

FRANKLIN COUNTY

To:	Franklin County	Reviewed:	
	Board Of County Commissioners		
From:	Larry D. Walrod	Extension:	3571
	Planning & Building Dept.		
Date:	January 7 th , 2009	No.	

ITEM:

Grant of Easement for Lot Split #0811-897 (Kost).

DISCUSSION:

The Planning Department recently approved a lot split application for Denise Kost dividing an approximate 43.39-acre tract into a 34.69-acre tract and an 8.72 acre tract. Pursuant to the provisions of Article 3, Section 4.01.D, a lot split may be approved when the applicant dedicates additional right-of-way for road and utility purposes as may be required by the Subdivision Regulations.

The applicant has offered a grant of easement of the South 35 feet of the East 1137.16 feet of the Southeast Quarter of Section 20, Township 17 South, Range 18 East of the 6th Principal Meridian, Franklin County Kansas

RECOMMENDATION:

Staff recommends that the County Commissioners accept the Grant of Easement as offered.

ATTACHMENTS:

Memorandum
Grant of Easement
Survey

**FRANKLIN COUNTY
PLANNING AND BUILDING DEPARTMENT**

LARRY D. WALROD, PLANNING DIRECTOR
1428 S. MAIN, SUITE #5
OTTAWA, KANSAS 66067-3547
Office: (785) 229-3570 Fax: (785) 229-3504

BOARD OF COUNTY COMMISSIONERS

Karen S. Farrell, District 1
John E. Taylor, District 2
Roy C. Dunn, District 3
Donald C. Hay, District 4
Donald R. Stottlemire, District 5

MEMORANDUM

TO: Franklin County Board of
County Commissioners

DATE: December 23, 2008

FROM: Larry D. Walrod
Planning Director

DEPT: Planning & Bldg.

RE: Grant of Easement for
Lot Split #0811-897 (Kost)

CC:

DISCUSSION:

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RECOMMENDATION:

Staff recommends that the County Commissioners accept the Grant of Easement as offered.

AGREEMENT FOR GRANT OF PUBLIC ROAD AND UTILITY EASEMENT TO FRANKLIN COUNTY

This AGREEMENT FOR GRANT OF PUBLIC ROAD AND UTILITY EASEMENT TO FRANKLIN COUNTY made and entered into this _____ day of _____, 2008, by and between Kenneth R. Kost and Denise L. Kost, hereinafter called GRANTOR and FRANKLIN COUNTY, KANSAS, hereinafter called GRANTEE.

WHEREIN, it is UNDERSTOOD and AGREED between the Parties, that GRANTOR hereby grants to GRANTEE a Public Road and Utility Easement described as follows:

The South 35 feet of the East 1137.16 feet of the Southeast Quarter of Section 20, Township 17 South, Range 18 East of the 6th Principal Meridian, Franklin County, Kansas.

It is FURTHER AGREED by the Parties that the GRANTEE shall be responsible for removing and replacing any fencing and/or access improvements within the Right of Way existing at the time of execution of the granting of this permanent Right of Way, wherein the GRANTEE initiates or causes the removal or replacement of said fencing or access improvements in order to accommodate road or drainage improvements, including maintenance or repairs of the road or drainage system.

In Witness Whereof, said parties of the first part have hereunto set their hands the day and year first above written



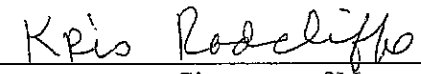
Kenneth R. Kost (GRANTOR)



Denise L. Kost (GRANTOR)

STATE OF KANSAS
COUNTY OF FRANKLIN

On this 26th day of NOVEMBER, 2008, before me, a Notary Public in and for Franklin County, Kansas, personally appeared Kenneth R. Kost and Denise L. Kost, to me known to be the same person(s) named in and who executed the foregoing instrument and acknowledged that he (they) executed the same as his (their) voluntary act and deed.



Signature of Notary Public



My commission expires: 10-27-2011

ACCEPTED THIS _____ day of _____, 2008.

FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS

Chairman

ATTEST:

County Clerk

NO.	DATE	REVISIONS

LEGEND:

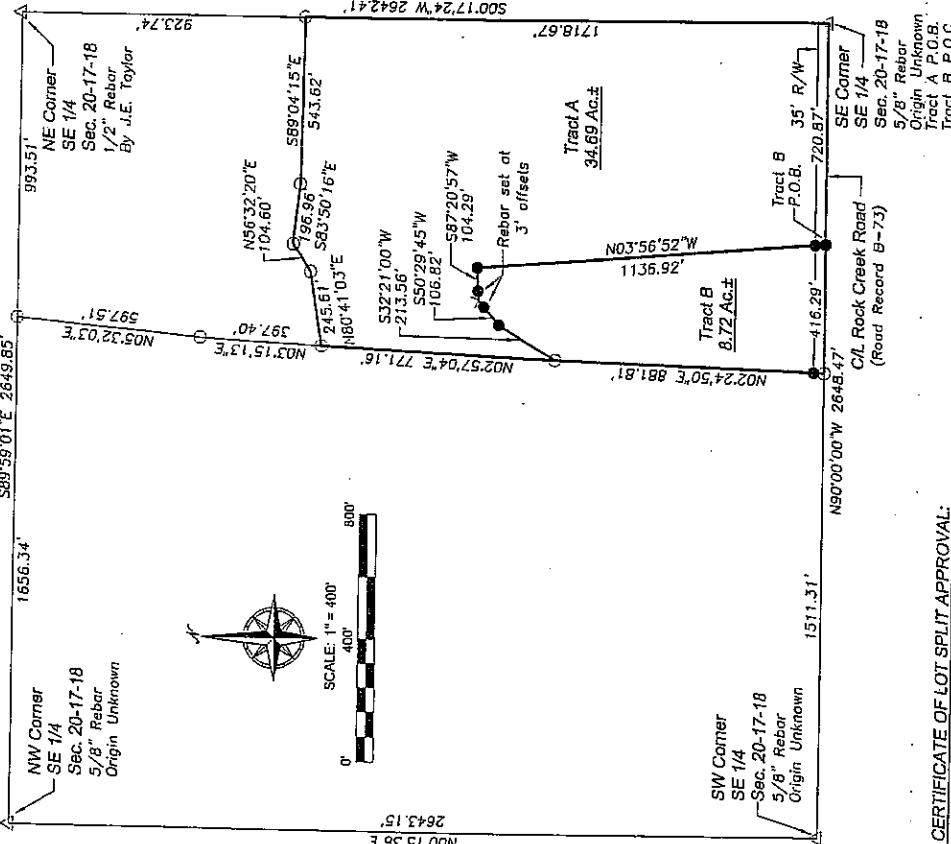
- △ Existing Monument as labeled
- Existing 1/2" Rebar by J.E. Taylor, LS-713
- 1/2" x 24" Rebar with I.D. Cap Set, Stamped "TDC CLS-97"
- × Calculated Corner, falls in 36" hedge tree no monument set
- (P.O.C.) Point of Commencement
- (P.O.B.) Point of Beginning

LOT SPLIT #0811-897
IN THE SE 1/4
SEC. 20-17-18, FR.CO., KS



Taylor Design Group, P.A.
Surveyors • Engineers
1200 Exchange • Overland Park, KS 66207

DATE	NO.



DESCRIPTION:

Tract A:
Beginning at a 5/8" rebar at the Southeast corner of the Southeast Quarter of Section 20, Township 17, South, Range 18 East, of the 6th P.M., Franklin County, Kansas; thence along the South line of said Southeast Quarter, North 90 degrees 00 minutes 00 seconds West, 720.87 feet to a 1/2" rebar in line with a division fence, thence along said fence, North 03 degrees 56 minutes 52 seconds West, 1136.92 feet to a 1/2" rebar; thence along said fence, South 87 degrees 20 minutes 57 seconds West, 104.29 feet to a point that falls in a 36" hedge tree; thence along said fence, South 30 degrees 29 minutes 45 seconds West, 106.82 feet to a 1/2" rebar; thence along said fence, South 32 degrees 21 minutes 00 seconds West, 213.55 feet to a 1/2" rebar; thence North 02 degrees 57 minutes 04 seconds East, 771.16 feet to a 1/2" rebar; thence North 80 degrees 41 minutes 03 seconds East, 245.61 feet to a 1/2" rebar; thence North 56 degrees 32 minutes 20 seconds East, 104.60 feet to a 1/2" rebar; thence South 83 degrees 50 minutes 16 seconds East, 196.96 feet to a 1/2" rebar; thence South 89 degrees 04 minutes 15 seconds East, 543.62 feet to a 1/2" rebar on the East line of said Southeast Quarter; thence along said East line, South 00 degrees 17 minutes 24 seconds West, 1718.67 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 34.69 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A., dated October, 2008.

Tract B:
Commencing at a 5/8" rebar at the Southeast corner of the Southeast Quarter of Section 20, Township 17 South, Range 18 East, of the 6th P.M., Franklin County, Kansas; thence along the South line of said Southeast Quarter, North 90 degrees 00 minutes 00 seconds West, 720.87 feet to a 1/2" rebar in line with a division fence, being the point of beginning; thence along said fence, North 03 degrees 56 minutes 52 seconds West, 1136.92 feet to a 1/2" rebar; thence along said fence, South 87 degrees 20 minutes 57 seconds West, 104.29 feet to a point that falls in a 36" hedge tree; thence along said fence, South 30 degrees 29 minutes 45 seconds West, 106.82 feet to a 1/2" rebar; thence along said fence, South 32 degrees 21 minutes 00 seconds West, 213.55 feet to a 1/2" rebar; thence North 02 degrees 57 minutes 04 seconds East, 771.16 feet to a 1/2" rebar; thence North 80 degrees 41 minutes 03 seconds East, 245.61 feet to a 1/2" rebar; thence North 56 degrees 32 minutes 20 seconds East, 104.60 feet to a 1/2" rebar; thence South 83 degrees 50 minutes 16 seconds East, 196.96 feet to a 1/2" rebar; thence South 89 degrees 04 minutes 15 seconds East, 543.62 feet to a 1/2" rebar on the East line of said Southeast Quarter; thence along said East line, South 00 degrees 17 minutes 24 seconds West, 1718.67 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 8.72 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A., dated October, 2008.

NOTES:

There are no fences, gaps, overlaps or known discrepancies between ownership or possession, unless shown.

This survey does not certify ownership.

All distances are measured, unless otherwise noted.

The Client did not provide a Title Insurance Policy. No easements or setbacks are shown, other than road R/W of record per specific agreement with client.

BASIS OF BEARINGS:

A bearing of N 90°00'00"W was assumed along the South line of the SE 1/4 of Sec. 20-17-18.

PARENT TRACT:

As recorded in Deed Book: 281 Page: 69

SURVEY REQUESTED BY:

Denise Kost

SURVEYOR CERTIFICATION:

I, Todd B. Burroughs, LS-1187 do hereby certify that I have made or had made under my direct supervision the herein described survey on the ground in October, 2008 and that said survey is in accordance with the current Kansas Minimum Standards adopted by Kansas State Board of Technical Professions.

CERTIFICATE OF LOT SPLIT APPROVAL:

State of Kansas
Franklin County

I hereby certify that this lot split has been examined and found to comply with the Subdivision Regulations of Franklin County, Kansas, and is, therefore, approved for recording.

Signed this _____ day of _____

Larry D. Walrod - Planning Director

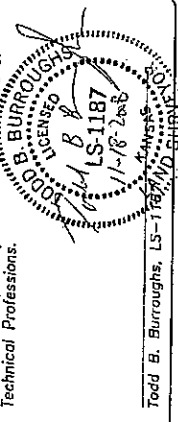
NOTE: These lots cannot be further subdivided without platting.

SURVEY REVIEW CERTIFICATION:

This survey has been reviewed and approved for filing, pursuant to K.S.A. 58-2005 for content only and is in compliance with this act. No other warranties are extended or implied.

Approved by: _____
Timothy D. Reeves, LS-1133

Date: _____



Todd B. Burroughs, LS-1187, Surveyor
11-18-2008

#0811-897