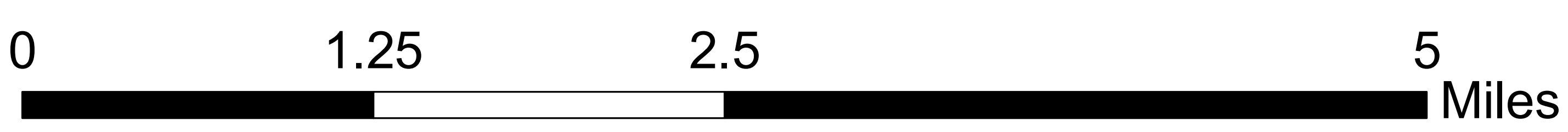
# LEAVENWORTH COUNTY KANSAS 2025

## Fire Districts #1



-  **City of Lansing**
-  **Delaware Township**
-  **High Prairie Township**

- Legend**
-  State Maintained
  -  GRAVEL
  -  HARD SURFACE
  -  MINIMUM
  -  PRIVATE



Leavenworth County  
GIS Services  
300 Walnut Suite 030  
Leavenworth, KS 66048  
Ph: 913-758-6780  
Ph: 913-684-0443



PUBLICATION: \_\_\_\_\_

RESOLUTION NO. 2025-12

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
LEAVENWORTH KANSAS REGARDING THE ALTERATION OF THE  
BOUNDARIES OF RURAL FIRE DISTRICT NO. 1 OF LEAVENWORTH COUNTY,  
KANSAS BY THE DETACHMENT OF HIGH PRAIRIE TOWNSHIP**

**WHEREAS**, Rural Fire District No. 1 of Leavenworth County, Kansas (“Fire District No. 1”) was formed in 2003 by the Board of County Commissioners of Leavenworth County, Kansas (“County”) under K.S.A. 19-3601 *et. seq.*, the Fire Protection Act; and

**WHEREAS**, The Fire District No. 1 is comprised of the City of Lansing, Delaware Township, and High Prairie Township; and

**WHEREAS**, the County, the City of Lansing, Delaware Township and High Prairie Township all entered into an Interlocal Agreement under K.S.A. 12-2901, *et. seq.*, the Interlocal Cooperation Act; and

**WHEREAS**, the County delegated all of the governing powers of Fire District No. 1 to a board of trustees in the Interlocal Agreement under K.S.A. 12-3612a; and the Interlocal Agreement set forth the terms and conditions governing the joint operation and management of the Fire District; and

**WHEREAS**, the Interlocal Agreement was terminated on December 31, 2024; and

**WHEREAS**, the County became and constituted the governing body of Fire District No. 1 under K.S.A. 19-3601 on January 1, 2025; and

**WHEREAS**, the County, to ensure the provision of adequate fire protection services within the boundaries of Fire District No. 1 after December 31, 2024, entered into a contract with the City of Lansing to provide fire protection services within the boundaries of Fire District No. 1 for a period of one year; and

**WHEREAS**, K.S.A. 12-2908, entitled Contracts between Municipalities authorizes the parties to cooperate in public functions; and

**WHEREAS**, K.S.A. 19-3608, entitled Agreements with Cities or Townships for Fire Protection Services, specifically authorized the County and the City of Lansing to enter into agreement for fire protection services; and

**WHEREAS**, K.S.A. 19-3604(b) sets forth the process for the alteration of a fire district; and

**WHEREAS**, on February 6, 2025 the County received a sufficient petition from High Prairie Township pursuant to K.S.A. 19-3604(b)) for the alteration of the boundaries of Fire District No. 1 by detaching and excluding High Prairie Township from Fire District No. 1; and

**WHEREAS**, the Board of County Commissioners may adopt and publish a resolution attaching or detaching the lands described from the fire district upon sufficient petition to the Board of County Commissioners.

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

1. High Prairie Township submitted a petition for the exclusion of High Prairie Township from Rural Fire District No. 1 of Leavenworth County, Kansas; and
2. The petition submitted by High Prairie Township has been signed by the owners of at least 10% of the area of the lands sought to be excluded from Fire District No. 1; and
3. The petition submitted by High Prairie Township conforms as nears as may be possible to the petition required for the organization of the fire district; and
4. That High Prairie Township established a township fire department pursuant to K.S.A. 80-1919 *et seq.* on March 6, 2025 to provide fire protection services to High Prairie Township; and
5. That High Prairie Township is hereby detached and removed from the boundaries of Rural Fire District No. 1 Leavenworth County, Kansas; and
6. That this Resolution shall be published once each week for two consecutive weeks in the official County paper, the *Leavenworth Time*; and
7. The County Administrator and other County staff are authorized and directed to prepare and publish the statutory notices and prepare all other necessary and appropriate documentation to accomplish the detachment of High Prairie Township from Rural Fire District No. 1 of Leavenworth County, Kansas.

ADOPTED the 26th day of March, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF LEAVENWORTH COUNTY, KANSAS

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Mike Smith, CHAIR

---

Jeff Culbertson, MEMBER

---

Vanessa Reid, MEMBER

---

Willie Dove, MEMBER

---

Mike Stieben, MEMBER

ATTEST:

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Fran Keppler, CLERK

**Leavenworth County  
Request for Board Action  
Case No. DEV-24-157 & 158  
Preliminary & Final Plat Elston Estates No. 2**

**Date:** March 26, 2025  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

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

**Additional Reviews as needed:**

**Budget Review  Administrator Review  Legal Review**

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**Action Request:**

Chairman, I find that the proposed Final Plat as outlined in case DEV-24-157 & 158 is compliant with the County Zoning & Subdivision Regulations and move that the proposed Final Plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.

**Analysis:** The applicant is proposing to divide a 16-acre parcel into five (5) lots. The Subdivision is classified as Class A with all lots lying within the Urban Growth Area of the City of Tonganoxie. Tonganoxie was notified of the development and is supportive of the request due to services not being adjacent to the site. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 600' of the subdivision (see condition 3). Lots will range in size from 6.19 to 17.75 acres and are compliant with the district standards of RR-5 zoning. Lot 1 is an irregularly shaped lot and will require an exception due to separating the pond on a separate tract. Tract A that contains the existing pond is a non-buildable. The ownership and maintenance of Tract A will be held by the other lots within the subdivision. Suburban Water can provide service to the subdivision with system upgrades. Exceptions were granted for:

1. Exception to Article 50, Section 40.3.d. – Irregular Shaped Lot

The final plat meets the standards set forth in the Leavenworth County Zoning and Subdivision Regulations with the approved exceptions.

**Recommendation:** The Planning Commission voted 8-0 (1 absent) to recommend approval of Case No. DEV-24-157 & 158, Final Plat for Elston Estates No. 2 subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-24-157 & 158, Final Plat for Elston Estates No. 2, with Findings of Fact, and with or without conditions; or

2. Deny Case No. DEV-24-157 & 158, Final Plat for Elston Estates No. 2, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-24-157 & 158, Final Plat for Elston Estates No. 2 with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

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

**Total Amount Requested:** \$0.00

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

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-157/158 Elston Estates No. 2

March 12, 2025

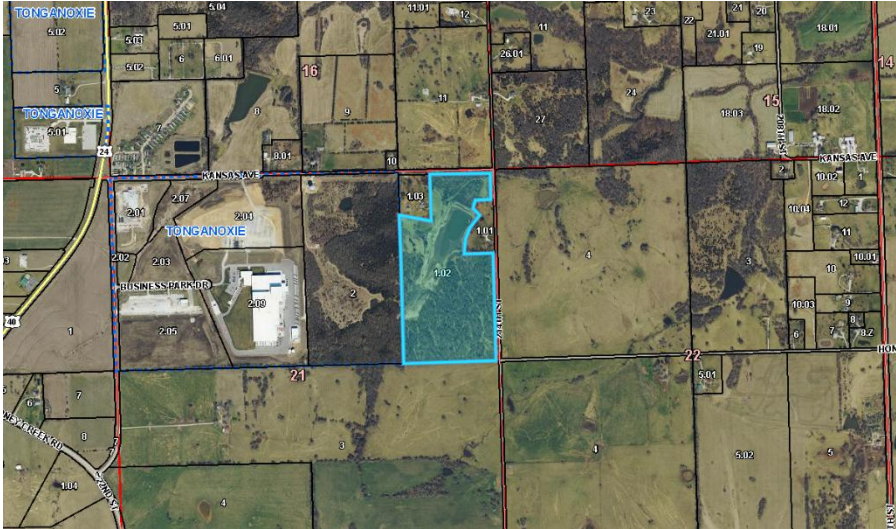
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 00000 Kansas Avenue



**APPLICANT/APPLICANT AGENT:**

Austin Thompson  
Atlas Land Consulting  
14500 Parallel Road, Unit R  
Basehor, KS 66007

**PROPERTY OWNER:**

Mark Elston  
21589 Kansas Avenue  
Tonganoxie, KS 66086

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

County Road 1

**LEGAL DESCRIPTION:**

Lot 2, Elston Estates subdivision located in Leavenworth County Kansas.

**SUBDIVISION:** Elston Estates

**FLOODPLAIN:** Zone A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-157/158, Preliminary & Final Plat for Elston Estates No. 2, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-157/158, Preliminary & Final Plat for Elston Estates 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:** 16.31 ACRES

**PARCEL ID NO:**

195-21-0-00-00-001.02

**BUILDINGS:**

N/A

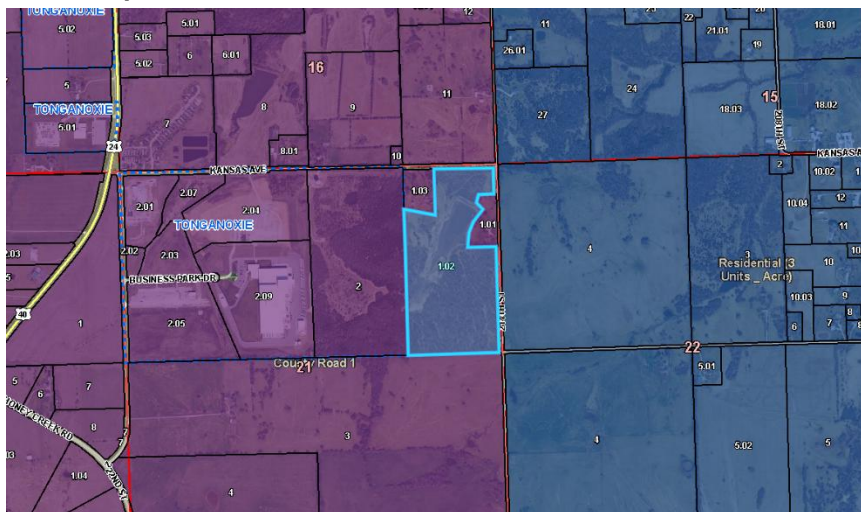
**PROJECT SUMMARY:**

Request for preliminary and final plat approval to subdivide property located at 00000 Kansas Avenue (195-21-0-00-00-001.02) as Lots 1 through 5 of Elston Estates No. 2.

**ACCESS/STREET:**

Kansas Ave and 214<sup>th</sup> Street - Local,  
Gravel ± 22'

**Location Map:** FUTURE LAND USE DESIGNATION



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** Tonganoxie FD

**WATER:** Suburban Water

**ELECTRIC:** Evergy

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/4/2025

**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
	An Exception from Article 50, Section 40.3.d. is required for Lot 1		
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 16-acre parcel into five (5) lots. The Subdivision is classified as Class A with all lots lying within the Urban Growth Area of the City of Tonganoxie. Tonganoxie was notified of the development and is supportive of the request due to services not being adjacent to the site. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 600' of the subdivision (see condition 3). Lots will range in size from 6.19 to 17.75 acres and are compliant with the district standards of RR-5 zoning. Lot 1 is an irregularly shaped lot and will require an exception due to separating the pond on a separate tract. Tract A that contains the existing pond is a non-buildable. The ownership and maintenance of Tract A will be held by the other lots within the subdivision. Suburban Water can provide service to the subdivision with system upgrades.

**EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.d. – Irregular-shaped Lot. 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.d. – Irregular-shaped lot with the Zoning & Subdivision Regulations for the Elston Estates 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. An exception from Article 50, Section 40.3.d. has been approved for Lot 1.



6. The developer must comply with the following memorandums:  
Memo – Steven Heath, Evergy, dated July 2, 2024  
Memo – Travis Miles, Suburban Water, dated July 17, 2024

**PROPOSED MOTIONS:**

Approve case DEV-24-157/158, a request to plat the property located at 00000 Kansas Avenue into a 5-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-24-157/158 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-157/158, a request to plat the property located at 00000 Kansas Avenue into a 5-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-24-157/158.*

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

*Motion: Chairman, I move to table Case No. DEV-24-157/158 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

Flood  
1  
lot 2  
Elston Estates  
64.20 464

**PRELIMINARY PLAT APPLICATION**

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

1-36967 Empty lot  
1-36968 House

Mark Elston

913-908 8754

Office Use Only

Township: Tonganoxie Planning Commission Meeting Date: \_\_\_\_\_  
 Case No. DEV-24- Date Received/Paid: 12-13-2024  
 Zoning District RR 5 Comprehensive Plan Land Use Designation: CR 1

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Austin Thompson - Atlas Land Consulting</u>	NAME: <u>Mark Ross Elston</u>
MAILING ADDRESS: <u>14500 Parallel Rd Unit R</u>	MAILING ADDRESS: <u>21589 Kansas Ave</u>
CITY/ST/ZIP: <u>Basehor, KS 66007</u>	CITY/ST/ZIP: <u>Tonganoxie, KS 66086</u>
PHONE: <u>913-702-8916</u>	PHONE: _____
EMAIL: <u>austin@alconsult-llc.com</u>	EMAIL: <u>gavinelston@gmail.com</u>

**GENERAL INFORMATION**

Proposed Subdivision Name: Elston Estates No. 2  
 Address of Property: 21589 Kansas Ave Tonganoxie, KS 66086  
 PID: 1952100000001020 Urban Growth Management Area: \_\_\_\_\_

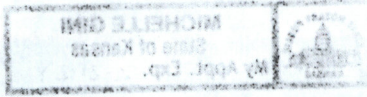
SUBDIVISION INFORMATION		
Gross Acreage: 65.46 Acres	Number of Lots: 5 Lots 1 Tract	Minimum Lot Size: 5.00 Acres
Maximum Lot Size: 15.33 Acres	Proposed Zoning: RR-5	Density:
Open Space Acreage:	Water District: Suburban Water	Proposed Sewage:
Fire District:	Electric Provider: Evergy	Natural Gas Provider:
Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <i>Local - Collector - Arterial - State - Federal</i>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No	
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: 20103C032G

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

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

ATTACHMENT A



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: Austin Thompson - Atlas Land Consulting NAME: Mark Ross Elston  
MAILING ADDRESS: 14500 Parallel Rd Unit R MAILING ADDRESS 21589 Kansas Ave  
CITY/ST/ZIP: Basehor, KS 66007 CITY/ST/ZIP Tonganoxie, KS 66086  
PHONE: 913-702-8916 PHONE: \_\_\_\_\_  
EMAIL: austin@alconsult-llc.com EMAIL gavinelston@gmail.com

**GENERAL INFORMATION**

Proposed Subdivision Name: Elston Estates No. 2  
Address of Property: 21589 Kansas Ave Tonganoxie, KS 66086  
PID: 1952100000001020 Urban Growth Management Area: \_\_\_\_\_

**SUBDIVISION INFORMATION**

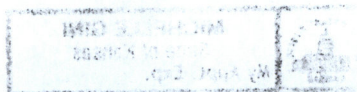
Gross Acreage: 65.46 Acres	Number of Lots: 5 Lots 1 Tract	Minimum Lot Size: 5.00 Acres
Maximum Lot Size: 15.33 Acres	Proposed Zoning: RR-5	Density:
Open Space Acreage:	Water District: Suburban Water	Proposed Sewage:
Fire District:	Electric Provider: Evergy	Natural Gas Provider:
Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: Local - Collector - Arterial - State - Federal	
	Cross-Access Easement Requested: <input 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. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

Is any part of the site designated as Floodplain?  Yes  No if yes, what is the panel number: 20103C032G

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

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

ATTACHMENT A



ENTERED IN TRANSFER RECORD IN  
MY OFFICE THIS DAY 12/01/2022

*Janet Klasmaker*  
COUNTY CLERK

Doc #: 2022R10742  
TERRILOIS MASHBURN  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
12/01/2022 03:10:00 PM  
RECORDING FEE: 38.00  
PAGES: 2

MAIL TO:

*MARK ELSTON*  
*21589 KANSAS AVE*  
*TONGANOXIE KS*  
*66086*

## STATUTORY WARRANTY DEED

Grantor(s): Lori J. Elston, an unmarried person,

Conveys and Warrants to Mark Ross ~~Elston~~ <sup>*Elston mb*</sup>, an unmarried person,

The following described premises, to-wit:

**Lot 2, Elston Estates, Leavenworth County, Kansas.**

For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any

Dated this November 21, 2022

PURSUANT TO K.S.A. 79-1437 (E), A REAL ESTATE VALIDATION QUESTIONNAIRE IS NOT REQUIRED DUE  
TO EXEMPTION NO. 8

TX:4088609

DOCID:8124559



Lori J. Elston

*Lori J. Elston*

Lori J. Elston

State of Kansas, Douglas County} ss.

This instrument was acknowledged before me on November 21<sup>st</sup>, 2022 by Lori J. Elston, an unmarried person.

*Jennifer Baugh*  
\_\_\_\_\_  
Notary Public

My appointment expires:

*JENNIFER BAUGH*



OWNER AUTHORIZATION

I/WE \_\_\_\_\_, hereby referred to as the "Undersigned", being of lawful age, do hereby on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, make the following statements, to wit:

- 1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property See Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Austin Thompson with Atlas Land Consulting (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, Parcel ID 1952100000001020 (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Signature of Mark Ross Elston, Owner

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 3rd day of Dec, 2024 by Michelle Gini MARK ELSTON.

My Commission Expires: 02/21/28

Signature of Michelle Gini, Notary Public



ATTACHMENT B

## **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.

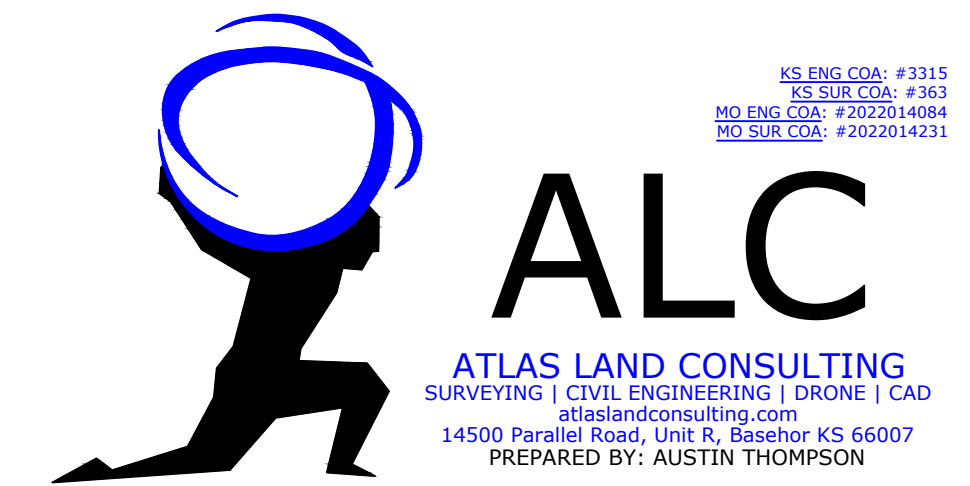
In recommending such variance or exception, the Planning Commission shall find the following:

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

### Applicant Responses:

1. The shape of this property has an irregular shape as it exist today. The owner is wanting to keep the shape of Lot 1 irregular to keep access to the pond (Tract A). Also, the owner plans to build a future home toward the south end of Lot 1.
2. The purpose of the irregular shape is to keep access of the pond for the current owner and leave room for a future home.
3. The granting of this variance will not affect any surrounding property owners or the welfare of the public. The creation of this new lot does not add or affect any new development, therefore does not affect adjacent neighbors.

