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Leavenworth County
Board of County Commissioners

Regular Meeting Agenda
300 Walnut Street, Suite 225
Leavenworth, KS 66048
September 27, 2023
9:00 a.m.

I. ÁCALL TO ORDER

II. ÁPLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

III. ÁROLL CALL

IV. ÁPUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting for agenda items **only** and limited to three minutes per person. Comments at the end of the meeting shall be open to any topic of general interest to the Board of County Commissioners and limited to five minutes per person. There should be no expectation of interaction by the Commission during this time.

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

V. ÁADMINISTRATIVE BUSINESS:

VI. ÁCONSENT 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) ÁApproval of the minutes of the meeting of September 20, 2023

b) ÁApproval of the schedule for the week October 2, 2023

c) ÁApproval of the check register

- d) Approve and sign the OCB's
- e) Approve Case Number DEV-23-094 Final Plat Neu Airpark PUD
- f) Approve Case Number DEV-23-095 & 096 Preliminary and Final Plat Schempps Double S Estates
- g) Approve Case Number DEV-23-107 Final Plat Kesinger Farms

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve Case Number DEV-092 & 093 Preliminary and Final Plat for Sunny Side Estates 2nd
- b) Consider a motion to approve Case Number DEV-23-102 & 103 Preliminary and Final Plat for Dodge Addition
- c) Consider a motion to approve Board Order 2023-5, approving the disaster relief tax abatement for buildings listed in Exhibit A as provided.

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

- a) County Appraiser quarterly report

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

X. ADJOURNMENT

*****September 20, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, September 20, 2023. Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Commissioner Kaaz is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: Ed and Cindy Irvine

A motion was made by Commissioner Doug Smith and seconded by Mike Smith to have Jeff Culbertson as the temporary chair today.

Motion passed, 5-0.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Jeff Culbertson read a proclamation for Suicide Prevention Awareness Month.

Mark Loughry indicated the city of Leavenworth voted to not support CoreCivic and read a letter from the city voicing their concerns.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben that Leavenworth County immediately stop negotiations with CoreCivic and ICE for the purpose of serving as a party to an agreement and also not to hold illegal immigrants or any immigrants for purpose at this time.

Motion passed, 5-0.

Commissioner Culbertson read a letter he wrote about LAVTR taking information from the Kansas Association of Counties and asked the Commission for changes or additions to the letter.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to accept the consent agenda for Wednesday, September 20, 2023 as presented.

Motion passed, 5-0.

Ed Irvine and Steve Vernon commented on a non-agenda item.

Commissioner Stieben held a meet and greet in Tonganoxie. He attended Tongie Days, the Leavenworth Women's Club meeting and the Property Tax Task force meeting. He will hold an Elephant Club meeting this Thursday. On October 5, he will tour a c&d landfill in Olathe with Commissioner Culbertson.

Commissioner Culbertson mentioned the Little Stranger Pie Social will be Saturday, September 23rd. He also attended the Leavenworth City Commission meeting.

Commissioner Mike Smith met with Representative Buehler and will speak at the Lansing City Council meeting regarding LAVTR.

Commissioner Doug Smith attended the Basehor City Council meeting, the LCDC meeting and Senator Tyson's presentation.

Bill Noll spoke about a cost share grant with the city of Lansing for a bridge replacement and asked for a letter of support for the grant.

It was the consensus of the Board to direct staff to draft the letter of support.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to adjourn.
Motion passed, 5-0.***

The Board adjourned at 9:47 a.m.

Draft

START DATE: 09/16/2023 END DATE: 09/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

| | | | P.O.NUMBER | CHECK# | | | | | |
|-------------------------|----------------------|--------------------------------|------------|-----------|------------|----------------|--------------------------------|-----------|--|
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 1,375.50 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 1,092.00 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 1,665.30 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 2,121.00 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 2,901.24 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 1,291.50 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-213 | EMS - AMBULANCE MAINT & PARTS | 157.50 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 926.89 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 1,227.82 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 2,773.49 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 1,433.03 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 4,746.75 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 901.32 | |
| 1513 | ADVANCED AUTOMOTIVE | ADVANCED AUTOMOTIVE | 336593 | 104781 AP | 09/22/2023 | 3-001-5-05-306 | EMS - AMBULANCE MAINT & PARTS | 415.28 | |
| *** VENDOR 1513 TOTAL | | | | | | | | 23,028.62 | |
| 20588 | ADVANTAGE | ADVANTAGE PRINTING | 336594 | 104782 AP | 09/22/2023 | 3-001-5-05-301 | ACCT 381 #10 ENVELOPES EMS | 313.00 | |
| 20588 | ADVANTAGE | ADVANTAGE PRINTING | 336594 | 104782 AP | 09/22/2023 | 3-001-5-19-301 | ACCT 514 DIST CT CSO BUSINESS | 130.00 | |
| *** VENDOR 20588 TOTAL | | | | | | | | 443.00 | |
| 22369 | BAMFORD FI | BAMFORD FIRE SPRINKLER | 336596 | 104784 AP | 09/22/2023 | 3-001-5-31-294 | QTRLY INSP JC, 520 S 2ND | 216.00 | |
| 22369 | BAMFORD FI | BAMFORD FIRE SPRINKLER | 336596 | 104784 AP | 09/22/2023 | 3-001-5-32-266 | QTRLY INSP JC, 520 S 2ND | 739.00 | |
| *** VENDOR 22369 TOTAL | | | | | | | | 955.00 | |
| 401 | BIRINGERS | BIRINGERS SHOP AND SERVICE | 336597 | 104785 AP | 09/22/2023 | 3-001-5-07-219 | 2 KEYS FOR MEDICAL CART | 15.00 | |
| 1523 | BOB BARKER | BOB BARKER CO INC | 336598 | 104786 AP | 09/22/2023 | 3-001-5-07-359 | LEAKS4 JAIL SUPPLIES | 855.00 | |
| 1523 | BOB BARKER | BOB BARKER CO INC | 336598 | 104786 AP | 09/22/2023 | 3-001-5-07-359 | LEAKS4 JAIL SUPPLIES | 480.60 | |
| *** VENDOR 1523 TOTAL | | | | | | | | 1,335.60 | |
| 36 | CAHILL PAT | PATRICK J CAHILL | 336601 | 104789 AP | 09/22/2023 | 3-001-5-09-231 | COURT APPOINTED ATTORNEY | 3,000.00 | |
| 362 | CASAD BENJAMIN | BENJAMIN CASAD | 336602 | 104790 AP | 09/22/2023 | 3-001-5-09-231 | COURT APPOINTED ATTORNEY | 3,000.00 | |
| 24545 | CDW GOVERN | CDW GOVERNMENT INC | 336603 | 104791 AP | 09/22/2023 | 3-001-5-01-301 | 3773122 SUPPLIES - BOCC | 114.53 | |
| 5637 | CLEARWATER ENTERPRIS | CLEARWATER ENTERPRISES,LLC | 336547 | 104771 AP | 09/18/2023 | 3-001-5-05-215 | 20642-0317B24244 GAS SERVICE | 5.39 | |
| 5637 | CLEARWATER ENTERPRIS | CLEARWATER ENTERPRISES,LLC | 336547 | 104771 AP | 09/18/2023 | 3-001-5-14-220 | 20642-12019039952308 GAS SERVI | 611.54 | |
| 5637 | CLEARWATER ENTERPRIS | CLEARWATER ENTERPRISES,LLC | 336547 | 104771 AP | 09/18/2023 | 3-001-5-32-392 | 20642-12019296502308 GAS SERVI | 1,185.50 | |
| *** VENDOR 5637 TOTAL | | | | | | | | 1,802.43 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-001-5-06-222 | 516725A SEPTEMBER VEHICLE LEAS | 349.45 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-001-5-11-253 | 516725A SEPTEMBER VEHICLE LEAS | 413.25 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-001-5-31-230 | 516725A SEPTEMBER VEHICLE LEAS | 1,378.02 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-001-5-41-271 | 516725A SEPTEMBER VEHICLE LEAS | 899.39- | |
| *** VENDOR 516725 TOTAL | | | | | | | | 1,241.33 | |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336606 | 104794 AP | 09/22/2023 | 3-001-5-05-215 | ELEC SVC EMS 9101 | 1,024.43 | |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336606 | 104794 AP | 09/22/2023 | 3-001-5-05-215 | ELEC SVC EMS ADMIN/WIC/HEALTH | 871.18 | |
| *** VENDOR 86 TOTAL | | | | | | | | 1,895.61 | |
| 1011 | FEDEX | FEDEX | 336607 | 104795 AP | 09/22/2023 | 3-001-5-19-302 | 2389-5871-7 CIST CT TRANSPORTA | 47.45 | |
| 828 | FIRST ADVANTAGE | FIRST ADVANTAGE BAVCKGROUND SE | 336608 | 104796 AP | 09/22/2023 | 3-001-5-07-208 | 828497 2 BACKGROUND CHECKS | 9.47 | |
| 656 | FLOYD, JAMES | JAMES ANTWONE FLOYD | 336609 | 104797 AP | 09/22/2023 | 3-001-5-09-231 | COURT APPOINTED ATTORNEY | 3,000.00 | |
| 81 | FULLER G | GARY L FULLER ATTY | 336610 | 104798 AP | 09/22/2023 | 3-001-5-09-231 | COURT APPOINTED ATTORNEY (CONF | 525.00 | |
| 2195 | GARCIA CLINICAL | GARCIA CLINICAL LABORATORY | 336611 | 104799 AP | 09/22/2023 | 3-001-5-07-219 | SHERIFF - AUGUST LABORATORY SE | 128.50 | |
| 120 | GRENIER AUTOWORKS | ALFRED GRENIER II | 336613 | 104801 AP | 09/22/2023 | 3-001-5-07-213 | LVSO UPFIT FOR NEW UNIT 123 | 2,368.50 | |
| 1941 | HALLEY | LAW OFFICE OF E ELAINE HALLEY | 336614 | 104802 AP | 09/22/2023 | 3-001-5-09-231 | COURT APPOINTED ATTORNEY | 3,000.00 | |
| 27 | HEALTH DEPT | LEAV CO HEALTH DEPT | 336615 | 104803 AP | 09/22/2023 | 3-001-5-05-285 | EMS IMMUNIZATION FOR EMPLOYEE | 70.00 | |
| 22605 | HINCKLEY S | HINCKLEY SPRINGS | 336617 | 104805 AP | 09/22/2023 | 3-001-5-11-208 | 17137512660768 FILTRATION SYST | 44.99 | |
| 26400 | KANSAS GAS | KANSAS GAS SERVICE | 336619 | 104807 AP | 09/22/2023 | 3-001-5-14-220 | 510614745 1628631 73 GAS TRANS | 562.70 | |
| 26400 | KANSAS GAS | KANSAS GAS SERVICE | 336619 | 104807 AP | 09/22/2023 | 3-001-5-32-392 | 510614745 1628631 73 GAS TRANS | 949.09 | |
| 26400 | KANSAS GAS | KANSAS GAS SERVICE | 336619 | 104807 AP | 09/22/2023 | 3-001-5-33-392 | 510614745 1562996 18 GAS TRANS | 118.16 | |

START DATE: 09/16/2023 END DATE: 09/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

| | | | P.O.NUMBER | CHECK# | | | | | | |
|-------|---------------------|--------------------------------|------------|-----------|------------|----------------|--------------------------------|----------|--|-----------|
| 26400 | KANSAS GAS | KANSAS GAS SERVICE | 336619 | 104807 AP | 09/22/2023 | 3-001-5-33-392 | 510614745 1562996 18 GAS TRANS | 114.00 | | |
| | | | | | | | *** VENDOR 26400 TOTAL | | | 1,743.95 |
| 19738 | KEHA | KEHA | 336620 | 104808 AP | 09/22/2023 | 3-001-5-06-215 | 2023 FALL CONF | 175.00 | | |
| 19738 | KEHA | KEHA | 336620 | 104808 AP | 09/22/2023 | 3-001-5-06-215 | 2023 FALL CONF | 20.00 | | |
| | | | | | | | *** VENDOR 19738 TOTAL | | | 195.00 |
| 1842 | KONE INC | KONE INC | 336548 | 104772 AP | 09/18/2023 | 3-001-5-32-262 | N243825 ELEVATOR MAINTENANCE - | 519.46 | | |
| 1842 | KONE INC | KONE INC | 336548 | 104772 AP | 09/18/2023 | 3-001-5-33-262 | N243825 ELEVATOR MAINTENANCE - | 1,179.86 | | |
| 1842 | KONE INC | KONE INC | 336548 | 104772 AP | 09/18/2023 | 3-001-5-33-262 | N243825 ELEVATOR MAINTENANCE - | 129.86 | | |
| | | | | | | | *** VENDOR 1842 TOTAL | | | 1,829.18 |
| 43 | LAMAR TEXAS | LAMAR TEXAS LIMITED PARTNERSHI | 336549 | 104773 AP | 09/18/2023 | 3-001-5-04-301 | 816141 PROPERTY FRAUD ALERT PA | 487.50 | | |
| 537 | LEAV TIMES | CHERRYROAD MEDIA INC | 336624 | 104812 AP | 09/22/2023 | 3-001-5-03-218 | 21275 QUARTERLY FUND BALANCE P | 54.39 | | |
| 537 | LEAV TIMES | CHERRYROAD MEDIA INC | 336624 | 104812 AP | 09/22/2023 | 3-001-5-19-217 | 24159 DIST CT LEGAL NOTICE 23J | 39.54 | | |
| 537 | LEAV TIMES | CHERRYROAD MEDIA INC | 336624 | 104812 AP | 09/22/2023 | 3-001-5-19-217 | 24156 LEGAL NOTICE 19JC60-61 9 | 44.74 | | |
| 537 | LEAV TIMES | CHERRYROAD MEDIA INC | 336624 | 104812 AP | 09/22/2023 | 3-001-5-49-341 | 21272 NOTICE OF VOTER REGISTRA | 103.07 | | |
| | | | | | | | *** VENDOR 537 TOTAL | | | 241.74 |
| 383 | LYON CHRISTOPHER | CHRISTOPHER LYON | 336625 | 104813 AP | 09/22/2023 | 3-001-5-11-211 | PER DIEM NDAA CONF MIQUAKEE,RE | 39.00 | | |
| 383 | LYON CHRISTOPHER | CHRISTOPHER LYON | 336625 | 104813 AP | 09/22/2023 | 3-001-5-11-211 | PER DIEM NDAA CONF MIQUAKEE,RE | 60.00 | | |
| 383 | LYON CHRISTOPHER | CHRISTOPHER LYON | 336625 | 104813 AP | 09/22/2023 | 3-001-5-11-211 | PER DIEM NDAA CONF MIQUAKEE,RE | 52.00 | | |
| 383 | LYON CHRISTOPHER | CHRISTOPHER LYON | 336625 | 104813 AP | 09/22/2023 | 3-001-5-11-211 | PER DIEM NDAA CONF MIQUAKEE,RE | 648.46 | | |
| | | | | | | | *** VENDOR 383 TOTAL | | | 799.46 |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-01-201 | OPK595_K COPIER CHARGES - BOCC | 384.63 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 223.02 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 264.94 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 152.85 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 63.77 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 40.05 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 40.05 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 40.05 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-208 | LCOO_K SHF/CCH COPIES | 40.05 | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-001-5-07-305 | LCOO_K SHF/CCH COPIES | 3,178.20 | | |
| | | | | | | | *** VENDOR 2059 TOTAL | | | 4,427.61 |
| 2666 | MISC REIMBURSEMENTS | KYLE ANDERSON | 336630 | 104818 AP | 09/22/2023 | 3-001-5-06-211 | PER DIEM KEHA/KFSA JOINT CONF | 30.00 | | |
| 2666 | MISC REIMBURSEMENTS | KYLE ANDERSON | 336630 | 104818 AP | 09/22/2023 | 3-001-5-06-211 | PER DIEM KEHA/KFSA JOINT CONF | 26.00 | | |
| 2666 | MISC REIMBURSEMENTS | MICAH BRAY | 336628 | 104816 AP | 09/22/2023 | 3-001-5-11-205 | REIM MILEAGE 2023 | 440.82 | | |
| 2666 | MISC REIMBURSEMENTS | FRAN KEPPLER | 336629 | 104817 AP | 09/22/2023 | 3-001-5-49-211 | REIM MILEAGE ELECTION CERTIFIC | 120.52 | | |
| | | | | | | | *** VENDOR 2666 TOTAL | | | 617.34 |
| 803 | NOXIOUS WE | LEAV CO NOXIOUS WEED DEPT | 336631 | 104819 AP | 09/22/2023 | 3-001-5-31-209 | BUILDINGS & GROUNDS - GLYSOPHA | 96.50 | | |
| 11799 | O'REILLY A | O'REILLY AUTOMOTIVE | 336550 | 104774 AP | 09/18/2023 | 3-001-5-07-357 | 19615 JAIL:MAINT BELTS FOR JAI | 34.74 | | |
| 7098 | QUILL CORP | QUILL CORP | 336632 | 104820 AP | 09/22/2023 | 3-001-5-01-301 | 9686154 BOCC OFFICE SUPPLIES | 142.02 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-07-213 | AUGUST - SHERIFF/EOC | 5,105.14 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-07-213 | AUGUST - SHERIFF/EOC | 94.34 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-14-332 | AUGUST - SHERIFF/EOC | 8,049.08 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-14-332 | AUGUST - SHERIFF/EOC | 776.75 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-14-333 | BUILDINGS AND GROUNDS FUEL | 197.34 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-14-333 | BUILDINGS AND GROUNDS FUEL | 175.43 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-14-336 | NOX WEED FUEL, MAINT/EQUIP | 222.37 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-41-213 | APPRAISER - VEH MAINT | 489.11 | | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-001-5-53-308 | NOX WEED FUEL, MAINT/EQUIP | 685.17 | | |
| | | | | | | | *** VENDOR 458 TOTAL | | | 15,794.73 |
| 248 | SUMMIT FOOD | ELIOR, INC | 336634 | 104822 AP | 09/22/2023 | 3-001-5-07-261 | C74100 INMATE MEALS | 6,437.03 | | |
| 248 | SUMMIT FOOD | ELIOR, INC | 336634 | 104822 AP | 09/22/2023 | 3-001-5-07-261 | C74100 INMATE MEALS | 6,395.25 | | |
| 248 | SUMMIT FOOD | ELIOR, INC | 336634 | 104822 AP | 09/22/2023 | 3-001-5-07-261 | C74100 INMATE MEALS | 6,274.04 | | |

warrants by vendor

START DATE: 09/16/2023 END DATE: 09/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

| | | | P.O.NUMBER | CHECK# | | | | | |
|--------|--------------------|--------------------------------|------------|-----------|------------|----------------|--------------------------------|------------|------------|
| | | | | | | | *** VENDOR | 248 TOTAL | 19,106.32 |
| 376 | SYMMETRY | ATHENS ENERGY SERVICES HOLDING | 336551 | 104775 AP | 09/18/2023 | 3-001-5-33-392 | 413714 711 MARSHALL GAS SERVIC | 114.72 | |
| 829 | THOMSON REUTERS | THOMSON REUTERS - WEST | 336635 | 104823 AP | 09/22/2023 | 3-001-5-11-210 | 10005890171 WESTLAW INFORMATIO | 845.00 | |
| 22972 | TRANSFER STATION | TRANSFER STATION | 336636 | 104824 AP | 09/22/2023 | 3-001-5-33-297 | ACCT 158 BUILDINGS & GROUNDS | 39.00 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-01-302 | BOCC/LEGAL POSTAGE | 31.74 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-02-213 | CLERK,CTHSE,ELECTION,RNR POSTA | 1,885.17 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-02-302 | CLERK,CTHSE,ELECTION,RNR POSTA | 2.52 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-03-302 | CO TREASURER POSTAGE | 15.75 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-05-302 | EMS POSTAGE | 841.98 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-06-302 | PLANNING/ZONING POSTAGE | 90.81 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-07-302 | SHERIFF POSTAGE | 338.19 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-09-232 | BOCC/LEGAL POSTAGE | 92.50 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-11-302 | CO ATTY POSTAGE | 1,401.47 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-14-302 | CLERK,CTHSE,ELECTION,RNR POSTA | 37.11 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-19-302 | DIST COURT POSTAGE | 1,996.44 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-28-302 | HUMAN RESOURCES - POSTAGE | 123.66 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-31-301 | NOX WEED POSTAGE | .63 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-41-302 | APPRAISER POSTAGE | 184.89 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-001-5-49-302 | CLERK,CTHSE,ELECTION,RNR POSTA | 907.87 | |
| | | | | | | | *** VENDOR | 575 TOTAL | 7,950.73 |
| 2 | WATER DEPT | WATER DEPT | 336638 | 104826 AP | 09/22/2023 | 3-001-5-05-215 | WATER SVC EMS 9103 | 59.88 | |
| 2 | WATER DEPT | WATER DEPT | 336638 | 104826 AP | 09/22/2023 | 3-001-5-32-392 | WATER SVC 514 S 2ND ST | 15.60 | |
| | | | | | | | *** VENDOR | 2 TOTAL | 75.48 |
| 100 | WITNESS LIST | | | | | | *** VENDOR | 100 TOTAL | 341.05 |
| | | | | | | | TOTAL FUND 001 | | 100,907.10 |
| 4938 | BUILDING & GROUNDS | BUILDING & GROUNDS | 336599 | 104787 AP | 09/22/2023 | 3-108-5-00-219 | HEALTH DEPT/WIC SHARED BLDG CO | 1,396.61 | |
| 4938 | BUILDING & GROUNDS | BUILDING & GROUNDS | 336599 | 104787 AP | 09/22/2023 | 3-108-5-00-606 | HEALTH DEPT/WIC SHARED BLDG CO | 465.54 | |
| | | | | | | | *** VENDOR | 4938 TOTAL | 1,862.15 |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336606 | 104794 AP | 09/22/2023 | 3-108-5-00-219 | ELEC SVC EMS ADMIN/WIC/HEALTH | 653.38 | |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336606 | 104794 AP | 09/22/2023 | 3-108-5-00-606 | ELEC SVC EMS ADMIN/WIC/HEALTH | 217.79 | |
| | | | | | | | *** VENDOR | 86 TOTAL | 871.17 |
| 23163 | HEMOCUE AMERICA | RADIOMETER AMERICA INC DIV:HEM | 336616 | 104804 AP | 09/22/2023 | 3-108-5-00-606 | 29235 CUVETTES & ANALYZER/SHIP | 282.00 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-108-5-00-302 | HEALTH DEPT/WIC POSTAGE | 202.56 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-108-5-00-606 | HEALTH DEPT/WIC POSTAGE | 78.75 | |
| | | | | | | | *** VENDOR | 575 TOTAL | 281.31 |
| | | | | | | | TOTAL FUND 108 | | 3,296.63 |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-115-5-00-411 | 516725A SEPTEMBER VEHICLE LEAS | 1,459.03- | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-115-5-00-415 | 516725A SEPTEMBER VEHICLE LEAS | 6.13 | |

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

| | | | P.O.NUMBER | CHECK# | | | | | |
|--------|----------------------|--------------------------------|------------|-----------|------------|----------------|--------------------------------|-----------|-----------|
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-115-5-00-423 | 516725A SEPTEMBER VEHICLE LEAS | 1,551.56 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-115-5-00-434 | 516725A SEPTEMBER VEHICLE LEAS | 16,284.56 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-115-5-00-436 | 516725A SEPTEMBER VEHICLE LEAS | 1,783.56 | |
| | | | | | | | *** VENDOR 516725 TOTAL | | 18,166.78 |
| | | | | | | | TOTAL FUND 115 | | 18,166.78 |
| ----- | | | | | | | | | |
| 3998 | DREXEL TEC | DREXEL TECHNOLOGIES INC | 336605 | 104793 AP | 09/22/2023 | 3-119-5-00-252 | 24896 SV CONTRACT KIP PLOTTER | 115.00 | |
| | | | | | | | TOTAL FUND 119 | | 115.00 |
| ----- | | | | | | | | | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-126-5-00-221 | 516725A SEPTEMBER VEHICLE LEAS | 14.77 | |
| 207 | SUNFLOWER HEALING | KATHRYN KAY LUNA | 336552 | 104776 AP | 09/18/2023 | 3-126-5-00-705 | BIP ASSESSMENT & SESSIONS | 50.00 | |
| 207 | SUNFLOWER HEALING | KATHRYN KAY LUNA | 336552 | 104776 AP | 09/18/2023 | 3-126-5-00-705 | BIP ASSESSMENT & SESSIONS | 150.00 | |
| 207 | SUNFLOWER HEALING | KATHRYN KAY LUNA | 336552 | 104776 AP | 09/18/2023 | 3-126-5-00-705 | BIP ASSESSMENT & SESSIONS | 50.00 | |
| 207 | SUNFLOWER HEALING | KATHRYN KAY LUNA | 336552 | 104776 AP | 09/18/2023 | 3-126-5-00-705 | BIP ASSESSMENT & SESSIONS | 50.00 | |
| 207 | SUNFLOWER HEALING | KATHRYN KAY LUNA | 336552 | 104776 AP | 09/18/2023 | 3-126-5-00-705 | BIP ASSESSMENT & SESSIONS | 75.00 | |
| | | | | | | | *** VENDOR 207 TOTAL | | 375.00 |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-126-5-00-321 | ADT COMM CORR POSTAGE | 33.52 | |
| | | | | | | | TOTAL FUND 126 | | 423.29 |
| ----- | | | | | | | | | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-130-5-00-2 | LCOO_K SHF/CCH COPIES | 77.74 | |
| | | | | | | | TOTAL FUND 130 | | 77.74 |
| ----- | | | | | | | | | |
| 5637 | CLEARWATER ENTERPRIS | CLEARWATER ENTERPRISES,LLC | 336553 | 104777 AP | 09/18/2023 | 3-133-5-00-304 | 9-36 20642-5600012308 GAS SERV | 2.69 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-133-5-00-301 | 9-21 PUBLIC WORKS POSTAGE | 77.46 | |
| | | | | | | | TOTAL FUND 133 | | 80.15 |
| ----- | | | | | | | | | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-136-5-00-221 | 516725A SEPTEMBER VEHICLE LEAS | 39.77 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-136-5-00-301 | JUV COMM CORR POSTAGE | 6.30 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-136-5-00-321 | JUV COMM CORR POSTAGE | 6.30 | |
| | | | | | | | *** VENDOR 575 TOTAL | | 12.60 |
| | | | | | | | TOTAL FUND 136 | | 52.37 |
| ----- | | | | | | | | | |
| 755 | LCPA | LEAV CO PORT AUTHORITY | 336622 | 104810 AP | 09/22/2023 | 3-140-5-00-202 | PER LVCO 2023 BUDGET | 37,250.00 | |
| | | | | | | | TOTAL FUND 140 | | 37,250.00 |
| ----- | | | | | | | | | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 312.78 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 113.90 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 268.70 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 113.90 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 8.45 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 113.90 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 736.46 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 39.98 | |
| 19474 | KANSAS COUNTRY STORE | KANSAS COUNTRY STORE | 336618 | 104806 AP | 09/22/2023 | 3-144-5-00-3 | PALS PROGRAM - PET FOOD | 341.62- | |
| | | | | | | | *** VENDOR 19474 TOTAL | | 1,366.45 |
| | | | | | | | TOTAL FUND 144 | | 1,366.45 |
| ----- | | | | | | | | | |
| 2621 | CAFE | TERRY BOOKER | 336600 | 104788 AP | 09/22/2023 | 3-145-5-00-256 | MEALS RESERVED 9/1-9/15 | 2,736.50 | |
| 2621 | CAFE | TERRY BOOKER | 336600 | 104788 AP | 09/22/2023 | 3-145-5-00-256 | MEALS RESERVED 9/1-9/15 | 10,907.00 | |
| 2621 | CAFE | TERRY BOOKER | 336600 | 104788 AP | 09/22/2023 | 3-145-5-00-256 | MEALS RESERVED 9/1-9/15 | 14,105.00 | |
| | | | | | | | *** VENDOR 2621 TOTAL | | 27,748.50 |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-00-201 | CO ON AGING C1&C2 CONSUMABLES, | 133.50 | |

warrants by vendor

START DATE: 09/16/2023 END DATE: 09/22/2023

TYPES OF CHECKS SELECTED: * ALL TYPES

| | | | | P.O.NUMBER | CHECK# | | | | | |
|--------|----------------------|--------------------------------|--------|------------|------------|----------------|--------------------------------|----------------|-------------|-----------|
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-00-255 | CO ON AGING C1&C2 CONSUMABLES, | | 153.53 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-00-345 | CO ON AGING C1&C2 CONSUMABLES, | | 39.45 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-00-345 | CO ON AGING C1&C2 CONSUMABLES, | | 95.63 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-05-301 | CO ON AGING C1&C2 CONSUMABLES, | | 14.65 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-06-301 | CO ON AGING C1&C2 CONSUMABLES, | | 21.74 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-06-321 | CO ON AGING C1&C2 CONSUMABLES, | | 14.49 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-07-302 | CO ON AGING C1&C2 CONSUMABLES, | | 2.25 | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-145-5-07-321 | CO ON AGING C1&C2 CONSUMABLES, | | 13.04 | |
| | | | | | | | | *** VENDOR | 4755 TOTAL | 488.28 |
| 537 | LEAV TIMES | CHERRYROAD MEDIA INC | 336624 | 104812 AP | 09/22/2023 | 3-145-5-00-209 | 306631 1 YEAR SUBSCRIPTION | | 179.00 | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-145-5-00-201 | OPK596_K COPIES - CO ON AGING | | 14.33 | |
| 2059 | MIDWEST OFFICE TECH | MIDWEST OFFICE TECHNOLOGY INC | 336627 | 104815 AP | 09/22/2023 | 3-145-5-00-201 | OPK596_K COPIES - CO ON AGING | | 283.36 | |
| | | | | | | | | *** VENDOR | 2059 TOTAL | 297.69 |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-145-5-00-213 | AUGUST VEH MAINT CO ON AGING | | 1,062.41 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-145-5-00-302 | CO ON AGING POSTAGE | | 210.87 | |
| | | | | | | | | TOTAL FUND 145 | | 29,986.75 |
| ----- | | | | | | | | | | |
| 20588 | ADVANTAGE | ADVANTAGE PRINTING | 336594 | 104782 AP | 09/22/2023 | 3-146-5-00-301 | 1002 CO TREAS BUSINESS FORMS/L | | 398.00 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-146-5-00-302 | CO TREAS SPECIAL (MV) POSTAGE | | 2,392.66 | |
| | | | | | | | | TOTAL FUND 146 | | 2,790.66 |
| ----- | | | | | | | | | | |
| 4755 | LEAV PAPER | LEAVENWORTH PAPER AND OFFICE S | 336623 | 104811 AP | 09/22/2023 | 3-147-5-00-3 | CO ON AGING C1&C2 CONSUMABLES, | | 227.15 | |
| | | | | | | | | TOTAL FUND 147 | | 227.15 |
| ----- | | | | | | | | | | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-153-5-00-401 | 516725A SEPTEMBER VEHICLE LEAS | | 8,449.13 | |
| | | | | | | | | TOTAL FUND 153 | | 8,449.13 |
| ----- | | | | | | | | | | |
| 1061 | B & W FIRE LLC | B & W FIRE LLC | 336595 | 104783 AP | 09/22/2023 | 3-160-5-00-263 | 090066 SOLID WASTE - EXTINGUIS | | 579.55 | |
| 516725 | ENTERPRISE (ACH) | ENTERPRISE FM TRUST | 336566 | 71 | 09/19/2023 | 3-160-5-00-215 | 516725A SEPTEMBER VEHICLE LEAS | | 35.00 | |
| 9271 | LANSING CI | CITY OF LANSING | 336621 | 104809 AP | 09/22/2023 | 3-160-5-00-210 | SOLID WASTE SEWER SVC | | 34.80 | |
| 458 | ROAD & BRIDGE | LEAV CO PUBLIC WORKS | 336633 | 104821 AP | 09/22/2023 | 3-160-5-00-213 | SOLID WASTE - EQUIP MAINT | | 884.07 | |
| 575 | US POSTAL SERVICE | US POSTAL SERVICE (QUADIENT-PO | 336637 | 104825 AP | 09/22/2023 | 3-160-5-00-201 | SOLID WASTE POSTAGE | | 32.61 | |
| | | | | | | | | TOTAL FUND 160 | | 1,566.03 |
| ----- | | | | | | | | | | |
| 1991 | MARC | MID-AMERICA REGIONAL COUNCIL | 336626 | 104814 AP | 09/22/2023 | 3-174-5-00-210 | LEAV-911 AUGUST 2023 911 EXPEN | | 31,044.05 | |
| | | | | | | | | TOTAL FUND 174 | | 31,044.05 |
| ----- | | | | | | | | | | |
| 757 | COMMERCIAL ELECT | COMMERCIAL ELECTRONIC CORP | 336554 | 104778 AP | 09/18/2023 | 3-194-5-00-2 | DATA-VOICE RECORDING & MGMT | | 17,668.00 | |
| | | | | | | | | TOTAL FUND 194 | | 17,668.00 |
| ----- | | | | | | | | | | |
| 5637 | CLEARWATER ENTERPRIS | CLEARWATER ENTERPRISES,LLC | 336555 | 104779 AP | 09/18/2023 | 3-195-5-00-290 | 20642-0321A774932308 GAS SERVI | | 2.69 | |
| 26400 | KANSAS GAS | KANSAS GAS SERVICE | 336619 | 104807 AP | 09/22/2023 | 3-195-5-00-290 | 510614745 1628631 73 GAS TRANS | | 84.92 | |
| 2 | WATER DEPT | WATER DEPT | 336638 | 104826 AP | 09/22/2023 | 3-195-5-00-290 | WATER SVC COMMUNITY CORRECTION | | 48.99 | |
| | | | | | | | | TOTAL FUND 195 | | 136.60 |
| ----- | | | | | | | | | | |
| 21300 | DIST CT EMPL REIMB | JULIE CLEMENS | 336604 | 104792 AP | 09/22/2023 | 3-197-5-00-201 | EXPENSES FOR VTC OPENING CEREM | | 38.06 | |
| 21300 | DIST CT EMPL REIMB | JULIE CLEMENS | 336604 | 104792 AP | 09/22/2023 | 3-197-5-00-201 | EXPENSES FOR VTC OPENING CEREM | | 84.90 | |
| | | | | | | | | *** VENDOR | 21300 TOTAL | 122.96 |
| | | | | | | | | TOTAL FUND 197 | | 122.96 |
| ----- | | | | | | | | | | |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336556 | 104780 AP | 09/18/2023 | 3-212-5-00-2 | ELECTRIC SVC SEWER DIST 2 | | 181.68 | |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336556 | 104780 AP | 09/18/2023 | 3-212-5-00-2 | ELECTRIC SVC SEWER DIST 2 | | 37.18 | |

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

| | | | P.O.NUMBER | CHECK# | | | | | |
|-------|-------------|---------------------------|------------|-----------|------------|----------------|--------------------------------|----------|------------|
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336556 | 104780 AP | 09/18/2023 | 3-212-5-00-2 | ELECTRIC SVC SEWER DIST 2 | 28.62 | |
| 86 | EVERGY | EVERGY KANSAS CENTRAL INC | 336556 | 104780 AP | 09/18/2023 | 3-212-5-00-2 | ELECTRIC SVC SEWER DIST 2 | 64.43 | |
| | | | | | | | *** VENDOR | 86 TOTAL | 311.91 |
| | | | | | | | TOTAL FUND 212 | | 311.91 |
| ----- | | | | | | | | | |
| 268 | GEN DIGITAL | GEN DIGITAL, INC. | 336612 | 104800 AP | 09/22/2023 | 3-510-2-00-941 | 1247233 SEPTEMBER LIFELOCK PRE | 1,631.95 | |
| | | | | | | | TOTAL FUND 510 | | 1,631.95 |
| ----- | | | | | | | | | |
| | | | | | | | TOTAL ALL CHECKS | | 255,670.70 |

TYPES OF CHECKS SELECTED: * ALL TYPES

FUND SUMMARY

| | | |
|-----|---------------------------------|------------|
| 001 | GENERAL | 100,907.10 |
| 108 | COUNTY HEALTH | 3,296.63 |
| 115 | EQUIPMENT RESERVE | 18,166.78 |
| 119 | ROD TECHNOLOGY | 115.00 |
| 126 | COMM CORR ADULT | 423.29 |
| 130 | CCH PERMITS | 77.74 |
| 133 | ROAD & BRIDGE | 80.15 |
| 136 | COMM CORR JUVENILE | 52.37 |
| 140 | E D A C ECONOMIC DEVELOPMENT | 37,250.00 |
| 144 | PALS (PETS AND LOVING SENIORS | 1,366.45 |
| 145 | COUNCIL ON AGING | 29,986.75 |
| 146 | COUNTY TREASURER SPECIAL | 2,790.66 |
| 147 | MEMORIALS (COA) | 227.15 |
| 153 | PUBLIC WORKS,EQUIP.RESERVE FUND | 8,449.13 |
| 160 | SOLID WASTE MANAGEMENT | 1,566.03 |
| 174 | 911 | 31,044.05 |
| 194 | VIOLENT OFFENDERS | 17,668.00 |
| 195 | JUVENILE DETENTION | 136.60 |
| 197 | INK FEE FUND | 122.96 |
| 212 | SEWER DISTRICT 2: TIMBERLAKES | 311.91 |
| 510 | PAYROLL CLEARING | 1,631.95 |
| | TOTAL ALL FUNDS | 255,670.70 |

Septmeber 27, 2023 Consent Agenda
Checks dated 9/16 - 9/22

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hO VV@8 # \ UU @ @ V °
STAFF REPORT °

CASE NO: DEV-23-094 Neu Airpark PUD Final

September 13, 2023

REQUEST: Consent °
 Preliminary Plat Final Plat

ou ° 77k-hk-o-Vu ° u@ ° - °
AMY ALLISON
DEPUTY DIRECTOR

oy ° K #uhk \ h-ku ° 17271 & 17251 HOLLINGSWORTH ROAD

° hhO# ° Vu ° hhO# ° Vu ° 8-Vu °
JOE HERRING
HERRING SURVEYING

hk \ h-ku ° \ ‡ V-k °
HEARTLAND ENTERPRISES LLC &
RICKY LEE AND VICKI L NEU

\ V #ykk-Vu ° hhO# ° u@ Vo °
N/A

O V) yo °

ZONING: PUD

FUTURE LAND USE DESIGNATION:
RESIDENTIAL (2.5 ACRE MIN)

O 8 ° O) -o #k @ u @ V:
Two tracts of land in the West half of the East half of the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas

SUBDIVISION: N/A
FLOODPLAIN: N/A

ou ° 77k-# \ UU -V) ° u@ V APPROVAL WITH CONDITIONS

hk \ h-ku ° @ \ kU ° u@ V °

- ° #u@ V \ hu@ Vo °
1. Á Recommend approval of Case No. DEV-23-094, Final Plat for Neu Airpark PUD, with or without conditions; or
 2. Á Recommend denial of Case DEV-23-094, Final Plat for Neu Airpark PUD, for the following reasons; or
 3. Á Continue the hearing to another date, time, and place. °

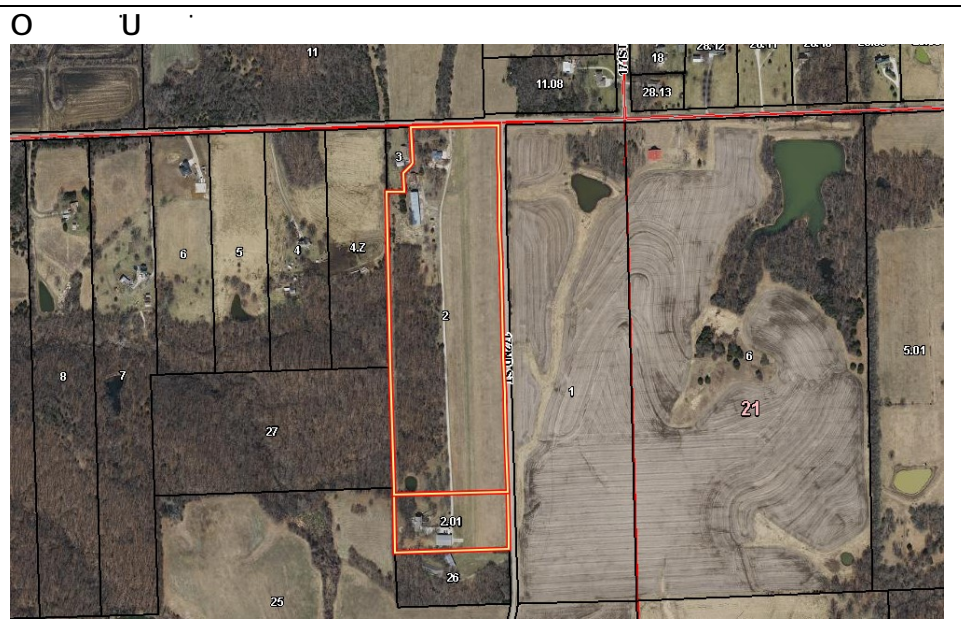
PARCEL SIZE: 32.4 ACRES

PARCEL ID NO:
154-20-0-00-00-002.00 & 154-20-0-00-00-002.01

BUILDINGS:
Two houses and accessory structures

hk \ K #uoyUU ° k °
Request for final plat approval to subdivide property located at 17271 & 17251 Hollingsworth Road as Lots 1 through 7 and Lots 1A through 7A of Neu Airpark PUD. °

ACCESS/STREET:
HOLLINGSWORTH ROAD
COLLECTOR, GRAVEL, ±15' WIDE



yu@ @ o °

SEWER: SEPTIC

FIRE: STRANGER

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

V \ u@ ° - k- † @ † °

STAFF REVIEW: 9/5/2023

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

| α° V) ° k) ouλ " - #\ Vα@ -k-) | | | |
|--------------------------------|--|-----|-----|
| O | # | U | V U |
| 35-40 | h h # | N/A | |
| 40-20 | 7 h # | X | |
| 41-6 | U A variance was granted per DEV-21-204 | | X |
| 41-6.B.a-c. | - o | N/A | |
| 41-6.C. | h k U o A variance was granted per DEV-21-204 | | X |
| 43 | # | X | |
| 50-20 | y k | X | |
| 50-30 | \ k | X | |
| 50-40 | U) o | X | |
| 50-50 | o O) | N/A | |
| 50-60. |) k h o \ o | N/A | |

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The applicant is proposing a 14-lot subdivision to access off of Hollingsworth Road. The Subdivision is classified as a Class C subdivision with all lots lying within the Rural Growth Boundary of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system (see condition 3). The proposed subdivision will have primary lots (Lots 1-7) and Secondary Lots (1A-7A). The primary lots will have single-family residences whereas the secondary lots will only be permitted to have hangers and fuel storage. The applicant is proposing a Tract A which is the existing airstrip. The applicant is proposing to build a cross access easement development using the existing access off of Hollingsworth Rd. The applicant obtained a variance from the Access Management Policy to allow for the private road entrance. The proposed subdivision has been designed as a Planned Unit Development, establishing the standards for how the property can be developed. The rezoning to PUD was approved by the Board of County Commissioners on July 5, 2023.

The applicant has provided a final plat that complies with the conditions placed on the Preliminary Plat approval. Per the final Road Plans, on and off-site public improvements will be required for the construction of the private drive. The County will not issue building permits until all improvements have been completed and accepted by Public Works. The final plat will be subject to all design and regulatory requirements established via the Planned Unit Development. Because Neu Drive is a private roadway, the County will not accept any responsibility for installing or maintaining the private drive. Staff is generally in support of the request. The County received communication after the Preliminary Plat and Rezone were approved from Evergy discussing the potential layout of utility lines for the subdivision. Staff has included said email and placed compliance with Evergy's comments as a proposed condition of approval on the Final plat.

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1. A Building permits shall be required for any new construction. A restriction shall be added that states "An accessory structures used for the purpose of storing airplanes or fuel shall be designed and reviewed by a licensed architect or engineer and designed in compliance with the 2006 IBC, as adopted.
2. A 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. A At time of development, fire hydrants shall be required, if necessary infrastructure is available.

- 5.Á Neu Airpark PUD is hereby approved as a Cross Access Easement subdivision. The installation and maintenance of Neu Drive is the responsibility of the members of the Home Owners Association per the attached HOA agreement. Leavenworth County does not accept any liability or maintenance of the proposed private drive.
- 6.Á No building permits shall be issued for this subdivision until all on and off-site public improvements have been installed and accepted by the Leavenworth County Public Works Department.
- 7.Á The developer must comply with the following memorandums:
 - a.Á Email – Tyler Rebel, Evergy, dated May 26, 2023 (forwarded to the County on July 7, 2023)

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A: Application & Narrative

B: Zoning Maps

C: Memorandums

D: Cross Access Easement Submittal Standards

LEAVENWORTH COUNTY DEVELOPMENT APPLICATION PERMIT

CASE NUMBER DEV-23-094

PERMIT SUB-TYPE SUBDIVISION

PID 154-20-0-00-00-002.00 PARCEL SIZE 27.8 AC ZONE RR-5
TWSP STRANGER SCHOOL DIST 458 SDD NO
SUBDIVISION LOT NO BLOCK NO
WATER DIST SUBURBAN ELECTRIC EVERGY SEWER DIST n/a
FLOOD PLAIN IN PARCEL NO FLOOD PLAIN ON BUILDING SITE NO
SITE ADDRESS 17271 Hollingsworth Rd
SITE CITY Leavenworth SITE STATE KS SITE ZIP CODE 66048

LAST NAME Neu Field Air Park FIRST NAME Neu, Rick PHONE 913-651-3858
EMAIL herringsurveying@outlook.com
ADDRESS 315 N 5th St
CITY Leavenworth STATE KS ZIP CODE 66048

CONSULTANT Joe Herring - Herring Surveying CONSULTANT PHONE 913-651-3858
CONSULTANT EMAIL

PROPOSED ZONING n/a SUP CATEGORY - USE
VARIANCE REGULATION CURRENT USE RESIDENTIAL ROAD LOCAL
COMP PLAN USE DESIGNATION UGMA

SUBDIVISION TYPE FINAL PLAT GROSS ACREAGE 27.8 COVENANTS NO
MAXIMUM LOT SIZE 4.9 MINIMUM LOT SIZE 2 OPEN SPACE ACREAGE
LOTS 7 TRACTS TOTAL PARCELS 7 DENSITY

NOTES: also contains 154-20-0-00-00-002.01 and see DEV-22-143
Paid on 10/12/2022

| | | | | | |
|-------|----------|--------------|---------|--------------------|----------------|
| STAFF | 7/5/2023 | STAFF ACTION | PENDING | [X] PUBLIC HEARING | AGENDA AREA |
| PC | | PC ACTION | PENDING | | NOTICE PUB |
| BOCC | | BOCC ACTION | PENDING | | RESOLUTION PUB |
| BZA | | BZA ACTION | | DURATION | EXPIRATION |

APPLICATION FEE \$460.00 TIF 0.00 BOND 0.00 TOTAL FEES \$460.00
CHECK NO 9175 [] CASH [] CC TIFF CHECK NO

STAFF APPROVAL *M. Johnson* DATE 07.05.2023

APPLICANT DATE

FIRST AMENDMENT TO
CONTRACT FOR PURCHASE OF REAL ESTATE

THIS FIRST AMENDMENT made this 8th day of March, 2019, between The Wesley W. Neu Revocable Trust dated December 12, 2011, hereinafter called "Seller" and Heartland Enterprises, LLC, hereinafter called "Buyer", is as follows:

WHEREAS, the parties have previously entered into a Contract for Purchase of Real Estate dated January 19, 2021, and hereby desire to amend the agreement with the following provisions:

1. Closing. The above contract is extended and closing shall be on or before the 11th day of March, 2021, at 4:00 P.M. at the office of Kansas Secured Title, Inc. - Leavenworth, 360 Santa Fe Street, Leavenworth, KS 66048, or such other time or place as the parties can agree.

2. Continued Effect. Except as modified above, the previous contract shall remain in full force and effect and without modification.


IN WITNESS WHEREOF, the parties have executed this Addendum on the date specified below.

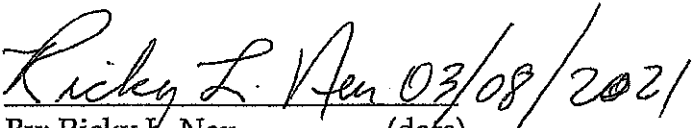
SELLER

BUYER

The Wesley W. Neu Revocable Trust
Dated December 12, 2011

Heartland Enterprises, LLC


Ricky L. Neu (date)
Successor Trustee


By: Ricky L. Neu (date)
Member

CERTIFICATION OF TRUST

Seller(s)/Owner(s) of record: The Wesley W. Neu Revocable Trust dated December 12, 2011

Buyer(s): Heartland Enterprises, LLC

Property(ies): 17271 Hollingsworth Road, Basehor, KS 66007

This document is furnished to Kansas Secured Title, Inc. - Leavenworth, by the undersigned,


Pursuant to K.S.A. 58a-1013 of the Uniform Trust Code of Kansas ("the Code"), and concerns The Wesley W. Neu Revocable Trust dated December 12, 2011 (herein "the Trust").

- 832 767 9153
- a) The Trust is in existence on the date of this certification, and the trust instrument was executed on December 12, 2011.
 - b) The Grantor, Wesley W. Neu, died on February 15, 2012.
 - c) There are no other grantors, living or deceased.
 - d) The Successor Trustee is Rick Neu, aka Ricky L. Neu, 3307 Valley Gardens Drive, Kingwood, TX 77345.
 - e) The powers of the trustee include all those stated in K.S.A. 58a-815 and K.S.A. 58a-816 of the Code, and there is no provision of the Trust diminishing such powers.
 - f) The Trust is irrevocable.
 - g) The Trust's taxpayer identification number is 86-6411609.
 - h) The proper manner of taking title to property of the Trust is: Rick Neu, Successor Trustee of the Wesley W. Neu Revocable Trust dated December 12, 2011, and its successors in interest, recorded December 29, 2011, as Doc. No. 2011R10435.
 - i) The trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this Certificate of Trust to be incorrect.

 **IRS** DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
PHILADELPHIA PA 19255-0023

003907.307614.92770.19555 1 MB 0.439 530




WESLEY W NEU RVOC TR DATED
DECEMBER 12 2011
RICK NEU TTEE
3307 VALLEY GARDENS DR
KINGWOOD TX 77345

003907

Date of this notice: 01-21-2021

Employer Identification Number:
86-6411609

Form: SS-4

Number of this notice: CP 575 D

For assistance you may call us at
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 86-6411609. This EIN will identify your estate or trust. If you are not the applicant, please contact the individual who is handling the estate or trust for you. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1041

01/15/2021

After our review of your information, we have determined that you have not filed tax returns for the above-mentioned tax period(s) dating as far back as 2012. Please file your return(s) by 02-05-2021. If there is a balance due on the return(s), penalties and interest will continue to accumulate from the due date of the return(s) until it is filed and paid. If you were not in business or did not hire any employees for the tax period(s) in question, please file the return(s) showing you have no liabilities.

If you have questions about the form(s) or the due dates(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, Accounting Periods and Methods.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, Entity Classification Election. See Form 8832 and its instructions for additional information.



This is a true and correct copy of the official record on file in the Office of Vital Statistics, Topeka, Kansas, certified on the date stamped below.

2012 FEB 28 AM 08:06

Elizabeth W. Saadi

Elizabeth W. Saadi, Ph.D.
State Registrar
Office of Vital Statistics
Department of Health & Environment

A05528785

It is in violation of KSA 65-2422d(g) to "prepare or issue any certificate which purports to be an original, certified copy or copy of a certificate of birth, death or fetal death, except as authorized in this act or rules and regulations adopted under this act."

CERTIFIED COPIES WILL BE PRODUCED ON MULTI-COLOR SECURITY PAPER.

NEU FIELD AIRPARK PUD

A Planned Unit Development and Cross Access Easement Plat in the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:

Rick & Vicki Neu
17251 Hollingsworth Road
Basehor, KS 66007
PID # 154-20-0-00-002.01

HEARTLAND ENTERPRISES LLC
17271 Hollingsworth Road
Basehor, KS 66007
PID # 154-20-0-00-002

SURVEYOR'S DESCRIPTION:

A tract of land in the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 24, 2022, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 15'39" West for a distance of 659.61 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 28'14" East for a distance of 2345.93 feet; thence South 88 degrees 14'55" West for a distance of 657.58 feet; thence North 01 degrees 31'12" West for a distance of 1980.06 feet; thence North 88 degrees 28'39" East for a distance of 97.01 feet; thence North 02 degrees 39'41" West for a distance of 104.00 feet; thence North 45 degrees 51'39" East for a distance of 73.98 feet; thence North 06 degrees 47'21" West for a distance of 213.32 feet to the North line of said Northeast Quarter; thence North 88 degrees 15'39" East for a distance of 529.82 feet along said North line to the point of beginning.

Said property contain 34.42 acres, more or less, including road right of way.

Error of Closure = 1 : 1226905

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: NEU FIELD AIRPARK PUD.

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.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lots 1 through 6 for the benefit of all Lots 1 through 7. Maintenance is to be shared between the owners of said Lots 1 through 7. Maintenance as defined in the Home Owner's Association (H.O.A.), recorded at the Leavenworth County Register of Deeds Office Doc # 2023R.

IN TESTIMONY WHEREOF,

We, the undersigned owners of NEU FIELD AIRPARK PUD, have set our hands this _____ day of _____, 2023.

Rick Neu Vicki Neu

Rick Neu, Member of
HEARTLAND ENTERPRISES LLC

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

NOTARY PUBLIC

My Commission Expires: _____ (seal)

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Rick Neu, Member of Heartland Enterprises, LLC, 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 NEU FIELD AIRPARK PUD this _____ day of _____, 2023.

Secretary John Jacoboson 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

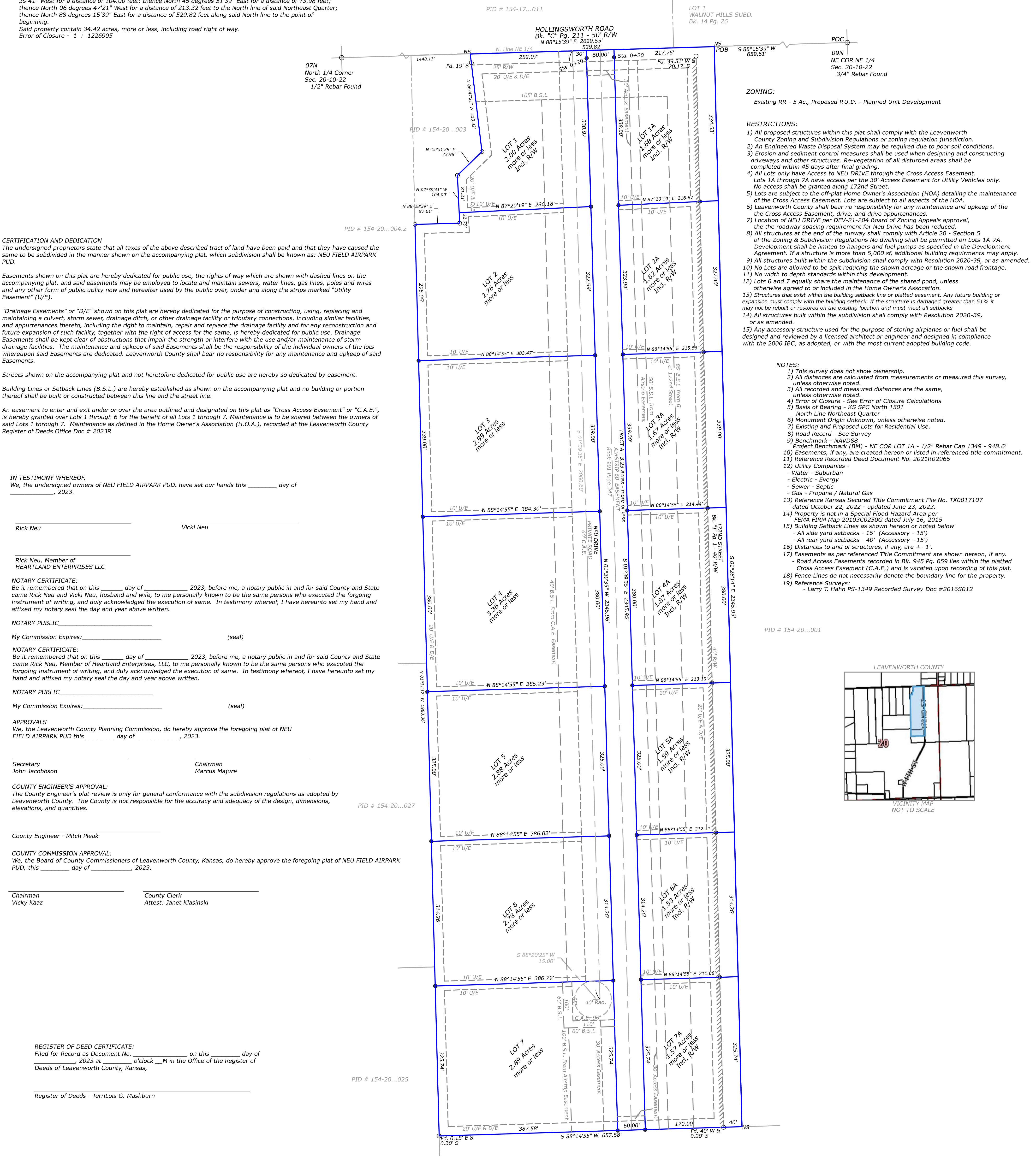
COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of NEU FIELD AIRPARK PUD, this _____ day of _____, 2023.

Chairman Vicky Kaaz County Clerk Attest: Janet Klasinski

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

Register of Deeds - TerriLois G. Mashburn

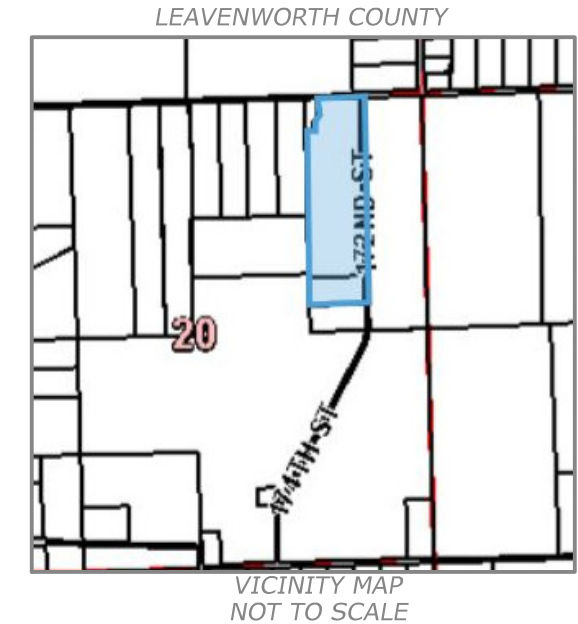
LEGEND:
● - 1/2" Rebar Set with Cap No.1296
○ - 1/2" Rebar Found Cap #1349, unless otherwise noted.
□ - Concrete Base around Point
△ - PK Nail Found in Place
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
BM - Benchmark
NS - Not Set this survey per agreement with client
A - Arc Distance
R - Arc Radius
B - Chord Bearing
C - Chord Distance
////// - No Vehicle Entrance Access



ZONING:
Existing RR - 5 Ac., Proposed P.U.D. - Planned Unit Development

- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
 - 4) All Lots only have Access to NEU DRIVE through the Cross Access Easement. Lots 1A through 7A have access per the 30' Access Easement for Utility Vehicles only. No access shall be granted along 172nd Street.
 - 5) Lots are subject to the off-plat Home Owner's Association (HOA) detailing the maintenance of the Cross Access Easement. Lots are subject to all aspects of the HOA.
 - 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the Cross Access Easement, drive, and drive appurtenances.
 - 7) Location of NEU DRIVE per DEV-21-204 Board of Zoning Appeals approval, the roadway spacing requirement for Neu Drive has been reduced.
 - 8) All structures at the end of the runway shall comply with Article 20 - Section 5 of the Zoning & Subdivision Regulations. No dwelling shall be permitted on Lots 1A-7A. Development shall be limited to hangers and fuel pumps as specified in the Development Agreement. If a structure is more than 5,000 sf, additional building requirements may apply.
 - 9) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
 - 10) No Lots are allowed to be split reducing the shown acreage or the shown road frontage.
 - 11) No width to depth standards within this development.
 - 12) Lots 6 and 7 equally share the maintenance of the shared pond, unless otherwise agreed to or included in the Home Owner's Association.
 - 13) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks.
 - 14) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
 - 15) Any accessory structure used for the purpose of storing airplanes or fuel shall be designed and reviewed by a licensed architect or engineer and designed in compliance with the 2006 IBC, as adopted, or with the most current adopted building code.

