

## LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, March 12, 2025  
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048  
[www.leavenworthcounty.gov](http://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-24-160/161 Preliminary and Final Plat – Jackson Estates**

Consideration of a Preliminary and Final Plat for a tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.  
**Also known as 24581 & 00000 195<sup>th</sup> Street**  
**PID: 117-35-0-00-00-006.00 & 117-35-0-00-00-006.01**
  - B. Case DEV-24-163/164 Preliminary and Final Plat – Sunset Ridge**

Consideration of a Preliminary and Final Plat for a tract of land in the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.  
**Also known as 00000 246<sup>th</sup> Street**  
**PID: 216-24-0-00-00-007.01**
  - C. Case DEV-25-006/007 Preliminary and Final Plat – Railway Estates**

Consideration of a Preliminary and Final Plat for a tract of land in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.  
**Also known as 00000 Mackey Road**  
**PID: 216-23-0-00-00-006.00**
9. **Regular Agenda**
  - A. Case DEV-24-147 Final Plat – Cheyenne Crossing 2nd**

Consideration of a Final Plat for a tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.  
**Also known as 00000 178<sup>th</sup> Street**  
**PID: 189-32-0-00-00-005.00**

**B. Case DEV-24-157/158 Preliminary and Final Plat – Elston Estates No. 2**

Consideration of a replat of Lot 2, Elston Estates, a subdivision of land in Leavenworth County, Kansas.

**Also known as 00000 Kansas Avenue**

**PID: 195-21-0-00-00-001.02**

**C. 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 00000 Cantrell Road**

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

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

**\*\*\*Public Comment limited to five minutes per person\*\*\***

**9. Comprehensive Plan Study Session**

**Adjournment of Planning Commission**

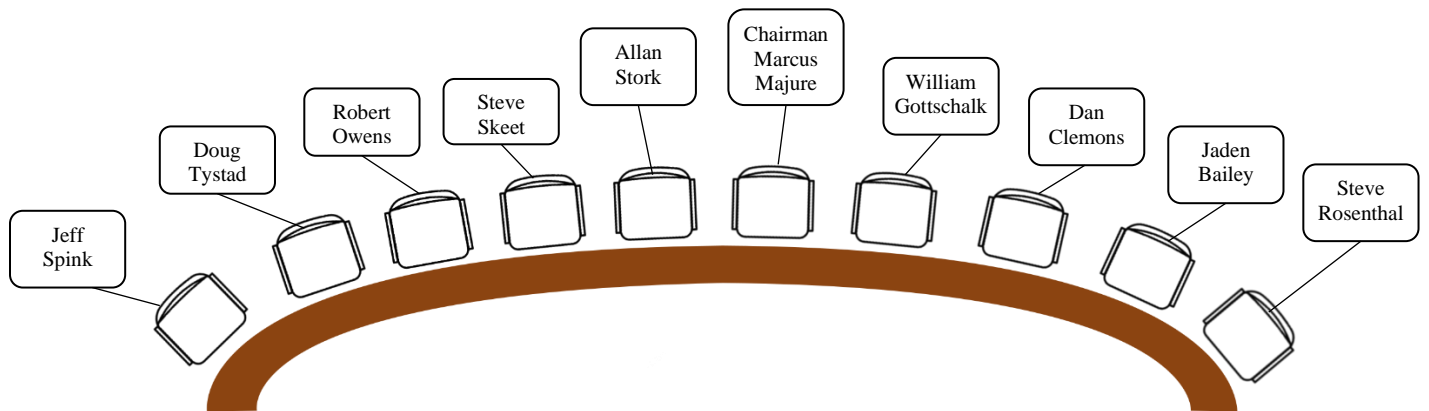
**Upcoming meeting dates:**

**Wednesday, April 9, 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 SPECIAL MEETING  
February 26, 2025**

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

**The Planning Commission meeting was called to order at 5:30 p.m.**

**Pledge of Allegiance**

**Members present:** Marcus Majure, Jaden Bailey, Allan Stork, William Gottschalk, Jeff Spink, Doug Tystad, Steve Skeet and Dan Clemons

**Members absent:** Robert Owens and Steve Rosenthal

**Staff present:** John Jacobson-Director, Amy Alison-Deputy Director, Josh Schweitzer-Development Planner, Jon Khalil-Asst. County Counselor.

**Minutes:** Commissioner Tystad made a motion to approve the minutes. Commissioner Clemons seconded the motion. Commissioner Bailey and Commissioner Spink both abstained as they were not present.

**ROLL CALL VOTE - Motion to approve the minutes passed, 5/0 (2 abstained)**

**Secretary's Report:** Amy Allison gave the secretary's report going over the agenda. Ms. Allison also addressed the Commissioners requesting they stay for a brief moment at the end of the Planning Commission meeting to discuss the Comprehensive Plan. Director Jacobson explained that staff normally requires an applicant to be present during the hearing; however, because one applicant is sick they made an exception to spare others in spreading the illness.

**Approval of Agenda:** Commissioner Clemons motioned for approval. Commissioner Tystad seconded that motion.

**ROLL CALL VOTE - Motion to approve the agenda passed, 7/0 (2 absent)**

**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 6<sup>th</sup> P.M. in Leavenworth County, Kansas.

**Also known as 30197 175<sup>th</sup> Street  
PID: 079-29-0-00-00-018.00**

**Secretary's Report:** Amy Allison gave the secretary's report indicating that the property owner is entitled to a tract split; however, doing so does create a non-conforming lot because it would not meet the lot width to lot depth standard. The parcel in particular is what is considered a "through lot" that has frontage on both the front and rear property line. The proposed trace split would be on the same frontage as the existing house and entrance. This would cause all traffic from development to flow on that particular side. Also, there is flood plain and a power line that both go through the center of the property. Because of these potential problems, Staff is not necessarily opposed to the tract split, but raising issues that should be considered by the Planning Commission. The surveyor for the property is Herring Surveying, but they were not in attendance because of an illness. Mr. Herring did provide a narrative as part of the Staff Report to provide further details.

Commissioner Tystad confirmed that Staff is not opposed the to tract split. Tystad also asked staff if future development could create the need for a future easement. Ms. Allison confirmed that could create the need for a shared driveway.

Commissioner Tystad motioned to approve the tract split based upon all three criteria for the exception have been met. Commissioner Skeet seconded the motion.

**ROLL CALL VOTE - Motion to approve Case DEV-24-149 passed, 7/0 (2 absent)**

**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 6<sup>th</sup> P.M. in Leavenworth County, Kansas.

**Also known as 16271 Evans Road**

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

**Secretary's Report:** Josh Schweitzer gave the secretary's report indicating that the Applicant is proposing splitting an 8-acre lot for an existing farmhouse and ag building. The remaining 151 acres is in the process of being developed. The tract split was a condition of approval for a preliminary plat of Tallgrass Estates that was approved by the Planning Commission on October 9, 2024. The exception would be for tract #1 which does not meet the 1:1 ratio by approximately 50 feet. The exception is based upon three (3) criteria for approval which are included in the Staff Report. If approved, it would be in compliance with regulations. Staff is in support of the request and Applicant was in attendance to discuss the request and provide answers to any questions.

Commissioner Tystad asked if the access would be on the far east side. Because it's a collector road, Commissioner asked if there would be enough space between the driveways. Josh Schweitzer confirmed Tract #1 already has a driveway, so that would remain and any existing entrances would be a part of the final plat submission. In addition, road improvement plans would also be required during final platting phases and would have to conform to the standards.

Director Jacobson indicated Staff is comfortable with what applicant has submitted for the preliminary plat. Mr. Schweitzer added that Public Works did not have comments pertaining to potential access problems for the Exception.

Chairman Majure stated he thought they have already started development on the northwest portion. Deputy Director Amy Alison confirmed Phase 1 cannot be approved for Final Plat until the Exception is approved.

Commissioner Clemons motioned to approve the tract split based upon all three criteria for the exception have been met. Commissioner Gottschalk seconded the motion.

**ROLL CALL VOTE - Motion to approve Case DEV-24-150 passed, 7/0 (2 absent)**

Director Jacobson addressed the Planning Commission reminding them that they are required by law to review the Comprehensive Plan every year. Ms. Alison asked Commissioners if they would like to hold a Study Session at the next meeting to discuss and identify three major goals. Mr. Jacobson added that Staff has suggestions and hoped that the Planning Commission would be comfortable with those suggestions. Staff would like to get the process started during the first quarter of the year.

Chairman Majure asked if staff knew how many cases and public hearings would be on the March meeting. Amy Allison confirmed that there would be one public hearing. Director Jacobson indicated that the case load will increase as the year progresses. Chairman Majure reminded all that the quality of the Work Session would be compromised because members would be exhausted from a long meeting. Director Jacobson added that whatever modification are made to the Comprehensive Plan would be addressed with the BOCC.

Commissioner Tystad mentioned his concern related to the two cases that fell within County Road One Corridor as it pertains to the Comprehensive Plan. Director Jacobson re-iterated that the Comprehensive Plan should be discussed between Staff and the Planning Commission prior to presenting to the BOCC who are the decision-makers.

**Adjournment of Planning Commission at 5:56pm**

**Upcoming meeting dates:**

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

DRAFT

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

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

March 12, 2025

**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

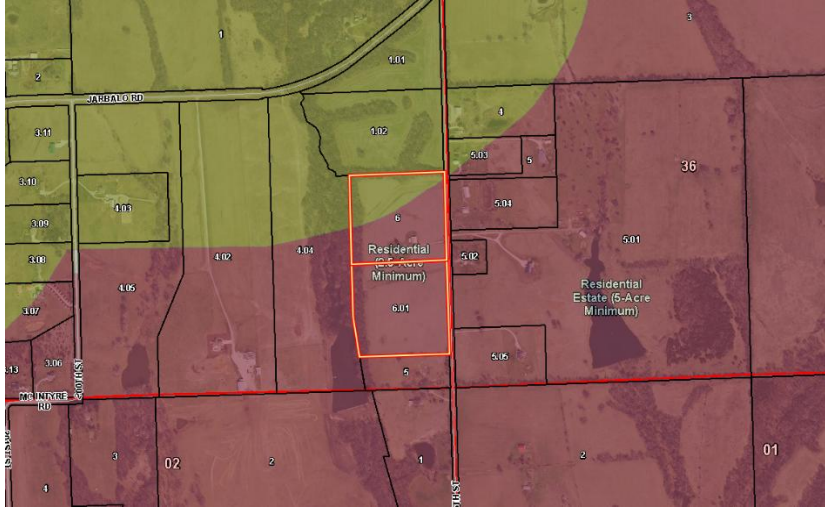
Amy Allison  
Deputy Director

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

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

**APPLICANT/APPLICANT AGENT:**

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



**PROPERTY OWNER:**

Jack Willis  
PO Box 147  
Tonganoxie KS 66086

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

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

**LEGAL DESCRIPTION:**

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

**SUBDIVISION:** N/A

**FLOODPLAIN:** n/a

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

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

**PARCEL SIZE:** 30 ACRES

**PARCEL ID NO:**

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

**BUILDINGS:**

Single family residence and accessory structures

**PROJECT SUMMARY:**

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

**ACCESS/STREET:**

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

**Location Map:**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 1

**WATER:** RWD 8

**ELECTRIC:** Evergy

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/5/2025

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING**

**PROPERTY OWNERS:**

N/A

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

**STAFF COMMENTS:**

The applicant is proposing to divide 30 acres into five (5) lots as Jackson Estates. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots vary in size from 5.00 to 7.88 acres. All lots are compliant with the RR-2.5 zoning district. The single family residence and accessory structures will remain on Lot 2. Lot 4 contains the burial site of the Linner Family. An easement covering the site and access to the site has been shown on the plat. If those interred are removed from the site with verification from the family, said easement can be vacated. RWD #8 can provide service to the properties with a system upgrade.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:  
Memo – Sandra Heim, RWD 8, dated December 10, 2024

**PROPOSED MOTIONS:**

Approve case DEV-24-160/161, a request to plat the property located at 24581 & 00000 195<sup>th</sup> Street into a 5-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-24-160/161 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-160/161, a request to plat the property located at 24581 & 00000 195<sup>th</sup> Street into a 5-Lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-24-160/161.*

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

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

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

C: Road Map

D: Memorandums

**FINAL &  
PRELIMINARY PLAT APPLICATION**  
Leavenworth County Planning and Zoning Department  
300 Walnut St., Suite 212  
Leavenworth, Kansas  
913-684-0465

Office Use Only

Township: \_\_\_\_\_ Planning Commission Meeting Date: \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation: \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

**OWNER INFORMATION**

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

**GENERAL INFORMATION**

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

**SUBDIVISION INFORMATION**

Gross Acreage: <u>30 Ac</u>	Number of Lots: <u>5</u>	Minimum Lot Size: <u>5.0 Ac</u>
Maximum Lot Size: <u>7.8 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 8</u>	Proposed Sewage: <u>Spetic</u>
Fire District: <u>FD1</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local – Collector – Arterial – State – Federal</u>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i>	1.	
	2.	
	3.	
	4.	
	5.	

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

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

Signature: Joe Herring - digitally signed 12-5-24

Date: 12-5-24

**ATTACHMENT A**



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

*Janet Klasmaker*  
COUNTY CLERK

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

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## WARRANTY DEED

(Single Grantor Conveying to Individual Grantee)

FILE NO.: 24071853 – Coffelt Land Title, Inc

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

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

See Attached Exhibit A

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

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



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

*Daniel O. Carr*  
Daniel O. Carr

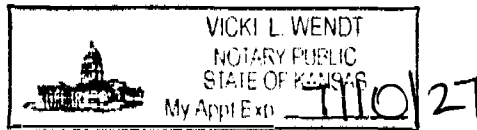
STATE OF Kansas

COUNTY OF Jackson

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

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

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



## Exhibit A

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

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

*Janet Klasmirke*  
COUNTY CLERK

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

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## WARRANTY DEED

(Single Grantor Conveying to Individual Grantee)

FILE NO.: 24074191 – Coffelt Land Title, Inc

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

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

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

*See Attached Exhibit A*

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

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

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

*Daniel O. Carr*  
Daniel O. Carr

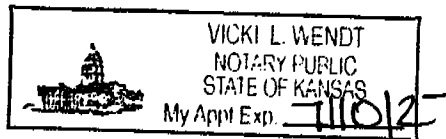
STATE OF Kansas

COUNTY OF Johnson

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

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

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



## Exhibit A

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

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

We/I JACK Willis and Estee Willis

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
24581 195<sup>th</sup>, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

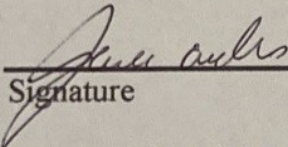
Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring - Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this ~~20~~ 9 day of Dec, 2024

JACK Willis 410 Shirley Rd Tonganoxie KS 816 225 5879  
Print Name, Address, Telephone

  
Signature

STATE OF KANSAS                    )  
  ) SS  
COUNTY OF LEAVENWORTH )

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

NOTARY PUBLIC \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(seal)

## Johnson, Melissa

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

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

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

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

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

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

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

Thank you - Joe Herring

---

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



# JACKSON ESTATES

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

## PRELIMINARY PLAT

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

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

### RECORD DESCRIPTION:

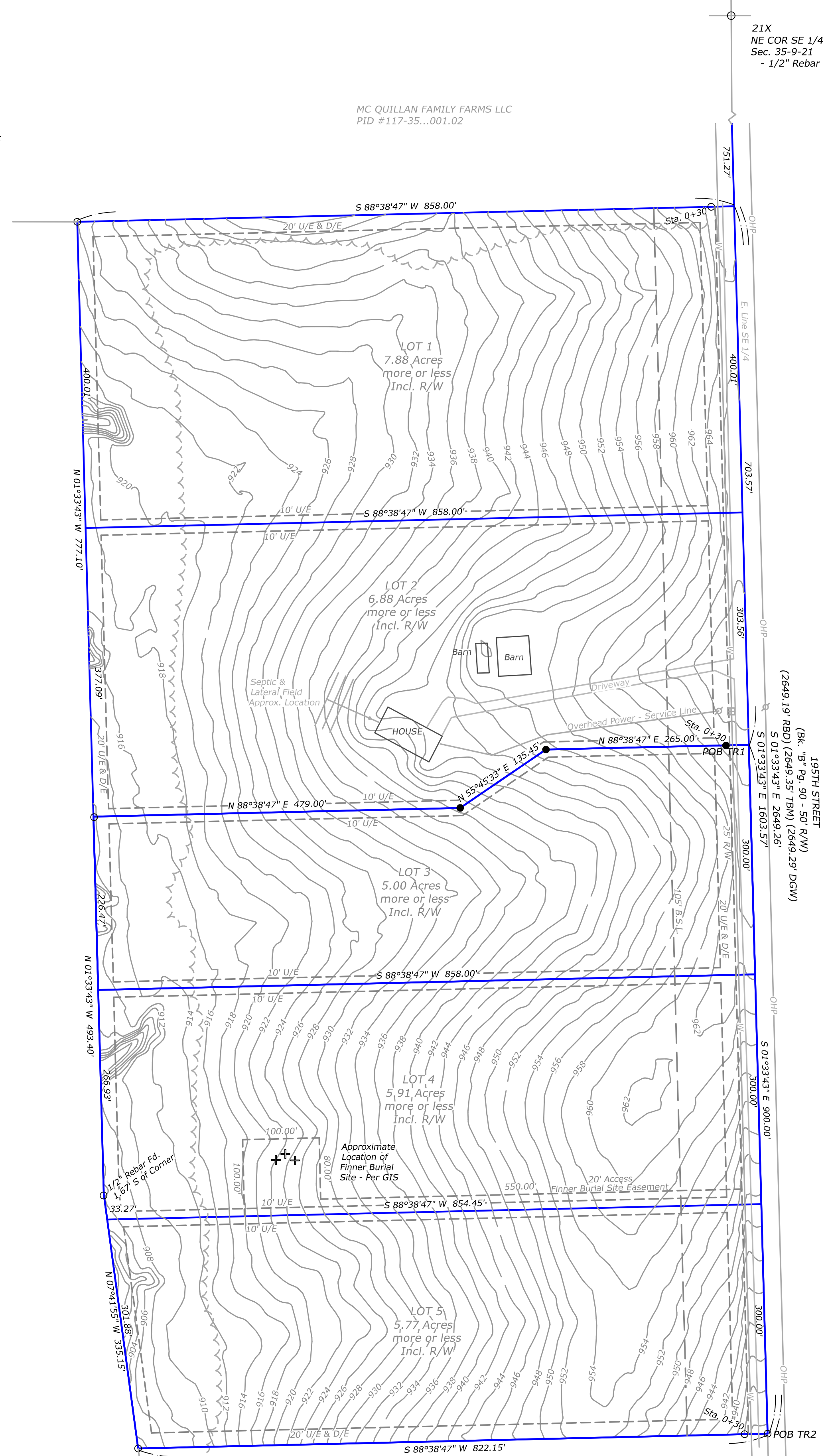
TRACT 1:  
 Tract of land in the Southeast Quarter of Section 35, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 28, 2024, and more fully described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence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

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

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

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

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



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

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

### RESTRICTIONS:

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

### ZONING:

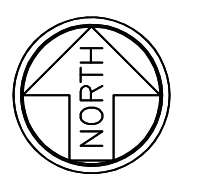
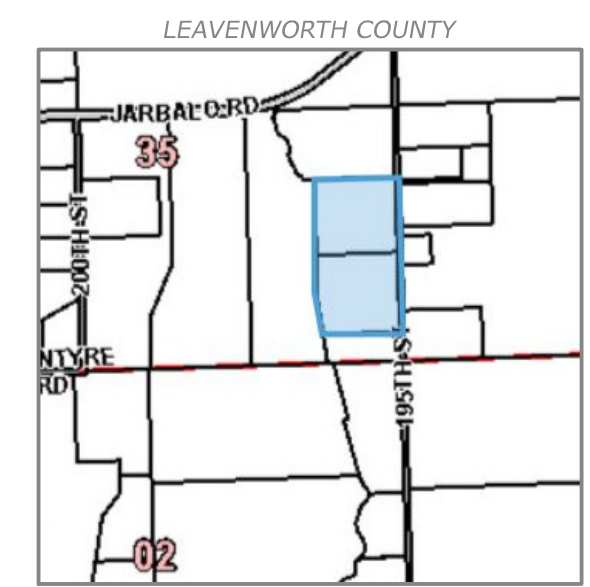
RR 5 - Rural Residential 5

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Descriptions
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Existing and Proposed Lots for Agriculture and Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - SE COR SE 1/4 Section 35 - 1/2" Rebar - Elev - 922.9'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Doc # 2024R08072 & # 2024R08076
- 13) Utility Companies -  
 - Water - RWD 8  
 - Electric - Evergy  
 - Sewer - Septic / Lagoan  
 - Gas - Propane / Natural Gas
- 14) Reference Fidelity National Title Insurance Company File Number 24071853 Revision 1 updated November 7, 2024  
 - Rights and easements over the subject premises in favor of others to maintain and visit, and to remove bodies and remains therefrom, the burial ground known as the Flimmer Burial Site (Lot 4) - Easement Book 319 Page 116
- 15) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 201030225G dated July 16, 2015
- 16) Building Setback Lines as shown hereon or noted below  
 - All side yard setbacks - 15' (Accessory - 15')  
 - All rear yard setbacks - 40' (Accessory - 15')
- 17) Existing Structures, if any, shown in approximate location.
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:  
 DGW - D.G.White - Bk. 5-14 Pg. 5 1995, NKA 1995S005  
 KH - K. Herring - Bk. 5-9 Pg. 24, 1973 NKA 1973 S024  
 JAH - J.A.Herring Survey Doc # 2019S024, 2020S083  
 HGS - H.G.Simpson Bk. F 184, 1936

### LEGEND:

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

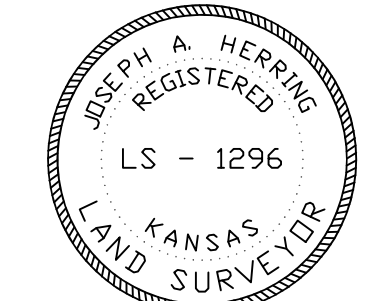
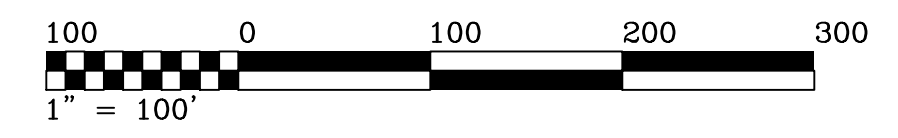


Scale 1" = 100'

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



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



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

Joseph A. Herring  
 PS # 1296

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



# JACKSON ESTATES

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

## FINAL PLAT

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

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

### RECORD DESCRIPTION:

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

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

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: JACKSON ESTATES.

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

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

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

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

### IN TESTIMONY WHEREOF,

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

Jack Willis

### NOTARY CERTIFICATE:

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

### NOTARY PUBLIC

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

### APPROVALS

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

Secretary John Jacobson Chairman Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

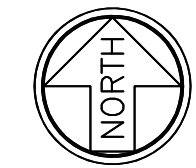
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of JACKSON ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman Jeff Culbertson County Clerk Attest: Fran Keppler

### REGISTER OF DEED CERTIFICATE:

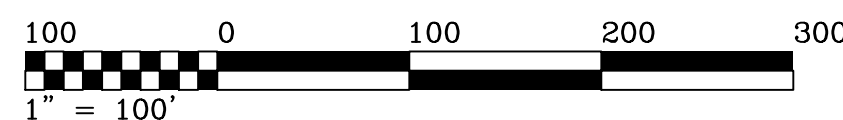
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



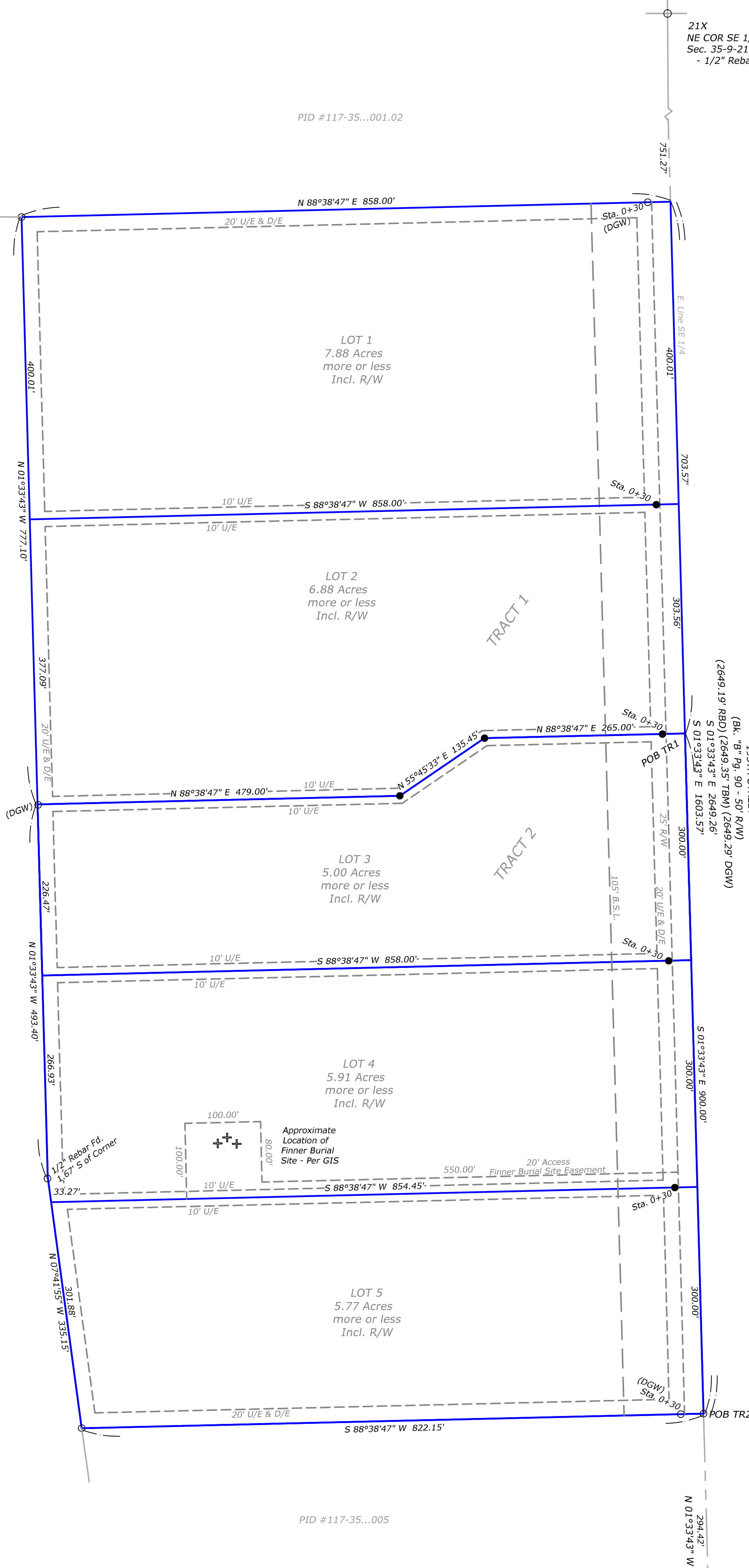
Scale 1" = 100'

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



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

Daniel Baumchen, PS#1363  
County Surveyor



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

PID #117-35...001.02

PID #117-35...004.04

PID #117-35...005

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

### RESTRICTIONS:

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

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

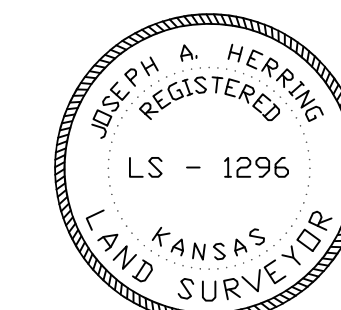
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
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- 4) Error of Closure - See Descriptions
- 5) Basis of Bearing - KS SPC North Zone 1501
- 6) Monument Origin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

### LEGEND:

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



VICINITY MAP  
NOT TO SCALE

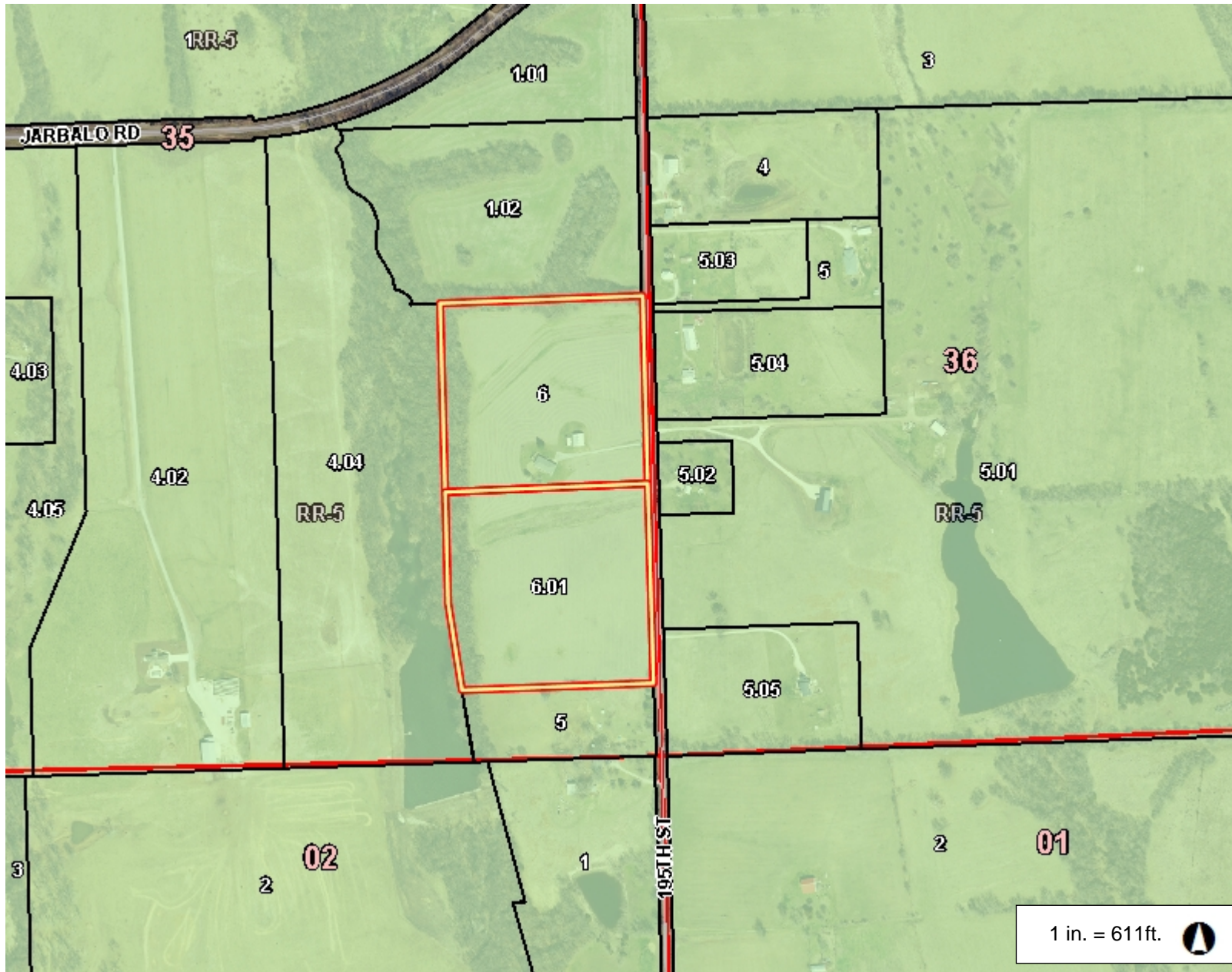
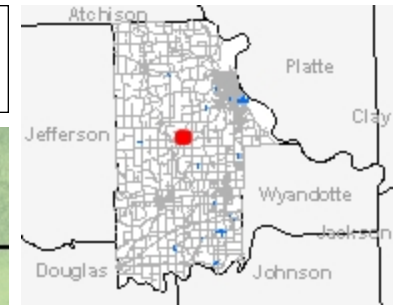


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of November 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



# DEV-24-160/161 Jackson Estates



## Legend

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

## Notes

1,222.5      0      611.25      1,222.5 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

## Allison, Amy

---

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

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

I don't see any discrepancies at this time.

Approved through District 1.

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

---

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

Thank you so much.

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

Disclaimer

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

---

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

## Johnson, Melissa

---

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

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

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

---

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

Internal Use Only

Evergy will be the electric service provider for this replat.

Thank you,

### Boone Heston

SR TD Designer  
Leavenworth, KS

**Evergy**

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

O 785-508-2590

---

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

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Please send the appropriate service letter for this development.

## Johnson, Melissa

---

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

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

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

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



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

[1.7 MB](#)

--

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

## Allison, Amy

---

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

We have not received any complaints on this property. It appears that the septic system currently installed will remain on the same property as the home it services.

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

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

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Friday, December 20, 2024 4:03 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; San, Soma <SSan@leavenworthcounty.gov>; 'kmackey@fd1lvco.org' <kmackey@fd1lvco.org>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-160/161 Jackson Estates

Good Afternoon,

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

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Friday, January 3, 2025.

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

Thank you,

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

**Disclaimer**

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

Jackson Estates

Leavenworth County Kansas

Drainage Report

December 5, 2024





# JACKSON ESTATES

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

## FINAL PLAT

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

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

### RECORD DESCRIPTION:

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

**TRACT 2:**  
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Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 16.68 acres, more or less, including road right of way.  
Error of Closure: 1 - 59878

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: JACKSON ESTATES.

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

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

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

### IN TESTIMONY WHEREOF,

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

Jack Willis

### NOTARY CERTIFICATE:

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

### NOTARY PUBLIC

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

### APPROVALS

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

Secretary: John Jacobson  
Chairman: Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

### COUNTY COMMISSION APPROVAL:

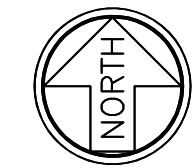
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of JACKSON ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman: Jeff Culbertson  
County Clerk: Fran Keppler

### REGISTER OF DEED CERTIFICATE:

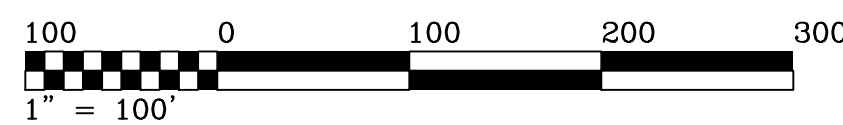
Filed for Record as Document No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_\_\_ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

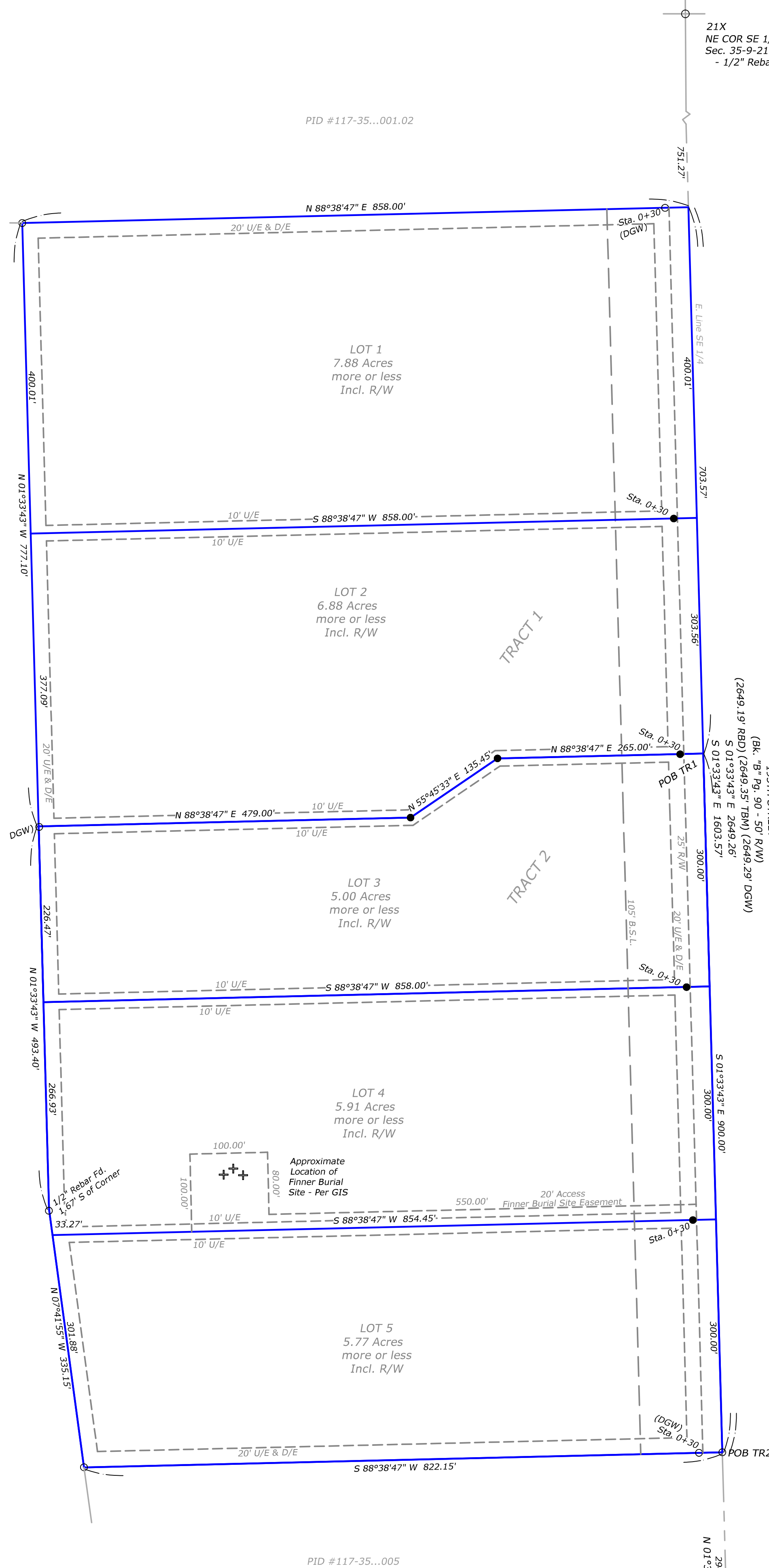
Job # K-24-1846  
November 24, 2024 Rev. 1/9/25  
J. Herring, Inc. (dba)  
**J. HERRING**  
SURVEYING  
& COMPANY  
315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5361  
Email - survey@jeanash.com



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

Reviewed 2025.01.15 No comments

Daniel Baumchen, PS#1363  
County Surveyor



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

PID #117-35...001.02

PID #117-35...004.04

PID #117-35...005

### RESTRICTIONS:

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

### ZONING:

RR 5 - Rural Residential 5

### NOTES:

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

### LEGEND:

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



VICINITY MAP  
NOT TO SCALE



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

Joseph A. Herring  
PS # 1296

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



# JACKSON ESTATES

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

## PRELIMINARY PLAT

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

PROPERTY ADDRESS:  
 24581 19th Street  
 TONGANOXIE, KS 66086  
 PID NO. 117-35-0-00-006 & 006.01

### RECORD DESCRIPTION:

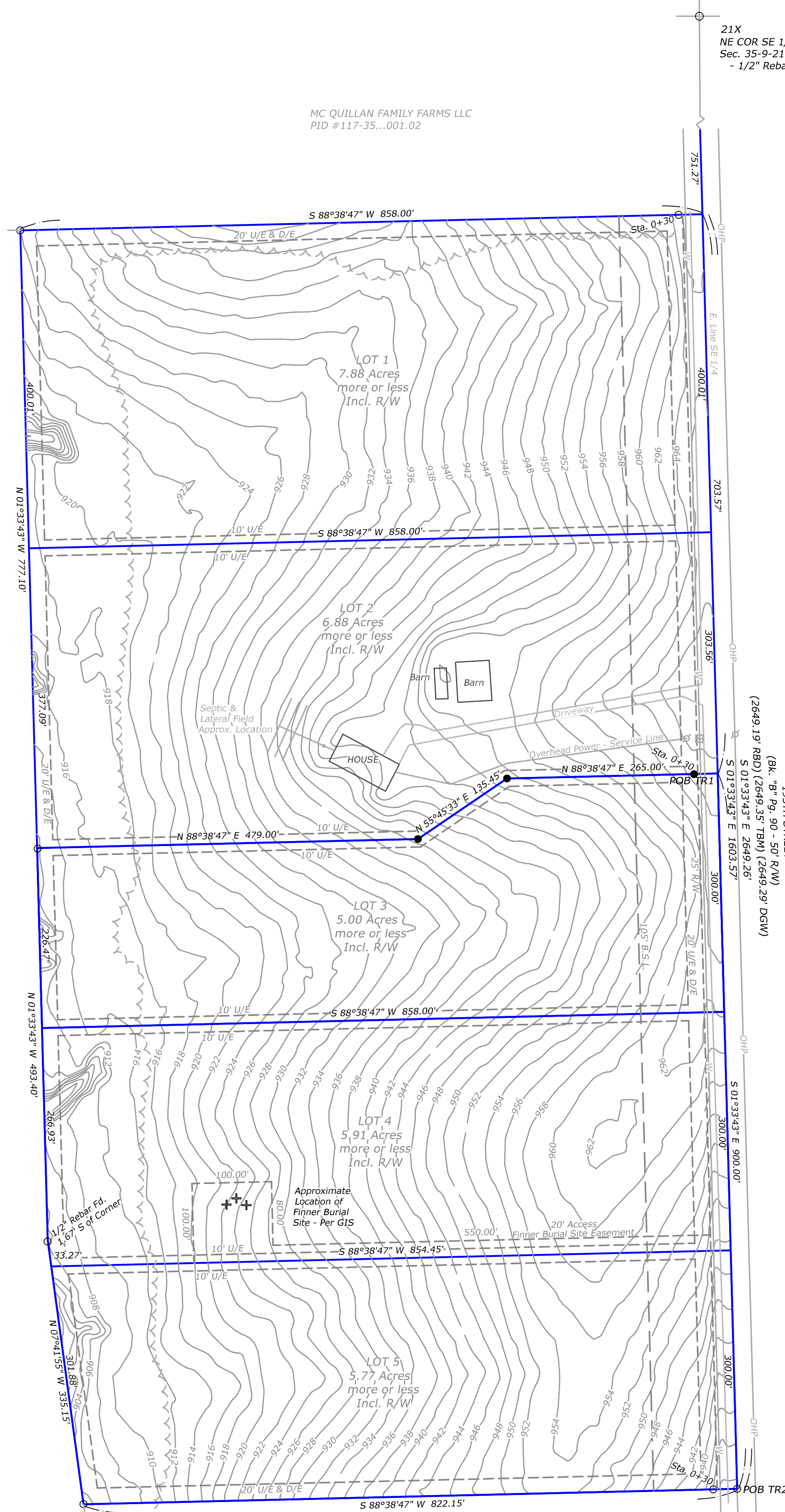
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 Together with and subject to covenants, easements, and restrictions of record.  
 Said property contains 14.76 acres, more or less, including road right of way.  
 Error of Closure: 1 - 154604

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 Error of Closure: 1 - 59878

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

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

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



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

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

POC  
 21X  
 SE COR SE 1/4  
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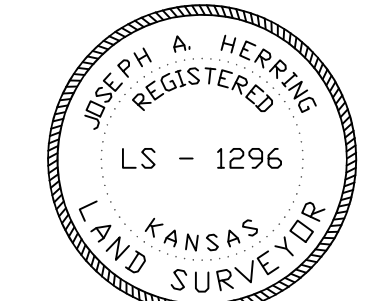
**01-21-25  
 PW Combined  
 Approved**

- RESTRICTIONS:**
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  - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
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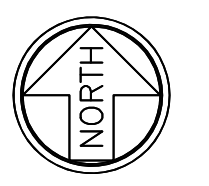
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 - Sewer - Septic / Lagoan  
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  - NS - Not Set this survey per agreement with client
  - ⊙ - Power Pole
  - X - Fence Line
  - OHPL - Overhead Power Lines
  - T - Underground Telephone/Fiber Optic Line
  - ⊕ - Gas Valve
  - ⊕ - Water Meter/Valve
  - ⊕ - Telephone Pedestal
  - W - 6" Water Line - location as per district
  - ~ - Tree/Brush Line



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

Joseph A. Herring  
 PS # 1296

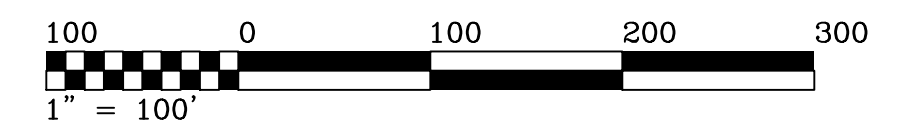


Scale 1" = 100'

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



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





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## FINAL PLAT

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

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

### IN TESTIMONY WHEREOF,

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

Jack Willis

### NOTARY CERTIFICATE:

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

### NOTARY PUBLIC

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

### APPROVALS

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

Secretary: John Jacobson  
Chairman: Marcus Majure

### COUNTY ENGINEER'S APPROVAL:

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

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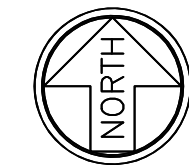
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Chairman: Jeff Culbertson  
County Clerk: Attest: Fran Keppler

### REGISTER OF DEED CERTIFICATE:

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

Register of Deeds - TerriLois G. Mashburn

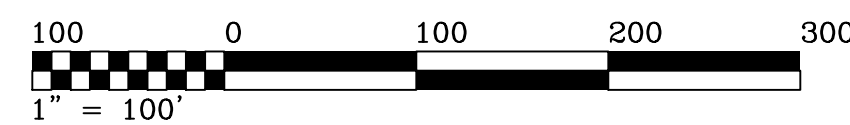


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Job # K-24-1846  
November 24, 2024 Rev. 3/4/25

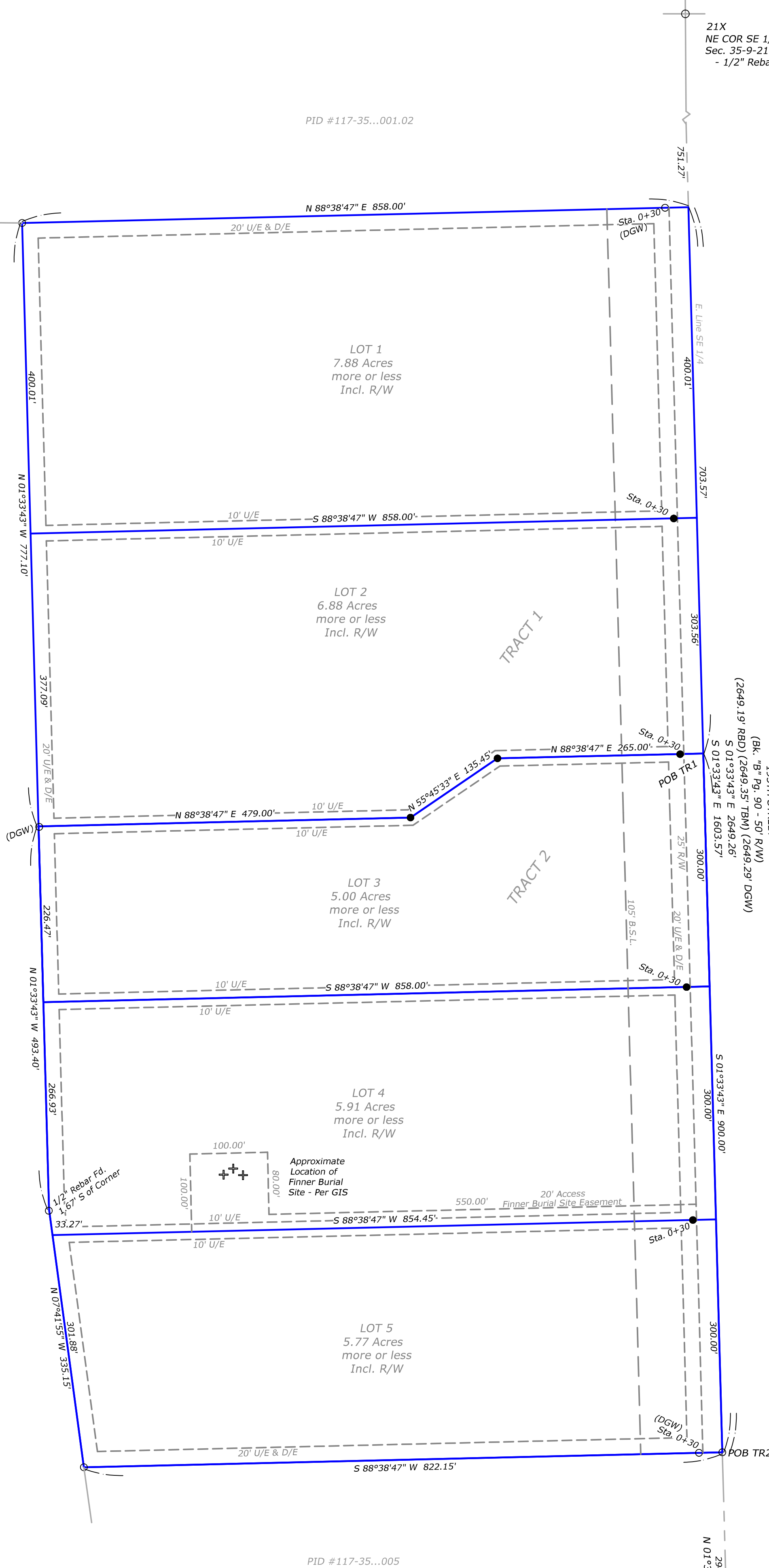


315 North 5th Street, Leav., KS 66048  
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County Surveyor



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

PID #117-35...001.02

PID #117-35...004.04

PID #117-35...005

POC  
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# 03-05-25 PW Combined No Comments

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### ZONING:

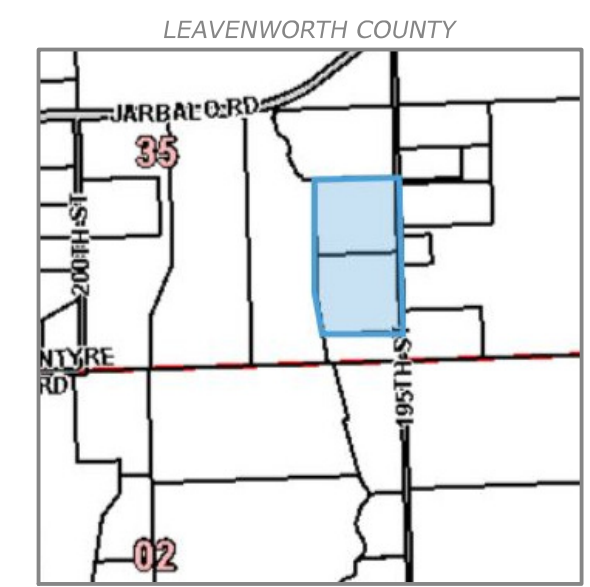
RR 5 - Rural Residential 5

### NOTES:

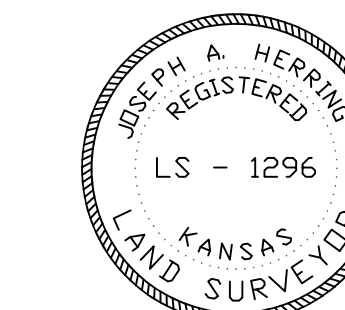
- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Descriptions
- 5) Basis of Bearing - KS SPC North Zone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

### LEGEND:

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



VICINITY MAP  
NOT TO SCALE



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

Joseph A. Herring  
PS # 1296



**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

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

March 12, 2025

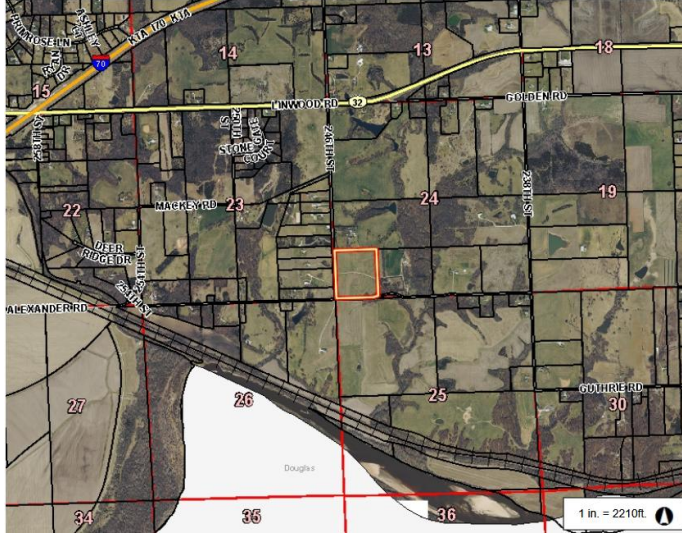
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

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



**APPLICANT/APPLICANT AGENT:**

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

**PROPERTY OWNER:**

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

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

RR-2.5

**LEGAL DESCRIPTION:**

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

**SUBDIVISION:** N/A

**FLOODPLAIN:** N/A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 33.70 ACRES

**PARCEL ID NO:**

216-24-0-00-00-007.01

**BUILDINGS:**

Existing Outbuildings

**PROJECT SUMMARY:**

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

**ACCESS/STREET:**

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

**Location Map:** FUTURE LAND USE DESIGNATION



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 2

**WATER:** RWD 10

**ELECTRIC:** Every

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/5/2025

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING**

**PROPERTY OWNERS:**

N/A

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

**STAFF COMMENTS:**

The applicant is proposing to divide a 33.70-acre parcel into four (4) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots 1-4 will be approximately 8.8 acres in size. All lots meet the requirements for the RR-5 zoning district.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
  - Memo – Evergy, dated December 23, 2024
  - Memo – RWD10, dated November 30, 2024

**PROPOSED MOTIONS:**

Approve case DEV-24-163 & 164, a request to plat the property located at 00000 246th Street into a 4-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-24-163 & 164 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-163 & 164, a request to plat the property located at 00000 246th Street into a 4-lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-24-163 & 164.*

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

*Motion: Chairman, I move to table Case No. DEV-24-163 & 164 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

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

D: Memorandums



**FINAL &**  
~~PRELIMINARY~~ **PLAT APPLICATION**  
 Leavenworth County Planning and Zoning Department  
 300 Walnut St., Suite 212  
 Leavenworth, Kansas  
 913-684-0465

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

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

**GENERAL INFORMATION**

Proposed Subdivision Name: SUNSET RIDGE

Address of Property: 00000 246th Street

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

SUBDIVISION INFORMATION		
Gross Acreage: <u>35 Ac</u>	Number of Lots: <u>4</u>	Minimum Lot Size: <u>8.7 Ac</u>
Maximum Lot Size: <u>8.8 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 10</u>	Proposed Sewage: _____
Fire District: <u>FD 2</u>	Electric Provider: <u>Evergy</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

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

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

Signature: Joe Herring - digitally signed 12-8-24 Date: 12-8-24

**ATTACHMENT A**



OWNER AUTHORIZATION

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

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

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

Jerry Meuschke  
Owner

Geraldine Meuschke  
Owner

STATE OF KANSAS  
COUNTY OF LEAVENWORTH

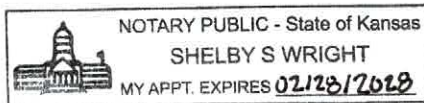
The foregoing instrument was acknowledge before me on this 11<sup>th</sup> day of December, 2024.

by Shelby S. Wright

My Commission Expires:

[Signature]

Notary Public





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

*Janet Klasmaker*  
COUNTY CLERK

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

### KANSAS QUIT-CLAIM DEED

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

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

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

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

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

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

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

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

*Jerry Meuschke*  
Jerry Meuschke

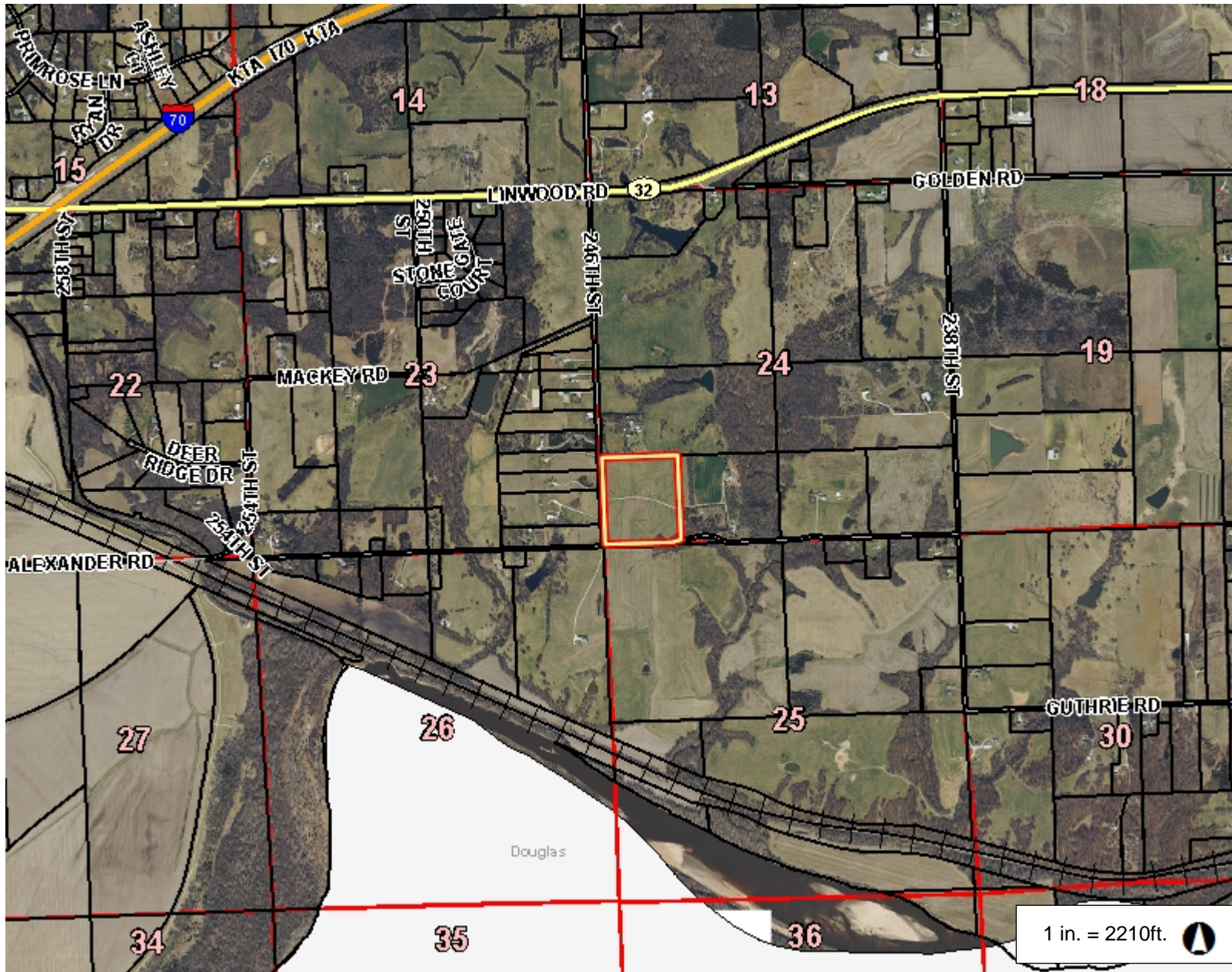
*Gearldine Meuschke*  
Gearldine Meuschke

1411947

0948518:01300

Leavenworth County Register of Deeds 2024-08473

# Leavenworth County, KS



## Legend

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

1 in. = 2210ft.

