



City of Bonner Springs

PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS

TUESDAY, JANUARY 22, 2013

STUDY SESSION @ 6:00 P.M.

REGULAR MEETING @ 7:00 P.M.

PLANNING COMMISSION MEMBERS:

PLEASE CONTACT TERRY BARLOW @ 667-1710

NO LATER THAN 12:00 NOON, TUESDAY, JANUARY 22, 2013,

IF YOU WILL BE UNABLE TO ATTEND

PREPARED BY:

DON E. SLONE, AICP, CFM
PLANNING DIRECTOR

PEOPLE

PLANNING

PROGRESS

City of Bonner Springs
Planning Commission Agenda
Tuesday, January 22, 2013

Study Session 6:00 p.m.

- Planning Commission briefing and update on the 134th Street Utility Relocation Project; and
- Planning Commission discussion on proposed land use changes from the 134th Street Utility Relocation Project.

Planning Commission Meeting – 7:00 p.m.

Call to Order: Time: _____

Roll Call:

ITEM NO. 1: Approval of Minutes: The regular Planning Commission meeting held October 23, 2012.

Motion: _____ Second: _____

1. Board Discussion

For: _____ #Against: _____

New Business:

ITEM NO. 2: Zoning Ordinance Amendment: BSZP-121: “Temporary Election Signs”, A request by the Bonner Springs Planning Commission to consider an amendment to the Sign Regulations, Article XXXI, Section 10(9) of the Zoning Ordinance to increase the display times for Temporary Election Signs from 30 days to 45 days to be consistent with K.S.A. 58-3820. *(This item will be forwarded to the Governing Body on February 11, 2013)*

Open Public Hearing Time: _____

1. Staff Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 3: Preliminary Plat: PT-13-100: “The Villages” 17.43 acres, one lot, 248 unit multi-family residential apartment project, zoned R-3, Multi-Family Residential District under Case No. BSZ-127 as the “Village at Deerfield”. Requested by Daniel Foster, Schlager & Associates for Guy B. & Sheryl J. Tiner, property owners of record. The property is located on the east side of 132nd Street, south side of Kansas Avenue and north of Heritage Drive.

1. Staff Presentation
2. Applicants Presentation
3. Public Comment

Motion: _____ Second: _____

4. Board Discussion

For: _____ #Against: _____

Adjournment Time: _____

ITEM NO. 1

Approval of Minutes of the October 23, 2012 Planning Commission Meeting

PLANNING COMMISSION AGENDA
Tuesday, January 22, 2013 – 7:00 p.m.

PRESENT	Stephan	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Neal	_____
	Pierce	_____

MOTION: _____

SECOND: _____

ACTION: MAKE A MOTION TO APPROVE

STAFF RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE MINUTES

NARRATIVE: The minutes of the October 23, 2012 meeting are attached.

PLANNING COMMISSION MEETING MINUTES
Tuesday, October 23, 2012 @ 7:00 p.m.

MEMBERS PRESENT: Craig Stephan, Sherri Neff, Merle Parks, Jason Krone, Robin Neal and Dave Pierce

MEMBER ABSENT: Lew Kasselman

PRESENT: Don Slone, AICP, CFM, Planning Director
Terry Barlow, Departmental Administrative Assistant

Chairman Parks called the meeting to order at 7:01 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the August 28, 2012 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes as written with a second from Commissioner Pierce. Chairman Parks asked if there were any questions or comments about the minutes. Seeing none, he called for a vote. The minutes were approved as written 6-0.

NEW BUSINESS

Chairman Parks introduced **Item No. 2: Zoning Ordinance Amendment: BSZP-120: "Landscape Regulations, Article XXX"** a request by the Bonner Springs Planning Commission to consider an amendment to the Landscape Regulations, Article XXX, Section 4(2) of the Zoning Ordinance to reduce the number of trees required from two (2) per dwelling unit to one (1) per dwelling unit for multi-family apartment projects under the R-3, Multi-Family Residential District.

Chairman Parks opened the public hearing at 7:02 and asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommends approval of the amendment.

