



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
June 11, 2020

Department Administration

Director Approval Kelly Passauer

AGENDA ITEM Consider an ordinance authorizing a parcel split in Block 1 of Dossville Addition Due to Flood Plain Restrictions.

SUMMARY RECOMMENDATION City staff recommends adopting the ordinance.

BACKGROUND On April 23, 2020 the Commission authorized a parcel split as prepared by Cornerstone Surveying for City owned property located north of West Maple Street, west of Auction Street and east of South 22nd Street be filed with Montgomery County. The City Attorney has determined that to properly file this split that an ordinance needs to be adopted.

BUDGET IMPACT \$1,800 has already been paid for the boundary & topographic survey, which also included the new legal addresses of the proposed two new parcels. This did not include any filing fees that may be assessed by Montgomery County or any required publication fees.

SUGGESTED MOTION I move to adopt an ordinance authorizing a parcel split in Block 1 of Dossville Addition Due to Flood Plain Restrictions.

SUPPORTING DOCUMENTS

1. Ordinance prepared by the City Attorney
2. April 23, 2020 RCA
 - a. Aerial with flood plain overlay
 - b. Boundary & topographic survey
 - c. Proposed legal descriptions

ORDINANCE NO. 4328

**An Ordinance Authorizing a Parcel Split in
Block 1 of Dossville Addition Due to Flood Plain Restrictions**

Whereas, the City of Independence, Kansas, a municipal corporation, is fee simple title owner of certain real estate situated in Montgomery County, Kansas, located in Lots 4 through 8 and Lots 12 through 16, Block 1, Dossville Addition, to the City of Independence, Kansas, consisting of approximately 1.465 acres, more or less.

And Whereas, a portion of this city-owned property lies within the flood plain which causes certain restrictive rules and regulations to be applicable to such portion limiting its future use.

And Whereas, in order for the remainder of the property not located in the flood plain to be available for future use and to not be subject to restrictive rules and regulations applicable to the flood plain, it is desirable for the governing body to approve a “parcel split” dividing the overall parcel into two parcels, one within the flood plain and one outside the flood plain.

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. Portions of Lots 4 through 8 and Lots 12 through 16, Block 1, Dossville Addition, to the City of Independence, Kansas, are hereby split into two parcels pursuant to a survey conducted by Cornerstone Regional Surveying, LLC, copy attached hereto and incorporated herein by reference, dividing the parcel into two parcels as described below:

PARCEL 1

A tract of land located in a portion of Block 1, Dossville Addition, City of Independence, Montgomery County, Kansas more particularly described as follows: Commencing at the NE corner of Lot 12, said Block 1; thence S 01°51'34" E along the East line of said Block 1 a distance of 75.00 feet to the point of beginning; thence S 01°51'34" E along said East line a distance of 175.00 feet to the SE corner of said Block 1; thence S 88°44'28" W along the

South line of said Block 1 a distance of 131.13 to the SE corner of Lot 8, said Block 1; thence S 88°36'09" W along the South line of said Lot 8 a distance of 128.56 feet to the SW corner of said Block 1; thence N 01°53'17" W along the West line of said Block 1 a distance of 174.86 feet; thence N 88°06'43" E a distance of 15.00 feet; thence N 01°53'17" W a distance of 75.08 feet to the North line of Lot 4, said Block 1; thence N 88°41'36" E along the North line of said Lot 4 a distance of 60.00 feet; thence S 44°30'30" E a distance of 102.88 feet; thence N 88°41'36" E a distance of 115.12 feet to the point of beginning, containing 1.207 acres (located outside of flood plain).

PARCEL 2

A tract of land located in a portion of Block 1, Dossville Addition, City of Independence, Montgomery County, Kansas more particularly described as follows: Beginning at the NE corner of Lot 12, said Block 1; thence S 01°51'34" E along the East line of said Block 1 a distance of 75.00 feet; thence S 88°41'36" W a distance of 115.12 feet; thence N 44°30'30" W a distance of 102.88 feet to the North line of said Block 1; thence N 88°41'36" E along said North line a distance of 184.82 feet to the point of beginning, containing 0.258 acres (located within the flood plain).

Section 2. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 11th day of June, 2020.