RECEIVED  
03/03/2025 9:35:07 AM



PRELIMINARY PLAT

LEGEND

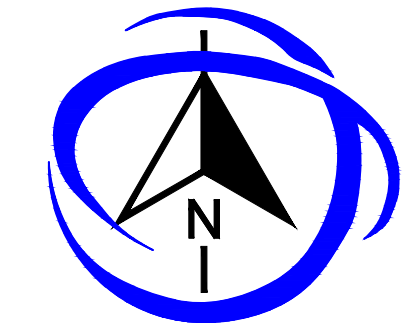
- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- ⊕ TELEPHONE PEDESTAL
- ⊕ WATER SPIGOT
- ⊕ POWER METER
- ⊕ POINT OF COMMENCEMENT
- ⊕ POINT OF BEGINNING
- ▭ LIMITS OF NO ACCESS
- FENCE LINE
- OVERHEAD POWER LINE
- TREELINE
- GAS VALVE
- SEPTIC CLEAN OUT
- LIGHT POLE
- POWER POLE

GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "M" AND ZONE "A".
- KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
- THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
- 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.
- 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.
- BENCHMARK - LVCC-2007-05-002- ELV-890-41
- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
- ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-29757
- 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.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013P00005
- THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
- ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39 OR AS AMENDED.
- UTILITY INFORMATION:
  - WATER - SUBURBAN WATER CO
  - ELECTRIC - EVERGY
  - SEWER - SEPTIC
  - GAS - PROPANE/NATURAL GAS
- ANY BUILDINGS 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.
- CLOSURE PRECISION: 1 PART IN 29225480.000
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

# ELSTON ESTATES NO. 2

A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS



DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

SURVEYORS SUGGESTED DESCRIPTION:

A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408, ON FEBRUARY 17, 2025, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OR THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE SOUTH 01°49'16" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 400.04 FEET; THENCE SOUTH 88°04'45" WEST, DEPARTING SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 199.22 FEET; THE NEXT FIVE CALLS TO BE ALONG THE EAST LINE OF SAID LOT 2; THENCE SOUTH 20°04'53" WEST, A DISTANCE OF 119.93 FEET; THENCE SOUTH 40°30'16" EAST, A DISTANCE OF 128.43 FEET; THENCE SOUTH 37°42'04" WEST, A DISTANCE OF 244.26 FEET; THENCE SOUTH 25°40'02" WEST, A DISTANCE OF 165.88 FEET; THENCE SOUTH 05°36'36" WEST, A DISTANCE OF 187.07 FEET; THENCE NORTH 88°08'55" EAST, A DISTANCE OF 419.89 FEET, TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01°49'16" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1505.30 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'21" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1316.20 FEET; THENCE, DEPARTING THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, NORTH 01°48'43" WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, A DISTANCE OF 2110.18 FEET; THENCE, DEPARTING THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, SOUTH 77°28'20" EAST, A DISTANCE OF 452.73 FEET; THENCE NORTH 01°52'04" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 640.53 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88°46'24" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 877.89 FEET TO THE POINT OF BEGINNING. CONTAINING 2999175.87 SQFT +/- OR 68.85 ACRES +/- MORE OR LESS INCLUDING ROAD RIGHT OF WAY

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 "ELSTON ESTATES 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 absorbed 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 other 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 is hereby granted to Leavenworth County, Kansas, and other governmental entities as may be authorized by state law, for the purpose of establishing, constructing, and operating drainage facilities, including but not limited to, open channels, underground stormwater pipes, culverts, detention and retention basins, and other stormwater management structures, upon, over, and under those areas designated on this plat as "Drainage Easement" or "D/E." No permanent structures, landscaping, or other obstructions that may impede the flow of stormwater or interfere with maintenance activities shall be placed within the easement area. The granting of this easement does not transfer ownership of the land but provides the right of access for inspection, repair, and improvement as necessary to ensure proper drainage and flood control. Leavenworth County, Kansas is not responsible for maintenance of any "Drainage Easement" or "D/E" shown on this plat.

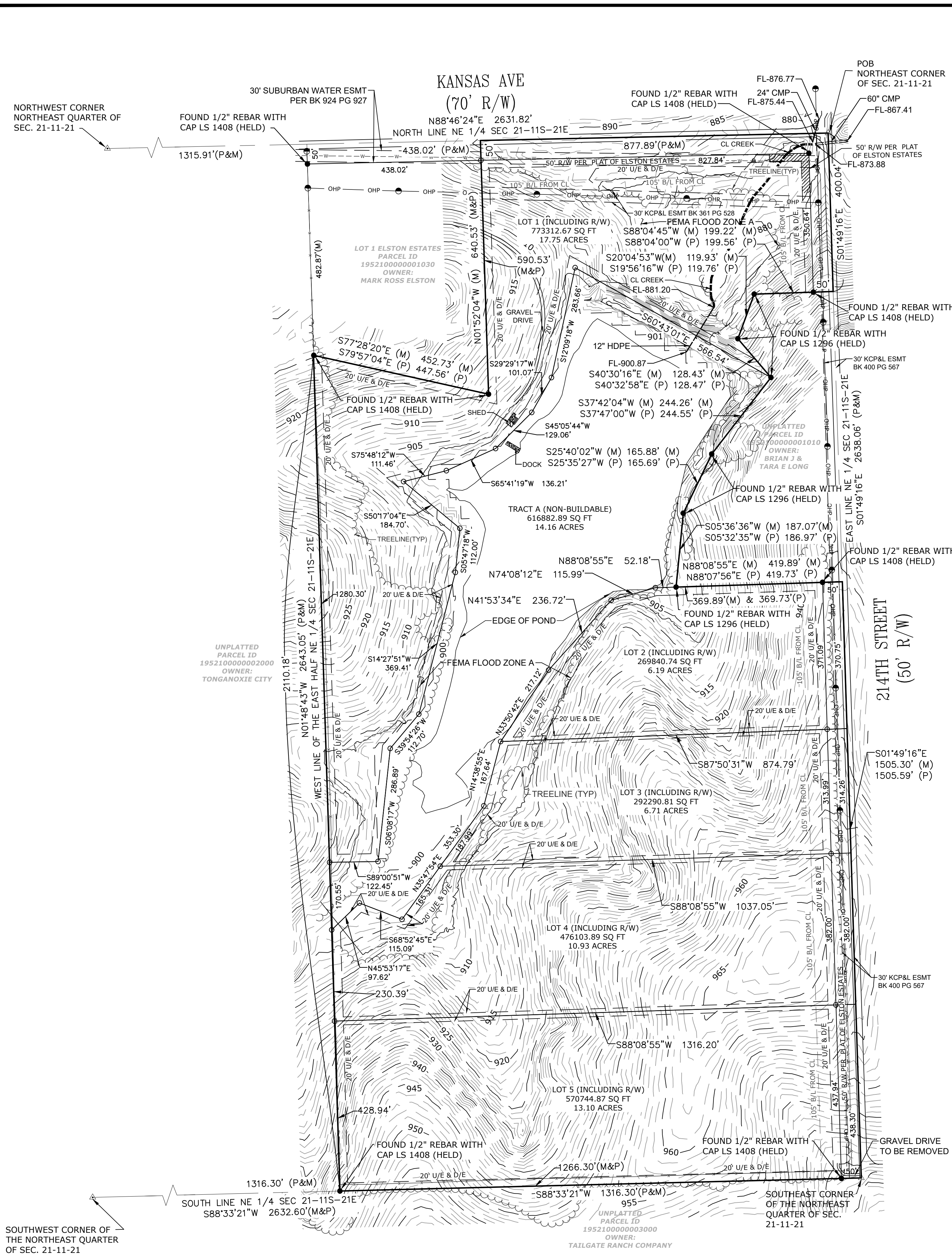
Building Lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

Tract A will be owned and maintained by the owner's of Lots 1, 2, 3, 4 & 5 of subject plat.

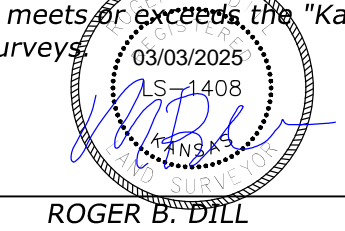
Taxes for subject property are paid.

PLAT RESTRICTIONS:

- No mobile home, basement, or any residence of temporary character shall be permitted.
- Each lot shall be limited to a single driveway entrance.



This is to certify on this 2 day of JULY, 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.

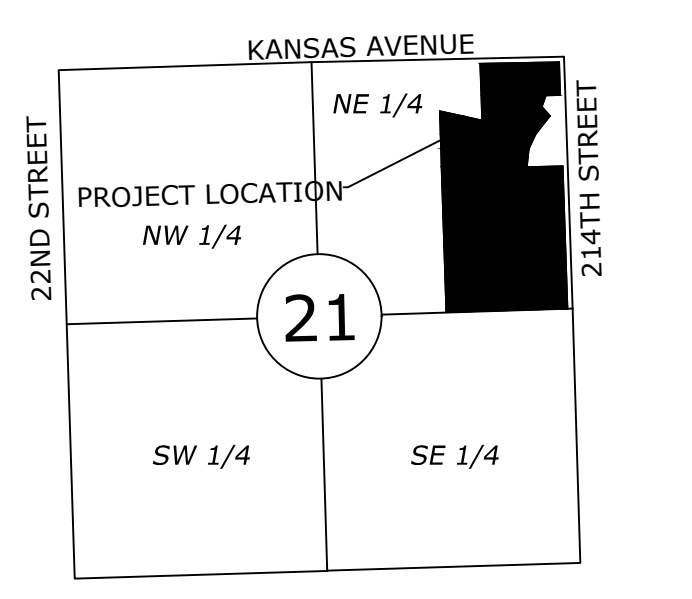


ROGER B. DILL LS 1408

REFERENCE TIES

- FOUND 3/8" REBAR NORTHWEST CORNER NORTHEAST QUARTER SEC 21-11S-21E (11N)
- 20.41' NNW TO A PK NAIL AND WASHER IN SOUTH SIDE OF FENCE BRACE POST
  - 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST
  - 20.15' NNE TO 60D NAIL IN SOUTH SIDE OF 12" CEDAR TREE
  - 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE
  - 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)
- FOUND 1" REBAR NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)
- 52.53' SE TO PK NAIL IN TOP NW COR 8"x10" FENCE CORNER POST
  - 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT
  - 51.29' NNW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST
  - 8.37' NW TO FOUND 3/8" REBAR
  - 3.90' NNE TO FOUND 1" SQUARE BAR
  - 1.00' SOUTH TO CL OF KANSAS AVENUE
  - 3.00' EAST TO CL OF 214TH STREET
- FOUND 5/8" REBAR WITH ALUMINUM CAP SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)
- 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST
  - 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE
  - 35.37' SE TO NEAR FACE OF STEEL GATE POST, NORTH SIDE OF FIELD ENTRANCE
  - 48.50' NE TO MAG NAIL SOUTHEAST SIDE FENCE GATE POST
  - 20.45' SOUTH TO FOUND 5/8" REBAR (D.G. WHITE)
  - 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)
  - 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HONEY CREEK RD) TO THE EAST
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP CENTER CORNER SEC 21-11S-21E (11P)
- 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE
  - 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE
  - 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10" ELM TREE
  - 2.00' SOUTH TO NEW FENCE LINE
  - 1.50' NORTH TO OLD FENCE LINE

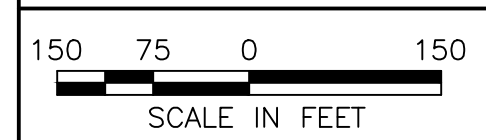
## VICINITY MAP



VICINITY MAP 1"=2000'

JOB NO: 24-171

SCALE



PREPARED FOR

PREPARED BY: AT - ALC

SEC-TWN-RNG

21-11-21

MARK ELSTON

ADDRESS:  
21589 KANSAS AVENUE  
TONGANOXIE, KS  
66086-5025

DATE

MARCH 3, 2025



RECEIVED  
03/03/2025 9:34:54 AM



# ELSTON ESTATES NO. 2

A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS

### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

**SURVEYORS SUGGESTED DESCRIPTION:**  
A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408, ON FEBRUARY 17, 2025, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE SOUTH 01°49'16" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 400.04 FEET; THENCE SOUTH 88°04'45" WEST, DEPARTING SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 199.22 FEET; THE NEXT FIVE CALLS TO BE ALONG THE EAST LINE OF SAID LOT 2; THENCE SOUTH 20°04'53" WEST, A DISTANCE OF 119.93 FEET; THENCE SOUTH 40°30'16" EAST, A DISTANCE OF 128.43 FEET; THENCE SOUTH 37°42'04" WEST, A DISTANCE OF 244.26 FEET; THENCE SOUTH 25°40'02" WEST, A DISTANCE OF 165.88 FEET; THENCE SOUTH 05°36'36" WEST, A DISTANCE OF 187.07 FEET; THENCE NORTH 88°08'55" EAST, A DISTANCE OF 419.89 FEET, TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01°49'16" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1505.30 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'21" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1316.30 FEET; THENCE, DEPARTING THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, NORTH 01°48'43" WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, A DISTANCE OF 2110.18 FEET; THENCE, DEPARTING THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, SOUTH 77°28'20" EAST, A DISTANCE OF 452.73 FEET; THENCE NORTH 01°52'04" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 640.53 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88°46'24" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 877.89 FEET TO THE POINT OF BEGINNING. CONTAINING 2999175.87 SQFT +/- OR 68.85 ACRES +/- MORE OR LESS INCLUDING ROAD RIGHT OF WAY

**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 "ELSTON ESTATES NO. 2".

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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.

Tract A will be owned and maintained by the owner's of Lots 1, 2, 3, 4 & 5 of subject plat.

Taxes for subject property are paid.

**PLAT RESTRICTIONS:**  
1. No mobile home, basement, or any residence of temporary character shall be permitted.  
2. Each lot shall be limited to a single driveway entrance.

This plat of **ELSTON ESTATES NO. 2** day of \_\_\_\_\_, 2025, has been submitted and approved by Leavenworth County Planning Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

CHAIRMAN - MARCUS MAJURE  
SECRETARY - JOHN JACOBSON

This plat approved by the Board of County Commissioners of Leavenworth County, Kansas, this day of \_\_\_\_\_, 2025.

(SEAL)  
CHAIRMAN - MIKE SMITH  
ATTEST - COUNTY CLERK - FRAN KEPPLER

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 or adequacy of the design, dimensions, elevations, and quantities.

COUNTY ENGINEER  
My Commission Expires: \_\_\_\_\_

This is to certify that this instrument was filed for record in the Register of Deeds office on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, in Book \_\_\_\_\_, Page \_\_\_\_\_.

REGISTER OF DEEDS, TERRILLOIS 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.

LEAVENWORTH COUNTY SURVEYOR  
DANIEL BAUMCHEN, PS-1363

This is to certify on this 2ND day of JULY, 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.

ROGER B. DILL  
LS 1408

### REFERENCE TIES

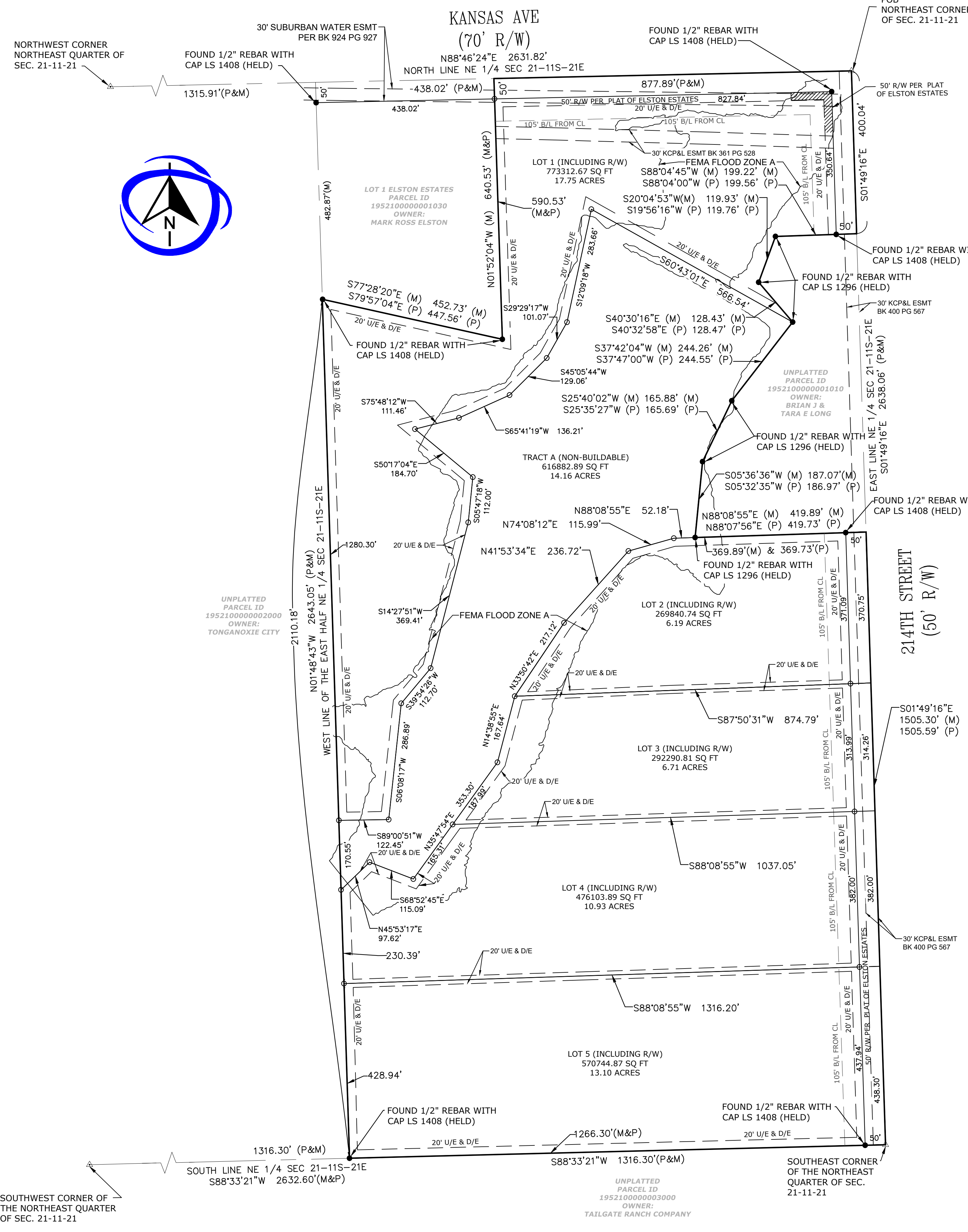
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4. 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE  
5. 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)

**FOUND 5/8" REBAR WITH 2" ALUMINUM CAP**  
CENTER CORNER SEC 21-11S-21E (11P)  
1. 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE  
2. 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE  
3. 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10' ELM TREE  
4. 2.00' SOUTH TO NEW FENCE LINE  
5. 1.50' NORTH TO OLD FENCE LINE

**FOUND 1" REBAR**  
NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)  
1. 52.53' SE TO PK NAIL IN TOP NW COR 8"X10" FENCE CORNER POST  
2. 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT  
3. 51.29' NW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST  
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**FOUND 5/8" REBAR WITH ALUMINUM CAP**  
SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)  
1. 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST  
2. 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE  
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6. 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)  
7. 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HONEY CREEK RD) TO THE EAST

**UTILITIES**  
EVERGY - 800-383-1183  
SUBURBAN WATER CO - 913-724-1800



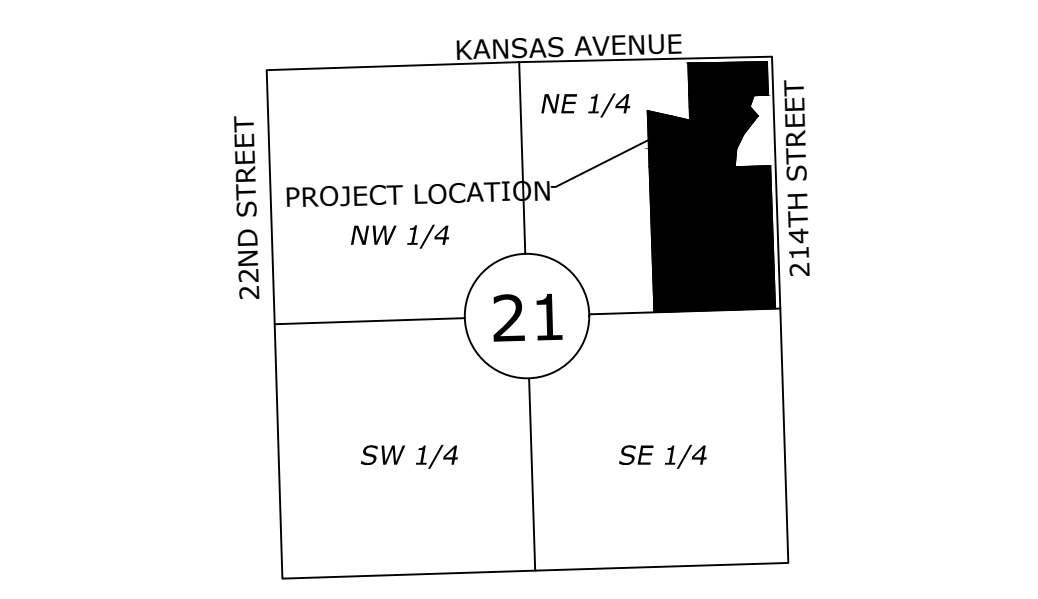
## FINAL PLAT LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR WITH CAP ALS KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- TP TELEPHONE PEDESTAL
- WS WATER SPIGOT
- PM POWER METER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- LIMITS OF NO ACCESS
- FENCE LINE
- OHP OVERHEAD POWER LINE
- TREELINE
- GAS VALVE
- SEPTIC CLEAN OUT
- LIGHT POLE
- POWER POLE

## GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
4. KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
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 - LVCC-2007-05-002-ELV-890.41
9. CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
10. CURRENT ZONING RR 5 / PROPOSED ZONING RR 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 MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-2957.
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 - ELSTON ESTATES FINAL PLAT DOC 2013000005
16. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
17. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
18. UTILITY INFORMATION:
  - WATER - SUBURBAN WATER CO
  - ELECTRIC - EVERGY
  - SEWER - SEPTIC
  - GAS - PROPANE/NATURAL GAS
20. ANY BUILDINGS 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.
21. CLOSURE PRECISION: 1 PART IN 29225480.000
22. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
23. AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

## VICINITY MAP



VICINITY MAP  
1"=2000'