- NOTES:
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - See Error of Closure Calculations
 - 5) Basis of Bearing - KS SPC North 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Existing and Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD83
 - 10) Project Benchmark (BM) - NE COR LOT 1A - 1/2" Rebar Cap 1349 - 948.6'
 - 11) Easements, if any, are created hereon or listed in referenced title commitment.
 - 12) Reference Recorded Deed Document No. 2021R02965
 - 13) Utility Companies -
 - Water - Suburban
 - Electric - Eversy
 - Sewer - Septic
 - Gas - Propane / Natural Gas
 - 14) Reference Kansas Secured Title Commitment File No. TX0017107 dated October 22, 2022 - updated June 23, 2023.
 - 15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G dated July 16, 2015
 - 16) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
 - 17) Distances to and of structures, if any, are + - 1'.
 - 18) Easements as per referenced Title Commitment are shown hereon, if any.
 - 19) Road Access Easements recorded in Bk. 945 Pg. 659 lies within the platted Cross Access Easement (C.A.E.) and is vacated upon recording of this plat.
 - 20) Fence Lines do not necessarily denote the boundary line for the property.
 - 21) Reference Surveys:
 - Larry T. Hahn PS-1349 Recorded Survey Doc #2016S012



Job # K-21-1528
February 25, 2022 Rev. 7/26/23

J. HERRING
SURVEYING
COMPANY

315 North 5th Street, Leav., KS 66048
Ph. 913.661.3858 Fax 913.674.5381
Email - survey@camcash.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

Scale 1" = 100'

JOSEPH A. HERRING
REGISTERED
LS - 1296
KANSAS
LAND SURVEYOR

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of January 2022 thru June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



SuburbanWater

QUALITY WATER SERVICE

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Allison, Amy

From: Joe Herring <herringsurveying@outlook.com>
Sent: Friday, July 7, 2023 7:32 AM
To: PZ
Subject: Re: Evergy inquiry: Neu Airfield Planned Unit Development

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

See Evergy email below.

From: Tyler Rebel
Sent: Friday, May 26, 2023 12:55 PM
To: bicki.vias@gmail.com
Subject: FW: Evergy inquiry: Neu Airfield Planned Unit Development

Rick,

After reviewing the site in-person, the preliminary plans, and Evergy's policies, I was able to put together a detailed plan that is incumbent upon the FAA permitting as this entity will set the table for what Evergy can and can't do. One important note before explaining Evergy's overall routing below, it was decided that Evergy will not extend, install, or operate facilities underneath the airstrip known as Tract A. Please see the breakdown below:

The biggest challenge for Evergy revolves around lots 1A-7A, while not impossible, it will involve construction of roughly a ½ mile of overhead power line for servicing a hanger or shop. Evergy is comfortable with utilizing the most western edge of 172nd Street right-of-way for the installation of an overhead power line that would run parallel with 172nd Street should Evergy receive approval from the FAA permit/study process. This option is the most economical solution to providing power for lots 1A through 7A ahead of time and also allow future property owners to setup metering points on their shop in a similar fashion as they did with their home on the west side of the airstrip. And as for lots designated for SFR dwellings (lots 1-7), we'll maintain our position with existing overhead power on the western edge of the development & interconnect each new home accordingly. (Developer responsibilities include: Property pin installation, vegetation removal along 172nd Street, and a one-time payment to Evergy for the overhead power line along 172nd Street.)

However, should the FAA study reveal a *rejected* application for the proposed installation of an overhead power line along 172nd Street, that will change the scope of the project quite a bit. As the developer you'll have (3) options total and they are listed below from most affordable to most expensive:

1. The existing overhead power line on the most western edge of the development will act as the power source for all 14 individual lots, but Evergy facilities will not extend due east through the Airstrip tract. Instead, property owners who request power for their shop or hanger will be

instructed by Evergy to install a metering point near the C.A.E tract which would allow the property owner to then route private conduit/wire through the Airstrip tract and into their shop or hanger.

2. A new underground power line is installed within a private Evergy 10' easement along or within the western portion of the C.A.E. tract which by doing so "centralizes" power facilities for the development and reduces the efforts of future property owners when extending private electrical lines easterly to their shop. The majority of the existing overhead power line would be removed. Property owners that request power to their shop or hanger will still be instructed to set a metering point on their SFR lot and take private electrical lines easterly through the airstrip. Evergy would contribute labor and underground material less trenching/backfill.
3. Most Expensive: The existing overhead power line stays as-is for servicing the SFR lots, 1-7. Developer & Evergy coordinate for the installation of a high voltage underground power line that routes north to south via the proposed 20' U/E on the eastern side of lots 1A through 7A. Developer responsible for Evergy material, labor, and trenching/backfilling.

Ultimately, it all depends how available you'd like power to be for future property owners within this development. Attempting to outline this with a drawing would be rather difficult to understand, so my apologies for the convoluted explanation. Let me know if you have questions – thanks.

Tyler Rebel
Distribution Designer
Evergy
tyler.rebel@evergy.com
O: 913.758.2727
evergy.com

From: Tyler Rebel
Sent: Thursday, January 26, 2023 1:42 PM
To: bicki.vias@gmail.com
Subject: Evergy inquiry: Neu Airfield Planned Unit Development

Good afternoon Rick,

It's been a bit since we last spoke, but I recently was sent plans from the County regarding your new development and had a few questions for yourself. If you have time to discuss over phone, that's great, if not, I can discuss over e-mail.

I left a voicemail on your phone (832) 767-8041, but wasn't sure if this was your best line. Either way, feel free to reach out when you get a moment - thanks

Tyler Rebel
Distribution Designer
Evergy
tyler.rebel@evergy.com
O: 913.758.2727
evergy.com

NEU FIELD AIRPARK PUD

A Planned Unit Development and Cross Access Easement Plat in the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:

Rick & Vicki Neu
17251 Hollingsworth Road
Basehor, KS 66007
PID # 154-20-0-00-002.01

HEARTLAND ENTERPRISES LLC
17271 Hollingsworth Road
Basehor, KS 66007
PID # 154-20-0-00-002.02

SURVEYOR'S DESCRIPTION:

A tract of land in the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 24, 2022, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 15'39" West for a distance 659.61 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 28'14" East for a distance of 2345.93 feet; thence South 88 degrees 14'55" West for a distance of 657.58 feet; thence North 01 degrees 31'12" West for a distance of 1980.06 feet; thence North 88 degrees 28'39" East for a distance of 97.01 feet; thence North 02 degrees 39'41" West for a distance of 104.00 feet; thence North 45 degrees 51'39" East for a distance of 73.98 feet; thence North 06 degrees 47'21" West for a distance of 213.32 feet to the North line of said Northeast Quarter; thence North 88 degrees 15'39" East for a distance of 529.82 feet along said North line to the point of beginning.
Said property contain 34.42 acres, more or less, including road right of way.
Error of Closure = 1 : 1226905

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: NEU FIELD AIRPARK PUD.

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.

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lots 1 through 6 for the benefit of all Lots 1 through 7. Maintenance is to be shared between the owners of said Lots 1 through 7. Maintenance as defined in the Home Owner's Association (H.O.A.), recorded at the Leavenworth County Register of Deeds Office Doc # 2023R.

IN TESTIMONY WHEREOF,

We, the undersigned owners of NEU FIELD AIRPARK PUD, have set our hands this _____ day of _____, 2023.

Rick Neu Vicki Neu

Rick Neu, Member of
HEARTLAND ENTERPRISES LLC

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

NOTARY PUBLIC

My Commission Expires: _____ (seal)

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Rick Neu, Member of Heartland Enterprises, LLC, 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 NEU FIELD AIRPARK PUD this _____ day of _____, 2023.

Secretary John Jacoboson 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 NEU FIELD AIRPARK PUD, this _____ day of _____, 2023.

Chairman Vicky Kaaz County Clerk Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:

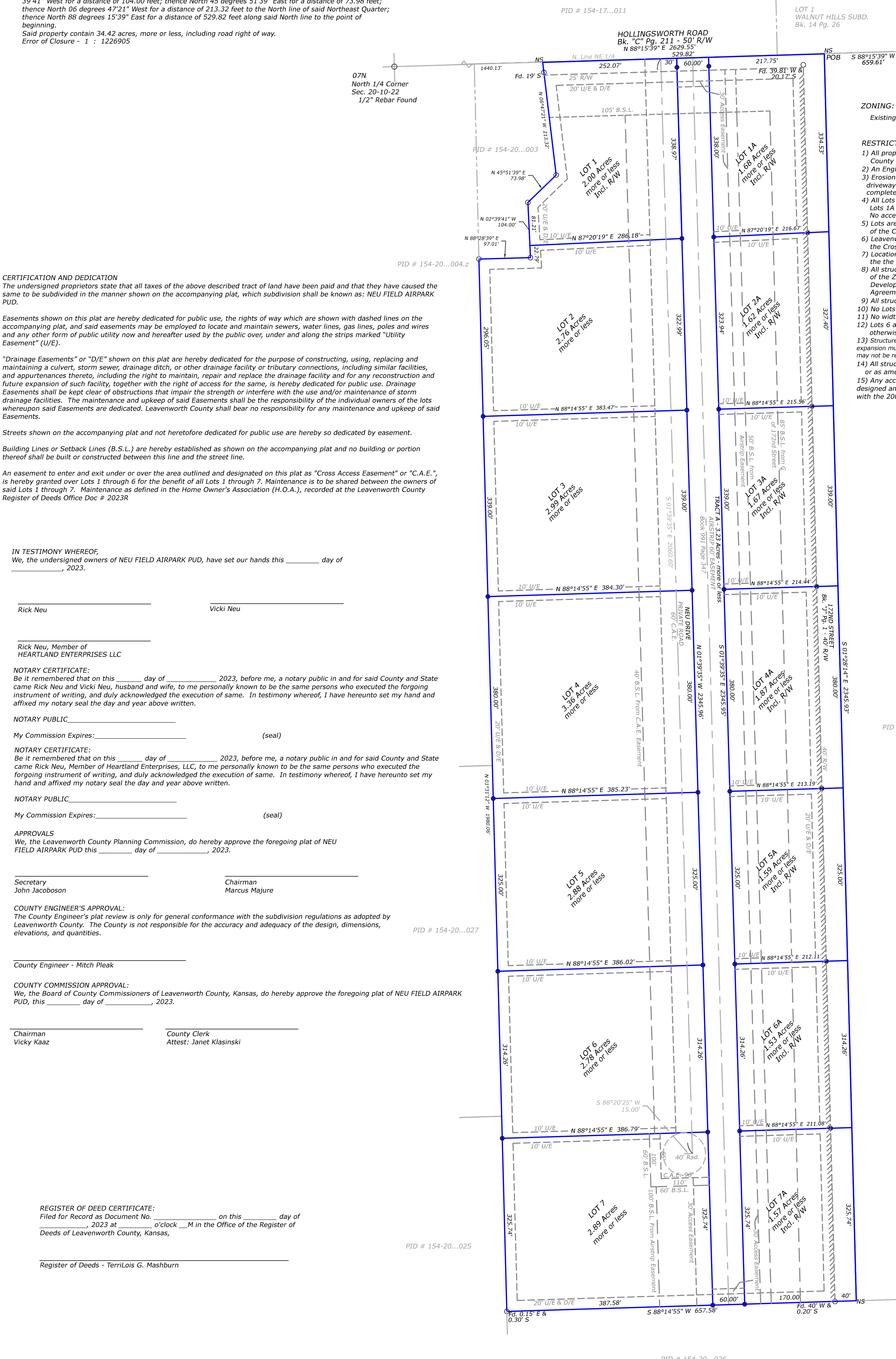
Filed for Record as Document No. _____ on this _____ day of _____, 2023 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds - TerriLois G. Mashburn

LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found Cap #1349, unless otherwise noted.
- - Concrete Base around Point
- △ - PK Nail Found in Place
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement
- BM - Benchmark
- NS - Not Set this survey per agreement with client
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance

Public Works Approved.
No further comments.



ZONING:
Existing RR - 5 Ac., Proposed P.U.D. - Planned Unit Development

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have Access to NEU DRIVE through the Cross Access Easement. Lots 1A through 7A have access per the 30' Access Easement for Utility Vehicles only. No access shall be granted along 172nd Street.
- 5) Lots are subject to the off-plat Home Owner's Association (HOA) detailing the maintenance of the Cross Access Easement. Lots are subject to all aspects of the HOA.
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the Cross Access Easement, drive, and drive appurtenances.
- 7) Location of NEU DRIVE per DEV-21-204 Board of Zoning Appeals approval, the roadway spacing requirement for Neu Drive has been reduced.
- 8) All structures at the end of the runway shall comply with Article 20 - Section 5 of the Zoning & Subdivision Regulations. No dwelling shall be permitted on Lots 1A-7A. Development shall be limited to hangers and fuel pumps as specified in the Development Agreement. If a structure is more than 5,000 sf, additional building requirements may apply.
- 9) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 10) No Lots are allowed to be split reducing the shown acreage or the shown road frontage.
- 11) No width to depth standards within this development.
- 12) Lots 6 and 7 equally share the maintenance of the shared pond, unless otherwise agreed to or included in the Home Owner's Association.
- 13) Structures that exist within the building setback line or platted easement. Any future building or expansion must comply with the building setback. If the structure is damaged greater than 51% it may not be rebuilt or restored on the existing location and must meet all setbacks.
- 14) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 15) Any accessory structure used for the purpose of storing airplanes or fuel shall be designed and reviewed by a licensed architect or engineer and designed in compliance with the 2006 IBC, as adopted, or with the most current adopted building code.

NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83 Project Benchmark (BM) - NE COR LOT 1A - 1/2" Rebar Cap 1349 - 948.6'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Document No. 2021R02965
- 12) Utility Companies -
 - Water - Suburban
 - Electric - Evers
 - Sewer - Septic
 - Gas - Propane / Natural Gas
- 13) Reference Kansas Secured Title Commitment File No. TX0017107 dated October 22, 2022 - updated June 23, 2023.
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C025050G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are + - 1'
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
- 18) Road Access Easements recorded in Bk. 945 Pg. 659 lies within the platted Cross Access Easement (C.A.E.) and is vacated upon recording of this plat.
- 19) Fence Lines do not necessarily denote the boundary line for the property.
- 20) Reference Surveys:
 - Larry T. Hahn PS-1349 Recorded Survey Doc #2016S012

PID # 154-20...001



Job # K-21-1528
February 25, 2022 Rev. 7/21/23

J. HERRING SURVEYING COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.661.3858 Fax 913.674.5381
Email - survey@camcash.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

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of January 2022 thru June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Allison, Amy

From: Baumchen, Daniel
Sent: Monday, August 7, 2023 3:47 PM
To: Allison, Amy; Noll, Bill
Subject: RE: Snyder
Attachments: Snyder BLA Comments 2023.08.07.pdf

No Comments

Dan Baumchen, PS
County Surveyor
Leavenworth County Department of Public Works
913-684-0472

From: Allison, Amy
Sent: Monday, August 7, 2023 2:04 PM
To: Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>
Subject: FW: Snyder

From: larry hahn <hahnsurvey@gmail.com>
Sent: Monday, August 7, 2023 11:59 AM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: Snyder

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 -
Attached is the revised BLA.
Building shown is not a trailer.
There is no flood area east of tract 2 on tract 1.
Thanks,

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

STATE OF KANSAS
LEAVENWORTH COUNTY
NEU AIRSTRIP PUD
PRIVATE ROADWAY

A CROSS ACCESS EASEMENT DEVELOPMENT

INDEX OF SHEETS

1. Title Sheet
2. Typical Section and General Notes
- 3.-4. Plan & Profile
5. Drainage and Grading Plan
6. Details
- 7.-12. Cross Sections

UTILITY COMPANIES

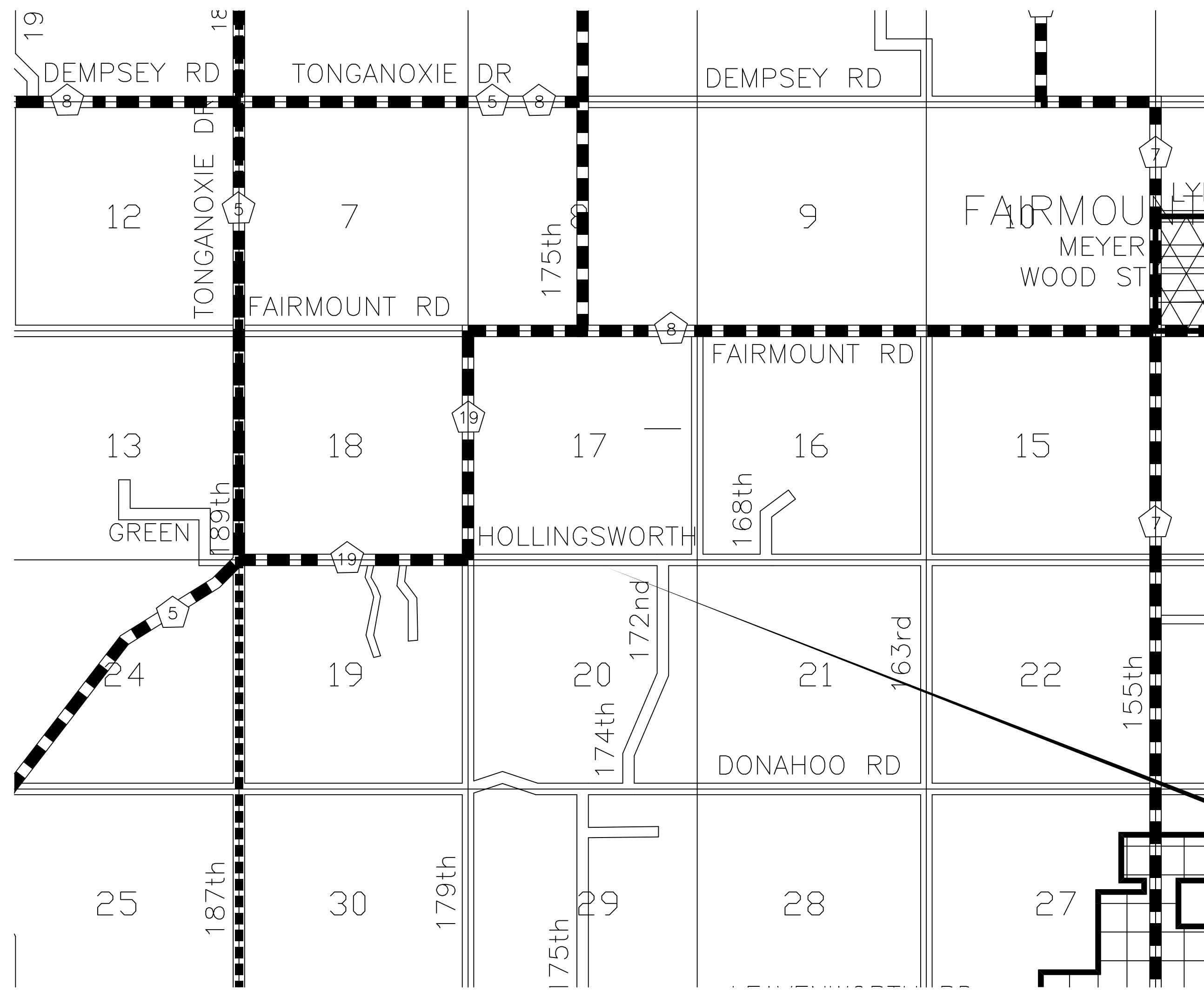
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| Evergy | 1-888-471-5725 |
| AT&T | 1-800-288-2020 |
| Suburban Water | 913-724-1800 |
| Kansas Dig Safe | 1-800-344-7233 |

Benchmarks -

| PointNo. | Northing(Y) | Easting(X) | Elev(Z) | Description |
|----------|-------------|------------|---------|-------------------|
| 2 | 317469.13 | 2169025.82 | 964.9 | fip CP#2 |
| 5 | 319794.34 | 2168966.34 | 948.6 | fip hahn CP#1 |
| 82 | | | 963.7 | NE COR conc CP #3 |
| 106 | | | 952.4 | NE COR conc CP #4 |

Design Reference - AASHTO Guidelines for Geometric Design of Low-Volume Roads (2019 Edition)

Design Speed - 20 mph



Owner: Ricky Neu
17271 Hollingsworth Road
Basehor, KS 66007

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

Engineer: David Lutgen
15554 Elm Street
Basehor, KS 66007

Project Location

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| NO. | DATE | REVISIONS | BY | APPD | | | | | |

Designed By _____
Drawn By _____
Checked By _____
Issue Date: _____
Job No. _____

NEU AIRSTRIP PUD PRIVATE ROADWAY
LEAVENWORTH COUNTY KS
TITLE SHEET
SHEET NO.
1 of 12



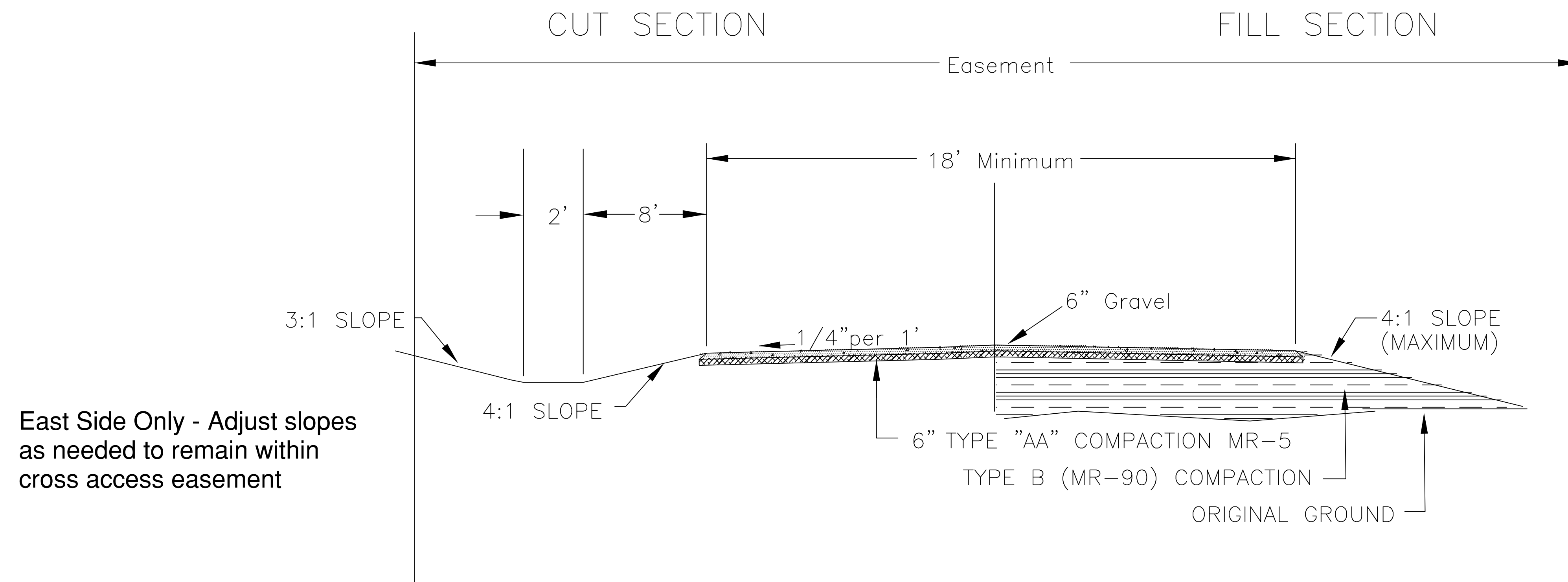
David P. Lutgen, P.E.

8/27/23

Date

AUTOCAD VER. 13 INFORMATION BLOCK
DRAWING: _____
BY: _____ DATE: _____
XREF DWG1: NONE
XREF DWG2: NONE
XREF DWG3: NONE
XREF DWG4: NONE

Private Roadway



General Notes:

1. Utilities shown are based upon information available to the Engineer. Contractor shall verify all utility locations before digging.
2. Contractor shall ensure that road is constructed in a manner that will support vehicular loading, including but not limited to construction vehicles, school buses, and emergency vehicles.
3. All trees, shrubs, and/or bushes shall be removed including root structure per the intent of the improvements unless noted.
4. Contractor shall provide adequate traffic control signing as outlined in the latest edition of the MUTCD.
5. Contractor to obtain all necessary permits prior to construction.
6. All excavation is unclassified.
7. Contractor responsible for compliance with NPDES regulations.
8. Traffic control shall be in conformance with the latest edition of the MUTCD.
9. Contractor shall obtain all necessary permits from all agencies with jurisdiction over the project.
10. Contractor to coordinate all necessary relocations for ditch reshaping per plan along Kansas Ave. Overhead utilities within above Kansas Ave right-of-way to be adjusted for adequate height to accommodate vehicles including emergency vehicles.
11. Contractor shall not change or deviate from the plans without first obtaining written approval from the Engineer.
12. All areas disturbed by the construction of said improvements shall be fertilized, seeded, and mulched in accordance with Leavenworth County Requirements. If seeding doesn't take, Contractor/Developer is responsible for reseeding until there is a mowable good stand of grass. Vegetation acceptance shall meet the minimum NOI requirements and approval from the County Public Works Department. Vegetation requires a uniform perennial vegetative cover with a density of 70% over 100% of all disturbed areas.
13. All swales shall be staked prior to Construction.
14. Contractor is responsible for obtaining a qualified independent testing agency to provide all necessary testing per KDOT specifications and testing frequencies. .
15. Access to existing homes and property shall be maintained at all times.
16. All construction and materials shall conform to the Leavenworth County Department of Public Works Road Construction and Storm Water Drainage Standards 2003 Edition. References made to KDOT standards and specifications shall be current edition.

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 Drawn By: _____
 Checked By: _____
 Issue Date: _____
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NEU AIRSTRIP PUD PRIVATE ROADWAY
 LEAVENWORTH COUNTY KS

TYPICAL SECTION AND GENERAL NOTES



The 10' vertical curve does not create any form of sump connection to the public roadway within the vertical curve. Please provide existing elevations to remain for the centerline crown and the tie-in location at 0+52.37 for Hollingsworth to determine if the designer is creating the sump with a severe elevation change at the roadway connection.

If a sump is not being proposed in the design please add the following note to the plan sheet, "The field construction of the CAE roadway entrance connection to the public roadway shall provide a sump condition to the public roadway. Responsibility for field adjustment of the CAE culvert and roadway geometric design to obtain the sump shall rest with the Contractor and Developer."

1) The design and construction of the replacement Hollingsworth Road crossroad pipe culvert and the necessary regrading of the public roadway ditch is an Off-Site Public Improvement required for the development. Thus, it is the responsibility of the Developer to construct and the developer's Consultant to design.

The design drawings for public improvements shall comply with the General Plan Requirements for Public Improvements and all applicable County policies for required material testing and inspection. Please refer to Chapter III of the Road Construction and Storm Water Drainage Standards for required submittal information.

2) Correct errant culvert flowline elevations for Hollingsworth Road culvert for use on the public improvement plan document.

3) A cursory review of the submitted design shows that the proposed 18" CMP does not convey the 50-year event as required for the Collector road without overtopping the roadway. Based on the preliminary plat information the pipe was originally a 24" CMP. Please review and once the design is final provide the applicable plan documents as discussed in Item #1.

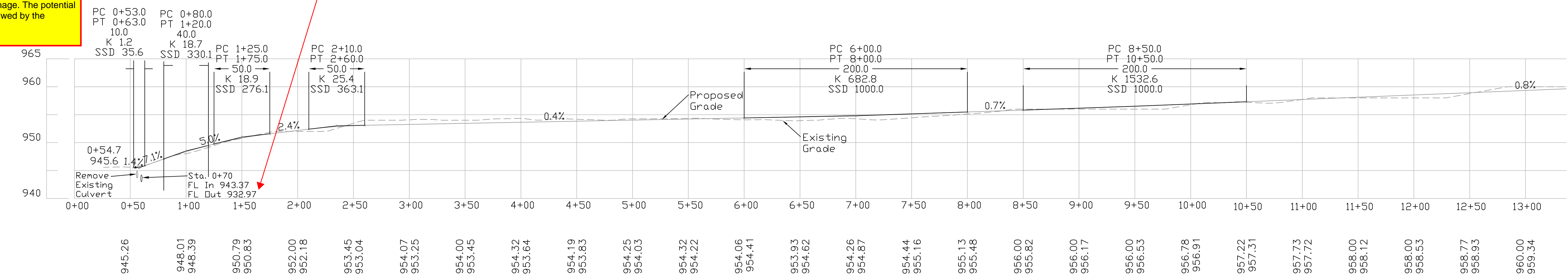
Sta. 0+52.37
N:319804.68
E:2168698.07

Sta. 0+52.37 Begin Construction Match Existing Road

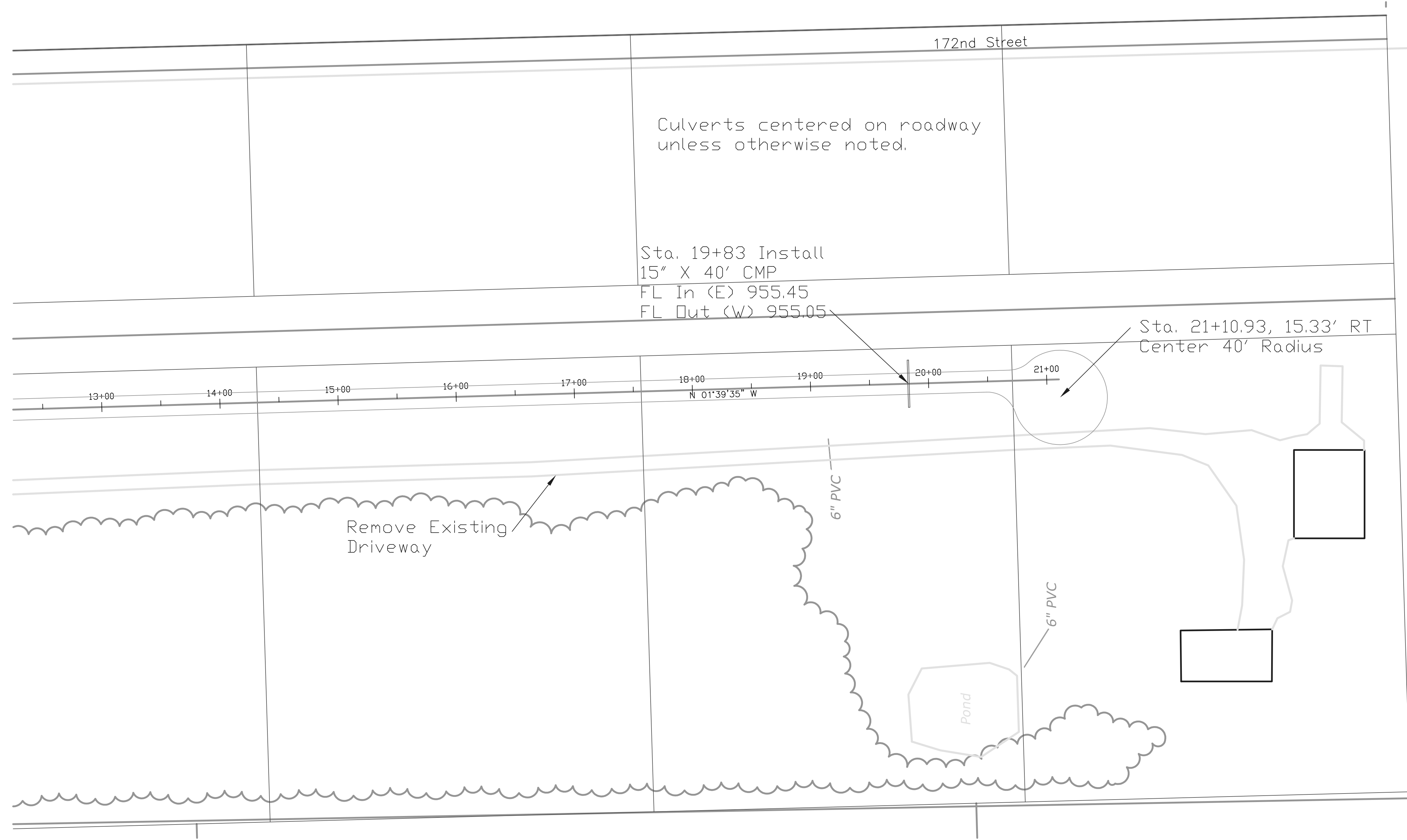
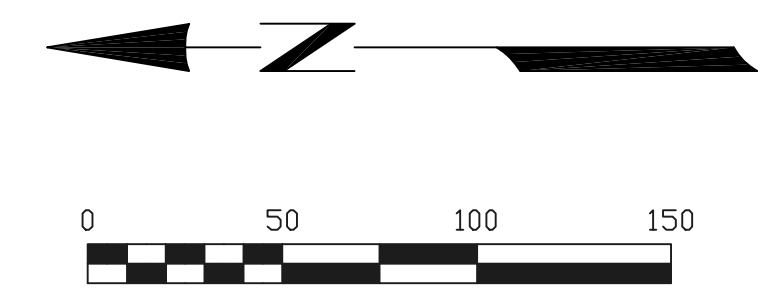
Sta. 0+42 40' Rt Remove Existing Culvert. Install 18" x 35' CMP. (20' South of CL and 15' North of CL)
FL In (S) 932.70
FL Out (N) 932.35

Culverts centered on roadway unless otherwise noted.

Public Works does not review CAE Roadways per County policy. However, a statement is made for informational purposes. The 8.5 algebraic grade difference of the 10' vertical curve has significant potential to ground vehicle bumpers resulting in damage. The potential condition should be reviewed by the Engineer.



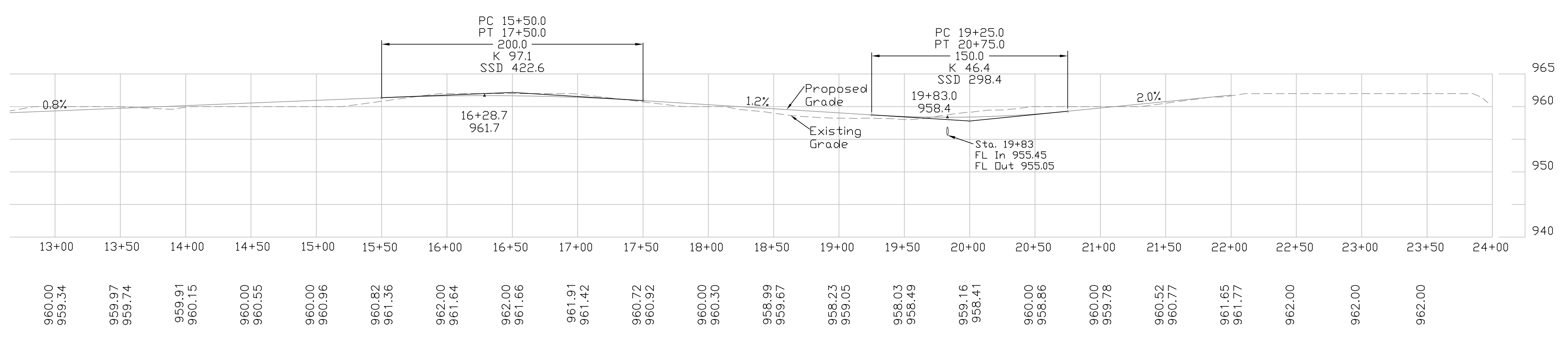
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| PLAN & PROFILE | |
| SHEET NO. 3 OF 12 | |
| NUE AIRSTRIP PUD PRIVATE ROADWAY LEAVENWORTH COUNTY KS | |



Culverts centered on roadway unless otherwise noted.

Sta. 19+83 Install
15" X 40' CMP
FL In (E) 955.45
FL Out (W) 955.05

Sta. 21+10.93, 15.33' RT
Center 40' Radius



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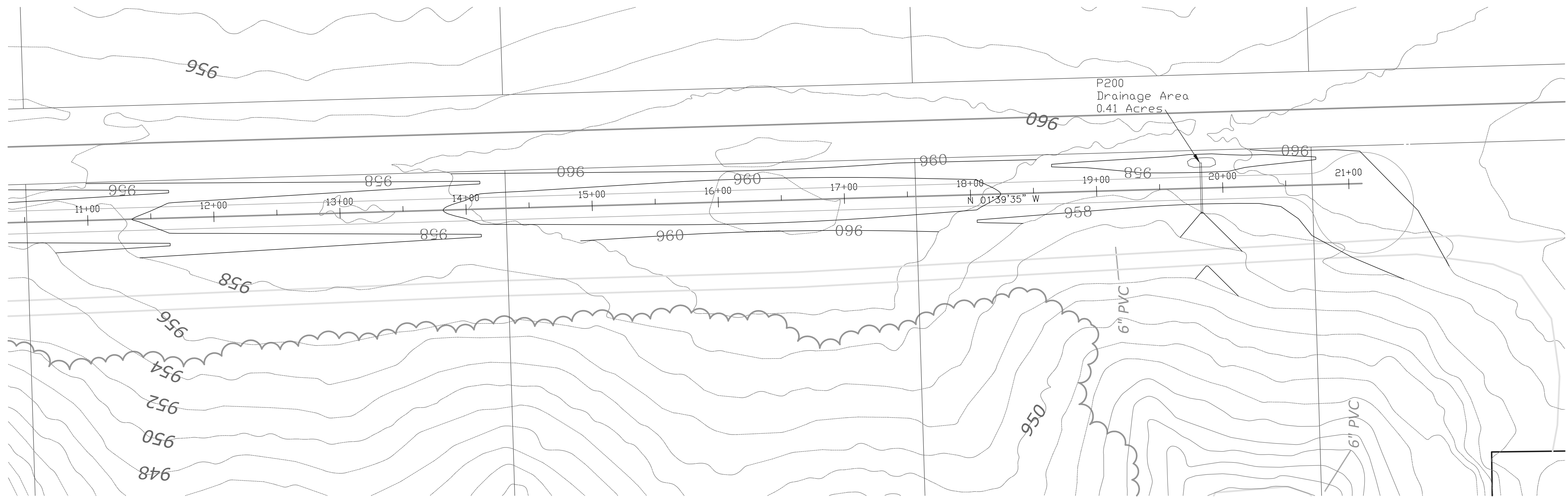
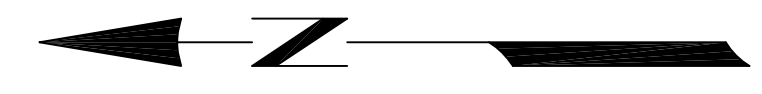
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NUE AIRSTRIP PUD PRIVATE ROADWAY
LEAVENWORTH COUNTY KS

PLAN & PROFILE

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| DRAWING: | BY: DATE: |
| XREF DWG1: NONE | XREF DWG2: NONE |
| XREF DWG3: NONE | XREF DWG4: NONE |

| Pipe | DA | C | I | A (acres) | Q25 (cfs) | Diameter (in) | Capacity (cfs) |
|------|----|------|------|-----------|-----------|---------------|----------------|
| P100 | #1 | 0.29 | 4.62 | 1.93 | 2.9 | 15 | 3.5 |
| P200 | #2 | 0.40 | 5.10 | 0.41 | 0.9 | 15 | 3.5 |

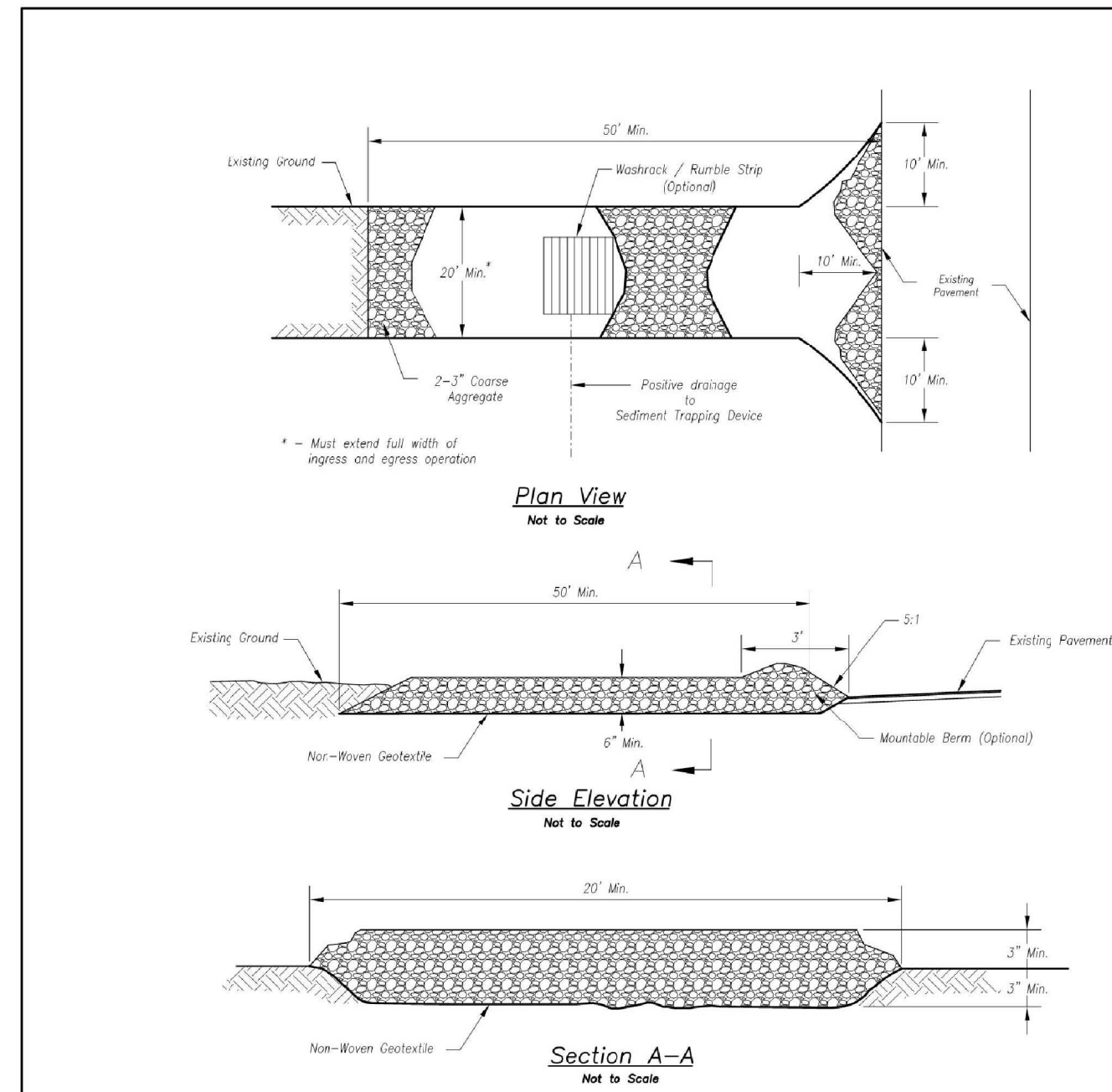


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| Jr. No. | |

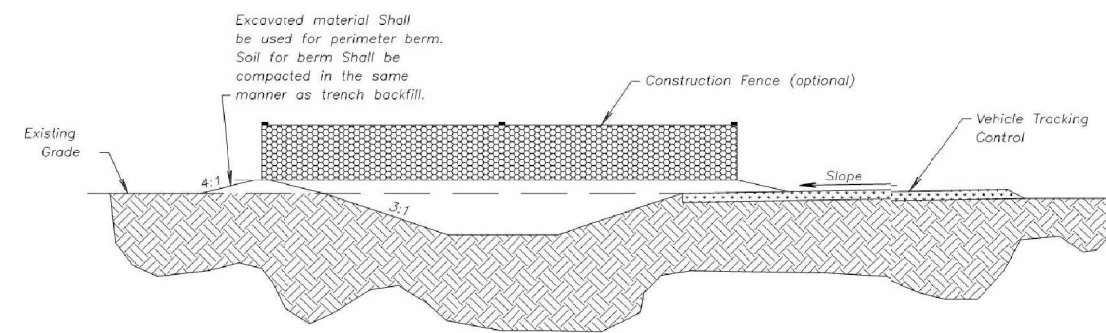
NUE AIRSTRIP PUD PRIVATE ROADWAY
LEAVENWORTH COUNTY KS
DRAINAGE AND GRADING PLAN

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| AUTOCAD VER.13 | INFORMATION BLOCK |
| DRAWING BY: | DATE: |
| XREF DWG1: NONE | XREF DWG2: NONE |
| XREF DWG3: NONE | XREF DWG4: NONE |



- Notes for Concrete Washout:**
1. Concrete washout areas shall be installed prior to any concrete placement on site.
 2. Concrete washout areas shall include a flat subsurface pit sized relative to the amount of concrete to be placed on site. The slope leading out of the subsurface pit shall be 3:1. The vehicle tracking post shall be tapered towards the concrete washout area.
 3. Vehicle tracking control is required at the access point to all concrete washout areas.
 4. Slope shall be placed on the construction site entrance, washout area and elsewhere as necessary to clearly indicate the location(s) of the concrete washout area(s) to operators of concrete truck and pump rigs.
 5. A one-piece impervious liner may be required along the bottom and sides of the subsurface pit in sandy or gravelly soils.

- Maintenance for Concrete Washout:**
1. Concrete washout materials shall be removed once the materials have filled the washout to approximately 75% full.
 2. Concrete washout areas shall be designed as necessary to maintain capacity for washed concrete.
 3. Concrete washout areas, washed pieces of concrete and all other debris in the subsurface pit shall be transported from the job site in a water-tight container and disposed of properly.
 4. Concrete washout areas shall remain in place until all concrete for the project is placed.
 5. When concrete washout areas are removed, excavations shall be filled with suitable compacted backfill and heaped, any disturbed areas associated with the installation, maintenance, and/or removal of the concrete washout areas shall be stabilized.



CONCRETE WASHOUT

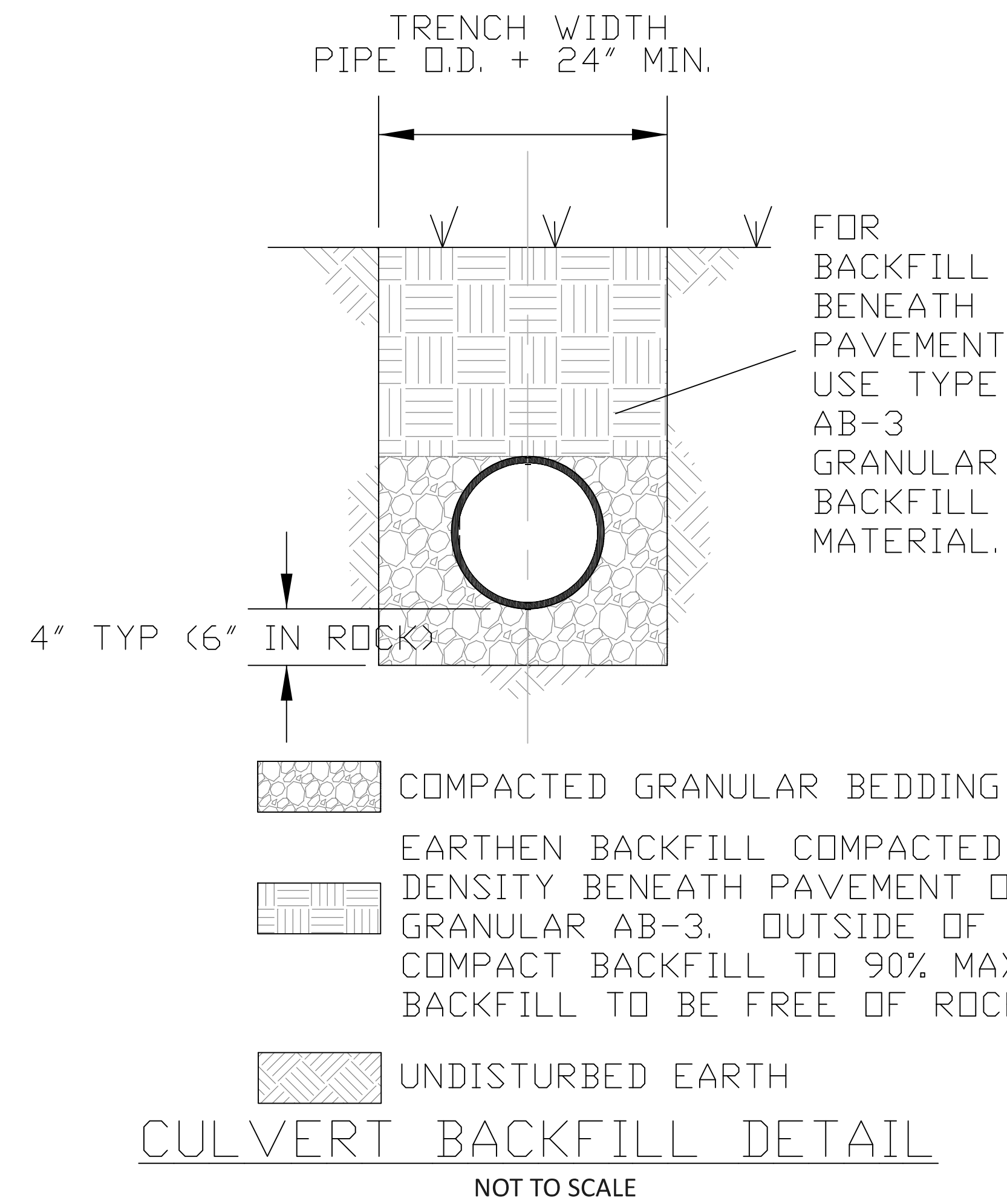
- Notes for Construction Entrance:**
1. Avoid loading on steep slopes, at curves on public roads, or directly in disturbed areas.
 2. Remove all vegetation and other unsuitable material from the foundation area, grade, and crown for positive drainage.
 3. If slope towards the public road exceeds 2%, construct a 6- to 8-inch high ridge with 3/4\"/>

- Maintenance for Construction Entrance:**
1. Realign entrance as needed to maintain function and integrity of installation. Top dress with clean aggregate as needed.

CONSTRUCTION ENTRANCE

Construction Entrance modified from 2015 Overland Park Standard Details for Erosion and Sediment Control; Concrete Washout modified from 2009 City of Great Bend Standard Drawings.

AMERICAN PUBLIC WORKS ASSOCIATION
 KANSAS CITY METRO CHAPTER
 STANDARD DRAWING NUMBER ESC-01
 ADOPTED: 10/24/2016



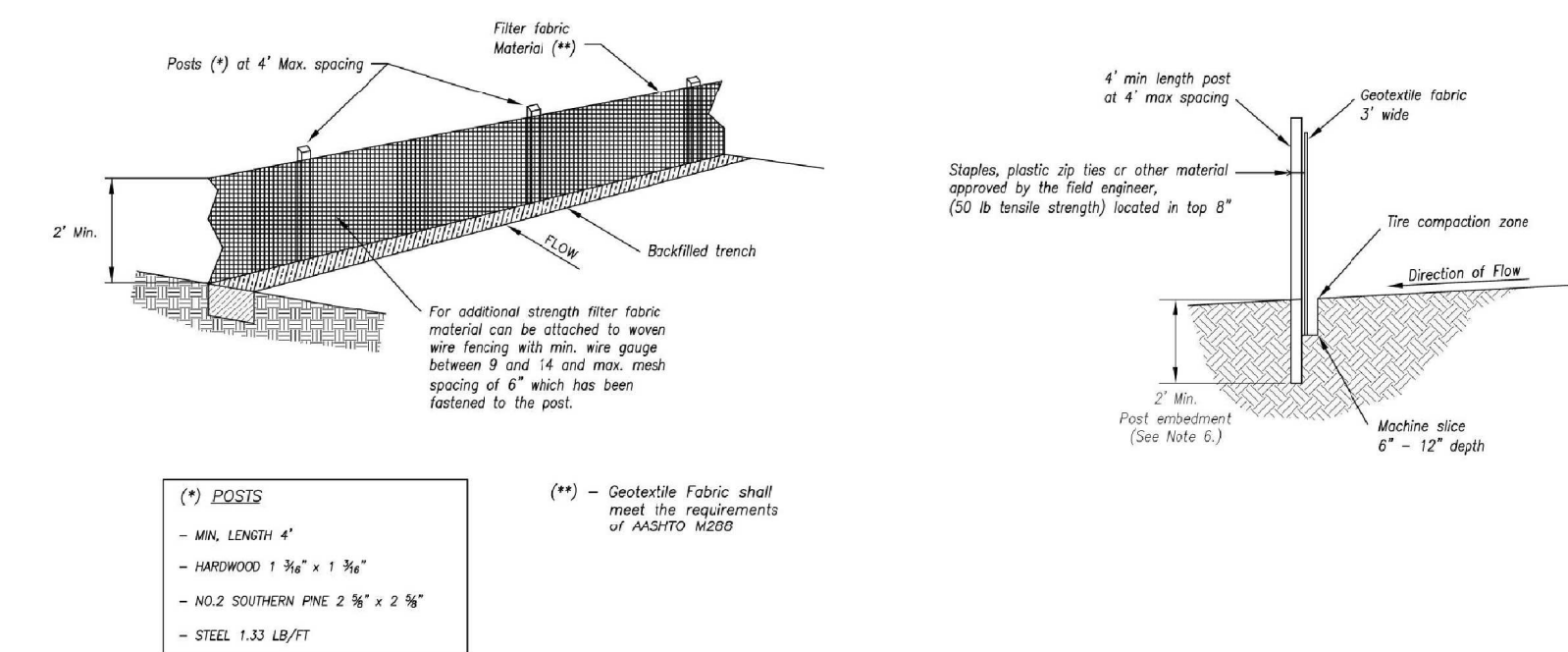
COMPACTED GRANULAR BEDDING (AB-3)

EARTHEN BACKFILL COMPACTED TO 95% OF MAXIMUM DENSITY BENEATH PAVEMENT OR USE COMPACTED GRANULAR AB-3. OUTSIDE OF PAVEMENT LIMITS COMPACT BACKFILL TO 90% MAXIMUM DENSITY. BACKFILL TO BE FREE OF ROCKS AND DEBRIS.

UNDISTURBED EARTH

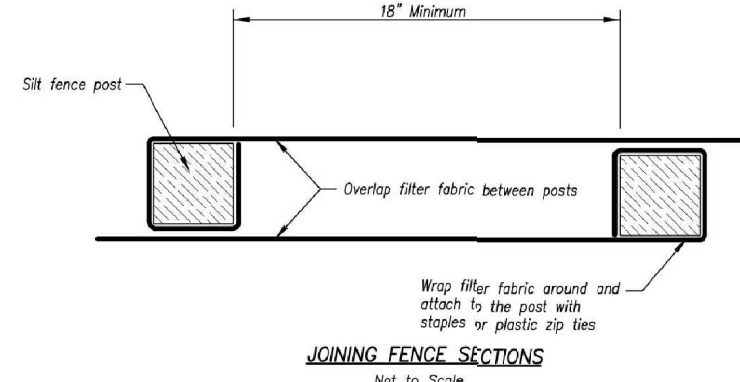
CULVERT BACKFILL DETAIL

NOT TO SCALE

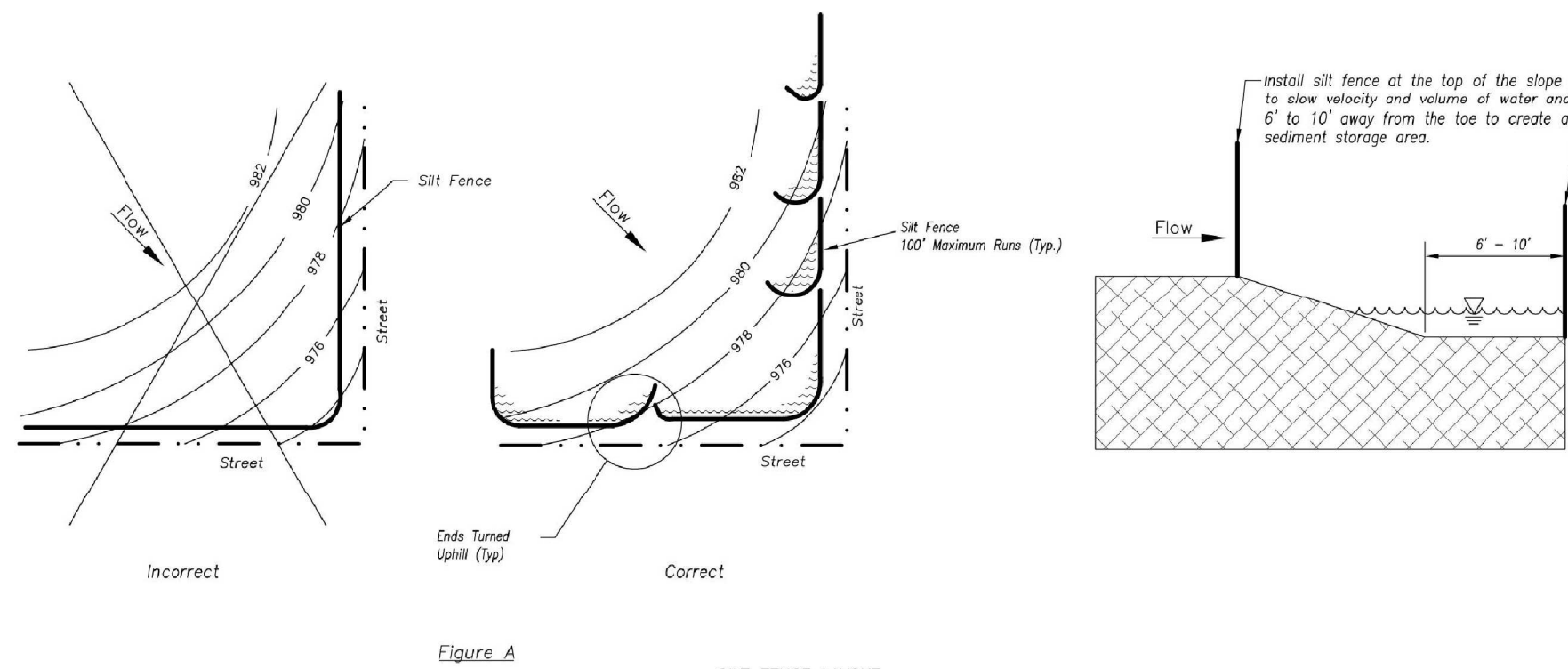


- Notes:**
1. In order to contain water, the ends of the silt fence must be turned uphill (Figure A).
 2. Long perimeter runs of silt fence must be broken up into several smaller segments to minimize water concentrations (Figure A).
 3. Long slopes should be broken up with intermediate rows of silt fence to slow runoff velocities.
 4. Attach fabric to upstream side of post.
 5. Install posts a minimum of 2' into the ground.
 6. Trenching will only be allowed for small or difficult installation, where sloping machine cannot be reasonably used.

- Maintenance:**
1. Remove and dispose of sediment deposits when the deposit approaches 1/2 the height of silt fence.
 2. Repair as necessary to maintain function and structure.



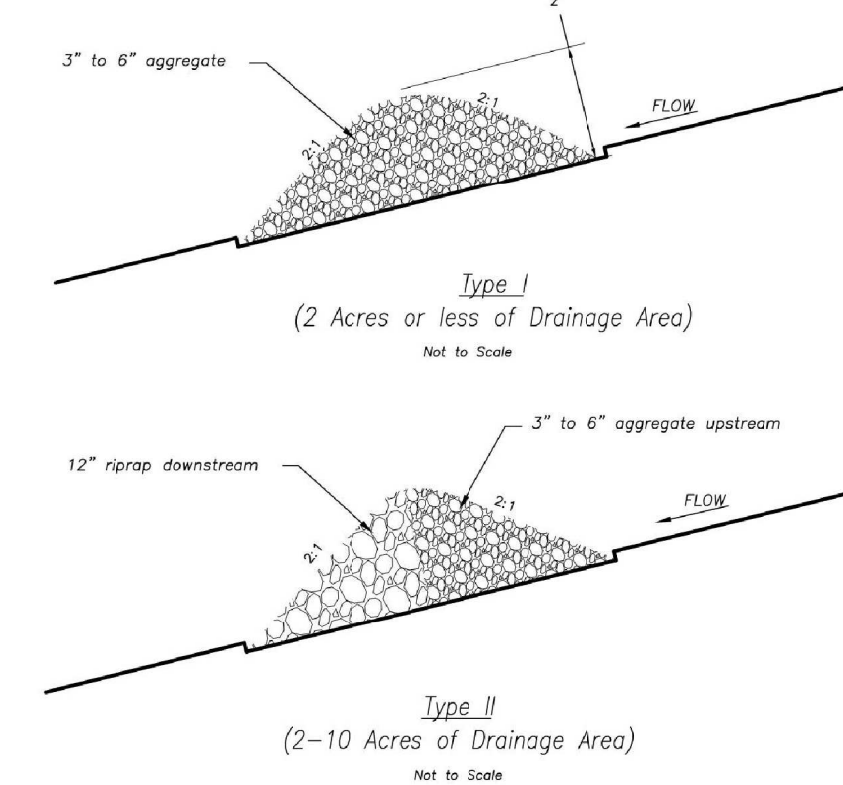
WINNING FENCE SECTIONS



SILT FENCE LAYOUT

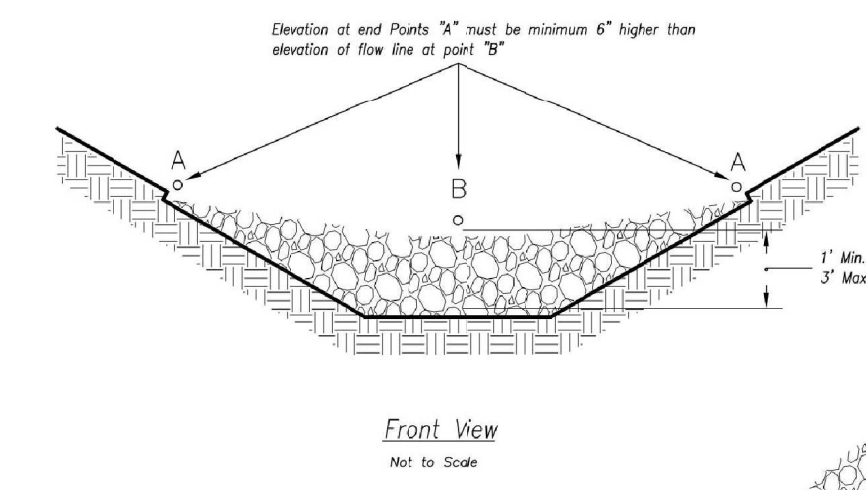
Modified from 2015 Overland Park Standard Details for Erosion and Sediment Control.

