

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Special Meeting of 5:30 P.M., Wednesday, February 26, 2025
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048

www.leavenworthcounty.gov

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Approval of Minutes**

5. **Secretary's Report**

6. **Declarations: (if necessary)**

- A. Declarations of receipt of communications by Planning Commissioners
- B. Disclosure of ex-parte communications for each hearing item
- C. Declarations of abstention from specific agenda items by a Commissioner

7. **Approval of Agenda**

8. **Consent Agenda**

A. Case DEV-24-129 & 130 Bailey Family Farm

Consideration of a Preliminary and Final Plat for a tract of land in Southeast Quarter of the Southeast Quarter of Section 15, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 25560 Linwood Road

PID: 215-15-0-00-00-024.00

9. **Regular Agenda**

A. Case DEV-24-149 Berg Tract Split Exception

Consideration of an Exception request for a tract split for a tract of land in the North ½ of the South ½ of the Southwest Quarter of Section 29, Township 8 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 30197 175th Street

PID: 079-29-0-00-00-018.00

B. Case DEV-24-150 Reilly Tract Split Exception

Consideration of an Exception request for a tract split for a tract of land in the Northwest Quarter of Section 15, Township 11 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 16271 Evans Road

PID: 185-15-0-00-00-003.00

Adjournment of Planning Commission

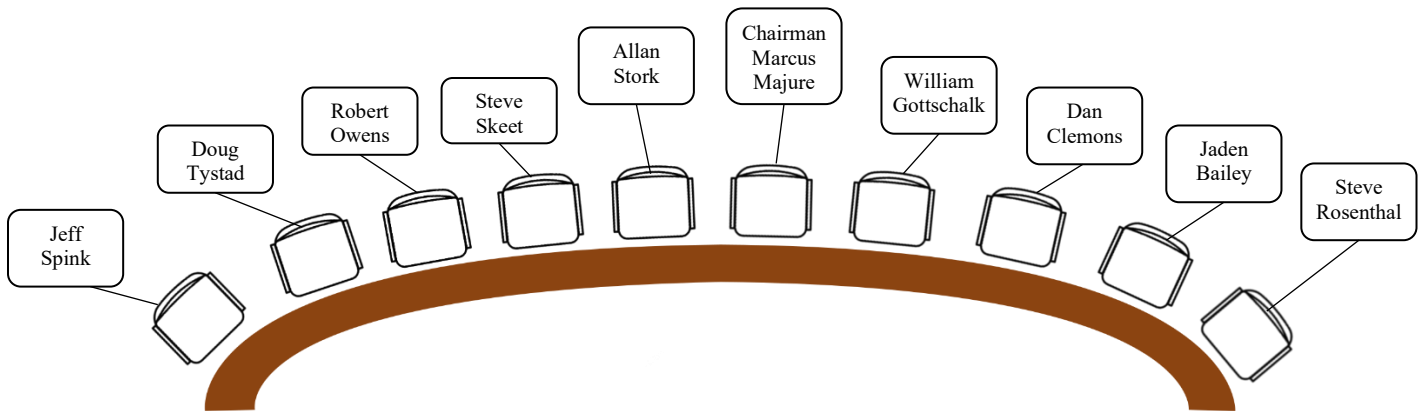
Upcoming meeting dates:

**Wednesday, March 12, 2025, 5:30 PM
Regular Planning Commission Meeting**

For More Information

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

Planning Commission Seating Chart 2025



**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
January 08, 2025**

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

The Planning Commission meeting was called to order at 5:36 p.m.

Pledge of Allegiance

Members present: Doug Tystad, Robert Owens, Marcus Majure, Allan Stork, William Gottschalk, Steve Skeet and Dan Clemons

Members absent: Jeff Spink, Jaden Bailey and Steve Rosenthal

Staff present: John Jacobson-Director, Amy Alison-Deputy Director, Misty Brown-County Counselor, Jon Khalil-Asst. County Counselor.

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

ROLL CALL VOTE - Motion to approve the minutes passed, 6/0 (3 absent)

Secretary's Report: Amy Allison gave the secretary's report going over the agenda.

Declarations: Commissioner Tystad stated that he received an email from a concerned citizen regarding DEV-24-125. Chairman Majure stated he received multiple phone calls regarding the matter and would (recuse) himself from voting.

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

ROLL CALL VOTE - Motion to approve the agenda passed, 6/0 (3 absent)

Regular Agenda

A. Case DEV-24-125 Special Use Permit RJ Farm

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

Also known as 21985 Cantrell Road

PID: 222-09-0-00-00-002.07

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Amy Allison gave the staff report outlining the details of the Special Use Permit request.

John Jacobson confirmed Staff recommends that there be a time limit for the Special Use Permit. In this case, the recommendation is 5 (five) years.

(There were technical difficulties and a break was taken).

Amy Allison again provided a synopsis of the staff report indicating that property owner would operate a fairground and host a total of 15 events per calendar year. The hours would be 12:00pm – 11:00pm and the maximum number of attendees for the events would be 300. The types of events would be rodeos, birthday parties, weddings, concerts, etc. The applicant proposes 400 parking spaces to accommodate the attendees, contestants, employees. The permit application included details regarding vendors for the events that would sell food and retail items, but no alcohol.

Commissioner Clemons asked why No Alcohol was not listed as one of the conditions of the Special Use Permit. Director Jacobson indicated the narrative regarding Alcohol on Premises is the condition.

Commissioner Skeet asked if the Special Use Permit can be revoked if the conditions are not met. Director Jacobson confirmed, the SUP can be revoked and goes through the same process in revocation as in approval. Not complying with the conditions is, in fact, grounds for revocation.

Commissioner Tystad questioned the change in the number of events. Deputy Director Allison confirmed the applicant originally requested a total of 52 events per year, but after learning of public comments and concerns reduced that number to 15 events per calendar year.

Commissioner Clemons questioned if a third-party on premises sold alcohol, would that be a violation of the SUP. Director Jacobson confirmed that would be a violation and according to the narrative, no alcohol is to be sold on premises.

Chairman Majure questioned that if alcohol sales occur and is verified, would the Special Use Permit be revoked. Director Jacobson confirmed, the permit would be eligible for revocation. If found in violation, the Board of County Commissioners can request that the revocation process begin.

Chairman Majure opened the public hearing.

Surveyor Joe Herring thanked Staff and spoke on behalf of the applicant outlining the proposed private events for the Special Use Permit. Mr. Herring indicated the applicant reduced the parking spaces from 400 to 300 and was essentially in an open field with no markings. The applicant will have help with parking and making sure there is two-way traffic in case of an emergency. Mr. Herring indicated the applicant has previously had a Temporary Special Use Permit, which was recommended by Staff without complaints.

Mr. Aurelio Haro, a part owner, spoke in favor of the request for a Special Use Permit. Mr. Haro indicated that they have been hosting Mexican rodeos for "several decades" and it has become a family tradition that he encourages his children to continue.

Commissioner Stork asked Mr. Haro if there were any formal complaints after the Temporary Special Use Permit. Mr. Haro indicated no and added that police officers have come onto premises and there were no orders to end the event.

Director Jacobson stated the last formal complaint was April 16, 2022 and was a traffic related. Additionally, there were a total of two traffic-related violations after 100 calls to the Police since 2010.

Ms. Norma Brockenberry spoke in favor of the request for Special Use Permit. Ms. Brockenberry indicated that the events are most times family events with children.

Commissioner Owens asked where the applicant is obtaining stock contractors from. Mr. Haro indicated that horses are brought in by their owners and steer are brought in by local owners.

Commissioner Owens also questioned if 3-10 employees would be enough to accommodate the traffic. Director Jacobson responded that yes, with additionally family helping, 10 paid employees should be enough.

Julie (and John) Downes spoke in opposition of the Special Use Permit based upon non-compliance. Ms. Downes raised concerns about past code violations, tax violations, the selling of alcohol without a permit and concerns about the treatment of animals at these events.

Ms. Downes spoke of photos and videos she has in her possession outlining violations on the Haro property. Chairman Majure indicated those items could not be reviewed because submission did not meet the deadline for the hearing.

Commissioner Skeet asked if Ms. Downes photos were of one Haro event or several. Ms. Downes confirmed the photos encompassed several different events.

Commissioner Owens asked why the photos and videos were not submitted in a more timely manner so they Planning Commission could review them. Ms. Owens indicated her health issues and holidays were an obstacle.

Counsel Misty Brown addressed the questions regarding the violations of the Temporary Special Use Permits that were brought against the applicants. Ms. Brown confirmed there were code violations because allegations were made that they were hosting events without a TSUP or a SUP. Ms. Brown did initiate a codes case against both applicants. The goal of the court case is to obtain code compliance. During this process, when looking at some of the events, some were private which would not require a TSUP or SUP. However, it was determined that there was, in fact, events that should have had an SUP. Working with the Court, the recommendation was if Haro were to become compliant and begin to apply for a Temporary Special Use Permits for the events, there would be no issue. It was expressed to property owner that if

compliance did not continue, the matter would again come back before the Courts. This process is designed to keep property owners in compliance and understand the conditions. Ms. Brown reminded the Commissioners that this is a Land Use matter. Decisions cannot be based upon allegations. However, if there is an actual charge or conviction, then Planning Commission decisions can be made based upon those items.

Chairman Majure confirmed regardless of hearsay or assumptions of what events are transpiring on the property, decisions of the Planning Commission cannot go into effect without a conviction. Counselor Brown confirmed this to be true and stated decisions need to be made upon the Golden Factors and the reasons for violations of the factors need to be stated.

Chairman Majure closed the public hearing at 6:42pm.

Commissioner Owens proposed the Commission grant the SUP request for 1 (one) year initially to be sure they remain compliant. If the applicant avoids violations, the Commission may grant a longer term on the next Special Use Permit. Commissioner Tystad concurred that a 5-year SUP is not warranted in this case. Commissioner Stork stated the SUP can be revoked at any time.

Discussions ensued within the Planning Commission.

Chairman Majure reminded the Commissioners that any decisions by the Planning Commission would then go before the Board of County Commissioners and the applicant is allowed to hold private events. Director Jacobson stated that private events are unregulated and the proposed 15 (fifteen) public events would be regulated.

Commissioner Owens questioned what occurs if the SUP is approved and at a later time there is a loud event with alcohol what will be done legally. Counselor Brown responded that if a Sheriff's report is received that the Special Use Permit has been violated, the attorneys would review the case and determine if there is sufficient evidence. A Notice of Violation would be issued which is then addressed before the Judge. Any potential charges would be a misdemeanor to include a citation and fines. If convicted, then the Commission may move to revoke the Special Use Permit.

Chairman Majure asked the applicant to define the cultural events. Surveyor Herring stated events would either fall under a public event which would be restricted per the Special Use Permit or a private event which is exempt per the regulations. The specific activities has no bearing on the Special Use Permit.

Commissioner Gottschalk asked for clarification on the definition of a public event. Meanwhile, Jacobson reminded the Planning Commission that this particular item on the agenda is to address Land Use as defined within the Land Use table. He further added which in this case the land use is a fairground, of which rodeos are an event that is allowed.

Deputy Director Alison shared the definition of a private event per the Zoning and Subdivision Regulations .

Commissioner Gottschalk questioned who regulates the use under the SUP. Ms. Allison stated that from a Land Use perspective, the Planning and Zoning staff and the Planning Commission regulates the use. And the Board of County Commissioners ultimately approve these regulations. With that in mind, the Commission was reminded that the applicant has requested use of the property as a "fairground" which allows them to hold public events. They are open to the public and charging a fee for admittance or for usage of that parcel.

Mr. Jacobson stated that taxation or any other elements would be considered by the State. The only items that we regulate at a local level is Land Use and any nuisances that may be created.

Discussion ensued.

Commissioner Tystad motioned for approval of the Special Use Permit based upon the request meets the Golden Factors and based upon Staff recommendations. Tystad proposed a 1-year time limit on the Special Use Permit. Commissioner Owens seconded the motion.

ROLL CALL VOTE - Motion to approve passed 5/1 (3 absent)

Commissioner Tystad motioned for adjournment and Commissioner Owens seconded the motion.

Adjournment of Planning Commission at 7:20pm.

Upcoming meeting dates:

DRAFT

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-129 & 130 Preliminary & Final Plat Bailey Family Farm

February 12, 2024

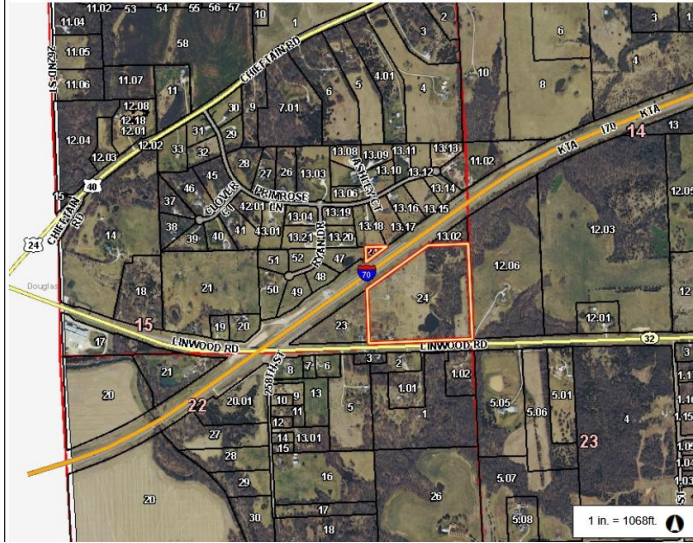
REQUEST: *Consent Agenda*

Preliminary Plat Final Plat

STAFF REPRESENTATIVE:

JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 25560 Linwood Rd



APPLICANT/APPLICANT AGENT:

Larry Hahn
HAHN SURVEYING
POX 186
Basehor, KS 66007

PROPERTY OWNER:

Brian Bailey
1537 Harper St.
Lawrence, KS 66044

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:

RR-2.5

LEGAL DESCRIPTION:

A Minor Subdivision in the Southeast Quarter of the Southeast Quarter of Section 15, Township 12 South, Range 20, East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-129 & 130 Preliminary & Final Plat Bailey's Family Farm, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-129 & 130 Preliminary & Final Plat Bailey's Family Farm to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 33.50 Acres

PARCEL ID NO:
215-15-0-00-00-024

BUILDINGS:
Existing House and Outbuildings

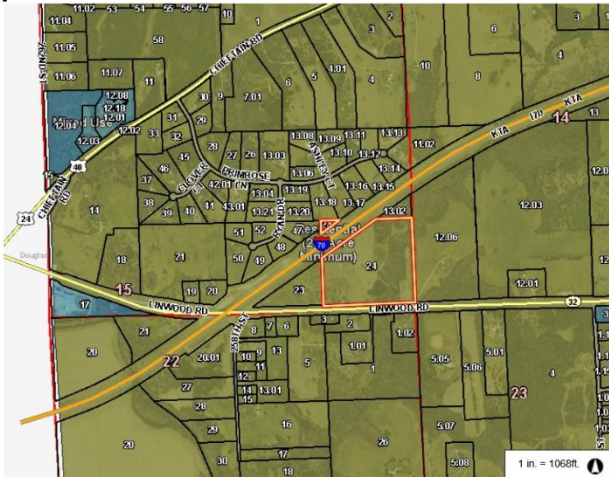
PROJECT SUMMARY:

Request for preliminary & final plat approval to subdivide property located at 25560 Linwood Rd. (215-15-0-00-00-024) as Lots 01 through 02 of Bailey Family Farm.

ACCESS/STREET:

Linwood Road– State Maintained,
Paved ± 32'

Location Map: FUTURE LAND USE DESIGNATION



UTILITIES

SEWER: PRIVATE SEPTIC

FIRE: FD# 2

WATER: RWD 10

ELECTRIC: Everyg

NOTICE & REVIEW:

STAFF REVIEW:
02/04/2025

NEWSPAPER NOTIFICATION:
N/A

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

STANDARDS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</i>			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to divide a 33.50 acre parcel into two (2) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lot 1 will be approximately 29 acres in size. Lot 2 will be approximately 5 acres in size. All lots meet the requirements for the RR-5 zoning district. Since this parcel is next to a limited access highway, a 50' buffer strip is required and stating that the strip is reserved for the planting of trees or shrubs. This is in accordance with Article 50, Section 40.2.g.

PROPOSED CONDITIONS:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary, infrastructure is available.
5. The developer must comply with the following memorandums:
 - Memo – Everyg, dated November 15, 2024
 - Memo – RWD#10, dated December 11, 2024

PROPOSED MOTIONS:

Approve case DEV-24-129 & 130, a request to plat the property located at 25560 Linwood Rd. into a two (2) Lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-24-129 & 130 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.

Deny case DEV-24-129 & 130, a request to plat the property located at (insert address) into a (insert # of lots) Lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-24-129 & 130.

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

Motion: Chairman, I move to table Case No. DEV-24-129 & 130 to (Date and Time) requesting additional information for (STATE THE REASON(S)).