JOB NO: 24-171

SCALE  
150 75 0 150  
SCALE IN FEET

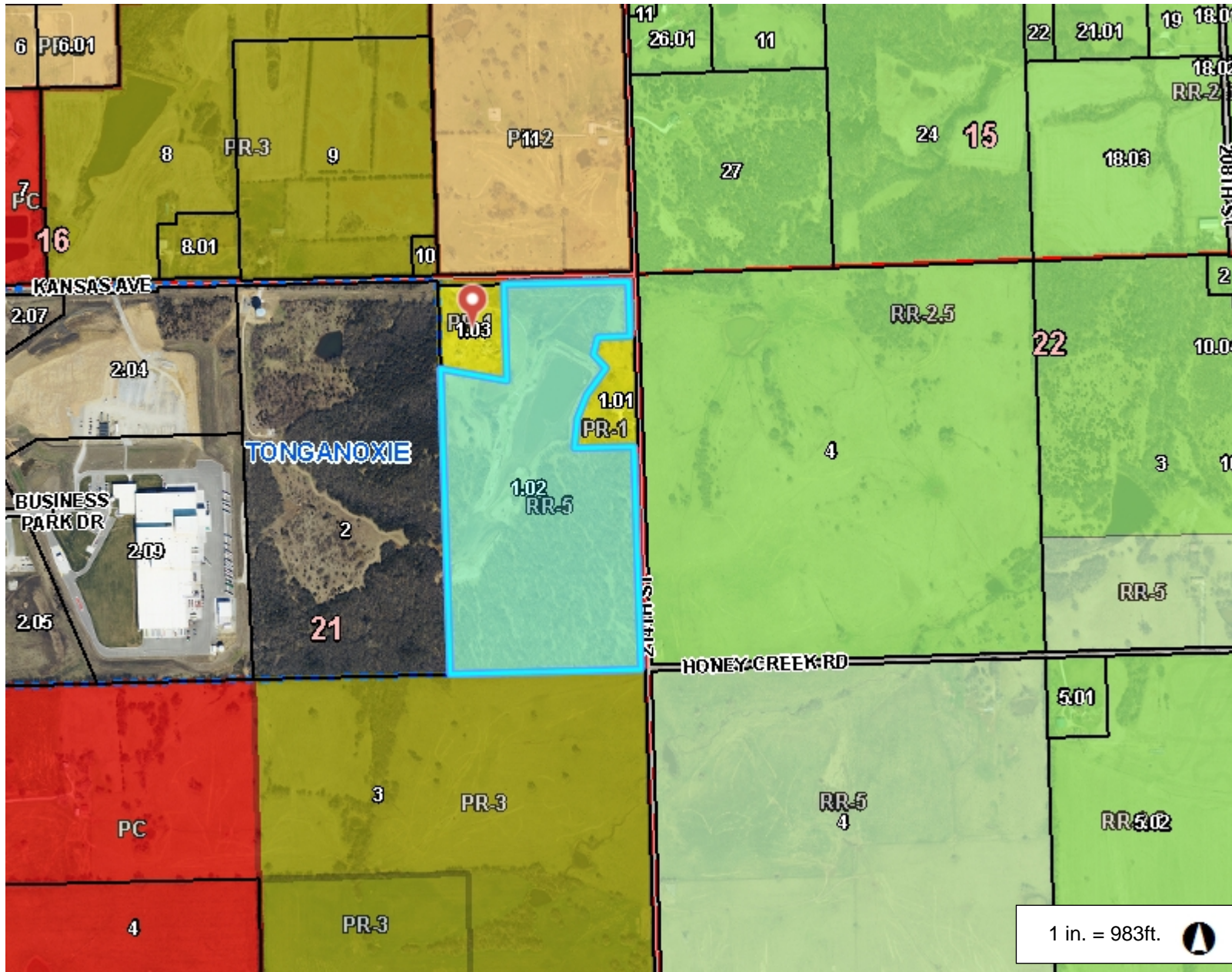
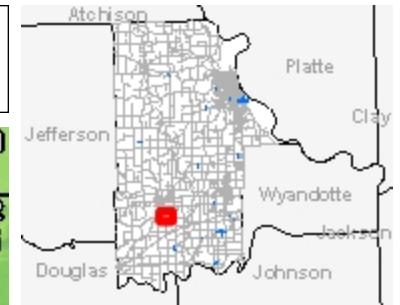
PREPARED FOR  
PREPARED BY: AT - ALC

SEC-TWN-RNG  
21-11-21

MARK ELSTON  
ADDRESS:  
21589 KANSAS AVENUE  
TONGANOXIE, KS  
66086-5025

DATE  
FEBRUARY 17, 2025

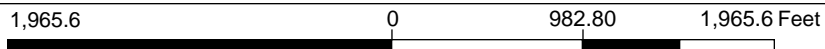
# DEV-24-157/158 Elston Estates



### 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. = 983ft.



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



**Steven Heath** <Steven.Heath@evergy.com>

to Design, Jason, me ▾

12:56 PM (32 minutes ago)



Internal Use Only

Evergy has no conflict with the proposed plat, each lot will require an individual residential extension.

Thank you,

**Steven Heath**

Evergy

TD Designer II

[Steven.Heath@evergy.com](mailto:Steven.Heath@evergy.com)

O: 785-865-4857

C: 785-508-2550

---

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

**Sent:** Tuesday, July 2, 2024 9:53 AM

**To:** Design Group Lawrence Service Center <[DesignGroupLawrenceServiceCenter@evergy.com](mailto:DesignGroupLawrenceServiceCenter@evergy.com)>

**Cc:** Jason Martinez <[jason@alconsult-llc.com](mailto:jason@alconsult-llc.com)>

**Subject:** Re: Platting Approvals

**This Message Is From an External Sender**

This message came from outside your organization.

Report Suspicious





July 17<sup>th</sup>, 2024

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

RE: Elston Estates No. 2

Suburban Water, Inc. (SWC) has received the proposed plat for ELSTON ESTATE NO. 2 , Leavenworth County, KS. Suburban has completed an initial review of the proposed development. SWC has existing infrastructure located along the south side of Kansas Avenue traveling west from 214<sup>th</sup> Street to 222<sup>nd</sup> 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. Note that a water main will need to be installed south of Kansas Avenue to the south property line of Lot 5.

Sincerely,

*Travis J Miles*

Travis J Miles

President

## Allison, Amy

---

**From:** Timothy Smith <chief1860@ttrfd.com>  
**Sent:** Monday, December 23, 2024 8:25 AM  
**To:** Allison, Amy  
**Subject:** Re: DEV-24-157/158 Preliminary and Final Plat – Elston Estates 2nd

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

Amy,

Tonganoxie Township has no issues with this plat.

Thank you,

On Wed, Dec 18, 2024 at 3:14 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 5-lot subdivision at 00000 Kansas Ave (195-21-0-00-00-001.02).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, January 2nd.

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**

*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.*

--

Tim Smith, Chief  
*Tonganoxie Township Rural Fire Department  
Past President Kansas State Association Fire Chiefs*

18993 McLouth Rd  
Tonganoxie KS 66086

Phone: [913-845-3801](tel:913-845-3801)  
Fax: [913-845-3801](tel:913-845-3801)  
Cell: [816-392-2468](tel:816-392-2468)

*Failure to Prepare*

*Is*

*Preparing to Fail*

## Allison, Amy

---

**From:** George Brajkovic <gbrajkovic@tonganoxie.org>  
**Sent:** Friday, January 3, 2025 11:28 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-24-157/158 Preliminary and Final Plat – Elston Estates 2nd

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

Amy –

I'm resending this as it shows the original email bounced back.

The City is supportive of this proposal. City staff has been part of the discussion for this site since June '22, and evaluated the proposal from a water and sanitary sewer perspective. With regard to the City's Sewer and Drain Regulations:

- Article II. Infrastructure, Section 4. – discusses the mandatory tie-in to sanitary sewer if located within 600' of an existing line – this site is further away than that requirement.
- Article III. Alternate Systems, Section 4. – mentions the land requirements for "septic" systems at approximately 3 acres – these sites exceed the 3 acres minimum.

While the City would generally prefer higher density development in areas bordering City limits, we can support this proposal as it is immediately adjacent to the existing Tonganoxie Business Park, and an additional 80 acres that remains unplatted and undeveloped.

We hope that the County will continue to address road conditions in the area, as County roads are either gravel or in need of maintenance/improvement.

Respectfully,  
George

**George Brajkovic**  
City Manager  
City of Tonganoxie, KS  
[www.tonganoxie.org](http://www.tonganoxie.org)



---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, December 18, 2024 3:14 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>; 'Timothy Smith' <chief1860@ttrfd.com>; George Brajkovic



KS ENG COA: #3315  
 KS SUR COA: #363  
 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

**2-13-25  
 Combined PW  
 No Further  
 Comment**

# DRAINAGE STUDY

For:

## Elston Estates

21589 Kansas Ave.  
 Tonganoxie, KS

Prepared for:

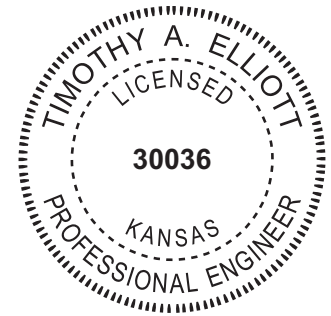
**Gavin Elston**  
 gavinelston@gmail.com

Prepared by:

## ATLAS LAND CONSULTING, LLC

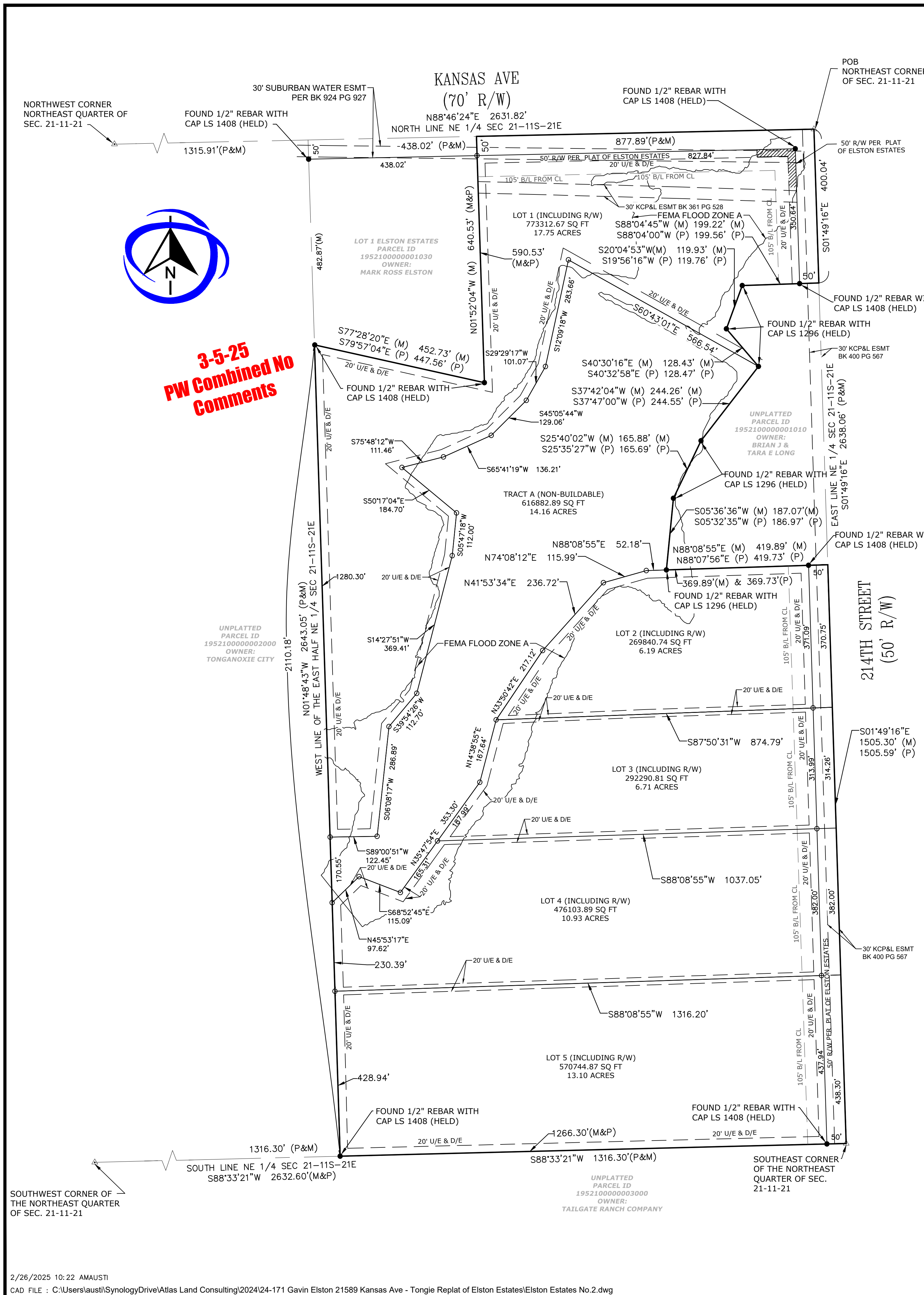
14500 Parallel Rd Unit R  
 Basehor, Ks 66007  
 913-702-5073

July 8<sup>th</sup>, 2024



Revision	Date	By	Description
1	02/04/2025	TAE	
2			
3			





# ELSTON ESTATES NO. 2

A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS

### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

**SURVEYORS SUGGESTED DESCRIPTION:**  
 A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408, ON FEBRUARY 17, 2025, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE SOUTH 01°49'16" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 400.04 FEET; THENCE SOUTH 88°04'45" WEST, DEPARTING SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 199.22 FEET; THE NEXT FIVE CALLS TO BE ALONG THE EAST LINE OF SAID LOT 2; THENCE SOUTH 20°04'53" WEST, A DISTANCE OF 119.93 FEET; THENCE SOUTH 40°30'16" EAST, A DISTANCE OF 128.43 FEET; THENCE SOUTH 37°42'04" WEST, A DISTANCE OF 244.26 FEET; THENCE SOUTH 25°40'02" WEST, A DISTANCE OF 165.88 FEET; THENCE SOUTH 05°36'36" WEST, A DISTANCE OF 187.07 FEET; THENCE NORTH 88°08'55" EAST, A DISTANCE OF 419.89 FEET, TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01°49'16" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1505.30 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'21" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1316.30 FEET; THENCE, DEPARTING THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, NORTH 01°48'43" WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, A DISTANCE OF 2110.18 FEET; THENCE, DEPARTING THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, SOUTH 77°28'20" EAST, A DISTANCE OF 452.73 FEET; THENCE NORTH 01°52'04" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 640.53 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88°46'24" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 877.89 FEET TO THE POINT OF BEGINNING. CONTAINING 2999175.87 SQFT +/- OR 68.85 ACRES +/- MORE OR LESS INCLUDING ROAD RIGHT OF WAY

**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 "ELSTON ESTATES 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 is hereby granted to Leavenworth County, Kansas, and other governmental entities as may be authorized by state law, for the purpose of establishing, constructing, and operating drainage facilities, including but not limited to, open channels, underground stormwater pipes, culverts, detention and retention basins, and other stormwater management structures, upon, over, and under those areas designated on this plat as "Drainage Easement" or "D/E." No permanent structures, landscaping, or other obstructions that may impede the flow of stormwater or interfere with maintenance activities shall be placed within the easement area. The granting of this easement does not transfer ownership of the land but provides the right of access for inspection, repair, and improvement as necessary to ensure proper drainage and flood control. Leavenworth County, Kansas is not responsible for maintenance of any "Drainage Easement" or "D/E" shown on this plat.

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.

Tract A will be owned and maintained by the owner's of Lots 1, 2, 3, 4 & 5 of subject plat.

Taxes for subject property are paid.

**PLAT RESTRICTIONS:**  
 1. No mobile home, basement, or any residence of temporary character shall be permitted.  
 2. Each lot shall be limited to a single driveway entrance.

This plat of **ELSTON ESTATES NO. 2** day of \_\_\_\_\_, 2025, has been submitted and approved by Leavenworth County Planning Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

CHAIRMAN - MARCUS MAJURE \_\_\_\_\_  
 SECRETARY - JOHN JACOBSON \_\_\_\_\_

This plat approved by the Board of County Commissioners of Leavenworth County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.  
 (SEAL)

CHAIRMAN - MIKE SMITH \_\_\_\_\_ ATTEST - COUNTY CLERK - FRAN KEPPLER \_\_\_\_\_

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 or adequacy of the design, dimensions, elevations, and quantities.

COUNTY ENGINEER \_\_\_\_\_  
 This is to certify that this instrument was filed for record in the Register of Deeds office on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, in Book \_\_\_\_\_, Page \_\_\_\_\_.

REGISTER OF DEEDS, TERRILLOIS 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.

LEAVENWORTH COUNTY SURVEYOR  
 DANIEL BAUMCHEN, PS-1363

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

OWNER  
 MARK ELSTON, OWNER

STATE OF KANSAS )  
 ) SS  
 COUNTY OF LEAVENWORTH )  
 BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a Notary Public in and for said County and State, came **MARK ELSTON**, 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.

Notary Public \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_

ROGER B. DILL, LS 1408

### REFERENCE TIES

**FOUND 3/8" REBAR**  
 NORTHWEST CORNER NORTHEAST QUARTER SEC 21-11S-21E (11N)  
 1. 20.41' NNW TO A PK NAIL AND WASHER IN SOUTH SIDE OF FENCE BRACE POST  
 2. 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST  
 3. 20.15' NNE TO 60D NAIL IN SOUTH SIDE OF 12" CEDAR TREE  
 4. 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE  
 5. 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)

**FOUND 5/8" REBAR WITH 2" ALUMINUM CAP**  
 CENTER CORNER SEC 21-11S-21E (11P)  
 1. 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE  
 2. 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE  
 3. 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10' ELM TREE  
 4. 2.00' SOUTH TO NEW FENCE LINE  
 5. 1.50' NORTH TO OLD FENCE LINE

**FOUND 1" REBAR**  
 NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)  
 1. 52.53' SE TO PK NAIL IN TOP NW COR 8"X10" FENCE CORNER POST  
 2. 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT  
 3. 51.29' NW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST  
 4. 8.37' NW TO FOUND 3/8" REBAR  
 5. 3.90' NNE TO FOUND 1" SQUARE BAR  
 6. 1.00' SOUTH TO CL OF KANSAS AVENUE  
 7. 3.00' EAST TO CL OF 214TH STREET

**FOUND 5/8" REBAR WITH ALUMINUM CAP**  
 SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)  
 1. 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST  
 2. 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE  
 3. 35.37' SE TO NEAR FACE OF STEEL GATE POST, NORTH SIDE OF FIELD ENTRANCE  
 4. 48.50' NE TO MAG NAIL SOUTHEAST SIDE FENCE GATE POST  
 5. 20.45' SOUTH TO FOUND 5/8" REBAR (D.G. WHITE)  
 6. 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)  
 7. 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HONEY CREEK RD) TO THE EAST

**UTILITIES**  
 EVERGY - 800-383-1183  
 SUBURBAN WATER CO - 913-724-1800



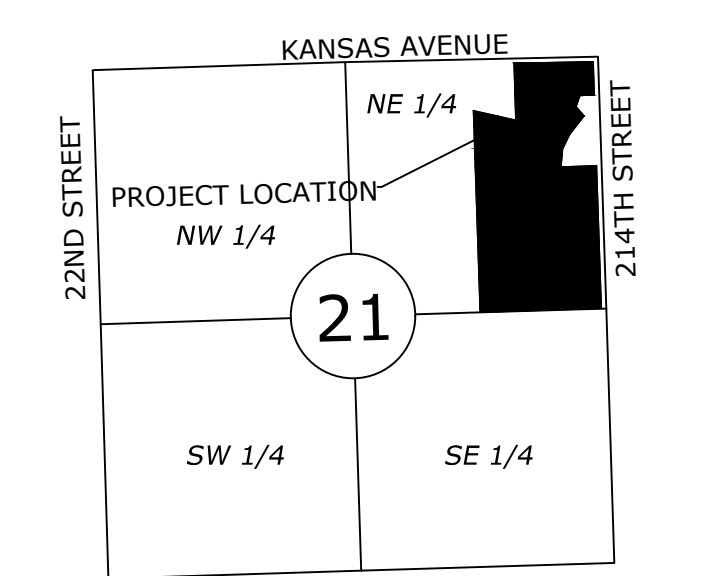
### FINAL PLAT LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR WITH CAP ALS KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- TP TELEPHONE PEDESTAL
- WS WATER SPIGOT
- PM POWER METER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- LIMITS OF NO ACCESS
- FENCE LINE OVERHEAD POWER LINE
- OHP TREELINE
- GAS VALVE
- SEPTIC CLEAN OUT
- LIGHT POLE
- POWER POLE

### GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
4. KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
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 - LVCO-2007-05-002- ELV-890.41
9. CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
10. CURRENT ZONING RR 5 / PROPOSED ZONING RR 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 MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-2957.
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 - ELSTON ESTATES FINAL PLAT DOC 2013000005
16. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
17. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
18. UTILITY INFORMATION:  
 - WATER - SUBURBAN WATER CO  
 - ELECTRIC - EVERGY  
 - SEWER - SEPTIC  
 - GAS - PROPANE/NATURAL GAS
20. ANY BUILDINGS 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.
21. CLOSURE PRECISION: 1 PART IN 2925480.000
22. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
23. AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