LEONHARD CAFLISCH, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
April 23, 2020

Department Administration

Director Approval Kelly Passauer

AGENDA ITEM Consider a parcel split for City owned property located north of West Maple Street, west of Auction Street and east of South 22nd Street.

SUMMARY RECOMMENDATION City staff recommends authorizing the parcel split.

BACKGROUND On January 23, 2020 the Commission authorized a letter of intent to participate in the Community Rating System (CRS) so that Independence residents would qualify for discounted flood insurance premiums. The CRS program includes enforcement of the floodplain ordinance, which requirements are triggered by encroachment of the floodplain on any parcel of land.

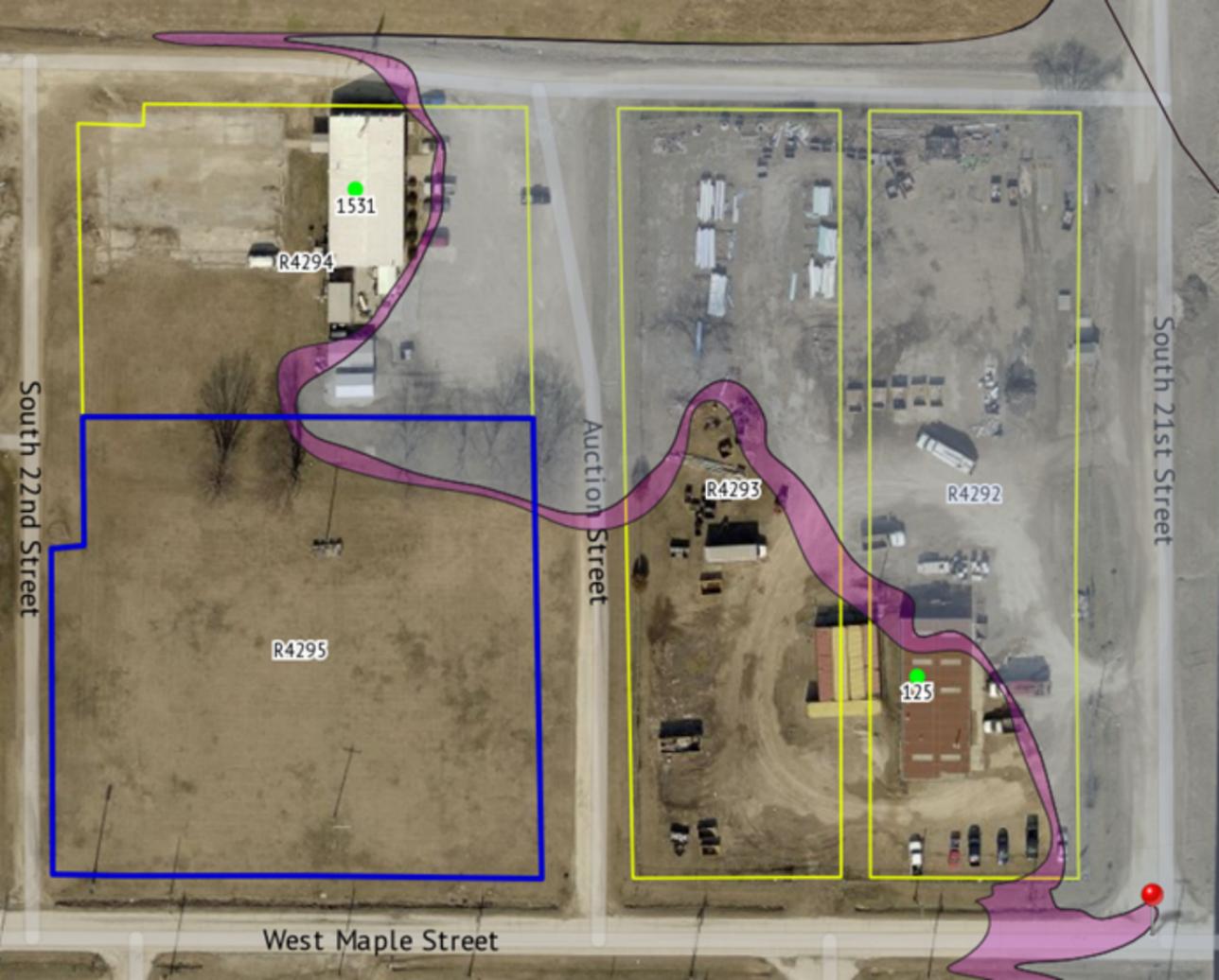
The City currently owns a 1.47 acre tract located directly west of the sanitation yard that is encroached in the northeast corner by the floodzone. In order to not restrict development of the majority of the parcel due to this encroachment of the floodzone, City staff requested a boundary & topographic survey which included a proposed parcel split which was prepared by Cornerstone Surveying. Cornerstone Surveying also provided new legal descriptions for splitting the parcel into two sections, a .258 acre section that is encroached upon by the floodplain, and a 1.207 acre section that is not encroached upon by the floodplain. Once the Commission approves the parcel split, it will be filed with the County.