AMERICAN PUBLIC WORKS ASSOCIATION
 KANSAS CITY METRO CHAPTER
 STANDARD DRAWING NUMBER ESC-03
 ADOPTED: 10/24/2016

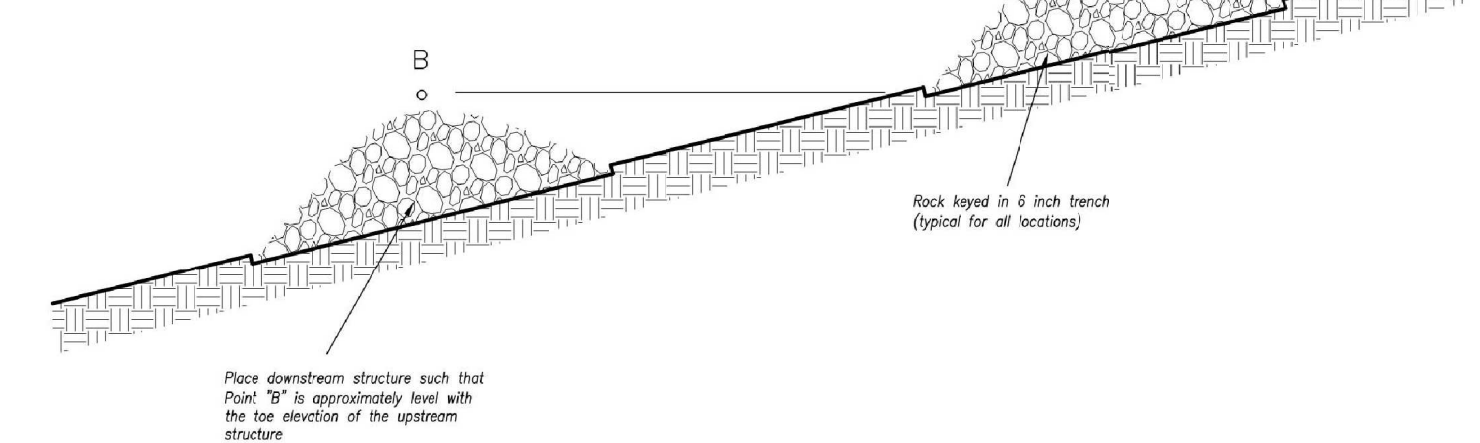


| Ditch Centerline Slope (±) | Spacing Interval (feet) |
|------------------------------|-------------------------|
| 5.0 | 60 |
| 6.0 | 50 |
| 7.0 | 43 |
| 8.0 | 36 |
| 9.0 | 33 |
| 10.0 | 29 |

Note: Use this spacing only for Rock Ditch Checks.



FRONT VIEW



SPACING BETWEEN CHECK DAMS (all types)

- Notes:**
1. Rock check dams shall be used only for drainage areas less than 10 acres unless approved by the City Engineer.
 2. Use rock checks only in situations where the ditch slope exceeds 4%.

- Maintenance:**
1. Remove and dispose of sediment deposits when the deposit approaches 1/2 the height of the ditch check.
 2. Replace and reshape as necessary to maintain function and integrity of installation.

Modified from 2015 Overland Park Standard Details for Erosion and Sediment Control.

AMERICAN PUBLIC WORKS ASSOCIATION
 KANSAS CITY METRO CHAPTER
 STANDARD DRAWING NUMBER ESC-10
 ADOPTED: 10/24/2016

AUTOCAD VER.13 INFORMATION BLOCK
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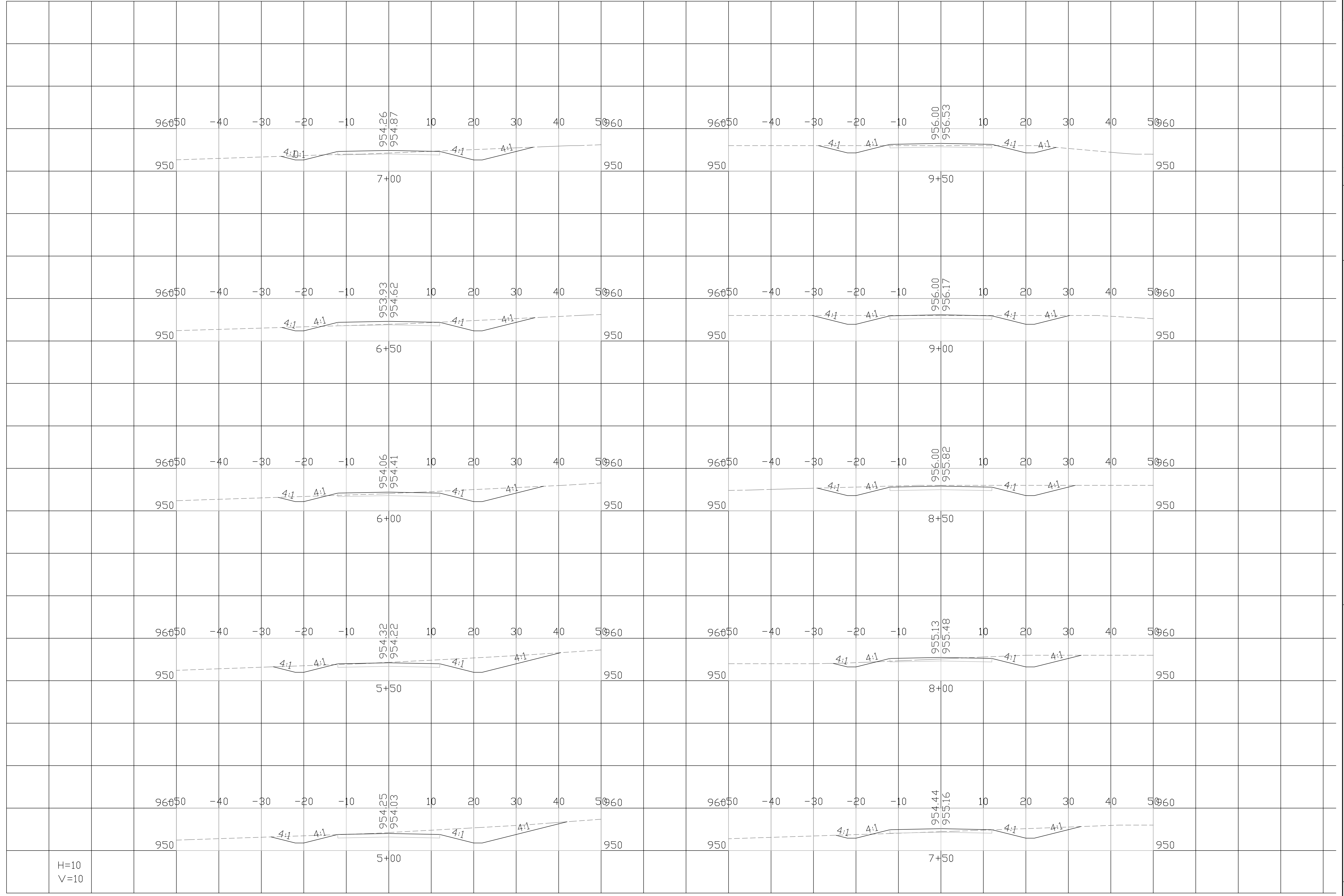
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Designed By: _____
 Drawn By: _____
 Checked By: _____
 Issue Date: _____
 Jc. No. _____

NUE AIRSTRIP PUD PRIVATE ROADWAY
 LEAVENWORTH COUNTY KS

DETAILS

AUTOCAD VER.13 INFORMATION BLOCK
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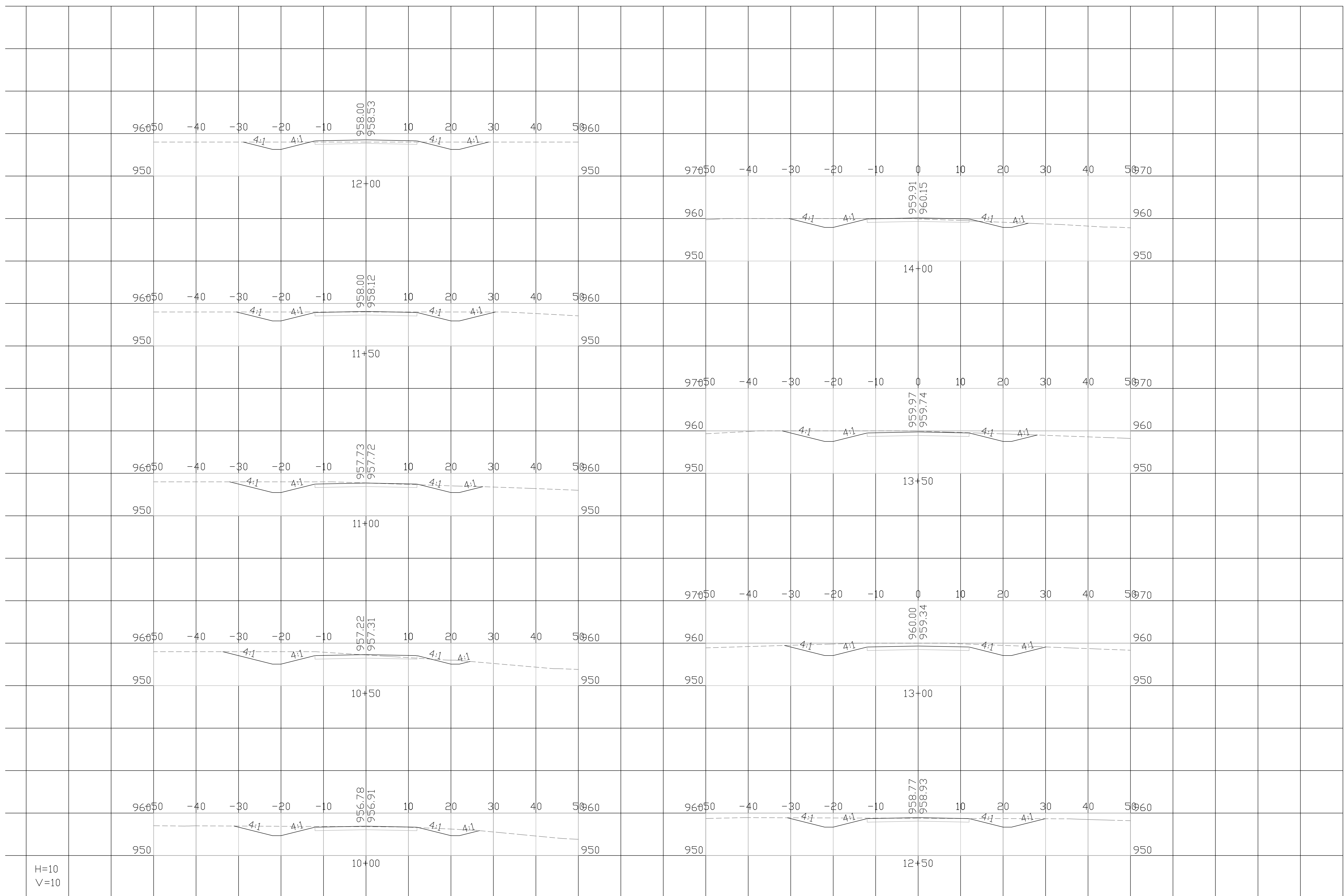
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 Issue Date: _____
 Job No. _____

NUE AIRSTRIP PUD PRIVATE ROADWAY
 LEAVENWORTH COUNTY KS
 DETAILS

AUTOCAD VER.13 INFORMATION BLOCK
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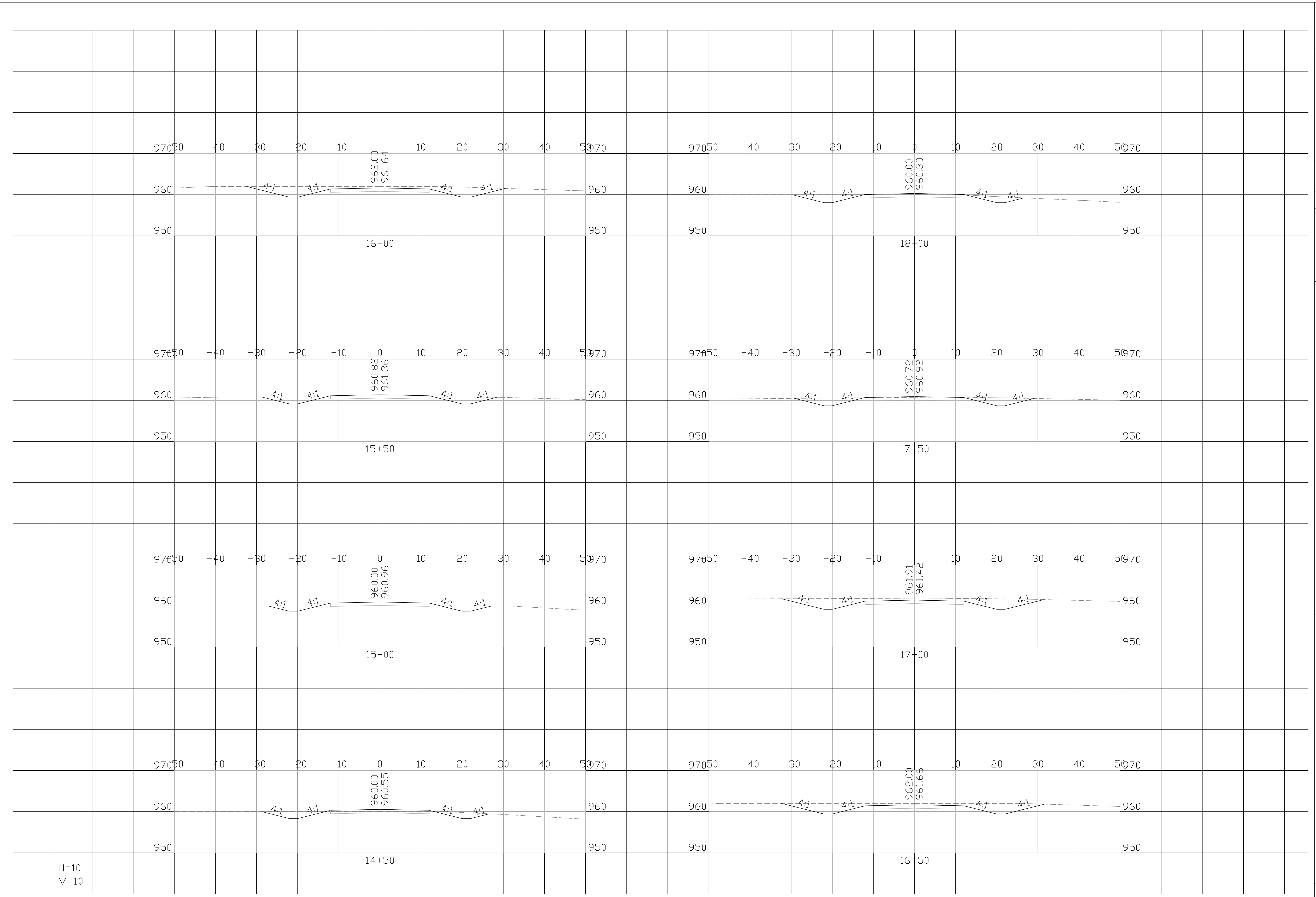
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NUE AIRSTRIP PUD PRIVATE ROADWAY
 LEAVENWORTH COUNTY KS

DETAILS

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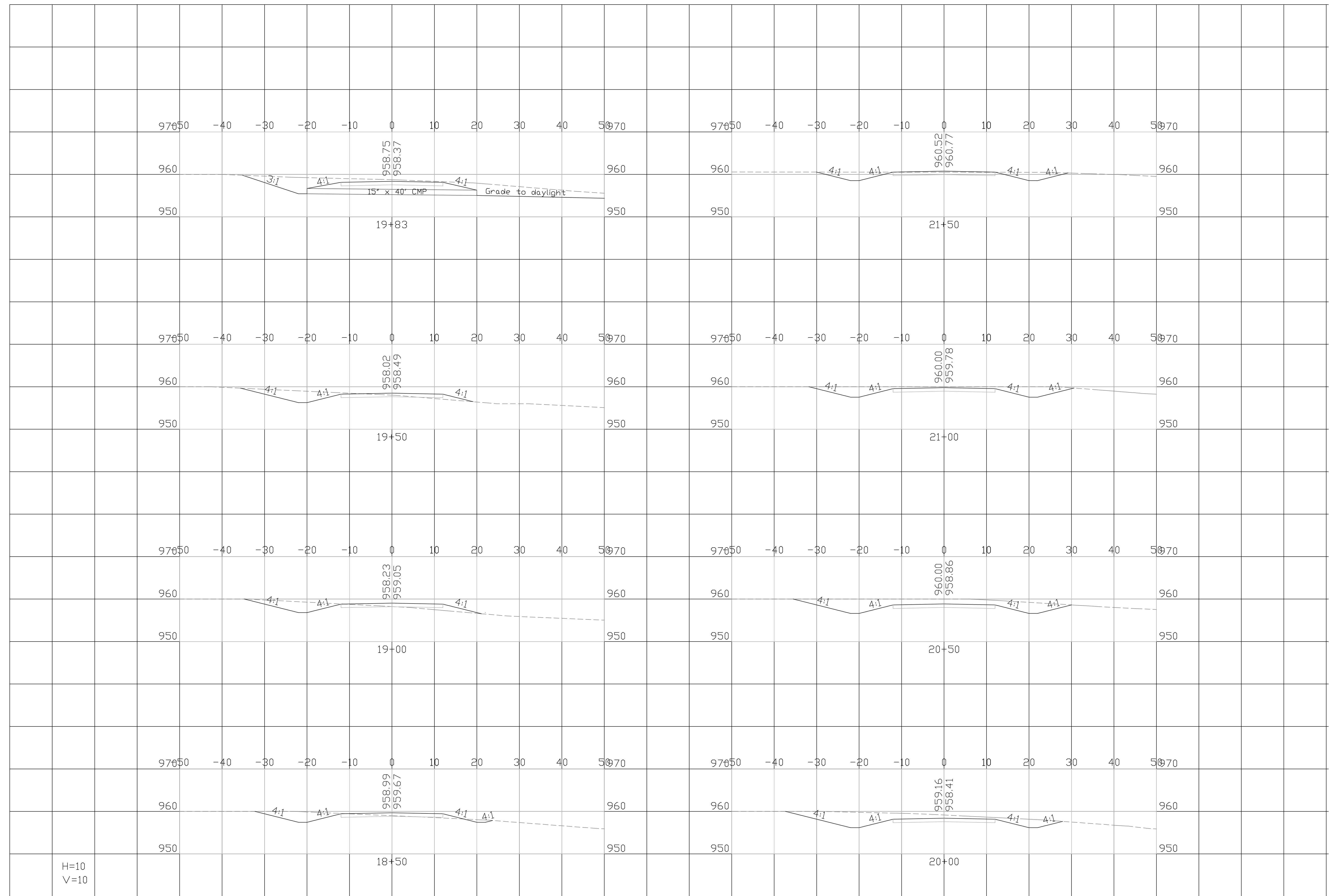


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| NUE AIRSTRIP PUD PRIVATE ROADWAY LEAVENWORTH COUNTY KS | |
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| Issue Date | REVISIONS |
| Jr. No. | |

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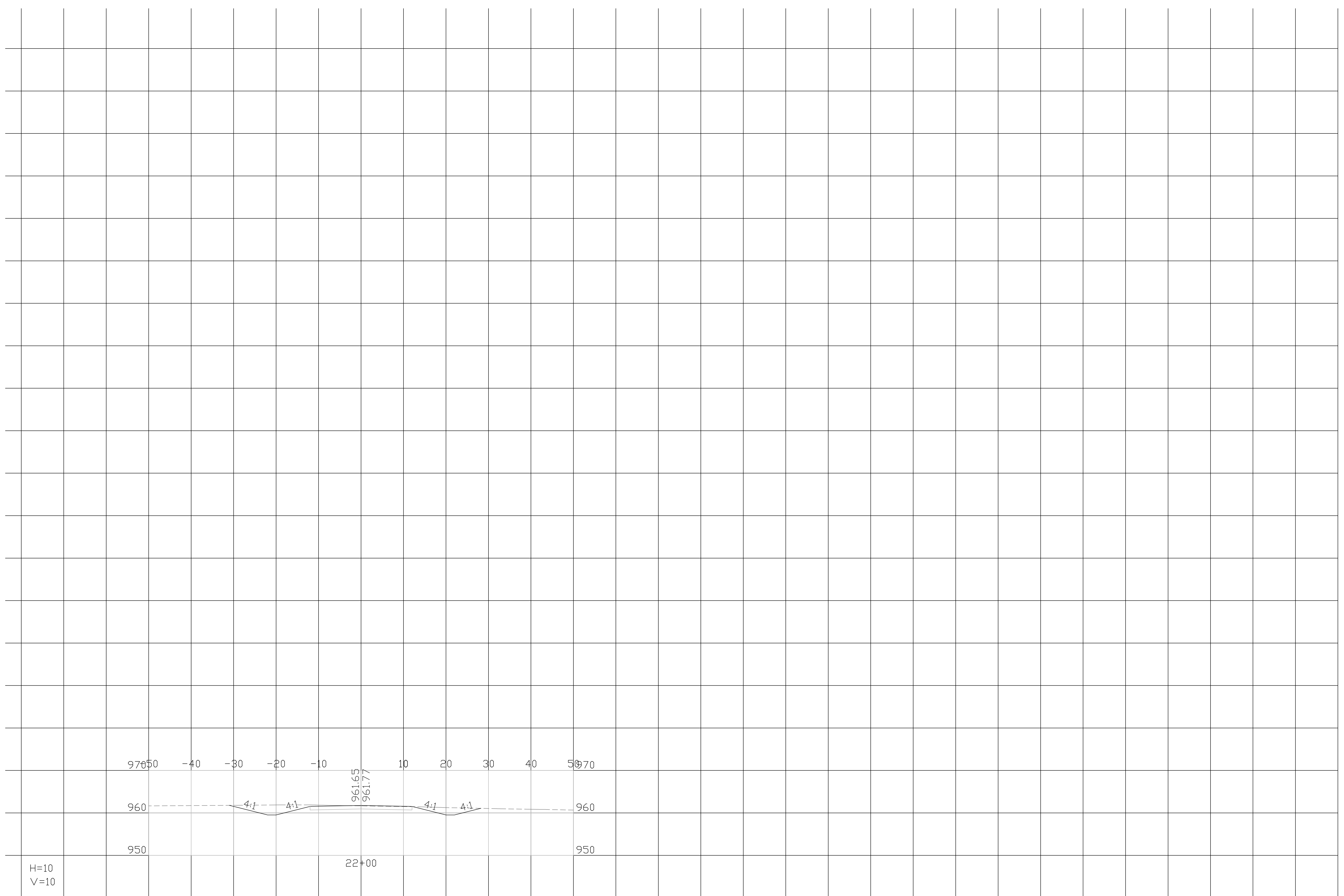
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NUE AIRSTRIP PUD PRIVATE ROADWAY
 LEAVENWORTH COUNTY KS

DETAILS

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97050 -40 -30 -20 -10 10 20 30 40 50 970

960 4:1 4:1 961.65 961.77 4:1 4:1 960

950 22+00 950

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 Drawn By _____
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 Issue Date: _____
 Job No. _____

NUE AIRSTRIP PUD PRIVATE ROADWAY
 LEAVENWORTH COUNTY KS
 DETAILS

RESOLUTION 2023-16

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-5 to Planned Unit Development on the following described property:

Two tracts of land in the West half of the East half of the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas more commonly known as 17271 & 17251 Hollingsworth Road.

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 13th day of October, 2022, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Rezoning on the 14th day of June, 2023; and

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

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the setback from 172nd Street shall be 85 feet as measured from the centerline of the road; and

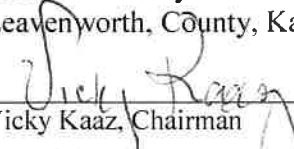
WHEREAS, the Board of County Commissioners considered, in session on the 5th day of July, 2023, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commissioners in regular session on the 5th day of July, 2023, and incorporated herein by reference;

That request for rezoning as described above, also known as 17271 & 17251 Hollingsworth Road, Parcel Identification Number 154-20-0-00-00-002.00 & 154-20-0-00-00-002.01, is hereby granted.

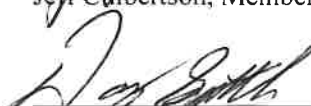
Adopted this 5th day of July, 2023
Board of County Commission
Leavenworth, County, Kansas



Vicky Kaaz, Chairman

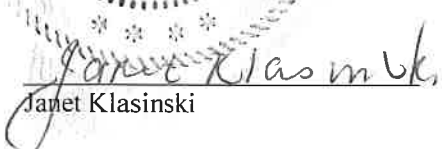


Jeff Culbertson, Member

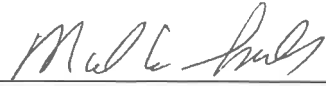


Doug Smith, Member

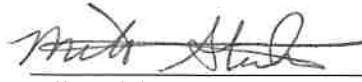




Janet Klasinski



Mike Smith, Member



Mike Stieben, Member

NEU FIELD AIRPARK PLANNED UNIT
DEVELOPMENT

DECLARATION OF USE RESTRICTIVE
COVENANTS AND EASEMENT
AGREEMENT

THIS DECLARATION is made this 30th day of September, 2022, by Heartland Enterprises, LLC, and Rick L. Neu and Vicki L.B. Neu, herein referred to as "Owner".

WHEREAS, Owner owns the following described real estate situated within Neu Field Airpark Planned Unit Development in Leavenworth County, Kansas:

A tract of land in the Northeast Quarter of Section 20, Township 10 South, Range 22 East of the 6^h P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on February 24, 2022, more fully described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 15'39" West for a distance 659.61 feet along the North line of said Northeast Quarter to the TRUE POINT OF BEGINNING; thence South 01 degrees 28'14" East for a distance of 2345.93 feet; thence South 88 degrees 14'55" West for a distance of 657.58 feet; thence North 01 degrees 31'12" East for a distance of 1385.06 feet; thence North 88 degrees 28'39" East for a distance of 97.01 feet; thence North 02 degrees 39'41" West for a distance of 104.00 feet; thence North 45 degrees 51'39" East for a distance of 73.98 feet; thence North 06 degrees 47'21" West for a distance of 213.32 feet to the North line of said Northeast Quarter; thence North 88 degrees 15'39" East for a distance of 529.82 feet along said North line to the point of beginning. Said property contain 34.42 acres, more or less including road right of way. Error of Closure - 1 : 1226905

AND, WHEREAS, THE FOLLOWING ARE OWNERS OF THE LOTS AND Tracts within the Neu Field Airpark Planned Unit Development of Leavenworth County, Kansas:

| Lot and Exhibit Number | Lot Owners |
|--|--|
| 1, 2, 3, 4, 5, 6, and 1A, 2A, 3A, 4A, 5A, 6A | Heartland Enterprises, LLC |
| 7 and 7A | Rick L Neu and Vicki L.B. Neu |
| Tract A (Airstrip) | Heartland Enterprises, LLC, Rick L. Neu and Vicki L.B. Neu |

AND, WHEREAS, the legal descriptions for these Lots and Tracts are attached and marked Schedule A; and,

AND, WHEREAS, the Corporation does hereby grant to the Lot or Tract Owners use and easement rights to the Airstrip on the following covenants, terms and provisions:

LEGAL DESCRIPTION OF AIRSTRIP (PRIVATE LANDING FIELD): A 60 foot strip 30 feet either side of a line described as follows: Beginning at a point 240.0 feet South 89° 54; 30" West from the Southeast corner of the West ½ of the East ½ of the Northeast ¼ of Section 20, Township 10 South, Range 22 East of the Sixth P.M., thence North 00° East approximately 2640.0 feet to the North line of the West ½ of the East ½ of said Northeast ¼.

FAA IDENTIFIER

8KS1

Lat/Long: 39-10-09.1100N 094-58-
43.0250W 39-10.151833N
094-58.717083W
39.1691972,-94.9786181

(estimated)

Elevation: 920 ft./ 280 m (estimated)

Variation: 05E (1985)

From city: 3 miles NW of BASEHOR, KS

Time zone: UTC -5 (UTC -6 during Standard

Time) Zip code: 66007

Together with all air space above the surface of Owner's above-described property *to* an infinite height above the Owner's property.

A. DEFINITIONS OF TERMS:

1. The term "airplane" or "aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

2. The term "Airstrip" shall mean the tract of ground as described above in both Legal Description as Tract A, and FAA Identifier.

3. The term "Corporation" refers to Neu Field Airpark Owners Assn., a Kansas Corporation.

4. The term "district" means those lots, tracts and any other real estate that may be acquired in the-future from time to time by the Corporation.

5. The term "guest" means an individual or individuals visiting but not residing with an Owner. It is important to note that all guests must abide by operating rules and should be monitored or supervised by the Lot Owner who invited them.

6. The term "laws" means any and all applicable federal, state, county, or municipal enactments and regulations adopted by any governmental body and agency with jurisdiction including without limitation the Board of County Commissioners of Leavenworth County, Kansas.

7. The term "Lot" means either any Lot as platted or any later added tract of land and upon which a residence or hangar may be erected, but does not include the airstrip.

8. The term "Owner" or "Owners" means those natural persons, associations, partnerships, corporations or other legal entities, which may from time to time be the record Owner of a fee interest in any Lot or Tract.

9. The term "Review Committee" shall refer to that Committee established by Article IX of the Bylaws of the Neu Field Airpark Owners Association.

10. The term "tract" means an unplatted parcel of land.

11. The term "Unattached building" means a hangar, garage, animal abode, etc. serving the residence to which it is appurtenant.

12. The term "Fuel" or "Fuel Tanks" means a tank designated for aviation fuel to be used to fuel aircraft and not to exceed 500 gallons, and not to be advertised for sale.

B. USE RESTRICTIONS:

1. Persons bound and Duration – All Lot Owners, their heirs, assigns or anyone who now owns or shall hereafter acquire any interest in the Lots shall be taken to hold and agree and covenant to conform to and observe the following

covenants, restrictions, and stipulations as to their use. The parties may release any Lot which is hereby restricted from one or more of the restrictions by mutual agreement executed and acknowledged in writing and filed for record in the office of the Register of Deeds of Leavenworth County, Kansas.

2. Use of Land – Zoning of the Lots will remain Leavenworth County “PUD” unless or until changed at some future time by the Owner with the consent of the Control Committee and approved by Leavenworth County.

3. No Lot or Lots recorded shall be re-subdivided and no tract or tracts shall be divided into building lots or tracts other than those shown on the recorded plat or recorded documents or amendments. A Lot or Tract Owner may combine portions of lot or tract with an adjoining lot or lots or tract or tracts, but no additional building or improvement site is created thereby. Any division or combination of lots shall be effective only with the written approval of the Corporation.

4. If the Owner of Lots 1-7 does not purchase or Land Lease the corresponding Lot A, then that Lot A must remain in the ownership of Heartland Enterprises, LLC, or Neu Field Airpark Owners Association as its assignee.

5. Easements for installation and maintenance of utilities and drainage are reserved as may be shown on the recorded plat of the Neu Field Airpark Planned Unit Development, Leavenworth County, Kansas. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation, use and flow of drainage in the easements, or which may obstruct or retard the flow of water through drainage channels in the easement. The easement area of each lot and all improvements in it shall be maintained continuously by the Owner of the lot,

except for those improvements for which a public authority or utility company is responsible. Lot setbacks are as follows; all permanent structures must be set back 15 feet from the side property lines, and 40 feet from the rear property lines per County guidelines. The rear yard setback must allow for the Public Utility overhead powerline road access.

6. Any residence or building erected on the property shall not be more than two stories in height above ground level, and have a maximum height of 35 feet per county guidelines. Each residence shall have a minimum of 2000 square feet of living area above ground excluding attached garages, porches, decks .or other extensions of buildings or improvements. There is no limit to the total area that may be developed on a Lot. Pre-fabricated or manufactured homes, or mobile homes are prohibited except for temporary housing for one year during the building of a home or hangar. Homes should be built before hangars or additional buildings.

7. Unattached garages or buildings shall be permitted if consistent with good and acceptable style for the neighborhood, subject to the restrictions stated in this agreement, consistent with all Leavenworth County regulations, and with the approval of the Review Committee.

8. No building shall be constructed on a Lot and no improvements shall be made, unless the plans, specifications and location of the buildings or improvements shall have written approval of the Review Committee.

9. Driveways an Lots and Tracts shall be wide enough to accommodate emergency vehicles, and in compliance with all Leavenworth County codes and regulations.

10. Failure to approve or disapprove submitted documentation specified in paragraph 5 within 30 days after receipt by the Review Committee shall constitute approval. All construction shall be completed in six months after excavation has commenced on the lot. For good cause shown, extensions for completion will be granted by the Review Committee.

11. No inoperative trailers, motor-homes, boats, or other recreational type vehicle, or other junk or salvage; (i.e., trashy in appearance), shall be parked or left on the exterior of any lot.

12. To protect the operational safety of the airstrip, on the East side, no part of a hangar shall be built within fifty-one (51) feet from center of the airstrip. On the West side, all structures shall be not less than ninety (90) feet from the center of the airstrip. Hangars built on East side Lot(s) 1A, 2A, 3A, 4A, 5A, 6A, and 7A shall not include any residential features, including but not limited to bathroom or living quarters. These setbacks shall be strictly enforced, and all side Lot and rear Lot setbacks required by applicable zoning and subdivision regulations shall be observed.

13. Aviation Fuel tanks are not allowed on the airstrip, and should be beside or near the Owner's Hangar whether it be on Lots 1-7 or Lots 1A – 7A. Fuel tanks shall not exceed 500 gallons. Owners shall not advertise Aviation Fuel for sale.

14. Animals and/or livestock may be raised, bred, and/or kept on any Lot, including, dogs cats or other household pets, provided that proper fencing is provided to fence in any such animal or livestock, and the fencing is in place prior to the arrival of the animal(s). No such animal or livestock shall be kept, raised,

bred or maintained for any commercial purpose without the prior approval of the Review Committee. Pets shall be under the control of the Owner at all times.

15. There shall be no front yard fences except fences for decorative purposes. Fences require previous approval by the Corporation and must be of a good or acceptable style for the neighborhood. All land in front of the residence shall be used solely for lawn, driveways and walks. No fences shall be built on an easement.

16. No Lot or Tract shall be used in whole or in part for the storage of rubbish of any character whatever or for the storage of any property or item that will cause the Lot or Tract to appear to be in an unclean or untidy condition or that would be obnoxious to the eye, nor shall any substance, thing or material be kept upon any Lot or Tract that will emit foul or obnoxious odors.

17. Home offices or personal service type home businesses may be allowed if allowed by law, including all county regulations, and if approved by the Review Committee. Home offices may be staffed only by family, and any home business should be limited so as to not increase vehicular traffic on the private driveways and roads.

18. No permanent sign of any kind shall be permitted on a Lot or Tract or displayed to the public or on any building or improvement except for ordinary and customary professional signs advertising the property for sale. No sign shall exceed five square feet. Nothing in this restriction is intended to restrict or prohibit the Corporation from developing signs to advertise Lots and Tracts for sale or improvement. Any other temporary signs shall be approved by the Review Committee prior to their use. Commercial advertising signs are prohibited, with the

exception of Neu Field Airpark signage.

19. Each Owner shall, at the Owner's sole cost and expense, maintain and repair all buildings and improvements in a condition comparable to the initial construction.

20. The renting or leasing of a Lot or Tract together with its buildings and improvements shall be permitted. The renting or leasing of less than all the Lot or Tract together with all its improvements shall not be permitted without approval of the Review Committee. All persons renting or leasing such property shall be subject to the same conditions and restrictions as the lot or tract Owner.

21. These use restrictions shall run with the land and are not personal.

22. Disputes or disagreement between the Corporation and the Owners, or among the Owners shall be determined by proceedings under the arbitration statutes of the State of Kansas, as amended from time to time.

23. Invalidation of any one or more of these covenants and restrictions by judgment or order of the court shall in no way affect any other provisions which shall remain in full force or effect.

24. The failure by the Corporation or any Owner to enforce these restrictions shall in no event be deemed a waiver of the right to such enforcement either as to the same breach or as to a separate or additional breach.

C. REVIEW COMMITTEE:

1. The Review Committee shall be constituted as set out in Article IX of the Neu Field Airpark Owners Association By-Laws.

2. Standard for Review. Approval by the Committee must be in writing, and shall be based, among other things, on adequacy of the Lot dimensions,

conformity and harmony of external design, colors, roof materials effect of location and use of improvements on neighboring Lots, operations and uses; relationship of topography, grade and finished ground elevation of the Lot being improved to that of neighboring Lots; proper orientation of main elevation to airstrip, compatibility and location of parking areas; and conformity of the plans and specifications to the purpose and intent of this Declaration. The Committee shall not arbitrarily or unreasonably withhold its approval of any such plans and specifications.

3. Limitation of Liability. Neither the Committee nor Declarant, nor their respective agents, employees, successors or assigns, shall be liable in damages to (i) anyone submitting plans to them for approval, or (ii) the Owner of any land affected by this Declaration, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval, disapproval, or failure to approve or disapprove any such plans and specifications which are submitted to it. Every person who submits plans to the Committee for approval agrees by submission of such plans and specifications, and any Owner or tenant of any of the Lots agrees by acquiring title thereto or an interest therein, to not bring any action or suit, against the Committee or Declarant, asserting any right to recover any such damages.

4. Enforcement.

a. The Committee members shall have the authority and standing, on behalf of the Owners, to enforce in courts of competent jurisdiction, decisions of the Committee established in this section.

No restriction set forth in this Declaration shall be

personally binding upon any Owner, except in respect to breaches committed during his, their, or its Owner's ownership of a Lot as record title holder, and the Committee and/or the Owner or Owners of any other Lot, or part thereof, may have the right to sue for and obtain a prohibitive or mandatory injunction to prevent the breach, or to enforce the observance of the restrictions herein set forth, in addition to ordinary legal action for damages. Enforcement either to recover damages or restrain violations shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant. The costs (including attorneys' fees and court costs) incurred by the Committee to enforce the provisions hereof may be assessed against the Lot upon which such violation occurred. When the costs are so assessed, the assessment shall become due and payable and a continuing lien upon such Lot, and a binding personal obligation of the Owner of such Lot, and the Committee may, but shall not be required to, file a statement (a "**Lien Statement**") in the office of the Register of Deeds of Leavenworth County, Kansas, setting forth the amount due and the lien in favor of the Committee. The Committee shall have the further right, through its agents, employees or committees, to enter upon and inspect any Lot at any reasonable time for the purpose of ascertaining whether any violation of the provisions of this section, or any other provisions or requirements of this Declaration, exist on such Lot, and neither the Committee nor any such agent or employee shall be deemed to have committed a trespass or

other wrongful act by reason of such entry or inspection.

b. In addition to the remedies set forth elsewhere in this Declaration, the Review Committee may assess a fifty dollar (\$50.00) per day assessment, together with attorneys' fees and recording costs, against the title holder of any Lot on which construction of any type is commenced prior to approval of construction plans of a site by the Review Committee, or for any other violation for which there is not a specific assessment otherwise provided. This assessment shall continue to be in effect until construction is stopped and a set of plans has been submitted for review and approved by the Review Committee, or until any other violation is ceased. Such assessments, attorneys' fees and recording costs shall be a lien on the subject Lot until paid, and the Review Committee may file a Lien Statement with the Register of Deeds of Leavenworth County, Kansas, to make such liens a matter of public notice. Construction shall not commence again until a full set of construction plans has been approved by the Review Committee.

D. AIRSTRIP EASEMENT:

1. Heartland Enterprises, LLC hereby grants to the Owners an easement to the Airstrip for the takeoff and landing of aircraft owned or operated by the Owners and guests upon compliance with the terms and provisions the Articles of Incorporation, By-Laws of the Corporation and the terms of this Declaration in effect or as may be amended or adopted by the Corporation from time to time. This is an easement appurtenant to the airstrip and its use; it shall

run with the land and is not personal.

2. The following shall constitute the beginning regulations and operating rules.

a. Interference with Aircraft: The Owners shall not hereafter use or permit their Lots to be used in such a manner as to create electrical interference with radio communications between any installation upon the Airstrip or aircraft, to make it difficult for flyers to distinguish between Airstrip lights or others, to impair visibility in the vicinity of the Airstrip, or any act which may endanger the landing, taking off or maneuvering of aircraft.

b. Operating Rules:

i. Nothing in these rules is to override the pilot's authority and responsibility to conduct a safe flight. The intent of these rules is to insure a safe and orderly Airstrip operation that is neighborhood compatible;

ii. All traffic patterns are to be left hand traffic pattern landing to the north, and left hand traffic pattern landing to the south;

iii. There shall be no commercial activities involving use of the Airstrip that could jeopardize any regulatory requirements for the Airstrip;

iv. No Airstrip activity shall be conducted by an Owner which shall in any way increase the liability insurance rate of Owners or in any way be considered illegal;

- v. There shall be no fly-in (5 or more aircraft) or special events that require use of the Airstrip without previous approval of the Corporation. The Corporation in its discretion, may require the Owner to provide additional insurance, if appropriate;
- vi. In the interest of noise abatement, no touch and go, low passes (dragging the field) or buzzing any buildings. will be allowed at any time. This does not apply to an Owner as to touch and go for qualification purposes;
- vii. Aircraft operation between the hours of 9:00 P.M. and 6:00 A.M. is restricted to one take-off and/or landing per individual aircraft;
- viii. This Airstrip shall not be used as a primary training facility for instruction of non-Owners;
- ix. This Airstrip shall be operated only as a non-commercial airstrip.
- x. The Corporation and each Owner shall comply with all laws in effect from time to time;
- xi. Each Owner shall be liable for and responsible to the Corporation and its Owners for all damages, claims of liability and costs including without limitation attorney fees arising out of the acts of an Owner and of the guests of the Owner;
- xii. Owners and guests shall hold the Corporation, harmless and shall pay all expenses including, without limitation attorney fees, relating to any claim of liability of the Corporation by any person, association, or legal entity based or relating to lots of an

Owner and,

xiii. Each Owner shall be liable to the Corporation and the Owners for all costs and expenses including without limitations attorney fees for any act or procedure for enforcement as to that member under section D(1). These costs and expenses shall be assessed in addition to the annual improvement assessment. (The "Enforcement Assessment").

E. DRIVEWAY EASEMENT AND AIRSTRIP EASEMENT:

1. The Owners of Neu Field Airpark Planned Unit Development Lots 1-7 hereby grant to all Owners of Lots in Neu Field Airpark Planned Unit Development an easement solely for the purpose of ingress and egress to or from their properties. This "Driveway Easement" is legally described in Schedule A to this Declaration. This is an easement appurtenant to Lots 1-7, and it shall run with the land and is not personal.

2. There will be no access to any of Lots 1-7, or Lots 1A-7A directly from a County Road. All access to Lots 1-7 will be limited to the private driveway, and access to Lots 1A-7A will be via the north and south ends of the Airstrip and private easements.

3. Airstrip and Road Maintenance Improvements, Upkeep – For the purpose of providing funds to the Corporation to improve and maintain the Tract of land commonly known as "Airstrip," and the driveway easement. The annual assessment shall be an amount equal to the annual cost incurred by the Corporation for liability insurance, real estate taxes, normal maintenance of improvements, Airstrip lights electric bill, upkeep for the Airstrip, and

administrative expenses of the Corporation, including directors and officers' liability insurance. The records of such costs shall be kept by the Corporation and presented to Owners upon demand. Each subsequent assessment shall be fixed and levied prior to January 1 annually and shall be due and payable within 30 days thereafter.

F. POWERS AND DUTIES OF THE CORPORATION:

In addition, to the powers and duties granted by other provisions of this Declaration or the Bylaws, the Corporation shall have the following powers and duties:

1. To enforce, either in its own name or in the name of any Owner any or all use provisions, restrictions, rules, regulations, easement provisions or the provisions of this Declaration in use in effect or as adopted by the Corporation from time to time and to require the observance of all laws.
2. To adopt use provisions, restrictions, regulations and easement provisions from time to time.
3. To obtain and keep in force public liability insurance and such other insurance coverage with respect to the airstrip and the activities of the Corporation in such amounts and from such companies and, naming as insured the Corporation, its members, officers, directors, agents and employees as the board may determine.
4. To acquire and own title to such real estate or personal property as may reasonably be necessary to carry out the purposes of the Corporation, including acceptance of transfer of the Airstrip from Heartland Enterprises, LLC, if offered to the Corporation.

5. To pay the costs or expenses to carry out the duties and powers of the Corporation and including directors and officers liability insurance premiums, bookkeeping and accounting expenses, attorneys fees and such other expenses as they may be determined necessary or proper to carry out the intent of this declaration.

6. To exercise the general and specific powers enumerated in the Corporation Code of the State of Kansas as it may be amended from time to time.

7. To receive and take action on applications for building permits which are required and to grant occupancy permits.

8. To take such action as may be determined by the Corporation for the benefit of the Corporation, its Owners, officers, directors, agents and employees.

G. METHOD OF PROVIDING FUNDS:

1. For the purpose of providing general funds to enable the Corporation to exercise its powers, duties and to perform its obligations to accomplish its purposes, all Lots, and Lots with divided Ownership of the Owners, other than Tract A, the Airstrip, shall be subject to an annual improvement assessment to be paid to the Corporation annually in advance by the respective Owners. The Owners of Lots 1-7, and Lots 1A-&a shall share this improvement assessment equally.

2. The amount of the annual improvement assessment shall be fixed by the Corporation from year to year at a meeting duly called, held and convened in accordance with he Articles of Incorporation, by-laws of the Corporation and

laws of Kansas.

H. DATE WHEN ASSESSMENTS ARE DUE:

The first assessment shall be for the calendar year beginning January 1, 2023. It shall be fixed and levied before January 1, 2023, and shall be due and payable on January 1, 2023, and on the 1st day of January of each subsequent year. The first annual assessment for any Lot and a divided portion of a Lot of a member after January 1, 2023, shall be due and payable on the first day of the month following such conveyance, and the amount of the assessment shall be a sum prorated on the number of days remaining to the end of the calendar year. The Corporation shall notify all Owners on or before that date, stating the amount of the assessment, the date the assessment is due and the amount due for each Lot or divided portion of a Lot owned by each Owner. Failure of the Corporation to levy the assessment prior to January 1st of any year for the next succeeding calendar year beginning on January 1st shall not invalidate any such assessment subsequently fixed and levied for that particular year, nor shall failure to fix and levy an assessment for any one year affect the right of the Corporation to do so for any subsequent year. When the assessment is fixed and levied on a date subsequent to January 1 of any year it shall become due and payable thirty (30) days from the subsequent date.

I. LIEN ON REAL ESTATE:

Each assessment shall become a lien on each Lot or divided portion of a Lot of the Owners as soon as it is due and payable. In the event of failure of any Owner to pay any annual assessment on or before the 1st day of the

third month following the date it became due and payable, the assessment shall bear interest at the rate of ten percent (10%) per annum, or the maximum legal rate of interest allowed by the laws of the State of Kansas, from the 1st day of the third month. This interest shall be an additional assessment against the Lot or Lots of the Owner or Owners requiring enforcement.

J. SUBORDINATION OF THE LIEN TO MORTGAGES:

The lien of all assessments shall be subordinate to the lien of any mortgage now or hereafter recorded upon any property subject to assessments. However, this subordination shall apply only to the assessment or installments, which have become due and payable before the sale of such property pursuant to a foreclosure of such mortgage, or before a conveyance to the mortgagee or beneficial member in lieu of foreclosure. Such sale shall not relieve the property from liability for any assessment or installments thereafter becoming due or from the lien of any such subsequent assessments or installments.

K. DATE WHEN ASSESSMENT DELINQUENT:

If unpaid on March 1, 2023, and on the first day of March of each following year, or within sixty days from the date of levying the assessment for the calendar year during and for which the assessment is made, whichever may first occur, the entire assessment shall be delinquent. Payment both of principal and of interest when delinquent may be enforced as a lien on the real estate, in proceedings in the District Court of Leavenworth County,

Kansas, having jurisdiction of suits for the enforcement of such liens.

L. TERMINATION OF LIENS:

Liens shall be effective for a period of two (2) years from the date of delinquency and no longer, unless within that time suit shall have been instituted to foreclose the lien, in which case the lien shall continue until the final determination of the suit, and until the sale of the property under execution of a judgment. The Corporation may purchase the property foreclosed at the sale.

M. AMENDMENT AND TERMINATION OF DECLARATION:

At any time and by its action, the Corporation may amend or by unanimous, affirmative votes of all Owners terminate this Declaration and release all lands then affected from the terms and provisions of this Declaration. This right of amendment or termination shall not be effective if a third party shall have easement rights in the common area unless the third party shall previously agree in writing by executing a document for recording to reflect the termination.

N. ASSIGNMENT:

This Declaration shall be binding upon and inure to the benefit of the Corporation and its successors and assignees and to the Owners and their heirs, devisees, grantees and assigns.

O. RESOLUTION OF DISPUTES:

Any and all disputes shall be determined according to the arbitration statutes of the State of Kansas as amended.

IN WITNESS WHEREOF, The Corporation has caused this Declaration to be executed as its act and deed as of the day and year first above written.

Heartland Enterprises, LLC

By: _____
Rick L. Neu, Joint Member

By: _____
Rick L. Neu, Individually

By: _____
Vicki L. B. Neu, Joint Member

By: _____
Vicki L. B. Neu, Individually

ACKNOWLEDGMENT

STATE OF KANSAS)
)SS.
COUNTY OF _____)

BE IT REMEMBERED, that on the ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Rick L. Neu, individually and as Member of Heartland Enterprises, LLC, who is personally known to me to be the same person who executed the within instrument of writing, who, being first duly sworn, stated that said Declaration is true and correct, and such person duly acknowledged the execution of same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Notary Public
Printed Name: _____

ACKNOWLEDGMENT

STATE OF KANSAS)
)SS.
COUNTY OF _____)

BE IT REMEMBERED, that on the ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Vicki L. B. Neu, individually and as Member of Heartland Enterprises, LLC, who is personally known to me to be the same person who executed the within instrument of writing, who, being first duly sworn, stated that said Declaration is true and correct, and such person duly acknowledged the execution of same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Notary Public
Printed Name: _____

**NEU FIELD AIRPARK OWNERS ASSOCIATION
BY-LAWS**

**ARTICLE I
DEFINITIONS**

“Association” - shall mean and refer to Neu Field Airpark Owners Association, its successors or assigns.

“Common Areas” - shall be defined as real property acquired by, or conveyed to, the Association, to be owned by, or leased to, the Association for the benefit and use of its Members.

“Declarations” - as used in these By-laws, shall mean and refer to the Declaration of Use, Restrictive Covenants, and Easement Agreement, dated September 30, 2022, and recorded with the Register of Deeds on October 19, 2022, as Document number 2022R09570, and as such may be further amended from time to time.

“Developer” - shall mean and refer to Heartland Enterprises, LLC and Rick L. Neu and Vicki L.B. Neu for the purposes of the application of these By-laws to the Association, or its successors or assigns within the Development. The term shall not refer to any individual Lot Owner as a successor or assignee of Developer.

“Development” - shall mean and refer to the Neu Field Airpark Planned Unit Development, and all subsequent phases and subdivisions developed on the property described on Exhibit “A” of the Declarations.

“Lot” - shall mean and refer to the various tracts or parcels of ground designated numerically, as Lots 1-7, Lots 1A-7A, and Tract A on the plat of the Neu Field Airpark Planned Unit Development, and such Lots or Tracts which may be subsequently platted within the Development.

“Lot Owner” - shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot or portion thereof, which is a part of the Subdivision, but excluding those having such interest merely as a security for the performance of an obligation such as lenders and holders of mortgages. “Lot Owner” shall also mean and refer to buyers in possession under a contract for deed.

“Review Committee” - shall mean and refer to a committee appointed by (“Developer”), until such time as Developer has conveyed 100% of the Lots described above. At such time as 100% of the above described Lots have been conveyed, a Review

ARTICLE IV
MEMBERSHIP AND MEETINGS OF MEMBERS

- A. Membership. Every person or entity who is a Lot Owner, as the term is defined by these By-laws and the Declarations, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. No Lot Owner shall have more than one membership. Membership shall not be separated from ownership of any Lot. Ownership of any Lot shall be the sole qualification for membership.
- B. Place of Meetings. All annual meetings of members and all other meetings of members shall be held at the principal office of the Association unless another place within or without the State of Kansas is designated either by the Board of Directors pursuant to authority hereinafter granted to said Board, or by the written consent of all members entitled to vote there at, given either before or after the meeting and filed with the secretary of the Association.
- C. Voting Rights. Each Lot Owner shall be entitled to vote one vote for each Lot in which he or she holds the interest required for membership by this Article IV(A). When more than one person holds such interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.
- D. Meeting of Voting Members & Other Membership Matters. The annual meetings of the members shall be held on the second Sunday in October in each year at 4:00 p.m. At such meeting directors shall be elected, reports of the affairs of the Association shall be considered, and any other business may be transacted which is within the power of the members.

Written notice of each annual meeting shall be given to each member entitled to vote, either personally or by mail or other means of written communication, charges prepaid, addressed to such member at his address appearing on the books of the Association or given by him to the Association for the purpose of notice. If a member gives no address, notice shall be deemed to have been given if sent by mail or other means of written communication addressed to the place where the principal office of the Association is situated, or if published at least once in some newspaper of general circulation in the county in which said office is located. All such notices shall be sent to each member entitled thereto not less than ten (10) days nor more the fifty (50) days before each annual meeting, and shall specify the place, the day and the hour of such meeting, and shall state such other matters, if any, as may be expressly required by statute. If this bylaw as to the time and place of

by such person or his duly authorized by a written proxy executed by such person or his duly authorized agent and filed with the secretary of the Association; provided that no such proxy shall be valid after the expiration of one (1) year from the date of its execution, unless the person executing it specified therein the length of time for which such proxy is to continue in force.

- J. Inspection of Corporate Records. The membership ledger, the books of account, and minutes of proceedings of the members, the Board of Directors and of executive committees of directors shall be open to inspection upon the written demand of any member within five (5) days of such demand during ordinary business hours if for a purpose reasonably related to his interests as a member. A list of members entitled to vote shall be exhibited at any reasonable time and at meetings of the members when required by demand of any member at least twenty (20) days prior to the meetings. Such inspection may be made in person or by an agent or attorney authorized in writing by a member, and shall include the right to make abstracts. Demand of inspection other than at a members' meeting shall be made in writing upon the president, secretary, or general manager of the Association.
- K. Inspection of By-laws. The Association shall keep in its principal office for the transaction of business the original or a copy of these By-laws as amended or otherwise altered to date, certified by the secretary, which shall be open to inspection by the members at all reasonable times during ordinary business hours.

ARTICLE V **DIRECTORS**

- A. Powers. Subject to limitations of the Articles of Incorporation, the Declarations, the By-laws, the Developer's authority as stated in Article III of the By-laws and of the Kansas Corporation Code as to action which shall be authorized or approved by the members, and subject to the duties of directors as prescribed by the By-laws, all corporate powers shall be exercised by or under the authority of, and the conduct and affairs of the Association shall be controlled by, the Board of Directors. Without prejudice to such general powers but subject to the same limitations, it is hereby expressly declared that the directors shall have the following powers, to-wit:
1. To recommend changes to the By-laws to the membership for a vote pursuant to the member's powers under Article X(F).
 2. To select and remove all the other officers, agents and employees of the Association, prescribe such powers and duties for them as may not be inconsistent with law, or with the Articles of Incorporation or the By-laws.

omissions insurance covering the officers and directors of the Association;
and

5. To interpret and enforce the provisions of the Declarations.
- C. Number and Qualification of Directors. Until such time as the Developer has conveyed 100% of the Lots, the authorized number of directors of the Association shall be two (2). At such time as 100% of the Lots have been conveyed by the Developer or the Developer has relinquished control of the Board of Directors as provided in Article III above, the authorized number of directors of the Association shall be automatically increased to three (3), until changed by amendment to this bylaw. Directors must be members, unless appointed by the Developer.
 - D. Election and Term of Office. After the Developer has relinquished its authority over this action or conveyed 100% of the Lots in the Development, the directors shall be elected at each annual meeting of voting members, but if any such annual meeting is not held, or the directors are not elected thereat, the directors may be elected at a special meeting of voting members held for the purpose as soon thereafter as convenient. All directors shall hold office until their respective successors are elected. A director can be removed from office at any time for good cause, by a majority vote of the voting members, and he may be removed without cause by 2/3rd vote of the voting members.
 - E. Vacancies. After the Developer has relinquished his authority over this action or conveyed 100% of the Lots in the Development, vacancies on the Board of Directors may be filled by a majority of the remaining directors, although less than a quorum, or by a sole remaining director. If at any time, by reason of death, resignation, or other cause, the Association should have no directors in office, then any officer or any member may apply to the District Court for a decree summarily offering election as provided for by the Kansas Corporation Code. Each director so elected shall hold office until his successor is elected at an annual or a special meeting of the members.

A vacancy or vacancies on the Board of Directors shall be deemed to exist in case of the death, resignation or removal of any director, or if the authorized number of directors be increased, or if the members fail at any annual or special meeting or members at which any director or directors are elected to elect the full authorized number of directors to be voted for at the meeting, or if any director or directors elected shall refuse to serve.

Any Member may call a Special Meeting of the Members at any time to fill

- K. Waiver of Notice. The transactions of any meeting of the Board of Directors, however called noticed of wherever held, shall be as valid as though had at a meeting duly held after regular call and notice, if a quorum be present, and if, either before or after the meeting, each of the directors not present signs a written waiver of notice, or a consent to holding such meeting, or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.
- L. Quorum. A majority of the total number of directors shall be necessary to constitute a quorum for the transaction of business, except to adjourn as hereinafter provided. Every act or decision done or made by a majority of the directors present at a meeting duly held at which a quorum is present shall be regarded as the act of the Board of Directors, unless a greater number be required by law or by the Articles of Incorporation. The directors present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the withdrawal of enough directors to leave less than a quorum.
- M. Meetings by Telephone or Video Conference. Members of the Board of Directors of the Association, or any committee designated by such Board, may participate in a meeting of the Board of Directors by means of conference telephone, video conference, or similar communications equipment, by means of which all persons participating in the meeting can hear one another, and such participation in a meeting shall constitute presence in person at the meeting.
- N. Adjournment. A majority of the directors present may adjourn any directors' meeting to meet again at a stated day and hour or until the time fixed for the next regular meeting of the Board.
- O. Fees and Compensation. Directors shall not receive any payment for their services as Directors. Directors shall be entitled to reimbursement for expenses made on behalf of the Association.

ARTICLE VI OFFICERS

- A. Officers. The officers of the Association shall be president, a secretary, and a treasurer. The Association may also have such other officers as may be appointed in accordance with the provisions of Article VI(C). Any number of offices may be held by the same person.
- B. Election. The officers of the Association, except such officers as may be appointed in

The secretary shall keep, or cause to be kept, at the principal office, a membership list, showing the names of the members and their addresses, the number and dates of membership.

The Secretary shall give, or cause to be given, a notice of all the meetings of the members and of the Board of Directors required by these By-laws or by law to be given, and he shall keep the seal of the Association in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or these By-laws.

H. Treasurer.

1. The Treasurer shall keep and maintain or cause to be kept and maintained, adequate and correct accounts of the properties and business transactions of the Association, including accounts of its assets, liabilities, receipts and disbursements. The books of account shall at all reasonable times be open to inspection by any director.

2. The Treasurer shall deposit all monies and other valuables in the name and to the credit of the Association with such depositories as may be designated by the Board of Directors. He shall disburse the funds of the Association as may be ordered by the Board of Directors, shall render to the president and directors, whenever they request it, an account of all of his transactions as treasurer and of the financial condition of the Association, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or these By-laws. He shall be bonded, if required by the Board of Directors.