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

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

D: Memorandums

215-15 024.00

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

Office Use Only	
CAMA No.: _____	Date Received: _____
Township: _____	
Planning Commission Meeting Date: _____	
Project No.: <u>REV-24-</u>	Date Paid: _____

APPLICANT/AGENT INFORMATION		OWNER INFORMATION	
NAME _____	NAME <u>BRIAN BAILEY</u>	ADDRESS _____	ADDRESS <u>1537 HARPER STREET</u>
ADDRESS _____	CITY/ST/ZIP _____	CITY/ST/ZIP <u>LAWRENCE, KS. 66044</u>	PHONE _____
CITY/ST/ZIP _____	PHONE _____	EMAIL _____	EMAIL _____
PHONE _____	EMAIL _____	CONTACT PERSON _____	CONTACT PERSON <u>BRIAN</u>
CONTACT PERSON _____			

GENERAL INFORMATION

Subdivision Name: BAILEY FAMILY FARM

Legal Description (S-T-R 1/4 Section): SE 1/4 OF SE 1/4 SECTION 15-T12S-R20E

Zoning: RR- 5.00

Surveyor and/or Engineer Firm: HAHN SURVEYING

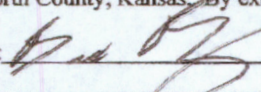
Contact Person: LARRY HAHN

Address: PO BOX 186 BASEHOR, KANSAS 66007

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

SUBDIVISION INFORMATION		
Gross Acreage: <u>35.14 ACRES</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>5.51 ACRES</u>
Maximum Lot Size: <u>29.63 ACRES</u>	Zoning: <u>RR - 5.0</u>	Density: _____
Open Space Acreage: _____	Water District: <u>RWD #10</u>	Proposed Sewage: <u>ON SITE</u>
Fire District: <u>#2</u>	Electric Provider: <u>EVERGY</u>	Natural Gas Provider: <u>ATMOS</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Phase Number: _____	
Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 Final Plat approval as indicated above.

Signature:  Date: 10-11-24

ATTACHMENT A-2

OWNER AUTHORIZATION

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

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property

See Exhibit A attached hereto and incorporated herein by reference.

2. 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, 25560 LINWOOD ROAD (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 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.

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.

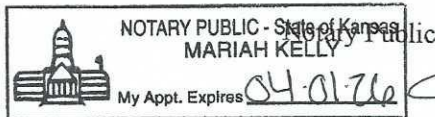
IN WITNESS THEREOF, I, the Undersigned, have set my hand below.

STATE OF KANSAS
COUNTY OF LEAVENWORTH

X [Signature]
BRIAN BAILEY

The foregoing instrument was acknowledged before me on this 11 day of October, 2024, by Brian Bailey

My Commission Expires:



[Signature]

ATTACHMENT B



* 2 0 1 0 R 0 2 2 8 2 1 *

Doc #: 2010R02282

STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY

RECORDED ON

03/30/2010 01:37PM

RECORDING FEE: 8.00

INDEBTEDNESS: 0.00

PAGES: 1

TRANSFER ON DEATH DEED

ON THIS 25th day of March 2010.

ERNEST L. BAILEY, a single person,
as Owner,

TRANSFERS ON DEATH TO:

BRIAN BAILEY,
as Grantee Beneficiary

Entered in the transfer record in my office this
30th day of March, 20 10
Janet Klemm by D. Cox
County Clerk

THE FOLLOWING-DESCRIBED INTEREST IN REAL ESTATE LOCATED IN
Leavenworth County, Kansas:

The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Fifteen (15),
Township Twelve (12) South of Range Twenty (20) East of the Sixth (6th) Principal Meridian
and containing forty (40) acres more or less, according to U.S. Government Survey thereof,
in Leavenworth County, Kansas.

**THIS TRANSFER ON DEATH DEED IS REVOCABLE.
IT DOES NOT TRANSFER ANY OWNERSHIP UNTIL THE DEATH OF THE OWNER. IT REVOKES
ALL PRIOR BENEFICIARY DESIGNATIONS FOR THIS INTEREST IN REAL ESTATE.**

This Transfer-on-Death Deed is made pursuant to K.S.A. 59-3501, *et. seq.*
Pursuant to K.S.A. 79-1437e a real estate validation questionnaire is not required due to exception No. 4

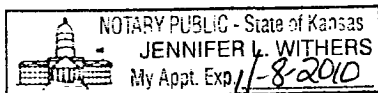
Ernest L. Bailey
ERNEST L. BAILEY

8/ Stevens & Brand

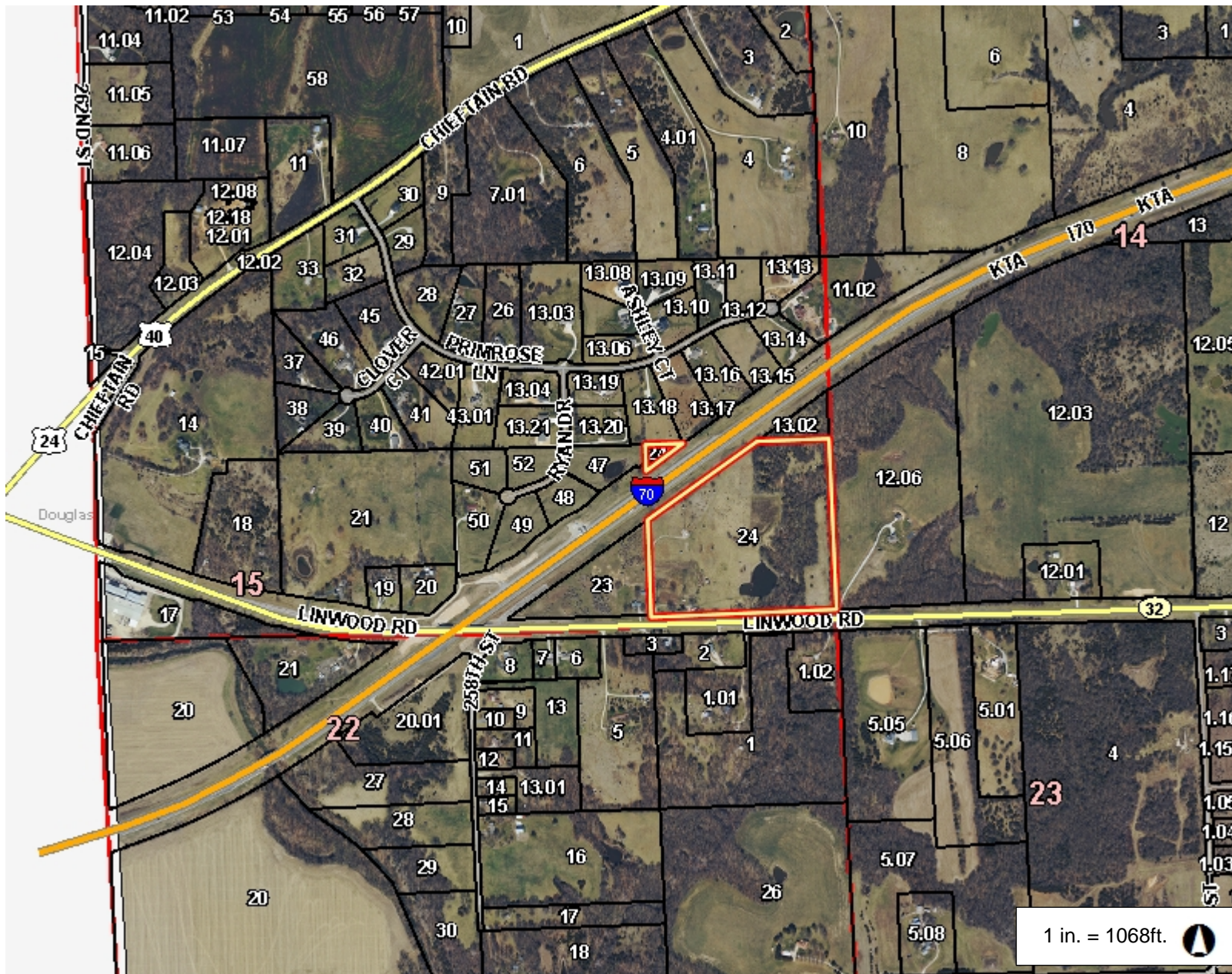
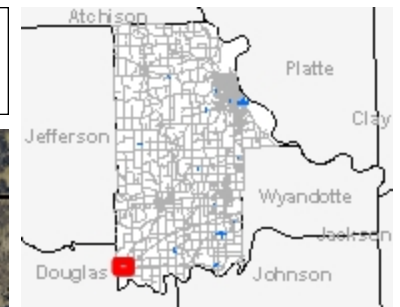
STATE OF KANSAS) / RESERVED FOR REGISTER OF DEEDS:
) ss: /
COUNTY OF DOUGLAS) /

This instrument was acknowledged before /
me this 25th day of March 2010, by Ernest L. /
Bailey. /

Jennifer L. Withers
Notary Public /
My Appointment expires: /



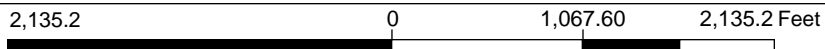
Leavenworth County, KS



Legend

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

1 in. = 1068ft. 

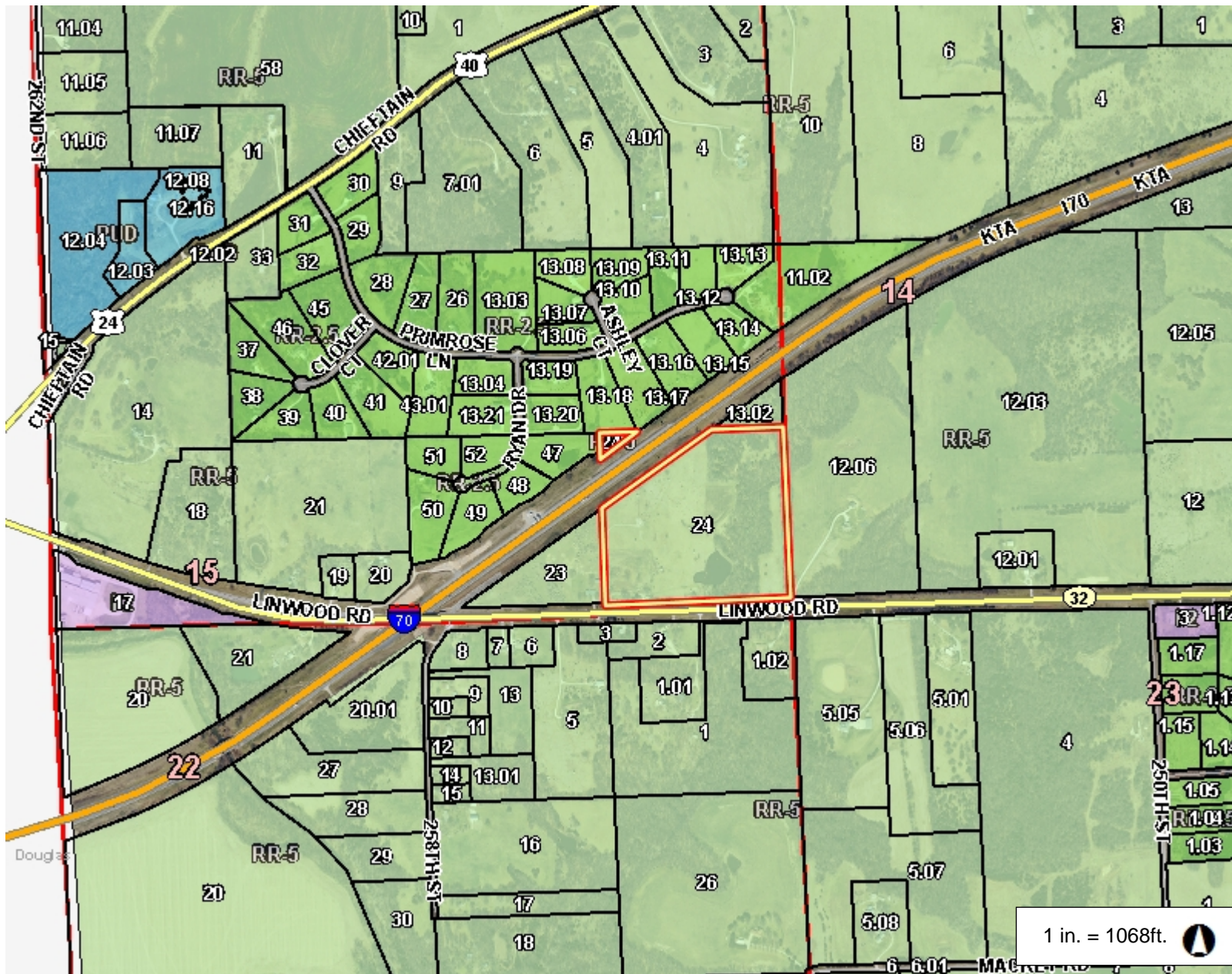
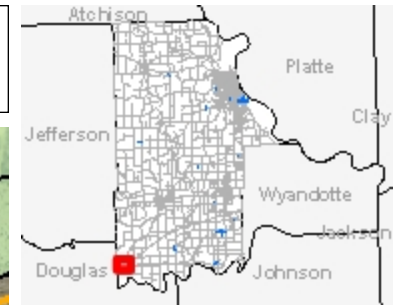


This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

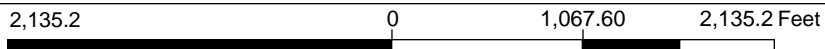
Leavenworth County, KS



Legend

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

1 in. = 1068ft.



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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

12-27-24
PW Combined
Approved

Bailey Family Farm
Leavenworth County Kansas
Drainage Report
October 14, 2024



BAILEY FAMILY FARM

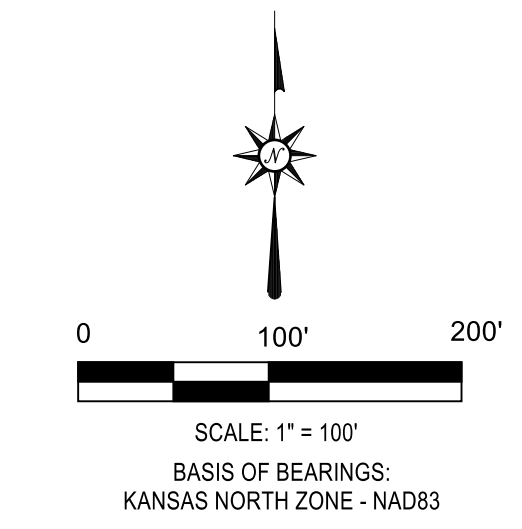
A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
SECTION 15-T12S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

2-5-25
PW Engineering
Approved

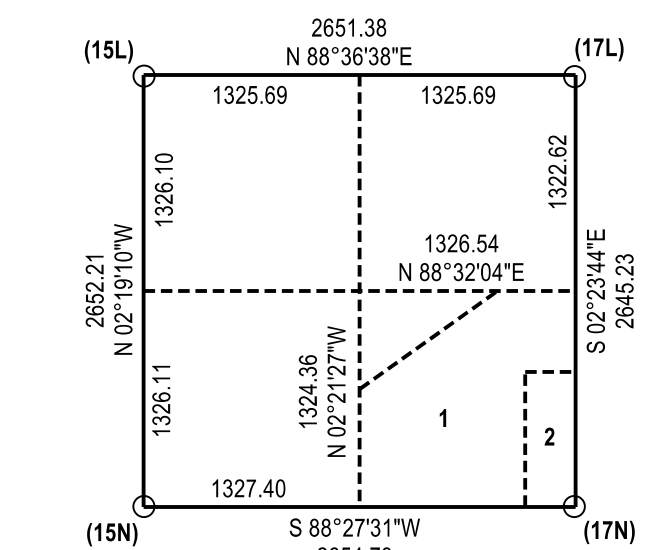


TITLE REPORT DESCRIPTION
THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH OF RANGE 20 EAST OF THE 6TH P.M. AND CONTAINING 40 ACRES, MORE OR LESS, ACCORDING TO U.S. GOVERNMENT SURVEY THEREOF, IN LEAVENWORTH COUNTY, KANSAS, SUBJECT TO THAT PART IN RIGHT OF WAY.