Chairman Parks asked if there were any questions or comments from the public. Seeing none he closed the public hearing at 7:03 p.m. and called for a motion. Commissioner Stephan made a motion to approve with a second from Commissioner Krone.

Chairman Parks asked if the Planning Commission had any comments or questions. Seeing none he called for a vote. Motion passed 6-0.

This item will be forwarded to the Governing Body on November 13, 2012.

Chairman Parks asked if there was any further discussion or other items. Seeing none, he adjourned the meeting at 7:04 p.m.

Don E. Slone, AICP, CFM, Secretary

ITEM NO. 2

ITEM NO. 2: Zoning Ordinance Amendment: BSZP-121: "Temporary Election Signs", A request by the Bonner Springs Planning Commission to consider an amendment to the Sign Regulations, Article XXXI, Section 10(9) of the Zoning Ordinance to increase the display times for Temporary Election Signs from 30 days to 45 days to be consistent with K.S.A. 58-3820.

PLANNING COMMISSION AGENDA

Tuesday, January 22, 2013 – 7:00 p.m.

PRESENT	Stephan	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Neal	_____
	Pierce	_____

MOTION: _____

SECOND: _____

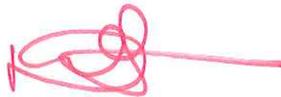
ACTION: MAKE A MOTION TO APPROVE

STAFF RECOMMENDATION: STAFF IS RECOMMENDING APPROVAL OF THIS ITEM AS LISTED IN THE STAFF REPORT

NARRATIVE: A Staff Report is included in the agenda. Staff will be present to answer any questions. **This item will be forwarded to the Governing Body on February 11, 2013**

To: Planning Commission

From: Don E. Slone, AICP, CFM, Planning Director



RE: Zoning Ordinance Amendment: BSZP-121: "Temporary Election Signs": A request by the Bonner Springs Planning Commission to consider an amendment to the Sign Regulations, Article XXXI, Section 10(9) of the Zoning Ordinance to increase the display times for Temporary Election Signs.

Recommendation:

The Planning Director recommends approval of an amendment to the Sign Regulations, Article XXXI, Section 10(9) of the Zoning Ordinance to increase the display times for Temporary Election Signs from thirty (30) days to forty-five (45) days to be consistent with K.S.A. 58-3820.

Background:

The Planning Commission discussed this amendment at their Study Session on October 23, 2012. After that discussion, the Planning Commission requested the Planning Director publish a notice for a Public Hearing on the next available Planning Commission meeting to consider an amendment to the Sign Regulations, Article XXXI, Section 10(9) of the Zoning Ordinance to increase the display times for Temporary Election Signs from thirty (30) days to forty-five (45) days to be consistent with State Law referenced under K.S.A. 58-3820.

Discussion:

It seems with every election cycle the number of days allowed to post campaign signs is an issue due to the fact that our Sign Regulations only allow signs to be posted thirty (30) days prior to the election and the State allows forty-five (45) days. I spent several hours both to contact candidates about our Sign Regulations and the limitations and outright removal of their campaign signs posted prior to the allowable period. This year, as in the past few years, I had to call candidates for state offices that they posted their election signs too early. After a review of State Law, the only reference to political yard signs is under K.S.A. 58-3820 which states:

Statute 58-3820: Restrictive covenants; political yard signs; limitations. (a) On and after the effective date of this act, any provision of a restrictive covenant which prohibits the display of political yard signs, which are less than six square feet, during a period commencing 45 days before an election and ending two days after the election is hereby declared to be against public policy and such provision shall be void and unenforceable.

I spoke to the Secretary of State's office who informed me that the Statute listed above is the only law that applies to political yard signs. This small change will provide each candidate a more uniform opportunity within the City's jurisdictions and reduce Staff workload associated with these types of signs.

The amendment recommended to the Sign Regulations is shown in legislative format.