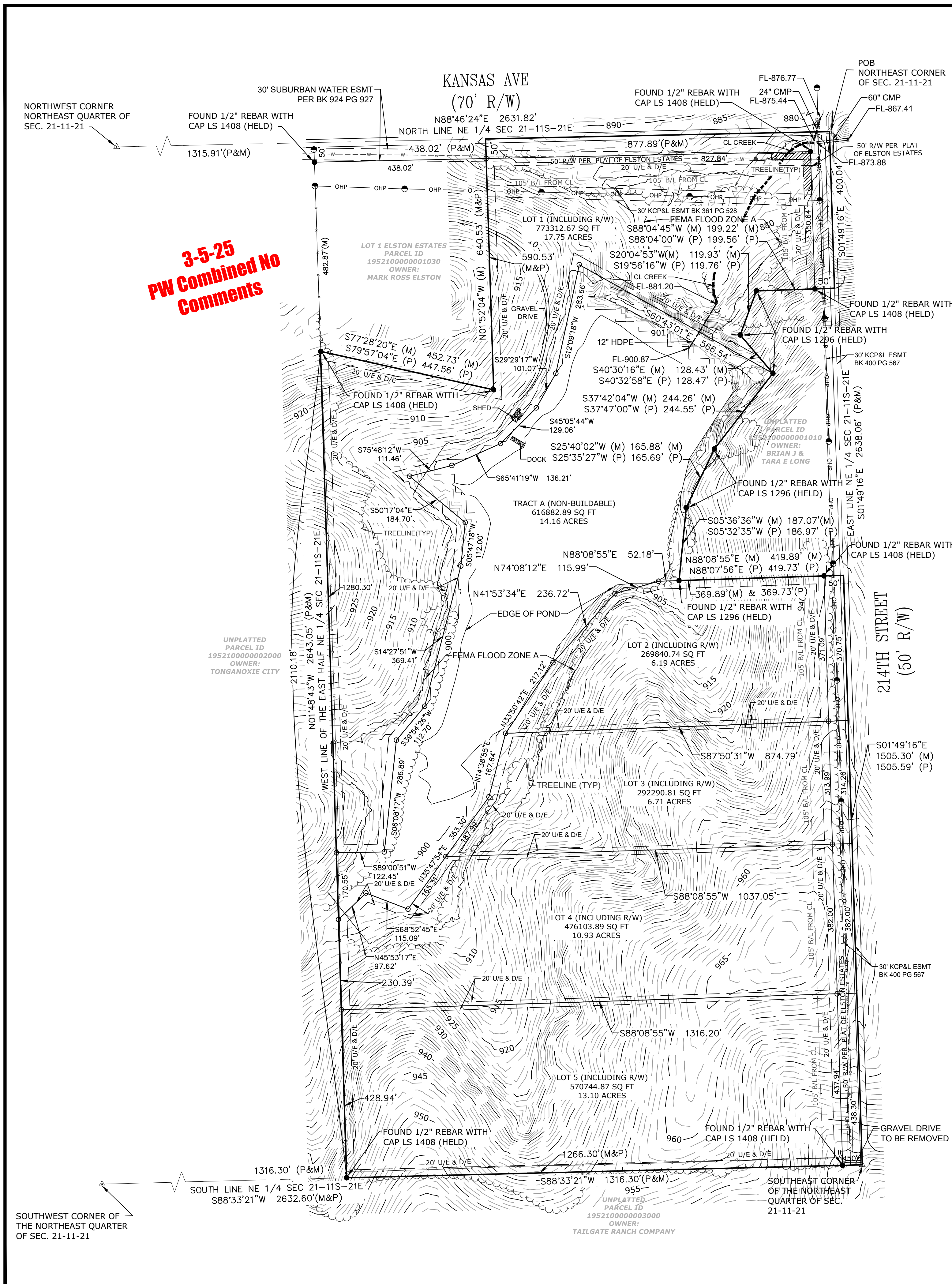
### VICINITY MAP



VICINITY MAP  
 1"=2000'

JOB NO: 24-171

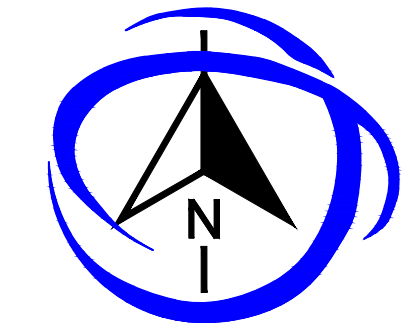
SCALE 150 75 0 150 SCALE IN FEET	PREPARED FOR PREPARED BY: AT - ALC
SEC-TWN-RNG <b>21-11-21</b>	MARK ELSTON ADDRESS: 21589 KANSAS AVENUE TONGANOXIE, KS 66086-5025
DATE <b>FEBRUARY 17, 2025</b>	



**3-5-25  
PW Combined No  
Comments**

# ELSTON ESTATES NO. 2

A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS



### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

**SURVEYORS SUGGESTED DESCRIPTION:**  
 A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408, ON FEBRUARY 17, 2025, MORE FULLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OR THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE SOUTH 01°49'16" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 400.04 FEET; THENCE SOUTH 88°04'45" WEST, DEPARTING SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 199.22 FEET; THE NEXT FIVE CALLS TO BE ALONG THE EAST LINE OF SAID LOT 2; THENCE SOUTH 20°04'53" WEST, A DISTANCE OF 119.93 FEET; THENCE SOUTH 40°30'16" EAST, A DISTANCE OF 128.43 FEET; THENCE SOUTH 37°42'04" WEST, A DISTANCE OF 244.26 FEET; THENCE SOUTH 25°40'02" WEST, A DISTANCE OF 165.88 FEET; THENCE SOUTH 05°36'36" WEST, A DISTANCE OF 187.07 FEET; THENCE NORTH 88°08'55" EAST, A DISTANCE OF 419.89 FEET, TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01°49'16" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1505.30 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'21" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1316.30 FEET; THENCE, DEPARTING THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, NORTH 01°48'43" WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, A DISTANCE OF 2110.18 FEET; THENCE, DEPARTING THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, SOUTH 77°28'20" EAST, A DISTANCE OF 452.73 FEET; THENCE NORTH 01°52'04" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 640.53 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88°46'24" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 877.89 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 2999175.87 SQFT +/- OR 68.85 ACRES +/- MORE OR LESS INCLUDING ROAD RIGHT OF WAY

### 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 "ELSTON ESTATES 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 absorbed 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 other 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 is hereby granted to Leavenworth County, Kansas, and other governmental entities as may be authorized by state law, for the purpose of establishing, constructing, and operating drainage facilities, including but not limited to, open channels, underground stormwater pipes, culverts, detention and retention basins, and other stormwater management structures, upon, over, and under those areas designated on this plat as "Drainage Easement" or "D/E." No permanent structures, landscaping, or other obstructions that may impede the flow of stormwater or interfere with maintenance activities shall be placed within the easement area. The granting of this easement does not transfer ownership of the land but provides the right of access for inspection, repair, and improvement as necessary to ensure proper drainage and flood control. Leavenworth County, Kansas is not responsible for maintenance of any "Drainage Easement" or "D/E" shown on this plat.

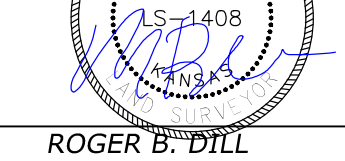
Building Lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

Tract A will be owned and maintained by the owner's of Lots 1, 2, 3, 4 & 5 of subject plat.

Taxes for subject property are paid.

- PLAT RESTRICTIONS:**
- No mobile home, basement, or any residence of temporary character shall be permitted.
  - Each lot shall be limited to a single driveway entrance.

This is to certify on this 2 day of JULY, 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.



ROGER B. DILL LS 1408

### REFERENCE TIES

- FOUND 3/8" REBAR**  
 NORTHWEST CORNER NORTHEAST QUARTER SEC 21-11S-21E (11N)
- 20.41' NNW TO A PK NAIL AND WASHER IN SOUTH SIDE OF FENCE BRACE POST
  - 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST
  - 20.15' NNE TO 60D NAIL IN SOUTH SIDE OF 12" CEDAR TREE
  - 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE
  - 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)
- FOUND 1" REBAR**  
 NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)
- 52.53' SE TO PK NAIL IN TOP NW COR 8"x10" FENCE CORNER POST
  - 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT
  - 51.29' NW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST
  - 8.37' NW TO FOUND 3/8" REBAR
  - 3.90' NNE TO FOUND 1" SQUARE BAR
  - 1.00' SOUTH TO CL OF KANSAS AVENUE
  - 3.00' EAST TO CL OF 214TH STREET
- FOUND 5/8" REBAR WITH ALUMINUM CAP**  
 SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)
- 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST
  - 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE
  - 35.37' SE TO NEAR FACE OF STEEL GATE POST, NORTH SIDE OF FIELD ENTRANCE
  - 48.50' NE TO MAG NAIL SOUTHEAST SIDE FENCE GATE POST
  - 20.45' SOUTH TO FOUND 5/8" REBAR (D.G. WHITE)
  - 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)
  - 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HONEY CREEK RD) TO THE EAST
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP**  
 CENTER CORNER SEC 21-11S-21E (11P)
- 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE
  - 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE
  - 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10" ELM TREE
  - 2.00' SOUTH TO NEW FENCE LINE
  - 1.50' NORTH TO OLD FENCE LINE

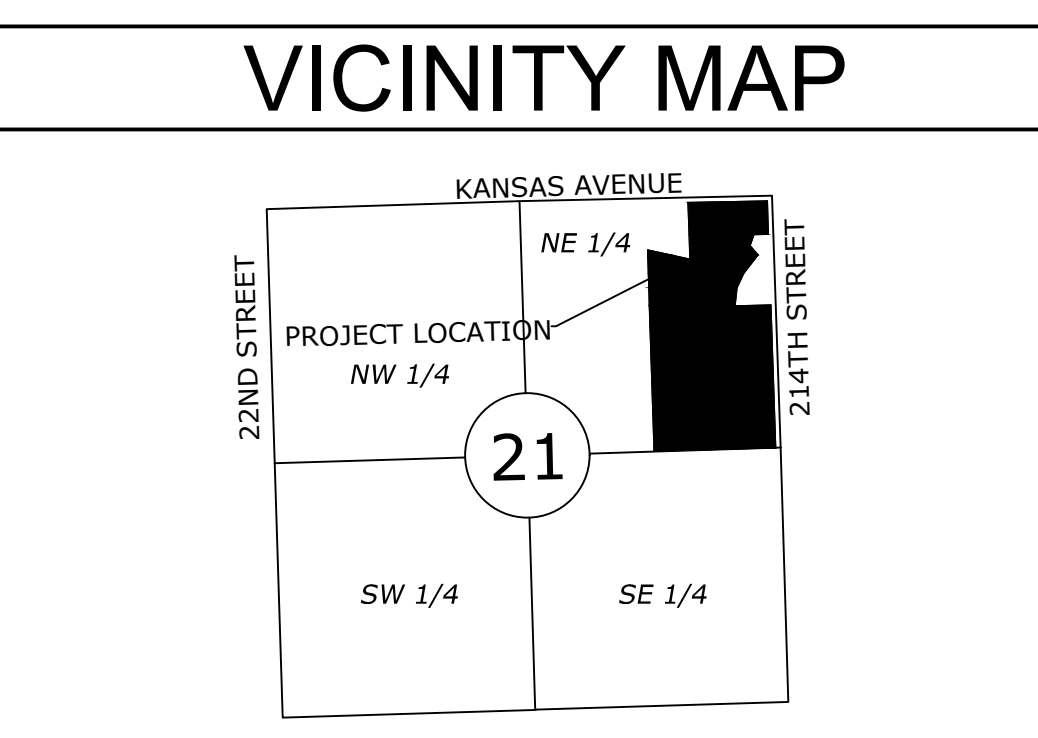
ALC  
 ATLAS LAND CONSULTING  
 SURVEYING | CIVIL ENGINEERING | DRAINAGE | CAD  
 atlaslandconsulting.com  
 14500 Paradise Road, Unit #6, Basehor KS 66007  
 PREPARED BY: AUSTIN THOMPSON

### PRELIMINARY PLAT LEGEND

△	DENOTES FOUND MONUMENT AS NOTED	— OHP —	FENCE LINE
○	DENOTES SET 1/2" x 24" REBAR WITH CAP ALS K5 CLS 363 MO CLS 2022014231	— OVERHEAD POWER LINE	
●	DENOTES FOUND PROPERTY CORNER AS NOTED	— TREE LINE	
B/L	BUILDING LINE	— GAS VALVE	
U/E	UTILITY EASEMENT	— SEPTIC CLEAN OUT	
D/E	DRAINAGE EASEMENT	— LIGHT POLE	
⊕	TELEPHONE PEDESTAL	— POWER POLE	
⊙	WATER SPIGOT		
⊖	POWER METER		
⊙	POINT OF COMMENCEMENT		
⊙	POINT OF BEGINNING		
▭	LIMITS OF NO ACCESS		

### GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "M" AND ZONE "A".
- KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
- THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
- 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.
- 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.
- BENCHMARK - LVCO-2007-05-002- ELV-890-41
- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
- ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-29757
- 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.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013P00005
- THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
- ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39 OR AS AMENDED.
- UTILITY INFORMATION:  
 - WATER - SUBURBAN WATER CO  
 - ELECTRIC - EVERGY  
 - SEWER - SEPTIC  
 - GAS - PROPANE/NATURAL GAS
- ANY BUILDINGS 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.
- CLOSURE PRECISION: 1 PART IN 29225480.000
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D



VICINITY MAP  
 1"=2000'

JOB NO: 24-171

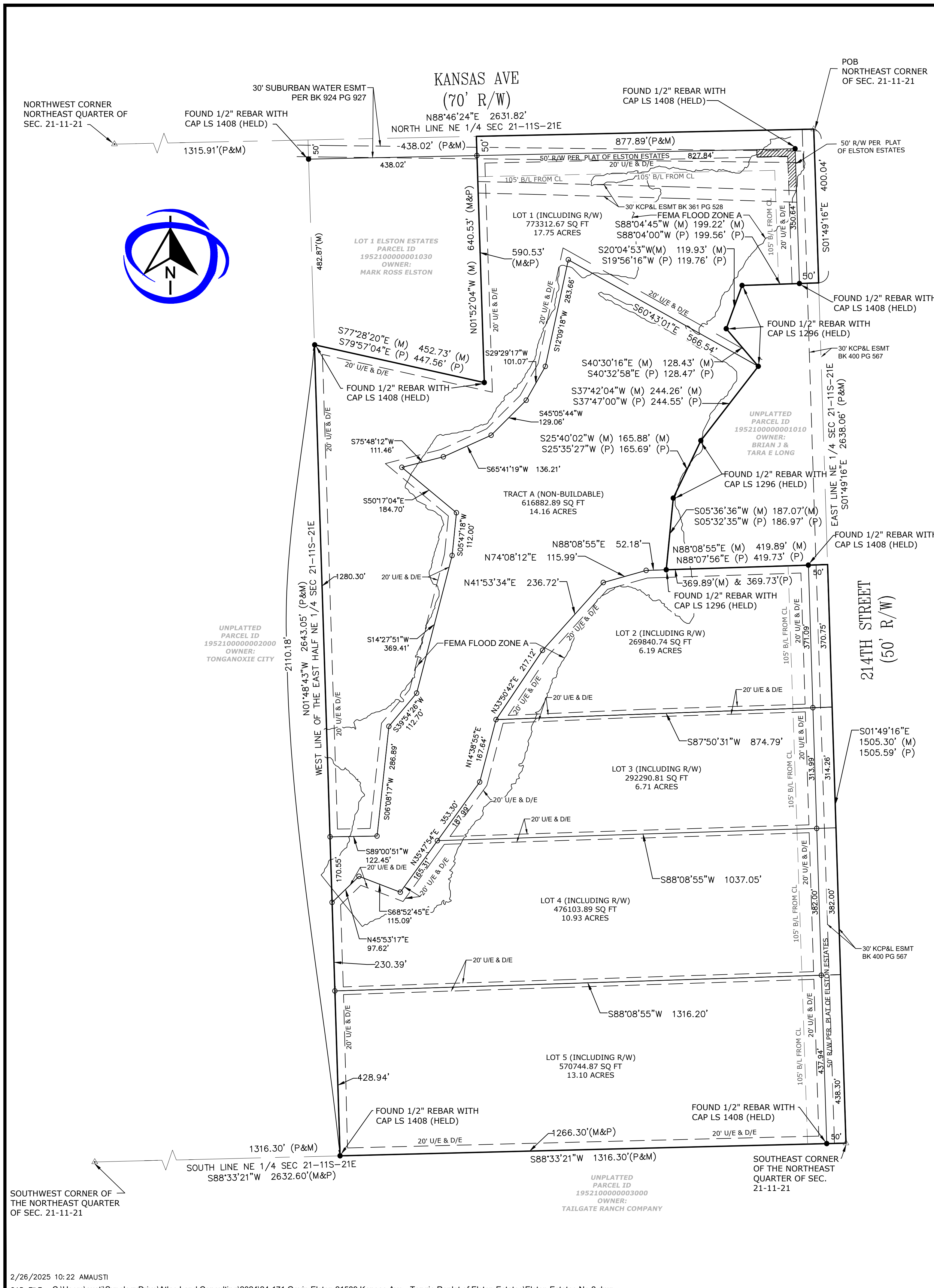
SCALE  
 150 75 0 150  
 SCALE IN FEET

PREPARED FOR  
 PREPARED BY: AT - ALC

SEC-TWN-RNG  
 21-11-21

MARK ELSTON  
 ADDRESS:  
 21589 KANSAS AVENUE  
 TONGANOXIE, KS  
 66086-5025

DATE  
 MARCH 3, 2025



# ELSTON ESTATES NO. 2

## A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS

### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

**SURVEYORS SUGGESTED DESCRIPTION:**  
A REPLAT OF LOT 2, ELSTON ESTATES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408, ON FEBRUARY 17, 2025, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 21 TOWNSHIP 11 SOUTH, RANGE 21 EAST; THENCE SOUTH 01°49'16" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 400.04 FEET; THENCE SOUTH 88°04'45" WEST, DEPARTING SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 199.22 FEET; THE NEXT FIVE CALLS TO BE ALONG THE EAST LINE OF SAID LOT 2; THENCE SOUTH 20°04'53" WEST, A DISTANCE OF 119.93 FEET; THENCE SOUTH 40°30'16" EAST, A DISTANCE OF 128.43 FEET; THENCE SOUTH 37°42'04" WEST, A DISTANCE OF 244.26 FEET; THENCE SOUTH 25°40'02" WEST, A DISTANCE OF 165.88 FEET; THENCE SOUTH 05°36'36" WEST, A DISTANCE OF 187.07 FEET; THENCE NORTH 88°08'55" EAST, A DISTANCE OF 419.89 FEET, TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01°49'16" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1505.30 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'21" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1316.30 FEET; THENCE, DEPARTING THE SOUTH LINE OF SAID NORTHEAST QUARTER AND THE SOUTH LINE OF SAID LOT 2, NORTH 01°48'43" WEST, ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, A DISTANCE OF 2110.18 FEET; THENCE, DEPARTING THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, ALSO BEING THE WEST LINE OF SAID LOT 2, SOUTH 77°28'20" EAST, A DISTANCE OF 452.73 FEET; THENCE NORTH 01°52'04" WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 640.53 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88°46'24" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 877.89 FEET TO THE POINT OF BEGINNING. CONTAINING 2999175.87 SQFT +/- OR 68.85 ACRES +/- MORE OR LESS INCLUDING ROAD RIGHT OF WAY

**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 "ELSTON ESTATES NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by 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 is hereby granted to Leavenworth County, Kansas, and other governmental entities as may be authorized by state law, for the purpose of establishing, constructing, and operating drainage facilities, including but not limited to, open channels, underground stormwater pipes, culverts, detention and retention basins, and other stormwater management structures, upon, over, and under those areas designated on this plat as "Drainage Easement" or "D/E." No permanent structures, landscaping, or other obstructions that may impede the flow of stormwater or interfere with maintenance activities shall be placed within the easement area. The granting of this easement does not transfer ownership of the land but provides the right of access for inspection, repair, and improvement as necessary to ensure proper drainage and flood control. Leavenworth County, Kansas is not responsible for maintenance of any "Drainage Easement" or "D/E" shown on this plat.

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.

Tract A will be owned and maintained by the owner's of Lots 1, 2, 3, 4 & 5 of subject plat.

Taxes for subject property are paid.

**PLAT RESTRICTIONS:**  
1. No mobile home, basement, or any residence of temporary character shall be permitted.  
2. Each lot shall be limited to a single driveway entrance.

This plat of **ELSTON ESTATES NO. 2** day of \_\_\_\_\_, 2025, has been submitted and approved by Leavenworth County Planning Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

CHAIRMAN - MARCUS MAJURE  
SECRETARY - JOHN JACOBSON

This plat approved by the Board of County Commissioners of Leavenworth County, Kansas, this day of \_\_\_\_\_, 2025.

(SEAL)  
CHAIRMAN - MIKE SMITH  
ATTEST - COUNTY CLERK - FRAN KEPPLER

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 or adequacy of the design, dimensions, elevations, and quantities.

COUNTY ENGINEER  
My Commission Expires: \_\_\_\_\_

This is to certify that this instrument was filed for record in the Register of Deeds office on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, in Book \_\_\_\_\_, Page \_\_\_\_\_.

REGISTER OF DEEDS, TERRILLOIS 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.

**Reviewed 2025.03.05 No comments**  
LEAVENWORTH COUNTY SURVEYOR  
DANIEL BAUMCHEN, PS-1363

This is to certify on this 2ND day of JULY, 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.