ARTICLE VII
COMMON AREAS

A. Governance; Rules and Regulations. Common Areas shall be governed by the following provisions:

1. The Board of Directors may limit the number of guests of members or occupants, and may promulgate and establish rules and regulations for the use of any "Common Areas" or any facilities located thereon.
2. The Board of Directors may establish and charge admission and other fees for the use for the use of any recreational facility, if any, situated upon the Common Areas.

accepted by, or otherwise owned or acquired by, a public authority shall be exempt from annual and special assessments.

ARTICLE IX REVIEW COMMITTEE

- A. Review Committee-Appointment. Until such time as the Developer has conveyed 100% of the Lots or relinquished the Developer's authority relative to the Review Committee pursuant to Article III, the Developer shall appoint the members of the Review Committee, who do not have to be Lot Owners. At such time as 100% of the Lots of the Subdivision have been conveyed by the Developer or relinquished control of the Review Committee, the Board of Directors shall appoint a Review Committee comprised of three (3) Lot Owners, who shall thereafter be appointed annually. Any vacancies on the Review Committee shall be filled by the Board of Directors. The operations of the Review Committee shall be governed by the By-laws, the Declarations.
- B. Review Committee Function. It is the purpose and function of the Review Committee to insure the best use and most appropriate development and improvement of the lands located within the Subdivision; to protect the Association and its members against such improper use of surrounding Lots as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of and provide for proper landscaping of the Subdivision; to guard against the erection thereon of poorly designed and proportioned structures and structures built of improper or unsuitable materials; to encourage and secure the erection of attractive homes thereon with appropriate locations thereof on the Lots; to secure and maintain proper setbacks from streets and adequate free spaces between structures; and in general to provide for a high quality and aesthetically pleasing type of improvements to the Subdivision, and thereby to enhance the value of investments made by Lot Owners within the Subdivision.

The Review Committee is specifically charged with plan review and approval as outlined in the Declarations, and interpretation and enforcement of the specific Development, Use and Building Standards established in and pursuant to the Declarations.

In the event any Lot Owner shall attempt to construct or alter any improvements, except in compliance herewith, the Review Committee, the Association, or any Lot Owner shall have the authority to seek injunctive or other appropriate relief to enforce compliance with the Declarations.

times as may be deemed appropriate by the Board of Directors.

- E. Contracts, Deeds, Etc., How Executed. The Board of Directors, except as in these By-laws otherwise provided, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Association, and such authority may be general or confined to specific instances; and unless so authorized by the Board of Directors, no officer, agent or employee shall have any power or authority to bind the Association by any contract or engagement or to pledge its credit or to render it liable for any purpose in any amount, provided, however, that any deeds or other instruments conveying lands or any interest therein shall be executed on behalf of the Association by the president or vice-president, if there be one, or by any agent or attorney so authorized under letter of attorney or other written power which was executed on behalf of the Association by the president or vice-president.
- F. Amendment/ By-laws. Subject to the exclusive rights of amendment reserved to the Developer in Article X(G) below and after the Developer has conveyed 100% of the Lots, the By-laws may be amended at a meeting of the Association members upon the approval thereof of two - thirds of all of the Lot Owners entitled to vote, or without any meeting if all Lot Owners have been duly notified and if two -thirds of all of the Lot Owners entitled to vote at such a meeting, if held, consent in writing to such amendment.
- G. Developer/ Amendment. Until such time as the Developer has conveyed 100% of the Lots, the Developer reserves the exclusive right to amend these By-laws without approval of the Board, the Association members or any Lot Owner.
- H. Fiscal Year. The Association's Fiscal Year shall run from January 1 to December 31.
- I. Inconsistent Terms. Should any terms of these By-laws be interpreted to be in conflict with the terms of the Declarations, as they may be amended from time to time, then the terms of the Declarations shall control.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

(1) That I am the duly elected and acting secretary of New Field Airpark Owners Association, a Kansas Nonprofit Corporation; and

(2) That the foregoing By-laws, comprising sixteen (16) pages, including this page,

Leavenworth County
Request for Board Action
Case No. DEV-23-095/096
Preliminary & Final Plat Schempps Double S Estates
Consent Agenda

Date: September 27, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

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

Action Requested: The Board of County Commissioners is requested to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions:

Analysis: The Board of County Commissioners is requested to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions: The applicant has provided a detailed plat showing the proposed lots and easements. The plat is in compliance with the applicable zoning and subdivision laws. The applicant has provided a detailed plat showing the proposed lots and easements. The plat is in compliance with the applicable zoning and subdivision laws. The applicant has provided a detailed plat showing the proposed lots and easements. The plat is in compliance with the applicable zoning and subdivision laws.

Recommendation: The Board of County Commissioners is recommended to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions:

Alternatives: The Board of County Commissioners is recommended to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions:

The Board of County Commissioners is recommended to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions:

The Board of County Commissioners is recommended to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions:

The Board of County Commissioners is recommended to approve the Preliminary and Final Plat Schempps Double S Estates, as shown on the attached plat, subject to the following conditions:

Budgetary Impact:

- No impact
- Minimal impact
- Moderate impact
- Significant impact

Total Amount Requested: \$0.00
Additional Attachments: Plat Schempps Double S Estates

STAFF REPORT

CASE NO: DEV-23-095/096 Schempps Double S

September 13, 2023

REQUEST: #
 Preliminary Plat Final Plat

AMY ALLISON
 DEPUTY DIRECTOR

18651 182ND STREET

LARRY HAHN
 HAHN SURVEYING
 KYLE J & DAVID SCHEMPP
 5422 GLEASON ROAD
 SHAWNEE, KS 66226
 NONE
 ZONING: RR-2.5
 FUTURE LAND USE DESIGNATION:
 MIXED USE

The Southeast ¼ of the Northeast ¼ of the Northeast ¼ of Section 7, Township 11 South, Range 22 East of the Sixth P.M., Leavenworth County, Kansas.

SUBDIVISION: N/A
 FLOODPLAIN: ZONE AE

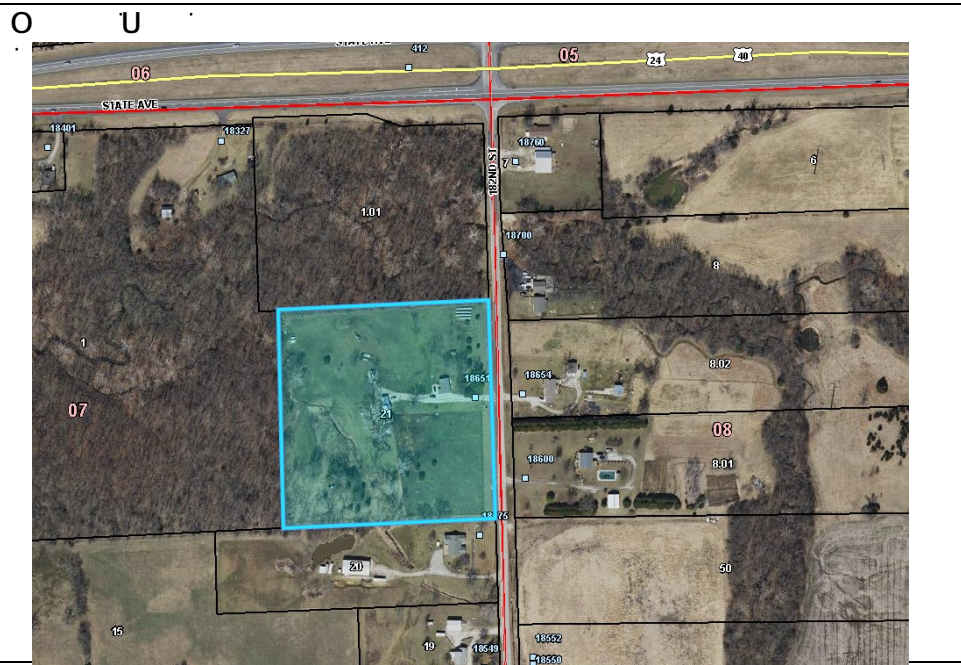
APPROVAL WITH CONDITIONS

1. Recommend approval of Case No. DEV-23-095/096, Preliminary & Final Plat for Schempps Double S, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-095/096, Preliminary & Final Plat for Schempps Double S, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:
 10.07 ACRES
 PARCEL ID NO:
 183-07-0-00-00-021.00
 BUILDINGS:
 1 SINGLE FAMILY RESIDENCE,
 MULTIPLE ACCESSORY STRUCTURES

Request for preliminary and final plat approval to subdivide property located at 18651 182nd Street as Lots 1 through 3 of Schempps Double S

ACCESS/STREET:
 182ND STREET - COUNTY COLLECTOR, PAVED ± 25';



SEWER: PRIVATE SEPTIC SYSTEM
 FIRE: STRANGER
 WATER: SUBURBAN WATER
 ELECTRIC: EVERGY
 STAFF REVIEW:
 8/8/2023
 NEWSPAPER NOTIFICATION:
 N/A
 NOTICE TO SURROUNDING
 PROPERTY OWNERS:
 N/A

| O | # | U | o | o | h | k | U | V U |
|-------------|---|---|---|---|---|---|-----|-----|
| 35-40 | h | h | # | | | | X | |
| 40-20 | 7 | h | # | | | | X | |
| 41-6 | | U | | | | | X | |
| 41-6.B.a-c. | - | o | | | | | X | |
| 41-6.C. | h | k | U | o | | | X | |
| 43 | # | | | | | | N/A | |
| 50-20 | y | k | | | | | X | |
| 50-30 | \ | k | | | | | X | |
| 50-40 | U |) | o | | | | X | |
| 50-50 | o | O |) | | | | N/A | |
| 50-60. |) | k | h | o | \ | o | N/A | |

U 77# U U - Vuo

The applicant is proposing to divide a 10-acre parcel into three 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 and 2 will be approximately 3.45 acres in size. All lots meet the requirements for the RR-2.5 zoning district. The proposed driveway locations will access off of 182nd Street and comply with the Access Management regulations. Suburban Water District will require the applicant to upgrade the existing water main prior to meters being issued for this property. Fire hydrants will not be allowed to be installed on the existing line. Staff is generally in support.

h\ h\ o-) #\ V) @ Vo

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
 - a. Email – Mark Billquist, Stanger Fire District, dated June 28, 2023
 - b. Memo – Chuck Magaha, Emergency Management, dated July 3, 2023
 - c. Email – Travis J Miles, Suburban Water, dated July 6, 2023

U #=U - Vuo

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

FINAL PLAT APPLICATION
 Leavenworth County Planning and Zoning Department,
 300 Walnut St., County Courthouse
 Leavenworth, Kansas
 913-684-0465
 913-684-0398 Fax

| | |
|---|---|
| CAMA No.: _____ Township: _____ Planning Commission Meeting Date: _____ Project No.: _____ | Office Use Only Date Received: _____ Date Paid: _____ |
|---|---|

| APPLICANT/AGENT INFORMATION | OWNER INFORMATION |
|-----------------------------|--|
| NAME _____ | NAME <u>KYLE J. SCHEMPP</u> |
| ADDRESS _____ | ADDRESS <u>5422 GLEASON ROAD</u> |
| CITY/ST/ZIP _____ | CITY/ST/ZIP <u>SHAWNEE, KS. 66226</u> |
| PHONE _____ EMAIL _____ | PHONE <u>913-617-1326</u> EMAIL _____ |
| CONTACT PERSON _____ | CONTACT PERSON <u>DAVID SCHEMPP (913) 488-3533</u> |

GENERAL INFORMATION

Subdivision Name: SCHEMPPS DOUBLE "S" ESTATES

Legal Description (S-T-R 1/4 Section): SE 1/4 OF NE 1/4 OF NE 1/4 7-T11S-R22E

Zoning: RR- 2.5

Surveyor and/or Engineer Firm: HAHN SURVEYING


Contact Person: LARRY HAHN

Address: PO BOX 186 BASEHOR, KANSAS 66007

Phone : 913-547-3405 Fax : _____ Email : hahnsurvey@gmail.com

| SUBDIVISION INFORMATION | | |
|--|----------------------------------|--------------------------------------|
| Gross Acreage: 10.07 ACRES | Number of Lots: 3 | Minimum Lot Size: 3.15 ACRES |
| Maximum Lot Size: 3.47 ACRES | Zoning: RR - 2.5 | Density: |
| Open Space Acreage: | Water District: SUBURBAN | Proposed Sewage: ON SITE |
| Fire District: | Electric Provider: EVERGY | Natural Gas Provider: PROPANE |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Phase Number: | |
| Is any part of the site designated as Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the panel number: 20103C0325G | | |

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 Final Plat approval as indicated above.

Signature:  Date: 6-19-23

ATTACHMENT A-2

PRELIMINARY PLAT APPLICATION
 Leavenworth County Planning and Zoning Department,
 300 Walnut St., Suite 30
 Leavenworth, Kansas
 913-684-0465
 913-684-0398 Fax

Office Use Only

CAMA No.: _____
 Township: _____
 Planning Commission Meeting Date: _____
 Project No.: _____ Date Received: _____ Date Paid: _____

| APPLICANT/AGENT INFORMATION | OWNER INFORMATION |
|-----------------------------|---|
| NAME: _____ | NAME: <u>KYLE J. SCHEMPP</u> |
| MAILING ADDRESS: _____ | MAILING ADDRESS <u>5422 GLEASON ROAD</u> |
| CITY/ST/ZIP: _____ | CITY/ST/ZIP <u>SHAWNEE, KS. 66226</u> |
| PHONE: _____ EMAIL: _____ | PHONE: <u>913-617-1326</u> EMAIL _____ |
| CONTACT PERSON: _____ | CONTACT PERSON: <u>DAVID SCHEMPP (913) 488-3533</u> |

GENERAL INFORMATION

Proposed Subdivision Name: SCHEMPPS DOUBLE "S" ESTATES

Nearest Intersection: STATE AVE. & 182ND STREET

Legal Description (S-T-R 1/4 Section): SE 1/4 OF NE 1/4 OF NE 1/4 7-T11S-R22E

Zoning: RR - 2.5

Comprehensive Plan Land Use Designation: _____

Urban Growth Management Area: _____

Surveyor and/or Engineer Firm: HAHN SURVEYING

Contact Person: LARRY HAHN

Address: PO BOX 186 BASEHOR, KANSAS 66007

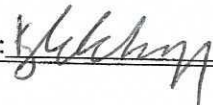
Phone: 913-547-3405 Fax: _____ Email: hahnsurvey@gmail.com

SUBDIVISION INFORMATION

| | | |
|--|---|--------------------------------------|
| Gross Acreage: <u>10.07 ACRES</u> | Number of Lots: <u>3</u> | Minimum Lot Size: <u>3.15 ACRES</u> |
| Maximum Lot Size: <u>3.47 ACRES</u> | Proposed Zoning: <u>RR-2.5</u> | Density: _____ |
| Open Space Acreage: _____ | Water District: <u>SUBURBAN</u> | Proposed Sewage: <u>ON SITE</u> |
| Fire District: <u>STRANGER</u> | Electric Provider: <u>EVERGY</u> | Natural Gas Provider: <u>PROPANE</u> |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Road Classification: <u>Local - Collector</u> | <u>Arterial - State - Federal</u> |

Is any part of the site designated as Floodplain? Yes No If yes, what is the panel number: 20103C0325G

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 preliminary plat approval as indicated above.

Signature: 

Date: 6-19-23

ATTACHMENT A-1

OWNER AUTHORIZATION

I/WE KYLE J. SCHEMP, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 20 day of June, 2023, 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 LARRY HAHN
HAHN SURVEYING (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Department of Leavenworth County, Kansas, 18651 182ND STREET (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 our 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 below.

STATE OF KANSAS
COUNTY OF LEAVENWORTH

X [Signature]
KYLE J. SCHEMP

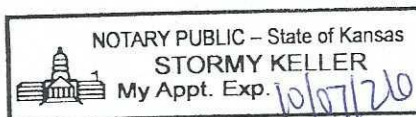
The foregoing instrument was acknowledged before me on this 20 day of June, 2023

by [Signature: Stormy Keller]

My Commission Expires: 10/07/2026

Notary Public, [Signature: Stormy Keller]

ATTACHMENT B



Entered in the transfer record in my office this

1 day of May, 2013

Jamie Blawie
County Clerk

Doc #: 2013R04053
STACY R. DRISCOLL
REGISTER OF DEEDS
LEAVENWORTH COUNTY
RECORDED ON
05/01/2013 09:13AM
RECORDING FEE: \$12.00

Nations Title Agency of Kansas, Inc.
9415 Nall Avenue
Prairie Village, Kansas 66207
(913) 383-9454
13500623
12/2/20067

INDEBTEDNESS: 0
PAGES: 2

(Space above reserved for Recorder of Deeds certification)

KANSAS WARRANTY DEED

THIS INDENTURE, Made on the 23rd day of April, 2013 by and between Kyle J Schempp And Alison Schempp, Husband And Wife of the County of Leavenworth, State of Kansas, herein called the grantor whether one or more, and Kyle J Schempp, A Married Person of the County of Leavenworth, State of Kansas, herein called the grantee whether one or more.

WITNESSED: THAT SAID GRANTOR, in consideration of the sum of One Dollar and other valuable consideration the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto the said grantee, his heirs and assigns, all the following described real estate, situated in the County of Leavenworth and State of Kansas, to-wit:

The Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 11 South, Range 22 East of the Sixth P.M., less any part thereof taken or used for road purposes, Leavenworth County, Kansas.

Exemption 3
Tax Identification/Parcel Number 17305

SUBJECT TO covenants, conditions, easements, restrictions and reservations of record, if any.

TO HAVE AND TO HOLD THE SAME, Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever. And said grantor for his heirs, executors or administrators, does hereby covenant, promise and agree to and with said grantee, that at the delivery of these presents he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances, of what nature or kind soever except as hereinbefore stated, and except for the lien of taxes, both general and special, not now due and payable.

AND that he will warrant and forever defend the same unto the said grantee, his heirs and assigns, against said grantor, his heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same

WORDS and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

IN WITNESS WHEREOF, The said grantor has hereunto set his hand and seal the day and year above written.



Kyle J. Schempp



Alison Schempp

State of Kansas)
) ss
County of Johnson)

On this 23rd day of April, 2013 before me, the undersigned, a Notary Public, personally appeared Kyle J Schempp And Alison Schempp, Husband And Wife to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed

Witness my hand and notarial seal subscribed and affixed in said County and State, the day and year first above written



Notary Public in and for said County and State

My Term Expires: _____

Our File Number: 13KS00623

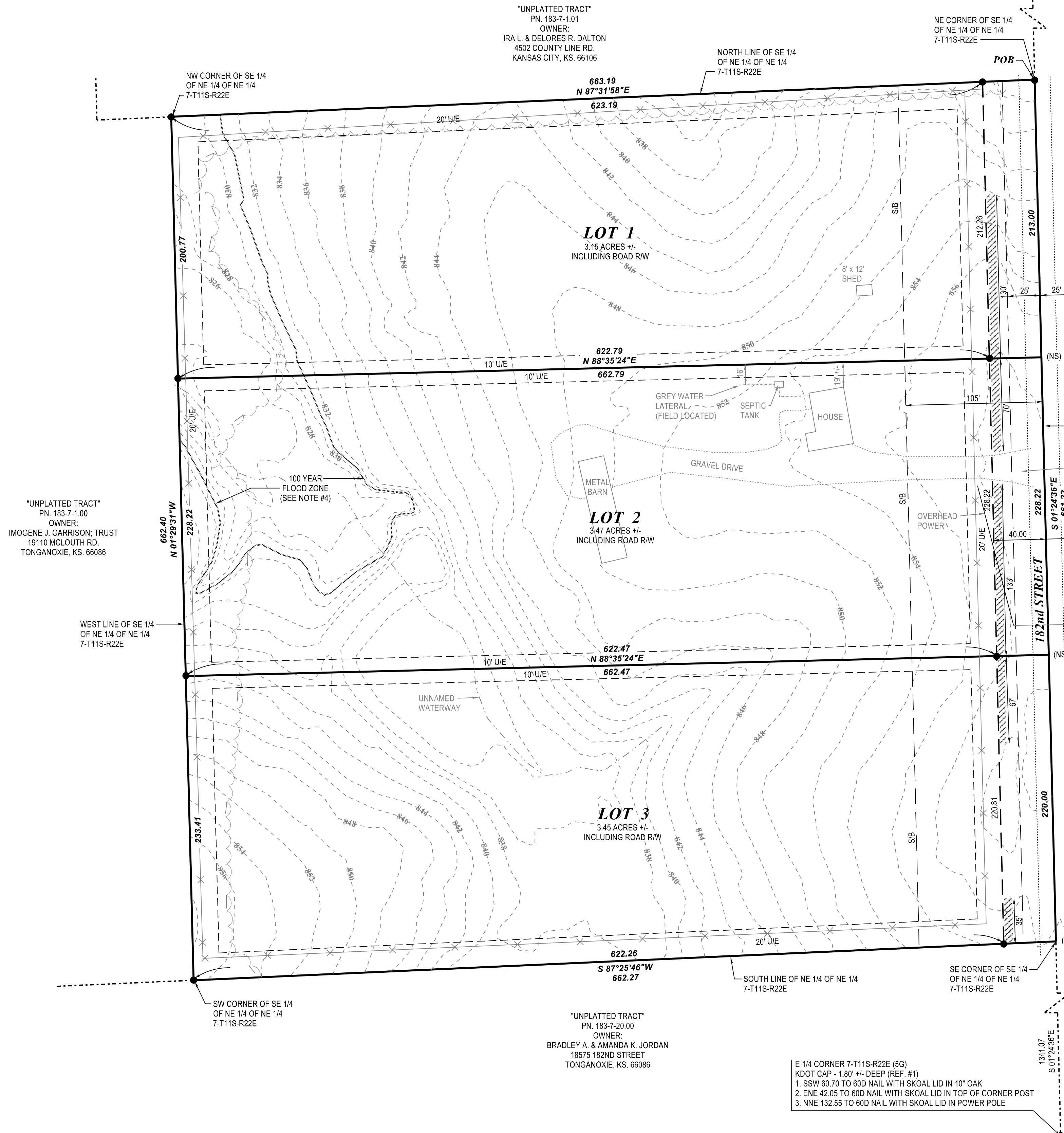
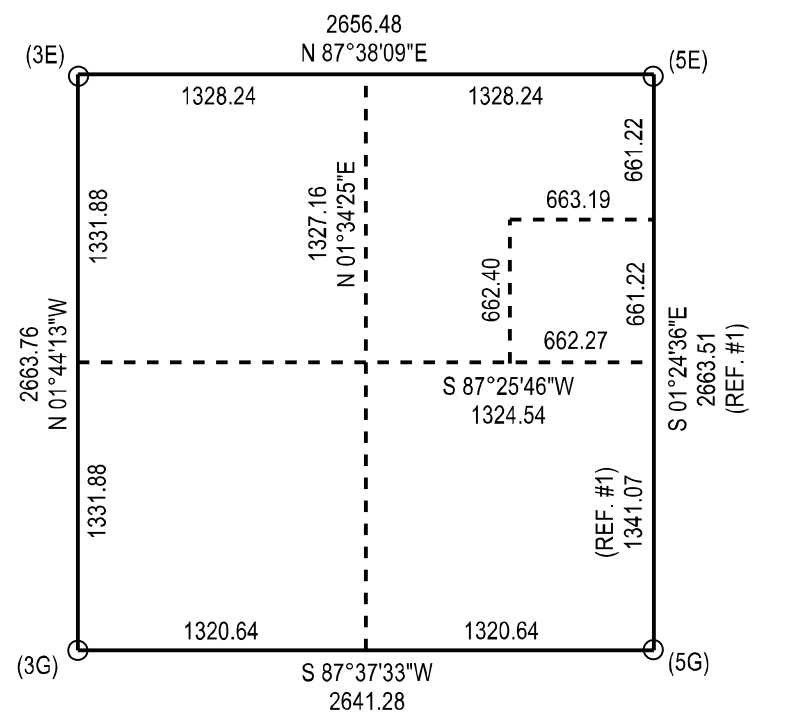


SCHEMPPS DOUBLE "S" ESTATES

A SUBDIVISION BEING THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT

NE CORNER 7-T11S-R22E (5E)
ALUMINUM CAP
1. SW 125.21 TO CORNER POST - R/W FENCE
2. SSE 146.06 TO TOP NUT OF FIRE HYDRANT
3. SE 115.73 TO CORNER POST - CHAINLINK FENCE



"UNPLATTED TRACT"
PN. 183-8-8.00
OWNER:
BRADY MARK & TIFFANIE DIANE SAYERS
18700 182ND STREET
TONGANOXIE, KS. 66086

"UNPLATTED TRACT"
PN. 183-8-8.02
OWNER:
HENSON JOINT REVOCABLE TRUST
18654 182ND STREET
TONGANOXIE, KS. 66086

"UNPLATTED TRACT"
PN. 183-8-8.01
OWNER:
CAMERON S. & TERI L. BELL
18600 182ND STREET
TONGANOXIE, KS. 66086

"UNPLATTED TRACT"
PN. 183-7-1.01
OWNER:
IRA L. & DELORES R. DALTON
4502 COUNTY LINE RD.
KANSAS CITY, KS. 66106

"UNPLATTED TRACT"
PN. 183-7-1.00
OWNER:
IMOGENE J. GARRISON; TRUST
19110 MCLOUTH RD.
TONGANOXIE, KS. 66086

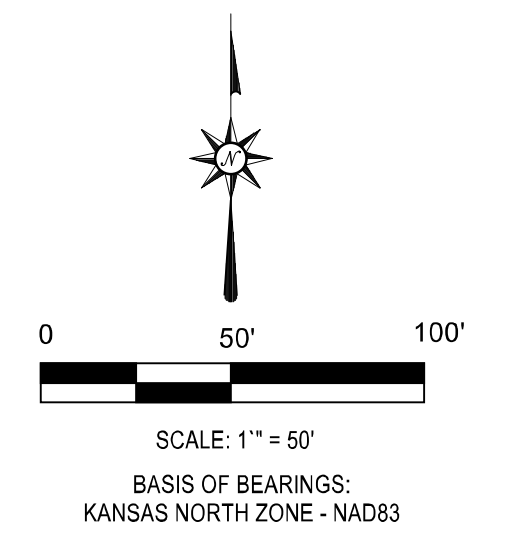
"UNPLATTED TRACT"
PN. 183-7-20.00
OWNER:
BRADLEY A. & AMANDA K. JORDAN
18575 182ND STREET
TONGANOXIE, KS. 66086

E 1/4 CORNER 7-T11S-R22E (5G)
KDOT CAP - 1.80' +/- DEEP (REF. #1)
1. SSW 60.70 TO 60D NAIL WITH SKOAL LID IN 10' OAK
2. ENE 42.95 TO 60D NAIL WITH SKOAL LID IN TOP OF CORNER POST
3. NNE 132.55 TO 60D NAIL WITH SKOAL LID IN POWER POLE

SECTION MAP - NE 1/4 NO SCALE

(3E) N 1/4 CORNER 7-T11S-R22E
ALUMINUM CAP (REF. #1)
1. SSW 35.33 TO "*" CUT ON EAST END OF SOUTH GUARDRAIL
2. WNW 14.59 TO "*" CUT ON EAST END OF NORTH GUARDRAIL
3. NW 26.51 TO "*" CUT ON EAST END OF NORTH GUARDRAIL

(3G) CENTER 7-T11S-R22E
1/2" REBAR (REF. #1)
1. SW 10.68 TO SPIKE & WASHER IN CORNER POST
2. NW 21.00 TO SPIKE & WASHER IN TOP OF FENCE POST
3. NW 37.69 TO SPIKE & WASHER IN 20' TREE
4. 7' EAST & 5.5' NORTH OF FENCE CORNER



- LEGEND
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
 - POC POINT OF COMMENCING
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT
 - S/B BUILDING SETBACK
 - (NS) NO MONUMENT SET BY AGREEMENT WITH CLIENT
 - ✕ EXISTING FENCE
 - ▨ NO DRIVE ACCESS

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

UTILITIES

ELECTRIC / EVERGY
WATER / SUBURBAN WATER
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM FIRE DISTRICT / STRANGER

ROAD INFORMATION

182ND STREET - 24' WIDE PAVED SURFACE
ROAD CLASS - COUNTY MINOR COLLECTOR

PUBLIC IMPROVEMENT

NONE

ZONING

RR - 2.5

REFERENCES

1. DOC. #2014S020

BENCHMARK

TOP NUT OF FIRE HYDRANT AT THE SE CORNER OF 182ND STREET AND STATE AVE. EL. 840.07 (NAVD 88)

OWNER / DEVELOPER

KYLE J. SCHEMP / DAVID SCHEMP
5422 GLEASON ROAD
SHAWNEE, KANSAS 66226
(913) 617-1326
(913) 488-3533

DEED DESCRIPTION - DOC. #2013R04053

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

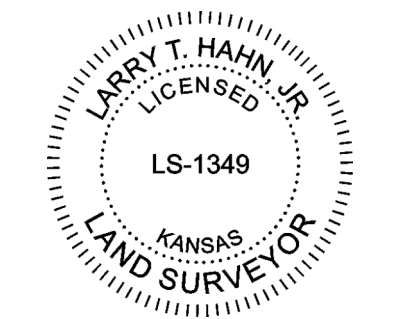
THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, KS PS-1349, JUNE, 2023, DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE, S 01°24'36"E, 661.22 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7 AND THE POINT OF BEGINNING OF THIS TRACT; THENCE, CONTINUING ALONG SAID EAST LINE, S 01°24'36"E, 661.22 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, S 87°25'46"W, 662.27 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, N 01°29'31"W, 662.40 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7 TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE, N 87°31'58"E, 663.19 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING. CONTAINS 10.07 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. RELATIVE: 1:542,121

NOTES

1. FENCE LINES DO NOT DENOTE PROPERTY LINES.
2. LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
3. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL / RESIDENTIAL PROPOSED USE - RR-2.50 / RESIDENTIAL
4. THIS PLAT IS WITHIN A SPECIAL FLOOD HAZARD AREA (ZONE "AE") FEMA FIRM 20103C0325G, EFFECTIVE DATE: 7-16-2015.

RESTRICTIONS

1. NO OFF PLAT RESTRICTIONS.
2. 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
3. AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
4. EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
5. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
6. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
7. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.
8. STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.



LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF JUNE, 2023, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

SCHEMPPS DOUBLE "S" ESTATES

A SUBDIVISION BEING THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS

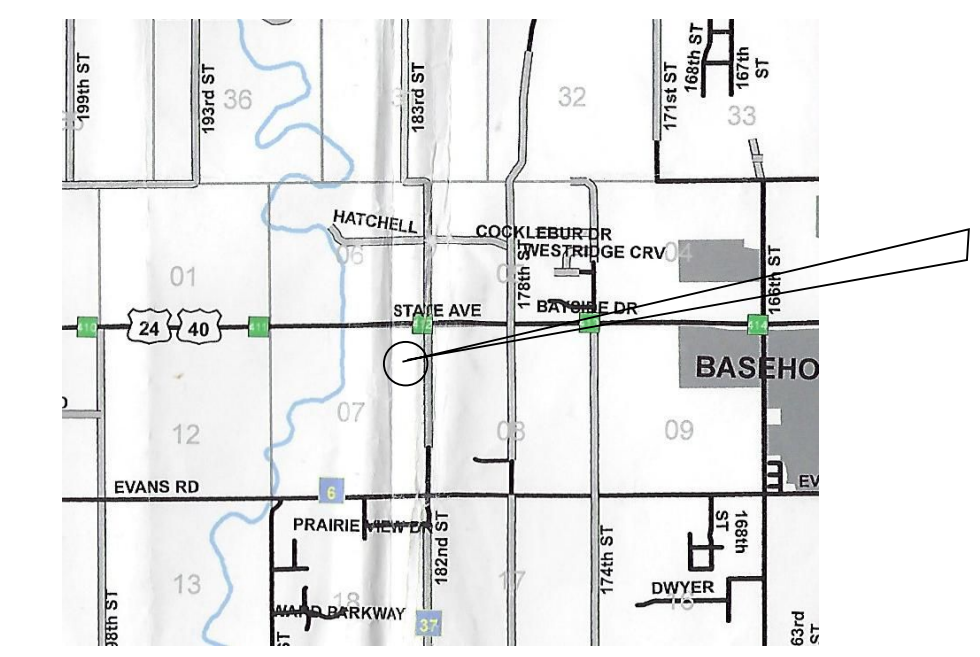
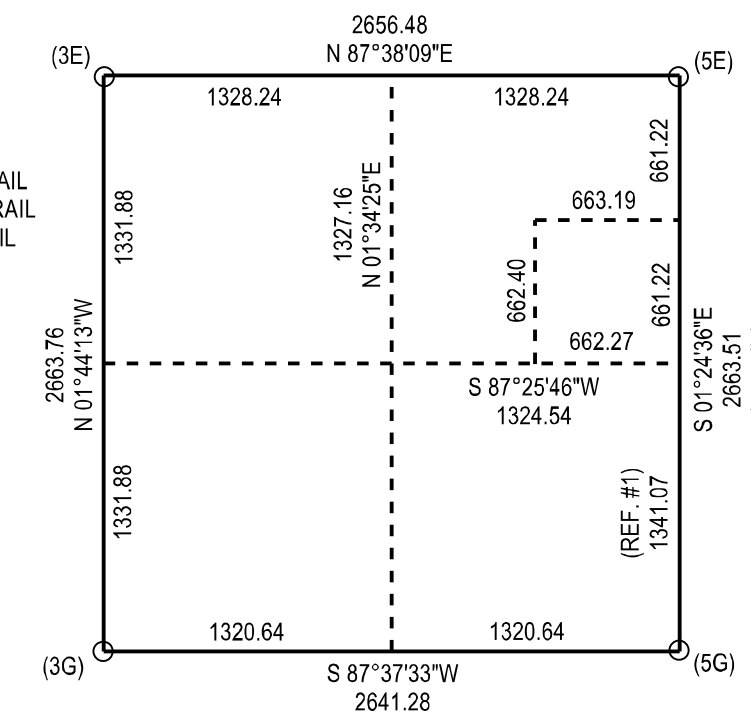
FINAL PLAT

STATE AVE / 24-40 HIGHWAY

NE CORNER 7-T11S-R22E (5E)
ALUMINUM CAP (REF. #1)
1. SW 125.21 TO CORNER POST - RAW FENCE
3. SSE 146.06 TO TOP NUT OF FIRE HYDRANT
3. SE 115.73 TO CORNER POST - CHAINLINK FENCE

(3E) N 1/4 CORNER 7-T11S-R22E
ALUMINUM CAP (REF. #1)
1. SSW 35.33 TO "+" CUT ON EAST END OF SOUTH GUARDRAIL
2. WNW 14.59 TO "+" CUT ON EAST END OF NORTH GUARDRAIL
3. NW 26.51 TO "+" CUT ON EAST END OF NORTH GUARDRAIL

(3G) CENTER 7-T11S-R22E
1/2" REBAR (REF. #1)
1. SW 10.68 TO SPIKE & WASHER IN CORNER POST
2. NW 21.00 TO SPIKE & WASHER IN TOP OF FENCE POST
3. NNW 37.69 TO SPIKE & WASHER IN 20' TREE
4. 7' EAST & 5.5' NORTH OF FENCE CORNER



SECTION MAP - NE 1/4
NO SCALE

LOCATION MAP
NO SCALE

DEED DESCRIPTION - DOC. #2013R04053

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, KS PS-1349, JUNE, 2023, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE, S 01°24'36"E, 661.22 FEET ALONG THE EAST LINE OF SECTION 7 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, S 01°24'36"E, 661.22 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, S 87°25'46"W, 662.27 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, N 01°29'31"W, 662.40 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7 TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE, N 87°31'58"E, 663.19 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING. CONTAINS 10.07 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. RELATIVE: 1.542,121

CERTIFICATION AND DEDICATION

THE UNDERSIGNED PROPRIETOR STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT HE HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "SCHEMPPS DOUBLE "S" 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, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENT" OR "U/E".

BUILDING LINES OR SETBACK LINES (S/B) 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: I, THE UNDERSIGNED OWNER OF "SCHEMPPS DOUBLE "S" ESTATES", HAVE SET MY HAND THIS _____ DAY OF _____, 2023.

KYLE J. SCHEMP

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2023, BEFORE ME APPEARED KYLE J. SCHEMP, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

APPROVAL

WE, THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "SCHEMPPS DOUBLE "S" ESTATES" THIS _____ DAY OF _____, 2023.

CHAIRPERSON / STEVE ROSENTHAL SECRETARY / JOHN JACOBSON

THE LEAVENWORTH COUNTY ENGINEERS 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, PE

WE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, DO HEREBY APPROVE THE FOREGOING PLAT OF "SCHEMPPS DOUBLE "S" ESTATES" THIS _____ DAY OF _____, 2023.

CHAIRPERSON / VICKY KAAZ COUNTY CLERK / JANET KLASINSKI (ATTEST)

COUNTY SURVEYOR CERTIFICATION

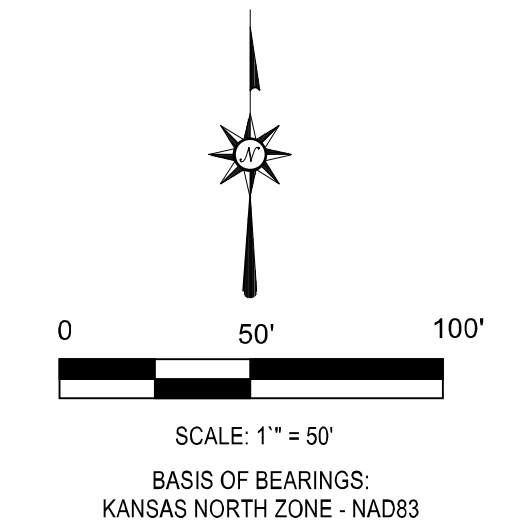
I HEREBY CERTIFY THIS PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS PLAT WAS REVIEWED FOR COMPLIANCE WITH KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363

STATE OF KANSAS / COUNTY OF LEAVENWORTH

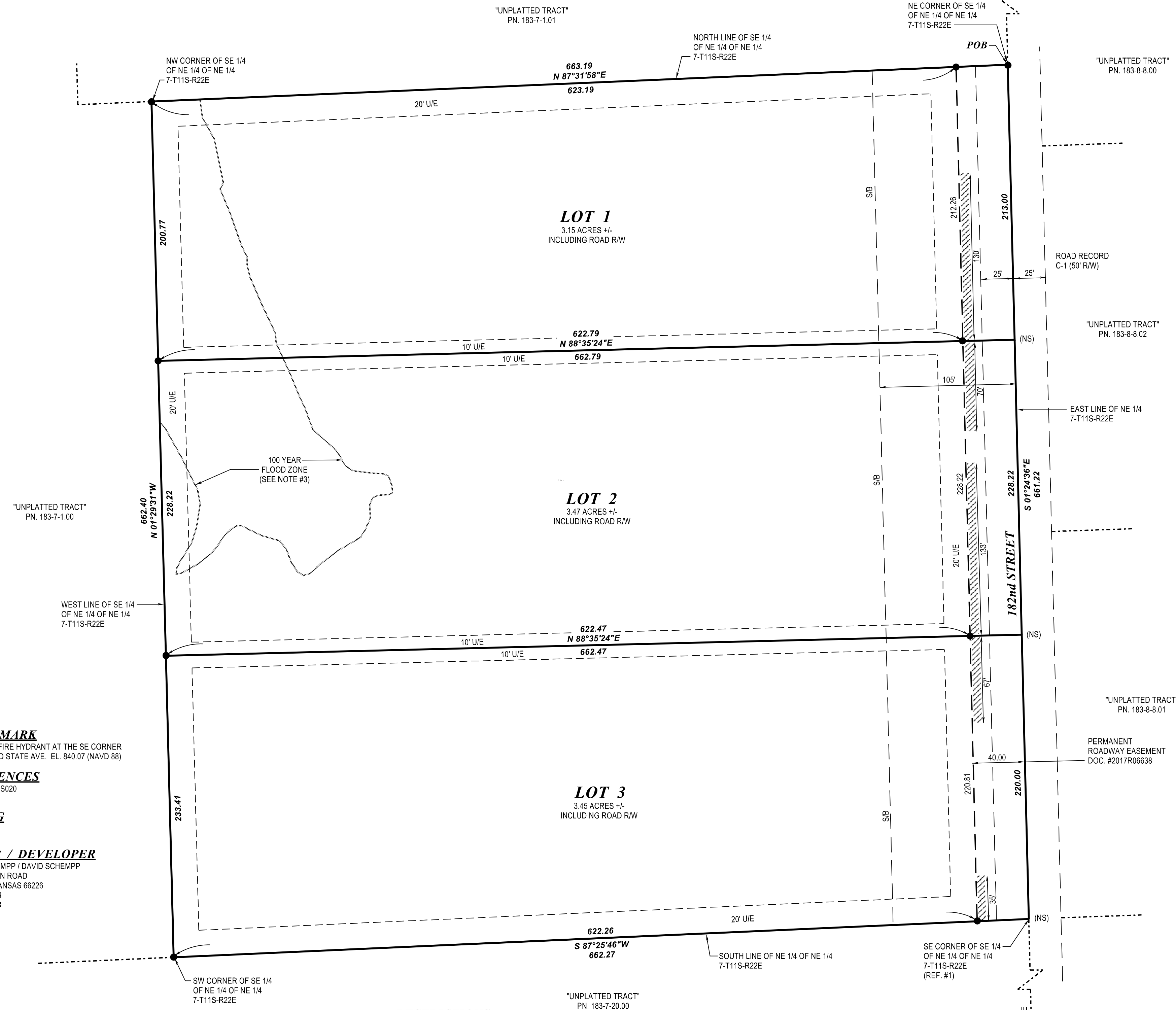
FILED FOR RECORD AS DOCUMENT # _____ ON THIS _____ DAY OF _____, 2023 AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN



LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
- POC POINT OF COMMENCING
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT
- S/B BUILDING SETBACK
- (NS) NO MONUMENT SET BY AGREEMENT WITH CLIENT
- ▨ NO DRIVE ACCESS



RESTRICTIONS

1. NO OFF PLAT RESTRICTIONS.
2. 40' REAR SETBACK FOR RESIDENCES
- 15' REAR SETBACK FOR ACCESSORY BUILDINGS
- 15' SIDE SETBACK
3. AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
4. EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
5. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
6. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
7. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.
8. STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.

E 1/4 CORNER 7-T11S-R22E (5G)
KDOT CAP - 1.80' +/- DEEP (REF. #1)
1. SSW 60.70 TO 60D NAIL WITH SKOAL LID IN 10' OAK
2. ENE 42.05 TO 60D NAIL WITH SKOAL LID IN TOP OF CORNER POST
3. NNE 132.55 TO 60D NAIL WITH SKOAL LID IN POWER POLE

BENCHMARK
TOP NUT OF FIRE HYDRANT AT THE SE CORNER OF 182ND AND STATE AVE. EL. 840.07 (NAVD 88)

REFERENCES
1. DOC. #2014S020

ZONING
RR - 2.5

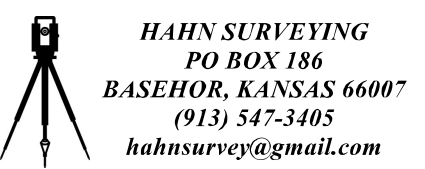
OWNER / DEVELOPER
KYLE J. SCHEMP / DAVID SCHEMP
5422 GLEASON ROAD
SHAWNEE, KANSAS 66226
(913) 617-1326
(913) 488-3533

NOTES

1. LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
2. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL / RESIDENTIAL PROPOSED USE - RR-2.50 / RESIDENTIAL
3. THIS PLAT IS WITHIN A SPECIAL FLOOD HAZARD AREA (ZONE "AE") FEMA FIRM 20103C0325G, EFFECTIVE DATE: 7-16-2015.



THIS IS TO CERTIFY THAT IN THE MONTH OF JUNE, 2023, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.



Allison, Amy

From: Mark B <stfdchief1760@gmail.com>
Sent: Wednesday, June 28, 2023 1:22 PM
To: Johnson, Melissa
Cc: hahnsurvey@gmail.com
Subject: Re: Schempps double "S" Estates

Follow Up Flag: Follow up
Flag Status: Completed

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

Stranger Township has no issues with the Schempp plat, but would suggest that hydrants be installed so that there is one within 500 feet of any structure.

Let me know if you have any questions.

Mark Billquist
Stranger Township Fire Department
913-369-0510

On Wed, Jun 28, 2023 at 12:08 PM larry hahn <hahnsurvey@gmail.com> wrote:

To all -

I have submitted a preliminary and final plat to Leavenworth County Planning and Zoning.

The Planning Staff would appreciate your written input for the proposed plat.

Please review the attached information and forward any comments to Leavenworth County Planning And Zoning to mjohnson@leavenworthcounty.gov

If you have any questions or need additional information, please contact me.

Thank You,

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

--

Mark Billquist
Stranger Township Fire Chief

Midwest Regional Treasurer 10-33 Foundation

[913-369-0510](tel:913-369-0510) mobile

stfdchief1760@gmail.com

"Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that." - Martin Luther King Jr.

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Schempps Double S Estates Subdivision
Date: July 3, 2023

Amy, I have reviewed the preliminary plat of the Schempps Double S Estates Subdivision presented by Kyle and David Schempps. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The proposed subdivision has two fire hydrants that are within 100o feet of the location so no additional hydrants will be needed. One fire hydrant is located at 18575 182nd Street and the other is located at State Ave. and 182nd just to the South.

I have no further recommendation for this subdivision.

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

Allison, Amy

From: Kyle Burkhardt <Kyle.Burkhardt@evergy.com>
Sent: Thursday, July 6, 2023 10:10 AM
To: Johnson, Melissa; Design Group Shawnee; 'Trish Peterson'
Cc: 'larry hahn'
Subject: RE: [EXTERNAL]Schempp Double 'S' Estates - Larry Hahn

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

Evergy has no issues with the proposed plat.

Thank you

Kyle Burkhardt
Evergy
TD Designer II
O 785-508-2408
Kyle.Burkhardt@evergy.com



From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Thursday, July 6, 2023 8:31 AM
To: Design Group Shawnee <DesignGroupShawnee@evergy.com>; 'Trish Peterson' <trish@suburbanwaterinc.com>
Cc: 'larry hahn' <hahnsurvey@gmail.com>
Subject: [EXTERNAL]Schempp Double 'S' Estates - Larry Hahn

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

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

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

Thank you,

Melissa Johnson
Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St, Suite 212

Allison, Amy

From: Travis Miles <Travis@suburbanwaterinc.com>
Sent: Thursday, July 6, 2023 1:55 PM
To: Johnson, Melissa
Cc: Trish Peterson
Subject: Re: Schempp Double 'S' Estates - Larry Hahn

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

Melissa,

Below are Suburban's responses for the proposed development, Schempp Double 'S' Estates.

1. Does the water district have existing service lines in the vicinity of the proposed plat boundary to provide potable water to the lots of the subdivision?

Response: Yes

2. What is the size and location of the water line(s) and fire hydrants that are adjacent to this property?

Response: Suburban Water has an existing 4" PVC Water Main on the east side of 182nd Street. Suburban has a fire hydrant located at the intersection of 182nd & State Avenue, ~661 LF north of Lot 1.

3. Would the water district allow fire hydrants to be installed on the existing service line(s) in the area of the proposed plat boundary?

Response: No Suburban will not allow fire hydrants to be added to the existing infrastructure.

4. Does the water district have plans to upgrade the service in this vicinity to such a level that fire hydrants can be installed in the foreseeable future, or within a set number of years? If so, what would the improvements consist of?

Response: Suburban will require that the developer upgrade the existing 4" PVC Water main to an 8" Water Main across the road frontage of the proposed development.

Travis J Miles
CEO/President

Suburban Water, Inc.
1216 N 155th Street, PO BOX 588
Basehor, KS 66007
Office: (913) 724-1800
Fax: (913) 724-1505
Cell: (913) 238-0040
travis@suburbanwaterinc.com

This email and any files transmitted with it may be confidential and/or contain Suburban Water, Inc. proprietary information intended solely for the use of only the individual to which it is addressed. If you are not the intended recipient, please be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email and any attachments is strictly prohibited. If you have received this email in error, please immediately delete the email and any attachments from your system and notify the sender. Any other use of this email is prohibited. Thank you for your compliance.

From: Trish Peterson <trish@suburbanwaterinc.com>
Sent: Thursday, July 6, 2023 9:13 AM
To: Travis Miles <Travis@suburbanwaterinc.com>
Subject: FW: Schempp Double 'S' Estates - Larry Hahn

Travis,

Did you get this from the county recently?

Trish Peterson
Accountant
Suburban Water, Inc.
www.suburbanwaterinc.com
913-724-1800 X 2

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Thursday, July 6, 2023 8:31 AM
To: Design Group Shawnee <DesignGroupShawnee@evergy.com>; Trish Peterson <trish@suburbanwaterinc.com>
Cc: 'larry hahn' <hahnsurvey@gmail.com>
Subject: Schempp Double 'S' Estates - Larry Hahn

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

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

Thank you,

Melissa Johnson
Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St, Suite 212

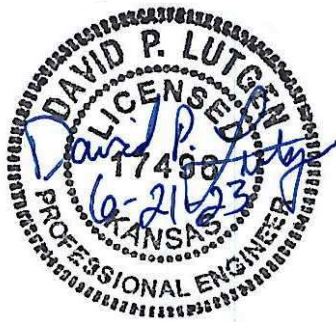
Drainage Report is reviewed and approved with no corrections. Gravel roads in this situation are single owner driveways so the use of the minimum C Value =0.50 is allowed.

Schempps Double "S" Estates

Leavenworth County Kansas

Drainage Report

June 21, 2023



Allison, Amy

From: Anderson, Kyle
Sent: Monday, July 17, 2023 9:55 AM
To: Allison, Amy
Subject: RE: RE: DEV-23-095/096 Preliminary and Final Plat – Schempps Double S Estates

We have not received any complaints on this property. The septic system appears to remain on the same property as the home it services.

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

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

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Friday, July 7, 2023 3:38 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-23-095/096 Preliminary and Final Plat – Schempps Double S Estates

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 3-lot Subdivision at 18651 182nd Street.

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

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

Thank you,

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

Disclaimer

SCHEMPPS DOUBLE "S" ESTATES

A SUBDIVISION BEING THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS

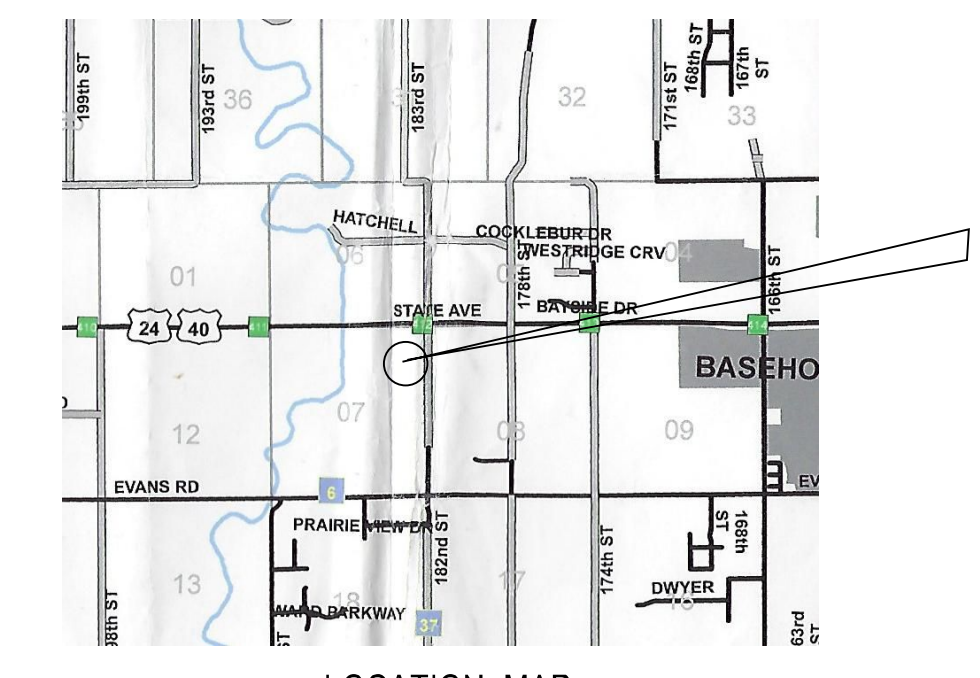
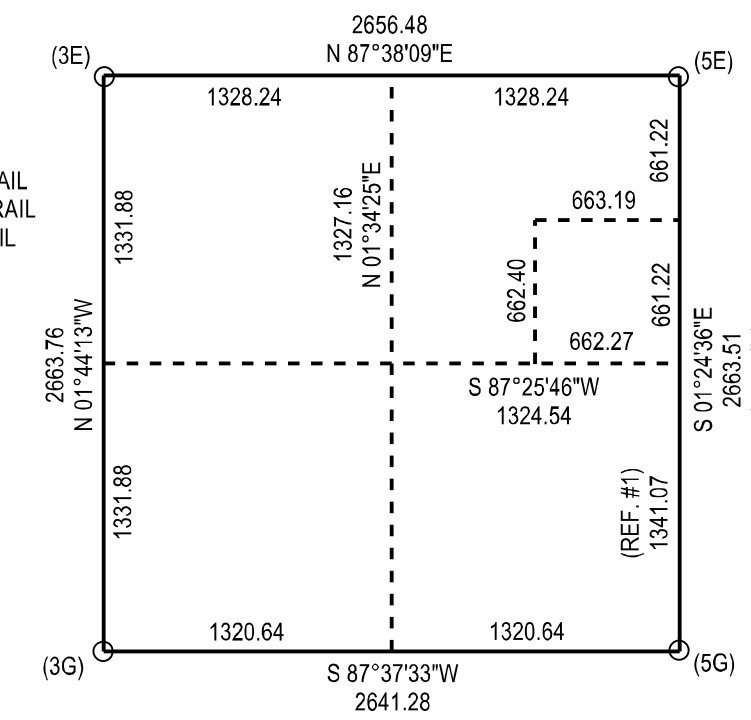
FINAL PLAT

STATE AVE / 24-40 HIGHWAY

NE CORNER 7-T11S-R22E (5E)
ALUMINUM CAP (REF. #1)
1. SW 125.21 TO CORNER POST - RAW FENCE
3. SSE 146.06 TO TOP NUT OF FIRE HYDRANT
3. SE 115.73 TO CORNER POST - CHAINLINK FENCE

(3E) N 1/4 CORNER 7-T11S-R22E
ALUMINUM CAP (REF. #1)
1. SSW 35.33 TO "+" CUT ON EAST END OF SOUTH GUARDRAIL
2. WNW 14.59 TO "+" CUT ON EAST END OF NORTH GUARDRAIL
3. NW 26.51 TO "+" CUT ON EAST END OF NORTH GUARDRAIL

(3G) CENTER 7-T11S-R22E
1/2" REBAR (REF. #1)
1. SW 10.68 TO SPIKE & WASHER IN CORNER POST
2. NW 21.00 TO SPIKE & WASHER IN TOP OF FENCE POST
3. NNW 37.69 TO SPIKE & WASHER IN 20' TREE
4. 7' EAST & 5.5' NORTH OF FENCE CORNER



SECTION MAP - NE 1/4
NO SCALE

LOCATION MAP
NO SCALE

DEED DESCRIPTION - DOC. #2013R04053

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, LEAVENWORTH COUNTY, KANSAS.

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IN TESTIMONY WHEREOF: I, THE UNDERSIGNED OWNER OF "SCHEMPPS DOUBLE "S" ESTATES", HAVE SET MY HAND THIS _____ DAY OF _____, 2023.

KYLE J. SCHEMP

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2023, BEFORE ME APPEARED KYLE J. SCHEMP, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

APPROVAL

WE, THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "SCHEMPPS DOUBLE "S" ESTATES" THIS _____ DAY OF _____, 2023.

CHAIRPERSON / STEVE ROSENTHAL SECRETARY / JOHN JACOBSON

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COUNTY ENGINEER / MITCH PLEAK, PE

WE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, DO HEREBY APPROVE THE FOREGOING PLAT OF "SCHEMPPS DOUBLE "S" ESTATES" THIS _____ DAY OF _____, 2023.

CHAIRPERSON / VICKY KAAZ COUNTY CLERK / JANET KLASINSKI (ATTEST)

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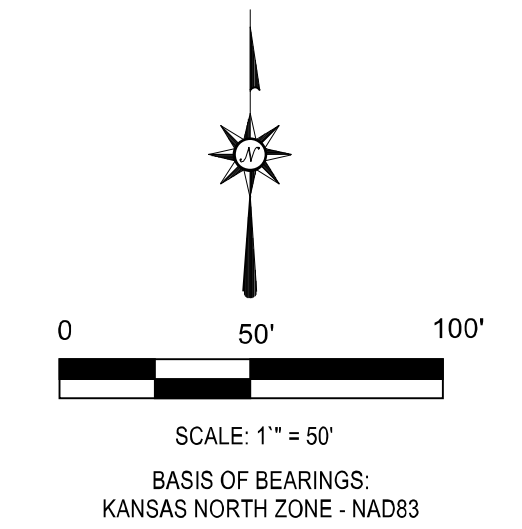
Reviewed 2023.07.31 No Comments

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363

STATE OF KANSAS / COUNTY OF LEAVENWORTH

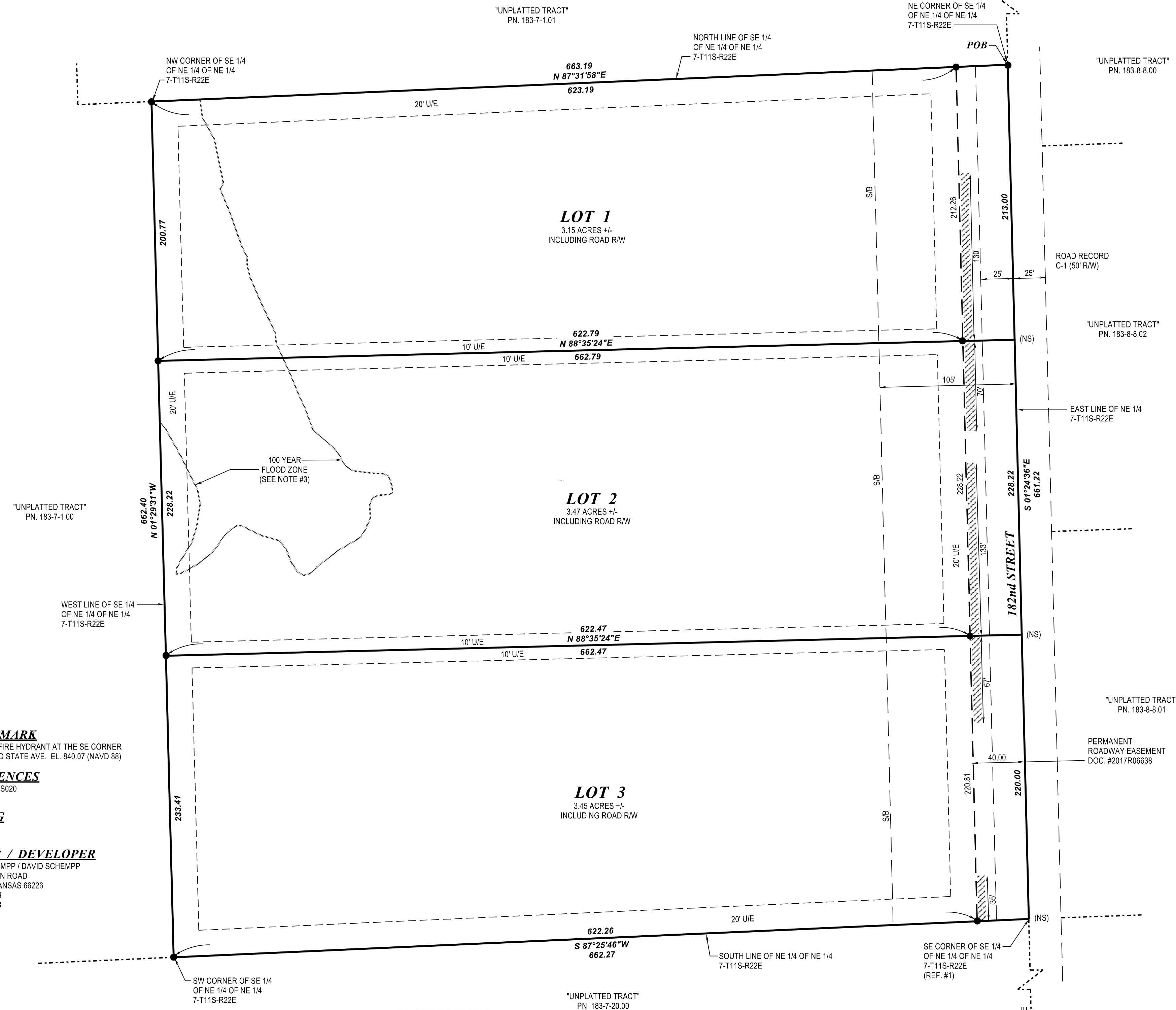
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REGISTER OF DEEDS / TERRILOIS G. MASHBURN



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BENCHMARK
TOP NUT OF FIRE HYDRANT AT THE SE CORNER OF 182ND AND STATE AVE. EL. 840.07 (NAVD 88)

REFERENCES
1. DOC. #2014S020

ZONING
RR - 2.5

OWNER / DEVELOPER
KYLE J. SCHEMP / DAVID SCHEMP
5422 GLEASON ROAD
SHAWNEE, KANSAS 66226
(913) 617-1326
(913) 488-3533

RESTRICTIONS

1. NO OFF PLAT RESTRICTIONS.
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- 15' SIDE SETBACK
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5. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
6. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
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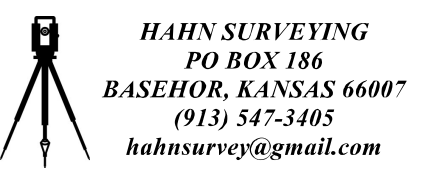
E 1/4 CORNER 7-T11S-R22E (5G)
KDOT CAP - 1.80' +/- DEEP (REF. #1)
1. SSW 60.70 TO 60D NAIL WITH SKOAL LID IN 10' OAK
2. ENE 42.05 TO 60D NAIL WITH SKOAL LID IN TOP OF CORNER POST
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NOTES

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2. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL / RESIDENTIAL PROPOSED USE - RR-2.50 / RESIDENTIAL
3. THIS PLAT IS WITHIN A SPECIAL FLOOD HAZARD AREA (ZONE "AE") FEMA FIRM 20103C0325G, EFFECTIVE DATE: 7-16-2015.