4,419.3      0      2,209.66      4,419.3 Feet

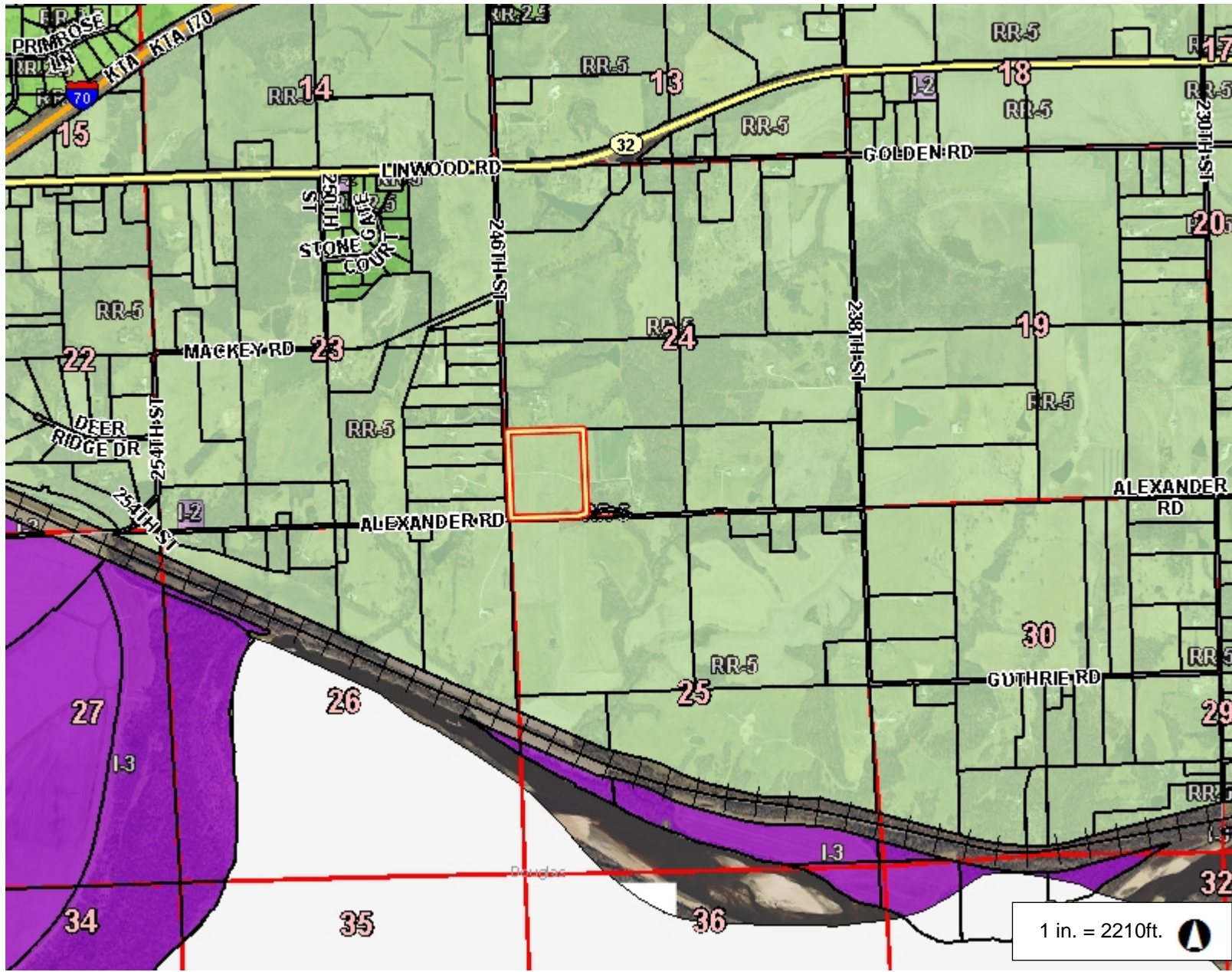
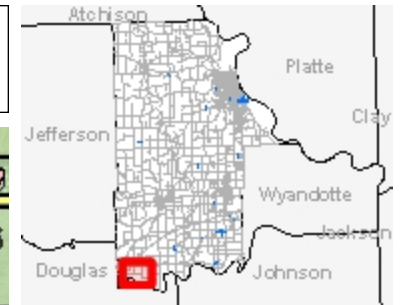
This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



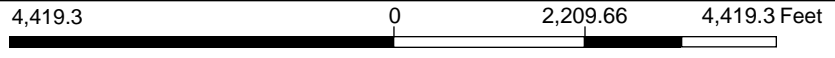
# Leavenworth County, KS



### Legend

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

1 in. = 2210ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Notes



# SUNSET RIDGE

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

## FINAL PLAT

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

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

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: SUNSET RIDGE.

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

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

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

IN TESTIMONY WHEREOF,  
We, the undersigned owners of SUNSET RIDGE, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

JERRY MEUSCHKE  
GERALDINE MEUSCHKE

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

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

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

Secretary: John Jacobson  
Chairman: Marcus Majure

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of SUNSET RIDGE this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman: Mike Smith  
County Clerk: Attest: Fran Keppler

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

Register of Deeds - TerriLois G. Mashburn

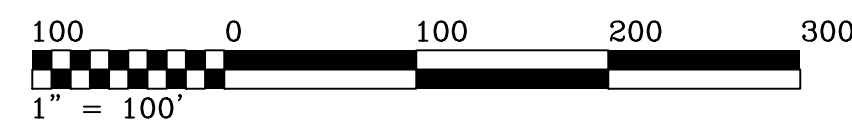


Scale 1" = 100'

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

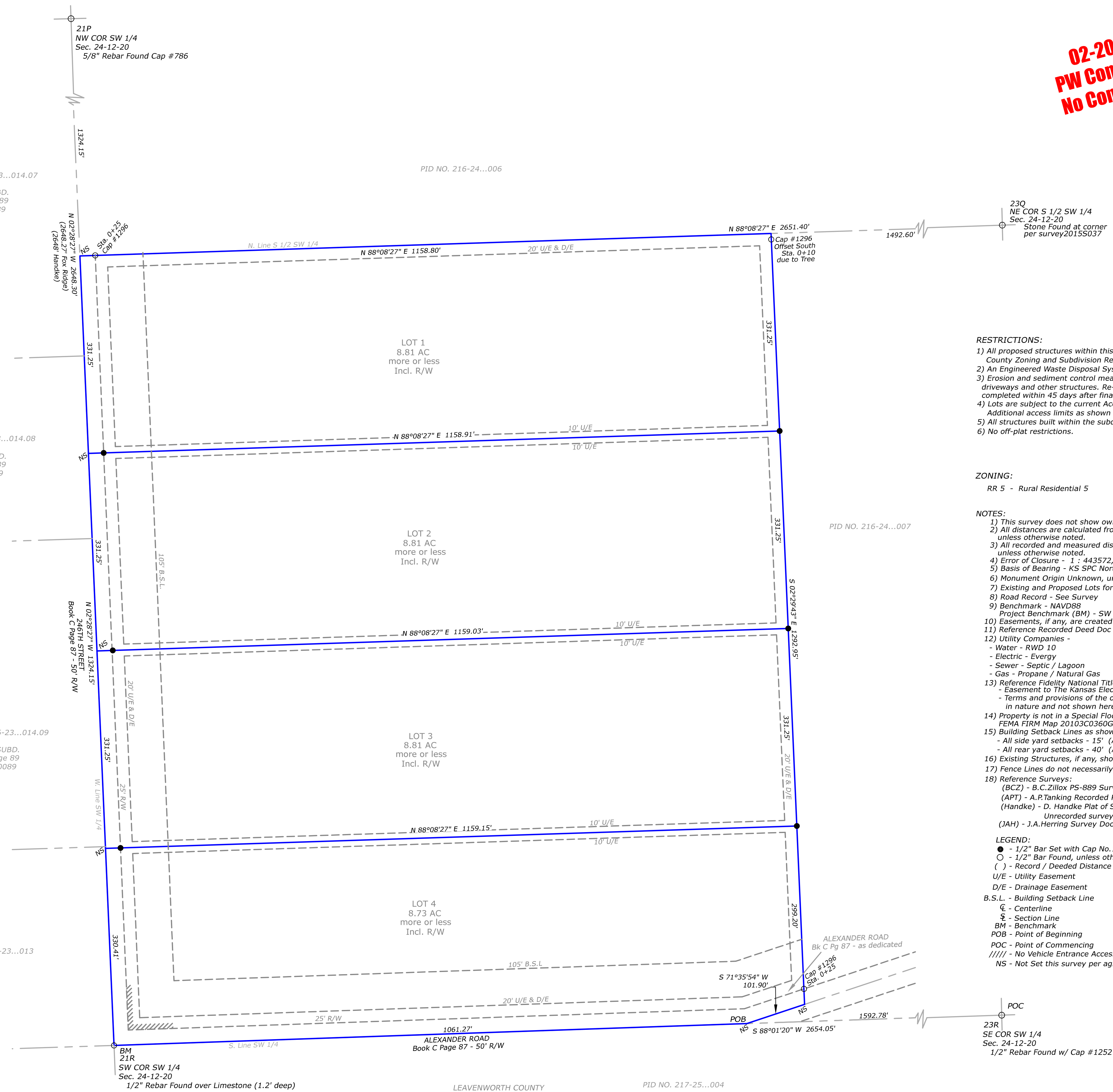


315 North 5th Street, Leav., KS 66048  
Ph. 913.651.3858 Fax 913.674.5381  
Email - survey@jeanash.com



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

Daniel Baumchen, PS#1363  
County Surveyor



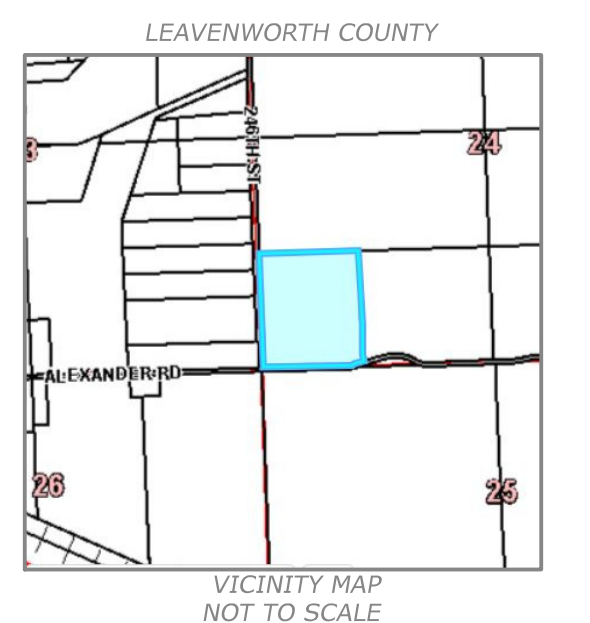
02-20-25  
PW Combined  
No Comments

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

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

- NOTES:**
- This survey does not show ownership.
  - All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - All recorded and measured distances are the same, unless otherwise noted.
  - Error of Closure = 1 : 443572, 35.17 Acres, more or less, Incl. R/W
  - Basis of Bearing - KS SPC North Zone 1501
  - Monument Origin Unknown, unless otherwise noted.
  - Existing and Proposed Lots for Agriculture and Residential Use.
  - Road Record - See Survey
  - Benchmark - NAVD88
  - Project Benchmark (BM) - SW COR SW 1/4 Section 24 - Elev - 892.7'
  - Easements, if any, are created hereon or listed in referenced title commitment.
  - Reference Recorded Deed Doc # 2024R08473
  - Utility Companies -
    - Water - RWD 10
    - Electric - Evergy
    - Sewer - Septic / Lagoon
    - Gas - Propane / Natural Gas
  - Reference Fidelity National Title Insurance Company File Number KC-R3103293-2 dated Nov. 1, 2024. Easement to The Kansas Electric Power Company in Bk 331 Pg 637, not shown, within plat easements. Terms and provisions of the oil and gas leases Bk. 544 Pg. 600, Doc. No. 2011R00272, are blanket in nature and not shown hereon. Existing Well is stated to be abandoned by owner.
  - Property is not in a Special Flood Hazard Area per FEMA FIRMS Map 2010C0360G dated July 16, 2015
  - Building Setback Lines as shown hereon or noted below
    - All side yard setbacks - 15' (Accessory - 15')
    - All rear yard setbacks - 40' (Accessory - 15')
  - Existing Structures, if any, shown in approximate location.
  - Fence Lines do not necessarily denote the boundary line for the property.
  - Reference Surveys:
    - (BC2) - B.C. Ziliox PS-889 Survey Doc. # 2015S037
    - (APT) - A.P. Tanking Recorded Plat FOXRIDGE SUBDIVISION Book13, Page 89 NKA2000P00089 (Handke) - D. Handke Plat of Stonegate Subdivision, Book 16, Page 19, 2005, NKA 2005P00019 Unrecorded survey project No. 00-212, 2000
    - (JAH) - J.A. Herring Survey Doc # 2024S050

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



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

Joseph A. Herring  
PS # 1296



# SUNSET RIDGE

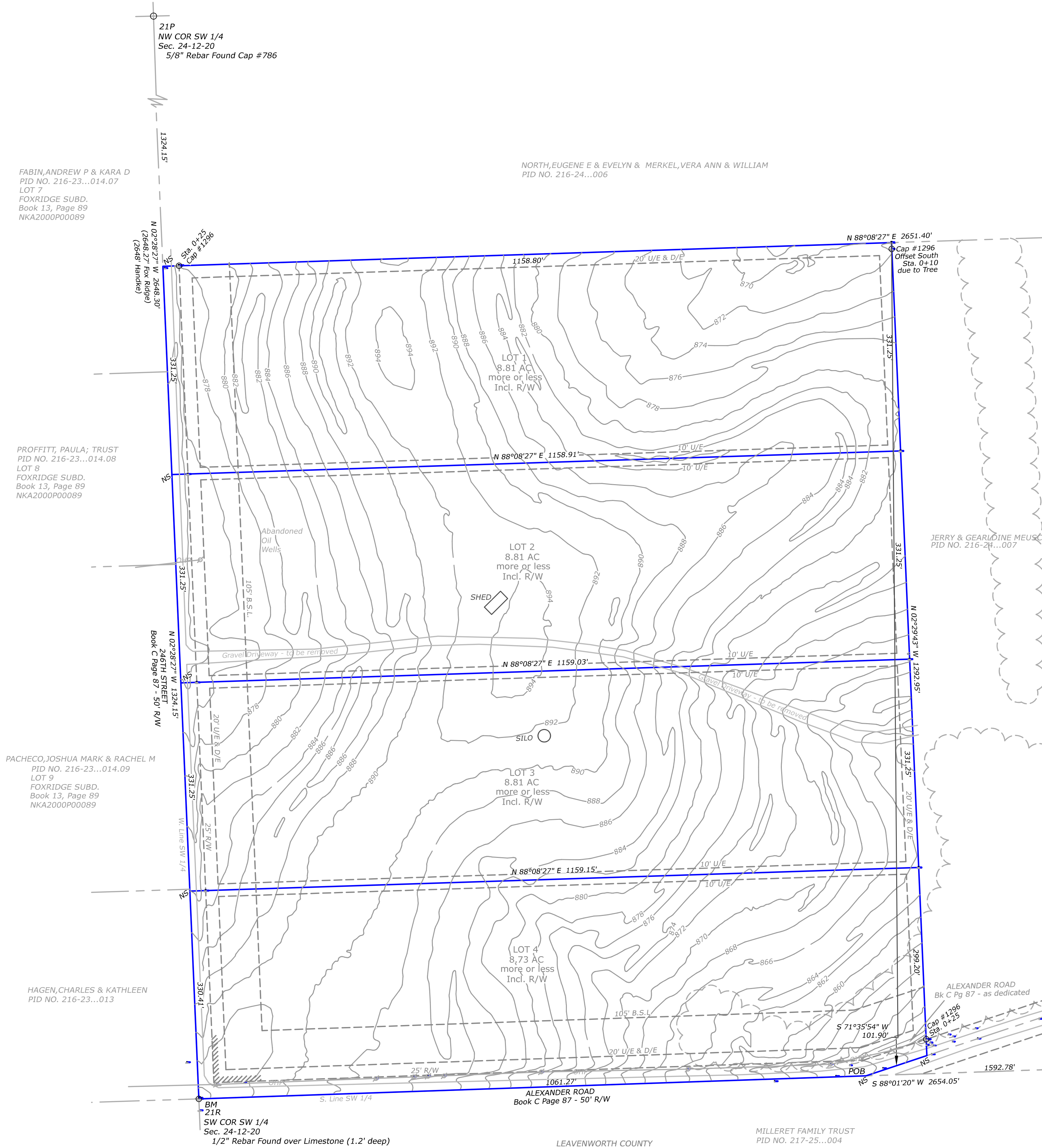
A Minor Subdivision in the Southwest Quarter of Section 24, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

## PRELIMINARY PLAT

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

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

03-03-25  
 Combined PW No  
 Comments

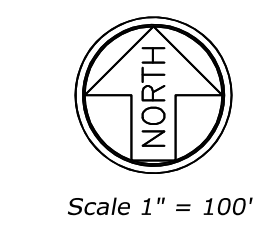
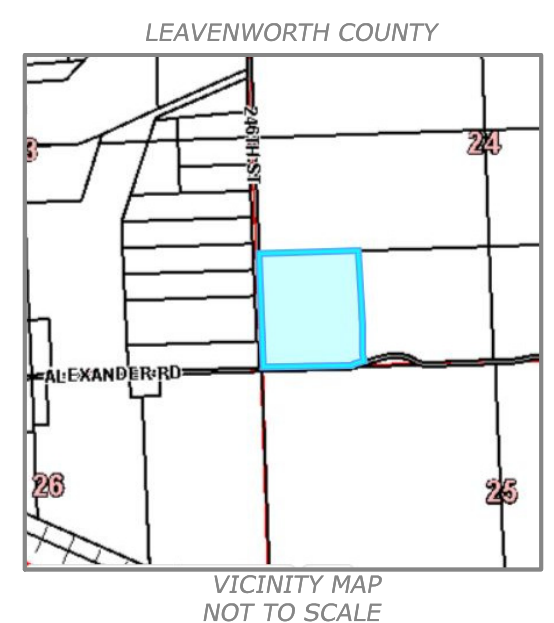


- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
  - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
  - 3) Erosion and sediment control measures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

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

- NOTES:**
- 1) This survey does not show ownership.
  - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
  - 3) All recorded and measured distances are the same, unless otherwise noted.
  - 4) Error of Closure - 1: 443572, 35.17 Acres, more or less, Incl. R/W
  - 5) Basis of Bearing - KS SPC North Zone 1501
  - 6) Monument Origin Unknown, unless otherwise noted.
  - 7) Existing and Proposed Lots for Agriculture and Residential Use.
  - 8) Road Record - See Survey
  - 9) Benchmark - NAVD83 Project Benchmark (BM) - SW COR SW 1/4 Section 24 - Elev - 892.7'
  - 10) Easements, if any, are created hereon or listed in referenced title commitment.
  - 11) Reference Recorded Deed Doc # 2024R08473
  - 12) Utility Companies -  
 - Water - RWD 10  
 - Electric - Everygy  
 - Sewer - Septic / Lagoon  
 - Gas - Propane / Natural Gas
  - 13) Reference Fidelity National Title Insurance Company File Number KC-R3103293-2 dated Nov. 1, 2024.  
 - Easement to The Kansas Electric Power Company in Bk 331 Pg 637, not shown, within plat easements.  
 - Terms and provisions of the oil and gas leases Bk. 544 Pg. 600, Doc. No. 2011R00272, are blanketed in nature and not shown hereon. Existing Well is stated to be abandoned by owner.
  - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0360G dated July 16, 2015
  - 15) Building Setback Lines as shown hereon or noted below  
 - All side yard setbacks - 15' (Accessory - 15')  
 - All rear yard setbacks - 40' (Accessory - 15')
  - 16) Existing Structures, if any, shown in approximate location.
  - 17) Fence Lines do not necessarily denote the boundary line for the property.
  - 18) Reference Surveys:  
 (BC2) - B.C.Zillox PS-889 Survey Doc. # 2015S037  
 (APT) - A.P. Tanking Recorded Plat FOXRIDGE SUBDIVISION Book 13, Page 89 NKA2000P00089  
 (Handke) - D. Handke Plat of Stonegate Subdivision, Book 16, Page 19, 2005, NKA 2005P00019  
 Unrecorded survey project No. 00-212, 2000  
 (JAH) - J.A. Herring Survey Doc # 2024S050

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

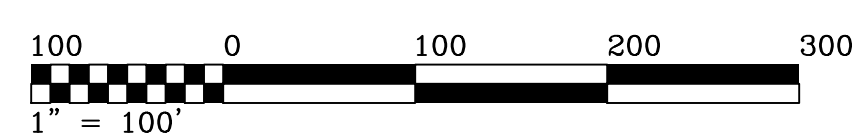


Scale 1" = 100'

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



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



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

Joseph A. Herring  
 PS # 1296

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

Sunset Ridge

Leavenworth County Kansas

Drainage Report

December 21, 2024

Revised January 22, 2025

Revised January 25, 2025

Revised February 5, 2025





## Schweitzer, Joshua

---

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

We have not received any complaints on this property, and we are not aware of any septic systems currently installed on it. The shed on lot 2 is around 450 sq' so the lot would remain in compliance without a home on it.

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

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

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Friday, December 27, 2024 2:48 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-163 & 164 Preliminary & Final Plat Sunset Ridge - Herring

Good Afternoon,

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

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us January 13, 2025.

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

v / r

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



## Schweitzer, Joshua

---

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

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

Thank you - Joe Herring

---

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

---

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

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

Thank you.

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

Thank you - Joe Herring

---

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

--  
Dylan Ritter



November 30, 2024

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

Dear Mr. Herring,

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

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

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

Regards,

Steve Conley | District Manager  
Leavenworth Rural Water District 10

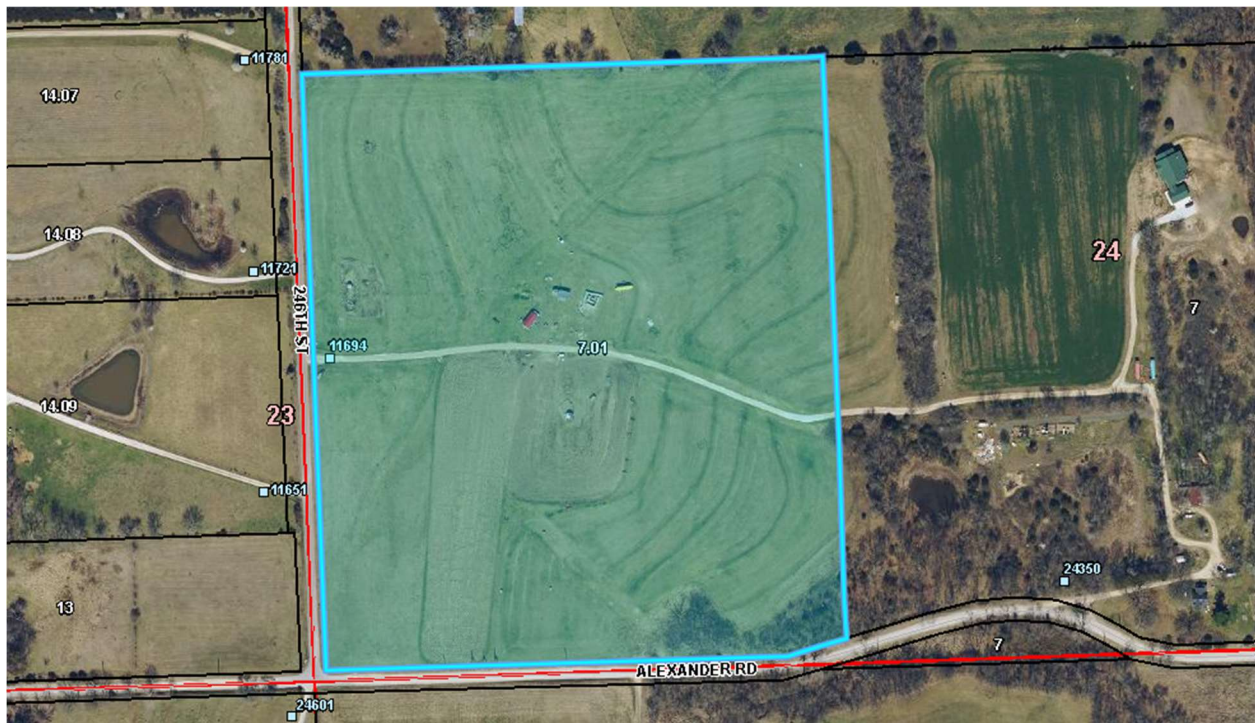


December 23, 2024

To Whom It May Concern:

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

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



**Steven Heath**

Evergy

TD Designer II

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

☎ 785-865-4857

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

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

March 12, 2025

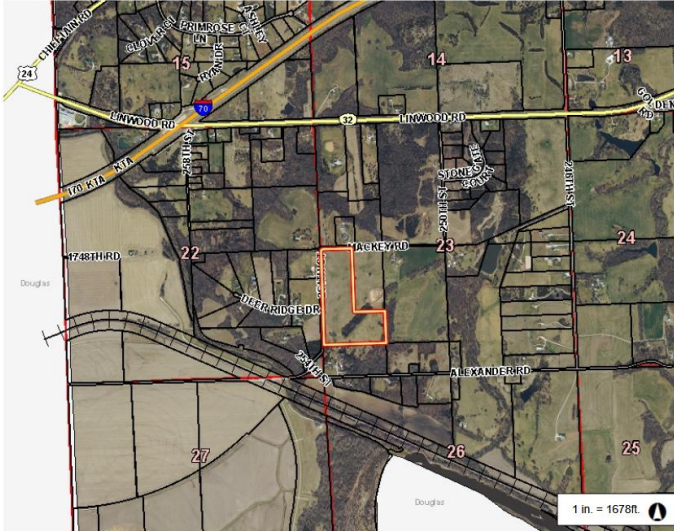
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

JOSH SCHWEITZER  
Development Planner

**SUBJECT PROPERTY:** 00000 Mackey Rd.



**APPLICANT/APPLICANT AGENT:**

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

**PROPERTY OWNER:**

Timothy Taylor  
12051 246th Street  
Lawrence, KS 66044

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

RR-2.5

**LEGAL DESCRIPTION:**

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

**SUBDIVISION:** N/A

**FLOODPLAIN:** N/A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-25-006 & 007 Preliminary & Final Plat Railway Estates, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-25-006 & 007 Preliminary & Final Plat Railway Estates to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 38.90 ACRES

**PARCEL ID NO:**

216-23-0-00-00-006

**BUILDINGS:**

N/A

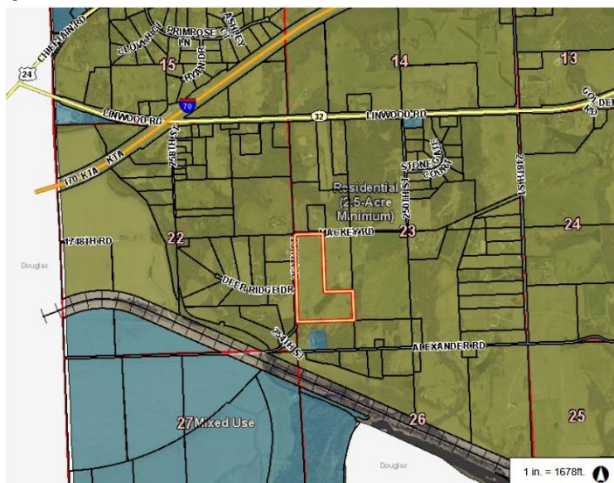
**PROJECT SUMMARY:**

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

**ACCESS/STREET:**

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

**Location Map:** FUTURE LAND USE DESIGNATION



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 2

**WATER:** RWD 10

**ELECTRIC:** Every

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/5/2025

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING**

**PROPERTY OWNERS:**

N/A

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

**STAFF COMMENTS:**

The applicant is proposing to divide a 38.90 acre parcel into six (6) lots. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots 1-5 will be approximately 5 acres in size. Lot 6 will be approximately 15 acres in size. All lots meet the requirements for the RR-5 zoning district.

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. The developer must comply with the following memorandums:
  - Memo – RWD 10, dated November 30, 2024
  - Memo – Evergy, dated December 23, 2024
  - Email – FD # 2, dated December 23, 2024

**PROPOSED MOTIONS:**

Approve case DEV-25-006 & 007, a request to plat the property located at 00000 Mackey Road into a 6-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-25-006 & 007 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-25-006 & 007, a request to plat the property located at 00000 Mackey Road into a 6-lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or



*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-25-006 & 007.*

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

*Motion: Chairman, I move to table Case No. DEV-25-006 & 007 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

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

D: Memorandums

**FINAL &**  
~~**PRELIMINARY**~~ **PLAT APPLICATION**  
 Leavenworth County Planning and Zoning Department  
 300 Walnut St., Suite 212  
 Leavenworth, Kansas  
 913-684-0465

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

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

**GENERAL INFORMATION**

Proposed Subdivision Name: RAILWAY ESTATES

Address of Property: 00000 Mackey Road

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

SUBDIVISION INFORMATION		
Gross Acreage: <u>40 Ac</u>	Number of Lots: <u>6</u>	Minimum Lot Size: <u>5 Ac</u>
Maximum Lot Size: <u>15 Ac</u>	Proposed Zoning: <u>RR-5</u>	Density: <u>N/A</u>
Open Space Acreage: <u>N/A</u>	Water District: <u>RWD 10</u>	Proposed Sewage: <u>Septic</u>
Fire District: <u>FD2</u>	Electric Provider: <u>Everg</u>	Natural Gas Provider: <u>Propane</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local - Collector - Arterial - State - Federal</u>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

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

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

Signature: Joe Herring - digitally signed 12-23-24 Date: 12-23-24

**ATTACHMENT A**

AFFIDAVIT

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

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

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -  
00000 MACKAY RD, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring - Herring Surveying Company 315 N. 5<sup>th</sup> Street, Leavenworth, KS 66048, 913-651-3858

2) Signed and entered this 15<sup>th</sup> day of October, 2024

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

[Signature] 785-423-6893  
Signature

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

Be it remember that on this Johnson 15<sup>th</sup> day of October 2024 before me, a notary public in and for said County and State came Tim Taylor to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC [Signature]

My Commission Expires: 3-3-27





**Transaction Identification Data for reference only:**

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

**SCHEDULE A**

**1. Commitment Date:**

11/01/2024 at 7:00 AM

**2. Policy to be issued:**

ALTA Owner's Policy 07-01-2021

\$700,000.00

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

The estate or interest to be insured: Fee Simple

**3. The estate or interest in the Land at the Commitment Date is:**

Fee Simple

**4. The Title is, at the Commitment Date, vested in:**

Jerry Meuschke and Geraldine Meuschke, husband and wife

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

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

**Security 1st Title**

By: 

**David Armagost, President**

Commitment No.: KC-R3103293-2

## Exhibit A

### TRACT 1:

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

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

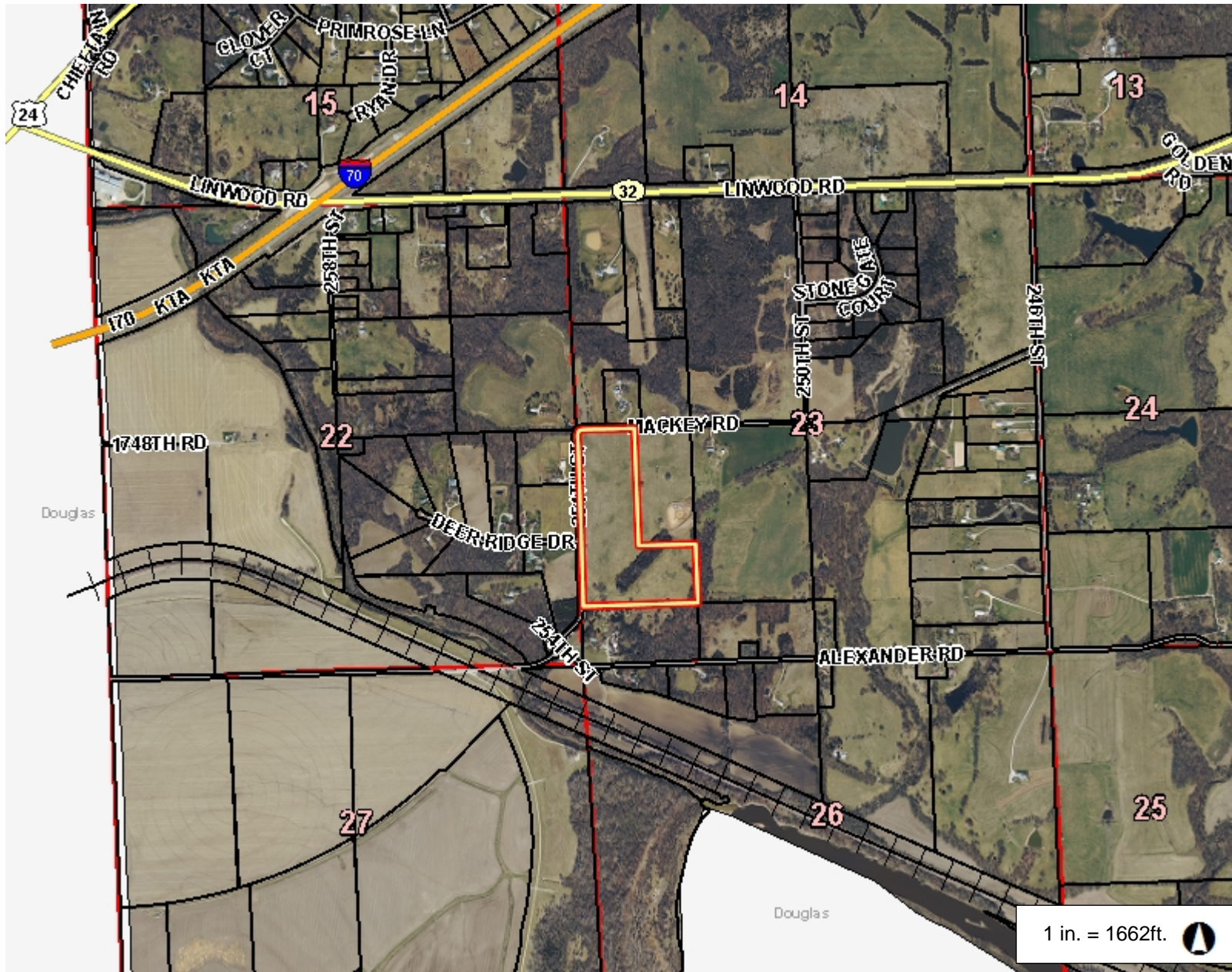
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# Leavenworth County, KS



## Legend

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

1 in. = 1662ft.



3,323.8      0      1,661.90      3,323.8 Feet

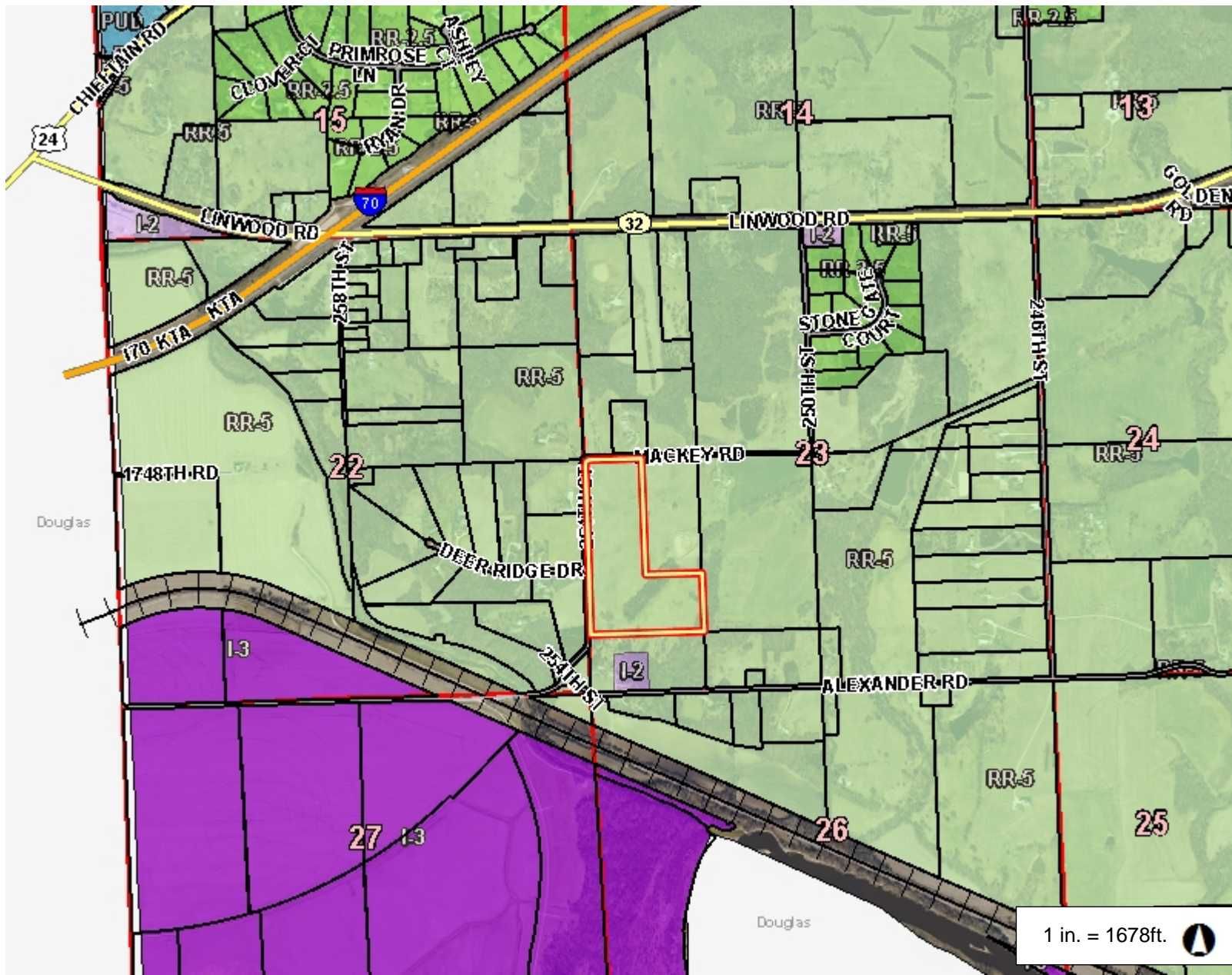
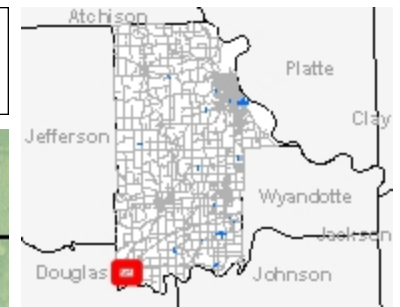
This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



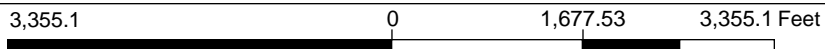
# Leavenworth County, KS



## Legend

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

## Notes



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

THIS MAP IS NOT TO BE USED FOR NAVIGATION



# RAILWAY ESTATES

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

## FINAL PLAT

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

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

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

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: RAILWAY ESTATES.

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

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

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

**IN TESTIMONY WHEREOF,**  
We, the undersigned owners of RAILWAY ESTATES, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Timothy L. Taylor

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

NOTARY PUBLIC

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

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

Secretary: John Jacobson  
Chairman: Marcus Majure

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of RAILWAY ESTATES this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

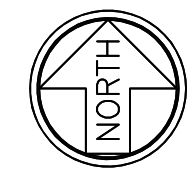
Chairman: Mike Smith  
County Clerk: Attest: Fran Keppler

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

Register of Deeds - TerriLois G. Mashburn

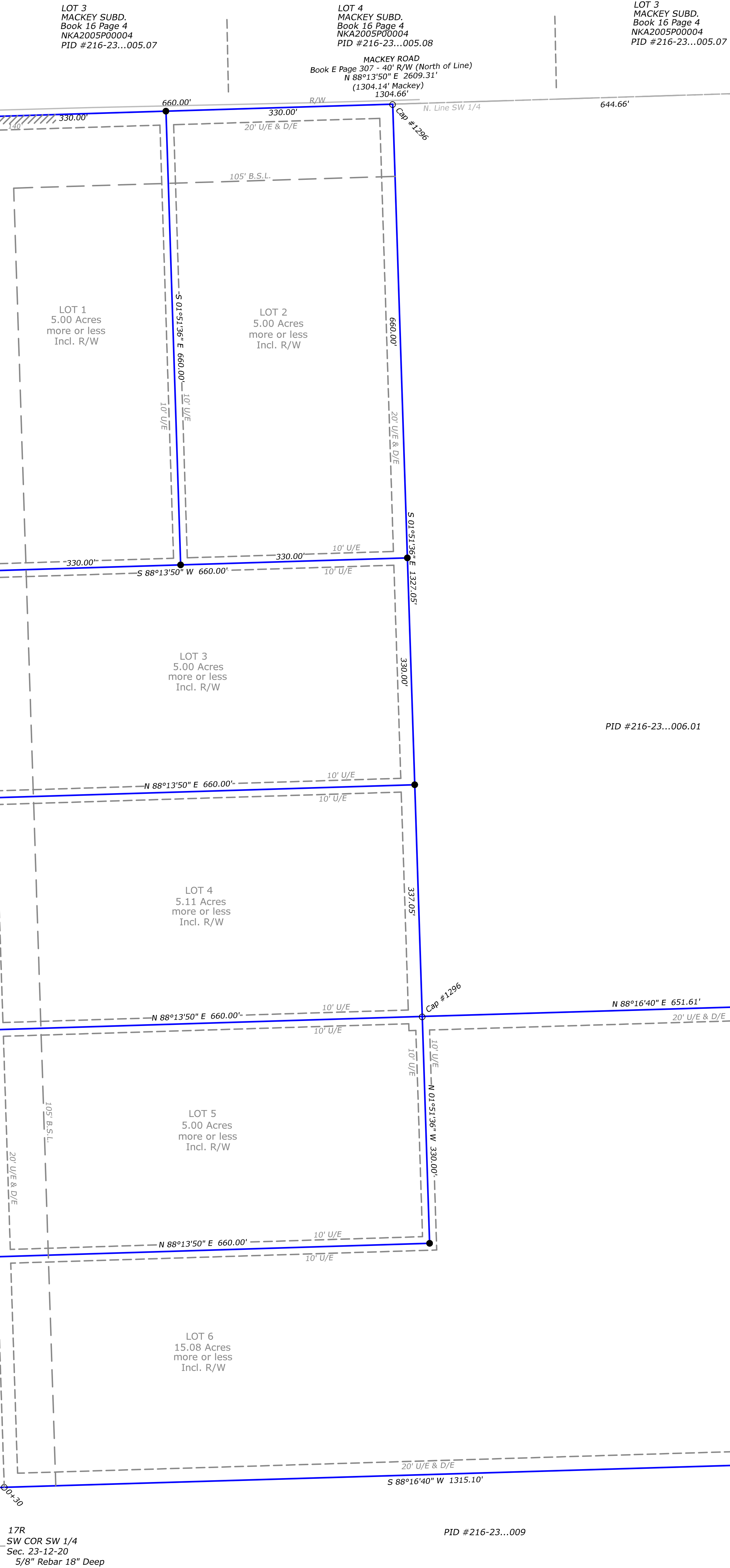
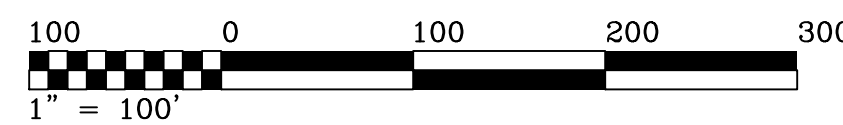
I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumchen, PS#1363  
County Surveyor



Scale 1" = 100'

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



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

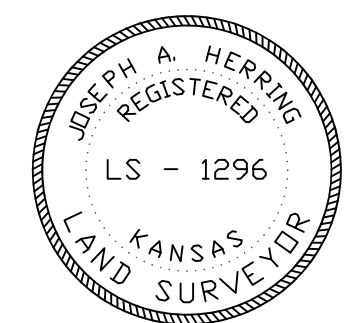
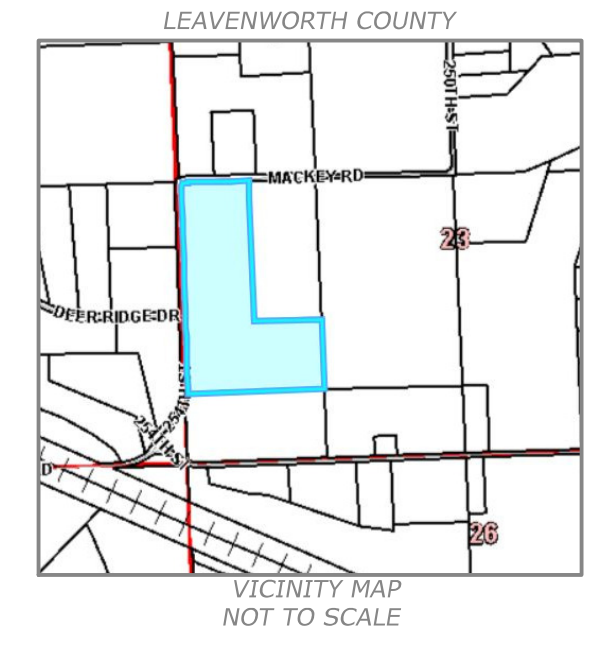
03-03-25  
Combined PW  
No Further  
Comment

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

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

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

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



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

Joseph A. Herring  
PS # 1296



# RAILWAY ESTATES

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

## PRELIMINARY PLAT

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

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

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

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

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

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

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

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

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

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

03-03-25  
Combined PW  
No Further  
Comment

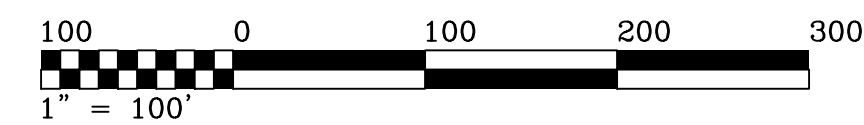


Scale 1" = 100'

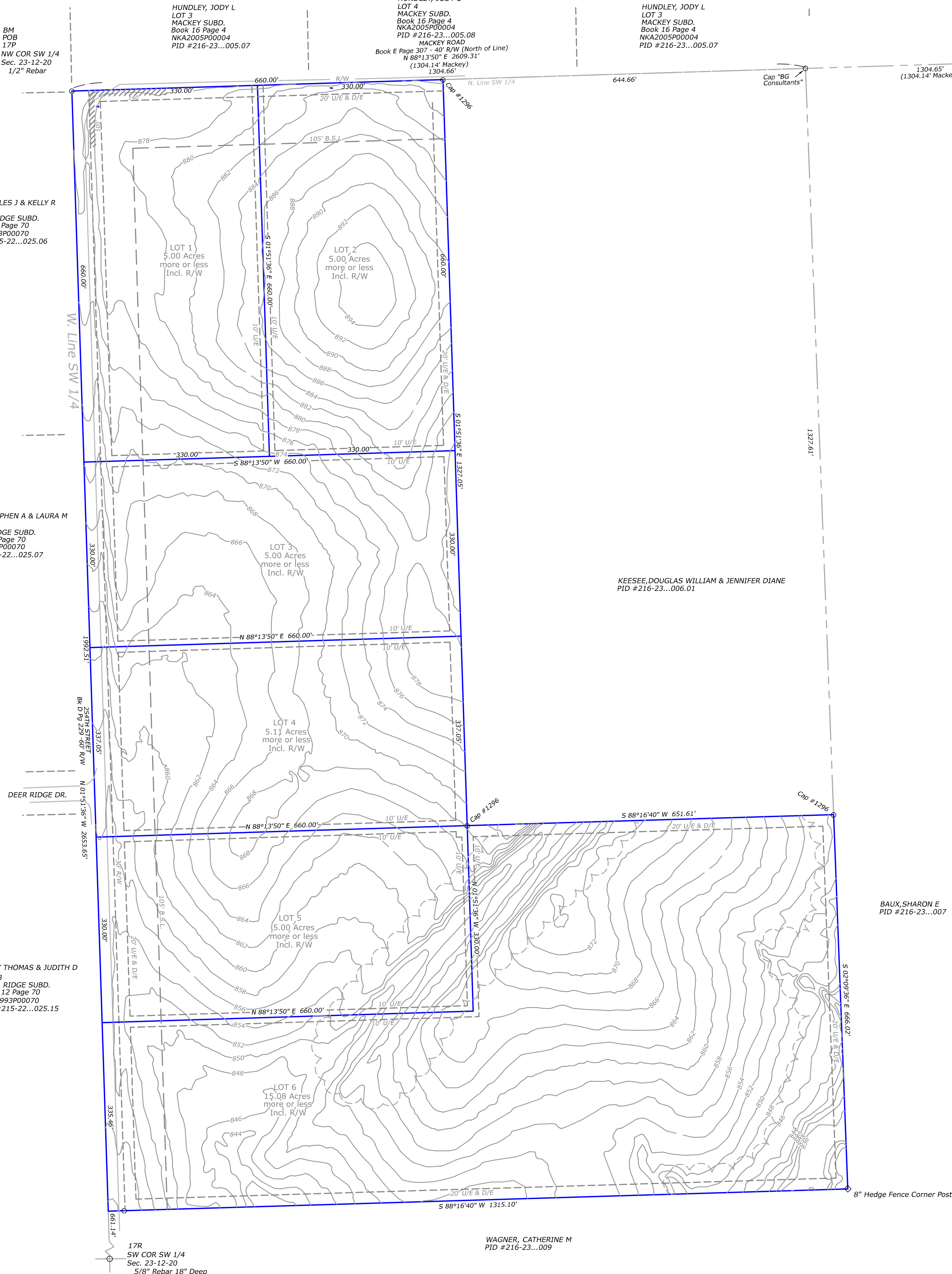
Job # K-24-1846  
November 24, 2024 Rev. 2/25/25



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



1" = 100'

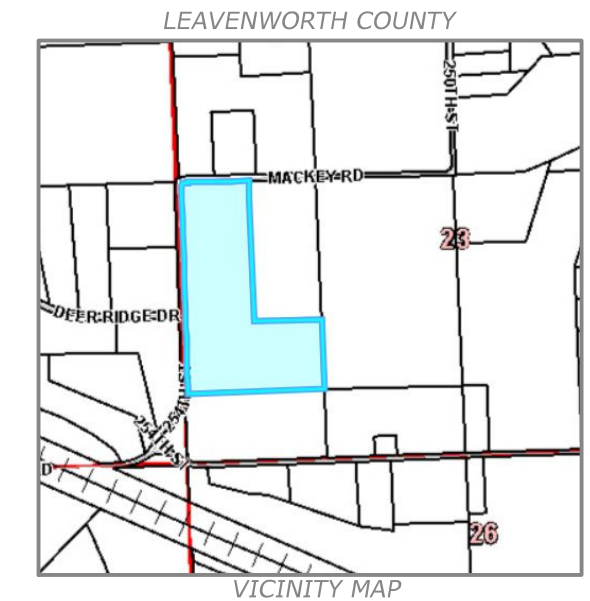


RESTRICTIONS:  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall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

ZONING:  
RR 5 - Rural Residential 5

- NOTES:  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - See Descriptions  
5) Basis of Bearing - KS SPC North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Existing and Proposed Lots for Agriculture and Residential Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD83  
Project Benchmark (BM) - NW Cor SW 1/4 - 1/2" Rebar - Elev - 874.33'  
10) Easements, if any, are created hereon or listed in referenced title commitment.  
11) Reference Recorded Deed Doc # 2022R09114  
12) Utility Companies -  
- Water - RWD 10  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
13) Lawyers Title Insurance Company File Number 48420 dated December 27, 2024.  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0360G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Existing Structures, if any, shown in approximate location.  
17) Fence Lines do not necessarily denote the boundary line for the property.  
18) Reference Surveys:  
DEER RIDGE SUBDIVISION - Book 12 Page 70 1993 NKA1993P00070  
MACKAY SUBDIVISION - Book 16 Page 4 2005 NKA2005P00004  
JAH - J.A.Herring Survey Doc # 2022S082

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



VICINITY MAP NOT TO SCALE

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

Joseph A. Herring  
PS # 1296

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



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



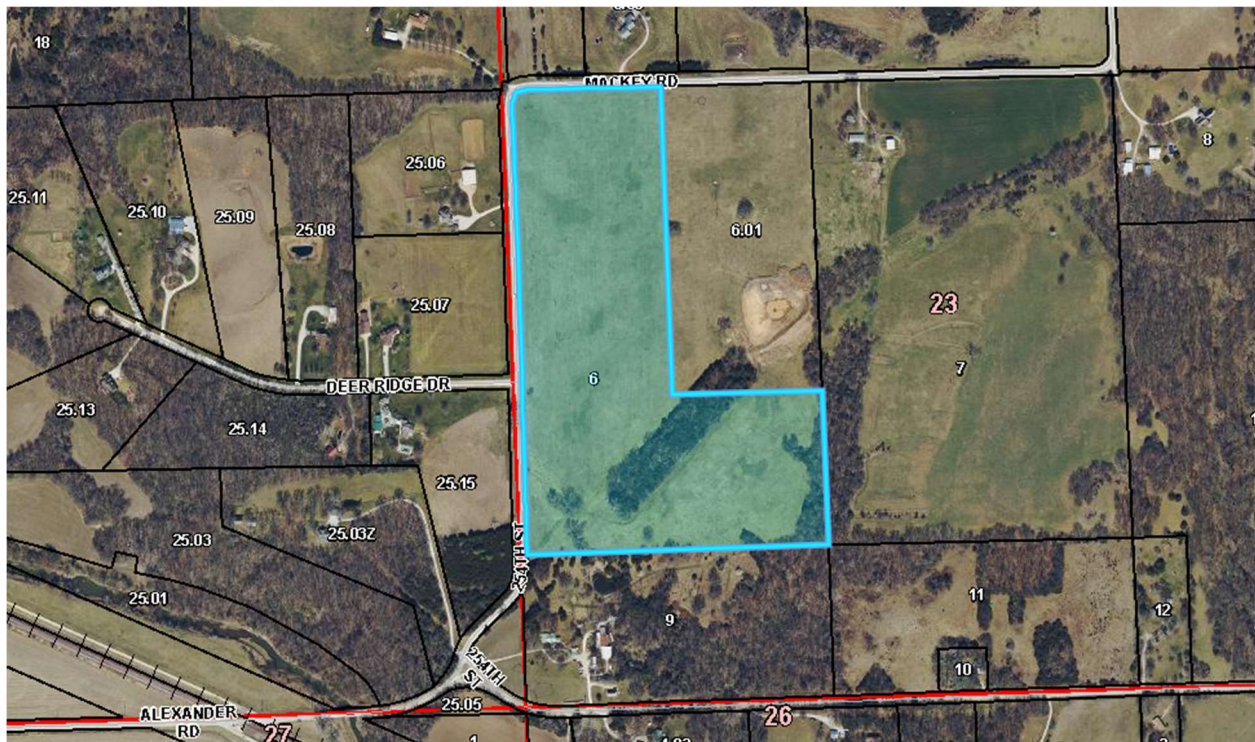


December 23, 2024

To Whom It May Concern:

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

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



**Steven Heath**

Evergy

TD Designer II

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

☎ 785-865-4857

## Schweitzer, Joshua

---

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

We have not received any complaints on this property, and we are not aware of any septic systems currently installed on it.

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

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

---

**From:** Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>  
**Sent:** Wednesday, January 22, 2025 8:06 AM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-25-006 & 007 Preliminary & Final Plat Railway Estates - Herring

Good Morning,

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

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us February 5, 2025

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

v / r

Joshua J. Schweitzer  
Development Planner  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth County, Kansas 66048



November 30, 2024

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

Dear Mr. Herring,

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

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

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

Regards,

Steve Conley | District Manager  
Leavenworth Rural Water District 10

## Schweitzer, Joshua

---

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

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

Thank you - Joe Herring

---

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

---

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

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

Thanks

On Mon, Dec 23, 2024 at 2:49 PM Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)> wrote:  
If you have not sent service letters to me and Leavenworth County please do so - original request was November 24, 2024.

Thank you - Joe Herring

---

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



**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

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

March 12, 2025

**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

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



**APPLICANT/APPLICANT AGENT:**

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

**PROPERTY OWNER:**

Cheyenne Crossing Land  
Development LLC  
18701 Hemphill Road  
Linwood KS 66052

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-2.5

**FUTURE LAND USE DESIGNATION:**

Residential (2.5 acre min)

**LEGAL DESCRIPTION:**

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

**SUBDIVISION:** N/A

**FLOODPLAIN:** n/a

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

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

**PARCEL SIZE:** 34 ACRES

**PARCEL ID NO:**

189-32-0-00-00-005.00

**BUILDINGS:**

N/A

**PROJECT SUMMARY:**

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

**ACCESS/STREET:**

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

**Location Map:**



**UTILITIES**

**SEWER:** PRIVATE SEPTIC

**FIRE:** FD# 2

**WATER:** RWD 7

**ELECTRIC:** Every

**NOTICE & REVIEW:**

**STAFF REVIEW:**

9/27/2024

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING  
PROPERTY OWNERS:**

N/A

<b>STANDARDS TO BE CONSIDERED:</b>			
<b>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</b>		<b>Met</b>	<b>Not Met</b>
35-40	<b>Preliminary Plat Content</b>	n/a	
40-20	<b>Final Plat Content</b>	X	
41-6	<b>Access Management</b>	X	
41-6.B.a-c.	<b>Entrance Spacing</b>	X	
41-6.C.	<b>Public Road Access Management Standards</b>	X	
43	<b>Cross Access Easements</b>	N/A	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>	X	
50-40	<b>Minimum Design Standards</b>		X
	An exception from Article 50, Section 40.3.a. is required for Lot 9.		
50-50	<b>Sensitive Land Development</b>	N/A	
50-60.	<b>Dedication of Reservation of Public Sites and Open Spaces</b>	N/A	

**STAFF COMMENTS:**

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

**PROPOSED CONDITIONS:**

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

**EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.a. – Lots Compliant with the Zoning Width Standards. The criteria for the acceptance of an exception is as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

*Motion: The Planning Commission hereby (approves/denies) an exception from Article 50, Section 40.3.a. – Lot Compliant with Zoning District Standards in conformance with the Zoning & Subdivision Regulations for the Tallgrass Estates subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

**PROPOSED MOTIONS:**

Approve case DEV-24-147, a request to plat the property located at 00000 178<sup>th</sup> Street into a 13-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-24-147 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-147, a request to plat the property located at 00000 178<sup>th</sup> Street into a 13-Lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-24-147.*

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

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

**ATTACHMENTS:**

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

## FINAL PLAT APPLICATION

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

### Office Use Only

Township: \_\_\_\_\_ Planning Commission Meeting Date: \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation: \_\_\_\_\_

### APPLICANT/AGENT INFORMATION

### OWNER INFORMATION

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

### GENERAL INFORMATION

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

### SUBDIVISION INFORMATION

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

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

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

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

ATTACHMENT A



WARRANTY DEED (Statutory)

THE GRANTORS,

**Cheyenne Crossing Land Development, LLC**

**AND**

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

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

CONVEYS AND WARRANTS to

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

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

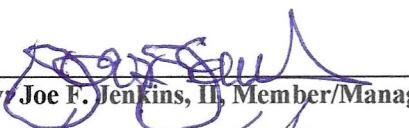
A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on November 6, 2024, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North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

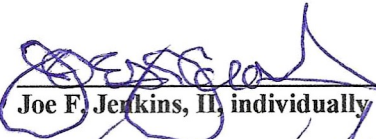
(THIS DEED IS BEING RECORDED PURSUANT TO K.S.A. 79-1437e AS AMENDED, EXEMPTION #3)

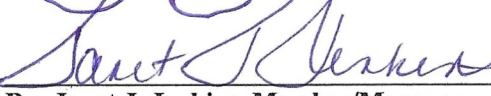
(Subject to easements, restrictions, and reservations of record, and all taxes and assessments that may be levied, imposed, or become payable hereafter.)