Section 10. Signs Allowed (No Permit Required): The following types of signs shall be allowed by these Regulations if located outside the right-of-way, and further, these types of signs will not be included in the computation of aggregate display surface area for other permitted signs:

9. **Temporary Election Signs:**

- (a) Election signs shall be permitted only for a period of ~~thirty (30)~~ **forty-five (45)** days prior to an election and shall be removed within ten (10) days following the election;
- (b) Election signs shall not exceed eight (8) square feet of display surface area and shall not exceed forty-two (42) inches in height, provided that these restrictions shall not apply to lawfully established off-premise signs; and
- (c) Election signs shall not be placed within any public right-of-way or on any utility poles.

Affidavit in Proof of Publication

STATE OF KANSAS
Wyandotte County

(Published in the Bonner Springs Chieftain, Thursday, December 27, 2012)

**NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF BONNER SPRINGS, KANSAS**

Eric Moore of the Legal Dept. of the Bonner Springs Chieftain being first duly sworn, deposes and says:

The Planning Commission will hold a public hearing on Tuesday, January 22, 2013, at 7:00 p.m. at City Hall in the Council Chambers, 205 E. 2nd Street, Bonner Springs, Kansas. The purpose of the public hearing is to receive public comment for:

That this weekly newspaper printed in the State of Kansas, and published in and of general circulation in Wyandotte County, Kansas, with a general paid circulation on a weekly basis in Wyandotte County, Kansas, and that said newspaper is not a trade, religious or fraternal publication, and which newspaper has been admitted to the mails as periodicals class matter in said County, and that a notice of which is hereto attached, was published in the regular and entire issue of the Bonner Springs Chieftain

Zoning Ordinance Amendment: BSZP-121: "Temporary Election Signs", A request by the Bonner Springs Planning Commission to consider an amendment to the Sign Regulations, Article XXXI, Section 10(9) of the Zoning Ordinance to increase the display times for Temporary Election Signs from 30 days to 45 days to be consistent with K.S.A. 58-3820.

Questions or comments may be addressed to Don E. Slone, AICP, CFM, Planning Director at (913) 667-1708 or by email to dslone@bonnersprings.org.

Persons who wish to be heard will be given an opportunity to make comments at the public hearing.

/s/ Don E. Slone, AICP, CFM
Planning Commission Secretary

Said newspaper is published weekly 52 weeks a year: has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice and been admitted at the post office of Bonner Springs in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks the first publication thereof being made as aforesaid on 12/27/2012 with publications being made on the following dates:

12/27/2012



Subscribed and sworn to before me this



Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$33.00
	<u> </u>
	\$33.00



ITEM NO. 3

ITEM NO. 3: Preliminary Plat: PT-13-100: "The Villages" 17.43 acres, one lot, 248 unit multi-family residential apartment project, zoned R-3, Multi-Family Residential District under Case No. BSZ-127 as the "Village at Deerfield". Requested by Daniel Foster, Schlagel & Associates for Guy B. & Sheryl J. Tiner, property owners of record. The property is located on the east side of 132nd Street, south side of Kansas Avenue and north of Heritage Drive.

PLANNING COMMISSION AGENDA

Tuesday, January 22, 2013 – 7:00 p.m.

PRESENT	Stephan	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Neal	_____
	Pierce	_____

MOTION: _____

SECOND: _____

ACTION: MAKE A MOTION TO APPROVE

STAFF RECOMMENDATION: STAFF IS RECOMMENDING APPROVAL OF THIS ITEM AS LISTED IN THE STAFF REPORT

NARRATIVE: A Staff Report is included in the agenda. Staff will be present to answer any questions.

PRELIMINARY PLAT: "THE VILLAGES"**Case No.:** PT-13-100**Applicant:** Daniel Foster, RLA, Schlagel & Associates**Engineer:** Mark Breuer, P.E., Schlagel & Associates**Surveyor:** Schlagel & Associates**Owners:** Guy B. & Sheryl J. Tiner and Tiner Construction Company Inc.**Location:** 700 S. 132nd Street (New addresses to be assigned)**Zoning:** R-3, Multi-Family Residential District
R-1, Single-Family Residential District (South Detention Basin + Open Space)**Land Use Summary:****Total Tract Acreage:** 15.21 acres (R-3)
2.22 acres (R-1) South Detention Basin + Open Space**Number of Lots:** 1**Easements Dedicated:** As shown on the Preliminary Plat**Dedicated Rights-of-Way:** As shown on the Preliminary Plat