THIS IS TO CERTIFY THAT IN THE MONTH OF JUNE, 2023, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.



SCHEMPPS DOUBLE "S" ESTATES

A SUBDIVISION BEING THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS

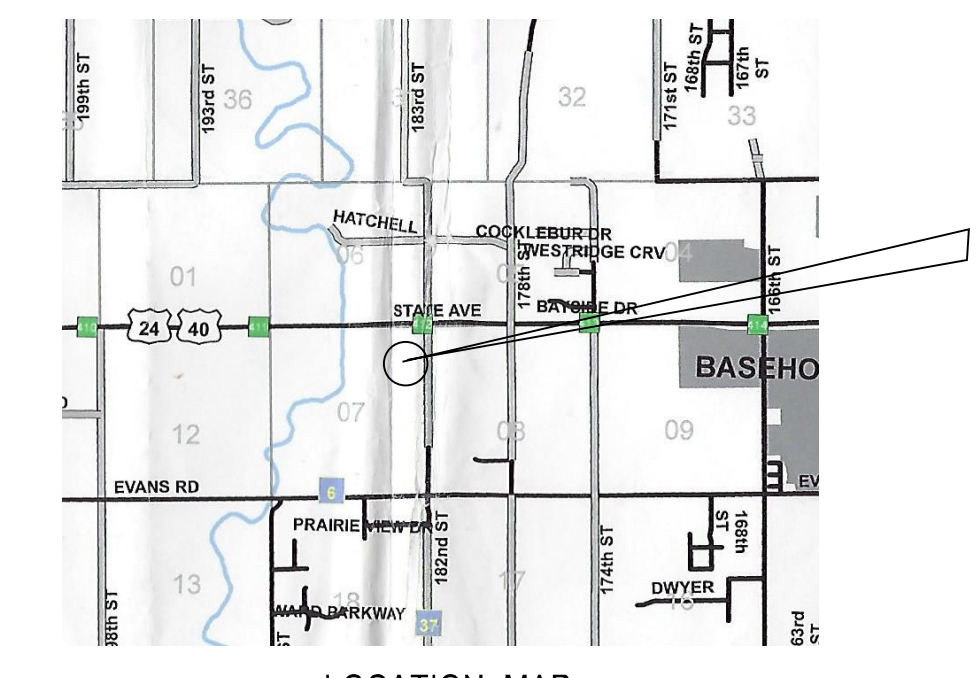
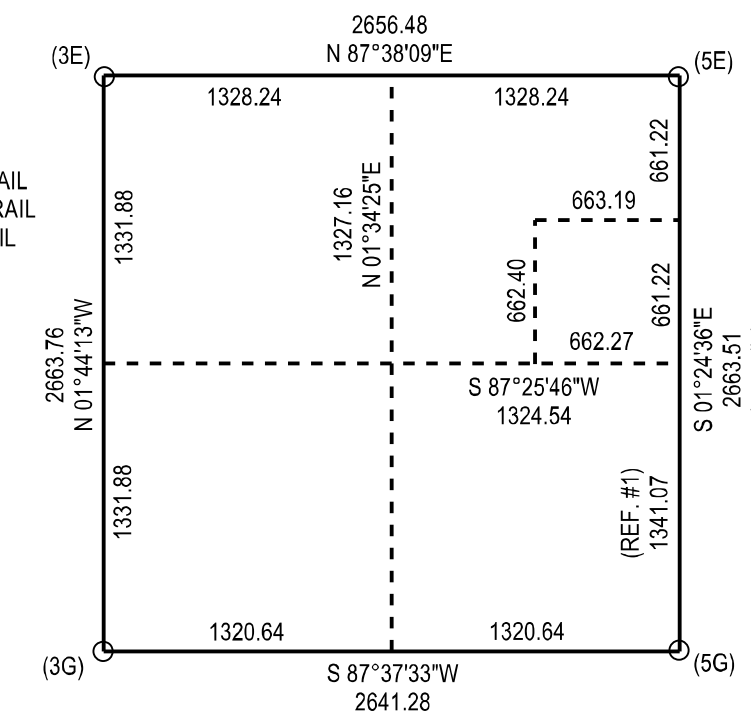
FINAL PLAT

STATE AVE / 24-40 HIGHWAY

NE CORNER 7-T11S-R22E (5E)
ALUMINUM CAP (REF. #1)
1. SW 125.21 TO CORNER POST - RAW FENCE
3. SSE 146.06 TO TOP NUT OF FIRE HYDRANT
3. SE 115.73 TO CORNER POST - CHAINLINK FENCE

(3E) N 1/4 CORNER 7-T11S-R22E
ALUMINUM CAP (REF. #1)
1. SSW 35.33 TO "+" CUT ON EAST END OF SOUTH GUARDRAIL
2. WNW 14.59 TO "+" CUT ON EAST END OF NORTH GUARDRAIL
3. NW 26.51 TO "+" CUT ON EAST END OF NORTH GUARDRAIL

(3G) CENTER 7-T11S-R22E
1/2" REBAR (REF. #1)
1. SW 10.68 TO SPIKE & WASHER IN CORNER POST
2. NW 21.00 TO SPIKE & WASHER IN TOP OF FENCE POST
3. NNW 37.69 TO SPIKE & WASHER IN 20' TREE
4. 7' EAST & 5.5' NORTH OF FENCE CORNER



Public Works Reviewed and Approved 8-8-23.

SECTION MAP - NE 1/4
NO SCALE

LOCATION MAP
NO SCALE

DEED DESCRIPTION - DOC. #2013R04053

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE 6TH P.M., LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES, LEAVENWORTH COUNTY, KANSAS.

SURVEYORS DESCRIPTION

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7-T11S-R22E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, KS PS-1349, JUNE, 2023, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE, S 01°24'36"E, 661.22 FEET ALONG THE EAST LINE OF SECTION 7 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, S 01°24'36"E, 661.22 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, S 87°25'46"W, 662.27 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE, N 01°29'31"W, 662.40 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7 TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE, N 87°31'58"E, 663.19 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING. CONTAINS 10.07 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. RELATIVE: 1.542,121

CERTIFICATION AND DEDICATION

THE UNDERSIGNED PROPRIETOR STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT HE HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "SCHEMPPS DOUBLE "S" 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, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENT" OR "U/E".

BUILDING LINES OR SETBACK LINES (S/B) 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: I, THE UNDERSIGNED OWNER OF "SCHEMPPS DOUBLE "S" ESTATES", HAVE SET MY HAND THIS _____ DAY OF _____, 2023.

KYLE J. SCHEMP

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2023, BEFORE ME APPEARED KYLE J. SCHEMP, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

APPROVAL

WE, THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "SCHEMPPS DOUBLE "S" ESTATES" THIS _____ DAY OF _____, 2023.

CHAIRPERSON / STEVE ROSENTHAL SECRETARY / JOHN JACOBSON

THE LEAVENWORTH COUNTY ENGINEERS 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, PE

WE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, DO HEREBY APPROVE THE FOREGOING PLAT OF "SCHEMPPS DOUBLE "S" ESTATES" THIS _____ DAY OF _____, 2023.

CHAIRPERSON / VICKY KAAZ COUNTY CLERK / JANET KLASINSKI (ATTEST)

COUNTY SURVEYOR CERTIFICATION

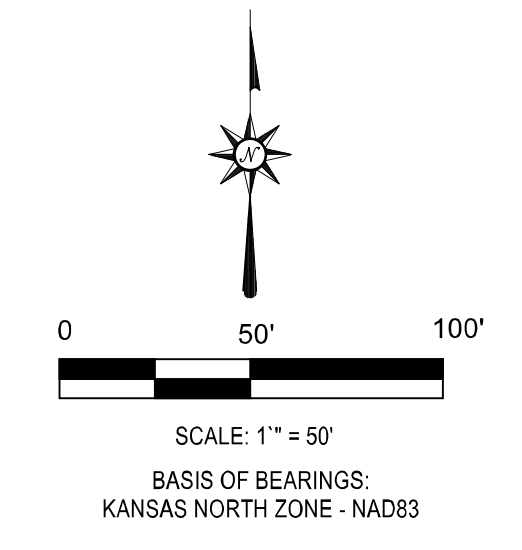
I HEREBY CERTIFY THIS PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS PLAT WAS REVIEWED FOR COMPLIANCE WITH KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363

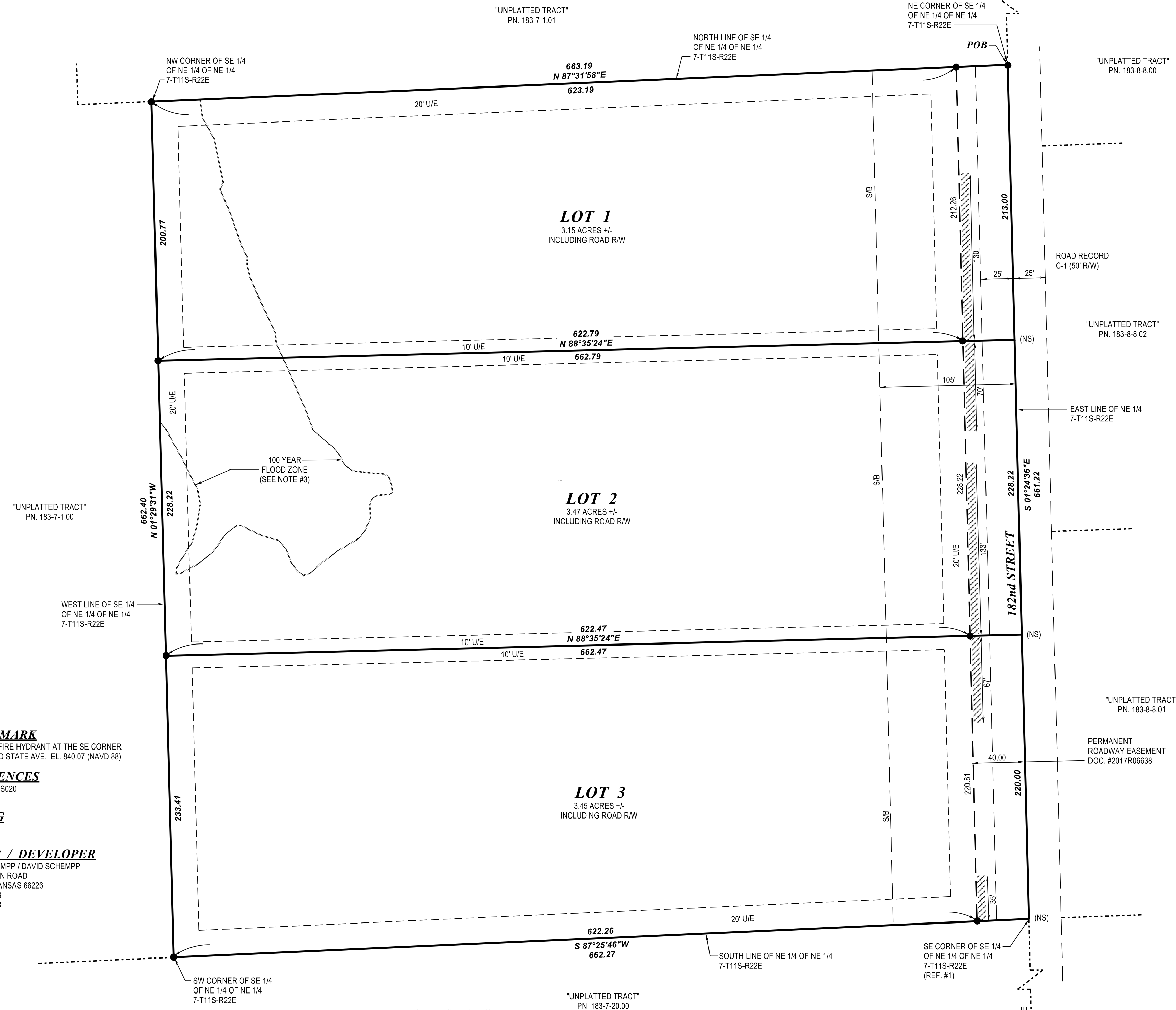
STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD AS DOCUMENT # _____ ON THIS _____ DAY OF _____, 2023 AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN



- LEGEND**
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
 - POC POINT OF COMMENCING
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT
 - S/B BUILDING SETBACK
 - (NS) NO MONUMENT SET BY AGREEMENT WITH CLIENT
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BENCHMARK
TOP NUT OF FIRE HYDRANT AT THE SE CORNER OF 182ND AND STATE AVE. EL. 840.07 (NAVD 88)

REFERENCES
1. DOC. #2014S020

ZONING
RR - 2.5

OWNER / DEVELOPER
KYLE J. SCHEMP / DAVID SCHEMP
5422 GLEASON ROAD
SHAWNEE, KANSAS 66226
(913) 617-1326
(913) 488-3533

RESTRICTIONS

1. NO OFF PLAT RESTRICTIONS.
2. 40' REAR SETBACK FOR RESIDENCES
- 15' REAR SETBACK FOR ACCESSORY BUILDINGS
- 15' SIDE SETBACK
3. AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
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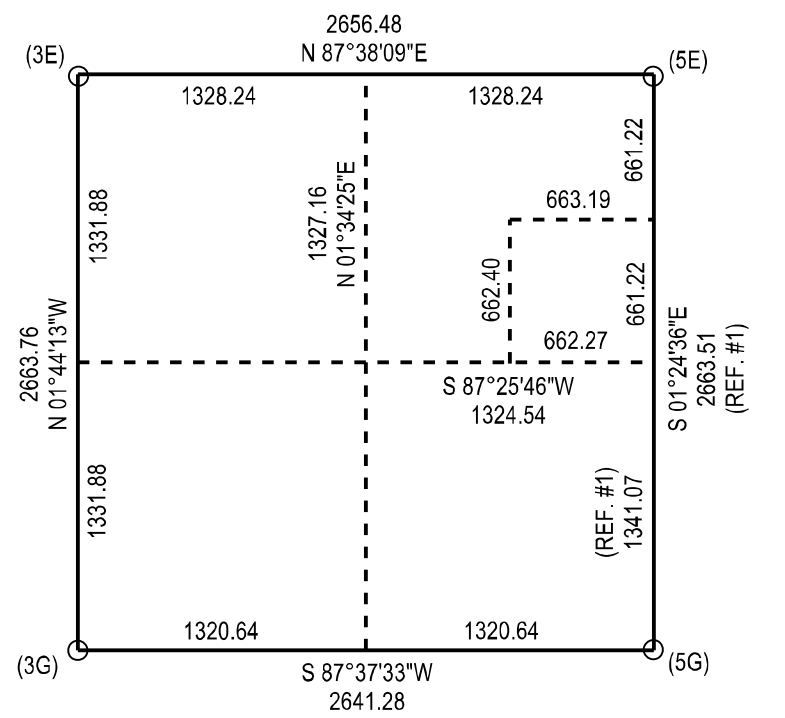
HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66607
(913) 547-3405
hahnsurvey@gmail.com

SCHEMPPS DOUBLE "S" ESTATES

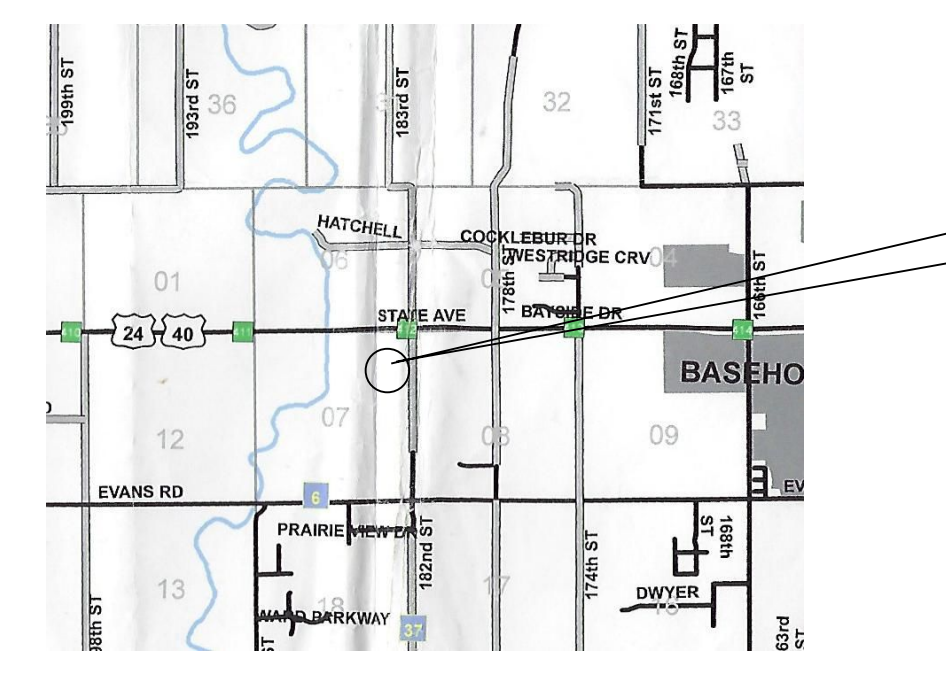
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ALUMINUM CAP
1. SW 125.21 TO CORNER POST - R/W FENCE
2. SSE 146.06 TO TOP NUT OF FIRE HYDRANT
3. SE 115.73 TO CORNER POST - CHAINLINK FENCE



Public Works Reviewed and Approved 8-8-23.



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NOTES

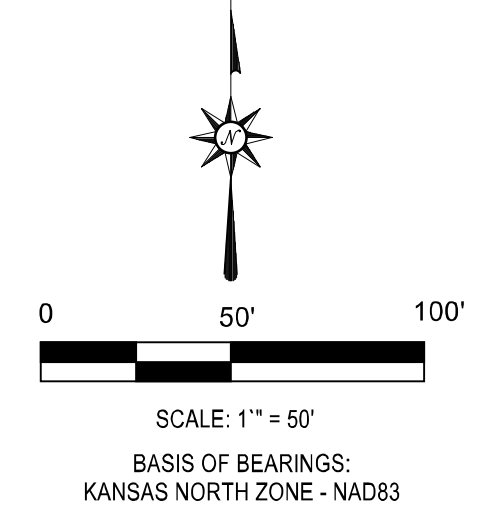
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- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT
- S/B BUILDING SETBACK
- (NS) NO MONUMENT SET BY AGREEMENT WITH CLIENT
- ✕ EXISTING FENCE
- ▨ NO DRIVE ACCESS



DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

UTILITIES

ELECTRIC / EVERGY
WATER / SUBURBAN WATER
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM FIRE DISTRICT / STRANGER

ROAD INFORMATION

182ND STREET - 24' WIDE PAVED SURFACE
ROAD CLASS - COUNTY MINOR COLLECTOR

PUBLIC IMPROVEMENT

NONE

ZONING

RR - 2.5

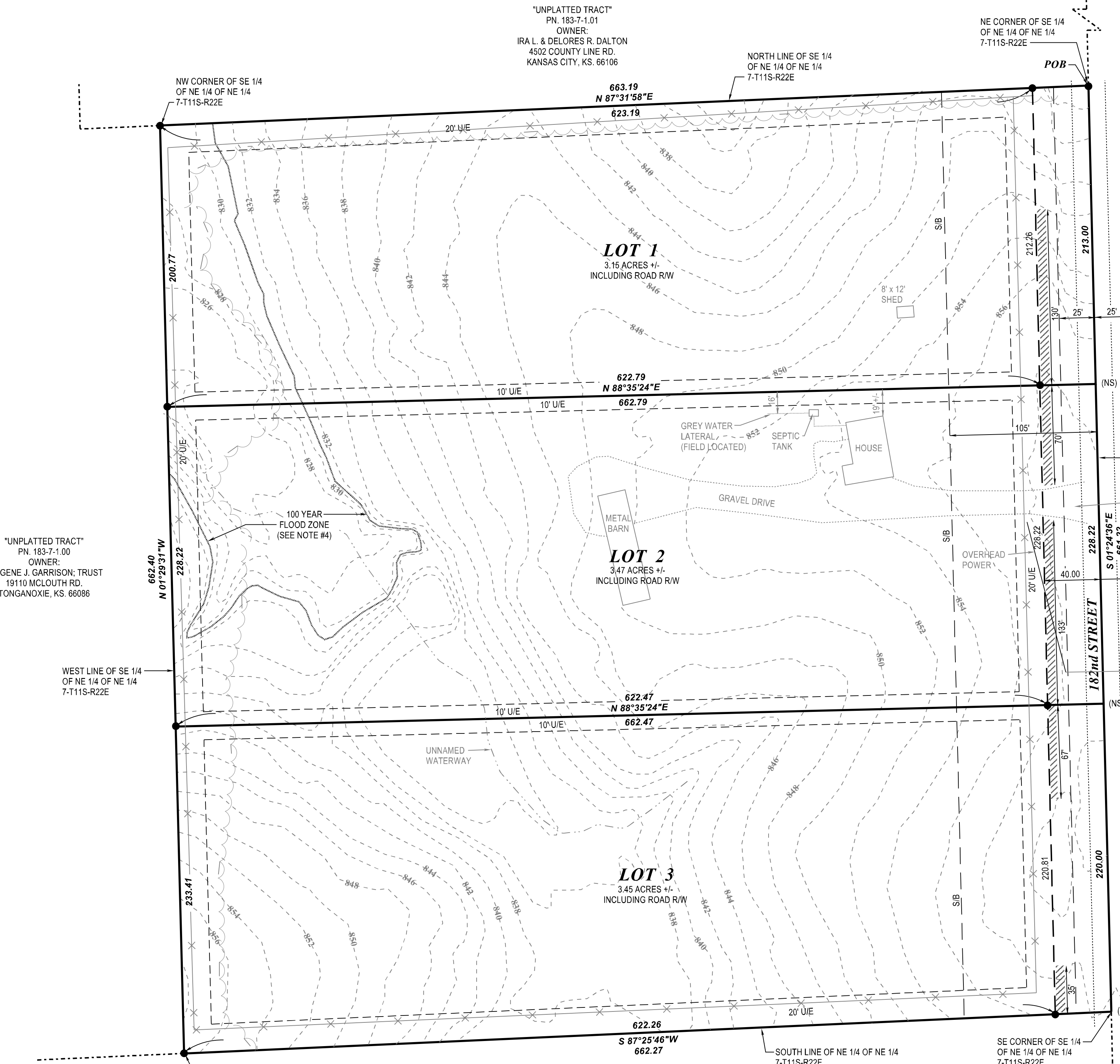
REFERENCES

1. DOC. #2014S020

BENCHMARK

TOP NUT OF FIRE HYDRANT AT THE SE CORNER OF 182ND STREET AND STATE AVE. EL. 840.07 (NAVD 88)

E 1/4 CORNER 7-T11S-R22E (5G)
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2. ENE 42.95 TO 60D NAIL WITH SKOAL LID IN TOP OF CORNER POST
3. NNE 132.55 TO 60D NAIL WITH SKOAL LID IN POWER POLE



"UNPLATTED TRACT"
PN. 183-7-1.00
OWNER:
IMOGENE J. GARRISON; TRUST
19110 MCLOUTH RD.
TONGANOXIE, KS. 66086

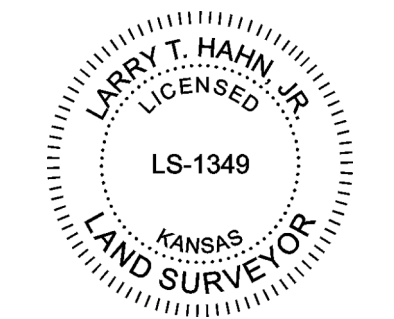
"UNPLATTED TRACT"
PN. 183-7-1.01
OWNER:
IRA L. & DELORES R. DALTON
4502 COUNTY LINE RD.
KANSAS CITY, KS. 66106

"UNPLATTED TRACT"
PN. 183-8-8.00
OWNER:
BRADY MARK & TIFFANIE DIANE SAYERS
18700 182ND STREET
TONGANOXIE, KS. 66086

"UNPLATTED TRACT"
PN. 183-8-8.02
OWNER:
HENSON JOINT REVOCABLE TRUST
18654 182ND STREET
TONGANOXIE, KS. 66086

"UNPLATTED TRACT"
PN. 183-8-8.01
OWNER:
CAMERON S. & TERI L. BELL
18600 182ND STREET
TONGANOXIE, KS. 66086

"UNPLATTED TRACT"
PN. 183-7-20.00
OWNER:
BRADLEY A. & AMANDA K. JORDAN
18575 182ND STREET
TONGANOXIE, KS. 66086



LARRY T. HAHN, PS #1349
THIS IS TO CERTIFY THAT IN THE MONTH OF JUNE, 2023, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

**Leavenworth County
Request for Board Action
Case No. DEV-23-107
Final Plat Kesinger Farms**
Consent Agenda

Date: September 27, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

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

Action Requested: The Board of County Commissioners is requested to approve the plat for Kesinger Farms, as shown on the attached plat, and to authorize the Planning & Zoning Staff to execute the plat on behalf of the Board.

Analysis: The proposed plat for Kesinger Farms is a subdivision of a 100-acre parcel into 10 lots, each approximately 10 acres in size. The plat is consistent with the Leavenworth County Zoning Ordinance, which allows for the subdivision of land into lots of at least 10 acres. The plat also complies with the requirements of the Kansas Subdivision Act, which requires that the plat be approved by the Board of County Commissioners. The Planning & Zoning Staff has reviewed the plat and found it to be in compliance with all applicable laws and regulations. The staff also notes that the plat is a consent agenda item, which means that the Board is not required to hold a public hearing on the plat. The staff recommends that the Board approve the plat and authorize the staff to execute the plat on behalf of the Board.

Recommendation: The Planning & Zoning Staff recommends that the Board of County Commissioners approve the plat for Kesinger Farms and authorize the staff to execute the plat on behalf of the Board.

Alternatives:

The Board may choose to deny the plat if it does not believe that the plat is in compliance with the applicable laws and regulations. However, the staff believes that the plat is in compliance with all applicable laws and regulations, and therefore recommends that the Board approve the plat.

The Board may also choose to modify the plat if it believes that the plat does not accurately reflect the proposed subdivision. However, the staff believes that the plat accurately reflects the proposed subdivision, and therefore recommends that the Board approve the plat as shown.

The Board may also choose to hold a public hearing on the plat if it believes that there are concerns about the plat. However, the staff believes that there are no concerns about the plat, and therefore recommends that the Board approve the plat as a consent agenda item.

The Board may also choose to refer the plat to the Planning & Zoning Staff for further review. However, the staff has already reviewed the plat and found it to be in compliance with all applicable laws and regulations, and therefore recommends that the Board approve the plat.

Budgetary Impact:

- No impact on the County budget.
- A small increase in the County budget due to the cost of the plat.
- A small decrease in the County budget due to the cost of the plat.

Total Amount Requested: \$ 0.00

Additional Attachments: [None]

STAFF REPORT

CASE NO: DEV-23-107 Kesinger Farms

September 13, 2023

REQUEST: #
 Preliminary Plat Final Plat

AMY ALLISON
 DEPUTY DIRECTOR



JOE HERRING
 HERRING SURVEYING

MARILYN & PHILLIP ROBBINS
 24138 LORING ROAD
 LAWRENCE, KS 66044

NONE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:
 RESIDENTIAL (2.5 ACRES MIN)

A tract of land in the Southeast Quarter of Section 12, Township 12 South, Range 20 East of the 6th P.M., in Leavenworth County, Kansas AND a tract of land in the Southwest ¼ of Section 12, Township 12, Range 20 East of the 6th P.M., in Leavenworth County, Kansas

SUBDIVISION: N/A
 FLOODPLAIN: N/A

APPROVAL

APPROVAL

- Recommend approval of Case No. DEV-23-107, Final Plat for Kesinger Farms, to the Board of County Commission, with or without conditions; or
- Recommend denial of Case No. DEV-23-107, Final Plat for Kesinger Farms, to the Board of County Commission for the following reasons; or
- Continue the hearing to another date, time, and place.

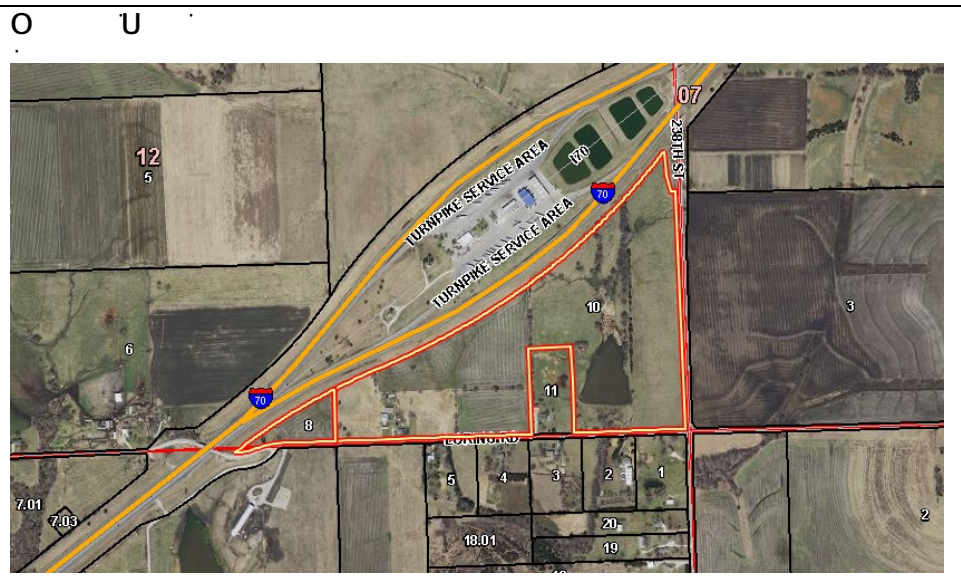
PARCEL SIZE:
 65.47 ACRES

PARCEL ID NO:
 211-12-0-00-00-010.00 & 211-12-0-00-00-012.08

BUILDINGS:
 ONE SINGLE FAMILY RESIDENCE AND MULTIPLE ACCESSORY STRUCTURES

Request for final plat approval to subdivide property located at 00000 & 24138 Loring Road as Lots 1 through 9 of Kesinger Farms

ACCESS/STREET:
 LORING ROAD - COUNTY LOCAL, GRAVEL ± 24'; 238TH STREET - COUNTY LOCAL, GRAVEL ± 24'



SEWER: PRIVATE SEPTIC SYSTEM

FIRE: RENO FD

WATER: RWD 10

ELECTRIC: EVERGY

STAFF REVIEW:
 8/23/2023

NEWSPAPER NOTIFICATION:
 N/A

NOTICE TO SURROUNDING PROPERTY OWNERS:
 N/A

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|---|---|---|---------|-----|-----|
| O | # | o | o h k | U | V U |
| 35-40 | h | h | # | N/A | |
| 40-20 | 7 | h | # | X | |
| 41-6 | ° | U | | X | |
| 41-6.B.a-c. | - | o | | X | |
| 41-6.C. | h | k | U o | X | |
| 43 | # | ° | - | N/A | |
| 50-20 | y | k | | X | |
| 50-30 | \ | k | | X | |
| 50-40 | U |) | o | | X |
| Exception from Article 50, Section 40.3.i. Lot-depth to Lot-Width for Lot 1 was granted during the Preliminary Plat approval. | | | | | |
| 50-50 | o | O |) | N/A | |
| 50-60. |) | k | h o \ o | N/A | |

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The applicant is proposing to divide 65-acre acres into 10 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). The proposed lots will range in size from 5.02 to 12.10 acres in size. The existing single-family residence with will remain on Lot 2 with most of the existing agricultural accessory structures. The house and barn are located within the front building setback line and any future modifications or additions must comply with the current regulations. Another structure will be located on Lot 7 but is less than 600 sf and used for maintenance/agricultural purposes. A small utility building is located in the right-of-way of Lot 1. Said building will not be permitted to be enlarged or modified in its current configuration. Two billboards are located within the plat. The applicant has removed the easements for the billboards and the billboard ownership will run with the land it sits on. . Lots 6 & 7 will both have access to the existing pond and therefore both owners will need to agree to maintain the pond. The properties are located along the I-70 corridor and therefore a 50 ft. buffer easement has been included. Once developed, the properties will need to provide the required screening per Restriction 9. Staff is generally in support.

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- 1.Á Building permits shall be required for any new construction.
- 2.Á 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.Á A waiver for the use of private septic systems within this subdivision is granted with this approval.
- 4.Á At time of development, fire hydrants shall be required, if necessary infrastructure is available.
- 5.Á An exception to Article 50, Section 40.3.i. has been grated for Lot 1.
- 6.Á The subdivision will need to install the required buffer landscaping per Article 50, Section 40.2.g.
- 7.Á The developer must comply with the following memorandums:
 - a.Á Email – Chuck Magaha, Emergency Management, dated May 5, 2023
 - b.Á Email - RWD 10, dated April 28, 2023

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

FINAL PLAT APPLICATION & PROCEDURES

For

THE UNINCORPORATED AREA OF
LEAVENWORTH COUNTY, KANSAS

A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO
SUBMITTAL OF ANY APPLICATION

DEADLINE: All application materials shall be submitted by
the application deadline as indicated on the current Planning
Commission Schedule and Deadlines form.

ALL APPLICATION FEES ARE NON-REFUNDABLE

For more information contact:
Leavenworth County Planning and Zoning Department,
300 Walnut St., Suite 212
Leavenworth, Kansas
pz@leavenworthcounty.gov
913-684-0465

FINAL PLATTING PROCEDURES

APPLICANT RESPONSIBILITIES: Submission of less than the following items may delay the review and processing of the application.

- A. A complete application form (Attachment A)
- B. Legal description (current deed) of the property.
- C. Payment of application fee. Make check payable to Leavenworth County Planning & Zoning Department.
- D. Utility Service Verification for parcel(s). (i.e. rural water district, electric company, township fire department, natural gas to be used and any other applicable services.)
- E. Owner Authorization if not the legal owner of the property. (Attachment B)
- F. Property Tax Acknowledgement. (Attachment C)
- G. A draft Homeowners Association (“HOA”) agreement (See Attachment D) if plat is proposing the creation of a Cross Access Easement.
- H. Copy of approved Preliminary Plat drawing if not being submitted with the Preliminary Plat Application.
- I. One (1) 24” x 36” physical and one (1) digital set of the Final Plat drawings, which must include the Parent Tract.
- J. Special studies, reports, etc. (Contact the Public Works office for any other applicable requirements).

FOR ADDITIONAL REQUIREMENTS, PLEASE REFER TO THE *LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS*, WHICH INCLUDES THE FOLLOWING ARTICLES APPLICABLE TO PLAT APPLICATIONS.

- 1. Article 20 – Additional Height and Area Regulations;
- 2. Article 35 – Preliminary Plat Procedure and Content;
- 3. Article 40 – Final Plat Procedure, Content and Action by the Planning Commission;
- 4. Article 50 – Minimum Subdivision Design Standards and General Requirements;
- 5. Article 55 – Improvements and Improvement Plans;
- 6. Article 60 – Miscellaneous Provision;
- 7. Article 70 – Supplementary Documents to Accompany the Final Plat;
- 8. Article 80 – Submission of Recorded Plats.
- 9. Any other applicable Regulations.

DEADLINE: See Planning Commission Schedule and Deadlines form.

PRELIMINARY PLAT REVIEWS ARE SUBJECT TO THE PROFESSIONAL REVIEW FEE REIMBURSEMENT POLICY (ATTACHMENT E) AS ADOPTED BY RESOLUTION 2020-46 ON NOVEMBER 18, 2020.

PRELIMINARY PLAT REVIEWS ARE SUBJECT TO THE SUBDIVISION ROADWAY INSPECTION SERVICES POLICY (ATTACHMENT F) AS ADOPTED ON JANUARY 18, 2023.

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: Joe Herring NAME: Marilyn & Phillip Robbins
MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS 24138 Loring Road
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Lawrence, KS 66044
PHONE: 913-651-3858 PHONE: N/A
EMAIL : herringsurveying@outlook.comm EMAIL N/A

GENERAL INFORMATION

Proposed Subdivision Name: KESINGER FARMS
Address of Property: 24138 Loring Road
PID: 211-12-0-00-00-010 & 012.08 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION

| | | |
|--|--|-------------------------------|
| Gross Acreage: 62 Acres | Number of Lots: 9 | Minimum Lot Size: 5 Acres |
| Maximum Lot Size: 10 Acres | Proposed Zoning: RR-5 | Density: N/A |
| Open Space Acreage: N/A | Water District: RWD 10 | Proposed Sewage: Septic |
| Fire District: Reno | Electric Provider: Evergy | Natural Gas Provider: Propane |
| Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Road Classification: Local - Collector - Arterial - State - Federal | |
| | 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 Date: 7-21-23

ATTACHMENT A

KESINGER FARMS

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

FINAL PLAT

PROPERTY ADDRESS:
Marilyn L. & Phillip F. Robbins
34138 Long Road
Lawrence, KS 66044
FD # 211-12-0-00-010 & 012-08

SURVEYOR'S DESCRIPTION:
A tract of land in the South Half of Section 12, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring PS-1296 on August 10, 2023, more fully described as follows: Beginning at the Southeast Corner of the Southeast Quarter of said Section 12, thence South 87 degrees 57'24" West for a distance of 848.00 feet along the South line of said Southeast Quarter; thence North 02 degrees 02'08" West for a distance of 682.00 feet; thence South 87 degrees 57'52" West for a distance of 320.00 feet to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 682.00 feet to said South line; thence South 87 degrees 57'52" West for a distance of 1483.36 feet along said South line; thence South 87 degrees 54'26" West for a distance of 691.27 feet along the South line of the Southwest Quarter of said Section 12 to the Southern right of way line of Kansas Turnpike (Interstate 70); thence along a non-tangent curve to the right having a radius of 4433.66 feet and an arc length of 796.40 feet along said Southerly right of way, being subtended by a chord bearing of North 57 degrees 51'03" East and a chord distance of 707.23 feet; thence North 64 degrees 27'27" East for a distance of 803.15 feet along said Southerly right of way to a 1/2" Bar Cap LS-1296; thence along a curve to the left having a radius of 4776.84 feet and an arc length of 1833.52 feet, being subtended by a chord bearing North 53 degrees 18'25" East and a chord distance 1822.39 feet, along said Southerly right of way, to a 1/2" Bar Cap LS-1296; thence North 39 degrees 44'42" East for a distance of 496.85 feet along said Southerly right of way to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 112.36 feet along said right of way to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 403.75 feet along said right of way to a 1/2" Bar Cap LS-1296; thence North 87 degrees 48'19" East for a distance of 50.00 feet to the East line of said Southeast Quarter; thence South 02 degrees 02'08" East for a distance of 1429.99 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 65.81 acres, more or less, including road right of ways. Error of Closure = 1 : 1239662

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

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

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

IN TESTIMONY WHEREOF,
We, the undersigned owners of KESINGER FARMS, have set our hands this _____ day of _____, 2023.

Marilyn L. Robbins Phillip F. Robbins

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Marilyn L. Robbins and Phillip F. Robbins, a married couple, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC:
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of KESINGER FARMS this _____ day of _____, 2023.

Secretary John Jacobson Chairman Marcus Kijure

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 COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of KESINGER FARMS this _____ day of _____, 2023.

Chairman Vicky Kazz County Clerk Janet Klasinski

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

Register of Deeds - Terril G. Mashburn

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The best 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 Branchini, PS#1363 County Surveyor

217 Southwest Corner Section 12-12-20 3/4" Bar Found

233 South Quarter Corner Sec. 12-12-20 10" x 6" Limestone with 1/2" Bar on North & South side of Stone

28M Vineyard Destination Kansas LLC T216-13...007

Torneden, Harold F T216-13...006

Edwards, Constance M Engelmann, Trust P216-13...005

Contreras, Abelina B. Zesati, Alejandra P216-13...004

Denham, Jeffrey B & Kelly R P216-13...003

Dibble, John M & Deanna P216-13...002

Morey, Burt & Jan, Trust P216-13...001

Hallenbeck, Roger A, Trust P216-13...003

Irick, Audrey F, Trust P216-13...001

25G East Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25H West Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25I North Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25J South Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25K East Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25L West Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25M North Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25N South Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25O East Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

25P West Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

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25S East Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

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25AA East Quarter Corner Sec. 12-12-20 1/2" Bar Unreadable Cap

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MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Kesinger Farms Subdivision
Date: May 5, 2023

Amy, I have reviewed the preliminary plat of the Kesinger Farms Subdivision presented by Phillip and Marilyn Robbins. The subdivision meets the requirements for a fire hydrants and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, fire hydrants need to be placed along the road right-a-way at 238th at lot 8 one placed at the corner of 238th and Loring Road then proceed West 1000 feet to Lots 3 and 4. There is a blow off valve at 238th and Loring Road but this would need to be upgraded to a fire hydrant for this location.

I have no further recommendation for this subdivision.

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

KESINGER FARMS

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

FINAL PLAT

PROPERTY ADDRESS:
Marilyn L. & Phillip F. Robbins
3438 Long Road
Lawrence, KS 66044
FD # 211-12-0-00-00-010 & 012-08

SURVEYOR'S DESCRIPTION:
A tract of land in the Southeast Half of Section 12, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at the Southeast Corner of the Southeast Quarter of said Section 12; thence South 87 degrees 57'52" West for a distance of 848.00 feet along the South line of said Southeast Quarter; thence North 02 degrees 02'08" West for a distance of 682.00 feet; thence South 87 degrees 57'52" West for a distance of 320.00 feet to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 682.00 feet to said South line; thence South 87 degrees 57'52" West for a distance of 1483.36 feet along said South line; thence South 87 degrees 54'26" West for a distance of 691.37 feet along the South line of the Southwest Quarter of said Section 12 to the Southerly right of way line of Kansas Turnpike (Interstate 70); thence along a non-tangent curve to the right having a radius of 4423.66 feet and an arc length of 798.40 feet along said Southerly right of way, being subtended by a chord bearing of North 57 degrees 51'03" East and a chord distance of 797.32 feet; thence North 64 degrees 37'27" East for a distance of 803.15 feet along said Southerly right of way; 1/2" Bar Cap LS-1296; thence along a curve to the left having a radius of 4778.84 feet and an arc length of 1833.02 feet, being subtended by a chord bearing North 53 degrees 18'25" East and a chord distance 1822.39 feet, along said Southerly right of way; 1/2" Bar Cap LS-1296; thence North 39 degrees 44'42" East for a distance of 496.85 feet along said Southerly right of way to a 1/2" Bar Cap LS-1296; thence South 02 degrees 12'32" East for a distance of 184.84 feet along said right of way to a 1/2" Bar Cap LS-1296; thence South 17 degrees 41'44" East for a distance of 112.36 feet along said right of way to a 1/2" Bar Cap LS-1296; thence South 02 degrees 12'32" East for a distance of 403.75 feet along said right of way to a 1/2" Bar Cap LS-1296; thence North 87 degrees 48'07" East for a distance of 50.00 feet to the East line of said Southeast Quarter; thence South 02 degrees 12'32" East for a distance of 1428.89 feet along said East line to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.
Said property contains 64.32 acres, more or less, including road right of ways.
Error of Closure = 1" = 1:239662

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: KESINGER FARMS.

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

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewers, drainage ditches, 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 KESINGER FARMS, have set our hands this _____ day of _____, 2023.

Marilyn L. Robbins Phillip F. Robbins

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Marilyn L. Robbins and Phillip F. Robbins, a married couple, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC:
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of KESINGER FARMS this _____ day of _____, 2023.

Secretary John Jacobson Chairman Marcus Kijure

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 COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of KESINGER FARMS this _____ day of _____, 2023.

Chairman Vicky Kazz County Clerk Attest: Janet Klasinski

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

Register of Deeds - Terril G. Mashburn

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

Daniel Branchini, PS#1363
County Surveyor

217 Southwest Corner Sec. 12-12-20 5/8" Bar Found

23G Center of Sec. 12-12-20 5/8" Bar Found

23H South Quarter Corner Sec. 12-12-20 10" x 6" Limestone with 1/2" Bar on North & South side of Stone

23M Vineyard Destination Kansas LLC PID 216-13...007

Torneden, Harold F PID 216-13...006

Edwards, Constance M Engelmann, Trust PID 216-13...005

Contreras, Abilina B. Zesati, Alejandra PID 216-13...004

Denham, Jeffrey B & Kelly R PID 216-13...003

Dibble, John M & Deanna PID 216-13...002

Morey, Burt & Jan, Trust PID 216-13...001

Hallenbeck, Roger A, Trust PID 224-18...003

Irick, Audrey F, Trust PID 223-07...003

Mc Vey, Joseph J & Dana L PID 211-12...011

Tract 34-10A PID 216-13...001

Tract 34-10B PID 216-13...002

Tract 34-10C PID 216-13...003

Tract 34-10D PID 216-13...004

Tract 34-10E PID 216-13...005

Tract 34-10F PID 216-13...006

Tract 34-10G PID 216-13...007

Tract 34-10H PID 216-13...008

Tract 34-10I PID 216-13...009

Tract 34-10J PID 216-13...010

Tract 34-10K PID 216-13...011

Tract 34-10L PID 216-13...012

Tract 34-10M PID 216-13...013

Tract 34-10N PID 216-13...014

Tract 34-10O PID 216-13...015

Tract 34-10P PID 216-13...016

Tract 34-10Q PID 216-13...017

Tract 34-10R PID 216-13...018

Tract 34-10S PID 216-13...019

Tract 34-10T PID 216-13...020

Tract 34-10U PID 216-13...021

Tract 34-10V PID 216-13...022

Tract 34-10W PID 216-13...023

Tract 34-10X PID 216-13...024

Tract 34-10Y PID 216-13...025

Tract 34-10Z PID 216-13...026

Tract 34-10AA PID 216-13...027

Tract 34-10AB PID 216-13...028

Tract 34-10AC PID 216-13...029

Tract 34-10AD PID 216-13...030

Tract 34-10AE PID 216-13...031

Tract 34-10AF PID 216-13...032

Tract 34-10AG PID 216-13...033

Tract 34-10AH PID 216-13...034

Tract 34-10AI PID 216-13...035

Tract 34-10AJ PID 216-13...036

Tract 34-10AK PID 216-13...037

Tract 34-10AL PID 216-13...038

Tract 34-10AM PID 216-13...039

Tract 34-10AN PID 216-13...040

Tract 34-10AO PID 216-13...041

Tract 34-10AP PID 216-13...042

Tract 34-10AQ PID 216-13...043

Tract 34-10AR PID 216-13...044

Tract 34-10AS PID 216-13...045

Tract 34-10AT PID 216-13...046

Tract 34-10AU PID 216-13...047

Tract 34-10AV PID 216-13...048

Tract 34-10AW PID 216-13...049

Tract 34-10AX PID 216-13...050

Tract 34-10AY PID 216-13...051

Tract 34-10AZ PID 216-13...052

Tract 34-10BA PID 216-13...053

Tract 34-10BB PID 216-13...054

Tract 34-10BC PID 216-13...055

Tract 34-10BD PID 216-13...056

Tract 34-10BE PID 216-13...057

Tract 34-10BF PID 216-13...058

Tract 34-10BG PID 216-13...059

Tract 34-10BH PID 216-13...060

Tract 34-10BI PID 216-13...061

Tract 34-10BJ PID 216-13...062

Tract 34-10BK PID 216-13...063

Tract 34-10BL PID 216-13...064

Tract 34-10BM PID 216-13...065

Tract 34-10BN PID 216-13...066

Tract 34-10BO PID 216-13...067

Tract 34-10BP PID 216-13...068

Tract 34-10BQ PID 216-13...069

Tract 34-10BR PID 216-13...070

Tract 34-10BS PID 216-13...071

Tract 34-10BT PID 216-13...072

Tract 34-10BU PID 216-13...073

Tract 34-10BV PID 216-13...074

Tract 34-10BW PID 216-13...075

Tract 34-10BX PID 216-13...076

Tract 34-10BY PID 216-13...077

Tract 34-10BZ PID 216-13...078

Tract 34-10CA PID 216-13...079

Tract 34-10CB PID 216-13...080

Tract 34-10CC PID 216-13...081

Tract 34-10CD PID 216-13...082

Tract 34-10CE PID 216-13...083

Tract 34-10CF PID 216-13...084

Tract 34-10CG PID 216-13...085

Tract 34-10CH PID 216-13...086

Tract 34-10CI PID 216-13...087

Tract 34-10CJ PID 216-13...088

Tract 34-10CK PID 216-13...089

Tract 34-10CL PID 216-13...090

Tract 34-10CM PID 216-13...091

Tract 34-10CN PID 216-13...092

Tract 34-10CO PID 216-13...093

Tract 34-10CP PID 216-13...094

Tract 34-10CQ PID 216-13...095

Tract 34-10CR PID 216-13...096

Tract 34-10CS PID 216-13...097

Tract 34-10CT PID 216-13...098

Tract 34-10CU PID 216-13...099

Tract 34-10CV PID 216-13...100

Tract 34-10CW PID 216-13...101

Tract 34-10CX PID 216-13...102

Tract 34-10CY PID 216-13...103

Tract 34-10CZ PID 216-13...104

Tract 34-10DA PID 216-13...105

Tract 34-10DB PID 216-13...106

Tract 34-10DC PID 216-13...107

Tract 34-10DD PID 216-13...108

Tract 34-10DE PID 216-13...109

Tract 34-10DF PID 216-13...110

Tract 34-10DG PID 216-13...111

Tract 34-10DH PID 216-13...112

Tract 34-10DI PID 216-13...113

Tract 34-10DJ PID 216-13...114

Tract 34-10DK PID 216-13...115

Tract 34-10DL PID 216-13...116

Tract 34-10DM PID 216-13...117

Tract 34-10DN PID 216-13...118

Tract 34-10DO PID 216-13...119

Tract 34-10DP PID 216-13...120

Tract 34-10DQ PID 216-13...121

Tract 34-10DR PID 216-13...122

Tract 34-10DS PID 216-13...123

Tract 34-10DT PID 216-13...124

Tract 34-10DU PID 216-13...125

Tract 34-10DV PID 216-13...126

Tract 34-10DW PID 216-13...127

Tract 34-10DX PID 216-13...128

Tract 34-10DY PID 216-13...129

Tract 34-10DZ PID 216-13...130

Tract 34-10EA PID 216-13...131

Tract 34-10EB PID 216-13...132

Tract 34-10EC PID 216-13...133

Tract 34-10ED PID 216-13...134

Tract 34-10EE PID 216-13...135

Tract 34-10EF PID 216-13...136

Tract 34-10EG PID 216-13...137

Tract 34-10EH PID 216-13...138

Tract 34-10EI PID 216-13...139

Tract 34-10EJ PID 216-13...140

Tract 34-10EK PID 216-13...141

Tract 34-10EL PID 216-13...142

Tract 34-10EM PID 216-13...143

Tract 34-10EN PID 216-13...144

Tract 34-10EO PID 216-13...145

Tract 34-10EP PID 216-13...146

Tract 34-10EQ PID 216-13...147

Tract 34-10ER PID 216-13...148

Tract 34-10ES PID 216-13...149

Tract 34-10ET PID 216-13...150

Tract 34-10EU PID 216-13...151

Tract 34-10EV PID 216-13...152

Tract 34-10EW PID 216-13...153

Tract 34-10EX PID 216-13...154

Tract 34-10EY PID 216-13...155

Tract 34-10EZ PID 216-13...156

Tract 34-10FA PID 216-13...157

Tract 34-10FB PID 216-13...158

Tract 34-10FC PID 216-13...159

Tract 34-10FD PID 216-13...160

Tract 34-10FE PID 216-13...161

Tract 34-10FF PID 216-13...162

Tract 34-10FG PID 216-13...163

Tract 34-10FH PID 216-13...164

Tract 34-10FI PID 216-13...165

Tract 34-10FJ PID 216-13...166

Tract 34-10FK PID 216-13...167

Tract 34-10FL PID 216-13...168

Tract 34-10FM PID 216-13...169

Tract 34-10FN PID 216-13...170

Tract 34-10FO PID 216-13...171

Tract 34-10FP PID 216-13...172

Tract 34-

KESINGER FARMS

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

FINAL PLAT

PROPERTY ADDRESS:
Marilyn L. & Phillip F. Robbins
34138 Long Road
Lawrence, KS 66044
FD # 211-12-0-00-010 & 012-08

SURVEYOR'S DESCRIPTION:

A tract of land in the South Half of Section 12, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, written by Joseph A. Herring PS-1296 on August 10, 2023, more fully described as follows: Beginning at the Southeast Corner of the Southeast Quarter of said Section 12, thence South 87 degrees 57'24" West for a distance of 848.00 feet along the South line of said Southeast Quarter; thence North 02 degrees 02'08" West for a distance of 682.00 feet; thence South 87 degrees 57'52" West for a distance of 320.00 feet to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 682.00 feet to said South line; thence South 87 degrees 57'52" West for a distance of 1483.36 feet along said South line; thence South 87 degrees 54'26" West for a distance of 691.27 feet along the South line of the Southwest Quarter of said Section 12 to the Southern right of way line of Kansas Turnpike (Interstate 70); thence along a non-tangent curve to the right having a radius of 4433.66 feet and an arc length of 796.40 feet along said Southerly right of way, being subtended by a chord bearing of North 57 degrees 51'03" East and a chord distance of 707.23 feet; thence North 64 degrees 27'27" East for a distance of 803.15 feet along said Southerly right of way to a 1/2" Bar Cap LS-1296; thence along a curve to the left having a radius of 4776.84 feet and an arc length of 1833.52 feet, being subtended by a chord bearing North 53 degrees 18'25" East and a chord distance 1822.39 feet, along said Southerly right of way, to a 1/2" Bar Cap LS-1296; thence North 39 degrees 44'42" East for a distance of 496.85 feet along said Southerly right of way to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 112.36 feet along said right of way to a 1/2" Bar Cap LS-1296; thence South 02 degrees 02'08" East for a distance of 403.75 feet along said right of way to a 1/2" Bar Cap LS-1296; thence North 87 degrees 48'19" East for a distance of 50.00 feet to the East line of said Southeast Quarter; thence South 02 degrees 02'08" East for a distance of 1429.99 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 65.81 acres, more or less, including road right of ways. Error of Closure = 1 : 123962

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: KESINGER FARMS.

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

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

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

IN TESTIMONY WHEREOF,

We, the undersigned owners of KESINGER FARMS, have set our hands this _____ day of _____, 2023.

Marilyn L. Robbins Phillip F. Robbins

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Marilyn L. Robbins and Phillip F. Robbins, a married couple, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC:

My Commission Expires: _____ (seal)

APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of KESINGER FARMS this _____ day of _____, 2023.

Secretary John Jacobson Chairman Marcus Kijure

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 KESINGER FARMS this _____ day of _____, 2023.

Chairman Vicky Kazz County Clerk Attest: Janet Klasinski

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

Register of Deeds - Terril G. Mashburn

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

Reviewed 2023.06.23 No Comments
David Beumchen, PS#1367
County Surveyor

217 Southwest Corner Section 12-12-20 3/4" Bar Found

233 South Quarter Corner Sec. 12-12-20 10" x 6" Limestone with 1/2" Bar on North & South side of Stone

Z&M VINEYARD DESTINATION KANSAS LLC PID 216-13...007
TORNEDEN, HAROLD F PID 216-13...006

EDWARDS, CONSTANCE M ENGELMANN, TRUST PID 216-13...005

CONTRERAS, ADELINA B. ZESATI, LALEJANDRA PID 216-13...004

DENHAM, JEFFREY B & KELLY R PID 216-13...003

DIBBLE, JOHN M & DEANNA PID 216-13...002

MOREY, BURT & JAM, TRUST PID 216-13...001

HALLENBECK, ROGER A, TRUST PID 224-18...003

Scale 1" = 100'
Job # K-22-741
July 19, 2022 Rev. 6/21/23
J. HERRING SURVEYING COMPANY
315 North 8th Street, Law, KS 66044
Ph. 785.851.3858 Fax 413.497.7266
Email: survey@herringco.com

LEAVENWORTH COUNTY
VINEYARD DESTINATION KANSAS LLC
NOT TO SCALE

233 South Quarter Corner Sec. 12-12-20 10" x 6" Limestone with 1/2" Bar on North & South side of Stone

INSIGHT SCALE 1" = 20'
LOT 9
A-153.94'
R-4776.84'
CB-W 52°18'22" E
CD-1822.39'

Survey for KESINGER FARMS, Subdivided by Rev. L.V. County dated 05/15/1998

LOT 1 5.03 Acres more or less Incl. R/W
LOT 2 5.56 Acres more or less Incl. R/W
LOT 3 5.02 Acres more or less Incl. R/W
LOT 4 5.95 Acres more or less Incl. R/W
LOT 5 7.13 Acres more or less Incl. R/W
LOT 6 7.43 Acres more or less Incl. R/W
LOT 7 7.77 Acres more or less Incl. R/W
LOT 8 10.04 Acres more or less Incl. R/W
LOT 9 12.10 Acres more or less Incl. R/W

ZONING:

RR S - Rural Residential 5

NOTES:

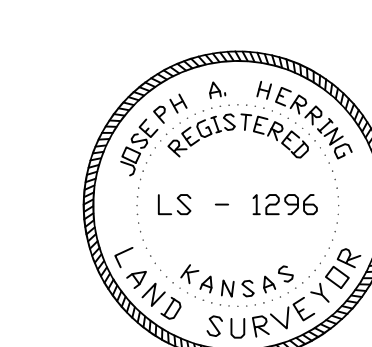
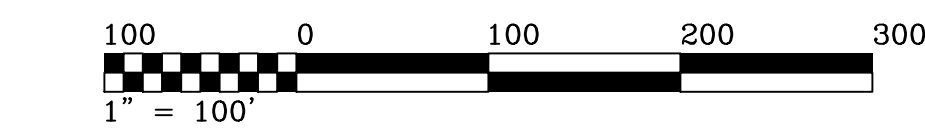
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing Use Ag & Residential - Proposed Lots for AG & Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD83
Project Benchmark (BM) - South Quarter Corner - 1/2" Bar - 899.3'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Document No. 2014R02466
- 12) Utility Companies
- Water - Rural Water District 10
- Electric - Eversay
- Sewer - Seagle
- Gas - Propane / Natural Gas
- 13) Reference Kansas Secured Title, Inc. File Number TK0017149 updated August 10, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA Flood Map 201503000C dated July 15, 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
- Negative Easements dated November 6, 1992 recorded February 27, 1993 in Book 651, Page 254 - 258 granting unto Centran Corporation, Field Inspection, Kansas One Call locate did not establish location of a gas line. Testimony of owners state that they do not have knowledge of location of said gas line. No evidence recovered to support a gas line crossing surveyed property. See Affidavit signed June 30, 2023 by property owners.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys
(JAH) - J.A.Herring Survey Doc. #2018S068
(CS) - C.F.Steinbacher Survey Book S-10 Page 57 dated 1975 IMA 1975S057 (CSA) - Kansas Turnpike Survey Information Tract No. 34-10 dated 1955 & Tract 34-10A

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



Scale 1" = 100'

Job # K-22-741
July 19, 2022 Rev. 6/21/23



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of January through April 2023 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-23-092/093
Preliminary & Final Plat Sunny Side Estates 2nd**
~~XXXXX~~

Date: September 27, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

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

Action Requested: Approve the preliminary plat for Sunny Side Estates 2nd and the final plat for Sunny Side Estates 2nd as shown on the attached plat.