ROGER B. DILL  
LS 1408

### REFERENCE TIES

- FOUND 3/8" REBAR**  
NORTHWEST CORNER NORTHEAST QUARTER SEC 21-11S-21E (11N)  
1. 20.41' NNW TO A PK NAIL AND WASHER IN SOUTH SIDE OF FENCE BRACE POST  
2. 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST  
3. 20.15' NNE TO 60D NAIL IN SOUTH SIDE OF 12" CEDAR TREE  
4. 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE  
5. 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)
- FOUND 1" REBAR**  
NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)  
1. 52.53' SE TO PK NAIL IN TOP NW COR 8"X10" FENCE CORNER POST  
2. 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT  
3. 51.29' NW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST  
4. 8.37' NW TO FOUND 3/8" REBAR  
5. 3.90' NNE TO FOUND 1" SQUARE BAR  
6. 1.00' SOUTH TO CL OF KANSAS AVENUE  
7. 3.00' EAST TO CL OF 214TH STREET

- FOUND 5/8" REBAR WITH ALUMINUM CAP**  
SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)  
1. 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST  
2. 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE  
3. 35.37' SE TO NEAR FACE OF STEEL GATE POST, NORTH SIDE OF FIELD ENTRANCE  
4. 48.50' NE TO MAG NAIL SOUTHEAST SIDE FENCE GATE POST  
5. 20.45' SOUTH TO FOUND 5/8" REBAR (D.G. WHITE)  
6. 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)  
7. 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HATCHEY CREEK RD) TO THE EAST
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP**  
CENTER CORNER SEC 21-11S-21E (11P)  
1. 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE  
2. 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE  
3. 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10" ELM TREE  
4. 2.00' SOUTH TO NEW FENCE LINE  
5. 1.50' NORTH TO OLD FENCE LINE

**UTILITIES**  
EVERGY - 800-383-1183  
SUBURBAN WATER CO - 913-724-1800



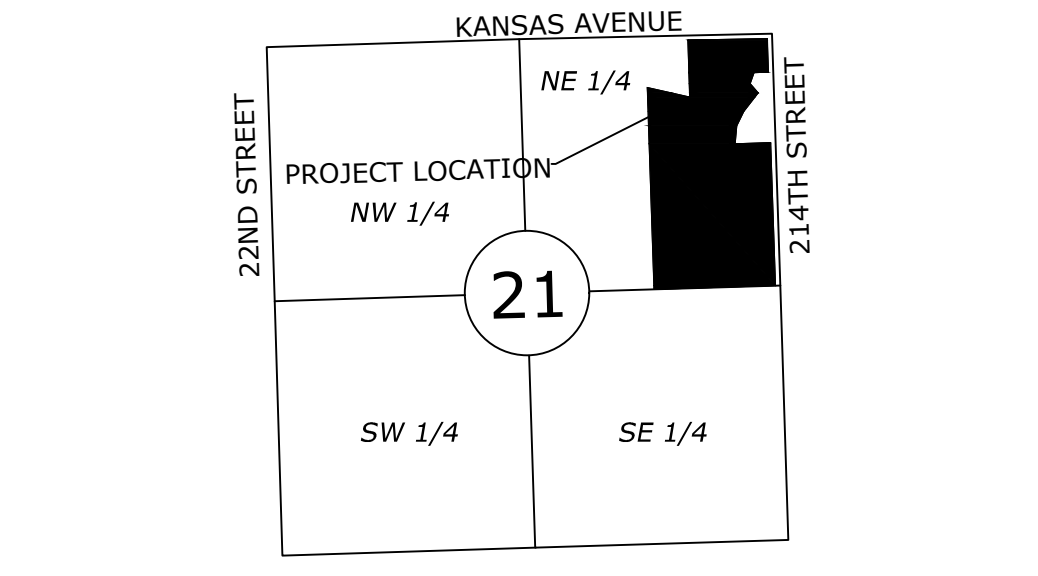
## FINAL PLAT LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR WITH CAP ALS KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- TP TELEPHONE PEDESTAL
- WS WATER SPIGOT
- PM POWER METER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- LIMITS OF NO ACCESS
- FENCE LINE
- OHP OVERHEAD POWER LINE
- TREELINE
- GAS VALVE
- SEPTIC CLEAN OUT
- LIGHT POLE
- POWER POLE

## GENERAL NOTES

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- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
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- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-29575.
- 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.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013000005
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- UTILITY INFORMATION:  
- WATER - SUBURBAN WATER CO  
- ELECTRIC - EVERGY  
- SEWER - SEPTIC  
- GAS - PROPANE/NATURAL GAS
- ANY BUILDINGS 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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- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

## VICINITY MAP



VICINITY MAP  
1"=2000'

JOB NO: 24-171

SCALE  
150 75 0 150  
SCALE IN FEET

PREPARED FOR  
PREPARED BY: AT - ALC

SEC-TWN-RNG  
21-11-21

MARK ELSTON  
ADDRESS:  
21589 KANSAS AVENUE  
TONGANOXIE, KS  
66086-5025

DATE  
FEBRUARY 17, 2025

**Leavenworth County  
Request for Board Action  
Case No. DEV-24-147  
Final Plat Cheyenne Crossing 2nd**

**Date: March 26, 2025  
To: Board of County Commissioners  
From: Planning & Zoning Staff**

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

**Additional Reviews as needed:**

**Budget Review  Administrator Review  Legal Review**

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**Action Request:**

Chairman, I find that the proposed Final Plat as outlined in case DEV-24-147 is compliant with the County Zoning & Subdivision Regulations and move that the proposed Final Plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission.

**Analysis:** The applicant is proposing to divide 34 acres into 13 lots as Phase II of the Cheyenne Crossing Subdivision. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). All lots are compliant with the RR-2.5 zoning district, except Lot 9. Lot 9 was modified from the preliminary plat and now does not meet the lot frontage requirement for RR-2.5. The applicant is requesting an exception from Article 50, Section 40.3.a. to allow for the lot frontage to be calculated at the Building Setback Line instead of the at the right-of-way. Lot 15 does have a utility & drainage easement that bisects the lot. However, it appears that there would be enough room along the southern half to support a house and septic system. Careful consideration must be given to the layout of the development of the lot during the building phase. Exceptions were granted for:

1. Exception to Article 50, Section 40.3.a. – Lots Complaint with the Zoning Width Standards

The final plat meets the standards set forth in the Leavenworth County Zoning and Subdivision Regulations with the approval of the listed exceptions.

**Recommendation:** The Planning Commission voted 8-0 (1 absent) to recommend approval of Case No.DEV-24-147, Final Plat for Cheyenne Crossing 2<sup>nd</sup> Plat subject to conditions.

**Alternatives:**

1. Approve Case No. DEV-24-147, Final Plat for Cheyenne Crossing 2<sup>nd</sup> Plat, with Findings of Fact, and with or without conditions; or

2. Deny Case No. DEV-24-147, Final Plat for Cheyenne Crossing 2<sup>nd</sup> Plat, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-24-147, Final Plat for Cheyenne Crossing 2<sup>nd</sup> Plat, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

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

**Total Amount Requested:** \$0.00

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

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

**CASE NO:** DEV-24-147 Cheyenne Crossing 2<sup>nd</sup> Plat

March 12, 2025

**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

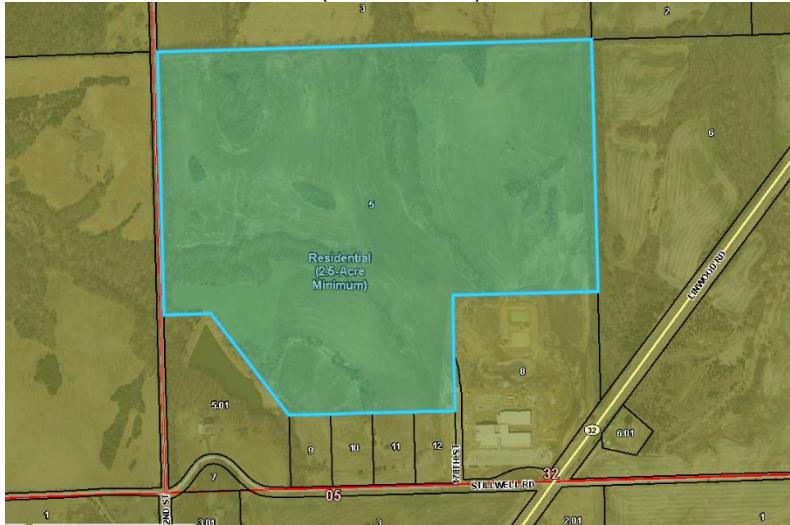
**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 00000 178<sup>th</sup> Street  
**FUTURE LAND USE:** Residential (2.5 acre min)

**APPLICANT/APPLICANT AGENT:**

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



**PROPERTY OWNER:**

Cheyenne Crossing Land  
Development LLC  
18701 Hemphill Road  
Linwood KS 66052

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-2.5

**FUTURE LAND USE DESIGNATION:**

Residential (2.5 acre min)

**LEGAL DESCRIPTION:**

A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., in Leavenworth County Kansas.

**SUBDIVISION:** N/A

**FLOODPLAIN:** n/a

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Approve Case No. DEV-24-147, Final Plat for Cheyenne Crossing 2<sup>nd</sup> Plat with or without conditions; or
2. Deny Case No. DEV-24-147, Final Plat for Cheyenne Crossing 2<sup>nd</sup> Plat for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 34 ACRES

**PARCEL ID NO:**

189-32-0-00-00-005.00

**BUILDINGS:**

N/A

**PROJECT SUMMARY:**

Request for final plat approval to subdivide property located at 00000 178<sup>th</sup> Street (189-32-0-00-00-005.00) as Lots 5 through 17 of Cheyenne Crossing 2<sup>nd</sup> Plat.

**ACCESS/STREET:**

178<sup>th</sup> Street - Local, Paved ± 22'

**Location Map:**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 2

**WATER:** RWD 7

**ELECTRIC:** Every

**NOTICE & REVIEW:**

**STAFF REVIEW:**

9/27/2024

**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>	N/A	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>	X	
50-40	<b>Minimum Design Standards</b>		X
	An exception from Article 50, Section 40.3.a. is required for Lot 9.		
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 34 acres into 13 lots as Phase II of the Cheyenne Crossing Subdivision. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). All lots are compliant with the RR-2.5 zoning district, except Lot 9. Lot 9 was modified from the preliminary plat and now does not meet the lot frontage requirement for RR-2.5. The applicant is requesting an exception from Article 50, Section 40.3.a. to allow for the lot frontage to be calculated at the Building Setback Line instead of the at the right-of-way.. Lot 15 does have a utility & drainage easement that bisects the lot. However, it appears that there would be enough room along the southern half to support a house and septic system. Careful consideration must be given to the layout of the development of the lot during the building phase.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. An exception from Article 50, Section 40.3.a. – Lot Width for Lot 9 has been approved.
6. The developer must comply with the following memorandums:
  - Memo – RWD 7, dated November 21, 2024
  - Memo – Fire District 2, dated November 25, 2024

**EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.a. – Lots Compliant with the Zoning Width Standards. 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.a. – Lot Compliant with Zoning District Standards in conformance with the Zoning & Subdivision Regulations for the Tallgrass Estates subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

**PROPOSED MOTIONS:**

Approve case DEV-24-147, a request to plat the property located at 00000 178<sup>th</sup> Street into a 13-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-24-147 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-147, a request to plat the property located at 00000 178<sup>th</sup> Street into a 13-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-24-147.*

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

*Motion: Chairman, I move to table Case No. DEV-24-147 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

- A: Application & Narrative
- B: Zoning Map
- C: Road Map
- 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: Herring Surveying Company NAME: CHEYENNE CROSSING LAND DEVELOPMENT LLC  
MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS 18701 Hemphill Road  
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Tonganoxie, KS 66086  
PHONE: 913-651-3858 PHONE: N/A  
EMAIL : herringsurveying@outlook.com EMAIL N/A

### GENERAL INFORMATION

Proposed Subdivision Name: CHEYENNE CROSSING 2ND PLAT  
Address of Property: 00000 178TH STREET  
PID: 189-32-0-00-00-005 Urban Growth Management Area: N/A

### SUBDIVISION INFORMATION

Gross Acreage: <u>36.9 Ac</u>	Number of Lots: <u>13</u>	Minimum Lot Size: <u>2.51 AC</u>
Maximum Lot Size: <u>3.39 AC</u>	Proposed Zoning: <u>RR-2.5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 7</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>#2</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider: <u>Atmos/Propane</u>
Covenants: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

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

Signature: Joe Herring - digitally signed November 4, 2024 Date: 11-4-24

ATTACHMENT A

WARRANTY DEED (Statutory)

THE GRANTORS,

**Cheyenne Crossing Land Development, LLC**

**AND**

**Joe F. Jenkins, II and Janet J. Jenkins, husband and wife**

a limited liability company duly organized and existing under and by virtue of the laws of the State of Kansas and having its principal place of business at \_\_\_\_\_ in the State of Kansas, hereby

CONVEYS AND WARRANTS to

**Cheyenne Crossing Land Development, LLC, a Kansas Limited Liability Company**

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, for the sum of One Dollar and Other Valuable Consideration, the following described real estate:

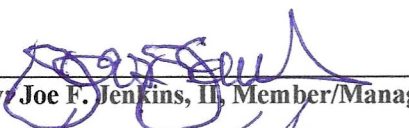
A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 6, 2024, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.75 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" East for a distance of 282.20 feet; thence South 40 degrees 02'44" East for a distance of 103.64 feet; thence North 49 degrees 57'16" East for a distance of 318.80 feet; thence South 35 degrees 55'21" East for a distance of 371.45 feet; thence South 54 degrees 04'39" West for a distance of 7.65 feet; thence South 35 degrees 55'21" East for a distance 382.55 feet; thence South 88 degrees 49'49" West for a distance of 137.37 feet; thence South 01 degrees 08'36" East for a distance of 695.20 feet to the North line of CHEYENNE CROSSING 1ST PLAT; thence South 88 degrees 50'49" West for a distance of 1030.96 feet along said North line; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning, Together with and subject to covenants, easements, and restrictions of record.

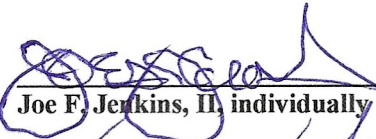
(THIS DEED IS BEING RECORDED PURSUANT TO K.S.A. 79-1437e AS AMENDED, EXEMPTION #3)


(Subject to easements, restrictions, and reservations of record, and all taxes and assessments that may be levied, imposed, or become payable hereafter.)

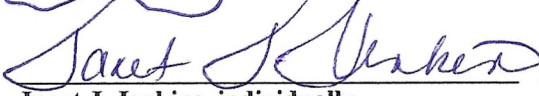
Dated this 11<sup>th</sup> day of November A.D. 2024

Cheyenne Crossing Land Development, LLC

  
By: Joe F. Jenkins, II, Member/Manager

  
Joe F. Jenkins, II, individually

  
By: Janet J. Jenkins, Member/Manager

  
Janet J. Jenkins, individually

STATE OF Florida, COUNTY OF Lee

This instrument was acknowledged before me on this 11th day of November 2024 by:  
**Joe F. Jenkins, II, Member/Manager and Janet J. Jenkins, Member/Manager of Cheyenne Crossing Land Development, LLC and Joe F. Jenkins, II and Janet J. Jenkins, husband and wife**

My appointment expires:  
August 09, 2026

  
Notary Public



## Business Search ?

The business name or identification number on file with the Secretary of State.

By business name  By Kansas Secretary of State Business ID  By resident agent name

Cheyenne crossing land developmei

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Contains  Starts With

Search

Return To Search Results

General Information

[View Documents](#)

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### Business ID

9942194 [Purchase Certified Copies](#)

### Business Name

CHEYENNE CROSSING LAND DEVELOPMENT, LLC

### Type

Domestic Limited Liability Company

### Formation Date

06/23/2021

### Jurisdiction

Kansas

### Status

Active and in Good Standing

[Purchase Certificate of Good Standing](#)

### Principal Office

#### Address

Joe F. Jenkins II 11490 Osprey Landing Way [Update Online](#)

#### City, State Zip

FORT MYERS, FL 33908

**Country** United States of America

### Resident Agent Name

KANSAS CORPORATION #2, INC.

### Registered Office

#### Address

4200 Somerset Drive Ste. 208

#### City, State Zip

PRAIRIE VILLAGE, KS 66208

### Last Reporting Year

2022

### Next Report Due Date

04/15/2025

**Forfeiture Date**

07/15/2025

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## 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.  
*Lot 9 is on curve with the lot width being over 200 feet at the Building Setback Line.*
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.  
*Yes - width restriction is met at the Building Setback Line*
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

*No*

# CHEYENNE CROSSING 2ND PLAT

Tract of land in the Southwest Quarter of Section 32,  
Township 11 South, Range 22 East, Leavenworth County, Kansas.

## FINAL PLAT

### DESCRIPTION:

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, as written by Joseph A. Herring PS 1236 on November 6, 2024, more fully described as follows:  
Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.35 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" East for a distance of 282.20 feet; thence South 40 degrees 02'44" East for a distance of 103.64 feet; thence North 49 degrees 57'16" East for a distance of 318.80 feet; thence South 35 degrees 55'21" East for a distance of 371.45 feet; thence South 54 degrees 04'39" West for a distance of 7.65 feet; thence South 35 degrees 55'21" East for a distance 382.55 feet to the North line of SOUTH ELEMENTARY SUBDIVISION; thence South 88 degrees 49'49" West for a distance of 137.37 feet along said North line; thence South 01 degrees 08'36" East for a distance of 695.20 feet along the West line of said SOUTH ELEMENTARY SUBDIVISION to the North line of CHEYENNE CROSSING 1ST PLAT; thence South 88 degrees 50'49" West for a distance of 1030.96 feet along said North line; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning,  
Together with and subject to covenants, easements, and restrictions of record.

### 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: CHEYENNE CROSSING 2ND PLAT.

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

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

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

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.

Terms and conditions of the Declaration of Restrictions Cheyenne Crossing, recorded July 18, 2024 at 1:39 PM as Document No. 2024R05235.

### IN TESTIMONY WHEREOF

We, the undersigned owners of CHEYENNE CROSSING 2ND PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Joe F. Jenkins II  
Member of Cheyenne Crossing Land Development, LLC

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Joe F. Jenkins II, member Cheyenne Crossing Land Development, LLC, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND 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 - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT, 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 - TerriLois G. Mashburn

PREPARED FOR:  
Cheyenne Crossing Land Development, LLC  
18701 Hemphill Road  
Tonganoxie, KS 66086  
PID NO. 189-32-00-00-005

### RESTRICTIONS:

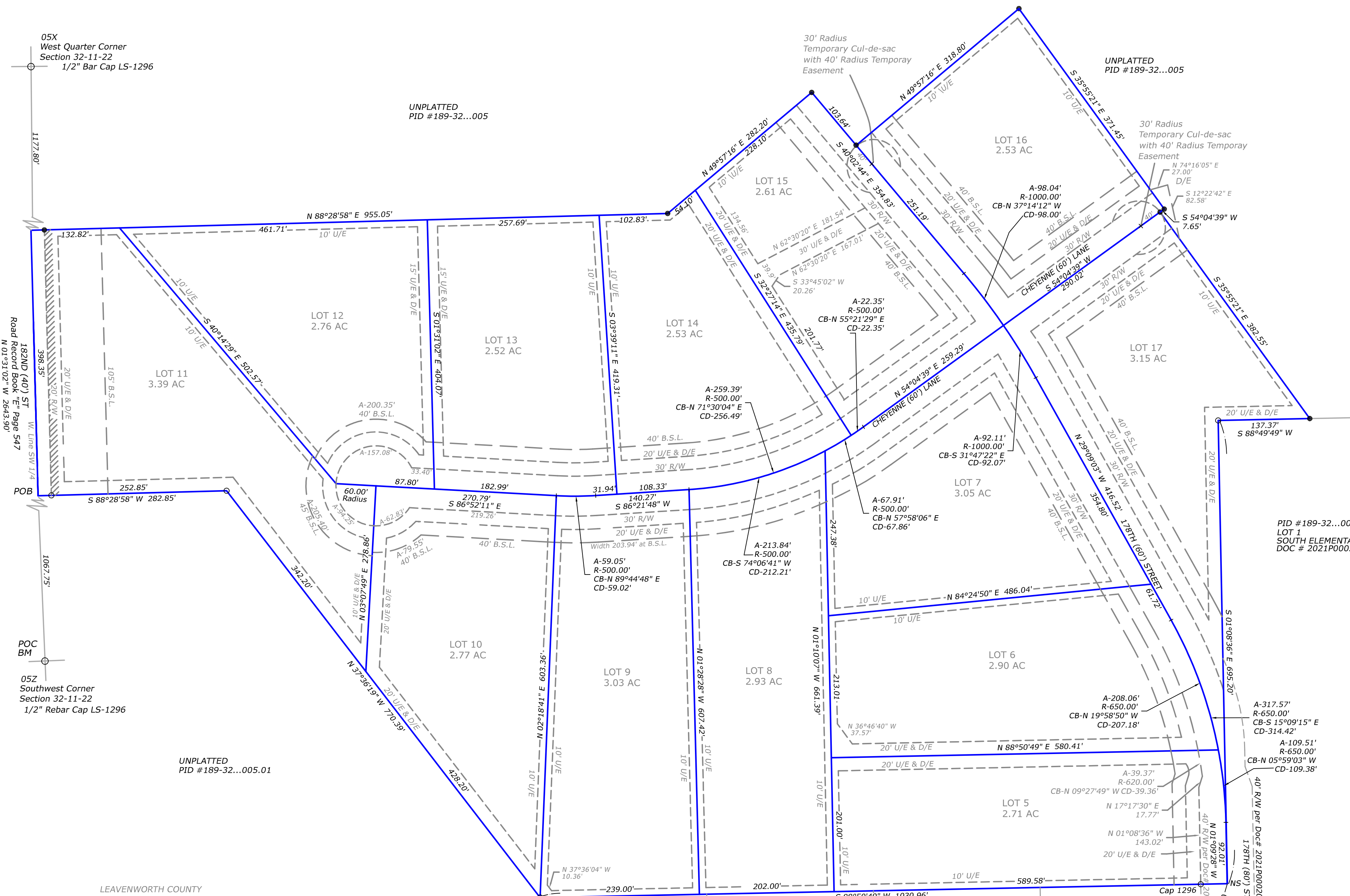
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) The temporary cul-de-sac shall be removed at the time the road is extended and the temporary easement shall become null and void.
- 7) An exception was granted for Lot 9 Article 50, Section 40.3.a. - Lots Compliant with Zoning Width Standards
- 8) Restrictions per recorded Document Number 2024R05235

### ZONING:

RR - 2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

### 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 : 373028 - 36.90 Acres, more or less, including road right of way.
- 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - Southwest Corner - 955.24'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Document Number 2013R06106
- 13) Utility Companies -
  - Water - RWD 7
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 14) updated October 30, 2024
- 15) FEMA FIRM Map 20103C0325G & 0350G dated July 16, 2015
- 16) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 17) Distances to and of structures, if any, are +- 1'.
- 18) Easements as per referenced Title Commitment are shown hereon
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
  - Recorded Plat of SOUTH ELEMENTARY Document Number 2021P00020
  - Recorded Plat of CHEYENNE CROSSING 1ST PLAT Document Number 2022P00019 (IAH) - J.A.Herring Surveys Doc #2013S011, #2014S035, #2015S053, #2020S055



PLAT NOTE:  
- 1/2" Rebar Cap LS-1296 set at all interior Lot Corners, set at right of way for points along roads.  
- All Lot Area is more or less and includes road right of ways.