BUDGET IMPACT The budget impact was \$1,800 for the boundary & topographic survey, which also included the new legal addresses of the proposed two new parcels. This does not include any filing fees that may be assessed by Montgomery County.

SUGGESTED MOTION I move that the parcel split as prepared by Cornerstone Surveying for City owned property located north of West Maple Street, west of Auction Street and east of South 22nd Street be filed with Montgomery County.

SUPPORTING DOCUMENTS

1. Aerial with floodplain overlay
2. Boundary & topographic survey
3. Proposed legal descriptions



South 22nd Street

Auction Street

South 21st Street

West Maple Street

1531

R4294

R4295

R4293

R4292

125

BOUNDARY DESCRIPTION

Written by William A. Booe, LS 1046, April 8, 2020

PARCEL 1

A tract of land located in a portion of Block 1, Dossville Addition, City of Independence, Montgomery County, Kansas more particularly described as follows: Commencing at the NE corner of Lot 12, said Block 1; thence S 01°51'34" E along the East line of said Block 1 a distance of 75.00 feet to the point of beginning; thence S 01°51'34" E along said East line a distance of 175.00 feet to the SE corner of said Block 1; thence S 88°44'28" W along the South line of said Block 1 a distance of 131.13 to the SE corner of Lot 8, said Block 1; thence S 88°36'09" W along the South line of said Lot 8 a distance of 128.56 feet to the SW corner of said Block 1; thence N 01°53'17" W along the West line of said Block 1 a distance of 174.86 feet; thence N 88°06'43" E a distance of 15.00 feet; thence N 01°53'17" W a distance of 75.08 feet to the North line of Lot 4, said Block 1; thence N 88°41'36" E along the North line of said Lot 4 a distance of 60.00 feet; thence S 44°30'30" E a distance of 102.88 feet; thence N 88°41'36" E a distance of 115.12 feet to the point of beginning, containing 1.207 acres.