Analysis: The applicant has submitted a preliminary plat for Sunny Side Estates 2nd and a final plat for Sunny Side Estates 2nd. The preliminary plat shows a subdivision of approximately 100 lots, with a total area of approximately 100 acres. The final plat shows a subdivision of approximately 100 lots, with a total area of approximately 100 acres. The applicant has provided a detailed site plan and a plat map showing the proposed lots, easements, and other features. The applicant has also provided a detailed description of the proposed subdivision, including the names of the lots, the area of each lot, and the proposed uses for each lot. The applicant has also provided a detailed description of the proposed easements, including the location of each easement, the width of each easement, and the proposed uses for each easement. The applicant has also provided a detailed description of the proposed other features, including the location of each feature, the size of each feature, and the proposed uses for each feature. The applicant has also provided a detailed description of the proposed subdivision, including the names of the lots, the area of each lot, and the proposed uses for each lot. The applicant has also provided a detailed description of the proposed easements, including the location of each easement, the width of each easement, and the proposed uses for each easement. The applicant has also provided a detailed description of the proposed other features, including the location of each feature, the size of each feature, and the proposed uses for each feature.

Exceptions: There are no exceptions to the proposed subdivision.

Recommendation: Approve the preliminary plat for Sunny Side Estates 2nd and the final plat for Sunny Side Estates 2nd as shown on the attached plat.

Alternatives: There are no alternatives to the proposed subdivision.

STAFF REPORT

CASE NO: DEV-23-092/093 Sunny Side Estates 2nd

September 13, 2023

REQUEST: Preliminary Plat Final Plat

AMY ALLISON
DEPUTY DIRECTOR

00000 167TH TERRACE

JOE HERRING
HERRING SURVEYING

ALLAN F & MARION SUE STORK
16678 EVANS ROAD
BASEHOR, KS 66007

NONE

ZONING: RR-2.5
FUTURE LAND USE DESIGNATION:
MIXED RESIDENTIAL

A tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

SUBDIVISION: N/A
FLOODPLAIN: N/A

APPROVAL

1. Recommend approval of Case No. DEV-23-092/093, Preliminary & Final Plat for Sunny Side Estates 2nd, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-092/093, Preliminary & Final Plat for Sunny Side Estates 2nd, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

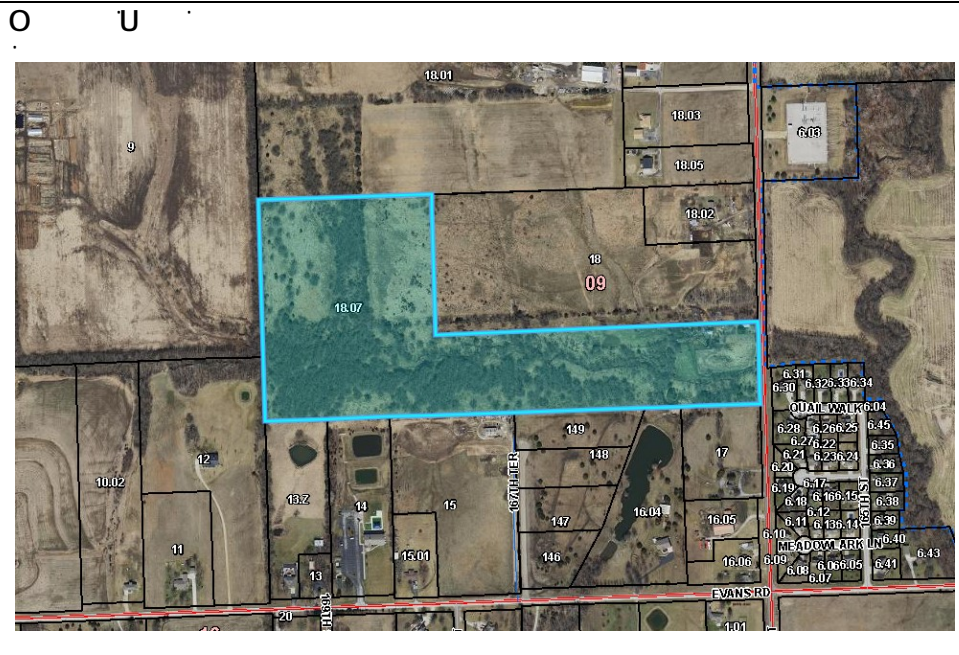
PARCEL SIZE:
35 ACRES

PARCEL ID NO: 182-09-0-00-00-018.07

BUILDINGS:
N/A

Request for preliminary and final plat approval to subdivide property located at 00000 167th Terrace (PID: 182-09-0-00-00-018.07) as Lots 1 through 3 of Sunny Side Estates 2nd

ACCESS/STREET:
167TH TERRACE – CROSS ACCESS
EASEMENT, PAVED ± 27’;



SEWER: PRIVATE SEPTIC SYSTEM
FIRE: FAIRMOUNT
WATER: SUBURBAN WATER
ELECTRIC: EVERGY

STAFF REVIEW:
8/23/2023

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

| U V) ° k) o u \ " - # \ V o @ - k -) | | | | |
|---|---|-----------|-----|-----|
| O | # | o o h k | U | V U |
| 35-40 | h | h # | X | |
| 40-20 | 7 | h # | X | |
| 41-6 | U | | X | |
| 41-6.B.a-c. | - | o | N/A | |
| 41-6.C. | h | k U o | N/A | |
| 43 | # | - | X | |
| 50-20 | y | k | X | |
| 50-30 | \ | k | X | |
| 50-40 | U |) o | | X |
| The applicant is requesting an exception on Article 50, Section 40.3.i. lot-depth to lot-width for Lot 1. | | | | |
| 50-50 | o | O) | N/A | |
| 50-60. |) | k h o \ o | N/A | |

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The applicant is proposing to divide a 35-acre non-compliant parcel into 3 lots. The property was split via a non-compliant Certificate of Survey. In order to bring the property back into compliance, the applicant must subdivide the property. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lot 1 is proposed to be 9.6 acres in size. It does not meet the lot-depth to lot-width requirement but the applicant is requesting an exception. Lot 2 is proposed to be 18.69 acres in size. Lots 1 & 2 will split a pond. Due to the location of the pond, both driveways have been designed in a manner that will not impact the proposed emergency spillway of the pond (see Preliminary Plat). Lot 3 is proposed to be 7.45 acres with an additional pond being located on this property. Both ponds have been permitted by the County and have been approved by the State. Lots 2 & 3 comply with the requirements of the RR-2.5 zoning district. The applicant is applying for an addition onto the Sunny Side Estates Cross Access Easement. This would be the second and final phase. Access to the three lots would come through 167th Terrace. The HOA agreement has been provided and reviewed. 167th Terrace shall remain the responsibility of the HOA for construction and maintenance. An existing gas line runs along the southern property line of this subdivision. The applicant has provided the County required 50 ft. setback, however, staff has not received verification from the applicant that the Gas Company will not require additional setbacks or whether the proposed private roadway has been approved.

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

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

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- 1.Á Building permits shall be required for any new construction.
- 2.Á 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.Á A waiver for the use of private septic systems within this subdivision is granted with this approval.
- 4.Á At time of development, fire hydrants shall be required, if necessary infrastructure is available.
- 5.Á A notation shall be included on the final plat that states an exception from Article 50 – Section 40.3.1. lot-depth to lot-width has been approved for Lot 1.
- 6.Á Sunny Side Estates 2nd is hereby approved as a Cross Access Easement subdivision. The installation and maintenance of 167th Terrace is the responsibility of the members of the Home Owners Association per the attached HOA agreement. Leavenworth County does not accept any liability or maintenance of the proposed private drive.
- 7.Á The developer must comply with the following memorandums:
 - a.Á Email – Mike Lingenfelser, Fairmount FD, dated June 28, 2023

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

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

Office Use Only

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

APPLICANT/AGENT INFORMATION

OWNER INFORMATION

NAME: Herring Surveying Company NAME: Allan F & Marion Sue Stork
 MAILING ADDRESS: 315 North 5th Street MAILING ADDRESS 16678 Evans Road
 CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Basehor, KS 66007
 PHONE: 913-651-3858 PHONE: N/A
 EMAIL : herringsurveying@outlook.com EMAIL N/A

GENERAL INFORMATION

Proposed Subdivision Name: SUNNY SIDE ESTATES 2
 Address of Property: 00000 167th Street
 PID: 182-09-0-00-00-018.07 Urban Growth Management Area: N/A

SUBDIVISION INFORMATION

| | | |
|--|--|--|
| Gross Acreage: <u>35 Ac</u> | Number of Lots: <u>3</u> | Minimum Lot Size: <u>7 Ac</u> |
| Maximum Lot Size: <u>18 Ac</u> | Proposed Zoning: <u>RR 2.5</u> | Density: <u>N/A</u> |
| Open Space Acreage: <u>N/A</u> | Water District: <u>Suburban</u> | Proposed Sewage: <u>Septic</u> |
| Fire District: <u>Fairmount</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i> | 1. <u>Width to Depth Ratio on Lot 1</u> | |
| | 2. _____ | |
| | 3. _____ | |
| | 4. _____ | |
| | 5. _____ | |

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

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

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

Date: 6/17/23

ATTACHMENT A

PRELIMINARY & FINAL PLAT APPLICATION

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

Office Use Only

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

APPLICANT/AGENT INFORMATION

OWNER INFORMATION

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

GENERAL INFORMATION

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

SUBDIVISION INFORMATION

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

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

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

Signature: _____ Date: _____

ATTACHMENT A

AFFIDAVIT

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

We/I Allan F. Stork and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 18209 146th St Basehor KS 66007, 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. 5th Street, Leavenworth, KS 66048, 913-651-3858

2) Signed and entered this 23 day of January, 2023

Allan F. Stork 14678 Evans Rd Basehor KS 66007 217-519-1987
Print Name, Address, Telephone

Allan F. Stork
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 23rd day of January 2023 before me, a notary public in and for said County and State came Allan F. Stork 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 Katy Torneden

My Commission Expires: 01-27-2025

(seal)



7 [sue stork](#)
o Wednesday, July 19, 2023 11:29 AM
u [Johnson, Melissa](#)
o Sunny Side Estates 2

✓ 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.

July 19,2023

I Marion Sue Stork, give my authorization to Joe Herring to survey the property Sunny Side Estates 2.

AMENDED DECLARATION OF HOMEOWNERS' ASSOCIATION

THIS AMENDMENT to the Declaration of Homeowners' Association of Sunny Side Estates is made on the _____ day of April 2023 by Allan Stork and Sue Stork, husband and wife, hereinafter referred to as "Grantor."

WITNESSETH:

WHEREAS, Grantor pursuant to the authority of Article II of the original Declaration of Homeowners' Association executed July ____, 2021, continues to own parcels of real estate in Sunny Side Estates, hereby amends the Declaration of Homeowners' Association to add the property of Phase II of Sunny Side Estates to the associated properties and modify its terms to address the inclusion of Phase II more particularly described in Schedule B, which is annexed hereto and made a part hereof;

Grantor hereby declares that all of the properties described in the annexed Schedule A and Schedule B shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are intended for the purpose of protecting the value and desirability of the said property. Each of these easements, restrictions, covenants and conditions shall run with the real property. The easements, restrictions, covenants and conditions shall be binding upon all parties having any right, title or interest in the real property described in Schedule A, or any part thereof. These easements, restrictions, covenants and conditions shall bind their heirs, successors and assigns forever. These easements, restrictions, covenants and conditions shall inure to the mutual benefit of each owner hereafter.

ARTICLE I

DEFINITIONS

1. "Association" shall mean the SUNNY SIDE ESTATES HOMEOWNERS' ASSOCIATION, LLC, its successors and assigns.
2. "Grantee" shall mean the record owner or owners of the fee simple title to any lot which is part of the properties. It shall not include mortgagees until such time as title is transferred by deed. Each lot shall be deemed to have one grantee for voting purposes, regardless of the number of actual owners.
3. "Properties" shall mean all of that certain real property described in Schedule A, which is annexed hereto and made a part hereof, and such additional real property as may hereafter be brought under the jurisdiction of the Association by purchase, gift or devise.
4. "Common Area" shall mean all real property (including the improvements thereon) owned by the Association for the common use and enjoyment of the Grantees. This shall include, but not

be limited to, streets, sidewalks, medians, parks, swimming pools, tennis courts, jogging and walking trails and club house.

5. "Lot" shall mean and refer to any plot of land set aside for residential construction, as shown upon the subdivision map which was recorded in the Office of the Leavenworth County Clerk on _____ 2021, as Map No. _____ and the addition of Phase II which was recorded in the Office of the Leavenworth County, Kansas Clerk _____ 2023, as map no. _____.

6. "Grantor" shall mean the Allan and Marion Sue Stork, their successors and assigns.

7. "Family members" shall include the mother, father, spouse, son, daughter, sister or brother of any Grantee, provided that the person shall have his or her primary residence with the Grantee.

8. "Annual maintenance and insurance expenses" shall mean any expenses incurred by the Association for the property tax and care of the common areas. These may include, but shall not be limited to, landscaping, snow removal, general repairs, ad valorem real estate taxes, equipment and supply expenses, overhead and other expenses deemed necessary or appropriate by the Association for the full use and enjoyment of the common areas. Insurance shall include casualty and liability insurance for the common areas.

ARTICLE II

OWNERSHIP AND CONTROL BY DEVELOPER

Sole control of the HOA shall remain with the owners/developers of this development as long as the developer/owners own at least one (1) of the platted lots. Upon sale of the last platted lot all control of this Homeowners' Association shall be with its members in good standing.

ARTICLE III

GRANTEE'S RIGHT TO USE COMMON AREA

1. Every Grantee shall have the right to use and enjoy the common area as hereinafter described. Said right of use shall be appurtenant to the Grantee's lot and shall pass with title to every lot, subject only to the following provisions:

(a) the right of the Association to impose annual maintenance and insurance charges to the Grantees; and

(b) the right of the Association to dedicate, sell or transfer all or any part of the common area to the County of Leavenworth or any municipality annexing the properties described herein for public use by residents of the County or City. Such a transfer, sale or dedication shall be approved by the Grantees as herein provided.

2. The family members of any Grantee may exercise his/her right to use the common area.

3. A Grantee shall forfeit his/her right of use in the event that he/she fails to make any payment described in Paragraph 1(a) above when due. Rights of use shall be reinstated upon payment in full of any past due amount.

4. As defined above all “common areas” are owned by the Association. All control, design and maintenance of common areas shall be the responsibility and within the control of the Association.

ARTICLE IV

GRANTEE SHALL BE MEMBER OF HOMEOWNERS’ ASSOCIATION

1. Every Grantee of a lot shall be a member of the Association. Membership shall be appurtenant to ownership.
2. Every Grantee shall be entitled to cast one (1) vote upon any matter taken up by the Association. This shall apply regardless of any difference in lot size or value. Any Grantee who owns more than one (1) lot may cast one (1) vote for each such lot.
3. Written notice of any meeting called for the purposes of taking any action authorized under this Declaration shall be sent to all members not less than ten (10) days nor more than twenty (20) days prior to the scheduled date. A quorum shall be necessary for the transaction of business and shall be deemed to exist if sixty percent (60%) of the Grantees are present. No proxy voting shall be permitted. In the event that a quorum does not exist, the only action which may be taken is to adjourn the meeting to another date and direct the secretary to send notice of the new meeting date to all members.
4. To take effect, any matter brought before the Association must be approved by a majority of those Grantees who are present and voting. On any proposition to sell or acquire land, the approval of seventy-five percent (75%) of those Grantees who are present and voting shall be required. A quorum must be present at the time any vote is taken. Loss of quorum requires immediate adjournment of the meeting.

ARTICLE V

ASSESSMENTS

1. The Grantees shall establish the annual maintenance, property tax and insurance expense in March of each year. This amount shall be divided equally among and assessed against the lots. A notice of assessment shall be sent to each Grantee. Payment terms shall be specified in the notice. At least forty-two (42) days shall be given for payment. Interest shall accrue on assessments at the rate of twelve percent (12%) per annum from the date on which they are due, as set forth in the assessment.
2. The assessment shall be a lien against the lot of the Grantee as of the date on which the Grantees determine the amount of the assessment. The Association shall be entitled to foreclose its lien and shall be entitled to collect reasonable legal fees and expenses in such a foreclosure action. The Association may also personally sue the Grantee for the amount of the assessment, together with legal fees and interest.
3. For the year 2021, the maximum assessment shall not exceed _____ Dollars (\$_____) per lot.

4. The Association, upon approval of seventy-five percent (75%) of the Grantees present and voting at a meeting at which a quorum exists, may establish additional assessments for other purposes. Collection shall be as set forth in Paragraphs 1 and 2 above.

5. Transfer of any lot, by whatever means, shall not extinguish any lien for an unpaid assessment.

ARTICLE VI

OFFICERS OF HOMEOWNERS' ASSOCIATION

1. These declarations may be amended by approval of sixty-seven percent (67%) of the Grantees. The secretary of the Association shall cause such an amendment to be signed and acknowledged by all such Grantees. The secretary shall record the amendment in the office of the Leavenworth County Clerk. A copy of Schedule A shall be annexed thereto.

2. The Grantees shall elect a secretary annually. The secretary shall send notice of the meetings and take minutes at said meetings. The secretary shall maintain the records of the Association. The secretary shall be an officer of the Association.

3. The Grantees shall elect a treasurer annually. The treasurer shall send notice of and collect assessments. The treasurer shall also have the authority to pay expenses of the Association. The treasurer shall make a report at each meeting. The treasurer shall be an officer of the Association.

4. The Grantees shall elect an executive director annually. The executive director shall preside at meetings and observe the business of the Association. The executive director shall be an officer of the corporation.

5. No elected officer shall receive a salary. Officers may be reimbursed for out-of-pocket expenses in connection with the duties they perform for the Association.

6. All elected officers shall be Grantees. In the event an officer ceases to be a Grantee, he/she shall immediately forfeit his/her office.

7. Elections shall occur at the meeting in January of each year when the annual maintenance and insurance expense is determined. Each officer shall hold office until a successor is elected. In the event of a vacancy, an interim election shall be held at a special meeting. The newly-elected officer shall complete the term of the officer he/she is replacing.

8. Special meetings shall be called at the request of any Grantee.

ARTICLE VI

RESTRICTION

1. Residential Use. Each Lot shall be limited in use to single family residence purposes only, except that an owner of a Lot ("Owner") may use a portion of his or her residence constructed on a Lot for office or studio use, provided (i) the activities conducted therein shall not interfere with the quiet enjoyment or comfort of any other Owner, (ii) such use does not violate any local zoning ordinance, and (iii) no more than three (3) outside, non-resident employees are present at any time.

2. Approval by HOA.

A. Plan Approval. No construction, including, but not limited to, the construction of any residence, garage, deck, gazebo, outbuilding, patio, swimming pool, landscaping, grading or other improvement to the Lot, may be commenced or erected on any Lot unless the complete plans, specifications (including brand, style and color of the brick, shingles, and all other exterior surfaces) and building grades for such construction be first submitted to and approved in writing by the HOA by at least a two third majority. Any material changes made subsequent to the written approval by the HOA must be resubmitted and approved in writing prior to the commencement of changes.

B. Builder Approval. No general contractor, subcontractor, corporation, sole proprietorship, general partnership, limited partnership, limited liability company, individual or any other party (the "Builder") may commence or erect any construction described in subparagraph A hereof, or assist or participate in such construction, unless the HOA shall first approve such Builder for such purpose.

C. It will be the purpose of the HOA in reviewing construction and development requests to insure the integrity and harmony of the Subdivision and each building constructed therein for the benefit of each Owner. The HOA will have sole and absolute discretion in its decisions. Refusal of approval of plans, specifications or locations by the HOA may be based on any ground, including purely aesthetic grounds. No action or conduct by the HOA in furtherance of these restrictions shall be grounds for any liability whatsoever against the HOA. Nothing herein shall be construed as relieving any Owner, such Owner's heirs, successors or assigns from any obligation to comply with all applicable local, state and federal laws and regulations.

3. Building Restrictions.

A. Number of Residence Buildings. No more than (1) residence building may be erected on any Lot, however, a guest house conforming to the same architectural standards and of similar design to the main residence building may be permitted upon approval by the HOA.

B. Size of Residence. No residence erected on any Lot may contain less than 1,600 square feet for a one-story residence or less than 2,500 square feet for a two-story residence. The area of any residence shall be computed on the outside foundation of the first floor and the exterior dimensions of the second floor. In the case of a Cape Cod, the second floor area shall be computed from the outside dimension of the knee walls. Basement and garage area shall not be included in the computation. Any guest house constructed on a Lot shall not be required to meet the requirements of this subsection; however, the area of any such guest house shall not be included in the computation.

C. Garages. Except as provided herein, all garages shall be affixed to their respective residence building, and, except as otherwise provided in this subsection, shall have minimum inside dimensions of 23 feet by 32 feet so as to accommodate a minimum of two (2) automobiles. Detached garages are permissible but may not replace the required attached garage. Detached garages must conform to the same architectural standards as residence buildings and must be similar to the residence in design. In the event that a detached garage accommodating two (2) or

more automobiles is constructed, the attached garage may be built so as to accommodate only two (2) automobiles.

D. Foundation. No exposed foundation may be constructed with cement or cinder block as the completed face. Exterior foundation surfaces must be brick, stone, stucco, wood, aluminum or vinyl siding, or any natural material.

E. Exposed Surfaces. No exposed surface may be constructed with unfinished masonry material (i.e., cement or cinder block) as the completed face. Exposed exterior walls must be brick, stone, stucco, wood, or any natural material or finished masonry products.

F. Roof Pitch. All residence buildings, guest houses, and garages (attached or otherwise) shall have a sloping roof with a pitch of 8 to 12.

G. Outbuildings. Outbuildings must conform to residence's architecture, including color and material. Outbuildings must be a minimum of 1200 square feet in space and at least 20 feet from the side property line or 30 feet from the rear property line. Any outbuilding must be approved as any other construction pursuant to the requirements contained herein

H. Utilities. All electrical, television or telephone cables and any other utility lines and facilities which are to extend from outside a Lot to any residence or other structure located on the Lot or between structures on the Lot shall be placed underground.

I. Front Set Back. No building may be erected on any Lot, Lots or parts thereof nearer than 70 feet to the front of the Lot line, unless otherwise specified on plans which the HOA has approved pursuant to Section 2, above. The HOA may increase or decrease the required front set back if it deems, in its sole discretion, that topography and Lot configuration so require.

4. Construction and Maintenance.

A. Timing for Completion. Once construction on any structure on a Lot has commenced, it must be completed within eighteen (18) months of commencement.

B. Construction Debris. During construction, the Owner shall keep the Lot free from construction debris and shall not allow the burial of such debris on the Lot or its use as fill material at any location on the Lot.

C. Construction Mud and Damage. Each Owner shall keep such Owner's Lot and the streets providing access thereto free of accumulations of dirt, mud and debris, and shall be responsible for all repairs of damage to the swales, ditches, storm sewers and streets occasioned by work on or around the Lot by the Owner or the Owner's contractor, or their agents, representatives, subcontractors or employees. If the Owner shall fail to keep such Owner's Lot and the streets free of such accumulations, or shall fail to repair any damage to the swales, ditches, storm sewers and streets, then in addition to all other rights and remedies Declarant may have (including the right to specific performance), Declarant shall have the right to remove such dirt, mud and debris and repair all damage and shall charge the cost of such removal or repair to the Owner. Such costs shall be payable by the Owner upon demand and shall constitute an assessment, as set forth in Section 8, below, against the Lot.

D. Building Maintenance. Each Owner shall, at such Owner's sole cost and expense, maintain and keep the residence building and all other buildings or structures on the Lot in a state of good repair.

E. Building Casualties. If all or any portion of a residence on a Lot is damaged or destroyed by fire or other casualty, the Owner shall promptly rebuild, repair or reconstruct such residence or raze the structure, remove all rubble and debris, fill in any basement areas or excavation areas with clean fill, and grade the Lot in accordance with any applicable improvement plans for the Subdivision or Lot.

F. Storm Sewer Maintenance on Lots. Each Owner shall maintain the ditches, storm sewers, culverts, water management areas and basins, swales and grading for the Lots owned by them in accordance with the improvement plans approved for the Subdivision.

5. Landscaping and Lot Appearance.

A. Lawns and Vegetation; Existing Trees. Lawns shall be kept properly trimmed at all times. No grains, underbrush, excessive weeds or other unsightly vegetation shall be permitted to grow or remain on any Lot or in any ditches in whole or in part on a Lot or in the street right-of-way in front of any Lot. All grass on any unbuilt lot must be kept at a maximum height of six (6) inches. Vegetables may be grown on a lot, provided they are not grown for commercial purposes and provided they are restricted to an area which is situated to the rear of the Lot and is at least 20 feet from any Lot line.

All plans for the clearing of a Lot which include removal of any tree with a trunk diameter greater than five (5) inches must be approved by the HOA prior to commencement of work.

B. Timing of Landscaping. All landscaping must be completed within one (1) year of the occupancy of the residence, including the replacement of any landscaping that does not survive initial and subsequent plantings.

C. Fences. No freestanding fences, solid or living, may be erected, placed, or permitted on any Lot from the street to the front building line, provided, however, that an entrance gate, the design and construction material of which must be approved by the HOA in writing, may be constructed. Fences may be installed from the building line to the rear property line for safety, decorative and/or aesthetic value only if approved in writing by the HOA. Chain link fences will not be permitted except for dog runs contiguous to and in the rear of the residence which are not visible from the street.

D. Driveways. All driveways less than one hundred fifty yards (150 yds.) long must either be concrete, asphalt or brick and must be installed within one (1) year of commencement of construction. Driveways in excess of one hundred fifty yards (150 yds.) long may be gravel or asphalt.

E. Signs. No nuisance or advertising signs, billboards, or banners will be permitted, erected, or maintained on any Lot. Signs offering the sale of Lots or residences in the Subdivision shall be limited to twelve (12) square feet in area. Subdivision signs at the entrances shall be a maximum of 60 square feet. All construction and realty signs shall be removed upon the occupancy of the building or sale of the Lot or Lots to which they relate. In the case of signs erected for the

purpose of resale of Lots or residences, the same shall be removed at such time as the Lot or residence offered for sale is sold or is taken off the market.

F. Mailboxes. All mailbox stands or posts shall be of uniform design which shall be designed by and which shall be available from the HOA.

G. Re-grading. No re-grading of any Lot that affects drainage or construction work on any building shall be performed by any Owner, builder or contractor prior to receiving written approval for such grading, filling or excavating from the HOA.

H. Vehicles. No recreational vehicles, boats, buses, dump trucks or any other vehicle may be parked on any portion of a Lot beyond a period of 24 hours unless completely enclosed in a garage. Commercial vehicles are permitted during the period of time during which they are necessary to perform specific duties. No abandoned or non-operational vehicles may be parked on a Lot beyond a period of 24 hours unless it is parked in a garage so as to be concealed from public view.

I. Trash. No rubbish, trash, garbage, or waste material shall be kept or permitted on any Lot except in sanitary containers which shall be placed within enclosed areas so as to be concealed from public view, except when placed for collection.

J. Satellite Dishes. No satellite dish is permitted on any Lot in front of the rear line of any structure. If a satellite dish is installed, it shall be screened so as not to be visible from any adjoining Lots or from the street right-of-way.

L. Fuel Storage. No fuel storage containers except containers smaller than 5 gallons shall be kept on a lot. All such containers on a Lot must be placed within the residence or underground, subject to applicable laws and regulations.

M. Clothes Lines. No clothes lines or clothes poles or other device or mechanism for hanging clothes shall be maintained on any building lot, unless totally screened from both public view and neighboring lots.

6. Use Restrictions.

A. Pets. No poultry or livestock of any kind shall be raised, bred or kept on any Lot, except for dogs, cats and other common household pets provided they are not kept, bred or maintained for commercial purposes.

B. Hazardous Substances. No Owner shall release, store or bury or permit the release, storage or burial of any hazardous substance on any Lot. "Hazardous substance" and "release" shall have the meanings given them in the Federal Comprehensive Environmental Response, Compensation, and Liability Act ([42 U.S.C. 9601](#)).

C. Oil and Gas Leases. No oil or gas lease will be permitted within the Subdivision. No Lot or portion of any Lot shall be used in any way for oil and/or gas drilling, exploration or production, including consolidation of any Lot or any portion of any Lot with any other property for purposes of oil and/or gas drilling, exploration or production.

MISCELLANEOUS

1. The Association shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed under the provisions of this Declaration. Failure by the Association to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so hereafter.

2. Invalidation of any one of these restrictions, conditions, covenants or reservations by judgment or court order shall in no way affect any other provisions, all of which shall remain in full force and effect.

3. The restrictions, conditions, covenants and reservations of this Declaration shall run and bind the land for a term of fifty (50) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of twenty (25) years.

The Grantor hereto has set its hand and seal the day and year first above written.

“GRANTOR”

Allan Stark

Marion Sue Stork

STATE OF KANSAS)
) SS:
COUNTY OF LEAVENWORTH)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Allan Stark and Marion Sue Stork, who acknowledged that they did sign the foregoing instrument for and on behalf of SUNNY SIDE ESTATES HOMEOWNERS’ ASSOCIATION, LLC being thereunto duly authorized, and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at on this _____ day of _____, 2023.

Notary Public

My commission expires _____

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.
This is a CAE Private Road Development - pond (natural feature) creates a longer lot than normal.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
Yes - since it is private with a HOA for roadway and use - larger and irregular tracts should be acceptable.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

No



Mikayla Dendurent <mdendurent@cfse.com>

Leavenworth County Determination

Mikayla Dendurent <mdendurent@cfse.com>
To: "Phillips, Janelle [KDA]" <janelle.phillips@ks.gov>

Mon, May 8, 2023 at 9:18 AM

Janelle,

I have a project in Leavenworth county where they are building two small ponds. The dams are non-jurisdictional but I wanted to confirm with you that you will not require any permitting. The dams will be approximately 8-10 feet tall. The project location is 18209 166th Street, Bonner Springs, KS. I have attached an aerial image that the contractor sent me showing the two ponds.

Please let me know if you need any additional information.

Thank you,

Mikayla

--

Mikayla Dendurent, IE

1421 E 104th Street, Suite 100
Kansas City, Missouri 64131

p: 816.333.4477
c: 913.439.7563

mdendurent@cfse.com
www.cfse.com



Aerial map.png
1817K



Mikayla Dendurent <mdendurent@cfse.com>

Leavenworth County Determination

Phillips, Janelle [KDA] <Janelle.Phillips@ks.gov>
To: Mikayla Dendurent <mdendurent@cfse.com>

Mon, May 8, 2023 at 9:39 AM

Mikayla –

DWR has reviewed the information provided and a DWR permit will not be required for this project.

Janelle Phillips, P.E., CFM

Stream Obstruction Team Lead

Water Structures Program

Division of Water Resources

Kansas Department of Agriculture

[1320 Research Park Drive](#)

[Manhattan, KS 66502](#)

[Office:785-564-6656](#)

[Cell: 785-307-8292](#)

Janelle.phillips@ks.gov

From: Mikayla Dendurent <mdendurent@cfse.com>
Sent: Monday, May 8, 2023 9:18 AM
To: Phillips, Janelle [KDA] <Janelle.Phillips@ks.gov>
Subject: Leavenworth County Determination

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

[Quoted text hidden]



NOTICE OF INTENT (NOI)

For Authorization to Discharge Stormwater Runoff from Construction Activities
In accordance with the Kansas Water Pollution Control General Permit
Under the National Pollutant Discharge Elimination System (NPDES)

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form requests authorization for coverage under the Kansas Water Pollution Control general permit, or KDHE issued successor permits, issued for stormwater runoff from construction activities in the State of Kansas.

Please Print or Type.

I. OWNER OR OPERATOR ADDRESS, BILLING, CONTACT & RECORDS LOCATION INFORMATION

A. Owner or Operator's Name: Allan Stork
Company Name:
Owner or Operator's Phone:
Mailing Address: 16678 EVANS RD
City: Basehor State: KS Zip: 66007
E-mail Address (optional): astork1963@gmail.com

C. Contact Name: Mikayla Dendurent
Company Name: CFS Engineers
Contact Phone: 913-439-7563
Mailing Address: 1421 E 104th Street Suite 100
City: Kansas City State: MO Zip: 64131
E-mail Address (optional): mdendurent@cfse.com

B. Billing Contact Name:
Billing Contact Phone:
Billing Address (if different):
City: State: Zip:
E-mail Address (optional):

D. Address where records will be kept (if not on-site):
Records Address:
City: State: Zip:

II. SITE INFORMATION, Type of Request: [X] New Permit Authorization

[] Modification of Existing Permit Authorization

A. Project Name: Sunnyside Estates Development
Site Address: 18209 166TH ST
City: Basehor State: KS Zip: 66007
(Nearest City to Project) County: Leavenworth

B. LEGAL SITE DESCRIPTION:
QTR of QTR of SE QTR Section: 9
Township: 11 South; Range: 22 [X] E [] W
Latitude: 39 06 18.37 Longitude: -94 58 02.28
Deg. Min. Sec. Deg. Min. Sec.

For Official Use Only:

Form with fields for RECEIVED (MAY 22 2023), BUREAU OF WATER, Amount Paid (60), Date, Initials, Check No. (1053), Reviewer (Janet O. Hook), Authorized (X), Is Authorization Conditional (X N), Authorized by (Janet Starek), Date (6/2/2023), KS Permit No. (S-KS04-0116), Federal Permit No. (KSR/21554)

Send completed 3 page NOI form with original signature and all appropriate submittals (see page 3 of NOI) to:

Note: A copy of the permit can be obtained at: www.kdheks.gov/stormwater or by submitting a written request to KDHE.

Kansas Department of Health and Environment
Bureau of Water, Industrial Programs Section
1000 SW Jackson, Suite 420
Topeka, KS 66612-1367

KDHE Contact Information: * Submit a location map
Phone: (785) 296-5545
E-mail: kdhe.stormwater@ks.gov

Effective August 1, 2017

Notice of Intent (NOI) for Discharge of Stormwater Runoff from Construction Activities

Handwritten notes: 'showing the 2 dam locations and elevation contours extending at least 1/2 mile beyond the dam sites' and initials 'JDA'

C. EXISTING CONDITIONS/USES

- 1) Is any part of the project located on Indian Country land? Y; N
If yes: Contact EPA regarding discharging stormwater runoff from industrial activities on Indian Country land.
- 2) If stormwater runoff drains to or through a Municipal Separate Storm Sewer System (MS4): MS4 Name: _____
- 3) Name of the first receiving water, stream, or lake: tributary to Hog Creek, River Basin: Hog Creek
- 4) Are contaminated soils present on the site or is there groundwater contamination located within the site boundary? Y; N
If yes: On separate paper describe in detail the locations and concentrations of the contaminants.
- 5) Are there any contaminated soils that will be disturbed or any contaminated groundwater that will be pumped by the proposed construction activity? Y; N
If yes: On separate paper describe the special procedures and erosion and sediment control measures to be implemented to eliminate or minimize the potential to discharge the soil and/or groundwater contaminants.
- 6) Are there any surface water intakes for public drinking water supplies located within 1/2 mile of the site discharge points? Y; N
- 7) Are there any known historical or archeological sites present within the site boundary or any historic structures located within 1000 feet of the project site? Y; N
Note: Include documentation of project-specific coordination with the Kansas Historical Society in making this determination.
- 8) Is any threatened or endangered species habitat located within the site boundary or in the receiving water body? Y; N
Note: Include documentation of project-specific coordination with the Kansas Department of Wildlife, Parks & Tourism in making this determination.
- 9) Will the project impact the line or grade of a stream or does it include dredge or fill of a potential jurisdictional water body or wetlands? Y; N
If yes: Include documentation of project-specific coordination with the US Army Corps of Engineers and/or the Kansas Department of Agriculture, Division of Water Resources in making this determination.
- 10) Are any Critical Water Quality Management Areas, Special Aquatic Life Use Waters, or Outstanding National Resource Waters located within 1/2 mile of the facility boundary? Y; N
If yes: List the names of all such areas and waters: _____

D. PROJECT DESCRIPTION

- 1) Project Description: two ponds to provide retention for future site development.
- 2) Does this NOI include all proposed soil disturbing activities associated with the entire common plan of development? Y; N
If no: Explain what development areas of the site are not included in this NOI and provide contact information, if available, for the party or parties that own or have operational control of these areas:

- 3) Anticipated project Start Date: Summer 2023, and Completion Date: Fall 2023
- 4) Estimated total area to be disturbed: 4.0 Acres Total area of the site: 40.9 Acres
- 5) Do you plan to disturb ten or more acres that are within a common drainage area? Y; N
If yes: Will a sedimentation basin be installed in that drainage area? (Attach design calculations for each sedimentation basin.) Y; N
 If a sediment basin is not feasible, on a separate sheet describe similarly effective erosion and sediment control measures to be implemented in lieu of a sedimentation basin.

E. Maps

Include an area map showing the outline of the construction site and the topographic features of the area at least one mile beyond the project site.

F. EROSION CONTROL PLAN AND BEST MANAGEMENT PRACTICES

- 1) Provide a summary of the sequence of major soil disturbing activities including installation of the corresponding stormwater management and pollution control features.
- 2) Provide one or more site plans covering the anticipated soil disturbing activities showing the limits of disturbance, the existing and proposed elevation contours, the types and locations of erosion/sediment control measures and stormwater management/pollution control features during each phase of construction and the locations where stormwater runoff leaves the construction site.

- 3) Provide a description of the best management practices to be utilized to control erosion and the discharge of sediment and other pollutants in stormwater runoff throughout construction and the design calculations for each sediment basin including total drainage area and storage capacity below the elevation of the mass volume flow outlet device.
- 4) Provide the name and License or Certification Number of the engineer, geologist, architect, landscape architect, or Certified Professional in Erosion and Sediment Control (CPESC) under which the construction stormwater pollution prevention plan has been developed.

| | | |
|-------------------------|---------------------------------|---|
| <u>Michelle Mahoney</u> | <u>226496</u> | <u>Engineer</u> |
| Name | License or Certification Number | Profession or Field (Engineer, Architect, etc.) |

III. ANNUAL FEE

Enclose a check for the first year of the annual permit fee specified in K.A.R. 28-16-56 et seq. as amended. Make the check payable to "KDHE". Per K.A.R. 28-16-56, as amended, the current annual permit fee for this general permit is \$60. An invoice for the annual permit fee will be sent to the contact person requesting a permit until such time as the permittee submits a Notice of Termination (NOT).

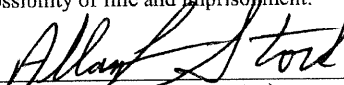
Failure to pay the annual fee will result in termination of the construction stormwater discharge Authorization.

IV. OWNER OR OPERATOR CERTIFICATIONS

I, the undersigned, certify that a Stormwater Pollution Prevention Plan (SWP2 Plan) will be or has been developed for the construction site described in this NOI and supporting documentation. I further certify that the plan will be implemented at the time construction begins, and, as required by the NPDES general permit for Stormwater Runoff from Construction Activity, will revise the SWP2 plan if necessary.

I understand that continued coverage under the NPDES general permit for Stormwater Runoff from Construction Activities is contingent upon maintaining eligibility as provided for in the requirements and conditions of the general permit, and paying the annual fee.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

| | |
|--|----------------|
|  | <u>5-18-23</u> |
| Signature (owner or operator) | Date |
| <u>Owner - Allan F. Stork</u> | |
| Name and Official Title (Please print or type. Form with original signature must be sent to KDHE.) | |

Conditions of Authorization - For Official Use Only:

When indicated, Conditions of Authorization are as follows:

A complete request for Authorization for coverage under the general permit must be submitted or the request will not be processed. A complete request for Authorization includes:

- An NOI form (construction stormwater) with an original authorized signature;
- The annual permit fee for the first year; (\$60.)
- An area map showing the outline of the construction site and the general topographic features of the area at least one mile beyond the project site boundary;
- Sequence of major soil disturbing activities including installation of stormwater management and pollution control features;
- A detailed site plan/plans showing the limits of disturbance, existing and proposed contours, erosion and sediment control features, locations where stormwater runoff leaves the construction site;
- A narrative summary of the additional erosion and sediment control and other best management practices that will be utilized to prevent or reduce contamination of stormwater runoff from the construction activities;
- Total drainage area, storage capacity and design calculations for each sedimentation basin; and
- Copies of letters or e-mails documenting coordination with appropriate local, state or federal agencies.

LEAVENWORTH COUNTY RESIDENTIAL PERMIT

CASE NUMBER RES-23-122

PERMIT SUB-TYPE ACCESSORY BUILDING

PID 182-09-0-00-00-018.07 PARCEL SIZE 6.8 AC ZONE RR-2.5 SDD NO
WATER DIST SUBURBAN ELECTRIC EVERGY FLOOD PLAIN IN PARCEL NO
SEWER DIST n/a TWSP RENO FLOOD PLAIN ON BUILDING SITE NO
SUBDIVISION LOT NO SCHOOL DIST 458
BLOCK NO

LAST NAME Stork FIRST NAME Allan PHONE 217-519-1987
EMAIL astork1963@gmail.com
ADDRESS 16678 Evans Rd
CITY Basehor STATE KS ZIP CODE 66007

SITE ADDRESS 18209 166th St
SITE CITY Leavenworth SITE STATE KS SITE ZIP CODE 66048

CONTRACTOR Steve Blaser CONTRACTOR PHONE 913-683-4072
CONTRACTOR EMAIL

1ST FLOOR 0 2ND FLOOR 0 3RD FLOOR 0
BASEMENT 0 GARAGE 108900 TOTAL BLDG SQ FT 108900
BLDG HEIGHT <35' ACCESSORY BUILDING COVERAGE (if less than 2.51 ac. Parcel)
ACCESSORY BLDG USE POND

NOTES: West Pond - 2.5 Acres - Submitted NOI & SWPPP information_
ISSUED 6/13/2023 EXPIRES 6/13/2024 RECEIVED BY KA

APPLICATION FEE \$80.00
CHECK NO 1059 [] CASH [] CC

STAFF APPROVAL *[Signature]* DATE 6/13/23

Upon the signing of this permit, the applicant accepts responsibility to build their permitted Single-family residence in accordance to the International Residential Code, 2006 edition, which was adopted by the Board of County Commissioners on December 16, 2020.*

*Property owners in the Kickapoo and Easton townships are exempt from this requirement.

APPLICANT *Allan F. Stork* DATE 6-14-23

1. Issuance of this permit is confirmation of approval for the requested building, improvement, or development of the site.
2. This permit does not nullify any deed restrictions or covenants established as a part of any subdivision.
3. It is the responsibility of the applicant or owner to provide a source of potable water.
4. All construction shall comply with State and Federal regulations.
5. Zoning Regulations change over time; issuance of this permit is not a guarantee of compliancy with any future changes to the zoning and subdivision requirements.
6. Retain this document for your records as proof of receipt of a permit and proof of payment.

182-09 01801

Leavenworth County Building Permit Application

The review process begins once all required information is received. Upon approval of the application, we will contact you to come in and pay for the permit. **DO NOT BUILD** until the permit is posted on the property.

All Applications Require

- Copy of property deed
- A completed site plan (Required site plan information found on Page 2)
- A set of building plans indicating square footage
- ~~Owner Authorization~~ (Required if someone other than the owner is submitting this form or picking up the permit)

JUN 06 2023

New Homes also require

- A passing soil profile from a licensed septic installer
- A letter from the Electric Company stating service can be provided to the property or a copy of a bill.
- A letter from the Water Company stating service can be provided to the property or a copy of a bill.
- (Please check this block if on a well.)

~~East HAC~~
East 2.8 AC

Owner & Parcel Information

| | |
|---|---|
| 1. Print Name(s): <u>Alan Stork</u> | Date: <u>6-6-23</u> |
| 2. Phone No: <u>217-519-1987</u> Email: <u>astork1963@gmail.com</u> | |
| 3. Present Mailing Address: <u>16678 Evans Rd</u> City: <u>Bascher</u> State: <u>KS</u> Zip: <u>66007</u> | |
| 4. Type of Permit (circle one): New Home - Secondary Dwelling - <u>Accessory</u> - Commercial - Building Addition | |
| *Accessory Use: Storage - Agriculture - Pool - Pond - Commercial - Other <u>X2</u> | |
| 5. Site Address: <u>18209 166th St</u> City: <u>Bascher</u> State: <u>KS</u> Zip: <u>66007</u> | |
| 6. Dimension of Structure: | Total Area of Structure: <u>approx 4 acres</u> |
| 7. Contractor's Name: <u>Steve Blaser</u> | Contact Info: <u>913-683-4072</u> |
| 8. Septic System Installer: <u>NA</u> | |
| 9. Number of Bedrooms: <u>NA</u> | |
| 10. Is the new structure less than 35' tall? | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 11. Have you started building yet? | Yes <input type="radio"/> <input checked="" type="radio"/> No |
| 12. Site located in the Flood Plain? | Yes <input type="radio"/> <input checked="" type="radio"/> No |
| 13. Is more than 1 acre being disturbed? | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 14. Property has a well that services the dwelling | Yes <input type="radio"/> <input checked="" type="radio"/> No |

NW
Equip
DW R
Z email

Larry

Upon the signing of this permit, the applicant accepts responsibility to build their permitted commercial or single-family residence in accordance to the International Residential/Building Code, 2006 edition, which was adopted by the Board of County Commissioners on December 16, 2020.*

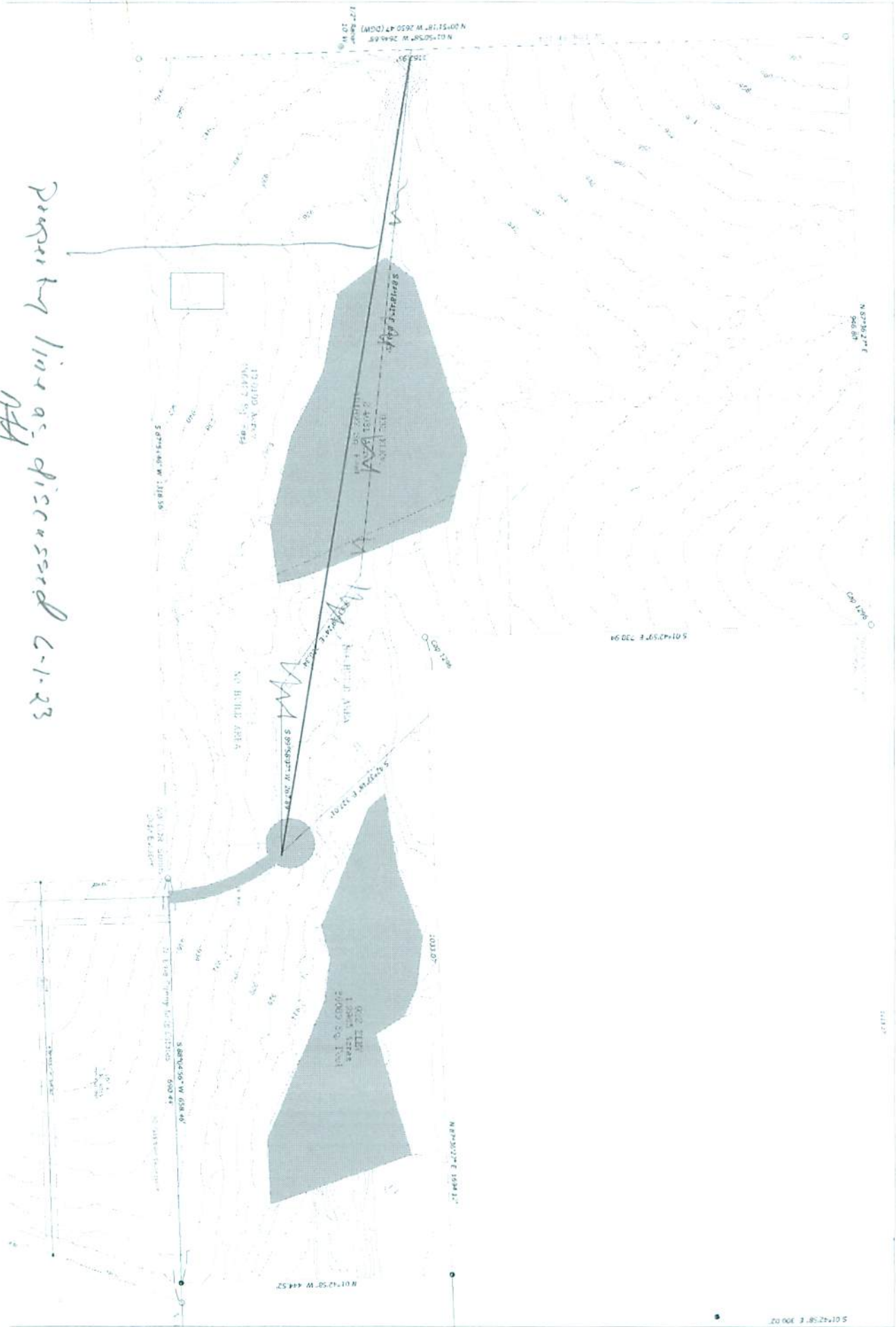
*Property owners in the Kickapoo and Easton townships are exempt from this requirement.

14. Applicant signature: Alan Stork

Staff Review

| | | | | | | | | | | | | | | | |
|---|--------|--------|------------|---------|----------|-----|-----|-----------|-----|-----|-----|-----|-----|-----|-----|
| 15. Section -Township - Range: | | | | | | | | | | | | | | | |
| 16. Subdivision: | | | | Lot No: | | | | Block No: | | | | | | | |
| 17. Zoning: | RR-2.5 | RR-5.0 | R-1(43) | R-1(15) | R-1 (10) | R-2 | R-3 | R-4 | B-1 | B-2 | B-3 | I-1 | I-2 | I-3 | PUD |
| 18. Is an Entrance Permit needed? | | | | | | | | Yes | No | | | | | | |
| 19. Is a State Permit is required? (Disturbing more than 1 Acre): | | | | | | | | Yes | No | | | | | | |
| 20. Is site in the County Road 1, Land Use Plan Area? | | | | | | | | | | | | | | | |
| 21. Staff Approval: | Yes | No | Signature: | | | | | | | | | | | | |

Property lines discussed 6-1-23
MHA



Johnson, Melissa

From: Allison, Amy
Sent: Friday, June 2, 2023 12:45 PM
To: Anderson, Kyle; Johnson, Melissa
Subject: FW: DWR Determination
Attachments: KDA-DWR Determination.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Melissa and Kyle,

Al Stork is finalizing everything he will need to submit a building permit for the proposed ponds at Sunny Side Phase 2. We will need to attach a copy of Janelle's email to the permit. We are just waiting on the NOI and SWPPP, which Al is still working on.

I'll keep a copy too but just so you are aware.

Amy

From: Phillips, Janelle [KDA] <Janelle.Phillips@ks.gov>
Sent: Friday, June 2, 2023 10:40 AM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: RE: DWR Determination

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.

That is correct. No permitting Thank you Allison.

Janelle Phillips, P.E., CFM
Stream Obstruction Team Lead
Water Structures Program
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
Office: 785-564-6656
Cell: 785-307-8292
Janelle.phillips@ks.gov

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Friday, June 2, 2023 10:33 AM
To: Phillips, Janelle [KDA] <Janelle.Phillips@ks.gov>
Cc: Jacobson, John <JJacobson@leavenworthcounty.gov>
Subject: FW: DWR Determination

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

Good Morning Janelle,

We have received the attached correspondence from a developer in Leavenworth County and due to the formatting of the attachment, I wanted to make sure that DWR would not require any permits for this project.

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

Disclaimer

This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed 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: allan stork <astork1963@gmail.com>
Sent: Thursday, June 1, 2023 5:47 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: Fwd: DWR Determination

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.

Sent from my iPhone

Begin forwarded message:

From: Mikayla Dendurent <mdendurent@cfse.com>
Date: June 1, 2023 at 5:18:11 PM CDT
To: astork <astork1963@gmail.com>
Subject: DWR Determination

Al,

Attached is DWR's determination and response that your ponds are not within their jurisdiction.

Thank you,

Mikayla



Mikayla Dendurent <mdendurent@cfse.com>

Leavenworth County Determination

Mikayla Dendurent <mdendurent@cfse.com>
To: "Phillips, Janelle [KDA]" <janelle.phillips@ks.gov>

Mon, May 8, 2023 at 9:18 AM

Janelle,

I have a project in Leavenworth county where they are building two small ponds. The dams are non-jurisdictional but I wanted to confirm with you that you will not require any permitting. The dams will be approximately 8-10 feet tall. The project location is 18209 166th Street, Bonner Springs, KS. I have attached an aerial image that the contractor sent me showing the two ponds.

Please let me know if you need any additional information.

Thank you,

Mikayla

--

Mikayla Dendurent, IE

1421 E 104th Street, Suite 100
Kansas City, Missouri 64131

p: 816.333.4477
c: 913.439.7563

mdendurent@cfse.com
www.cfse.com



Aerial map.png
1817K



Mikayla Dendurent <mdendurent@cfse.com>

Leavenworth County Determination

Phillips, Janelle [KDA] <Janelle.Phillips@ks.gov>
To: Mikayla Dendurent <mdendurent@cfse.com>

Mon, May 8, 2023 at 9:39 AM

Mikayla –

DWR has reviewed the information provided and a DWR permit will not be required for this project.

Janelle Phillips, P.E., CFM
Stream Obstruction Team Lead
Water Structures Program
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
Office: 785-564-6656
Cell: 785-307-8292
Janelle.phillips@ks.gov

From: Mikayla Dendurent <mdendurent@cfse.com>
Sent: Monday, May 8, 2023 9:18 AM
To: Phillips, Janelle [KDA] <Janelle.Phillips@ks.gov>
Subject: Leavenworth County Determination

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

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LEAVENWORTH COUNTY RESIDENTIAL PERMIT

CASE NUMBER RES-23-123

PERMIT SUB-TYPE ACCESSORY BUILDING

PID 182-09-0-00-00-018.07 PARCEL SIZE 6.8 AC ZONE RR-2.5 SDD NO
WATER DIST SUBURBAN ELECTRIC EVERGY FLOOD PLAIN IN PARCEL NO
SEWER DIST n/a TWSP RENO FLOOD PLAIN ON BUILDING SITE NO
SUBDIVISION LOT NO SCHOOL DIST 458
BLOCK NO

LAST NAME Stork FIRST NAME Allan PHONE 217-519-1987
EMAIL astork1963@gmail.com
ADDRESS 16678 Evans Rd
CITY Basehor STATE KS ZIP CODE 66007

SITE ADDRESS 18209 166th St
SITE CITY Leavenworth SITE STATE KS SITE ZIP CODE 66048

CONTRACTOR Steve Blaser CONTRACTOR PHONE 913-683-4072
CONTRACTOR EMAIL

1ST FLOOR 0 2ND FLOOR 0 3RD FLOOR 0
BASEMENT 0 GARAGE 87120 TOTAL BLDG SQ FT 87120
BLDG HEIGHT <35' ACCESSORY BUILDING COVERAGE (if less than 2.51 ac. Parcel)
ACCESSORY BLDG USE POND

NOTES: East Pond - 2 Acres - Submitted NOI & SWPPP information_
ISSUED 6/13/2023 EXPIRES 6/13/2024 RECEIVED BY KA

APPLICATION FEE \$80.00
CHECK NO 1059 [] CASH [] CC

STAFF APPROVAL *Kyle Adair* DATE 6/13/23

Upon the signing of this permit, the applicant accepts responsibility to build their permitted Single-family residence in accordance to the International Residential Code, 2006 edition, which was adopted by the Board of County Commissioners on December 16, 2020.*

*Property owners in the Kickapoo and Easton townships are exempt from this requirement.

APPLICANT *Allan Stork* DATE 6-14-23

1. Issuance of this permit is confirmation of approval for the requested building, improvement, or development of the site.
2. This permit does not nullify any deed restrictions or covenants established as a part of any subdivision.
3. It is the responsibility of the applicant or owner to provide a source of potable water.
4. All construction shall comply with State and Federal regulations.
5. Zoning Regulations change over time; issuance of this permit is not a guarantee of compliancy with any future changes to the zoning and subdivision requirements.
6. Retain this document for your records as proof of receipt of a permit and proof of payment.

182-09

018.07

Leavenworth County Building Permit Application

The review process begins once all required information is received. Upon approval of the application, we will contact you to come in and pay for the permit. DO NOT BUILD until the permit is posted on the property.

All Applications Require

- Copy of property deed
- A completed site plan (Required site plan information found on Page 2)
- A set of building plans indicating square footage
- ~~Owner Authorization~~ (Required if someone other than the owner is submitting this form or picking up the permit)

JUN 06 2023

west 2.5 AC
~~East 1.5 AC~~

New Homes also require

- A passing soil profile from a licensed septic installer
- A letter from the Electric Company stating service can be provided to the property or a copy of a bill
- A letter from the Water Company stating service can be provided to the property or a copy of a bill.
- (Please check this block if on a well.)

Owner & Parcel Information

| | | | |
|--|---|---------------|----------------------------|
| 1. Print Name(s): | ALLAN STORK | Date: | 6-6-23 |
| 2. Phone No: | 217-519-1987 | Email: | astork1963@gmail.com |
| 3. Present Mailing Address: | 16670 Evans Rd | City | Bascher State KS Zip 66007 |
| 4. Type of Permit (circle one): | New Home - Secondary Dwelling - <u>Accessory</u> - Commercial - Building Addition | | |
| *Accessory Use: | Storage - Agriculture - Pool - <u>Pond</u> - Commercial - Other X2 | | |
| 5. Site Address: | 18209 166 th St | City | Bascher State KS Zip 66007 |
| 6. Dimension of Structure: | Total Area of Structure: approx 4 acres Total | | |
| 7. Contractor's Name: | Steve Blaser | Contact Info: | 913-683-4072 |
| 8. Septic System Installer: | na | | |
| 9. Number of Bedrooms: | na | | |
| 10. Is the new structure less than 35' tall? | <u>Yes</u> | No | |
| 11. Have you started building yet? | Yes | <u>No</u> | |
| 12. Site located in the Flood Plain? | Yes | <u>No</u> | |
| 13. Is more than 1 acre being disturbed? | <u>Yes</u> | No | |
| 14. Property has a well that services the dwelling | Yes | <u>No</u> | |

NP
Gulf
DWR
Zemais

Larry

Upon the signing of this permit, the applicant accepts responsibility to build their permitted commercial or single-family residence in accordance to the International Residential/Building Code, 2006 edition, which was adopted by the Board of County Commissioners on December 16, 2020.*

*Property owners in the Kickapoo and Easton townships are exempt from this requirement.

14. Applicant signature: *Allan Stork*

Staff Review

| | |
|---|---|
| 15. Section -Township - Range: | |
| 16. Subdivision: | Lot No: Block No: |
| 17. Zoning: | RR-2.5 RR-5.0 R-1(43) R-1(15) R-1(10) R-2 R-3 R-4 B-1 B-2 B-3 I-1 I-2 I-3 PUD |
| 18. Is an Entrance Permit needed? | Yes No |
| 19. Is a State Permit is required? (Disturbing more than 1 Acre): | Yes No |
| 20. Is site in the County Road 1, Land Use Plan Area? | |
| 21. Staff Approval: | Yes No Signature: |

County of Leavenworth
Planning & Zoning Department
300 Walnut Street, Suite 212
Leavenworth County, KS 66048
Phone: 913-684-0465
Email: PZ@LeavenworthCounty.Gov

Site Plan Requirements:

- Shall be drawn to scale;
- Shall show all buildings, a North arrow, and streets;
- Shall show the actual dimensions of the lot or tract to be built upon or used;
- Shall show size, shape and location of the building to be erected, reconstructed or altered;
- Shall show all existing structures;
- Shall include location and distance to the on-site wastewater disposal system (septic system), including lateral field;
- Shall include any other pertinent information as may be necessary to enforce the regulations.
- Shall include location of centerline of the driveway dimensioned from property line.

Private Sewage Disposal Permit

1. Completed Soil Profile Description Form submitted by your installer.
2. Number of bedrooms, including future planned bedrooms.
3. Name of county licensed installer.
4. Site Plan of the proposed septic system to include the following information:
 - a. Location of the soil profile.
 - b. Layout of proposed system including laterals, tank, waterlines, wells, foundation drains, ponds, draws and creeks locations.
 - c. Proposed location of a replacement area for the sewage disposal system consisting of at least 5,000 square feet, or a total set aside of 10,000 square feet for the system.