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



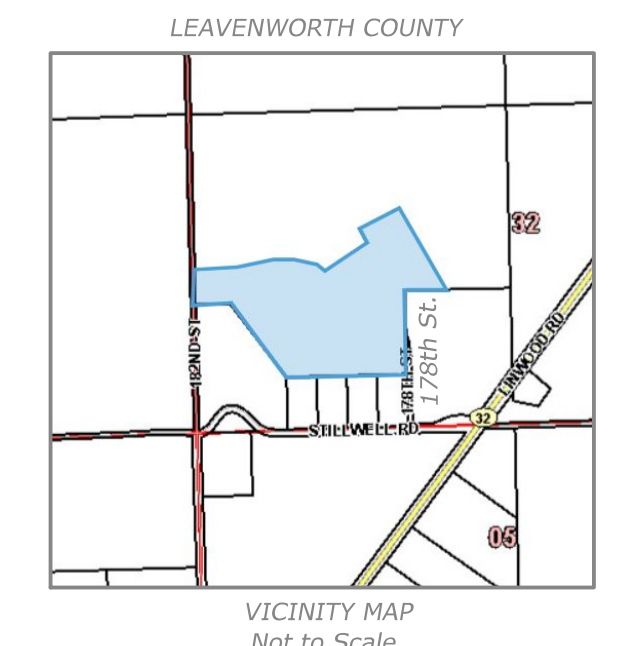
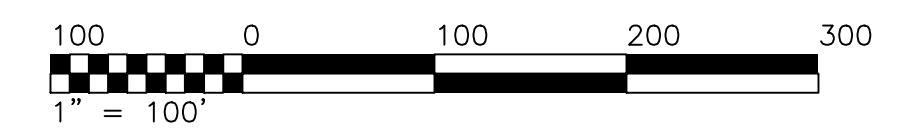
Scale 1" = 100'

Job No. K-24-749  
October 31, 2024 Rev. 2-13-25

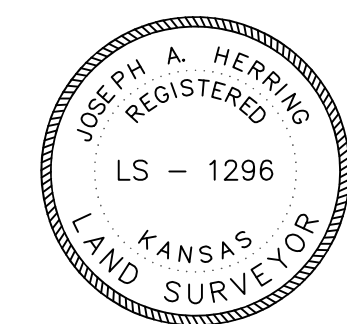


I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumbach, PS#1363  
County Surveyor



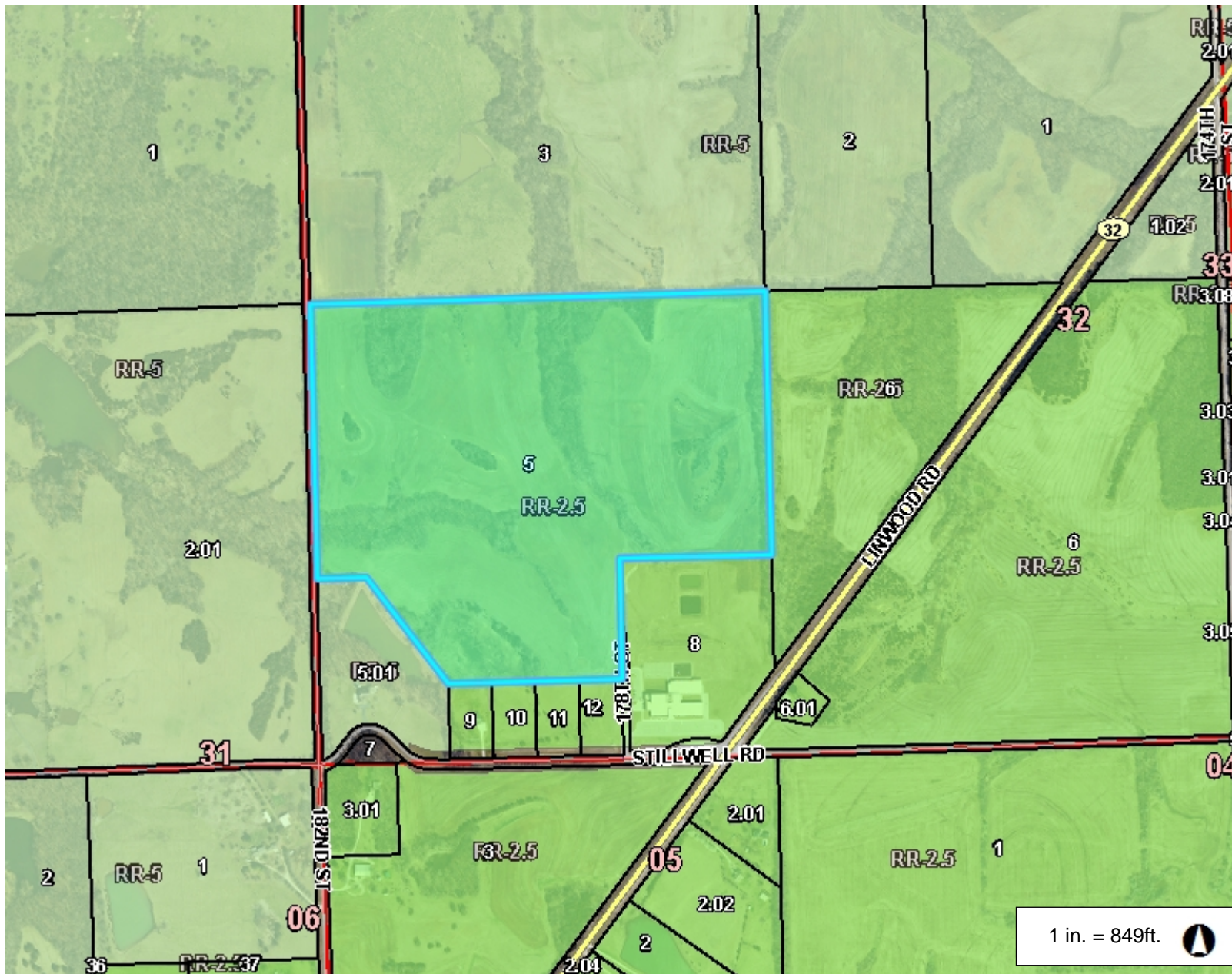
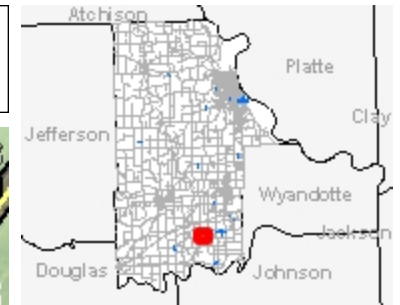
- LOT 1 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...009
- LOT 2 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...010
- LOT 3 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...011
- LOT 4 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...012



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July through October 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# DEV-24-147 Cheyenne Crossing 2nd Plat



### 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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1,697.9      0      848.95      1,697.9 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



## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, November 19, 2024 10:35 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-24-147 Final Plat - Cheyenne Crossing 2nd

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:** Monday, November 18, 2024 3:35 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'jalayne@leavenworthrwd7.com' <jalayne@leavenworthrwd7.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-147 Final Plat - Cheyenne Crossing 2nd

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for a 13 lot subdivision at 00000 178<sup>th</sup> Street (PID 189-32-0-00-00-005.00)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, December 2<sup>nd</sup>.

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**

## Allison, Amy

---

**From:** Leavenworth RWD#7 <manager@leavenworthrd7.com>  
**Sent:** Thursday, November 21, 2024 7:57 AM  
**To:** Allison, Amy  
**Cc:** jalayne leavenworthrd7.com; Joe Herring  
**Subject:** Re: Cheyenne Crossing Phase 2

**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.

Good Morning Planning and Zoning,

Leavenworth Rural Water 7 has a previous agreement to supply water to all phases of Cheyenne Crossings. This was worked out with Joe Jenkins prior to the start of the development in 2019. Our engineer's study shows us to have adequate water available to supply the necessary needs of that area to include residential and fire supply. Rural Water 7 has been diligently working to expand our district boundaries to encompass this unclaimed area to include the elementary school and Cheyenne Crossings since water is already supplied by us.

Please let me know if any further clarification is needed.

Thank you,

Kyle Kraemer  
Kraemer & Sons Construction and Excavating  
DBA LVRWD #7 Manager/Operator  
Office - 913.441.1205  
Cell - 913.645.1636

---

**From:** Leavenworth RWD#7 <manager@leavenworthrd7.com>  
**Sent:** Wednesday, November 20, 2024 9:01 AM  
**To:** Aallison@leavenworthcounty.gov <Aallison@leavenworthcounty.gov>  
**Cc:** jalayne leavenworthrd7.com <jalayne@leavenworthrd7.com>  
**Subject:** Fw: Cheyenne Crossing Phase 2

Thank you,

Kyle Kraemer  
Kraemer & Sons Construction and Excavating  
DBA LVRWD #7 Manager/Operator  
Office - 913.441.1205  
Cell - 913.645.1636

---

**From:** Chester Bender <cbender@pyengineers.com>  
**Sent:** Friday, August 16, 2024 4:43 PM  
**To:** Leavenworth RWD#7 <manager@leavenworthrwd7.com>  
**Cc:** jalayne leavenworthrwd7.com <jalayne@leavenworthrwd7.com>; kyle@kraemerandsons.org <kyle@kraemerandsons.org>  
**Subject:** RE: Cheyenne Crossing Phase 2

Attached is the revised report as we discussed on Wednesday.  
Please advise of any questions.  
Thanks

Chester Bender, P.E.

Ponzer Youngquist, P.A. Consulting Engineers  
Lenexa, Kansas 66215  
Phone: 913.782.0541  
Email: [cbender@pyengineers.com](mailto:cbender@pyengineers.com)

---

**From:** Chester Bender  
**Sent:** Wednesday, August 14, 2024 10:59 AM  
**To:** Leavenworth RWD#7 <manager@leavenworthrwd7.com>  
**Cc:** Jalayne Turner (jalayne@leavenworthrwd7.com) <jalayne@leavenworthrwd7.com>; kyle@kraemerandsons.org  
**Subject:** RE: Cheyenne Crossing Phase 2

AS we discussed, attached is a revised project cost estimate. I will send you a revised letter later today.  
Please advise of any questions.  
Thanks

---

**From:** Chester Bender  
**Sent:** Monday, August 12, 2024 10:07 AM  
**To:** Leavenworth RWD#7 <[manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com)>  
**Cc:** Jalayne Turner ([jalayne@leavenworthrwd7.com](mailto:jalayne@leavenworthrwd7.com)) <[jalayne@leavenworthrwd7.com](mailto:jalayne@leavenworthrwd7.com)>; [kyle@kraemerandsons.org](mailto:kyle@kraemerandsons.org)  
**Subject:** RE: Cheyenne Crossing Phase 2

Attached is our letter report regarding recommendations for water main extensions to serve this development.  
Please advise of any questions.  
Thanks

Chester Bender, P.E.

Ponzer Youngquist, P.A. Consulting Engineers  
Lenexa, Kansas 66215  
Phone: 913.782.0541  
Email: [cbender@pyengineers.com](mailto:cbender@pyengineers.com)

---

**From:** Leavenworth RWD#7 <[manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com)>

**Sent:** Monday, June 24, 2024 9:36 AM

**To:** Chester Bender <[cbender@pyengineers.com](mailto:cbender@pyengineers.com)>

**Subject:** Fw: Cheyenne Crossing Phase 2

Chester,

Here is the preliminary drawing for Cheyenne Crossing phase 2. Please start working on the water main extension that will be needed.

Let me know if you have any questions and have a great day!

Kyle

---

**From:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>

**Sent:** Saturday, June 22, 2024 10:21 AM

**To:** Boone Heston <[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)>; Leavenworth RWD#7 <[manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com)>;  
[kritter@lvcofd2.com](mailto:kritter@lvcofd2.com) <[kritter@lvcofd2.com](mailto:kritter@lvcofd2.com)>; [dritter@lvcofd2.com](mailto:dritter@lvcofd2.com) <[dritter@lvcofd2.com](mailto:dritter@lvcofd2.com)>

**Subject:** Cheyenne Crossing Phase 2

Please provide the standard service letters for the attached preliminary plat.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company

315 N. 5th Street, Leavenworth, KS 66048

913-651-3858 - ROCK CHALK!

## Allison, Amy

---

**From:** Dylan Ritter <dritter@lvcofd2.com>  
**Sent:** Monday, November 25, 2024 1:20 PM  
**To:** Allison, Amy  
**Subject:** Re: DEV-24-147 Final Plat - Cheyenne Crossing 2nd

**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.

Leavenworth County Fire District #2 recommends that at least one fire hydrant be located at the intersection of Cheyenne Lane and 178th Street. Preference being that there is at least one fire hydrant every 1000' of road.

Fire District #2 has no additional comments or concerns.

Thank you.

On Mon, Nov 18, 2024 at 3:34 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for a 13 lot subdivision at 00000 178<sup>th</sup> Street (PID 189-32-0-00-00-005.00)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, December 2<sup>nd</sup>.

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

**UTILITIES**

THE INFORMATION CONCERNING LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON WHICH ARE NOT VISIBLE FROM THE SURFACE, HAS BEEN TAKEN FROM THE RECORDS AND FIELD LOCATIONS OF VARIOUS UTILITY COMPANIES AND HAS NOT BEEN VERIFIED BY THIS COMPANY. THESE LOCATIONS ARE NOT TO BE INTERPRETED AS ACCURATE OR EXACT.

**FLOODPLAIN NOTE**

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PANEL NUMBER 20103C0350G, EFFECTIVE DATE: JULY 16TH, 2015, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AREA OF MINIMAL FLOOD HAZARD.

**HORIZONTAL CONTROL**

KANSAS STATE PLANE COORDINATE SYSTEM, NAD 83 NORTH ZONE.

**PROJECT BENCHMARK**

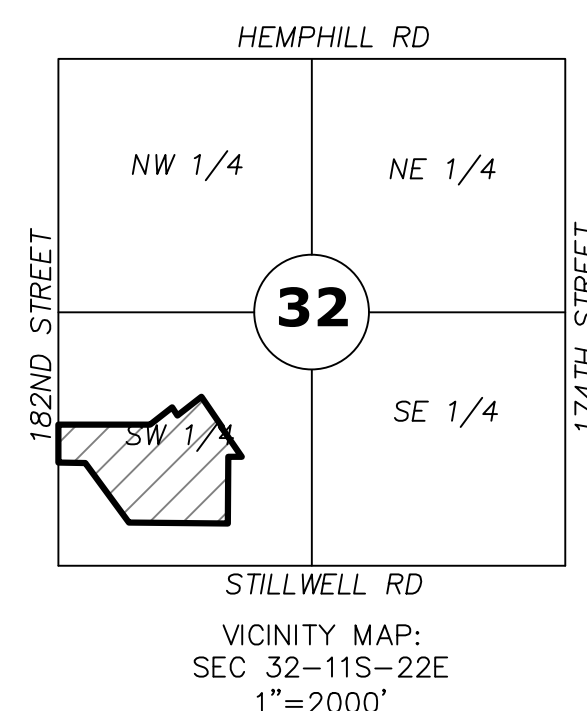
CP 4 - NAIL IN CENTER OF EXISTING TEMPORARY CUL-DE-SAC  
ELEV: 991.02

**DESCRIPTION**

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, as written by Joseph A. Herring PS-1296 on December 15, 2021, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.75 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" W for a distance of 282.20 feet; thence North 40 degrees 02'44" West for a distance of 41.65 feet; thence North 49 degrees 57'16" East for a distance of 277.68 feet; thence South 35 degrees 55'21" East for a distance of 513.40 feet; thence North 54 degrees 04'39" East for a distance of 43.81 feet; thence South 35 degrees 55'21" East for a distance 382.53 feet; thence South 88 degrees 49'49" West for a distance of 137.37 feet; thence South 01 degrees 08'36" East for a distance of 1145.00 feet to the South line of said Southwest Quarter; thence South 88 degrees 50'49" West for a distance of 1030.89 feet along said South line; thence North 01 degrees 09'11" West for a distance of 449.86 feet; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning, LESS the South 449.86 feet there.

**STREET DESIGN NOTE**

ALL ROADWAYS ARE CLASSIFIED AS LOCAL RESIDENTIAL AND DESIGNED FOR A SPEED OF 30 MPH WITH A MINIMUM SSD/HSD OF 200' PER AASHTO AND LEAVENWORTH COUNTY PUBLIC WORKS ROAD CONSTRUCTION STANDARDS (2003 ED.) AND WILL HAVE A POSTED SPEED OF 30 MPH.