SURVEYORS DESCRIPTION
A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15-T12S-R20E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, PS #1349, SEPTEMBER, 2024, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE, S 88°27'31"W, 1327.40 FEET ALONG THE SOUTH LINE OF SECTION 15 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE, N 02°21'27"W, 775.98 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15 TO THE SOUTHERLY RIGHT OF WAY LINE OF KANSAS TURNPIKE I-70; THENCE, N 54°32'28"E, 980.71 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE, N 88°32'04"E, 504.89 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE, S 02°23'44"E, 1322.62 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 TO THE POINT OF BEGINNING.
CONTAINS 35.14 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.
RELATIVE: 1:380,174



FINAL PLAT



SECTION MAP - SE 1/4 15-T12S-R20E
NO SCALE

- CENTER 15-T12S-R20E (15L)**
1/2" REBAR WITH #1296 CAP (REF. #1)
1. WNW 10.25 TO 1/2" REBAR
2. ENE 34.40 TO 1/2" REBAR
3. E 33.62 TO NAIL IN TOP OF FENCE POST
4. N 11.50 +/- TO EAST-WEST FENCE
5. S 1.50 +/- TO OLD EAST-WEST FENCE
- E 1/4 CORNER 15-T12S-R20E (17L)**
5/8" REBAR WITH CLS #14 CAP (REF. #1)
1. NE 15.82 TO 60D NAIL IN 18" DOUBLE LOCUST TREE
2. NW 17.70 TO 60D NAIL IN 18" DOUBLE OSAGE ORANGE TREE
3. NE 24.48 TO 3/4" REBAR
4. N 6 +/- TO EAST-WEST FENCE
- S 1/4 CORNER 15-T12S-R20E (15N)**
2" BRASS KDOT DISC IN BRIDGE DECK
1. N 11.70 TO CENTER OF BRIDGE TRAVELED WAY
2. S 10.65 TO "x" CUT IN BRIDGE DECK SHOULDER
3. ESE 20.91 TO "x" CUT IN BRIDGE DECK SHOULDER
4. N 34.86 TO "x" CUT IN BRIDGE DECK SHOULDER

- LEGEND**
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT - DEDICATED THIS PLAT
 - R/W ROAD RIGHT OF WAY
 - RESTRICTED ACCESS
 - CL CENTERLINE
 - (NS) NO MONUMENT SET

OWNER / DEVELOPER
BRIAN BAILEY
1537 HARPER STREET
LAWRENCE, KS. 66044
PN. 215-15-24
PH. 785-979-4670

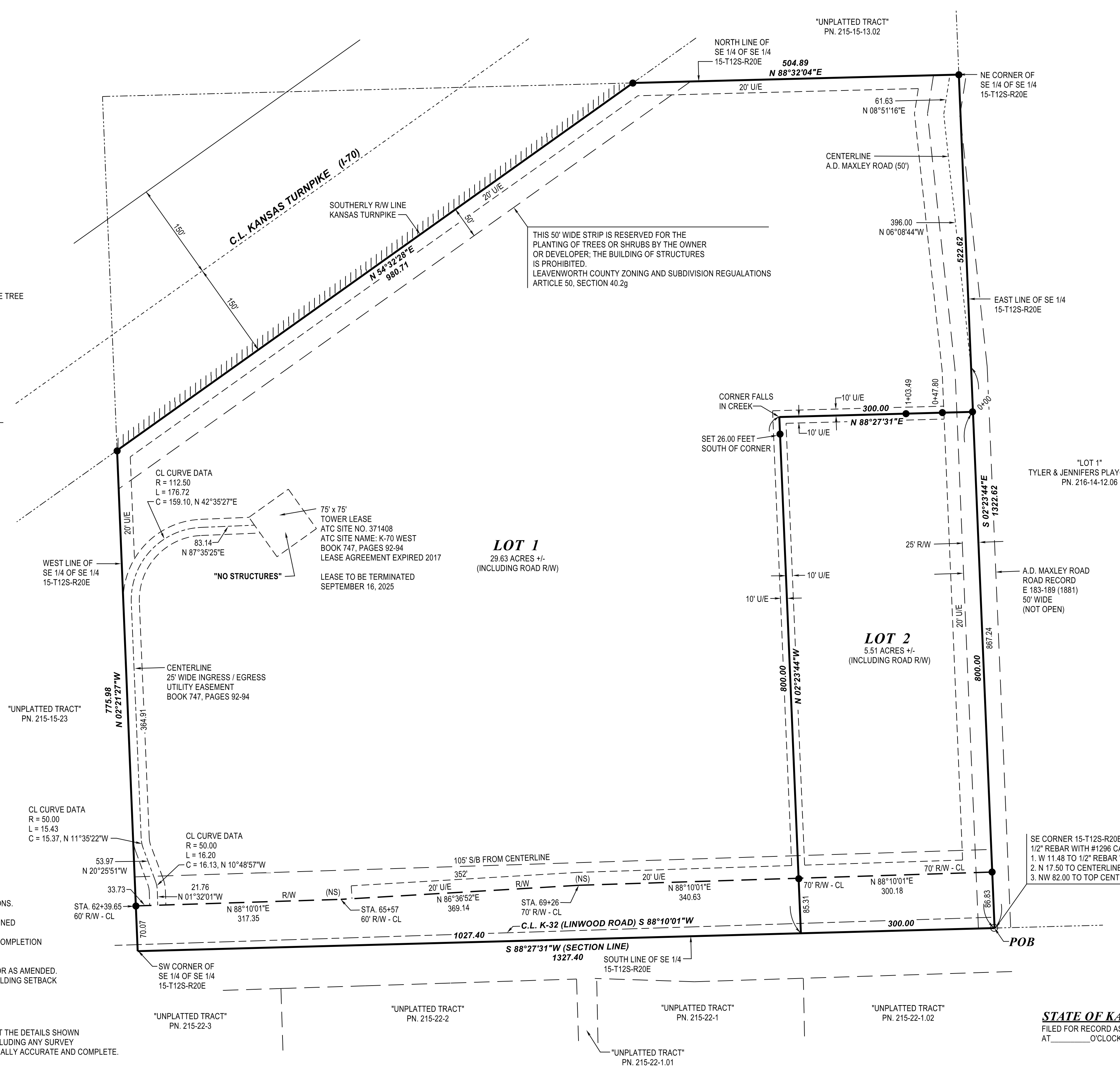
- REFERENCES**
- PRIMROSE HILL ESTATES - 2016P00024
 - TYLER AND JENNIFER'S PLAYGROUND - 2015P00004
 - K-32 R/W PLANS - PROJECT #32-52-S167 (4) 1951 SHEETS 3 AND 4
 - DOC. #2010R02282

BENCHMARK
1/2" REBAR WITH #1296 CAP AT THE SOUTHEAST CORNER OF 15-T12S-R20E
EL. 855.46 (NAVD88)

ZONING
RR - 5.0

- RESTRICTIONS**
- NO OFF PLAT RESTRICTIONS.
 - 40' REAR SETBACK FOR RESIDENCES
15' SIDE SETBACK FOR ACCESSORY BUILDINGS
 - AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
 - 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.
 - ACCESS TO LOTS AND DRIVEWAY IMPROVEMENTS REQUIRES KDOT APPROVAL.
 - STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
 - NO ADDITION TO THE STRUCTURES ON LOT 1 SHALL ENCRoACH ANY FURTHER INTO THE BUILDING SETBACK LINE OR EASEMENT.

- NOTES**
- 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.
 - EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL PROPOSED USE - RR-5.0/ RESIDENTIAL
 - THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA FEMA FIRM 20103C0300G, EFFECTIVE 7/16/2015
 - INFORMATIONAL REPORT PROVIDED BY CONTINENTAL TITLE COMPANY CTC FILE NO. 2468295, AUGUST 7, 2024



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 "BAILEY FAMILY FARM".
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 "BAILEY FAMILY FARM", HAVE SET MY HAND THIS _____ DAY OF _____, 2025.

BRIAN BAILEY

STATE OF KANSAS / COUNTY OF LEAVENWORTH
ON THIS _____ DAY OF _____, 2025, BEFORE APPEARED BRIAN BAILEY, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS THEREOF, 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 "BAILEY FAMILY FARM" THIS _____ DAY OF _____, 2025.

CHAIRPERSON / MARCUS MAJURE

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 "BAILEY FAMILY FARM" THIS _____ DAY OF _____, 2025.

CHAIRPERSON / MIKE SMITH

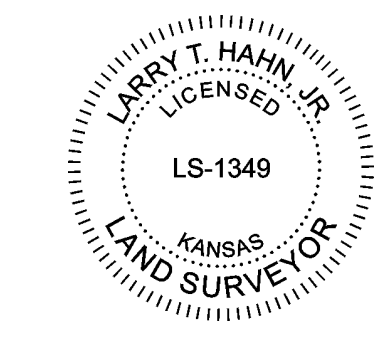
COUNTY CLERK / FRAN KEPPLER (ATTEST)

COUNTY SURVEYOR CERTIFICATION
I HEREBY CERTIFY THIS SURVEY PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS SURVEY PLAT WAS REVIEWED FOR COMPLIANCE WITH THE 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
I HEREBY CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

REGISTER OF DEEDS / TERRILOIS G. MASHBURN



LARRY T. HAHN, PS #1349

HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

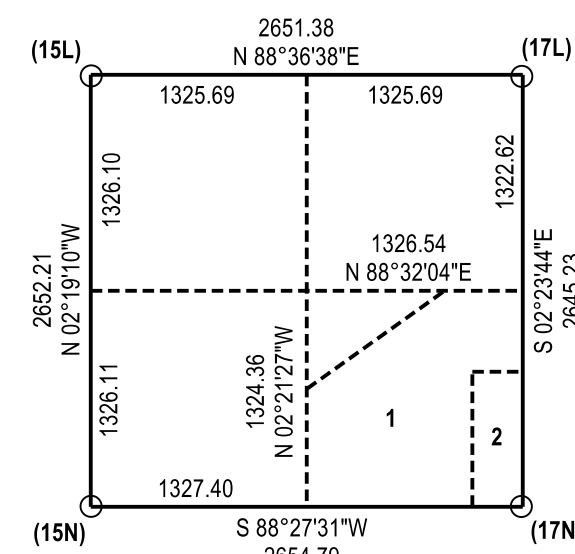
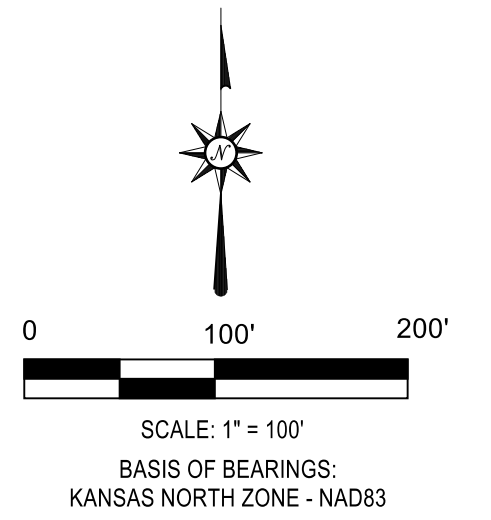
BAILEY FAMILY FARM

A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
SECTION 15-T12S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT



2-5-25
PW Engineering
Approved



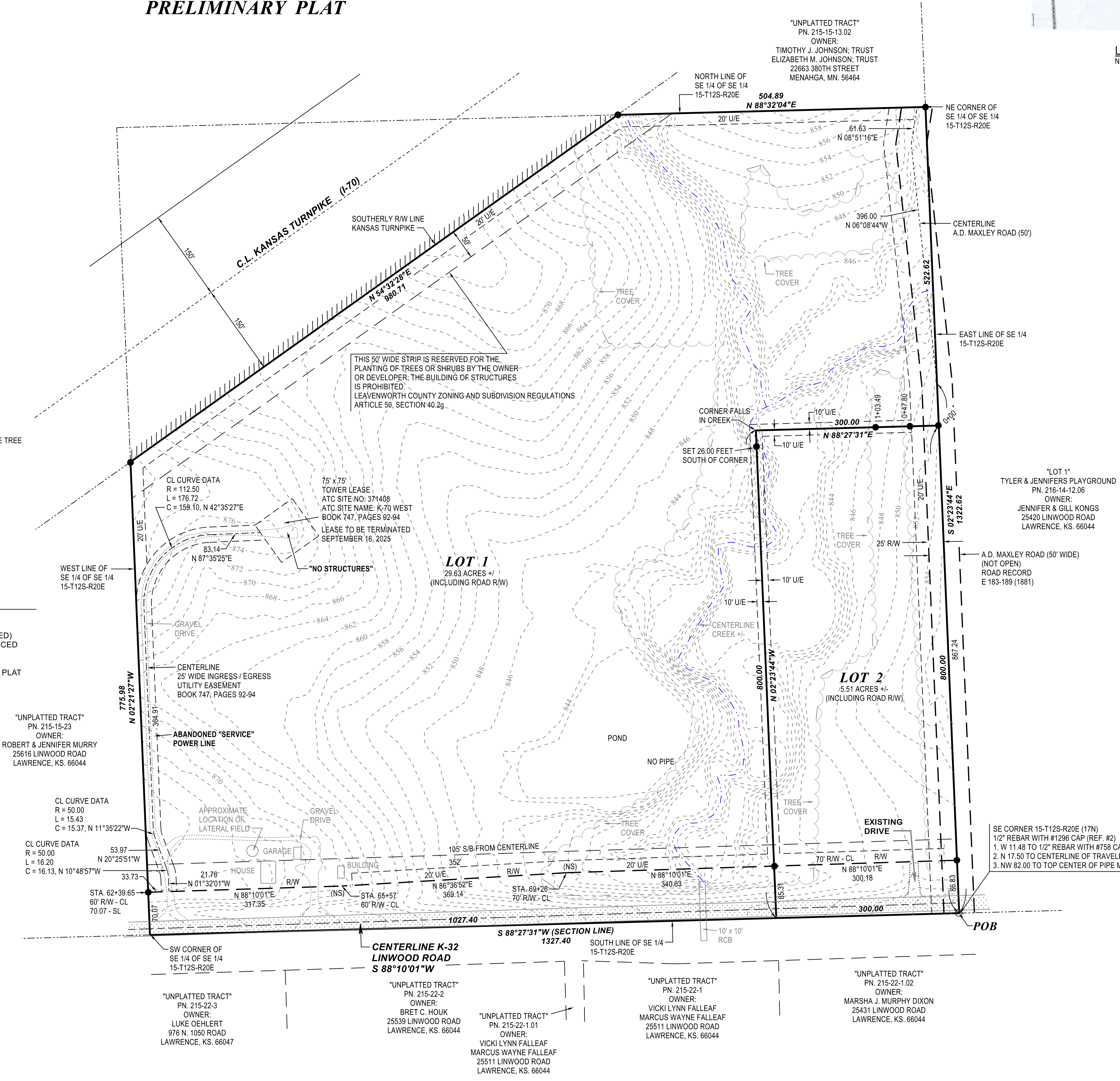
SECTION MAP - SE 1/4
15-T12S-R20E
NO SCALE

- CENTER 15-T12S-R20E (15L)
1/2" REBAR WITH #1296 CAP (REF. #1)
1. WNW 10.25 TO 1/2" REBAR
2. ENE 34.40 TO 1/2" REBAR
3. E 33.62 TO NAIL IN TOP OF FENCE POST
4. N 11.50 +/- TO EAST-WEST FENCE
5. S 1.50 +/- TO OLD EAST-WEST FENCE

- E 1/4 CORNER 15-T12S-R20E (17L)
5/8" REBAR WITH #1296 CAP (REF. #1)
1. NE 15.82 TO 60D NAIL IN 18" DOUBLE LOCUST TREE
2. NW 17.70 TO 60D NAIL IN 18" DOUBLE OSAGE ORANGE TREE
3. NE 24.48 TO 3/4" REBAR
4. N 6' +/- TO EAST-WEST FENCE

- S 1/4 CORNER 15-T12S-R20E (15N)
2" BRASS KDOT DISC IN BRIDGE DECK
1. N 11.70 TO CENTER OF BRIDGE TRAVELED WAY
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4. N 34.86 TO "X" CUT IN BRIDGE DECK SHOULDER

- LEGEND
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT - DEDICATED THIS PLAT
 - R/W ROAD RIGHT OF WAY
 - RESTRICTED ACCESS
 - (NS) NO MONUMENT SET



LOCATION MAP
NO SCALE

OWNER / DEVELOPER

BRIAN BAILEY
1537 HARPER STREET
LAWRENCE, KS. 66044
PN. 215-15-24
785-979-4670

TITLE REPORT DESCRIPTION

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH OF RANGE 20 EAST OF THE 6TH P.M. AND CONTAINING 40 ACRES, MORE OR LESS, ACCORDING TO U.S. GOVERNMENT SURVEY THEREOF, IN LEAVENWORTH COUNTY, KANSAS, SUBJECT TO THAT PART IN RIGHT OF WAY.

SURVEYORS DESCRIPTION

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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. ACCESS TO LOTS AND DRIVEWAY IMPROVEMENTS REQUIRES KDOT APPROVAL.
8. STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
9. NO ADDITION TO THE STRUCTURES ON LOT 1 SHALL ENCROACH ANY FURTHER INTO THE BUILDING SETBACK LINE OR EASEMENT.

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 PROPOSED USE - RR-5.0 / RESIDENTIAL
4. THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA FEMA FIRM 20103C0300G, EFFECTIVE 7/16/2015
5. INFORMATIONAL REPORT PROVIDED BY CONTINENTAL TITLE COMPANY CTC FILE NO. 2448295, AUGUST 7, 2024

BENCHMARK

1/2" REBAR WITH #1296 CAP AT THE SOUTHEAST CORNER OF 15-T12S-R20E
EL. 855.46 (NAVD88)

PUBLIC IMPROVEMENT

NONE

UTILITIES

ELECTRIC / ENERGY
WATER / R.W.D. #10
GAS / ATMOS
SEWAGE / PRIVATE ON SITE SYSTEM
FIRE DISTRICT / #2

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

ROAD INFORMATION

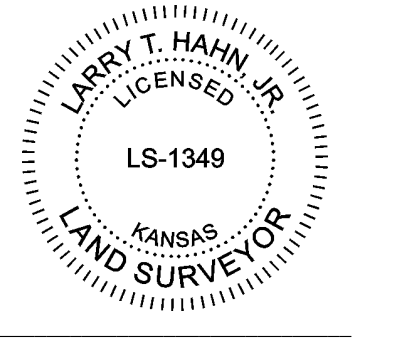
LINWOOD ROAD / K-32
24' WIDE WITH ASPHALT SURFACE
CLASS - STATE HIGHWAY

REFERENCES

1. PRIMROSE HILL ESTATES - 2016P00024
2. TYLER AND JENNIFER'S PLAYGROUND - 2015P00004
3. K-32 R/W PLANS - PROJECT #32-S167 (4) (1951)
SHEETS 3 AND 4
4. DOC. #2010R02282

ZONING

RR-5.0



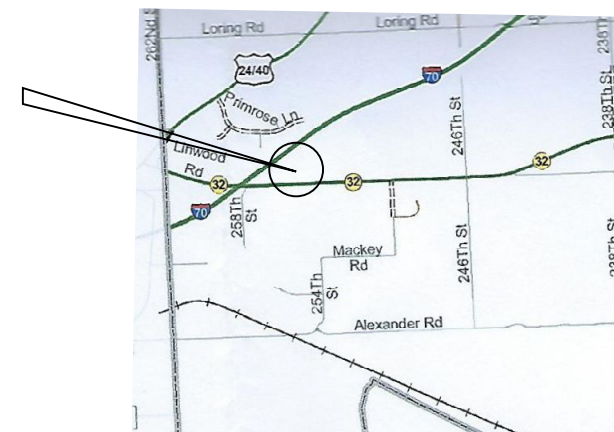
LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

BAILEY FAMILY FARM

A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
SECTION 15-T12S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