Compliance Deposit will be required for the following:

- Engineered Septic System
- Accessory Manufactured Home
- Removal of Old Home

Set Back Quick-Facts

- Along Road Frontage (except for K7 & State Ave): Must be at least 105' from road centerline
- Along Internal Subdivision Road Frontage: Must be 40' from property line
- Side Property Line: Must be at least 15' from property line
- Rear Property Line: Must be at least 40' from property line for house, 15' from property line for accessory structure

SUNNY SIDE ESTATES 2

A Cross Access Easement Plat in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:

STORK, ALLAN F & MARION SUE
16678 EVANS ROAD
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-018.07

RECORD DESCRIPTION:

Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast Quarter; thence South 87 degrees 36'27" West for a distance of 661.05 feet to the TRUE POINT OF BEGINNING; thence South 01 degrees 42'58" East for a distance of 444.52 feet to the North line of SUNNY SIDE ESTATES; thence South 88 degrees 04'56" West for a distance of 658.46 feet and along the North line of said SUNNY SIDE ESTATES to the Northwest corner of said SUNNY SIDE ESTATES; thence South 87 degrees 54'46" West for a distance of 1318.56 feet to the West line of said Southeast Quarter; thence North 01 degrees 50'58" West for a distance of 1162.95 feet; thence North 87 degrees 36'27" East for a distance of 946.80 feet; thence South 01 degrees 42'59" East for a distance of 730.94 feet; thence North 87 degrees 36'27" East for a distance of 1033.07 feet to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.
Said property contains 35.74 acres, more or less.
Error of Closure: 1 - 153425

WITT, CURTIS D & WITT, SHANNON D
PID NO. 182-09-...018.01

11G
Center of
Sec. 9-11-22
- 1/2" Rebar with 1 1/2" Alum. Cap



RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Evans Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement. Home Owner's Association to include both phases. Recorded in the Office of the Leavenworth County Register of Deed Doc #2023R
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 8) Lots 1 and 2, SUNNY SIDE ESTATES 2, equally share the maintenance of the shared pond, unless otherwise agreed to or included in the Home Owner's Association.
- 9) Emergency Overflow Spillway for ponds can not be impeded by a structure or driveway.
- 10) Culvert designs for drives to Lot 1 and 2, if any, to be provided with building permit application.

13G
NE COR SE 1/4
Sec. 9-11-22
- 1/2" Rebar

MILLER, KEVIN L & RHONDA R
PID NO. 182-09-...018

STORK, ALLAN F & MARION SUE
LOT 1 - PIONEER ACRES
Approved by County - not recorded

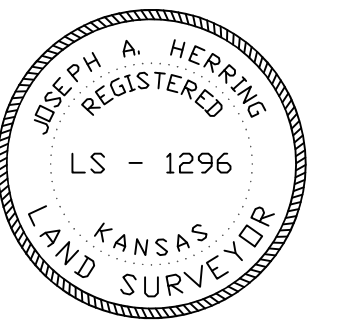
ZONING:
RR-2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

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 - See Error of Closure Calculations
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
Project Benchmark (BM) - NE COR SE 1/4 Section 9 - Elev - 932.27'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Doc # 2023R01014
- 12) Utility Companies -
- Water - Suburban
- Electric - Evergy
- Sewer - Septic
- Gas - Propane / Natural Gas
- 13) Reference Continental Title File Number 23445915 updated June 12, 2023
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0327G & 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 created hereon or shown hereon, if any.
- 17) Easements as per referenced Title Commitment are shown hereon, if any.
Gas Line Easement Book 325 Page 321, Blanket over South 20 acres of Tract Existing Gas Line South of surveyed property.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
WITT SUBDIVISION Survey Book 15 #92, 2005
HEART LAND ESTATES Doc #2011P00006
SUNNY SIDE ESTATES Doc #2021P000031
JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
Heart Land Estates Lot Split Doc #2020S026

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
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- ⊙ - 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
- C.A.E. - Cross Access Easement



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

Joseph A. Herring
PS # 1296

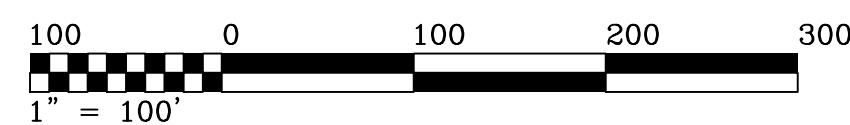


Scale 1" = 100'

Job # K-23-1356
June 15, 2023 Rev. 8-12-23



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



VICINITY MAP
NOT TO SCALE

SUNNY SIDE ESTATES 2

A Cross Access Easement Plat in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
STORK, ALLAN F & MARION SUE
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Together with and subject to covenants, easements, and restrictions of record.
Said property contains 35.74 acres, more or less.
Error of Closure: 1 - 153425

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: SUNNY SIDE ESTATES 2.

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

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

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

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 1, Lot 2, and Lot 3 for the benefit of Lot 1, Lot 2, and Lot 3, along with Lots 1 through 4, SUNNY SIDE ESTATES. Maintenance as defined in the Home Owner's Association (H.O.A.), recorded at the Leavenworth County Register of Deeds Office Doc # 2023R

IN TESTIMONY WHEREOF,
We, the undersigned owners of SUNNY SIDE ESTATES 2, have set our hands this _____ day of _____, 2023.

Allan F. Stork
Marion Sue Stork

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 this _____ day of _____, 2023.

Secretary: John Jacobson
Chairman: Marcus Majure

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

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 this _____ day of _____, 2023.

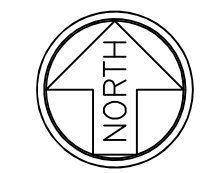
Chairman: Vicky Kaz
County Clerk: Janet Klasinski
Attest: Janet Klasinski

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

Register of Deeds - TerriLois G. Mashburn

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

Daniel Baunichen, PS#1363
County Surveyor

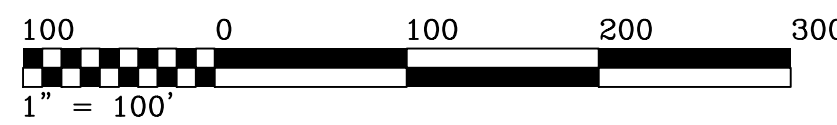


Scale 1" = 100'

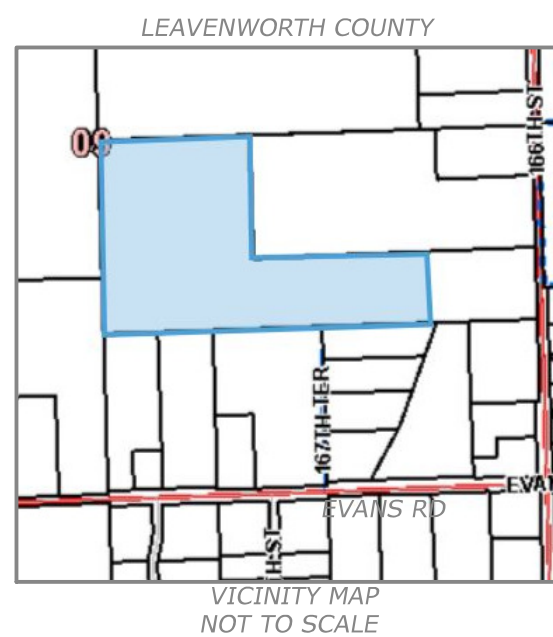
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315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@herringinc.com

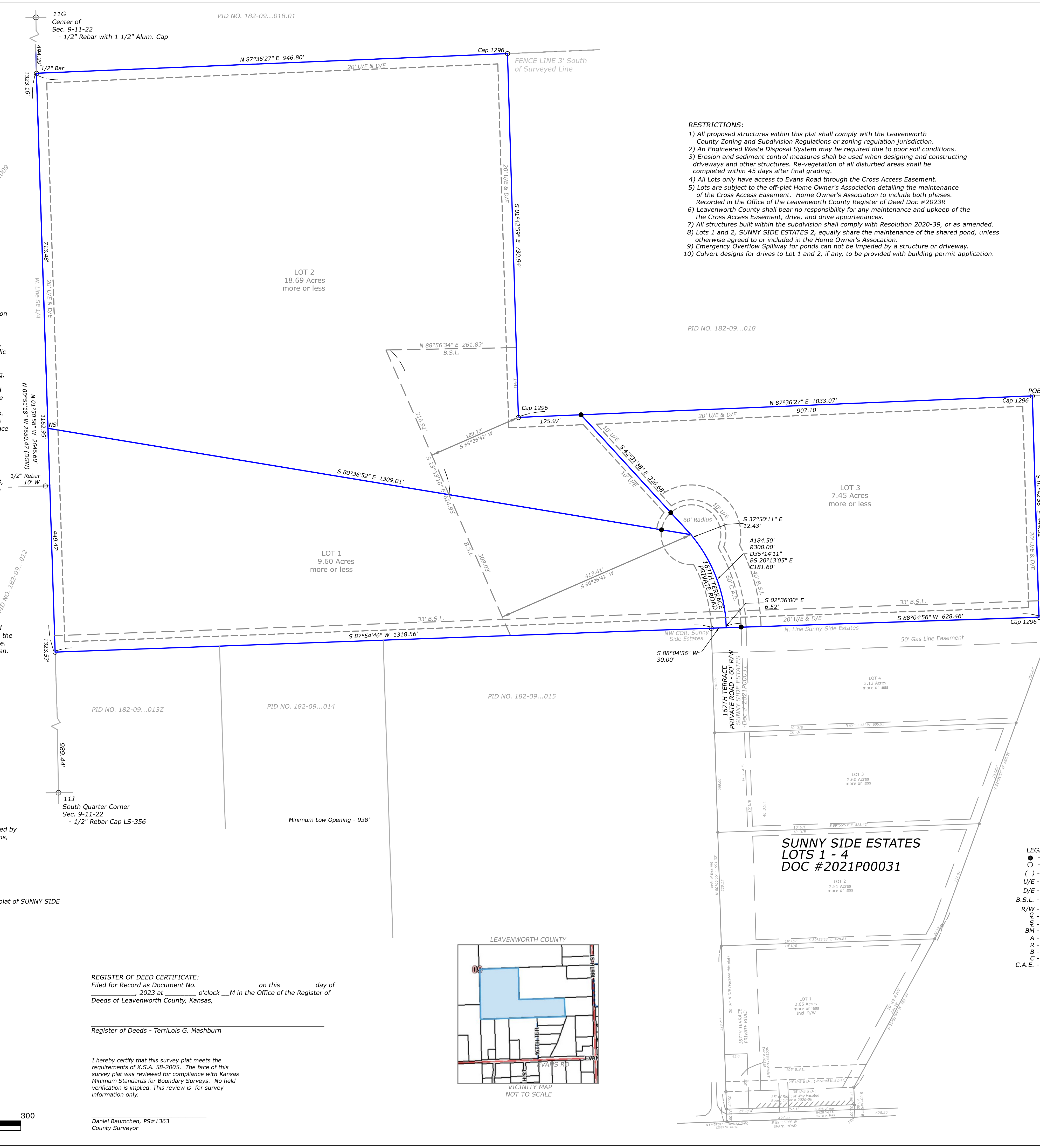


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VICINITY MAP
NOT TO SCALE

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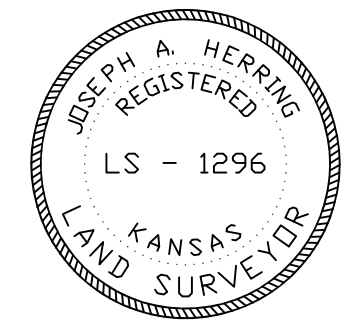
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NE COR SE 1/4
Sec. 9-11-22
- 1/2" Rebar

LOT 1 - PIONEER ACRES
Approved by County - not recorded

ZONING:
RR-2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

- NOTES:**
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- Electric - Evergy
- Sewer - Septic
- Gas - Propane / Natural Gas
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HEART LAND ESTATES Doc # 2011P00006
SUNNY SIDE ESTATES Doc # 2021P00031
JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
Heart Land Estates Lot Split Doc # 2020S026

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 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - C.A.E. - Cross Access Easement



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

Joseph A. Herring
PS # 1296



SuburbanWater

QUALITY WATER SERVICE

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Allison, Amy

From: Kyle Burkhardt <Kyle.Burkhardt@evergy.com>
Sent: Friday, June 16, 2023 8:41 AM
To: Allison, Amy; PZ
Cc: allan stork
Subject: SunnySide 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.

Internal Use Only

This email is on behalf of Allan Stork to notify Leavenworth County that Evergy will serve the additional lots that he is planning to add.

Thank you

Kyle Burkhardt
Evergy
TD Designer II
O 785-508-2408
Kyle.Burkhardt@evergy.com



Allison, Amy

From: Mike Lingenfelter <lingenfeltersm@fairmountfd.org>
Sent: Wednesday, June 28, 2023 1:03 PM
To: PZ
Subject: Sunny Side Estates 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.

In reference to Sunny Side Estates 2, the Fairmount Township Fire Department is requesting that there be a fire hydrant installed at the end of the road at the cul de sac. We would also like to address the gate installation on the private road. This gate should not have been allowed per 503.6 of the 2006 Fire Code. Our Fire Department uses the Knox Rapid Access System for emergency access to buildings and properties. I will not support this project going forward until the gate is either taken off or a Knox system is installed with our department Knox key for emergency access.

*Mike Lingenfelter, Fire Chief
Fairmount Township Fire Department
2624 N 155th St
Basehor, Kansas 66007
Work-[913-724-4911](tel:913-724-4911)
Cell [913-306-0258](tel:913-306-0258)*

Allison, Amy

From: Anderson, Kyle
Sent: Wednesday, July 5, 2023 8:50 AM
To: Allison, Amy
Subject: RE: RE: DEV-23-092/093 Preliminary and Final Plat – Sunny Side Estates 2

We have not received any complaints on this property and we are not aware of any septic systems currently installed. The pond that was dug, or is being dug, on lot 3 is not shown on the plat.

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, July 3, 2023 4:10 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcafee@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-23-092/093 Preliminary and Final Plat – Sunny Side Estates 2

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a three-lot cross access easement subdivision located at 00000 Evans Road (PID 182-09-0-00-00-018.07)

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, July 14, 2023.

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

Thank you,

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

Disclaimer

SUNNY SIDE ESTATES 2

A Cross Access Easement Plat in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
STORK, ALLAN F & MARION SUE
16678 EVANS ROAD
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-018.07

RECORD DESCRIPTION:
Tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on January 23, 2023, more fully described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence South 01 degrees 42'58" East for a distance of 1225.63 feet along the East line of said Southeast Quarter; thence South 87 degrees 36'27" West for a distance of 661.05 feet to the TRUE POINT OF BEGINNING; thence South 01 degrees 42'58" East for a distance of 444.52 feet to the North line of SUNNY SIDE ESTATES; thence South 88 degrees 04'56" West for a distance of 658.46 feet and along the North line of said SUNNY SIDE ESTATES to the Northwest corner of said SUNNY SIDE ESTATES; thence South 87 degrees 54'46" West for a distance of 1318.56 feet to the West line of said Southeast Quarter; thence North 01 degrees 50'58" West for a distance of 1162.95 feet; thence North 87 degrees 36'27" East for a distance of 946.80 feet; thence South 01 degrees 42'59" East for a distance of 730.34 feet; thence North 87 degrees 36'27" East for a distance of 1033.07 feet to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 35.74 acres, more or less.
Error of Closure: 1 - 153425

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: SUNNY SIDE ESTATES 2.

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

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

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

An easement to enter and exit under or over the area outlined and designated on this plat as "Cross Access Easement" or "C.A.E.", is hereby granted over Lot 1, Lot 2, and Lot 3 for the benefit of Lot 1, Lot 2, and Lot 3, along with Lots 1 through 4, SUNNY SIDE ESTATES. Maintenance as defined in the Home Owner's Association (H.O.A.), recorded at the Leavenworth County Register of Deeds Office Doc # 2023R

IN TESTIMONY WHEREOF,
We, the undersigned owners of SUNNY SIDE ESTATES 2, have set our hands this _____ day of _____, 2023.

Allan F. Stork
Marion Sue Stork

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Allan F. Stork and Marion Sue Stork, a married couple, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 this _____ day of _____, 2023.

Secretary John Jacobson
Chairman Marcus Majure

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

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUNNY SIDE ESTATES 2 this _____ day of _____, 2023.

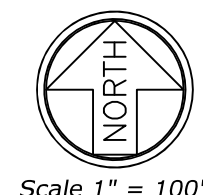
Chairman Vicky Kazz
County Clerk Attest: Janet Klasinski

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

Register of Deeds - TerriLois G. Mashburn

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

Reviewed 2023.08.15 No Comments
Daniel Baunichen, PS#1363
County Surveyor

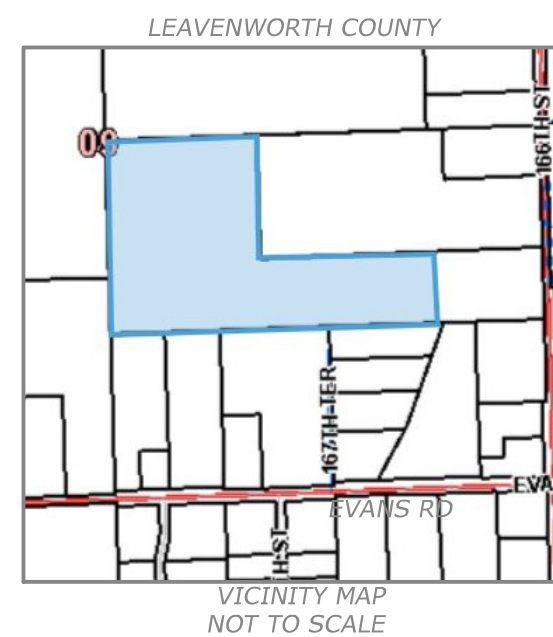
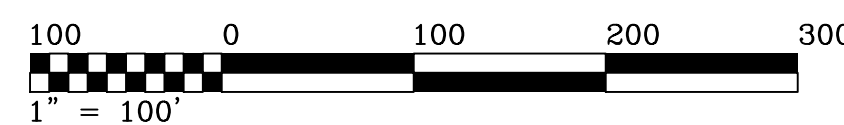


Scale 1" = 100'

Job # K-23-1356
June 15, 2023 Rev. 8-12-23



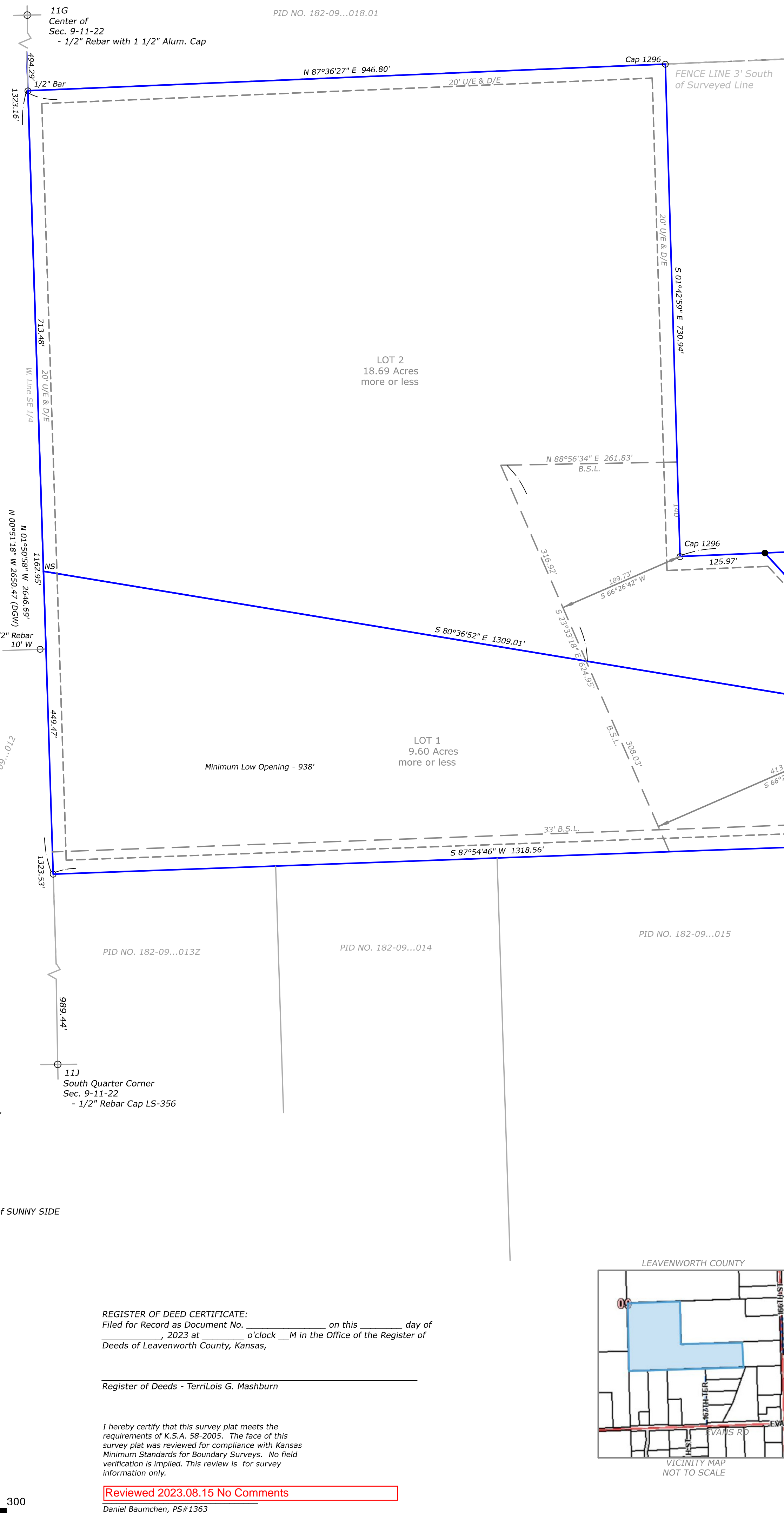
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@jeanash.com



VICINITY MAP
NOT TO SCALE

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Evans Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement. Home Owner's Association to include both phases. Recorded in the Office of the Leavenworth County Register of Deed Doc # 2023R
- 6) Leavenworth County shall bear no responsibility for any maintenance and upkeep of the Cross Access Easement, drive, and drive appurtenances.
- 7) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 8) Lots 1 and 2, SUNNY SIDE ESTATES 2, equally share the maintenance of the shared pond, unless otherwise agreed to or included in the Home Owner's Association.
- 9) Emergency Overflow Spillway for ponds can not be impeded by a structure or driveway.
- 10) Culvert designs for drives to Lot 1 and 2, if any, to be provided with building permit application.



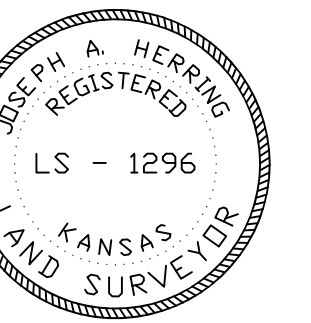
SUNNY SIDE ESTATES
LOTS 1 - 4
DOC #2021P00031

- 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
 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - C.A.E. - Cross Access Easement

LOT 1 - PIONEER ACRES
Approved by County - not recorded

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 - See Error of Closure Calculations
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Existing and Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88
Project Benchmark (BM) - NE COR SE 1/4 Section 9 - Elev - 932.27'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Deed Doc # 2023R01014
 - 12) Utility Companies -
- Water - Suburban
- Electric - Evergy
- Sewer - Septic
- Gas - Propane / Natural Gas
 - 13) Reference Continental Title File Number 23445915 updated June 12, 2023
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0327G & 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 created hereon or shown hereon, if any.
 - 17) Easements as per referenced Title Commitment are shown hereon, if any.
Gas Line Easement Book 325 Page 321, Blanket over South 20 acres of Tract Existing Gas Line South of surveyed property.
 - 18) Fence Lines do not necessarily denote the boundary line for the property.
 - 19) Reference Surveys:
WITT SUBDIVISION Survey Book 15 #92, 2005
HEART LAND ESTATES Doc #2011P00006
SUNNY SIDE ESTATES Doc #2021P00031
JAH - J.A.Herring Survey Doc # 20225016 & 20235009
Heart Land Estates Lot Split Doc #20205026

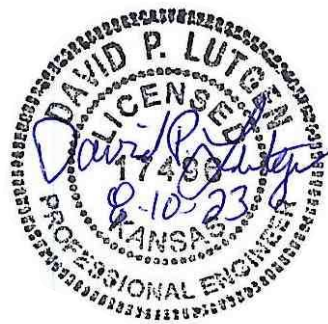


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

08-16-2023
OLSSON REVIEW
No Further
Comment

Sunny Side Estates Phase 2
Leavenworth County Kansas
Drainage Report
June 11, 2023
Revised July 27, 2023
Revised August 10, 2023



SUNNY SIDE ESTATES 2

A Cross Access Easement Plat in the Southeast Quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:

STORK, ALLAN F & MARION SUE
16678 EVANS ROAD
BASEHOR, KS 66007
PID NO. 182-09-0-00-00-018.07

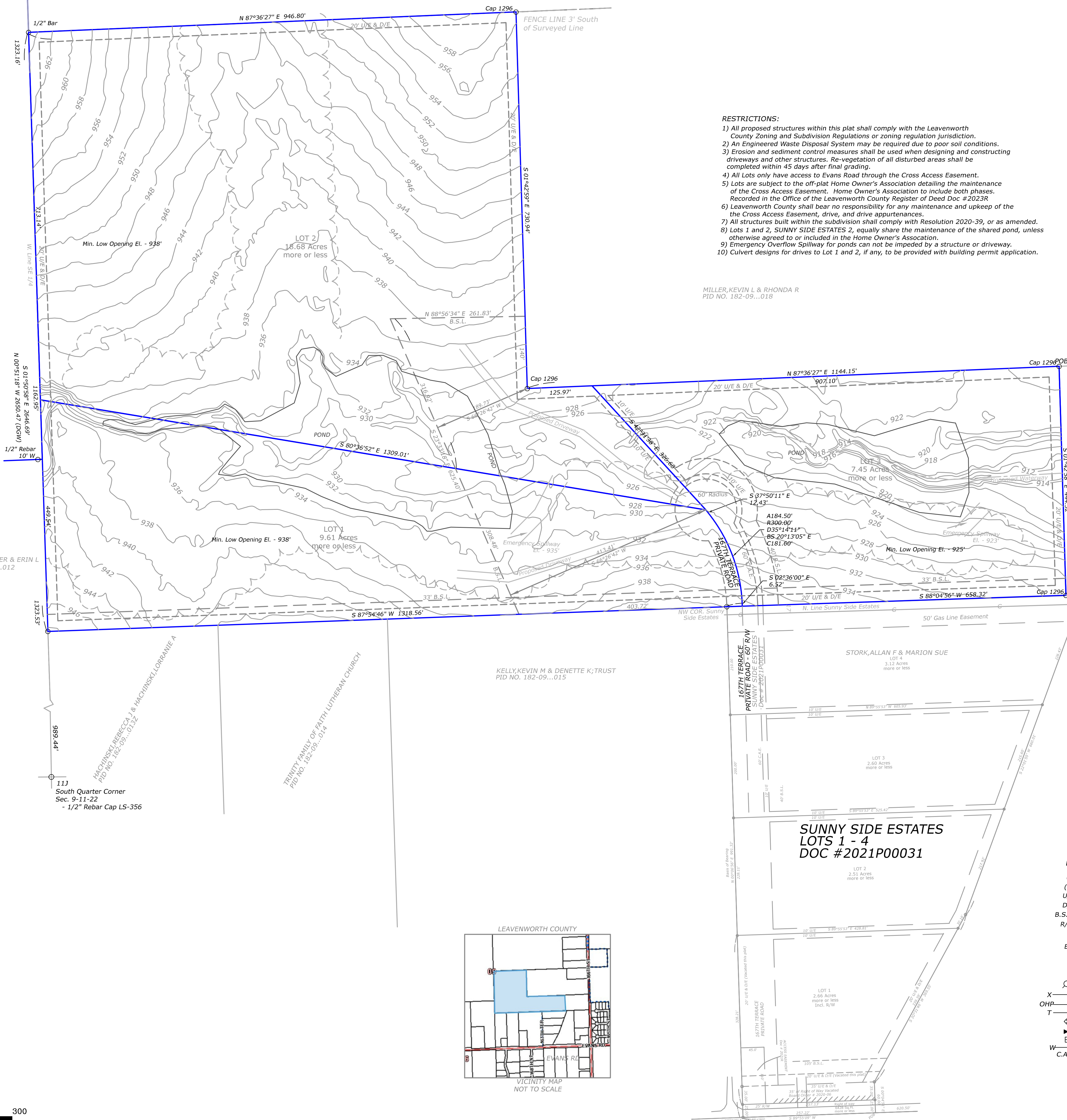
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Together with and subject to covenants, easements, and restrictions of record.
Said property contains 35.74 acres, more or less.
Error of Closure: 1 - 153425

WITT, CURTIS D & WITT, SHANNON D
PID NO. 182-09-...018.01

11G
Center of
Sec. 9-11-22
- 1/2" Rebar with 1 1/2" Alum. Cap



RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) All Lots only have access to Evans Road through the Cross Access Easement.
- 5) Lots are subject to the off-plat Home Owner's Association detailing the maintenance of the Cross Access Easement. Home Owner's Association to include both phases. Recorded in the Office of the Leavenworth County Register of Deed Doc #2023R
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- 9) Emergency Overflow Spillway for ponds can not be impeded by a structure or driveway.
- 10) Culvert designs for drives to Lot 1 and 2, if any, to be provided with building permit application.

08-16-2023
OLSSON REVIEW
No Further Comment

13G
NE COR SE 1/4
Sec. 9-11-22
- 1/2" Rebar

MILLER, KEVIN L & RHONDA R
PID NO. 182-09-...018

STORK, ALLAN F & MARION SUE
LOT 1 - PIONEER ACRES
Approved by County - not recorded

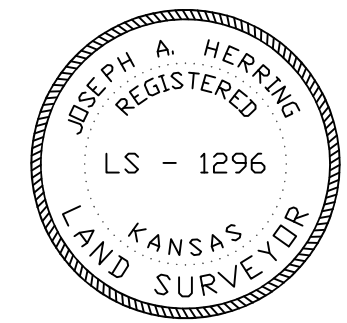
ZONING:
RR-2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

NOTES:

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- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
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- Gas - Propane / Natural Gas
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- All rear yard setbacks - 40' (Accessory - 15')
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WITT SUBDIVISION Survey Book 15 #92, 2005
HEART LAND ESTATES Doc #2011P00006
SUNNY SIDE ESTATES Doc #2021P000031
JAH - J.A.Herring Survey Doc # 2022S016 & 2023S009
Heart Land Estates Lot Split Doc #2020S026

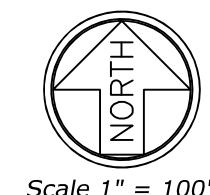
LEGEND:

- - 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
- A - Arc Distance
- R - Arc Radius
- B - Chord Bearing
- C - Chord Distance
- ⊙ - 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
- C.A.E. - Cross Access Easement



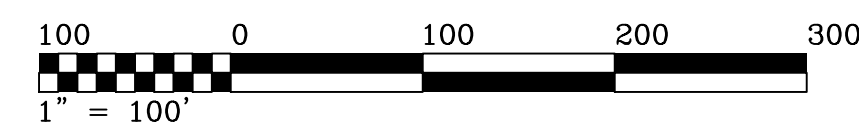
I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February through June 2023 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



Scale 1" = 100'

Job # K-23-1356
June 15, 2023 Rev. 8-12-23



Allison, Amy

From: McAfee, Joe
Sent: Wednesday, August 23, 2023 8:30 AM
To: Allison, Amy; Noll, Bill; 'Mitch Pleak'
Subject: RE: Sunny Side 2 Revision

Amy,
Both of the drawings are approved. No further comments from Public Works on any Sunny Side 2 submittals.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, August 23, 2023 8:13 AM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Subject: FW: Sunny Side 2 Revision

From: Joe Herring <herringsurveying@outlook.com>
Sent: Tuesday, August 22, 2023 9:14 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>; PZ <PZ@leavenworthcounty.gov>
Subject: Re: Sunny Side 2 Revision

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

Please see attached revision for public works and the spillway

Thank you - Joe Herring

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

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, August 21, 2023 8:55 AM
To: 'Joe Herring' <herringsurveying@outlook.com>
Subject: FW: Sunny Side 2 Revision

Morning Joe,

Please see those comments attached.

Amy

From: McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Sent: Friday, August 18, 2023 11:21 AM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Noll, Bill <BNoll@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: RE: Sunny Side 2 Revision

Amy,
Approvals for DR and PP are attached. Comments for FP and Spillway Exhibit are attached. Let us know if you have any questions. We had to remove the MLO on the final plat because it is based on the normal pool, which will be exceeded when flow is through the emergency spillway. Also, since we do not review the pond design we do not want to give the false impression that the stated MLO is actually safe.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, August 14, 2023 4:25 PM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Subject: FW: Sunny Side 2 Revision

From: Joe Herring <herringsurveying@outlook.com>
Sent: Monday, August 14, 2023 4:10 PM
To: PZ <PZ@leavenworthcounty.gov>
Subject: Fwd: Sunny Side 2 Revision

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

See attached.

Public Works -

- Provided an exhibit with the shown emergency spillway location. This exhibit shows that the driveways do not cross the spillway. Basic cross section of each spillway is also illustrated.
- Did not place in easement - there is a restriction for the spillway. If we need to place an agreement between owners on the plat or in the HOA we can do so prior to BOCC approval.
- Did not change the note about Lots 1 and 2 shared pond. Question was which pond? Seems to be explained in the note. It is the pond show on Lot 1 and 2....
- Did not add notes to the comment box in the northeast corner of the plat - believe the above changes handled these concerns.

With changes, exhibit, and contactor information, hopefully we have satisfied any and all concerns.

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
Case No. DEV-23-102/103
Preliminary & Final Plat Dodge Addition**

Date: September 27, 2023
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: John Jacobson, Reviewed

Additional Reviews as needed:

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

Action Requested: The applicants are requesting a Preliminary and Final Plat for a two-lot subdivision. Proposed lots 1 & 2 will be approximately 31 acres each.

Analysis: The applicant is proposing to divide a 62-acre parcel into two lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots 1 and 2 will be approximately 31.23 acres in size. The lots meet the requirements for the RR-5 zoning district but do not meet the subdivision requirement that does not allow for structures to be made non-compliant via the platting process.

Exceptions: The Planning Commission voted 8-0 to approve an exception from Article 50, Section 40.3.h. – accessory structure larger than 600 sf on lots smaller than 40 acres on a finding that the criteria for an exception had been met.

Recommendation: The Planning Commission voted 8-0 to recommend approval of Case No.DEV-23-102/103, Preliminary and Final Plat for Dodge Addition subject to conditions.

Alternatives:

1. Approve Case No. DEV-23-102/103, Preliminary and Final Plat for Dodge Addition, with Findings of Fact, and with or without conditions; or
2. Deny Case No. DEV-23-102/103, Preliminary and Final Plat for Dodge Addition, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Case No. DEV-23-102/103, Preliminary and Final Plat for Dodge Addition, 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

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hO VV@8 # \ U U @ @ V °
STAFF REPORT °

CASE NO: DEV-23-102/103 Dodge Addition

September 13, 2023

REQUEST: *k*
 Preliminary Plat Final Plat

au ° 77k-hk-o-Vu ° u@-
AMY ALLISON
DEPUTY DIRECTOR

oy" K #uhk\ h-ku 00000 CANTRELL ROAD

° hO@# Vu ° hO@# Vu ° 8-Vu °
AUSTIN THOMPSON
ATLAS LAND CONSULTING

hk\ h-ku ° \ ‡ V-k °
MARCY E RODELL & THOMAS D
DODGE
15817 W 131ST ST
OLATHE KS 66052

\ V #yk-k-Vu ° hO@# u@Vo °
NONE

O V) yo °

ZONING: RR-5
FUTURE LAND USE DESIGNATION:
COUNTY ROAD 1

O 8 ° O) -o#k@u@V:
A tract of land in the South Half of the Southeast Quarter of Section 4,
Township 12 South, Range 21 East of the 6th P.M., in Leavenworth County,
Kansas.

SUBDIVISION: N/A
FLOODPLAIN: ZONE A

au ° 77k-# \ U U -V) ° u@V APPROVAL WITH CONDITIONS

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- ° #u@V \ hu@Vo °*
1. Recommend approval of Case No. DEV-23-102/103, Preliminary & Final Plat for Dodge Addition, to the Board of County Commission, with or without conditions; or
 2. Recommend denial of Case No. DEV-23-102/103, Preliminary & Final Plat for Dodge Addition, to the Board of County Commission for the following reasons; or
 3. Continue the hearing to another date, time, and place.

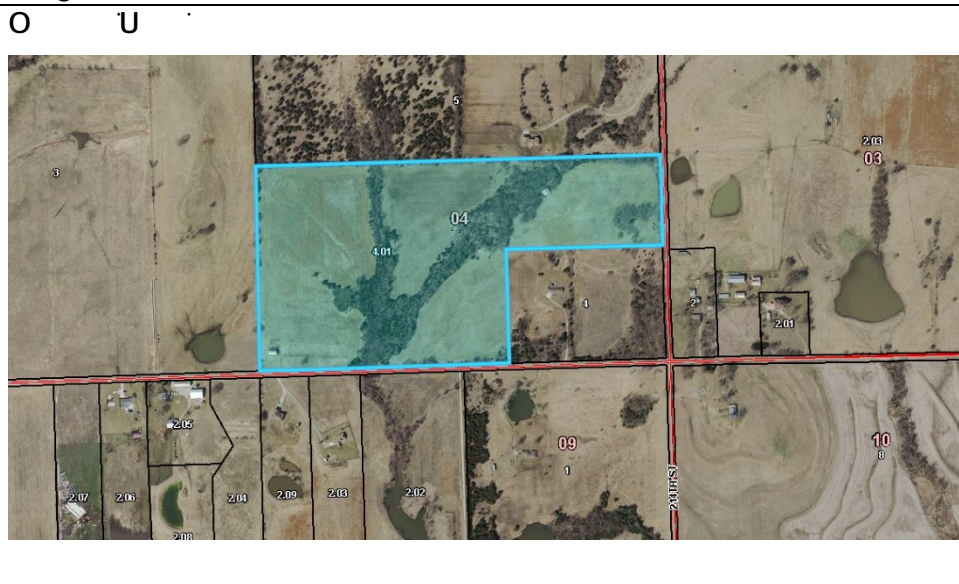
PARCEL SIZE:
62.45 ACRES

PARCEL ID NO:
222-04-0-00-00-004.01

BUILDINGS:
TWO AGRICULTURAL BUILDINGS

hk\ K #u'oyUU ° k'
Request for preliminary and final plat approval to subdivide property located
at 00000 Cantrell Road (PID222-04-0-00-00-004.01) as Lots 1 through 2 of the
Dodge Addition °

ACCESS/STREET:
CANTRELL ROAD - COUNTY LOCAL,
GRAVEL ± 24'; 214TH STREET –
COUNTY LOCAL, GRAVEL ± 24'



yu@e@o °

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: RENO

WATER: RWD 10

ELECTRIC: EVERGY

V \ u@- ° k-†@† °

STAFF REVIEW:
9/5/2023

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

| | | U | V U |
|-------------|---|-----|-----|
| 35-40 | h h # | X | |
| 40-20 | 7 h # | X | |
| 41-6 | U | X | |
| 41-6.B.a-c. | - o | X | |
| 41-6.C. | h k U o | X | |
| 43 | # | N/A | |
| 50-20 | y k | X | |
| 50-30 | \ k | X | |
| 50-40 | U) o Applicant has submitted an exception request from Article 50 – Section 40.3.H. to allow for two accessory buildings larger than 600 sf to remain on a property without a principal structure nor on a lot greater than 40 acres. | | X |
| 50-50 | o O) | N/A | |
| 50-60. |) k h o \ o | N/A | |

77# U U - Vuo

The applicant is proposing to divide a 62-acre parcel into two lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots 1 and 2 will be approximately 31.23 acres in size. The lots meet the requirements for the RR-5 zoning district but do not meet the subdivision requirement that does not allow for structures to be made non-compliant via the platting process. Both proposed lots will have an existing agricultural structure in excess of 600 sf without a principal structure. The Zoning Regulations only permits this when the parcel is greater than 40 acres. Both proposed lots will be less than the required 40. The applicant has submitted a request for exception. If approved, staff is generally in support.

#- hu Vo

The applicant has requested an exception from Article 50, Section 40.3.h. – Building conformance with the Zoning Regulations. 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.

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h\ h o-) #\ V) Vo

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.h. has been approved for Lots 1 & 2.
6. The developer must comply with the following memorandums:
 - a. Memo – Chuck Magaha, Emergency Management, dated September 1, 2023

• uu #=U -Vu0 ·

A: Application & Narrative

B: Zoning Maps

C: Memorandums

FINAL PLAT APPLICATION

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

Office Use Only

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

APPLICANT/AGENT INFORMATION

OWNER INFORMATION

NAME: AUSTIN THOMPSON - ATLAS LAND CONSULTING NAME: MARCY E RODELL & THOMAS D DODGE
MAILING ADDRESS: 14500 PARALLEL RD UNIT R MAILING ADDRESS _____
CITY/ST/ZIP: BASEHOR, KS 66007 CITY/ST/ZIP _____
PHONE: 913-702-8916 PHONE: _____
EMAIL : AUSTIN@ALCONSULT-LLC.COM EMAIL tdodge22@gmail.com

GENERAL INFORMATION

Proposed Subdivision Name: DODGE ADDITION
Address of Property: PARCEL R307618
PID: _____ Urban Growth Management Area: _____

SUBDIVISION INFORMATION

| | | |
|---|---|--------------------------------------|
| Gross Acreage: <u>62.45 ACRES</u> | Number of Lots: <u>2 LOTS</u> | Minimum Lot Size: <u>31.23ACRES</u> |
| Maximum Lot Size: <u>31.23ACRES</u> | Proposed Zoning: <u>RR 5</u> | Density: |
| Open Space Acreage: | Water District: <u>RWD #10</u> | Proposed Sewage: <u>SEPTIC</u> |
| Fire District: | Electric Provider: <u>EVERGY</u> | Natural Gas Provider: <u>PROPANE</u> |
| Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No | Road Classification: <i>Local – Collector - Arterial – State - Federal</i> | |
| | Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No | |

Is any part of the site designated as Floodplain? Yes No if yes, what is the panel number: 20103C0325G

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: _____

~~PRE~~
~~FINAL PLAT APPLICATION~~

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

Need
\$525.00
Rodell ~~owner~~ auth
Reno fire response
Big Copy

222-04

004.01

| | |
|-----------------------------|--|
| Office Use Only | |
| Township: <u>Reno</u> | Planning Commission Meeting Date: _____ |
| Case No. <u>DEV-23-102</u> | Date Received/Paid: _____ |
| Zoning District <u>RR 5</u> | Comprehensive Plan Land Use Designation: _____ |

| APPLICANT/AGENT INFORMATION | OWNER INFORMATION |
|--|--|
| NAME: <u>AUSTIN THOMPSON - ATLAS LAND CONSULTING</u> | NAME: <u>MARCY E RODELL & THOMAS D DODGE</u> |
| MAILING ADDRESS: <u>14500 PARALLEL RD UNIT R</u> | MAILING ADDRESS: _____ |
| CITY/ST/ZIP: <u>BASEHOR, KS 66007</u> | CITY/ST/ZIP: _____ |
| PHONE: <u>913-702-8916</u> | PHONE: _____ |
| EMAIL: <u>AUSTIN@ALCONSULT-LLC.COM</u> | EMAIL: <u>tdodge22@gmail.com</u> |

GENERAL INFORMATION

Proposed Subdivision Name: DODGE ADDITION

Address of Property: PARCEL R307618

PID: _____ Urban Growth Management Area: _____

| SUBDIVISION INFORMATION | | |
|--|--|--------------------------------------|
| Gross Acreage: <u>62.45 ACRES</u> | Number of Lots: <u>2 LOTS</u> | Minimum Lot Size: <u>31.23ACRES</u> |
| Maximum Lot Size: <u>31.23ACRES</u> | Proposed Zoning: <u>RR 5</u> | Density: _____ |
| Open Space Acreage: _____ | Water District: <u>RWD #10</u> | Proposed Sewage: <u>SEPTIC</u> |
| Fire District: <u>RENO</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 | | |

Is any part of the site designated as Floodplain? Yes No if yes, what is the panel number: 20103C0325G

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: _____

OWNER AUTHORIZATION

I/WE THOMAS DODGE AND MARLY RODELL, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 9th day of JULY, 2023, 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 (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.

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.

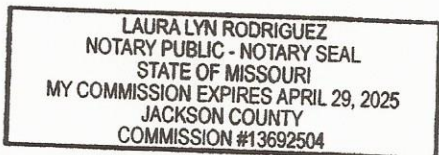
[Signature]
Owner

[Signature]
Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 9th day of July, 2023
by Laura Lyn Rodriguez.
My Commission Expires:

Laura Lyn Rodriguez
Notary Public



ATTACHMENT B

From: [Marcy Rodell](#)
Sent: Monday, July 17, 2023 12:02 PM
To: Johnson, Melissa
Cc: [Thomas Dodge](#)
Subject: Cantrell Rd Property

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

To whom it may concern -

I am giving Austin Thompson with Atlas Land Consulting permission to complete the final plat on our property.

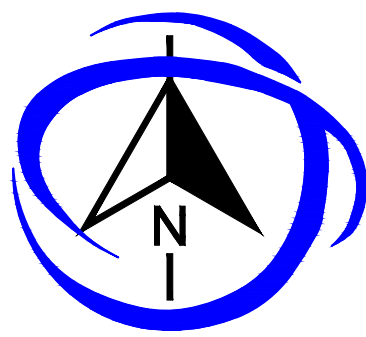
Marcy Rodell

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:

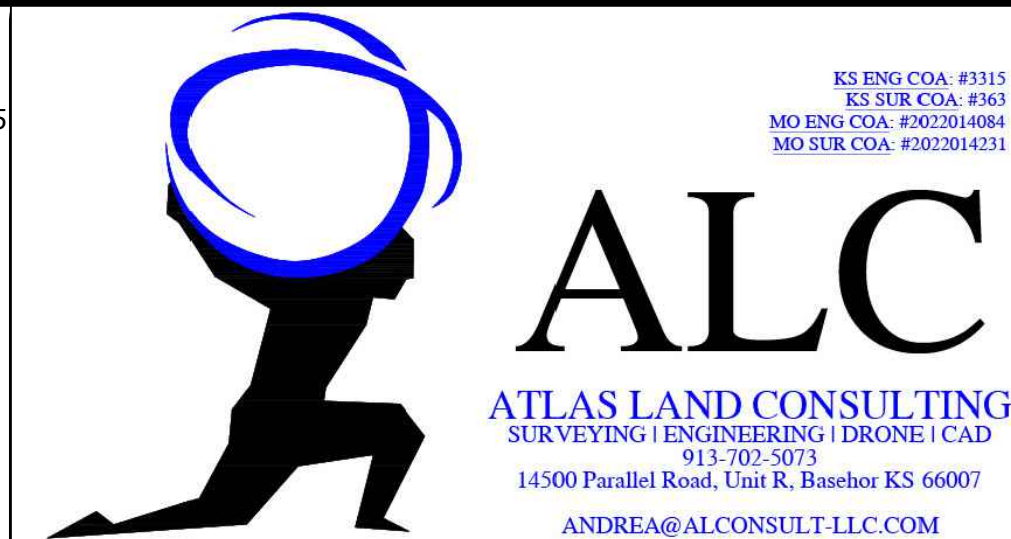
1. That there are special circumstances or conditions affecting the property.
-The special circumstance for Lot 1 & Lot 2, is both of these structures are existing. Splitting the property allows each lot to have one accessory structure. The exception can be removed once a residential home is built on these lots. It doesn't make sense to tear down the buildings, just to one day have someone rebuild an accessory structure with their home.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
-The variance is necessary because this is creating a hardship on the owners. Requiring them to destroy accessory structures cost money. Also, they have value to the property as existing, and could affect the value of the property.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.
-Granting the variance will have no affect on the public welfare or injurious to adjacent properties. The buildings are already existing.



DODGE ADDITION

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04,
TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

UTILITIES
EVERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-856-7375



KS ENG COA #3113
KS SUR COA #363
MO ENG COA #02034684
MO SUR COA #02034231

PRELIMINARY PLAT

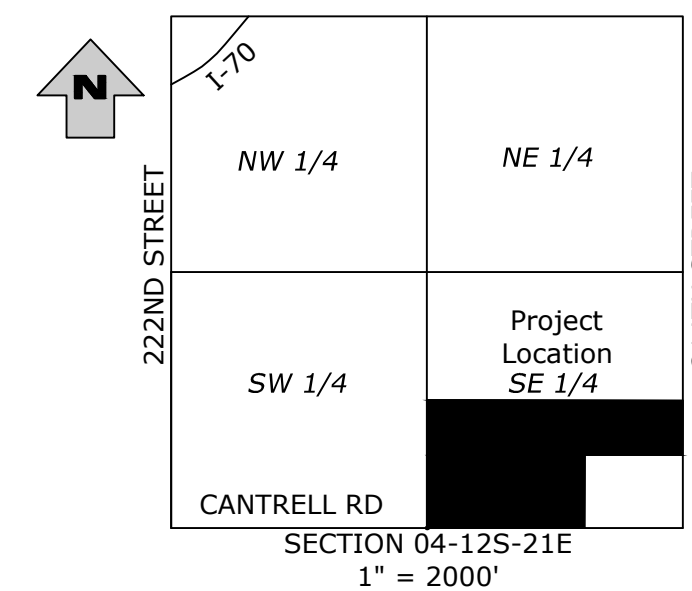
LEGEND

- Δ DENOTES FOUND MONUMENT AS NOTED
- \circ DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH CAP ALC KS CLS 363 MO CLS 2022014231
- \bullet DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE FENCE LINE
- U/E UTILITY EASEMENT OHP OVERHEAD POWER LINE
- \otimes TELEPHONE PEDESTAL TREELINE

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SEC 04-12S-21E S88°11'55"W.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 2010303256 EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
4. AS ONE CALL WAS CALLED AT THE TIME OF SURVEY TICKET NO. 23350349.
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NGS KE0629 - ELV-867.50
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. L23-29500
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:
 - TRACT SPLIT COMPLETED APRIL 12, 2018 BY ATLAS SURVEYORS VIA ROGER B. DILL LS 1408 DOCUMENT NO. 2018R05592
 - TRACT SPLIT COMPLETED APRIL 12, 2018 BY ATLAS SURVEYORS VIA ROGER B. DILL LS 1408 DOCUMENT NO. 2018S046
16. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 PROPERTY ACCESS VIA CANTRELL ROAD & LOT 2 PROPERTY ACCESS VIA CANTRELL ROAD & 214TH STREET.
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:
 - WATER - RURAL WATER DISTRICT 10
 - ELECTRIC - EVERGY
 - SEWER - SEPTIC
 - GAS - PROPANE/NATURAL GAS
21. 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.
22. AN EXCEPTION TO ARTICLE 50 - SECTION 40.3.H. HAS BEEN GRANTED FOR LOTS 1 & 2 TO ALLOW FOR ACCESSORY STRUCTURES TO REMAIN ON A LOT WITHOUT PRINCIPAL STRUCTURES

VICINITY MAP



This is to certify on this 26th day of June, 2023 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

JOB NO:23-140

SCALE PREPARED FOR

120 60 0 120
SCALE IN FEET

SEC-TWN-RNG

04-12S-21E

THOMAS D. DODGE & MARGY E. RODELL

CANTRELL RD.
LINWOOD, KS 66052
MAILING ADDRESS: 15817 W 131ST ST
OLATHE, KS 66062

DATE

JUNE 23, 2023

(C) NW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 5/8" REBAR NO CAP ORIGIN UNCERTAIN

N88°22'56"E 2642.38'
SOUTH LINE OF THE SOUTHEAST 1/4 SEC 04-12S-21E

(D) NE CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

UNPLATTED
PARCEL ID
222040000005000
OWNER:
JESSE L & ANGELA LOEWEN
N88°17'25"E 2637.89'
NORTH LINE OF THE SOUTH HALF OF
THE SOUTHEAST 1/4 OF SEC 04-12S-21E

NORTHEAST CORNER OF
THE SOUTH HALF
OF THE SOUTHEAST 1/4
SEC 04-12S-21E

50' R/W PER DOCUMENT 2018R05592

UNPLATTED
PARCEL ID
222030000002030
OWNER:
HENRIETTA SHELTON

UNPLATTED
PARCEL ID
222030000002000
OWNER:
HENRIETTA SHELTON

SECTION CORNER TIES:

- A - SE CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 35.75' NW TO 60D NAIL IN TOP CORNER POST
 2. 31.90' SW TO PK NAIL IN TOP CORNER POST
 3. 30.90' SE TO 60D NAIL IN POWER POLE
- B - SW CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 24.25' SW TO PK NAIL IN HEDGE POST
 2. 28.65' N TO PK NAIL IN CORNER POST
 3. 39.60' SE TO 60D NAIL IN POWER POLE
- C - NW CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 4.00' N TO EAST/WEST FENCE LINE
 2. 23.00' E TO NORTH/SOUTH FENCE LINE
 3. 23.55' E TO 1/2" REBAR WITH CAP LS 356
 4. 16.60' ENE TO NAIL AND SHINER IN FENCE CORNER POST
 5. 22.10' ESE TO NAIL AND SHINER IN 12" TREE
- D - NE CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 65.90' SSW TO TOP OF 15" CMP
 2. 21.20' E TO PK NAIL IN FENCE CORNER POST
 3. 35.00' SE TO PK NAIL IN FENCE POST
 4. 52.40' NNE TO TOP OF 15" CMP SOUTH END



UNPLATTED
PARCEL ID
222040000003000
OWNER:
TAILGATE
RANCH
COMPANY

LOT 1
1360259.94 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

LOT 2
1360263.15 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

UNPLATTED
PARCEL ID
222040000004000
OWNER:
WILLIAM A RUDOLPH

UNPLATTED
PARCEL ID
222090000001000
OWNER:
DANIEL S & VICKI E HILL

UNPLATTED
PARCEL ID
222090000002030
OWNER:
TERESA A & DONALD C PAULEY

UNPLATTED
PARCEL ID
222090000002090
OWNER:
ROGER NORMAN &
CHRISTINE M CREWS

UNPLATTED
PARCEL ID
222090000002030
OWNER:
JENNIFER J REUTLINGER

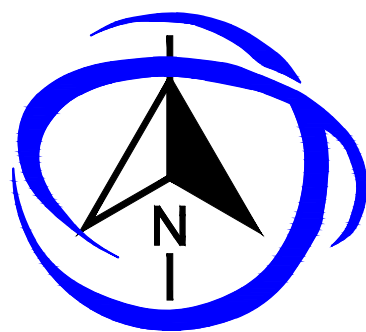
DESCRIPTION PER TITLE COMMITMENT

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTH HALF, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CANTRELL ROAD, AS IT NOW EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 01°48'25" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1319.02 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 88°17'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2637.89 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 214TH STREET AS IT NOW EXISTS; THENCE SOUTH 01°38'01" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, PARALLEL TO SAID NORTH RIGHT OF WAY LINE OF CANTRELL ROAD, A DISTANCE OF 986.19 FEET; THENCE SOUTH 01°38'01" EAST, PARALLEL TO SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 726.08 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°11'54" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1627.72 FEET TO THE POINT OF BEGINNING. SHOWN AS TRACT 2 ON THE TRACT SPLIT BY ROGER B. DILL, FILED JULY 26, 2018, AS DOCUMENT NO. 2018S046.

SURVEYORS SUGGESTED

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408 ON JUNE 28TH, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

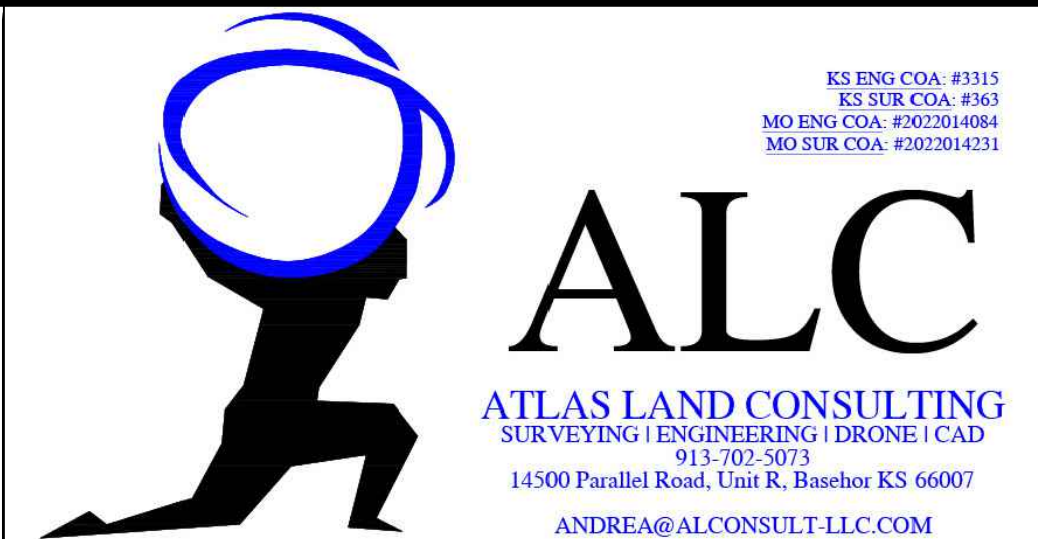
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1319.02 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°17'25" EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 2637.89 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01°38'01" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, A DISTANCE OF 1006.19 FEET; THENCE SOUTH 01°38'01" EAST, A DISTANCE OF 746.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88°11'55" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1627.71 FEET TO THE POINT OF BEGINNING. CONTAINING 2,720,522.96 SQUARE FEET OR 62.45 ACRES MORE OR LESS; INCLUDING ROAD RIGHT OF WAY PRECISION: 1 PART IN 13176008.333



DODGE ADDITION

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04,
TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

UTILITIES
EVERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-856-7375



FINAL PLAT

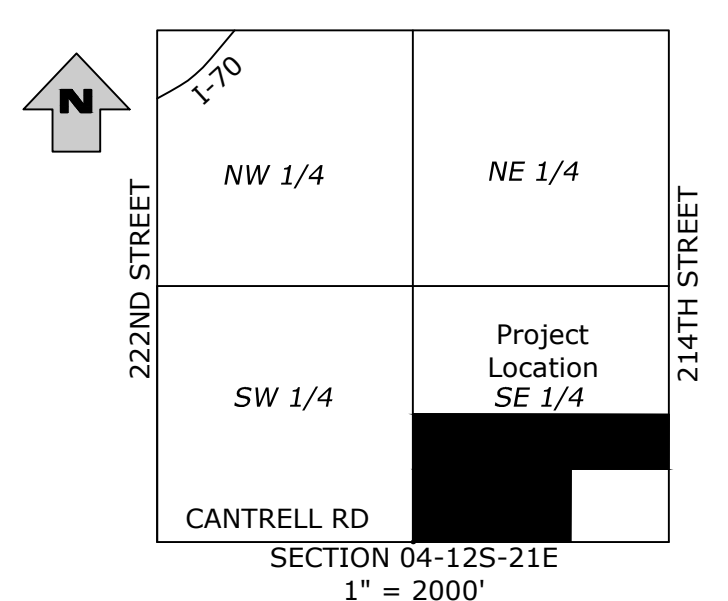
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SEC 04-12S-21E S88°11'55"W.
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 CALLED AT THE TIME OF SURVEY TICKET NO. 23350349.
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NGS KE629 - ELEV 867.50
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 MCCAFFREE-SHORT TITLE COMPANY - FILE NO. L23-29500
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
-TRACT SPLIT COMPLETED APRIL 12, 2018 BY ATLAS SURVEYORS VIA ROGER B. DILL LS 1408 DOCUMENT NO. 2018R0546
16. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 PROPERTY ACCESS VIA CANTRELL ROAD & LOT 2 PROPERTY ACCESS VIA CANTRELL ROAD & 214TH STREET.
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:
- WATER - RURAL WATER DISTRICT 10
- ELECTRIC - EVERGY
- SEWER - SEPTIC
- GAS - PROPANE/NATURAL GAS
21. 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.
22. AN EXCEPTION TO ARTICLE 50 - SECTION 40.3.H. HAS BEEN GRANTED FOR LOTS 1 & 2 TO ALLOW FOR ACCESSORY STRUCTURES TO REMAIN ON A LOT WITHOUT PRINCIPAL STRUCTURES

VICINITY MAP



This is to certify on this 26th day of June, 2023 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

JOB NO: 23-140

| | |
|-------------------------------|---|
| SCALE | PREPARED FOR |
| 120 60 0 120 SCALE IN FEET | THOMAS D. DODGE & MARCY E. RODELL CANTRELL RD, LINWORTH, KS 66052 MAILING ADDRESS: 15817 W 131ST ST OLATHE, KS 66062 |
| SEC-TWN-RNG | |
| 04-12S-21E | |

DATE

JUNE 23, 2023

(C) NW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 5/8" REBAR NO CAP ORIGIN UNCERTAIN

N88°22'56"E 2642.38'
SOUTH LINE OF THE SOUTHEAST 1/4 SEC 04-12S-21E

(D) NE CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

UNPLATTED
PARCEL ID
2220400000005000
OWNER:
JESSE L & ANGELA LOEWEN
N88°17'25"E 2637.89'
NORTH LINE OF THE SOUTH HALF
OF THE SOUTHEAST 1/4 OF SEC 04-12S-21E

NORTHEAST CORNER OF
THE SOUTH HALF
OF THE SOUTHEAST 1/4
SEC 04-12S-21E
FOUND 1/2" REBAR CAP LS 1408(HELD)

FOUND 1/2" REBAR CAP LS 1408(HELD)
NORTHWEST CORNER OF THE SOUTH HALF
OF THE SOUTHEAST 1/4 SEC 04-12S-21E

UNPLATTED
PARCEL ID
2220300000002030
OWNER:
HENRIETTA SHELTON

LOT 1
1360259.94 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

LOT 2
1360263.15 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

UNPLATTED
PARCEL ID
2220300000002000
OWNER:
HENRIETTA SHELTON

UNPLATTED
PARCEL ID
2220400000004000
OWNER:
WILLIAM A RUDOLPH

- SECTION CORNER TIES:**
- A - SE CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 38.75' NW TO 60D NAIL IN TOP CORNER POST
 2. 31.90' SW TO PK NAIL IN TOP CORNER POST
 3. 30.90' SE TO 60D NAIL IN POWER POLE
- B - SW CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 24.25' SW TO PK NAIL IN HEDGE POST
 2. 28.65' N TO PK NAIL IN CORNER POST
 3. 39.60' SE TO 60D NAIL IN POWER POLE
- C - NW CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 4.00' N TO EAST/WEST FENCE LINE
 2. 23.00' E TO NORTH/SOUTH FENCE LINE
 3. 23.55' E TO 1/2" REBAR WITH CAP LS 356
 4. 16.60' ENE TO NAIL AND SHINER IN FENCE CORNER POST
 5. 22.10' ESE TO NAIL AND SHINER IN 12" TREE
- D - NE CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 65.90' SSW TO TOP OF 15" CMP
 2. 21.20' E TO PK NAIL IN FENCE CORNER POST
 3. 35.00' SE TO PK NAIL IN FENCE POST
 4. 52.40' NNE TO TOP OF 15" CMP SOUTH END

(A) SE CORNER OF THE SE 1/4
SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN
UNCERTAIN

P.O.B
(A) SW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

10' U/E PER
DOCUMENT 2018R05592
CANTRELL ROAD
50' R/W PER DOCUMENT #2018R05592

UNPLATTED
PARCEL ID
2220900000001000
OWNER:
DANIEL S & VICKI E HILL

This plat of DODGE ADDITION has been submitted and approved by Leavenworth County Planning Commission, this _____ day of _____, 202__.

