

Policy on Local Service Roads

The intent of this policy is to provide a consistent mechanism in which residents of Leavenworth County can obtain road and Right of Way infrastructure improvements. The funding requirements outlined in this policy are intended to provide a fair and equitable cost share between public and private interests. Participation in this policy by County residents is voluntary, and any Right of Way or other easements required under this policy must be freely dedicated.

1. **Opening of a new road.**

Follow procedures outlined in the Statutes. (K.S.A. 68-102 et seq., 12-752 et seq.) All costs of opening the road are to be paid for by the petitioner for the road. This includes right-of-way, surveys, grading and all construction costs. Persons petitioning to open a road should see Leavenworth County Department of Planning & Zoning for pertinent Regulations, and follow the most recent edition of the Leavenworth County Department of Public Works Road Construction and Storm Water Drainage Standards.

2. **Opening of a road which is shown on the records as having road right-of-way in a platted subdivision or platted town.**

The new road shall meet the requirements established in the most recent edition of the Road Construction and Storm Water Drainage Standards.

3. **Improving of an existing unmaintained road that is shown on the records as having dedicated Right of Way.**

- A. Person and/or persons shall send written request to the Board of County Commissioners including at a minimum the following information:
- 1) Which road it is to be improved.
 - 2) Addressed to the Board of County Commissioners, with a copy to the County Engineer.
 - 3) Specify the place of beginning, the place of termination and the total length of the road.
 - 4) Section, Township, and Range in which the road is located.
 - 5) Signature of the requestor, address, phone number and the date.
- B. Persons requesting road to be opened shall pay a licensed professional Engineer to design a set of Road and Drainage Improvement Drawings in accordance with the latest edition of the Road Construction and Storm Water Drainage Standards.
- C. A total of 60' of Right of Way (or 80' on a section line) must be present in order to allow for construction of the road. Any additional ROW required to achieve this width must be freely dedicated by petitioning residents. Leavenworth County will not initiate condemnation proceedings, as this is a voluntary program.

- 1) Any permanent Right of Way easements required to achieve the minimum width must be filed with the County Register of Deeds before work can begin.
 - 2) Any Legal Descriptions prepared for permanent Right of Way easements must be signed, sealed and dated by a Registered Land Surveyor
- D. The landowners shall move all existing fences along the proposed improvement length to the established limits of the Right of Way, and replace with new fence if they wish to have the property fenced. Leavenworth County will not replace any existing fencing.
- E. Adjacent landowners are to provide sufficient working space beyond the permanent right-of-way for back sloping and installation of cross road pipes. Temporary Construction Easements may be required to accomplish this work.
- F. The requestor's will pay the "in-place" cost of materials to construct rural gravel road in accordance with the latest edition of the Road Construction and Storm Water Drainage Standards. This includes the following:
- 1) "in-place" cost of base rock (delivered to site)
 - 2) cross road culverts (to include end sections)

Once the person/persons who have requested the improvements have met all of the requirements as described above, and paid the "in-place" cost of materials according to the County Engineer's Estimate, the improvements will be added to the County work schedule. All work to be done by County forces is conditional upon availability of time and funds. If requestor wishes to privately construct a road, any improvements must be accomplished in accordance with the latest edition of the Road Construction and Storm Water Drainage Standards and reviewed by the County Engineer.

4. Improving of an existing gravel road to a chip-seal road that is shown on the records as having dedicated Right of Way.

- A. Person and/or persons shall send written request to the Board of County Commissioners including at a minimum the following information:
- 3) Which road it is to be improved.
 - 4) Addressed to the Board of County Commissioners, with a copy to the County Engineer.
 - 5) Specify the place of beginning, the place of termination and the total length of the road.
 - 6) Section, Township, and Range in which the road is located.
 - 7) Signature of the requestor, address, phone number and the date.
- B. Persons requesting road to be opened shall pay a licensed professional Engineer to design a set or Road and Drainage Improvement Drawings in

accordance with the latest edition of the Road Construction and Storm Water Drainage Standards.

- C. A total of 60' of Right of Way (or 80' on a section line) must be present in order to allow for construction of the road. Any additional ROW required to achieve this width must be freely dedicated by petitioning residents. Leavenworth County will not initiate condemnation proceedings, as this is a voluntary program.
 - 1) Any permanent Right of Way easements required to achieve the minimum width must be filed with the County Register of Deeds before work can begin.
 - 2) Any Legal Descriptions prepared for permanent Right of Way easements must be signed, sealed and dated by a Registered Land Surveyor

- D. The landowners shall move all existing fences along the proposed improvement length to the established limits of the Right of Way, and replace with new if the property owner wished to have fencing. Leavenworth County will not replace any fence.

- E. Adjacent landowners are to provide sufficient working space beyond the permanent right-of-way for back sloping and installation of cross road pipes. Temporary Construction Easements may be required to accomplish this work.

- F. The requestor's will pay the "in-place" cost of materials to construct a local chip-seal road in accordance with the latest edition of the Road Construction and Storm Water Drainage Standards. This includes the following:
 - 1) base rock
 - 2) road oil
 - 3) cover material "chips"
 - 4) cross road culverts (to include end sections)

Once the person/persons who have requested the improvements have met all of the requirements as described above, and paid the "in-place" cost of materials according to the County Engineer's Estimate, the improvements will be added to the County work schedule. All work to be done by County forces is conditional upon availability of time and funds. If requestor wishes to privately construct a road, any improvements must be accomplished in accordance with the latest edition of the Road Construction and Storm Water Drainage Standards and reviewed by the County Engineer.

5. Grading of field access roads.

These roads may be bladed upon request of adjacent landowner. This will not exceed two times per year per road. This work will be completed at a time convenient to the established blading schedule. Any additional rock must be provided by the landowner.

6. Bulldozing of brush or reshaping of ditches along the side of a road.

- A. Person and/or persons shall send written request to the County Engineer including at a minimum the following information:
 - 1) Which road it is to be improved.
 - 2) Addressed to the Board of County Commissioners, with a copy to the County Engineer.
 - 3) Specify the place of beginning, the place of termination and the total length of the road as well as the side to be cleared.
 - 4) Signature of the requestor, address, phone number and the date.
- B. A 20' Temporary Construction Easement be granted outside of existing Right of Way
- C. Any utilities that may be impacted must be relocated by the utility company prior to work commencing.
- D. The owner must remove and reinstalls the fence.
- E. The owner will responsible for the disposal of brush piles.
- F. All work to be done by County forces is conditional upon availability of time and funds.

7. Turn around for school buses.

- A. When school district determines a bus needs to utilize a driveway for a turn around, the following conditions must be met.
 - 1) The school district must request school bus turn around in driveway.
 - 2) Written permission by the landowners must be provided.
 - 3) Turn around must remain at this location for at two (2) seasons.
- B. The County will provide sufficient rock surfacing in the driveway to lesson damage caused by the bus. The Department of Public Works has final approval of bus turn around locations. If existing County road can be utilized, a driveway turn around will not be provided.

8. Blade maintenance of driveways.

- A. The County, at the request of a property owner, will furnish a motor grader to blade a driveway. The County will provide the first hour free of charge. Any additional time to be paid at the established hourly rate for equipment and operator by the requesting owner.
- B. This service is only to be provided no more often than once a year and then at a time that is convenient to Leavenworth County.

This policy supersedes any and all previous Local Service Road and no grandfather clause is provided.