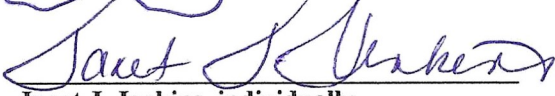
Dated this 11<sup>th</sup> day of November A.D. 2024

Cheyenne Crossing Land Development, LLC

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

  
Joe F. Jenkins, II, individually

  
By: Janet J. Jenkins, Member/Manager

  
Janet J. Jenkins, individually

STATE OF Florida, COUNTY OF Lee

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

My appointment expires:  
August 09, 2026

  
Notary Public



## Business Search ?

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

By business name  By Kansas Secretary of State Business ID  By resident agent name

Cheyenne crossing land developmei

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Contains  Starts With

Search

Return To Search Results

General Information

[View Documents](#)

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### Business ID

9942194 [Purchase Certified Copies](#)

### Business Name

CHEYENNE CROSSING LAND DEVELOPMENT, LLC

### Type

Domestic Limited Liability Company

### Formation Date

06/23/2021

### Jurisdiction

Kansas

### Status

Active and in Good Standing

[Purchase Certificate of Good Standing](#)

### Principal Office

#### Address

Joe F. Jenkins II 11490 Osprey Landing Way [Update Online](#)

#### City, State Zip

FORT MYERS, FL 33908

**Country** United States of America

### Resident Agent Name

KANSAS CORPORATION #2, INC.

### Registered Office

#### Address

4200 Somerset Drive Ste. 208

#### City, State Zip

PRAIRIE VILLAGE, KS 66208

### Last Reporting Year

2022

### Next Report Due Date

04/15/2025

**Forfeiture Date**

07/15/2025

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August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

## ARTICLE 56 – EXCEPTIONS

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

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

1. That there are special circumstances or conditions affecting the property.  
*Lot 9 is on curve with the lot width being over 200 feet at the Building Setback Line.*
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.  
*Yes - width restriction is met at the Building Setback Line*
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

*No*



# CHEYENNE CROSSING 2ND PLAT

Tract of land in the Southwest Quarter of Section 32,  
Township 11 South, Range 22 East, Leavenworth County, Kansas.

## FINAL PLAT

**DESCRIPTION:**  
A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS 1236 on November 6, 2024, more fully described as follows:  
Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.35 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" East for a distance of 282.20 feet; thence South 40 degrees 02'44" East for a distance of 103.64 feet; thence North 49 degrees 57'16" East for a distance of 318.80 feet; thence South 35 degrees 55'21" East for a distance of 371.45 feet; thence South 54 degrees 04'39" West for a distance of 7.65 feet; thence South 35 degrees 55'21" East for a distance 382.55 feet to the North line of SOUTH ELEMENTARY SUBDIVISION; thence South 88 degrees 49'49" West for a distance of 137.37 feet along said North line; thence South 01 degrees 08'36" East for a distance of 695.20 feet along the West line of said SOUTH ELEMENTARY SUBDIVISION to the North line of CHEYENNE CROSSING 1ST PLAT; thence South 88 degrees 50'49" West for a distance of 1030.96 feet along said North line; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning,  
Together with and subject to covenants, easements, and restrictions of record.

**CERTIFICATION AND DEDICATION**  
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: CHEYENNE CROSSING 2ND PLAT.

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

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

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

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

Terms and conditions of the Declaration of Restrictions Cheyenne Crossing, recorded July 18, 2024 at 1:39 PM as Document No. 2024R05235.

**IN TESTIMONY WHEREOF**  
We, the undersigned owners of CHEYENNE CROSSING 2ND PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Joe F. Jenkins II  
Member of Cheyenne Crossing Land Development, LLC

**NOTARY CERTIFICATE:**  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Joe F. Jenkins II, member Cheyenne Crossing Land Development, LLC, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

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

**APPROVALS**  
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Secretary John Jacobson  
Chairman Marcus Majure

**COUNTY ENGINEER'S APPROVAL:**  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

**COUNTY COMMISSION APPROVAL:**  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman Mike Smith  
County Clerk Attest: Fran Keppler

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

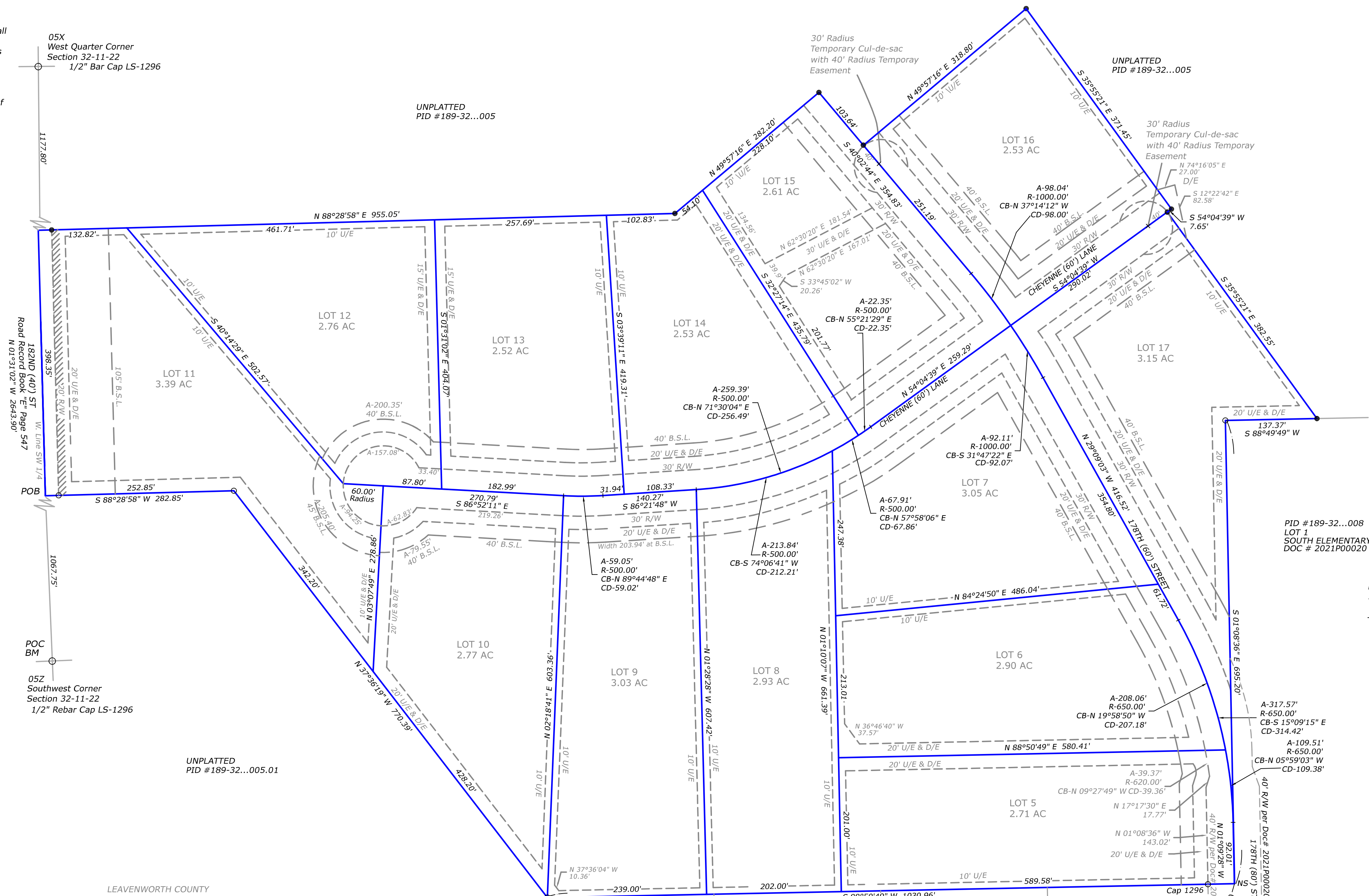
Register of Deeds - TerriLois G. Mashburn

PREPARED FOR:  
Cheyenne Crossing Land Development, LLC  
18701 Hemphill Road  
Tonganoxie, KS 66086  
PID NO. 189-32-00-00-005

**RESTRICTIONS:**  
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.  
2) An Engineered Waste Disposal System may be required due to poor soil conditions.  
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.  
4) Lots are subject to the current Access Management Policy.  
5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.  
6) The temporary cul-de-sac shall be removed at the time the road is extended and the temporary easement shall become null and void.  
7) An exception was granted for Lot 9 Article 50, Section 40.3.a. - Lots Compliant with Zoning Width Standards  
8) Restrictions per recorded Document Number 2024R05235

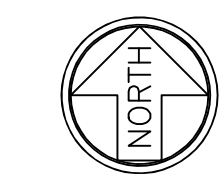
**ZONING:**  
RR - 2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

**NOTES:**  
1) This survey does not show ownership.  
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.  
3) All recorded and measured distances are the same, unless otherwise noted.  
4) Error of Closure - 1 : 373028 - 36.90 Acres, more or less, including road right of way.  
5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501  
6) Monument Origin Unknown, unless otherwise noted.  
7) Proposed Lots for Residential Use.  
8) Road Record - See Survey  
9) Benchmark - NAVD88  
10) Project Benchmark (BM) - Southwest Corner - 955.24'  
11) Easements, if any, are created hereon or listed in referenced title commitment.  
12) Reference Recorded Deed Document Number 2013R06106  
13) Utility Companies -  
- Water - RWD 7  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas  
14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G & 0350G dated July 16, 2015  
15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')  
16) Distances to and of structures, if any, are +- 1'.  
17) Easements as per referenced Title Commitment are shown hereon  
18) Fence Lines do not necessarily denote the boundary line for the property.  
19) Reference Surveys:  
Recorded Plat of SOUTH ELEMENTARY Document Number 2021P00020  
Recorded Plat of CHEYENNE CROSSING 1ST PLAT Document Number 2022P00019 (JAH) - J.A.Herring Surveys Doc #2013S011, #2014S035, #2015S053, #2020S055



**PLAT NOTE:**  
- 1/2" Rebar Cap LS-1296 set at all interior Lot Corners, set at right of way for points along roads.  
- All Lot Area is more or less and includes road right of ways.

**LEGEND:**  
● - 1/2" Rebar Set with Cap No.1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base to be Set around Point  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement dedicated this plat  
BM - Benchmark  
POB - Point of Beginning  
POC - Point of Commencing  
////// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance



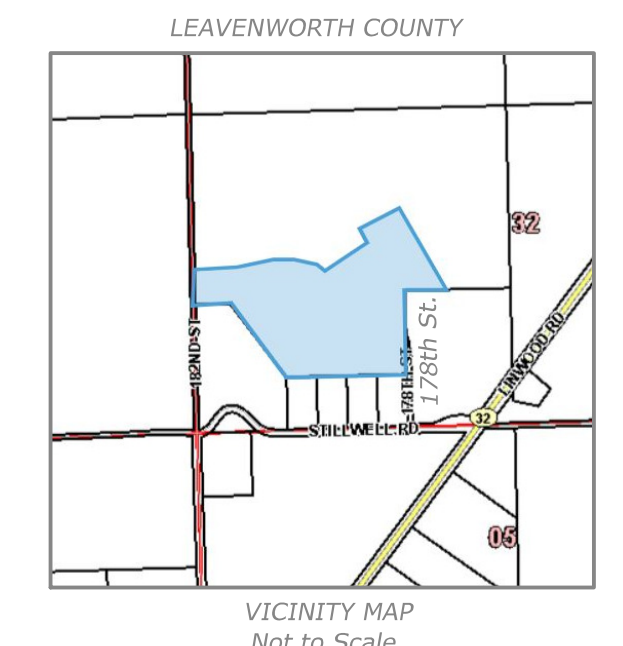
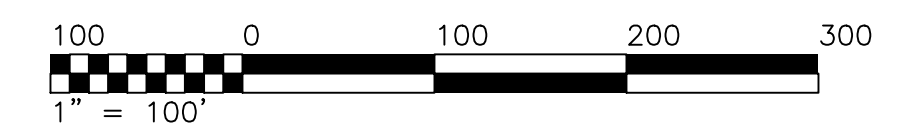
Scale 1" = 100'

Job No. K-24-749  
October 31, 2024 Rev. 2-13-25

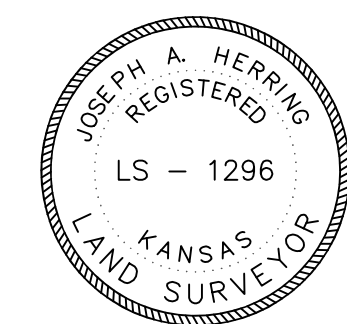


I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Daniel Baumbach, PS#1363  
County Surveyor



LOT 1 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...009  
LOT 2 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...010  
LOT 3 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...011  
LOT 4 CHEYENNE CROSSING 1ST PLAT Doc # 2022P00019 PID # 189-32...012

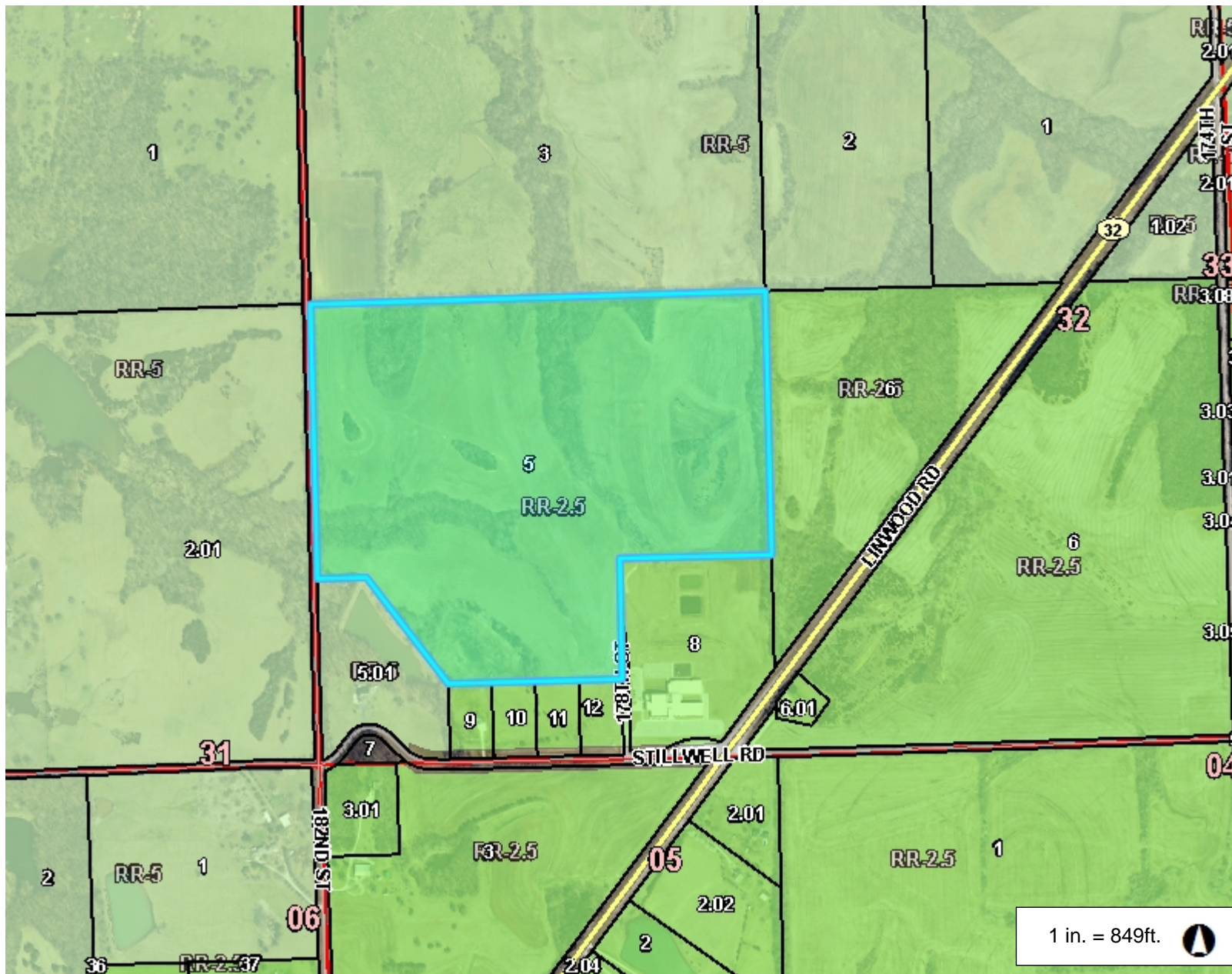
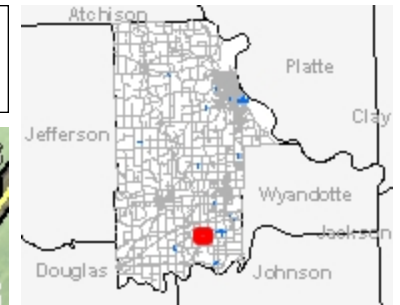


I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July through October 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



# DEV-24-147 Cheyenne Crossing 2nd Plat



**Legend**

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

**Notes**

1,697.9      0      848.95      1,697.9 Feet

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, November 19, 2024 10:35 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-24-147 Final Plat - Cheyenne Crossing 2nd

We have not received any complaints on this property and we are not aware of any septic systems currently installed on it.

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

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

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Monday, November 18, 2024 3:35 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'designgroupshawnee@evergy.com' <designgroupshawnee@evergy.com>; 'jalayne@leavenworthrwd7.com' <jalayne@leavenworthrwd7.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** DEV-24-147 Final Plat - Cheyenne Crossing 2nd

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for a 13 lot subdivision at 00000 178<sup>th</sup> Street (PID 189-32-0-00-00-005.00)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, December 2<sup>nd</sup>.

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

Thank you,

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

**Disclaimer**



## Allison, Amy

---

**From:** Leavenworth RWD#7 <manager@leavenworthrd7.com>  
**Sent:** Thursday, November 21, 2024 7:57 AM  
**To:** Allison, Amy  
**Cc:** jalayne leavenworthrd7.com; Joe Herring  
**Subject:** Re: Cheyenne Crossing Phase 2

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

Good Morning Planning and Zoning,

Leavenworth Rural Water 7 has a previous agreement to supply water to all phases of Cheyenne Crossings. This was worked out with Joe Jenkins prior to the start of the development in 2019. Our engineer's study shows us to have adequate water available to supply the necessary needs of that area to include residential and fire supply. Rural Water 7 has been diligently working to expand our district boundaries to encompass this unclaimed area to include the elementary school and Cheyenne Crossings since water is already supplied by us.

Please let me know if any further clarification is needed.

Thank you,

Kyle Kraemer  
Kraemer & Sons Construction and Excavating  
DBA LVRWD #7 Manager/Operator  
Office - 913.441.1205  
Cell - 913.645.1636

---

**From:** Leavenworth RWD#7 <manager@leavenworthrd7.com>  
**Sent:** Wednesday, November 20, 2024 9:01 AM  
**To:** Aallison@leavenworthcounty.gov <Aallison@leavenworthcounty.gov>  
**Cc:** jalayne leavenworthrd7.com <jalayne@leavenworthrd7.com>  
**Subject:** Fw: Cheyenne Crossing Phase 2

Thank you,

Kyle Kraemer  
Kraemer & Sons Construction and Excavating  
DBA LVRWD #7 Manager/Operator  
Office - 913.441.1205  
Cell - 913.645.1636

---

**From:** Chester Bender <cbender@pyengineers.com>  
**Sent:** Friday, August 16, 2024 4:43 PM  
**To:** Leavenworth RWD#7 <manager@leavenworthrwd7.com>  
**Cc:** jalayne leavenworthrwd7.com <jalayne@leavenworthrwd7.com>; kyle@kraemerandsons.org <kyle@kraemerandsons.org>  
**Subject:** RE: Cheyenne Crossing Phase 2

Attached is the revised report as we discussed on Wednesday.  
Please advise of any questions.  
Thanks

Chester Bender, P.E.

Ponzer Youngquist, P.A. Consulting Engineers  
Lenexa, Kansas 66215  
Phone: 913.782.0541  
Email: [cbender@pyengineers.com](mailto:cbender@pyengineers.com)

---

**From:** Chester Bender  
**Sent:** Wednesday, August 14, 2024 10:59 AM  
**To:** Leavenworth RWD#7 <manager@leavenworthrwd7.com>  
**Cc:** Jalayne Turner (jalayne@leavenworthrwd7.com) <jalayne@leavenworthrwd7.com>; kyle@kraemerandsons.org  
**Subject:** RE: Cheyenne Crossing Phase 2

AS we discussed, attached is a revised project cost estimate. I will send you a revised letter later today.  
Please advise of any questions.  
Thanks

---

**From:** Chester Bender  
**Sent:** Monday, August 12, 2024 10:07 AM  
**To:** Leavenworth RWD#7 <[manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com)>  
**Cc:** Jalayne Turner ([jalayne@leavenworthrwd7.com](mailto:jalayne@leavenworthrwd7.com)) <[jalayne@leavenworthrwd7.com](mailto:jalayne@leavenworthrwd7.com)>; [kyle@kraemerandsons.org](mailto:kyle@kraemerandsons.org)  
**Subject:** RE: Cheyenne Crossing Phase 2

Attached is our letter report regarding recommendations for water main extensions to serve this development.  
Please advise of any questions.  
Thanks

Chester Bender, P.E.

Ponzer Youngquist, P.A. Consulting Engineers  
Lenexa, Kansas 66215  
Phone: 913.782.0541  
Email: [cbender@pyengineers.com](mailto:cbender@pyengineers.com)

---

**From:** Leavenworth RWD#7 <[manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com)>

**Sent:** Monday, June 24, 2024 9:36 AM

**To:** Chester Bender <[cbender@pyengineers.com](mailto:cbender@pyengineers.com)>

**Subject:** Fw: Cheyenne Crossing Phase 2

Chester,

Here is the preliminary drawing for Cheyenne Crossing phase 2. Please start working on the water main extension that will be needed.

Let me know if you have any questions and have a great day!

Kyle

---

**From:** Joe Herring <[herringsurveying@outlook.com](mailto:herringsurveying@outlook.com)>

**Sent:** Saturday, June 22, 2024 10:21 AM

**To:** Boone Heston <[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)>; Leavenworth RWD#7 <[manager@leavenworthrwd7.com](mailto:manager@leavenworthrwd7.com)>;  
[kritter@lvcofd2.com](mailto:kritter@lvcofd2.com) <[kritter@lvcofd2.com](mailto:kritter@lvcofd2.com)>; [dritter@lvcofd2.com](mailto:dritter@lvcofd2.com) <[dritter@lvcofd2.com](mailto:dritter@lvcofd2.com)>

**Subject:** Cheyenne Crossing Phase 2

Please provide the standard service letters for the attached preliminary plat.

Thank you - Joe Herring

---

J.Herring Inc., dba,Herring Surveying Company

315 N. 5th Street, Leavenworth, KS 66048

913-651-3858 - ROCK CHALK!



## Allison, Amy

---

**From:** Dylan Ritter <dritter@lvcofd2.com>  
**Sent:** Monday, November 25, 2024 1:20 PM  
**To:** Allison, Amy  
**Subject:** Re: DEV-24-147 Final Plat - Cheyenne Crossing 2nd

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

Leavenworth County Fire District #2 recommends that at least one fire hydrant be located at the intersection of Cheyenne Lane and 178th Street. Preference being that there is at least one fire hydrant every 1000' of road.

Fire District #2 has no additional comments or concerns.

Thank you.

On Mon, Nov 18, 2024 at 3:34 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for a 13 lot subdivision at 00000 178<sup>th</sup> Street (PID 189-32-0-00-00-005.00)

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Monday, December 2<sup>nd</sup>.

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

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757



**UTILITIES**

THE INFORMATION CONCERNING LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON WHICH ARE NOT VISIBLE FROM THE SURFACE, HAS BEEN TAKEN FROM THE RECORDS AND FIELD LOCATIONS OF VARIOUS UTILITY COMPANIES AND HAS NOT BEEN VERIFIED BY THIS COMPANY. THESE LOCATIONS ARE NOT TO BE INTERPRETED AS ACCURATE OR EXACT.

**FLOODPLAIN NOTE**

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PANEL NUMBER 20103C0350G, EFFECTIVE DATE: JULY 16TH, 2015, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AREA OF MINIMAL FLOOD HAZARD.

**HORIZONTAL CONTROL**

KANSAS STATE PLANE COORDINATE SYSTEM, NAD 83 NORTH ZONE.

**PROJECT BENCHMARK**

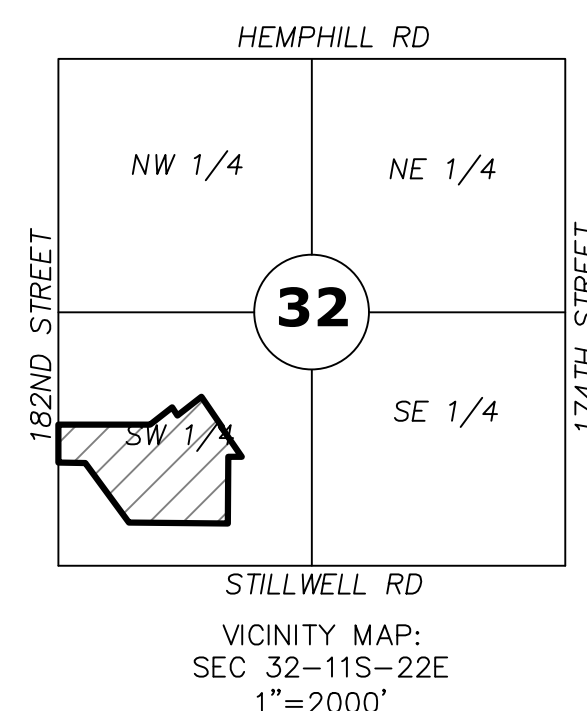
CP 4 - NAIL IN CENTER OF EXISTING TEMPORARY CUL-DE-SAC  
ELEV: 991.02

**DESCRIPTION**

A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on December 15, 2021, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.75 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" W for a distance of 282.20 feet; thence North 40 degrees 02'44" West for a distance of 41.65 feet; thence North 49 degrees 57'16" East for a distance of 277.68 feet; thence South 35 degrees 55'21" East for a distance of 513.40 feet; thence North 54 degrees 04'39" East for a distance of 43.81 feet; thence South 35 degrees 55'21" East for a distance 382.53 feet; thence South 88 degrees 49'49" West for a distance of 137.37 feet; thence South 01 degrees 08'36" East for a distance of 1145.00 feet to the South line of said Southwest Quarter; thence South 88 degrees 50'49" West for a distance of 1030.89 feet along said South line; thence North 01 degrees 09'11" West for a distance of 449.86 feet; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning, LESS the South 449.86 feet there.

**STREET DESIGN NOTE**

ALL ROADWAYS ARE CLASSIFIED AS LOCAL RESIDENTIAL AND DESIGNED FOR A SPEED OF 30 MPH WITH A MINIMUM SSD/HSD OF 200' PER AASHTO AND LEAVENWORTH COUNTY PUBLIC WORKS ROAD CONSTRUCTION STANDARDS (2003 ED.) AND WILL HAVE A POSTED SPEED OF 30 MPH.



# CHEYENNE CROSSING - PHASE 2

14440 178TH ST, BONNER SPRINGS, KS 66012

SW 1/4 OF SECTION 32, TOWNSHIP 11S, RANGE 22E IN BONNER SPRINGS, LEAVENWORTH COUNTY, KANSAS

## PUBLIC STREET & STORM IMPROVEMENT PLAN

TOTAL SITE AREA: 36.92 ACRES

**ESTIMATED STREET & GRADING QUANTITIES**

ITEM	UNIT	QUANTITY	ASBUILT
EARTHWORK - CUT	CY	5837	
EARTHWORK - FILL	CY	3342	
2" KDOT SR-12.5A ASPHALTIC CONCRETE SURFACE	SY	7682	
4" KDOT SR-12.5A ASPHALTIC CONCRETE BASE	SY	7682	
4" AB-3	SY	8245	
PERMANENT SIGNING - STOP SIGN	EA	2	
END OF ROAD MARKERS	EA	8	
PERMANENT SIGNING - SPEED LIMIT SIGN	EA	2	

**ESTIMATED STORM SEWER QUANTITIES**

ITEM	UNIT	QUANTITY	ASBUILT
24" RCP	LF	54	
24" END SECTION W/TOE WALL	EA	2	
6" RIP RAP 1.5' DEPTH @ ES	SY	6	

**ESTIMATED EROSION CONTROL QUANTITIES**

ITEM	UNIT	QUANTITY	ASBUILT
SILT FENCE	LF	4594	
TREE CLEARING & GRUBING	AC	1.53	
SEEDING (TEMPORARY & PERMANENT)	AC	6.89	
TEMPORARY CONSTRUCTION ENTRANCE	EA	1	

**INDEX OF SHEETS**

- C-001 COVER
- C-101 EROSION CONTROL PHASE 1
- C-102 EROSION CONTROL PHASE 2
- C-103 EROSION CONTROL PHASE 3
- C-104 EROSION CONTROL DETAILS
- C-200 OVERALL LAYOUT
- C-201 GENERAL NOTES
- C-202 178TH ST PLAN AND PROFILE
- C-203 CHEYENNE LANE PLAN AND PROFILE
- C-204 OVERALL LAYOUT SAMPLE LINES
- C-205 178TH ST CROSS SECTIONS - 1
- C-206 178TH ST CROSS SECTIONS - 2
- C-207 178TH ST CROSS SECTIONS - 3
- C-208 178TH ST CROSS SECTIONS - 4
- C-209 CHEYENNE LANE CROSS SECTIONS - 1
- C-210 CHEYENNE LANE CROSS SECTIONS - 2
- C-211 CHEYENNE LANE CROSS SECTIONS - 3
- C-212 CHEYENNE LANE CROSS SECTIONS - 4
- C-213 CHEYENNE LANE CROSS SECTIONS - 5
- C-300 OVERALL GRADING PLAN
- C-301 GRADING DETAILS
- C-400 OVERALL UTILITY LAYOUT
- C-401 STORM A & SWALE A PLAN & PROFILE
- C-402 STORM SWALE B PLAN AND PROFILE
- C-403 STORM SWALE C PLAN AND PROFILE
- C-404 STORM SWALE D PLAN AND PROFILE
- C-405 STORM SWALE E PLAN AND PROFILE
- C-406 STORM SWALE F PLAN AND PROFILE
- C-407 STORM DRAINAGE MAP & SWALE CALCS

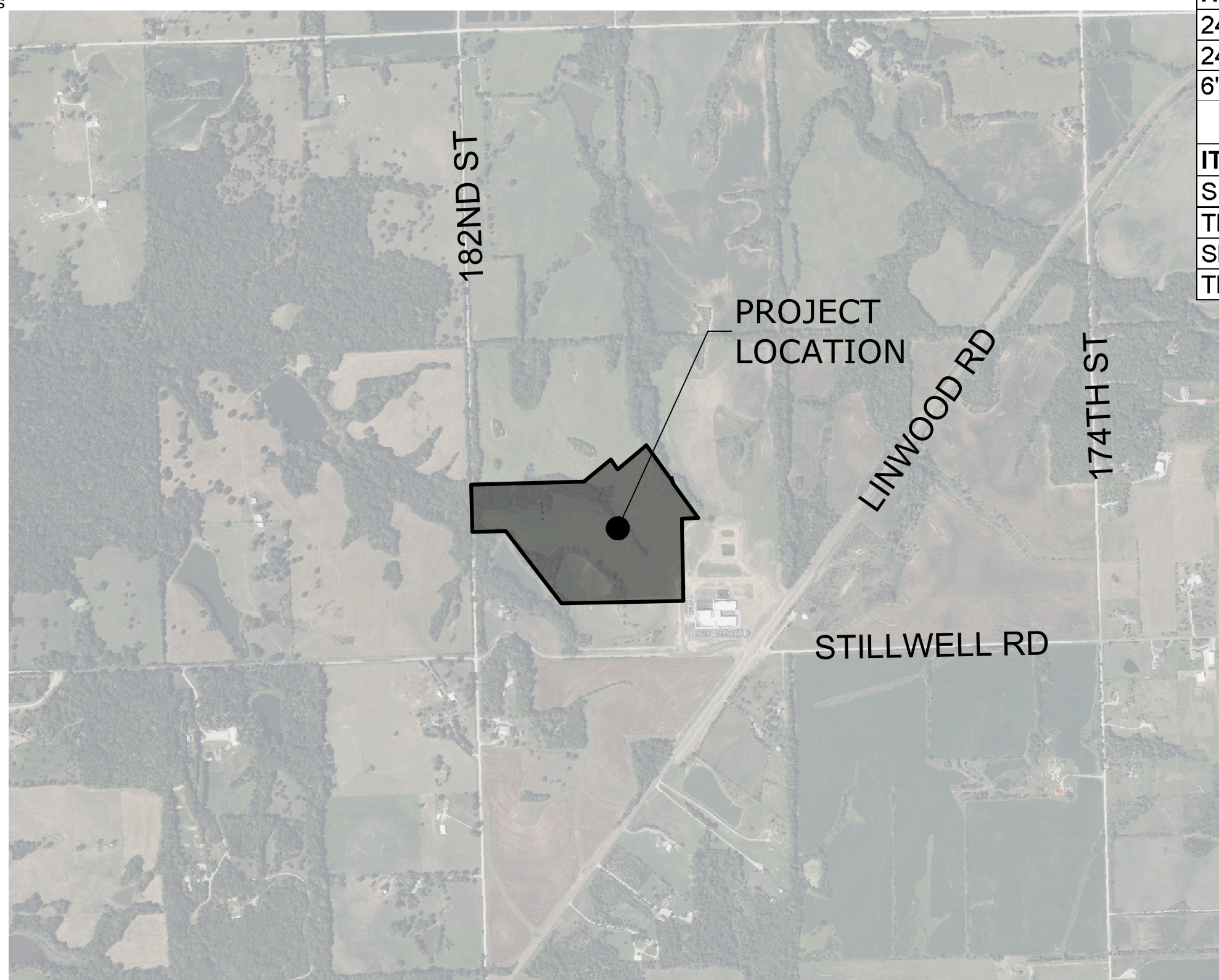
**APPROVALS**

REVIEWED BY:  
*M.A. Plan* 03-03-2025  
COUNTY ENGINEER

THESE PLANS ARE APPROVED FOR ONE YEAR, AFTER WHICH THEY AUTOMATICALLY BECOME VOID. THE COUNTY ENGINEER'S PLAN REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH ROAD AND STORM WATER DRAINAGE STANDARDS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY DID NOT CHECK, AND IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS, AND QUANTITIES.

*Timothy A. Elliott* 02/24/2025  
ENGINEER OF RECORD

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH LEAVENWORTH COUNTY'S ROAD CONSTRUCTION AND STORM WATER DRAINAGE STANDARDS, 2003 EDITION. I HEREBY HOLD HARMLESS LEAVENWORTH COUNTY FOR ERRORS OR OMISSIONS IN THESE PLANS.



**VICINITY MAP**  
N.T.S.

**UTILITY CONTACTS**

- FREESTATE ELECTRIC COOPERATIVE  
800-794-1989
- RURAL WATER DISTRICT #7  
913-441-1205
- EVERGY  
800-383-1183
- ATMOS ENERGY  
866-322-8667
- KANSAS GAS SERVICE  
800-794-4780
- AT&T  
800-288-2020
- SPECTRUM  
833-267-6094

**ENGINEER**

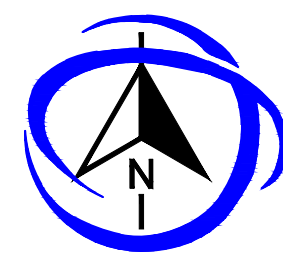
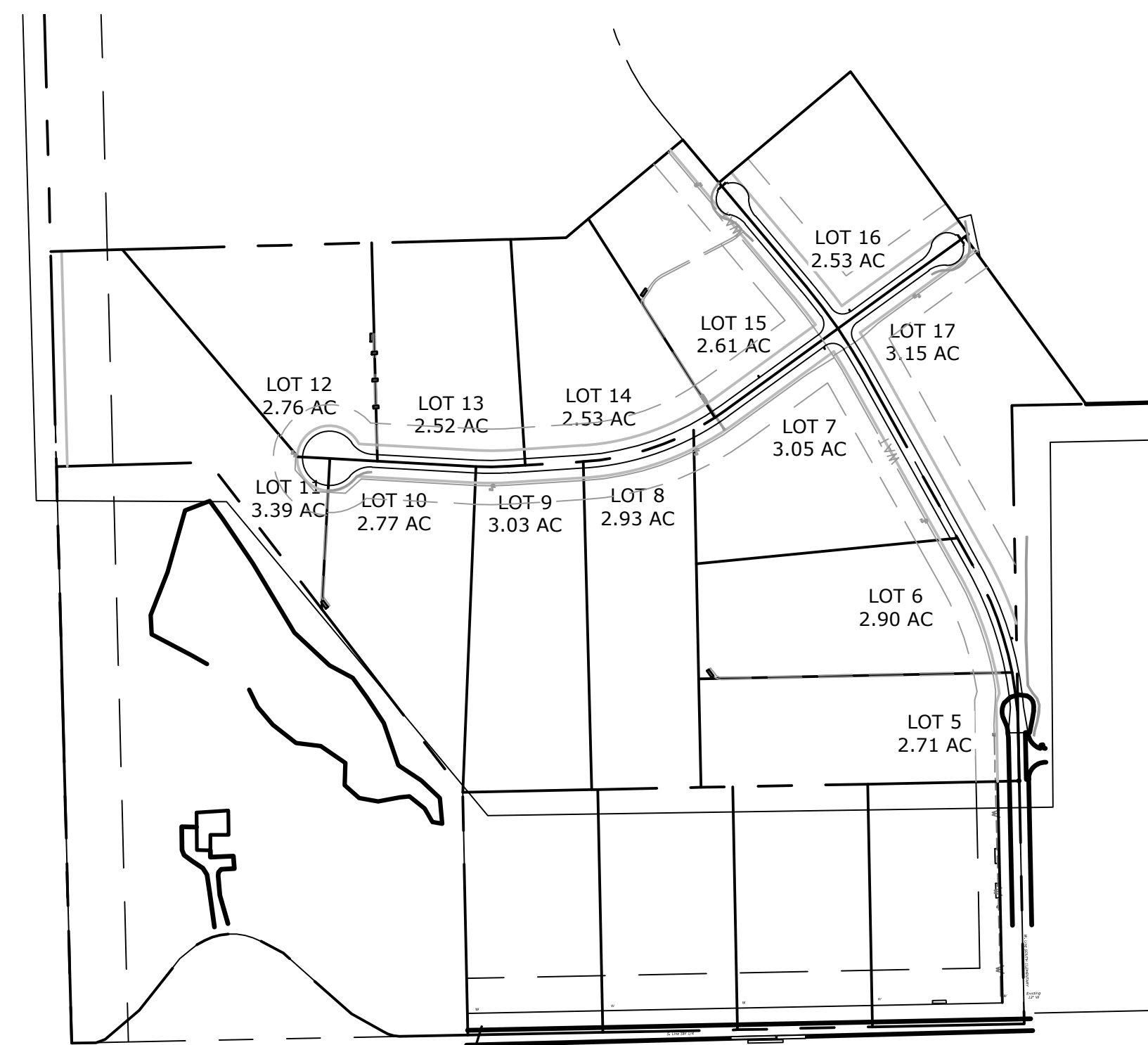
ATLAS LAND CONSULTING  
14500 PARALLEL RD. UNIT R BASEHOR, KS 66007  
913-662-5050

**SURVEYOR**

JOE HERRING  
HERRING SURVEYING COMPANY  
315 N. 5TH ST. LEAVENWORTH, KS 66048  
913-651-3858

**OWNER/DEVELOPER**

JOE JENKINS  
CHEYENNE CROSSING LAND DEVELOPMENT, LLC



SCALE IN FEET



TIMOTHY A. ELLIOTT, PE

**CHEYENNE CROSSING PH 2**  
178TH ST. BONNER SPRINGS, KS

NO.	BY	DATE	REVISION
5	TAE LUF	25-02-24	COUNTY REVIEW 5
4	TAE LUF	25-02-13	COUNTY REVIEW 4
3	TAE LUF	25-01-31	COUNTY REVIEW 3
2	TAE LUF	25-01-13	COUNTY REVIEW 2
1	TAE LUF	24-12-17	COUNTY REVIEW 1

**FOR CONSTRUCTION**

**PREPARED FOR:**

JOE JENKINS  
CHEYENNE CROSSING LAND DEVELOPMENT, LLC

PROJECT #: 24-159  
ISSUE DATE: 02/24/2025

**COVER SHEET**

**C-001**



# CHEYENNE CROSSING 2ND PLAT

Tract of land in the Southwest Quarter of Section 32,  
Township 11 South, Range 22 East, Leavenworth County, Kansas.

## FINAL PLAT

### DESCRIPTION:

A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS 1236 on November 6, 2024, more fully described as follows:  
Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.35 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" East for a distance of 282.20 feet; thence South 40 degrees 02'44" East for a distance of 103.64 feet; thence North 49 degrees 57'16" East for a distance of 318.80 feet; thence South 35 degrees 55'21" East for a distance of 371.45 feet; thence South 54 degrees 04'39" West for a distance of 7.65 feet; thence South 35 degrees 55'21" East for a distance 382.55 feet to the North line of SOUTH ELEMENTARY SUBDIVISION; thence South 88 degrees 49'49" West for a distance of 137.37 feet along said North line; thence South 01 degrees 08'36" East for a distance of 695.20 feet along the West line of said SOUTH ELEMENTARY SUBDIVISION to the North line of CHEYENNE CROSSING 1ST PLAT; thence South 88 degrees 50'49" West for a distance of 1030.96 feet along said North line; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning,  
Together with and subject to covenants, easements, and restrictions of record.

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: CHEYENNE CROSSING 2ND PLAT.

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

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

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

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

Terms and conditions of the Declaration of Restrictions Cheyenne Crossing, recorded July 18, 2024 at 1:39 PM as Document No. 2024R05235.

### IN TESTIMONY WHEREOF

We, the undersigned owners of CHEYENNE CROSSING 2ND PLAT, have set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Joe F. Jenkins II  
Member of Cheyenne Crossing Land Development, LLC

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Joe F. Jenkins II, member Cheyenne Crossing Land Development, LLC, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Secretary John Jacobson  
Chairman Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman Mike Smith  
County Clerk Attest: Fran Keppler

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

Register of Deeds - TerriLois G. Mashburn

PREPARED FOR:  
Cheyenne Crossing Land Development, LLC  
18701 Hemphill Road  
Tonganoxie, KS 66086  
PID NO. 189-32-00-00-005

### RESTRICTIONS:

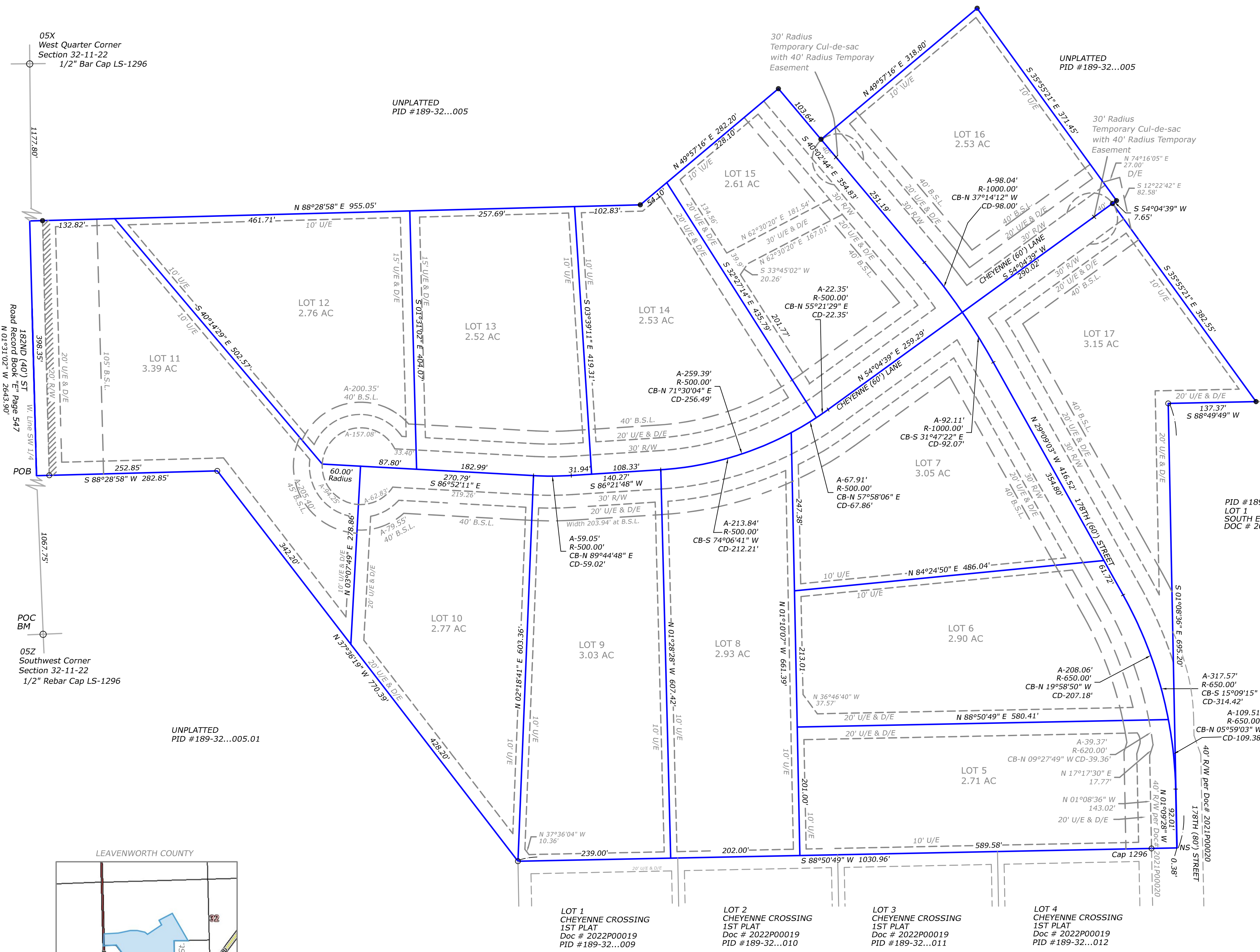
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) The temporary cul-de-sac shall be removed at the time the road is extended and the temporary easement shall become null and void.
- 7) An exception was granted for Lot 9 Article 50, Section 40.3.a. - Lots Compliant with Zoning Width Standards
- 8) Restrictions per recorded Document Number 2024R05235

### ZONING:

RR - 2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 373028 - 36.90 Acres, more or less, including road right of way.
- 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - Southwest Corner - 955.24'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Document Number 2013R06106
- 13) Utility Companies -
  - Water - RWD 7
  - Electric - Evergy
  - Sewer - Septic / Lagoon
  - Gas - Propane / Natural Gas
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0325G & 0350G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
  - All side yard setbacks - 15' (Accessory - 15')
  - All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
  - Recorded Plat of SOUTH ELEMENTARY Document Number 2021P00020
  - Recorded Plat of CHEYENNE CROSSING 1ST PLAT Document Number 2022P00019 (JAH) - J.A.Herring Surveys Doc #2013S011, #2014S035, #2015S053, #2020S055



02-21-25  
Combined PW  
Review No  
Comments

PLAT NOTE:  
- 1/2" Rebar Cap LS-1296 set at all interior Lot Corners, set at right of way for points along roads.  
- All Lot Area is more or less and includes road right of ways.

- LEGEND:
- - 1/2" Rebar Set with Cap No.1296
  - - 1/2" Rebar Found, unless otherwise noted.
  - - Concrete Base to be Set around Point
  - U/E - Utility Easement
  - D/E - Drainage Easement
  - B.S.L. - Building Setback Line
  - R/W - Permanent Dedicated Roadway Easement dedicated this plat
  - BM - Benchmark
  - POB - Point of Beginning
  - POC - Point of Commencing
  - //// - No Vehicle Entrance Access
  - NS - Not Set this survey per agreement with client
  - A - Arc Distance
  - R - Arc Radius
  - B - Chord Bearing
  - C - Chord Distance



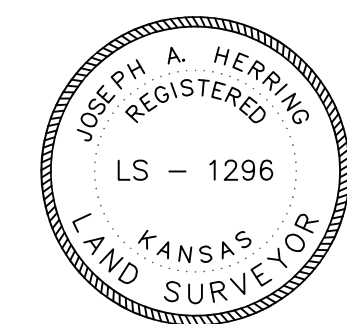
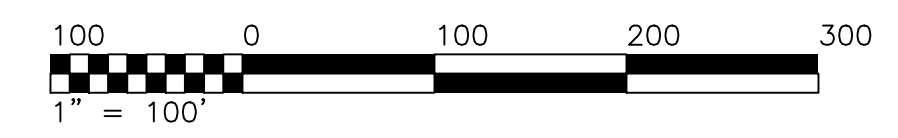
Scale 1" = 100'

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

Job No. K-24-749  
October 31, 2024 Rev. 2-13-25



Daniel Baumbach, 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 July through October 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring  
PS # 1296



# CHEYENNE CROSSING 2ND PLAT

Tract of land in the Southwest Quarter of Section 32,  
Township 11 South, Range 22 East, Leavenworth County, Kansas.

## FINAL PLAT

### DESCRIPTION:

A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS 1236 on November 6, 2024, more fully described as follows:  
Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 398.35 feet along the West line of said Southwest Quarter; thence North 88 degrees 28'58" East for a distance of 955.05 feet; thence North 49 degrees 57'16" East for a distance of 282.20 feet; thence South 40 degrees 02'44" East for a distance of 103.64 feet; thence North 49 degrees 57'16" East for a distance of 318.80 feet; thence South 35 degrees 55'21" East for a distance of 371.45 feet; thence South 54 degrees 04'39" West for a distance of 7.65 feet; thence South 35 degrees 55'21" East for a distance 382.55 feet to the North line of SOUTH ELEMENTARY SUBDIVISION; thence South 88 degrees 49'49" West for a distance of 137.37 feet along said North line; thence South 01 degrees 08'36" East for a distance of 695.20 feet along the West line of said SOUTH ELEMENTARY SUBDIVISION to the North line of CHEYENNE CROSSING 1ST PLAT; thence South 88 degrees 50'49" West for a distance of 1030.96 feet along said North line; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning,  
Together with and subject to covenants, easements, and restrictions of record.

### CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: CHEYENNE CROSSING 2ND PLAT.

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

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

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated by easement.

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

Terms and conditions of the Declaration of Restrictions Cheyenne Crossing, recorded July 18, 2024 at 1:39 PM as Document No. 2024R05235.

### IN TESTIMONY WHEREOF

We, the undersigned owners of CHEYENNE CROSSING 2ND PLAT, have set our hands this day of \_\_\_\_\_, 2025.

Joe F. Jenkins II  
Member of Cheyenne Crossing Land Development, LLC

NOTARY CERTIFICATE:  
Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a notary public in and for said County and State came Joe F. Jenkins II, member Cheyenne Crossing Land Development, LLC, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

### NOTARY PUBLIC

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

### APPROVALS

We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Secretary John Jacobson  
Chairman Marcus Majure

COUNTY ENGINEER'S APPROVAL:  
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:  
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of CHEYENNE CROSSING 2ND PLAT, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman \_\_\_\_\_  
County Clerk Attest: Fran Keppler

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

Register of Deeds - TerriLois G. Mashburn

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

Reviewed 2025.02.05 No Comments

Daniel Baunichen, PS#1363  
County Surveyor

PREPARED FOR:  
Cheyenne Crossing Land Development, LLC  
18701 Hemphill Road  
Tonganoxie, KS 66086  
PID NO. 189-32-00-00-005

### RESTRICTIONS:

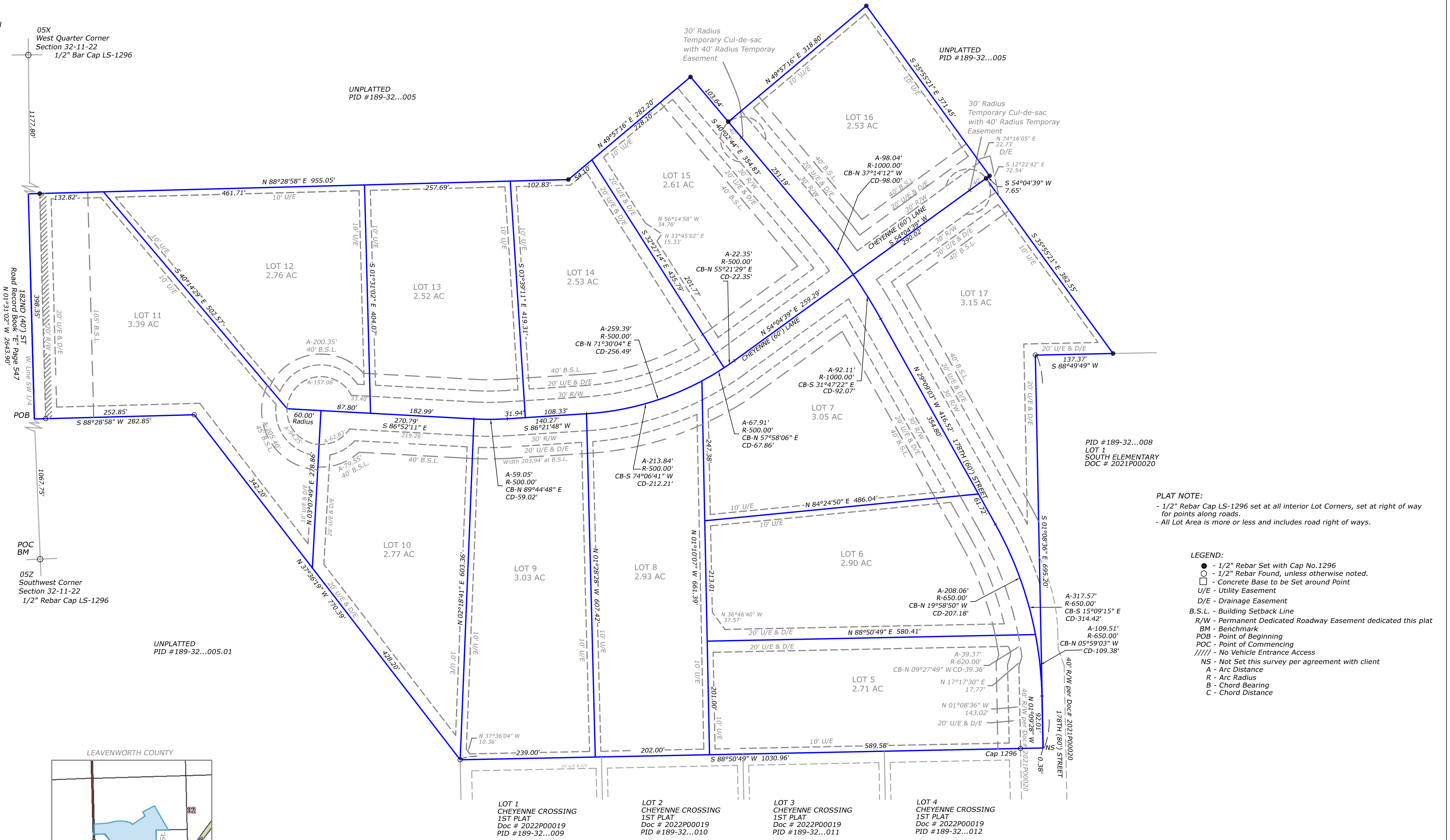
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) All structures built within the subdivision shall comply with Resolution 2020-39, or as amended.
- 6) The temporary cul-de-sac shall be removed at the time the road is extended and the temporary easement shall become null and void.
- 7) An exception was granted for Lot 9 Article 50, Section 40.3.a. - Lots Compliant with Zoning Width Standards
- 8) Restrictions per recorded Document Number 2024R05235

### ZONING:

RR - 2.5, Rural Residential, 2.5-Acre minimum size parcels - Current and proposed

### NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 373028 - 36.90 Acres, more or less, including road right of way.
- 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed Lots for Residential Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88
- 10) Project Benchmark (BM) - Southwest Corner - 955.24'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Document Number 2013R06106
- 13) Utility Companies -  
- Water - RWD 7  
- Electric - Evergy  
- Sewer - Septic / Lagoon  
- Gas - Propane / Natural Gas
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0325G & 0350G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below  
- All side yard setbacks - 15' (Accessory - 15')  
- All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:  
Recorded Plat of SOUTH ELEMENTARY Document Number 2021P00020  
Recorded Plat of CHEYENNE CROSSING 1ST PLAT Document Number 2022P00019 (JAH) - J.A.Herring Surveys Doc #2013S011, #2014S035, #2015S053, #2020S055



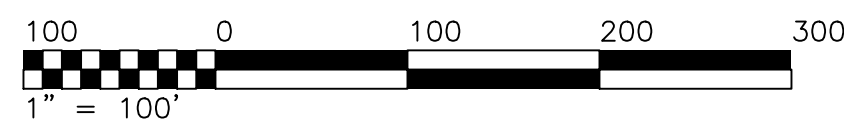
PLAT NOTE:  
- 1/2" Rebar Cap LS-1296 set at all interior Lot Corners, set at right of way for points along roads.  
- All Lot Area is more or less and includes road right of ways.

LEGEND:  
● - 1/2" Rebar Set with Cap No.1296  
○ - 1/2" Rebar Found, unless otherwise noted.  
□ - Concrete Base to be Set around Point  
U/E - Utility Easement  
D/E - Drainage Easement  
B.S.L. - Building Setback Line  
R/W - Permanent Dedicated Roadway Easement dedicated this plat  
BM - Benchmark  
POB - Point of Beginning  
POC - Point of Commencing  
//// - No Vehicle Entrance Access  
NS - Not Set this survey per agreement with client  
A - Arc Distance  
R - Arc Radius  
B - Chord Bearing  
C - Chord Distance

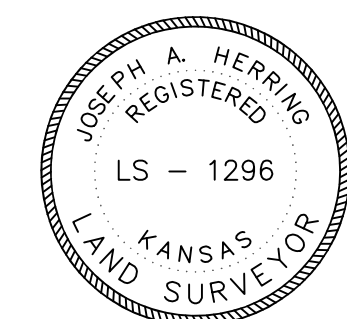


Scale 1" = 100'

Job No. K-24-749  
October 31, 2024 Rev. 1-30-25



VICINITY MAP  
Not to Scale



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

Joseph A. Herring  
PS # 1296



**Allison, Amy**

---

**From:** Matt Roecker <Matt.Roecker@evergy.com>  
**Sent:** Thursday, March 6, 2025 10:00 AM  
**To:** PZ  
**Cc:** herringsurveying@outlook.com  
**Subject:** Cheyenne Crossings

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

Internal Use Only

Hello,

Evergy will provide power to Cheyenne Crossings 2<sup>nd</sup> Plat roughly 13 lots within Leavenworth County.