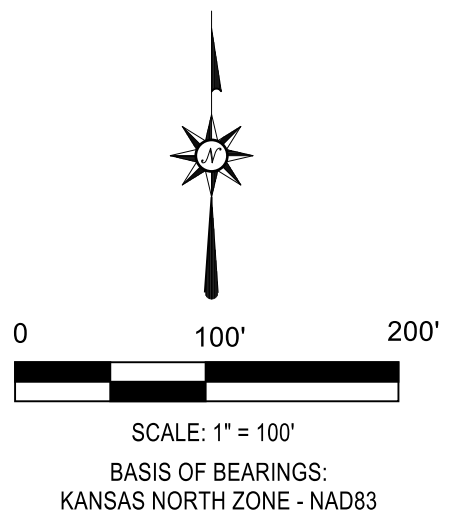


TITLE REPORT DESCRIPTION

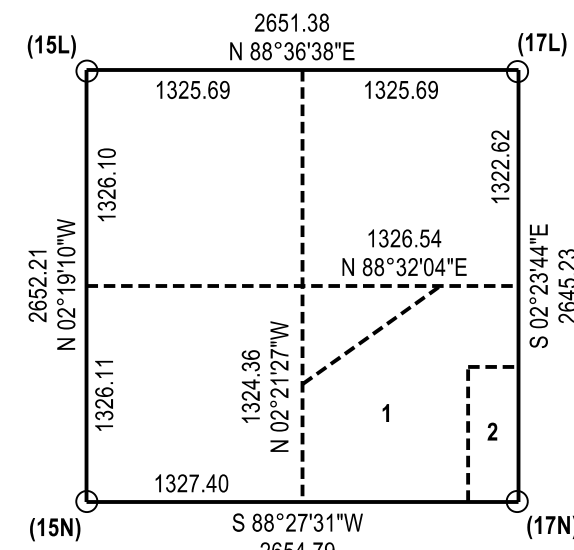
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FINAL PLAT



SECTION MAP - SE 1/4 15-T12S-R20E NO SCALE

- CENTER 15-T12S-R20E (15L)
1/2" REBAR WITH #1296 CAP (REF. #1)
1. WNW 10.25 TO 1/2" REBAR
2. ENE 34.40 TO 1/2" REBAR
3. E 33.62 TO NAIL IN TOP OF FENCE POST
4. N 11.50 +/- TO EAST-WEST FENCE
5. S 1.50 +/- TO OLD EAST-WEST FENCE

- E 1/4 CORNER 15-T12S-R20E (17L)
5/8" REBAR WITH CLS #14 CAP (REF. #1)
1. NE 15.82 TO 60D NAIL IN 18" DOUBLE LOCUST TREE
2. NW 17.70 TO 60D NAIL IN 18" DOUBLE OSAGE ORANGE TREE
3. NE 24.48 TO 3/4" REBAR
4. N 8' +/- TO EAST-WEST FENCE

- S 1/4 CORNER 15-T12S-R20E (15N)
2" BRASS KDOT DISC IN BRIDGE DECK
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- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT - DEDICATED THIS PLAT
 - R/W ROAD RIGHT OF WAY
 - RESTRICTED ACCESS
 - CL CENTERLINE
 - (NS) NO MONUMENT SET

OWNER / DEVELOPER

BRIAN BAILEY
1537 HARPER STREET
LAWRENCE, KS. 66044
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PH. 785-979-4670

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2. TYLER AND JENNIFER'S PLAYGROUND - 2015P00004
3. K-32 R/W PLANS - PROJECT #32-S2-167 (4) 1951 SHEETS 3 AND 4
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BENCHMARK

1/2" REBAR WITH #1296 CAP AT THE SOUTHEAST CORNER OF 15-T12S-R20E
EL. 855.46 (NAVD88)

ZONING

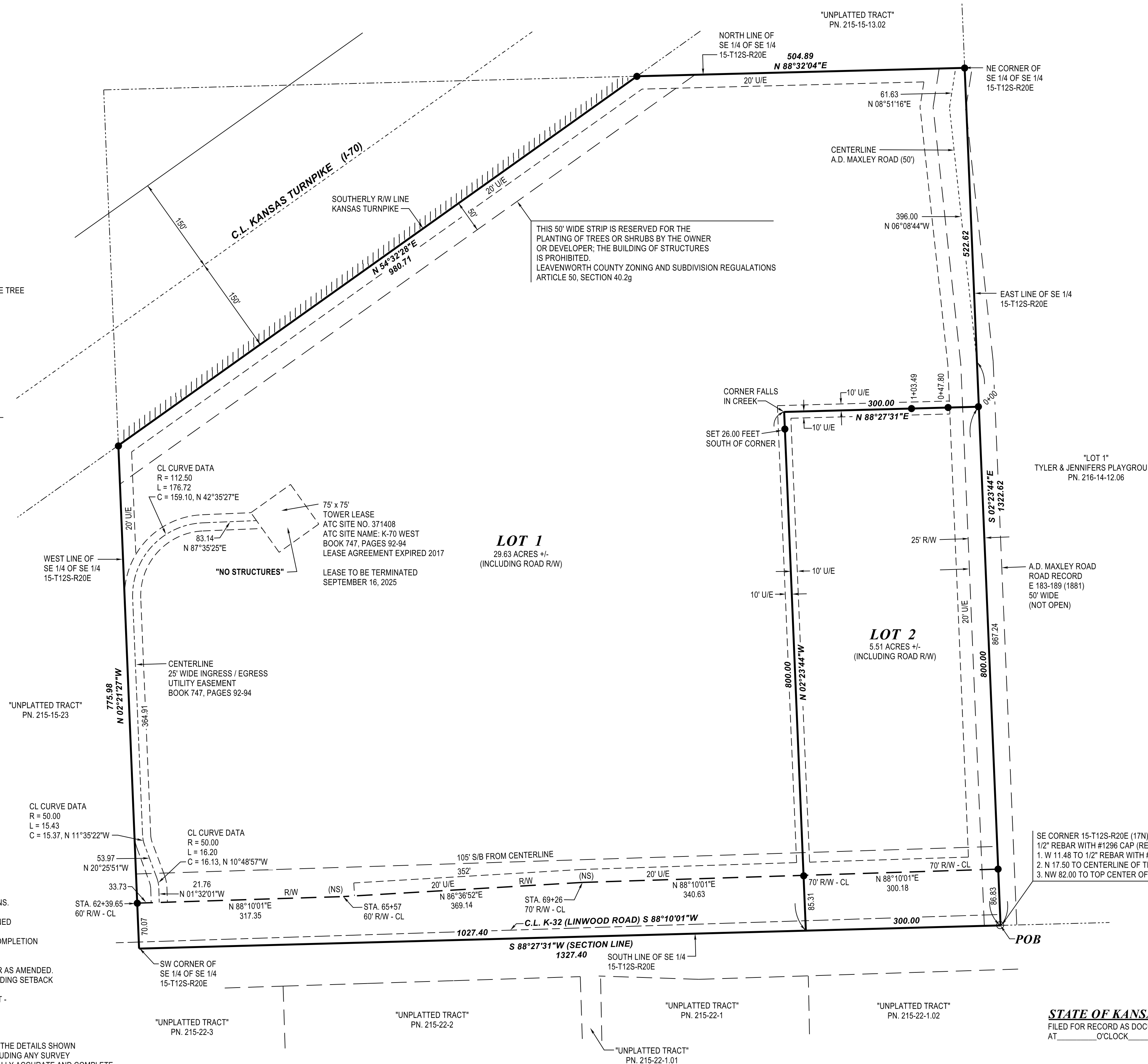
RR - 5.0

RESTRICTIONS

1. NO OFF PLAT RESTRICTIONS.
2. 40' REAR SETBACK FOR RESIDENCES
3. 15' REAR SETBACK FOR ACCESSORY BUILDINGS
4. 15' SIDE SETBACK
5. AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
6. EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
7. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
8. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
9. ACCESS TO LOTS AND DRIVEWAY IMPROVEMENTS REQUIRES KDOT APPROVAL.
10. STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
11. NO ADDITION TO THE STRUCTURES ON LOT 1 SHALL ENCROACH ANY FURTHER INTO THE BUILDING SETBACK LINE OR EASEMENT.
12. 50' BUFFER STRIP - PLANTING SCHEDULE TO BE DETERMINED BY OWNER OF AFFECTED LOT - TREES (TYPE ACCORDING TO KANSAS FOREST SERVICE CHART) WILL BE PLANTED EVERY 50' OF OPEN AREA WITHIN SAID STRIP PRIOR TO BUILDING.

NOTES

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2. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL
PROPOSED USE - RR-5.0 / RESIDENTIAL
3. THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA
FEMA FIRM 201303030G, EFFECTIVE 7/16/2015
4. INFORMATIONAL REPORT PROVIDED BY CONTINENTAL TITLE COMPANY
CTC FILE NO. 24468295, AUGUST 7, 2024



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 "BAILEY FAMILY FARM".

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 "BAILEY FAMILY FARM", HAVE SET MY HAND THIS _____ DAY OF _____, 2025.

BRIAN BAILEY

STATE OF KANSAS / COUNTY OF LEAVENWORTH

ON THIS _____ DAY OF _____, 2025, BEFORE APPEARED BRIAN BAILEY, KNOWN TO ME TO BE THE SAME PERSON DESCRIBED HEREIN AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS THEREOF, 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 "BAILEY FAMILY FARM" THIS _____ DAY OF _____, 2025.

CHAIRPERSON / MARCUS MAJURE

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 "BAILEY FAMILY FARM" THIS _____ DAY OF _____, 2025.

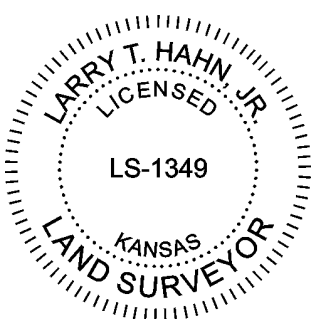
CHAIRPERSON / MIKE SMITH

COUNTY CLERK / FRAN KEPPLER (ATTEST)

COUNTY SURVEYOR CERTIFICATION

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

COUNTY SURVEYOR / DANIEL BAUMCHEN, PS #1363



LARRY T. HAHN, PS #1349

STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD AS DOCUMENT # _____ ON THIS _____ DAY OF _____, 2025
AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS OF LEAVENWORTH COUNTY, KANSAS.

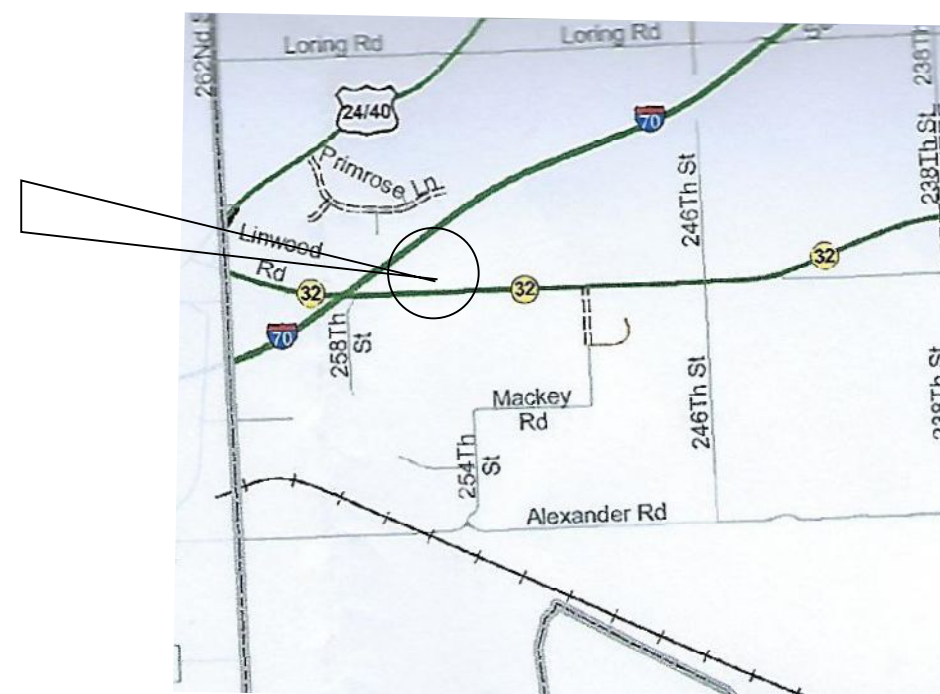
REGISTER OF DEEDS / TERRILOIS G. MASHBURN

HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

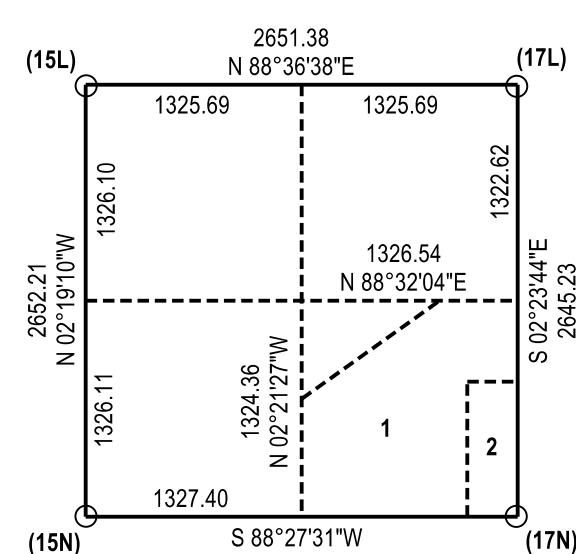
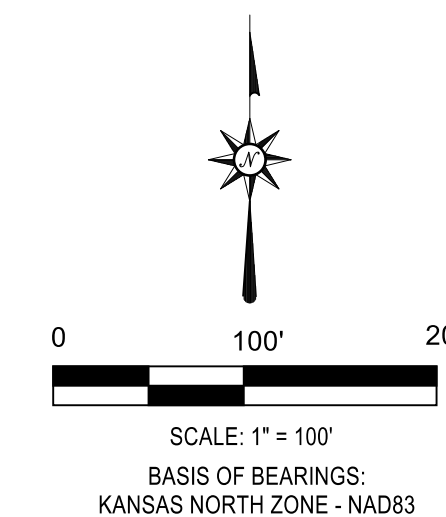
BAILEY FAMILY FARM

A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
SECTION 15-T12S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT



LOCATION MAP
NO SCALE



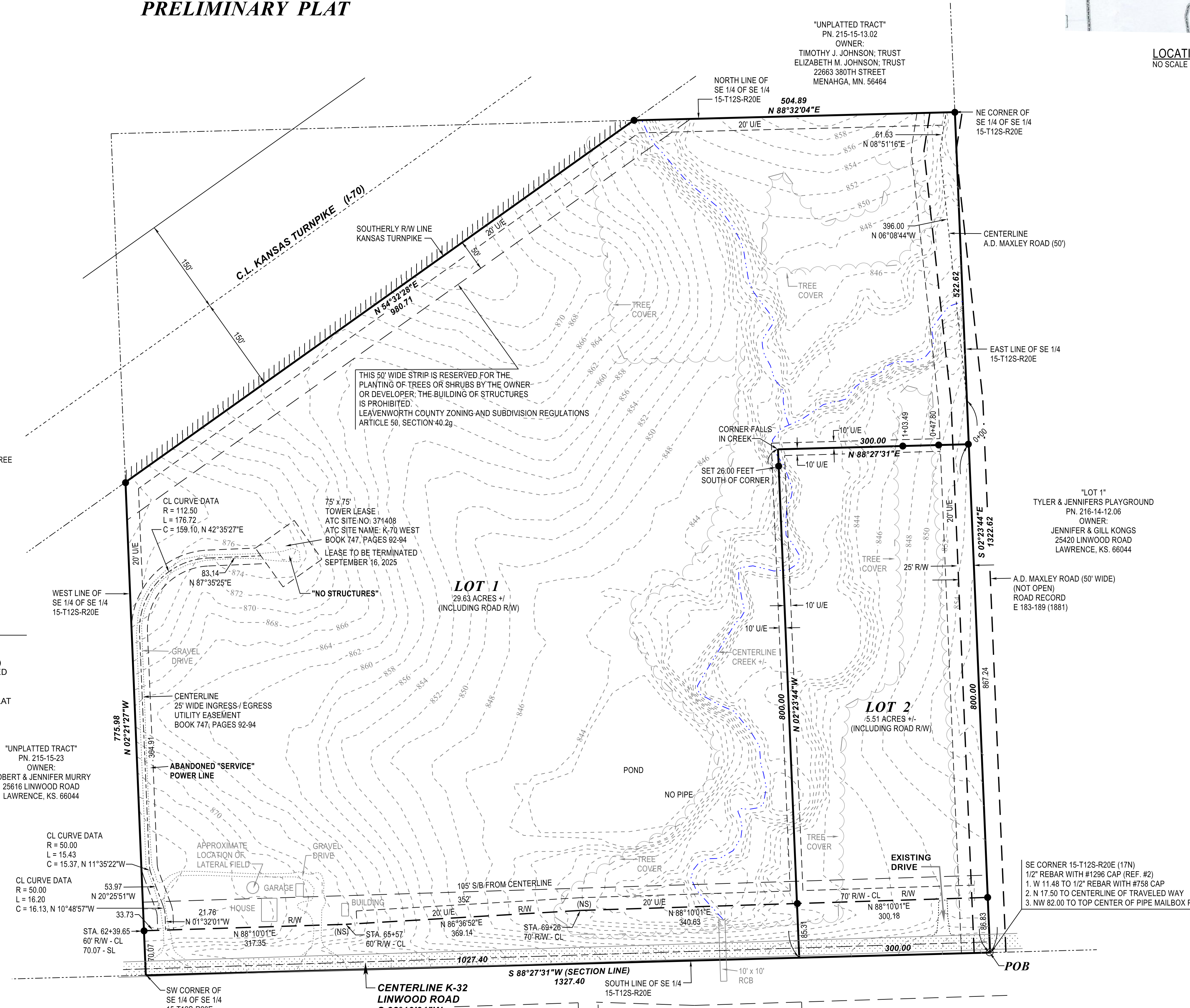
SECTION MAP - SE 1/4
15-T12S-R20E
NO SCALE

- CENTER 15-T12S-R20E (15L)
1/2" REBAR WITH #1296 CAP (REF. #1)
1. WNW 10.25 TO 1/2" REBAR
2. ENE 34.40 TO 1/2" REBAR
3. E 33.62 TO NAIL IN TOP OF FENCE POST
4. N 1.50' +/- TO EAST-WEST FENCE
5. S 1.50' +/- TO OLD EAST-WEST FENCE

- E 1/4 CORNER 15-T12S-R20E (17L)
5/8" REBAR WITH CLS #14 CAP (REF. #1)
1. NE 15.82 TO 60D NAIL IN 18" DOUBLE LOCUST TREE
2. NW 17.70 TO 60D NAIL IN 18" DOUBLE OSAGE ORANGE TREE
3. NE 24.48 TO 3/4" REBAR
4. N 6' +/- TO EAST-WEST FENCE

- S 1/4 CORNER 15-T12S-R20E (15N)
2" BRASS KDOT DISC IN BRIDGE DECK
1. N 11.70 TO CENTER OF BRIDGE TRAVELED WAY
2. S 10.65 TO "X" CUT IN BRIDGE DECK SHOULDER
3. ESE 20.81 TO "X" CUT IN BRIDGE DECK SHOULDER
4. N 34.86 TO "X" CUT IN BRIDGE DECK SHOULDER

- LEGEND
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - SURVEY MONUMENT FOUND (AS NOTED) ORIGIN UNKNOWN, UNLESS REFERENCED
 - POB POINT OF BEGINNING
 - U/E UTILITY EASEMENT - DEDICATED THIS PLAT
 - R/W ROAD RIGHT OF WAY
 - RESTRICTED ACCESS
 - (NS) NO MONUMENT SET



OWNER / DEVELOPER

BRIAN BAILEY
1537 HARPER STREET
LAWRENCE, KS. 66044
PN. 215-15-24
785-979-4670

TITLE REPORT DESCRIPTION

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH OF RANGE 20 EAST OF THE 6TH P.M. AND CONTAINING 40 ACRES, MORE OR LESS, ACCORDING TO U.S. GOVERNMENT SURVEY THEREOF, IN LEAVENWORTH COUNTY, KANSAS, SUBJECT TO THAT PART IN RIGHT OF WAY.