# CHEYENNE CROSSING - PHASE 2

14440 178TH ST, BONNER SPRINGS, KS 66012

SW 1/4 OF SECTION 32, TOWNSHIP 11S, RANGE 22E IN BONNER SPRINGS, LEAVENWORTH COUNTY, KANSAS

## PUBLIC STREET & STORM IMPROVEMENT PLAN

TOTAL SITE AREA: 36.92 ACRES

**ESTIMATED STREET & GRADING QUANTITIES**

ITEM	UNIT	QUANTITY	ASBUILT
EARTHWORK - CUT	CY	5837	
EARTHWORK - FILL	CY	3342	
2" KDOT SR-12.5A ASPHALTIC CONCRETE SURFACE	SY	7682	
4" KDOT SR-12.5A ASPHALTIC CONCRETE BASE	SY	7682	
4" AB-3	SY	8245	
PERMANENT SIGNING - STOP SIGN	EA	2	
END OF ROAD MARKERS	EA	8	
PERMANENT SIGNING - SPEED LIMIT SIGN	EA	2	

**ESTIMATED STORM SEWER QUANTITIES**

ITEM	UNIT	QUANTITY	ASBUILT
24" RCP	LF	54	
24" END SECTION W/TOE WALL	EA	2	
6" RIP RAP 1.5' DEPTH @ ES	SY	6	

**ESTIMATED EROSION CONTROL QUANTITIES**

ITEM	UNIT	QUANTITY	ASBUILT
SILT FENCE	LF	4594	
TREE CLEARING & GRUBING	AC	1.53	
SEEDING (TEMPORARY & PERMANENT)	AC	6.89	
TEMPORARY CONSTRUCTION ENTRANCE	EA	1	

**INDEX OF SHEETS**

- C-001 COVER
- C-101 EROSION CONTROL PHASE 1
- C-102 EROSION CONTROL PHASE 2
- C-103 EROSION CONTROL PHASE 3
- C-104 EROSION CONTROL DETAILS
- C-200 OVERALL LAYOUT
- C-201 GENERAL NOTES
- C-202 178TH ST PLAN AND PROFILE
- C-203 CHEYENNE LANE PLAN AND PROFILE
- C-204 OVERALL LAYOUT SAMPLE LINES
- C-205 178TH ST CROSS SECTIONS - 1
- C-206 178TH ST CROSS SECTIONS - 2
- C-207 178TH ST CROSS SECTIONS - 3
- C-208 178TH ST CROSS SECTIONS - 4
- C-209 CHEYENNE LANE CROSS SECTIONS - 1
- C-210 CHEYENNE LANE CROSS SECTIONS - 2
- C-211 CHEYENNE LANE CROSS SECTIONS - 3
- C-212 CHEYENNE LANE CROSS SECTIONS - 4
- C-213 CHEYENNE LANE CROSS SECTIONS - 5
- C-300 OVERALL GRADING PLAN
- C-301 GRADING DETAILS
- C-400 OVERALL UTILITY LAYOUT
- C-401 STORM A & SWALE A PLAN & PROFILE
- C-402 STORM SWALE B PLAN AND PROFILE
- C-403 STORM SWALE C PLAN AND PROFILE
- C-404 STORM SWALE D PLAN AND PROFILE
- C-405 STORM SWALE E PLAN AND PROFILE
- C-406 STORM SWALE F PLAN AND PROFILE
- C-407 STORM DRAINAGE MAP & SWALE CALCS

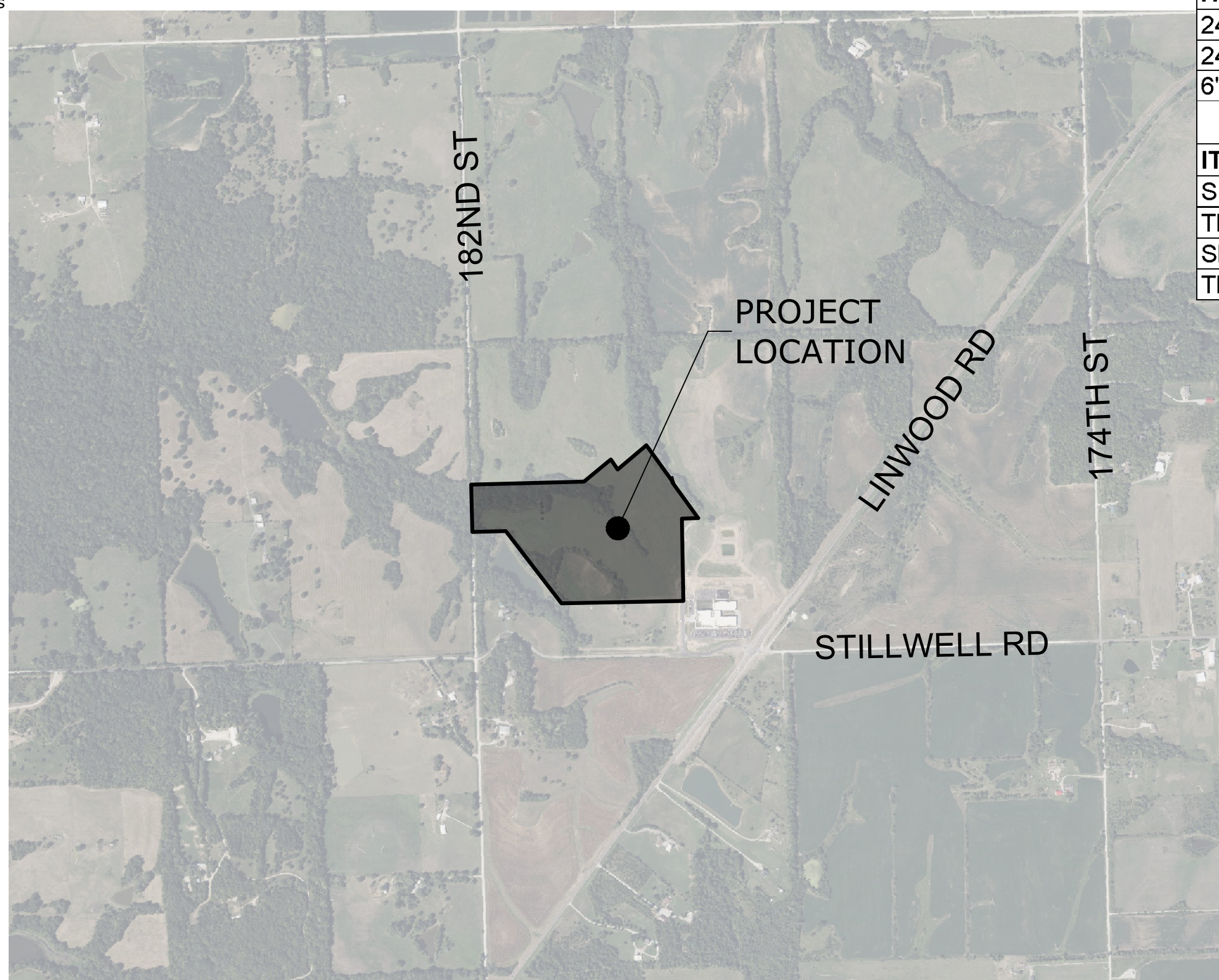
**APPROVALS**

REVIEWED BY:  
*M.A. Plan* 03-03-2025  
COUNTY ENGINEER

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, DIMENSIONS, ELEVATIONS, AND QUANTITIES.

*Timothy A. Elliott* 02/24/2025  
ENGINEER OF RECORD

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.



**VICINITY MAP**  
N.T.S.

**UTILITY CONTACTS**

- FREESTATE ELECTRIC COOPERATIVE  
800-794-1989
- RURAL WATER DISTRICT #7  
913-441-1205
- EVERGY  
800-383-1183
- ATMOS ENERGY  
866-322-8667
- KANSAS GAS SERVICE  
800-794-4780
- AT&T  
800-288-2020
- SPECTRUM  
833-267-6094

**ENGINEER**

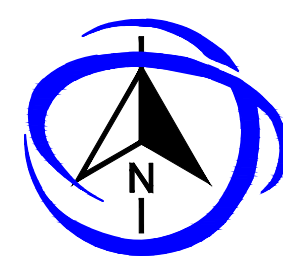
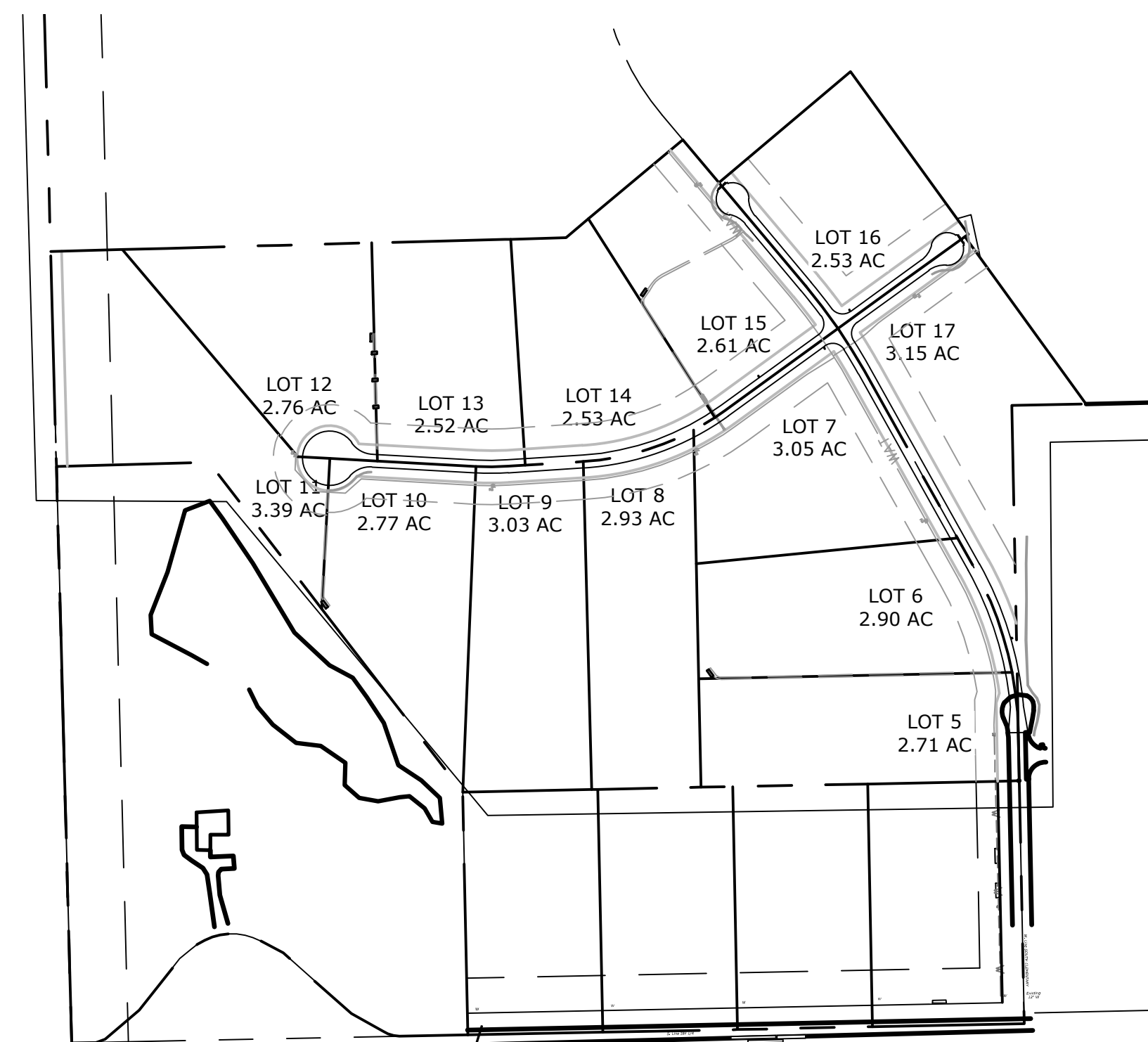
ATLAS LAND CONSULTING  
14500 PARALLEL RD. UNIT R BASEHOR, KS 66007  
913-662-5050

**SURVEYOR**

JOE HERRING  
HERRING SURVEYING COMPANY  
315 N. 5TH ST. LEAVENWORTH, KS 66048  
913-651-3858

**OWNER/DEVELOPER**

JOE JENKINS  
CHEYENNE CROSSING LAND DEVELOPMENT, LLC



250 125 0 250  
SCALE IN FEET

ALC  
ATLAS LAND CONSULTING  
SURVEYING | CIVIL ENGINEERING | DRONE | CAD  
14500 Parallel Road, Unit R, Basehor, KS 66007



TIMOTHY A. ELLIOTT, PE

CHEYENNE CROSSING PH 2  
178TH ST. BONNER SPRINGS, KS

NO.	BY	DATE	REVISION
5	TAE LUF	25.02.24	COUNTY REVIEW 5
4	TAE LUF	25.02.13	COUNTY REVIEW 4
3	TAE LUF	25.01.31	COUNTY REVIEW 3
2	TAE LUF	25.01.13	COUNTY REVIEW 2
1	TAE LUF	24.12.17	COUNTY REVIEW 1

PREPARED FOR:  
JOE JENKINS  
CHEYENNE CROSSING LAND DEVELOPMENT, LLC

PROJECT #: 24-159  
ISSUE DATE: 02/24/2025

COVER SHEET  
**C-001**

# CHEYENNE CROSSING 2ND PLAT

Tract of land in the Southwest Quarter of Section 32,  
Township 11 South, Range 22 East, Leavenworth County, Kansas.

## FINAL PLAT

### DESCRIPTION:

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, as written by Joseph A. Herring PS 1236 on November 6, 2024, more fully described as follows:  
Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.35 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" East for a distance of 282.20 feet; thence South 40 degrees 02'44" East for a distance of 103.64 feet; thence North 49 degrees 57'16" East for a distance of 318.80 feet; thence South 35 degrees 55'21" East for a distance of 371.45 feet; thence South 54 degrees 04'39" West for a distance of 7.65 feet; thence South 35 degrees 55'21" East for a distance 382.55 feet to the North line of SOUTH ELEMENTARY SUBDIVISION; thence South 88 degrees 49'49" West for a distance of 137.37 feet along said North line; thence South 01 degrees 08'36" East for a distance of 695.20 feet along the West line of said SOUTH ELEMENTARY SUBDIVISION to the North line of CHEYENNE CROSSING 1ST PLAT; thence South 88 degrees 50'49" West for a distance of 1030.96 feet along said North line; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning,  
Together with and subject to covenants, easements, and restrictions of record.

### 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: CHEYENNE CROSSING 2ND PLAT.

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

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

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

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.

Terms and conditions of the Declaration of Restrictions Cheyenne Crossing, recorded July 18, 2024 at 1:39 PM as Document No. 2024R05235.

### IN TESTIMONY WHEREOF

We, the undersigned owners of CHEYENNE CROSSING 2ND PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Joe F. Jenkins II  
Member of Cheyenne Crossing Land Development, LLC

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Joe F. Jenkins II, member Cheyenne Crossing Land Development, LLC, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND 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 - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT, 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 - TerriLois G. Mashburn

PREPARED FOR:  
Cheyenne Crossing Land Development, LLC  
18701 Hemphill Road  
Tonganoxie, KS 66086  
PID NO. 189-32-00-00-005

### RESTRICTIONS:

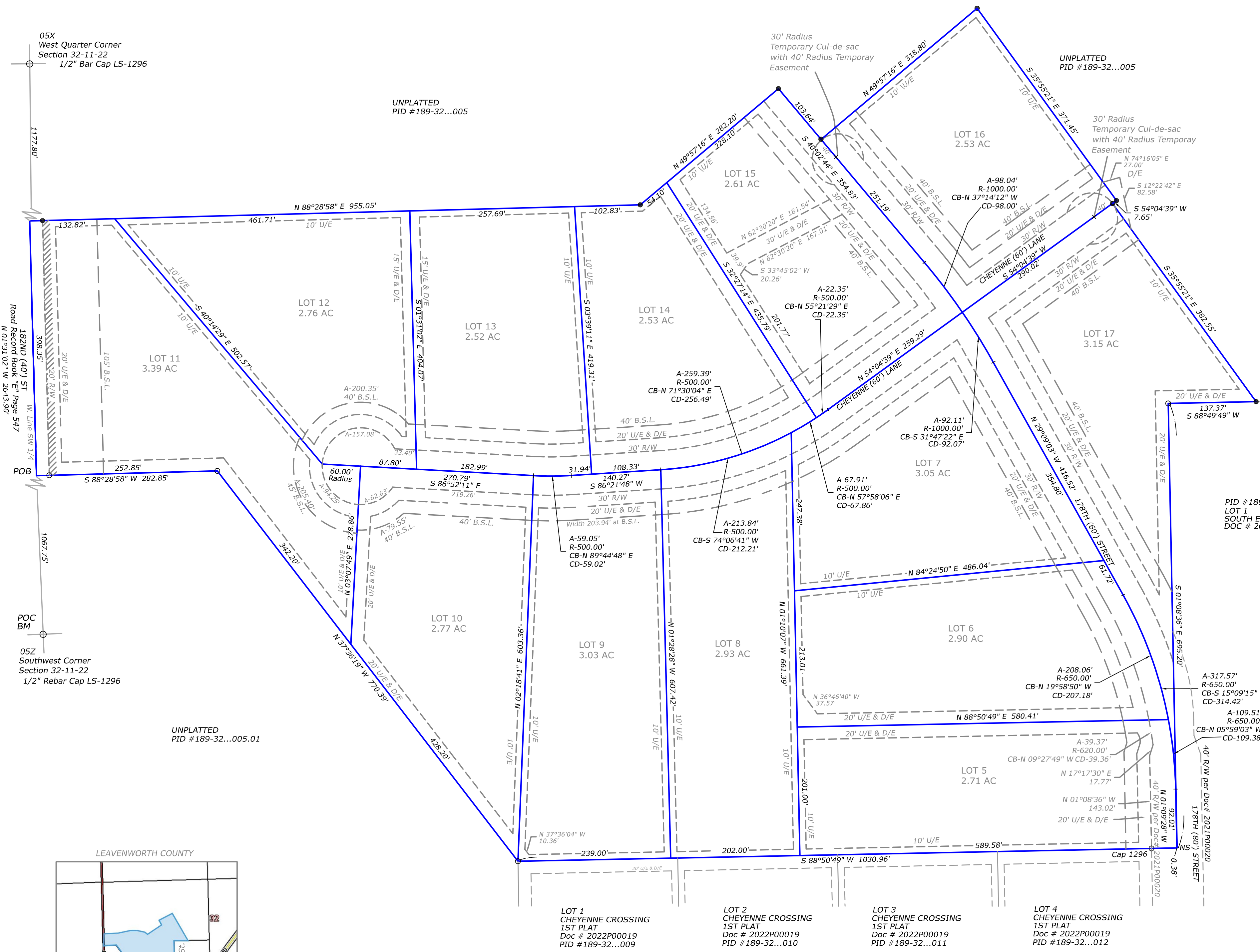
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy.
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) The temporary cul-de-sac shall be removed at the time the road is extended and the temporary easement shall become null and void.
- 7) An exception was granted for Lot 9 Article 50, Section 40.3.a. - Lots Compliant with Zoning Width Standards
- 8) Restrictions per recorded Document Number 2024R05235

### ZONING:

RR - 2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

### 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 : 373028 - 36.90 Acres, more or less, including road right of way.
- 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - Southwest Corner - 955.24'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Document Number 2013R06106
- 13) Utility Companies -
  - Water - RWD 7
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0325G & 0350G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - Recorded Plat of SOUTH ELEMENTARY Document Number 2021P00020
  - Recorded Plat of CHEYENNE CROSSING 1ST PLAT Document Number 2022P00019 (JAH) - J.A.Herring Surveys Doc #2013S011, #2014S035, #2015S053, #2020S055



02-21-25  
Combined PW  
Review No  
Comments

**PLAT NOTE:**  
- 1/2" Rebar Cap LS-1296 set at all interior Lot Corners, set at right of way for points along roads.  
- All Lot Area is more or less and includes road right of ways.

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



Scale 1" = 100'

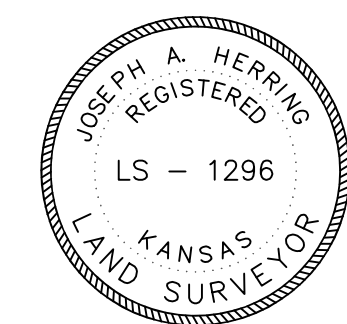
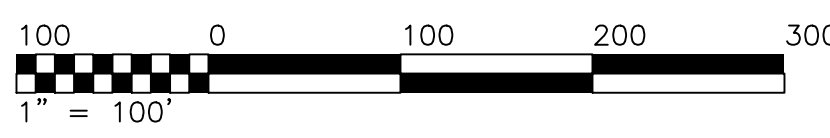
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumbach, PS#1363  
County Surveyor

Job No. K-24-749  
October 31, 2024 Rev. 2-13-25



315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3658 Fax 913.668.3286  
Email - survey@herringco.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July through October 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296

# CHEYENNE CROSSING 2ND PLAT

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Joe F. Jenkins II  
Member of Cheyenne Crossing Land Development, LLC

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Joe F. Jenkins II, member Cheyenne Crossing Land Development, LLC, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

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

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND 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 - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman \_\_\_\_\_  
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.