Exhibits: Preliminary Plat "The Villages", Grading Plan and a copy of the filed Road Right of Way Easement under Book 3275, Pages 57-60 with Exhibit

Staff Recommendation:

The Development Staff recommends approval of the Preliminary Plat subject to these conditions:

1. Revise the plat drawings to reflect the Road Right of Way Easement dedicated to the City under Book 3275, Pages 57-60 filed on February 10, 1988;
2. Revise the plat drawings to add the required continuous 10' perimeter Utility Easement for public utilities that were mistakenly left off the submitted drawings;
3. Revise the plat drawings to show a 70' utility/detention easement on the northeast property line and 50' utility/detention easement dedication on the southeast property line over the existing 50' Road Easement as shown on the Country Hills Subdivision for future sanitary sewer and proposed detention;
4. Revise the plat drawings to add a fire hydrant to the south side of the south entrance;
5. Revise the plat drawings to show fire hydrant spacing to be no greater than 300 feet;
6. Revise the Section number on the Location Map from Section 27 to Section 20 on the plat drawings;
7. Revise the plat drawings to remove all garage/carport encroachments from the required 10' utility easement/building setback lines;
8. Relocate the north/south waterline to a dedicated 10' waterline easement abutting the 132nd Street ROW and the east/west waterline to a 10' dedicated waterline easement along the north or south property boundary to intercept the existing 12" waterline along 130th Street. The revised waterline locations are to be approved by City Staff;
9. No trees are to be planted within a dedicated water or sanitary sewer easement(s);
10. Renumber the southernmost building from Building 2 to Building 13;
11. Revise the plat to reflect an 8" water line with the appropriate valves, fire hydrants, etc. in accordance with City criteria. This line will "loop" the system and provide better water/fire service to the development;
12. Provide a signed sealed letter to address the City Engineer's comment that deals with the Preliminary Storm Water Detention Report;
13. Check and revise if required that all interior access lanes have a 20' clear width for Fire Department access as required by the Building Official; and
14. Resubmit three (3) signed sealed full sized paper copies and (1) digital copy of the "revised" Preliminary Plat to the Planning Department that addresses the above conditions.

Background:

The subdivision is a one lot residential subdivision for a 248 unit multi-family residential apartment project. A portion of the property, Tract A, Deerfield Village was zoned to R-3 in 1986 and the Detention Basin/Open Space was zoned R-1, Single-Family Residential District also in 1986. The remainder of the property, Lot 10 and the North 100' of Lot 9, Country Hills Subdivision was zoned to R-3, Multi-Family Residential District under Case No. BSZ-127 as the "Village at Deerfield" approved under Ordinance No. 2335 on February 27, 2012. The property is located on the east side of 132nd Street, south side of Kansas Avenue and north of Heritage Drive.

Note:

A new access drive has been added on the northeast corner of the project that is an exit only onto Kansas Avenue that fully addresses Staff's concern for the "Traffic Study" as determined by the City Engineer. The City Engineer and Planning Director concur that the addition of the new access drive addresses the condition of approval as listed on Ordinance No. 2335 as adopted by the Governing Body on February 27, 2012.

Planning Director's Comments:

1. Revise the plat drawings to reflect the Road Right of Way Easement dedicated to the City under Book 3275, Pages 57-60 filed on February 10, 1988;
2. Revise the plat drawing(s) to add the required continuous 10' perimeter Utility Easement for public utilities that were mistakenly left off the submitted drawings;
3. Revise the plat drawings to show a 70' utility/detention easement on the north property line and 50' utility/detention easement dedication on the south property line over the existing 50' Road Easement as shown on the Country Hills Subdivision for future sanitary sewer and proposed detention;
4. Revise the plat drawings to add a fire hydrant to the south side of the south entrance;
5. Revise the Section number on the Location Map from Section 27 to Section 20 on the plat drawings;
6. Revise the plat drawings to remove all garage/carport encroachments from the required 10' utility easement/building setback lines;
7. Relocate the north/south waterline to a dedicated 10' waterline easement abutting the 132nd Street ROW and the east/west waterline to a 10' dedicated waterline easement along the north or south property boundary to intercept the existing 12" waterline along 130th Street. The revised waterline locations are to be approved by City Staff; and
8. Resubmit three (3) signed sealed full sized paper copies and (1) digital copy of the "revised" Preliminary Plat to the Planning Department that addresses the above conditions.

Review Comments from Other Departments/Agencies:**City Engineer:****Preliminary Plat:**

1. The water line shown serving the plat will be paid and installed by the developer then accepted by the City as a "public" water main. The size is not shown, nor the sizes of the existing lines that will be connected to on 132nd Street or K-7 Hwy. I would suggest that the developer install an 8" water line with the appropriate valves, fire hydrants, etc. in accordance with City criteria. This line will "loop" the system and provide better water/fire service to the development;
2. I have reviewed the Road Right of Way Easements in regard to the south side of Kansas Avenue as well as the east side of 132nd Street. These were caught by the WYCO Mapping Department during their review of the preliminary plat. The plat as submitted does not indicate this encumbrance on the land and should. This easement is required to be shown on the plat; and
3. I have reviewed this encumbrance in an effort to determine if this is an easement or right of way. In my opinion, as a surveyor, this document appears to convey a "perpetual easement" for utility and roadway purposes. Even though the words "right of way" is used in this document, the conveyance is an "easement".

Storm Water Detention:

1. There is one area, R#3, which is a small area (.16 acres) along the south side of Kansas Avenue that does not flow through a detention basin. This area, as shown in the proposed development plan, does reflect a driveway exiting to Kansas Avenue. The calculated discharge rate from this area is 1.3 cfs in the 1% event. The increase in discharge rate from this area is offset by additional detention volume in detention areas #1 and #3. This conclusion is acceptable; and
2. In the "Conclusion" section of the report I would like to see a statement of assurance that there is adequate space on the preliminary site plan to support detention basins at R#1 and R#2 that are adequately sized to produce the discharge rates that are presented in the preliminary storm water report.

Building Official:

1. Need to maintain a minimum 20' clear width on all interior drive lanes for Fire Truck access. Revise and resubmit to ensure compliance with this code requirement.

Economic Development Director: No objections.

Public Works Director: No objections.

Utilities Director:

1. Waterlines should not be placed between buildings and parking spaces, need more room. Waterlines should not be placed under dedicated parking spots; proper location would be in driveway area;
2. Building #2 at south end of property should be renumbered to Building #13;
3. Revise the plat drawings to show fire hydrant spacing to be no greater than 300 feet;
4. Access to sanitary sewer manholes is required, grassy area in not considered access. We need clear access, no trees or shrubs and we prefer pavement, or a gravel based access road;
5. No trees are to be planted within a dedicated water or sanitary sewer easements; and
6. The Utilities Department/City will not be responsible for the removal of any tree from an existing R/W or easements. Any trees planted must be at least 10 feet away from water and sewer lines.

Atmos Energy: No objections.

AT&T:

1. AT&T has no objections to proposed plat. Per our plant records, there does not appear to be any AT&T facilities in conflict with the proposed plans, however, any relocation of AT&T facilities to accommodate this development would be billable to the developer; and
2. Also, I do not see any utility easements on the proposed plat. Please note that AT&T will require a general utility easement in order to place facilities to serve this development.

Time Warner: No objections.

Westar Energy: No objections.

WYCO Mapping:

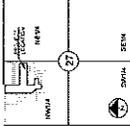
1. Wrong Section number on the Location Map. The Location Map shows Section 27; however the plat is located in Section 20; and
2. Right-of-way along Kansas Ave not shown. Per Road Right of Way Easement recorded at Book 3275 Page: 0057-60 on 2/10/1988 with the Wyandotte County Register of deeds there is approximately 15' of city right-of-way along Kansas Ave and portion extending approximately 117' South on 132nd St. The proposed plat makes no accommodation of this existing right-of-way. If this right-of-way is not vacated by the plat then the plat boundary, building setbacks, bearings, dimension and description need to be changed to show it.

WYCO Surveyor: No objections.

PRELIMINARY PLAT OF THE VILLAGES

PART OF NW 1/4, SEC. 20-11-28
(CITY OF BONNER SPRINGS, WILDCOTE COUNTY, KANSAS)

SCHLAGEL & ASSOCIATES, P.A.
Engineers, Planners, Surveyors & Landscape Architects
1400 W. 10TH STREET, SUITE 100, BONNER SPRINGS, KANSAS 67005
WWW.SCHLAGELANDASSOCIATES.COM



SECTION 20-11-28
LOCATION MAP
SCALE 1" = 200'

PROJECT BENCHMARK:
NORTH CORNER OF SECTION 20-11-28, WILDCOTE COUNTY, KANSAS
NORTHWEST CORNER OF THE INTERSECTION OF CHEYENNE AVE AND
S. 12TH STREET, E25+16.24

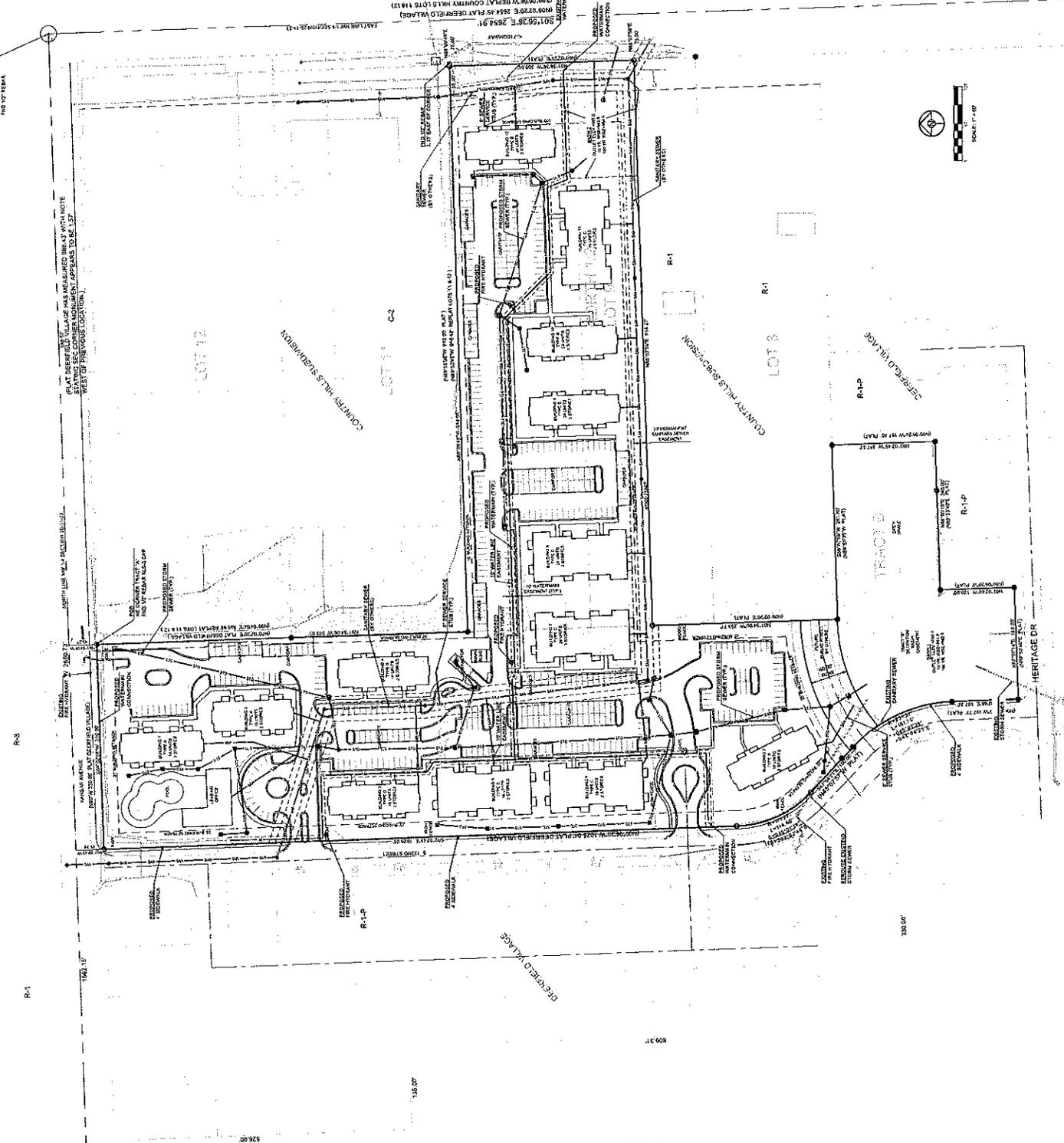
SITE DATA
OWNER: [REDACTED]
PROJECT: [REDACTED]
SITE AREA: [REDACTED]
AS BUILT AREA: [REDACTED]
PROPOSED LOT: [REDACTED]
PROPOSED NUMBER OF UNITS: [REDACTED]
MANAGED DENSITY REQUIRED BY CITY CODE: [REDACTED]
PROPOSED DENSITY PER ACRE: [REDACTED]
PROPOSED MINIMUM SETBACK: [REDACTED]
PROPOSED MAXIMUM SETBACK: [REDACTED]

