PLAT VACATION
APPLICATION & PROCEDURES

For

THE UNINCORPORATED AREA OF
LEAVENWORTH COUNTY, KANSAS

A PRE-APPLICATION CONFERENCE IS REQUIRED A MINIMUM OF FIVE (5) DAYS PRIOR TO SUBMITTAL AND A MAXIMUM OF SIX (6) MONTHS OF ANY APPLICATION

ALL APPLICATION FEES ARE NON-REFUNDABLE

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

PLAT VACATION PROCEDURES

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

A. A complete application form (attachment A).
B. Legal description and Common Street address of the property (Copy of Deed to all parcels).
C. Payment of application fee. Make check payable to Leavenworth County Planning and Zoning Department.
D. Owner Authorization Form for all owners, if not the legal owner of the property (Attachment B). If a Trust is indicated, paperwork will need to be submitted showing trustee status.
E. Written description of the plat or the portion of the plat that the petitioner is requesting to vacate.
F. Exhibit of platted area being vacated: should include all lots, structures, entrances, roadways, utilities and easements in affected area.
G. If the area being vacated has public utilities installed, title work shall be submitted with the request, describing all utilities and easements that are located within.
H. Applicant or applicant's representative **MUST** attend the Planning Commission and Board of County Commissioner Hearings.

FOR ADDITIONAL REQUIREMENTS, PLEASE REFER TO K.S.A. 58-2613 & K.S.A. 58-2614.

PLAT VACATION PROCEDURE:

Any request for vacation of an existing plat in the unincorporated area of Leavenworth County shall comply with K.S.A. 58-2613 & K.S.A. 58-2614. After a complete application has been submitted to the office of Planning & Zoning, a public hearing will be scheduled with the Planning Commission. Before the public hearing can be held, a notice shall be published in the local newspaper at least 20 days in advance. The Planning Commission shall consider the request and submit a recommendation to the Board of County Commissioners. The Board of County Commissioners shall either find that the plat can be vacated or shall deny the request. If the Board finds that the plat vacation meets the requirements established in State Statute, the Board shall issue a formal order vacating the requested plat, including any provision for existing public improvements. Said order shall be recorded with the Register of Deeds.

PLAT VACATION APPLICATION

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

Office Use Only

Case No. _____
PID: _____
Township_____
PC Hearing Date _____
BOCC Hearing Date:_____
ACTION _____ Date Received _____ Date Paid _____

APPLICANT/AGENT INFORMATION	**OWNER INFORMATION (If different)**
NAME _____	NAME _____
ADDRESS _____	ADDRESS _____
CITY/ST/ZIP _____	CITY/ST/ZIP _____
_____	_____
PHONE _____	PHONE _____
EMAIL _____	EMAIL _____

GENERAL INFORMATION

Address of Property _____

Present improvements or structures _____

_____

Attach description of plat/plat area being vacated.

I, the undersigned, am the *(circle one) owner/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 an appeal/variance as indicated above.

Signature _____ Date_____

ATTACHMENT A

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 _____ _____ (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.

_____ _____

Owner Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this ____day of _____, 20___,

by _____.

My Commission Expires: _____

Notary Public