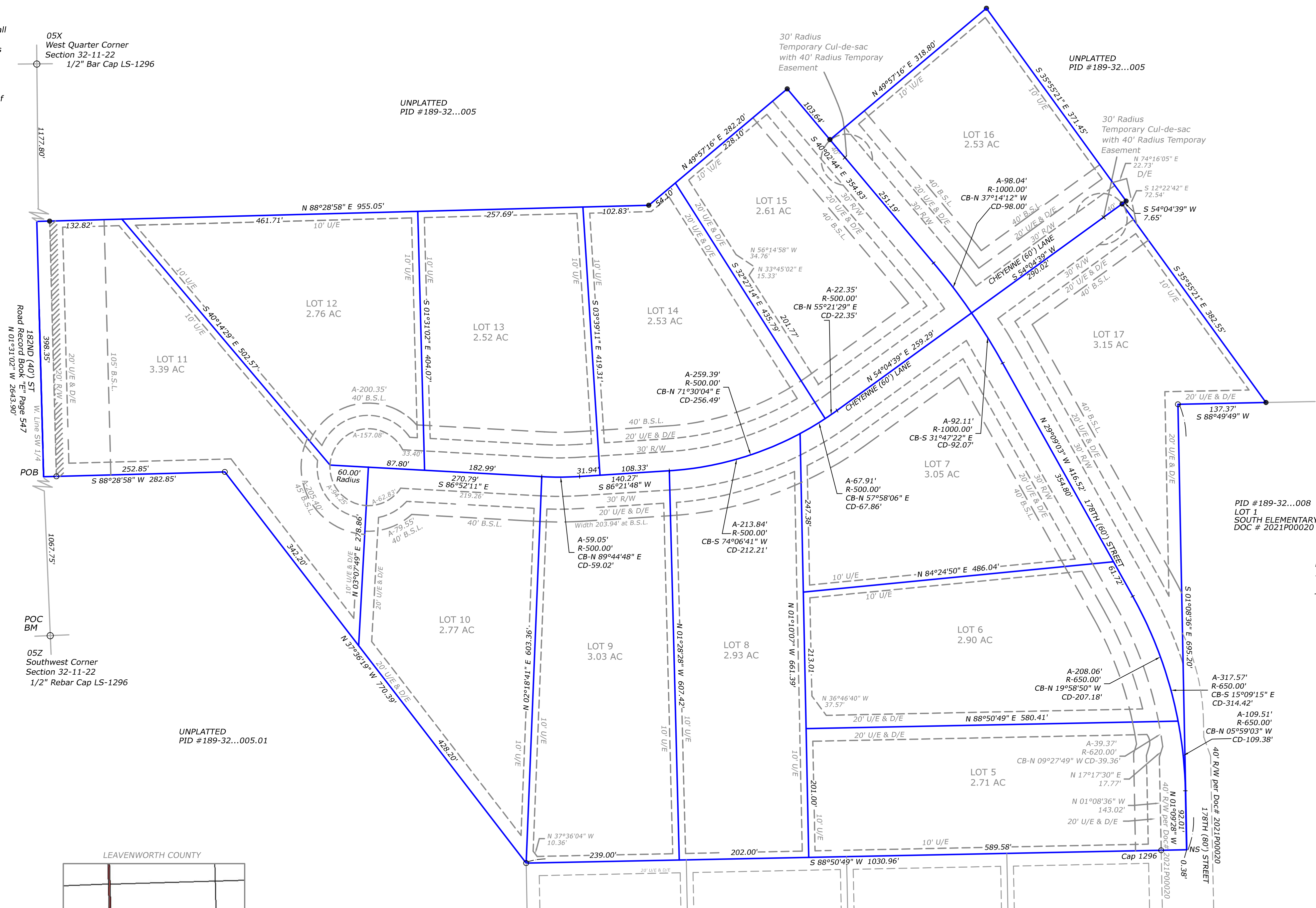
Register of Deeds - TerriLois G. Mashburn

PREPARED FOR:  
Cheyenne Crossing Land Development, LLC  
18701 Hemphill Road  
Tonganoxie, KS 66086  
PID NO. 189-32-00-00-005

**RESTRICTIONS:**  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy.  
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
6) The temporary cul-de-sac shall be removed at the time the road is extended and the temporary easement shall become null and void.  
7) An exception was granted for Lot 9 Article 50, Section 40.3.a. - Lots Compliant with Zoning Width Standards  
8) Restrictions per recorded Document Number 2024R05235

**ZONING:**  
RR - 2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

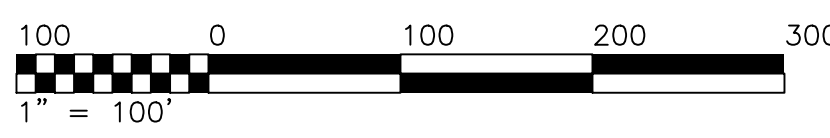
**NOTES:**  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - 1 : 373028 - 36.90 Acres, more or less, including road right of way.  
5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Proposed Lots for Residential Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
10) Project Benchmark (BM) - Southwest Corner - 955.24'  
11) Easements, if any, are created hereon or listed in referenced title commitment.  
12) Reference Recorded Deed Document Number 2013R06106  
13) Utility Companies -  
- Water - RWD 7  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0325G & 0350G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
Recorded Plat of SOUTH ELEMENTARY Document Number 2021P00020  
Recorded Plat of CHEYENNE CROSSING 1ST PLAT Document Number 2022P00019 (JAH) - J.A.Herring Surveys Doc #2013S011, #2014S035, #2015S053, #2020S055



Scale 1" = 100'

Job No. K-24-749  
October 31, 2024 Rev. 1-30-25

J. Herring, Inc. (dba)  
**HERRING SURVEYING & COMPANY**  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3658 Fax 913.668.3286  
Email - survey@herringinc.com



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

**Reviewed 2025.02.05 No Comments**

Daniel Baumchen, PS#1363  
County Surveyor

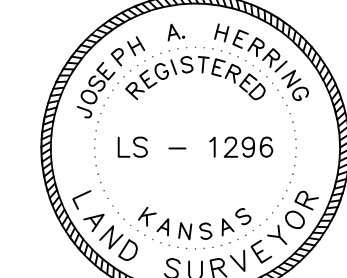


LOT 1 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...009

LOT 2 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...010

LOT 3 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...011

LOT 4 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...012



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July through October 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



**Allison, Amy**

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**From:** Matt Roecker <Matt.Roecker@evergy.com>  
**Sent:** Thursday, March 6, 2025 10:00 AM  
**To:** PZ  
**Cc:** herringsurveying@outlook.com  
**Subject:** Cheyenne Crossings

**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

Hello,

Evergy will provide power to Cheyenne Crossings 2<sup>nd</sup> Plat roughly 13 lots within Leavenworth County.

Thanks

**Matt Roecker**

Evergy  
TD Designer IV  
[matt.roecker@evergy.com](mailto:matt.roecker@evergy.com)  
913-667-5116

# Leavenworth County Request for Board Action

**Date:** March 13<sup>th</sup>, 2025

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Approval:** WLN

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Deny the acceptance of the bid for the replacement of K-19.

**Analysis:** This structure is located on 179<sup>th</sup> Street south of US-73. 179<sup>th</sup> Street acts as the paved road cut-through between K-92 and US-73 west of the City of Leavenworth. This project was designed by Finney and Turnipseed. This bridge has a condition rating of Replace Structure immediately, is structurally deficient, and has a SI&A Rating of 39%. The existing bridge is 51' long and was constructed in 1972 by the county using used steel. The engineer's estimate for project was \$1,231,064.30. The low bid was \$1,520,278.30. This project is budgeted through the 5-year CIP with Special Highway Funds. Donglinger has worked with Leavenworth County to construct multiple bridges in the past.

There were nine plan holders on Drexel but only the one bid was received. I spoke with multiple contractors both on the general and sub side. One sub-contractor stated that they provided pricing to three general contractors. None of those contractors bid the work due to limited crews. Ebert Construction said they are full and just got a \$9M bridge in Atchison County. King Construction of Hesston stated to our design engineer that they are holding off bidding work until after a 900 foot long bridge in Junction City is opened to ensure they can complete that very large project if awarded. Reece Construction has 13 crews and they will travel but they got 6 bridge projects in western Kansas where there is generally less competitive bidding. Am Cohron is full and generally builds larger structures than this bridge based upon their crane size. Bettis is working on the Polk-Quincy Viaduct bridges in Topeka.

Dondlinger stated that they added 15-20% to their bid to account for the tariffs that may go in place. They are also very full and may have added \$50,000 to the price to add 50 days of liquidated damages for late completion based on our pre-bid discussions.

We can't bid the bridge sooner as we won't get any bids. We can rebid the bridge for winter work next year with a very wide window and longer closure but we are making them guess the future steel cost. One contractor stated that if the Canadian tariffs take effect, the commercial construction side of the industry will stop buying foreign steel. This will drive up the demand of the US steel that bridge companies already use and in turn raise prices. He speculated that the tariffs would result in a 40% increase in cost by the end of the year on steel.

We can pay for stored materials and buy the steel now but it has to be stored by the low bidder out of any weather to protect the epoxy steel from rusting. This was not advised by our engineer. We could try to write a special steel price index into the bid and adjust the price in 8 months but that hasn't been done yet anywhere and KDOT only uses this practice currently for asphalt and diesel. My recommendation is to rebid the project for later in the fall or winter with a wider construction window than the current project was bid with to accommodate long periods of weather shutdowns and asphalt availability and see what they lock steel in at.

**Alternatives:** Deny and accept the bid

**Budgetary Impact:**

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

**Additional Attachments:** Bid tab

# Leavenworth County Request for Board Action

**Date:** March 13<sup>th</sup>, 2025

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Approval:** WLN

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Approve the contract with Bryan-Ohlmeier Construction for the replacement of ST-26 on Fairmont Road.

**Analysis:** This structure is located on Fairmont Road between 175<sup>th</sup> Street and 171<sup>st</sup> Street. This project was designed by Finney and Turnipseed and is the second bridge on Fairmont Road to be replaced in three years. This bridge has a condition rating of Poor, is structurally deficient, has SI&A Rating of 36%, and is posted at 12 tons. The existing bridge is 42' long and was constructed in 1975 by the county. The engineer's estimate for project was \$1,043,462.90. The low bid was \$1,042,209.10. This project is budgeted through the 5-year CIP with Special Highway Funds. Bryan-Ohlmeier has recently worked as a subcontractor for the wing walls of the box culvert projects on Eisenhower for MegaKC and was a subcontractor for Miles Excavating on the Basehor 155<sup>th</sup> Street Project.

The Board accepted the low bid on March 5<sup>th</sup> and a Notice of Award was issued to the contractor.

**Alternatives:** Deny

**Budgetary Impact: \$1,094,319.45 (Bid plus 5% contingency)**

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

**Additional Attachments:** Contract

**AGREEMENT BETWEEN  
Leavenworth County, Kansas  
and Contractor**

For

PROJECT: Bridge No. ST-26 Replacement

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

by and between Leavenworth County, Kansas, hereinafter the "County", and Bryan-Ohlmeier Const. Co., Inc., hereinafter the "Contractor";

WITNESSETH:

WHEREAS, the County has caused to be prepared, in accordance with the law, Notice to Bidders, Instructions to Bidders, Bid, this Agreement, General and Special Conditions, Plans, Specifications and other Contract Documents, as defined in the General Conditions, for the work herein described, and has approved and adopted these said Contract Documents and has caused to be published, in the manner and for the time required by law, an advertisement inviting sealed Bids for furnishing construction materials, labor, tools, equipment and transportation necessary for, and in connection with, the construction of public improvements in accordance with the terms of this Agreement; and

WHEREAS, the Contractor, in response to the Notice to Bidders, has submitted to the County, in the manner and at the time specified, a sealed Bid in accordance with the terms of this Agreement; and

WHEREAS, the County, in the manner prescribed by law, has publicly opened, examined and canvassed the Bids submitted, and as a result of this canvass has, in accordance with the law, determined and declared the Contractor to be the lowest and best responsible bidder for the construction of the public improvements, and has duly awarded to the Contractor a contract therefor upon the terms and conditions set forth in this Agreement and for the sum or sums named in the Bid attached to and made a part of this Agreement.

NOW, THEREFORE, in consideration of the compensation to be paid the Contractor, and of the mutual agreements herein contained, the parties hereto have agreed, and hereby agree, the County for itself and its successors, and the Contractor for itself, himself/herself or themselves, its, his/her or their successors and assigns, or its, his/her or their executors and administrators, as follows:

ARTICLE I. The Contractor will furnish at its own cost and expense all labor, tools, equipment, materials and transportation required to construct and complete the work as designated, described and required by the Contract Documents, to wit:

**Bridge No. ST-26 Replacement**, all in accordance with the Notice to Bidders, Instructions to Bidders, Bid, this Agreement, General, Supplementary and Special Conditions, Plans, Specifications and other Contract Documents as defined in Article 1 of the General Conditions of the Contract for Construction, on file with Leavenworth County, Kansas, all of which Contract Documents form the Contract, and are as fully a part hereof as if repeated verbatim herein; all work to be done in a good, substantial and workmanlike manner to the entire satisfaction of the County, and in accordance with the laws of the State of Kansas and the United States of America. All terms used herein shall have the meanings ascribed to them in the General Conditions unless otherwise specified.

ARTICLE II. The County shall pay to the Contractor for the performance of the work embraced in this Contract, and the Contractor will accept in full compensation therefor, the sum of

One-Million, forty-two thousand, two-hundred-nine & 10/100

DOLLARS (\$ 1,042,209.10 )

(subject to adjustment as provided by the Contract Documents) for all work covered by and included in the Contract award and designated in the foregoing Article I, payment thereof to be made in cash or its equivalent and in the manner provided in the Contract Documents.

ARTICLE III. The Contractor shall commence work upon the date stated in the Notice to Proceed, and will be complete with all work covered by this Contract and be ready for final payment **122 Calendar Days after that date but no later than July 30, 2025**. Time is of the essence. Accordingly, liquidated damages shall be assessed against Contractor, at a rate of **\$ 1,000.00/day** for each and every calendar day the work remains incomplete over the specified completion date.

ARTICLE IV. The Contractor shall not subcontract, sell, transfer, assign or otherwise dispose of the Contract or any portion thereof without previous written consent of the County. In case such consent is given, the Contractor shall be permitted to subcontract a portion thereof, but shall self-perform not less than forty percent (40%) of the total Contract Price based upon the unit prices within the Bid submitted to the County by the Contractor. No subcontracts, or other transfer of Contract, shall release the Contractor of its liability under the Contract and Bonds applicable thereto.

ARTICLE V. Contractor specifically acknowledges and confirms that:

- 1.) it has visited the site, made all inspections it deems appropriate and has read and fully understands the Contract Documents, including all obligations and responsibilities undertaken by it as specified herein and in the other Contract Documents and knowingly accepts same;
- 2.) it has furnished copies of all Contract Documents to its insurance carrier(s) and its surety(ies); and
- 3.) its insurance carrier(s) and surety(ies) agree to be bound as specified herein, in the Contract Documents and in the insurance policy(ies) and bonds as to liability and surety coverage.

ARTICLE VI. It is specifically agreed between the parties executing this Agreement that the Contract Documents are not intended to create any third-party beneficiary relationship nor to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement. The duties, obligations and responsibilities of the parties to this Agreement with respect to third parties shall remain as imposed by law.

ARTICLE VII. This Agreement, together with the other Contract Documents, constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except as provided herein or in the other Contract Documents.

ARTICLE VIII. This Agreement is entered into, under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Kansas.

ARTICLE IX. Should any provision of this Agreement or the other Contract Documents be determined to be void, invalid, unenforceable or illegal for whatever reason, such provision(s) shall be null and void; provided, however, that the remaining provisions of this Agreement and/or the other Contract Documents shall be unaffected thereby and shall continue to be valid and enforceable.

IN WITNESS WHEREOF, Leavenworth County, Kansas, has caused this Agreement to be executed on its behalf, thereunto duly authorized, and the said Contractor has executed **Three (3)** counterparts of this Contract in the prescribed form and manner, the day and year first above written.

ATTEST:

**Leavenworth County, Kansas**

\_\_\_\_\_  
Fran Keppler, County Clerk

By: \_\_\_\_\_  
Mike Smith, Fourth District & Chairman

ATTEST:

Contractor: Bryan-Ohlmeier Const. Co., Inc

Melissa L. Peuser  
\_\_\_\_\_  
Title: Office Manager

By: Greg Ohlmeier  
\_\_\_\_\_  
President

CORPORATE SEAL

If Contractor is not an individual, authority for signing contract must be shown or attached.

## BID FORM

**Project Name:** Bridge No. ST-26 Replacement

Name of BIDDER: Bryan-Ohlmeier Construction Co., Inc

Contact Personnel: Corey Ohlmeier

Address of BIDDER 911 N. Pearl Paula KS 66071

**TO: The County of Leavenworth, KS**

The undersigned, as bidder, declares that he has visited the site of the Work and determined the amount and character of the proposed Work, and is familiar with all the requirements of the Specifications and Plans.

The undersigned proposes and agrees, if this proposal is accepted, to furnish all labor, materials, tools, equipment, supplies and machinery of every description necessary for the proper construction and completion of the Work contemplated in the documents of the Contract in the manner therein specified for the following unit prices and lump sums.

The undersigned agrees, if this proposal is accepted, to fully complete the Work 122 calendar days after issuance of a Notice to Proceed, but no later than July 30, 2025, otherwise to be governed by the stipulations of the accompanying articles of the Contract. The work shall commence with the following timeframe:

Earliest Start Date: March 17, 2025

Latest Start Date: March 31, 2025

Liquidated damages shall be assessed against Contractor, at a rate of \$ 1,000.00/day for each and every calendar day the work remains incomplete over the specified completion time.

It is understood and agreed that if this proposal is accepted, the prices quoted include all applicable state sales taxes and use taxes, and that said taxes shall be paid by the Contractor.

The undersigned, as Bidder, hereby declares that the only persons or firms interested in the proposal as principal or principals is or are named herein and that no other persons or firms than herein mentioned have any interest in this proposal or in the Contract to be entered into; and this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith, without collusion or fraud.



## BID FORM

Project Name: Bridge No. ST-26 Replacement  
Leavenworth County, Kansas

BRIDGE NO. ST-26 REPLACEMENT					
No.	Bid Item	Unit	Quantity	Unit Price	Total Cost
<b>Road Items</b>					
1	Mobilization	L.S.	1	95,000	95,000
2	Contractor Construction Staking	L.S.	1	7,500	7,500
3	Removal of Existing Structure	L.S.	1	30,650	30,650
4	Curing Environment	L.S.	1	500	500
5	Clearing & Grubbing	L.S.	1	13,260	13,260
6	Rock Excavation	Cu. Yd.	284	38	10,792
7	Common Excavation (Rural Small)	Cu. Yd.	2,343	16.25	38,073.75
8	Compaction of Earthwork (Type A)(MR 5-5)	Cu. Yd.	1,525	2	3,050
9	Water (Grading)(Set Price)	Mgal.	1	\$40.00	\$40.00
10	Aggregate Ditch Lining (6")	Tons	74	79	5,846
11	Entrance Pipe (24")(ACSP)	Lin. Ft.	42	140	5,880
12	End Section (24")(ACS)	Each	2	1,900	3,800
13	Guard Rail, Steel Plate (MGS)	Lin. Ft.	275.0	72.50	19,937.50
14	Guard Rail, End Terminal (MGS-SRT)	Each	4	3,220	12,880
15	Signing Object Marker (Type 3)	Each	4	140	640
16	Mailbox Installation (Set Price)	Each	1	\$150.00	\$150.00
17	Concrete Pavement (10")(Unif.)(Br. App.)	Sq. Yd.	110.0	245	26,950
18	Temporary Fertilizer (15-30-15)	Lbs.	6	3	18
19	Soil Erosion Mix	Lbs.	4.27	30	128.10
20	Erosion Control (Class 1, Type C)	Sq. Yd.	188	5	940
21	Temporary Ditch Check (Rock)	Cu. Yd.	28.4	160	4,544
22	Biodegradable Log (20")	Lin. Ft.	500	8.25	4,125
23	Filter Sock (18")	Lin. Ft.	500	10	5,000
24	Geotextile (Erosion Control)	Sq. Yd.	350	5.50	1,925
25	Silt Fence	Lin. Ft.	500	4	2,000
26	Mulching	Ton	2.7	700	1,890
27	Seeding	L.S.	1	5,600	5,600
28	Pavement Marking (Multi-component)(White)(6")	Lin. Ft.	1,600	2	3,200
29	Pavement Marking (Multi-component)(Yellow)(4")	Lin. Ft.	208	1	208
30	Pavement Marking Removal	Lin. Ft.	300	1	300
31	Traffic Control	L.S.	1	7,000	7,000
32	HMA- Commercial Grade (Class A)	Tons	429	130	55,770
34	Aggregate Base (AB-3)(6")	Sq. Yd.	977	18.25	17,830.25
35	Water (Aggregate)(Set Price)	Mgal.	1	\$40.00	\$40.00
<b>Bridge Items</b>					
36	Class I Excavation	Cu. Yd.	135	45	6,075
37	Class II Excavation	Cu. Yd.	108	85	9,180
38	Concrete Grade 4.0 (AE)	Cu. Yd.	67.6	850	57,460
39	Concrete Grade 4.0 (AE)(SW)	Cu. Yd.	269.6	1,025	276,340
40	Reinforcing Steel (Gr. 60)	Lbs.	11,260	1.50	16,890
41	Reinforcing Steel (Gr. 60)(Epoxy Coated)	Lbs.	77,530	1.45	112,418.50

42	Steel Pile (HP12x53)	Lin. Ft.	870	70	60,900
43	Cast Steel Pile Point	Each	22	200	4,400
44	Abutment Strip Drain	Sq. Yd.	36	90	3,240
45	Bridge Backwall Protection System	Sq. Yd.	44	45	1,980
46	Slope Protection (Riprap Stone)	Cu. Yd.	936	114.25	106,938
47	Geotextile Fabric	Sq. Yd.	115	8	920
TOTAL					1,042,209.10

One million forty two thousand two hundred and nine dollars and <sup>ten cents.</sup>  
 Total Bid in Words

1,042,209.10  
 Total Bid in Figures

  
 Bidder's Signature

2-26-25  
 Date

The undersigned as a bidder declares:

That he is on the KDOT Prequalified list and has been regularly engaged in contract work of the class required by the specifications for years, and respectfully invites your attention to the following work that has been completed under his direction:

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

The undersigned agrees that the accompanying bid deposit shall become the property of the Owner, should he fail or refuse to execute the Contract or furnish Bond as called for in the Specifications within the time provided.

If written notice of the acceptance of this bid is mailed, emailed, facsimiled or delivered to the undersigned within thirty (30) days after the date of opening of the bids, or any time thereafter before this bid is withdrawn, the undersigned will, within ten (10) days after the date of such mailing, emailing, facsimiled or delivery of such notice, execute and deliver a Contract in the form of Contract attached.

The undersigned hereby designates as his office to which such notice of acceptance may be mailed, emailed, facsimiled or delivered:

Craig Owsen  
\_\_\_\_\_

It is understood, agreed that this bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

Attached hereto is a Bid Bond for the sum of 5% of Bid.

Certified Check

\_\_\_\_\_ (\$ \_\_\_\_\_ )

Dollars made payable to: **Leavenworth County, Kansas**

**ADDENDUM RECEIPT**

Addendum No. NA, Date \_\_\_\_\_.  
Addendum No. \_\_\_\_\_, Date \_\_\_\_\_.  
Addendum No. \_\_\_\_\_, Date \_\_\_\_\_.

Signature of Bidder: Craig Owsen  
\_\_\_\_\_

If and Individual: \_\_\_\_\_, doing

Business as \_\_\_\_\_

If a Partnership: \_\_\_\_\_

By \_\_\_\_\_, member of firm

If a Corporation: Bryan-Ohlmeier Construction Co., Inc

By Corey Ohlmeier

Title President

State Kansas

State in which incorporated

Corporation President: Corey Ohlmeier 911 N. Pearl, Paola, KS 66071  
Name and business address

Corporation Secretary: Curtis Ohlmeier, 911 N. Pearl, Paola KS 66071  
Name and business address

Date: 2-26-25

Address: 911 N. Pearl  
Paola KS  
66071