Thanks

**Matt Roecker**

Evergy  
TD Designer IV  
[matt.roecker@evergy.com](mailto:matt.roecker@evergy.com)  
913-667-5116

**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

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

March 12, 2025

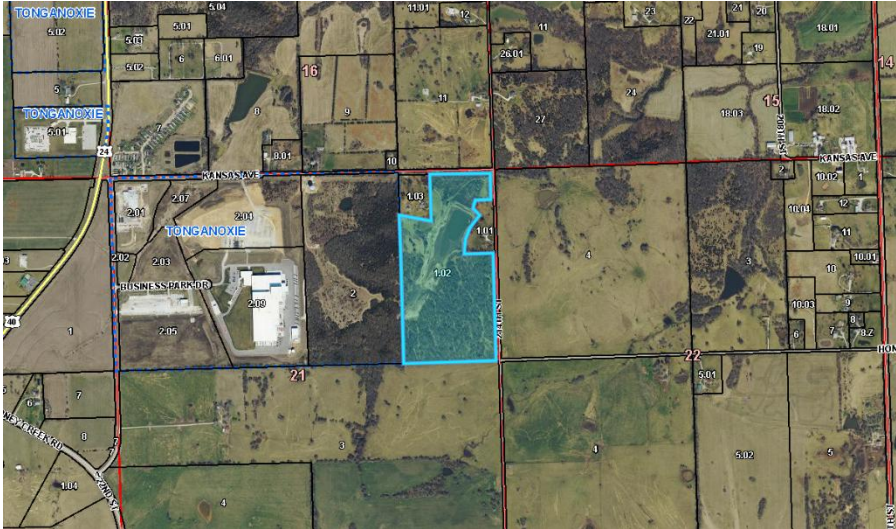
**REQUEST:** *Consent Agenda*

Preliminary Plat       Final Plat

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

**SUBJECT PROPERTY:** 00000 Kansas Avenue



**APPLICANT/APPLICANT AGENT:**

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

**PROPERTY OWNER:**

Mark Elston  
21589 Kansas Avenue  
Tonganoxie, KS 66086

**CONCURRENT APPLICATIONS:**

NONE

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**

County Road 1

**LEGAL DESCRIPTION:**

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

**SUBDIVISION:** Elston Estates

**FLOODPLAIN:** Zone A

**STAFF RECOMMENDATION:** APPROVAL

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-157/158, Preliminary & Final Plat for Elston Estates No. 2, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-157/158, Preliminary & Final Plat for Elston Estates No. 2 to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 16.31 ACRES

**PARCEL ID NO:**

195-21-0-00-00-001.02

**BUILDINGS:**

N/A

**PROJECT SUMMARY:**

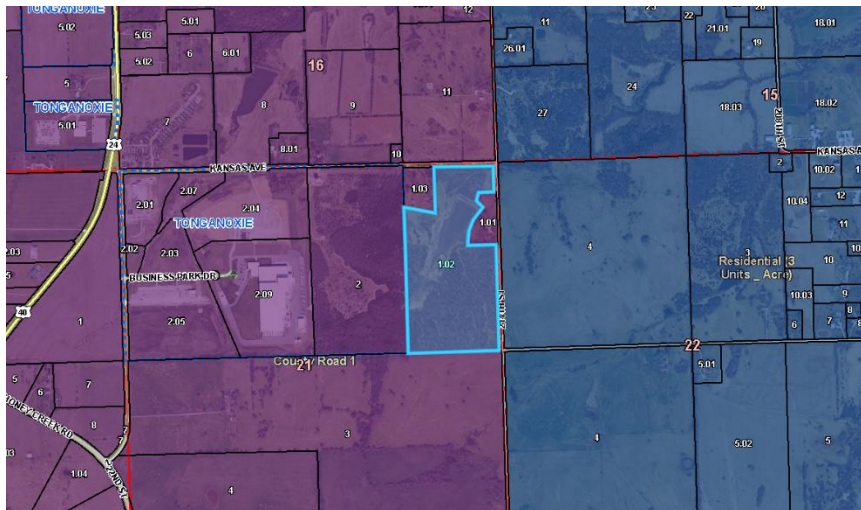
Request for preliminary and final plat approval to subdivide property located at 00000 Kansas Avenue (195-21-0-00-00-001.02) as Lots 1 through 5 of Elston Estates No. 2.

**ACCESS/STREET:**

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

**Location Map: FUTURE LAND USE DESIGNATION**

**UTILITIES**



**SEWER:** PRIVATE SEPTIC

**FIRE:** Tonganoxie FD

**WATER:** Suburban Water

**ELECTRIC:** Evergy

**NOTICE & REVIEW:**

**STAFF REVIEW:**

3/4/2025

**NEWSPAPER NOTIFICATION:**

N/A

**NOTICE TO SURROUNDING  
PROPERTY OWNERS:**

N/A



<b>STANDARDS TO BE CONSIDERED:</b> <i>Type content in each if necessary (delete this afterwards)</i>			
<b>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</b>		<b>Met</b>	<b>Not Met</b>
35-40	<b>Preliminary Plat Content</b>	X	
40-20	<b>Final Plat Content</b>	X	
41-6	<b>Access Management</b>	X	
41-6.B.a-c.	<b>Entrance Spacing</b>	X	
41-6.C.	<b>Public Road Access Management Standards</b>	X	
43	<b>Cross Access Easements</b>	N/A	
50-20	<b>Utility Requirements</b>	X	
50-30	<b>Other Requirements</b>	X	
50-40	<b>Minimum Design Standards</b>		X
	An Exception from Article 50, Section 40.3.d. is required for Lot 1		
50-50	<b>Sensitive Land Development</b>	N/A	
50-60.	<b>Dedication of Reservation of Public Sites and Open Spaces</b>	N/A	

**STAFF COMMENTS:**

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

**EXCEPTIONS:**

The applicant has requested an exception from Article 50, Section 40.3.d. – Irregular-shaped Lot. The criteria for the acceptance of an exception is as follows:

1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to the adjacent property.

*Motion: The Planning Commission hereby (approves/denies) an exception from Article 50, Section 40.3.d. – Irregular-shaped lot with the Zoning & Subdivision Regulations for the Elston Estates No. 2 subdivision, as submitted by the application, based on a finding that all three criteria for an exception has been met.*

**PROPOSED CONDITIONS:**

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required, if necessary infrastructure is available.
5. An exception from Article 50, Section 40.3.d. has been approved for Lot 1.

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

**PROPOSED MOTIONS:**

Approve case DEV-24-157/158, a request to plat the property located at 00000 Kansas Avenue into a 5-lot subdivision in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request complies with the Zoning and Subdivision Regulations and move to recommend approval to the Board of County Commissioners of the request as outlined in Case DEV-24-157/158 based on the recommendation of Planning Staff and the findings as set forth in the Staff Report.*

Deny case DEV-24-157/158, a request to plat the property located at 00000 Kansas Avenue into a 5-Lot subdivision not in conformance with the Zoning and Subdivision Regulations with a majority vote; or

*Motion: Chairman, I find that the subdivision request does not comply with the Zoning and Subdivision Regulations (list Article and Section #) and move to recommend denial to the Board of County Commissioners as outlined in Case DEV-24-157/158.*

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

*Motion: Chairman, I move to table Case No. DEV-24-157/158 to (Date and Time) requesting additional information for (STATE THE REASON(S)).*

**ATTACHMENTS:**

- A: Application & Narrative
- B: Zoning Map
- C: Road Map (A minimum of 1/4 mile)
- D: Memorandums



Flood  
1  
lot 2  
Elston Estates  
64.20 464

**PRELIMINARY PLAT APPLICATION**

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

1-36967 Empty lot  
1-36968 House

Mark Elston

913-908 8754

Office Use Only

Planning Commission Meeting Date: \_\_\_\_\_

Township: Tonganoxie

Case No. DEV-24-

Date Received/Paid: 12-13-2024

Zoning District RR 5

Comprehensive Plan Land Use Designation: CR 1

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

**GENERAL INFORMATION**

Proposed Subdivision Name: Elston Estates No. 2

Address of Property: 21589 Kansas Ave Tonganoxie, KS 66086

PID: 1952100000001020 Urban Growth Management Area: \_\_\_\_\_

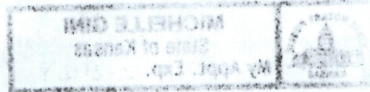
SUBDIVISION INFORMATION		
Gross Acreage: 65.46 Acres	Number of Lots: 5 Lots 1 Tract	Minimum Lot Size: 5.00 Acres
Maximum Lot Size: 15.33 Acres	Proposed Zoning: RR-5	Density:
Open Space Acreage:	Water District: Suburban Water	Proposed Sewage:
Fire District:	Electric Provider: Evergy	Natural Gas Provider:
Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <i>Local - Collector - Arterial - State - Federal</i>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

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

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

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

ATTACHMENT A





FINAL

**PRELIMINARY PLAT APPLICATION**

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

Office Use Only

Township: \_\_\_\_\_ Planning Commission Meeting Date: \_\_\_\_\_  
Case No. \_\_\_\_\_ Date Received/Paid: \_\_\_\_\_  
Zoning District \_\_\_\_\_ Comprehensive Plan Land Use Designation: \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

**OWNER INFORMATION**

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

**GENERAL INFORMATION**

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

**SUBDIVISION INFORMATION**

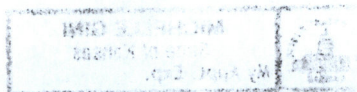
Gross Acreage: 65.46 Acres	Number of Lots: 5 Lots 1 Tract	Minimum Lot Size: 5.00 Acres
Maximum Lot Size: 15.33 Acres	Proposed Zoning: RR-5	Density:
Open Space Acreage:	Water District: Suburban Water	Proposed Sewage:
Fire District:	Electric Provider: Evergy	Natural Gas Provider:
Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: Local - Collector - Arterial - State - Federal	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning &amp; Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

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

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

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

ATTACHMENT A





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

*Janet Klasmaker*  
COUNTY CLERK

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

MAIL TO:

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

## STATUTORY WARRANTY DEED

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

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

The following described premises, to-wit:

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

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

Subject to: easements and restrictions of record, if any

Dated this November 21, 2022

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

TX:4088609

DOCID:8124559



Lori J. Elston

*Lori J. Elston*  
Lori J. Elston

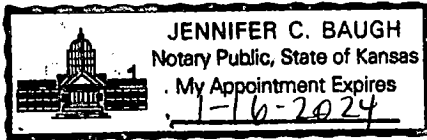
State of Kansas, Douglas County} ss.

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

*Jennifer Baugh*  
Notary Public

My appointment expires:

*JENNIFER BAUGH*





OWNER AUTHORIZATION

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

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

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

Signature of Mark Ross Elston, Owner

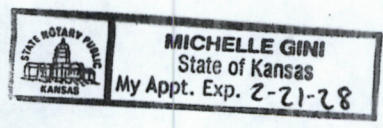
Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

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

My Commission Expires: 02/21/28

Signature of Michelle Gini, Notary Public



ATTACHMENT B



## **ARTICLE 56 – EXCEPTIONS**

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

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

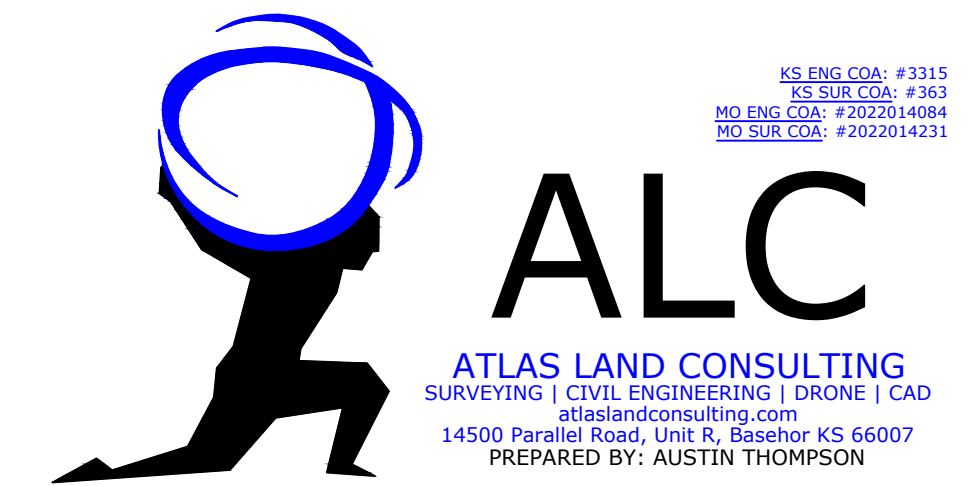
1. That there are special circumstances or conditions affecting the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.

### Applicant Responses:

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



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PRELIMINARY PLAT

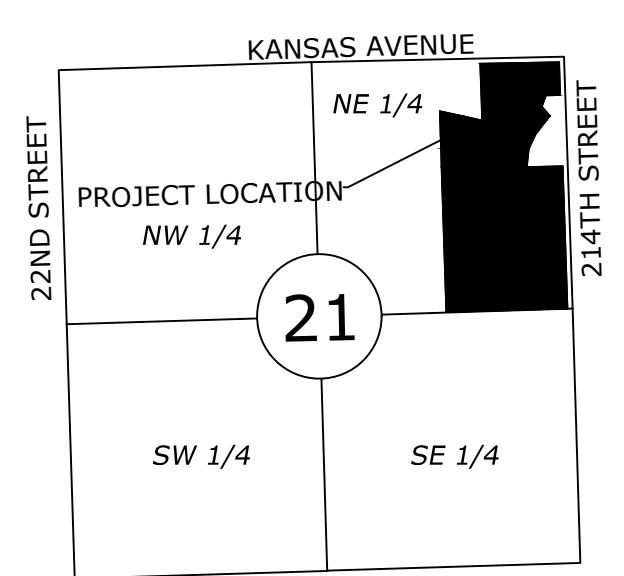
LEGEND

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

GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "M" AND ZONE "A".
- KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
- THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
- THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
- THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
- BENCHMARK - LVCC-2007-05-002- ELV-890.41
- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
- ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-29757
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE USED WHEN DESIGNING AND CONSTRUCTION OF DRIVEWAYS AND OTHER STRUCTURES. RE-VEGETATION OF ALL DISTURBED AREAS SHALL BE COMPLETED WITHIN 45 DAYS AFTER FINAL GRADING.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013P00005
- THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
- ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39 OR AS AMENDED.
- UTILITY INFORMATION:
  - WATER - SUBURBAN WATER CO
  - ELECTRIC - EVERGY
  - SEWER - SEPTIC
  - GAS - PROPANE/NATURAL GAS
- ANY BUILDINGS TO BE CONSTRUCTED IN OR NEAR THE SPECIAL FLOOD HAZARD SHALL PROVIDE AN ELEVATION CERTIFICATE TO BE APPROVED BY LEAVENWORTH COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ALONG WITH ANY OTHER APPLICABLE FEDERAL, STATE, OR LOCAL PERMIT.
- CLOSURE PRECISION: 1 PART IN 29225480.000
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

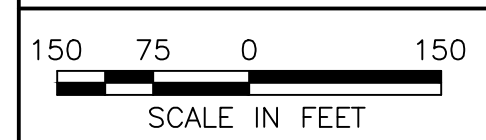
VICINITY MAP



VICINITY MAP  
1"=2000'

JOB NO: 24-171

SCALE



PREPARED FOR

PREPARED BY: AT - ALC

SEC-TWN-RNG

21-11-21

MARK ELSTON

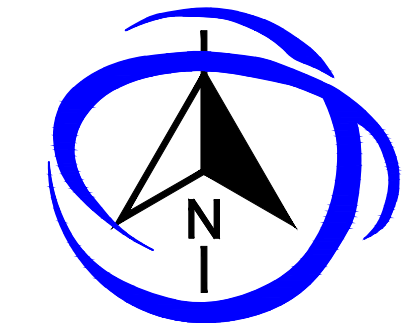
ADDRESS:  
21589 KANSAS AVENUE  
TONGANOXIE, KS  
66086-5025

DATE

MARCH 3, 2025

# ELSTON ESTATES NO. 2

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



DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

SURVEYORS SUGGESTED DESCRIPTION:

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

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ELSTON ESTATES NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by easement.

The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be dedicated for the public use running to any person, utility, or corporation have been absorbed except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and other utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

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

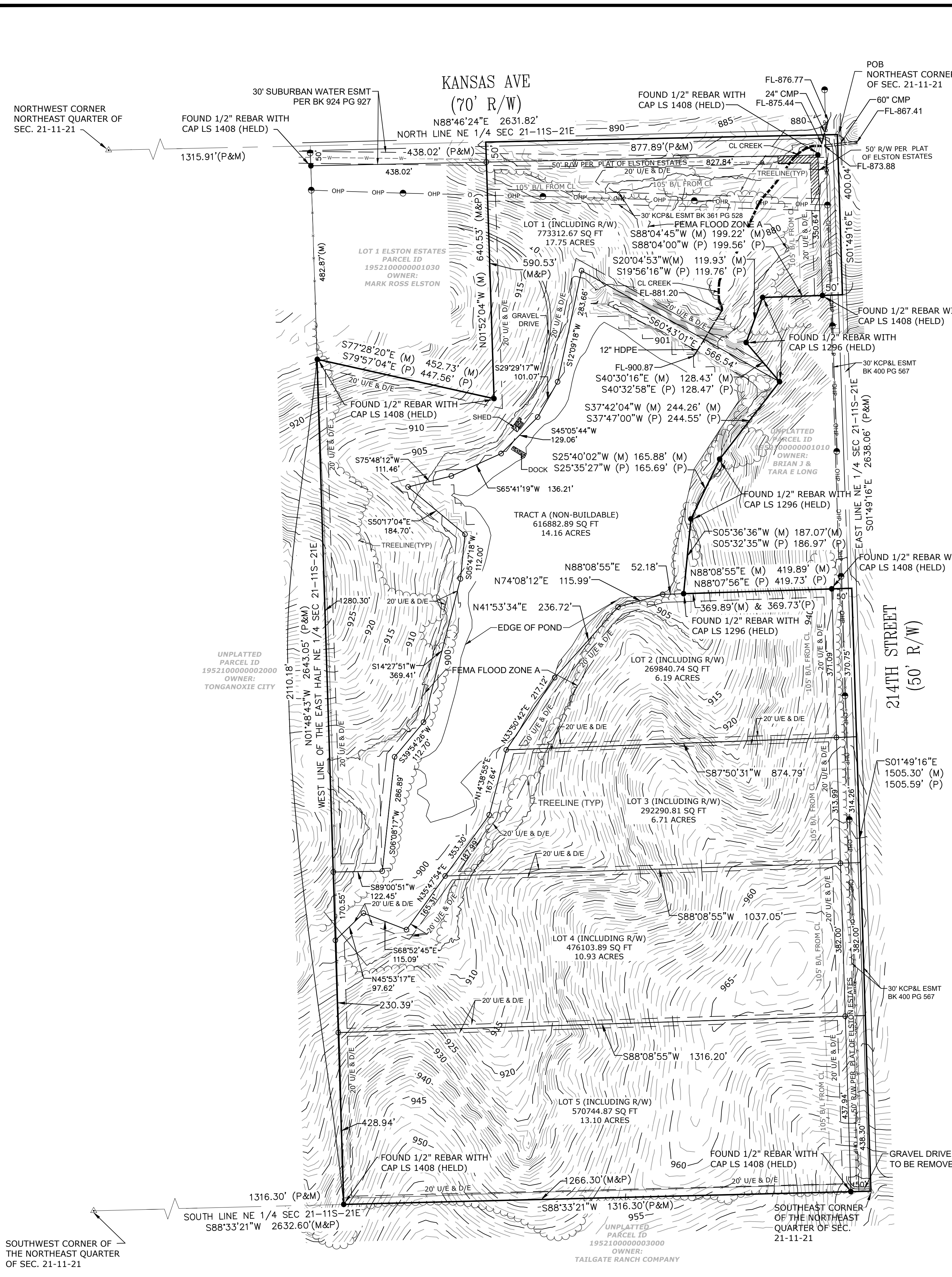
Building Lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

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

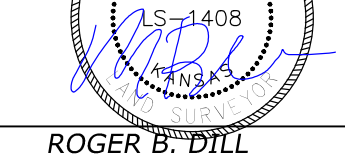
Taxes for subject property are paid.

PLAT RESTRICTIONS:

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



This is to certify on this 2 day of JULY, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.



ROGER B. DILL LS 1408

REFERENCE TIES

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



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# ELSTON ESTATES NO. 2

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

### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

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

**DEDICATION**  
The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ELSTON ESTATES NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by the public use running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

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

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

Taxes for subject property are paid.

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

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

CHAIRMAN - MARCUS MAJURE  
SECRETARY - JOHN JACOBSON

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

(SEAL)

CHAIRMAN - MIKE SMITH  
ATTEST - COUNTY CLERK - FRAN KEPPLER

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy or adequacy of the design, dimensions, elevations, and quantities.

COUNTY ENGINEER

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

REGISTER OF DEEDS, TERRILLOIS G. MASHBURN

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

LEAVENWORTH COUNTY SURVEYOR  
DANIEL BAUMCHEN, PS-1363

This is to certify on this 2ND day of JULY, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

ROGER B. DILL  
LS 1408

### REFERENCE TIES

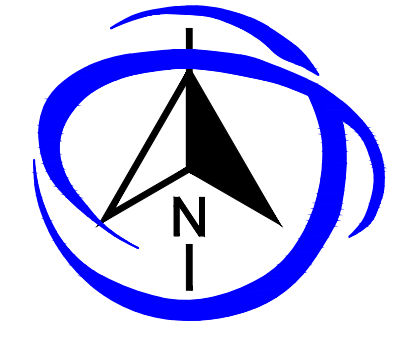
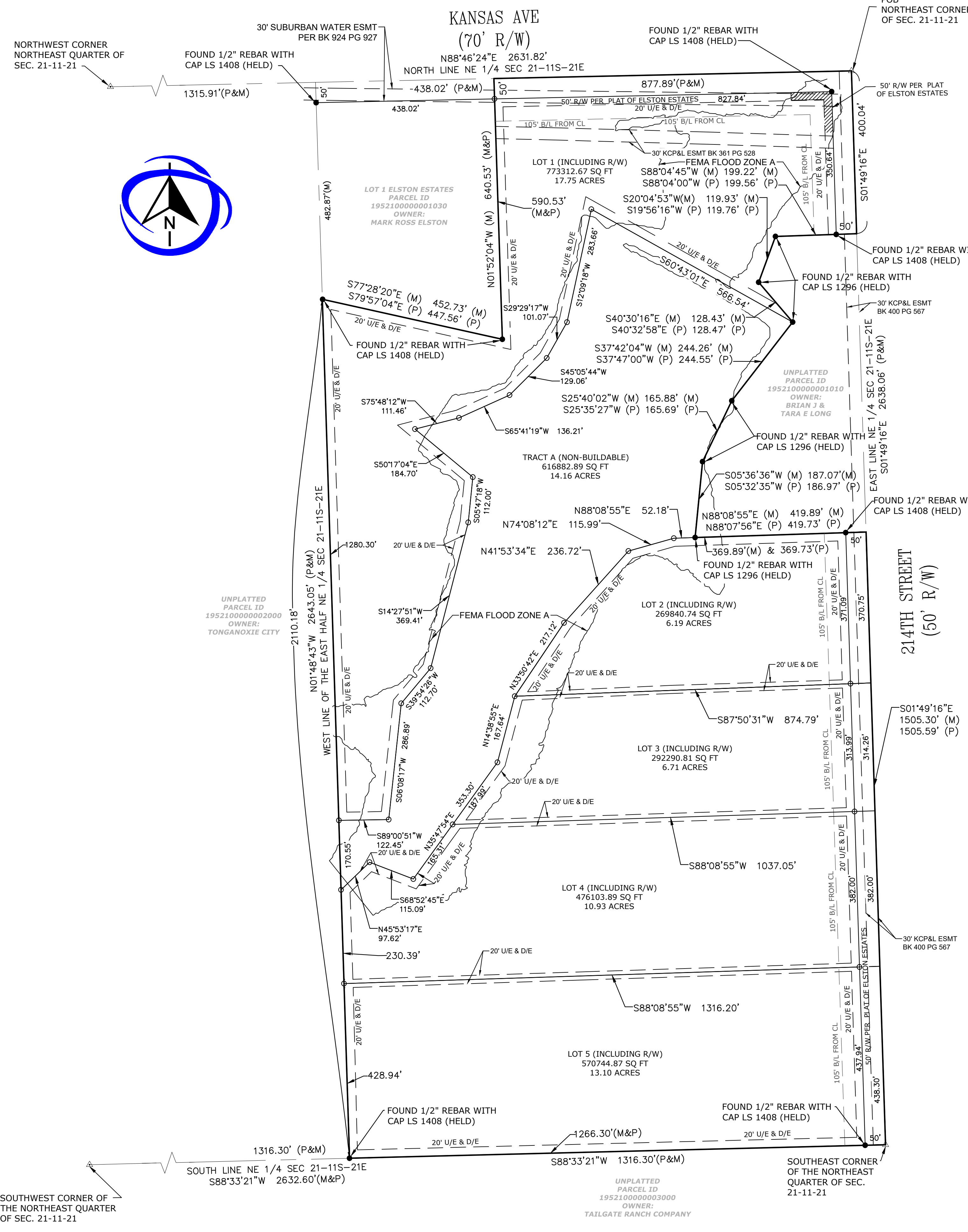
**FOUND 3/8" REBAR**  
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2. 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST  
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4. 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE  
5. 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)

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

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

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

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



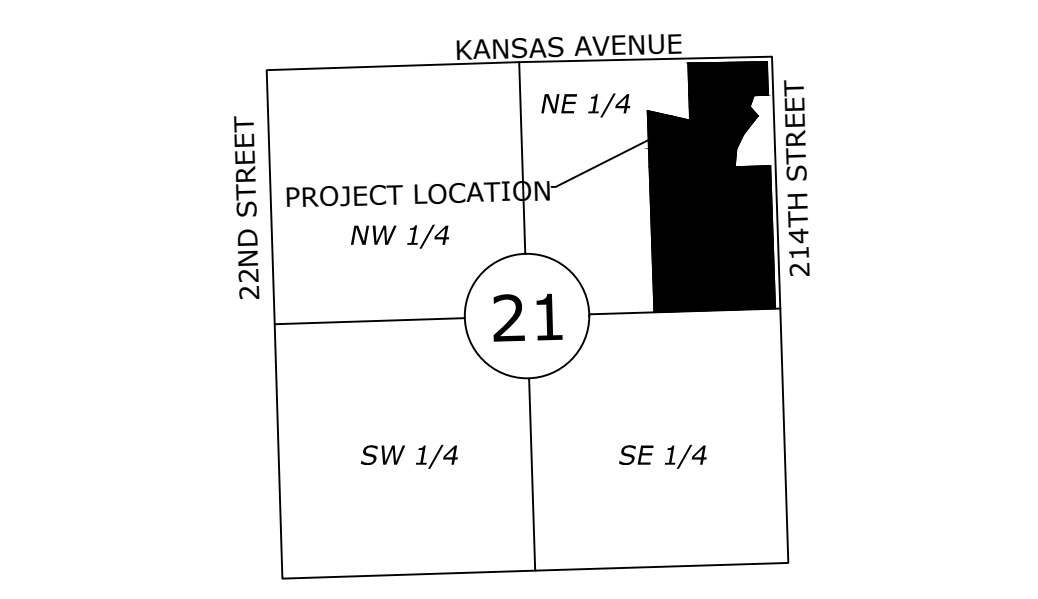
## FINAL PLAT LEGEND

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

## GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "X" AND ZONE "A".
- KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
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- THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
- THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
- BENCHMARK - LVCC-2007-05-002-ELV-890.41
- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
- ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCAFEE-SHORT TITLE COMPANY - FILE NO. L24-2957.
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE USED WHEN DESIGNING AND CONSTRUCTION OF DRIVEWAYS AND OTHER STRUCTURES. RE-VEGETATION OF ALL DISTURBED AREAS SHALL BE COMPLETED WITHIN 45 DAYS AFTER FINAL GRADING.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013000005
- THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
- ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.
- UTILITY INFORMATION:  
- WATER - SUBURBAN WATER CO  
- ELECTRIC - EVERGY  
- SEWER - SEPTIC  
- GAS - PROPANE/NATURAL GAS
- ANY BUILDINGS TO BE CONSTRUCTED IN OR NEAR THE SPECIAL FLOOD HAZARD SHALL PROVIDE AN ELEVATION CERTIFICATE TO BE APPROVED BY LEAVENWORTH COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ALONG WITH ANY OTHER APPLICABLE FEDERAL, STATE, OR LOCAL PERMIT.
- CLOSURE PRECISION: 1 PART IN 29225480.000
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

## VICINITY MAP



VICINITY MAP  
1"=2000'

JOB NO: 24-171

SCALE  
150 75 0 150  
SCALE IN FEET

PREPARED FOR  
PREPARED BY: AT - ALC

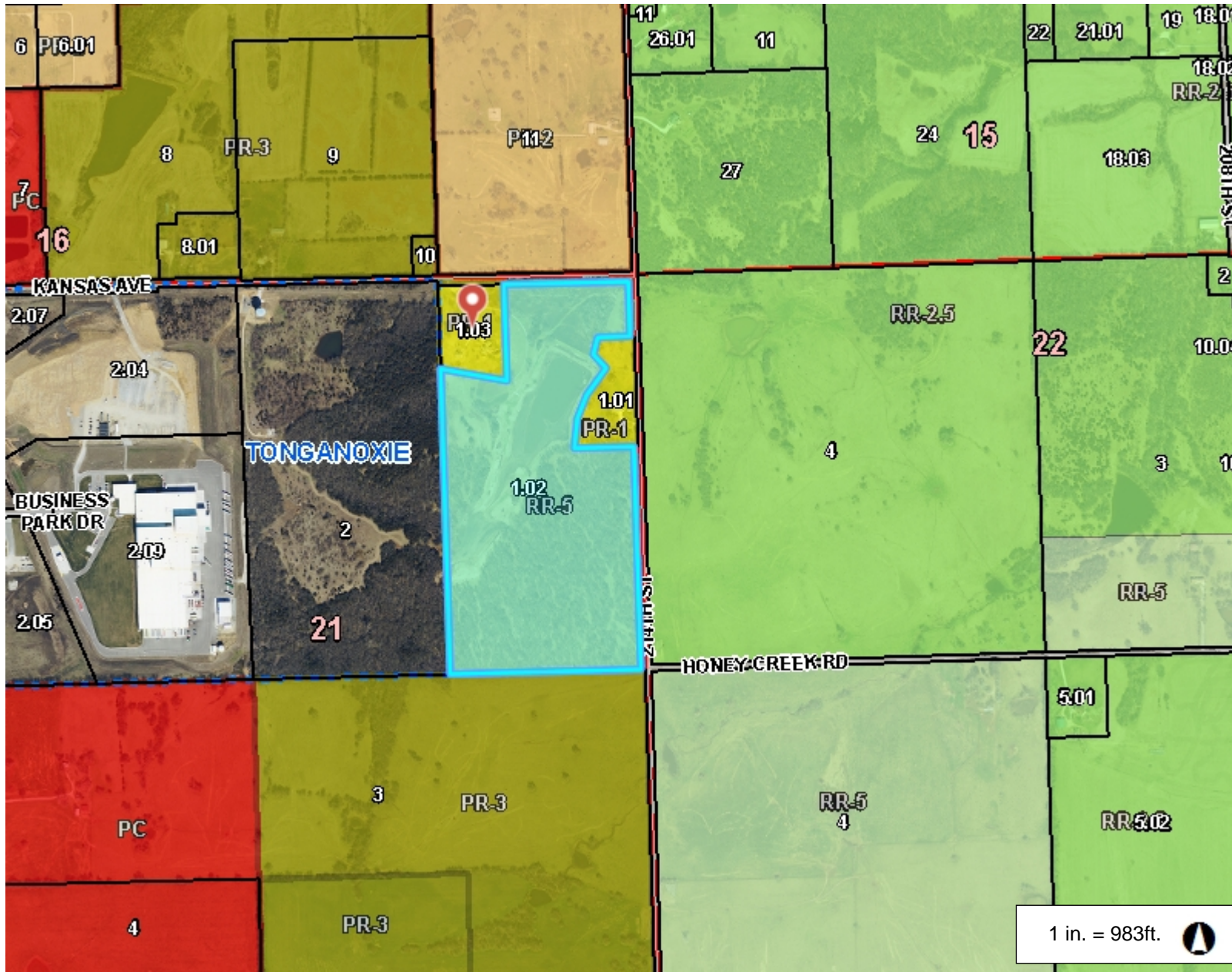
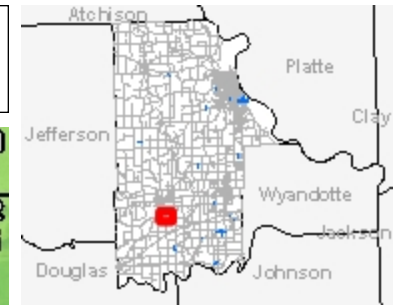
SEC-TWN-RNG  
21-11-21

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

DATE  
FEBRUARY 17, 2025



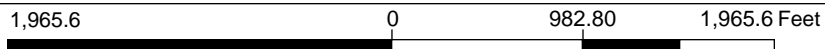
# DEV-24-157/158 Elston Estates



### Legend

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

1 in. = 983ft.



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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Notes



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

to Design, Jason, me ▾

12:56 PM (32 minutes ago)



Internal Use Only

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

Thank you,

**Steven Heath**

Evergy

TD Designer II

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

O: 785-865-4857

C: 785-508-2550

---

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

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

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

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

**Subject:** Re: Platting Approvals

**This Message Is From an External Sender**

This message came from outside your organization.

Report Suspicious







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

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

RE: Elston Estates No. 2

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

Sincerely,

*Travis J Miles*

Travis J Miles

President

## Allison, Amy

---

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

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

Amy,

Tonganoxie Township has no issues with this plat.

Thank you,

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

Good Afternoon,

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

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

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

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757



**Disclaimer**

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

--

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

18993 McLouth Rd  
Tonganoxie KS 66086

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

*Failure to Prepare*

*Is*

*Preparing to Fail*

## Allison, Amy

---

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

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

Amy –

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

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

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

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

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

Respectfully,  
George

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



---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Wednesday, December 18, 2024 3:14 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; San, Soma <SSan@leavenworthcounty.gov>; 'Timothy Smith' <chief1860@ttrfd.com>; George Brajkovic





KS ENG COA: #3315  
 KS SUR COA: #363  
 MO ENG COA: #2023014084  
 MO SUR COA: #2023014231

**ALC**

ATLAS LAND CONSULTING  
 SURVEYING | ENGINEERING | DRONE | CAD  
 913-702-5073  
 14500 Parallel Road, Unit R, Basehor KS 66007  
 ANDREA@ALCONSULT-LLC.COM

14500 Parallel Rd. Unit R  
 Basehor, KS 66007

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

# DRAINAGE STUDY

For:

## Elston Estates

21589 Kansas Ave.  
 Tonganoxie, KS

Prepared for:

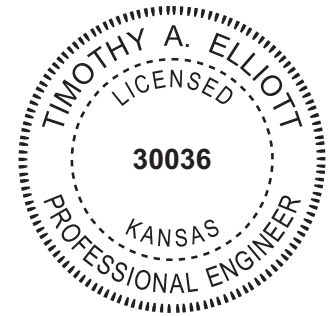
**Gavin Elston**  
 gavinelston@gmail.com

Prepared by:

## ATLAS LAND CONSULTING, LLC

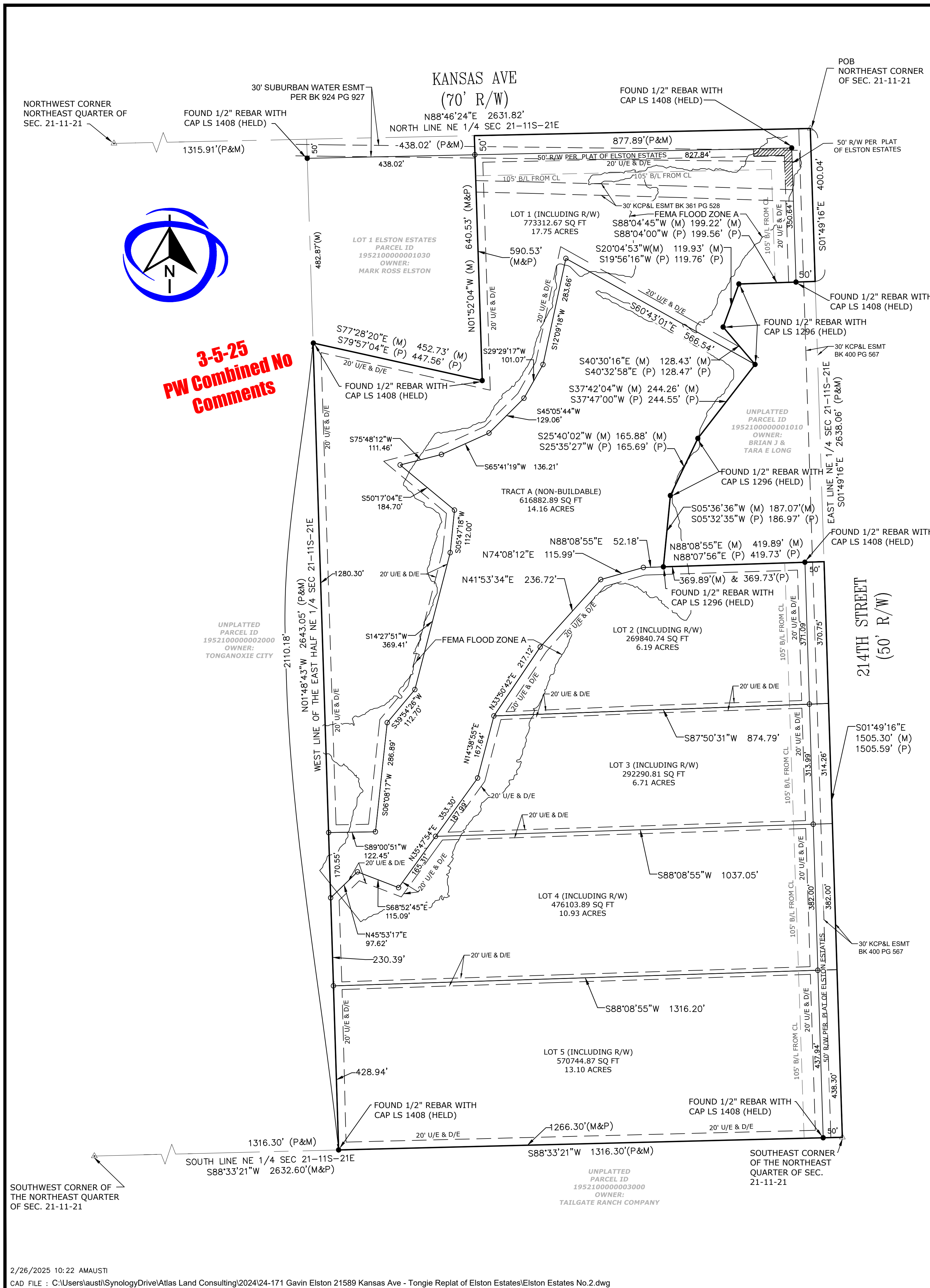
14500 Parallel Rd Unit R  
 Basehor, Ks 66007  
 913-702-5073

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



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





# ELSTON ESTATES NO. 2

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

### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

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

**DEDICATION**  
 The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ELSTON ESTATES NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by easement. The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be located for the public use running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they would have as if dedicated in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

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

Building Lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line. Tract A will be owned and maintained by the owner's of Lots 1, 2, 3, 4 & 5 of subject plat.

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

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

CHAIRMAN - MARCUS MAJURE  
 SECRETARY - JOHN JACOBSON

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

CHAIRMAN - MIKE SMITH  
 ATTEST - COUNTY CLERK - FRAN KEPPLER

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy or adequacy of the design, dimensions, elevations, and quantities.

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

REGISTER OF DEEDS, TERRILLOIS G. MASHBURN  
 I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary surveys. No field verification is implied. This review is for survey information only.

LEAVENWORTH COUNTY SURVEYOR  
 DANIEL BAUMCHEN, PS-1363  
 This is to certify on this 2ND day of JULY, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.  
 (Seal of Roger B. Dill, LS 1408)

### REFERENCE TIES

- FOUND 3/8" REBAR NORTHWEST CORNER NORTHEAST QUARTER SEC 21-11S-21E (11N)
  - 20.41' NNW TO A PK NAIL AND WASHER IN SOUTH SIDE OF FENCE BRACE POST
  - 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST
  - 20.15' NNE TO 60D NAIL IN SOUTH SIDE OF 12" CEDAR TREE
  - 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE
  - 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)
- FOUND 1" REBAR NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)
  - 52.53' SE TO PK NAIL IN TOP NW COR 8"X10" FENCE CORNER POST
  - 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT
  - 51.29' NW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST
  - 8.37' NW TO FOUND 3/8" REBAR
  - 3.90' NNE TO FOUND 1" SQUARE BAR
  - 1.00' SOUTH TO CL OF KANSAS AVENUE
  - 3.00' EAST TO CL OF 214TH STREET
- FOUND 5/8" REBAR WITH ALUMINUM CAP SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)
  - 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST
  - 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE
  - 35.37' SE TO NEAR FACE OF STEEL GATE POST, NORTH SIDE OF FIELD ENTRANCE
  - 48.50' NE TO MAG NAIL SOUTHEAST SIDE FENCE GATE POST
  - 20.45' SOUTH TO FOUND 5/8" REBAR (D.G. WHITE)
  - 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)
  - 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HONEY CREEK RD) TO THE EAST
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP CENTER CORNER SEC 21-11S-21E (11P)
  - 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE
  - 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE
  - 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10' ELM TREE
  - 2.00' SOUTH TO NEW FENCE LINE
  - 1.50' NORTH TO OLD FENCE LINE



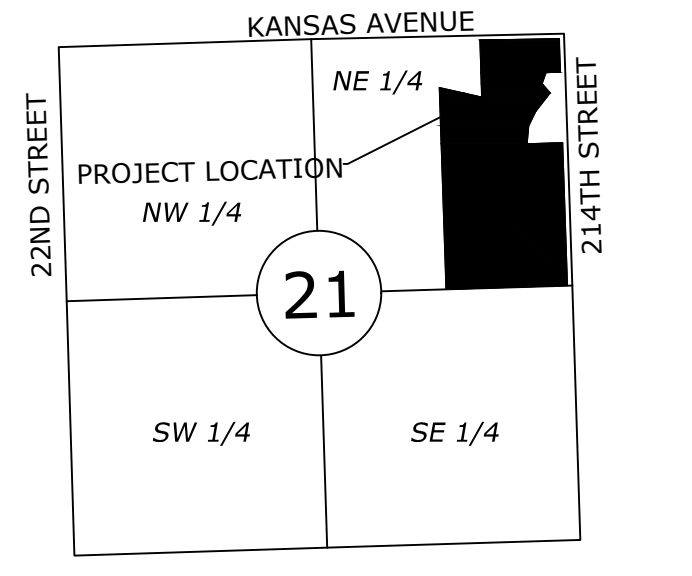
### FINAL PLAT LEGEND

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

### GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
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- KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
- THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
- THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
- THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
- BENCHMARK - LVCC-2007-05-002-ELV-890.41
- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
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- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCAFEE-SHORT TITLE COMPANY - FILE NO. L24-2957.
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE USED WHEN DESIGNING AND CONSTRUCTION OF DRIVEWAYS AND OTHER STRUCTURES. RE-VEGETATION OF ALL DISTURBED AREAS SHALL BE COMPLETED WITHIN 45 DAYS AFTER FINAL GRADING.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013900005
- THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
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- UTILITY INFORMATION:  
 - WATER - SUBURBAN WATER CO  
 - ELECTRIC - EVERGY  
 - SEWER - SEPTIC  
 - GAS - PROPANE/NATURAL GAS
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- CLOSURE PRECISION: 1 PART IN 29225480.000
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

### VICINITY MAP

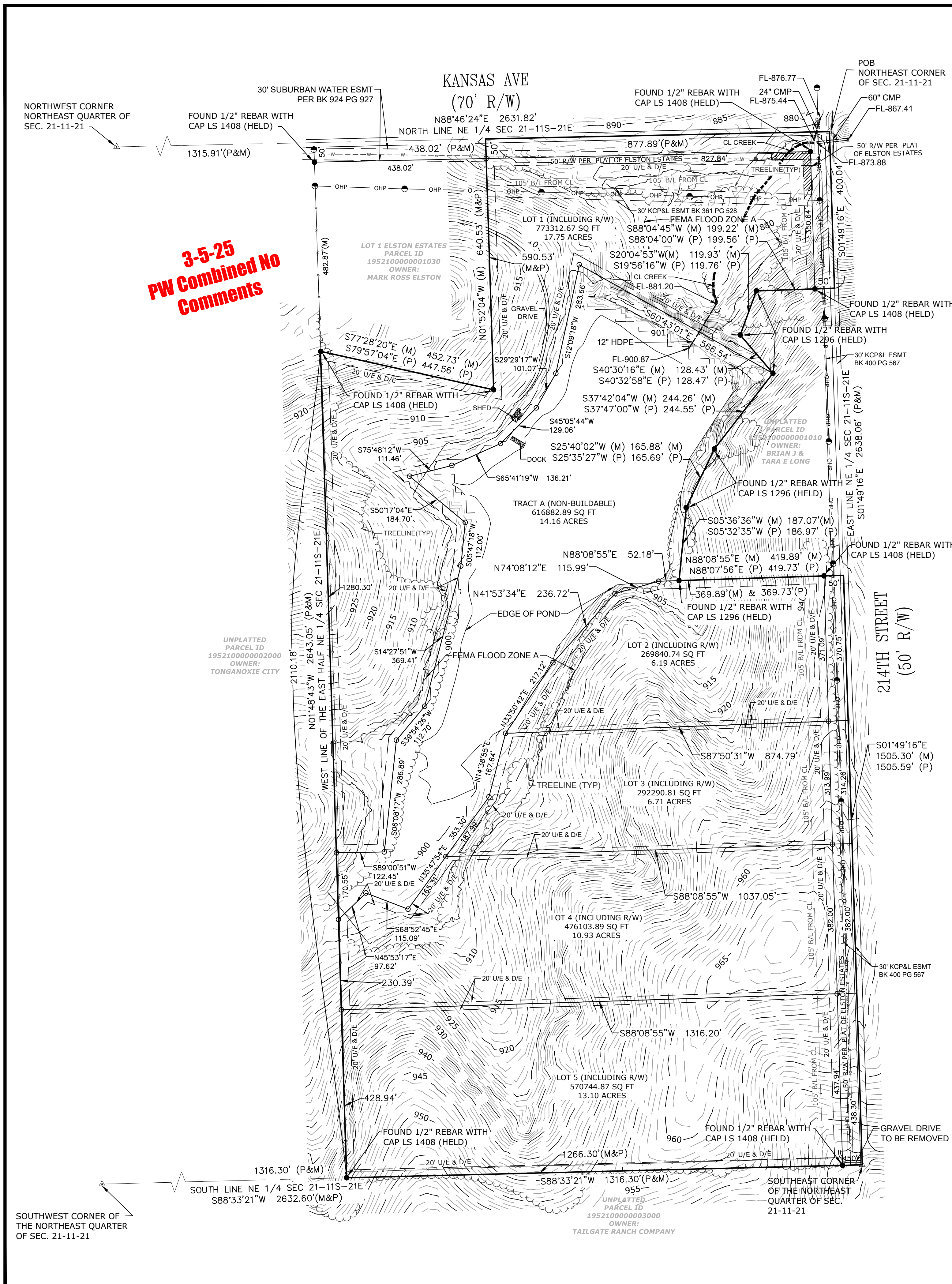


VICINITY MAP  
 1"=2000'

JOB NO: 24-171

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

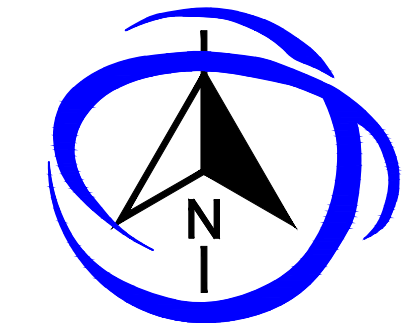




**3-5-25  
PW Combined No  
Comments**

# ELSTON ESTATES NO. 2

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



### DESCRIPTION PER TITLE COMMITMENT

LOT 2, ELSTON ESTATES, LEAVENWORTH COUNTY, KANSAS

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

### DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ELSTON ESTATES NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by easement. The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be dedicated for the public use running to any person, utility, or corporation have been absorbed except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and other utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

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

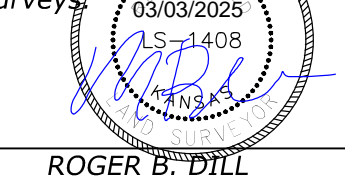
Building Lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

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

### PLAT RESTRICTIONS:

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

This is to certify on this 2 day of JULY, 2024 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.



ROGER B. DILL LS 1408

### REFERENCE TIES

- FOUND 3/8" REBAR**  
 NORTHWEST CORNER NORTHEAST QUARTER SEC 21-11S-21E (11N)  
 1. 20.41' NNW TO A PK NAIL AND WASHER IN SOUTH SIDE OF FENCE BRACE POST  
 2. 20.19' NORTH TO MAG NAIL AND PLASTIC WASHER IN EAST SIDE OF RR TIE FENCE CORNER POST  
 3. 20.15' NNE TO 60D NAIL IN SOUTH SIDE OF 12" CEDAR TREE  
 4. 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE  
 5. 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)
- FOUND 1" REBAR**  
 NORTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13N)  
 1. 52.53' SE TO PK NAIL IN TOP NW COR 8"x10" FENCE CORNER POST  
 2. 50.90' SW TO FOUND 1/2" REBAR-CONTROL POINT  
 3. 51.29' NW TO 60D NAIL AND SHINER IN EAST FACE OF FENCE CORNER POST  
 4. 8.37' NW TO FOUND 3/8" REBAR  
 5. 3.90' NNE TO FOUND 1" SQUARE BAR  
 6. 1.00' SOUTH TO CL OF KANSAS AVENUE  
 7. 3.00' EAST TO CL OF 214TH STREET
- FOUND 5/8" REBAR WITH ALUMINUM CAP**  
 SOUTHEAST CORNER NORTHEAST QUARTER SEC 21-11S-21E (13P)  
 1. 15.68' WEST TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE CORNER POST  
 2. 45.50' SW TO 60D NAIL AND SHINER IN TOP CENTERLINE OF FENCE BRACE POST, NORTH SIDE GATE AT FIELD ENTRANCE  
 3. 35.37' SE TO NEAR FACE OF STEEL GATE POST, NORTH SIDE OF FIELD ENTRANCE  
 4. 48.50' NE TO MAG NAIL SOUTHEAST SIDE FENCE GATE POST  
 5. 20.45' SOUTH TO FOUND 5/8" REBAR (D.G. WHITE)  
 6. 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)  
 7. 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HONEY CREEK RD) TO THE EAST
- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP**  
 CENTER CORNER SEC 21-11S-21E (11P)  
 1. 14.65' EAST TO 60D NAIL IN EXISTING SHINER AT MAG NAIL IN SW SIDE OF TWIN 8" HEDGE TREE  
 2. 10.56' WEST TO 60D NAIL IN NORTH SIDE OF 6" HEDGE TREE  
 3. 8.54' WNW TO 60D NAIL IN SOUTH SIDE OF 10" ELM TREE  
 4. 2.00' SOUTH TO NEW FENCE LINE  
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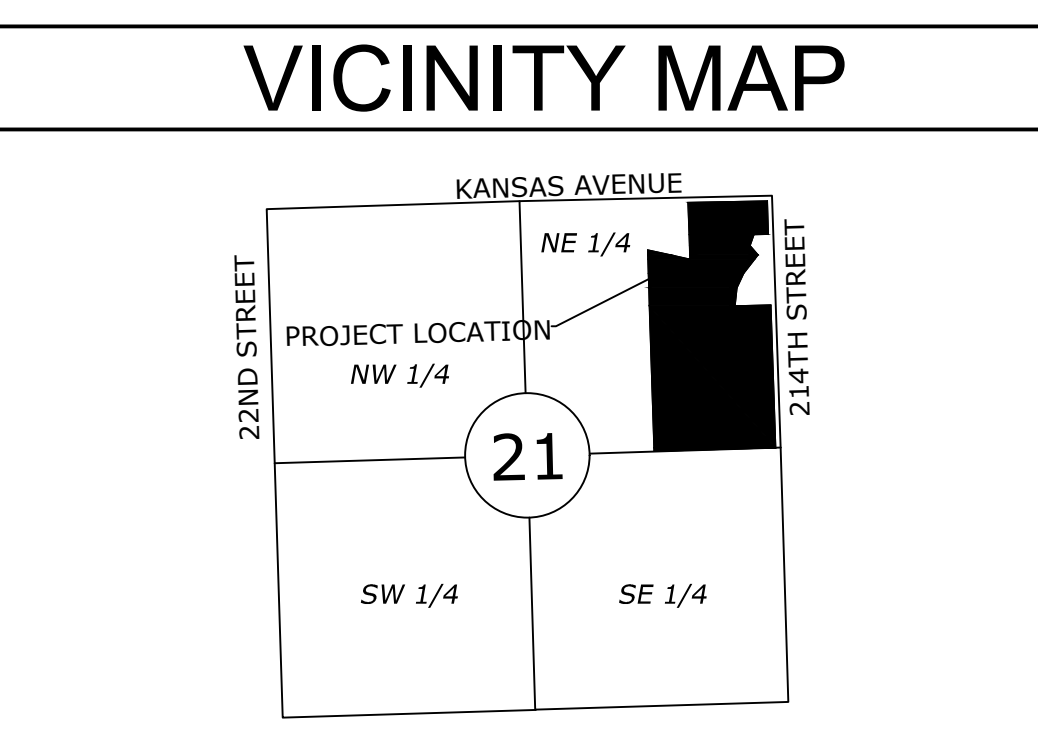
**ALC**  
 ATLAS LAND CONSULTING  
 SURVEYING | CIVIL ENGINEERING | DRAINAGE | CAD  
 atlaslandconsulting.com  
 14500 Paradise Road, Unit #6, Basehor KS 66007  
 PREPARED BY: AUSTIN THOMPSON

### PRELIMINARY PLAT LEGEND

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

### GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983, THE NORTH LINE OF THE NORTHEAST QUARTER OF SEC 21-11S-21E N88°46'24"E.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C0325G EFFECTIVE JULY 16, 2015, THIS PLAT IS LOCATED IN ZONES "M" AND ZONE "A".
- KS ONE CALL WAS NOT CALLED ON THIS SURVEY.
- THE MINIMUM FRONT YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 105 FEET FROM THE CENTERLINE OF THE ROAD.
- THE MINIMUM SIDE YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 15 FEET FROM EACH SIDE OF STRUCTURE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE SIDE PROPERTY LINE.
- THE MINIMUM REAR YARD SETBACK FOR SINGLE FAMILY LOT SHALL BE 40 FEET FROM THE STRUCTURE TO THE PROPERTY LINE. DETACHED ACCESSORY STRUCTURES MAY BE BUILT WITHIN 15 FEET OF THE REAR PROPERTY LINE.
- BENCHMARK - LVCC-2007-05-002- ELV-890-41
- CURRENT USE - RESIDENTIAL / PROPOSED USE - RESIDENTIAL
- CURRENT ZONING RR 5 / PROPOSED ZONING RR 5
- ALL PROPOSED STRUCTURES WITHIN THIS PLAT SHALL COMPLY WITH THE LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS.
- ALL LOTS WILL BE ON SEPTIC SEWER SYSTEMS. AN ENGINEERED WASTE SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- TITLE COMMITMENT VIA MCCAFFREY-SHORT TITLE COMPANY - FILE NO. L24-29757
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE USED WHEN DESIGNING AND CONSTRUCTION OF DRIVEWAYS AND OTHER STRUCTURES. RE-VEGETATION OF ALL DISTURBED AREAS SHALL BE COMPLETED WITHIN 45 DAYS AFTER FINAL GRADING.
- REFERENCED SURVEY - ELSTON ESTATES FINAL PLAT DOC 2013P00005
- THERE ARE NO OFF-PLAT RESTRICTIONS IN PLACE.
- ALL STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39 OR AS AMENDED.
- UTILITY INFORMATION:  
 - WATER - SUBURBAN WATER CO  
 - ELECTRIC - EVERGY  
 - SEWER - SEPTIC  
 - GAS - PROPANE/NATURAL GAS
- ANY BUILDINGS TO BE CONSTRUCTED IN OR NEAR THE SPECIAL FLOOD HAZARD SHALL PROVIDE AN ELEVATION CERTIFICATE TO BE APPROVED BY LEAVENWORTH COUNTY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ALONG WITH ANY OTHER APPLICABLE FEDERAL, STATE, OR LOCAL PERMIT.
- CLOSURE PRECISION: 1 PART IN 29225480.000
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY.
- AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D



VICINITY MAP  
 1"=2000'

JOB NO: 24-171

SCALE  
 150 75 0 150  
 SCALE IN FEET

PREPARED FOR  
 PREPARED BY: AT - ALC

SEC-TWN-RNG  
 21-11-21

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

DATE  
 MARCH 3, 2025





KS ENG. CO. #315  
KS SURV. CO. #363  
MO ENG. CO. #2022014084  
MO SURV. CO. #0222014031

FINAL PLAT

LEGEND

- Δ DENOTES FOUND MONUMENT AS NOTED
○ DENOTES SET 1/2" x 24" REBAR WITH CAP LS 363 MO CLS 2022014231
● DENOTES FOUND PROPERTY CORNER AS NOTED
B/L BUILDING LINE
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
TP TELEPHONE PEDESTAL
W/P WATER SPIGOT
P POWER METER
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
LIMITS OF NO ACCESS
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22. AN EXCEPTION FOR IRREGULAR LOT SHAPE FOR LOT 1 HAS BEEN APPROVED VIA ARTICLE 50, SEC 40.3.D

ELSTON ESTATES NO. 2

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

DESCRIPTION PER TITLE COMMITMENT

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

DEDICATION
The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ELSTON ESTATES NO. 2".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated by the public use running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

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

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

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

Taxes for subject property are paid.

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

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

CHAIRMAN - MARCUS MAJURE
SECRETARY - JOHN JACOBSON
This plat approved by the Board of County Commissioners of Leavenworth County, Kansas, this day of 2025.

CHAIRMAN - MIKE SMITH
ATTEST - COUNTY CLERK - FRAN KEPPLER

The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy or adequacy of the design, dimensions, elevations, and quantities.

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

REGISTER OF DEEDS, TERRILOIS G. MASHBURN
I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary surveys. No field verification is implied. This review is for survey information only.

