

COMMISSIONERS RECORD 5, DOUGLAS COUNTY

Term, 19

day of

19

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

(3) 12 gallons of Roundup, from Mid States, Olathe, Kansas, in the total amount of \$751.56.

After discussion it was moved by Mr. Cragan that these recommendations be approved, seconded by Mrs. Bradley, and carried unanimously.

*Pub. Works:
Contracts 23C-1297-01*

*Allis
Holcom*

Mike Dooley, public works director, appeared before the Board and presented the following contracts for right-of-way for Project No. 23C-1297-01 Formerly 23RS-1528(4):

(1) Between the Board of Commissioners of Douglas County and Walker S. Randall, a single man, and Donald F. Allis and Norma June Allis, husband and wife, for 0.566 acres of right-of-way easement, 1.911 acres of temporary easement for construction, 37 rods of barb fence, and 36 rods of temporary fence, in the lump sum of \$2000. This lump sum payment includes allowance for irregularity of fencing, irregularity of boundary, and abstracting.

(2) Between the Board of Commissioners of Douglas County and Donald F. Allis and Norma June Allis, husband and wife, for 0.729 acres of right-of-way easement and 0.264 acres of temporary easement for construction, in the lump sum of \$1300. This lump sum payment includes allowance for irregularity of boundary and abstracting.

(3) Between the Board of Commissioners of Douglas County and M. Bruce Holcom and June Holcom, husband and wife, and Helen F. Sturdy and Woodrow T. Sturdy, husband and wife, for 2.115 acres of right-of-way easement, in the lump sum of \$1900. This lump sum payment includes allowance for irregularity of boundary and abstracting.

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

*Public Works:
Purch. rock salt*

Mr. Dooley then presented the Board three telephone quotes for the purchase of fifty tons of rock salt. Mr. Dooley recommended that the Board accept the low quote from Carey Salt Company, Hutchinson, Kansas, in the amount of \$19.30 per ton (including 18% surcharge). After discussion it was moved by Mrs. Bradley that this recommendation be approved, seconded by Mr. Cragan, and carried unanimously.

*Pub. Works:
R/W easement
State property*

Mr. Dooley then presented the Board an Easement For Right-of-Way For Highway Purposes, whereas, the Board of Regents of the State of Kansas, pursuant to K.S.A. 1980 Supp. 75-2131, desires to execute on behalf of the State of Kansas, a right-of-way easement for highway purposes to Douglas County, Kansas, across and over certain property owned by the State of Kansas. The Board notes that this Easement For Right-of-Way For Highway Purposes has been approved by the Department of Administration and the Office of the Attorney General of Kansas. After discussion it was moved by Mr. Cragan that this be approved, seconded by Mrs. Bradley, and carried unanimously.

*Zoning:
R. road app.
Wallis*

The application of Michael Wallis for a building permit comes on for consideration, said application having been taken under advisement by this Board on August 10, 1981. The applicant desires a building permit for a residential structure on land described as Tract B, more fully described as:

Beginning at a point 21.9 rods North of the Southwest (SW) corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section 26, Township 14, Range 20 in Douglas County, Kansas, thence East 44 rods, thence North 23-3/11 rods, thence West 9 rods, thence North 45-1/2 rods, thence West 35 rods to the West line of said Section 26, thence South 68-15/22 rods to point of beginning, less 10.2 acres conveyed by deed in Book 214, Page 406, in the office of the Register of Deeds of Douglas County, Kansas. Contains approximately 6.13 acres.

After discussion it was moved by Mr. Cragan that the building permit for Tract B be granted upon condition that applicant first dedicate a 70 foot right-of-way for road purposes in accordance with County Regulations pertaining to private roads, said easement to be from the western boundary of the 24 foot easement granted to Tracts A, B, and C by the Kansas Forestry, Fish & Game Commission. Any building permits subsequent to this decision which are sought for Tracts A, B, and C, or any part of said tracts, will have to comply in full with the Zoning Regulations in effect at the time of any such subsequent application for building permits, which regulations at the present time would, after the granting of the permit to Tract B herein, require rezoning, platting, and a 70 foot easement the entire distance to Douglas County Road No. 470, County Route No. 466. These findings shall be certified by the County Clerk and placed on record in the office of the Register of Deeds so that future purchasers of interests in any of the tracts of land herein mentioned will be put on notice of the existence of County Regulations which might restrict the use of said tracts for any additional residence or other buildings until compliance with such regulations. A certified copy of these findings shall also be mailed by Wayne Kellum, County Zoning Administrator, by certified mail to all owners of record and all known purchasers under contract. Motion seconded by Mrs. Bradley and carried unanimously. It should be noted that a Memorandum Decision has been recorded in the Douglas County Register of Deeds Office in Book 351, Pages 315 thru 317.

*Zoning:
Review Rees
CWP*

Coming before the Board is a decision concerning the Conditional Use Permit of Rees Salvage Yard, said matter having been taken under advisement on July 29, 1981. After considering the evidence and testimony of interested parties, and Commissioners having personally inspected the premises involved, the Board finds and concludes as follows:

(1) That Ralph L. Rees, Route 2, Lawrence, Kansas 66044, was issued a Conditional Use Permit for a salvage yard on July 16, 1980, upon four conditions, No. 2 of which conditions reads as follows: