

that those facilities within county right-of-way will be moved at utility company expense, and that the construction or alterations of the company's facilities shall be completed within ninety days after the county furnishes to the company the required information. After review of this agreement, it was moved by Mrs. Bradley that this utility agreement be approved, seconded by Mr. Neis, and carried unanimously.

*Public Works app.  
Road in Berg Acres  
accepted & added to  
Wakarusa Township*

Mr. Dooley then recommended to the Board the acceptance of the asphalt surfaced cul-de-sac in Berg Acres No. 2, as the inspection has been found to be constructed in accordance with the minimum standards as ordered by the Douglas County Board of Commissioners. Mr. Dooley recommends that the performance bond granting the construction of this roadway be released, and that the roadway be added to the Wakarusa Township road mileage. After discussion it was moved by Mrs. Bradley that the Board agree to accept this roadway and agree to release performance bond guaranteeing its construction and orders that this roadway be added to the Wakarusa Township road mileage, seconded by Mr. Neis, and carried unanimously.

At the advertised hour of 10:00 a.m., the Board conducted its regular hearing of items forwarded from the Planning Commission. From the Planning Commission minutes of October 25, 1978, come the following:

*Planning Comm.  
#6 Final plat  
Clinton Lake  
Estates with  
conditions  
app.*

Item No. 6, Clinton Lake Estates. A request for approval of a final plat for Clinton Lake Estates, a residential subdivision in the county, containing approximately 136.68 acres and generally described as being located three-quarters of a mile south of Kanwaka Township Road 46 along the west side of Kanwaka Township Road 120, submitted by the Four, Inc. This comes forward to the Board from the Planning Commission with a recommendation for approval and acceptance of the dedications and easements, subject to the following conditions:

- (1) That the applicant's engineer certify to the Planning Office that all lots have been pinned or that a performance bond be submitted to the Planning Office to guarantee pinning; and,
- (2) That the following requests of the County Public Works Director be granted:
  - (a) That a set of cross-sections or a typical cross-section showing roadway type, width, ditches, and slopes should accompany the plat and be approved by the County Engineer, so that the gravel roads proposed are built to County standards; and,
  - (b) That a performance bond in an appropriate amount, as determined by the County Public Works Department and set by the County Commission, be filed with the County Engineer to insure completion of the required road improvements.

After complete review of all public input of this item, it was moved by Mr. Neis that the Board concur with the recommendation of the Planning Commission for approval subject to the conditions as listed above, seconded by Mrs. Bradley, and carried unanimously.

*#9 Booster  
Station RWD #1  
CUP app.*

Item No. 9, Booster Station; Rural Water District No. 1. A request for a Conditional Use Permitted Upon Review for a Booster Pump Station for Rural Water District No. 1. An approximate 0.10 acre tract generally described as being located south of Highway 40, three-quarters of a mile on the west side of Dragstrip Road, submitted by Rural Water District No. 1. This request comes forward to the Board from the Planning Commission with a recommendation for approval. After complete review it was moved by Mrs. Bradley that this Board accept the recommendation of the Planning Commission for approval of this Conditional Use Permit, seconded by Mr. Neis, and carried unanimously.

*#7 Brink rezoning  
A-B-2 app with  
conditions*

Item No. 7, Brink Rezoning; Highway 40 & the Corps of Engineers Road. A request to rezone from A (Agriculture) to B-2 (General Business) an approximately six acre tract generally described as being located directly northwest of the intersection of Highway 40 and the Corps of Engineers Road to Clinton Reservoir, submitted by William J. Brink, as follows: Beginning at the southeast corner of the southeast quarter of Section 30, Township 12 South, Range 19 East, Douglas County, Kansas; thence west 750 feet; thence north 350 feet; thence east 750 feet; thence south 350 feet to the point of beginning. This item comes forward to the Board with a recommendation for approval from the Planning Commission, subject to four conditions as follows:

- (1) That the rezoning be approved from A (Agriculture) to B-1 (Neighborhood Business);
- (2) That the rezoning not become effective until the property has been platted and recorded with the Register of Deeds;
- (3) That the owner(s) sign an agreement that will run with the land stating they will not protest the development of a sewer benefit district when and if the sewer is extended to this property; and,
- (4) That the rezoning be reviewed in 1982 for conformance with the development plan and proposed intent. If no development has occurred by that time, the applicant should provide proof why the property should not be rezoned back to A (Agriculture).