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

03/03/2025
LS-1408
ROGER B. DILL LS 1408

REFERENCE TIES

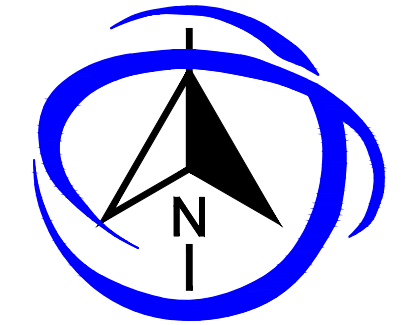
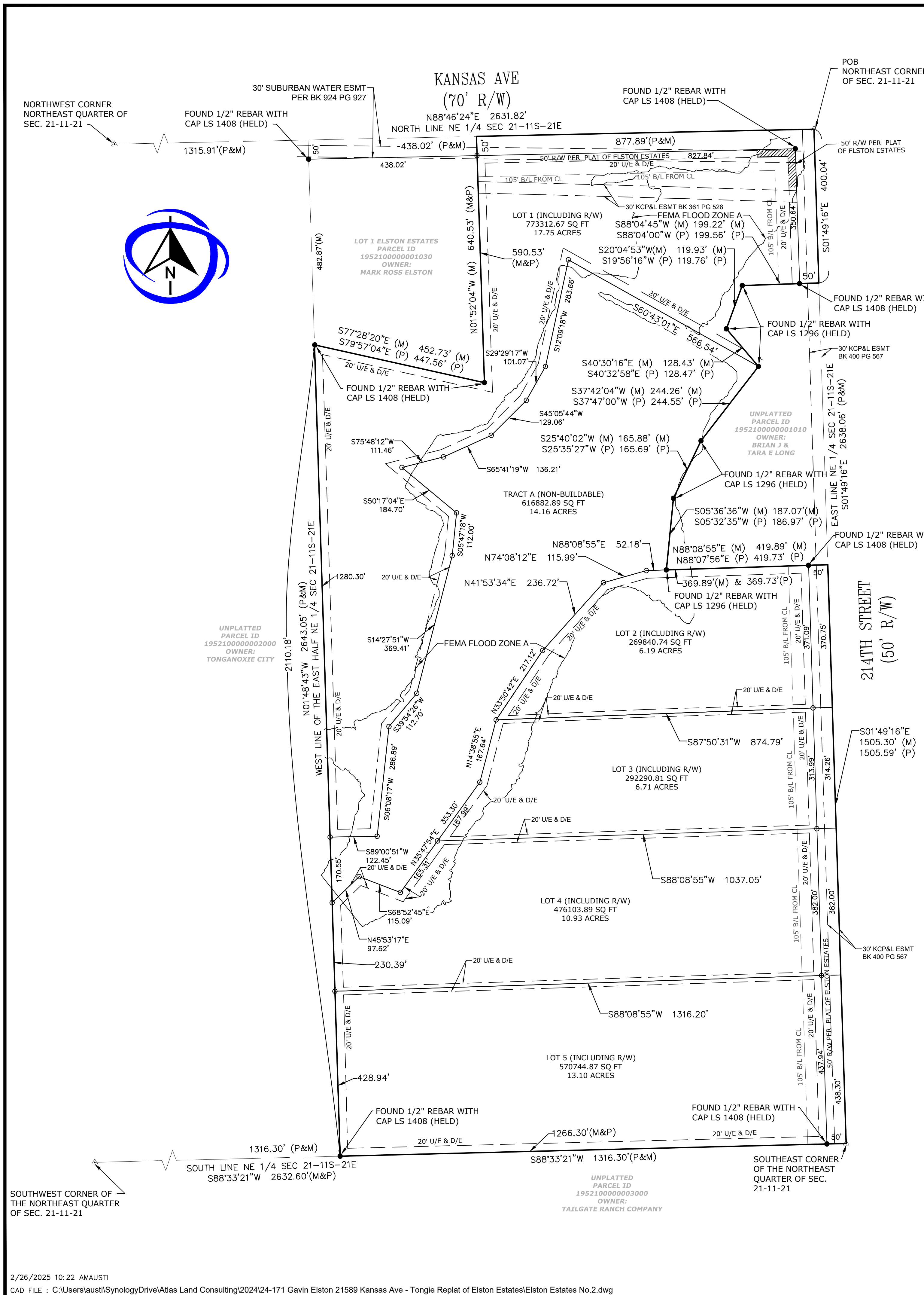
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4. 25.50' SE TO MAG NAIL AND WASHER IN NORTH SIDE OF 12" CEDAR TREE
5. 1.50' SOUTH TO CENTERLINE OF GRAVEL TRAVELWAY (KANSAS AVE)

- FOUND 5/8" REBAR WITH 2" ALUMINUM CAP CENTER CORNER SEC 21-11S-21E (11P)
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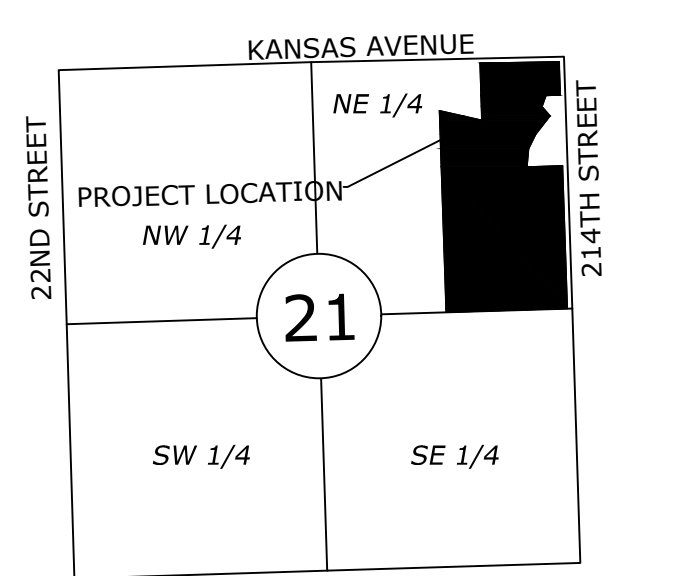
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6. 1.50' EAST TO CL OF GRAVEL TRAVELWAY (214TH ST)
7. 3.00' SOUTH TO CL OF GRAVEL TRAVELWAY (HENRY CREEK RD) TO THE EAST

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



VICINITY MAP



VICINITY MAP 1"-2000'

JOB NO:24-171

SCALE 150 75 0 150 SCALE IN FEET

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

SEC-TWN-RNG 21-11-21

DATE FEBRUARY 17, 2025



**LEAVENWORTH COUNTY  
PLANNING COMMISSION  
STAFF REPORT**

CASE NO: DEV-24-125 RJ Farm

March 12, 2025

**REQUEST: Public Hearing Required**

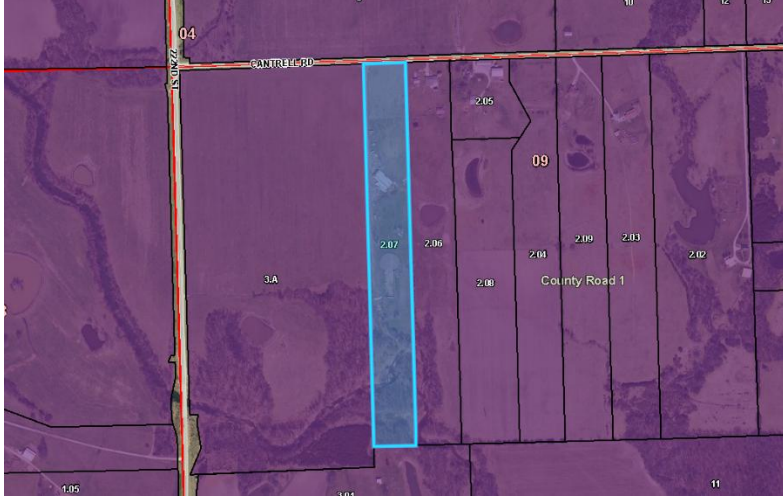
Zoning Amendment             Special Use Permit

Temporary Special Use Permit

**STAFF REPRESENTATIVE:**

Amy Allison  
Deputy Director

SUBJECT PROPERTY: 00000 Cantrell Road



**APPLICANT/APPLICANT AGENT:**

JOE HERRING  
Herring Surveying Co  
315 N 5th Street  
Leavenworth, KS 66048

**PROPERTY OWNER:**

Aurelio Haro & Norma Brockenberry  
17564 W 158th Terrace  
Olathe, KS 66052

**CONCURRENT APPLICATIONS:**  
N/A

**LAND USE**

**ZONING:** RR-5

**FUTURE LAND USE DESIGNATION:**  
County Road 1

**LEGAL DESCRIPTION:**

Lot 1 in Whispering Plains, a subdivision in Leavenworth County, Kansas, according to the recorded plat thereof, in Leavenworth County, Kansas.

**SUBDIVISION:** Whispering Plains

**FLOODPLAIN:** Zone A and X

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS**

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Recommend approval of Case No. DEV-24-125, Conditional Special Use Permit for RJ Farm for an amusement park, commercial athletic fields, racetracks, circuses, carnivals and fairgrounds for outdoor events, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-125, Conditional Special Use Permit for RJ Farm for an amusement park, commercial athletic fields, racetracks, circuses, carnivals and fairgrounds for outdoor events, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

**PARCEL SIZE:** 17.5 ACRES

**PARCEL ID NO:**  
222-09-0-00-00-002.07

**BUILDINGS:**  
Barn, Stage and Arena

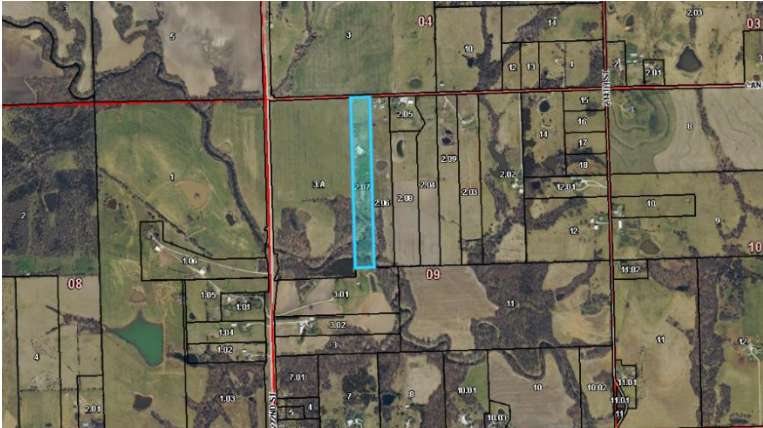
**PROJECT SUMMARY:**

Request for a Special Use Permit to operate an amusement park, commercial athletic fields, racetracks, circuses, carnivals and fairgrounds for outdoor events at 00000 Cantrell Road (PID 222-09-0-00-00-002.07).

**ACCESS/STREET:**

Cantrell Road  
County Local  
±26' WIDE, GRAVEL

**Location Map:**



**UTILITIES**

**SEWER:** SEPTIC  
**FIRE:** Fire District #2  
**WATER:** RWD #10  
**ELECTRIC:** EVERGY

**NOTICE & REVIEW:**

**STAFF REVIEW:** 12/23/2024  
**NEWSPAPER NOTIFICATION:**  
12/17/2024  
**NOTICE TO SURROUNDING  
PROPERTY OWNERS:**  
12/17/2024



<b>FACTORS TO BE CONSIDERED:</b>		
<i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Special Use Permit request:</i>	<b>Met</b>	<b>Not Met</b>
<p><b>1. Character of the Neighborhood:</b>  <i>Density: The surrounding neighborhood is not dense, parcels ranging in size from 5.8 acres to over 150 acres.</i></p> <p><i>Nearby City Limits: The City of Linwood is approximately 2.3 miles to the southeast.</i></p> <p><i>Initial Growth Management Area: This parcel is not located within an Urban Growth Area.</i></p>	✓	
<p><b>2. Zoning and uses of nearby property:</b>  <i>Adjacent Uses: Most of the adjacent parcels are residential and agricultural in nature.</i></p> <p><i>Adjacent Zoning: Adjacent parcels are zoned RR-5 and MXD.</i></p>	✓	
<p><b>3. Suitability of the Property for the uses to which is has been restricted:</b>  <i>The property is <b>17.5 acres</b>. The property is suitable as a rural residence, for agricultural uses and the proposed use is allowed with a Special Use Permit.</i></p>	✓	
<p><b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b></p> <p><i>The use is unlikely to detrimentally impact neighboring parcels.</i></p> <p><i>The proposed use will have increased noise levels; however, staff is proposing a condition that noise levels shall not exceed 60 dB as measured from the property line.</i></p> <p><i>Traffic: Proposed events will increase traffic to the site but with approximately 1.5 events per month, traffic at the elevated levels will be for a short term and infrequent.</i></p> <p><i>Lighting: The applicant indicated that exterior lighting will be used. Staff recommends placing a condition that foot-candles will have no net increase, as measured from the property line.</i></p> <p><i>Outdoor Storage: No outdoor storage is proposed with this request.</i></p> <p><i>Parking: Parking is provided and is adequate for the proposed use.</i></p> <p><i>Visitors/Employees: The applicants are requesting to hold events with up to 300 attendees. All events may not have the maximum capacity proposed. Staff will be on-site to support the events and provide parking assistance. Staff recommends placing a condition for the maximum event attendees at 300.</i></p> <p><i>Waste: The applicant does not store chemicals, lubricants, oils or other chemicals on the property. The proposal states that a third-party portable vender will be utilized. Any waste generated from the property must be disposed of in compliance with all applicable local, state and federal laws.</i></p>	✓ (Condition 15)  ✓  ✓ (Condition 14)  ✓  ✓  ✓ (Condition 7)  ✓ (Condition 17, 18 & 19)	
<p><b>5. Length of time the property has been vacant as zoned:</b></p> <p><input type="checkbox"/> Vacant:</p> <p><input checked="" type="checkbox"/> Not Vacant: <i>The property does have an existing barn, stage and arena on-site.</i></p>	✓	

<p><b>6. Relative gain to economic development, public health, safety and welfare:</b>  <i>The proposed application would allow for another business to be located within Leavenworth County. There does not appear to be any detrimental effects to the public health, safety or welfare.</i></p>	✓	
<p><b>7. Conformance to the Comprehensive Plan:</b>  <i>Future Land Use Map: County Road 1  County Road 1 shows this area as remaining RR-5, its current zoning designation. Since this use is allowed with a Special Use Permit in that zoning designation, staff feels that it meets the intent of the Comprehensive Plan.</i></p>	✓	

**STAFF COMMENTS:**

The applicant is requesting a Special Use Permit for outdoor events to host rodeos but can also include weddings, birthdays, etc. This request does not include approval for any event that is defined as a private event per the Leavenworth County Zoning & Subdivision Regulations. The applicant is proposing to hold up to 15 events per calendar year, with maximum attendance capped at 300 people. Most of these events will be one-day events but can also extend to multi-day events. The narrative indicated that they plan on holding weekend events with operable hours being from 12 pm to 11 pm. Staff, competitors and vendors will be on-site before and after operation times for setting up and clean up.

Third-party vendors will be used for portable toilets, retail sales and food sales. The applicant will not provide alcohol. An entry fee will be required for some events. Adequate parking for 400 vehicles is provided, however it is likely that most events will not generate that much parking. The owners have upgraded their entrance to allow for two-way traffic in and out of the property. No parking or stacking will be permitted on the public right-of-way. Any waste generated from the events will need to be removed or handled in compliance with the proposed conditions and all local, state and federal regulations. The existing stage is located within the Floodplain and has received a floodplain permit.

The property owner has been noticed for zoning violations in the past regarding events without permits. During the summer of 2024, the applicant applied for and was approved for a temporary special use permit for a rodeo event. No complaints were received.

***Staff recommends this permit be classified as Type 3 with a time limit recommendation of 5 years per the conditions and uses proposed.***

**STAFF RECOMMENDED CONDITIONS:**

1. Provide an updated site plan showing the location of the additional 50 parking spaces outlined in narrative.
2. Property entrance shall be built to the specifications of the Driveway Template designed by David Lutgen. Applicant shall provide confirmation to staff by way of photographs to verify improvement.
3. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
4. Provide a copy of the contract for the Portable Toilet provider.
5. The applicant shall comply with the Narrative submitted on December 12, 2024.
6. Events shall be limited to 15 events in a calendar year.
7. Occupancy for all events shall be limited to 300 people. Employees shall be limited to 15 people.
8. The conditional special use permit shall be limited to 5 (five) years.
9. No events shall take place inside the agricultural building.
10. There shall be no on-street parking allowed.
11. Traffic shall not queue onto the public road network when entering the site.



12. No events shall be allowed within any public rights-of-way.
13. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
14. Lighting generated from the event shall be limited 0.00 foot-candles net gain, as measured at the property line.
15. Noise generated from an event held at this facility including, but not limited to: live music, DJ, and noise from guests shall be limited to 60 decibels at the property line. No amplifiers will be permitted for any live music band.
16. No extension cords may cross driveways or drive aisles.
17. All dumpsters shall be screened from public right-of-way.
18. All garbage and animal waste must be removed from the property and disposed of in accordance with local and state requirements and within 2 business days of the event.
19. All portable restrooms must be maintained in a professional manner and removed from the property within 2 business days of the event.
20. The applicant shall comply with the following:
  - a. Leavenworth Fire District 2 email, dated October 18, 2024
  - b. RWD #10, dated October 31, 2024
  - c. Public Works memo, dated December 23, 2024
  - d. Emergency Management, dated December 12, 2024
21. That no public nuisance be allowed or created upon the subject real property.
22. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
23. That the conditional Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. The RJ Farm Events, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.

**MARCH 12, 2025 UPDATE:**

The Planning Commission considered this item on January 8, 2025 and recommended approval to the Board of County Commissioners with conditions. The Board of County Commissioners remitted this item back to the Planning Commission for further consideration. Information that was obtained from the public after the January 8, 2025 is included in the packet for consideration. None of the added information has been verified by staff. It is staff's understanding there are no current or pending cases as of this writing.

**ATTACHMENTS:**

- A: Application & Narrative
- B: Zoning Map
- C: Memorandums
- D: Public Comments



Whispering Plains Army  
Lot 1

#185

**SPECIAL USE PERMIT APPLICATION**  
Leavenworth County Planning Department  
300 Walnut, St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

RR 5 PAID 400.00 Energy RWD 10

458 SUP 222-09

17.50 002.07 Reno

County Rd 1 plan

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Arnelio Haro / Norma Brockenberry</u>	NAME _____
ADDRESS <u>17564 W 158<sup>th</sup> Terr</u>	ADDRESS _____
CITY/ST/ZIP <u>Olathe KS 66062</u>	CITY/ST/ZIP _____
PHONE <u>(913) 424-0785</u>	PHONE _____
EMAIL <u>brockenberrynorma@yahoo.com</u>	EMAIL _____
CONTACT PERSON <u>Norma</u>	CONTACT PERSON _____

**PROPERTY INFORMATION**

PID: 222-09 002.07 Zoning District: RR 5

Address of property 21985 Cantrell road Parcel size 17.5 acres

Current use of the property Farming

Does the owner live on the property?  Yes  No

Proposed Special Use Family activities, Music and food, Rodeos, Hispanic culture parties

**TAX ASSESSEMENT STATEMENT**

Upon the granting of a Special Use Permit by the Leavenworth County Board of County Commissioners, the assessable nature of the above referenced property and structures on the property may result in a change of the Appraised Class and Value and in the next year's Tax Assessment.

I, the applicant, have read and understand that there may be a change in the appraised value of my property due to the presence of a Special Use Permit for my property. (Check one)  Yes  No

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 Special Use Permit and acknowledge the potential of a change in the Appraised Value of my property as indicated above. I hereby agree to "cease and desist" the operation of the activity upon denial of the permit by the Board of County Commissioners.

Signature [Signature] Date 8/21/24

ATTACHMENT A



PROPOSED SPECIAL USE PERMIT INFORMATION

Name of Business RJ Farm

Existing and Proposed Structures One

Number of structures used for Special Use Permit one

Will the use require parking?  Yes  No How many parking spaces are proposed/available? 400

Is the proposed use seasonal?  Yes  No  
If yes, what months will the use be active? \_\_\_\_\_ through \_\_\_\_\_  
Month Month

Reason for requesting a Special Use Permit: To be able to have events following the city regulations and requirements

**Estimated Traffic**

*In this section, you are determining the impact your proposed use will have on the county roadways. A vehicle visiting your site is to be considered two trips because the visitor/employee/user will use the roadways twice. If you are planning to expand the use that may generate additional traffic during the duration of the permit, provide the traffic generation for the full expansion.*

How many total Passenger vehicle trips (both entering and exiting) will be generated by the Special Use Permit?  
Daily \_\_\_\_\_ Weekly \_\_\_\_\_ Monthly 800 - 2 events

If applicable, how many total Commercial (delivery, heavy trucks, equipment, etc.) vehicle trips (both entering and exiting) will be generated by the Special Use Permit?  
Daily \_\_\_\_\_ Weekly \_\_\_\_\_ Monthly 4

If applicable, describe Seasonal trips not accounted for above: What type (Passenger and Commercial) vehicle trips, how many trips per vehicle type in the seasonal timeframe, and describe the seasonal time frame (months, weeks, or days) in a calendar year.

Passenger: Months \_\_\_\_\_ Weeks \_\_\_\_\_ Days \_\_\_\_\_  
Commercial: Months \_\_\_\_\_ Weeks \_\_\_\_\_ Days \_\_\_\_\_

When are trips to the site expected to occur (i.e. throughout the day, limited certain hours, etc.)? If applicable, separate occurrences by vehicle type (Passenger, Commercial, Seasonal Passenger, and Seasonal Commercial):  
early in the morning commercial trucks delivering Johnny on the Spots Music Truck, food truck

What is the anticipated route(s) from the nearest State Highway to the Site? I-70 located to the South

**Special Use Permit Renewal**

Describe any change to operations since the SUP was last issued including traffic trips compared to this SUP:  
None

Have you added any buildings since the SUP was last issued?  Yes  No Any parking?  Yes  No



Janet Klasmaker  
COUNTY CLERK

Mail Tax Statement to:  
17504 W 158<sup>th</sup> Terr  
Olathe KS 66062  
Property Address \_\_\_\_\_

JOINT TENANCY QUIT CLAIM DEED Pursuant to K.S.A. 79-1437 (e), a real estate validation questionnaire is not required due to exemption no. 9.

GRANTOR Aurelio HARO  
(single/married person(s))

CONVEY and QUITCLAIM TO  
Aurelio HARO AND Norma Brackenberry  
(single/married person(s))

As JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all of the following described real estate in the County of Leavenworth, State of Kansas, to-wit:

Lot 1 in Whispering Plains, a subdivision in Leavenworth county, Kansas, according to the recorded plat thereof, in Leavenworth county, Kansas.  
A.H

for the sum of One Dollar, the receipt of which is hereby acknowledged. This conveyance is made subject to easements, restrictions, reservations and covenants of record, if any.

Dated this 12 day of April A.D. 20 22

Aurelio Haro  
GRANTOR (Signature)

[Signature]  
GRANTOR (Signature)

Aurelio HARO  
(Printed Name)

Norma Brackenberry  
(Printed Name)

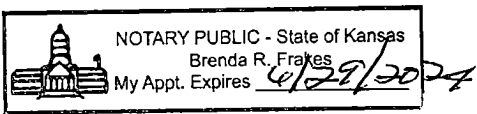
STATE OF KANSAS, COUNTY OF LEAVENWORTH

Be it remembered that before me, a notary public in and for the State and County aforesaid, personally appeared Aurelio HARO & Norma Brackenberry Known to me be the same person(s) who executed the within Transfer on Death Deed and who acknowledged the execution of same as a free act and deed. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Brenda R. Frakes  
NOTARY PUBLIC (Signature)

Brenda R. Frakes  
(Printed Name)

My commission expires: 6/29/2024





**OWNER AUTHORIZATION**

I/WE Aurelio Haro, Norma Brockenberry, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 8 day of 21, 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 Attachment "A" attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize Joe Herring (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, \_\_\_\_\_ (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the "County"), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

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

Aurelio Haro  
Owner

[Signature]  
Owner

STATE OF KANSAS  
COUNTY OF ~~LEAVENWORTH~~ Johnson (KH)

The foregoing instrument was acknowledged before me on this 21 day of August, 2024,  
by Norma Brockenberry.

My Commission Expires: 09/08/2024

**KELSIE HODES**  
Notary Public-State of Kansas  
My Appt. Expires 09/08/2024

Kelsie Hodess  
Notary Public

**ATTACHMENT C**



This narrative is for the events to be held at RJ farm at 21985 Cantrell Road on a tract of ground with approximately 17.5 acres of land. Land has an agriculture building which could be used for shelter in case of emergency. There are some residential houses to the northeast of the events site, all are over 1000 feet from the event area. The south half of the property is treed and in flood plain. The closest residence to the south over this area is 1320 feet from the event area. Portable restrooms will be provided by a 3<sup>rd</sup> party vendor A1 rental located in Topeka KS. These events should not cause any conflict with the surrounding parcels there will be 0 decibels increased at the property line and 0 increased of foot candle, no light will spill over to the adjoining property. Majority of the other parcels are agriculture in nature and very few residents. Attendees are encouraged to use 222nd Street to Cantrell Road to access the event. Cantrell road is gravel and dust will be created but with the encourage route all vehicles should travel in front of agriculture property and the distance on the gravel road would be 1320 feet. Majority of the traffic volume will occur at the beginning and end of the event. Parking is all on the site and can handle the expected number of vehicles and trailers. The event will have parking staff on-site, keeping personal vehicles and vehicles with trailers separate, all parking will be taking place in the open fields on the property. The proposed events hours of operation 12pm -11pm one day event. Pre- event checking and commercial vehicles traffic will begin at 10am-12pm (porta potty, trash truck, music vehicle and food vendors). The proposed number of events will be approximately 15 public events per year if all the plans were to fall in place, most of them are rodeos but few private smaller events such as but not limited to weddings and birthdays. The expected number of attendees on this public events is 300 and there will be a required fee depending on the event. Number of employees at the property when doing this public events will be 3-10 depending on the magnitude of the event. Employees will each create 2 trips per event. Safety signs are posted around the farm they are different sizes, no signs are digital or lighted there will be no outdoor displays. There is no chemical, oils, fluids or lubricants usage. No outdoor storage of materials. The farm uses well water to clean, as for potable water it will be brought in with sodas and other soft drinks, as for any alcohol beverage none will be sold by the applicant. Food and any retail vendors will be provided by a 3<sup>rd</sup> party vendors. Any advertising will be done on the company website or digital platform example (Facebook, Instagram, etc). For emergency and safety, there will be security employees keeping people safe and the right channels notified in case of an emergency. The entrance and exit have ample space for a vehicle to come in and out at the same time. In the events there will be generators used for electricity. There will be 400 parking spots vehicles including 50 trailers there will be no parking outside the property at all-time, all the parking will be within the facility.



Aurelio Haro

Norma Brockenberry

RJ farm

21985 Cantrell road Linwood KS 66052

2. There will be no outdoor storage of materials
3. 3-10 employees
4. There will be signage of safety displayed at the entrance of the farm
5. There will be 0 decibels increased at the property line
6. 0 increased of foot candles at the property line no light will spill over at the adjoining property
7. No outdoor display
8. Yes by 3rd party vendors
9. 300 a fee will be require yes for the rodeos
10. Yes 3rd party vendor
11. None will be sold by the applicant
12. No chemicals or hazardous material will be used
13. No oils or lubricants materials be used
14. A1 portable 3<sup>rd</sup> party located in Topeka
15. Emergency plan already sent on 12/12/24
16. Hours of operation 12pm-11pm one day events. Pre event checking and commercial vehicle traffic will begin at 10am (porta potty , trash truck, music vehicle) and food vendors. Clean up will happen within 24 hours at the end of every event
17. 15 public events most of them rodeos but few private smaller events such as but no limited too such as weddings and birthdays.

Department of public works Olsson

2. The expected number of trips per month. Will varied depending on the events and type of events the number was about 400 ( 200 in and 200 out)

3. Expected number of livestock trailers about 50

1. No street parking space will be needed

1. Expected guest 300 with 400 parking spaces needed with some driving solo and other with 2 attendees per vehicle.

15- public events most of them rodeos a year-each event include 300 guest (2 attendees per vehicle) 50 truck with trailers (1 attendee per vehicle) 10 employees, 2 commercial vehicles (1 trash truck 1 porta potty) 3 supportive vehicles 2 food and 1 music. With a few smaller private events.

1. All parking will be inside the premises no outside parking
2. Driveway template done by professional Kansas engineer David Lutgen
3. All vehicles will be parked inside the premises inside the farm no outside parking will be allowed
4. The drive way is dirt road and two vehicle are able to come in and out at the same time since it is an open ground, the entrance gate 20' wide.



# SITE PLAN

Lot 1, WHISPERING SUBDIVISION,  
Leavenworth County, Kansas.

PREPARED FOR:

HARO, AURELIO & BROCKENBERRY, NORMA  
21985 Cantrell Road  
Linwood, KS 66086  
PID # 222-09-0-00-00-002.07

**Parking Note:**

Grid is show for the referenced  
350 parking space per narrative  
Standard Parking - 10'x20'  
Oversized Parking - 15'x40'  
Parking area is grass.

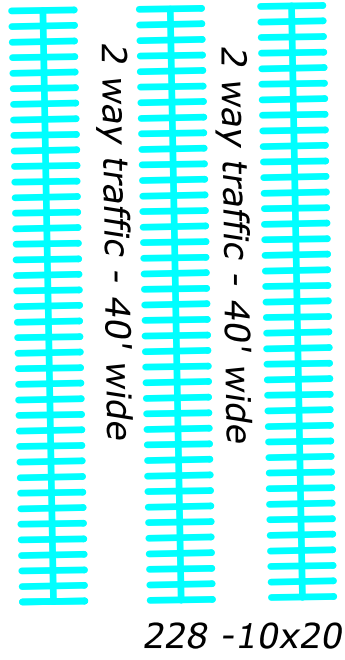
**ADDITIONAL NOTES:**

- Sound System in Stage Area
- Vendor Area, if any, as shown.
- Lighting, if any, will be around Stage Area and/or Rodeo Area

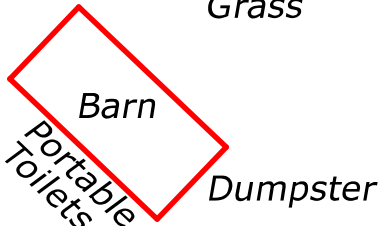
CANTRELL ROAD  
330'

40' R/W  
20' Gate

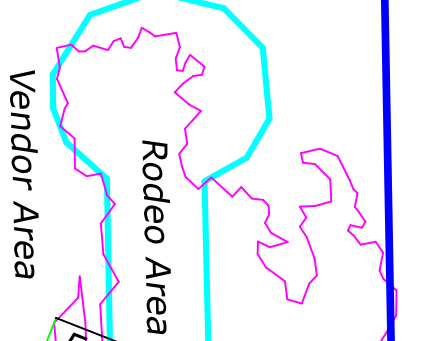
Parking Area  
Grass



Grass



Grass



Stage is built on piers  
Stage deck elev. 820'+  
< 700 Sq.Ft. in Area

817.5'  
817.2'  
BFE 817.75', Prorated  
BFE 817.62', Prorated

Special Flood Hazard  
Area - Zone A  
20103C0325G



Not to Scale

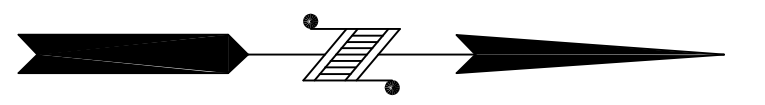
Job # K-24-1804  
May 30, 2024 Rev. 11-2-24

J.Herring, Inc. (dba)  
**HERRING**  
SURVEYING  
COMPANY

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

**THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY**

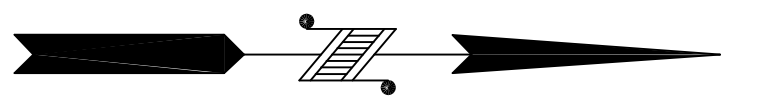
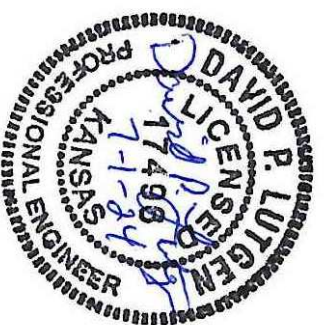
AUTOCAD VER.13 INFORMATION BLOCK		
DRAWING:	BY:	DATE:
XREF DWG1: NONE	XREF DWG2: NONE	
XREF DWG3: NONE	XREF DWG4: NONE	



SHEET NO. 1	HARO EVENT LINWOOD KS	Designed By _____ Drawn By _____ Checked By _____ Issue Date: _____ Job No. _____	5					
	EASTBOUND RIGHT TURN		4					
			3					
			2					
			1					
			NO.	DATE	REVISIONS	BY	APP'D.	

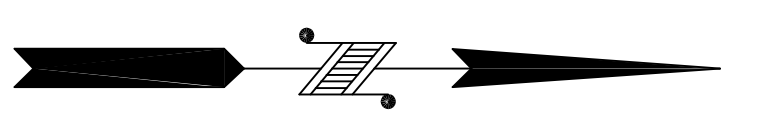


AUTOCAD VER.13 INFORMATION BLOCK		
DRAWING:	BY:	DATE:
XREF DWG1: NONE	XREF DWG2: NONE	
XREF DWG3: NONE	XREF DWG4: NONE	



SHEET NO. 2	HARO EVENT LINWOOD KS	Designed By _____ Drawn By _____ Checked By _____ Issue Date: _____ Job No. _____	5				
	WESTBOUND LEFT TURN		4				
			3				
			2				
			1				
			NO.	DATE	REVISIONS	BY	APP'D

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



Designed By	2.5				
Drawn By	2.4				
Checked By	2.3				
Issue Date:	2.2				
Job No.	2.1				
	NO.	DATE	REVISIONS	BY	APP'D

HARO EVENT  
LINWOOD KS

RECOMMENDED ENTRANCE DIMENSIONS

SHEET NO.  
2



# Tax History Inquiry for HARO,AURELIO & BROCKENBERRY,NORMA

[View Parcel Information](#) --- [Tax Search Page](#)

Property Address											
CANTRELL RD											
Tax ID		Sec-Twn-Rng	Sub	Blk	Lot	Description				Parcel Id/Cama	Parcel Classes
2024 RealEstate - 31495		09-12-21E	WHISPERING PLAINS		1	WHISPERING PLAINS, S09, T12, R21E, LOT 1; , ACRES 17.53				222-09-0-00-00-002.07-0	Agricultural Real Estate
Tax Unit	USD	Cty/Twn	Assessed Valuation	Mill Levy	Ad Valorem	Special Assessments	Total Tax	Total Paid	DIq	Book-Page	Date of Transfer
101	458	RENO TOWNSHIP	\$7746	116.402	\$901.66	\$0	Amount \$901.66	Amount \$0	No	0842 - 1974	0

[Click here for Additional Years](#)

[View Parcel Information](#) --- [Tax Search Page](#)

Tax Search powered by  **Aumentum**<sup>™</sup>  
TECHNOLOGIES



Laura Kelly, Governor  
Mark A. Burghart, Secretary  
[www.ksrevenue.gov](http://www.ksrevenue.gov)

# CERTIFICATE OF TAX CLEARANCE

Norma S Brockenberry

**ISSUE DATE**  
10/28/2024

**TRANSACTION ID**  
T66C-8EKH-8XDP

**CONFIRMATION NUMBER**  
C4CA-TM3T-JXJJ

**TAX CLEARANCE VALID THROUGH 01/26/2025**

*Verification of this certificate can be obtained on our website, [www.ksrevenue.org](http://www.ksrevenue.org),  
or by calling the Kansas Department of Revenue at 785-296-3199*



September 30, 2024

Amy Allison  
Deputy Director  
Leavenworth County Planning & Zoning Department  
300 Walnut St  
Leavenworth, KS 66048

Re: Haro Cantrell Rd Property

Ms. Allison,

I have reviewed the construction of the stage that is located on the Haro property on Cantrell Rd east of 222<sup>nd</sup> St in Leavenworth County. Based upon the location within the floodplain and the type of construction, driven piers, it is my engineering opinion that this structure will not cause a rise on the floodplain.

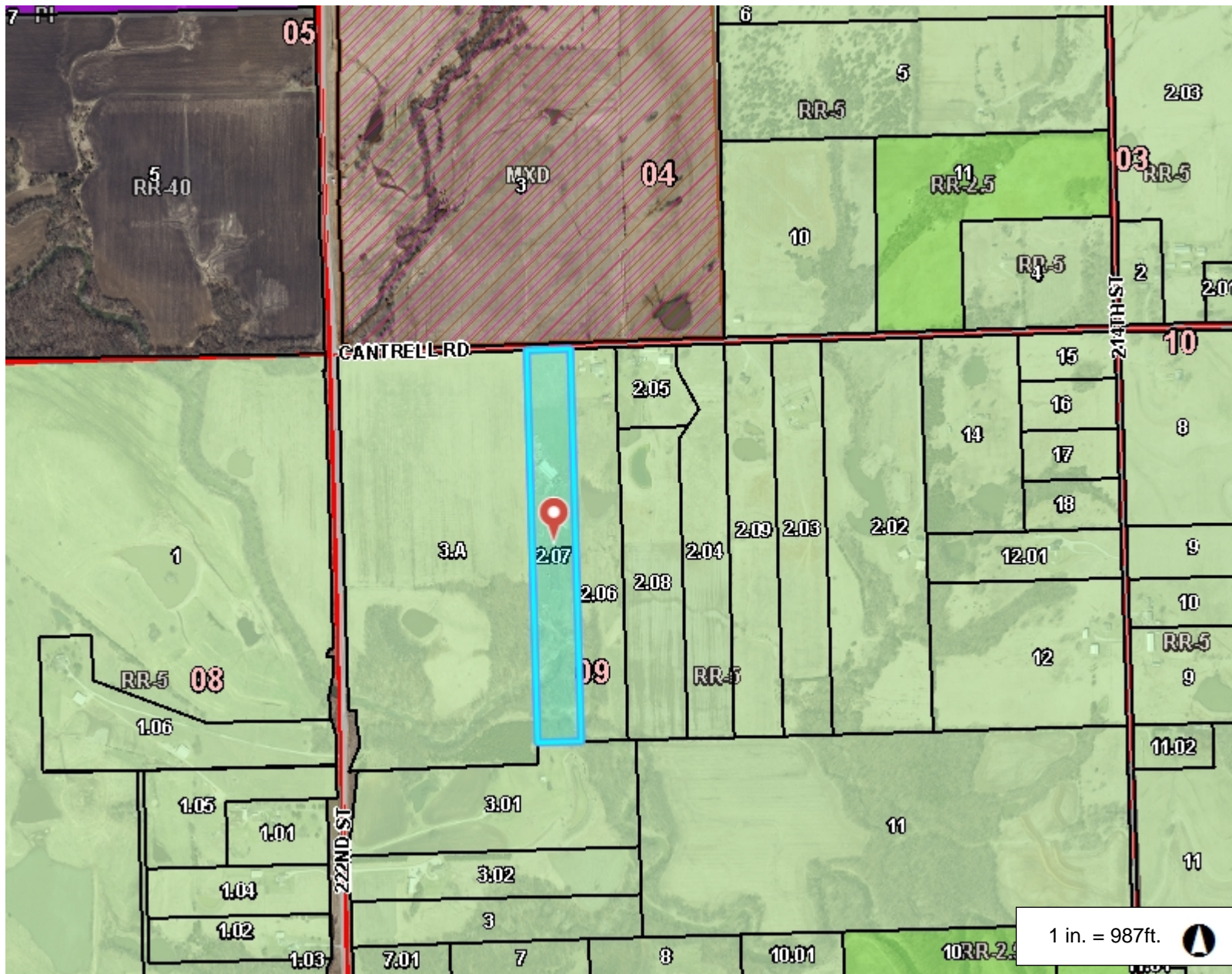
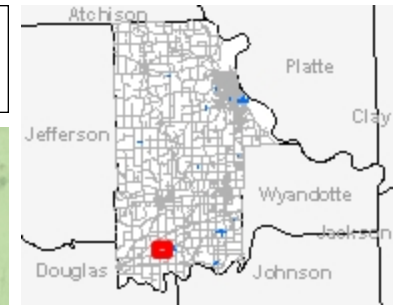
Thank you,



David Lutgen, P.E.



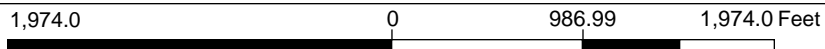
# DEV-24-125 RJ FARM SUP



### 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. = 987ft.



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

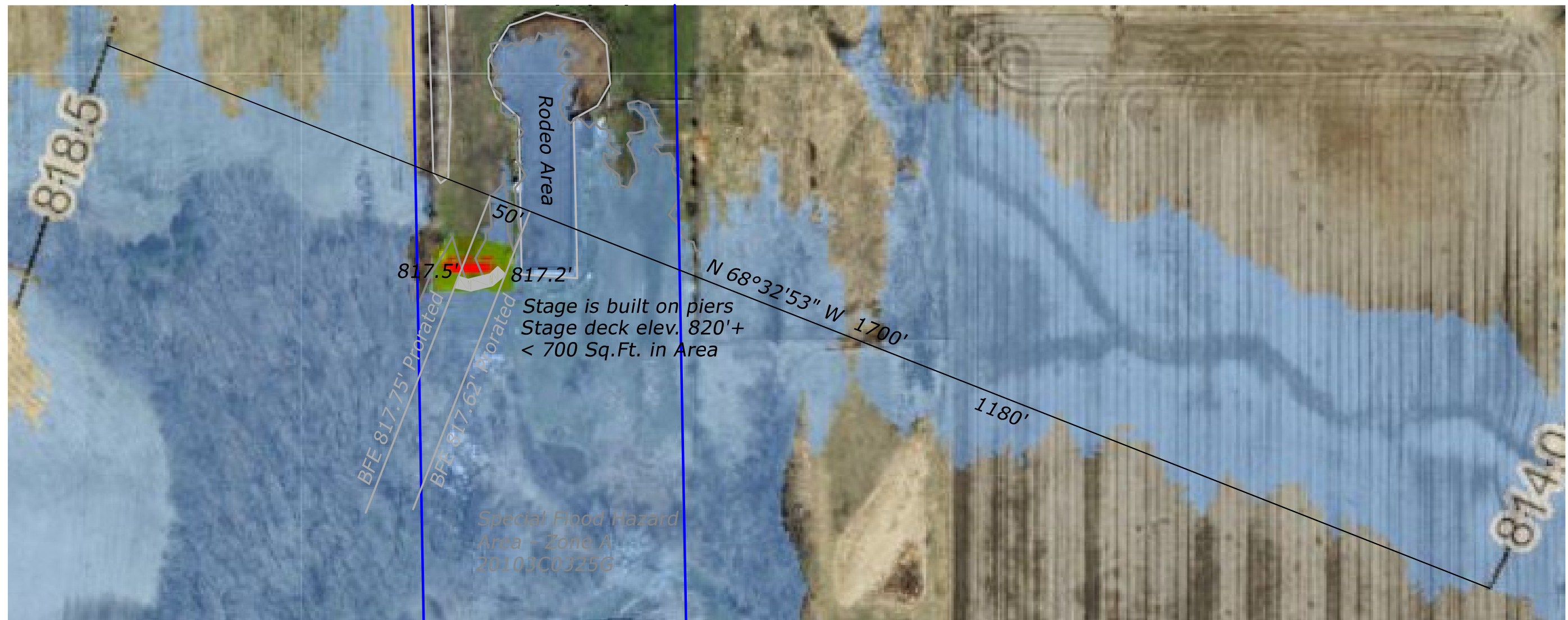


# ELEVATION EXHIBIT

Lot 1, WHISPERING SUBDIVISION,  
Leavenworth County, Kansas.

PREPARED FOR:

HARO, AURELIO & BROCKENBERRY, NORMA  
21985 Cantrell Road  
Linwood, KS 66086  
PID # 222-09-0-00-00-002.07



Job # K-24-1804  
May 30, 2024 Rev. 9-3-24

J.Herring, Inc. (dba)  
**HERRING**  
SURVEYING  
COMPANY



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



Not to Scale

**THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY**



October 31, 2024

Amy Allison  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth, KS 66048

Re: Special Use Permit Application for 21985 Cantrell Rd – Haro Rodeo

Dear Ms. Allison.

This letter is in response to your request for comments regarding the Special Use Permit Application for 21985 Cantrell Rd.

RWD10 has an existing main and can provide water service to this address with the purchase of a benefit unit.

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

Regards,

Steve Conley  
Leavenworth County RWD10 | District Manager



# MEMO

**To:** Planning & Zoning  
**From:** Leavenworth County Emergency Management  
**Subject:** Haro Event Space @ 00000 Cantrell road, Linwood KS, 66052  
**Date:** January 3, 2025

Thank you for the opportunity to help review the Haro event space once again. Our team referred back to the previous time we were able to sit down with owners and operators of the Rodeo Event space, Aurelio Haro and Norma Brockenberry.

We discussed four aspects of maintaining a safe and secure environment for their various events. They stated they have several ways to receive weather information and alerts for their events, and continuously monitor for any hazard or severe weather. They have plans put in place to postpone or cancel events if severe weather would occur. If weather were to occur without notice they have shelter for both event-goers and animals to be housed to wait out the storm. They can house approximately 300 people in their barn and have additional shelter for animals on the side, if the barn is at max capacity. They also have a wide and clear exit path from the event area that is well lit, marked by reflective signs and directed by staff to allow traffic to easily be moved. If the original route is no longer available for use, they have claimed to have an alternative route provided by their neighbor of their property.

After reviewing the property and the information they gave us, we have a few recommendations for the property and the facility operations. The Haro property for the event needs to have a 911 address to allow first responders to easily find the facility. The alternative route that they have does not seem to be a clear road. It needs to be well marked all the way through from the property to the main road. There should be a point of contact for an emergency outside of the event, such as a hazardous material incident. We also recommend a sign posted on the outside of the facility of emergency contacts for emergency responders to make contact if the applicant is not present during the emergency. There are no further recommendations at this time.

## Allison, Amy

---

**From:** Ryan McCallister <Ryan.McCallister@evergy.com>  
**Sent:** Friday, October 11, 2024 11:25 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-24-125 Special Use Permit - Haro Rodeo

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

Internal Use Only

Hey Amy,

Evergy has no conflict with this area. Let me know if there is anything else that I can help with.

Thanks!

### Ryan McCallister

Evergy  
Distribution Designer  
[ryan.mccallister@Evergy.com](mailto:ryan.mccallister@Evergy.com)  
O (785) 865-4844

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Thursday, October 10, 2024 4:26 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Design Group Lawrence Service Center <designgrouponlawrenceservicecenter@evergy.com>; 'LVCO RWD10' <RWD10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-125 Special Use Permit - Haro Rodeo

### This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Afternoon,

The Department of Planning and Zoning has received a Special Use Permit application to operate a private rodeo event space at the property located at 21985 Cantrell Road.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, October 24, 2024.

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

Thank you,



## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Wednesday, October 16, 2024 1:52 PM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-24-125 Special Use Permit - Haro Rodeo

Multiple events have been held on this property without a Special Use Permit or Temporary Special Use Permit. After a codes court case they did apply for and receive a TSUP for their last event in July. Our office did not receive any complaints about that event.

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:** Thursday, October 10, 2024 4:26 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Brown, Misty <MBrown@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; 'designgrouplawrencesservicecenter@evergy.com' <designgrouplawrencesservicecenter@evergy.com>; 'LVCO RWD10' <RWD10@conleysandu.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'dritter@lvcofd2.com' <dritter@lvcofd2.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-24-125 Special Use Permit - Haro Rodeo

Good Afternoon,

The Department of Planning and Zoning has received a Special Use Permit application to operate a private rodeo event space at the property located at 21985 Cantrell Road.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, October 24, 2024.

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

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning

## Allison, Amy

---

**From:** Dylan Ritter <dritter@lvcofd2.com>  
**Sent:** Monday, October 21, 2024 2:34 PM  
**To:** Allison, Amy  
**Cc:** Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Patzwald, Joshua; Brown, Misty; Mitch Pleak; Noll, Bill; McAfee, Joe; designgrouplawrenceservicecenter@evergy.com; LVCO RWD10; kritter@lvcofd2.com; PZ  
**Subject:** Re: DEV-24-125 Special Use Permit - Haro Rodeo

**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 issues with this proposal.

However, we would recommend that the driveway be wide enough for both entry and exit to occur simultaneously. The goal being that people attending the rodeo be able to egress the property in a safe and timely manner in the event of an emergency.

On Thu, Oct 10, 2024 at 4:26 PM Allison, Amy <[AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Department of Planning and Zoning has received a Special Use Permit application to operate a private rodeo event space at the property located at 21985 Cantrell Road.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, October 24, 2024.

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

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County



913.364.5757

**Disclaimer**

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

--

Dylan Ritter  
Assistant Chief  
Leavenworth County Fire District #2  
100 Main Street  
P.O. Box 270  
Linwood, KS, 66052  
(913) 339-8973



October 31, 2024

Amy Allison  
Leavenworth County Planning & Zoning  
300 Walnut St, Suite 212  
Leavenworth, KS 66048

Re: Special Use Permit Application for 21985 Cantrell Rd – Haro Rodeo

Dear Ms. Allison.

This letter is in response to your request for comments regarding the Special Use Permit Application for 21985 Cantrell Rd.

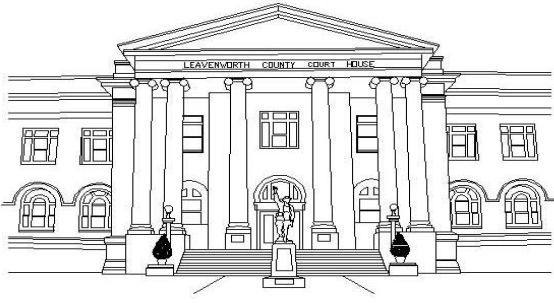
RWD10 has an existing main and can provide water service to this address with the purchase of a benefit unit.

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

Regards,

Steve Conley  
Leavenworth County RWD10 | District Manager





# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

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December 23, 2024

### **Rodeo SUP DEV-24-125 – Public Works Review**

The Public Works Department have reviewed the following documents:

- 2024.10.10 Application.
- 2024.11.08 Site Plan.
- 2024.12.13 Updated Narrative
- 2024.12.13 Turning Template seal date 7-1-24.

Below are comments from the received documents listed above. Based on the review of the requested information below, additional comments, investigations, and studies may be generated. Direct any questions to Amy Allison at [aallison@leavenworthcounty.gov](mailto:aallison@leavenworthcounty.gov).

Cantrell Road is a two-lane gravel roadway with a width of approximately 21 feet.

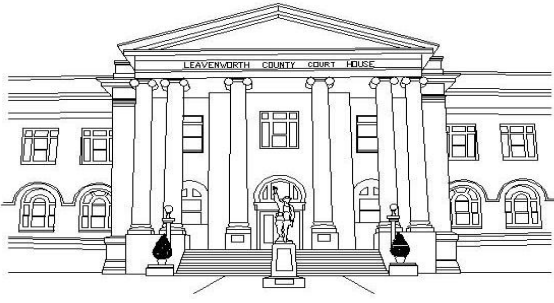
The SUP proposes 15 events a year. The rodeo event is the largest presented trip generator. If all events contained the same trips as the rodeo event the total trips per year for passenger vehicles would be 6,390 passenger trips and 60 commercial trips. Average trips per day would be 17.5 passenger trips and 0.16 commercial trips. The application states, the applicant will encourage vehicles to use 222nd Street to Cantrell Road for events. 222nd Street is a hard surfaced roadway. Cantrell Road is a gravel roadway. SUP's average daily trips proposed do not require a traffic impact study and physical roadway assessment for both gravel and hard surfaced roadways.

### **Additional Information Request:**

1. Olsson Comment (10.18.24): Provide expected number of guests per event. Provide how many guests are expected per vehicle. Provide number of employees per event (assume one employee per vehicle).

Applicant Response (11.08.24): Updated narrative states employees will range between 3 to 10 depending on the event type. Events will include family gatherings, birthdays, weddings, rodeos with music and food, along with some being open to public. The proposed number of events will be approximately 52 per year.

Olsson Response (11.18.24): Provide additional detail for the type of proposed 52 events per year with an estimate of guests, guests per vehicle, employees, commercial vehicles, and support



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

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vehicles (trash, food trucks, music trucks) for each. Update application to coordinate with the narrative.

### Example:

- 20 family gathering events a year – Each event includes up to 40 guests (2 attendees per vehicle), 2 employees, 1 commercial vehicle (porta potty), 0 support vehicles. Events on Friday through Sunday – 12 pm to 8 pm.
- 10 birthday events a year – 20 guests (2 attendees per vehicle), 1 employee, 1 commercial vehicle (porta potty), 0 support vehicles. Events on Friday through Sunday – 12 pm to 8 pm.
- 10 wedding events a year – Each event includes up to 200 guests (2 attendees per vehicle), 5 employees, 2 commercial vehicles (trash truck and porta potty), 2 support vehicles (1 music and 1 food). Events on Friday through Sunday – 12 pm to 10 pm.
- 10 rodeo events a year – Each event includes up to 300 guests (2 attendees per vehicle), 50 truck and trailers (1 attendee per vehicle), 10 employees, 2 commercial vehicles (trash truck and porta potty), 2 support vehicles (1 music and 1 food). Events on Saturdays – 12 pm to 10 pm.

**Note: Commercial vehicles, defined by TIF Policy, is: Commercial Vehicles (Vehicles with a greater classification than 12,000 lbs including trailer or daily combined gross vehicle(s) weight including trailer(s) greater than 60,000 lbs).**

Applicant Response (12.13.24): 15 public events most of them rodeos a year-each event include 300 guests (2 attendees per vehicle), 50 truck with trailers (1 attendee per vehicle), 10 employees, 2 commercial vehicles (1 trash truck/1 porta potty), 3 support vehicles (2 food and 1 music). Smaller private events may occur on the property. There will be 400 parking spots provided on site, including parking for 50 trucks with trailers. Parking outside the property will not be provided.

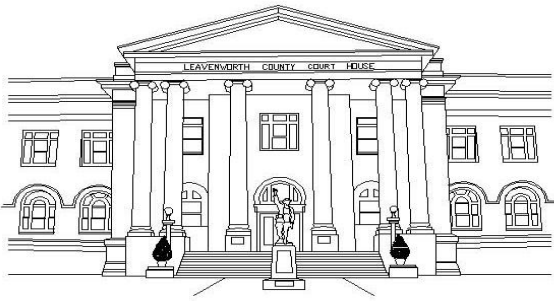
Olsson Response (12.23.24): 11.08.2024 site plan depicting stalls contains 350 parking spaces (300 standard and 50 oversized). Provide a revised site plan depicting 400 parking spaces.

2. Olsson Comment (10.18.24): Clarify total number of trips expected per month. Reviewing application, is 800 the number of trips per event (400 in/400 out)?

Applicant Response (11.08.24): No response provided

Olsson Response (11.18.24): Repeat comment. Update application to coordinate with the narrative.





# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

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Fax (913) 684-0473

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Applicant Response (12.13.24): The expected number of trips per month. Will varied depending on the events and type of events the number was about 400 (200 in and 200 out).

Olsson Response (12.23.24): No further comment.

3. Olsson Comment (10.18.24): Provide expected number of and size of livestock trailers anticipated for the event to the application. Per application, is four the total number of commercial vehicles being proposed to support each event (ie trash trucks, barricades) or is that the monthly number.

Applicant Response (11.08.24): No response provided.

Olsson Response (11.18.24): Repeat comment. Update application to coordinate with the narrative.

Applicant Response (12.13.24): Expected number of livestock trailers about 50.

Olsson Response (12.23.24): No further comment.

### **Public Work Comments:**

1. Olsson Comment (10.18.24): No on street parking shall be allowed. All generated traffic shall be parked within the private site.

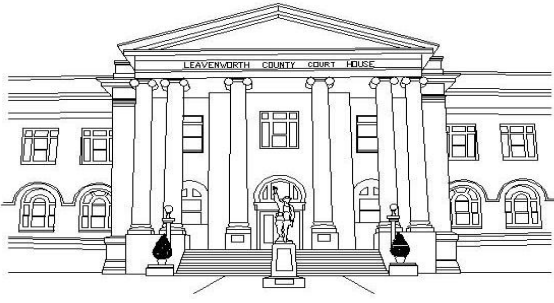
Applicant Response (11.08.24): The event will have parking staff on-site, keeping personal vehicles and vehicles with trailers separate, all parking will be taking place in the open fields on the property.

Olsson Response (11.18.24): No further comment.

2. Olsson Comment (10.18.24): Applicant to provide a turning template study to ensure driveway entrance size is adequate for trucks entering and exiting the site. Study shall be performed by a KS Professional Engineer.

Applicant Response (11.08.24): No response provided.

Olsson Response (11.18.24): Repeat comment.



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

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Applicant Response (12.13.24): Driveway template done by professional Kansas engineer David Lutgen.

Olsson Response (12.23.24): Driveway template proposes the driveway to be improved. Driveway to be improved including any necessary driveway storm pipe. 18 foot drive should extend south from the entrance approximately 42 feet to allow for truck and trailer exiting the property and allow an incoming truck and trailer to enter the property from the public street. Provide transition from 18-foot drive width to existing approximate 13-foot drive width. Contact County for permitting requirements.

3. Olsson Comment (10.18.24): Parking operations should be contained entirely on site; traffic should not queue onto the public road network when entering the site.

Applicant Response (11.08.24): The event will have parking staff on-site, keeping personal vehicles and vehicles with trailers separate, all parking will be taking place in the open fields on the property.

Olsson Response (11.18.24): No further comment.

4. Olsson Comment (10.18.24): The private driveway appears to be a dirt roadway with a width of approximately 12 feet, which would accommodate only one-way traffic. Designated bulb out areas will be required for vehicles that attempt to travel contraflow (need to support concurrent entering and exiting traffic). Provide locations with details on the site plan.

Applicant Response (11.08.24): No response provided.

Olsson Response (11.18.24): Repeat comment.

Applicant Response (12.13.24): The drive way is dirt road and two vehicle are able to come in and out at the same time since it is an open ground, the entrance gate is 20' wide.

Olsson Response (12.23.24): See Public Works comment #2 response dated 12.23.24. Applicant states adequate width is available on site for two way traffic

**Allison, Amy**

---


**From:** Leavenworth County Humane Society Inc. <lvncohs@live.com>  
**Sent:** Wednesday, January 8, 2025 5:32 PM  
**To:** Jacobson, John; Allison, Amy; Brown, Misty  
**Cc:** flymtp@yahoo.com; boccc; herringsurveying@outlook.com; Midge Grinstead; contact.proservelegal@gmail.com  
**Subject:** RJ Ranch SUP Application (Cantrell Road)  
**Importance:** High

*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.

This facebook page shows what I believe to be evidence of illegal activity occurring at the property being considered tonight for a SUP.

I highly encourage that this application NOT be recommended for approval.

<https://www.facebook.com/ranchoElJerezanos/>



[RJ Ranch -Rancho El Jerezano - Facebook](#)  
RJ Ranch -Rancho El Jerezano. 784 likes. Sports & recreation  
[www.facebook.com](http://www.facebook.com)

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 00000 Cantrell Road PID: 222-09-0-00-00-002.07 \*\*\*Public Hearing Required\*\*\* \*\*\*Public Comment limited to three minutes per person\*\*\*

Crystal Swann Blackdeer  
Executive Director  
**Leavenworth County Humane Society, Inc.**  
100 W Gilman Road, Lansing, KS 66043  
Web: [www.LCHSInc.org](http://www.LCHSInc.org) 913-250-0506



## Allison, Amy

---

**From:** Pro Serve Legal <contact.proservelegal@gmail.com>  
**Sent:** Wednesday, January 8, 2025 4:55 PM  
**To:** bocc; Culbertson, Jeff; //bocc@leavenworthcounty.gov; Kaaz, Vicky; Smith, Doug; Smith, Michael; Stieben, Mike; flymtp@yahoo.com; PZ  
**Subject:** Re: Haro - Sup - Email 1 of 6  
**Attachments:** haro aerial.pdf

**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.

This document shows the satellite image of his property, and where the arena is. Please note the narrowness and small size of his property. Please also note how close to the property lines his arena and stage area are.

On Wed, Jan 8, 2025 at 4:02 PM Pro Serve Legal <[contact.proservelegal@gmail.com](mailto:contact.proservelegal@gmail.com)> wrote:

Good afternoon,

we became aware of the hearing on Friday and immediately began trying to make contact with someone from LV County regarding the hearing. We made contact with Amy yesterday and they advised us we could submit up till today however at 1115 am I was told by the director to submit via the County Counselor and they have not returned our calls. I requested to attend via phone or zoom due not only to our road still be impossible but due to immunity issues I currently face as well as some other serious health challenges. I was told no, then when I was asking very basic questions this morning if they've spoken with capt from the Sheriffs department about this haro property, the director began screaming over the phone that there are no special treatments etc. Due to the directors refusal to assist residents I pray you all will review the evidence being provided and vote whats best for the community

We respectfully on behalf of the constituents your board represent and who are Haro's neighbors, request you deny this SUP not just due to the Animal Abuse issues, his habitual violation of the county regulations, but also due to the noise and light issues it poses.

The proposed sup for rodeos is misleading at best, the "rodeo" events Haro conducts there are not legal in the state of Kansas and are actually potential felony violations of the Kansas Animal welfare statute. The events he conducts include Horse Tripping, and Tail dragging which are specifically mentioned in the State Statute. In order for a rodeo to be exempt from the animal abuse statute it must follow the National rodeo Cowboy Association guidelines which dictate specific events, and how the animals are cared for which are not even close to what Haro has been doing.

This is the 1st of several emails where we will be providing evidence of his violations.