CHAIRMAN - MARCUS MAJURE

SECRETARY - JOHN JACOBSON

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

(SEAL)

CHAIRMAN - Vicky Kaaz ATTEST - COUNTY CLERK - JANET KLASINSKI

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 _____, 2023, in Book _____ Page _____.

REGISTER OF DEEDS, TERRILOIS G. MASHBURN

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

LEAVENWORTH COUNTY SURVEYOR
DANIEL BAUMCHEN, PS-1363

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____, 202__.

OWNER

THOMAS D DODGE, OWNER

MARCY E RODELL

STATE OF KANSAS)

JSS
COUNTY OF LEAVENWORTH)

BE IT REMEMBERED, that on this _____ day of _____, 202__, before me, a Notary Public in and for said County and State, came **THOMAS D DODGE & MARCY E RODELL**, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

My Commission Expires: _____

Notary Public

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 "**DODGE ADDITION**".

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

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

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

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.

DESCRIPTION PER TITLE COMMITMENT

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTH HALF, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CANTRELL ROAD, AS IT NOW EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 01°48'25" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1319.02 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 88°17'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2617.89 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 214TH STREET AS IT NOW EXISTS; THENCE SOUTH 01°38'01" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, PARALLEL TO SAID NORTH RIGHT OF WAY LINE OF CANTRELL ROAD, A DISTANCE OF 986.19 FEET; THENCE SOUTH 01°38'01" EAST, PARALLEL TO SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 726.08 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°11'54" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1627.72 FEET TO THE POINT OF BEGINNING. SHOWN AS TRACT 2 ON THE TRACT SPLIT BY ROGER B. DILL, FILED JULY 26, 2018, AS DOCUMENT NO. 2018R0546.

SURVEYORS SUGGESTED

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408 ON JUNE 28TH, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1319.02 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°17'25" EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 2637.89 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01°38'01" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, A DISTANCE OF 1006.19 FEET; THENCE SOUTH 01°38'01" EAST, A DISTANCE OF 746.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88°11'55" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1627.71 FEET TO THE POINT OF BEGINNING. CONTAINING 2,720,522.96 SQUARE FEET OR 62.45 ACRES MORE OR LESS; INCLUDING ROAD RIGHT OF WAY

PRECISION: 1 PART IN 13176008.333



Austin Thompson <austin@alconsult-llc.com>
to DesignGroupLawrenceServiceCenter ▾

11:16 AM (1 hour ago) ☆ ↶ ⋮



Austin Thompson <austin@alconsult-llc.com> Wed, Jun 28, 3:01PM (9 days ago)
to kritter@shermanfire.net, dritter@shermanfire.net, tyler.rebel, rwd10, jmiller, Andrea ▾

Hello,

My name is Austin Thompson and I am with Atlas Land Consulting. We are completing a preliminary and final plat with Leavenworth County Department of Planning and Zoning.

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 as soon as possible for submission.

If you have any questions feel free to contact me.

Austin Thompson austin@alconsult-llc.com
atlaslandconsulting.com

Project Manager

Cell: (913) 702-8916

14500 Parallel Road Suite R

Basehor, KS 66007



2 Attachments • Scanned by Gmail ⓘ



Jordan Mesmer <Jordan.Mesmer@evergy.com>
to me, Design ▾

11:52AM (43 minutes ago) ☆ ↶ ⋮

Internal Use Only

Austin,

We have no problems with this plat.

Thanks,

Jordan Mesmer

Distribution Designer I

Jordan.Mesmer@evergy.com

O (785) 885-4844



From: Austin Thompson <austin@alconsult-llc.com>

Sent: Friday, July 7, 2023 11:16 AM

To: Design Group Lawrence Service Center <DesignGroupLawrenceServiceCenter@evergy.com>

Subject: [EXTERNAL]Utility Letter Approval

Johnson, Melissa

From: Austin Thompson <austin@alconsult-llc.com>
Sent: Wednesday, July 19, 2023 8:09 AM
To: Johnson, Melissa
Subject: Re: FW: Dodge Addition Submittal

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

Melissa,

Please see attached screenshot from Dylan Ritter regarding approval.

Thanks

 **Dylan Ritter**
to me ▾ Tue, Jul 18, 4:08 PM (15 hours ago) ☆ ↶ ⋮

I have no comments or concerns

Thank you

--
Deputy Chief
Dylan Ritter
Reno Township Fire Department
12755 238th St 66052
(913) 339-8973

On Mon, Jul 17, 2023 at 10:22 AM Johnson, Melissa <MJohnson@leavenworthcounty.gov> wrote:

Dylan Ritter's number is 913-339-8973. If you have any questions, please let me know.

Thank you, Melissa

From: Johnson, Melissa
Sent: Monday, July 17, 2023 10:02 AM
To: 'Austin Thompson' <austin@alconsult-llc.com>; PZ <PZ@leavenworthcounty.gov>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: RE: Dodge Addition Submittal

It have received the paperwork from the Treasurers Office regarding the taxes last Thursday. I do not find any response from Reno Township Fire District. Their contact information if needed is ltornedan@rtfd21.com or dritter@rtfd21.com . If you need their phone numbers, please let me know.

Thank you,

Melissa Johnson

Planner I

Leavenworth County

Planning & Zoning Department

Leavenworth County Courthouse

300 Walnut St, Suite 212

Leavenworth County, Kansas 66048

(913) 684-0465

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: Austin Thompson <austin@alconsult-llc.com>
Sent: Monday, July 17, 2023 9:53 AM
To: PZ <PZ@leavenworthcounty.gov>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: Re: Dodge Addition Submittal

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,

Just wanted to check on this submission to make sure we had everything required.

Thanks

On Wed, Jul 12, 2023 at 3:01 PM Austin Thompson <austin@alconsult-llc.com> wrote:

Hello,

Please see attached, I believe our client, Thomas Dodge just dropped off the application waiting to be signed by the Treasury Office.

Please let me know if you need anything else. I believe we got the utility letters, but let me know if I am missing anything.

Thanks

--

Austin Thompson austin@alconsult-llc.com

atlaslandconsulting.com

Project Manager

Cell: (913) 702-8916

14500 Parallel Road Suite R

Basehor, KS 66007



--

Austin Thompson austin@alconsult-llc.com

atlaslandconsulting.com

Project Manager

Cell: (913) 702-8916

14500 Parallel Road Suite R

Basehor, KS 66007



--

Austin Thompson austin@alconsult-llc.com

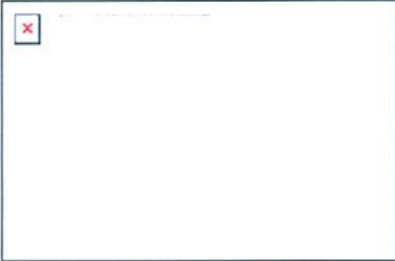
atlaslandconsulting.com

Project Manager

Cell: (913) 702-8916

14500 Parallel Road Suite R

Basehor, KS 66007



Preliminary and Final Plat - Dodge Addition

External



A

Austin Thompson

Wed, Jun 28, 3:01PM (9 days ago) ☆

Hello, My name is Austin Thompson and I am with Atlas Land Consulting. We are completing a preliminary and f...

D

Dylan Ritter

Wed, Jun 28, 3:56 PM (9 days ago) ☆ ↶ ⋮

to me, Kevin ▾

Forgive me if I'm missing this information somewhere already provided. Can you please provide answers to the following questions.

1. What is the intended usage for the property?
2. Will there be structures on the property? And if so, how many?

I will provide written input as requested, I just want to be informed prior to doing so.

Thank you

...

—

Assistant Chief

Dylan Ritter

Sherman Township Fire/Rescue

100 Main St Linwood, Ks 66052

(913)-339-8973

A

Austin Thompson <austin@alconsult-llc.com>

Wed, Jun 28, 4:06 PM (9 days ago) ☆ ↶ ⋮

to Dylan, Kevin ▾

Dylan,

Thanks for reaching back out. The intended use is currently to leave the property as is. The owners inherited the property and now are splitting to sell one half.

Thanks

...

A

Austin Thompson <austin@alconsult-llc.com>

7:26 AM (5 hours ago) ☆ ↶ ⋮

to tyler.rebel, rwd10, jmillier, Andrea, kritter@shermanfire.net, dritter@shermanfire.net ▾

Hello everyone,

I wanted to reach out about the utility letters? Do we have an update on these?

Thanks

...

r

LVCO RWD10

10:47 AM (1 hour ago) ☆ ↶ ⋮

to LVCO, me, Andrea, kritter@shermanfire.net, dritter@shermanfire.net, tyler.rebel@evergy.com, jmillier@leavenworthcount...

Rural Water District 10 has an existing water line in the area and can supply service to these two lots.

...

Allison, Amy

From: Anderson, Kyle
Sent: Wednesday, July 26, 2023 8:44 AM
To: Allison, Amy
Subject: RE: RE: DEV-23-102/103 Preliminary and Final Plat – Dodge Addition

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

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

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

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, July 19, 2023 3:25 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-23-102/103 Preliminary and Final Plat – Dodge Addition

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 00000 Cantrell Road (PID 222-04-0-00-00-004.01).

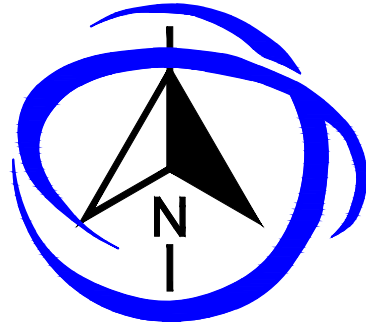
The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, August 2, 2023.

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

Thank you,

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

Disclaimer



DODGE ADDITION

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04,
TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

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

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

KS ENG COA: #313
KS SUR COA: #363
MO ENG COA: #02014084
MO SUR COA: #02014231

FINAL PLAT

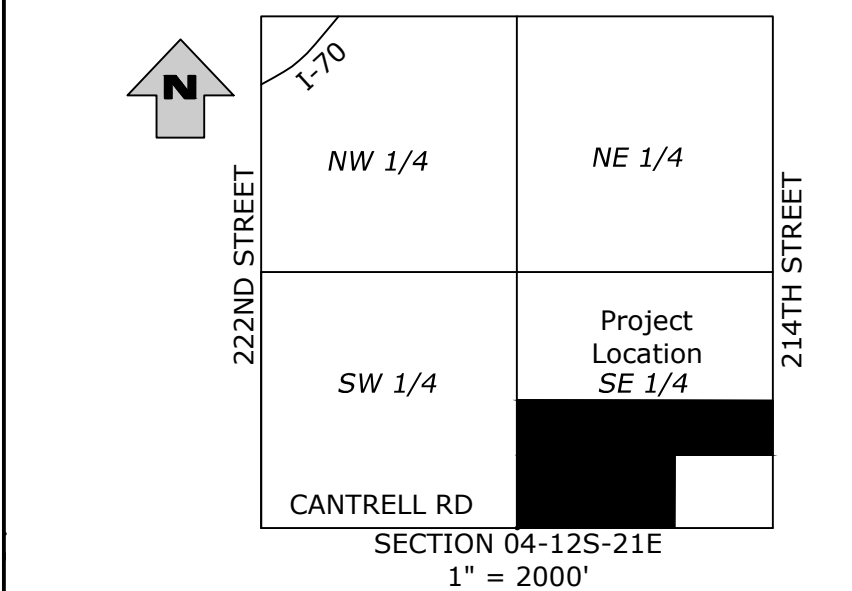
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SEC 04-12S-21E S88°11'55"W.
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 CALLED AT THE TIME OF SURVEY TICKET NO. 23350349.
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NGS KEG029 - ELEV 867.50
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. L23-29500
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
-TRACT SPLIT COMPLETED APRIL 12, 2018 BY ATLAS SURVEYORS VIA ROGER B. DILL LS 1408 DOCUMENT NO. 2018S046
16. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 PROPERTY ACCESS VIA CANTRELL ROAD & LOT 2 PROPERTY ACCESS VIA CANTRELL ROAD & 214TH STREET.
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:
- WATER - RURAL WATER DISTRICT 7
- ELECTRIC - EVERGY
- SEWER - SEPTIC
- GAS - PROPANE/NATURAL GAS
21. ANY 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.
22. EXISTING BUILDINGS TO REMAIN. AN EXCEPTION HAS BEEN GRANTED FROM THE EXISTING ZONING AND SUBDIVISION REGULATIONS - BUILDINGS MAXIMUM SQUARE FOOTAGE TO LOT SIZE

VICINITY MAP



This is to certify on this 26th day of June, 2023 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.

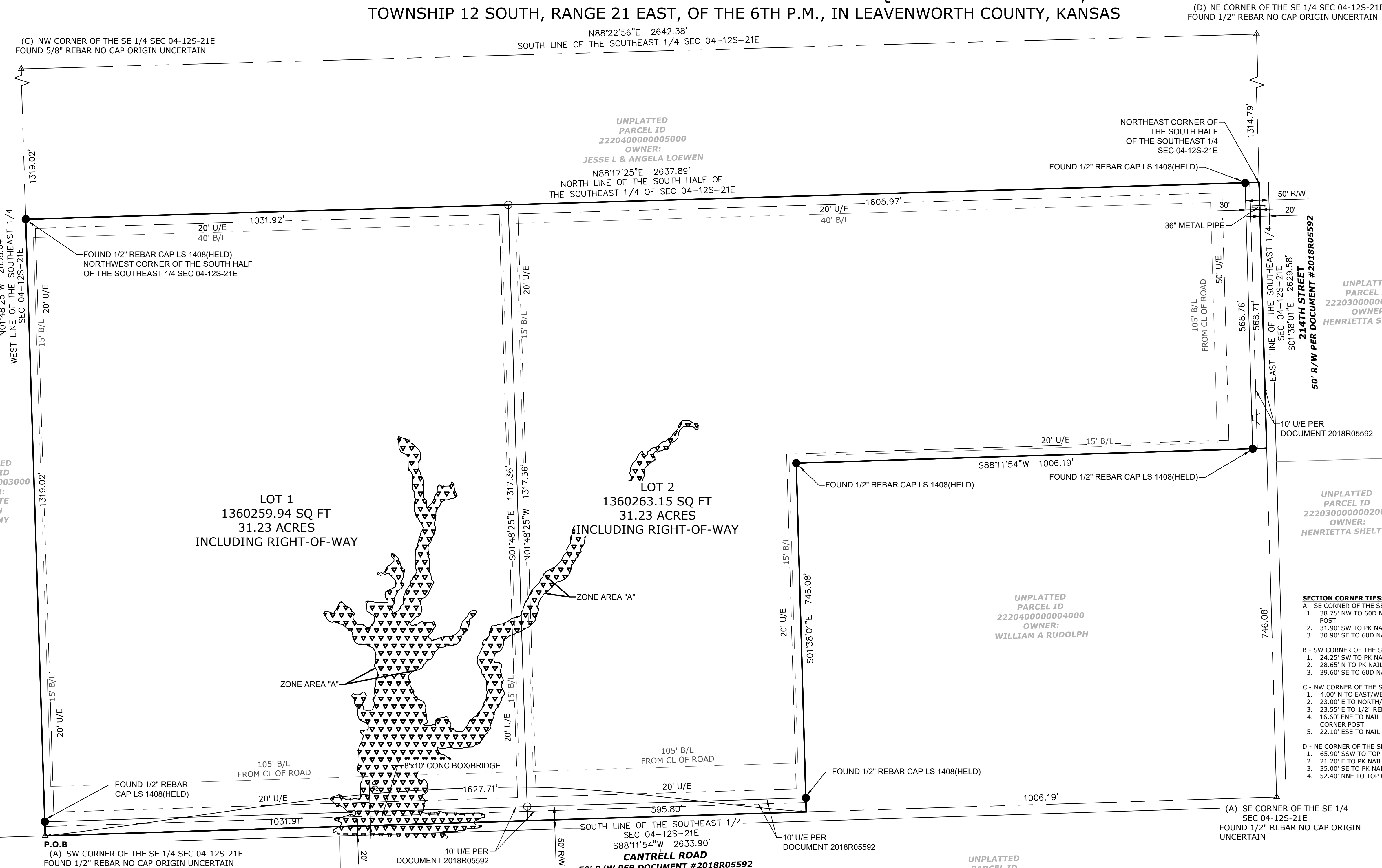
ROGER B. DILL LS 1408

JOB NO: 23-140

| | |
|-------------------------------|---|
| SCALE | PREPARED FOR |
| 120 60 0 120 SCALE IN FEET | THOMAS D. DODGE & MARCY E. RODELL CANTRELL RD, LINWORTH, KS 66052 MAILING ADDRESS: 15817 W 131ST ST OLATHE, KS 66062 |
| SEC-TWN-RNG | |
| 04-12S-21E | |

DATE

JUNE 23, 2023



UNPLATTED PARCEL ID 2220400000005000 OWNER: JESSE L & ANGELA LOEWEN
UNPLATTED PARCEL ID 2220400000003000 OWNER: TAILGATE RANCH COMPANY
UNPLATTED PARCEL ID 2220900000002090 OWNER: ROGER NORMAN & CHRISTINE M CREWS
UNPLATTED PARCEL ID 2220900000002030 OWNER: JENNIFER J REUTLINGER
UNPLATTED PARCEL ID 2220900000002020 OWNER: TERESA A & DONALD C PAULEY
UNPLATTED PARCEL ID 2220400000004000 OWNER: WILLIAM A RUDOLPH
UNPLATTED PARCEL ID 2220900000001000 OWNER: DANIEL S & VICKI E HILL

DESCRIPTION PER TITLE COMMITMENT
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTH HALF, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CANTRELL ROAD, AS IT NOW EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 01°48'25" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1319.02 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 88°17'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2617.89 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 214TH STREET AS IT NOW EXISTS; THENCE SOUTH 01°38'01" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, PARALLEL TO SAID NORTH RIGHT OF WAY LINE OF CANTRELL ROAD, A DISTANCE OF 986.19 FEET; THENCE SOUTH 01°38'01" EAST, PARALLEL TO SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 726.08 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°11'54" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1627.72 FEET TO THE POINT OF BEGINNING. SHOWN AS TRACT 2 ON THE TRACT SPLIT BY ROGER B. DILL, FILED JULY 26, 2018, AS DOCUMENT NO. 2018S046.

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 "DODGE ADDITION".
The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by easement.
The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be dedicated for the public use running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.
An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.
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.

SURVEYORS SUGGESTED
A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408 ON JUNE 28TH, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1319.02 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°17'25" EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 2637.89 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01°38'01" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, A DISTANCE OF 1006.19 FEET; THENCE SOUTH 01°38'01" EAST, A DISTANCE OF 746.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88°11'55" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1627.71 FEET TO THE POINT OF BEGINNING. CONTAINING 2,720,522.96 SQUARE FEET OR 62.45 ACRES MORE OR LESS; INCLUDING ROAD RIGHT OF WAY
PRECISION: 1 PART IN 13176008.333

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____, 2023.
OWNER
THOMAS D DODGE, OWNER
MARCY E RODELL
STATE OF KANSAS
JSS
COUNTY OF LEAVENWORTH
BE IT REMEMBERED, that on this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, came **THOMAS D DODGE & MARCY E RODELL**, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.
My Commission Expires: _____
Notary Public

This plat of DODGE ADDITION has been submitted and approved by Leavenworth County Planning Commission, this _____ day of _____, 2023.
CHAIRMAN - MARCUS MAJURE
SECRETARY - JOHN JACOBSON
This plat approved by the Board of County Commissioners of Leavenworth County, Kansas, this day of _____, 2023.
(SEAL)
CHAIRMAN - Vicky Kaaz ATTEST - COUNTY CLERK - JANET KLASINSKI
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 _____, 2023, in Book _____, Page _____.
REGISTER OF DEEDS, TERRILOIS G. MASHBURN
I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary surveys. No field verification is implied. This review is for survey information only.
Reviewed 2023.08.21 No Comments
LEAVENWORTH COUNTY SURVEYOR
DANIEL BAUMCHEN, PS-1363

9/9/2023 12:29 PM AUSTIN THOMPSON CAD FILE: Q:\Atlas Land Consulting\2023\23-140 Thomas Dodge & Marcie Rodell Leavenworth Co\Cantrell Tract split.dwg

08-23-2023
OLSSON REVIEW
No Comment



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

DRAINAGE STUDY

For:

Dodge Addition

13113 170th St
 Linwood, Ks 66052

Prepared for:

Thomas D. Dodge
 Cantrell Rd.
 Linwood, Ks 66052



Prepared by:

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

June 28th, 2023

| Revision | Date | By | Description |
|----------|------|----|-------------|
| 1 | | | |
| 2 | | | |
| 3 | | | |

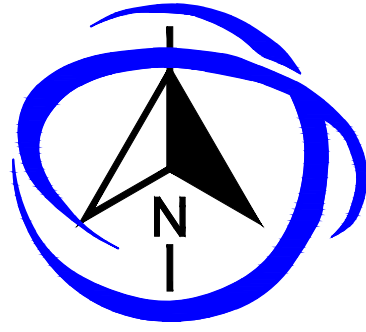
MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Dodge Addition
Date: September 1, 2023

Amy, I have reviewed the preliminary plat of the Dodge Addition Subdivision presented by Thomas Dodge. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed, a fire hydrant need to be placed along the road right-a-way at Cantrell Road between lot 1 and lot 2.

I have no further recommendation for this subdivision.

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



9-1-2023
OLSSON REVIEW
No Further
Comment

DODGE ADDITION

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04,
TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

UTILITIES
EVERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-856-7375

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

KS ENG COA: #315
KS SUR COA: #363
MO ENG COA: #02014084
MO SUR COA: #020204231

FINAL PLAT

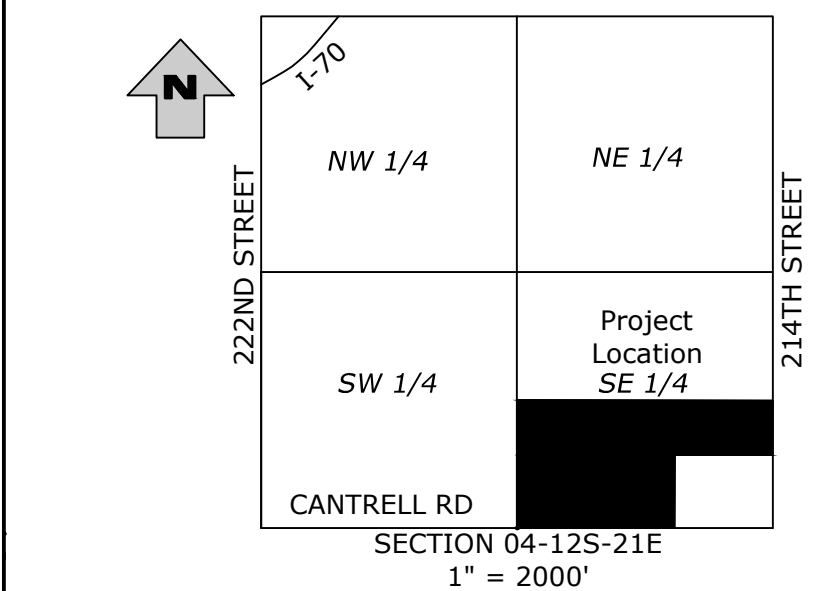
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SEC 04-12S-21E S88°11'55"W.
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 CALLED AT THE TIME OF SURVEY TICKET NO. 23350349.
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NGS KEG029 - ELEV 867.50
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.
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15. REFERENCED SURVEY
-TRACT SPLIT COMPLETED APRIL 12, 2018 BY ATLAS SURVEYORS VIA ROGER B. DILL LS 1408 DOCUMENT NO. 2018S046
16. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 PROPERTY ACCESS VIA CANTRELL ROAD & LOT 2 PROPERTY ACCESS VIA CANTRELL ROAD & 214TH STREET.
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:
- WATER - RURAL WATER DISTRICT 10
- ELECTRIC - EVERGY
- SEWER - SEPTIC
- GAS - PROPANE/NATURAL GAS
21. 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.
22. AN EXCEPTION TO ARTICLE 50 - SECTION 40.3.H. HAS BEEN GRANTED FOR LOTS 1 & 2 TO ALLOW FOR ACCESSORY STRUCTURES TO REMAIN ON A LOT WITHOUT PRINCIPAL STRUCTURES

VICINITY MAP



This is to certify on this 26th day of June, 2023 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

JOB NO: 23-140

| | |
|--|--|
| SCALE 120 60 0 120 SCALE IN FEET | PREPARED FOR THOMAS D. DODGE & MARCY E. RODELL CANTRELL RD. LINWOOD, KS 66052 MAILING ADDRESS: 15817 W 131ST ST OLATHE, KS 66062 |
| SEC-TWN-RNG 04-12S-21E | DATE JUNE 23, 2023 |

(C) NW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 5/8" REBAR NO CAP ORIGIN UNCERTAIN

N88°22'56"E 2642.38'
SOUTH LINE OF THE SOUTHEAST 1/4 SEC 04-12S-21E

(D) NE CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

UNPLATTED
PARCEL ID
2220400000005000
OWNER:
JESSE L & ANGELA LOEWEN
N88°17'25"E 2637.89'
NORTH LINE OF THE SOUTH HALF
OF THE SOUTHEAST 1/4 OF SEC 04-12S-21E

NORTHEAST CORNER OF
THE SOUTH HALF
OF THE SOUTHEAST 1/4
SEC 04-12S-21E

FOUND 1/2" REBAR CAP LS 1408(HELD)

UNPLATTED
PARCEL ID
2220400000003000
OWNER:
TAILGATE
RANCH
COMPANY
N01°48'25"W 2638.04'
WEST LINE OF THE SOUTHEAST 1/4
SEC 04-12S-21E

FOUND 1/2" REBAR CAP LS 1408(HELD)
NORTHWEST CORNER OF THE SOUTH HALF
OF THE SOUTHEAST 1/4 SEC 04-12S-21E

UNPLATTED
PARCEL ID
222030000002030
OWNER:
HENRIETTA SHELTON

214TH STREET
50' R/W PER DOCUMENT #2018R05592

10' U/E PER DOCUMENT 2018R05592

UNPLATTED
PARCEL ID
222030000002000
OWNER:
HENRIETTA SHELTON

SECTION CORNER TIES:

- A - SE CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 38.75' NW TO 60D NAIL IN TOP CORNER POST
2. 31.90' SW TO PK NAIL IN TOP CORNER POST
3. 30.90' SE TO 60D NAIL IN POWER POLE
- B - SW CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 24.25' SW TO PK NAIL IN HEDGE POST
2. 28.65' N TO PK NAIL IN CORNER POST
3. 39.60' SE TO 60D NAIL IN POWER POLE
- C - NW CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 4.00' N TO EAST/WEST FENCE LINE
2. 23.00' E TO NORTH/SOUTH FENCE LINE
3. 23.55' E TO 1/2" REBAR WITH CAP LS 356
4. 16.60' ENE TO NAIL AND SHINER IN FENCE CORNER POST
5. 22.10' ESE TO NAIL AND SHINER IN 12" TREE
- D - NE CORNER OF THE SE 1/4 SEC 04-12S-21E
1. 65.90' SSW TO TOP OF 15" CMP
2. 21.20' E TO PK NAIL IN FENCE CORNER POST
3. 35.00' SE TO PK NAIL IN FENCE POST
4. 52.40' NNE TO TOP OF 15" CMP SOUTH END

UNPLATTED
PARCEL ID
2220400000004000
OWNER:
WILLIAM A RUDOLPH

LOT 1
1360259.94 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

LOT 2
1360263.15 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

ZONE AREA "A"

ZONE AREA "A"

P.O.B
(A) SW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

10' U/E PER DOCUMENT 2018R05592

SOUTH LINE OF THE SOUTHEAST 1/4
SEC 04-12S-21E
S88°11'54"W 2633.90'
CANTRELL ROAD
50' R/W PER DOCUMENT #2018R05592

(A) SE CORNER OF THE SE 1/4
SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN
UNCERTAIN

UNPLATTED
PARCEL ID
2220900000002090
OWNER:
ROGER NORMAN &
CHRISTINE M CREWS

UNPLATTED
PARCEL ID
2220900000002030
OWNER:
JENNIFER J REUTLINGER

UNPLATTED
PARCEL ID
2220900000002020
OWNER:
TERESA A & DONALD C PAULEY

UNPLATTED
PARCEL ID
2220900000001000
OWNER:
DANIEL S & VICKI E HILL

This plat of DODGE ADDITION has been submitted and approved by Leavenworth County Planning Commission, this _____ day of _____, 202__.

CHAIRMAN - MARCUS MAJURE

SECRETARY - JOHN JACOBSON

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

(SEAL)

CHAIRMAN - Vicky Kaaz ATTEST - COUNTY CLERK - JANET KLASINSKI

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 _____, 2023, 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 _____, 202__.

OWNER

THOMAS D DODGE, OWNER

MARCY E RODELL

STATE OF KANSAS)

JSS
COUNTY OF LEAVENWORTH)

BE IT REMEMBERED, that on this _____ day of _____, 202__, before me, a Notary Public in and for said County and State, came **THOMAS D DODGE & MARCY E RODELL**, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

My Commission Expires: _____

Notary Public

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 "DODGE ADDITION".

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.

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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.

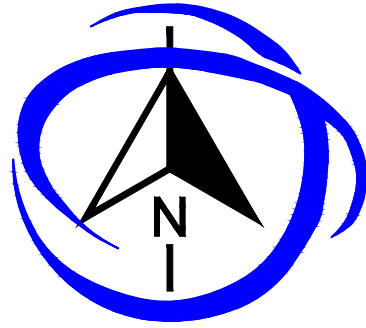
DESCRIPTION PER TITLE COMMITMENT

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTH HALF, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CANTRELL ROAD, AS IT NOW EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 01°48'25" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1319.02 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 88°17'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2617.89 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 214TH STREET AS IT NOW EXISTS; THENCE SOUTH 01°38'01" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, PARALLEL TO SAID NORTH RIGHT OF WAY LINE OF CANTRELL ROAD, A DISTANCE OF 986.19 FEET; THENCE SOUTH 01°38'01" EAST, PARALLEL TO SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 726.08 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°11'54" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1627.72 FEET TO THE POINT OF BEGINNING. SHOWN AS TRACT 2 ON THE TRACT SPLIT BY ROGER B. DILL, FILED JULY 26, 2018, AS DOCUMENT NO. 2018S046.

SURVEYORS SUGGESTED

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408 ON JUNE 28TH, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1319.02 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°17'25" EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 2637.89 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01°38'01" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, A DISTANCE OF 1006.19 FEET; THENCE SOUTH 01°38'01" EAST, A DISTANCE OF 746.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88°11'55" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1627.71 FEET TO THE POINT OF BEGINNING. CONTAINING 2,720,522.96 SQUARE FEET OR 62.45 ACRES MORE OR LESS; INCLUDING ROAD RIGHT OF WAY PRECISION: 1 PART IN 13176008.333



9-1-2023
OLSSON REVIEW
No Further
Comment

DODGE ADDITION

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04,
TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

UTILITIES
EVERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-856-7375



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

PRELIMINARY PLAT

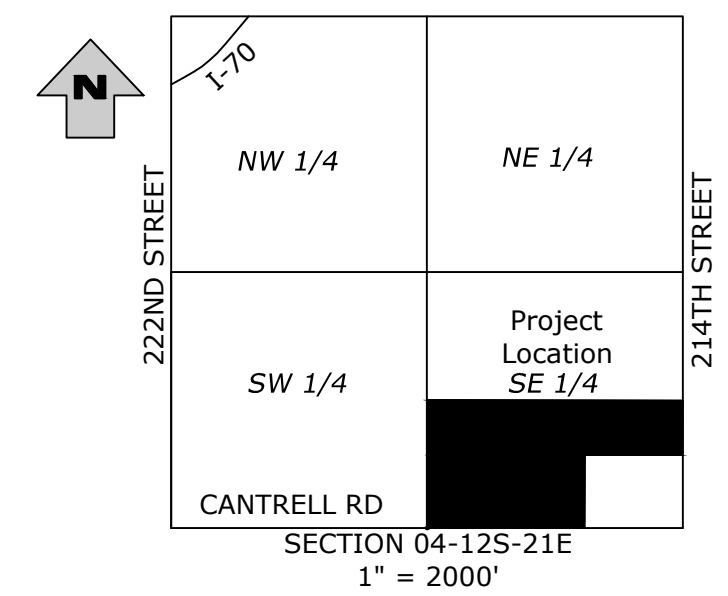
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" x 24" REBAR IN CONCRETE WITH CAP ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- ☎ TELEPHONE PEDESTAL
- FENCE LINE
- OHP — OVERHEAD POWER LINE
- TREELINE

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983. THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SEC 04-12S-21E S88°11'55"W.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
3. FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 2010303256 EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
4. AS ONE CALL WAS CALLED AT THE TIME OF SURVEY TICKET NO. 23350349.
5. THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
6. THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
7. THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
8. BENCHMARK - NGS KE0629 - ELEV-867.50
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. L23-29500
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 - TRACT SPLIT COMPLETED APRIL 12, 2018 BY ATLAS SURVEYORS VIA ROGER B. DILL LS 1408 DOCUMENT NO. 2018R05592
16. LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
17. THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
18. LOT 1 PROPERTY ACCESS VIA CANTRELL ROAD & LOT 2 PROPERTY ACCESS VIA CANTRELL ROAD & 214TH STREET.
19. ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
20. UTILITY INFORMATION:
 - WATER - RURAL WATER DISTRICT 10
 - ELECTRIC - EVERGY
 - SEWER - SEPTIC
 - GAS - PROPANE/NATURAL GAS
21. 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.
22. AN EXCEPTION TO ARTICLE 50 - SECTION 40.3.H. HAS BEEN GRANTED FOR LOTS 1 & 2 TO ALLOW FOR ACCESSORY STRUCTURES TO REMAIN ON A LOT WITHOUT PRINCIPAL STRUCTURES

VICINITY MAP



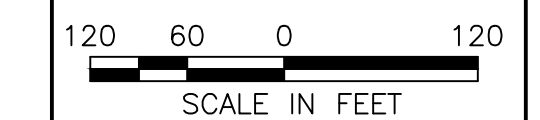
This is to certify on this 26th day of June, 2023 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

ROGER B. DILL LS 1408

JOB NO: 23-140

SCALE

PREPARED FOR



SEC-TWN-RNG

THOMAS D. DODGE & MARCY E. RODELL

04-12S-21E

CANTRELL RD.
LINWOOD, KS 66052
MAILING ADDRESS: 15817 W 131ST ST
OLATHE, KS 66062

DATE

JUNE 23, 2023

(C) NW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 5/8" REBAR NO CAP ORIGIN UNCERTAIN

N88°22'56"E 2642.38'
SOUTH LINE OF THE SOUTHEAST 1/4 SEC 04-12S-21E

(D) NE CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

UNPLATTED
PARCEL ID
2220400000005000
OWNER:
JESSE L & ANGELA LOEWEN
N88°17'25"E 2637.89'
NORTH LINE OF THE SOUTH HALF OF
THE SOUTHEAST 1/4 OF SEC 04-12S-21E

NORTHEAST CORNER OF
THE SOUTH HALF
OF THE SOUTHEAST 1/4
SEC 04-12S-21E

FOUND 1/2" REBAR CAP LS 1408(HELD)

FOUND 1/2" REBAR CAP LS 1408(HELD)
NORTHWEST CORNER OF THE SOUTH HALF
OF THE SOUTHEAST 1/4 SEC 04-12S-21E

LOT 1
1360259.94 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

LOT 2
1360263.15 SQ FT
31.23 ACRES
INCLUDING RIGHT-OF-WAY

ZONE AREA "A"

ZONE AREA "A"

FOUND 1/2" REBAR CAP LS 1408(HELD)

FOUND 1/2" REBAR CAP LS 1408(HELD)

UNPLATTED
PARCEL ID
2220400000004000
OWNER:
WILLIAM A RUDOLPH

SECTION CORNER TIES:

- A - SE CORNER OF THE SE 1/4 SEC 04-12S-21E
 1. 38.75' NW TO 60D NAIL IN TOP CORNER POST
 2. 31.90' SW TO PK NAIL IN TOP CORNER POST
 3. 30.90' SE TO 60D NAIL IN POWER POLE
- B - SW CORNER OF THE SE 1/4 SEC 04-12S-21E
 1. 24.25' SW TO PK NAIL IN HEDGE POST
 2. 28.65' N TO PK NAIL IN CORNER POST
 3. 39.60' SE TO 60D NAIL IN POWER POLE
- C - NW CORNER OF THE SE 1/4 SEC 04-12S-21E
 1. 4.00' N TO EAST/WEST FENCE LINE
 2. 23.00' E TO NORTH/SOUTH FENCE LINE
 3. 23.55' E TO 1/2" REBAR WITH CAP LS 356
 4. 16.60' ENE TO NAIL AND SHINER IN FENCE CORNER POST
 5. 22.10' ESE TO NAIL AND SHINER IN 12" TREE
- D - NE CORNER OF THE SE 1/4 SEC 04-12S-21E
 1. 65.90' SSW TO TOP OF 15" CMP
 2. 21.20' E TO PK NAIL IN FENCE CORNER POST
 3. 35.00' SE TO PK NAIL IN FENCE POST
 4. 52.40' NNE TO TOP OF 15" CMP SOUTH END

(A) SE CORNER OF THE SE 1/4
SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN
UNCERTAIN

P.O.B.
(A) SW CORNER OF THE SE 1/4 SEC 04-12S-21E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN

10' U/E PER
DOCUMENT 2018R05592

10' U/E PER
DOCUMENT 2018R05592

SOUTH LINE OF THE SOUTHEAST 1/4
SEC 04-12S-21E
S88°11'54"W 2633.90'
CANTRELL ROAD
50' R/W PER DOCUMENT #2018R05592

UNPLATTED
PARCEL ID
2220900000002090
OWNER:
ROGER NORMAN &
CHRISTINE M CREWS

UNPLATTED
PARCEL ID
2220900000002030
OWNER:
JENNIFER J REUTLINGER

UNPLATTED
PARCEL ID
2220900000002030
OWNER:
TERESA A & DONALD C PAULEY

UNPLATTED
PARCEL ID
2220900000001000
OWNER:
DANIEL S & VICKI E HILL

DESCRIPTION PER TITLE COMMITMENT
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTH HALF, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CANTRELL ROAD, AS IT NOW EXISTS, ALSO KNOWN TO BE THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 01°48'25" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1319.02 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 88°17'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2617.89 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 214TH STREET AS IT NOW EXISTS; THENCE SOUTH 01°38'01" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, PARALLEL TO SAID NORTH RIGHT OF WAY LINE OF CANTRELL ROAD, A DISTANCE OF 986.19 FEET; THENCE SOUTH 01°38'01" EAST, PARALLEL TO SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 726.08 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°11'54" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1627.72 FEET TO THE POINT OF BEGINNING. SHOWN AS TRACT 2 ON THE TRACT SPLIT BY ROGER B. DILL, FILED JULY 26, 2018, AS DOCUMENT NO. 2018R0592.

SURVEYORS SUGGESTED
A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 04, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408 ON JUNE 28TH, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01°48'25" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1319.02 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°17'25" EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 2637.89 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF; THENCE SOUTH 01°38'01" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 568.71 FEET; THENCE SOUTH 88°11'54" WEST, A DISTANCE OF 1006.19 FEET; THENCE SOUTH 01°38'01" EAST, A DISTANCE OF 746.08 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88°11'55" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1627.71 FEET TO THE POINT OF BEGINNING. CONTAINING 2,720,522.96 SQUARE FEET OR 62.45 ACRES MORE OR LESS; INCLUDING ROAD RIGHT OF WAY
PRECISION: 1 PART IN 13176008.333

Leavenworth County Request for Board Action

Date: September, 2023
To: Board of County Commissioners
From: Bob Weber, County Appraiser

Department Head Approval: RJW

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Approval of disaster relief tax abatement for buildings on two properties substantially destroyed by fire.

Recommendation: County Appraiser recommends approval of a Board Order to abate assessed value for the 2023 tax years for the following properties.

Destroyed by fire 2023

| Tax ID | Abatement | |
|---------|-----------|----------------------|
| 1-22037 | \$9,801 | Destroyed 07-20-2023 |
| 3-21665 | \$1,113 | Destroyed 02-18-2023 |

Analysis: K.S.A. 79-1613 allows the Board of County Commissioners to abate all or part of taxes for a homestead building or improvement destroyed or substantially destroyed due to an earthquake, flood, tornado, or fire after January 1st but prior to August 15th. K.S.A. 79-1613 allows the Board of County Commissioners to grant a tax credit against property taxes payable during any or all of the next succeeding three taxable years for a homestead building or improvement destroyed or substantially destroyed due to an earthquake, flood, tornado, or fire on or after August 1st but prior to January 1st of the next succeeding year, or if the property taxes have already been paid.

Alternatives:

Budgetary Impact:

- X 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:

Additional Attachments: Board Order, Leavenworth County Disaster Relief Determination orders, Disaster Relief Worksheet

BOARD ORDER 2023- 5

AN ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LEAVENWORTH, KANSAS, MADE PURSUANT TO THE AUTHORITY GRANTED TO THEM UNDER K.S.A. 79-1613, MAKING CERTAIN FINDINGS REGARDING THE APPLICATIONS FOR THE ABATEMENT OR CREDIT OF PROPERTY TAXES ON CERTAIN HOMESTEADS OR BUILDING OR IMPROVEMENT DAMAGED BY EARTHQUAKE, FIRE, FLOOD, STORM, OR TORNADO

ON THIS 27th DAY OF SEPTEMBER 2023, this board, sitting in regular session, considered the applications of the owners of certain homesteads or building or improvement located in the county of Leavenworth for the abatement or credit of property taxes on those homesteads or building or improvement due to the damage to the homesteads by earthquake, fire, flood, storm or tornado. The board, upon having considered the applications and made inquiry as to whether the properties listed in Exhibit “A”, attached hereto and fully incorporated into this Order meet the requirements for the abatement or credit of property taxes as allowed by K.S.A. 79-1613, makes the following findings:

1. That the properties listed in Exhibit “A” meet the definition of “Homestead or Building or Improvement” as set forth in K.S.A. 79-1613(a)(2) and are owned by the applicants.
2. That the properties listed in Exhibit “A” were destroyed by earthquake, fire, flood, storm, or tornado in the tax year listed in Exhibit “A”.
3. That the office of the Appraiser of the county of Leavenworth, Kansas, has inspected the properties listed in Exhibit “A” and made recommended findings to the board as to the extent of damage to the homesteads or buildings or improvements caused by said disaster and the appropriate corresponding abatement of property tax for each homestead or building or improvement so listed.
4. That the assessed valuation for each homestead or building or improvement listed in Exhibit “A” is accurate.
5. That the findings of the office of the Appraiser of the county of Leavenworth as set forth in Exhibit “A” are adopted by this board and fully incorporated into this Order and meet the requirements for the abatement of property taxes of those certain homesteads or buildings or improvements as provided for by K.S.A. 79-1613(d)
6. That the owners of the homesteads or buildings or improvements listed in Exhibit “A” are entitled under law to the abatement or credit of property taxes on said homesteads or buildings or improvements in the amount listed in Exhibit “A”.

WHEREFORE, it is the Order of this board that the property taxes on those homesteads or buildings or improvements listed in Exhibit “A” be abated or credited in the amount shown in said exhibit and that the county clerk and county treasurer shall in each case of abatement or

credit correct their records in accordance with this Order and that the county clerk shall notify the governing body of any taxing district affected thereby.

ORDERED THIS 27th DAY OF SEPTEMBER, 2023.

VICKY KAAZ, 2ND DISTR.

JEFF CULBERTSON, 1ST DISTR.

DOUG SMITH, 3RD DISTR

MIKE SMITH 4TH DISTR.

MIKE STEIBEN, 5TH DISTR.

ATTEST: _____
JANET KLASINSKI, CLERK

EXHIBIT A

Destroyed by Fire In 2023

| Qref | Tax ID | Owner | House Value | Res building Value | AG Out-building Value | Abatement % | Abatement Amount House | Abatement Amount Res Outbuilding | Abatement Amount Ag Outbuilding | Total Abatement Amount |
|--------|---------|-----------------------------|-------------|--------------------|-----------------------|-------------|------------------------|----------------------------------|---------------------------------|------------------------|
| r19002 | 1-22037 | Lux, Todd A | \$189,390 | | | 45% | \$9,801 | \$0 | \$0 | \$9,801 |
| | 3-21665 | Thomas, Donald R & Pamela S | \$11,120 | | | 87% | \$1,113 | \$0 | \$0 | \$1,113 |

**Leavenworth County Commissioners Disaster
Relief Determination for:**

Property address 21321 219th St Tonganoxie Date of Occurrence 07-20-2023

Parcel Number: 144-20-0-00-00-014.01-0 Quick Ref: R9002 Tax Id: 1-22037

Applicant (Property owner/taxpayer—nontransferable): Lux, Todd A

Mailing Address: PO Box 41
Tonganoxie, KS 66086

Leavenworth County Commissioners' summary of inquiry and findings:

Check Yes or No for each question.

Was the structure destroyed or substantially destroyed a homestead or building or improvement? YES NO

Was the homestead or building or improvement destroyed or substantially destroyed by **earthquake, fire, flood, storm** or **tornado**, **and/or** was the destructive event declared a disaster by the governor of Kansas? YES NO

Was the homestead or building or improvement destroyed or substantially destroyed? YES NO

(Destroyed or substantially destroyed means the cost of restoring the homestead to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.)

(If any above are "NO", no tax abatement can be granted.)

Based on the date of this event, check the appropriate tax treatment:

Abatement: This event occurred after January 1 but prior to August 15.

Credit: This event occurred on or after August 15, or application made after taxes have been paid.

Documentation provided:

Written estimate of repairs or rebuilding costs by a licensed contractor or insurance adjuster.

Photos

Other: _____

IT IS THEREFORE ORDERED, based on the above information, the Board of County Commissioners of Leavenworth County grant:

No abatement will be granted.

Abatement \$9,801 assessed value, for **tax year 2023**.

IT IS FURTHER ORDERED the county clerk and the county treasurer shall correct their records in accordance with the county commissioners' order.

IT IS SO ORDERED, this 27th day of September, 2023.

_____, County Commissioner
Vicky Kaaz, Chairperson

| | | |
|-----------|-------|-------|
| Appraiser | _____ | _____ |
| | Notes | Date |
| Clerk | _____ | _____ |
| | Notes | Date |
| Treasurer | _____ | _____ |
| | Notes | Date |

**Leavenworth County Commissioners Disaster
Relief Determination for:**

Property address 400E Eisenhower Rd. Lot 52 Lansing

Date of Occurrence 02-18-2023

Parcel Number: 094-18-0-30-11-011.00-0

Quick Ref: R8749

Tax Id: 3-21665

Applicant (Property owner/taxpayer—nontransferable): Thomas, Donald R & Pamela S

Mailing Address:

2020County Rd 114
Copperas Cove TX 76522

Leavenworth County Commissioners' summary of inquiry and findings:

Check Yes or No for each question.

Was the structure destroyed or substantially destroyed a homestead or building or improvement? YES NO

Was the homestead or building or improvement destroyed or substantially destroyed by **earthquake, fire, flood, storm or tornado, and/or** was the destructive event declared a disaster by the governor of Kansas? YES NO

Was the homestead or building or improvement destroyed or substantially destroyed? YES NO

(Destroyed or substantially destroyed means the cost of restoring the homestead to it's before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.)

(If any above are "NO", no tax abatement can be granted.)

Based on the date of this event, check the appropriate tax treatment:

Abatement: This event occurred after January 1 but prior to August 15.

Credit: This event occurred on or after August 15, or application made after taxes have been paid.

Documentation provided:

Written estimate of repairs or rebuilding costs by a licensed contractor or insurance adjuster.

Photos

Other: _____

IT IS THEREFORE ORDERED, based on the above information, the Board of County Commissioners of Leavenworth County grant:

No abatement will be granted.

Abatement \$1,113 assessed value, for **tax year 2023**.

IT IS FURTHER ORDERED the county clerk and the county treasurer shall correct their records in accordance with the county commissioners' order.

IT IS SO ORDERED, this 27th day of September, 2023.

_____, County Commissioner
Vicky Kaaz, Chairperson

| | | |
|-----------|-------|-------|
| Appraiser | _____ | _____ |
| | Notes | Date |
| Clerk | _____ | _____ |
| | Notes | Date |
| Treasurer | _____ | _____ |
| | Notes | Date |

Leavenworth County
Appraiser's Office

300 Walnut
Leavenworth, KS 66048

Quarterly Report

September 27, 2023

Prepared By:
Bob Weber, County Appraiser

Ongoing Activities

1. Maintenance Re-inspection / Ag-use

- a. Through September 18th the appraisal staff has inspected and data entered 6,194 parcels, 925 for building permits, and 1,188 for sales validation, 3,915 for 17% re-inspection and 166 other. 1,064 parcels remain for the 17% re-inspection.

2. Personal Property

- a. Personal property will complete final certification to the County Clerk Friday September 30th.

3. Sales

- a. We have received 1,189 sales through August of 2023. This compares to 1,460 in 2022, 1,576 in 2021, 1,289 in 2020 and 1,263 in 2019 for the same period.
- b. For the first two thirds of 2023 the average sale price for a home in Leavenworth County is \$330,462. The average sale price for all of 2022 was \$315,174. Home values do not appear to be increasing at the same rate as the previous three years.

| <u>Year</u> | <u>Average Sale Price</u> | <u>% Increase</u> |
|-------------|---------------------------|-------------------|
| 2023 | \$330,462 | 5% |
| 2022 | \$315,174 | 12% |
| 2021 | \$282,090 | 12% |
| 2020 | \$252,601 | 12% |
| 2019 | \$225,752 | 6% |
| 2018 | \$213,497 | |

Building Permits

- c. The number of building permits for new homes over the first seven months of the year are down about 32% from last year. The following table compares the number of building permits for new homes in the first seven months of the year for the all of Leavenworth County.

| Year | # of Permits |
|-------------|---------------------|
| 2023 | 120 |
| 2022 | 177 |
| 2021 | 198 |
| 2020 | 156 |
| 2019 | 137 |
| 2018 | 187 |
| 2017 | 143 |

4. Sales Ratio

The following are results of a sales ratio for sales from the 2nd and 3rd quarter of 2023 compared to 2023 appraised values as of January 1st. A median ratio below 100% indicates sales prices are higher than appraised values. A median ratio above 100% indicates sales prices are lower than appraised values.

| Area | Median |
|-------------|---------------|
| All County | 96.3% |
| Leavenworth | 96.9% |
| Lansing | 94.8% |
| Tonganoxie | 97.2% |
| Basehor | 95.8% |
| Rural | 95.1% |

5. Substantial Compliance

The Property Valuation Division (PVD) of The Department of Revenue conducts a yearly statistical and procedural compliance review for every county. Leavenworth County met the criteria to be in substantial compliance for the 2023 valuation year. If a county is out of substantial compliance the county must submit a plan on steps to be taken to achieve substantial compliance for the following year.

**Leavenworth County
2023 COMPLIANCE REVIEW**

SUBCLASS WEIGHTING:

| SUBCLASS | APPRAISED VALUE | % OF TOTAL |
|-------------|------------------------|--------------|
| RESIDENTIAL | \$6,350,061,078 | 93.9 |
| COMM./IND. | \$415,905,244 | 6.1 |
| TOTAL | <u>\$6,765,966,322</u> | <u>100.0</u> |

| MEASURES | RATIO STUDY | CONFIDENCE RANGE (IN/OUT) | POINTS ALLOCATED | SUBCLASS WEIGHT | POINTS POSSIBLE | POINTS RECEIVED |
|---|-------------|---------------------------|------------------|-----------------|-----------------|-----------------|
| 1. STATISTICAL PERFORMANCE | | | | | | |
| a. RESIDENTIAL | | | | | | |
| LEVEL: MEDIAN RATIO | 92.5 | IN (90.2, 95.0) | 25 | 0.939 | 23.5 | 23.5 |
| UNIFORMITY: COD | 9.9 | IN (8.9, 11.2) | 25 | 0.939 | 23.5 | 23.5 |
| b. COMMERCIAL/INDUSTRIAL | | | | | | |
| LEVEL: MEDIAN RATIO | 80.3 | IN (68.0, 94.2) | 25 | 0.061 | 1.5 | 1.5 |
| UNIFORMITY: COD | 24.1 | IN (18.0, 35.3) | 25 | 0.061 | 1.5 | 1.5 |
| STATISTICAL TOTAL | | | | | 50.0 | 50.0 |
| 2. MASS APPRAISAL PROCESS | | | | | | |
| A. SCOPE of WORK | | | | | | |
| a1. Scope of work appraisal plan | | | 2 | | 2.0 | 2.0 |
| a2. Quarterly appraisal progress reporting | | | 2 | | 2.0 | 2.0 |
| B. SALES FILE | | | | | | |
| | | | 4 | | 4.0 | 4.0 |
| C. PARCEL MAINTENANCE INSPECTION AND QC | | | | | | |
| c1. Data collection re-inspection | | | 3 | | 3.0 | 3.0 |
| c2. Quality control | | | 1 | | 1.0 | 1.0 |
| D. LAND VALUATION | | | | | | |
| d1. Land valuation calibration and analysis | | | 2 | | 2.0 | 2.0 |
| d2. Market ag. land valuation | | | 1 | | 1.0 | 1.0 |
| d3. Land trend analysis | | | 1 | | 1.0 | 1.0 |
| d4. Documentation for land override (site value/unit price) | | | 1 | | 1.0 | 1.0 |
| E. CONSTRUCTION COST MULTIPLIER ANALYSIS | | | | | | |
| e1. Residential cost analysis, trend, statistical testing, conclusion | | | 1 | | 1.0 | 1.0 |
| e2. Com./ind. cost analysis, trend, statistical testing, conclusions | | | 1 | | 1.0 | 1.0 |
| F. DEPRECIATION ANALYSIS | | | | | | |
| f1. Residential depreciation analysis | | | 2 | | 2.0 | 2.0 |
| f2. Residential depreciation trend analysis | | | 1 | | 1.0 | 1.0 |
| f3. Manufactured home depreciation analysis | | | 2 | | 2.0 | 2.0 |
| f4. Manufactured home depreciation trend analysis | | | 1 | | 1.0 | 1.0 |
| f5. Commercial depreciation analysis | | | 2 | | 2.0 | 2.0 |
| f6. Commercial depreciation trend analysis | | | 1 | | 1.0 | 1.0 |
| f7. Economic factor analysis | | | 1 | | 1.0 | 1.0 |
| f8. Building override documentation | | | 1 | | 1.0 | 1.0 |
| f9. Non-building occupancy depreciation review 162/163 | | | 1 | | 1.0 | 1.0 |

**Leavenworth County
2023 COMPLIANCE REVIEW**

| | | | | |
|--|-----------|--|-------------|--------------|
| G. INCOME APPROACH | | | | |
| g1. Income model analysis | 2 | | 2.0 | 2.0 |
| g2. Capitalization rate analysis | 1 | | 1.0 | 1.0 |
| g3. Effective tax rate study | 1 | | 1.0 | 1.0 |
| g4. I/E multiplier override documentation | 1 | | 1.0 | 1.0 |
| H. COMPARABLE SALES ANALYSIS | 2 | | 2.0 | 2.0 |
| I. FINAL REVIEW PROCESS | | | | |
| i1. Final review +/- 10% | 1 | | 1.0 | 1.0 |
| i2. Miscellaneous improvement /site value documentation | 1 | | 1.0 | 1.0 |
| i3. Residential index study | 1 | | 1.0 | 1.0 |
| i4. Commercial index study | 1 | | 1.0 | 1.0 |
| APPRAISAL PROCEDURE SUBTOTAL | 42 | | 42.0 | 42.0 |
| 3. AGRICULTURAL USE VALUATION | | | | |
| Ag1. Adverse influence guidelines followed | 1 | | 1.0 | 1.0 |
| Ag2. 100% verification of current use verification every 2 years | 1 | | 1.0 | 1.0 |
| Ag3. Current ag use tables updated | 1 | | 1.0 | 1.0 |
| Ag4. Web soil survey matches Orion soils | 2 | | 2.0 | 2.0 |
| Ag5. Review of Division of Water Resources report | 1 | | 1.0 | 1.0 |
| 4. CADASTRAL MAPPING | 2 | | 2.0 | 2.0 |
| PROCEDURAL POINT TOTAL | | | 50.0 | 50.0 |
| STATISTICAL POINT TOTAL | | | 50.0 | 50.0 |
| 5. STATUTORY COMPLIANCE | | | | |
| a. TREND STUDY PUBLICATION & CVN MAILING | | | | 0.0 |
| b. INFORMAL HEARINGS | | | | 0.0 |
| c. APPRAISED VALUE CERTIFICATION | | | | 0.0 |
| d. PERSONAL PROPERTY | | | | 0.0 |
| e. PRESERVATION/PROTECTION OF PROPERTY TAX RECORDS | | | | 0.0 |
| f. USE OF PRESCRIBED PVD VALUATION GUIDES | | | | 0.0 |
| STATUTORY NON-COMPLIANCE DEDUCTION | | | | 0.0 |
| I. TOTAL POSSIBLE | | | | 100.0 |
| II. TOTAL RECEIVED | | | | 100.0 |
| OVERALL SCORE (II/I)*100 | | | | 100.0 |

Division of Property Valuation
300 SW 29th Street
PO Box 3506
Topeka KS 66601-3506
Mark A. Burghart, Secretary



Phone: 785-296-2365
Fax: 785-296-2320
www.ksrevenue.gov
Laura Kelly, Governor

September 13, 2023

Dear County Commissioners:

The annual statistical and procedural compliance review for the 2023 appraisal year to determine substantial compliance within the county appraiser's office, pursuant to K.S.A. 79-1445 and Directive #20-046 has been completed. A minimum of 75 points is required to successfully achieve substantial compliance. Your county has met the criteria and is determined to be in substantial compliance.

The efforts of your county appraiser and appraisal staff to successfully complete the appraisal cycle in a satisfactory manner are to be commended. Accurately appraising properties is without doubt a difficult task and the support of the county commissioners is crucial to the success of the appraisal effort. Our mutual goal in this process is fair and equal treatment for all taxpayers. I sincerely appreciate your support as we continue our efforts to achieve and maintain the objective of taxpayer fairness.

If you have any questions or concerns, please contact Mike Dallman at 785-296-2566 or cell 785-250-1205 or mike.dallman@ks.gov. If I can be of any assistance to you, please do not hesitate to ask.

Respectfully,

A handwritten signature in cursive script that reads "David N. Harper".

David N. Harper, Director
Property Valuation Division

DNH/plh

cc: County Appraiser