ABOUT THIS PLAN: This is a preliminary plat of a residential subdivision. The plat shows the proposed layout of the subdivision, including the location of the proposed units, parking areas, and other features. The plat is subject to the approval of the City of Bonner Springs and the Wildcote County Board of Commissioners. The plat is prepared in accordance with the Kansas Subdivision Control Act and the rules and regulations of the Kansas State Board of Real Estate Appraisers. The plat is not to be used for any other purpose without the written consent of the engineer.

SITE PLAN	
DATE	11/15/2023
PROJECT	THE VILLAGES
OWNER	[REDACTED]
ENGINEER	SCHLAGEL & ASSOCIATES, P.A.
CHECKED	[REDACTED]
DATE	11/15/2023

OWNER/DEVELOPERS:
[REDACTED]
[REDACTED]
[REDACTED]

SHEET
1
OF 2



PLAT DEERFIELD VILLAGES HAS MEASURED THIS WITH NOTE STAYING ACCORDANCE WITH CITY CODE, CHAPTER 10.01.02 WEST OF THE CENTERLINE.

PLAT DEERFIELD VILLAGES HAS MEASURED THIS WITH NOTE STAYING ACCORDANCE WITH CITY CODE, CHAPTER 10.01.02 WEST OF THE CENTERLINE.

PLAT DEERFIELD VILLAGES HAS MEASURED THIS WITH NOTE STAYING ACCORDANCE WITH CITY CODE, CHAPTER 10.01.02 WEST OF THE CENTERLINE.

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1047881

11-151

ok

BOOK 3275 PAGE 57

ROAD RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that _____

DEERFIELD VILLAGE PROPERTIES PARTNERSHIP

hereinafter called Grantor, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid by the City of Bonner Springs, Kansas, hereinafter called the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and convey to said Grantee, its successors and assigns, a perpetual easement for roadway and utility purposes including the right to erect, construct, install, lay, reconstruct, inspect, repair, maintain, operate, replace and remove roads and utilities of all kinds, including but not limited to sewers, water lines, gas lines, telephone lines, Cable TV lines and appurtenances, such easement over, under, along and across the following described property in Wyandotte County, Kansas, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

This easement together with other provisions of this grant shall constitute a covenant running with the land for the benefit of the Grantee, its successors, and assigns. And the Grantor for itself, its successors, and assigns, does hereby covenant, promise and agree to and with said Grantee that at delivery of these presents they are lawfully seized of an estate in fee simple in all and singular the above granted and described premises with the appurtenances thereto, that the same are free and clear of and from all and every encumbrance whatsoever, and that they will warrant and defend the same unto the Grantee or its assigns for and during the term hereof, against all and any lawful claim of all and any persons whomsoever.

~~Deerfield Village Properties Partner~~
[Signature] - *Managing Partner*

STATE OF KANSAS
COUNTY OF Kansas

)
) ss:
)

Parcel
890953

BE IT REMEMBERED, That on this 7th day of December, 1987, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Subby Klemm to me known to be the persons named in and who executed the foregoing instrument in writing, and duly acknowledged the execution of the same thereof.

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

Rita Hoag

My Commission Expires:

Jan 9, 1991

RITA HOAG
NOTARY PUBLIC
STATE OF KANSAS
My Appl. Exp. Jan 9, 1991

STATE OF KANSAS)
COUNTY OF _____)

ss:

BE IT REMEMBERED, That on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____ to me known to be the persons named in and who executed the foregoing instrument in writing, and duly acknowledged the execution of the same thereof.

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

My Commission Expires:

STATE OF KANSAS, WYANDOTTE COUNTY, ss:

BE IT REMEMBERED, That on this _____ day of _____, 1987, before me, the undersigned, a _____ in and for the County and State aforesaid, came _____

_____, a _____ corporation duly organized, incorporated and existing under and by virtue of the laws of Kansas, who are personally known to me to be the same persons who executed, as such _____ and _____, the within instrument of writing on behalf of the said corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above mentioned.

My Commission Expires:

RIGHT OF WAY

DEERFIELD VILLAGE PROPERTIES PARTNERSHIP
Name: Larry and Barbara Klinghoffer
Address: 4620 Millbrook Court
Shawnee, Kansas 66218
Parcel No: 236228

A tract of land located in Tract A in Deerfield Village Subdivision in Bonner Springs, Wyandotte County, Kansas more particularly described as follows:

Beginning at the Northeast Corner of said Tract A; thence along the East line of said Tract A

✓ Southerly to a point 13.75 Feet Southerly of the Northeast Corner of said Tract A; thence

✓ Southwesterly to a point 25.00 feet Southerly and 112.45 feet Westerly of the Northeast Corner of said Tract A; thence

Westerly to a point 15.00 feet ^{Southerly} ~~South 1/2~~ and 212.45 feet Westerly of the Northeast Corner of said Tract A; thence

Westerly to a point 15.00 feet Southerly and 309.47 feet Westerly of the Northeast Corner of said Tract A; thence

Southwesterly to a point 117.00 feet Southerly and 325.00 feet Westerly of the Northeast Corner of said Tract A; thence

Westerly to a point 117.00 feet Southerly and 330.00 feet Westerly of the Northeast Corner of said Tract A; thence

Northerly to a point 330.00 feet Westerly of the Northeast Corner of said Lot 13, said point being on the North line of said Tract A; thence along the North of said Tract A

Easterly to the Point of Beginning, containing 0.16 Acres, 7,114 sq. ft.

STATE OF KANSAS
COUNTY OF WYANDOTTE

BOOK 3275 PAGE 60

On this 7th day of December, 1987, personally
appeared before me Larry Klinghoffer,
personally
known to me to be the managing partner of Deerfield Village Properties
Partnership and known to me to be the persons
described in and who executed the foregoing instrument in the
partnership name of Deerfield Village Properties Partnership and they
acknowledged that they executed the same as the act and deed of said
partnership for the uses and said purposes mentioned therein.

Rita Hoag
RITA HOAG
Notary Public

My Commission Expires: Jun 9, 1991

RITA HOAG
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. Jun 9, 1991

R-1

NORTH LINE NW 1/4 SECTION 20-11-23

R-3
325
309.47

1662.15'

Bk. 32.75
Plat Pg. 57 to 60

EXISTING FIRE HYDRANT W 2660.73'

212.45'

KANSAS AVENUE
(N90°W 330.00' PLAT DEERFIELD VILLAGE)

PROPOSED WATERMAIN CONNECTION
26' BUILDING SETBACK

PROPOSED 4' SIDEWALK

PROPOSED FIRE HYDRANT

R-1-P

900.05'

POB. NE CORNER TRACT "A"
FND 1 1/2" REBAR KLS-3 CAP

PROPOSED STORM SEWER (TYP.)

(N00°04'04"E 598.98' REPLAT LOTS 11 & 12)

(N01°54'06"W 889.05')

SANITARY SEWER (BY OTHERS)