If you have any questions please let me know.

Thank you

## Allison, Amy

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**From:** Pro Serve Legal <contact.proservelegal@gmail.com>  
**Sent:** Wednesday, January 8, 2025 4:51 PM  
**To:** PZ  
**Subject:** Fwd: Haro - Sup - Email 1 of 6  
**Attachments:** Screenshot\_20250108\_003749\_Facebook.jpg; Screenshot\_20250108\_001648\_Facebook.jpg; FB\_IMG\_1736317286072.jpg; FB\_IMG\_1736317317402.jpg; Screenshot\_20250108\_002153\_Facebook.jpg; Screenshot\_20250108\_002142\_Facebook.jpg; FB\_IMG\_1736317421039.jpg; FB\_IMG\_1736317397766.jpg; Screenshot 2024-08-20 235204.png; Screenshot 2024-08-20 235319.png; Screenshot 2024-08-20 235050.png; Screenshot 2024-08-21 103638.jpg; 366368323\_307999398405614\_6938520399593400876\_n.jpg; 117934089\_1051664561956409\_7384361772694783486\_n.jpg; 272904826\_148791560881329\_2089537863841808850\_n.jpg; 278186065\_164019522691866\_9088832428820679601\_n.jpg; 278794649\_166267842467034\_4237077320915558817\_n.jpg; 345654499\_728631148949400\_7165894722989269075\_n.jpg

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----- Forwarded message -----

**From:** Pro Serve Legal <[contact.proservelegal@gmail.com](mailto:contact.proservelegal@gmail.com)>  
**Date:** Wed, Jan 8, 2025 at 4:11 PM  
**Subject:** Haro - Sup - Email 1 of 6  
**To:** <[bocc@leavenworthcounty.gov](mailto:bocc@leavenworthcounty.gov)>, <[jeffc@leavenworthcounty.gov](mailto:jeffc@leavenworthcounty.gov)>, <[//bocc@leavenworthcounty.gov](mailto://bocc@leavenworthcounty.gov)>, <[vkaaz@leavenworthcounty.gov](mailto:vkaaz@leavenworthcounty.gov)>, <[dsmith@leavenworthcounty.gov](mailto:dsmith@leavenworthcounty.gov)>, <[msmith@leavenworthcounty.gov](mailto:msmith@leavenworthcounty.gov)>, <[mstieben@leavenworthcounty.gov](mailto:mstieben@leavenworthcounty.gov)>, <[flymtp@yahoo.com](mailto:flymtp@yahoo.com)>



Good afternoon,

we became aware of the hearing on Friday and immediately began trying to make contact with someone from LV County regarding the hearing. We made contact with Amy yesterday and they advised us we could submit up till today however at 1115 am I was told by the director to submit via the County Counselor and they have not returned our calls. I requested to attend via phone or zoom due not only to our road still be impossible but due to immunity issues I currently face as well as some other serious health challenges. I was told no, then when I was asking very basic questions this morning if they've spoken with capt from the Sheriffs department about this haro property, the director began screaming over the phone that there are no special treatments etc. Due to the directors refusal to assist residents I pray you all will review the evidence being provided and vote whats best for the community

We respectfully on behalf of the constituents your board represent and who are Haro's neighbors, request you deny this SUP not just due to the Animal Abuse issues, his habitual violation of the county regulations, but also due to the noise and light issues it poses.

The proposed sup for rodeos is misleading at best, the "rodeo" events Haro conducts there are not legal in the state of Kansas and are actually potential felony violations of the Kansas Animal welfare statute. The events he conducts include Horse Tripping, and Tail dragging which are specifically mentioned in the State Statute. In order for a rodeo to be exempt from the animal abuse statute it must follow the National rodeo Cowboy Association guidelines which dictate specific events, and how the animals are cared for which are not even close to what Haro has been doing.

This is the 1st of several emails where we will be providing evidence of his violations.

If you have any questions please let me know.

Thank you



## Allison, Amy

---

**From:** Jacobson, John  
**Sent:** Wednesday, January 8, 2025 11:01 AM  
**To:** Brown, Misty; Allison, Amy  
**Subject:** FW: PETA: Regarding your voicemail  
**Attachments:** FB\_IMG\_1736317513092.jpg; FB\_IMG\_1736317473193.jpg; FB\_IMG\_1736317505381.jpg; FB\_IMG\_1736317497667.jpg; FB\_IMG\_1736317526010.jpg; FB\_IMG\_1736317461961.jpg; FB\_IMG\_1736317466008.jpg; FB\_IMG\_1736317428504.jpg; FB\_IMG\_1736317460004.jpg; FB\_IMG\_1736317426113.jpg; FB\_IMG\_1736317421039.jpg; FB\_IMG\_1736317395491.jpg; FB\_IMG\_1736317397766.jpg; FB\_IMG\_1736317389218.jpg; FB\_IMG\_1736317393150.jpg; FB\_IMG\_1736317364042.jpg; FB\_IMG\_1736317382693.jpg; FB\_IMG\_1736317376591.jpg; FB\_IMG\_1736317359056.jpg; FB\_IMG\_1736317350977.jpg; FB\_IMG\_1736317353724.jpg; FB\_IMG\_1736317373461.jpg; FB\_IMG\_1736317344519.jpg; FB\_IMG\_1736317340739.jpg; FB\_IMG\_1736317333580.jpg; FB\_IMG\_1736317317402.jpg; FB\_IMG\_1736317326222.jpg; Screenshot\_20250108\_002153\_Facebook.jpg; Screenshot\_20250108\_002142\_Facebook.jpg; FB\_IMG\_1736317286072.jpg

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**From:** Sherley, James <[jsherley@lvsheriff.org](mailto:jsherley@lvsheriff.org)>  
**Sent:** Wednesday, January 8, 2025 11:00 AM  
**To:** Jacobson, John <[JJacobson@leavenworthcounty.gov](mailto:JJacobson@leavenworthcounty.gov)>  
**Subject:** FW: PETA: Regarding your voicemail

Keeping you in the loop.

Major J.W. Sherley #401  
Undersheriff  
Leavenworth County Sheriff's Office  
601 South Third Street  
Leavenworth, Kansas 66048 Suite #2007  
Office: (913) 758-4001  
[jsherley@lvsheriff.org](mailto:jsherley@lvsheriff.org)

---

**From:** Pro Serve Legal <[contact.proservelegal@gmail.com](mailto:contact.proservelegal@gmail.com)>  
**Sent:** Wednesday, January 8, 2025 10:51 AM  
**To:** [LvnCoHS@live.com](mailto:LvnCoHS@live.com)  
**Cc:** Midge Grinstead <[mgrinstead@humanesociety.org](mailto:mgrinstead@humanesociety.org)>; Sherley, James <[jsherley@lvsheriff.org](mailto:jsherley@lvsheriff.org)>  
**Subject:** Re: PETA: Regarding your voicemail

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Good morning,

I've attached some photos from Haros property of actions that do not fall under the rodeo exemption of the animal abuse statute since they are not done under the guidelines of the professional cowboy rodeo association and are not sanctioned events. Also tail dragging and horse tripping all of which we believe are illegal and felonies. I have additional photos and videos of events at the Haro property, Captain I also have relevant videos of additional statute violations and county ordinance violations.

## Allison, Amy

---

**From:** Jacobson, John  
**Sent:** Wednesday, January 8, 2025 8:52 AM  
**To:** Allison, Amy  
**Subject:** FW: Haro Rodeo  
**Attachments:** haro report excerpt fo rleavenworth ccounty sheriff.pdf

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**From:** Sherley, James <[jsherley@lvsheriff.org](mailto:jsherley@lvsheriff.org)>  
**Sent:** Wednesday, January 8, 2025 8:42 AM  
**To:** Jacobson, John <[JJacobson@leavenworthcounty.gov](mailto:JJacobson@leavenworthcounty.gov)>  
**Subject:** FW: Haro Rodeo

Major J.W. Sherley #401  
Undersheriff  
Leavenworth County Sheriff's Office  
601 South Third Street  
Leavenworth, Kansas 66048 Suite #2007  
Office: (913) 758-4001  
[jsherley@lvsheriff.org](mailto:jsherley@lvsheriff.org)

---

**From:** Pro Serve Legal <[contact.proservelegal@gmail.com](mailto:contact.proservelegal@gmail.com)>  
**Sent:** Tuesday, January 7, 2025 4:45 PM  
**To:** Sherley, James <[jsherley@lvsheriff.org](mailto:jsherley@lvsheriff.org)>  
**Subject:** Haro Rodeo

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

Good afternoon,

I've attached an excerpt from a report prepared detailing the activities at Haro's property and how we believe they violate state law as well as the previous special use permits.

The issues are as follows:

1. The hispanic rodeo / cultural events as he refers to them violate Kansas Statutes for animal welfare. Tail dragging and horse tripping are illegal in Kansas. Rodeos in Kansas are exempt from animal abuse laws so long as they follow National Cowboy Rodeo Association guidelines and rules, his events do not follow these guidelines. Also horse tripping and tail dragging are in themselves illegal and also are not sanctioned events. Additionally the Rodeo guidelines require strict veterinarian guidelines and supervision which haro does not.
2. Alcohol sales - Haro has advertised that people can not bring in their own drinks and that all drinks are to be bought on site in violation of the previous sup, additionally we could find no liquor licenses.

Other issues include:



1. the excessive lights and noise in some cases as late as 3 am.
2. people armed with what appears to be semi automatic long arms riding horseback providing security on multiple occasions,
3. people living in horse trailers and other structures that do not meet occupancy guidelines for lv county.
4. charter buses who reportedly arrive in the middle of the night with sometimes as many as a hundred people on them.
5. Semi trucks that have reportedly come and went from the location in the middle of the night.

Here is 3 links to posts on Haro's ranch's facebook page that document felony animal abuse. Also some of the posts ads discusses no outside drinks.

<https://www.facebook.com/share/v/19xs1vFuNQ/>

<https://www.facebook.com/share/v/15m3hfYtr7/>

<https://www.facebook.com/share/v/19xs1vFuNQ/>

We believe that Leavenworth County needs to deny the sup based on their documented failures to follow state law and previous sup guidelines.

I would love to discuss this with you even for a few minutes when you're available.

thank you



Arena at Haro property





# HARO RODEO COMPLIANCE / WORKING STATUS SUMMARY NOTES

## Compliance Check Purpose:

To review historical and current allegations of illegal rodeo, concert, and alcohol sales activities at 22000 Cantrell Rd Linwood Kansas 66052

Owner: HARO, AURELIO & BROCKENBERRY, NORMA  
Site Address: 00000 CANTRELL RD, Linwood, KS 66052  
Mailing Address: 17564 W 158TH TER, OLATHE, KS 66062

**Compliance Check Period:** ESTIMATED END DATE 08-25-2024

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### Key Findings:

- **Rodeo:** Rodeo is not in compliance with Kansas State Statute 21-6412. (Cruelty to animals). Evidence suggests the practice of bull tail dragging occurred at the rodeo. The practice of bull tail dragging constitutes animal cruelty

and causes significant harm to the animals involved. Subject, along with his associates have advertised these events as public events for years in conflict with his statement to the County Commissioners that this is a family and friends event.

The rodeo arena/concert stage location is only approximately 72 feet to the West property line and 98 feet to the East property line of the subject.

- **Concerts:** Based on historical video audio and lights are not in compliance. The concert organizer has previously operated without a required permit.
- **Alcohol Sales:** Event and subject do not appear to be in compliance based on historical evidence found.

#### Evidence:

- **Rodeo:** Video, Still Photos, and review of State Statute and regulations support that the rodeo activities may be in violation of Animal Abuse Statutes. (Please See Attachment 7). Bull Tail Dragging and Horse Tripping do not comply with Professional Rodeo Association Guidelines and appears to be in violation of Kansas Animal Abuse Statute.
- **Concerts:** Noise and lights immitted appear to be in excess of accepted standards
- **Alcohol Sales:** Review of advertising materials stating that no outside beverages may be brought in and all beverages will be sold on site contradicts the subjects statements to Leavenworth Commissioners that his “family event” is a BYOB which appears to be in violation of Kansas Statutes regarding both the sale of Alcohol and Consumption of Alcohol.

#### Recommendations:

- Rodeo: Prepare package for the prosecutor, Sheriff's Office, and present to Kansas Dept of Ag, USDA, Peta
- Concerts: Prepare package for County Commissioners, Sheriff Prosecutors office and possible request for injunction
- Alcohol Sales: Prepare package for Prosecutor, Sheriff's office, County Commissioners, and Kansas bureau of Alcohol
- Upon completion and after presentation to appropriate agencies seek legal representation for possible civil suit

#### Conclusion:

**RODEO:** The practice of Bull/Steer tail dragging is unacceptable and do not comply with Professional Rodeo Association Guidelines in violation of Kansas Animal Abuse Statute and must be stopped. Further investigation is necessary to determine the full extent of animal cruelty at the rodeo and to hold those responsible accountable.

These events can cause extreme pain and injury to the animals, including:

- Physical injuries: Broken tails, spinal injuries, and internal bleeding.
- Psychological trauma: Severe stress and fear.

**Alcohol Sales:** The absence of an alcohol sales permit for the concert represents a significant violation of local regulations. Further investigation and enforcement actions are necessary to prevent similar occurrences in the future.

## ATTACHMENTS 1

**GRAN JARPEO BAILE**  
EVENTO 100% CONFIRMADO

**RANCHO EL JEREZANO**

BANDA **EL PILAR**

*Copa Aventura*

BANDA **LA EXCLUSIVA**

*Las Garcias*

**GRAN CONCURSO DE BAILE**

**20 DOMINGO DE AGOSTO** NIÑOS MENORES DE 12 ENTRAN GRATIS  
PUERTAS ABREN 3:PM

RANCHO EL JEREZANO: 22000 CANTREALL RD LINWOOD KS 66052

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

**SANTA FE TOUR**

**8 SEGUNDOS** MUSICA COUNTRY

**DOMINGO 8 MAYO 2022**

¡TRAE A FESTEJAR A MAMÁ EL DIA DE LAS MADRES!  
PUERTAS ABREN 12PM / ADULTOS 40 DLLS / NIÑOS MENORES DE 12 AÑOS GRATIS

ticketon.com | 1.800.668.8080 | **TICKETON**

**SABADO DE GLORIA**

**COLEADERO DE LUJO**  
CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**  
REPARTIENDO EL 70% EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA DE JUDAS**

**HABRA CONCURSO DE CABALLOS BAILADORES**

**SABADO 16 ABRIL**

**MAS INFORMACION:**  
913-548-3101 Y 785-917-1008

La Inigualable Banda **SANTA CRUZ**  
De Eric Solis

PUEDES LLEVAR TU PROPIA BEBIDA, SOLO DE BOTE

CONFIDENTIAL - D



**Gran Coleadero Baile**  
**Rancho El Jerezano SABADO**  
 Abra Charreada  
 Con cinco equipos charros para  
 Celebrar el Cinco de Mayo

**6 MAYO**

BANDA LA **Querendona**  
 JEREZ ZACATECAS

**AMBIENTE 100% FAMILIAR**

**Buen Ganado Polla De \$150 Se Repartira 70% A los 3 Primeros Lugares**

Para Mas Información  
 913-584-3101

**Charreada Apartir de las 10am**

**Y ELITE NORTENO**  
 KANSAS CITY

Puedes Traer Tu Cerveza Solo En Bote

**22000 CANTREALL RD LINWOOD KS 66052**

**SABADO DE GLORIA**  
**COLEADERO DE LUJO**  
 CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
 22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200** REPARTIENDO EL 70% EN LOS 3 PRIMEROS LUGARES  
**HABRA QUEMA DE JUDAS**

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

La Inigualable Banda **SANTA CRUZ**  
 De Eric Solis

PUEDES LLEVAR TU PROPIA BEBIDA SOLO DE BOTE  
**HABRA CONCURSO DE CABALLOS BAILADORES**

**AMBIENTE 100% FAMILIAR**

GUAPAS DAMITAS PREMIANDO LOS MEJORES COLEADORES

MAS INFORMACION:  
 913-548-3101 Y 785-917-1008

Empezando desde las 2:00 pm

RANCHO "El Jerezano" **23** sábado OCTUBRE

**GRAN CABALGATA y Tardeada Baile**

**COMIDA GRATIS HASTA QUE TOPE!!!**

**ELITE NORTENO**  
 Acompañando de 5 a 9

**Te esperamos!**

CABALGATA DE 2 HORAS

Para mas informacion  
 1 (913) 548-3101

22000 Cantrell RD  
 Linwood KS 66052

Rancho "El Jerezano"

**GRAN COLEADERO de Lujo**

MAS DE 50 TOROS DE GANADERIA LIS PAISAS

Celebrando **Fiestas patrias**

**¡Habrá**



**GRAN TORNEO DE COLAS**  
**CATEGORÍAS**  
**AAA \$1000 DLLS**  
**AA \$500 DLLS**  
**A \$250 DLLS**  
 EVENTO 100% FAMILIAR  
 Repartiendo 70% GANADO 100% Limpio  
 AL TERMINO DEL TORNEO  
**GRAN COLEADERO Abierto**  
**RANCHO EL AGAVE**  
 15722 W 117<sup>TH</sup> ST. N SEDGWICK., KS 67135  
**SÁBADO 25 DE MAYO 2024**  
 MAS INFORMACIÓN AL:  
 316-553-2881 O AL 316-272-2988

**COLEADERO BAILE**  
**BANUELOS**  
**GRAN INAUGURACION**  
 Sabado 20 de ABRIL  
 INDESTRUCTIBLE BANDA AZTECA  
 PULLA \$150 1PM SE REPARTIRA EL 70%  
 AMBIENTE 100% FAMILIAR  
 COLEADERO ABIERTO MONTURA  
 PARA EL QUE TENGA MAS REDONDAS DE BUEN LAIDO PUERTAS ABREN 12 MEDIODIA  
 SE COBRARA POR HIELERA  
 LA REYNA DE KC PUEDEN LLEVAR HIELERA PERO NO BOTELLAS DE VIDRIO ANTOJITOS MEXICANOS  
 NIÑOS MENORES DE 12 AÑOS ENTRAN GRATIS  
 MAS INFO: JUAN BANUELOS 913 269-1514 EFRAIN JAQUE 913 246-1425  
 24345 W. 383RD ST PAOLA KS 66071  
 NO RESPONSABLES DE ALGUN DAÑO O ACCIDENTE DENTRO DE LAS INSTALACIONES

**RANCHO EL DIAMANTE**  
 SABADO 17 AGOSTO 2024  
**SEXTA CHARREADA DEL CIRCUITO DE KANSAS**  
 11:00 AM HERENCIA CHARRA R300 SAN RAFAEL SAGRADO CORAZON  
 2:00 PM HACIENDA DE KANSAS HACIENDA DEL RIO RANCHO EL DIAMANTE  
 AL TERMINO DE LAS CHARREADAS  
 COLEADERO LIBRE Y PULLA DE \$150  
 AMBIENTE 100% FAMILIAR | ANTOJITOS MEXICANOS | TARDEADA BAILE  
 PUEDEN TRAER SOLO CERVEZA DE LATA Y HABRA UN COSTO POR HIELERA  
**LA PRENDIDISIMA**  
 BANDA PERLA DE JEREZ, ZAC.  
 16819 LENAPE RD. LINWOOD KS 66052

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## ATTACHMENTS 5

### Animal Cruelty

21-6412. Cruelty to animals. (a) Cruelty to animals is:

- (1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;
- (2) knowingly abandoning any animal in any place without making provisions for its proper care;
- (3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;
- (4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;
- (5) knowingly but not maliciously killing or injuring any animal; or
- (6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and

(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

- (1) Normal or accepted veterinary practices;
- (2) bona fide experiments carried on by commonly recognized research facilities;



(3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;

(4) rodeo practices accepted by the rodeo cowboys' association;

(5) the humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound;

(6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;

(7) the killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;

(9) laying an equine down for medical or identification purposes;

(10) normal or accepted practices of pest control, as defined in subsection (x) of K.S.A. 2-2438a, and amendments thereto; or

(11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a duly incorporated humane society or licensed veterinarian for treatment, boarding or other care or, if an officer of such humane society or such veterinarian determines that the animal appears to be diseased

or disabled beyond recovery for any useful purpose, for humane killing. If the animal is placed in the care of an animal shelter, the animal shelter shall notify the owner or custodian, if known or reasonably ascertainable. If the owner or custodian is charged with a violation of this section, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby the animal shelter may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 21 days after the owner or custodian is notified or, if the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal.

(f) The owner or custodian of an animal placed for adoption or killed pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing of such animal unless the owner proves that such placement or killing was unwarranted.

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

(h) If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for sale or other disposition.

(i) As used in this section:

(1) "Equine" means a horse, pony, mule, jenny, donkey or hinny; and

(2) "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.

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## ATTACHMENTS 3

### Alcohol Sales

**41-719. Consumption of alcoholic liquor prohibited in certain places; exemptions.** (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed on public streets, alleys, roads, sidewalks or highways when:

(A) A temporary permit has been issued pursuant to K.S.A. 41-2703, and amendments thereto, or K.S.A. 41-1201, and amendments thereto, for such an event;

(B) a caterer's licensee has provided the required notification for a catered event pursuant to K.S.A. 41-2643, and amendments thereto; or

(C) a public venue, hotel, hotel caterer, drinking establishment caterer or drinking establishment licensee has been authorized to extend its licensed premises pursuant to K.S.A. 41-2608, and amendments thereto.

(3) Consumption of alcoholic liquor on public streets, alleys, roads, sidewalks or highways must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such consumption will occur. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any time.

(4) No person shall remove any alcoholic liquor from inside the boundaries of an event as designated by the governing body of any city, county or township, from the boundaries of a catered event or from the extended licensed premises of a public venue, hotel, hotel caterer, drinking establishment caterer or drinking establishment. Such boundaries shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed.



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(b) Alcoholic liquor may be consumed within common consumption areas designated by a city or county on public streets, alleys, roads, sidewalks or highways pursuant to K.S.A. 41-2659, and amendments thereto, except that no alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways within a common consumption area. Further, no person shall remove any alcoholic liquor from inside the boundaries of the common consumption area which shall be clearly designated by a physical barrier.

(c) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a, 41-308b or K.S.A. 41-354, and amendments thereto;

(6) on the premises of an unlicensed business as authorized pursuant to subsection (j); or

(7) within a common consumption area established pursuant to K.S.A. 41-2659, and amendments thereto.

(d) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.



(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under K.S.A. 41-308a(e), and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2703, and amendments thereto, or K.S.A. 41-1201, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with bona fide scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

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- (7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.
- (8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.
- (9) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.
- (10) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.
- (11) On property exempted from this subsection pursuant to subsection (e), (f), (g), (h) or (i).
- (12) On the premises of the state capitol building or on its surrounding premises during an official state function of a nonpartisan nature that has been approved by the legislative coordinating council.
- (13) On premises of a common consumption area established by K.S.A. 41-2659, and amendments thereto.
- (e) Any city may exempt, by ordinance, from the provisions of subsection (d) specified property the title of which is vested in such city.
- (f) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (d) specified property the title of which is vested in such county.
- (g) The state board of regents may exempt from the provisions of subsection (d) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.
- (h) The board of regents of Washburn university may exempt from the provisions of subsection (d) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.
- (i) The board of trustees of a community college may exempt from the provisions of subsection (d) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.
- (j) (1) An unlicensed business may authorize patrons or guests of such business to consume alcoholic liquor on the premises of such business provided:
- (A) Such alcoholic liquor is in the personal possession of the patron and is not sold, offered for sale or given away by the owner of such business or any employees thereof;
- (B) possession and consumption of alcoholic liquor shall not be authorized between the hours of 12 a.m. and 9 a.m.;
- (C) the business, or any owner thereof, shall not have had a license issued under either the Kansas liquor control act or the club and drinking establishment act revoked for any reason; and
-  (D) no charge of any sort may be made by the business for the privilege of possessing or consuming alcoholic liquor on the premises, or for mere entry onto the premises.
-  (2) It shall be a violation of this section for any unlicensed business to authorize the possession or consumption of alcoholic liquor by a patron of such business when such authorization is not in accordance with the provisions of this subsection.

(3) For the purposes of this subsection, "patron" means a natural person who is a customer or guest of an unlicensed business.

(k) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(l) For the purposes of this section, "common consumption area" has the same meaning as that term is defined in K.S.A. 41-2659, and amendments thereto

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## ATTACHMENTS 4

The Professional Rodeo Cowboys Association (PRCA)

[www.prorodeo.com](http://www.prorodeo.com)

### LIVESTOCK WELFARE RULES

The PRCA has more than 60 rules to ensure the proper care and treatment of rodeo animals included in its official rules and regulations. While the rules and regulations are too numerous to list here, several of the safeguards for the proper treatment of animals in the rules and regulations are listed below. For a complete list of the rules and regulations dealing with the proper care and treatment of animals, please send your request to PRCA Animal Welfare Coordinator, PRCA, 101 Pro Rodeo Drive, Colorado Springs, CO 80919.

- A veterinarian must be on-site at all PRCA-sanctioned rodeos.
- All animals are inspected and evaluated for illness, weight, eyesight and injury prior to the rodeo, and no animals that are sore, lame, sick or injured are allowed to participate in the event.
- Acceptable spurs must be dull.
- Standard electric prods may be used only when necessary and may only touch the animal on the hip or shoulder area.
- Stimulants and hypnotics may not be given to any animal to improve performance.



- Any PRCA member caught using unnecessary roughness or abusing an animal may be immediately disqualified from the rodeo and fined. This holds true whether it is in the competitive arena or elsewhere on the rodeo grounds.
- Weight limitations are set for both calves (between 220 and 280 pounds) and steers (450-650 pounds).
- The flank straps for horses are fleece- or neoprene-lined and those for bulls are made of soft cotton rope and may be lined with fleece or neoprene.
- Steers used in team and steer roping have a protective covering placed around their horns.
- The use of prods and similar devices is prohibited in the riding events unless an animal is stalled in the chute.
- A no-jerk-down rule provides for fines if a contestant jerks a calf over backwards in tie-down roping.
- All rodeos must have a conveyance available to humanely transport any injured animal.
- Chutes must be constructed with the safety of the animals in mind.

## ATTACHMENTS 4

### Requirements for the Licensed Premises

#### "Wet" county

The licensed premises must be located in a "wet" county. Information concerning the status of each county may be found on the ABC website at: <https://www.ksrevenue.gov/pdf/abcwetdrymap.pdf>. A county is wet if:

- the board of county commissioners has approved a resolution permitting liquor by the drink (with or without a 30 percent food requirement), or
- the majority of the voters in that county approved the amendment to the Kansas Constitution in November 1986 to allow liquor by the drink or subsequently approved a proposition in a state general election to permit liquor by the drink (with or without a 30 percent food requirement) and which has not revoked that approval in a subsequent election. See K.S.A. 41-2646 for the requirements for the election. [Subsection (a) of K.S.A. 41-2642]
- Subsection (b) of K.S.A. 41-2646 sets forth the procedure whereby voters of the county may petition for a vote on whether the county shall become "wet" or "dry." The petition must contain at least 10 percent of the electors who voted for the office of Secretary of State at the last preceding general election at which such office was elected. When any such election takes place, the county election officer shall transmit a copy of the results to the Director. Since no time period is specified as to when such changes become effective, they should become effective as soon as the election results are received from the county election officers. [Subsection (d) of K.S.A. 41-2646]

#### Zoning.

The applicable city, township or county zoning must permit a drinking establishment at that geographic location. [Subsection (b) of K.S.A. 41-2608]

Control of premises by licensee.

The licensed premises must be constructed and operated in such a manner that the licensee has sufficient control to assure compliance with all applicable liquor laws and regulations. The licensed premises must include all portions of the premises where the DE's customers are permitted to possess and consume alcoholic liquor sold by the DE. Applicants for an initial license must furnish a diagram of the proposed licensed premises for approval by ABC. [Subsection (c) of K.S.A. 41-2642 and subsection (a)(2) of K.A.R. 14-21-2]

For DE's located within a hotel or motel, the licensed premises may include the guest rooms, banquet rooms and common areas. Any guest room equipped with a "mini-bar" where guests are permitted to remove and consume alcoholic liquor must be included in the licensed premises. [Subsection (d) of K.S.A. 41-2642 and subsection (a)(2) of K.A.R. 14-21-2]

Owner or lessee.

Except for municipal corporations, stadiums, arenas, convention centers, museums, theaters amphitheatres and other similar premises, the licensee must either be the legal owner of the licensed premises or be a lessee or sub-lessee of the legal owner. If the applicant does not own the premises to be licensed, then the applicant must furnish a copy of the current lease for review by ABC. [Subsection (b)(1) of K.S.A. 41-2623]

If the lease provides for rent to be calculated based upon a percentage of the receipts or profit from the sale of alcoholic liquor or other items to be mixed with alcoholic liquor, then the landlord is deemed to have a beneficial interest in the licensed premises. In this case, unless the lessor is a city, county or state agency, the lessor must meet all of the qualifications for licensure. [Subsection (e) of K.A.R. 14-21-3]

Beverage service agreement.

If the premises to be licensed is owned by the city or county, or is a stadium, arena, convention center, theater, museum, amphitheater or other similar premises, the applicant may submit an executed agreement to provide alcoholic beverage services at the premises in lieu of a lease. [Subsection (b)(1) of K.S.A. 41-2623]

Premises currently or previously occupied by another DE or club.

When ABC records indicate the location is currently or has recently been occupied by another similar licensed business, the Director has approved the following procedures (Ruling by the Director on July 24, 2012):

- If the current business has an active license and the current business' lease is still in effect, ABC shall send a certified letter to the last known address of the current licensee, notifying the licensee that its license will be canceled if the licensee does not reply to the ABC within ten days. Any alcoholic liquor and CMB remaining on the premises will be deemed by the Director to be abandoned and shall be seized and sold by the ABC. Proceeds from the sale will go to the state general fund.
- If the current business no longer has an active license (expired or revoked) ABC will issue a license for another business to occupy that location.

Extension of premises.

A drinking establishment may permanently or temporarily extend its licensed premises upon written approval by the director. The request to extend premises must be submitted to ABC at least 10 days prior to the proposed extension. [Subsection (b) of K.A.R. 14-21-21] The request shall be made on a form (ABC-806 for permanent extension, ABC-816 for temporary extension) approved by the director and shall include the following information:

- A diagram of the extended premises, clearly showing the boundaries of the premises, all entrances and exits, and the area in which the service of alcoholic liquor and CMB will occur [Subsection (c) of K.A.R. 14-21-21];
- In the case of a temporary extension, the date(s) and time(s) that the premises will be extended [Subsection (d) of K.A.R. 14-21-21];
- If the licensee does not own or lease the area into which the premises are being extended, the application shall include written permission from the governing body of the city or county, and the owner, landlord, or the property manager to extend the premises. [Subsection (e) of K.A.R. 14-21-21]

A drinking establishment may be temporarily extended on a recurring basis into a city, county or township street, alley, road, sidewalk or highway if the city, county or township authorizes the extension and the possession or consumption of alcoholic liquor and CMB on such street, alley, road, sidewalk or highway by ordinance or resolution. Such ordinance or resolution shall specify that the street, alley, road, sidewalk or highway is closed to motor vehicle traffic at all times when alcoholic liquor and CMB is authorized to be possessed or consumed, and shall also specify the times that such possession or consumption is authorized. [Subsection (c) of K.S.A. 41-2608] All drinking establishment licensees wishing to extend into a given city, county or township street, alley, road, sidewalk or highway shall be identified in the ordinance or resolution authorizing the extension. [Ruling by the Director, May of 2019]

The boundary of the extended premise shall be clearly marked by a three-dimensional obstacle. [Subsection (g) of K.A.R. 14-21-21] The licensee shall maintain, on the licensed premises, a copy of the diagram submitted to ABC with the request for extension and a copy of the director's approval to extend the premises. [Subsection (i) of K.A.R. 14-21-21]

#### Right of Governing Body to Request a Hearing

The governing body of any city or county may request notification when an application is filed for a new or renewed license in such city or county. [Subsection (a) of K.S.A. 41-2651] If the governing body makes such a request, the Director shall notify the governing body when an application is received. [Subsection (a) of K.S.A. 41-2651] Once notified, the governing body shall have 10 days to request a hearing before the director on whether an initial license should be issued or an existing license should be renewed. [Subsection (b) of K.S.A. 41-2651]

The governing body of any city or county may, at any time, request a hearing to determine whether a license issued under the Club and Drinking Establishment Act should be revoked or suspended. [Subsection (c) of K.S.A. 41-2651]

The hearing shall be conducted in accordance with the Kansas Administrative Procedure Act. [Subsection (d) of K.S.A. 41-2651] At such hearing, the governing body shall have the right to present testimony and evidence and make recommendations regarding whether the director should issue or renew the license. [Subsection (e) of K.S.A. 41-2651] K.A.R. 14-21-22 provides factors for the director to consider in making such determination.

#### Restrictions on Employees



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All persons who are serving alcoholic beverages or CMB must be at least 18 years old. However, any server who is under the age of 21 must be supervised by a person who is at least 21 years old. [Subsections (a) and (f) of K.S.A. 41-2610 and Subsections (b)(1) and (b)(3) of K.A.R. 14-21-9]

All persons who are mixing or dispensing alcoholic beverages or CMB must be at least 21 years old. [Subsection (g) of K.S.A. 41-2610 and Subsection (b)(2) of K.A.R. 14-21-9]

No person connected\* (see below) with the dispensing, mixing and serving of alcoholic liquor or CMB can have:

- a conviction of a felony or of any crime involving a morals charge in Kansas, any other state, or the United States at any time. [Subsection (b) of K.S.A. 41-2610] "Morals charge" is defined in subsection (k) of K.A.R.14-21-1 as a charge alleging:
  - o prostitution
  - o procuring any person
  - o solicitation of a child under 18 years of age for any immoral act involving sex
  - o possession or sale of narcotics, marijuana, amphetamines or barbiturates
  - o rape
  - o incest
  - o gambling
  - o adultery
  - o bigamy
- a conviction of a violation of any intoxicating liquor law of Kansas, any other state, or the United States within the previous two years. . [Subsection (b)(5) of K.A.R. 14-21-9]
- two or more convictions within the previous five years of K.S.A. 21-5607, furnishing alcoholic liquor to a minor, or a similar law of any other state, or of the United States; or have three or more convictions within the previous five years of any other intoxicating liquor law of Kansas or any other state, or of the United States. [Subsection (c) of K.S.A. 41-2610] This would include convictions for driving while intoxicated (DWI) or driving under the influence (DUI).
- o \*"Person connected" includes any manager or assistant manager in charge of the daily operations of the club. [Subsection (j) of K.A.R. 14-21-1] The Director has ruled that "person connected" also includes any person who manages or supervises any person actually doing the dispensing, mixing and serving of alcoholic liquor or CMB, regardless of their title. [Policy Memorandum 2001-4]

No person employed in the dispensing, mixing and serving of alcoholic liquor or CMB can be:

- a manufacturer, distributor or retailer. [Subsection (b)(6) of K.A.R. 14-21-9]

- an officer, agent or employee of a manufacturer, distributor or retailer. [Subsection (b)(6) of K.A.R. 14-21-9]

Persons who dispense beer from carts on golf courses must be at least 21 years old because there is no 21 year old supervisor who can see what they are doing, as there would be inside a building where 18-year olds are allowed to carry alcoholic products to the tables. [Ruling made by the director on April 30, 2007]

Food servers who have a disqualifying conviction may take orders for alcoholic liquor and CMB from customers as long as another, qualified person mixes or dispenses and serves the alcoholic liquor or CMB to the customers. [Interpretation made by AAG on Feb. 1, 2005]

#### Records to be Retained and Available for Inspection

Each DE shall retain the following records of purchases and sales for a period of three years:

- Sales slips and other purchase documents for all alcoholic liquor and CMB purchased from retailers or distributors. [Subsection (e) of K.A.R. 14-21-10]
- Invoices and other records of sales of alcoholic liquor and CMB to all customers. [Subsection (a) of K.S.A. 79-3609 as referenced in subsection (a) of K.S.A. 79-4105 of the Liquor Enforcement Tax Act]

These records are subject to inspection by the director or any agent or employee of the director. [Subsection (g) of K.A.R. 14-21-10]. For a period of 90 days after the purchase, sale or sampling, the records must be kept on the licensed premises. The records may be in electronic or paper format. If electronic, the records must be available to print upon request by the director or any agent or employee of the director. [Ruling by the director on July 16, 2012]

After 90 days, the records may be stored off the licensed premises but shall be provided within a reasonable time upon request. [Ruling by the director on July 16, 2012]

Holders of a combination DE/caterer license must keep the records of their DE separate from the records of their catering business. [K.A.R. 14-22-8]

#### Hours and Days of Sales

There shall be no serving, mixing or consumption of alcoholic liquor or CMB on the licensed premises between the hours of 2 a.m. and 6 a.m. on any day. [Subsection (a) of K.S.A. 41-2614]

#### Concealed Carry of Weapons by Patrons on the Licensed Premises

The Personal and Family Protection Act (K.S.A. 75-7c01 et seq.), commonly known as the concealed carry law, allows the carrying of a concealed or unconcealed firearm in any building unless such building has conspicuously posted prohibitive signage in accordance with Attorney General rules and regulations. [Subsection (a) of K.S.A. 75-7c10, and 75-7c24]

A drinking establishment may elect to prohibit concealed or unconcealed carry on its premises. If it does so, then it must post at the public entrances to the premises signs of a design approved by the Kansas Attorney General indicating that the concealed or unconcealed carry of firearms is prohibited. [Subsection (a) of K.S.A. 75-7c10, and 75-7c24]

#### Signs, Advertising, Trade Practices and Promotional Activities

For further clarification of trade practices involving product displays, point of sale items and equipment, refer to "Policy Memorandum 2016-1" located on the ABC webpage at: <https://www.ksrevenue.gov/pdf/abcpm2016-1.pdf>.

Outside signs.

Industry members may give, lend or sell basic signs advertising the industry member's products. The value of the signs may not exceed \$400. The industry member cannot make payments or give credits to the licensee for displaying their sign and cannot pay for the installation, removal or operation of the sign. This would prohibit the industry member from supplying the structure to mount the sign on, such as a billboard, marquee with space to post additional information, a semi-trailer truck, etc. [27 CFR ch. 1, Sec. 6.102, as adopted by K.A.R. 14-10-17]

Definition of advertising.

"Advertising" means the medium of radio, television, newspapers, periodicals, circulars, pamphlets, or other publications or any sign or outdoor advertising or any other printed or graphic matter. [K.A.R. 14-8-1] Webster's Dictionary (New Riverside University Edition published in 1984) defines "graphic" as:

- pertaining to written representation
- pertaining to pictorial representation
- pictorial device, as an illustration or chart
- display by a computer or imaging device

Radio and television advertising.

Licensees may purchase live radio or TV commercials to take place at the licensed premises if the licensee pays the entire cost of the commercial. An industry member may be present and hand out promotional items to consumers on the premises during the time the commercial is broadcast but shall not participate in the commercial or pay any of the cost thereof. [Ruling by the Director on Aug. 1, 2005] A licensee may arrange for a radio or television station to run a remote broadcast from the licensee's parking lot or anywhere outside the licensed premises and the licensee or the radio or television station may give away food or promotional items at that location. Any food or other items may be given free to the public. The food cannot be paid for by an industry member (manufacturer, supplier or distributor).

Industry members selling, giving or lending equipment or supplies.

Industry members are prohibited from giving or lending money, equipment, supplies, services or anything of value to a licensee except as permitted by K.A.R. 14-10-17. The following are allowed:

- Glassware, as long as the price is not less than what the industry member paid for it.
- Tapping and dispensing equipment, as long as the price is not less than what the industry member paid for it.
- Carbon dioxide gas and ice, as long as the price is not less than the local market price.
- Coil cleaning service.



Industry members selling or giving services.

Industry members are prohibited from inducing licensees to purchase product from them by paying or crediting the licensee for any advertising, display or distribution service. The following practices are prohibited:

- Participating in paying for an advertisement placed by the retailer.
- The purchase of advertising on signs, scoreboards, programs, scorecards, and similar items from the retail concessionaire at ballparks, racetracks or stadiums.
- The purchase of advertising in a publication of the retailer which is distributed to consumers or the general public.
- Reimbursements to retailers for setting up product or other displays.
- Rental of display space in the licensed premises.

[Subsection (d) of 27 CFR, ch. 1, Sec. 6.21, as adopted by K.A.R. 14-10-14]

Industry members shall not obtain tickets to a concert or other event and give them away to consumers either directly or through a third party if the concert or other event is being held on a licensee's premises. This is interpreted as furnishing something of value to the licensee (inducing consumers to visit the licensed premises) in violation of subsection (a) of K.S.A. 41-703. [Ruling by the Director on Aug. 1, 2005]

Industry members shall not arrange for a radio station to have its mobile unit park at a licensee's location and offer something of value to the public for finding the mobile unit and broadcast clues to find the mobile unit. This is interpreted as furnishing something of value to the licensee (inducing consumers to visit the licensed premises) in violation of subsection (a) of K.S.A. 41-703. [Ruling by the Director on Aug. 1, 2005]

However, industry members may furnish, give, rent, loan or sell newspaper cuts, mats or engraved blocks to a licensee for use in their advertising of the industry member's products. [27 CFR, ch. 1, Sec. 6.92, as adopted by K.A.R. 14-10-17]

Industry members may put the name of the retailer on the label or packaging of the products sold to retailers. If the name is added to a label that has previously been registered with ABC, the new label must be separately registered with ABC. [Ruling by the Director on Aug. 20, 2007]

Product displays.

Industry members may give or sell product displays to licensees. The selling or giving of the product displays may be conditioned upon the purchase of enough of the liquor products advertised on the display for the initial completion of the display. No other conditions are allowed. [Subpart (c)(3) of 27 CFR, ch. 1, Sec. 6.83, as adopted by K.A.R. 14-10-17]

"Product display" means any wine racks, bins, barrels, casks, shelving, or similar items whose primary function is to hold and display consumer products. [Subpart (b) of 27 CFR, ch. 1, Sec. 6.83, as adopted by K.A.R. 14-10-17] The total value, based on actual cost to the industry member, of all product displays given or sold by an industry member may not exceed \$300 per brand at any one time in any one licensed premises. [Subpart (c)(1) of 27 CFR, ch. 1, Sec. 6.83, as adopted by K.A.R. 14-10-17]

All product displays must bear conspicuous and substantial, permanently affixed, advertising material about the product or the industry member. The product display may also include the name and address of the retailer. [Subpart (c)(2) of 27 CFR, ch. 1, Sec. 6.83, as adopted by K.A.R. 14-10-17]

Point of sale (“POS”) advertising materials.

Industry members may provide to licensees items intended to be used within the establishment to attract customers’ attention to the products of the industry member. Such advertising materials include, but are not limited to: posters, placards, designs, inside signs (electric, mechanical or otherwise), window decorations, trays, coasters, menu cards, paper napkins, foam scrapers, back bar mats, thermometers, clocks, calendars, banners, display cards, ceiling danglers, table tents and alcoholic beverage lists or menus dealing with alcoholic beverages. [Subpart (b)(1) of 27 CFR, ch. 1, Sec. 6.84, as adopted by K.A.R. 14-10-17]

All POS must bear conspicuous and substantial, permanently affixed, advertising material about the product or the industry member. The POS may also include the name and address of the retailer. [Subpart (c)(1) of 27 CFR, ch. 1, Sec. 6.84, as adopted by K.A.R. 14-10-17]

Consumer advertising specialties (“CAS”) offered by industry members.

Industry members may provide to licensees consumer advertising specialties that are designed to be carried away by the consumer, such as trading stamps, nonalcoholic mixers, pouring racks, ashtrays, bottle or can openers, corkscrews, shopping bags, matches, printed recipes, informational pamphlets, cards and leaflets, post cards, posters, printed sports schedules, pens, pencils, koozies, t-shirts, ball caps and other similar items for distribution to the general public. [Subpart (b)(2) of 27 CFR, ch. 1, Sec. 6.84, as adopted by K.A.R. 14-10-17]

The CAS must bear conspicuous and substantial advertising material about the product or the industry member. The CAS may also include the retailer’s name and address. The licensee shall not be paid or credited in any manner, directly or indirectly, for this distribution service. [Subpart (c) of 27 CFR, ch. 1, Sec. 6.84, as adopted by K.A.R. 14-10-17]

Retailer-generated.

A retailer (on or off-premise licensee) may generate and distribute unconditionally and free of charge to the general public CAS intended to be carried away by the consumer. Such items include ash trays, bottle or can openers, cork screws, matches, printed recipes, informational pamphlets, cards and leaflets, post cards, posters, printed sports schedules, pens, pencils, koozies, t-shirts, ball caps and other similar items. Each CAS must bear conspicuous and substantial advertising material relating to the operation of the retail establishment.

There can be no requirement to purchase anything in order to receive the retailer-generated CAS. Industry members are prohibited from providing or paying for retailer-generate CAS.

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## ATTACHMENTS 6

The Professional Rodeo Cowboys Association (PRCA)

[www.prorodeo.com](http://www.prorodeo.com)

### LIVESTOCK WELFARE RULES

The PRCA has more than 60 rules to ensure the proper care and treatment of rodeo animals included in its official rules and regulations. While the rules and regulations are too numerous to list here, several of the safeguards for the proper treatment of animals in the rules and regulations are listed below. For a complete list of the rules and regulations dealing with the proper care and treatment of animals, please send your request to PRCA Animal Welfare Coordinator, PRCA, 101 Pro Rodeo Drive, Colorado Springs, CO 80919.



- A veterinarian must be on-site at all PRCA-sanctioned rodeos.
- All animals are inspected and evaluated for illness, weight, eyesight and injury prior to the rodeo, and no animals that are sore, lame, sick or injured are allowed to participate in the event.
- Acceptable spurs must be dull.
- Standard electric prods may be used only when necessary and may only touch the animal on the hip or shoulder area.
- Stimulants and hypnotics may not be given to any animal to improve performance.
- Any PRCA member caught using unnecessary roughness or abusing an animal may be immediately disqualified from the rodeo and fined. This holds true whether it is in the competitive arena or elsewhere on the rodeo grounds.
- Weight limitations are set for both calves (between 220 and 280 pounds) and steers (450-650 pounds).
- The flank straps for horses are fleece- or neoprene-lined and those for bulls are made of soft cotton rope and may be lined with fleece or neoprene.
- Steers used in team and steer roping have a protective covering placed around their horns.
- The use of prods and similar devices is prohibited in the riding events unless an animal is stalled in the chute.
- A no-jerk-down rule provides for fines if a contestant jerks a calf over backwards in tie-down roping.
- All rodeos must have a conveyance available to humanely transport any injured animal.
- Chutes must be constructed with the safety of the animals in mind.

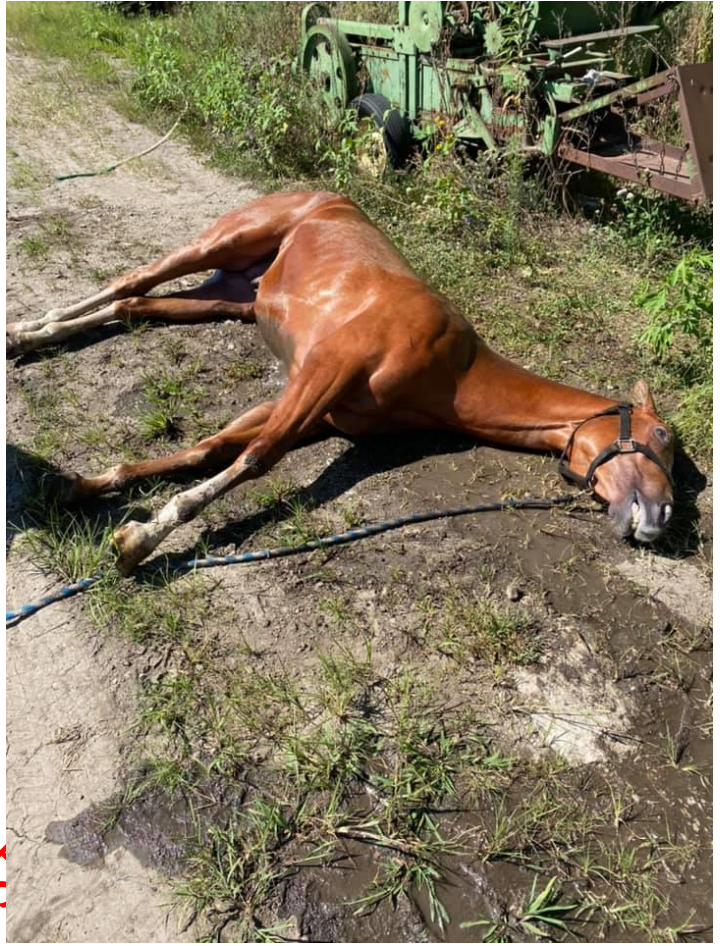
## ATTACHMENTS 7



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FOR DIS

CONFIDENTIAL



CONFIDENTIAL - DO NOT COPY OR DISTRIBUTE - NOT A FINAL FULL REPORT



Steve's Post



REPORT

28

6 comments 1 share

Like

Comment

Share



Hilda Maldonado  
What happened ?

4y Like Reply



Steve Haro  
Hilda Maldonado colic

4y Like Reply See Original (Spanish)



Hilda Maldonado  
Steve Haro

4y Like Reply



Irma Haro  
Lo siento potro cual de los dos semurio

4y Like Reply See translation



Steve Haro  
Irma Haro is the same horse in both pics

4y Like Reply See Original (Spanish)

CONFIDENTIAL - DO NOT COPY OR DISTRIBUTE - NOT A FINAL FULL REPORT

# HARO RODEO COMPLIANCE / WORKING STATUS SUMMARY NOTES

## Compliance Check Purpose:

To review historical and current allegations of illegal rodeo, concert, and alcohol sales activities at 22000 Cantrell Rd Linwood Kansas 66052.

Owner: HARO, AURELIO & BROCKENBERRY, NORMA  
Site Address: 00000 CANTRELL RD, Linwood, KS 66052  
Mailing Address: 17564 W 158TH TER, OLATHE, KS 66062

### Key Findings:

- **Rodeo:** Rodeo is not in compliance with Kansas State Statute 21-6412. (Cruelty to animals). Evidence suggests the practice of bull tail dragging occurred at the rodeo. The practice of bull tail dragging constitutes animal cruelty and causes significant harm to the animals involved. Subject, along with his associates have advertised these events as public events for years in conflict with his statement to the County Commissioners that this is a family and friends event.

The rodeo arena/concert stage location is only approximately 72 feet to the West property line and 98 feet to the East property line of the subject.

- **Concerts:** Based on historical video audio and lights are not in compliance. The concert organizer has previously operated without a required permit.
- **Alcohol Sales:** Event and subject do not appear to be in compliance based on historical evidence found.

### Evidence:

- **Rodeo:** Video, Still Photos, and review of State Statute and regulations support that the rodeo activities may be in violation of Animal Abuse Statutes. (Please See Attachment 7). Bull Tail Dragging and Horse Tripping do not comply with Professional Rodeo Association Guidelines and appears to be in violation of Kansas Animal Abuse Statute.
- **Concerts:** Noise and lights emitted appear to be in excess of accepted standards, and the stage sound and lighting system is excessive and can be seen and heard from over a quarter of a mile away at excessive levels.
- **Alcohol Sales:** Review of advertising materials stating that no outside beverages may be brought in and all beverages will be sold on site contradicts the subject's statements to Leavenworth Commissioners that his "family event" is a BYOB which appears to be in violation of Kansas Statutes regarding both the sale of Alcohol and Consumption of Alcohol.

### Recommendations:

- Rodeo: Prepare package for the prosecutor, Sheriff's Office, and present to Kansas Dept of Ag, USDA, Peta
- Concerts: Prepare package for County Commissioners, Sheriff Prosecutors office and possible request for injunction
- Alcohol Sales: Prepare package for Prosecutor, Sheriff's office, County Commissioners, and Kansas bureau of Alcohol
- Upon completion and after presentation to appropriate agencies seek legal representation for possible civil suit
- 
- **Conclusion:**



- **RODEO:** The practice of Bull/Steer tail dragging is unacceptable and do not comply with Professional Rodeo Association Guidelines in violation of Kansas Animal Abuse Statute and must be stopped. Further investigation is necessary to determine the full extent of animal cruelty at the rodeo and to hold those responsible accountable.
- 
- These events can cause extreme pain and injury to the animals, including:
- Physical injuries: Broken tails, spinal injuries, and internal bleeding.
- Psychological trauma: Severe stress and fear.
- **Alcohol Sales:** The absence of an alcohol sales permit for the concert represents a significant violation of local regulations. Further investigation and enforcement actions are necessary to prevent similar occurrences in the future

# ATTACHMENT 1

**GRAN JARIPEO BAILE**  
EVENTO 100% CONFIRMADO

## RANCHO EL JEREZANO

BANDA **EL PILAR**  
*Copa Aventura*

BANDA **LA EXCLUSIVA**  
*Los GARCÍAS*

**20 DOMINGO DE AGOSTO** NIÑOS MENORES DE 12 ENTRAN GRATIS  
PUERTAS ABREN 3:PM

RANCHO EL JEREZANO: 22000 CANTREALL RD LINWOOD KS 66052

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

## SANTA FE TOUR

**8 SEGUNDOS** MUSICA COUNTRY  
**DOMINGO 8 MAYO 2022**

¡TRAE A FESTEJAR A MAMÁ EL DIA DE LAS MADRES!  
PUERTAS ABREN 12PM / ADULTOS 40 DLLS / NIÑOS MENORES DE 12 AÑOS GRATIS

ticketon.com | 1.800.668.8080 | **TICKETON**

## SABADO DE GLORIA

# COLEADERO DE LUJO

CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**  
REPARTIENDO EL 70%  
EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA DE JUDÁS**

**HABRA CONCURSO DE CABALLOS BAILADORES**

La Inigualable Banda **SANTA CRUZ**  
De Eric Solís

PUEDES LLEVAR TU PROPIA BEBIDA, SOLO DE BOTE

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

MAS INFORMACION:  
913-548-3101 Y 785-917-1008



**Gran Coleadero Baile**  
**Rancho El Jerezano** SABADO  
 Abra Charreada  
 Con cinco equipos charros para  
 Celebrar el Cinco de Mayo

**6 MAYO**

BANDA LA *Querendona*  
 JEREZ ZACATECAS

**AMBIENTE 100% FAMILIAR**

**Buen Ganado**  
**Polla De \$150**  
**Se Repartira**  
**70% A los 3**  
**Primeros**  
**Lugares**

Para Mas Información  
 913-584-3101

**Y ELITE NORTENO**  
 (KANSAS CITY)

**Charreada**  
 Apartir de las  
**10am**

Puedes Traer Tu  
 Cerveza Solo En Bote

**22000 CANTREALL RD**  
**LINWOOD KS 66052**

**SABADO DE GLORIA**  
**COLEADERO DE LUJO**  
 CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
 22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**  
 REPARTIENDO EL 70%  
 EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA**  
 DE JUDAS

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

*La Inigualable Banda*  
**SANTA CRUZ**  
 De Eric Solis

PUEDES LLEVAR TU PROPIA BEBIDA  
 SOLO DE BOTE

**HABRA CONCURSO DE**  
**CABALLOS BAILADORES**

**AMBIENTE 100% FAMILIAR**

GUAPAS DAMITAS PREMIANDO  
 LOS MEJORES COLEADORES

MAS INFORMACION:  
 913-548-3101 Y 785-917-1008

Empezando desde las  
**2:00 pm**

EL RANCHO  
 Rancho  
 "El Jerezano"

**23**  
 sabado  
 OCTUBRE

**GRAN CABALGATA**  
 y Tardeada Baile

**COMIDA GRATIS**  
 HASTA QUE TOPE!!!

**ELITE NORTENO**  
 Acompañando de 5 a 9

**CABALGATA DE 2 HORAS**

**Te esperamos!**

Para más información  
 1 (913) 548-3101

22000 Cantrell RD  
 Linwood KS 66052

Rancho  
 "El Jerezano"

**GRAN COLEADERO**  
 de Lujo

**MAS DE 50 TOROS**  
 DE GANADERIA  
 LOS PAISAS

**Celebrando**  
**Fiestas patrias**

**iHabrá**



**GRAN TORNEO DE COLAS**  
**CATEGORÍAS**  
**AAA \$1000 DLLS**  
**AA \$500 DLLS**  
**A \$250 DLLS**  
 EVENTO 100% FAMILIAR  
 Repartiendo 70% · GANADO 100% Limpio  
 AL TERMINO DEL TORNEO  
**GRAN COLEADERO Abierto**  
**RANCHO EL AGAVE**  
 15722 W 117<sup>TH</sup> ST. N SEDGWICK., KS 67135  
**SÁBADO 25 DE MAYO 2024**  
 MAS INFORMACIÓN AL:  
**316-553-2881 O AL 316-272-2988**



**COLEADERO BAILE**  
**BANUELOS**  
**GRAN INAUGURACION**  
**Sábado 20 de ABRIL**  
**INDESTRUCTIBLE BANDA AZTECA**  
**LA REYNA DE KC**  
 PUEDEN LLEVAR HIELERA PERO NO BOTELLAS DE VIDRIO ANTOJITOS MEXICANOS  
**LA REYNA DE KC**  
 PUEDEN LLEVAR HIELERA PERO NO BOTELLAS DE VIDRIO ANTOJITOS MEXICANOS  
**NIÑOS MENORES DE 12 AÑOS ENTRAN GRATIS**  
 MAS INFO: JUAN BANUELOS 813 260-1514 EFRAIN JAQUE 813 246-1425  
**24345 W. 383RD ST PAOLA KS 66071**  
**NO RESPONSABLES DE ALGÚN DAÑO O ACCIDENTE DENTRO DE LAS INSTALACIONES**  
**POLLA \$150**  
 1PM SE REPARTIRA EL 70%  
**AMBIENTE 100% FAMILIAR**  
**COLEADERO ABIERTO MONTURA**  
 PARA EL QUE TENGA MAS REDONDAS DE BUEN LAIDO  
 PUERTAS ABREN 12 MEDIODIA  
**SE COBRARA POR HIELERA**

**SABADO 17 AGOSTO 2024**  
**SEXTA CHARREADA DEL CIRCUITO DE KANSAS**  
 11:00 AM HERENCIA CHARRA R300 SAN RAFAEL SAGRADO CORAZON  
 2:00 PM HACIENDA DE KANSAS HACIENDA DEL RIO RANCHO EL DIAMANTE  
 AL TERMINO DE LAS CHARREADAS  
 COLEADERO LIBRE Y POLLA DE \$150  
 AMBIENTE 100% FAMILIAR | ANTOJITOS MEXICANOS | TARDEADA BAILE  
 PUEDEN TRAER SOLO CERVEZA DE LATA Y HABRA UN COSTO POR HIELERA  
**LA PRENDIDISIMA**  
 BANDA PERLA DE JEREZ, ZAC.  
**16819 LENAPE RD. LINWOOD KS 66052**

# ATTACHMENT 2

## Animal Cruelty – Kansas State Statute

21-6412. Cruelty to animals. (a) Cruelty to animals is:

- (1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;
-  (2) knowingly abandoning any animal in any place without making provisions for its proper care;
- (3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;
-  (4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;
- (5) knowingly but not maliciously killing or injuring any animal; or
- (6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and



(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

- (1) Normal or accepted veterinary practices;
- (2) bona fide experiments carried on by commonly recognized research facilities;
- (3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;

 (4) rodeo practices accepted by the rodeo cowboys' association; 

(5) the humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound;

(6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;

(7) the killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;

(9) laying an equine down for medical or identification purposes;

(10) normal or accepted practices of pest control, as defined in subsection (x) of K.S.A. 2-2438a, and amendments thereto; or

(11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a duly incorporated humane society or licensed veterinarian for treatment, boarding or other care or, if an officer of such humane society or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing. If the animal is placed in the care of an animal shelter, the animal shelter shall notify the owner or custodian, if known or reasonably ascertainable. If the owner or custodian is charged with a violation of this section, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby the animal shelter may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 21 days after the owner or custodian is notified or, if



the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal.

