

COMMISSIONERS RECORD 5, DOUGLAS COUNTY

Term, 19

day of

19

Lockwood Co., Inc. Reorder No. 185428-12-78

chased without benefit of the accrued purchase option, the cost would be \$6835, but with the accrued option the price is \$3417, which is the amount that would be paid in rental through December 1980. After discussion it was moved by Mr. Cragan that this recommendation be approved, seconded by Mr. Neis, and carried unanimously.

*Zoning app.
Private road
easement -
Howard*

Wayne Kellum, zoning administrator, and Tim Degginger, attorney, representing Mark L. Howard and Linda K. Howard, husband and wife, appeared before the Board to request the approval of an easement for a private road for purposes of obtaining approval for a building permit. Mr. Degginger indicates that this request for a private road easement is created by a strip of land 70 feet in width along the west boundary line of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-two (32), Township Thirteen (13), Range Twenty (20), located in Douglas County, Kansas, and is to serve one building site of 20 acres described as the West one-half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast $\frac{1}{4}$ (NE $\frac{1}{4}$) of Section Thirty-two (32), Township Thirteen (13), Range Twenty (20), Douglas County, Kansas. This 70 foot road easement will serve as an ingress and egress for one residence to be built. After discussion it was moved by Mr. Neis that this request be approved with the understanding that this private road will not be the responsibility of the township or county to maintain and the road easement to be filed with Douglas County Register of Deeds, seconded by Mr. Cragan, and carried unanimously.

*Public Works app.
Contracts for R/W
Proj. FAS 23-RS
15-28(2)*

Mike Dooley, public works director, appeared before the Board to present the following contracts for right-of-way for Project No. FAS 23-RS-1528(2):

Churchbaugh

(1) Between the Board of Commissioners and Leslie T. Churchbaugh and Doris O. Churchbaugh, husband and wife, for purchase of 4.69 acres of right-of-way, 67 rods of barb fence, and 8 rods of woven fence, in the lump sum of \$6,000. This lump sum payment includes allowance for irregularity of fencing, very irregular boundary, and abstracting.

Wrightsmen

(2) Between the Board of Commissioners and Amos C. Wrightsman and Myrtle C. Wrightsman, husband and wife, for purchase of 0.62 acres of right-of-way and 26 rods of woven fence, in the lump sum of \$1,300. This lump sum payment includes allowance for very irregular boundary, abstracting, and loss of two large spyrta bushes.

Wray

(3) Between the Board of Commissioners and David A. Wray, a single man, and Ernest Wray and Evelyn Wray, for purchase of 1.16 acres of right-of-way, in the lump sum of \$1,600. This lump sum payment includes allowance for very irregular boundary, loss of 1.16 acres of perennial red clover, moving of corner post, and abstracting.

Robbins

(4) Between the Board of Commissioners and Lee D. Robbins and Wilda M. Robbins, his wife, for purchase of 0.77 acres of right-of-way, 33 rods of barb fence, and 27 rods of woven fence, in the lump sum of \$1,800. This lump sum payment includes allowance for irregularity of fencing, irregularity of boundary, and abstracting.

Green

(5) Between the Board of Commissioners and Cecil B. Green and Sara J. Green, husband and wife, for purchase of 0.14 acres of right-of-way and 4 rods of woven fence, in the lump sum of \$350. This lump sum payment includes allowance for irregularity of fencing, irregularity of boundary, and abstracting.

After review of these agreements it was moved by Mr. Neis that they be approved, seconded by Mr. Cragan, and carried unanimously.

*Utility S.W.
Bill*

Mr. Dooley then presented a utility agreement on Project No. FAS 23-RS-1528 (2) between Southwestern Bell Telephone Company and the Board of Commissioners of Douglas County which agreement relates to provisions of K.S.A. 17-1901 as to the necessity for movement of utility equipment and facilities which are located on county right-of-way. The agreement indicates that relocation of existing facilities which are currently located on private easement will be paid for by Douglas County and 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 sixty days after the county furnishes to the company the required information. After review of this agreement it was moved by Mr. Cragan that this utility agreement be approved, seconded by Mr. Neis, and carried unanimously.

*Public Works app.
App. from United
Telephone to bury
cable 9-14-80*

Mr. Dooley then presented an Application from United Telephone Company of Kansas, Inc. for Authority to Construct 25 pair of buried telephone cable along a county road at a point approximately 30 feet northwest of the southeast corner of Section 9, Township 14S, Range 20E in Douglas County, Kansas, and running 3,061 feet through Douglas County. After discussion it was moved by Mr. Neis that this Application for Authority to Construct be approved, seconded by Mr. Cragan, and carried unanimously.

*Public Works app.
2 Appl. RWD #15
2" plastic pipe
14-14-18 42 ft
87-90 14-14-18*

Mr. Dooley then presented two Applications from Rural Water District No. 5 to the Board of Commissioners of Douglas County, Kansas. The first of these applications is to lay a 2" plastic water line in the roadway ditch for Lot 98 at Lone Star Lake in Section 14, Township 14, Range 18. The second application is to lay a 2" plastic water line in the roadway ditch for Lots 89 and 90 at Lone Star Lake in Section 14, Township 14, Range 18. On the basis of these two applications Mr. Dooley recommends to the Board that two separate resolutions be adopted granting permission to lay these lines as requested. After discussion it was moved by Mr. Neis that these resolutions be approved granting approval as requested, seconded by Mr. Cragan, and carried unanimously.