Written by William A. Booe, LS 1046, April 8, 2020

PARCEL 2

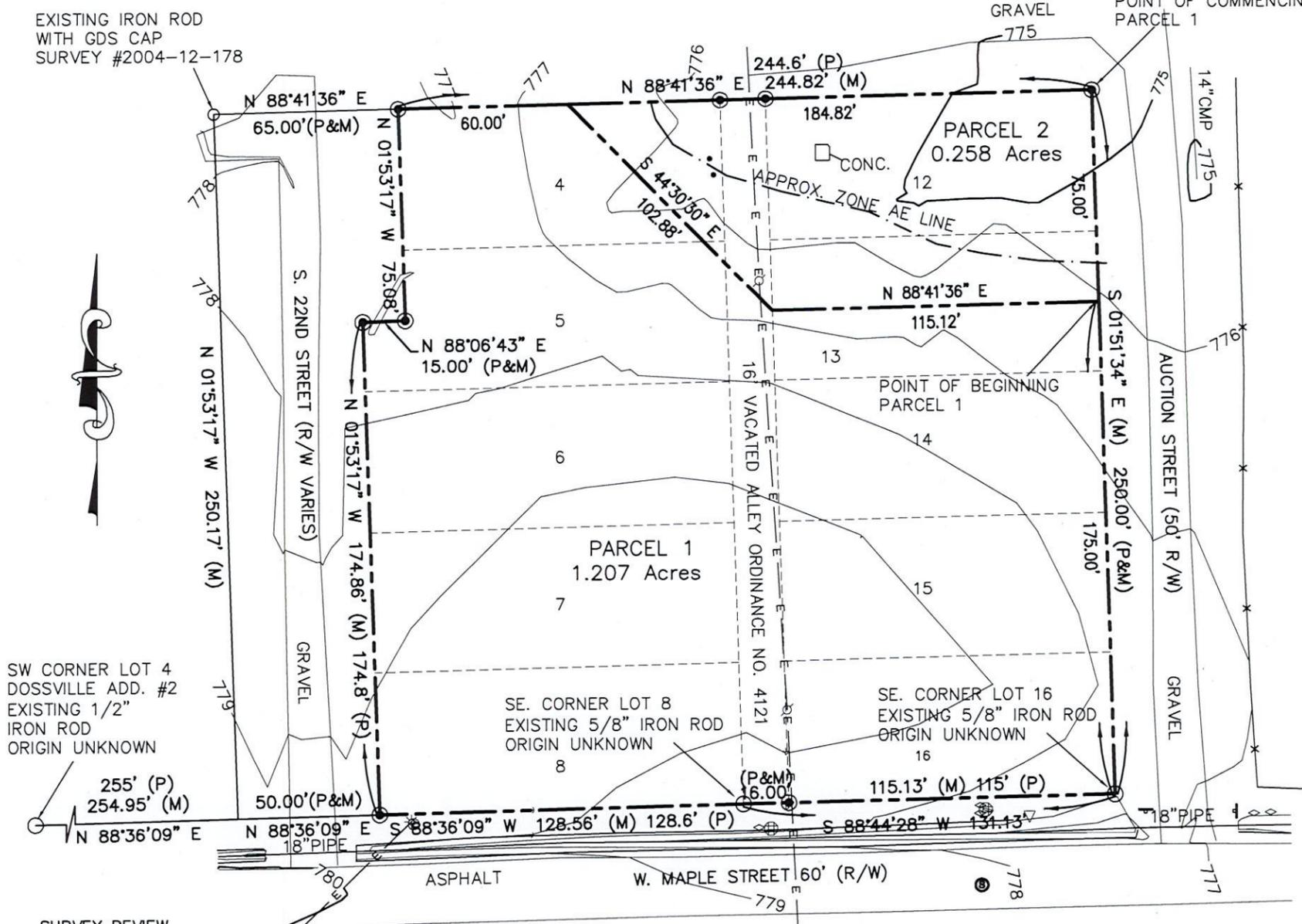
A tract of land located in a portion of Block 1, Dossville Addition, City of Independence, Montgomery County, Kansas more particularly described as follows: Beginning at the NE corner of Lot 12, said Block 1; thence S 01°51'34" E along the East line of said Block 1 a distance of 75.00 feet; thence S 88°41'36" W a distance of 115.12 feet; thence N 44°30'30" W a distance of 102.88 feet to the North line of said Block 1; thence N 88°41'36" E along said North line a distance of 184.82 feet to the point of beginning, containing 0.258 acres.

LEGEND

- Existing Iron Rod
Origin Unknown (unless noted)
- Set 1/2"x24" Iron Rod/Cap
(unless otherwise noted)
- Boundary Line
- x- Fence line
- (M) Measured Dimension
- (P) Plat Dimension
- R/W Right of Way
- ⊕ Telephone Manhole
- ◇ Fiber Optic Marker
- ▽ Gas Line Marker
- ⊥ Sign
- ⊗ Power Pole
- ⊙ Electric Meter
- ⊛ Siren Pole
- ⊕ Guy Wire
- ⊙ Sewer Manhole
- Brace Post

NE CORNER LOT 12
DOSSVILLE ADD.
SET 1/2" IRON ROD/CAP
POINT OF BEGINNING
PARCEL 2
POINT OF COMMENCING
PARCEL 1

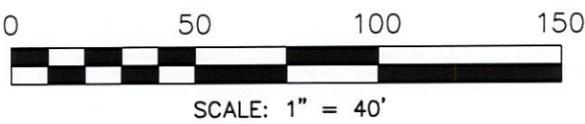
EXISTING IRON ROD
WITH GDS CAP
SURVEY #2004-12-178



SW CORNER LOT 4
DOSSVILLE ADD. #2
EXISTING 1/2"
IRON ROD
ORIGIN UNKNOWN

SURVEY REVIEW

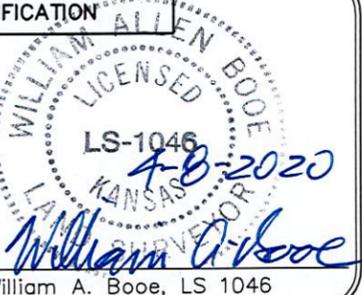
This survey has been reviewed and approved for filing, pursuant to K.S.A. 58-2005 for content only and is in compliance with this Act. No other warranties are extended or implied.



James D. Schmitz, PLS No. 727

SURVEYOR'S CERTIFICATION

I, William A. Booe, a duly licensed Land Surveyor in the State of Kansas, do hereby certify that this plat was prepared from the notes of an actual on the ground field survey done by me or under my direct supervision on February 28, 2020 and that the information shown hereon is true and correct and meets or exceeds current Kansas Minimum Standards for Boundary Surveys.



SURVEYOR'S NOTES

1. The bearings shown hereon are based upon the Kansas State Plane Coordinate System, South Zone.
2. This survey does not reflect any easements, rights-of-way, or other instruments of record which may encumber this property per agreement with client.
3. Not all of underground, above ground utilities, nor improvements were located or shown on this survey.
4. All distances are measured unless otherwise noted.
5. Vertical Datum: NGS Monument HE0843, in SW/4 Sec. 18, T32S, R16E. In city cemetery. NAVD88 Adjusted Elev: 830.24

CORNERSTONE
Regional Surveying, LLC
Serving Kansas, Missouri & Oklahoma
1921 North Penn, Independence, KS 67301 Ph:620-331-6767

DRAWN BY: DLB	DATE: 3-2-2020	JOB NO. 1-2002053-K
CHECKED BY: WAB	REVISION DATE: 4-8-2020	REF. JOB NO. N/A
PREPARED FOR: CITY OF INDEPENDENCE		

**BOUNDARY & TOPOGRAPHIC SURVEY of
LOTS 4-18 & 12-16, BLOCK 1
DOSSVILLE ADDITION TO INDEPENDENCE
MONTGOMERY COUNTY, KANSAS**

Written by William A. Booe, LS 1046, April 8, 2020

PARCEL 1

A tract of land located in a portion of Block 1, Dossville Addition, City of Independence, Montgomery County, Kansas more particularly described as follows: Commencing at the NE corner of Lot 12, said Block 1; thence S 01°51'34" E along the East line of said Block 1 a distance of 75.00 feet to the point of beginning; thence S 01°51'34" E along said East line a distance of 175.00 feet to the SE corner of said Block 1; thence S 88°44'28" W along the South line of said Block 1 a distance of 131.13 to the SE corner of Lot 8, said Block 1; thence S 88°36'09" W along the South line of said Lot 8 a distance of 128.56 feet to the SW corner of said Block 1; thence N 01°53'17" W along the West line of said Block 1 a distance of 174.86 feet; thence N 88°06'43" E a distance of 15.00 feet; thence N 01°53'17" W a distance of 75.08 feet to the North line of Lot 4, said Block 1; thence N 88°41'36" E along the North line of said Lot 4 a distance of 60.00 feet; thence S 44°30'30" E a distance of 102.88 feet; thence N 88°41'36" E a distance of 115.12 feet to the point of beginning, containing 1.207 acres.

Written by William A. Booe, LS 1046, April 8, 2020

PARCEL 2

A tract of land located in a portion of Block 1, Dossville Addition, City of Independence, Montgomery County, Kansas more particularly described as follows: Beginning at the NE corner of Lot 12, said Block 1; thence S 01°51'34" E along the East line of said Block 1 a distance of 75.00 feet; thence S 88°41'36" W a distance of 115.12 feet; thence N 44°30'30" W a distance of 102.88 feet to the North line of said Block 1; thence N 88°41'36" E along said North line a distance of 184.82 feet to the point of beginning, containing 0.258 acres.