(f) The owner or custodian of an animal placed for adoption or killed pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing of such animal unless the owner proves that such placement or killing was unwarranted.

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

(h) If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for sale or other disposition.

(i) As used in this section:

(1) "Equine" means a horse, pony, mule, jenny, donkey or hinny; and

(2) "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.


# ATTACHMENT 3

The Professional Rodeo Cowboys Association (PRCA)

Source: [www.prorodeo.com](http://www.prorodeo.com)


## LIVESTOCK WELFARE RULES

The PRCA has more than 60 rules to ensure the proper care and treatment of rodeo animals included in its official rules and regulations. While the rules and regulations are too numerous to list here, several of the safeguards for the proper treatment of animals in the rules and regulations are listed below. For a complete list of the rules and regulations dealing with the proper care and treatment of animals, please send your request to PRCA Animal Welfare Coordinator, PRCA, 101 Pro Rodeo Drive, Colorado Springs, CO 80919.



- A veterinarian must be on-site at all PRCA-sanctioned rodeos.

- All animals are inspected and evaluated for illness, weight, eyesight and injury prior to the rodeo, and no animals that are sore, lame, sick or injured are allowed to participate in the event.
- Acceptable spurs must be dull.
- Standard electric prods may be used only when necessary and may only touch the animal on the hip or shoulder area.
- Stimulants and hypnotics may not be given to any animal to improve performance.



- Any PRCA member caught using unnecessary roughness or abusing an animal may be immediately disqualified from the rodeo and fined. This holds true whether it is in the competitive arena or elsewhere on the rodeo grounds.

- Weight limitations are set for both calves (between 220 and 280 pounds) and steers (450-650 pounds).
- The flank straps for horses are fleece- or neoprene-lined and those for bulls are made of soft cotton rope and may be lined with fleece or neoprene.
- Steers used in team and steer roping have a protective covering placed around their horns.
- The use of prods and similar devices is prohibited in the riding events unless an animal is stalled in the chute.
- A no-jerk-down rule provides for fines if a contestant jerks a calf over backwards in tie-down roping.
- All rodeos must have a conveyance available to humanely transport any injured animal.
- Chutes must be constructed with the safety of the animals in mind.

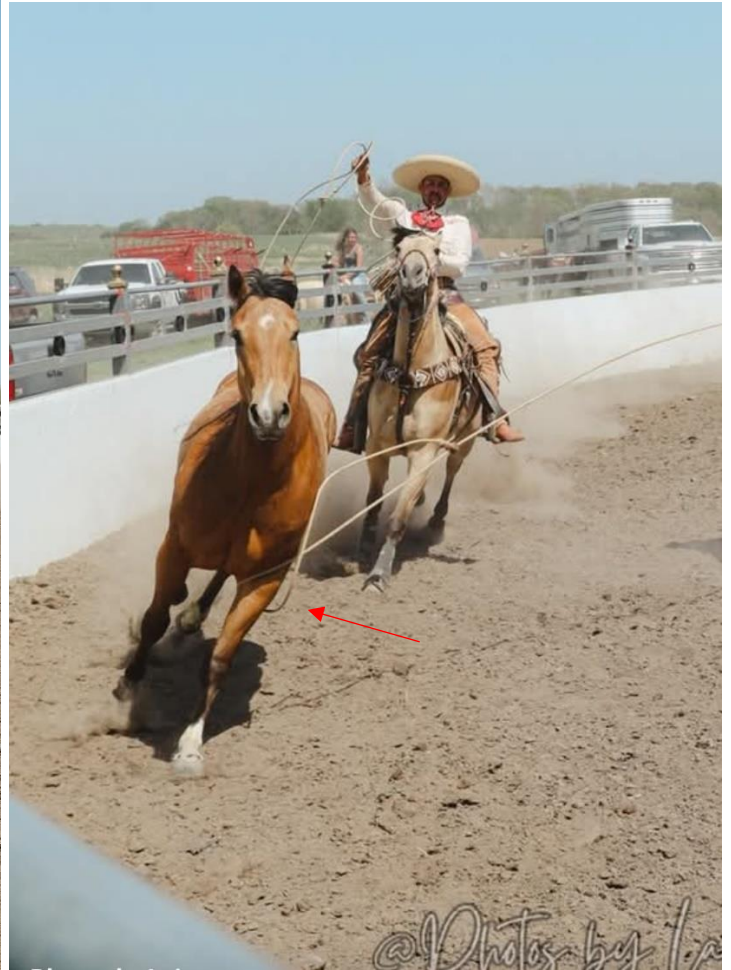
# ATTACHMENT 4





# ATTACHMENT 4

## Horse Tripping



# HARO RODEO COMPLIANCE / WORKING STATUS SUMMARY NOTES

## Compliance Check Purpose:

To review historical and current allegations of illegal rodeo, concert,  
and activities at 22000 Cantreall Rd Linwood Kansas 66052.

Owner: HARO, AURELIO & BROCKENBERRY, NORMA  
Site Address: 00000 CANTRELL RD, Linwood, KS 66052  
Mailing Address: 17564 W 158TH TER, OLAHNE, KS 66062

**Compliance Check Period:** ESTIMATED END DATE 08-25-2024

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## Key Findings:

- **Rodeo:** Rodeo is not in compliance with Kansas State Statute 21-6412. (Cruelty to animals). Evidence suggests the practice of bull tail dragging occurred at the rodeo. The practice of bull tail dragging constitutes animal cruelty and causes significant harm to the animals involved. Subject, along with his associates have advertised these events as public events for years in conflict with his statement to the County Commissioners that this is a family and friends event.

The rodeo arena/concert stage location is only approximately 72 feet to the West property line and 98 feet to the East property line of the subject.

**Evidence:**

- **Rodeo:** Video, Still Photos, and review of State Statute and regulations support that the rodeo activities may be in violation of Animal Abuse Statutes. (Please See Attachment 7). Bull Tail Dragging and Horse Tripping do not comply with Professional Rodeo Association Guidelines and appears to be in violation of Kansas Animal Abuse Statute.

**Recommendations:**

- Rodeo: Prepare package for the prosecutor, Sheriff's Office, and present to Kansas Dept of Ag, USDA, Peta
- Concerts: Prepare package for County Commissioners, Sheriff Prosecutors office and possible request for injunction

**Conclusion:**

**RODEO:** The practice of Bull/Steer tail dragging is unacceptable and do not comply with Professional Rodeo Association Guidelines in violation of Kansas Animal Abuse Statute and must be stopped. Further investigation is necessary to determine the full extent of animal cruelty at the rodeo and to hold those responsible accountable.

These events can cause extreme pain and injury to the animals, including:

- Physical injuries: Broken tails, spinal injuries, and internal bleeding.
- Psychological trauma: Severe stress and fear.

## ATTACHMENTS 1

CONFIDENTIAL



**GRAN JARPEO BAILE**  
EVENTO 100% CONFIRMADO

**RANCHO EL JEREZANO**

BANDA **EL PILAR**

*Copa Aventura*

BANDA **LA EXCLUSIVA**

*Las Garcias*

**GRAN CONCURSO DE BAILE**

**20 DOMINGO DE AGOSTO** NIÑOS MENORES DE 12 ENTRAN GRATIS  
PUERTAS ABREN 3:PM

RANCHO EL JEREZANO: 22000 CANTREALL RD LINWOOD KS 66052

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

**SANTA FE TOUR**

**8 SEGUNDOS** MUSICA COUNTRY

**DOMINGO 8 MAYO 2022**

¡TRAE A FESTEJAR A MAMÁ EL DIA DE LAS MADRES!  
PUERTAS ABREN 12PM / ADULTOS 40 DLLS / NIÑOS MENORES DE 12 AÑOS GRATIS

ticketon.com | 1.800.668.8080 | **TICKETON**

**SABADO DE GLORIA**

**COLEADERO DE LUJO**  
CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**  
REPARTIENDO EL 70% EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA DE JUDAS**

**HABRA CONCURSO DE CABALLOS BAILADORES**

**SABADO 16 ABRIL**

MAS INFORMACION:  
913-548-3101 Y 785-917-1008

La Inigualable Banda **SANTA CRUZ**  
De Eric Solis

PUEDES LLEVAR TU PROPIA BEBIDA, SOLO DE BOTE

CONFIDENTIAL - D



**Gran Coleadero Baile**  
**Rancho El Jerezano SABADO**  
 Abra Charreada  
 Con cinco equipos charros para  
 Celebrar el Cinco de Mayo

**6 MAYO**

BANDA LA **Querendona**  
 JEREZ ZACATECAS

**AMBIENTE 100% FAMILIAR**

**Buen Ganado Polla De \$150 Se Repartira 70% A los 3 Primeros Lugares**

Para Mas Información  
 913-584-3101

**Charreada Apartir de las 10am**

**Y ELITE NORTENO**  
 KANSAS CITY

Puedes Traer Tu Cerveza Solo En Bote

**22000 CANTREALL RD LINWOOD KS 66052**

**SABADO DE GLORIA**  
**COLEADERO DE LUJO**  
 CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
 22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200** REPARTIENDO EL 70% EN LOS 3 PRIMEROS LUGARES  
**HABRA QUEMA DE JUDAS**

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

La Inigualable Banda **SANTA CRUZ**  
 De Eric Solis

PUEDES LLEVAR TU PROPIA BEBIDA SOLO DE BOTE  
**HABRA CONCURSO DE CABALLOS BAILADORES**

**AMBIENTE 100% FAMILIAR**

GUAPAS DAMITAS PREMIANDO LOS MEJORES COLEADORES

MAS INFORMACION:  
 913-548-3101 Y 785-917-1008

Empezando desde las 2:00 pm

RANCHO "El Jerezano" **23** sábado OCTUBRE

**GRAN CABALGATA y Tardeada Baile**

**COMIDA GRATIS HASTA QUE TOPE!!!**

**ELITE NORTENO**  
 Acompañando de 5 a 9

**Te esperamos!**

CABALGATA DE 2 HORAS

Para mas informacion  
 1 (913) 548-3101

22000 Cantrell RD  
 Linwood KS 66052

Rancho "El Jerezano"

**GRAN COLEADERO de Lujo**

MAS DE 50 TOROS DE GANADERIA LIS PAISAS

Celebrando **Fiestas patrias**

**¡Habrá**



**GRAN TORNEO DE COLAS**  
**CATEGORÍAS**  
**AAA \$1000 DLLS**  
**AA \$500 DLLS**  
**A \$250 DLLS**  
 Evento 100% FAMILIAR  
 Repartiendo 70% GANADO 100% Limpio  
 AL TERMINO DEL TORNEO  
**GRAN COLEADERO Abierto**  
**RANCHO EL AGAVE**  
 15722 W 117<sup>TH</sup> ST. N SEDGWICK., KS 67135  
**SÁBADO 25 DE MAYO 2024**  
 MAS INFORMACIÓN AL:  
 316-553-2881 O AL 316-272-2988

**COLEADERO BAILE**  
**BANUELOS**  
**GRAN INAUGURACION**  
**Sabado 20 de ABRIL**  
**INDESTRUCTIBLE BANDA AZTECA**  
**POLLA \$150 1PM**  
 SE REPARTIRA EL 70%  
**AMBIENTE 100% FAMILIAR**  
**COLEADERO ABIERTO MONTURA**  
 PARA EL QUE TENGA MAS REDONDAS DE BUEN LAIDO  
**PUERTAS ABREN 12 MEDIODIA**  
**SE COBRARA POR HIELERA**  
 LA REYNA DE KC PUEDEN LLEVAR HIELERA PERO NO BOTELLAS DE VIDRIO ANTOJITOS MEXICANOS  
**NIÑOS MENORES DE 12 AÑOS ENTRAN GRATIS**  
 MAS INFO: JUAN BANUELOS 913 269-1514 EFRAIN JAQUE 913 246-1425  
**24345 W. 383RD ST PAOLA KS 66071**  
 NO RESPONSABLES DE ALGUN DAÑO O ACCIDENTE DENTRO DE LAS INSTALACIONES

**SABADO 17 AGOSTO 2024**  
**SEXTA CHARREADA DEL CIRCUITO DE KANSAS**  
 11:00 AM HERENCIA CHARRA R300 SAN RAFAEL SAGRADO CORAZON  
 2:00 PM HACIENDA DE KANSAS HACIENDA DEL RIO RANCHO EL DIAMANTE  
 AL TERMINO DE LAS CHARREADAS  
 COLEADERO LIBRE Y POLLA DE \$150  
 AMBIENTE 100% FAMILIAR | ANTOJITOS MEXICANOS | TARDEADA BAILE  
 PUEDEN TRAER SOLO CERVEZA DE LATA Y HABRA UN COSTO POR HIELERA  
**LA PRENDIDISIMA**  
 BANDA PERLA DE JEREZ, ZAC.  
 16819 LENAPE RD. LINWOOD KS 66052

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## ATTACHMENTS 5

### Animal Cruelty

21-6412. Cruelty to animals. (a) Cruelty to animals is:

- (1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;
- (2) knowingly abandoning any animal in any place without making provisions for its proper care;
- (3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;
- (4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;
- (5) knowingly but not maliciously killing or injuring any animal; or
- (6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and

(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

- (1) Normal or accepted veterinary practices;
- (2) bona fide experiments carried on by commonly recognized research facilities;

(3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;

(4) rodeo practices accepted by the rodeo cowboys' association;

(5) the humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound;

(6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;

(7) the killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;

(9) laying an equine down for medical or identification purposes;

(10) normal or accepted practices of pest control, as defined in subsection (x) of K.S.A. 2-2438a, and amendments thereto; or

(11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a duly incorporated humane society or licensed veterinarian for treatment, boarding or other care or, if an officer of such humane society or such veterinarian determines that the animal appears to be diseased

or disabled beyond recovery for any useful purpose, for humane killing. If the animal is placed in the care of an animal shelter, the animal shelter shall notify the owner or custodian, if known or reasonably ascertainable. If the owner or custodian is charged with a violation of this section, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby the animal shelter may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 21 days after the owner or custodian is notified or, if the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal.

(f) The owner or custodian of an animal placed for adoption or killed pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing of such animal unless the owner proves that such placement or killing was unwarranted.

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

(h) If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for sale or other disposition.

(i) As used in this section:

(1) "Equine" means a horse, pony, mule, jenny, donkey or hinny; and

(2) "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.

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## ATTACHMENTS 4

The Professional Rodeo Cowboys Association (PRCA)

[www.prorodeo.com](http://www.prorodeo.com)

### LIVESTOCK WELFARE RULES

The PRCA has more than 60 rules to ensure the proper care and treatment of rodeo animals included in its official rules and regulations. While the rules and regulations are too numerous to list here, several of the safeguards for the proper treatment of animals in the rules and regulations are listed below. For a complete list of the rules and regulations dealing with the proper care and treatment of animals, please send your request to PRCA Animal Welfare Coordinator, PRCA, 101 Pro Rodeo Drive, Colorado Springs, CO 80919.

- A veterinarian must be on-site at all PRCA-sanctioned rodeos.

**CONFIDENTIAL - DO NOT COPY OR DISTRIBUTE - NOT A FINAL FULL REPORT**

- All animals are inspected and evaluated for illness, weight, eyesight and injury prior to the rodeo, and no animals that are sore, lame, sick or injured are allowed to participate in the event.
- Acceptable spurs must be dull.
- Standard electric prods may be used only when necessary and may only touch the animal on the hip or shoulder area.
- Stimulants and hypnotics may not be given to any animal to improve performance.
- Any PRCA member caught using unnecessary roughness or abusing an animal may be immediately disqualified from the rodeo and fined. This holds true whether it is in the competitive arena or elsewhere on the rodeo grounds.
- Weight limitations are set for both calves (between 220 and 280 pounds) and steers (450-650 pounds).
- The flank straps for horses are fleece- or neoprene-lined and those for bulls are made of soft cotton rope and may be lined with fleece or neoprene.
- Steers used in team and steer roping have a protective covering placed around their horns.
- The use of prods and similar devices is prohibited in the riding events unless an animal is stalled in the chute.
- A no-jerk-down rule provides for fines if a contestant jerks a calf over backwards in tie-down roping.
- All rodeos must have a conveyance available to humanely transport any injured animal.
- Chutes must be constructed with the safety of the animals in mind.

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## ATTACHMENTS 6

The Professional Rodeo Cowboys Association (PRCA)

www.prorodeo.com

### LIVESTOCK WELFARE RULES

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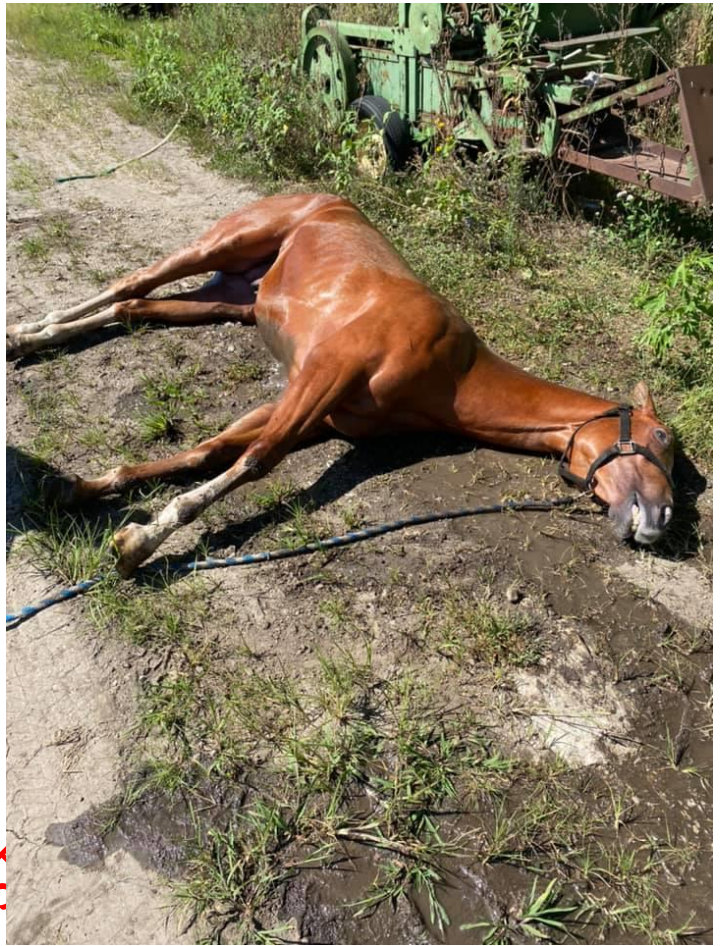
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# ATTACHMENTS 7



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Steve's Post



REPORT

👍🙄 28

6 comments 1 share

👍 Like

💬 Comment

➦ Share



Hilda Maldonado  
What happened ? ...

4y Like Reply



Steve Haro  
Hilda Maldonado colic ...

4y Like Reply See Original (Spanish)



Hilda Maldonado  
Steve Haro 🙄 ...

4y Like Reply



Irma Haro  
Lo siento potro cual de los dos semurio ...

4y Like Reply See translation



Steve Haro  
Irma Haro is the same horse in both pics ...

4y Like Reply See Original (Spanish)



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# SABADO DE GLORIA COLEADERO DE LUJO

CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**

22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**

REPARTIENDO EL 70%  
EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA**

**DE JUDAS**

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

*La Inigualable Banda*  
**SANTA CRUZ**

*De Eric Solis*

PUEDES LLEVAR TU PROPIA BEBIDA  
SOLO DE BOTE

HABRA CONCURSO DE  
CABALLOS BAILADORES

**AMBIENTE 100% FAMILIAR**

GUAPAS DAMITAS PREMIANDO  
LOS MEJORES COLEADORES

MAS INFORMACION:

**913-548-3101 Y 785-917-1008**





# SABADO DE GLORIA COLEADERO DE LUJO

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HABRA CONCURSO DE  
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MAS INFORMACION:

913-548-3101 Y 785-917-1008



# RANCHO EL JEREZANO

22000 CANTRELL RD LINWOOD KS 66052

## SANTA FE TOUR



TEQUILA  
*Jarana*

# 8 SEGUNDOS

MUSICA COUNTRY

## DOMINGO 8 MAYO 2022

¡TRAE A FESTEJAR A MAMÁ EL DIA DE LAS MADRES!

PUERTAS ABREN 12PM / ADULTOS 40 DLLS / NIÑOS MENORES DE 12 AÑOS GRATIS



[ticketon.com](https://www.ticketon.com)

1.800.668.8080

**TICKETÓN**™



# Gran Coleadero Baile

Rancho El Jerezano **SABADO**

Abra Charreada

Con cinco equipos charros para  
Celebrar el Cinco de Mayo

**6**  
**MAYO**

BANDA LA  
*Querendona*  
JEREZ,  
ZACATECAS



**AMBIENTE 100% FAMILIAR**

**Buen Ganado  
Polla De \$150  
Se Repartira  
70% A los 3  
Primeros  
Lugares**

Para Mas Información  
913-584-3101

**ELITE  
NORTENO**  
KANSAS  
CITY

**Puedes Traer Tu  
Cerveza Solo En Bote**

**Charreada  
Apartir de las  
10am**



**22000 CANTREALL RD  
LINWOOD KS 66052**





ESTADO EL JEREZANO

@Photos by Liza

50

60

T  
50



# GRAN JARIPEO BAILE

EVENTAZO 100% CONFIRMADO



# RANCHO EL JEREZANO



## BANDA EL PILAR



## Grupo Aventura



## Banda LA EXCLUSIVA

GRAN CONCURSO DE BAILE



## LOS GARCILAS

**20 DOMINGO DE AGOSTO** NIÑOS MENORES DE 12 ENTRAN GRATIS  
**PUERTAS ABREN 3:PM**

RANCHO EL JEREZANO: 22000 CANTREALL RD LINWOOD KS 66052





SENNHEISER

ULTRA

Me









@Photos by Laiza





@Photos by Laiza





*@Photos by Luisa*





*@Photos by Laiza*









©Photos by Laiza





*@Photos by Luisa*





@Photos by Jazira





@Photos by *Veiga*





*@Photos by Liza*





40

@Photos by Liza





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@Photos by Laiza









*@Photos by laisa*





@Photos by Liza





@Photos by laisa





@Photos by [signature]

50





*@Photos by Liza*





@Photos by Liza





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@Photos by Liza





@Photos by Lisa









@Photos by laiza





@Photos by Liza





@Photos by Liza





*@Photos by Trisa*





@Photos by Laisa















RJ Ranch - Rancho El Jerezano



Aug 14, 2023 · 🌐

🖤🇺🇸 KANSAS CITY !! GRAN JARIPERO BAILE!  
en [#ranchoeljerezano](#) [#DOMINGO20](#) evento familiar.

✅ Niños menores de 12 años entran GRATIS

✅ habrá concurso de baile y muchas sorpresas

❌ no se aceptan bebidas 🍷 Todo se venderá en la localidad. Puertas abren 3pm

🔴 COMPRA TUS BOLETOS  AQUÍ 👉

<https://www.tickeri.com/events/vbtapo03rrbl/gran-jaripeo-de-lujo-los-garcias-y-banda-el-pilar>

🖤🇺🇸 @KANSAS CITY!! BIG JARIPERO DANCE! in [#ranchoeljerezano](#) [#DOMINGO20](#) family event.

✅ Children under 12 enter for FREE

✅ There will be a dance contest and many surprises

❌ no drinks accepted 🍷 Everything will be sold in the locality. Doors open at 3pm

🔴 BUY YOUR TICKETS  HERE 👉

<https://www.tickeri.com/events/vbtapo03rrbl/gran-jaripeo-de-lujo-los-garcias-y-banda-el-pilar>

⚙️ • Rate this translation







@Photos by LA







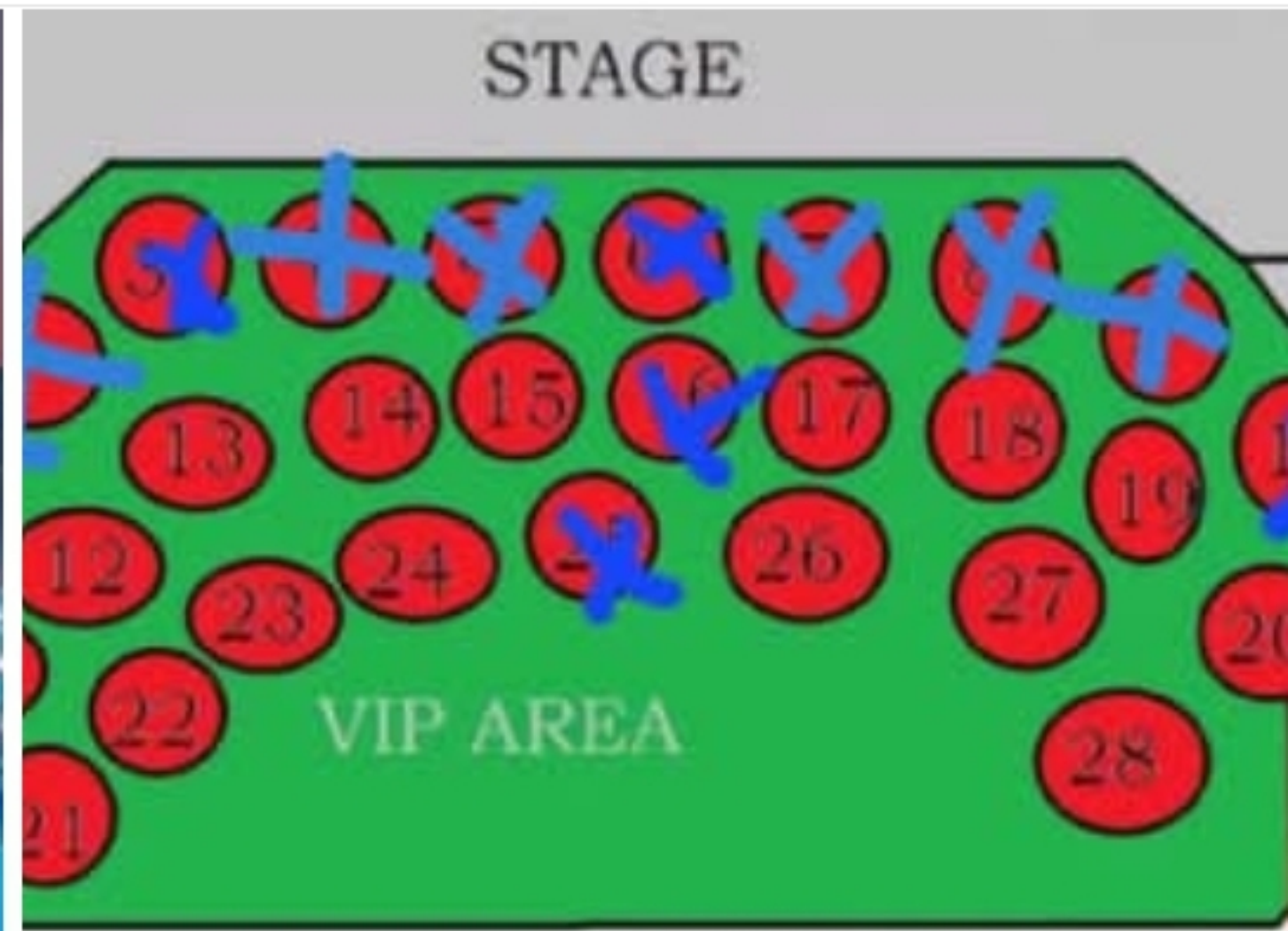


Noe Recinos Hernandez is with Aurelio Haro and 10 others.

Jun 9, 2023 · 🌐

🔴🔴 VIPs are flying out!! TAKE ADVANTAGE don't leave it at the last minute 😁😁 **Gerardo Coronel** Saturday June 17! EL JEREZANO RANCH

⚙️ Rate this translation



👍❤️🤔 14

3 shares

👍 Like

💬 Comment

📧 Send

➦ Share





# RJ Ranch -Rancho El Jerezano's Post



RJ Ranch -Rancho El Jerezano

January 28, 2022 · 🌐



**SABADO DE GLORIA**  
**COLEADERO DE LUJO**  
 CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
 22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**  
 REPARTIENDO EL 70%  
 EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA DE JUDAS**

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

*La Inigualable Banda*  
**SANTA CRUZ**  
*De Eric Solis*

**PUEDES LLEVAR TU PROPIA BEBIDA SOLO DE BOTE**

**HABRA CONCURSO DE CABALLOS BAILADORES**

**AMBIENTE 100% FAMILIAR**

**GUAPAS DAMITAS PREMIANDO LOS MEJORES COLEADORES**

**MAS INFORMACION:**



Comment as Crystal Swann Blackdeer







Photos by Laisa

Q rj ranch

Album Rancho el Jerezano - 6 de mayo de 2023



Photos by Laisa added 56 new photos. · Follow



May 14, 2023 · 🌐

Rancho el Jerezano pt. 2

Compartan y etiqueten a sus amistades!! 👍

See Translation



+52

👍❤️ 22

4 comments 10 shares

Like

Comment

Share

Album Rancho el Jerezano - 6 de mayo de 2023



Photos by Laisa added 54 new photos. · Follow



May 14, 2023 · 🌐

Rancho el Jerezano pt. 1

Compartan y etiqueten a sus amistades!! 👍

See Translation



5



+50

19

1 comment 8 shares

Like

Comment

Share

End of results



## Allison, Amy

---

**From:** Julie Hershey <jhershey@embarqmail.com>  
**Sent:** Tuesday, January 7, 2025 4:43 PM  
**To:** Allison, Amy  
**Cc:** downesjohn58@gmail.com; 'Julie Hershey'; Pro Serve Legal  
**Subject:** Aurelio Haro and Norma Brockenberry

**Importance:** High

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

Amy,

After attending the last County Commissioners meeting regarding Aurelio Haro and Norma Brockenberry and rodeo plans, where we were totally ignored, we hired an agency at great expense to find out what was going on at these events, etc., as we have for the past 25 years told the County about illegal activities, animal abuse, alcohol sales, etc., to no avail. I have a huge folder of documentation and photos regarding this issue that I have kept.

The timing of the new public hearing is horrible. Not only was it the holiday season and so impossible to get in touch with representation, but it is also very cold and about a foot of snow. We are in our mid-60s and have a 35-mile drive in the dark on Wednesday to attend this. My husband's small tractor got stuck today trying to clear the driveway and so we will try to make it in our car tomorrow, but aren't happy about the risk of traveling for a meeting that should have been postponed in light of the weather.

Also important is the fact that we may be in danger as we have testified to the county previously for pitting ourselves against this neighbor. Another former neighbor has corroborated our story, and so this serves as a warning that if anything happens to us, we will hold the county responsible.

I forwarded the public hearing letter we received to the agency we hired after we received it. Unfortunately, the lead contact, Eric, became very seriously ill months ago, and we just talked to him for the first time at 4 p.m. today. He is trying to get information to you, and we appreciate you letting him have until noon tomorrow.

He has also requested to testify via ZOOM or phone tomorrow because he can't get around people due to his serious health issues. Again, we have spent considerable resources to do what we feel the county should have done all along, and we ask that he be allowed to testify. The information he has is important, and he is a subject matter expert.

Sincerely,

Julie and David Downes  
13462 222<sup>nd</sup> Street  
Linwood, KS 66052

**Allison, Amy**

---


**From:** Leavenworth County Humane Society Inc. <lvncohs@live.com>  
**Sent:** Wednesday, January 8, 2025 5:32 PM  
**To:** Jacobson, John; Allison, Amy; Brown, Misty  
**Cc:** flymtp@yahoo.com; boccc; herringsurveying@outlook.com; Midge Grinstead; contact.proservelegal@gmail.com  
**Subject:** RJ Ranch SUP Application (Cantrell Road)  
**Importance:** High

*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.

This facebook page shows what I believe to be evidence of illegal activity occurring at the property being considered tonight for a SUP.

I highly encourage that this application NOT be recommended for approval.

<https://www.facebook.com/ranchoElJerezanos/>



[RJ Ranch -Rancho El Jerezano - Facebook](#)  
RJ Ranch -Rancho El Jerezano. 784 likes. Sports & recreation  
[www.facebook.com](http://www.facebook.com)

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 00000 Cantrell Road PID: 222-09-0-00-00-002.07 \*\*\*Public Hearing Required\*\*\* \*\*\*Public Comment limited to three minutes per person\*\*\*

Crystal Swann Blackdeer  
Executive Director  
**Leavenworth County Humane Society, Inc.**  
100 W Gilman Road, Lansing, KS 66043  
Web: [www.LCHSInc.org](http://www.LCHSInc.org) 913-250-0506



**TO:** Leavenworth Board of County Commissioners

**FROM:** Sheriff A. Dedeke

**DATE:** February 4, 2025

**RE:** DEV-24-125

---

As this body gathers to deliberate the application for a Special Use Permit submitted on behalf of Aurelio Haro and identified in case DEV-24-125, I wish to share several concerns held by the Leavenworth County Sheriff's Office.

RJ Farm, commonly referred to as Haro Rodeo, has operated at its current location for many years and without the benefit of a permit. The frequent gatherings have proven to be a nuisance to many residents in the immediate area, with most complaints pertaining to loud music and traffic. As a rural resident myself, I can recognize how these disruptions intrude upon the solitude of rural life which was sought by these neighbors. Mr. Haro does not reside at the rodeo property, which I believe makes the act of introducing this event into a peaceful setting all the more extreme.

As there does not currently exist any Leavenworth County Resolution governing noise levels, my office is left with few options to address these complaints. Absent a resolution, there is no offense to bring before a codes court. If the noise is egregious and voluntary compliance cannot be achieved, we may be able to escalate through criminal court provided prosecutors deem the violation worthy.

Additionally, we have responded to complaints wherein upon their arrival, deputies have been unable to locate responsible parties while other attendees have scattered into the adjacent tree line.

Lastly, and most recently, my office has received information that activities at this rodeo inflict harm or duress on animals which potentially leads to injury or death. The conduct as described is not currently actionable but would equate to the criminal offense of Cruelty to Animals, a felony in the State of Kansas. I stress this information is unconfirmed, however it does necessitate a more deliberate review of the allegations.

It is not our intent to label Mr. Haro and his associates as offenders, however these accusations are serious and require follow-up. To accomplish this, law enforcement must be allowed unfettered access to these events to view the manner in which these animals are treated and cared for.

I caution against the approval of case DEV-24-125 as presented. Up to fifteen events during a year will result in multiple events during months associated with agreeable weather. This will adversely generate additional calls for service for nuisance and potentially criminal complaints. In review of these concerns and in fairness to all parties, I suggest significantly limiting the number of events covered under the permit with the provision properly identified law enforcement be allowed access to the premises any time an event is open to the public for the purpose to review the care and treatment of any animal utilized during the rodeo.



## Allison, Amy

---

**From:** Jacobson, John  
**Sent:** Monday, February 10, 2025 3:55 PM  
**To:** Allison, Amy  
**Subject:** FW: Charreada rodeo permit

---

**From:** Leavenworth County Humane Society Inc. <lvncohs@live.com>  
**Sent:** Monday, February 10, 2025 3:27 PM  
**To:** msmith@leavenworthcounty.gov; Reid, Vanessa <VReid@leavenworthcounty.gov>; Stieben, Mike <MStieben@leavenworthcounty.gov>; jculbertson@leavenworthcounty.gov; Dove, Willie <WDove@leavenworthcounty.gov>  
**Cc:** Jacobson, John <JJacobson@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; jrichmeier@cherryroad.com  
**Subject:** Fw: Charreada rodeo permit

*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.

Midge Grinstead is the State Director for Kansas, Humane Society of the U.S.

---

**From:** Midge Grinstead <[mgrinstead@humanesociety.org](mailto:mgrinstead@humanesociety.org)>  
**Sent:** Monday, February 10, 2025 11:51 AM  
**To:** [countyattorney@leavenworthcounty.gov](mailto:countyattorney@leavenworthcounty.gov) <[countyattorney@leavenworthcounty.gov](mailto:countyattorney@leavenworthcounty.gov)>; [info@lvsheriff.org](mailto:info@lvsheriff.org) <[info@lvsheriff.org](mailto:info@lvsheriff.org)>  
**Cc:** Leavenworth County Humane Society Inc. <[lvncohs@live.com](mailto:lvncohs@live.com)>; Glen Berry <[JBerry@leavenworthcounty.gov](mailto:JBerry@leavenworthcounty.gov)>  
**Subject:** Charreada rodeo permit

Hello Mr. Thompson and Sheriff:

I am writing to you about the possible permitting of the Haro property for rodeos that include possible horse tripping and bull tailing. While these events might be acceptable outside of the United States, they certainly are not allowed in Kansas.

Horse tripping is specifically noted as being illegal in our state's animal cruelty statute. Since bull tailing often de-gloves a bulls tail, it would be considered animal cruelty as well. Our statute has a clause that says an owner, keeper, harbinger will do anything necessary for the care and well-being of the animal. There is no exception for these type of events and they are not recognized by the Professional Rodeo Association. This is not about culture, it's about animal cruelty.

As with other illegal animal cruelty sports, like cock fighting and dog fighting, there is often illegal betting, selling alcohol or the selling/distribution of drugs. In speaking with neighbors, animal control and the sheriff's department, there have been numerous complaints for years about this property. If the county intends to allow the Charreada, then I would suggest having an officer present at all times, with the expense paid by the owner of the property and have in writing, that bull tailing and horse tripping and any other type of animal cruelty will not be tolerated and the person(s) responsible will be punished accordingly.

I am happy to speak with you further about this matter. Please feel free to contact me if you have any questions.

Thank you.

Midge Grinstead



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Leavenworth County Commission Meeting  
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TABLE OF CONTENTS

1. Charreada a "*Mexican Rodeo*"
2. American Veterinary Medical Association (AVMA) Position Statements
3. American Association of Equine Practitioners (AAEP) Position Statements
4. PETA Position Statements
5. Animal Cruelty Kansas State Statute 21-6412
6. Professional Rodeo Cowboy Association (PCRA) Position Statements
7. 'Coleadero Rodeo', July 18, 2010, Michael Roberts, WESTWOOD
8. HARO Rodeo Compliance/Working Status Summary Notes





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# What is Charrería in Guadalajara?

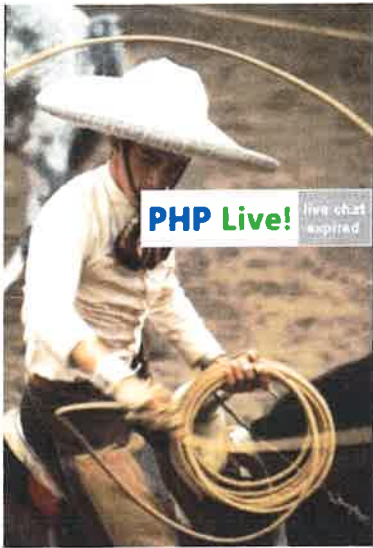
## [Mexican Rodeo Tour](#)



**A charreada is a Mexican rodeo**, and in Jalisco it is very popular a real recognized sport with strict rules and lots of competitions. In some ways it is Mexican for NASCAR. Both men and women compete, wearing colorful Mexican cowboy costumes trimmed in silver studs. The horsemen show off their lasso ability and make their mounts dance to a live Mariachi band, while vendors go through the stands selling drinks and snacks.

The peculiar figure of Mexican charro is a symbol of our nationality. From one perspective, historical figure of the Mexican charro, dating back to colonial times, when the estates of mixed farming economy, known as estancias or ranches originated. However, the first contact of the indigenous people of America with the horse as transportation employee, dates back to the time of the conquest.

Throughout the colonial period and at the time of Independence, abounded important events in our history in which the man on horseback played a vital role in both fights, and in the maintenance of peace and thanks their exploits charros consolidated figure.



The charra party starts with the general parade participants and charros Adelitas Skirmish some who walk on their steeds the ring and render honors to the Mexican flag. Then it happens, according to the established order, the different fates.

## Charrería in Guadalajara Mexico

Charrería competitions are held in Guadalajara every Sunday in different locations, competitions lasts approximately two hours. During the Mariachi Festival, the Mexican National Charro Championship will be held September the first weekend in September.

A *charreada* is held within a marked-off area of an arena consisting of a lane 12 meters (13 yards) wide by 60 meters (66 yards) long leading into a circle 40 meters (44 yards) in diameter.

The participants must wear traditional *charro* clothing while performing.

Preceding the events is an opening ceremony in which the organizations and participants parade into the arena on horseback, usually accompanied by a mariachi band playing.

The *charreada* itself consists of a number of scoring events staged in a particular order—nine for the men and one for the women. Two or more teams, called *asociaciones*, compete against each other. Teams can compete to become state, regional, and national champions. The competitors are judged by both style and execution. Unlike rodeos, most *charreadas* do not award money to the winners. This is due to the fact that *charreadas* are considered an amateur sport, not professional. Under Mexican laws it would be illegal to receive a monetary reward for participating in a *charreada*. At times there are such prizes as saddles or horse trailers.

## Charrería

### Men's events

***Cala de Caballo*** (Test of the horse); The charro puts his horse through various commands to demonstrate his ability and the horse's training. Controlled slide, left and right half, full, and triple turns, dismount and mount, and reverse walk are performed.

● ***Piales en Lienzo*** (Roping of the feet); a horseman must throw a lariat, let a wild mare run through the loop catching it by the hind legs. Three opportunities are given. Points are awarded for distance needed to stop the mare. This is done in the rectangular portion of the arena;

● ***Colas en el Lienzo, or Coleadero*** (Arena bull tailing) similar to bull dogging except that the rider does not dismount; the charro rides alongside the left side of the bull, wraps its tail around his right leg, and tries to cause the bull fall and roll as he rides past it. Points are given for technique, time, and roll of the bull.

● ***Jinete de Toro*** similar to the rodeo event. Bulls are smaller, between 990 and 1320 pounds, and are ridden until they stop bucking. Two hands can be used on the bullrope. Points are given for technique. The charro cannot fall off, he must dismount and land upright. After the charro dismounts the bull he must remove the bullrope and bellrope so the Terna en el Ruedo can follow.

● ***Terna en el Ruedo*** (Team of three); a team roping event in which three charros attempt to rope a bull - one by its neck, one by its hind legs, and the last then ties its feet together. They have a maximum of 10 minutes. Points are awarded for rope tricks and time.

***Jineteo de Yegua*** (Bareback on a wild mare); similar to bareback bronc riding. Yegua means mare. A wild mare is ridden with a bullrope. Two hands are used and the legs are held horizontally to the ground.

● ***Manganas a Pie*** (Roping on foot) a charro on foot (pie) has three opportunities to rope a wild mare by its front legs and cause it to fall and roll once. The wild mare is chased around the ring by three mounted charros. Points are awarded for time and rope tricks as long as the horse is roped and brought down. Extra points are given for the tirón del ahorcado (hanged pull) in which the rope is around the charro's neck and he uses his body to cause the mare to fall and roll. Points for all three attempts are cumulative. Eight minutes are given.



### ***Manganas a Caballo***

or (Roping from horseback); a charro on horseback has three opportunities to rope a wild mare by its front legs and cause it to fall and roll once. The wild mare is chased around the ring by three mounted charros. Points are awarded for time and rope tricks as long as the horse is roped and brought down. Points for all three attempts are cumulative. Eight minutes are given.

***El Paso de la Muerte*** (The pass of death) a charro riding bareback, with reins, attempts to leap from his own horse to the bare back of a wild horse without reins and ride it until it stops bucking. The most dangerous part of this is if the charro performing the pass falls under three other mounted charros that are chasing the wild mare around the arena ring. This is done backwards at times for show.

### ***Charrería in Guadalajara***

#### **Women's event**

***Escaramuza*** (Skirmish): Since the 1950's, this breath-taking event adds beauty and elegance to the Charreada. During this event a team of 8-12 women riding sidesaddle and dressed in colorful *Adelita* dresses perform a variety of precision riding techniques. Years of training by the rulebook make this event art, sport, and an extension of the culture that is Charrería. It is usually held between the *Coleadero* and the *Jineteo de Toro*.



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# Horse tripping can fly under the radar

By Malinda Larkin

Published on September 28, 2016

This article is more than 3 years old

U.S. veterinarians should be vigilant of “charreadas,” or Mexican-style rodeos, that might be taking place near them and learn more about horse tripping—a charreada activity that Dr. Gerald Huff says “has no place in our society.”

Three of nine charreada events include the practice of horse tripping:

- “Piales en lienzo”: roping the hind limbs of a horse.
- “Manganas a pie”: roping the forelimbs of a horse while the charro, or roper, is on foot.
- “Manganas a caballo”: roping the forelimbs of a horse while the charro is on horseback.

Points are awarded for how quickly the charro can rope the horse, and it’s not uncommon for individual horses to be roped multiple times at an event. No data exist on the incidence of injuries to horses during charreadas, but Dr. Huff said during a presentation on the topic Aug. 5 at AVMA Convention 2016 in San Antonio that tripping and hard falls for horses can result in fractures and internal injuries and that dodging the rope can



also result in fractures as well as tendon and ligament injuries. Horse tripping could also cause extreme fatigue, severe rope burns, and lifetime fear of ropes, humans, and mounted riders.

Three years ago, Dr. Huff, an equine practitioner in Las Vegas, learned of a proposed moratorium on the Clark County, Nevada, ordinance against horse tripping, intended to clear the way for a permit to allow a charreada.

Without the permit, the planned roping events could not lawfully be conducted. Dr. Huff and others persuaded the commissioners to resist issuing the moratorium.

Horse tripping has been banned in 11 states. That means 39 states have no codes addressing the practice.

Dr. Huff says state and local jurisdictions are in dire need of support from organizations such as the United States Animal Health Association, the American Association of Equine Practitioners, and the AVMA. Both the AAEP and AVMA have statements against horse tripping. Dr. Huff says, however, "Work needs to be done still to make the position statements stronger, and I hope that will be the case in the near future."

## Related JAVMA content:

[Horse tripping a new welfare concern](#) (June 1, 2014)



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# Horse tripping a new welfare concern

By Malinda Larkin

Published on May 14, 2014

 This article is more than 3 years old

The AVMA has come out against the practice of horse tripping, which involves roping the front or hind legs of a galloping horse while on foot or horseback, causing it to trip and fall for entertainment purposes.

The AVMA Executive Board approved a policy in April, recommended by the AVMA Animal Welfare Committee, that reads as follows:

## AVMA POLICY

### Horse Tripping

The AVMA opposes tripping, injuring or causing the death of horses, mules and donkeys for any entertainment purpose or during the training of such equids for any entertainment purpose.

Horse tripping, a long-standing tradition in Mexican-style rodeos ("charreadas"), has been on the Association's and the American Association of Equine Practitioners' radar the past few years after AVMA and AAEP members voiced their concerns about the practice.



The practice has been banned in 11 states, including Texas, California, New Mexico, and Arizona. However, attempts to circumvent animal cruelty regulations continue at county and local events, according to the AVMA Animal Welfare Committee. The three events during a charreada that include horse tripping are as follows:

- “Piales en lienzo”: roping the hind legs of a horse.
- “Manganas a pie”: roping the front legs of a horse while on foot.
- “Manganas a caballo”: roping the front legs of a horse while on horseback.

Points are awarded for how quickly the “charro,” or roper, can rope the horse.



A roper, or “charro,” ropes a horse during a Mexican-style rodeo called a “charreada.” Some of the events feature a practice that involves horse tripping, which the AVMA and other organizations consider inhumane.

Reported horse injuries include lacerations, dislocated joints, fractured bones, and teeth, neck, and shoulder injuries. Additional concerns that have been expressed are that the horses used for these rodeos are underfed, overused, and repeatedly roped until lame, sometimes with rope burns down to the bone.

The Professional Rodeo Cowboys Association and the National Professional Rodeo Association have prohibited the intentional tripping of horses at their sanctioned events. The Charro Federation USA, which oversees larger charreadas, has penalties for charros who trip horses.

An AAEP contingent of Drs. Jeff Blea, president, and Jerry B. Black, Tom Lenz, and Doug G. Corey attended a charreada put on by the Charro Federation USA this past fall in Pico Rivera, Calif. Dr. Blea said he was impressed with their horsemanship and care for horses, but added, “But I’m not naive. I’m sure

some of this horse tripping that's alleged does go on in smaller, unsanctioned events by associations not as well organized and attuned to welfare" as the Charro Federation USA.

In February, the AAEP board of directors approved a new position on the use of equids in entertainment that included the AAEP's opposition to horse tripping.

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Resources

# Position On Equids Used In Competition, Entertainment, Shows And For Exhibition



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The American Association of Equine Practitioners (AAEP) supports the humane and ethical use of equids in spectator events, competitions, exhibitions, and entertainment in accordance with existing federal, state and local animal protection laws. Examples include but are not limited to racing, horse shows, polo, rodeo, and audiovisual media such as movies and television. The AAEP encourages all organizations and individuals involved in such events to develop and abide by stringent standardized rules, policies and procedures that ensure equids shall at all times be treated humanely and with dignity, respect and compassion. This should also include proper housing, transportation, nutrition, restraint, management oversight and veterinary care before, during and after use.

The AAEP opposes tripping, injuring or causing the death of horses, mules and donkeys for any entertainment purpose or during the training of such equids for any entertainment purpose and recommends that all equine welfare guidelines or standards be adhered to. Similarly, the AAEP encourages all strategies or practices which prevent avoidable injury and distress.

The AAEP encourages quality, standardized drug testing to ensure equity, fairness and the appropriate use of therapeutic medications.

Certain events involving equids are prohibited in some jurisdictions. The organizers of any kind of competition, spectator event, show, exhibition, motion picture or television production should contact the local and state authorities prior to scheduling such an event to be sure they are acting in accordance with local laws and regulations.

*Revised by AAEP board of directors in 2023.*

## Related Resources

### **Position on Microchips for the Identification of Equids** (<https://aaep.org/resource/position-on-microchips-for-the-identification-of-equids/>)

The AAEP supports the implantation of radiofrequency

### **Position on Veterinary Management of Broodmares** (<https://aaep.org/resource/veterinary-management-of-broodmares/>)

It is the opinion of the AAEP that certain diagnostic and therapeutic...

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## Charreada: Bone-Breaking Cruelty

Every year throughout Mexico and the American Southwest, horses and cows are injured or killed during *charreadas* or *charrerias* (Mexican rodeos). The charreada has followed much the same historical track as the American rodeo: Once a contest among *charros* (horse riders) to show off riding and roping skills on horses, bulls, and calves, the charreada has degenerated into what is essentially a series of bullying circus acts showcasing “skills” that no rancher would ever use.

### Torturous Spectacle

The typical charreada features a number of events. The “pass of death” involves leaping from the back of one horse onto the back of a wild horse and riding until the animal becomes exhausted from trying to buck the person off.<sup>1</sup> “Roman riding,” calls for a charro to straddle two horses while driving two more horses in front of them.<sup>2</sup> During the *terna en el ruedo*, riders must rope a bull as quickly as possible; one rider ropes the animal by the neck and two others by the hind legs, “then both charros pull the bull in opposite directions

until the bull is stretched out on the ground.”<sup>3</sup>

A few municipalities and the state of Nebraska banned one charreada event called *coleadero* or “steer-tailing.”<sup>4</sup> A charro on horseback pursues a steer, grabs the animal’s tail, wraps it around his boot and stirrup, then veers off, slamming the steer to the ground.<sup>5</sup> When the sheriff’s office in Jefferson County, Colorado, was alerted to possible cruelty-to-animals offenses following steer-tailing at a charreada, officials investigated and found cattle that suffered from flesh being ripped away from their tails, while others had broken bones and had to be euthanized. The charreada promoter was issued a summons for failing to provide veterinary care.<sup>6</sup>

“Horse-tripping” is the focus of two events: the *manganas* and the *piales*, both in which horses are roped by their legs and yanked to the ground.<sup>7</sup> Veterinarian Steve White, who witnessed a Nebraska charreada, told the Omaha City Council that horse-tripping can cause rope burns, dislocations, torn muscles, and broken legs. “Tradition should never take precedence over the welfare of animals,” he said.<sup>8</sup> Horse-tripping has been banned in nearly a dozen states, including Arizona, California, New Mexico and Texas.<sup>9</sup>

## What You Can Do

Charreadas and rodeos are argued to be culturally significant, but one survey found that only 1% of Mexicans who attended a traditional festivity, attended a charreada.<sup>10</sup> Forcing animals to perform dangerous stunts for human amusement is a form of speciesism,



<sup>9</sup>Malinda Larkin, "Horse Tripping Can Fly Under the Radar," *JAVMA News*, 28 Sept. 2016.

<sup>10</sup>"Encuesta Nacional de Hábitos, Prácticas y Consumo Culturales," *Conaculta*, Agosto, 2010.

<sup>11</sup>Elizabeth Chou, "Cattle Prods, Other Rodeo Implements Could Be Banned Under Motion in LA City Council," *Los Angeles Daily News*, 22 Feb. 2021.

## URGENT ALERTS

the belief that humans are superior to other animals. Your voice can help bring about positive change for the horses and cattle forced to perform at these outdated, barbaric events.

If you live in a city where charreadas and rodeos take place, please ask your legislative representatives to follow the lead of cities like Pittsburgh, Pennsylvania; Ft. Wayne, Indiana; St. Petersburg, Florida; and several cities in California, which have banned painful rodeo tools like sharpened spurs, electronic prods, and wire tie-downs.<sup>11</sup> If you plan to visit the American Southwest or Mexico, tell your travel agent that you oppose cruelty to animals and refuse to attend a charreada.

## References

<sup>1</sup>International Arts and Artists, "Arte en la Charrería," National Cowboy Museum, accessed 26 Sept. 2021.

<sup>2</sup>Angelica Casas, "A Family Tradition," *San Antonio Express-News*, 12 Sept. 2012.

<sup>3</sup>Julia Hambric *et al.*, *Charreada: Mexican Rodeo in Texas*. Texas: University of North Texas Press: 2002.

<sup>4</sup>Patricia Leigh Brown, "Rough Events at Mexican Rodeos in U.S. Criticized," *The New York Times*, 12 Jun 2008.

<sup>5</sup>*Ibid.*

<sup>6</sup>Yesenia Robles, "Mexican Rodeo Cancels "Steer-tailing" Event at Jeffco Fairgrounds," *The Denver Post*, 6 Aug. 2010.

<sup>7</sup>Hambric.

<sup>8</sup>Karen Sloan and Andrew J. Nelson, "Omaha May Ban Steer Tailing, Horse Tripping" Associated Press, 12 Dec. 2007.



## ATTACHMENT 2

### Animal Cruelty – Kansas State Statute

21-6412. Cruelty to animals. (a) Cruelty to animals is:

- (1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;
- (2) knowingly abandoning any animal in any place without making provisions for its proper care;
- (3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;
- (4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;
- (5) knowingly but not maliciously killing or injuring any animal; or
- (6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and



(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

- (1) Normal or accepted veterinary practices;
- (2) bona fide experiments carried on by commonly recognized research facilities;
- (3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;

 (4) rodeo practices accepted by the rodeo cowboys' association; 

(5) the humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound;

(6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;

(7) the killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;

(9) laying an equine down for medical or identification purposes;

(10) normal or accepted practices of pest control, as defined in subsection (x) of K.S.A. 2-2438a, and amendments thereto; or

(11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a duly incorporated humane society or licensed veterinarian for treatment, boarding or other care or, if an officer of such humane society or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing. If the animal is placed in the care of an animal shelter, the animal shelter shall notify the owner or custodian, if known or reasonably ascertainable. If the owner or custodian is charged with a violation of this section, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby the animal shelter may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 21 days after the owner or custodian is notified or, if



the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal.

(f) The owner or custodian of an animal placed for adoption or killed pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing of such animal unless the owner proves that such placement or killing was unwarranted.

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

(h) If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for sale or other disposition.

(i) As used in this section:

(1) "Equine" means a horse, pony, mule, jenny, donkey or hinny; and

(2) "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.


# ATTACHMENT 3

The Professional Rodeo Cowboys Association (PRCA)

Source: [www.prorodeo.com](http://www.prorodeo.com)


## LIVESTOCK WELFARE RULES

The PRCA has more than 60 rules to ensure the proper care and treatment of rodeo animals included in its official rules and regulations. While the rules and regulations are too numerous to list here, several of the safeguards for the proper treatment of animals in the rules and regulations are listed below. For a complete list of the rules and regulations dealing with the proper care and treatment of animals, please send your request to PRCA Animal Welfare Coordinator, PRCA, 101 Pro Rodeo Drive, Colorado Springs, CO 80919.



- A veterinarian must be on-site at all PRCA-sanctioned rodeos.

- All animals are inspected and evaluated for illness, weight, eyesight and injury prior to the rodeo, and no animals that are sore, lame, sick or injured are allowed to participate in the event.
- Acceptable spurs must be dull.
- Standard electric prods may be used only when necessary and may only touch the animal on the hip or shoulder area.
- Stimulants and hypnotics may not be given to any animal to improve performance.



- Any PRCA member caught using unnecessary roughness or abusing an animal may be immediately disqualified from the rodeo and fined. This holds true whether it is in the competitive arena or elsewhere on the rodeo grounds.

- Weight limitations are set for both calves (between 220 and 280 pounds) and steers (450-650 pounds).
- The flank straps for horses are fleece- or neoprene-lined and those for bulls are made of soft cotton rope and may be lined with fleece or neoprene.
- Steers used in team and steer roping have a protective covering placed around their horns.
- The use of prods and similar devices is prohibited in the riding events unless an animal is stalled in the chute.
- A no-jerk-down rule provides for fines if a contestant jerks a calf over backwards in tie-down roping.
- All rodeos must have a conveyance available to humanely transport any injured animal.
- Chutes must be constructed with the safety of the animals in mind.



NEWS

## Coleadero Rodeo skips steer-tailing event that ripped tails off cattle, but what about next time?

The July 18 edition of the Coleadero Rodeo at the Jefferson County Fairgrounds was lethal: two cattle had to be put down and nine were injured – including seven that were "de-gloved" (their tails were torn off) in an event known as steer-tailing. The rodeo happened as scheduled on August...

By Michael Roberts August 10, 2010

The **July 18 edition of the Coleadero Rodeo** at the Jefferson County Fairgrounds was lethal: two cattle had to be put down and nine were injured -- including seven that were "de-gloved" (their tails were torn off) in an event known as steer-tailing.

The rodeo happened as scheduled on August 8, despite **objections from PETA and a Jeffco commissioner** -- and steer tailing didn't take place. But there's no guarantee it won't return.

According to Jacki Kelley, spokeswoman for the Jefferson County Sheriff's Office, David Martinez, who co-promotes Coleadero with his father Miguel, "decided early Friday afternoon to stop his plan for steer-tailing on Sunday."

Kelley's not sure "what compelled them to make him to make this good decision." Perhaps it was the fact that both Martinezes face misdemeanor animal cruelty charges in relation to the July 18 rodeo. Or maybe it was "the phone calls and e-mails he'd been receiving from citizens who were very displeased with this event. And I know this was happening, because he shared that with us."

In addition, the sheriff's office "got e-mails and phone calls from people across the country, too. They were very supportive of the sheriff's decision to try to stop this event, and for charging them for the previous event."

The JCSO planned a major show of force at the Sunday event. The younger Martinez "knew we would enforce the law and shut down the event if it was causing harm to animals," Kelley notes. "We shared our intentions with him."

After he blinked, Kelley says her office scaled back its response. The event was slated to get underway at noon, and while it didn't actually start until a couple of hours later, sheriff's personnel could tell that Martinez had kept his no-steer-tailing pledge. "They didn't even have cattle on site," she points out. "They had bulls and broncos, and that looked like the direction he was going to go." This was subsequently confirmed during the rodeo itself by Jeffco deputies, supplemented by staffers from the county's animal control division and representatives from the Department of Agriculture.

But while Kelly is pleased that steer tailing didn't take place this weekend, she says Coleadero has three more rodeos slated for the Jefferson County Fairgrounds -- two in September, one in October. And thus far, the Martinezes haven't pledged to omit this feature from those exhibitions.