SURVEYORS DESCRIPTION

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15-T12S-R20E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, AS SURVEYED BY LARRY T. HAHN, PS #1349, SEPTEMBER, 2024, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE, S 88°27'31"W, 1327.40 FEET ALONG THE SOUTH LINE OF SECTION 15 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE, N 02°23'44"W, 775.98 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15 TO THE SOUTHERLY RIGHT OF WAY LINE OF KANSAS TURNPIKE I-70; THENCE, N 54°32'28"E, 980.71 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE, N 88°32'04"E, 504.89 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE, S 02°23'44"E, 1322.62 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 TO THE POINT OF BEGINNING; CONTAINS 35.14 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. RELATIVE: 1:380,174

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. ACCESS TO LOTS AND DRIVEWAY IMPROVEMENTS REQUIRES KDOT APPROVAL.
8. STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
9. NO ADDITION TO THE STRUCTURES ON LOT 1 SHALL ENCROACH ANY FURTHER INTO THE BUILDING SETBACK LINE OR EASEMENT.
10. 50' BUFFER STRIP - PLANTING SCHEDULE TO BE DETERMINED BY OWNER OF AFFECTED LOT - TREES (TYPE ACCORDING TO KANSAS FOREST SERVICE CHART) WILL BE PLANTED EVERY 50' OF OPEN AREA WITHIN SAID STRIP PRIOR TO BUILDING.

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 PROPOSED USE - RR-5.0 / RESIDENTIAL
4. THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA FEMA FIRM 20103C0300G, EFFECTIVE 7/16/2015
5. INFORMATIONAL REPORT PROVIDED BY CONTINENTAL TITLE COMPANY CTC FILE NO. 24468295, AUGUST 7, 2024

BENCHMARK

1/2" REBAR WITH #1296 CAP AT THE SOUTHEAST CORNER OF 15-T12S-R20E
EL. 855.46 (NAV088)

PUBLIC IMPROVEMENT

NONE

UTILITIES

ELECTRIC / EVERGY
WATER / R.W.D. #10
GAS / ATMOS
SEWAGE / PRIVATE ON SITE SYSTEM
FIRE DISTRICT / #2

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

ROAD INFORMATION

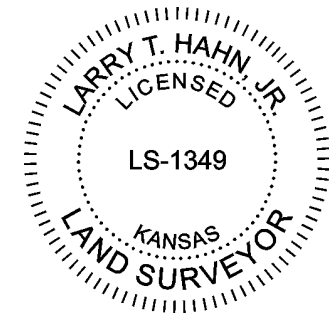
LINWOOD ROAD / K-32
24' WIDE WITH ASPHALT SURFACE
CLASS - STATE HIGHWAY

REFERENCES

1. PRIMROSE HILL ESTATES - 2016P00024
2. TYLER AND JENNIFER'S PLAYGROUND - 2015P00004
3. K-32 RW PLANS - PROJECT #32-52-S167 (4) (1951) SHEETS 3 AND 4
4. DOC. #2010R02282

ZONING

RR-5.0



LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.



December 11, 2024

Melissa Johnson
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth, KS 66048

Re: Bailey Family Farm Plat Application

Dear Ms. Johnson,

This letter is in response to your request for comments regarding water service with the plat application for Bailey Family Farm at 25560 Linwood Road.

Rural Water District 10 has an existing 2" water main. A hydraulic analysis by our engineer would be required to see if a line upgrade would be required to service Lot 1 and Lot 2. The cost for the hydraulic analysis is \$300 per lot.

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

Regards,

Steve Conley
Leavenworth County RWD10 | District Manager

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Monday, December 16, 2024 1:34 PM
To: Schweitzer, Joshua
Subject: RE: DEV-24-129 & 130 Preliminary & Final Plat Bailey Family Farm

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

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

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

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Wednesday, December 11, 2024 2:55 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; 'djacobson@turnpike.com' <djacobson@turnpike.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-129 & 130 Preliminary & Final Plat Bailey Family Farm

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary & Final Plat for a 2-lot subdivision at 25560 Linwood Rd. (215-15-0-00-00-024).

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 December 27, 2024.

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

v / r

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

Schweitzer, Joshua

From: Dylan Ritter <dritter@lvcofd2.com>
Sent: Wednesday, December 11, 2024 11:44 AM
To: LVCO RWD10
Cc: Johnson, Melissa; kritter@lvcofd2.com; Leavenworth County Rural Water District 10
Subject: Re: Bailey Family Farm Sub at 25560 Linwood Rd.

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

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

Thank you

On Wed, Dec 11, 2024 at 11:42 AM LVCO RWD10 <rwd10@conleysandu.com> wrote:
Please see attached letter for RWD10's comments.

On Thursday, December 5, 2024 at 8:59:32 AM UTC-6 Johnson, Melissa wrote:

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary Plat for Bailey Family Farm Subdivision.

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 December 12th, 2024.

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

Thank you,

Melissa Johnson

Planner I

Leavenworth County

Planning & Zoning Department

Leavenworth County Courthouse

Received 2024.11.15

WILL SERVE LETTER

To whom it may concern:

This letter is to confirm that Evergy will supply power to the requested plot located at S15-T12S-R20E in Tonganoxie KS. Without yet knowing the predicted load, we cannot guarantee that upgrades to the existing infrastructure will not be required. Please contact our office with further questions if needed.

Thanks!

Ryan McCallister

Distribution Designer

Ryan.McCallister@evergy.com

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-149 Berg Tract Split Exception

February 12, 2025

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

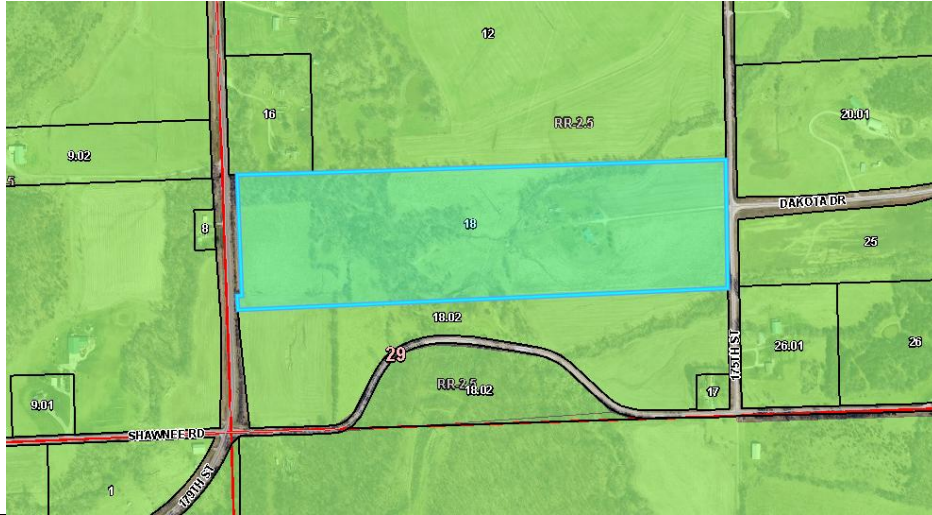
STAFF REPRESENTATIVE:

Amy Allison
Deputy Director

SUBJECT PROPERTY: 30197 175th Street

APPLICANT/APPLICANT AGENT:

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



PROPERTY OWNER:

Orville & Susan Berg
30197 175th Street
Leavenworth KS 66048

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-2.5

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

SUBDIVISION: N/A

FLOODPLAIN: Zone A

PROPERTY INFORMATION

PARCEL SIZE: 39.9 acres

PARCEL ID NO:
079-29-0-00-00-018.00

BUILDINGS:
Single-family residence and
accessory structures

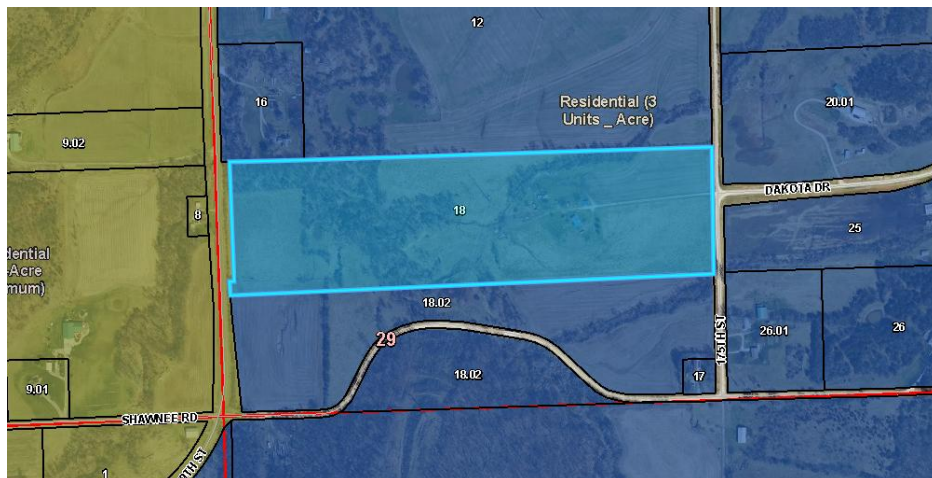
LEGAL DESCRIPTION:

A tract of land in the North ½ of the South ½ of the Southwest Quarter of Section 29, Township 8 South, Range 22, East of the 6th p.m., Leavenworth County, Kansas.

ACTION OPTIONS:

1. Approve Case DEV-24-149, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
2. Deny Case No.DEV-24-149, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or

Location Map: Future Land Use Designation



ACCESS/STREET:

175th Street, Local, Gravel ± 24 feet in width; 179th Street, Collector, Paved ± 26 feet in width

UTILITIES

SEWER: N/A

FIRE: Kickapoo

WATER: RWD#5

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 1/3/2025

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

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

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

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

- Prior to the split, the lot-depth to lot-width was met as the tract is 40 acres. However, the proposed split reduces the lot to approximately 37 acres and is now no longer compliant with the lot-depth to lot-width requirement.
- The property has floodplain and overhead power lines bisecting the middle of the lot.
- The tract is a through lot, so primary access of the tract will have to remain on 175th Street per the Zoning & Subdivision Regulations.
- The applicant is splitting a tract on the lesser designated road, reducing the impact on 179th Street which is a County Collector.

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

- It is reasonable to believe that the proposed development allows for best use of land based upon the constraints listed above.

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

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

STAFF COMMENTS:

The regulation is in place to reduce the number of piano key lots. The proposed layout would create one compliant tract with the remaining tract being a non-compliant L-shape lot. Future redevelopment of this parcel is possible but is likely to be divided from the 179th Street frontage based on the proposed layout. The current layout allows for another residence to be built but access would be limited to the lesser designated road and reduce additional traffic and congestion on a County Collector.

PROPOSED ACTIONS:

1. Approve case DEV-24-149, an exception request from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width with Findings of Fact being met and a majority vote; or

Motion: Chairman, I hereby approve an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio, in conformance with the Zoning & Subdivision Regulations for Case DEV-24-149, as submitted by the application, based on a finding that all three criteria for an exception has been met.

2. Deny case DEV-24-149, an exception request from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio without Findings of Fact being met and a majority vote; or

Motion: Chairman, I hereby deny an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio, in conformance with the Zoning & Subdivision Regulations for Case DEV-24-149, as submitted by the application, based on a finding that all three criteria for an exception have not been met.

ATTACHMENTS:

- A: Application & Narrative
- B: Memorandums

LOT/TRACT SPLIT APPLICATION

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

Office Use Only

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

APPLICANT/AGENT INFORMATION

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

OWNER INFORMATION

NAME BERG,ORVILLE ANTON JR & SUSAN M
ADDRESS 30197 175th Street
CITY/ST/ZIP Leavenworth, KS 66048
PHONE N/A
EMAIL N/A

PROPERTY INFORMATION

Address of property 30197 175th Street
Parcel size 40 Acres
Existing structures House and Agriculture Structures
Current use of the property Agriculture and Rural Residential

PROPOSED USE INFORMATION

Proposed land use Agriculture and Rural Residential
Proposed Lot/Tract 1 Size 36.9 AC
Proposed Lot/Tract 2 Size 3.01 AC

I, the undersigned, am the *(circle one) owner, duly authorized agent,* of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Tract/Lot Split as indicated above.

Signature Joe Herring - digitally signed 11-12-24 Date 11-12-24

PL 100
11
1/2

WARRANTY DEED

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged the grantor(s) convey(s) and warrant(s) to grantee(s) the hereinafter described real estate.

Grantor(s): Orville Anton Berg, Jr. and Susan M. Berg, husband and wife, and Sandra L. Berg Trexler and Jerry L. Trexler, wife and husband

Grantee(s): Orville Anton Berg, Jr. and Susan M. Berg, as Joint Tenants with right of survivorship and not as tenants in common

LEGAL DESCRIPTION:

The North 1/2 of the South 1/2 of the Southwest Quarter (SW/4) of Section 29, Township 8 South, Range 22, less any part thereof taken or used for road purposes,

in Leavenworth County, Kansas.

NO CONSIDERATION/BETWEEN FAMILY MEMBERS

STATE OF KANSAS
COUNTY OF LEAVENWORTH
FILED FOR RECORDS

1997 AUG 22 P 2:32

DORA I. PARMER
REGISTER OF DEEDS

22 Aug 97
Linda A. Schelsky Kaspery

THE FEE SIMPLE TITLE conveyed hereby is subject to assessments, specials, restrictions and reservations of record, if any.

EXECUTED this August 21, 19 97

Orville A. Berg Jr.
Orville Anton Berg, Jr.
Susan M. Berg
Susan M. Berg

Sandra L. Berg Trexler
Sandra L. Berg Trexler
Jerry L. Trexler
Jerry L. Trexler

STATE OF KANSAS, County of Leavenworth

On this August 21, 19 97, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared: Orville Anton Berg, Jr. and Susan M. Berg, husband and wife, and Sandra Berg Trexler and Jerry L. Trexler, wife and husband

to me personally known to be the same person(s) who executed the within and foregoing instrument of writing and acknowledged to me that the same was executed as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal the day and year last above written.

SHARON KAY TUTTLE
NOTARY PUBLIC
STATE OF KANSAS
My Appl. Exp. 7-26-99

Sharon K. Tuttle
Notary Public

My Commission Expires:

7-26-99

BOOK 0738 PAGE 1429

AFFIDAVIT

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

We/I Orville A. Berg Jr. and Susan M. Berg

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
30197 175th Leavenworth, KS 66048, 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 21 day of September, 2024

Adam Berg Paulina Berg
Print Name, Address Telephone

[Signatures]
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

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

NOTARY PUBLIC _____

My Commission Expires: _____

(seal)

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.
Tract has double frontage with access only to the East road and crossing a flood plain.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
Yes - any division without an interior road would require the exception
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.
No it will not

CERTIFICATE OF SURVEY

Tracts of land in the North 1/2 of the South 1/2 of the Southwest Quarter, Section 29, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

TRACT SPLIT

PREPARED FOR:

BERG, ORVILLE ANTON JR & SUSAN M
30197 175TH ST
Leavenworth, KS 66048
PID NO. 079-29-0-00-00-018

RECORD DESCRIPTION:

Book 738 Page 1429
The North 1/2 of the South 1/2 of the Southwest Quarter (SW/4) of Section 29, Township 8 South, Range 22, less any part thereof or used for road purposes, in Leavenworth County, Kansas.

SURVEYOR'S DESCRIPTION:

TRACT 1:

Tract of land in the Southwest Quarter of Section 29, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 12, 2024, more fully described as follows: Commencing at the Southeast corner of said Southwest Quarter; thence North 01 degrees 20'15" West for a distance of 1019.26 feet along the East line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 44'33" West for a distance of 362.05 feet; thence South 01 degrees 20'15" East for a distance of 362.05 feet; thence South 87 degrees 44'33" West for a distance of 2273.85 feet to the West line of said Southwest Quarter; thence North 01 degrees 28'31" West for a distance of 662.00 feet along said West line; thence North 87 degrees 50'49" East for a distance of 2637.40 to the said East line; thence South 01 degrees 20'15" East for a distance of 295.16 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 36.91 acres, more or less, including road right of way. Error of Closure: 1 - 331044

TRACT 2:

Tract of land in the Southwest Quarter of Section 29, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 12, 2024, more fully described as follows: Commencing at the Southeast corner of said Southwest Quarter; thence North 01 degrees 20'15" West for a distance of 657.21 feet along the East line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 44'33" West for a distance of 362.05 feet; thence North 01 degrees 20'15" West for a distance of 362.05 feet; thence North 87 degrees 44'33" East for a distance of 362.05 feet to said East line; thence South 01 degrees 20'15" East for a distance of 362.05 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 3.01 acres, more or less, including road right of way. Error of Closure: 1 - 999999

RATIFICATION BY PLANNING COMMISSION

This tract split, as described and shown above, has been submitted to and approved by the following Leavenworth County Planning Commission persons this ____ day of ____ 2025.

Planning Commission Chairperson: Marcus Majure

NOTARY CERTIFICATE

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

NOTARY PUBLIC

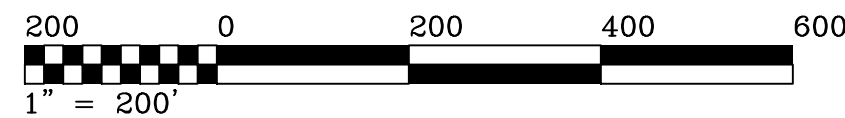
My Commission Expires: _____ (seal)



Scale 1" = 200'

Job # K-24-1835
November 12, 2024 Rev. 1-3-25

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



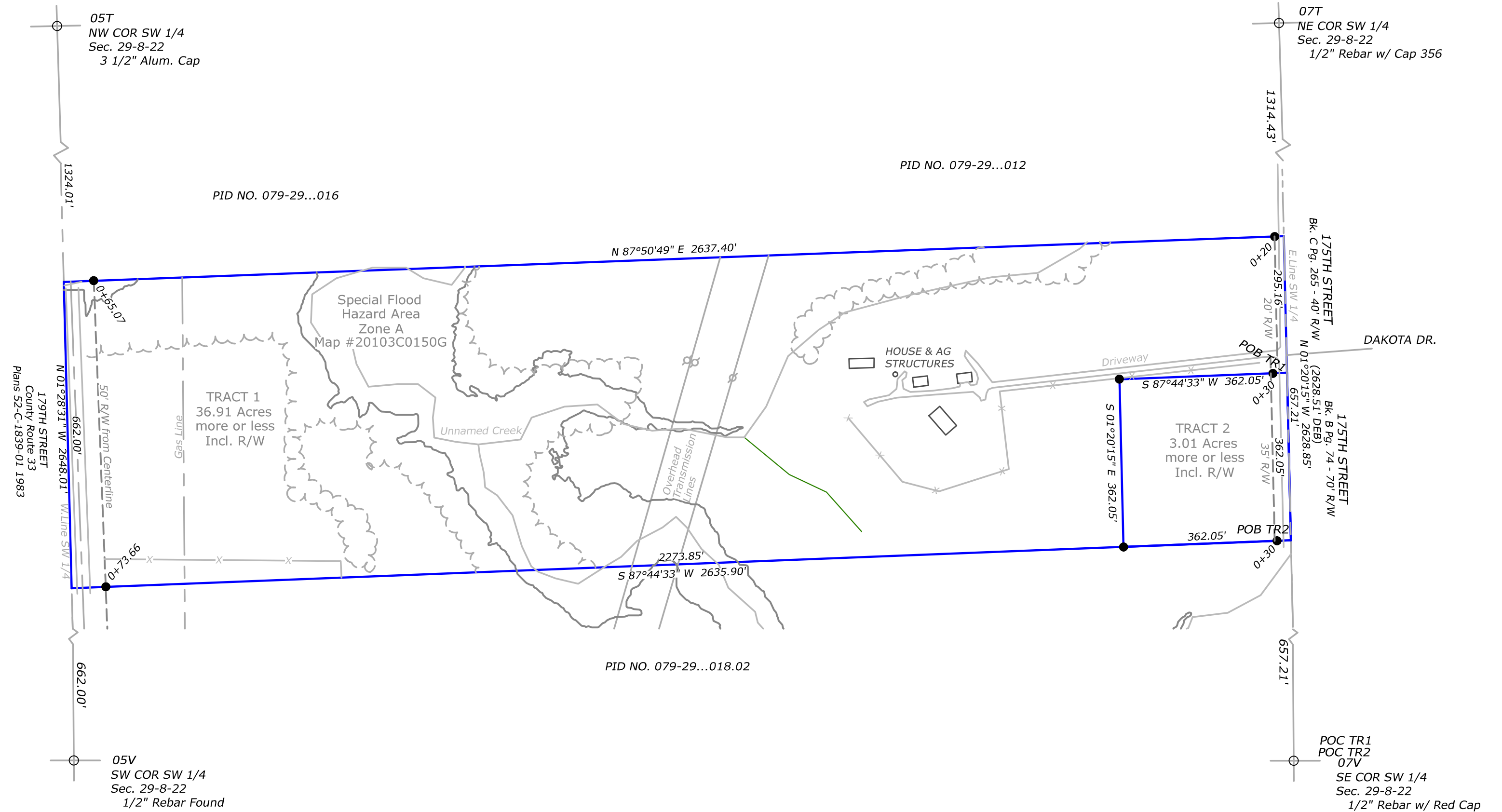
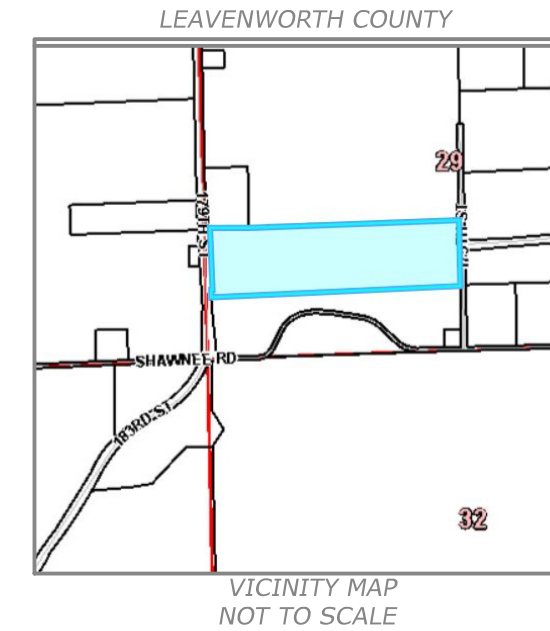
ZONE:
RR-2.5 - Rural Residential 2.5

NOTES:

- 1) This survey does not show ownership or easements, per agreement with client
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All record and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Surveyor's Description
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Referenced Surveys -
DGW - D.G.White Bk.12 Pg. 48 1986 NKA1986S048
DEB - D.E.Baumchen Township Survey
- 8) Road Records - See Survey
- 9) Referenced Deed Book 738 Page 1429
- 10) Survey prepared without the benefit of a title commitment.
- 11) Fence Lines do not necessarily denote property lines.
- 12) Structures are shown in approximate location.
- 13) Property is in a Special Flood Hazard Area Zone A per FEMA FIRM Map 20103C0150G dated July 16, 2015
- 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.
- 15) Exception to regulation Article 50, Section 40.3.i. Lot-width to lot-depth was granted by the Leavenworth County Planning Commission for Tract 1.

LEGEND:

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



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 October through November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Allison, Amy

From: Anderson, Kyle
Sent: Wednesday, December 4, 2024 9:45 AM
To: Allison, Amy
Subject: RE: RE: DEV-24-149 Berg Tract Split

We have not received any complaints on this property and the septic system currently installed 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: Tuesday, November 26, 2024 2:04 PM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-24-149 Berg Tract Split

Good Afternoon,

The Department of Planning and Zoning has received a request for a Tract Split for the property located at 30197 175th 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 Tuesday, December 10th.

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

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

Disclaimer

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Allison, Amy

From: McAfee, Joe
Sent: Thursday, December 5, 2024 4:17 PM
To: Allison, Amy; Noll, Bill; Baumchen, Daniel
Cc: PZ
Subject: RE: RE: DEV-24-149 Berg Tract Split

Amy,
PW Engineering has no comment on the TS.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, November 26, 2024 2:04 PM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
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Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

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CERTIFICATE OF SURVEY

Tracts of land in the North 1/2 of the South 1/2 of the Southwest Quarter, Section 29, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

TRACT SPLIT

PREPARED FOR:

BERG, ORVILLE ANTON JR & SUSAN M
30197 175TH ST
Leavenworth, KS 66048
PID NO. 079-29-0-00-00-018

RECORD DESCRIPTION: Book 738 Page 1429

The North 1/2 of the South 1/2 of the Southwest Quarter (SW/4) of Section 29, Township 8 South, Range 22, less any part thereof or used for road purposes, in Leavenworth County, Kansas.

SURVEYOR'S DESCRIPTION:

TRACT 1:

Tract of land in the Southwest Quarter of Section 29, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 12, 2024, more fully described as follows: Commencing at the Southeast corner of said Southwest Quarter; thence North 01 degrees 20'15" West for a distance of 1019.26 feet along the East line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees 44'33" West for a distance of 362.05 feet; thence South 01 degrees 20'15" East for a distance of 362.05 feet; thence South 87 degrees 44'33" West for a distance of 2273.85 feet to the West line of said Southwest Quarter; thence North 01 degrees 28'31" West for a distance of 662.00 feet along said West line; thence North 87 degrees 50'49" East for a distance of 2637.40 to the said East line; thence South 01 degrees 20'15" East for a distance of 295.16 feet along said East line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 36.91 acres, more or less, including road right of way. Error of Closure: 1 - 331044

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RATIFICATION BY PLANNING COMMISSION

This tract split, as described and shown above, has been submitted to and approved by the following Leavenworth County Planning Commission persons this ____ day of ____ 2025.

Planning Commission Chairperson: Marcus Majure

NOTARY CERTIFICATE

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

NOTARY PUBLIC

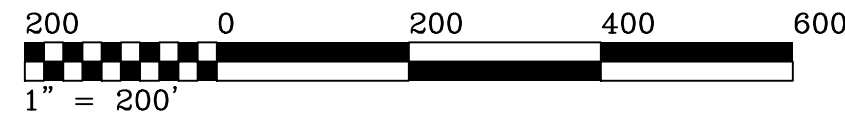
My Commission Expires: _____
(seal)



Scale 1" = 200'

Job # K-24-1835
November 12, 2024 Rev. 1-3-25

J. HERRING SURVEYING COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
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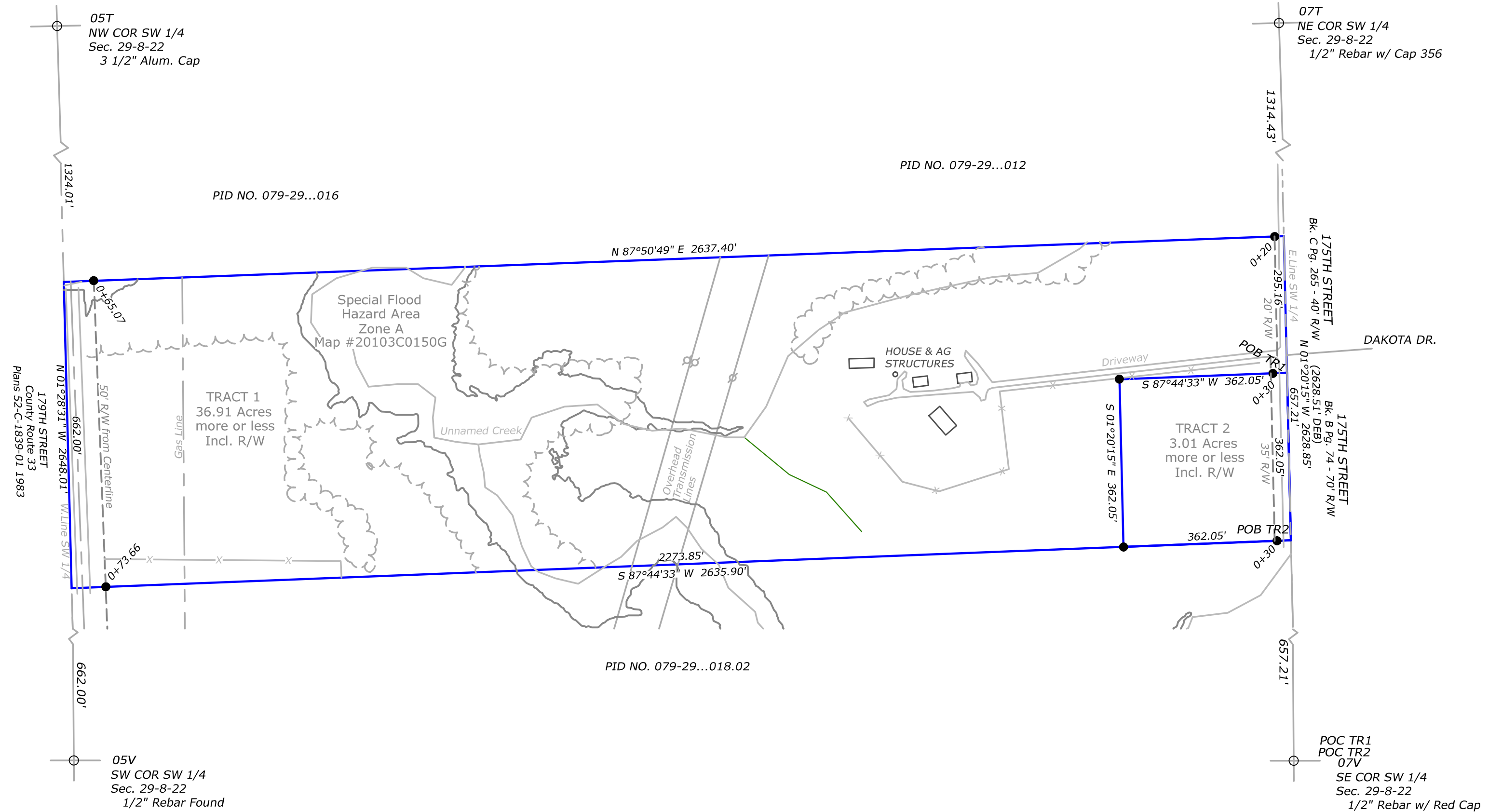
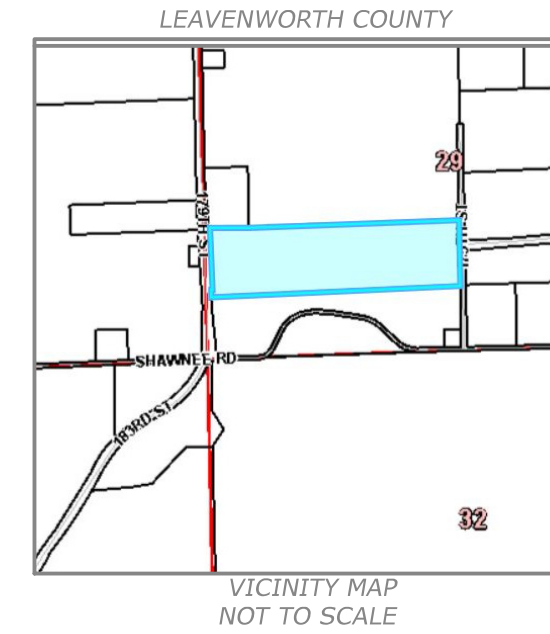
ZONE:
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LEGEND:

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



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

Reviewed 2025.01.03 No Comments

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 October through November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

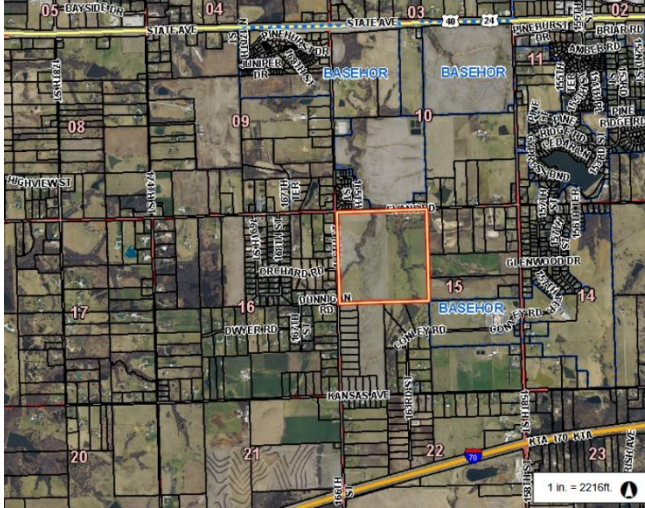
CASE NO: DEV-24-150 Reilly Tract Spilt Exception

February 12, 2024

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

STAFF REPRESENTATIVE:
JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 16271 Evans Rd



APPLICANT/APPLICANT AGENT:
Austin Thompson
Atlas Land Consulting
14500 Parallel Rd. Unit R
Basehor, KS 66007

PROPERTY OWNER:
Mike Reilly
608 Delaware St.
Leavenworth, KS 66048

CONCURRENT APPLICATIONS:
DEV-24-048 Preliminary Plat
Tallgrass Estates

LAND USE

ZONING: R-1(43)

FUTURE LAND USE DESIGNATION:
Mixed Residential

SUBDIVISION: N/A

FLOODPLAIN: N/A

PROPERTY INFORMATION

PARCEL SIZE: 153.90 Acres

PARCEL ID NO:
185-15-0-00-00-003

BUILDINGS:
Existing House and Outbuildings

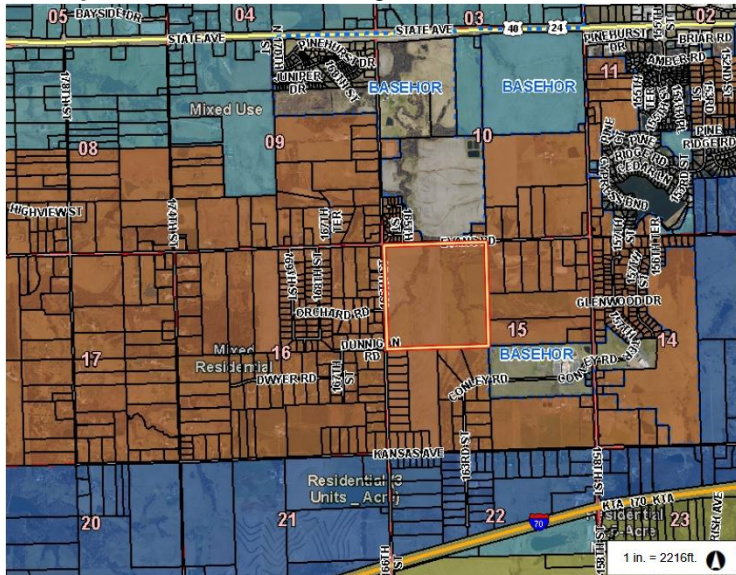
LEGAL DESCRIPTION:

A The Northwest Quarter of Section 15, Township 11 South, Range 22 East of the 6th P.M., in Leavenworth County Kansas.