"We believe their original intention was to have steer tailing at those events. So this week, we plan to have additional conversations with them to see what their plans are now," Kelley says. "Our hope is obviously that they've decided to pull this event from any rodeo that takes place in our county. But if they choose to bring it back, we'll be there."

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NO THANKS



**MICHAEL ROBERTS** began his career with *Westword* in 1990 as music editor. In 1999, he took on a new role, full-time media reporter, as author of a column called The Message. In 2008, he became the lead writer for *Westword's* news blog, The Latest Word, a position he held until January 2023. Michael continues to freelance for *Westword*, covering everything from business to sports and the media; he also contributes to *Jazziz*, a national music

A message from Michael Roberts: If you value independent journalism, please consider making a contribution to support our continued coverage of essential stories and to investigate issues that matter.



# HARO RODEO COMPLIANCE / WORKING STATUS SUMMARY NOTES

## Compliance Check Purpose:

To review historical and current allegations of illegal rodeo, concert, and alcohol sales activities at 22000 Cantreall Rd Linwood Kansas 66052.

Owner: HARO, AURELIO & BROCKENBERRY, NORMA  
Site Address: 00000 CANTRELL RD, Linwood, KS 66052  
Mailing Address: 17564 W 158TH TER, OLATHE, KS 66062

### Key Findings:

- **Rodeo:** Rodeo is not in compliance with Kansas State Statute 21-6412. (Cruelty to animals). Evidence suggests the practice of bull tail dragging occurred at the rodeo. The practice of bull tail dragging constitutes animal cruelty and causes significant harm to the animals involved. Subject, along with his associates have advertised these events as public events for years in conflict with his statement to the County Commissioners that this is a family and friends event.

The rodeo arena/concert stage location is only approximately 72 feet to the West property line and 98 feet to the East property line of the subject.

- **Concerts:** Based on historical video audio and lights are not in compliance. The concert organizer has previously operated without a required permit.
- **Alcohol Sales:** Event and subject do not appear to be in compliance based on historical evidence found.

### Evidence:

- **Rodeo:** Video, Still Photos, and review of State Statute and regulations support that the rodeo activities may be in violation of Animal Abuse Statutes. (Please See Attachment 7). Bull Tail Dragging and Horse Tripping do not comply with Professional Rodeo Association Guidelines and appears to be in violation of Kansas Animal Abuse Statute.
- **Concerts:** Noise and lights emitted appear to be in excess of accepted standards, and the stage sound and lighting system is excessive and can be seen and heard from over a quarter of a mile away at excessive levels.
- **Alcohol Sales:** Review of advertising materials stating that no outside beverages may be brought in and all beverages will be sold on site contradicts the subjects statements to Leavenworth Commissioners that his "family event" is a BYOB which appears to be in violation of Kansas Statutes regarding both the sale of Alcohol and Consumption of Alcohol.

### Recommendations:

- **Rodeo:** Prepare package for the prosecutor, Sheriff's Office, and present to Kansas Dept of Ag, USDA, Peta
- **Concerts:** Prepare package for County Commissioners, Sheriff Prosecutors office and possible request for injunction
- **Alcohol Sales:** Prepare package for Prosecutor, Sheriff's office, County Commissioners, and Kansas bureau of Alcohol
- Upon completion and after presentation to appropriate agencies seek legal representation for possible civil suit
- 
- **Conclusion:**

- **RODEO:** The practice of Bull/Steer tail dragging is unacceptable and do not comply with Professional Rodeo Association Guidelines in violation of Kansas Animal Abuse Statute and must be stopped. Further investigation is necessary to determine the full extent of animal cruelty at the rodeo and to hold those responsible accountable.
- 
- These events can cause extreme pain and injury to the animals, including:
- **Physical injuries:** Broken tails, spinal injuries, and internal bleeding.
- **Psychological trauma:** Severe stress and fear.
- **Alcohol Sales:** The absence of an alcohol sales permit for the concert represents a significant violation of local regulations. Further investigation and enforcement actions are necessary to prevent similar occurrences in the future



# SPECIAL USE PERMIT

For

**THE UNINCORPORATED AREA OF  
LEAVENWORTH COUNTY, KANSAS**

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

**HEARING BEFORE PLANNING COMMISSION:** The submittal of a complete application will be received and processed by Planning Staff. The earliest possible hearing before the Planning Commission is dependent on when the application is received. The deadline for each meeting is found on the Planning Commission Schedule and Submittal Deadline document. A complete application is not a guarantee that your case will be heard at the earliest possible Planning Commission meeting.

**ALL APPLICATION FEES ARE NON-REFUNDABLE**

For more information contact:  
Leavenworth County Department of Planning and Zoning  
300 Walnut St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
[pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)  
913-684-0465

## Narrative Guide

**Written Narrative Requirements:** A written narrative description of the proposed use must be submitted that addresses:

- The reasons that appear to make the site in question appropriate for the proposed use.
- Any reasons that the proposed use could cause conflict with other parcels surrounding the site in question.
- The steps to be taken to cause the use to be compatible with other parcels near the site in question.
- The hours of operation, traffic routes and expected traffic volumes, staffing levels, methods of operation, and off-street parking.
- The number of parking spaces available on the property and the reasoning behind the number provided.
- The number of months/years for which the permit is requested and whether the character of the use would tend to be seasonal or vary during the duration of the permit.
- The extent to which the use could cause pollution.
- Any other such reasonable information about the proposed use that would be necessary or helpful for the impact of the proposed use to be fully evaluated and considered.

The Planning and Zoning Staff will use the narrative to analyze the impacts of the proposed use on streets and traffic, the natural environment, neighborhood, utilities, emergency services, and the surrounding community, with consideration given to the County's Comprehensive Plan and Regulations.

**The narrative is a written description of what you will be doing.** The narrative will be used in the analysis of your Special Use Permit. Be descriptive and detailed. Include everything that has to do with your proposed use or business. Below is a guide to assist you in writing your narrative. Remember to include all pertinent information pertaining to the requested application. Below is a list of key points that need to be included in your narrative (this is not an all-inclusive list). Remember to include future plans during the duration of the SUP term.

- Current-use
- Proposed Use
- Hours of Operation
- Employees
  - How many (include future employees)
  - Are any family members
- Signs (Include future desired signs)
  - Size
  - Design (Electrical/digital)
  - Where will they be placed?
- Chemicals Used
  - Types
  - Storage
  - Disposal
- Lubricants/Oils/Fluids
  - Storage
  - Disposal
- Sewage Disposal
  - Will your proposal create more sewage?
- Water Supply
  - Any additional water needed
- Noise/sound caused by the use
- Odors or fumes
- Accessory building used or to be constructed
- Outdoor displays/advertising
- Equipment
  - Parking
  - Storage
  - Maintenance
- Alcohol Service
- Dust Control
- Emergency/Safety
  - Contact numbers
  - Shelter
  - Weather radio
  - Evacuation plan
  - Fire extinguishers
- Outdoor Storage
  - Fenced/Screened
- Security Lighting
- Parking
  - Is there enough space for parking?
  - Will parking be needed?
- Will this be in the existing home?
- Traffic
  - Number of employees driving to the site per day.
  - Number of deliveries of products / materials to the site per week.
  - Number of trips from the site to deliver products / materials.



# ATTACHMENT 1

**GRAN JARIPEO BAILE**  
FUNDADO EN 1976

## RANCHO EL JEREZANO

BANDA **EL PILAR**  
*Aventura*

LA **EXCLUSIVA**  
GRAN CONCURSO DE BAILE

**20 DOMINGO DE AGOSTO** NIÑOS MENORES DE 12 ENTRAN GRATIS  
PUERTAS ABREN 3-PM

RANCHO EL JEREZANO: 22000 CANTREALL RD LINWOOD KS 66052

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

## SANTA FE TOUR

**8 SEGUNDOS** MUSICA COUNTRY

**DOMINGO 8 MAYO 2022**

¡TRAE A FESTEJAR A MAMÁ EL DÍA DE LAS MADRES!  
PUERTAS ABREN 12PM / ADULTOS 40 DOL. / NIÑOS MENORES DE 12 AÑOS GRATIS

ticketon.com 1.800.668.8080 **TICKETON**

## SABADO DE GLORIA

# COLEADERO DE LUJO

CON 60 TOROS DE LA GANADERIA LOS PAISAS

**RANCHO EL JEREZANO**  
22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200**  
REPARTIENDO EL 70% EN LOS 3 PRIMEROS LUGARES

**HABRA QUEMA DE JUDAS**

**HABRA CONCURSO DE CABALLOS BAILADORES**

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

MAS INFORMACION:  
913-548-3101 Y 785-917-1008

La Inigualable Banda **SANTA CRUZ**  
De Eric Solis

PUEDES LLEVAR TU PROPIA BEBIDA, SOLO DE BOTE



**Gran Coleadero Baile**  
**Rancho El Jerezano** SABADO  
 Abra Charreada  
 Con cinco equipos charros para  
 Celebrar el Cinco de Mayo

**6 MAYO**

BANDA LA **Querendona**

**AMBIENTE 100% FAMILIAR**

**Buen Ganado**  
**Polla De \$150**  
**Se Repartira**  
**70% A los 3**  
**Primeros**  
**Lugares**

Para Mas Información  
 913-584-3101

**Charreada**  
 Apartir de las  
 10am

**Y ELITE NORTENO**

Puedes Traer Tu Cerveza Solo En Bote

**22000 CANTREALL RD**  
**LINWOOD KS 66052**

**SABADO DE GLORIA**  
**COLEADERO DE LUJO**  
 CON 80 TOROS DE LA GANADERIA LOS PASAS

**RANCHO EL JEREZANO**  
 22000 CANTREALL RD LINWOOD KS 66052

**POLLA \$200** **HABRA QUEMA DE JUDAS**

**HABRA PREMIOS PARA LOS MEJORES COLEADORES**

**SABADO 16 ABRIL**

La Inigualable Banda **SANTA CRUZ**  
 De Eric Salas

PUEDES LLEVAR TU PROPIA BEBIDA SOLO DE BOTE **HABRA CONCURSO DE CABALLOS BAILADORES**

**AMBIENTE 100% FAMILIAR**

GRAN PREMIO DE DANZAS PREMIANDO EL MEJOR COLEADERO

MAS INFORMACION  
 913-548-3101 Y 785-917-1008

**Empresario desde las 2:00 pm**

EL RANCHO "El Jerezano" **23** SABADO OCTUBRE

**GRAN CABALGATA**  
 y Tardenda Baile

**COMIDA GRATIS**  
 HASTA QUE TOPE!!!

**ELITE NORTENO**  
 Acompañando de 5 a 9

**CABALGATA DE 2 HORAS**

**No esperen!!!**

1 (913) 548-3101 | 22000 Cantrell RD Linwood KS 66052

Rancho "El Jerezano"

**GRAN COLEADERO de Lujo**

**MAS DE 50 TOROS DE GANADERIA LOS PASAS**

**Celebrando Fiestas patrias**

**¡Habrà**



**GRAN TORNEO DE COLAS**  
**CATEGORÍAS**  
**AAA \$1000 DLLS**  
**AA \$500 DLLS**  
**A \$250 DLLS**  
 EVENTO 100% FAMILIAR  
 Repartiendo 70% GANADO 100% Limpio  
 AL TERMINO DEL TORNEO  
**GRAN COLEADERO**  
*Abierto*  
**RANCHO EL AGAVE**  
 15722 W 117<sup>TH</sup> ST. N SEDOWICK., KS 67135  
**SÁBADO 25 DE MAYO**  
 2024  
 MAS INFORMACIÓN AL:  
 316-553-2881 O AL 316-272-2988

**COLEADERO BAILE**  
**GRAN INAUGURACION**  
 Sábado 20 de ABRIL  
**POLLA \$150**  
 PARA SE REPARTIRA EL 70%  
**RANCHO AZTECA**  
**CONQUISTADORA**  
**AMBIENTE 100% FAMILIAR**  
**COLEADERO ABIERTO MONTURA!**  
 LA REYNA DE KC PUEDEN LLEVAR HIELERA PERO NO BOTELLAS DE VIEJO ANTOJITOS MEXICANOS  
 NIÑOS MENORES DE 12 AÑOS ENTRAN GRATIS  
 SE COBRARA POR HIELERA  
 PARA EL QUE TIENEN PORN RECORDAROS DE BUEN LADO  
 PUERTAS ABIERTAS A MEDIODIA  
 MAG INFO: JOAN BAÑUELOS 913-280-1514 LUDIAN JARBE 913-246-1425  
 24345 W. 383RD ST PAOLA KS 66071  
 NO REEMBOLSA EL ALGEBRADO O ACCIDENTE DENTRO DE LAS FERIAZACIONES

**SABADO 17 AGOSTO 2024**  
**SEXTA CHARREADA DEL CIRCUITO DE KANSAS**  
 11:00 AM HERENCIA CHARRA R300 SAN RAFAEL SAGRADO CORAZON  
 2:00 PM HACIENDA DE KANSAS HACIENDA DEL RIO RANCHO EL DIAMANTE  
 AL TERRITRIO DE LAS CHARREADAS  
 COLEADERO LIBRE Y POLLA DE \$150  
 AMBIENTE 100% FAMILIAR | ANTOJITOS MEXICANOS | TARDEADA BAILE  
 PUEDEN TRAER SOLO CERVEZA DE LATA Y HABRA UN COSTO POR HIELERA  
**LA PREMIOSISIMA**  
 HANITA PERIBARBERIEZ.ZAC.  
 16619 LEMAPE RD. LINWOOD KS 66062

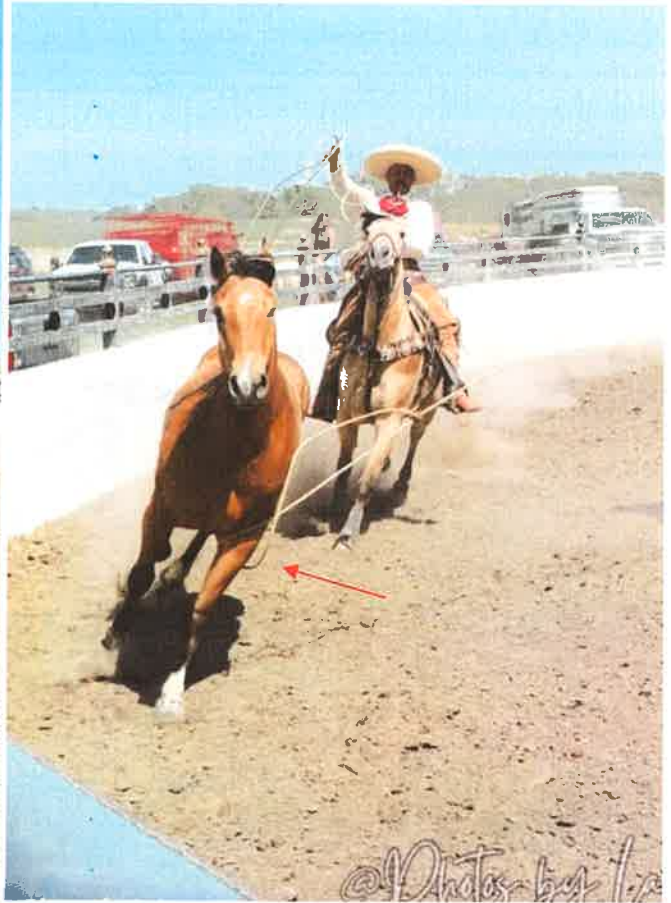
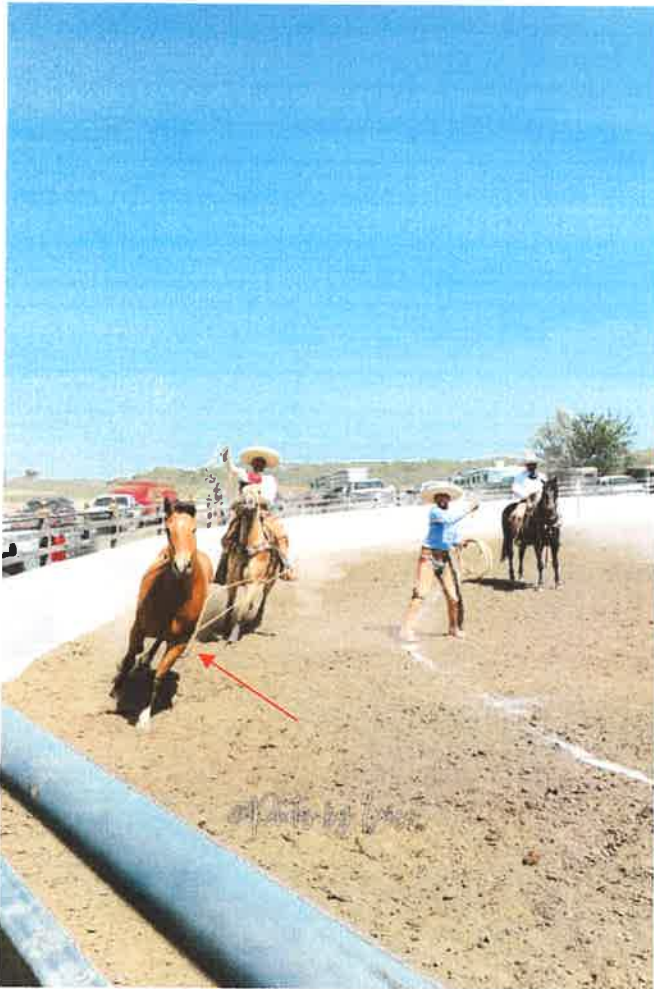
# ATTACHMENT 4

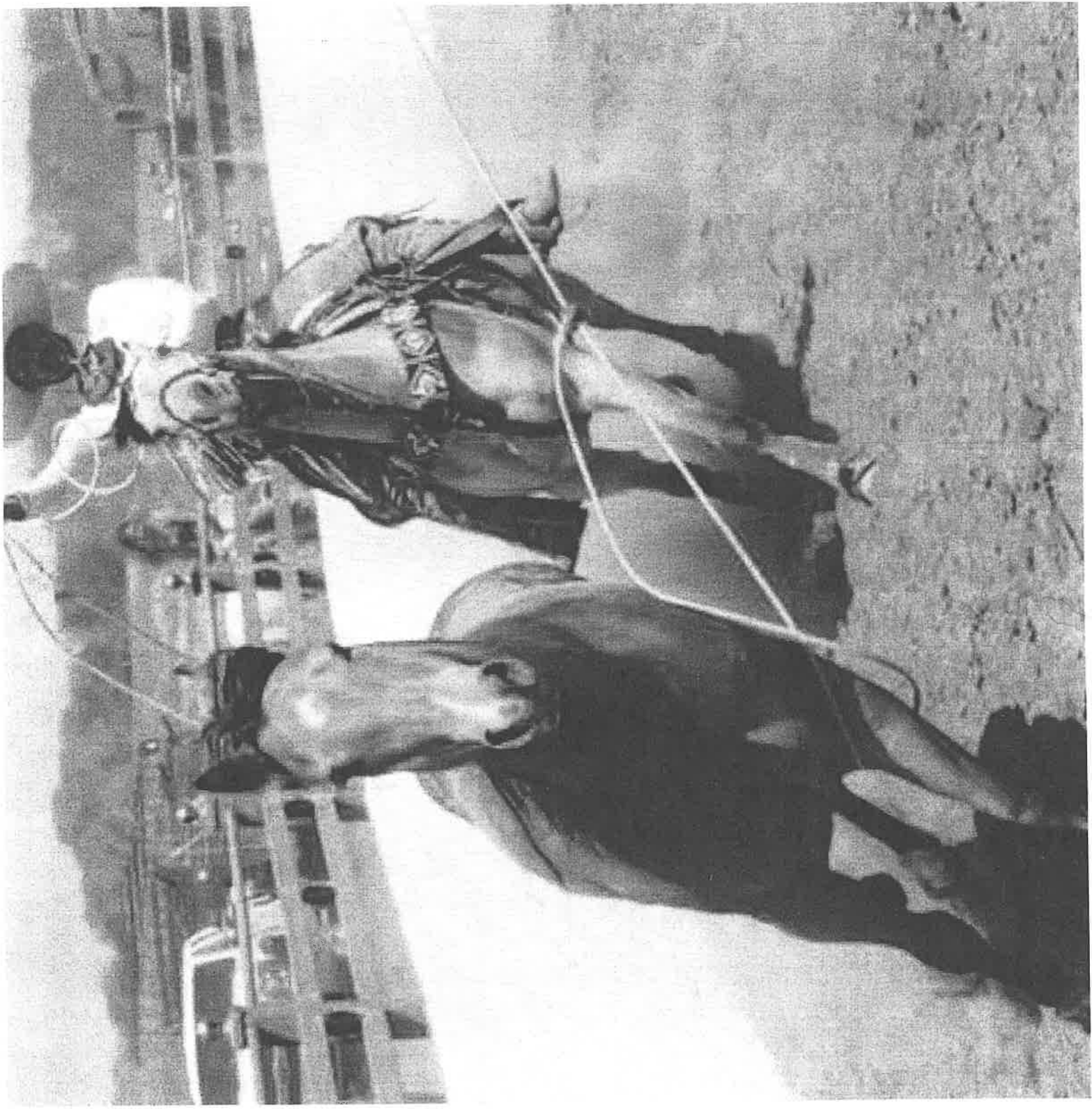




# ATTACHMENT 4

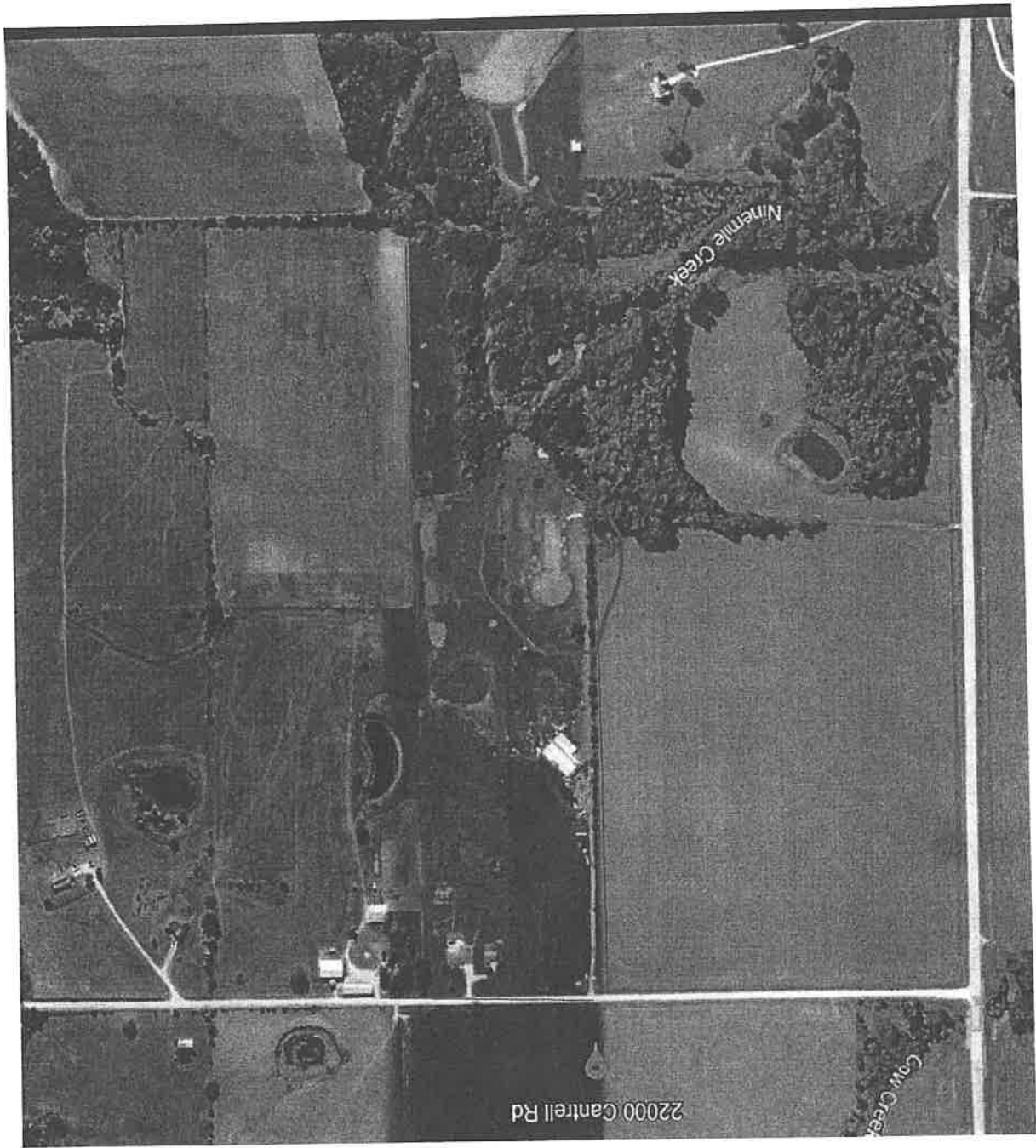
## Horae Tripping













<https://youtu.be/-KAaWA8i0Tw>

Bull Breaks Legs Rodeo

<https://youtu.be/2v7djtzbcckE?si=FltYUgFPiMqNdKDI>

✓ Horse Tripping

[https://youtu.be/0\\_-Pj8RPJFg?si=tIEyzEQQMv9C9Oyd](https://youtu.be/0_-Pj8RPJFg?si=tIEyzEQQMv9C9Oyd)

✓ Brazilian Tail Roping

✓ <https://youtu.be/dTml9mGq99g?si=-DX1VvDjyt7-VhWu>

Mexican Bull Tailing

# Charreada Explained

The **charreada** (in Spanish; Castilian pronounced as /tʃaˈreaða/) or **charrería** (in Spanish; Castilian pronounced as /tʃareˈri.a/) is a competitive event similar to [rodeo](https://everything.explained.today/rodeo/) and was developed from [animal husbandry](https://everything.explained.today/animal_husbandry/) practices used on the [haciendas](https://everything.explained.today/haciendas/) of [old Mexico](https://everything.explained.today/New_Spain/). The sport has been described as «living history,» or as an art form drawn from the demands of working life.<sup>[1]</sup> In 2016, charrería was inscribed in the [Representative List of the Intangible Cultural Heritage of Humanity](https://everything.explained.today/UNESCO/) by [UNESCO](https://everything.explained.today/UNESCO/).<sup>[2]</sup>

Evolving from the traditions brought from Spain in the 16th century, the first charreadas were ranch work competitions between haciendas. The modern Charreada developed after the [Mexican Revolution](https://everything.explained.today/Mexican_Revolution/) when [charro](https://everything.explained.today/charro/) traditions were disappearing. The competing charros often came from families with a tradition of Charrería,<sup>[3]</sup> and teams today are often made up from extended families who have been performing for up to five generations.

The *charreada* consists of nine events for men plus one for women, all of which involve horses, cattle or both. Some of the events in the charreada have been criticized by animal advocacy groups and some states have banned certain events.<sup>[4]</sup> However, there is an absence of independent statistical data and unbiased recording of the injury rate of animals has not been undertaken.

## History

Charrería, a word encompassing all aspects of the art, evolved from the traditions that came to Mexico from [Salamanca, Spain](https://everything.explained.today/Salamanca%2c_Spain/) in the 16th century. When the Spanish first settled in [Colonial Mexico](https://everything.explained.today/Colonial_Mexico/), they were under orders to raise horses, but not to allow [Native Americans](https://everything.explained.today/Indigenous_peoples_of_the_Americas/) to ride. However, by 1528 the Spanish had very large [cattle-raising estates](https://everything.explained.today/hacienda/) and found it necessary to employ indigenous people as [vaquero](https://everything.explained.today/vaquero/)s or herdsman, who soon became excellent horsemen. Smaller landholders, known as rancheros or ranchers, were the first genuine [charro](https://everything.explained.today/charro/)s and they are credited as the inventors of the charreada.<sup>[5]</sup>

Prior to the [Mexican Revolution](https://everything.explained.today/Mexican_Revolution/), ranch work competitions were generally between haciendas. Before World War I, there was little difference between rodeo and charreada. Athletes from the United States, Mexico and Canada competed in all three countries. Subsequently, charreada was formalized as an amateur team sport and the international competitions ceased.<sup>[6]</sup>

Following the breakup of the [hacienda](https://everything.explained.today/hacienda/)s by the [Mexican Revolution](https://everything.explained.today/Mexican_Revolution/), the *charros* saw their traditions slipping away. They met in 1921 and formed the *Asociación Nacional de Charros* to keep the *charrería* tradition alive. The advent of the Mexican cinema brought greater



popularity, especially musicals which combined *ranchera* (<https://everything.explained.today/ranchera/>)s with the *charro* image, akin to the Western and «singing cowboy» genres in the United States.<sup>[7]</sup> (<https://everything.explained.today/Charreada/#Ref-7>)

Mexican Americans in the United States also held various *charreadas* during the same period, but in the 1970s, the *Federación Mexicana de Charrería* ([https://everything.explained.today/Federaci%0c3%b3n\\_Mexicana\\_de\\_Charrer%0c3%adal](https://everything.explained.today/Federaci%0c3%b3n_Mexicana_de_Charrer%0c3%adal))(FMCH) began assisting them in establishing official *charreadas* north of the border. They are now quite common. At times, US champion teams compete in the national competition of Mexico.

## Performance

The participants in the *charreada* wear traditional *charro* clothing, including a closely fitted suit, *chaps* (<https://everything.explained.today/chaps/>), boots, and a wide brim *sombrero* (<https://everything.explained.today/sombrero/>). The body-fitting suit of the charro, while decorative, is also practical; it fits closely to insure there is no flapping cloth to be caught by the horns of steers. The *botinas*, or little boots, prevent feet from slipping through the stirrups. *Spur* (<https://everything.explained.today/Spur/>)s are worn on the botinas.<sup>[8]</sup> (<https://everything.explained.today/Charreada/#Ref-8>)

The *saddle* (<https://everything.explained.today/saddle/>) of the charro has a wider horn than that of a *western saddle* ([https://everything.explained.today/western\\_saddle/](https://everything.explained.today/western_saddle/)), which helps safeguard the charro from being pitched off and from being hung up. There are two grips at the back of the saddle, in case the charro needs to hold on because of a *buck* (<https://everything.explained.today/bucking/>) or some other unexpected act of the horse.<sup>[8]</sup> (<https://everything.explained.today/Charreada/#Ref-8>)

A *charreada* is held within a marked-off area of an arena called a *Lienzo charro* ([https://everything.explained.today/Lienzo\\_charro/](https://everything.explained.today/Lienzo_charro/)) consisting of a lane wide by long leading into a circle in diameter.

In the opening ceremony, organizations and participants parade into the arena on horseback, usually accompanied by a *mariachi band* ([https://everything.explained.today/mariachi\\_band/](https://everything.explained.today/mariachi_band/)) playing *Marcha Zacatecas*. This signifies the long tradition of Charros being an auxiliary arm of the Mexican Army. The short charro jacket is reminiscent of that worn by members of *Villa's Army* ([https://everything.explained.today/Pancho\\_Villa/](https://everything.explained.today/Pancho_Villa/)).<sup>[8]</sup> (<https://everything.explained.today/Charreada/#Ref-8>)

The *charreada* itself consists of nine scoring events staged in a particular order for men. Unlike rodeos, most *charreadas* do not award money to the winners as charreadas are considered an amateur, rather than professional sport. Prizes may take the form of trophies. Unlike American rodeo, events are not timed but judged and scored based on finesse and grace. Charreada historically enjoys greater prestige in Mexico than in the United States.

Until recently, the charreada was confined to men but a women's precision equestrian event called the *escaramuza* is now the tenth and final event in a charreada. The event involves women's teams dressed in a style reminiscent of the nineteenth century, participating in precisely choreographed patterns for horses.<sup>[9]</sup> (<https://everything.explained.today/Charreada/#Ref-9>) The immediate antecedent of the present Escaramuzas were the *Adelitas* ([https://everything.explained.today/La\\_Adelital/](https://everything.explained.today/La_Adelital/)), or «women of the revolution.» Tradition holds that women on horseback were decoys during the *Mexican revolution* ([https://everything.explained.today/Mexican\\_revolution/](https://everything.explained.today/Mexican_revolution/)). The women would ride off to raise a cloud of dust so that the *Federales* (<https://everything.explained.today/Federales/>) were deceived into thinking an attack would come from that direction. The revolutionaries would then attack from the rear.<sup>[10]</sup> (<https://everything.explained.today/Charreada/#Ref-10>)

The women in the *escaramuza* are mounted «a *mujeriegas*», that is, in an «albarda» or *sidesaddle* (<https://everything.explained.today/sidesaddle/>), that is peculiar in style to the Charrería but the underlying design has also evolved over hundreds of years in both Europe and North Africa. The traditional *albarda* for the Escaramuza is a cut down charro saddle, with a leather seat and leg braces, U-shaped for the right leg and C-shaped for the left leg.<sup>[10]</sup> (<https://everything.explained.today/Charreada/#Ref-10>)

## Events

The *charreada* itself consists of a number of scoring events staged in a particular order – nine for the men and one for the women. Two or more teams, called *asociaciones*, compete against each other. Teams can compete to become state, regional, and national champions. The competitors are judged by both style and execution.

Unlike rodeos, most *charreadas* do not award money to the winners as *charreadas* are considered an amateur sport, not professional. Under Mexican laws it would be illegal to receive a monetary reward for participating in a *charreada*. At times there are such prizes as saddles or horse trailers.

1. *Cala de Caballo* (Reining (<https://everything.explained.today/Reining/>)); Literally the demonstration of the horse rein, the horse is required to show its talents in the canter, gallop, slide stop, spins on its hind legs as well as backing. Is one of the hardest events to master and also the most elaborately scored, it is possible to score more negative points than positive ones.
2. *Piales en Lienzo* (Heeling); a horseman must throw a lariat (<https://everything.explained.today/lasso/>), let a horse run through the loop, catching it by the hind legs. Three opportunities are given. Points are awarded for distance needed to stop the mare. This is done in the rectangular portion of the arena;
3. *Colas en el Lienzo*, or *Coleadero* (Steer Tailing) similar to bull dogging ([https://everything.explained.today/Steer\\_wrestling/](https://everything.explained.today/Steer_wrestling/)) except that the rider does not dismount; the charro rides alongside the left side of the bull, wraps its tail around his right leg, and tries to bring the bull down in a roll as he rides past it. Points are given for technique, time, and roll of the bull.
4. *Jineteo de Toro* (Bull riding ([https://everything.explained.today/Bull\\_riding/](https://everything.explained.today/Bull_riding/))) similar to the rodeo event. Bulls are smaller, between 990 and 1320 pounds, and are ridden until they stop bucking. Two hands can be used on the bullrope. Points are given for technique. The charro cannot fall off, he must dismount and land upright. After the charro dismounts the bull he must remove the bullrope and bellrope so the Terna en el Ruedo can follow. This event has its roots in an earlier form known as Jaripeo (<https://everything.explained.today/Jaripeo/>).
5. *Terna en el Ruedo* (Team Roping); a team roping event in which three charros attempt to rope a bull – one by its neck, one by its hind legs, and the last then ties its feet together. They have a maximum of 6 minutes. Points are awarded for rope tricks and time.
6. *Jineteo de Yegua* (Bareback on a wild mare); similar to Bareback bronc ([https://everything.explained.today/Bareback\\_bronc/](https://everything.explained.today/Bareback_bronc/)) riding. Yegua means mare (<https://everything.explained.today/mare/>). An untrained horse, often a mare, is ridden with a bullrope. Two hands are used and the legs are held horizontally to the ground.
7. *Manganas a Pie* (Forefooting) a charro on foot (pie) has three opportunities to rope a horse by its front legs and cause it to fall and roll once. The horse, usually a mare, is chased around the ring by three mounted charros or hazers. Points are awarded for time and rope tricks as long as the horse is roped and brought down. Extra points are given for the tirón del ahorcado (hanged pull) in which the rope is around the charro's neck, like a noose, and he uses his body to cause the mare to fall and roll. Points for all three attempts are cumulative. Eight minutes are given.
8. *Manganas a Caballo* or (Forefooting on Horseback); a charro on horseback has three opportunities to rope a horse by its front legs. In the USA, the horses are not rolled, they are released as soon as they are roped.<sup>[11]</sup> (<https://everything.explained.today/Charreada/#Ref-11>). But elsewhere, the goal is to have the horse fall and roll once. The horse is chased around the ring by three mounted charros. Points are awarded for time and rope tricks as long as the horse is roped according to the national rules. Points for all three attempts are cumulative. Eight minutes are given.
9. *El Paso de la Muerte* (The pass of death) a charro riding bareback, with reins, attempts to leap from his own horse to the bare back ([https://everything.explained.today/bareback\\_riding/](https://everything.explained.today/bareback_riding/)) of a loose, unbroken horse without reins and ride it until it stops bucking. The most dangerous part of this is if the charro performing the pass falls under three other mounted charros that are chasing the loose horse round the arena ring. This is done backwards at times for show.
10. *Escaramuza* (English: «skirmish») is an event added in 1992 for teams of women who perform precision equestrian displays riding sidesaddle and garbed in *Adelita* dress. It is usually held between the *Coleadero* and the *Jineteo de Toro*.<sup>[9]</sup> (<https://everything.explained.today/Charreada/#Ref-9>).

## Animal welfare issues

Various aspects of charreada have been criticized by animal welfare ([https://everything.explained.today/animal\\_welfare/](https://everything.explained.today/animal_welfare/)) groups in the United States as being inhumane. While some animal rights ([https://everything.explained.today/animal\\_rights/](https://everything.explained.today/animal_rights/)) organizations oppose many or all aspects of both charreada and American-style rodeo, other organizations do not oppose rodeos generally or the charreada events that are similar to those seen in US rodeo. However, they do oppose specific charreada events, particularly steer-tailing and those that involve roping horses, which are grouped under the term «horse-tripping.»

These organizations have particular criticism for *piales* and *mangana*, the heeling and two forefooting events that involve roping of horses.<sup>[12]</sup> (<https://everything.explained.today/Charreada/#Ref-12>)<sup>[13]</sup> (<https://everything.explained.today/Charreada/#Ref-13>)<sup>[14]</sup> (<https://everything.explained.today/Charreada/#Ref-14>) where they claim that the horses used will often sustain injuries, including broken bones and teeth, dislocated joints, and lacerations.<sup>[12]</sup> (<https://everything.explained.today/Charreada/#Ref-12>)



<sup>[14]</sup> The distinction claimed between Manganas, or horse-tripping, and events that rope cattle, such as [calf roping](https://everything.explained.today/calf_roping/) ([https://everything.explained.today/calf\\_roping/](https://everything.explained.today/calf_roping/)), is that the high center of gravity of a horse, the longer legs and faster speed of a horse creates greater potential for injury, whereas cattle are smaller, have a low center of gravity, are slower and have sturdier limbs. <sup>[12]</sup> (<https://everything.explained.today/Charreada/#Ref-12>). There are additional concerns that horses are underfed and overused, repeatedly roped until lame, with rope burns ([https://everything.explained.today/Friction\\_burn/](https://everything.explained.today/Friction_burn/)) down to the bone. <sup>[14]</sup> (<https://everything.explained.today/Charreada/#Ref-14>).

forefooting is not permitted in motion pictures monitored by the [American Humane Association](https://everything.explained.today/American_Humane_Association/) ([https://everything.explained.today/American\\_Humane\\_Association/](https://everything.explained.today/American_Humane_Association/)). <sup>[15]</sup> (<https://everything.explained.today/Charreada/#Ref-15>). The California-based Charros Federation USA states that it has voluntarily banned horse-tripping in mainstream charros for over 15 years. <sup>[16]</sup> (<https://everything.explained.today/Charreada/#Ref-16>). They also note, however, that the complete capture in mangana was not stopped due to a belief that there was an unreasonable danger to the horses used, but so teams from California would not be at a disadvantage when they competed in the United States, after a 1994 California law stopped the take down in mangana. Under the Federation rules, the complete capture is still permitted in Mexico. <sup>[17]</sup> (<https://everything.explained.today/Charreada/#Ref-17>).

Nine US states, <sup>[18]</sup> (<https://everything.explained.today/Charreada/#Ref-18>) including the southwestern border states of Texas, California, New Mexico and Arizona, have banned horse-tripping as a sport, although horses may still be roped and taken to the ground when required for veterinary care, identification and branding; or essentially, reasons other than entertainment. <sup>[19]</sup> (<https://everything.explained.today/Charreada/#Ref-19>). In 2011, the state legislatures of Oregon and Nevada considered but did not pass bills that would have stopped horse tripping, <sup>[20]</sup> (<https://everything.explained.today/Charreada/#Ref-20>) and, in Colorado, a bill intended to ban both horse-tripping and steer-tailing also failed. <sup>[16]</sup> (<https://everything.explained.today/Charreada/#Ref-16>).

There are also concerns about the steer tailing event, due to concerns that a steer can suffer injuries to his tail, but also his back and limbs as he rolls. <sup>[21]</sup> (<https://everything.explained.today/Charreada/#Ref-21>). Legislation to ban steer tailing, which also is an event seen in some rodeos, was introduced in at least two states. <sup>[22]</sup> (<https://everything.explained.today/Charreada/#Ref-22>).

Supporters of Charreda defend the sport, stating that there is little evidence to support claims of inhumane treatment and noting that few animals are seriously injured. The Charro Federation has stated that experienced Charros know how to properly rope a horse without injuring it. <sup>[23]</sup> (<https://everything.explained.today/Charreada/#Ref-23>). The Charros Federation USA notes that fringe groups who do not follow mainstream standards give a bad name to the whole community. <sup>[16]</sup> (<https://everything.explained.today/Charreada/#Ref-16>). Supporters point out that events sanctioned by the [Federación Mexicana de Charrería](https://everything.explained.today/Federaci%c3%b3n_Mexicana_de_Charrer%c3%ada/) ([https://everything.explained.today/Federaci%c3%b3n\\_Mexicana\\_de\\_Charrer%c3%ada/](https://everything.explained.today/Federaci%c3%b3n_Mexicana_de_Charrer%c3%ada/)) (FMCH) are held in both the United States and Mexico, and they operate under rules promulgated by the Federation. They also point to successful and highly public events such the Fiesta San Antonio, where Charreda has been an integral part of the festival for more than 60 years. <sup>[24]</sup> (<https://everything.explained.today/Charreada/#Ref-24>).

There are few hard statistics on either side of the issue. Many charreadas are loosely organized in the USA and obtaining data is a challenge. <sup>[12]</sup> (<https://everything.explained.today/Charreada/#Ref-12>). Informal reports by organizations on both sides of the issue exist. The American Horse Defense Fund claims that from 8 to 20 percent of horses leased for charreada in California were reported to be injured seriously enough to be «sent to slaughter» each week, <sup>[12]</sup> (<https://everything.explained.today/Charreada/#Ref-12>) and the president of the California Equine Council claimed to personally observe a circuit of 10 charreadas for which 78 horses were leased for a season's use, and only 2 were not sent to slaughter by the season's end. <sup>[14]</sup> (<https://everything.explained.today/Charreada/#Ref-14>). [Arabian horse](https://everything.explained.today/Arabian_horse/) ([https://everything.explained.today/Arabian\\_horse/](https://everything.explained.today/Arabian_horse/))s are said preferred by charros due to their lighter weight, <sup>[14]</sup> (<https://everything.explained.today/Charreada/#Ref-14>) and Arabian horse rescue organizations have reported on encountering rope-scarred animals in slaughter yards whose injuries have been attributed to charreada use by the feedlot owners. <sup>[25]</sup> (<https://everything.explained.today/Charreada/#Ref-25>).

Charro associations question the legitimacy of these reports and lack of hard data. <sup>[26]</sup> (<https://everything.explained.today/Charreada/#Ref-26>). In 2011, Charreada organizers in Texas began keeping statistics on injuries to both animals and charros for events sanctioned by the FMCH. Since that time, they have self-published results from 1035 charreadas. 624 of which were held in Mexico, where traditional mangana, piales and cola events are offered. 411 charreadas were held in the United States, with non-traditional manganas, but traditional piales and cola. There were also an additional 10 coleaderos. They have reported 10 injured Charros, two steers with horns broken, three steers had tails broken in cola, one steer losing the hair at the end of its tail, one steer's leg broken in cola. A horse started limping after hitting a wall in Paso, but the lameness resolved a few hours later. A horse pulled a ligament in cola. One horse was killed when it flipped in a bucking event. In the Charreadas and Coleaderos, held in Mexico, 6601 steers, 18059 horses and 2009 bulls were used. In the Charreadas and Coleaderos held in the United States 4570 steers, 3905 horses and 1216 bulls were used. <sup>[27]</sup> (<https://everything.explained.today/Charreada/#Ref-27>).

In comparison, the [Professional Rodeo Cowboys Association](https://everything.explained.today/Professional_Rodeo_Cowboys_Association/) (PRCA) reports an animal injury rate of less than one percent in its sanctioned US rodeos. However, The Charro Association notes that the PRCA only sanctions about 30 percent of all US rodeos, <sup>[22]</sup> (<https://everything.explained.today/Charreada/#Ref-22>). Unsanctioned rodeos may have higher abuse and injury rates, and the [ASPCA](https://everything.explained.today/ASPCA/) notes that rodeo practice sessions are often the location of more severe abuses than competitions. <sup>[28]</sup> (<https://everything.explained.today/Charreada/#Ref-28>). Likewise, anecdotal reports suggest the worst charreada abuses in the USA occur at events held in small venues with little public notice, and the deepest concerns are directed these unsanctioned events. The problem appears to be most often reported in California, where horse-tripping is banned, yet private «backyard» events still feature these events. <sup>[14]</sup> (<https://everything.explained.today/Charreada/#Ref-14>).

## Cultural concerns

An additional issue separate from the animal welfare debate is concern from some people within the Hispanic community that bans on charreada are a form of cultural discrimination. <sup>[23]</sup> (<https://everything.explained.today/Charreada/#Ref-23>). A professor from Yale University noted a correlation between anti-mangana laws and anti-immigrant policy in some southwestern states. Though initially such legislation often was introduced by those concerned with animal welfare, the debates were often taken over by «nativists who demand border militarization, exclusion and deportation,» citing as examples political figures who argued that people who abuse horses also abuse ‘our children’ and ‘must be reminded of American laws’. Often, bans on charreada events corresponded with the passage of other blatantly anti-immigrant legislation. <sup>[29]</sup> (<https://everything.explained.today/Charreada/#Ref-29>).

Supporters of the mangana and piales events argue that catching horses by their legs has been and is a legitimate method of animal husbandry and therefore part of a celebration of traditional ranching methods of Mexico. This is evidenced by the veterinary and ranch work exemptions in the California, Arizona, New Mexico and Texas statutes. <sup>[30]</sup> (<https://everything.explained.today/Charreada/#Ref-30>). They also note the inclusion of mangana and piales in Charreada rules promulgated by the FMCH as proof of the tradition of catching horses by their legs. <sup>[31]</sup> (<https://everything.explained.today/Charreada/#Ref-31>).

On the other hand, others argue that horse-tripping is not a traditional part of Mexican culture. <sup>[23]</sup> (<https://everything.explained.today/Charreada/#Ref-23>). Individuals within the Mexican-American community such as [Cesar Chavez](https://everything.explained.today/Cesar_Chavez/) have come out in opposition to inhumane treatment of animals being justified on cultural grounds. <sup>[23]</sup> (<https://everything.explained.today/Charreada/#Ref-23>). Chavez, who became a vegetarian and had concerns for the welfare of animals in general, <sup>[32]</sup> (<https://everything.explained.today/Charreada/#Ref-32>), had written a letter in 1990 to Action for Animals stating his view that legislation was needed to ensure the humane treatment of animals at rodeos and explaining that violence was linked with racism, economic deprivation, and various animal sports, including dog fighting, cockfighting, bullfighting, and rodeo. <sup>[33]</sup> (<https://everything.explained.today/Charreada/#Ref-33>). This letter did not specifically mention charreada, though Chavez drew particular attention to rodeos where no veterinarian was required to be present. <sup>[33]</sup> (<https://everything.explained.today/Charreada/#Ref-33>).

The legislative debate in California in 1994 brought this issue to the forefront. When the bill banning horse-tripping passed, there was concern that the legislation was part of an overall anti-immigration climate that the voters in California were generally favoring at the time. <sup>[34]</sup> (<https://everything.explained.today/Charreada/#Ref-34>). However, support from organizations such as the Mexican American Political Association, the Mexican American Chamber of Commerce, the United Farm Workers (UFW) and the International Longshore Workers Union helped procure passage of the bill. <sup>[29]</sup> (<https://everything.explained.today/Charreada/#Ref-29>).

When horse-tripping legislation was debated in California, the sponsor of the original bill was [Joe Baca](https://everything.explained.today/Jo_Baca/), an Assemblyman of Mexican descent who went on to become a member of the U.S. Congress. <sup>[35]</sup> (<https://everything.explained.today/Charreada/#Ref-35>). When the initial bill was submitted by Baca, it was criticized as discriminatory by other Mexican American Assembly members such as [Richard Polanco](https://everything.explained.today/Richard_Polanco/). The original bill was defeated, but was resubmitted during an emergency session of the legislature. Assemblyman Baca did not sponsor the resubmitted legislation, instead it was sponsored by a non-Hispanic member, [John L. Burton](https://everything.explained.today/John_L_Burton/). <sup>[34]</sup> (<https://everything.explained.today/Charreada/#Ref-34>). However, unlike the situation in Arizona, during the debate leading to the ban enacted in 1994, the California Equine Legislative Counsel presented testimony that individuals such as [Cesar Chavez](https://everything.explained.today/Cesar_Chavez/) and organizations including the [Mexican American Political Association](https://everything.explained.today/Mexican_American_Political_Association/) opposed horse-tripping as a «cruel cultural anachronism.» <sup>[23]</sup> (<https://everything.explained.today/Charreada/#Ref-23>).



## Rodeo and charreada

The Professional Rodeo Cowboys Association

([https://everything.explained.today/Professional\\_Rodeo\\_Cowboys\\_Association/](https://everything.explained.today/Professional_Rodeo_Cowboys_Association/)) (PRCA) does not take an official position on Horse tripping, as is not a sanctioned event.<sup>[36]</sup> (<https://everything.explained.today/Charreada/#Ref-36>) The California-based Charros Federation USA states that it has voluntarily banned horse-tripping in mainstream charros for over 15 years.<sup>[37]</sup> (<https://everything.explained.today/Charreada/#Ref-37>) There are two non-charreada events in the United States that ropes horses by their front legs, the non-PRCA Jordan Big Loop Rodeo and the Harney County Ranch Rodeo in Oregon.<sup>[38]</sup> (<https://everything.explained.today/Charreada/#Ref-38>)<sup>[39]</sup> (<https://everything.explained.today/Charreada/#Ref-39>)<sup>[40]</sup> (<https://everything.explained.today/Charreada/#Ref-40>)

In 2013, the Oregon legislature considered legislation regulating horse-roping events. The PRCA opposed the bill on the grounds that the activities of concern to sponsors are already covered adequately under existing animal cruelty legislation and because the wording could define roping the legs of horses for any reason as *per se* cruelty.<sup>[41]</sup> (<https://everything.explained.today/Charreada/#Ref-41>) Douglas Corey, chair of the Livestock Welfare Committee of the PRCA, said “We do not feel that simply roping the legs of a horse is an act that should be banned.”<sup>[36]</sup> (<https://everything.explained.today/Charreada/#Ref-36>)

During the 2011 legislative debate in Nevada on legislation to ban the horse-tripping events, some opponents of a ban expressed concern that it would also undermine rodeos. However, this was disputed by supporters of a ban: «Horse tripping is not a recognized event in any form of sanctioned rodeo... This issue has absolutely nothing to do with rodeos nor is it some back door attempt to attack rodeo and livestock events...»<sup>[42]</sup> (<https://everything.explained.today/Charreada/#Ref-42>)

On the other hand, supporters of charreada point out that some rodeo associations initially opposed the California horse tripping ban,<sup>[34]</sup> (<https://everything.explained.today/Charreada/#Ref-34>) pointing out that when the original bill was submitted, supporters such as Eric Mills were also seeking to ban calf roping ([https://everything.explained.today/calf\\_roping/](https://everything.explained.today/calf_roping/)), «steer busting» and bulldogging ([https://everything.explained.today/steer\\_wrestling/](https://everything.explained.today/steer_wrestling/)). After the bill failed, the California Equine Counsel, who was not opposed to those events, stepped in as the main spokes group for the resubmitted bill.<sup>[43]</sup> (<https://everything.explained.today/Charreada/#Ref-43>) Once Mills no longer took an active role in the legislation, the Rodeo Associations decided to remain neutral, and the bill passed.<sup>[34]</sup> (<https://everything.explained.today/Charreada/#Ref-34>)

In 2011, SB 613, a bill to stop “horse tripping” was submitted in Oregon. This was opposed by the United Horsemen. “They were joined by other SB 613 opponents, including the American Quarter Horse Association ([https://everything.explained.today/American\\_Quarter\\_Horse\\_Association/](https://everything.explained.today/American_Quarter_Horse_Association/)), the Oregon Quarter Horse Association, and the PRCA. Other opponents included the directors of the Pendleton Roundup ([https://everything.explained.today/Pendleton\\_Roundup/](https://everything.explained.today/Pendleton_Roundup/)) plus other rodeo directors and supporters. The bill did not pass.<sup>[44]</sup> (<https://everything.explained.today/Charreada/#Ref-44>)<sup>[45]</sup> (<https://everything.explained.today/Charreada/#Ref-45>)

The PRCA also worked with the Charros’ groups to stop a bill to make steer tailing illegal, and to stop legislation that would have required two weeks advance notice of rodeo events.<sup>[45]</sup> (<https://everything.explained.today/Charreada/#Ref-45>)

### ▣ CHARROS

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RJ Ranch - Rancho El Jerezano



Aug 14, 2023 · 🌐

🖤🇺🇸 KANSAS CITY !! GRAN JARIPERO BAILE!  
en [#ranchoeljerezano](#) [#DOMINGO20](#) evento familiar.

✅ Niños menores de 12 años entran GRATIS

✅ habrá concurso de baile y muchas sorpresas

❌ no se aceptan bebidas 🍷 Todo se venderá en la localidad. Puertas abren 3pm

🔴 COMPRA TUS BOLETOS  AQUÍ 👉

<https://www.tickeri.com/events/vbtapo03rrbl/gran-jaripeo-de-lujo-los-garcias-y-banda-el-pilar>

🖤🇺🇸 @KANSAS CITY!! BIG JARIPERO DANCE! in [#ranchoeljerezano](#) [#DOMINGO20](#) family event.

✅ Children under 12 enter for FREE

✅ There will be a dance contest and many surprises

❌ no drinks accepted 🍷 Everything will be sold in the locality. Doors open at 3pm

🔴 BUY YOUR TICKETS  HERE 👉

<https://www.tickeri.com/events/vbtapo03rrbl/gran-jaripeo-de-lujo-los-garcias-y-banda-el-pilar>

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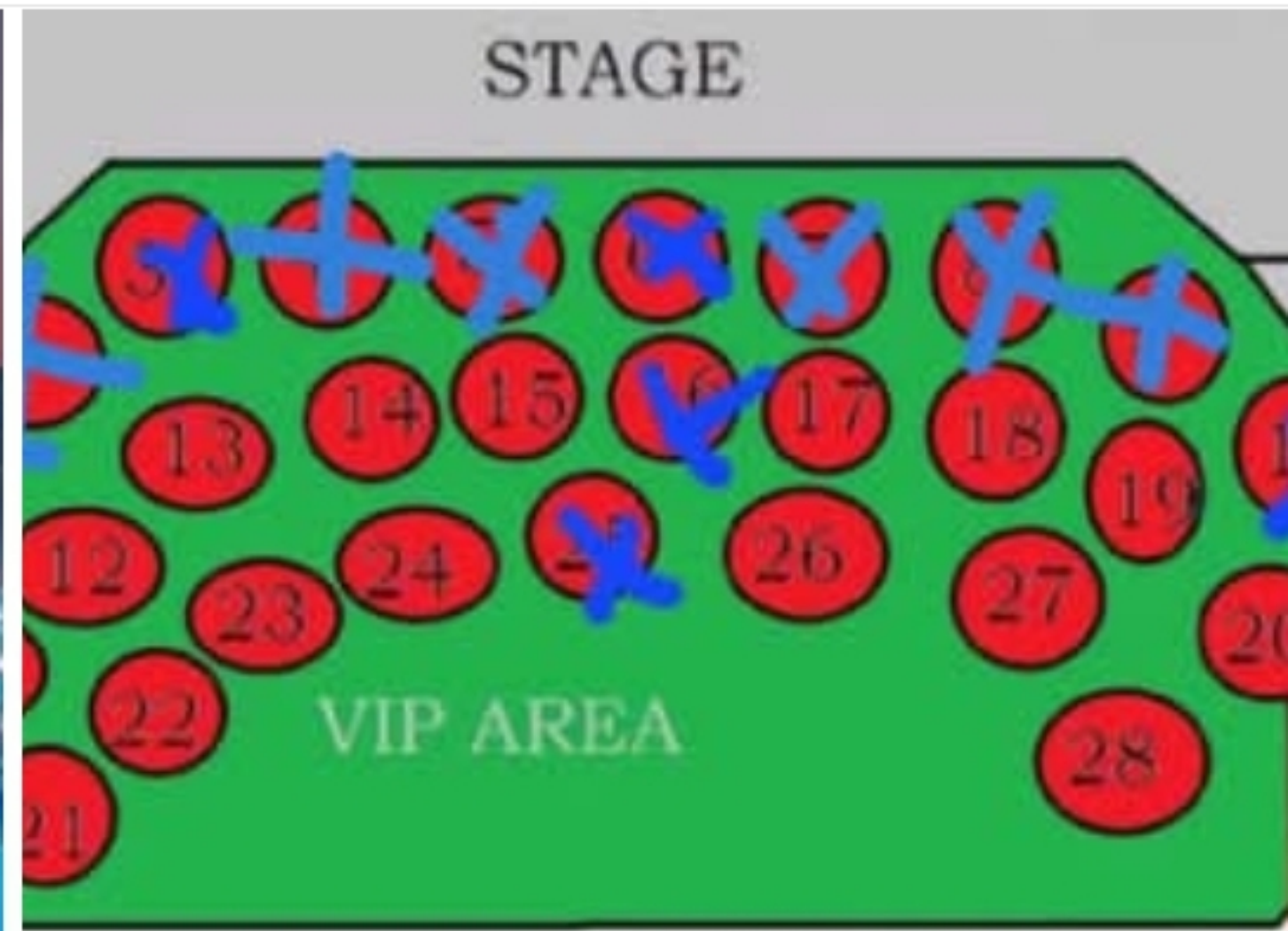


Noe Recinos Hernandez is with Aurelio Haro and 10 others.

Jun 9, 2023 · 🌐

🔴🔴 VIPs are flying out!! TAKE ADVANTAGE don't leave it at the last minute 😁😁 **Gerardo Coronel** Saturday June 17! EL JEREZANO RANCH

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James E. Bell

13502 222 St

Linwood KS 66052

Amy Allison- Leavenworth County Planning and Zoning Department,

I am writing to express my strong opposition to the Special Use Permit DEV-24-125 request. I own property that adjoins Lot 1 in Whispering Plains, the property that is currently under consideration for a Special Use Permit. This permit would allow a very broad range of outdoor facilities to be established. The prospect of this development deeply concerns me as it threatens my peaceful existence and enjoyment of my property due to potential noise pollution and increased traffic.

The proposed facility will not only disrupt our quiet community but also pose other issues such as environmental degradation. According to the U.S Environmental Protection Agency (EPA), outdoor recreational facilities can have significant impacts on local ecosystems through habitat destruction and pollution.

Moreover, the National Highway Traffic Safety Administration reports that areas with increased traffic often see a rise in road accidents. This could potentially put our community members at risk.

All these issues would have a very harmful, negative effect on my property value.

I urge you to consider these factors when deciding on this application for a Special Use Permit. Our community's peace, safety, and environment are at stake here. Please reject this permit application and preserve our quality of life.



James E. Bell

3/4/25