ACTION OPTIONS:

1. Approve Case DEV-24-150, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)
2. Deny Case No.DEV-24-150, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)

Location Map: Future Land Use Designation



ACCESS/STREET:

Evans Dr.: Collector, ±24' Wide, Paved; 166th St.: Collector, ±28' Wide, Paved

UTILITIES

SEWER: N/A

FIRE: Fairmount

WATER: Suburban

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 02/04/2025

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

FACTORS TO BE CONSIDERED: Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)
<i>Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulation would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted condition; or that these conditions would result in inhibiting the achievement of the objectives of these regulations.</i>
<p>1. That there are special circumstances or conditions affecting the property;</p> <ul style="list-style-type: none"> The proposed drawing is to ensure that the existing house and outbuilding remain separated from the future development of the larger tract of land. This was also a condition of approval for Case DEV-24-048 The proposed drawing reduces the amount of Floodplain that is within Tract 1. As the floodplain was part of the approved design in Case DEV-24-048 Tallgrass Estates.
<p>2. That the exception is necessary for the reasonable and acceptable development of the property in question;</p> <ul style="list-style-type: none"> Based off the proposed drawing, it is reasonable to believe that the proposed development of property would allow for more compliant tracts of land by approving the exception.
<p>3. That the granting of the exception will not be detrimental to the public welfare or injurious to adjacent property.</p> <ul style="list-style-type: none"> Granting of the exception does not appear to cause any issues with public welfare or is injurious to adjacent properties due to the proposed layout providing a more consistent and orderly layout for future development. This was a condition of approval for Case DEV-24-048 Preliminary Plat Tallgrass Estates, that a tract split be submitted to split off the existing house and outbuildings prior to the submission of the Final Plat for Tallgrass Estates.

STAFF COMMENTS:

The proposed tract split exceeds 1:1 Lot-Depth to Lot-Width ratio on Tract 1 by approximately 50 ft. This tract split was a condition of approval for Case DEV-24-048 Preliminary Plat Tallgrass Estates that was approved by the Planning Commission on October 9, 2024.

Proposed Motions:

Approve case DEV-24-150, an exception request from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio with Findings of Fact being met and a majority vote; or

Motion: *Chairman, I hereby approve an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio, in conformance with the Zoning & Subdivision Regulations for Case DEV-24-150, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

Deny case DEV-24-150, an exception request from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ratio without Findings of Fact being met and a majority vote; or

Motion: *Chairman, I hereby deny an exception from Article 50, Section 40.3.i. – Lot-Depth to Lot-Width Ration, in conformance with the Zoning & Subdivision Regulations for Case DEV-24-150, as submitted by the application, based on a finding that all three criteria for an exception have not been met.*

ATTACHMENTS:

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

LOT/TRACT SPLIT APPLICATION

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

Office Use Only

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

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME <u>Austin Thompson</u>	NAME <u>Mike Reilly, Reilly Dev. LLC</u>
ADDRESS <u>14500 Parallel Rd Unit R</u>	ADDRESS <u>608 Delaware St</u>
CITY/ST/ZIP <u>Basehor, KS 66007</u>	CITY/ST/ZIP <u>Leavenworth, KS 66048</u>
PHONE <u>913-702-8916</u>	PHONE <u>913-683-0233</u>
EMAIL <u>austin@alconsult-llc.com</u>	EMAIL <u>mike.reilly@reillyinsurance.com</u>

PROPERTY INFORMATION

Address of property 16271 Evans Rd, Basehor, Ks. 66007
Parcel size 159.29 acres
Existing structures yes
Current use of the property residential/ag

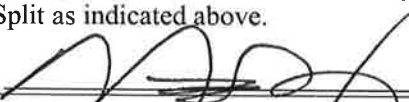
PROPOSED USE INFORMATION

Proposed land use Residential/Ag

Proposed Lot/Tract 1 Size 8.02 ACRES

Proposed Lot/Tract 2 Size 151.27 ACRES

I, the undersigned, am the (circle one) owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Tract/Lot Split as indicated above.

Signature  Date 11-6-24

ATTACHMENT A

OWNER AUTHORIZATION

I/WE Michael Reilly of Reilly Development, LLC, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 6th day of November 2024, 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 Exhibit A attached hereto and incorporated herein by reference.
- 2. I/We the undersigned, have previously authorized and hereby authorize Austin Thompson
Evans Rd, Unit R, Basehor KS (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, 16271 (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 below.

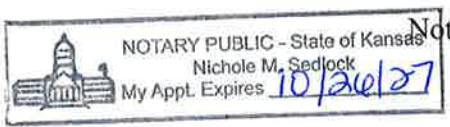
OWNER Reilly Development LLC

OWNER _____

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 6th day of November, 2024
by Michael C. Reilly of Reilly Development

My Commission Expires:



Notary Public Nichole M Sedlock
Nichole m. sedlock

ATTACHMENT B

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 05/29/2024


COUNTY CLERK

Doc #: 2024R03749
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
05/29/2024 11:27:56 AM
RECORDING FEE: 174.00
PAGES: 10

TRUSTEES DEED

Alliance Title 2317832

THIS INDENTURE, EFFECTIVE on the 27th day of October 2023 by Grantor(s) Daniel Charles Murphy Jr., Successor Trustee of the Revocable Trust of Daniel Charles Murphy dated May 16, 2006 and the Revocable Trust of Balance Teresa Murphy dated May 16, 2006, and also said beneficiaries of both trusts: Daniel Charles Murphy Jr, a married person, Janet Elaine Turini, a married person, Megan Godlewski, a married person, heir of Marilyn Jean Sullivan, Kathleen Phillips, a married person, heir of Marilyn Jean Sullivan, Erin Sullivan, a single person, heir of Marilyn Jean Sullivan, carol Anne Westfall, a single person, Richard Eugene Murphy, a married person, James Dean Murphy, a married person, and Norene Teresa Ryks, a married person of the County of **Leavenworth** State of **Kansas** and Grantee(s) **Reilly Development, LLC**

WITNESSETH, THAT THE SAID GRANTOR(s), having the power and authority under the terms of the above reference trust agreement to sell, exchange, convey or dispose of, or grant options with respect to any property, real or personal, which may at any time form a part of the trust estate, which trust agreement and the powers contained therein remains in full force and effect, and in consideration of the sum of ten and no/100 Dollars (\$10.00), the receipt of which is hereby acknowledged does by these present, Grant, Bargain, sell and Convey unto the Grantee, his/her/their heirs and assigns, all of the following described real estate, situated in the County of **Leavenworth**, and State of Kansas, to wit:

The Northwest Quarter of Section 15, Township 11 South, Range 22 East, all in Leavenworth County, Kansas.

LESS the following described tract of land:

A tract of land located in the Northwest Quarter of Section 15, Township 11 South, Range 22 East of the 6th P.m. in Leavenworth County, Kansas, more particularly described as follows: Beginning at the Northwest corner of said Section 15; thence along the west line of the Northwest Quarter of said Section 15, South 1 degree 48'39" East 2642.11 feet to the West Quarter Corner of said Section 15; thence along the South line of the Northwest Quarter of Section 15 North 99 degrees 14'04" East 40.00 feet; thence parallel to and 40.00 feet easterly of the west line of the Northwest Quarter of said Section 15 North 01 degree 48'39" West 2642.26 feet to a point on the north line of the Northwest Quarter of said Section 15; thence along the north line of the Northwest Quarter of said Section 15 South 88 degrees 00'44" West 40.00 feet to the point of beginning.

Also less any other part thereof taken or used for roads.

Written Narrative Requirements

Written Narrative Description: A written narrative description of the proposed exception must be submitted that addresses:

FACTORS TO BE CONSIDERED

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 exception, 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.

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

-The current property is part of a larger development that has been submitted to the Leavenworth County Planning and Zoning Department. The layout of the lot is to keep the remaining existing structures and residents on the proposed lot of the tract split.

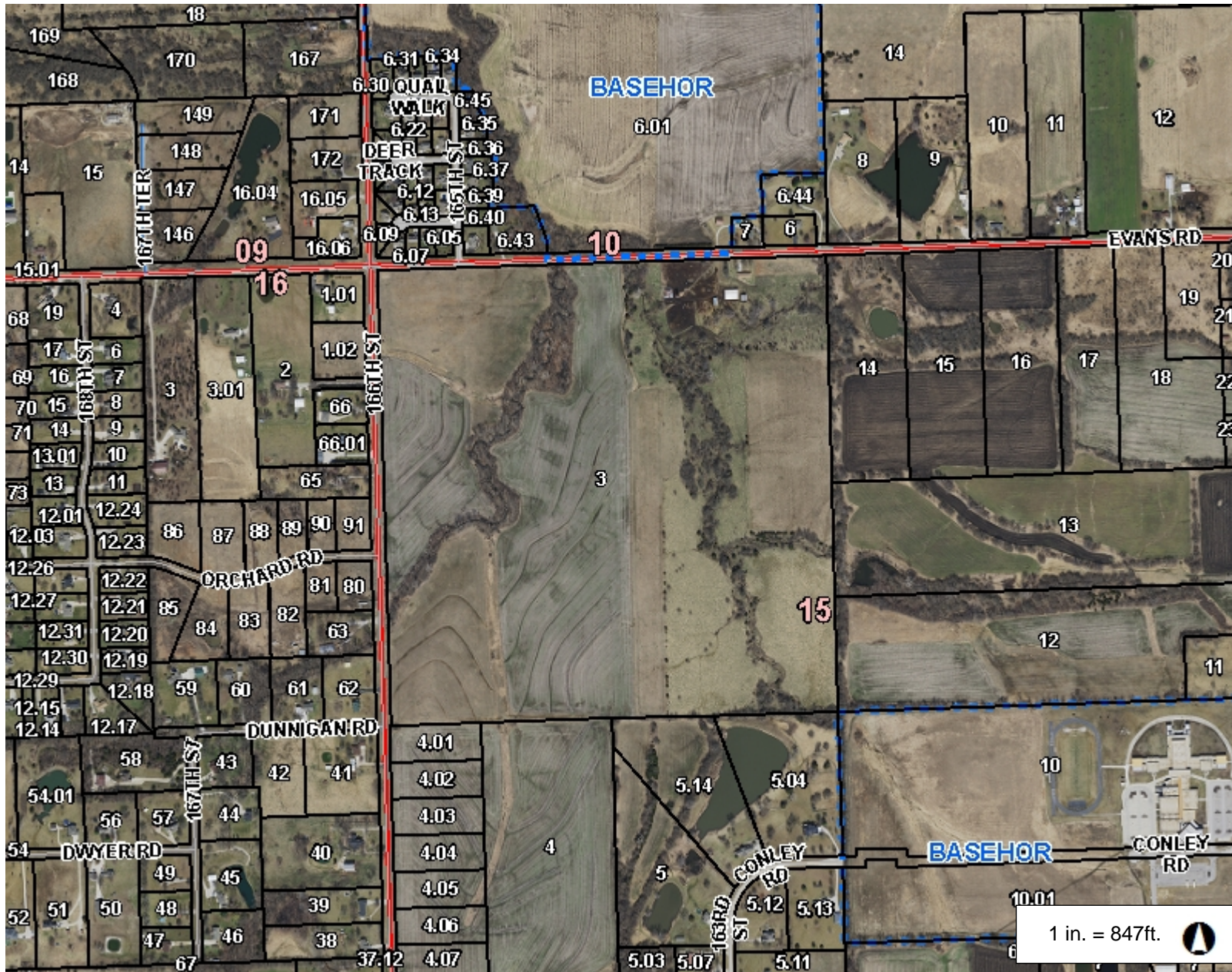
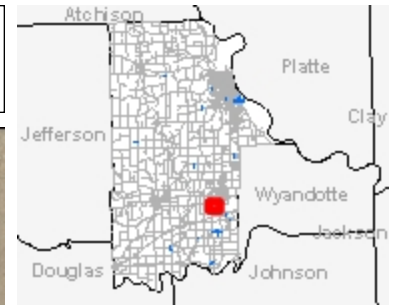
2. That the exception is necessary for the reasonable and acceptable development of the property in question.

-The exception is needed to help conform the proposed development. The FEMA flood plain was part of the design of the proposed development. This layout was the best fit for meeting as many requirements as possible. The only other option is to remove all the structures and existing residents and add them to the development. But the owner wants to sell the tract split property as its own parcel.

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

-Granting of this exception will not be detrimental to the public whatsoever. This is keeping an existing home and structures of a large 160 acre parcel. If denied this could affect the larger development that has been proposed.

DEV-24-048 Tallgrass Estates



Legend

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

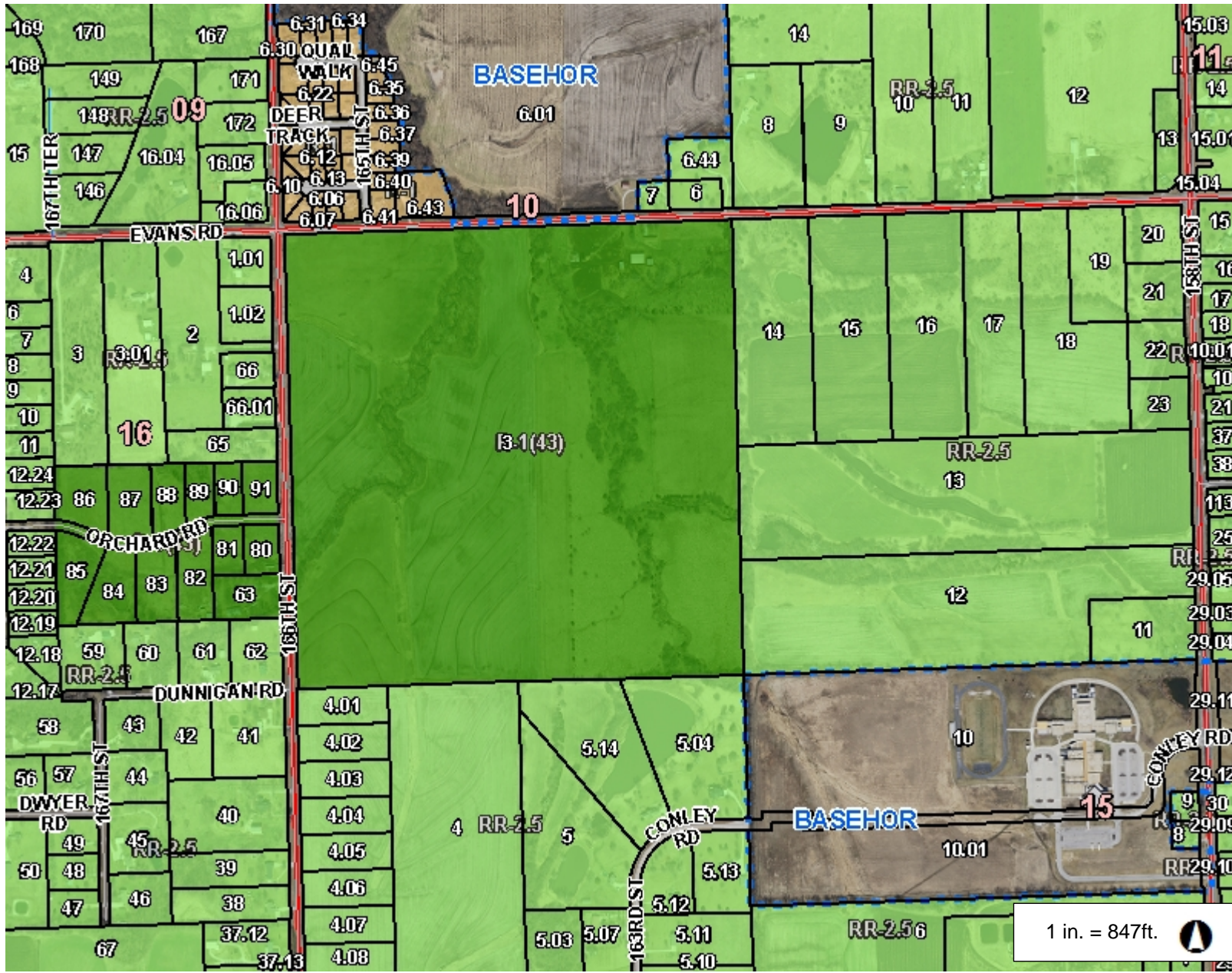
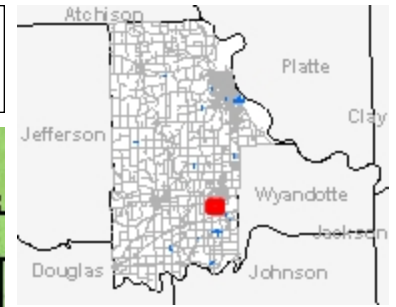
Notes

1,693.5 0 846.73 1,693.5 Feet

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DEV-24-048 Tallgrass Estates



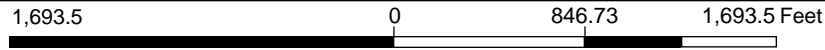
Legend

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

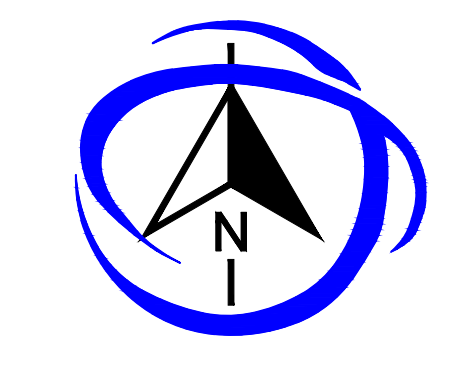
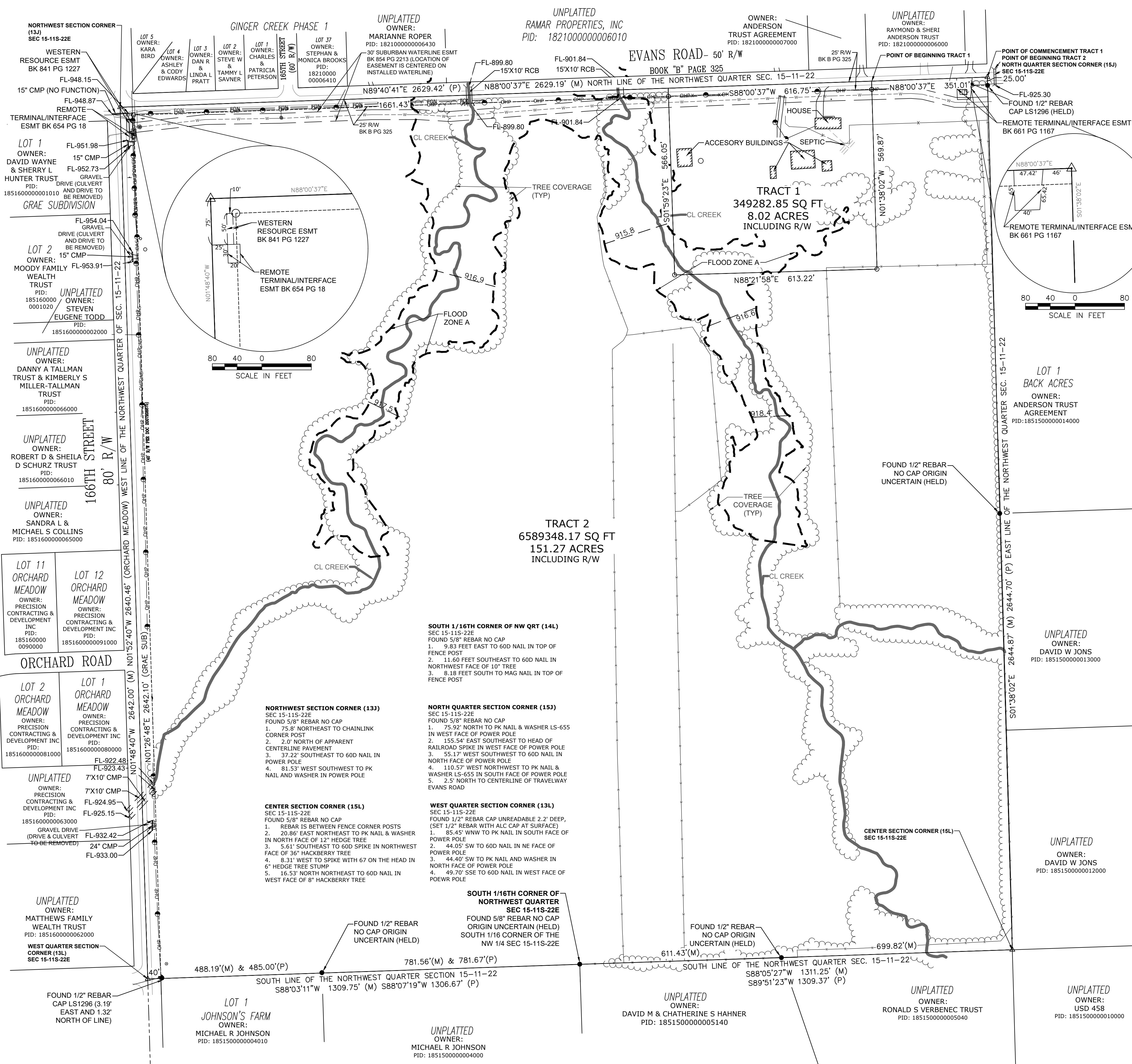
Notes

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



1 in. = 847ft.



LEGAL DESCRIPTION PER TITLE COMMITMENT VIA MCCAFFREE-SHORT TITLE COMPANY FILE NO. L24-29689

SURVEYORS SUGGESTED LEGAL DESCRIPTION:

TRACT 1:
 A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 22 EAST, LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL, PS 1408, ON OCTOBER 31, 2024:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 88°00'37" WEST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 351.01 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 88°00'37" WEST, A DISTANCE OF 616.75 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 01°59'23" EAST, A DISTANCE OF 566.05 FEET; THENCE NORTH 88°21'58" EAST, A DISTANCE OF 613.22 FEET; THENCE NORTH 01°38'02" WEST, A DISTANCE OF 569.87 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, CONTAINING 349282.85 SQ FT OR 8.02 ACRES MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.

TRACT 2:
 A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 22 EAST, LEAVENWORTH COUNTY, KANSAS, PREPARED BY ROGER B. DILL, PS 1408, ON OCTOBER 31, 2024:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 01°38'02" EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, ALSO KNOWN TO BE THE WEST LINE OF B.A.C.K. ACRES, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS AND IT'S EXTENTS, A DISTANCE OF 2644.87 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE DEPARTING SAID EAST LINE OF THE NORTHWEST QUARTER, SOUTH 88°00'37" WEST, A DISTANCE OF 1311.25 FEET, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER; TO A POINT AT THE SOUTH SIXTEENTH QUARTER OF SAID NORTHWEST QUARTER; THENCE CONTINUING ALONG SAID SOUTH LINE OF NORTHWEST QUARTER AND THE EXTENTS OF THE NORTH LINE OF LOT 1 JOHNSON'S FARM, A SUBDIVISION OF LAND IN LEAVENWORTH COUNTY, KANSAS, SOUTH 88°03'11" WEST, A DISTANCE OF 1309.75 FEET, TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE DEPARTING SAID SOUTH LINE, NORTH 01°48'40" WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2542.00 FEET, TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE DEPARTING SAID WEST LINE, NORTH 88°00'37" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1661.43 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 01°59'23" EAST, A DISTANCE OF 566.05 FEET; THENCE NORTH 88°21'58" EAST, A DISTANCE OF 613.22 FEET; THENCE NORTH 01°38'02" WEST, A DISTANCE OF 569.87 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 88°00'37" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 351.01 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, CONTAINING 6589348.17 SQ FT OR 151.27 ACRES MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.

IN TESTIMONY WHEREOF, THE UNDERSIGNED PROPRIETOR HAS CAUSED THIS INSTRUMENT TO BE EXECUTED THIS _____ DAY OF _____, 202__.

OWNER:
 MIKE REILLY, REILLY DEVELOPMENT, MANAGING MEMBER

STATE OF KANSAS) 1SS
 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 **MIKE REILLY, REILLY DEVELOPMENT, MANAGING MEMBER**, 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 HERETOBY SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

PRINTED NAME: _____
 My Commission Expires: _____
 Notary Public

THIS LOT/TRACT SPLIT, AS DESCRIBED AND SHOWN ABOVE, HAS BEEN SUBMITTED TO AND APPROVED BY THE FOLLOWING COUNTY STAFF PERSONS THIS _____ DAY OF _____, 202__.

MARCUS MAJURE, PLANNING COMMISSION, CHAIRMAN

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THE _____ DAY OF _____, 202__, IN BOOK _____ PAGE _____.

REGISTER OF DEEDS, TERRILLOIS G. MASHBURN

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

Reviewed 2025.01.17 No Comments

LEAVENWORTH COUNTY SURVEYOR
 DANIEL BAUMCHEN, PS-1363

UTILITY INFORMATION:
 WATER - SUBURBAN WATER - 913-724-1800
 ELECTRIC - EVERGY - 800-383-1183
 GAS - PROPANE SERVICE
 PHONE - BASEHOR DISTRICT (AT&T)

ALC
 ATLAS LAND CONSULTING
 SURVEYING | CIVIL ENGINEERING | DRONE | CAD
 14500 Parallel Road, Unit R, Basehor KS 66007

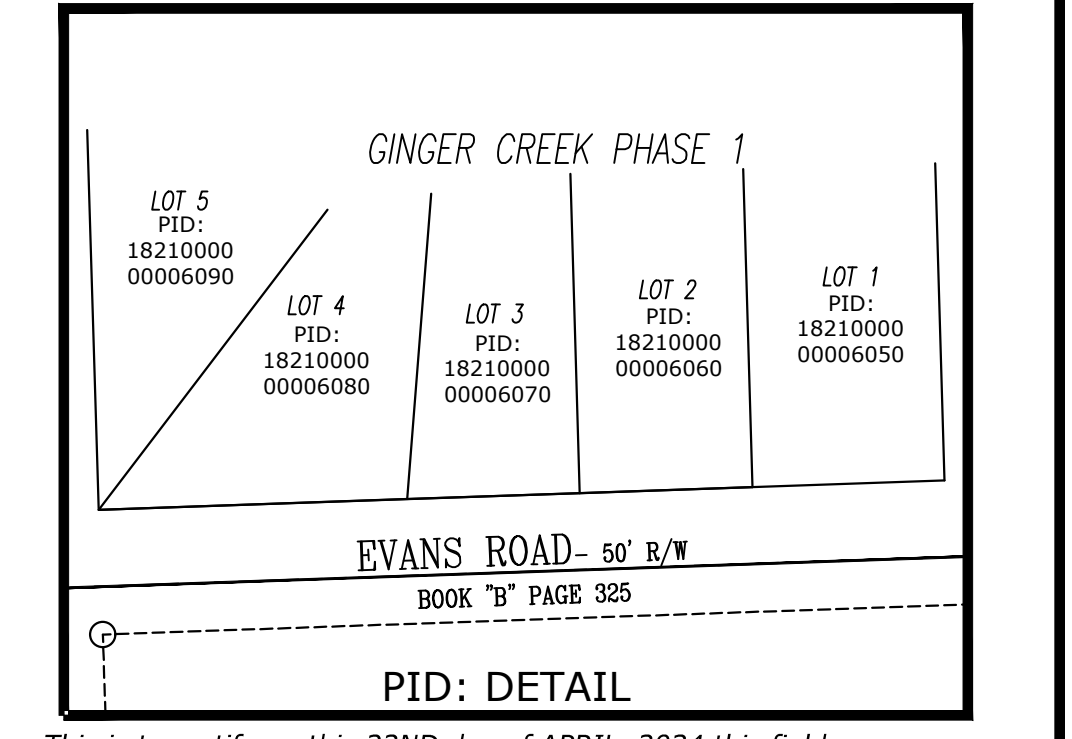
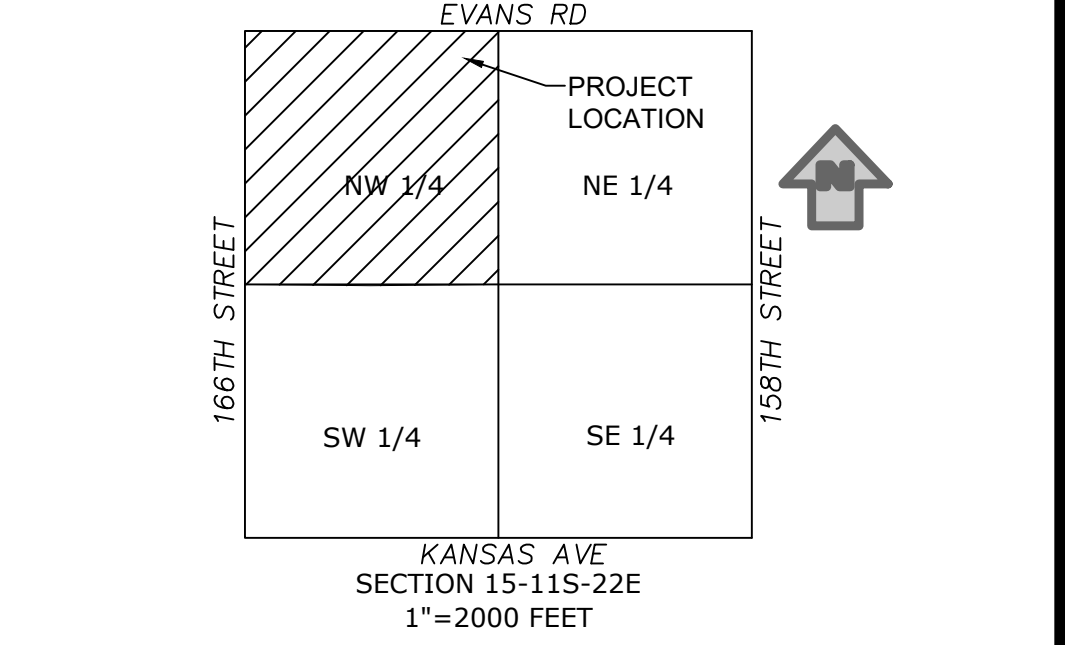
TRACT SPLIT LEGEND

- DENOTES SET 1/2" REBAR ALC KS CLS 363 MO CLS 2022014231
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- (M) MEASURED
- (D) DEEDED
- (P) PLATTED
- (C) CALCULATED

GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS SURVEY IS KANSAS NORTH ZONE U.S. STATE PLANE 1983 / VERTICAL NAVD 88 - BENCHMARK LVCO HCP 311
- ALL DISTANCES SHOWN HEREON ARE IN FEET
- KS ONE-CALL WAS CALLED ON THIS SURVEY - TICKET NO. 24020169
- REFERENCED SURVEY: JOHNSON'S FARM FINAL PLAT DOC 2023P00006 - CERTIFICATE OF SURVEY COMPLETED BY HERRING SURVEYING COMPANY DOC 20225018 - B.A.C.K. ACRES FINAL PLAT DOC 2023P00001 - GRAE SUBDIVISION DOC 2007P00009 - GINGER CREEK PHASE I BOOK 13 PAGE 3 NKA 1995P00003 - ORCHARD MEADOW SUBDIVISION DOC. 2024P00024 - GOLDEN PLAIN SUBDIVISION BOOK 38 PAGE 12 NKA 1991P00012
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0327G ON JULY 16TH, 2015, AREA ZONE X "AREA OF MINIMAL FLOOD HAZARD" & ZONE A "WITHOUT BASE FLOOD ELEVATION"
- CLOSURE PRECISION: 1 PART IN 1053070.000
- CURRENT ZONING - R-1(43) / PROPOSED ZONING - R-1(43)
- CURRENT LAND USE - AGRICULTURAL USE - A / PROPOSED USE - RESIDENTIAL
- BENCHMARK - NGS MONUMENT WY 39 - ELY 936.68 (LOCATED AT THE CENTER INTERSECTION OF KANSAS AVENUE ON 142ND STREET IN WANDOTTIE COUNTY KANSAS)
- FIELD REPORT VIA MCCAFFREE-SHORT TITLE COMPANY, INC. FILE NO: L24-29689 DATED MARCH 11, 2024 AT 8:00AM. REFERENCE DEED OF PROPERTY DOC. NO. 2008R04711
- AN EXCEPTION TO ARTICLE 50 - SECTION 40.0, 3.1 LOT-WIDTH TO LOT-DEPTH HAS BEEN APPROVED FOR TRACT 1.

VICINITY MAP



This is to certify on this 22ND day of APRIL, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds all Kansas Minimum Standards for boundary surveys.

ANDREA N WEISHAUBT, PS 1730 DATE _____

JOB NO: 24-069

SCALE
 150 75 0 150
 SCALE IN FEET

PREPARED FOR

SEC-TWN-RNG
 15-11S-22E

REILLY DEVELOPMENT
 ADDRESS: 16271 EVANS RD
 BASEHOR, KS 66007
 PID: 185150000003000

DATE
 JANUARY 3, 2025

Schweitzer, Joshua

From: McAfee, Joe
Sent: Thursday, December 5, 2024 4:32 PM
To: Schweitzer, Joshua; Baumchen, Daniel; Noll, Bill
Cc: PZ
Subject: RE: DEV-24-150 Tract Split for Reilly

Joshua,
PW Engineering has no comment on the TS.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Monday, November 25, 2024 3:46 PM
To: Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-150 Tract Split for Reilly

Good Afternoon,

The Department of Planning and Zoning has received a request for a Tract Split for the property located at 16271 Evans Rd.

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 December 11, 2024.

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

v / r

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

Schweitzer, Joshua

From: Anderson, Kyle
Sent: Wednesday, December 11, 2024 8:18 AM
To: Schweitzer, Joshua
Subject: RE: DEV-24-150 Tract Split for Reilly

We have not received any complaints on this property and the septic system currently installed 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: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Wednesday, December 11, 2024 8:16 AM
To: Anderson, Kyle <KAnderson@leavenworthcounty.gov>
Subject: FW: DEV-24-150 Tract Split for Reilly

v / r

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

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Monday, November 25, 2024 3:46 PM
To: Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-150 Tract Split for Reilly

Good Afternoon,

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